



SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS

Regular Board Meeting Agenda

Thursday, 4 April 2019

1:30 - 4 pm

295 Girard Street, Durango, CO 81302

- I. Introductions
- II. Public Comment – 5 minutes per person
- III. Presentation – 2020 Census
- IV. Presentation - Four Corners Coordinated Transit Plan
- V. Consent Agenda
 - a. March 2019 SWCCOG Meeting Minutes
 - b. February 2019 Financials
- VI. Reports (Staff will be available for questions on the written reports)
 - a. Director's Report
 - b. Broadband Report
 - c. Legislative Report
 - d. Transportation Report
 - e. VISTA Report
- VII. Discussion Items
- VIII. Decision Items
 - a. CDOT Mobility Management Grant
 - b. FastTrack Contract
- IX. Executive Session
 - a. For conference with the SWCCOG Attorney for the purpose of receiving legal advice on specific legal questions under CRS Section 24-6-402(4)(b)
- X. Decision regarding SWCCOG Attorney advice (to be made after Executive Session has ended)
- XI. Community Updates (if time permits)

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Public Comments

Please limit comments to 5 minutes per person.

Presentation – 2020 Census

Presentation -
Four Corners Coordinated Transit Plan

Four Corners Coordinated Transit Plan Presentation



Four Corners Coordinated Transit Plan

Southwest Colorado Council of Governments

2018

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1 INTRODUCTION

COORDINATED PLANNING

Presidential Executive Order 13330 on the Coordination of Human Service Programs, issued by the president on February 24, 2004, created an interdepartmental Federal Council on Access and Mobility to undertake collective and individual departmental actions to reduce duplication among federally funded human service transportation services, increase the efficient delivery of such services, and expand transportation access for older individuals, people with disabilities, people with low income, children, and other disadvantaged populations within their own communities.

In 2006, the Safe, Affordable, Flexible, Efficient, Transportation Equity Act-A Legacy for Users (SAFETEA-LU) established an executive order stating that agencies involved in the coordination or delivery of transportation services are required to produce a coordinated public transit human service plan. That executive order was carried over to the Moving Ahead for Progress in the 21st Century Act (MAP-21) in 2012, and subsequently the Fixing America's Surface Transportation (FAST) Act in 2015. Additionally, federal transit law requires that projects selected to receive funding under the Enhanced Mobility for Older Adults and Individuals with Disabilities (Section 5310) Program are "included in a locally developed, coordinated public transit human service transportation plan," and that the plan be "developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of the public, private, and nonprofit transportation and human service providers and other members of the public" utilizing transportation services.

ABOUT THIS PLAN

One of the greatest challenges in the Four Corners region is adequate public transportation. The region itself is vast, encompassing four states: Arizona, Colorado, New Mexico, and Utah, and includes multiple challenges to providing cohesive transportation, such as topography and a highly rural landscape.

The purpose of this plan is to operate as a guide for the implementation of comprehensive, regional transit coordination. This plan includes a listing of existing services available in the region as well as background information regarding those services. This plan makes recommendations on services and strategies designed to best suit the region and meet various transportation needs.

THE PLANNING PROCESS

The initial project phase examined existing services available in the Four Corners region, not only to understand the range of service available to consumers, but also to ascertain how existing services are managed and operated. This background information assisted in evaluating the institutional resources available to develop a broader and more comprehensive program. A thorough assessment of existing services helped to identify strategies that were appropriate for the region. The assessment also helped to determine how SWCCOG and stakeholders may best proceed to build the framework for a more coordinated four-state system.

Developing a service inventory and understanding of service coverage will also support an analysis of service and programmatic needs. The project team examined and assessed the needs of customers and tourists alike, to determine the most appropriate strategies for the region. Working closely with stakeholders in the

Four Corners region, the list was prioritized and articulated into a series of implementation strategies that support and help strengthen the recommended framework designed around clear-cut goals and objectives, and will help implement coordinated services to meet the regional needs.

PLAN PROCESS

The coordinated planning process, while prescriptive, does allow room for each individual region to determine strategies, or recommendations, that are best suited to improving overall coordination in the respective region. In general, however, the coordinated planning process consists of the following steps:

- **Assessment of transportation needs** for individuals with disabilities, older adults, and people with limited income
- **Inventory of available services** that identifies areas of redundant service and gaps in service
- **Strategies** to address identified gaps in service
- Identification of **coordination actions to eliminate or reduce duplication** in services and strategies for more efficient utilization of resources
- **Prioritization** of implementation strategies

2 EXISTING CONDITIONS

The transit picture of the Four Corners region is very complex. Not only is the area governed by four states, but there are also three Federal Transit Administration (FTA) regions determining the allocation of Section 5311 funds (among other streams), at least four councils of government (COGs), at least one metropolitan planning organization (MPO), and a nebulous definition of the number of counties and population centers.

The Four Corners region's definition is loose, but this study incorporates the boundaries of the COGs which touch the meeting point of Four Corners National Monument as a starting point for understanding variations and opportunities for coordinated transit between the states. They are (and headquartered in):

- Northern Arizona Council of Governments (Flagstaff, AZ)
- Southwest Colorado Council of Governments (Durango, CO)
- Northwest New Mexico Council of Governments (Gallup, NM)
- Southeastern Utah Association of Local Governments (Price, UT)

Summaries of the area under the purview of these COGs are detailed in Figure 1.

THE FOUR CORNERS REGION

Figure 1 Overview of Essential Four Corners Facts

<p>STATE OF UTAH</p> <ul style="list-style-type: none"> • FTA Region: 8 (Denver) • Reservations: Ute Mountain Ute, Uintah and Ouray; Navajo Nation • Distance from Four Corners to Capital (Salt Lake City): 380 miles; 6.25 hours • COG Counties: Carbon, Emery, Grand, San Juan (4) • 2017 Population of COG Area: 55,402 • Population Change from 2010: -1.7% 	<p>STATE OF COLORADO</p> <ul style="list-style-type: none"> • FTA Region: 8 (Denver) • Reservations: Southern Ute, Ute Mountain Ute • Distance from Four Corners to Capital (Denver): 420 miles; 7.5 hours • COG Counties: Archuleta, Dolores, La Plata, Montezuma, San Juan (5) • 2017 Population of COG Area: 97,826 • Population Change from 2010: +6.7%
<p>STATE OF ARIZONA</p> <ul style="list-style-type: none"> • FTA Region: 9 (San Francisco) • Reservations: Navajo Nation, Yavapai-Apache, Hopi • Distance from Four Corners to Capital (Phoenix): 370 miles; 5.75 hours • COG Counties: Apache, Navajo, Coconino, Yavapai (4) • Population of COG Area: 549,506 • Population Change from 2010: +4.8% 	<p>STATE OF NEW MEXICO</p> <ul style="list-style-type: none"> • FTA Region: 6 (Fort Worth) • Reservations: Navajo Nation, Pueblo of Acoma, Laguna, and Zuni • Distance from Four Corners to Capital (Santa Fe): 260 miles; 4.5 hours • COG Counties: Cibola, McKinley, San Juan (3) • 2017 Population of COG Area: 226,343 • Population Change from 2010: -1.1%

PAST PLANS

The Four Corners region encompasses many different jurisdictions, each of which has developed multiple plans and processes to account for the transportation infrastructure, the propensity for expanding, and the feasibility of programming such an expansion (and maintenance). The contents of each plan includes many details and varying priorities but, ultimately, from a larger interstate perspective, there is much common ground. This is important because the shared characteristics and priorities of the four states can emerge as a starting point for a true coordinated effort to expand and maintain a *bona fide* Four Corners transit service.

This report section provides a summary-level review of the transit planning context in the Four Corners Region. Transportation plans at local, regional, and state levels – from approximately the past 10 years – were reviewed to identify context to transit service coordination in the Four Corners Region.

Each of the following plans, which were provided to Nelson\Nygaard by project stakeholders, was reviewed. Special attention was paid to each plan’s purpose, the identified transportation needs, and recommendations. It is important to know, however, that this is a “snapshot” of the “lay of the land” in terms of transportation and transit conditions. Due to the complexities and unofficial definition of the Four Corners Region, there may be entities and plans that are not included in this review, but they should not be discounted.

Figure 2 Overview of Reviewed Plans

State	Plan	Year	Agency
Arizona	Coordinated Mobility Plan	2017	Northern Arizona Council of Governments
Colorado	Regional Public Transit Feasibility Report	2015	Southwest Colorado Council of Governments
Colorado	Southwest Transportation Planning Region Regional Coordinated Transit & Human Services Plan	2014	Colorado Department of Transportation Division of Transit and Rail, Southwest Transportation Planning Region
Colorado	Gunnison Valley Regional Coordinated Transit and Human Services Plan	2014	Colorado Department of Transportation Division of Transit and Rail, Gunnison Valley Transportation Planning Region
Colorado	Southwest Colorado Regional Transit Feasibility Study	2009	Region 9 Economic Development District of Southwest Colorado
Colorado	Inventory and Prioritization of Roads in La Plata County for Improved Bicycling, Pedestrian, and Motorist Safety	2007	Safe Roads Coalition
New Mexico	Northwest RTPO and Farmington MPO	2015	New Mexico Department of Transportation
New Mexico	Statewide Public Transportation Plan	2010	New Mexico Department of Transportation Transit and Rail Division
New Mexico	Rural Transit Study	2005	Northwest New Mexico Council of Governments
Utah	Southeastern Utah Coordinated Human Service Public Transportation Plan Update	2015	Southeastern Utah Association of Local Governments
Utah	Coordinated Human Service Public Transportation Plan	2007	Utah United We Ride Board

Key Findings

- The reviewed plans were created for multiple reasons and were therefore highly varied in their goals. Several of these plans were written to conform to federal requirements, particularly those originating and specific to activities within the MPO boundaries. Other plans originated from a special need (such as the Regional Rural Transit Feasibility Study).
- Most of the plans sought to identify gaps, barriers, and needs pertaining to transportation options in the respective areas.
- A majority of plans noted a combination of limitations in geography and resources for public transportation service and operation. Some also noted the lack of marketing and popular awareness of existing services.
- Information and awareness was not limited to just the population of transit riders. The NACOG Coordinated Mobility Plan noted a need for providers to share information and resources to help identify duplications and gaps in the network.
- Many plans noted a presence of vulnerable populations (including people with low income, people with mental and physical disabilities, and senior populations) but were inconsistent in conveying these facts. Several noted proportional changes on a county or regional level. The Northwest RTPO

and Farmington MPO Plan, however, used a comprehensive demographic index and GIS mapping to locate pockets of where populations potentially in need of public transportation resided at a Census Block group level.

- Plans noted the importance of synergistic planning for transit service alongside other transportation modes. For example, the La Plata County roads assessment noted how “failure to provide an accessible pedestrian network for people with disabilities often requires the provision of costly paratransit service.”
- Few plans identified future transit funding options beyond existing federal, state, and local streams. However, the SWCCOG Transit Feasibility Report made multiple suggestions of new dedicated streams for public transportation. Those worthy of consideration for future implementation and political buy-in include:
 - sales taxes
 - property taxes
 - vehicle fees
 - parking fees for localities
 - increased fuel taxes
 - vehicle-miles traveled fees
 - corporate sponsorships and public-private partnerships
 - transient taxes on hotel occupancy
 - gaming taxes on casinos
- The importance of transportation to and from major employers outside the immediate region were noted, including the Navajo Agricultural Products Industry (Farmington), Rocky Mountain Chocolate Factory (Durango), and various casinos and hotels.
- A need for transportation to and from major cities, particularly those with Veterans Affairs facilities (like Grand Junction, Flagstaff, and Albuquerque) was noted.
- Plans did detail corridors and locations of particular importance, including:
 - “the most common commute patterns in the region include the west-east route from Montezuma to La Plata and the north-south route from New Mexico to La Plata,” (SWCCOG 2014)
 - along major corridors in between Farmington and Aztec, and between Farmington and Bloomfield

Figure 3 Reviewed Plans

State	Plan	Relevant Short-Term Priorities	Relevant Long-Term Priorities
Arizona	Coordinated Mobility Plan	<ul style="list-style-type: none"> ▪ Create a mobility advisory committee ▪ Upgrade fleets ▪ Standardized reporting and tracking forms ▪ Identify service areas of the many providers 	<ul style="list-style-type: none"> ▪ Development of route management software ▪ Establish a centralized call center ▪ Matching county funds for local mobility managers ▪ Offering guidance to agencies regarding contract language and referral services
Colorado	Regional Public Transit Feasibility Report	<ul style="list-style-type: none"> ▪ Produce a “clear delineation of what the expected role of SWCCOG will be in the coordination of transportation and human services” 	Strategies were not given an implementation timeline.

		<ul style="list-style-type: none"> ▪ Hire dedicated staff on coordination and funding efforts ▪ Collaborate with jurisdictions to develop a fixed intercity transit service between Cortez and Durango, following US Highway 160. 	
Colorado	Southwest Transportation Planning Region Regional Coordinated Transit & Human Services Plan	<ul style="list-style-type: none"> ▪ Full-time staffing for dedicated regional mobility managers ▪ Sustaining online portals (such as SW Connect) ▪ Creating public-private partnerships for enhancing and streamlining services ▪ Expanding car sharing and vanpooling options for employers ▪ Expanding van services for veterans ▪ Implementing voucher programs for low-income, elderly, and/or disabled local transit riders ▪ Maintaining all existing public transit services at the country level ▪ Planning for further opportunities for fare integration, park-and-ride locations, and programming intercity and regional bus networks ▪ Identifying new funding opportunities via local match, discretionary grants, and cost sharing 	<ul style="list-style-type: none"> ▪ Centralizing all information pertaining to services under the umbrella of the Regional Transit Coordination Council as a one-stop “clearinghouse of information” ▪ Developing feeder bus services with increased service frequencies to intercity and regional stations ▪ Subsidizing Mountainside Concierge transit for San Juan County’s low-income residents ▪ Coordinating to create rail transit between Silverton and Durango for residents (not just tourists)
Colorado	Gunnison Valley Regional Coordinated Transit and Human Services Plan	<ul style="list-style-type: none"> ▪ Continued funding of existing services and creation of new connective service to Montrose via Gunnison, Delta, and Telluride ▪ Expanded human services transportation funding for the region ▪ Creating dedicated and stable funding sources ▪ Centralizing the call center and mobility management for the region ▪ Establishing upgraded assets (e.g., bus stops) and asset management practices 	<ul style="list-style-type: none"> ▪ Strategies were not given an implementation timeline
Colorado	Southwest Colorado Regional Transit Feasibility Study	<ul style="list-style-type: none"> ▪ Form a Coordinating Council ▪ Hire a Mobility Manager ▪ Intercity Service ▪ Improve Rideshare Program 	<ul style="list-style-type: none"> ▪ Increase all Intercity Services to 5-days/week
Colorado	Inventory and Prioritization of Roads in La Plata County for Improved Bicycling, Pedestrian, and Motorist Safety	<ul style="list-style-type: none"> ▪ An accommodation policy to be adopted at the County, State, and City of Durango levels to “incorporate bicycling and walking facilities into all transportation projects.” 	None

New Mexico	Northwest RTPO and Farmington MPO	<ul style="list-style-type: none"> ▪ Servicing places with “high concentrations of special needs populations” ▪ Increasing intercity connections to centers including locations like “Albuquerque, Aztec, Bloomfield, Farmington, Gallup, the NAPI Center, and Durango, Colorado,” as well as “educational and healthcare facilities” ▪ Introducing services “to unserved or underserved populations in both urban and rural areas” ▪ Improving demand-responsive and transit information services with sharing operational resources and a “one number to call” mentality ▪ Improving services to go “beyond the minimum requirements of the ADA” ▪ Coordinating with providers and agencies “to fill transportation service gaps” 	<ul style="list-style-type: none"> ▪ Submitting transit data to Google for Google Transit Feed Specification to assist with rider information ▪ Install Traffic Signal Priority on buses ▪ Encourage land use patterns with mixed uses and higher density areas that support transit
New Mexico	Statewide Public Transportation Plan	<ul style="list-style-type: none"> ▪ “Continued use of the Regional Transit District (RTD) model for addressing public transportation needs in the state” ▪ Human services and coordinated transit serving Cibola County (particularly Grants) and intercity commuter service serving the “low volume, but relatively concentrated corridor” between Grants and Gallup 	<ul style="list-style-type: none"> ▪ Coordination amongst agencies for future planning ▪ Strategic investment in key corridors
New Mexico	Rural Transit Study	<ul style="list-style-type: none"> ▪ A 14-passenger shuttle providing two round trips from Gallup to Albuquerque each weekday ▪ The placement of stops at central multimodal locations in the town centers of Albuquerque, Grants, and Gallup ▪ Centrally located stops with “handicap accessibility, lighting, security, shelter, benches, payphone, display of bus times, bike rack [...], sidewalks, [and] trash cans” ▪ Bus drivers receive regular training and are asked to provide public input 	<ul style="list-style-type: none"> ▪ The incorporation of emerging technologies and data collection to understand “possible new stopping locations” and the routes’ ongoing feasibility
Utah	Southeastern Utah Coordinated Human Service Public Transportation Plan Update	<ul style="list-style-type: none"> ▪ A centralized directory of information and dispatch center in coordination with the Utah 2-1-1 call system ▪ Education for current and potential riders, as well as service providers ▪ Development of a reliable system and roster of drivers to provide transportation to outlying areas 	Strategies were not given an implementation timeline

Utah	Coordinated Human Service Public Transportation Plan	<ul style="list-style-type: none"> ▪ Education of service providers, current transit riders, and potential transit riders ▪ Coordination between public and private service providers to expand regional transit service ▪ Coordination and education of medical personnel to consolidate medical trips (e.g., combining doctor and pharmacy visits) ▪ Development of a roster/system of drivers 	Strategies were not given an implementation timeline
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EXISTING TRANSIT SERVICE

A detailed inventory of all the existing transit services is featured in the appendix, which will function as a service brochure for all agencies and service centers, and profiles all the known contact information for transit services.

Public Transportation

There are 27 public transportation services by mode (e.g., local bus, commuter bus, demand-response) in the Four Corners region which reported figures to the National Transit Database (NTD) for 2017. They are profiled in Figure 4.

Key Findings

- Over 2017, public transportation provided at least 3.3 million trips in 137 vehicles across the Four Corners region.
- Seven of the reporting entities are tribal transit providers. They account for at least 225,000 annual riders, or 7% of the total regional transit annual ridership.
- Largest among the tribal transit providers is Navajo Transit System, only one of two transit agencies currently operating service which crosses state boundaries in the region.
- The other service which openly crosses state lines serves Dolores County, CO. The demand-response service, which is open to all but prioritizes medical trips in scheduling, provides service from Dove Creek to Monticello, UT,
- Services within urbanized areas have highly varying levels of efficiency by mode. In Farmington’s Red Apple Transit, the fixed-bus routes cost approximately \$7.88 per trip while the demand-response service cost approximately \$12.58 per trip. Meanwhile, Durango Transit’s fixed service and demand-response service cost \$4.24 and \$68.90, respectively.
- There was not a single reporting agency from Utah’s portion of the Four Corners region found in the NTD, but Navajo Transit System does provide service to Blanding. Additional non-reporting services include Carbon County Senior Bus.
- In October 2017, North Central Regional Transit District (NCRTD), a bus service centered on Espanola and Santa Fe, added service to Farmington to its network. Partially funded by Jicarilla Apache Nation, the route travels 111 miles from Chama to Farmington, Tuesdays and Thursdays.¹

¹ https://www.ncrtd.org/uploads/FileLinks/ad079f8eb84c49e49e233770613806f4/AR_2017.pdf

Figure 4 National Transit Database Statistics on Four Corners Public Transportation Services (2017)

State	Agency Name	Main City	Mode	Unlinked Trips	Trips per Revenue Service Hour	Trips per Revenue Vehicle Mile	Operating Expenses per Unlinked Trip	Vehicles Operating
AZ	Mountain Line	Flagstaff	Local Bus	2,078,694	27.7	2.3	\$3.04	20
CO	Durango Transit	Durango	Local Bus	472,105	15.8	1.1	\$4.24	13
AZ	Four Seasons Connection	Show Low	Local Bus	169,867	22.8	1	\$2.62	4
AZ	Navajo Transit System	Ft. Defiance	Commuter Bus	149,429	8.3	0.2	\$15.76	13
NM	Red Apple Transit	Farmington	Local Bus	121,828	6.8	0.4	\$7.88	8
AZ	Cottonwood Area Transit (CAT)	Cottonwood	Local Bus	80,366	8.6	0.6	\$8.14	3
AZ	CAT Verde Lynx	Cottonwood	Commuter Bus	55,211	9.5	0.4	\$9.81	2
NM	A:Shiwi Transit	Zuni	Local Bus	39,270	10.2	0.4	\$7.86	3
AZ	Helping Hands	Page	Local Bus	23,226	1.9	0.1	\$35.51	5
AZ	Mountain Line	Flagstaff	Demand-Response	23,128	2.9	0.2	\$41.14	7
AZ	Hopi Senom Transit	Kykotsmovi	Local Bus	22,754	4.2	0.1	\$21.52	4
AZ	Cottonwood Area Transit (CAT)	Cottonwood	Demand-Response	18,216	2.2	0.2	\$19.33	5
CO	Road Runner Transit and Stage Lines	Ignacio	Demand-Response	17,893	3.7	0.2	\$12.14	4
AZ	White Mountain Connection	Show Low	Commuter Bus	15,602	5	0.2	\$14.98	3

CO	Montezuma County	Cortez	Demand-Response	15,413	1.8	0.1	\$14.32	7
CO	Road Runner Transit and Stage Lines	Ignacio	Local Bus	13,319	2.4	0.1	\$27.11	3
NM	Carrot Express	Milan	Demand-Response	10,250	3.2	0.1	\$22.14	3
AZ	Mountain Line	Flagstaff	Vanpool	9,044	3.3	3.1	\$8.52	8
CO	Road Runner Transit and Stage Lines	Ignacio	Commuter Bus	6,587	1.7	0	\$76.57	2
CO	Durango Transit	Durango	Demand-Response	6,252	1.9	0.1	\$68.90	2
NM	Shaa'srk'a Transit	Laguna	Demand-Response	6,016	1.4	0.1	\$28.62	5
CO	Dolores County	Dove Creek	Demand-Response	5,981	1.9	0.1	\$29.20	7
NM	Red Apple Transit	Farmington	Demand-Response	4,017	1.6	0.1	\$12.58	2
AZ	Yavapai-Apache Nation (YAN) Transit	Camp Verde	Local Bus	3,819	1.1	0.1	\$29.49	2
NM	Shaa'srk'a Transit	Laguna	Local Bus	2,998	1.6	0.1	\$27.15	1
CO	Southern Ute Tribe	Ignacio	Demand-Response	1,462	1	0.1	\$33.92	1

Private Transportation

There are multiple taxi services based in larger towns and cities throughout the region, including Flagstaff, Durango, Cortez, and Farmington. They typically provide service 24 hours a day, seven days a week. However, service is not typically provided across state lines at affordable rates.

