



MEMORANDUM

To: Interested Parties
From: The Keystone Center – Jody Erikson & Ed Moreno
Subject: I-70 East PACT Membership and Selection Update
Date: February 26, 2010

Introduction

This document is a follow-up to our December 13, 2009, report “I-70 East EIS Collaboration Assessment and Draft Process” and articulates the Preferred Alternative Collaborative Team (PACT) membership, selection and process details. The goal of the PACT process is to produce a recommendation on the alignment and reconstruction of nearly 12 miles of Interstate 70 (I-70) between Interstate 25 and Tower Road.

This is a living document, whose conclusions and process design approach will be revised and refined in the period leading to the first meeting of the PACT. It reflects Keystone’s best thinking about how the collaborative process should proceed, based on continuing interviews with residents, neighborhood groups, businesses and business groups, local governments, state and federal agencies with a role in the decision.

The document is divided into three sections:

1. **PACT Membership** – a list of PACT membership
 2. **Community and Business PACT Membership Selection** – challenges in the process of selection community and business representatives and recommendations for membership selection and on-going inclusion
 3. **Structure of the PACT moving forward** - meetings and schedule
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1. PACT Membership

The Keystone Center used the following questions to develop the make up of the PACT that would represent all relevant interests:

- Are all impacted local government entities represented?
- Are all interests represented by at least one group, agency or individual?
- Does each organization/agency represent a well-defined constituency?
- Are there regionally significant commercial enterprises present that would be affected by most or all of the alternatives? Can they be represented by others?
- Which areas or neighborhoods are directly impacted (the facilities would lie within the boundary; the residents would see or hear the facility); or indirectly affected at some greater distance (potential for changes in traffic patterns, etc.)?
- What is the optimum balance among interests? It is impossible to achieve perfect balance in this case because of the widely varying levels of impacts along the length of the I-70 alternatives

corridor – on the west the location of the roadway, with all of its ramifications, and on the east where the issues are more technical and involve fewer environmental justice issues.

- What is a manageable size? The PACT must be of a size that is manageable and amenable to breaking up into effective working groups to focus on the alternatives.

PACT Membership:

- Federal Agencies
 - Federal Highway Administration (2): Chris Horn, Shaun Cutting (Karla Petty will attend as many meetings as possible)
- State Agencies
 - Colorado Department of Transportation (2): Reza Akhavan, Jim Bemelen (Russell George will attend as many meetings as possible)
 - State Historic Preservation Office (1): Amy Pallante
 - Colorado Department of Public Health and Environment (1): Jim Dileo
 - Regional Transportation District (1) Bill VanMeter
- Local/Municipal Governments - senior staff-level representatives
 - Adams County (1): Jeanne Shreve
 - Aurora (1): Mac Callison
 - Commerce City (2): Tom Acre, Nanette Neelan
 - Denver (2): Bill Vidal, Leslie Thomas
- Community Oriented (6) - *see Community Workshops for selection process*
- Business Oriented (5) - *see Business Workshops for selection process*
- Environmental Interest (1) - Sand Creek Greenway (Kate Kramer)

Involvement of Other Interested Parties

- ***Environmental Protection Agency:*** EPA has chosen to attend meetings, but has refrained from being a member
- ***U.S. Army Corps of Engineers:*** USACE has chosen to attend meetings, but has refrained from being a member
- ***Elected Officials:*** to allow for the deepest conversation possible and consistently across membership, elected officials will be briefed in the following ways when necessary or requested
 - The Keystone Center will brief city councils at council meetings
 - City staff will brief elected officials
 - CDOT will continue to host elected officials' briefings when necessary or requested
- ***General Public:*** All PACT meetings will be open to the public with a brief comment session. General public input will also be sought through the community workshops and through public meetings at strategic points in the process

2. PACT Membership Seat Selection

Federal, State and Municipal Government Seats

Federal and State agencies and Municipal government seats will be filled by the jurisdiction. The names listed in the above membership list were confirmed by The Keystone Center prior to distributing this memo.

Environmental Interest Group Seat

This seat will be filled by the Keystone Center based on criteria of broad environmental interest, experience with the issues in the I-70 alternatives corridor and cross jurisdictional representation. Keystone will apply the same criteria for members of the PACT (see section C in Community and Business PACT Membership Seats) to this seat.

Community and Business PACT Membership Seats

a. Challenges to identifying and selecting community and business representatives:

Given the great public interest, the credibility and feasibility of the process for selecting community and business representatives is paramount, and integral to the other criteria for selecting the members of the PACT.

It is evident, based on numerous conversations with residents, businesses, and other interested parties, that because of the many diverse residential communities along the I-70 alternatives corridor, and the need to seat relatively few representatives on the PACT, many communities may feel that their voices will not be heard. As a result, we are recommending a more open process for selecting those community representatives in a way that we believe would build credibility among community residents.

