

Testimony on HB24-1447

April 17, 2024

By Elektra Porzel

I am a resident of Kappa 2 Senior Housing. We are located at 9020 E Northfield Blvd, Denver, CO. Everyone in this building is living primarily on Social Security and have rents that are adjusted based on our income.

Many of our residents use the RTD to get to medical appointments, part time jobs and to see family and friends. Some of our residents who use walkers and wheelchairs must use the bus. Our nearest bus stop is several blocks away and our representative in District B is JoyAnn Ruscha. She has been working with us for a year to help move the bus stop within a block of our building.

I am against this bill because it disenfranchises the voters. We elected her. She must be responsive to our needs. That is her job. Appointed members would not be responsible to meet our needs.

RTD is already underfunded. RTD does need help in how it functions, but this proposal is not the answer. Keep the district representation. Give them professional staff that support their efforts to help their communities have better services. If we want a system that works better, changes need to be made on many levels.

One is funding. I understand that the RTD is funded by our local sales tax. We pay the tax and we elect our representative. If the state wants RTD funded better, then creating a new revenue base should be where the next bill to support the RTD should start.

Another is giving the Board members authority to direct non-elected staff. I understand that the Board doesn't have the authority to push back on full-time, non-elected staff. If this bill passes, then those 3 at-large members won't have any authority because the appointees will be listening to other powers in the state.

The people in the city and in the suburbs deserve to have their elected representatives represent their needs in the RTD. Let's not go back to 1980 to the sad state of affairs in 1980 that caused the board to be fired.

Thank you for paying attention to my testimony.

Elektra Porzel

House Transportation, Housing & Local Government

04/17/2024 01:30 PM

HB24-1447 Transit Reform

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Robert-Patrick Gibler Against themselves	<p>My Name is Robert Patrick Gilber</p> <p>I am a epileptic Veteran who frequents the RTD system due to my disability. HB24-1447 would make the RTD board a governor appointed board unaccountable to the people with executive power instead of the current elected positions we currently have.</p> <p>This is inherently undemocratic and would corrupt the RTD Board structure. Additionally it would allocate 6.5 million in funds to Burnham Yard Railway Company to perform a study on directly impacted transit riders but they have not consulted any directly impacted groups or people which is inherently wrong.</p> <p>I send in this letter to ask you to immediately halt forward progress immediately.</p>

Reply to:

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MEMORANDUM

TO: Colorado General Assembly – House Transportation, Housing,
and Local Government Committee

FM: Doug Tisdale

DT: 2024 04 17

RE: Written Submission by RTD Director Doug Tisdale in
OPPOSITION to HB24-1447

*Please note: The views and opinions expressed by me are my own
and do not necessarily represent those of the Regional Transportation
District or any of its Board Directors or employees.*

May It Please the Committee.

My name is Doug Tisdale and I thank you for the opportunity
to present to you today.

I am the elected Director for RTD District H, which
encompasses all of Cherry Hills Village and parts of Greenwood
Village, Centennial, Littleton, and all of Highlands Ranch. Rep. Meg
Froelich and Sen. Jeff Bridges are my constituents.

I am here today to **oppose** HB24-1447.

I was first elected to the RTD Board in 2016 and then re-elected in 2020. I served two terms as RTD Board Chair (2018 and 2019) and two terms as Chairman of the RTD Finance and Planning Committee (2023 and 2024).

I am on the Board of Directors of the American Public Transportation Association, which we refer to as APTA. I am also on the Executive Committee of APTA and on APTA's Finance Committee and on the Legislative Committee.

In addition, I am the Chair of the Transit Board Members Committee at APTA. APTA's Transit Board Members Committee consists of all the transit board members at the over four hundred transit agencies that are members of APTA. I am responsible for working with and speaking on behalf of the many thousands of transit board members in the United States of America and Canada.

Prior to my election to the RTD Board, I was the duly elected Mayor of Cherry Hills Village. Before serving as Mayor, I was twice elected to the Cherry Hills Village City Council. During my municipal service, I was selected as an officer of the Metro Mayors Caucus, as Vice Chair of DRCOG, as Chair of the Colorado Municipal League Policy Committee, and numerous other positions in Colorado and nationally.

Over the past 24 years I have run in seven general elections ... five of which were rightly decided.

I have two points to make in my testimony today.

First, Board Size. There is an undercurrent in HB24-1447 that the RTD Board is simply too large. "Fifteen members are too many." Let me share some data.

Of the 20 largest transit agencies in the United States, of which RTD is one, their Board membership is as follows: one Board has 23 members; two Boards have 18 members; another two have 17 members; five of those Boards have 15 members, just like the RTD; one Board has 14; one Board has 13, two Boards have 12; two have 11, one has 10; one has 9; and one has 7.

The names of the various agencies are shown at the end of this Memorandum and were shared by me personally with the Sponsors of 1447 weeks ago.

