

**Meeting Minutes of the  
NORTH FRONT RANGE TRANSPORTATION &  
AIR QUALITY PLANNING COUNCIL**

**January 4, 2018  
Berthoud Community Center  
807 Mountain Avenue  
Berthoud, CO**

**Voting Members Present:**

**Tom Donnelly - Chair** -Larimer County  
Jennifer Baker -Berthoud  
Kevin Ross -Eaton  
Mark Clark -Evans  
Robb Casseday -Greeley  
Troy Mellon -Johnstown  
Paula Cochran -LaSalle  
Dave Clark -Loveland  
Linda Measner -Milliken  
Don Brookshire -Severance  
Aaron Pearson -Timnath  
Kathy Gilliland -Transportation Commission  
Sean Conway -Weld County  
Kristie Melendez -Windsor

**Voting Members Absent:**

Chris Colclasure - CDPHE  
Gerry Horak -Fort Collins  
  
\*No appointed member -Garden City

**MPO Staff:**

Suzette Mallette, Interim Executive Director; Becky Karasko, Regional Transportation Planning Director; Renae Steffen, Administrative Director; Alex Gordon, Transportation Planner II/Mobility Coordinator; Medora Kealy and Ryan Dusil, Transportation Planners.

**In Attendance:**

Dawn Anderson, Jeff Bailey, Darin Barrett, Ken Bennett, Stephanie Brothers, Julie Cozad, Bruce Croissant, Walt Elish, Ruth Fletcher-Carter, Wayne Howard, Mark Jackson, Tom Jones, Will Jones, Will Karspeck, Dave Klockeman, Mitch Nelson, Heather Paddock, Mark Peterson, Kim Redd, Julia Rentsch, Jed Scott, and Fred Starr.

Chair Donnelly called the MPO Council meeting to order at 6:03 p.m.

**PUBLIC COMMENT:**

Darin Barrett, Loveland resident, informed the Council the Perkins Restaurant on Crossroads Boulevard had closed and they would want to find a new location for the January 5<sup>th</sup> I-25 Funding Committee meeting. Donnelly thanked Barrett for the information.

**APPROVAL OF THE MEETING AGENDA:**

*ROSS **MOVED** TO APPROVE THE JANUARY 4, 2018 MEETING AGENDA. The motion was **seconded** and **passed** unanimously.*

**APPROVAL OF THE MINUTES:**

*CONWAY **MOVED** TO APPROVE THE NOVEMBER 27, 2017 MEETING MINUTES. The motion was **seconded** and **passed** unanimously.*

Donnelly noted a motion at the December 7, 2017 meeting had been misread and the correction was noted in the meeting minutes. For clarification Gilliland restated the motion as follows:

*GILLILAND **MOVED** TO APPROVE RESOLUTION NO. 2017-22 APPROVING THE SECOND AMENDMENT TO THE FY2018 UNIFIED PLANNING WORK PROGRAM (UPWP) AND BUDGET WHICH WAS PREVIOUSLY APPROVED INCORRECTLY AS RESOLUTION 2017-22. The motion was **seconded** and **passed** unanimously.*

*CONWAY **MOVED** TO APPROVE THE DECEMBER 7, 2017 MEETING MINUTES. The motion was **seconded** and **passed** unanimously.*

### **Lead Planning Agency for Air Quality Agenda**

Chair Donnelly opened the Air Quality portion of the meeting.

#### Regional Air Quality Council (RAQC)

A written report was provided.

#### Air Pollution Control Division

There was no report.

### **Metropolitan Planning Organization (MPO) Agenda**

Chair Donnelly opened the MPO portion of the meeting.

### **REPORTS:**

#### Report of the Chair:

Chair Donnelly reported Commissioner Sean Conway would become the alternate for Weld County and Julie Cozad the Council representative and noted Conway's desire to remain the STAC representative. The Council agreed to allow Conway to continue to represent STAC along with Becky Karasko, who would provide written reports to the Council. Conway thanked the Council for his appointment committing to serve the Council well and provide any requested information. Donnelly reported Kristie Melendez, MPO Vice Chair would become the Finance Committee Chair and Committee members will be Jennifer Baker, Dave Clark, and Paula Cochran.

#### TAC:

A written report was provided.

#### Mobility:

A written report was provided.