The challenges we found in selecting community representatives include:

- *Variability in official recognition and strength of neighborhood organizations/associations:* Some city-designated neighborhood associations have well-established processes for selecting representatives who have credibility throughout the neighborhood, whereas other neighborhoods have no official neighborhood organization, or the leadership is diffused, and the rest are in between. Absent such capacity and credibility, some neighborhoods would be unfairly disadvantaged and inadequately represented on the PACT.
- *Unfeasible to use existing system of representatives:* The original selection process, based on recommendations from city council members from each of the local governments in the I-70 alternatives corridor, was found to lack support from residents and leaders in the neighborhoods. It was replaced by a Keystone-led screening of potential representatives from the most-affected communities. During the screening, we did not find consensus on community leaders who were known in multiple neighborhoods.
- *Lack of perceived legitimacy:* There is a high risk of negative community perception and lack of legitimacy with any particular choice that is perceived as arbitrary, such as if selections were made by Keystone.
- *Lack of sufficiently broad individual support:* Residents and businesses from individual neighborhoods are not unified in their opinions or preferences about the I-70 reconstruction. As a result, it has been difficult to identify individuals who are well-known or would have sufficiently broad support in multiple neighborhoods.
- *Variable impacts in the I-70 alternatives corridor:* The relative impact of the reconstruction on residential communities varies widely along the I-70 alternatives corridor. As a result, a representative from one community would not be able to properly represent the interests of those in another section of the I-70 alternatives corridor.
- *Unmanageable size:* Representation that would account for the diversity of community opinion would be difficult without a disproportionately large contingent of community representatives, which would require a larger PACT than is practicable.

The challenges we have found in selecting business and commercial interests include:

- *Variable impacts:* Similar to community interests, there is diversity of opinion among business and industry interests, and we are recommending a similar approach for those sectors as for the community selections. Small community businesses in the vicinity of the existing viaduct in Denver would be affected, as well as the extensive array of transportation hubs, distribution centers and warehouses in Aurora, Commerce City and Denver.
- *Diversity of interests:* Business and business-oriented interests on the west side of the I-70 project area face the same challenges as community members, in terms of potential impact on businesses that could be taken with either alignment. The impacts in the I-70 alternatives corridor east of the intersection of I-270 are less dramatic but are serious for long-term access issues.
- *Unique conditions:* In addition to a large number of small to medium sized businesses, there are a number of prominent and unique businesses, institutions and re-development projects that would be impacted by one or both alignments, all of which are of great value and importance to the Denver/Commerce City/Aurora region.

b. Recommendation for community-oriented and business-oriented group representation selection in the collaborative process:

The initial proposal for the makeup of the PACT, outlined in the December 2009 memorandum, proposed six community-oriented representatives (one or two community representatives from each of the local jurisdictions – Adams County, Aurora, Commerce City and Denver), and six business-oriented representatives to sit as members of the PACT, along with equivalent numbers of representatives of the local governments themselves, the state and federal highway agencies, and key state and federal agencies with consultation or oversight authority.

This recommended process for selecting community and business representatives does not significantly change the composition or the function of the PACT or number of seats. However, the change in the method of selecting the community and business representatives for the PACT may affect some elements of timing. The selection process for the PACT community contingent would have these elements:

- Relying on rosters of participants at previous meetings, referrals from public and private entities and original research, Keystone has identified many people who have demonstrated leadership and capacity within their neighborhoods. Those individuals would be specifically invited to participate in the selection process and on-going work.
- Two pre-convening workshops – a Community Workshop and a Business Workshop - would be conducted, at which invited individuals would:
 - Be guided through a facilitated meeting including briefings about Interstate 70
 - Work to provide advice to the PACT on improvements to the alternatives in the DEIS
 - Select a team of representatives to serve as members of the PACT
 - Create a process for the PACT community team and business team to report back to the Community Workshop participants and Business Workshop participants
- The workshops will be open to any others who wish to attend.
- This option will allow for broader community participation, focused on creating a medium-sized cadre of community leaders to represent community interests, and who would be able to develop the knowledge and personal relationships on the PACT, which is the key to a successful collaboration.

c. Criteria for selection at the Community-oriented and Business-oriented workshops

The selection of the PACT members will be guided by the need to balance all perspectives, including geographic balance and alignment preference, as well as the criteria for PACT members' ability to:

