

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

**December 6, 2018
Timnath Administration Building
4800 Goodman Street
Timnath, CO**

Voting Members Present:

Tom Donnelly - Chair -Larimer County
William Karspeck -Berthoud
Kevin Ross -Eaton
Mark Clark -Evans
Gerry Horak -Fort Collins
Paula Cochran -LaSalle
Dave Clark -Loveland
Don McLeod -Severance
Aaron Pearson -Timnath
Kathy Gilliland -Transportation Comm.
Julie Cozad -Weld County
Kristie Melendez -Windsor

Voting Members Absent:

Rick Coffin -CDPHE
Robb Casseday -Greeley
Troy Mellon -Johnstown
Elizabeth Austin -Milliken
*No Member -Garden City

MPO Staff:

Suzette Mallette, Executive Director; Becky Karasko, Transportation Planning Director; Renae Steffen, Administrative Director; Crystal Hedberg, Finance Director.

In Attendance:

Dawn Anderson, Everett Bacon, Ken Bennett, Kendra Carberry, Chad Crager, Jim Eussen, Joseph Flannigan, Butch Hause, Joel Hemeseth, Wayne Howard, Mark Jackson, Will Jones, Will Karspeck, Dave Kissker, Jeff Kullman, Ken Martin, Mitch Nelson, Johnny Olson, Heather Paddock, Randy Ready, Eric Richardson, Ginger Robitaille, Robin Stoneman, Phil von Hake,

Chair Donnelly called the MPO Council meeting to order at 6:00 p.m.

Public Comment:

Joseph Flannigan of Loveland commented he has Multiple Sclerosis and has a concern about the lack of knowledge many engineers have when it comes to the requirements for pedestrians under the Americans with Disabilities Act (ADA). He quoted "skin before steel" noting there is too much emphasis on steel. He indicated the appropriate widths for roads, bike lanes, and sidewalks combined is sixty-four feet and that measurement should be allowed with the planning and construction of every new road. It was his opinion, engineering departments had no one certified in ADA Certification compliance and law suits were a possibility unless someone could confirm ADA Requirements were being met. He feels there needs to be a way to certify people that make plans which adhere to ADA. He reported he cannot get out of his neighborhood near LCR 28 using his power chair or cane, or any other physical aid. He said power chairs are like bikes and need three feet of road width. He pleaded with the Council to please pay attention and not put cars before people, they will get run over. Donnelly noted Flannigan was a good citizen of Loveland and thanked him for his comments.

Move to Approve Agenda:

Ross **moved** to approve the *December 6, 2018 Meeting Agenda*. The motion was **seconded** and **passed** unanimously.

Move to Approve Minutes:

Cozad **moved** to approve the *November 1, 2018 Council Meeting Minutes*. The motion was **seconded** and **passed** unanimously.

EXECUTIVE SESSION:

Chair Donnelly announced the Council would be going into an Executive Session with NFRMPO HR Consultant, Ginger Robitaille and Legal Counsel, Kendra Carberry and Kathryn Sellars. He noted action from the session would take place at the January 3rd meeting in Berthoud.

Ross **moved** to approve going into an *Executive Session Executive Session to consider personnel matters, pursuant to C.R.S. §24-6-402(4)(f), regarding the annual evaluation of the Executive Director and not involving: any specific employee who has requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees*. The motion was **seconded** and **passed** unanimously.

The Council entered into an Executive Session that lasted approximately twenty-nine minutes.

Chair Donnelly reopened the regular meeting at 6:41 p.m.

Lead Planning Agency for Air Quality Agenda

Chair Donnelly opened the Air Quality portion of the meeting.