Human Services Transportation

In addition to public transportation, at least 50 nonprofit and human services organizations across all four states provide some level of demand-response service. These services are specifically targeted towards special needs populations including youth, people with disabilities, veterans, and senior citizens. They do not typically provide service across state lines. A major exception is the emergency medical services (EMS) providers of the region. For example, the Utah Navajo Health System EMS will field 911 calls throughout the region and provide emergency service to the area's hospitals, which include Blue Mountain Hospital in Blanding, Southwest Memorial Hospital in Cortez, Northern Navajo Medical Center in Shiprock, and Kayenta Indian Health Services in Kayenta.

EXISTING FUNDING

Formula Funds for Public Transit

Federal funding for public transit comes primarily through the U.S. Department of Transportation (U.S. DOT). Funding for the U.S. DOT is authorized by the Fixing America's Surface Transportation (FAST) Act, the first federal transportation authorization in over a decade to fund federal surface transportation programs through 2020. The FAST Act was signed into law in December 2015, and provides \$305 billion in funding over fiscal years 2016 through 2020 for the U.S. DOT and its subsidiary agencies, including the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA).

The following discussion of funding for public transit is based on the provisions of the FAST Act effective through September 2020. The FTA allocates funding for transit systems in urbanized and rural areas and for programs for older adults and individuals with disabilities. The FTA allocates funds based on formulas or discretionary awards. Ten FTA funding programs apportion to urbanized areas or states by specific formula. Eight FTA programs are based on discretionary funding. In addition to FTA grant programs, the FHWA administers programs that provide the flexibility to transfer funds to the FTA for transit projects.

FTA FORMULA FUNDS

Of the 13 FTA funding programs that are allocated by formula, the FTA allocates funds to nine programs based on formulas that include population and land area as criteria. The FTA allocated formula funds according to classification of an area as urbanized or non-urbanized.

All areas are defined as either urbanized or non-urbanized based on population and population density. The Census Bureau designates urbanized areas based on the most recent decennial census. While the U.S. DOT has no direct role in the designation of these areas, they are critical to the administration of FTA and FHWA transportation programs. Urbanized Areas (UZAs) are important to the designation of a metropolitan planning organization and application of metropolitan planning requirements, designation of transportation management areas, application of air quality conformity requirements, and allocation of funding.

Under current definitions, the Census Bureau delineates UZAs according to population densities of census blocks and block groups and their proximity to an urban core – with the sum of the population for these geographic units equaling 50,000 people or more. Similarly, urban areas of less than 50,000 people are designated as urban clusters (UCs). For the purposes of transit funding, all UZAs are considered “urbanized” while all areas outside of UZAs (including UCs) are considered “non-urbanized.” For FTA funding allocations, the FTA designates UZAs further into three groups according to population: small urban areas with a population of 50,000 to 199,999, large urban areas with a population of 200,000 to 999,999, and very large urban areas with a population of 1 million and over. Funding formula allocation and restrictions on the use of funds differ by the size of the UZA according to these three groups.

The following list of sections from the FAST Act identifies the formula funding category and the basis for formula apportionments.

Section 5307 Urbanized Area Formula Program

The largest FTA funding program is the Section 5307 Urbanized Area Formula Program. Section 5307 authorizes federal capital and, in some cases, operating assistance for transit in UZAs. A UZA is an area with a population of 50,000 or more that has been defined as such in the most recent decennial census (2000) by the Census Bureau.

The FTA apportions Section 5307 funds based on legislative formulas. Different formulas apply to UZAs with a population of less than 200,000 (small UZA or small urban area) and to UZAs with a population of

200,000 or more (large UZA or large urban area). The FTA allocates to UZAs with a population 1 million or more (very large UZA or very large urban area) based on the same formula as large UZAs.

For the small UZAs with a population less than 200,000, the FTA bases the formula solely on population and population density. The FTA sets aside 1% of Section 5307 funds for Small Transit Intensive Cities. The FTA apportions these funds to UZAs with a population of less than 200,000 that operate at a level of service equal to or above the industry average level of service for all UZAs with a population of at least 200,000 but not more than 999,999. The FTA allocates the funds based on level of service and performance in one or more of six categories: passenger miles per vehicle revenue mile, passenger miles per vehicle revenue hour, vehicle revenue miles per capita, vehicle revenue hours per capita, passenger miles per capita, and passenger trips per capita.

For UZAs with a population of less than 200,000, the FTA apportions Section 5307 funds to the governor of each state for distribution. The governor or designee may determine the suballocation of funds among the small UZAs or elect to obligate the funds in the amounts based on the legislative formula.

For UZAs with a population of 200,000 or more, the FTA bases the Section 5307 formula on bus vehicle revenue miles, as well as population and population density. An incentive payment is based on bus passenger miles divided by operating costs. An agency that provides transit using fixed guideway is eligible for additional formula funds based on fixed guideway vehicle revenue miles and fixed guideway route miles. An incentive payment is based on fixed guideway passenger miles divided by operating costs. The FTA apportions funds directly to a designated recipient selected locally to apply for and receive federal funds.

Eligible purposes for use of Section 5307 funds include planning, engineering design, and evaluation of transit projects and other technical transportation-related studies; capital investments in bus and bus-related activities such as replacement of buses, overhaul of buses, rebuilding of buses, crime prevention and security equipment, and construction of maintenance and passenger facilities; and capital investments in new and existing fixed guideway systems including rolling stock, overhaul and rebuilding of vehicles, track, signals, communications, and computer hardware and software. All preventive maintenance and some Americans with Disabilities Act (ADA) complementary paratransit service costs qualify as capital costs. For most projects, up to 80 percent of project costs use federal funds. The federal contribution may be 90 percent for some projects that support ADA or the Clean Air Act.

Small UZAs with a population of less than 200,000 may also use Section 5307 funds for operating assistance up to 50 percent of the operating deficit (operating expenses less fare revenue). For UZAs with populations of 200,000 or more, operating assistance is not an eligible expense. The FTA provides UZAs that reach or exceed the 200,000 population threshold for the first time after the most recent decennial census a transition period of several years to eliminate the use of Section 5307 funds for operating assistance.

In urban areas with a population 200,000 or more, at least 1 percent of the funding apportioned to each area must be used for transit enhancement activities such as historic preservation, landscaping, public art, pedestrian access, bicycle access, and enhanced access for people with disabilities.

Section 5311 Non-Urbanized Area Formula Program

The Section 5311 Non-Urbanized Area (rural) program provides formula funding to states for the purpose of supporting public transit in rural areas with a population of less than 50,000. The FTA bases 80 percent of the statutory formula on the rural population of the states and 20 percent of the formula on land area. No state may receive more than 5 percent of the amount apportioned for land area. In addition, FTA adds amounts apportioned according to the Growing States formula factors to rural areas. Each state prepares an annual program of projects, which must provide for fair and equitable distribution of funds within the state and must provide for maximum feasible coordination with transportation services assisted by other federal sources.

Funds may be used for capital, operating, and administrative assistance to state agencies, local public bodies, nonprofit organizations, and operators of public transit services. The maximum federal share for

capital and project administration is 80 percent. Projects to meet the requirements of the ADA, the Clean Air Act, or bicycle access projects may be funded at 90 percent federal contribution. The maximum FTA contribution for operating assistance is 50 percent of the net operating costs. State or local funding sources may provide the local share.

The FTA makes available 15 percent of the Section 5311 funds in each state for improvement of intercity bus services, also known as the Section 5311(f) program. The funds are to be used for planning, infrastructure, and operating needs related to the linkage of cities through intercity bus carriers unless the chief executive officer of the state certifies that the intercity bus service needs of the state are being met adequately. If all funds are not obligated to intercity bus improvements, the funds may revert to the general Section 5311 program for public transit in rural areas.

Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program

Section 5310 provides formula funding to states for the purpose of meeting the transportation needs of the seniors and individuals with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate to meeting these needs. The FTA apportions \$125,000 to each state and then apportions the balance based on each state's share of population for these groups of people.

Capital projects are eligible for funding. Most funds are used to purchase vehicles or provide preventive maintenance for transit fleets; acquisition of transportation services under contract, lease, or other arrangements, and state program administration are also eligible expenses. The maximum federal share is 80 percent. State or local funding sources may provide local share.

Section 5303 Metropolitan Transportation Planning

Congress appropriates federal funding to support a cooperative, continuous, and comprehensive planning program for transportation investment decision making at the metropolitan area level. State departments of transportation are direct recipients of funds, which are then allocated by formula for planning activities.

The FTA allocates 80 percent of funds to states as a basic allocation according to each state's UZA population for the most recent decennial census. The FTA provides the remaining 20 percent to states as a supplemental allocation based on an FTA administrative formula to address planning needs in the larger, more complex UZAs. Generally, funds require a 20 percent local match, although FTA planning funds can be awarded as a consolidated planning grant with the FHWA, which permits a 10 percent local match.

Section 5304 Statewide Transportation Planning

The Section 5304 program provides financial assistance to states for statewide transportation planning and other technical assistance activities (including supplementing the technical assistance program provided through the Section 5303 Metropolitan Transportation Planning Program). The FTA apportions the funds to states by a statutory formula that is based on each state's UZA population as compared to the UZA population of all states according to the most recent decennial census.

Section 5311(b) (3) Rural Transit Assistance Program

The Rural Transit Assistance Program (RTAP) provides funding to assist in the design and implementation of training and technical assistance projects, research, and other support services tailored to meet the needs of transit operators in non-urbanized areas. The FTA allocates \$65,000 to each state and then allocates the balance of funds to each state based on an administrative formula using the non-urbanized population according to the most recent decennial census.

FTA DISCRETIONARY FUNDS

Section 5309 Capital Program – Bus and Bus Facilities

Funds for the Capital Investment Program (49 U.S.C. 5309) – Bus and Bus Facilities provide capital assistance for new and replacement buses and related equipment and facilities. Eligible capital projects include the purchase of buses for fleet and service expansion, bus maintenance and administrative facilities, transfer facilities, bus malls, transportation centers, intermodal terminals, park-and-ride stations, acquisition of replacement vehicles, bus rebuilds, bus preventive maintenance, passenger amenities such as passenger shelters and bus stop signs, accessory and miscellaneous equipment such as mobile radio units, supervisory vehicles, fare boxes, computers, and shop and garage equipment.

Section 5309 Bus and Bus Facilities funds are allocated on a discretionary basis. Eligible recipients for capital investment funds are public bodies and agencies (transit authorities and other state and local public bodies and agencies thereof) including states, municipalities, other political subdivisions of states; public agencies and agencies comprised of one or more states; and certain public corporations, boards, and commissions established under state law. Prior to the FAST Act, private nonprofit entities could receive FTA funds only if they were selected by a public authority through a competitive process, and private operators were not eligible sub-recipients. With the SAFETEA-LU authorization, private companies engaged in public transportation and private non-profit organizations are eligible sub-recipients of FTA grants.

Private operators may now receive FTA funds as a pass-through without competition if they are included in a program of projects submitted by the designated public authority acting as the direct recipient of a grant.

The FTA has the discretion to allocate funds, although Congress often fully earmarks all available funding. The maximum federal share for a discretionary grant is 80 percent, although recent FTA practice is to award funds that represent a lower federal share and higher state and local contribution.

Clean Fuels Grant Program

In 1998, TEA-21 established the Clean Fuels Grant Program. The program was developed to assist non-attainment and maintenance areas in achieving or maintaining the National Ambient Air Quality Standards for ozone and carbon monoxide (CO). Additionally, the program supports emerging clean fuel and advanced propulsion technologies for transit buses and markets for those technologies. Although the program was authorized as a formula grant program from its inception, Congress did not fund the program in annual appropriations. SAFETEA-LU changed the grant program from a formula-based to a discretionary grant program (49 U.S.C. 5308). The program, however, retains its initial purpose through the FAST Act.

The Clean Fuels Grant Program is available to an entity designated to receive federal urbanized formula funds under Section 5307, in accordance with the applicable metropolitan and statewide transportation planning processes. SAFETEA-LU amended the term “recipient” to now include smaller urbanized areas

with populations of less than 200,000. All recipients must meet one of the following criteria: (1) be designated as an ozone or CO non-attainment area or (2) be designated as a maintenance area for ozone or CO.

Eligible activities include purchasing or leasing clean fuel buses and constructing new or improving existing facilities to accommodate clean fuel buses. The federal share for eligible activities undertaken for the purpose of complying with or maintaining compliance with the Clean Air Act under this program is limited to 90 percent of the net (incremental) cost of the activity. The FTA administrator may exercise discretion and determine the percent of the federal share for eligible activities to be less than 90 percent. Funding for clean diesel buses is limited to not more than 25 percent of the amount made available each fiscal year to carry out the program.

5320 Alternative Transportation in Parks and Public Lands

The Alternative Transportation in Parks and Public Lands Program is administered by the FTA in partnership with the U.S. Department of the Interior and the U.S. Department of Agriculture's Forest Service. The program funds capital and planning expenses for alternative transportation systems such as buses and trams in federally managed parks and public lands.

5339 Alternatives Analysis

The Alternatives Analysis Program provides grants to states, authorities of states, MPOs, and local government authorities to develop studies as part of the transportation planning process. These studies include assessments of a wide range of public transportation alternatives designed to address a transportation problem in a corridor or subarea. The federal share may not exceed 80 percent of the cost of the activity.

5311(c) (1) Public Transportation on Indian Reservation Program

The FTA refers to 5311(c) (1) as the Tribal Transit Program. The funds are drawn from the Section 5311 Non-urbanized Area Program. The funds are to be apportioned for grants to Indian tribes for any purpose eligible under Section 5311, which includes capital, operating, planning, and administrative assistance for rural public transit services and rural intercity bus service. The funds are not meant to replace or reduce funds that Indian tribes receive through the Section 5311 program but are to be used to enhance public transportation on Indian reservations and transit serving tribal communities.

Over-the-Road Bus Accessibility Program

The Over-the-Road Bus (OTRB) Accessibility Program was authorized under TEA-21 and amended by SAFETEA-LU. OTRBs are used in intercity fixed-route service as well as other services, such as commuter, charter, and tour bus services. The OTRB Accessibility Program is intended to assist OTRB operators in complying with the OTRB accessibility regulation, "Transportation for Individuals with Disabilities" (49 CFR Part 37, Subpart H).

Capital projects eligible for funding include adding lifts and other accessibility components to new vehicle purchases and purchasing lifts and associated components to retrofit existing vehicles. Eligible training costs include developing training materials or providing training for local providers of over-the-road bus services. This funding is provided on a national competitive basis. The federal share is 90 percent, and the local share is 10 percent. Funding is available to private operators of over-the-road buses.

FTA COMPETITIVE FUNDS

Access and Mobility Partnership Grants

In September 2018, the FTA announced the availability of \$6.3 million in grant funding for capital projects that enhance mobility and access for coordinated transportation projects that improve access to healthcare opportunities; the purpose of the funding being to bridge the gap for individuals with limited transportation options and to spur further coordination between transportation and healthcare providers. Under the initiative, there are two funding opportunities for 2018, including the Innovative Coordinated Access and Mobility (ICAM) Pilot Program, and the Human Services Coordination Research (HSCR) grants. The ICAM Pilot Program is designed with a maximum federal funding share of 80%, with 20% of funds from local match. Competitive projects under the HSCR program have a maximum federal share of capital costs at 80% and 50% of operating costs, with the remainder being local match.

Eligible activities under the ICAM Pilot Program include capital projects that improve the coordination of non-emergency medical transportation (NEMT) services. Activities under HSCR include innovative strategies to provide more effective and efficient transportation services for older adults, individuals with disabilities, and those with low incomes.

Better Utilizing Investments to Leverage Development (BUILD) Transportation Grants Program (formerly TIGER)

The BUILD grants program is the U.S. DOT's answer to what was formerly known as TIGER grants, established by The Consolidated Appropriations Act of 2018. The Act appropriated \$1.5 billion for BUILD transportation grants, with any one maximum award being \$25 million for a single project. There is a \$5 million minimum for urban projects, and a \$1 million minimum for rural projects. The BUILD program funds investments in transportation infrastructure, including transit, that contribute to America's energy independence. The FTA is the administering agency for BUILD projects that directly impact public transportation.

Low- or No-Emission Vehicle Program (5339)c

The Low- or No-Emission program (also known as Lo/No) provides funding for the purchase or lease of low- and zero-emission transit vehicles for state and local government authorities. Funding is also available for the acquisition, construction, and leasing of facilities needed to support the vehicles. Through the FAST Act, \$55 million per year is available through 2020.

Public Transportation on Indian Reservations Program; Tribal Transit Program 5311(j)

The Tribal Transit Program (TTP) continues to be a set-aside from the FTA's Formula Grants for Rural Areas program, but currently consists of \$30 million in formula grants and \$5 million in competitive grants. A 10% local match is still required under the formula program. The TTP grants are funded through Section 5311(j) of the FAST Act, authorizing public transportation on Indian reservations for Fiscal Years 2016-2020. Tribes that are federally recognized may apply for the funding, which can be used for capital, operating, planning, and administrative expenses related to public transit projects that meet the needs of rural tribal communities.

OTHER MAJOR SOURCES OF FEDERAL FUNDING FOR PUBLIC TRANSIT

In addition to FTA grant programs, there are other sources of funding for transit from a variety of federal agencies. In most cases other sources of funding for transit are available only to the extent that transportation is supportive of the primary purpose of the federal agency. However, the FHWA does

administer programs that provide the flexibility to transfer funds to the FTA for transit projects. Two programs are highlighted below.

Surface Transportation Program

The Surface Transportation Program (STP) provides the greatest flexibility in the use of funds. These funds may be used (as capital funding) for public transit capital improvements, carpool and vanpool projects, fringe and corridor parking facilities, bicycle and pedestrian facilities, and intercity or intracity bus terminals and bus facilities. As funding for planning, these funds can be used for surface transportation planning activities, wetland mitigation, transit research and development, and environmental analysis. Other eligible projects under STP include transit safety improvements and most transportation control measures.

STP funds are distributed among various population and programmatic categories within a state. Some program funds are made available to metropolitan planning areas containing urbanized areas over 200,000 population; STP funds are also set aside to areas with a population under 200,000 (small urban areas) and under 50,000 (urban clusters). STP funds are programmed typically by the local MPO.

Congestion Mitigation and Air Quality Improvement Program

Under the Clean Air Act as Amended in 1990 (Clean Air Act), urbanized areas are classified by the Environmental Protection Agency (EPA) as non-attainment areas if air pollution levels exceed the national Ambient Air Quality Standards on a continual basis. Depending upon the level of pollution and the frequency the standards are exceeded, urbanized areas are classified according to increasing pollution levels as either marginal, moderate, serious, severe, or extreme, with marginal being the lowest level of pollution and extreme being the highest. Cities meeting the standard, but with concern that the standards may be exceeded, are classified as maintenance areas. Vehicle emissions are significant contributors to the ozone pollution. Vehicle emissions increase with traffic congestion and the number of vehicle trips and vehicle miles traveled.

The Congestion Mitigation and Air Quality Improvement Program (CMAQ) has the objective of improving the nation's air quality and managing traffic congestion. CMAQ projects and programs are often innovative solutions to common mobility problems and are driven by Clean Air Act mandates to attain national ambient air quality standards. Eligible activities under CMAQ include transit system capital expansion and improvements that are projected to realize an increase in ridership; projects to demonstrate travel demand management strategies and shared ride services; and pedestrian and bicycle facilities and promotional activities that encourage bicycle commuting. Programs and projects are funded in air quality non-attainment and maintenance areas for ozone, CO, and small particulate matter (PM-10) that reduce transportation-related emissions.

UNIQUE STATE FUNDING MECHANISMS

Arizona and New Mexico have not provided state-specific funding for public transportation (capital or operations) in 2014, among other years this decade. This makes them unique among many of the 50 states.²³ Utah, on the other hand, has funded only operations of public transportation.⁴

Colorado is the beneficiary of multiple funding sources, including Funding Advancement for Surface Transportation & Economic Recovery (FASTER) and the Veterans Trust Fund. However, some of these

² https://cms.bts.dot.gov/archive/publications/state_transportation_statistics/state_transportation_statistics_2015/chapter-6/table6_10

³ <https://www.bts.gov/content/federal-and-state-funding-public-transit-2015>

⁴ <https://www.surtc.org/transitfactbook/downloads/2016-rural-transit-fact-book.pdf>

revenue mechanisms, such as the gas tax, are “not indexed to inflation or motor fuel prices,” which may result in a lag between capital revenues and capital costs.

3 OVERALL NEEDS ASSESSMENT

Through conversations with stakeholders in the region, visits to transit stops and regional centers, review of past plans, and the analysis of existing transportation performance indicators, multiple needs have been identified in this plan. This chapter is separated into two sections; the first is dedicated to takeaways from outreach which are applicable to the region, and the second is a summation of the full needs facing the Four Corners region's coordinated transportation system.

FEEDBACK FROM STAKEHOLDERS

Over the summer and fall of 2018, the project team worked to gather feedback from major stakeholders throughout the region. An online survey was also distributed to service providers; 36 responses were received, including from state departments of transportation, regional councils of government, city governments, public transit providers, human service transportation providers, and human service referral organizations.