- Engage in thoughtful, thorough deliberation
- Advocate for the interests of his/her agency / stakeholder group / community
- Share relevant information with other group members
- Keep constituents informed and advocate within constituent organizations for support of the group's work
- Represent the diversity of opinions from constituents, not just one's own view or one subset of opinions
- Keep the other collaboration participants informed about constituent perspectives
- Work to identify promising options
- Refrain from undermining group recommendations and reports
- Secure approval within the organization for permission (within limits) to negotiate an agreement
- Explicitly inform the group when the limits of authority are reached
- Elevate issues within the organization as a way of addressing the limitation
- Work toward a resolution within the collaborative process (not outside the process)
- Attend all collaborative sessions
- Seek to put the public interest ahead of self-interest
- Work toward solutions that all can agree to, leaving previously held positions and favorite solutions aside

3. Structure of the PACT moving forward:

The PACT will be created, organized and managed by The Keystone Center pursuant to operating protocol and ground rules approved by the PACT. The membership will comprise government representatives from federal, state and municipal entities, and business, interests groups and community representatives from Adams County, Aurora, Commerce City and Denver. All meetings of the PACT will be open to the public. This structure allows for a manageable PACT.

Community Workshops:

Community workshops of invited community members, which will be open to the public will occur several times throughout the PACT process to allow the community representation team to gather broader community input on issues on which the PACT is working (such as: improving the DEIS alternatives to better meet the range of interests; reviewing improved alternatives; providing advice on which one alternative should remain for continued refinements; and making refinements to the one alternative moving forward). The initial workshop will work to provide advice to the PACT on improving the DEIS alternatives and selection of the community representation team.

Business/Interest Group Workshops:

Business/Interest Group workshops of invited business and interest groups, which will be open to the public will occur several times throughout the PACT process to allow the business/interest group representation team to gather broader input on issues on which the PACT is working (such as: improving the DEIS alternatives to better meet the range of interests; reviewing improved alternatives; providing advice on which one alternative should remain for continued refinements; and making refinements to the one alternative moving forward). The initial workshop will work to provide advice to the PACT on improving the DEIS alternatives and selection of the business/interest group representation team.

PACT Meetings and Provisional Timetable:

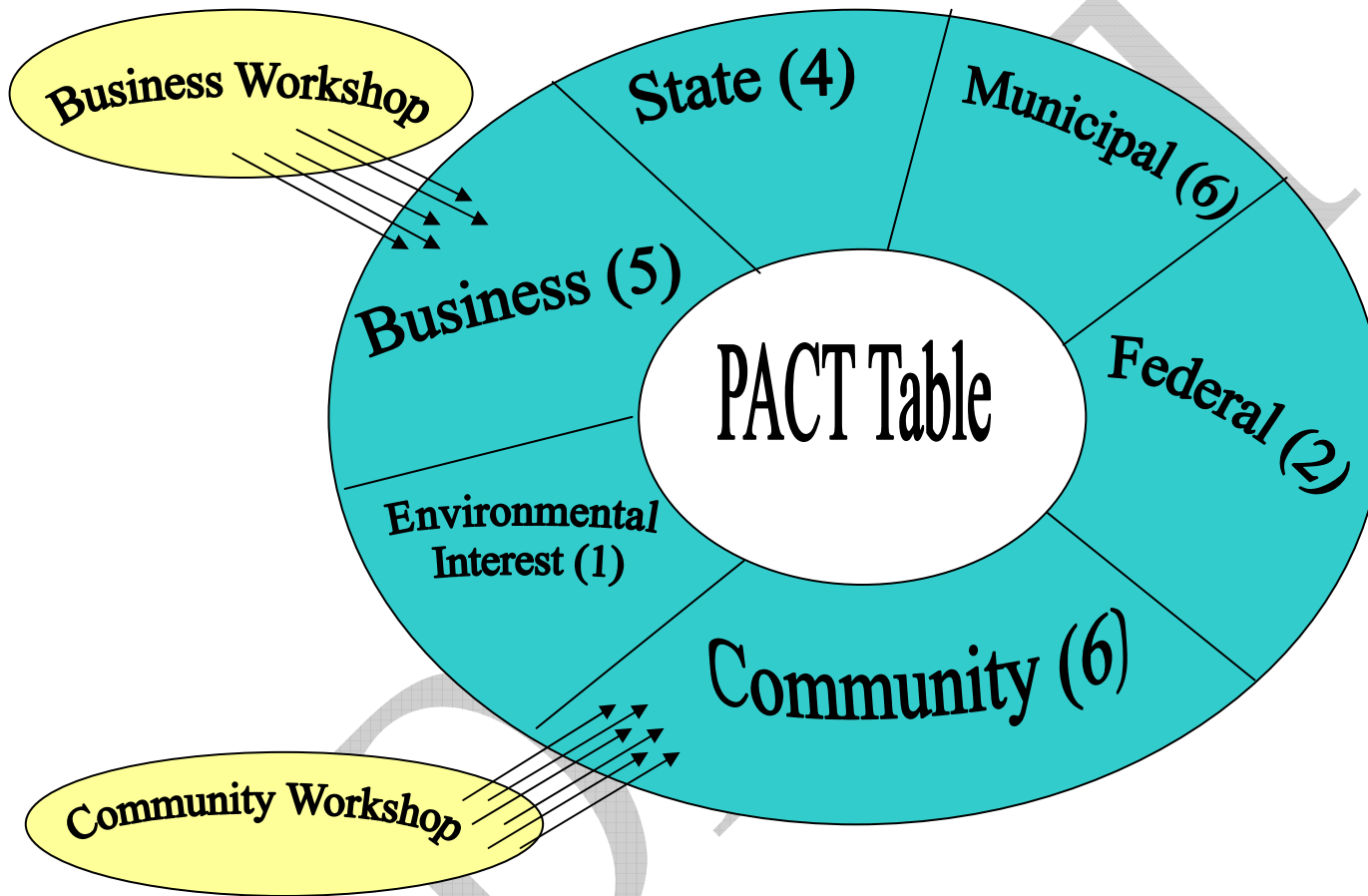
- PACT meetings will occur monthly with some exceptions.
- Initial meetings will be focused on orientation and approval of the protocols and other organizational matters, with discussion of interests and relevant data.
- Subsequent meetings will focus on substantive work of the PACT, with participants focused on improving each of the two main alignments, continuing in this fashion for three to five months.
- Final PACT meetings will be to select a preferred alternative and refine it further to build consensus among the PACT and meet the range of interests.
- The PACT meetings and Working Group meetings will be scheduled and agendas designed for optimum value.