Air Pollution Control Division (APCD)

Phil von Hake, APCD Mobile Sources Program, presented *A Zero Emission Vehicle Rule for Colorado* to the Council, explaining the proposed Zero Emission Vehicle (ZEV) Rule had not been part of Governor Hickenlooper's Executive Order which committed Colorado to adopting a Low Emission Vehicle (LEV) standard, also referred to as the California standard. Hickenlooper's LEV action, which continues the current trajectory of air control standards in Colorado and helps the state meet its goal of reducing greenhouse gas emissions of 26 percent by 2025, was approved unanimously by AQCC on November 16th. That same meeting brought about extensive public comment supporting ZEV standards leading AQCC to schedule a separate Request for Hearing regarding a ZEV proposed rule. The AQCC Executive Committee rescheduled the Request for Hearing from December 2018 to May 2019.

Some Council members questioned whether mandating standards for an increasing percentage of all light-and-medium-duty vehicles sold, was right for Colorado. When the question was raised regarding whether the cost of non-electric vehicles would have to go up to encourage more sales of electric vehicles, it was noted sales of EV's in Colorado is already high for the country. Also, the growth rate of incentives for the purchase of electric vehicles has doubled since 2017. It was noted agricultural and construction vehicles are not included in either LEV or ZEV standards for Colorado.

Regional Air Quality Council (RAQC)

A written report was provided. Donnelly confirmed Don McCleod had turned in the necessary paperwork to be considered for appointment by the Governor as the NFRMPO RAQC representative, noting Cozad's term as Weld County Commissioner was ending in December.

Metropolitan Planning Organization (MPO) Agenda

Chair Donnelly opened the MPO portion of the meeting.

Reports:

Report of the Chair:

Chair Donnelly reported Senator Gardner had contacted him earlier in the day regarding North I-25 being awarded \$20M through the Better Utilizing Investments to Leverage Development (BUILD) Grant. He complimented Olson and staff's efforts in obtaining the grant. He also recognized Olson's dedication to Region 4 and securing funding for I-25's Segment 6, noting his hope for segment 5 to also get funded. Donnelly recognized the December meeting as Commissioner Cozad's final meeting as a Council Member. He commended her efforts over her many years of service noting it had been an honor to work in partnership with her on several regional efforts she spearheaded. Cozad was also complimented for her leadership through challenging times, having a heart to always want to do the right thing, having small community power and her work on the NFRMPO and the Weld County Commission. Cozad thanked the Council, MPO staff and others for their work with her, stating it takes everyone together to work regionally. Cozad was presented with a plaque recognizing her years on the NFRMPO Council.

It was also recognized Donnelly was leading his final meeting as MPO Chair. He was thanked by Council members for his dedication and leadership and presented with a plaque bearing a golden gavel, a reward for his total of three years as a chair in his time on the Council.

Donnelly called for a brief break.

The MPO portion of the meeting reconvened at 7:27 p.m.

Executive Director Report:

Malette provided a draft letter of support for the methodology, process, and results of the US 34 PEL study addressed to Chad Hall and CDOT Region 4.

D Clark **moved** to approve the *Letter of Support for US34 PEL Study Recommendations*. The motion was **seconded** and **passed** unanimously.

Malette reported the 2018 Call for Projects, which opened October 12th, would be closing Friday, December 21st. She also noted the NFRMPO's new logo had been revealed and could be seen on the website, marketing materials, and throughout the Council packet.

HR Committee:

A written report was provided. Cozad noted there would be an opening on the HR Committee starting in January.

Finance:

A written report was provided. Melendez noted the Finance Committee recommended approval of the 3rd Quarter Unaudited Financial Statements.

Freedom Parkway Access Control Plan

Cozad described her passion for the road project in Weld County which acquired many names over time including, SH-402, LCR18, WCR 54, 37th Street, and finally Freedom Parkway. She explained it began with her meeting with Mayor John Morris and the City of Evans back in 2014 on matching design standards, and speed limits, etc. Their goal was to protect the road as an arterial, additionally Cozad's vision was to work collaboratively with all the communities involved. Dawn Anderson, Development Review Manager, Weld County Public Works, and Everett Bacon, Weld County Transportation Planner, also provided portions of the presentation, highlighting the projects regional long-term planning efforts. There is currently an Intergovernmental Agreement (IGA) in place and all jurisdictions have approved the plan which will be adopted December 12th with completion by the end of the year. Additional information is available on the Weld County website. Donnelly complimented Cozad and others involved with the project calling it an incredible proactive effort.