### **DISCUSSION ITEMS:**

#### NoCo Bike & Ped Transportation Alternatives (TA) Funding

Tom Jones, Great Western Trail Authority (GWTA) Chairman, briefly reviewed information from the NoCo Bike & Ped Collaborative TA Funding Recommendation Memo and Chronology of the Great Western Trail and The Great Western Trail- Project Cost Estimate for seven Miles of Trail from Severance to Eaton documents with the Council. He stated he was looking for the proper process, acceptance and/or recommendation from the Council needed to acquire the \$415,000 of returned 2015 TAP funds which would allow completion of the seven mile gap between Severance and Eaton. He confirmed GWTA had the necessary matching funds for the grant in their 2018 budget. Conway questioned whether they would have enough money to complete the trail and whether TAC would review the funding before Council was asked to take action. Jones replied there still may not be

enough funds to fully complete the trail but the design and engineering are potentially covered for the entire seven miles. He believed there may be areas where they could cut some costs, but currently they were approximately \$400k short, and would know more when bids are received in April 2018. He also believed they were well positioned for other grant funding, such as Great Outdoors Colorado (GOCO) Funds. Donnelly confirmed the item would go to TAC later in the month and then be back to the Council for action on the February agenda.

#### 2014-18 NFRMPO Targets for Safety Performance Measures

Medora Kealy, Transportation Planner, briefly explained the NFRMPO is required to set targets for five safety performance measures by February 27, 2018 and TAC recommends to meet the timeline, the statewide targets set by CDOT be used. She highlighted the impact of the federal requirements on the North Front Range and key requirements for target setting while presenting the 2014-2018 NFRMPO Targets for Safety Performance Measures with the Council. She noted next year's targets would be slightly more critical to the NFRMPO planning process because they would cover 2015-2019 and would be incorporated into the NFRMPO planning documents. Gilliland asked for clarification whether the 2015-2019 targets were required to include the RTP and TIP. Kealy explained the targets are at either the MPO or State level and it is necessary to represent how the total program of projects is going to make progress toward achieving the target, it is not a project by project goal assessment, but a package assessment. Donnelly stated there was really no reward or incentive for improving safety on the road system. Kealy said he was correct, there is no reward or penalty to the NFRMPO. Donnelly stated, in his opinion, FHWA was requiring a lot of information which would never be used. Medora replied the intention is to use data to make better investment decisions, improve the transportation system, and have a national standard. Donnelly noted Larimer County had a safety improvement program allowing them to review crash data and make necessary improvements, although he wished FHWA had a similar follow-up, he respected their process must be followed. Gilliland ended the discussion stating safety is CDOT's primary transportation goal and she believed FHWA's requirements led to disciplines including improvement goals which were very valuable. Kealy stated the item will return to the Council for action at the February meeting.

### **PRESENTATION:**

#### US 287 Asset Inventory

Alex Gordon, Transportation Planner II/Mobility Coordinator, passed around two copies of the complete US 287 Asset Inventory, noting the downloadable link was listed on the final page of the presentation in the Council packet. He then reviewed the presentation with the Council. Conway asked for clarification of the Right-of-Way Methodology map, expressing concern there were assumptions made in the inventory regarding Parkland and Open Space and that these areas were a potential right-of-way for public transportation. Gordon explained they had not made any judgement calls, but if the land did not fit into one of the available GIS categories, such as Parkland or Open Space, and was not private property, it was assumed to be potential right-of-way. Conway confirmed Parkland and Open Space were not assumed to be right-of-way. Gordon stated he was correct. Gilliland complimented Gordon and MPO staff for their efforts stating she was impressed with the comprehensive inventory and indicated this and other corridor inventories may be beneficial for the communities in the region.

### **COUNCIL REPORTS:**

#### Transportation Commission Report

Gilliland reported the Transportation Commission attended a very productive meeting with Senator Gardner in December on funding for INFRA and TIGER Grants. She reported the federal representatives are working very hard to support the needs of Northern Colorado. Senator Gardner, Senator Bennett, and Congressman Polis will be sending a joint letter to U.S. Secretary of

Transportation, Elaine Chao, encouraging her to visit Colorado to see and hear first-hand what the transportation needs are for her to understand the substantial need for more funding.

#### CDOT Region 4

There was no report.

#### I-25 Update

Heather Paddock, CDOT R4, reported I-25 Project construction would begin in 2018. She said this is very good news for Northern Colorado and complimented the aggressive efforts of Kraemer /IHC to work closely with CDOT and ultimately reduce their contract price by \$14M, making it a \$248M construction project. Although there is still a \$24M shortage, she anticipated receiving \$14.5M from High Performance Transportation Enterprise (HPTE), which would actually be swapped with other funding appropriate for I-25 construction. The swap also allows CDOT to transition smoothly toward construction on Segment 6. Dave Clark asked about the timeline and start date. Paddock replied they still need the Quality Management Plan, but anticipate the contract will be signed by the end of January. CDOT will provide then provide the Notice to Proceed for the design. The Notice to Proceed for construction will follow receipt of a schedule from Kraemer/IHC. Their proposal showed a mid-summer construction start date. Gilliland asked which end of the project would start construction first. Paddock replied she could not answer the question.