Providers were asked to voice details of their service, but also to share their experiences and challenges providing transportation. Of the surveyed providers who listed their customers' Top 5 challenges, two-thirds of responses included: **“Public transit service does not operate late enough in the evening”** while half of responses included: **“Public transit service does not operate on weekends.”** This value placed on expanded service times was reiterated in a supportive survey response:

“Personal experience of ridership on the Roadrunner system for the past two months: It is an effective service that would be used more if hours of operation (evenings and weekends) were expanded.”

Other positive attributes identified by stakeholders of the existing system include partnerships between separate governments:

“The partner transit system (Grants, Milan, and Cibola County) is a great collaborative effort in providing a transportation opportunity for those who cannot afford, whether monetarily or physical/mental health.”

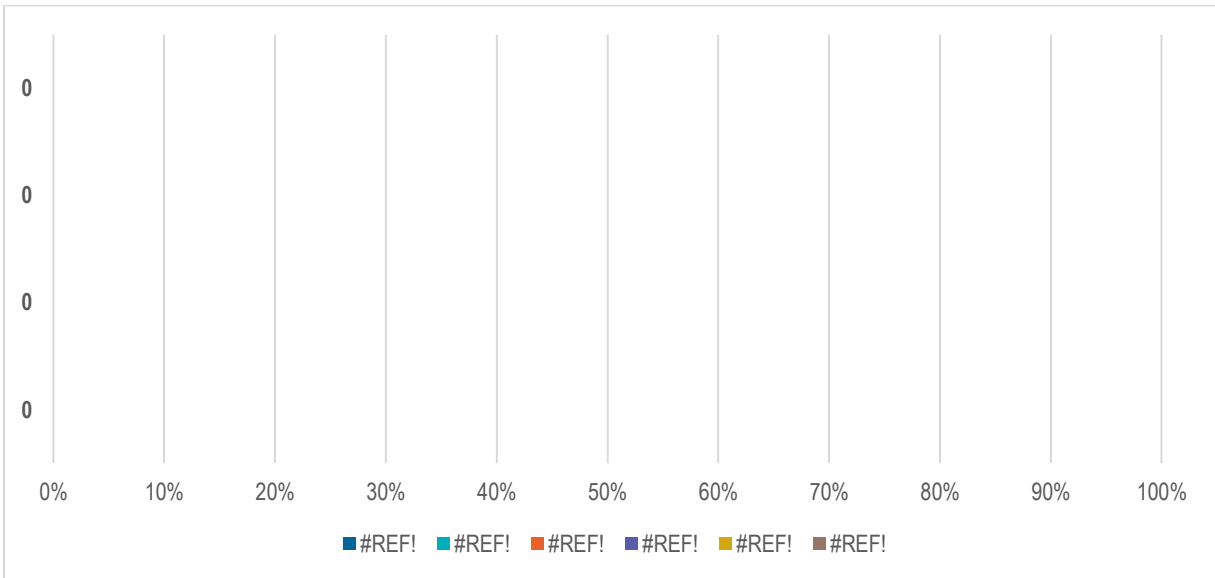
However, other comments in the survey responses corroborated fiscal, institutional, and geographical challenges to improved transit coordination:

“Recent service reductions based on reduced grant funding eliminated several routes”

“Rural governments serving large areas, with inadequate funding”

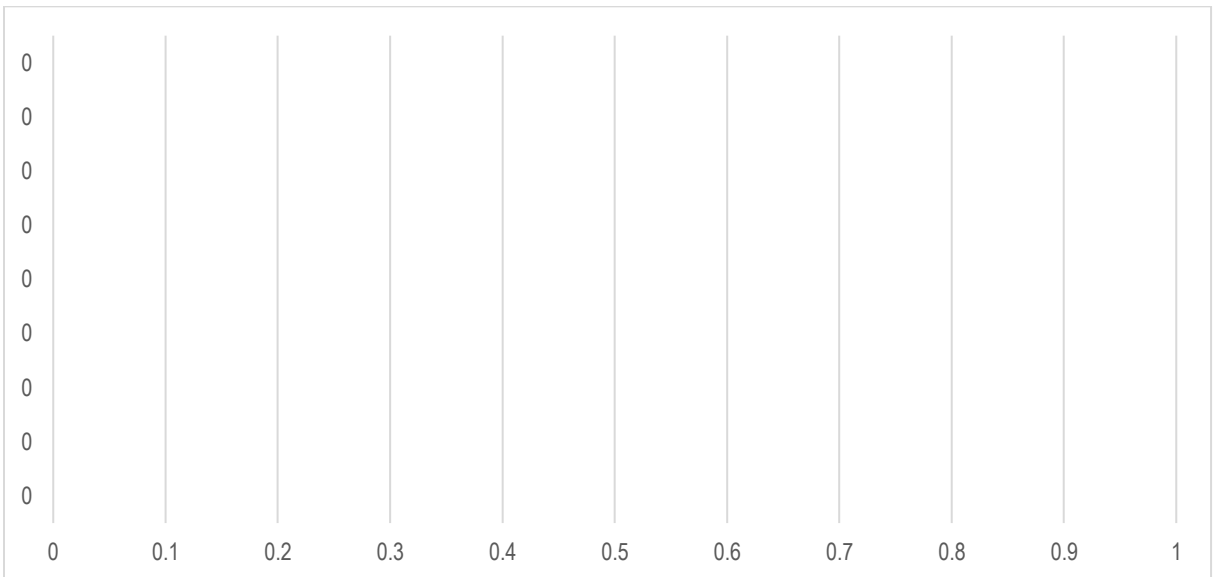
In the responses, stakeholders in Colorado and New Mexico stood out for identifying sources of funding which were not federal or state based; examples of funding sources in these two states, include municipal funds (through parking fees or property taxes), county funds, transit assessment districts, and tribal funds.

Figure 5 Distribution of Self-Reported Funding Sources in Stakeholder Survey by State



Responding organizations generally serve a vast cross-section of the public, but there is certainly an emphasis on special needs, including low-income, senior, and disabled populations.

Figure 6 Survey Responses Regarding Served Population Groups Across the Full Region



As part of the outreach for the plan and the associated survey, the project team attended five meetings in Durango, CO; Gunnison Valley, CO; Price, UT; Flagstaff, AZ; and Pueblo Acoma, NM. These meetings attended by the project team were the transit committee meetings hosted by

regional councils of government. Feedback was solicited, and the online survey was distributed to those who were both in attendance and those who were unable to attend. Feedback from the surveys was universally supportive of initiatives which allowed greater coordination between the disparate entities and jurisdictions under the Four Corners umbrella. Notably absent from these meetings were representatives of larger tribal transit providers.

SUMMARY OF NEEDS

Building off of contributions of the stakeholders and issues reviewed in this plan, the following challenges are identified as a starting point for improvements to coordinated transit in the Four Corners region.

Due to limited resources, all attempts to cover the Four Corners region with a transit network comes at the sacrifice of frequency.

For example, direct service between Shiprock and Farmington is only available on Tuesday, Wednesday, and Thursday. A person relying on this service to get to work five days a week would need to transfer in Fort Defiance at least two of those days. Similarly, service between Farmington and Bloomfield, only 14 miles apart, is only provided by North Central Regional Transit District (NCRTD) on Tuesdays and Thursdays (Red Apple Transit, the local bus provider, has not served Bloomfield since the City of Bloomfield withheld funds). Additionally, most publicly available services are limited to a span of time during weekdays and working hours (also usually limited to a single or two runs in peak direction), while services offering 24-hour service are predominantly restricted to eligible populations.

There is some overlap between transit systems serving population centers and tribal transit systems providing coverage across reservation lands.

As a result, there are potentially logical transfer points between systems in locations like Blanding (UT), Cortez (CO), Durango (CO), Farmington (NM), Gallup (NM), and Winslow (AZ).

Limitations in funding have created gaps in service, including but not limited to:

- Prescott Valley, AZ
- Aztec, NM to Ignacio, CO
- Moab, UT to Blanding, UT
- Farmington NM to Bloomfield, NM (other than Tuesday and Thursday)
- Senior transportation services in Archuleta County, CO
- Inter-county services out of San Juan County, CO

Some of these services may not have been fiscally feasible. However, some of the decisions to cut services may be owed to a need for better communication and performance measurement. For example, the service between Aztec and Ignacio was cut in 2018 due to the Southern Ute Indian Tribal Council's decision to withdraw all support to Southern Ute Community Action Programs (SUCAP), the operator of such transit service⁵. The decision to withdraw funding was based on the belief that SUCAP services were not directly beneficial to the interests and population of the

⁵ <https://durangoherald.com/articles/236998>

Southern Ute Indian Tribal Council. In short, transit services must track and convey their benefits to their constituents and funders.

Where there is no service, the cohesion of a transportation network and provision of access is entirely dependent on the creation and continuity of informal networks and volunteer drivers.

Government is not meeting all people's needs for transportation services, and where needs are unmet, the burdens of mobility shift to riders in need and drivers with the time and motivation to volunteer. In the plan review, CDOT surveys of seniors and people with disabilities showed that a majority of respondents rely on others for transportation and experience difficulty finding transportation for medical appointments. Additionally, where service exists, a switch in contracted operators can quickly disrupt established driver-rider relationships and trust in the transportation system.

The region's ongoing economic challenges certainly include transportation accessibility and mobility.

Good transportation access and options are an enabler of a healthy economy. It does not achieve this simply by moving people to get to work or their doctor's appointments. Transportation's economic impact includes giving aspiring bus drivers sufficient training and licensures in the operation of commercial vehicles, providing jobs for Mobility Managers and other coordination and dispatch professionals, and facilitating commerce through the provision of access to shopping centers and tourist destinations.

Meanwhile, in each of the four states comprising the Four Corners region, the gas tax is set below the national average. The gas tax is the traditional user fee for publicly funding transportation improvements. At the same time, people in the Four Corners region have voiced significant concerns regarding both the limited number of transportation options in the community and the cost of transportation. These issues may continue a self-fulfilling prophecy of limited investment in transportation programs and infrastructure begetting limited economic growth and activity.

Despite the lack of connectivity between the many transit systems and services operating in the region, there are corridors bearing potential for intercity service.

Multiple plans noted how a lack of connectivity and integration between systems essentially creates a requirement for the public to "obtain alternative means for transportation from private for-profit transportation providers, human service agencies, or facility members."⁶

The provision of intercity commuter transit service is not new to the four states containing the Four Corners; Greyhound and Amtrak utilize existing rights-of-way to provide limited intercity service, although they may be cost-prohibitive to certain populations.

However, in recent years, specialized services such as Bustang, serve intercity corridors as well (particularly from Colorado Springs to Denver). In addition, recent plans specific to the Four Corners identify propensity for intercity service along the following corridors:

- Pagosa Springs and Cortez, CO to Durango, CO (US Highway 160)

⁶ NACOG

- Cortez, CO to Monticello, UT (US Highway 491)
- Silverton and Durango, CO to Farmington NM (US Highway 550)

Ideas on increasing efficiency in delivering transit service and access in the region are already on paper and in practice.

Whether it is delineating responsibilities, hiring new dedicated professionals to coordination, centralizing call centers, and training volunteer drivers, agencies and nonprofits alike in the Four Corners region are already acting and planning on these issues.

A SWOT (Strengths-Weaknesses-Opportunities-Threats) Analysis for the region reveals a balance between existing localized resources and strong fiscal and physical constraints.

Overall, a SWOT analysis can be applied to the Four Corners region as a means to understand the context of transit planning in the area. Strengths and weaknesses, respectively, are the advantages and disadvantages that are a function of the Four Corners *region* itself. Such issues would include characteristics such as the population and resources of the region. Opportunities and threats, meanwhile, are also respective advantages and disadvantages, but they are primarily a consequence of the *environment* the Four Corners region is placed within. The source of these issues may include statewide bureaucracy, federal politics, and natural formations. This may make possible solutions more obscure, institutionalized, and consequently out of the control of a locally acting agency or population. Nevertheless, when understanding the possibility and efficacy of policies and programs in the Four Corners region, the SWOT analysis may be a useful starting point.

Figure 7 Strengths-Weaknesses-Opportunities-Threats Analysis for Four Corners Transportation

		Positive	Negative
Internal	Strengths	<ul style="list-style-type: none"> • Diverse population with pockets of high transit propensity • Presence of major commercial transcontinental corridor • Sufficient capacity for express bus transit on regional and state roads 	Weaknesses <ul style="list-style-type: none"> • High poverty; limited access to vehicles, technology, and training opportunities • Limited local supply of drivers • Low population density • Auto-dependence; very low existing transit service, especially along intercity corridors • Inconsistent condition of transportation facilities and vehicles
	External	Opportunities <ul style="list-style-type: none"> • Multiple federal funding sources • Presence of community colleges and other campuses for job training • Precedent for multi-state compacts for transit service elsewhere in the United States 	Threats <ul style="list-style-type: none"> • Marginalization of region in regards to statewide and urban-centric policy priorities • Mountainous terrain creating indirect and resource-intensive transit routes • Limited revenue via statewide gas tax

4 RECOMMENDATIONS

SERVICE ENHANCEMENT SOLUTIONS

Continued Investment in Regional/Intercity Trunk Services

Intercity transportation, used both for travel and commuting, has become more prominent in two of the four states comprising the Four Corners region. In Colorado, the successful Bustang service expanded its suite of Denver-based intercity routes to include the route connecting Durango and Grand Junction through a partnership with the Southern Colorado Community Action Agency (the operator). This route connects Durango, Mancos, and Cortez to Grand Junction, where the nearest Veterans Affairs hospital is located. The service previously was known as “Road Runner Transit.” Its integration with the Bustang brand elevated the route’s prominence and increased service to seven days a week. The change also broadened the service to a larger audience and eventually integrated an online ticketing platform.

In New Mexico, the North Central Regional Transit District (NCRTD) provides weekday service out of hubs in Espanola and Santa Fe. Routes go as long as 110 miles (Chama to Farmington) and serve part of the Four Corners region. As an indicator of ongoing success of the service, all four counties in the district (Taos, Santa Fe, Los Alamos, and Rio Arriba) voted to reauthorize the 0.125% sales tax that supports it by nearly a three-to-one margin. Also notable is the current “fare free” policy of riding the NCRTD “Blue Buses.”

Intercity routes may not necessarily be limited to the public sector. Establishing a partnership with a private sector carrier may reduce the amount of red tape necessary to provide interstate services. The Travel Washington Intercity Bus Program is an example of such a partnership. Begun in 2007 following a series of cuts in Greyhound service, the Washington State Department of Transportation (WSDOT) developed RFPs to identify for-profit operators for intercity routes. The network totals four lines, including two lines serving primarily rural cities (Ellensburg to Omak and Pasco to Walla Walla). The services are funded through section 5311 (f) with fares providing a local match. As a result, WSDOT primarily takes an administrative role in the system, coordinating central ticketing, branding, and planning.⁷

⁷ <https://www.wsdot.wa.gov/NR/rdonlyres/38B326F9-2E93-4F7C-B6F5-F8EF3CBB4E4E/0/TravelWashingtonIntercityBusProgrammap.pdf> and https://planning-org-uploaded-media.s3.amazonaws.com/legacy_resources/divisions/transportation/papercompetition/2015/Cox.pdf

Added or Expanded Transfer Stop Amenities

Figure 8 Existing Conditions at Farmington Walmart Transfer



Recently, the number of opportunities to transfer between services throughout the Four Corners has increased due to partnerships and schedule coordination. The Farmington Walmart transfer stop added in 2018 (for transfers between Navajo Transit and Red Apple Transit) is one example. There remain questions about how to make the most of this and other transfer points. Are these locations suitable for everybody? How do potential new customers get information? Given the climate in the Four Corners region, is the transfer point comfortable? Is it safe? Are there public restrooms nearby?

Amenities at transit stops, including benches, shelters, electronic information (showing upcoming arrival times), static information (with agency contact information, maps, and schedules), trash cans, and lighting at night, are all essential components of the transit experience, often as important as the ride itself.

Local jurisdictions typically construct bus stop amenities. In some instances, outdoor advertising companies will construct them. When determining where to place or enhance transfer stops, data, planning, coordination, and outreach are all factors in making the right choices. Bus operators, riders, and local planners are often the best resources.

Combining Package Delivery with Transit Service

According to a 2017 Texas Transportation Institute Study, “Package delivery can offer transit agencies the opportunity to provide an additional service to their customers and improve rural residents’ accessibility to good and services.” Revenues from package delivery can be help to sustain rural transit in the Four Corners as well. The study notes:

A successful rural package delivery program connects public transit agencies and private intercity bus carriers, especially when transferring packages from the main carrier (e.g., Greyhound Package Express, UPS, FedEx) to the last-mile carrier (e.g., transit agency). Collaboration and coordination with rural transit agencies and private package carriers can reinforce the first- and last-mile connection for package delivery. It is important to create central package drop-off and pickup locations that are convenient to both customers and package carriers. Integrating schedules and frequencies has the potential to increase both ridership and package delivery.⁸

The Texas study includes surveys from numerous rural transportation entities, some of which are similar to those in Four Corners. With the ever increasing growth in package delivery, such partnerships are worth exploring further.

Implementing Flexible Transportation Vouchers

An effective mobility enhancement strategy, flexible transportation vouchers (flex vouchers) can fill an important gap for eligible individuals and provide additional revenues to transportation providers and even volunteer drivers. Some programs solely cover non-emergency medical transportation (NEMT) while others also cover specific trip purposes.

Flex vouchers can be issued or sold to eligible individuals and used to purchase trips from public or private transportation providers, or to reimburse volunteer drivers. They may serve as a way to reduce the cost of current transportation programs and provide new service.

In 2013, the Bear River Association of Governments in Logan, UT started its flex voucher program to cover NEMT trips and then expanded the program in 2014 with a grant from the Utah Department of Workforce Services to cover trips related to:

- Employment/training activities
- Job search activities
- Educational activities (school or vocational training)
- Family/personal improvement activities (counseling, addiction intervention, support, mentoring, financial responsibility, etc.)

A single agency typically administers a flex voucher program to screen and approve applicants for eligibility, identify providers and partner organizations, provide the vouchers to participants, and reimburse providers.

Eligibility is based on age, disability, income criteria, or the need for a specific type of trip, such as employment transportation. Flex voucher programs that can potentially be used with any type of service and recognize family members as eligible providers of service, could fill temporal and

⁸ Guidebook Using Public Transportation to Facilitate Last Mile Package Delivery, Texas Transportation Institute, 2017

geographic gaps in fixed-route and demand-response service for older adults and people with disabilities.

Voucher programs could also offer a means of employment transportation for individuals requiring access to jobs in areas not served by public transportation or during hours when those services are not in operation. Similar to other types of programs that provide subsidies to individuals rather than to transportation providers, flex voucher programs are consumer driven, and allow consumers to control resources directly and to make their own decisions about service providers. Other advantages include low start-up and administrative costs, support for existing transportation providers and services, and the flexibility to adapt to a variety of local conditions.

The Association of Programs for Rural Independent Living (APRIL) has published guidance titled, Toolkit for Operating a Rural Transportation Voucher Program, 2017.⁹ According to the report, APRIL worked with local Centers for Independent Living and Section 121 American Indian Vocational Rehabilitation programs to implement and demonstrate a traveler's check concept at 10 sites, including Zuni Entrepreneurial Enterprises, in Zuni, NM. Rather than providing transportation to people with disabilities, it provides resources and support to individuals and gives them the opportunity to use their creative talents and personal resources to achieve their own transportation goals.

The toolkit outlines the roles and responsibilities for the sponsoring agency, a community transportation coordinator, a bookkeeper, riders, and providers. Organizing a transportation interest network (TIN) of public, private, and political entities is a key first step. The recommendations are applicable to a broader flex voucher program. The mobility management group discussed in the next section could serve as a Four Corners TIN.

COORDINATION AND COLLABORATION SOLUTIONS

Mobility management at any level, whether regional, municipal, or tribal is complex. When resources are limited, travel options are few, and if a region is very large and rural, the challenges can appear overwhelming. Add four states, three FTA regions, and multiple tribal nations to the mix, and the challenges may seem insurmountable. But progress is possible and begins with collaboration, either with new partnerships or by reinforcing existing relationships. Whether collaboration is formal or informal, it works best when participation is as broad as possible.

A starting point in coordination begins with the cross-honoring of fares between systems. In Cottonwood, AZ, tickets between Cottonwood Area Transit and the commuter Verde Lynx line from Sedona are honored by Yavapai-Apache Nation (YAN) Transit Lines, and vice-versa. This program, in addition to the message sent by both transit lines that “everyone is welcome” on board, is a positive step in an inclusive and coordinated transit network.

Establishing coordination partnerships involves identifying stakeholders, defining barriers and opportunities to working together, outlining shared goals and visions, and sharing resources and responsibilities. Effective coordination among transit service providers, human service providers, nonprofit organizations, and private sector organizations can provide substantial benefits by combining duplicative services, combining facilities and funding opportunities, and leveraging skills and assets.

⁹ <http://rtc.ruralinstitute.umn.edu/www/wp-content/uploads/TEXT-ONLY-complete-Transportation-Voucher-Toolkit.pdf>

Leadership is an essential ingredient for successful coordination. Leadership doesn't have to come from the top to be effective and no single model of coordination is most appropriate. Effective outcomes are possible even without a full-fledged regional organization as long as the coordination involves regional stakeholders. This can take the form of advisory committees, interagency task forces, or less formal entities.

Ultimately, active organization and involvement across jurisdictional and institutional silos will be key to improvement in the region. As noted by a 2018 report on the region:

“The only way to successfully transition Farmington and the Four Corners area from a dependence on a fossil fuel economy is to explore and implement a wide range of economic development initiatives in coordination with each other.”¹⁰

Four Corners Mobility Management Group

One option for successful coordination is to establish a formal Four Corners mobility management organization that has a website, officers, and a board, and which meets periodically. At a minimum, this group would include all entities involved in coordinating and providing services. A couple of existing organizational models are the Bay Area (California) Mobility Management (<http://mybamm.org>) and the Mountain Ride Transportation Resource Center (www.mtnride.org). The Community Transportation Association of America (www.ctaa.org) is an excellent resource for establishing a Four Corners regional mobility management entity.