In sum, if there is a concern that RTD – with 15 Board members – is an outlier, that is simply not factual.

Second, the Accountability Committee Recommendations.

Section 13 of the Bill makes special reference to the 2021 “RTD Accountability Committee Final Report.” HB 1447 dictates that the RTD “Board shall continue to work to implement the recommendations” of the Accountability Committee. And this, RTD has done.

But the most salient, the most relevant, recommendation of the Accountability Committee was **“the RTD Board structure should remain unchanged.”**

If you have a copy of the Accountability Committee Final Report handy, I direct your attention to the first bullet point on Page 16 of that Report. I just quoted the final words of that bullet point. THAT was the recommendation of the Accountability Committee: “the Board structure should remain unchanged.”

So, 1447 would direct RTD to implement the recommendations of the Accountability Committee, but somehow IGNORE the most central recommendation of all.

Lest it be said that I have taken that quote out of context, permit me to provide further background.

The Accountability Committee worked throughout 2020 and 2021 with twelve talented and experienced members and a number of expert consultants, spending countless hours and thousands of dollars examining a broad range of issues concerning RTD, including board governance.

In the Committee’s Final Report, it made the following findings and recommendations, at pages 15 and 16:

“The Committee acknowledges a lack of consensus on how the structure of the RTD Board affects the effectiveness of its decision making, **neither is there clarity on the existence of a problem with the Board’s structure nor what that problem may be.** In addition, the Committee is making a series of recommendations (e.g., Subregional Service Councils) which, if implemented, may impact Board operations. Finally, the RTD Board is proactively making changes to the structure of its Subcommittees and the organization has appointed a new General Manager, both of which present opportunities for modifying the functionality of the Board.

When coupled with these changes, the finding that RTD’s Board structure differs from most other transit agencies is not sufficient for developing recommendations, as they simply note areas of differences and commonalities, as opposed to effectiveness. Therefore, it would be premature to develop recommendations for future Board structures and the **Committee suggests further study and analysis be completed by an independent body with input from regional stakeholders.** Specifically, the Committee recommends the following course of action:

- Following a reasonable period of time for the Committee recommendations to be implemented and results seen (e.g., two years), investigate the effectiveness of RTD’s Board structure. In partnership with regional stakeholders, evaluate the historical context of RTD’s Board structure, define Board effectiveness, success and efficiency, and evaluate past Boards’ records for meeting these criteria. Determine whether and where problem(s) exists, and if so, develop a problem statement and recommended solution. **If a problem does not exist or**

inefficiencies are not found, the RTD Board structure should remain unchanged.”

--RTD Accountability Committee Final Report July 2021, Elise Jones and Crystal Murillo, Co-Chairs, pages 15-16. (Emphasis supplied.)

Attached to and forming a part of the Accountability Committee Final Report is its Appendix 4, entitled “RTD Governance Evaluation.” Appendix 4 sets forth a summary of a 21-page report by the Committee’s contractor, North Highland.

Nowhere in the Accountability Committee Final Report ... whether in the main body of the Report or in Appendix 4 or in the North Highland report ... is there a recommendation that the RTD Board should be disbanded and replaced with a newly constituted Board. The “Final Solution” that is proposed in HB24-1447 was fabricated out of whole cloth and has no legal, practical, or empirical grounding in the Accountability Committee’s Report.

In short, the Accountability Committee did **not** find any problem with RTD Board governance. No finding. No evidence. Despite months of analysis by trained experts, the most compelling conclusion by the Committee was “**neither is there clarity on the existence of a problem with the Board’s structure nor what that problem may be.**” Nor has there been any further independent review or study of alleged unarticulated “problems” with RTD Board governance, as recommended by the Accountability Committee.

Despite that conclusion, and despite the fact there has been no fact-based further analysis of these alleged problems, the Sponsors of 1447 seek to fix a “problem” that no one has yet been able to identify or articulate. Absent that, as the Accountability Committee finally concluded in its Report, “**the RTD Board structure should remain unchanged.**”

Thank you.

--Doug Tisdale

LIST OF TRANSIT AGENCIES AND BOARD SIZE

<u>Agency</u>	<u>Board Size</u>
MTA (NYC)	23
LA Metro	12
WMATA (D.C.)	15
SEPTA (Philadelphia)	17
NJ Transit	11
BART (SFO)	9
MARTA (Atlanta)	13
San Diego Metro	15
HART (Honolulu)	14
AC Transit (Oakland)	7
Metro Transit (Mpls)	17
Orange Co Transit	18
VIA Metro Transit	11
Santa Clara VTA	15
Sacramento RTD	12
Greater Cleveland RTA	10
Sound Transit	18
DART (Dallas)	15

Colorado General Assembly –
House Committee on Transportation, Housing & Local Government

Testimony of Lisbet Finseth
National Multiple Sclerosis Society
HB24-1452 – Airport Accessibility Requirements

Chair and Members of the Transportation, Housing & Local Government Committee, thank you for the opportunity to speak today on the National Multiple Sclerosis Society's support of HB24-1452, Airport Accessibility Requirements.