Paddock also reported the City of Fort Collins had unanimously voted to approve the \$19M Prospect Interchange in partnership with the Town of Timnath and developers around the interchange. The \$56M commitment made by the locals on the \$330M project was highly praised by Gilliland, Paddock, and CDOT. Donnelly remarked this was a valuable use of local tax dollars, which benefit the entire region and complimented the efforts of the Council members. Conway specifically noted the efforts of Donnelly, Horak, and Gilliland. Melendez noted the money from the locals had moved the project ahead by 14 years. Suzette Mallette, Larimer County Transportation Program Manager, announced since the project was kicking off there will be public involvement events scheduled and there would be a CDOT presentation at the February meeting. She offered to be the point of contact for those wanting a presentation in their community.

#### STAC Report

A written report was provided.

Host Council Member Report- Baker welcomed everyone to Berthoud and thanked them for coming. She recognized the Interim Town Administrator, Jeremy Olinger, was in attendance and Christopher Kirk from Tehachapi, California would start as the new Berthoud Town Administrator on January 22<sup>nd</sup>. She complimented Origins Catering of Berthoud for the wonderful food.

Greeley- Casseday announced the City of Greeley At-Large City Council Member had been removed and they would be interviewing and appointing a new At-Large Council Member for Greeley.

### **EXECUTIVE SESSION:**

Chair Donnelly announced the Council would be going into an Executive Session and he believed they would take action afterward on at least one item. He asked Jed Scott, MPO Attorney, to briefly describe items which would be considered in the closed session. Scott stated on the agenda was an Executive Session pursuant to: (1) C.R.S. § 24-6-402(4)(b) of the Colorado Revised Statutes in order for the Council to seek legal advice regarding a contract, and (2) C.R.S. § 24-6-402(4)(e)(I) to determine positions relative to matters that may be subject to negotiations, developing a strategy for negotiations, and instructing negotiators. He summarized there would be discussion on the issues with negotiations regarding Executive Director and her attorney, issues regarding investigation, and a report to the Council on activity occurring since approximately December 7, 2018 when the Council last met. He added the first order of business in the closed session would be the

Intergovernmental Agreement (IGA) for the Interim Executive Director, Suzette Mallette, and Larimer County.

**BAKER MOVED** TO GO INTO AN EXECUTIVE SESSION PURSUANT TO: (1) C.R.S. § 24-6-402(4)(B) OF THE COLORADO REVISED STATUTES IN ORDER FOR THE COUNCIL TO SEEK LEGAL ADVICE REGARDING A CONTRACT, AND (2) C.R.S. § 24-6-402(4)(E)(I) TO DETERMINE POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING A STRATEGY FOR NEGOTIATIONS, AND INSTRUCTING NEGOTIATORS. The motion was **seconded** and **passed** unanimously.

Council entered Executive Session at 7:15 p.m. The session lasted approximately two hours.

Chair Donnelly reopened the regular meeting at 9:15 p.m.

**MELLON MOVED** TO APPROVE THE INTERGOVERNMENTAL AGREEMENT (IGA) AND CONTRACT BETWEEN THE NFRMPO, LARIMER COUNTY, AND SUZETTE MALLETTE FOR MS. MALLETTE TO SERVE AS THE INTERIM EXECUTIVE DIRECTOR OF THE NFRMPO. The motion was **seconded** and **passed** unanimously.

**MELENDEZ MOVED** TO AUTHORIZE NFRMPO LEGAL COUNSEL TO PREPARE A TERMINATION NOTICE FOR THE EXECUTIVE DIRECTOR FOR ANY REASON OTHER THAN FOR CAUSE. The motion was **seconded** and **passed** unanimously.

**CASSEDAY MOVED** TO APPROVE TOWN OF SEVERANCE MAYOR DON BROOKSHIRE TO SERVE AS THE POINT OF CONTACT BETWEEN COLORADO INTERGOVERNMENTAL RISK-SHARING AGENCY (CIRSA) AND THE NFRMPO COUNCIL WITH REGARDS TO THE INVESTIGATION OF CLAIMS MADE BY VARIOUS NFRMPO EMPLOYEES. The motion was **seconded** and **passed** unanimously.

#### **MEETING WRAP-UP:**

##### Next Month's Agenda Topic Suggestions:

Conway requested a February Update on the US 34 PEL Study prior to its scheduled completion on March 1<sup>st</sup>.

Donnelly commented the Council had a card for Conway in honor of his many years of service as the Weld County MPO Council Member. Conway stated he would still attend meetings occasionally as the alternate and thanked Donnelly and the Council proclaiming it had been a great nine years.

The meeting was adjourned at 9:24 p.m.

Meeting minutes submitted by: Renae Steffen, MPO Staff