Given the size of the geographic area and the diversity of organizations involved, an interim strategy is to establish a member-only LinkedIn or Facebook group for peer-to-peer coordination. Examples of intergovernmental transportation coordination groups on LinkedIn include the Southeast Florida Transportation Council (www.seftc.org) and the Minuteman Advisory Group on Interlocal Coordination (MAGIC), based in suburbs northwest of Boston.¹¹

Whether formal or informal, a Four Corners mobility management group should include mobility managers, transportation and human service professionals, and providers. Once established, group members could share information, collaborate, and ultimately coordinate transportation. The group could also provide feedback to other agencies—including the four state DOTs—and potentially seek grant funding to support additional coordination efforts.

If the less formal model results in more communication, a potential next step is to organize a meeting or conference. This could even begin online with mobility managers giving periodic presentations. The ultimate goal would be to increase communication through a centralized and easily accessible forum.

Such a forum should be inclusive and ensure participation and hands-on involvement from the following parties:

- Tribal Nations
- State Departments of Transportation

¹⁰ Public Land Solutions, “Review of Existing Economic Development Efforts,” 2018 <https://publiclandsolutions.org/wp-content/uploads/2018/01/PLS-Four-Corners-Economic-Report-JK-121517.pdf>

¹¹ See <https://www.mapc.org/get-involved/subregions/magic/> and <https://www.linkedin.com/groups/4025638/>.

- A regional champion/organization representing the full area that is defined as the Four Corners
- Any other political and economic partners willing and interested in funding transportation capital improvements, operational expenses, and managing transportation revenues

Increased Peer-to-Peer Coordination

In such a vast geographic area with limited transportation connections, transit solutions that connect people to places will remain challenging. Matching drivers with riders is an effective and important resource for addressing mobility in the Four Corners region. Examples of peer coordination include ride matching and volunteer driver programs, discussed below.

Ride Matching Technology

One of the most significant evolutionary changes to improving personal mobility is access to the smartphone. And while not everyone has a phone or consistent wireless service, access to and use of smartphone services is increasing. Smartphone adoption has risen from 35 percent in 2011 to 77 percent in 2018. Among Americans aged 18-29, the rate is 94 percent and the rate among 30-49 year-olds, is 89 percent.¹² Transportation network companies (TNCs) such as Uber and Lyft, and other “micro mobility” solutions have dramatically altered mobility in urban areas. However, very few locations in the Four Corners have benefited from the ability to use TNCs.

Looking ahead, as smartphone adoption expands and service quality improves in rural areas, the potential exists for using technology for ride matching. At present, smartphone applications such as Waze Carpool match drivers and riders for commute trips, typically in large metropolitan areas; however, there may be applications in rural/regional areas. Other applications that may be usable anywhere could be in development. Ideally, an application would function similar to an old fashioned ride board, where someone posts a need for a ride on a specific date and time to a common location. These often work best when both parties are making a round trip, particularly when there are no transit options available for the rider.

At a minimum, it is advisable to keep track of developments in technology as they can serve as brokers of rides. If suitable applications become available, mobility managers can promote them as part of marketing and education efforts.

Expanded Volunteer Driver Programs

Volunteer driver programs currently exist in Farmington, Flagstaff, and Window Rock. Continuation and expansion of volunteer driving is an important resource for matching drivers with riders. According to the National Rural Transportation Assistance Program (RTAP), “More and more transit systems are looking to volunteers to help meet the transportation needs of their communities.” The November 2018 report, an update of a report from 2000, lists advantages and disadvantages of such programs. Advantages include more flexibility in rural areas for trip coordination and booking than a traditional transit system, though it is sometimes difficult to find individuals who wish to be volunteer drivers. In the Four Corners region, however, a volunteer driver program may work well for those wishing to cross state boundaries for various services.

¹² <http://www.pewinternet.org/fact-sheet/mobile/>

MARKETING AND EDUCATION SOLUTIONS

Distributed Transportation Guides

Current and potential users of the transportation system in the Four Corners require knowledge about the existing service available to them. Important information includes span of service, locations served, fares, contact information, and accommodations for senior citizens, people with disabilities, veterans, students, and other populations with special needs.

Information about transportation service ultimately depends on each individual agency's willingness to post and share that information. Information about coordination between two services or providers depends on partnerships and a deliberate intent to distribute information. If information about a given transit service is not widely distributed, the user base of that will be limited to the people who are already aware. This comes to the detriment of attracting new riders and the service building new fare revenue.

Therefore, with the intent of advancing the degree of coordination, this plan includes a listing of region-wide transit service (See Appendix).


It is most imperative that the guide is placed in the hands of those who are at the front line of distributing information, namely:

- Every dispatch operator serving the Four Corners region
- Every person who answers the phone lines of a transit agency, a 2-1-1 call center, or transportation program

Figure 9 Example Transportation Guide for Durango Transit Center

WELCOME TO THE DURANGO TRANSIT CENTER

250 W. 8th Street Durango, CO 81301



Transit Services from this Station

Destination	Service / Route	Important Info
GRAND JUNCTION (Via Mancos, Cortez, Dolores, Telluride, Montrose)	BUSTANG OUTRIDER	Depart: 6:30 AM Arrive: 7:10 PM 7 Days a Week
MAIN AVENUE & S ANIMAS VIEW DRIVE	DURANGO TRANSIT ROUTE 1	Departures out of Gate 1 Every 30 minutes 7:00 AM – 8:40 PM 7 Days a Week
TAMARIN SQUARE	DURANGO TRANSIT ROUTE 2	Departures out of Gate 2 Every 30 minutes 7:00 AM – 8:30 PM 7 Days a Week
NATURE'S OASIS MARKET (Via Santa Rita Park, Social Security, Walmart)	DURANGO TRANSIT ROUTE 3	Departures out of Gate 3 Every 30 minutes 7:00 AM – 8:30 PM 7 Days a Week
BAYFIELD	ROAD RUNNER TRANSIT	Depart: 7:48 AM, 9:45 AM, and 5:28 PM Weekdays Only
IGNACIO	ROAD RUNNER TRANSIT	Depart: 7:08 AM, 10:08 AM, 1:08 PM, 3:35 PM, 6:03 PM Weekdays Only

Contact Info

Name	Phone #	Important Info
Police/Fire/Ambulance	911	Emergencies Only!
Bustang Outrider	970-563-4555	https://ridebustang.com/schedules/
Road Runner Transit	970-563-4545	http://sococaa.org/road-runner-transit/
Durango Transit ADA Bus Dispatch	970-247-3577	For ADA-Eligible Rides Only
Durango Transit Main Line	970-259-5438	www.durangotransit.com
Durango Cab	970-259-4818	Serving a 100-mile radius
Buckhorn Limousine	970-769-0933	
Animas Transportation	970-259-1315	
Cortez Cab	970-560-4884	Connections to Cortez

These contacts are provided as a convenience; they do not constitute an endorsement or an approval by the Four Corners Mobility Management Group. Revised: December 2018 (Please call to confirm information).

Continued Incremental Rollout of One-Call, One-Click

The one-call, one-click resources in the Four Corners generally end at state boundaries, or are limited to the smaller sub-regions surrounding the area’s largest cities (e.g., Farmington) and/or reservations (e.g., Navajo). However, there are advantages to continuing to pool together resources.

Figure 10 Screenshot of Mountain Ride Transportation Resource Center Website



By pooling together foundation and agency resources across seven counties, the Mountain Ride Transportation Resource Center is allowed to scale up and provide consolidated information on public transportation options, broker/dispatch rides for Medicaid transportation, and coordinate and refer transit services for populations with special needs. More pertinent to the needs of the Four Corners, however, is the Resource Center’s website, which lists out a “how-to-ride” guide, fixed-route services, demand-response services, volunteer driver programs, human services, and other options for each county.

The management of such a consolidated resource could be the first formal step of a Four Corners Mobility Management Group. Providers would register with the webmaster (sometimes provided and financed by a third-party mobility platform such as RideAmigos or RideShark) to ensure information is easily updated.

CONCLUSION

The road to an advanced, seamless, and coordinated intercity mass transportation network in the Four Corners region will be a long one. In the meantime, there are many strategies that SWCCOG, and other leaders in the Four Corners region, can undertake to ensure the people of the Four Corners region with the greatest needs have access to the currently available fleet of transit vehicles, have a willing and able network of drivers, and that providers in the Four Corners region have the resources to become brokers and providers of ongoing demand in transportation.

Strategies will require heavy lifting and inclusive discussions. The following summary assessments should be considered a road map for coordination in Four Corners transit going

forward. Each strategy is assessed on a gradient of their precedence in past plans, potential impacts in the Four Corners region, and realization of plan goals. Furthermore, each strategy's necessary investments, partnerships, funders, and leaders are outlined as a means to implement these strategies.

FOUR CORNERS COORDINATED TRANSPORTATION PLAN | FINAL REPORT

Southwest Colorado Council of Governments

Figure 11 Summary Assessment of Alternate Solutions – Goals and Objectives

Strategy	Recommended in Other Plans				Supporting Communities?	Increased Service?	Increased Awareness & Satisfaction?	Improved Partnerships in the Four Corners?
	AZ	CO	NM	UT				
Continued Investment in Regional/Intercity Trunk Services		•	•		Medium	High	Medium	High
Improved Transfer Stops With Useful Amenities					High	Low	High	Medium
Combined Package Delivery with Transit Service					Low	Medium	Low	Medium
Establishment of Four Corners Mobility Management Group	•	•			Medium	Low	Medium	High
Ride Matching Technology		•			Low	Medium	Medium	Low
Expanded Volunteer Driver Programs					High	Medium	Low	Medium
Distributed Transportation Guides	•				High	Low	High	Medium
Continued Incremental Rollout of One-Call, One-Click	•	•	•	•	High	Low	High	Medium

FOUR CORNERS COORDINATED TRANSPORTATION PLAN | FINAL REPORT

Southwest Colorado Council of Governments

Figure 12 Summary Assessment of Alternate Solutions – Implementation Estimates

Strategy	Suggested Performance Measures	Upfront Cost Estimate (\$, \$\$, \$\$\$)	Ongoing Cost Estimate (\$, \$\$, \$\$\$)	Potential Funding Sources	Timeline	Responsible Agencies
Continued Investment in Regional/Intercity Trunk Services	Ridership by Line, Customer Satisfaction	\$\$\$	\$\$\$	State, Private	Medium-Term	State DOTs, Host Cities
Improved Transfer Stops With Useful Amenities	Ridership by Stop	\$	\$	City, Private, Agencies	Short-Term	Host Cities
Combined Package Delivery with Transit Service	Number of new services delivering packages	\$	\$	Logistics companies	Short-Term	Transit Providers
Establishment of Four Corners Mobility Management Group	Members enrolled, number of posts to collaboration site, webinars held, rides coordinated	\$	\$	N/A	Short-Term	COG, Transit Providers
Increased Ride Matching Technology	New applications available, rides coordinated	\$	\$	Private	Medium-Term	COG, Cities
Expanded Volunteer Driver Programs	Volunteers, rides	\$	\$	Private, COG, Cities	Short-Term	COG, Cities
Distributed Transportation Guides	Number of distributed guides, Number of inquiries made directly due to listings in guides	\$\$	\$	COG	Short-Term	COG, Mobility Management Group
Continued Incremental Rollout of One-Call, One-Click	Participating states	\$	\$\$	State	Medium-Term	States, Mobility Management Group

A TRANSIT AND HUMAN SERVICES DIRECTORY

Consent Agenda

**Southwest Colorado Council of Governments
March Board Meeting
Thursday, 7 March, 1:30pm
295 Girard Street, Durango, CO 81303**

In Attendance:

Karen Sheek – City of Cortez
Steve Garchar – Dolores County
Mark Garcia – Town of Ignacio
Andrea Phillips – Town of Pagosa Springs
Willy Tookey – San Juan County (by phone)
Chris Tookey – Town of Silverton (by phone)

Staff in Attendance:

Miriam Gillow-Wiles – Southwest Colorado Council of Governments
Jessica Laitsch – Southwest Colorado Council of Governments
Martina Pansze – Southwest Colorado Council of Governments

Guests in Attendance:

John Dougherty – City of Cortez
Payton Heitzman – City of Cortez
Jenn Lopez
Janet Wolf – Senator Bennet’s Office

I. Introductions

The meeting was called to order at 1:36 pm, everyone introduced themselves.

II. Update on Private Activity Bond Caps – Jenn Lopez

Jenn explained that she recently was informed of a local project set to expire, and she is working to set up private activity bonds to fund it. She explained the purpose and function of private activity bonds. Andrea asked if these require voter approval. Jenn replied that they do not, this is a federal program. Miriam asked how communities can access these. Jenn replied that communities should work with DOLA. Jenn summarized her experience in housing. There was a discussion about addressing housing needs.

III. Consent Agenda

February 2019 SWCCOG Meeting Minutes
January 2018 Financials

Andrea Phillips motioned to approve the consent agenda, Steve Garchar seconded, unanimously approved.

Reports

Director’s Report:

Miriam reported that she is waiting for information on various funding opportunities through DOLA. A funding application was submitted through the RREO for a glass reuse study. Andrea mentioned some possible options related to glass recycling. Karen added possible options for tire recycling. Miriam reported that Senator Gardner’s Office mentioned that they do use the COG’s input when making decisions.

Broadband Report:

Miriam reported that there is a proposed State bill to allow existing electrical easements add commercial uses without easement perfection. Mark asked about underground. Miriam replied that this was not included, there is work being done with the sponsor to include any easements including municipal and underground. There was discussion about property owners' rights on this issue. Mark asked what CML's position is. Miriam replied that CCI is leading this and CML has not yet taken a position. Miriam added that she can provide updates to the 5G and cable franchising if members are interested.

IV. Decision Items

SWCCOG Board Meeting Schedule:

Jessica explained the purpose of this request. There was discussion about who would be impacted. There was general consensus that either week would be fine and that it would be acceptable to move the SWCCOG meetings.

Andrea Phillips motioned to move the SWCCOG meeting schedule to the second Thursday of the month, with the June and October meetings remaining as previously approved, Steve Garchar seconded, unanimously approved.

USDA Grants:

Miriam described a number of funding opportunities that the COG may wish to apply for. Karen asked how the FCC views the discrepancy between reported speeds from companies versus local entities. Miriam replied that this is a major issue and there are efforts at the federal level to address this. There was discussion about local expertise to manage technology infrastructure and to train people to use technology. Andrea mentioned that the communities may want to apply for one of these grants with a different focus. Miriam replied that it may be worth asking the local coordinator if a joint application would be an option or whether two applications would be viewed as competition. Mark asked if there is more funding available than requested. Miriam replied that it depends on the grant. There was discussion about the technology available in the region. Miriam mentioned that some of these applications are due later in the year, staff is seeking input about whether to begin working on them. John asked who is expected to manage the glass recycling. Miriam replied that this would need to be determined, but the CDPHE does not fund mobile equipment. Mark asked if only meeting two criteria on speeds would be problematic. Miriam replied that the COG would be running speed tests for the public and the results would be available to use.

Mark Garcia motioned to approve COG staff writing grants for the programs detailed, Andrea Phillips seconded, unanimously approved.

Enterprise Zone MOU:

Miriam explained that this is the same memorandum that has been signed in the past. If members are aware of any businesses that may be interested, they should contact Miriam.

Mark Garcia motioned to approve the Region 9 and COG Enterprise Zone management for 2019, Andrea Phillips seconded, unanimously approved.

CDOT Required ADA Procedures:

Miriam explained that CDOT requires procedures for filing complaints under the ADA. Andrea asked where complaints are submitted. Jessica replied they are submitted to the COG or the FTA. There was discussion about situations when these procedures would be applicable. Jessica added that this is a modification to the previously approved Title VI procedures to include ADA.

Andrea Phillips motioned to approve the revised ADA and Title VI procedures, Mark Garcia seconded, unanimously approved.

V. Community Updates

Willy Tookey, San Juan County

- They have had a considerable amount of snow and several snow slides
- The new affordable housing apartments are in use

Andrea Phillips, Town of Pagosa Springs:

- The Town is addressing concerns related to economic development
- Submitted an Energy Impact grant for a consolidated maintenance facility
- Working on street maintenance

Chris Tookey, Town of Silverton

- Seeking a Town administrator
- The Town planner resigned

Steve Garchar, Dolores County:

- The Town of Dove Creek resolved the bakery issue
- The County will be submitting feedback to the state legislature regarding the red flag gun bill and the oil and gas bill. Andrea asked about the oil and gas bill. Steve explained that the oil and gas bill would increase setbacks which would have significant impacts in the County. There was discussion about local control and potential impacts of the bill. Mark asked about the biodiesel facility. Steve replied the machinery has been sold and they are looking for a buyer.

Mark Garcia, Town of Ignacio:

- Working on a land use code update
- Working with CDOT on a new signal

Karen Sheek, City of Cortez:

- The City met with the county commissioners to discuss common concerns, such as broadband, water, recycling, and a proposed convention center
- A climatologist will be presenting to City Council in April about potential regional impacts from climate change
- The City received a GOCO grant for a community park

Andrea asked about legislation to reallocate GOCO funds. Jessica replied that the concurrent resolution was postponed indefinitely. Miriam mentioned that there would be a presentation on the 2020 census at the next meeting, Andrea asked about San Juan County, New Mexico. Miriam replied that she will be meeting with them soon to discuss broadband.

Karen asked about meeting for lunch prior to the board meetings. There was general discussion about setting this up. Staff will post public notice of a worksession immediately prior to the next meeting.

Adjourned at 2:57 p.m.

February 2019 Financials

To: SWCCOG Board of Directors
From: Sara Trujillo
Date: 11 April 2019

Comments: The following attachments include:

- Balance Sheet as of February 28, 2019
- January – February, 2019 Profit & Loss

Items to Note:

Balance Sheet: The prepaid expense is for the Zoom software as the contract goes to 2020.

P&L vs Budget: The DoLA grant 8330 was recently closed out with all funds and project goals met.

Fiscal Impact: High, Budget changes throughout the year

Staff Recommendation: Approve the February 2019 Financials allowing staff to move forward with the 2019 budget.

Legal Review: Not Applicable

Southwest Colorado Council of Governments

Balance Sheet

04/07/19

As of February 28, 2019

Accrual Basis

	Feb 28, 19
ASSETS	
Current Assets	
Checking/Savings	
Alpine Bank	
Alpine Bank Account (UR)	87,619.10
Total Alpine Bank	87,619.10
Petty Cash	
AmeriCorps VISTA	197.78
Petty Cash - Other	22.97
Total Petty Cash	220.75
Total Checking/Savings	87,839.85
Accounts Receivable	
Accounts Receivable	38,686.60
Total Accounts Receivable	38,686.60
Other Current Assets	
Prepaid Expense	1,999.00
Total Other Current Assets	1,999.00
Total Current Assets	128,525.45
TOTAL ASSETS	128,525.45
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	3,822.39
Total Accounts Payable	3,822.39
Credit Cards	
Credit Cards	
Miriam	3,691.33
Sara	88.13
Total Credit Cards	3,779.46
Total Credit Cards	3,779.46
Other Current Liabilities	
Accrued Wages	12,848.07
Payroll Liabilities	
457 Retirement Due	522.37
Total Payroll Liabilities	522.37
Total Other Current Liabilities	13,370.44
Total Current Liabilities	20,972.29
Total Liabilities	20,972.29
Equity	
Retained Earnings	33,592.61
Net Income	73,960.55
Total Equity	107,553.16
TOTAL LIABILITIES & EQUITY	128,525.45

Southwest Colorado Council of Governments

Profit & Loss

04/07/19

January through February 2019

Accrual Basis

	Jan - Feb 19
Ordinary Income/Expense	
Income	
CDOT Grants	
SWTPR Grant	0.00
Transit 5304	0.00
Total CDOT Grants	0.00
DoLA Grants	
DoLA 8330	-3,320.18
DoLA 8573	0.00
Total DoLA Grants	-3,320.18
Dues Revenue	
COG Dues	111,929.00
SWTPR Contributions	5,926.00
Total Dues Revenue	117,855.00
Forethought Grant Match	3,690.00
COG Member Match	14,317.00
Total Grant Match	14,317.00
Misc. Income	758.00
RHA	5,000.00
SCAN Services	
Dark Fiber Leasing	8,208.00
Internet & Transport	2,010.00
Total SCAN Services	10,218.00
Total Income	148,517.82
Gross Profit	148,517.82
Expense	
All Hazards Projects	
All Hazards 2017 SHSP	
Grant 2017 Project 1	455.00
Grant 2017 Project 4	14,798.33
Total All Hazards 2017 SHSP	15,253.33
Total All Hazards Projects	15,253.33
Conference Fee	527.70
Consulting	0.00
Forethought.	2,000.00
Information Technology (IT)	
Software	4,008.00
Total Information Technology (IT)	4,008.00
Insurance Expense	
General Liability	3,295.23
Health	4,173.00
Total Insurance Expense	7,468.23
Internet Connectivity	
Fast Track	900.00
Internet Connection (AT&T)	101.63
Total Internet Connectivity	1,001.63

Southwest Colorado Council of Governments

Profit & Loss

04/07/19

January through February 2019

Accrual Basis

	Jan - Feb 19
Meetings	19.37
Memberships	5,050.00
Office Equipment	200.00
Office Supplies	49.97
Postage and Delivery	20.71
Professional Fees	
Legal	111.60
Misc.	68.08
Total Professional Fees	179.68
Rent	700.00
Salary and Wages	
457 Retirement	1,838.80
Car Allowance	600.00
Cell Phone Allowance	300.00
Payroll Processing Fee	455.70
Payroll Tax	2,105.16
Salary and Wages - Other	25,780.64
Total Salary and Wages	31,080.30
SWIMT 2018-2019	5,271.97
Travel	1,726.38
Total Expense	74,557.27
Net Ordinary Income	73,960.55
Net Income	73,960.55

Reports

Director Report

To: SWCCOG Board of Directors
From: Miriam Gillow-Wiles
Date: 11 April 2019

Comments: March was a busy month, like most, but without any specific highlights and nothing of note outside the course of regular business. The RFPs for FCC USAC rural healthcare funding are out and we are getting some questions and request. March did see more engagement with San Juan County New Mexico (SJCNM), more on that below.