Multiple sclerosis (MS) is an unpredictable disease of the central nervous system, with an estimated 1 million people living with MS in the United States. The symptoms vary from person to person, and may include disabling fatigue, mobility challenges, cognitive changes and vision issues and can result in lifelong disability. This disease cannot be predicted and there is no cure. If treated appropriately with the right prescriptions in a timely manner, MS progression can be slowed.

Multiple Sclerosis is a chronic condition that often leads to disabilities, especially mobility issues. The majority of individuals with MS are diagnosed between the ages of 20 and 50, and 1/3 of those living with MS utilize mobility devices. Unfortunately, the disparities in accessibility throughout the MS journey pose significant challenges, particularly with air travel.

People with MS and other disabilities face constant challenges and anxieties when traveling. Often, there are few accessible bathrooms available, and even the ones present lack enough room for a care partner to assist. People that use assisted devices must stow these pieces of equipment in the cargo area under the plane – but these devices are often damaged in transportation due to being stowed. In a recent survey by Paralyzed Veterans of America, almost 60% of survey responses reported having their device damaged in air travel, with 17% reporting their wheelchair or scooter lost¹.

People with MS will often voice experiences of airport staff either not handling devices properly or having a lack of training in coordinating with someone with a disability. Katie Roberts, a Coloradan living with MS, shared her experience at the Denver International Airport:

“Traveling causes anxiety as it is and even more so when you are traveling with a scooter. I went home to Chicago this past summer to visit family and even allowed myself more time than normal to

¹ Paralyzed Veterans of America. Overview of Survey Results Regarding the Air Travel Experience of Passengers with Disabilities. Published September 2022; accessed February 2023.
<https://pva.org/wp-content/uploads/2022/09/2022-ACAA-Survey-Results-FINAL.pdf>

arrive and get settled but I was not prepared for the confusion and number of questions I would receive about my scooter from airport staff. I was pulled aside from general admission to make sure this was something I could in fact take on the plane, then once approved was instructed to place the 65lb scooter on the conveyer belt. When I explained that it does not go on the belt and that I cannot physically lift it the employee continued to yell for me to put it on the belt. I was peppered with questions about what kind of scooter is it, why can't you lift it, does it come apart, why do you have a scooter, why aren't you riding the scooter, until finally another employee was called over who then threw my brand new \$3,000 scooter on the belt. During this humiliating experience I watched my scooter being mishandled and damaged regardless of the protective covering that was over it. All the while my 6-year-old son is watching all of this unfold and he shouldn't be the one to comfort me because I am upset about how I have been treated.

I don't expect people to understand my disability let alone an invisible one, but had they had the proper training and understanding I think that it would have been a very different experience. The emotional toll and mistreatment at the airport have made me reluctant to travel again, which prevents me from seeing my family in Chicago again."

This bill would address many of the major issues individuals with disabilities face in air travel. By creating an advisory committee, those within the disabled community would be able to voice the experiences of the community and provide feedback during construction. In addition, it would ensure accessible bathrooms were available in every terminal. Increased training of staff would decrease experiences like the one Katie had. And lastly, damages would be reduced with requiring mobility devices to be transported to the tarmac safely.

In conclusion, I urge the committee to support HB24-1452 recognizing its significance in promoting equity in travel for those with disabilities.

Thank you for your time and consideration.



Lisbet Finseth
Senior Manager of Advocacy
National Multiple Sclerosis Society



April 17, 2024

Re: HB 24-1447, Transit Reform

To House Transportation Committee, Chair Froelich, and Vice Chair Lindsay, and members,

I deeply appreciate the work the legislature has done and is doing to improve our state RTD system. I would like to thank the sponsors, climate champions, for bringing this bill. Investing in modernizing and expanding public transit access is crucial for our state to do its part to address climate change. However, because public transit is a crucial public service for low income and disabled people, not only a means of improving statewide per capita GHG emissions rates, I suggest that it is especially true here that we must incorporate a deep commitment to equity in our transit solutions. I am concerned with the social justice implications of converting a democratically elected board, the members of which represent specific areas served by RTD, into an all-appointed board controlled by the Governor's office.

On behalf of WildEarth Guardians, I would ask for an amendment of HB 24-1447. Our RTD system should not be controlled by Commissioners appointed by the Governor. The RTD is not a state-wide system, and needs to prioritize the transit needs of residents first. Without regional representation, with all members serving the "district at large," we risk allowing wealthier and more powerful or politically influential communities to unfairly dominate our transit system. This has the potential to disenfranchise the communities who need transit solutions the most.

Thank you, Committee, thank you sponsors, for your service to this state, and for taking the time to consider this perspective.

Best regards,

Katherine Merlin
WildEarth Guardians, staff attorney
Boulder, CO