Schedule:

The timetable for launching and completing the work of the PACT has been delayed due to various factors, including necessary intergovernmental information exchanges and the development of the community and business interest process. It is now expected to begin around late March or early April. This recommended PACT process revision does not change the timetable significantly.

- 2010 1st quarter – complete Commerce City/CDOT/FHWA additional data discussions necessary to begin the PACT process
- 2010 2nd quarter - Community Workshop and Business/Interest Group Workshop
 - *Purpose:* to gather information on I-70 East DEIS; to provide advice on how to improve the alternatives in the DEIS to better meet the range of interests; and to select a team for community representation on the PACT.
- 2010 2nd quarter – PACT meetings begin
 - *Purpose of Initial meetings (1-2):* to understand the range of interest that must be met by any alternative; to build agreement on operating protocols; and to gather information on the I-70 East DEIS.
 - *(approximately 7 total meetings)*
- 2010 4th quarter) – PACT has agreement on a preferred alternative for the FEIS process.

PACT with Specific Seats Community and Business



Government Seats:

- 4 - State – CDOT, SHPO, CDPHE, RTD
- 6 - Municipal – Adams County (1), Aurora (1), Commerce City (2), Denver (2)

Federal Agencies: 2- FHWA

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PREFERRED ALTERNATIVE COLLABORATIVE TEAM –

Possible Invitees for Community Workshop and Business Workshop

March 1, 2010

DRAFT INVITEES - WORKSHOPS			
Community Workshop – Possible Invitees			
Aurora			
Former councilwoman	Nadine Caldwell		
	<i>Pending</i>		
	<i>Pending</i>		
Commerce City			
C.C. Community Enterprise	Christie Jophlin-Martin		
North	Guillermo Serna		
North – former Mayor	Sean Ford		
Ivanhoe St	Debra Bullock		
Rose Hill	Gerald Van Deventer		
Former councilman	Scott Jaquith		
Denver			
Elyria	Drew Dutcher	Betty Wonder	Tom Anthony
Swansea	Paul Garcia	Lisa Golden (school)	
Globeville	Dennis Lovato	John Zapien	
Clayton/Cole	Lorelai Cole	Anthony Thomas	
NE Park Hill	Greg Rashid		
Montbello	<i>Pending</i>		
GVR	Joann True		
Stapleton	Dennis Hanson		
Business Workshop – Possible Invitees			
Aurora			
AEDC – Aurora Econ. Development Council	Wendy Mitchell		
Fitz/Anschutz/U.CO. Hospital	Jeff Thompson		
Aurora Chamber	George Peck		
Commerce City			
Suncor	Paul Ludwig		
Commerce City Biz Assn	Jimmy Burds		
Denver			
National Western	Pat Grant	(or Ray Chambers)	(or Marv Witt)
Elyria/Swansea/Globeville	Larry Burgess		

Draft/Possible Invitees for Community Workshops & Business Workshops

Business Assn			
Small Business	Fred McPeck	(or Justin McPeck)	
Small Business			
Stapleton Business	Angie Malpiede		
Transportation Business Interests (cross-boundary)			
Colorado Motor Carriers	Art Ballah		

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