SWCCOG Strategic Planning

SWCCOG is working with DOLA to get funding in the 2018 Technical Assistance grant earmarked for the SWCCOG-Region 9 Collaboration project moved into strategic planning. We are waiting on DOLA for this revision, however the funding ends 30 June 2019 so we will have to work in earnest.

SWCCOG DOLA 2019 Technical Assistance Grant

The SWCCOG was awarded \$50,000 for CDL program development and hard to recycle items. Staff reviewed the contract, made some changes to the budget as DOLA had developed it in the grant, and are still awaiting a contract.

SWCCOG DOLA Extra 2018 REDI Grant Funds

We were awarded \$18,000 for broadband grant support in March. This will help support the FCC USAC funding request as well as USDA ReConnect funding application. We will have a short window to spend the funds, as they end 30 June 2019 as well.

Grants

As stated at the March Board Meeting, we have been very busy applying for funding with two grants submitted in March, with another in mid-April and at least one other in May. These grants include:

- *DOLA REDI 2019*

Engineering between Cortez, Shiprock, Farmington, Aztec, Durango as well as Durango – Pagosa. If we are successful, all the routes in/out of the region except for Dove Creek to Monticello will be shovel ready. SJCNM and City of Farmington are providing match for this grant, as DOLA funds cannot be spent outside the state. In addition to the engineering this grant also includes money to seek funding for the development of these routes after the planning is complete. The southern route helps create redundancy for the Durango and Cortez areas and is supported by the ISPs (in concept and financially).

- *USDA REDI Technical Assistance*

This grant is a technical assistance grant help identify additional economic drivers outside of ag, extraction, and tourism to help diversify the region's

Director Report

economic portfolio. There are many articles and discussions about broadband saving rural America, but there is very little on the HOW to make that happen, which is one of the major components of this technical assistance request. We worked with SJCNM economic development group, 4CEDs, to write a joint application, as both agencies were writing them with similar intent independently and we did not want to compete with one another.

- *USDA CommunityConnect and USDA ReConnect*
Both of these are broadband focused. Staff will report at the May Board Meeting what and how much is requested.

San Juan County, New Mexico Update

I have been working with San Juan County New Mexico (SJCNM) to create closer ties and find out what services and programs are needed/wanted that the SWCCOG provides. As discussed previously, before any non-SW Colorado local government that would want to be a member of the SWCCOG could look at an interim period where we could ensure those relationships work for all parties. SJCNM and the City of Farmington are the most likely to engage with us and are very eager to do so. They are both excited about our knowledge and work on Broadband as well as the fact that our economies are closely linked. I have been learning more about how NM operates as well (as an aside, this is fascinating since I have only worked in local government in Colorado).

There are a number of programs we have identified that would support SJCNM, Farmington, and the other jurisdictions. These include:

- Creating a revolving loan fund for the County. NWNMCOG does not provide this program for the area. Region 9 cannot cross state lines with their funding sources.
 - Metropolitan Planning Organization (MPO) administration. MPO is a designated by the federal government in 'metropolitan' areas over 50,000 population for purposes of transportation planning, the area around Farmington is designated an MPO. As part of the federal designation, there is direct federal funding for the planning and administration of the MPO.
 - Broadband planning and engagement
 - Additionally, I have attached the Menu of Services I put together. While we obviously don't provide all services to all the SWCCOG jurisdictions, and will
-

Director Report

not/cannot for SJCNM, it is probably the first time I have compiled all the various support, projects, and programs into one document

I will be presenting to the SJCNM Board of County Commissioners (there are 5) at a regular Board Meeting, and the Farmington City Council at a work session on April 16th.



Programs, Projects, and Services

The Southwest Colorado Council of Governments is an organization that helps support the SW corner of Colorado, through a variety of projects and programs as well as providing services to the member jurisdictions. The SWCCOG has recently committed to working as a more holistic region, as issues and needs do not stop at state lines. These issues such as broadband, housing, work force development/job creation, and transportation are multifaceted and require creative and regional solutions. The SWCCOG identified six goals in 2011 that all the work falls under: Ageing, Environment, Housing, Telecommunications, Transportation, and Tourism. Currently the SWCCOG does not work on all of the goals, as the Board sets annual goals under the overarching larger goals.

Below is a list of the projects, programs, and services the SWCCOG can offer San Juan County and the City of Farmington. Initially, the SWCCOG envisions working with the County and/or the City to provide some services, without being full fledged member of this COG. If membership is desired at some point in time the SWCCOG would welcome that discussion, however that is not expected at this time. The organization would like to work with the partners across state lines to solve the truly regional issues.

Broadband and Technology has been the SWCCOG's main focus since inception. As part of that, the SWCCOG Executive Director is nationally recognized as a leading rural broadband expert and has developed strong relationships with State and Federal elected officials, helping influence both legislation and support and opposition to varying proposed legislation.

- Broadband coordination
- Broadband planning
- Broadband funding (grants, PPP)
- Local Technology Planning Team (coordination between private and public IT and ISPs)
- Low cost broadband services (wireless and fiber, depending on location)
- Low cost VOIP services
- Office 365 and other cloud based technology planning
- State broadband legislation engagement/support/editing
- Federal broadband legislation engagement/support/editing
- Model codes and ordinances related to telecommunications
- FCC Rulemaking tracking and analysis of impacts
- Aggregation of software (video conferencing, grant finding)

Transportation and Transit is one of the other major components the SWCCOG administers and focuses on developing. The entirety of SW CO is a rural planning organization (RPO) and the state of Colorado does much of the nuts and bolts, however the COG does all the coordination, grant administration, and is a vital interface for CDOT. The SWCCOG has also been the leading agency in the region to develop a transit plan that encompasses the Four Corners. The Executive Director also Co-Chairs a national transportation committee to represent rural America's transportation needs.

- Bi-Monthly transportation meetings
- Bi-Monthly transit provider meetings

-
- Transit planning (just finished a 4 Corners Transit Plan)
 - Engaged with FAST Act (federal transportation funding) renewal
 - Developing the infrastructure for the future of transportation
 - State transportation funding engagement
 - Federal transportation funding engagement
 - Federal infrastructure funding engagement
 - Transportation/Transit funding (grants, PPP)
 - Engage with DOTs on behalf of regions
 - MPO coordination (possibility)
 - RPO coordination
 - State transportation legislation

Recycling was identified as a major need in SW CO five years ago, and the need for regional coordination between public and private as well as developing local end markets to reuse materials locally has only grown in that time frame. The SWCCOG Board is committed to working with our public and private haulers to keep recyclable/reusable materials out of the regional landfills.

- Elementary school education and curriculum development
- Regional recycling website
- Printable recycling guide for consumers
- Funding to develop end markets for glass (pending)
- Organics waste council
- State legislation to help rural recycling
- Local food systems initiative (seeking funding)
- Local tire reuse/recycling

Other Services the SWCCOG offers are wide and varied, and depend on need.

- Grant writing
- Grant management
- Fiscal Agent (currently for Homeland Security and Incident Management Team)
- Contract Bookkeeping/accounting
- Billing services
- Revolving loan fund management
- Legislation research
- Legislative engagement (state and federal)
 - o Advisement
 - o Analysis
 - o Letters of Support/Opposition
 - o Testimony
- Policy analysis
- Model codes
- Social media engagement
- App development
- Data analysis
- Strategic planning
- Meeting facilitation/moderation
- Meeting coordination
- Communications and outreach

Broadband Report

To: SWCCOG Board of Directors
From: Miriam Gillow-Wiles
Date: 1 March 2019

Comments Below are some of the various aspects Staff has been involved with as well as general updates.

USAC Rural Healthcare Update

As discussed previously, we are reapplying for funding from the FCC USAC Rural Healthcare fund for the following routes: Dove Creek – Cortez, Cortez to Telluride, Cortez – Durango, and Durango – Cascade Village.

- RFP Documents are posted to FCC website with a closing date of May 6th (also posted to BidNet and COG website)
- Staff and Consultants review applications
- SWCCOG selects lowest qualified bidder and enters into contract (may be one or more vendors), only to be executed upon successful funding – this will be special meeting the week of May 13th (likely the end of the week).
- All docs are sent to FCC as part of the funding request.
- We all cross our fingers and say a good word in hopes of being successful this time around!
-

5G Model Code

Staff is working with the CUA to develop small cell citing model codes that are both FCC and State compliant (though there are conflict between the FCC rule making and the State legislation). We will provide this to members.

Easement Legislation

Senator Kerry Donovan has introduced SB 19-107, a piece of legislation to allow existing fiber in a utility easement (think fiber that LPEA or Empire Electric owns) to be used for commercial use, rather than only for the utility use. This has been passed in several midwestern states over the last few years, we are hopeful this is the case right now. The first iteration of this legislation was generally a little rough and left out some important components. The second iteration was released last Wednesday, 4/3, and it was arguably worse than the initial version. The second version reads as if industry (opposing easement access) wrote the legislation. It is dense, overly specific, and is unsupported by both local governments and the REAs. Myself and another member of the group working on the legislation completely rewrote a draft of SB107 in hopes that it would help the bill sponsor. This legislation may or may not happen in 2019, if not we will need to push for this in 2020.

Broadband Report

FCC Cable Franchise Fees Update

Staff has included the ex parte filing with the FCC from Kissinger and Fellman. This document outlines (in legalese) the issues and challenges faced with the FCC Ruling regarding Cable Franchise Fees from fall 2019. Staff is happy to answer or research questions as needed.

KISSINGER & FELLMAN, P.C.

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PAUL D. GODEC, SPECIAL COUNSEL

April 3, 2019

VIA FCC ECFS

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Second Further Notice of Proposed Rulemaking In the Matter of Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992
MB Docket No. 05-311 (“Second FNPRM”), FCC 18-131
- *Ex Parte Communication*

Dear Ms. Dortch:

This firm represents a coalition of local governments consisting of the Association of Washington Cities (AWC); the Washington State Association of Counties (WSAC); the Colorado Communications and Utility Alliance (CCUA); the Cities of Everett, Kent, Lacey, Olympia, Seattle and Tumwater, Washington; Thurston County, Washington; the Rainier Communications Commission (RCC) and the Jersey Access Group (JAG). Our clients have filed Comments and Reply Comments in the Second FNPRM.

On April 1 and 2, 2019, I, along with Alan DeLollis (CCUA President and Legislative and TV Communications Manager for Denver Marketing and Media, City and County of Denver, Colorado); Alberto Garcia (Telecommunications and Legislative Administrator, City and County of Denver, Colorado); Victor Locke (Broadcast Specialist, City of Durango, Colorado); Richard Desimone (Managing Director, JAG); and Betsy Schwartz (Social Media Consultant, JAG) attended meetings at the Commission with the following FCC representatives:

April 1, 2019

Chairman Ajit Pai

Alexander Sanjenis, Acting Media Advisor

- Chairman Ajit Pai’s Staff

Kate Black, Policy Advisor, Media

- Commissioner Jessica Rosenworcel’s Staff

Evan Swarztrauber, Policy Advisor

- Commissioner Brendan Carr’s Staff

Michael Scurato, Acting Legal Advisor for Media and Consumer Protection

- Commissioner Geoffrey Starks’ Staff

Martha Heller, Division Chief
Maria Mullarkey
Brendan Murray
Olivia Avery
- Media Bureau, Policy Division

April 2, 2019

Joel Miller, Chief of Staff and Media Legal Advisor
- Commissioner Michael O'Rielly's Staff

In these meetings, we described the multitude of public benefits that PEG programming provides for local citizens in communities of all sizes across the country. Specific information about PEG programming through the CCUA, and the cities of Durango, Denver and Seattle was provided at the meetings and copies of the information provided are attached to this letter.

We expressed concern that despite Commission rules providing for the filing of comments and reply comments, and subsequent oral advocacy to be noted in the record through these ex parte filings, the NCTA has utilized the ex parte meeting process as a mechanism to file three sets of what are effectively comments containing additional legal analysis of the issues. We would not ordinarily seek to use this process to continue written legal arguments that could have been provided during the comment and reply comment period, but feel compelled to respond to NCTA's recently filed and flawed legal analysis. As such, we identified these four main points.

A. The Legislative History of the 1984 Cable Act and the Language of the Act Itself Support Local Government Arguments that PEG Channels are Not Franchise Fees

The Cable Act defines franchise fee as "any tax, fee, or assessment of any kind imposed by a franchising authority or other governmental entity on a cable operator or cable subscriber, or both, solely because of their status as such."¹ The provision of PEG channels to local franchise authorities in cable franchise agreements is neither a tax, fee nor an assessment.

A colloquy between Representative Wirth, and Representative Bliley is part of the congressional record in the 1984 Cable Act, and both the colloquy and paraphrase of the content can be found therein.²

Mr. BLILEY. What is the relationship between permissible franchise fees and public, educational, and governmental access commitments in new franchises?

Mr. WIRTH. Subsection 622(g)(2)(C) establishes a specific provision for PEG access in new franchises. In general, this section defines as a franchise fee *only monetary payments* made by the cable operator, and does not include as a "fee" any franchise

¹ 47 U.S.C. 542(g)(1).

² 1984 U.S.C.C.A.N. 4751, 4753; H.R. Rep. No. 98-934 at 65 (1984).

requirements for the provision of services, facilities or equipment.³
(emphasis added)

The colloquy demonstrates clear Congressional intent that non-monetary payments are not considered franchise fees.

Further the history of the 1984 Cable Act itself reflects a carefully considered balance between the needs of local franchise authorities and cable operators. The basis of the legislation was a negotiated agreement between the National League of Cities (NLC) and NCTA.⁴ These stakeholders were brought together by the congressional committee to work out compromise language for the proposed bill.⁵ The transcript of the hearing at which the head of the NLC and the head of NCTA presented this agreement demonstrates that both sides had to compromise on what they wanted in the bill.⁶

NCTA is now arguing that non-monetary franchise commitment should always have been included in the definition of franchise fees, but its members have been part of the legislative process from the start and either made no such argument, or Congress declined to adopt it. Past practice has demonstrated that in cable franchise agreements since the Cable Act was passed in 1984, commitments such as the provision of PEG channels have been treated as separate from franchise fees.

B. Cable Franchises are Voluntary Agreements Negotiated in Arms-Length Transactions

The provision of PEG channels pursuant to franchise agreements is a voluntary commitment made by cable operators as part of the negotiating process. An agreement in a franchise to provide PEG channels is one of the many items of bargained for consideration that go into a cable franchise agreement. It is not a tax, a fee, nor an assessment.

NCTA argues that sunk costs are significant and preclude cable operators from engaging in a truly voluntary process, citing the section of the Cable Act Committee Report that discussed the formal franchise renewal process as supporting this assertion: “Such a provision is necessary to protect the heavy investment made by cable operators in a cable system.”⁷ However the section

³ 1984 U.S.C.C.A.N. 4751, 4753.

⁴ Options for Cable Legislation, Subcomm. on Telecommunications, Consumer Protection, and Finance of the Comm. on Energy and Commerce (May 25, June 22, and Nov. 3, 1983) at 10; 130 Cong. Rec. S14281-97 (daily ed. Oct. 11, 1984) at S 14283: “Therefore, I asked the leadership of the cable industry and the cities to resolve their differences ... To summarize these negotiations, the National Cable Television Association [NCTA] and the National League of Cities [NLC] held a series of meetings in an effort to reach a compromise. S. 66 was amended on several occasions to reflect these compromises. Finally, in April of 1983, the president of the NLC and the president of NCTA sent a letter of endorsement for a revised version of S. 66.”

⁵ Options for Cable Legislation, Subcomm. on Telecommunications, Consumer Protection, and Finance of the Comm. on Energy and Commerce (May 25, June 22, and Nov. 3, 1983) at 10-12.

⁶ *Id.*

⁷ Letter From Rick Chessen, Chief Legal Officer, NCTA, to Marlene H. Dortch, Secretary, FCC, Re: Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable

by section analysis of the report on the formal franchise renewal provisions while still acknowledging these sunk costs, states that:

“A cable operator and a franchising authority may negotiate renewal independent of this section. Also, independent of this section they may reach agreement on a franchise renewal at any time during the franchise, including at any time after the procedures under this section have been initiated. Indeed, the Committee expects that the vast majority of franchises will be renewed *without regard to this section*.”⁸ (emphasis added)

The ability to invoke the formal renewal process, an extremely costly process for local franchising authorities, provides precisely the tremendous leverage that cable operators have in these negotiations.

Congress understood the informal franchise process to be a voluntary process by using words like “negotiate” and “reach an agreement” to describe the undertaking. And as the report predicted, the vast majority of cable franchises are renewed under this informal process. With all due respect to NCTA, the claim that sunk costs somehow preclude cable operators’ ability to exercise leverage in arms-length negotiations during the informal renewal process demonstrates a complete lack of experience in actually negotiating these agreements, and ignores the reality of what actually happens in franchise negotiations.

In our experience negotiating hundreds of cable franchises for communities of all sizes, with cable operators of all sizes, in multiple states since 1985, cable operators exercise tremendous leverage and negotiating power. As noted above, the fact that they have the ability to seek formal negotiations, and cause the local franchise authority to incur the costs involved in that process, provides far more leverage over local franchise authorities than almost any other factor. Cable operators generally refuse to provide benefits to a local community through a franchise agreement, unless that community can demonstrate that such benefits are necessary to meet the future cable-related needs of the community – just as Congress intended in the Cable Act. And even when a locality expresses and documents its needs and makes a specific “ask” in franchise negotiations, cable operators often successfully negotiate down, and end up providing far less than what was requested – again due to their significant leverage.

Every one of the jurisdictions involved in this filing has been involved in franchise negotiations which involved (1) significant time, money, and effort, (2) comprehensive discussions of meeting cable-related community needs, and the impact of meeting those needs on the cable operator and subscribers, and (3) resulted in significant compromise based upon those arms-length negotiations. Many of the jurisdictions represented here would tell the Commission that they accepted less than what they felt was reasonably needed, in part due to the cable operator’s refusal to compromise, and the knowledge that the cable operator had the financial wherewithal to drag

Television Consumer Protection and Competition Act of 1992, MB Docket No. 05-311 at 2 (3/13/19) n. 7 quoting H.R. Rep. No. 98-934 at 27 (1984).

⁸ H.R. Rep. No. 98-934 at 72.

out the negotiations to a point where the local jurisdiction would no longer have the budgetary means to continue discussions. The claim that sunk costs compromise a cable operator's ability to engage in fair and reasonable arms-length negotiations, and that provision of PEG channels through the informal franchise renewal process are not voluntary commitments made in the broader context of these discussions is far removed from the reality of cable franchise negotiations.

Further proof of the unrealistic position taken by NCTA is the fact that franchise negotiations rarely end up in the statutory formal process. In the hundreds of renewals we have been engaged in over the years, it has never happened.

C. The Commission Must Undertake a Careful Analysis to Avoid Impermissible Retroactive Impairment of Contracts

If the Commission were to adopt the proposed rules in the Second FNPRM and apply them to existing franchise agreements, the secondary retroactivity effects of the rules will upset settled expectations and preexisting interests. NCTA has noted that under *NCTA v. FCC* the Commission must, in any order adopting such rules, explicitly "balance the harmful 'secondary retroactivity' of upsetting prior expectations or existing investments against the benefits of applying their rules to those preexisting interests."⁹

Therefore it is vital that the Commission undertake its own impact study to assess what the precise impact of applying these rules to existing franchises would be. This is not simply a conclusion to be made about the statements contained in the record of this docket. The Commission itself must undertake a study providing this kind of comprehensive analysis. Indeed, the Commission now has an Office of Economics and Analytics which has the expertise and ability to undertake this kind of study. If the value of PEG channels is to be credited against the 5% franchise fee cap, what is the value of those channels? Do they vary by market? What do cable operators charge in each market for channel bandwidth and what will they charge local franchising authorities? What is the value of standard definition channels versus high definition channels? How much franchise fee revenue is actually generated in each jurisdiction with a cable franchise, and what kind of government expenditures do franchise fee revenues pay for? How will loss of those fees, if a jurisdiction decides to keep its PEG channels, impact other government functions? Local governments with existing franchise agreements have expectations based upon those agreements and based upon 35 years of well settled, consistent interpretations of the Cable Act related to these issues. If the Commission intends to make a 180 degree change in the prior decades of Cable Act interpretation and apply that change to existing agreements, it has significant work to do first, in order to complete this kind of analysis.

It is our position that the harms will outweigh any benefits of applying the proposed rules retroactively, but until the Commission actually undertakes such a study, it cannot make any determination on the relative burdens the proposed rules will have on the parties.

⁹ *NCTA v. FCC*, 567 F.3d 659, 670 (D.C. Cir. 2009).

D. Whether PEG is a Capital or Operational Cost is Not Relevant

Arguments that the provision of PEG channels in cable franchises are operational costs, not capital, and therefore not excluded from the 5% franchise fee cap¹⁰ are misplaced. While the Cable Act states that the definition of franchise fees does not include “capital costs which are required by the franchise to be incurred by the cable operator for public, educational, or governmental access facilities,”¹¹ nothing in the Cable Act says that only requirements for capital costs are outside the scope of the statutory definition of franchise fees. One must look at the plain language of the primary definition – franchise fees can only be a “tax, fee, or assessment of any kind imposed by a franchising authority or other governmental entity on a cable operator or cable subscriber, or both, solely because of their status as such.”¹² As discussed above, Congress intended the definition of franchise fee to be limited to monetary payments, precluding this kind of offset for provision of PEG channels. And as also noted above, even if PEG channels could be considered some kind of a fee or assessment, in the context of franchise negotiations, they are voluntary commitments and not impositions.