Move to Approve Consent Agenda:

Pearson **moved** to approve the consent agenda. The motion was **seconded** and **passed** unanimously.

Item on the consent agenda included:

- *3rd Quarter Unaudited Financial Statements*

Action Items:

Amended Investment Policy

Crystal Hedberg, Finance Director, explained the amendment made changes to the policy to match Colorado law and what was currently being done. She then highlighted the revisions with the Council.

*Ross **moved** to approve RESOLUTION NO. 2018-24 AMENDING THE INVESTMENT POLICY.*

Horak requested the amendments be attached to the resolution.

*Ross **amended** his motion as requested.*

*The motion was **seconded** and **passed** unanimously.*

2019 Officer Elections

Chair Donnelly explained the Officer Election Process and opened nominations for 2019 MPO Chair.

*Ross **nominated** Melendez. There were no other nominations.*

*Cozad **moved** to close nominations.*

*M Clark moved to elect Melendez. D Clark **seconded** the nomination. The Council **voted unanimously for Melendez as MPO Chair for 2019.***

Chair Donnelly opened nominations for 2019 MPO Vice-Chair.

*Melendez **nominated** D Clark. There were no other nominations.*

*Cozad **moved** to close nominations.*

*Ross moved to elect D Clark. Cozad **seconded** the nomination. The Council **voted unanimously for D Clark as MPO Vice Chair for 2019.***

Donnelly congratulated Melendez and D Clark and informed the Council that Chair Melendez would assign a STAC Representative and name new Finance and HR Committee members at the January 2019 meeting. The Articles of Association state the immediate Past Chair will become the Chair of the HR Committee and the Vice Chair becomes the Chair of the Finance Committee.

COUNCIL REPORTS:

Transportation Commission Report /CDOT Region 4

Olson reported on the following:

- Rerouting of SH 392 and SH 257 - CDOT met with the Town of Windsor and decided a feasibility study should be done, funding will be discussed later.
- Potential rerouting of US 287 – the plan would be done in two phases and reroute freight truck traffic off US 287 and onto I-25, avoiding the urban areas. In exchange, CDOT would abandon the section of US 287 from SH 119 south of Longmont to Owl Canyon north of Fort Collins, turning that portion of highway and its (extensive) maintenance costs back to local community control. CDOT will contribute \$350k toward the six-month feasibility study from which they will determine not only cost, but also local buy-in from affected communities. Negotiations will occur and there will be many opportunities for public involvement. The other option is a business route.
- I-25 Segment 6- funds from the BUILD Grant will help I-25's Segment 6 (section between SH 402 and SH 56) obtain the addition of an express toll lane in each direction, but approximately \$5M more funding is still needed. CDOT is committed to making that whole and meeting the grant requirements.
- I-25 Segments 7 & 8- the goal is still to take these to the full EIS which includes the preparation for the addition of a fourth lane, but potentially excludes the SH14 and US 34 interchanges. Approximately \$290M (increased cost assumption) can be saved by getting the project completed before 2028.
- A commitment from the NFRMPO is needed for design purposes of sections 7 & 8 of the corridor, by January or early February at the latest, funding discussions will occur later. It is imperative the Council share their issues or concerns to ensure there is alignment with what Olson is pitching to the commission.

I-25 Update

Horak reported the next I-25 Funding Committee meeting was at 12:30 December 7th at the Candlelight Dinner Playhouse in Johnstown.

STAC Report

No report was provided.

Host Council Member Report- Pearson welcomed everyone to Timnath and thanked them for coming. He recognized Fiona's Catering for providing the food and reported Timnath's new Town Center Building which will house the administration offices, was scheduled for completion in April 2019.

MEETING WRAP-UP:

Next Month's Agenda Topic Suggestions:

No suggestions were made.

The meeting was adjourned at 8:30 p.m.

Meeting minutes submitted by: Renae Steffen, MPO Staff