The FCC's proposed new cable rules would turn 35 years of interpretation of the 1984 Cable Act on its head, crippling access channels and franchise fee revenues to local franchising authorities nationwide. The proposed rules in the Second FNPRM are a stark departure from the settled understanding as reflected in the practices of cable franchises negotiated between cable operators and local franchising authorities. The proposed rules are not supported by the law, legislative history, or sound policy, and are certainly not in the public interest.

Pursuant to Rule 1.1206 of the Commission's Rules, an electronic copy of this letter and the attached summary documents are being filed via the Electronic Comment Filing System (ECFS) in this matter.

Please feel free to contact me with any additional questions or concerns you may have.

Very truly yours,
KISSINGER & FELLMAN, P.C.



Kenneth S. Fellman
kfellman@kandf.com

KSF/eaj
Enclosure

¹⁰ See Letter From Rick Chessen, Chief Legal Officer, NCTA, to Marlene H. Dortch, Secretary, FCC, Re: Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992, MB Docket No. 05-311, MB Docket No. 05-311 at 2 (3/11/19).

¹¹ 47 U.S.C. 542(g)(2)(C).

¹² 47 U.S.C. 542(g)(1).

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Legislative Update

To: SWCCOG Board of Directors

From: Jessica Laitsch

Date: 4 April, 2019

Comments: Attached is a summary of bills that have been introduced in the Colorado General Assembly.

2019 SWCCOG Legislative Tracker

Bill Number	Subject	Bill Title	Sponsors	Comments	SWCCOG Position	Who else Supports/Oppose/Monitor	Status	Link
HB19-1037	Creation of Bonds backed by EIAF money for Closing Powerplants	Colorado Energy Impact Assistance Act	C. Hansen	Seems specific to NWCO, and not beneficial to state overall		Club 20 - Oppose	Senate Agriculture & Natural Resources, Passed House	https://leg.colorado.gov/bills/hb19-1037
SB19-020	Concerning development of a system to patrol the airspace above wildland fires.	Wildland Fire Airspace Patrol System	Coram, McLachlan, R Fields			Club20 - Support CML - Support Club 20 - Support	Senate Appropriations	https://leg.colorado.gov/bills/sb19-020
SB19-036	Program to remind criminal defendants to appear in court as scheduled	State Court Administrator Reminder Program	Lee, Cooke, Benevides, Carver	Reduce costs for jailing defendants in county facilities		CCI - Support	Senate Appropriations	https://leg.colorado.gov/bills/sb19-036
SB19-027	Allow Counties to create unclaimed bodies	County Authority Unclaimed Body Final Disposition	Crowder, Valdez	Reduce costs for counties, as this is an unfunded mandate		CCI - Support	April 11 House Judiciary, Passed Senate	https://leg.colorado.gov/bills/sb19-027
SB19-051	Concerning the dedication of additional general fund money to fund transportation needs	Increase General Fund Funding For Transportation	Scott, Cooke	Increase transfers required by SB18-001 to the state highway fund and HUTF, multimodal fund transfer remains unchanged		Club 20 - Support CCI - Support CML - Support	Introduced	http://leg.colorado.gov/bills/sb19-051
SB19-012	Prohibiting the use of mobile electronic devices for drivers of all ages with the exception of while using hands-free accessory	Use Of Mobile Electronic Devices While Driving	Court, Melton	Substantially similar bill introduced and failed in 2018		CML - Support	House Judiciary, Passed Senate	http://leg.colorado.gov/bills/sb19-012

2019 SWCCOG Legislative Tracker

Bill Number	Subject	Bill Title	Sponsors	Comments	SWCCOG Position	Who else Supports/Oppose/Monitor	Status	Link
SB19-078	Disqualifying an internet service provider from receiving high cost support mechanism money or other money received to finance broadband deployment if the internet service provider engages in certain practices that interfere with the open internet	Open Internet Customer Protections In Colorado	Donovan, Hansen, Herod				April 1, House Floor Work, Passed Senate	http://leg.colorado.gov/bills/sb19-078
SB19-107	Authorizes an electricity supplier to install and maintain above-ground broadband internet service infrastructure	Broadband Infrastructure Installation	Donovan			CCI - Support	Senate Business, Labor, & Technology and Senate Local Government	http://leg.colorado.gov/bills/sb19-107
HB19-1257	Authority for the state to keep and spend all revenue in excess of the constitutional limitation on state fiscal year spending in order to provide funding for public schools, higher education, and roads, bridges, and transit.	Voter Approval To Retain Revenue For Education & Transportation	Becker, McCluskie, Court, Priola				April 9, House Appropriations	http://leg.colorado.gov/bills/hb19-1257
HB19-1258	Allocation of money that the state keeps and spends as a result of a voter-approved revenue change at the 2019 statewide election.	Allocate Voter-approved Revenue For Education & Transportation	Becker, McCluskie, Court, Priola				April 9, House Appropriations	http://leg.colorado.gov/bills/hb19-1258

2019 SWCCOG Legislative Tracker

Bill Number	Subject	Bill Title	Sponsors	Comments	SWCCOG Position	Who else Supports/Oppose/Monitor	Status	Link
SB19-181	Concerning additional public welfare protections regarding the conduct of oil and gas operations.	Protect Public Welfare Oil And Gas Operations	Fenberg, Becker			Club 20 - Oppose CML - Support CCI - Oppose unless Amended	Passed House, Passed Senate	http://leg.colorado.gov/bills/sb19-181
SB19-019	Concerning the power of a county to restrict the use of fireworks during the period between May 31 and July 5 of any year.	County Fireworks Restrictions July 4th	Fields, Gray	Appears to allow counties to have a fireworks ban ordinance in effect between the dates May 31-July 5 if specified by resolution			Governor Signed, Passed House, Passed Senate	http://leg.colorado.gov/bills/sb19-019
HB 19-1086	Requires plumbing inspectors employed by an incorporated town or city, county, or city and county to possess the same qualifications required of state plumbing inspectors.	Plumbing Inspections Ensure Compliance	Duran	The bill was amended in House committee to remove the journeyman/master plumber inspector requirement	Oppose, Letter on 29 Jan	CML - Formerly Opposed CCI - Monitor as amended	Governor signed, Passed Senate, Passed House	http://leg.colorado.gov/bills/hb19-1086
SB19-038	Exception for agricultural commodity vehicles at port of entry	Agricultural Trailers Port Of Entry Clearance	Sonnenberg, Pelton	Potential disease and contamination issues?			Postpone Indefinitely	https://leg.colorado.gov/bills/sb19-038
HB19-1057	Concerning the publication of fiscal information by a county.	Publish County Financial Reports Online Annually	Ron Pelton			CCI - Support	Postpone Indefinitely	https://leg.colorado.gov/bills/hb19-1057

2019 SWCCOG Legislative Tracker

Bill Number	Subject	Bill Title	Sponsors	Comments	SWCCOG Position	Who else Supports/Oppose/Monitor	Status	Link
SB19-037	Measures to mitigate wildfires: permitting county personnel to enter land owned by the federal or state government to remove wildfire fuel sources and appropriating money for the use of the forest restoration and wildfire risk mitigation grant program.	Wildfire Mitigation	Woodward	From CCI: "Commissioners expressed concerns about the constitutionality of allowing counties to do fuels reduction projects on federal lands. These activities are governed by federal laws and regulations and many communities have developed partnership agreements with their federal land neighbors to collaborate on mitigation projects...will visit with the sponsor about removing the provision that grants counties authority to remove wildfire fuel materials on public lands."		CCI - Support with amendments	Postpone Indefinitely	http://leg.colorado.gov/bills/sb19-037
HB19-1018	Concerning the elimination of a local government's authority to opt out of the "Unclaimed Property Act".	End Local Government Opt Out Of Unclaimed Property Act	Bockenfeld			CML - Oppose	Postpone Indefinitely	http://leg.colorado.gov/bills/hb19-1018

2019 SWCCOG Legislative Tracker

Bill Number	Subject	Bill Title	Sponsors	Comments	SWCCOG Position	Who else Supports/Oppose/Monitor	Status	Link
HB19-1096	Creates "Colorado Right to Rest Act", which establishes basic rights for people experiencing homelessness, including the right to rest in public spaces, to shelter themselves from the elements, to eat or accept food in any public space where food is not prohibited, and to occupy a legally parked vehicle	Colorado Right To Rest	Melton			CML - Oppose	Postpone Indefinitely	http://leg.colorado.gov/bills/hb19-1096
HB19-1157	Modification of specific ownership tax rates, and requiring additional SOT revenue generated to be credited to the highway users tax fund and allocated to the state highway fund, counties, and municipalities in accordance with an existing statutory formula.	Modify Specific Ownership Tax Rates	Liston			CML - Oppose CCI - Oppose Club 20 - Oppose	Postpone Indefinitely	http://leg.colorado.gov/bills/hb19-1157

Transportation Report

To: SWCCOG Board of Directors
From: Jessica Laitsch
Date: 4 April, 2019

Comments: Transportation:

The next SWTPR meeting will be held Thursday, 11 April, 2019 at 295 Girard Street, Durango.

Transit:

5304 Four Corners Coordinated Transit Plan - The final plan will be presented at the April 2019 SWTPR and SWCCOG meetings.

NADO Technical Assistance Cortez/Durango fixed route bus – The consultant has delivered a final report. The report is attached.

The next Transit Council meeting will be held at 9:00 a.m. Friday, 17 May, 2019 at 295 Girard Street, Durango.

Southwest Colorado Council of Governments (SWCCOG) Cortez to Durango Transit Service

Final Report

Prepared by:

David Kack and Rebecca Gleason

of the

Western Transportation Institute

Montana State University

Bozeman, Montana

Prepared for:

Southwest Colorado Council of Government (SWCCOG)

United States Department of Agriculture (USDA)

National Association of Development Organizations (NADO)

February 5, 2019

Abstract

This project is part of a larger contract with the National Association of Development Organizations (NADO) Research Foundation, Technical Assistance for Rural Transportation Systems: Connecting Rural Transportation with Economic Opportunity.

The Southwest Colorado region has prioritized a regional, inter-city fixed route transit line between Cortez and Durango as a major strategy for meeting the region's transportation needs, as consistently identified over nearly ten years. In particular, the Southwest Colorado Council of Governments (SWCCOG) is looking for assistance with:

- Determining the potential route (stop locations, etc.)
- Operational aspects of the route (timing, number of runs, etc.)
- How the route/service could/should be funded

The primary objective of this project was to evaluate the potential for a Regional Intercity Bus Service between Cortez and Durango.

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Disclaimer

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Introduction

The Southwest Colorado Council of Governments (SWCCOG), which covers five counties in the southwest corner of Colorado (Figure 1), provides leadership on behalf of governments throughout the area by defining issues, advocating for mutual goals, and administering regional programs.



Figure 1. SWCCOG Five-County Region

It is in the spirit of advancing regional solutions that SWCCOG applied for technical assistance to research implementing additional transit services between Cortez and Durango.

Demographic Overview

Cortez, located in Montezuma County, is the second largest city in the area with a 2017 population estimated at 8,709 people, and Durango, located in La Plata County, is the largest city in the area with an estimated population in 2017 of 18,465 people (U.S. Census Bureau, 2018). Table 1 presents a breakdown of the population by several age ranges for each of the five SWCCOG counties, and the largest city in each county.

Table 1. Population distribution by age for SWCCOG counties and cities

County Largest City	Age Group						2016 TOTAL Population
	Less than 15	15-19	20-24	25-34	35-59	60+	
Archuleta	1,815	594	831	1,018	4,065	4,032	12,355
Pagosa Springs	361	71	82	404	538	510	1,966
Dolores	328	42	83	213	530	593	1,789
Dove Creek	145	21	50	64	173	187	640
La Plata	8,762	3,835	3,537	7,464	18,433	11,963	53,994
Durango	2,388	1,756	2,095	3,427	5,541	2,700	17,817
Montezuma	4,871	1,533	1,396	2,736	8,334	7,136	26,006
Cortez	1,782	546	554	1,064	2,690	2,047	8,683
San Juan	47	12	36	95	213	149	552
Silverton	41	9	32	91	199	121	493
SWCCOG Totals	15,823	6,016	5,883	11,526	31,575	23,873	94,696

(Source: U.S. Census Bureau (1))

San Juan is the least populated county in Colorado, and as indicated by Table 1, Dolores County has a low population as well. Dolores County has the highest percentage of residents aged 60 years or older (33.15%) in the SWCCOG area, and Archuleta County isn't far behind, with 32.63 percent of its residents aged 60 or older. La Plata County is the only one of the five counties that doesn't have at least 25 percent of its residents in the category of 60 years old or older (it's at 22.16%).

Existing Transportation Services

SWCCOG and others in this region have explored adding fixed-route commuter bus service between the two communities of Cortez and Durango, which are approximately 45 miles apart. While there is intercity and demand-response bus service connecting these communities, the current schedule for the intercity service is such that there is only one departure from Durango to Cortez in the morning (at 6:40 am) and a return trip from Cortez to Durango in the early evening (6:10 pm). One of the issues is that this schedule would not work for someone who wants to travel from Cortez to Durango for work and would certainly not work for someone who needed to spend just a half-day in either community for medical, shopping, recreational or educational purposes. There are numerous transportation services that are providing connections between Cortez and Durango. The majority of these operate on a demand-response basis, meaning that someone has to schedule a ride, sometimes up to two weeks in advance, for the trip. Further, many of these services are limited to specific customers/clients (e.g., the elderly, those taking a Medicaid trip, etc.).

While Cortez has roughly half the population of Durango, it should in no way be considered a "bedroom community" for Durango, as Cortez has its own medical facilities (Southwest Health Systems), retail options including a Walmart Supercenter and Big R, and many local businesses. While not within the city limits of Cortez, the Pueblo Community College (Southwest) is located

approximately 12 miles east of the town. This institution also has a facility in Durango. Finally, the Cortez Airport has direct flights to Denver and Phoenix. So, while Cortez and Durango each have the amenities necessary to meet the needs of their citizens, there is still considerable traffic flowing between the two communities.

Connection to Economic Development

Transportation is typically the second highest expense for an individual or family, behind only housing (2). Further, the American Automobile Association (AAA) distributes an annual report on the costs of owning and operating a vehicle. Based on the most recent figures, commuting daily between Cortez and Durango would put approximately 22,500 miles on a vehicle (90 miles roundtrip per day * 250 working days) and would cost an average of nearly \$10,920 (AAA, 2018).

Discussions with some stakeholders noted that transportation was a problem for some of their constituents, especially on longer trips. Transportation is known to be tightly tied to the economic well-being of an area, although transportation in-and-of-itself cannot create an improved economy. Much of the economy in the SWCCOG area is dependent upon tourism, either to the ski areas in the winter, or to Mesa Verde National Park, or other Federal or State lands in the area.

As noted in the Southwest Transportation Planning Region Regional Coordinated Transit & Human Services Plan (reference):

Economic benefits of transit include providing access to jobs, shopping, and other destinations; creating jobs in public transit and related industries; reducing the cost of transportation for individuals and families with a portion of the cost savings redirected to the local economy; providing businesses with access to a broader labor market with more diverse skills; and providing savings associated with the reliability and effects of reduced congestion.

Social benefits of transit include providing transportation options to access destinations; reducing household expenditures on transportation, allowing savings to be spent in the local economy; reducing non-transportation service costs; reducing travel time and accidents because of less congestion on the road; providing accessibility of transit by all segments of the population; providing health benefits associated with walking to/from transit; and providing an overall savings in time and money.

The remainder of this document covers the three main tasks that were conducted as part of this project, which include: 1) Literature Review; 2) Meetings and Data Gathering/Analysis; and, 3) Conclusions and Recommendations.

Literature Review

The research team conducted a comprehensive literature review to understand existing information regarding the potential implementation of a commuter bus service between Cortez and Durango. Researchers reviewed past plans and other literature, focusing on implementation plans, as well as funding sources for the proposed transit service. The results of the Literature Review conducted during the project can be found in Appendix A. The following section summarizes literature that relates to key points that helped guide the majority of this project.

Perhaps the most relevant literature reviewed are the two most recent reports: the 2015 Regional Public Transit Feasibility Report (University of Colorado, Denver) and the 2015 Statewide Transit Plan (Felsburg, Holt & Ullevig, et. al.). The Feasibility Report mirrored many of the tasks that were identified for this project. The report provided a review of previous reports/literature, provided estimates for the costs of a commuter service between Cortez and Durango, and even presented a schedule/route for the potential new service. The 2015 Statewide Transit Plan does an excellent job of providing demographic information and reviewing existing transit services, as well as identifying transit gaps and needs. It provides a financial outlook and funding sources, but perhaps most importantly, provides recommendations and implementation actions. A list of all known studies/reports conducted in the last ten years (in order from most recent to least) are as follows:

- 2015 Regional Public Transit Feasibility Report (3)
- 2015 Statewide Transit Plan (4)
- 2014 Colorado Intercity and Regional Bus Network Plan (5)
- 2014 Southwest Transportation Planning Region Regional Coordinated Transit & Human Services Plan (6)
- 2012 Southwest Regional Transportation Coordinating Council Action Plan (7)
- 2009 Regional Transit Feasibility Study (8)
- 2008 Colorado Statewide Intercity and Regional Bus Network Study (9)
- 2008 Southwest Local Transit and Human Service Transportation Coordination Plan (10)
- 2005 Regional Transportation Plan (published in 2008) (11)

In summary, the literature shows that implementing a fixed-route commuter transit service has been studied numerous times. While some studies/plans have focused on additional routes/service in addition to a Cortez – Durango service, these two communities are the largest (most populated in the area) and connecting these two towns are key to making additional services feasible. Further, while the timing of potential routes, key stops, and potential costs vary to an extent between the various studies, most point to the need (or desire) for such service.

Meetings and Data Collection/Analysis

To launch the project work, several meetings were held in the Cortez and Durango area to finalize the Scope of Work and gather new and relevant information.

Kick-Off Meeting (Durango)

At the beginning of the project, researchers met with SWCCOG representatives to review the Scope of Work and plan a meeting with key stakeholders, including members of the SWCCOG Regional Transit Coordinating Council. At the kick-off meeting, the City of Durango (Durango Transit) announced that it had received notice from the Colorado Department of Transportation (CDOT) that CDOT had implemented a new formula for distributing the Federal Transit Administration (FTA) Section 5311 funds. As a result, Durango Transit would go from receiving over \$1 million per year in Section 5311 funds to receiving approximately \$415,000 per year. It was noted that the reduction would take place over a four to five year period.

In related discussions, many of the counties in the area, including La Plata and Montezuma counties, noted that they had reduced their budgets in the last year, due to a reduction in revenue. A part of the reduction in revenue was due to reduced activity regarding oil and gas extraction in the area.

Stakeholder Meetings (Durango and Cortez)

The researchers and SWCCOG representatives met with COG's Regional Transit Coordinating Council, which includes transportation providers from the area including Durango Transit and the Southern Ute Community Action Program (SUCAP). As noted later in this document, SUCAP is now known as SOCOCAA. Minutes from the meeting, including a copy of WTI's presentation, are in Appendix B.

Much of the meeting centered around the purpose of the potential transit system, and whether it would be focused on moving people for medical appointments, jobs, educational opportunities, recreational opportunities (including moving tourists), or a combination of all these purposes. There was discussion on implementing van pools in the area to address those who were commuting for work purposes. It was noted that while there may be a few vanpools operating in the area, current options were limited.

There was some discussion about how the system would be judged in terms of "success." Would success be judged by the number of rides provided, or the cost per ride, or would other factors be included, such as providing a way for people to get to work or a medical appointment who would not have otherwise been able to make the trip. Additional conversation focused on coordinating services, such as making sure that people who rode the Road Runner Stage Lines service between Durango and Cortez could get on the Montezuma County service in Cortez to access other stops/locations in that community.

Staff (Mary Holaday and Sue Fletcher) from the Montezuma County Public Transportation (Mo Co Public Transportation) were not able to attend the meeting. However, researchers were able to meet with them later, as the researchers traveled from Durango to Cortez to review previously noted routing and timing for potential bus service. It should be noted that while that Montezuma County is not a member of SWCCOG, it does participate as part of the Regional Transit Coordinating Council. Further, Montezuma County Public Transportation does not currently receive any funding from the County (Montezuma County). Mary and Sue noted that the transportation agency provides trips from the greater Cortez area to Durango, primarily for specialty medical needs. Further, it provides service to some of the smaller communities in the area including Dolores, Dove Creek, Mancos and Towaoc.

Colorado DOT

The Colorado Department of Transportation (CDOT) has multiple funding sources that could be used to help with the start-up and on-going operations of a service/route between Cortez and Durango. In addition to distributing funding from the Federal Transit Administration (FTA) to the rural transit systems, CDOT also oversees the distribution of the Funding Advancement for Surface Transportation & Economic Recovery (FASTER) state funds for transit.

Researchers had numerous discussions (via email, over the phone, and in person) with staff from CDOT's Transit & Rail Division regarding potential funding for a proposed service. Details regarding potential funding are in the Cost Estimates section.

Transit Service Parameters

As noted in the literature review, there has been some relatively recent work on potential routes/schedules for a bus service to operate between Cortez and Durango. The 2015 Report (3) noted a schedule with two roundtrips per day. While that level of service may address some of the transportation needs in the corridor, the reality is that ridership on transit (the usability of transit) typically increases with frequency. Therefore, a service that had three to five roundtrips per day would be more useful than a service with only two roundtrips per day. It should also be noted that given the time to travel between Cortez and Durango (approximately one hour each way), it can be harder to implement a service using only one vehicle. For example, a bus leaving Cortez at 7 am could get people to work in Durango by 8 am, but it would not get people from Durango to Cortez until at least 9 am. A potential schedule for the proposed service is shown in Table 2.

Table 2. Potential Schedule for Proposed Cortez – Durango Service

Stop				
Cortez-Montezuma County Annex Building	7:00 am	10:00 am	1:00 pm	4:00 pm
Cortez-Walmart	7:10 am	10:10 am	1:10 pm	4:10 pm
Southwest Colorado Community College	7:25 am	10:25 am	1:25 pm	4:25 pm
Mancos	7:40 am	10:40 am	1:40 pm	4:40 pm
Durango West	8:00 am	11:00 am	2:00 pm	5:00 pm
Durango Transit Center	8:10 am	11:10 am	2:10 pm	5:10 pm
Mercy Regional Medical Center	8:25 am	11:25 am	2:25 pm	5:25 pm
Mercy Regional Medical Center	8:30 am	11:30 am	2:30 pm	5:30 pm
Durango Transit Center	8:45 am	11:45 am	2:45 pm	5:45 pm
Durango West	8:55 am	11:55 am	2:55 pm	5:55 pm
Mancos	9:05 am	12:05 pm	3:05 pm	6:05 pm
Southwest Colorado Community College	9:20 am	12:20 pm	3:20 pm	6:20 pm
Cortez-Walmart	9:35 am	12:35 pm	3:35 pm	6:35 pm
Cortez-Montezuma County Annex Building	9:45 am	12:45 pm	3:45 pm	6:45 pm

Morning service from Durango to Cortez would be available through the Bustang Outrider service, which currently departs Durango at 6:40 am, arriving in Cortez at 7:27 am, before continuing service all the way to Grand Junction. That same bus returns to Cortez at 6:10 pm, arriving in Durango at 7:10 pm. The proposed schedule (Table 2) could be adjusted based on trial run times, and a determination if ridership would be higher if the morning bus from Cortez to Durango should arrive by 7:30 am or 7:45 am, if potential riders would ride to work for an 8 am to 5 pm job. While the Bustang Outrider service from Durango to Grand Junction operates seven days per week, it is anticipated that the Cortez to Durango commuter service would begin operating just five days per week (Monday-Friday). While this schedule would work well for those working 8 am to 5 pm in Durango (commuting from Cortez), it still would not address a return trip for those working until 5 pm in Cortez.

Cost Estimates

The 2015 Report (3) estimated potential first year costs, including capital costs (acquiring a bus) and operating costs at \$167,457. It is likely that given the various transportation providers in the area, a bus for this potential service already exists. Therefore, only operating costs would need to be available for implementation. Operating costs would cover items such as the driver's wages (including all applicable benefits), fuel, maintenance and vehicle/liability insurance.

Operating costs are often expressed in either a per mile or per hour basis. If an estimated operating expense of \$70 per hour is used, the proposed service would cost approximately \$214,000 to run on an annual basis. The calculation is as follows:

$$255 \text{ service days} * 12 \text{ hours per day} * \$70 \text{ per hour} = \$214,000$$

The service days (255) reflect the number of days (Monday – Friday) that the bus would operate, taking into consideration that the bus would likely not operate during five days due to six major holidays: New Year’s Day; Memorial Day; 4th of July; Labor Day; Thanksgiving Day and Christmas. The actual cost for implementing the service would depend ultimately on which provider is selected to operate the services, their costs, and the actual days of operation (more holidays may be included, or, the service may operate on some of the major holidays noted above).

Based on the most recent conversations, CDOT expressed that it would be willing to consider providing 80 percent of the funding needed to start the service as part of a two-year pilot project. Therefore, the local funding needed to implement this service would be approximately \$43,000 ($\$214,000 * 20\% = \$42,800$) per year for the first two years of service. Afterward, the funding match would likely revert to the 50/50 funding ratio currently noted by the FASTER regulations.

Recent Developments

As noted earlier in this document, one of the issues that could affect implementation of a route/service between Cortez and Durango was the reduction in FTA Section 5311 funds for the City of Durango (Durango Transit). However, the new allocation formula implemented by CDOT that will reduce Durango’s funding will provide additional funding to Montezuma County’s Public Transportation service. Over the next four to five years, Montezuma County should see its Section 5311 funding increase from approximately \$66,000 per year to \$157,000 per year. CDOT notes that the 5311 funding should be used for local service, however, the increase in 5311 funding may allow other funds in the area to be allocated to a regional service, such as the proposed Cortez-Durango service.

Another relatively recent development involves the Southern Ute Community Action Program (SUCAP), which operates the Road Runner Stagelines service from Durango to Grand Junction, as well as Road Runner Transit, which connects many communities on the Southern Ute Reservation (in La Plata County), as well as connecting those communities to Bayfield and Durango. In the September/October 2018 timeframe, SUCAP’s relationship with the tribal government changed, and there was some concern that there would be enough funding to continue the current level of transit operations. Further, SUCAP changed its name and became the Southern Colorado Community Action Agency (SOCOCAA). In addition, the service from Durango to Grand Junction was renamed the Bustang Outrider service, to reflect branding for intercity services by CDOT (Bustang and Bustang Outrider). As of the writing of this report, it did not appear that the transit services offered by SOCOCAA had changed.

Finally, there is also a Coordinated Transit Plan (Planning) effort for the Four Corners area, which includes all five counties in the SWCCOG area, four counties in Arizona, three counties in New Mexico, and four counties in Utah. It is anticipated that the plan will be completed in early 2019 and may include discussion of connecting the larger communities in the SWCCOG area, including Cortez and Durango.

Conclusions & Recommendations

As President Eisenhower often said (more often when he was a General), “Plans are worthless, but planning is everything.” In his view, a plan is a static item, while planning is an on-going dynamic process. This is relevant to this report, because as previously noted, there have been numerous plans and reports that discuss implementing a commuter, fixed-route bus service that would connect Cortez and Durango. As noted herein, some of the literature reviewed discusses how the service may be integrated into a larger regional system, while other literature focuses on a stand-alone service. Regardless, there has been much planning put into, and plans written about this proposed/potential service.

As Mahatma Ghandi said, “The future depends on what we do in the present.” If this is so, then having a scheduled, fixed route transit service that connects Cortez and Durango in the future will depend on decisions that should occur within the near future (four to twelve months). Hopefully, the information contained herein will help with that process.

Conclusions

As noted herein, there has been a significant amount of planning that has focused on a fixed-route bus service between Cortez and Durango. The literature review highlights some of the planning efforts (plans) related to this topic. All these plans/reports, including this one, provide the foundational information needed to implement a service. Further, while conditions in the area have recently changed (county budgets; FTA/CDOT funding levels; and service providers’ relationships with other entities), the reality is that the infrastructure exists to implement such a service. While local match (funding) would need to be secured, it seems all other elements are in place to start a two-year pilot/trial period for the service.

Recommendations

It is recommended that SWCCOG continue discussions with its Regional Transit Coordinating Council to finalize the details of a proposed Cortez-Durango fixed route transit service. We recommend that the service begin operating five days per week (Monday-Friday) based on the preliminary schedule (Table 2). The schedule should be verified by operating a bus for two days, and finalizing where stops should be located in Mancos and Durango West. The stop locations should be as close to US-160 as possible to minimize the route time. The cost to provide the service would be determined based on the actual operating cost for the selected provider, which would determine the amount of FASTER funding to be applied for, as well as the local match needed. During the SWCCOG process, it could be determined whether one provider should be selected, or if a Request for Proposals (or Request for Bids) process should be used to determine which provider should implement the service.

Further, even careful and comprehensive planning efforts like this one will need to be monitored and updated. Therefore, after the first year of the service has been implemented, it is likely that changes will be needed to the service. These changes may be to the schedule (timing of the

service), adding or reducing stops, or even adding or reducing service (based on ridership and demand).

Applications for FASTER funding are due in April 2019 (and likely April 2020), so it is recommended that SWCCOG work with CDOT and the regional providers to formulate a plan in preparation for submission of a FASTER application. If it is not feasible to submit an application in 2019, the 2020 date should be attainable.

Nearly all Federal funds for transit are tied to the Surface Transportation Bill, also known as the Highway Bill. The most current version of that legislation is known as the Fixing America's Surface Transportation (FAST) Act, which expires September 30, 2020. The authorization of the next Surface Transportation Bill could have a significant impact on the funding available for transit systems throughout Colorado and the rest of the nation. While potential changes to federal funding should be monitored, that concern shouldn't stop SWCCOG from moving ahead with efforts to implement a Cortez-Durango fixed route service.

The recommendations to move forward with implementing a service may be best articulated by the following quote:

I have been impressed with the urgency of doing.
Knowing is not enough; we must apply.
Being willing is not enough; we must do.

--Leonardo Da Vinci

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Appendix A – Literature Review Summary

The following table provides a list of the five most recent documents, reports, plans, etc. that are related to this project. Highlights from each document and available lessons learned are provided.

Title	Description
<p><i>2015 Regional Public Transit Feasibility Report</i> http://www.swccog.org/assets/Transit%20Combination%20Study%20Report%202015.pdf</p>	<p>This report was part of the Capstone process for a graduate student in the Master of Urban and Regional Planning (MURP) degree program at the University of Colorado Denver. Through the process of developing the report, the student provided background information (the research methodology, a literature review, and a review of past planning efforts), and then provided recommendations for the proposed transit service, including funding sources and the cost of operations. This report provides a good basis for moving toward implementation of a service.</p>
<p><i>2015 Statewide Transit Plan</i> https://www.codot.gov/programs/transitandrail/plans-studies-reports/statewidetransitplan/statewide-transit-plan</p>	<p>This is a statewide plan, but does a good job of highlighting existing conditions, identifying needs and gaps in services, and providing recommendations and implementation strategies. At the bottom of page 103 it notes a Cortez-Durango route with service at five days per week, and a long-term goal of eight trips per day.</p>
<p><i>Colorado Intercity and Regional Bus Network Plan – 2014</i> https://www.codot.gov/projects/intercityregionalbusnetworkstudy/intercity-and-regional-bus-network-plan</p>	<p>This 2014 study is an update to one prepared in 2008, and addresses changing conditions, current needs, and funding. This is a long-range plan and will be adopted as part of the State Transit Plan and the 2040 Statewide Transportation Plan, both now underway. The plan does note proposed regional services in the Cortez-Durango area.</p>
<p><i>Southwest Transportation Planning Region Regional Coordinated Transit & Human Services Plan – 2014</i> https://www.codot.gov/programs/colorado-transportation-matters/documents/regional-transit-plans/southwest-regional-transit-plan.pdf</p>	<p>This plan does an excellent job of laying out the planning process, providing a regional context and overview, reviewing existing transit providers and human service agencies, and current and potential funding sources. The plan then highlights transit needs and service gaps, provides a financial and funding overview, and then gives an implementation plan, laying out high priority strategies.</p>

<p><i>Southwest Regional Transportation Coordinating Council Action Plan (Adopted August 2011, Revised March 2012 and August 2012)</i></p>	<p>This plan highlights four main goals for the area, which are: #1 Sustain & expand public and specialized transportation services in the region; #2 Develop mechanisms to coordinate existing public & specialized transit service providers; #3 Develop mechanisms to sustain & strengthen the Regional Transit Coordinating Council; and, #4 Complete Southwest Colorado Accessible Transportation Plan for end users.</p>
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Colorado Department of Transportation, Division of Rail & Transit

<https://www.codot.gov/programs/transitandrail>

CDOT manages the Federal and State funding related to public transportation services, including funding for planning for such services. SWCCOG will need to keep CDOT informed of planning efforts and will need to submit application for funding to CDOT for future transit services.

Appendix B – Meeting Notes & Presentation

The following are the notes from the SWCCOG Regional Transit Coordinating Council meeting.

Durango-Cortez Bus Meeting 4-19-18, 10:00 am

Attendees: David Kack, Rebecca Gleason- Western Transportation Institute (WTI), Peter Tregillis – Southern Ute Community Action Program (SUCAP), Matt Nesbitt – SUCAP, Jessica Laitsch – Southwest Colorado Council of Governments (SWCCOG), Jason Armstrong – SW Center for Independence- SW rides, Sarah Dodson – City of Durango, Matt Muraro – CDOT Region 5.

Via Phone conference line: Shane Hale - City of Cortez, City Manager, Phil Johnson - City of Cortez, Public Works Director, Chris Burkett - City of Cortez, Interim City Manager, Sam Proffer - City of Cortez, Building & Planning Director, Peyton Heitzman - City of Cortez, Intern, Myron Baker - Ute Mountain Ute Tribe Planning Dept, Kalisha Crossland - San Juan Basin Public Health Department

David Kack provided project and WTI background and presented overview of issues (see attached pdf presentation)

- A fixed route bus line between Cortez and Durango has been a high priority in regional planning documents for years. What would it look like if we could implement? This project is funded from the National Association of Development Organizations, a Dept of Agriculture grant.
- David has been working in public transportation for 18 years. He led a project to create Bozeman-Big Sky bus service in Montana www.Skylinebus.com WTI was selected with North Dakota State University and Eastern Washington to lead the Small Urban, Rural and Tribal Center on Mobility (SURTCOM). This is a University Transportation Center (UTC) with funding from the USDOT to address transportation issues.
- WTI takes a broad view of transportation including: winter maintenance, road ecology, freight movement, and emergency incident response. When thinking about mobility, most people think about the automobile. WTI has a broad view- bus, bikeshare, vanpools and considers how these urban solutions may apply to small urban and rural areas.
- Mobility is typically the 2nd largest expense to most people in the U.S. after housing, up to 50% of income combined for housing/mobility. With a high cost of living in Durango or Bozeman, people move to outlying communities, not knowing the cost of their commute. AAA 2017 average cost \$7480 for a car driven 10,000 miles annually. What are other options? Work, school, medical care- all require mobility. Quality of life suffers without mobility.

- Are you a one percenter - most people use about 1% of their car's capacity. We spend \$7500 per year on a vehicle and only using 1% capacity. Does this make sense?

How do we provide mobility to SWCCOG residents?

- Coordinate existing services, expand existing services, start new services
- What is success? Providing a ride to a job for someone that didn't have one before could be success... What does success mean to this project? What is minimum service to provide mobility?
- Peter- success is relative. It is hard to compare apples to apples w/ transit. Every system has its own characteristics and challenges. Durango system versus more regional systems differ. Frequency is another challenge. When we increased frequency in dial a ride went from 650 rides to 16,000 for 10 hours of service. Safety is an issue as well. Durango to Ignacio - how to handle later evening routes.

What issues are you trying to address with this project?

- For employment- vanpool is low cost compared to fixed route transit
- Sarah – curious about who riders are? Osprey has vanpools for 4-5 people from Durango to Cortez daily. What are other trip purposes?
- Matt - Employment, tourists in summer months Mesa Verde, medical.
- Jason- focused on La Plata County medical trips. Pressure for door to door for medical and some for employment. Some requests for Cortez area. Riders want to go from La Plata County to Mancos. Accessibility to people w/ disabilities and seniors.
- Kalisha - Does Durango offer different clinics than Cortez? She represents clients with medial needs. Montezuma county has no pediatric. Medicaid clients must come to Durango. Works both ways as far as clients needing to get to Cortez and Mancos. Valley wide health – one of the only Medicaid providers before expansion. Frontier areas outside of Cortez – need access to care.
- Peter – wonders about ability to attract “choice” riders. Haven't had financial oomph to market. It takes about 40 minutes to drive and an hour on transit from Durango-Cortez.

Can you get to 3 round trips between Cortez and Durango- one in morning, noon and afternoon?

- Peter – Bayfield has 2, no funding for 3.

What existing services are here?

Define what resources are out there now. Roadrunner one-way service. What other providers are there? Can you expand to public rather than specialized? A transit system will be more resilient if it is not tied to one funding source. Can we implement something for a year and try it out?

Cortez – who is utilizing services and why? Colorado is challenging as a place where people love vehicles.

What are current statistics on available routes and how they bisect the area. What is defining success? What is goal? Reduce carbon footprint or a service for disenfranchised people?

- Daily medical trips from MoCo (Montezuma County) transit to Durango. There is an existing last mile system in Cortez. Serving them could be greatest need. Nursing students from La Plata must commute to Pueblo Community College east of Cortez.
- Kalisha did scan of service in Montezuma county. Free and reduced lunch 51% (47% of those are free). Role of public health -access to care for people with health disparities that are accessing health services in La Plata county. From Kids Count- reliable data source. No one from Montezuma CAB in room – need to talk to them. MoCo – could get ridership – from Evan. Medicaid transportation – dead head. Talk to Mary Holiday – Montezuma County transit manager. Start with info from Kalisha on inventory. Senior services in Montezuma.
- Jason DAV – daily trips for medical to La Plata
- Peter- vanpools – did webinar a few years ago. Had 2 vanpool companies do PowerPoints. May have been a vanpool that came from it- Hermosa to Durango. Modal shifts are tough.
- Hospital foundation has said no to public transit funding to lots of people. Told Jason rates are too high. Scheduling is challenging. People don't know if they have transportation benefits from Medicaid.
- Mesa Verde – should service be provided to this location/destination.

Matt- DTR is putting together a development plan. Put projects on there over \$250k – above and beyond- outside of STIP. Looking for shelf-ready projects that could enhance transportation system – not necessarily operating costs. Meeting on May 8th at 1:00-3:00 in this office, to draw line of what projects are in and out. Important to get projects on list by end of this month. Ask Matt, Jessica or DTR.

Mobility & Transportation

David Kack, Director

Rebecca Gleason, Research Engineer
Small Urban, Rural and Tribal Center on
Mobility (SURTCOM)



Western Transportation Institute

“Transportation”





Mobility

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Cost of Mobility

Consumer Spending by Category

Category	Percentage
Housing	33%
Transportation	16%
Food	13%
Other	10%
Insurance & Pensions	12%
Healthcare	8%
Entertainment	5%
Clothing	3%

Source: 2016 Consumer Expenditures, Bureau of Labor Statistics, U.S. Department of Labor

Note: In 1917 transportation was 2% of the budget, or the 6th highest expense

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Cost of Mobility

Mileage	Small Sedan	Medium Sedan	Large Sedan	Small SUV	Medium SUV	Minivan	Pickup	Avg.
10,000	\$5,508	\$7,163	\$8,222	\$6,573	\$8,208	\$8,023	\$8,664	\$7,480
15,000	\$6,354	\$8,171	\$9,399	\$7,606	\$9,451	\$9,146	\$10,054	\$8,597

Note: 10,000 miles equals 40 miles per working day (250 working days)

If you commute to work by car, figure about \$56.46 in total vehicle expenses per 100 miles. If that seems like a lot, driving a more fuel-efficient model or using public or alternative transportation options could save you money.

Source: AAA Your Driving Costs 2017 Edition



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Are You A One Percenter?

$$\begin{aligned}
 &1/24 = 4.2\% \\
 &\quad \times 25\% \\
 &= 1.05\%
 \end{aligned}$$



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How do we Provide Mobility to SWCCOG Residents?

- Coordinate existing services
- Expand existing services
- Start new services

What is Success??



Western Transportation Institute

Evolution of Transportation



RING


titute

Other Options?



TEERING **Western Transportation Institute**

Questions & Discussion



BABY BLUES
WHEN I WAS A BOY I WALKED SIX BLOCKS TO SCHOOL EVERY DAY

DIDN'T YOUR FAMILY OWN A CAR?
IS THAT EVEN LEGAL?
WHAT IS IT WAS CLOVEN?
WERE YOU BEING PUNISHED?
IT WAS ONLY SIX BLOCKS!
WASN'T A 'BLOCK' ANYWAY?
WERE THERE WALKERS?

THIS ONE RUNS ON FAT AND SAVES YOU MONEY

THIS ONE RUNS ON MONEY AND MAKES YOU FAT

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VISTA's Report

To: SWCCOG Board of Directors
From: Martina Pansze
Date: 5 April 2019

Comments: This month I applied for a USDA technical assistance grant for economic development. In the application we proposed a developmental focus on workforce and a specific, actionable plan to establish diverse, well-paying industries in the region. I also finished up the online Resource Development and Fundraising class I was taking through AmeriCorps VISTA. Most of the work involved creating a sustainability model for a fictional agency and identifying and developing grant application material for that organization. Although the professor had a background in nonprofits rather than government, he was incredibly knowledgeable about the grant process and offered expertise I can apply to my position with the SWCCOG.

Discussion Items

Decision Items

CDOT Transit Grant

To: SWCCOG Board of Directors

From: Miriam Gillow-Wiles

Date: 4 April, 2019

The SWCCOG has administered and promoted the Regional Transit Coordinating Council for many years. In past years we received funding to work on developing open lines of communication between the human service providers and the transit providers, purchase a video conference system, and generally work towards development of regional transit. Over the years the SWCCOG has overseen the development of various regional coordination plans to identify transit needs throughout the region as well as identify specific solutions to meet these needs. The SWCCOG needs a dedicated staff position to help move forward on Transit Council priorities and filling identified gaps in service such as the development of transit along Highway 160.

CDOT Division of Transit and Rail just released their Notice of Funding Availability for 5310 Mobility Management. Staff would like to apply for funding for State FY 20 to hire a .8 FTE (32 hours/week) person to focus on developing the Transit Council goals/needs and CDOT identified goals.

Attached is an overview of job duties and a basic budget for the position. This budget includes a portion of the .8 FTE employee working an average of 7 hours per week as an Administrative Assistant for the SWCCOG, with the remaining 25 hours/week as a Transportation Coordinator. The portion of the position that is paid with SWCCOG member dues for an Administrative Assistant will be the match, the match must be at least 20% of the total project cost.

Pros:

- Would add staff dedicated to Transit
- Cover some of existing staff expenses

Cons:

- Would add staff via grant funding, would need to plan on future funding for employee

Budget Line	Description	Grant Amount	Local Match
1	Salaries and Wages	\$18,636.80	\$7,987.20
2	Employee Benefit	\$7,807.97	\$3,346.27
3	Facility Maintenance	\$0.00	\$0.00
4	Purchased Transit Services	\$0.00	\$0.00
5	Advertising and marketing	\$0.00	\$0.00
6	Contracted Services	\$0.00	\$0.00
7	Fuel	\$0.00	\$0.00
8	Utility	\$0.00	\$0.00
9	Supplies and materials	\$500.00	\$500.00
10	Insurance	\$0.00	\$0.00
11	Training	\$500.00	\$0.00
12	Consultant Service	\$0.00	\$0.00
13	Audit	\$0.00	\$0.00
14	Communications	\$0.00	\$0.00
15	Lease and Rental	\$0.00	\$0.00
16	In-State Travel	\$2,375.00	\$0.00
17	Out of State Travel	\$0.00	\$0.00
18	License Fees and Taxes	\$0.00	\$0.00
19	Memberships and Subscriptions	\$0.00	\$0.00
20	Indirect	\$0.00	\$0.00
21	In Kind Match	\$0.00	\$0.00
22	Program Income (Negative)	\$0.00	\$0.00
23	Other expense (Please explain)	\$0.00	\$0.00
	Total Budget	\$29,819.77	\$11,833.47 Match = 28.41%



**Southwest Colorado Council of Governments
Transit Coordinator - Job Description**

The Transit Coordinator will oversee transit program coordination within the Southwest Colorado 5-county region. This includes short- and long-term planning; coordination and promotion of transportation services; administrative support for the Southwest Transit Coordinating Council (TC); and management of activities and projects for improving coordination among transportation and human service providers.

Essential Duties and Responsibilities:

Duties include, but are not limited to:

- Develop and promote partnerships with local agencies and transit service providers to coordinate, enhance and expand travel options and increase mobility in the region.
- Work with political entities, transit agencies and human service agencies to coordinate rural transportation services from an administrative and operational perspective.
- Track and research transit needs and usage. Provide strategies for meeting local needs and recommendations for transportation services funding and implementation.
- Gather and analyze data to evaluate the transportation service options for the design of the most efficient and cost effective options possible.
- Coordinate and attend TC meetings. Compile agenda packets, set up meeting location, prepare minutes, and disseminate information.
- Seek and coordinate local training opportunities for transit providers.
- Write, edit, document and maintain TC policies and procedures.
- Provide periodic transit updates to the Southwest Regional Transportation Planning Commission.
- Advocate for transit options and prepare positions on policy issues at both the regional and statewide level to allow for the creation of new partnerships and to support the development of transit services throughout and extending beyond the SWCCOG region.
- Improve community and business support for the TC and transit systems.
- Increase resources for marketing transit systems to users.
- Design, distribute and regularly update the Regional Transit Guide.
- Develop and promote distribution of consistent information and resources to residents, consumers, and transportation service agencies.

- Provide recommendations and and develop strategies for seeking additional funding opportunities.
- Assist with grant writing and project management of grant opportunities for transit coordination activities.
- Perform other duties as assigned.

Supervision Received:

Work is highly independent under the general guidance of SWCCOG Executive Director.

Supervisory Responsibilities:

This position is not responsible for the supervision of other employees.

Qualifications:

The requirements listed below are representative of the knowledge, skills and abilities required to perform the necessary functions of this position. An equivalent combination of related education, training and experience that demonstrates the knowledge, skills, and ability to effectively perform the functions of this position may be considered.

Education:

A Bachelor's Degree from an accredited college or university with major work in planning or business with an emphasis in urban or transportation planning, public or business administration, transit or transportation management, economic or community development, or related field and three (3) years of progressively responsible experience. A Master's Degree in Transportation or Urban Planning, Economic or Community Development, Business or Public Administration or a related field may be substituted for one (1) year of the required experience.

Experience:

Candidates with experience in transit systems, working with the human services sector, group facilitation or related experience are preferred. Minimum level of experience needed to acquire the knowledge, skills, and abilities to perform the essential functions of the position.

Knowledge, skills, and abilities:

- Ability to work independently and with others in an effective manner.
- Ability to analyze data, define problems, identify potential solutions, develop implementation strategies and evaluate outcomes.

- Ability to apply principles of logical thinking to define problems, collect data, establish facts and draw valid conclusions.
- Ability to read and understand transportation and program planning documents and standards.
- Ability to establish and maintain effective working relationships with community leaders, government representatives, staff from local agencies, as well as the general public.
- Ability to interpret a variety of information and present it in a format for public use.
- Ability to devise plans, implement courses of action, and modify/revise plans based on experience and outcomes.
- Ability to use one's knowledge effectively and readily in execution or in performance of duties.
- Basic knowledge of specialized areas such as transit and para-transit operations, and the activities of local human service providers.
- Knowledge of principles and practices of planning, public administration and related disciplines.
- Demonstrated ability to plan, coordinate, and manage effective public outreach.
- Good project management skills.
- Strong communication skills, both orally and in writing.
- Good computer skills that include word, excel, access and powerpoint.
- Ability to learn new computer software applications.
- Knowledge of the Americans with Disabilities Act (ADA) and its specific applications to public transportation.
- Knowledge of federal programs providing transportation funding for the targeted population.
- Knowledge of the principles, procedures and strategies of coordinated human services transit-transportation planning and coordination strategies.
- Knowledge of Federal Transit Administration (FTA) and Colorado Department of Transportation (CDOT) policies, procedures and practices.
- Excellent written and oral communication skills including ability and proficiency in presenting results in concise reports and presentations to TC and various community representatives, government agencies and other groups.
- Ability to read, analyze, and interpret general business periodicals, professional journals, technical procedures, and governmental regulations.
- Ability to write business correspondence, reports, and planning documents.
- Ability to effectively present information and respond to inquiries from management, the TC, public groups, and the general public.

Certificates, licenses, registrations:

A valid driver's license is required.

Work Environment:

General Work Environment:

Work is generally performed in a typical office environment. Field visits to area agencies and transit providers are an integral component of the job.

Material and Equipment Used:

Proficiency with computers, including competency in standard spreadsheet, database, presentation and word processing software. Use of general office equipment including phone, photocopier, and scanner. Ability to drive a motor vehicle.

Physical Demands:

This position is generally performed in an office environment with frequent travel necessary within throughout the 5-county region via automobile or other mode of transportation. Work hours will generally be performed during business hours with occasional evening, night, or weekend meeting times required. While performing the duties of this job, the employee is frequently required to stand, walk, sit, talk, hear and drive. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

FastTrack Contract

To: SWCCOG Board of Directors
From: Miriam Gillow-Wiles
Date: 11 April 2019

Comments: As part of the SCAN project, the SWCCOG leased IP addresses, which are the foundations of our email and websites (an IP address is like your office or house address, while they may be changed, it is a significant amount of work to do so and it is possible mail will not be able to reach). The SWCCOG also purchased connectivity and transport from FastTrack in 2013. The contract is well out of date, as well as higher priced than other services available.

The SWCCOG had asked FastTrack for a contract for the IP addresses in August of 2018. FastTrack sent over a contract for only IP addresses. In February, with communities interested in reducing their prices and increasing bandwidth as well as needing end \$10/Mbps costs incurred by the SWCCOG (that are not reimbursed and come out of the general fund), but still maintaining the IP addresses we signed the IP address only contract. Only after that did FastTrack tell us we were unable to execute this contract and we were required to purchase at least 50Mbps of connectivity.

The cost of 50Mbps is \$225/month or \$4.50/Mbps. This rate is higher than other service providers, although this is synchronous (same speed up and down). The issue comes with the additional expense that is unbudgeted and unable to be resold to a local agency. Staff has asked this requirement to be waived due to their mistake previously, and even to purchase the IP blocks outright; FastTrack declined both requests. Due to the fact this is unbudgeted, the additional costs may have TABOR implications.

Staff is looking for a discussion and direction from the Board as to a course of action.

Legal Review: Not applicable at this time

Fiscal Impact: High, not budgeted, and no revenue to offset additional costs.

Staff Recommendation: Provide Staff direction to maintain IP addresses for the communities after discussion.



Service Order Summary

Date: March 18, 2019

779 Tech Center Drive, Suite 200
 Durango, CO 81301
 Phone (970) 247-3366 Fax (970) 247-2426

SOS#: 50M DIA, 2- /24 IP Blocks, 10M EPL
 Customer ID: SWCCOG

Prepared by: Judy Bergman

To:
 Miriam Gillow-Wiles
director@swccog.org

Comments or special instructions:

Customer is responsible for meeting FastTrack at the Telco demarcation room. FastTrack can assist in extending cable from customer premise to the demarcation room. Additional costs will apply.

Description	Quantity	Term (months)	MRC*	NRC**
Service Address: 259 A Girard Street, Durango, CO 81303				
Premium Business Grade Synchronous Dedicated Internet:	50 Mbps	36	\$ 225.00	Service in place. Circuit ID: 1040097
Class C /24 IPv4 Blocks (\$50.00/each/month) <i>Class C /24 IPv4 Blocks or larger are available to customers that maintain a minimum of 50Mbps internet service with FastTrack.</i>	2	M to M	\$ 100.00	
Ethernet Private Line Transport Options between the following locations: A Location: Cortez ASR, City Services Center, 110 W Progress Circle, Cortez, CO Z Location: Dolores Town Hall, 420 Central Ave, Dolores, CO Note: FastTrack's IP network is multihomed with 3 available gateways to the internet. If one gateway were to fail all traffic reroutes to the available gateway so customers don't lose connectivity.	10 Mbps	36	\$ 50.00	Service in place. Circuit ID: 1030024
TOTALS:			\$ 375.00	\$ -

*MRC (Monthly Recurring Charge) does not include applicable state or local taxes.

**NRC (Non-Recurring Charge) - one time fee (Installation)

If you have any questions concerning this service order summary please contact Judy Bergman at 970.828.1007 or jbergman@fasttrackcomm.net

FastTrack Communications, Inc.

Southwest Colorado Council of Governments

Signature: _____

Signature: _____

Printed Name: *Kelly Hebbard*

Printed Name: _____

Title: *General Manager*

Title: _____

Date: _____

Date: _____

THANK YOU FOR YOUR BUSINESS!

Executive Session

For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, per CRS Section 24-6-402(4)(e)

Executive Session Memo

To: SWCCOG Board of Directors
From: Miriam Gillow-Wiles
Date: 11 April 2019

Comments: The executive session the Board will discuss a final resolution between the SWCCOG and the former contractor, Place Dynamics. Below is a brief history of the relationship between the two entities and some of the SWCCOG challenges with the engagement of Place Dynamics, which started just about one year ago. This will provide information for the Board to have a discussion with SWCCOG Attorney about terms and amounts of any settlement between SWCCOG and Place Dynamics.

April 2018 - Place Dynamics and SWCCOG approve contract

May 2018 – Place Dynamics attends the first meeting to interview and gather Information

June 30 – No word when second meeting will be scheduled, due around July 1 per the contract. SWCCOG Staff contacts Place Dynamics to schedule meeting(s).

July 2018 – Place Dynamics proposes meeting times that do not work for Region 9 or SWCCOG, additional dates are proposed. These dates were within 1.5-2 weeks of the proposed meeting dates. Region 9 and SWCCOG work to schedule the Executive Committees of each organization. When meetings do take place, Place Dynamics is obviously unprepared, discussing items that had previously been discussed between SWCCOG and Region 9 Staff. In meeting with Executive Committees, SWCCOG and Region 9 desired it to be a structured and focused discussion, Place Dynamics did not provide an agenda and did not follow the wishes of SWCCOG and Region 9. Preliminary findings were not presented or provided in an update, including discussions with other regional organizations. Additionally, no best practices were discussed or presented, as expected per the timeline. Place Dynamics submits an invoice for about \$19,000 with no required documentation for the invoice.

August 2018 – SWCCOG places a stop payment on the check and sends a letter of termination with Place Dynamics due to severe lack of communication, lack of supporting documentation, and concerns about the research and preparedness of Place Dynamics. Region 9 is consulted to ensure we are in alignment.

September 2018 – Place Dynamics provides preliminary information to Karen Thompson who is following up on the project. Additional communication from SWCCOG to Place Dynamics occurs, SWCCOG requesting documentation for

Executive Session Memo

the invoice multiple times. Place Dynamics is slow to respond and does not provide additional documentation, such as hotel receipts.

October 2018 – Communication from Place Dynamics continues to be non-communicative until demanding payment and response within a few days. SWCCOG responds with the initial offer of \$8200 to settle disputes. No communication is received from Place Dynamics until after the first of the year.

December 2018 – SWCCOG Board approves sending Place Dynamics the payment of \$8200 with language stating if cashed, it removed all claims against the SWCCOG.

January 2019 – SWCCOG cannot find Place Dynamics W9, as they did not submit one during the initial contracting and will not send payment without a W9. Place Dynamics initially refuses to provide a W9 until SWCCOG refuses to issue any payment. Place Dynamics sends W9, SWCCOG sends \$8200 check.

February 2019 – Place Dynamics has not cashed the check. States they will not be cashing the check after contacted to ensure they received. No communication that it was received or requested negotiation about the payment has taken place after the SWCCOG offered the initial amount in October 2018. Place Dynamics hires legal representation. SWCCOG hands the matter to SWCCOG Attorney to ensure compliance.

March 2019 – Place Dynamics legal representation and SWCCOG Attorney negotiate on behalf of clients. SWCCOG Attorney recommends an executive session on April 2019 agenda to discuss the terms of negotiation.

From SWCCOG – Place Dynamics Contract April 2018

Article 1 Scope of Work

Consultant shall provide the following Services under this Agreement:

Our intent is to work primarily through staff of the two organizations to assess operations, potential models, and alternatives. During this phase of the project we will have minimal interactions with the boards of the two organization, and that through a small subcommittee that is intended to review draft ideas and offer advice to the team. This effort will culminate in a set of issues and alternative approaches that we will present to the two boards. In a workshop setting, we will assist the boards in choosing among alternatives to fashion an overall organizational design that is the best fit for the local area. Following this, we will again work with staff and the subcommittee in determining how that design can be achieved through short- and long-term actions.

1. Kickoff Meeting. Place Dynamics will schedule an initial visit to the region to conduct the kickoff meeting and interviews with stakeholders. We recommend that a core group of SWCCOG and Region 9 EDD staff participate in the kickoff meeting. Additional meetings or one-on-one interviews can be held with other staff. Other meetings will be scheduled with organizational staff and with client organizations (communities, tribes, etc.). We will seek the assistance of SWCCOG and Region 9 EDD in identifying participants and scheduling meetings. These meetings will be with staff from the organization. As well as helping us to become acquainted with the organizations, we will use the meetings to gather insight into topics that may be explored through the case studies of other organizations.
2. Case Studies. Place Dynamics will confer with staff to identify three combined COG/ED Districts for which we will prepare broad case studies, concentrating on developing models of what has been successful within the organizations.
3. Needs Assessment. Information-gathering for this activity will begin during interviews conducted during the initial visit. The project team may conduct additional follow-up by email and telephone. We will gather additional relevant information (mission, plans, program descriptions, staffing charts, allocation of staff time, budgets and financial statements, etc.) from the organizations.
4. Cost Analysis. As an extension of the needs analysis, we will examine the costs associated with service delivery within both organizations.
5. Duplication. Place Dynamics will identify areas of potential duplication between the two organizations in areas such as administrative functions, supplies and equipment, training, technology, and programming, where it may be possible to make changes and improve efficiency.

PROGRESS MEETING #1: At the conclusion of this task we will schedule a second visit to the area to present our preliminary findings from these tasks and discuss them with project staff and other representatives from the two organizations. We recommend forming a subcommittee representing the boards of the two organizations, with a manageable number of members, who can offer input and advice to the project team.

6. Best Practices. During the discussion with local project staff, at the conclusion of the prior steps, we determine specific issues for which Place Dynamics should identify best practices. The consultant

team will research these and prepare summaries that may be models for this effort. These case studies will be forwarded to local project staff for review.

7. Recommendations. Place Dynamics will review the information and consider discussions with staff and stakeholders in preparing a set of recommendations, as outlined in the request for proposals:

- a. Potential improved productivity and/or customer service. This shall include evaluating service levels to ensure recommendations do not decrease current service levels.
- b. Critical differences in existing policies, procedures, operating practices and methods as well as recommendations for resolving the differences.
- c. Differences in current service level standards, methods for integrating service levels, and mechanisms to provide local customization of services within the existing jurisdictions.
- d. Differences in pay scales and employee benefits.
- e. Data and voice communications differences.
- f. Integration of computer systems and technological resources.
- g. Recommended solutions for administrative support services such as financial services (payroll, accounting, purchasing), telecommunications and information systems management, fleet maintenance, human resource management, employee relations, legal services, etc.
- h. Recommendations for any additional funding sources not already being captured and identify impacts on existing and future funding streams (including grants) based on consolidation, sharing of services and/or sharing of equipment, or absence thereof.
- i. Procedural requirements to accomplish any potential partnership, sharing services and/or sharing of equipment, including requisite timelines and impact on existing operations.
- j. Process to establish the legal and management structure for the respective agreements and contracts necessary to fully implement recommendations/options presented.

The recommendations will be provided to local project staff for review and consideration.

We propose to address the recommendations as sets of issues and options. In our approach we will describe an issue and why it is significant, then offer two or more choices of how it might be addressed. The implications of each choice will be summarized. In this way, the boards of the two organizations can have a more active hand in designing how the two organizations may come together.

PROGRESS MEETING #2: At the conclusion of this task we will schedule a third visit to the area to conduct the second of two progress meetings. The intent of the meeting is to present and discuss the alternative recommendations with project staff and other representatives from the two organizations. This will also provide an opportunity to meet with the two boards in more of a workshop format, to consider issues and alternative responses. Following the meeting, we will confer with local project staff to review and consider adjustments to the recommendations.

8. Legal requirements. Place Dynamics will review legal requirements related to chosen recommendations, including those under Colorado statutes, and federal, state, or local laws, ordinances, and regulations related to the recommendations.

9. Economic analysis. Place Dynamics will prepare an economic analysis of the recommendations related to organizational collaboration and shared overhead. This will address increased efficiencies, costs, customer service, and long-term financial stability. The working document will be shared, and discussed with local project staff.

10. Plan of Options. Place Dynamics will confer with local project staff in preparing a multi-year plan outlining options and associated costs, associated with the chosen recommendations. This plan will address areas of duplication along with other recommendations, and other matters identified during the course of the evaluation. As outlined in the request for proposals, the plan will provide:

- a. a comparison of the economic pros and cons between the recommended options
- b. a discussion of potential areas of financial savings both immediate and long term for each agency
- c. recommended funding formulas/cost allocations
- d. recommended administrative oversight and cost, including legal, risk management, information systems and personnel
- e. anticipated pros and cons for partner organizations and other interested parties
- f. other recommended actions for consideration

The plan will outline short-term (1 to 3 years) and long-term actions (4 to 5 years), working toward the intended reorganization.

Draft report, presentation, and final report. Place Dynamics will prepare a draft report and will return to the area to make a presentation of the analysis and recommendations. Following the presentation we will confer with local project staff to consider any revisions, and prepare a final report.

Consultant warrants that the quality of its Services under this Agreement shall conform to the level of professional quality performed by experts regularly rendering this type of service. It shall be a condition of this Agreement that Consultant shall be responsible for meeting the program expectations of SWCCOG pursuant to Attachment A, and the terms, requirements, and specifications established herein, in the performance of services hereunder to the satisfaction of the SWCCOG. Consultant warrants that it has all the skills, experience, and professional licenses necessary to perform the services specified in this Agreement. Consultant warrants that it has available, or will engage, at its own expense, sufficient trained employees to provide the services specified in this Agreement.

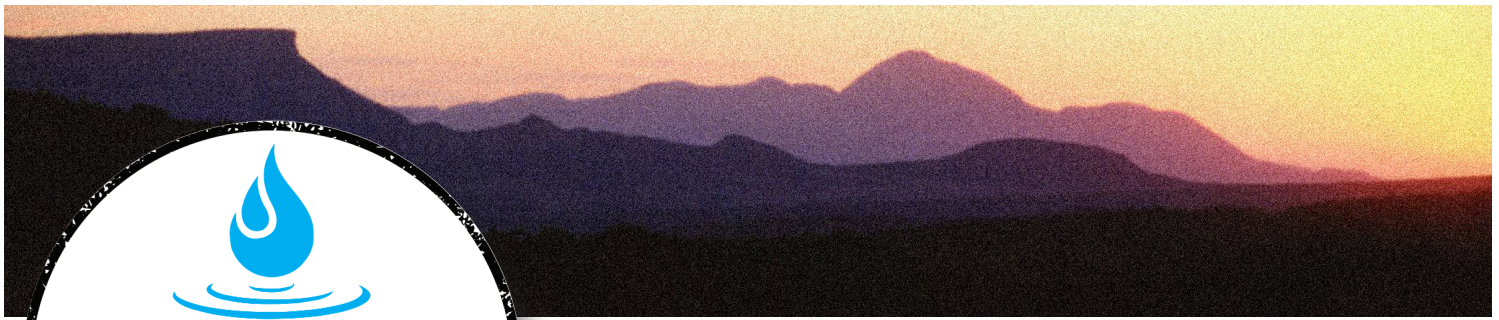
Article 3 Schedule

- Kickoff meeting Mar 22
- Needs assessment Mar 15-June 30

Cost analysis Mar 15-June 30
Duplication Mar 15-June 30
Progress meeting #1..... July 1
Best practices June 1-Aug 30
Recommendations..... June 1-Aug 30
Legal requirements June 1-Aug 30
Progress Meeting #2..... Aug 30
Economic analysis.....Sep 1-Sep 30
Plan of optionsSep 1-Sep 30
Draft report, presentation, and final report Oct 1- Nov 15

Consultant shall render its services as expeditiously as is consistent with professional skill and care.
During the course of the Project, anticipated and unanticipated events may impact any Project schedule.

Community Updates



APRIL 11, 2019 · 6:30PM
CORTEZ CITY HALL
CLIMATE AND ITS IMPACT ON
WATER IN OUR REGION.

The City of Cortez has convened a group of elected officials, citizens, and staff to promote the long term, sustainable development and wise use of water through conserving water, protecting water quality and the watershed and assuring regulatory and environmental compliance.

The City of Cortez has invited Seth Arens with Western Water Assessment, to City Hall on April 11th to discuss the local climate and its impact on water in our region.

Light refreshments will be served from 6-6:30 pm with a presentation from Arens starting at 6:30pm.

Seth Arens joined Western Water Assessment staff in December 2015, as a Research Integration Specialist. He has a diverse background in science, including research experience in ecosystems and plant physiological ecology, snow hydrology, and atmospheric science. Seth earned a BA in Biology and Environmental Policy from Colby College, an MS in Biological Science from the University of Alaska-Anchorage and an MS in Biology from the University of Utah.

If you are unable to attend you can watch it live at
<http://www.cityofcortez.com/497/City-Council-Live-Stream>