

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

**February 7, 2019
Eaton Area Community Center, Ponderosa Room
1675 3rd Street
Eaton, CO**

Voting Members Present:

Kristie Melendez - Chair -Larimer County
William Karspeck -Berthoud
Kevin Ross -Eaton
Mark Clark -Evans
Robb Casseday -Greeley
Paula Cochran -LaSalle
Dave Clark -Loveland
Don McLeod -Severance
Aaron Pearson -Timnath
Barbara Kirkmeyer -Weld County
Kristie Melendez -Windsor
Kathy Gilliland -Transportation Commission

Voting Members Absent:

Gerry Horak -Fort Collins
Fil Archuleta -Garden City
Troy Mellon -Johnstown
Elizabeth Austin -Milliken
Rick Coffin -CDPHE

MPO Staff:

Suzette Mallette, Executive Director; Becky Karasko, Transportation Planning Director; Renae Steffen, Administrative Director; and Alex Gordon, Transportation Planner II/ Mobility Coordinator.

In Attendance:

Dawn Anderson, Everett Bacon, Jeff Bailey, Allison Baxter, Drew Brooks, Doug Decker, Chad Crager, Jim Eussen, Butch Hause, Joel Hemeseth, Myron Hora, Will Jones, Tip Kemp, Dave Kisker, Dave Klockeman, Glenn Ledall, Kelly Maiorana, Rusty McDaniel, Steve Moreno, Mitch Nelson, Johnny Olson, Randy Ready, Claudia Reich, Karen, Schneiders, Jeff Schreier, Corey Stewart, Elizabeth Stolfus, Dennis Wagner, Wade Willis and Kaley Zeisel.

Chair Melendez called the MPO Council meeting to order at 6:04 p.m.

Public Comment:

Ross announced Gary Carsten, Eaton Town Administrator, was retiring after 42 years and introduced Jeff Schreier who had been selected as the new Town Administrator. He also introduced Glenn Ledall, Town Trustee and NFRMPO Council Alternate.

Move to Approve Agenda:

D. Clark **moved** to approve the *February 7, 2019 Meeting Agenda*. The motion was **seconded** and **passed** unanimously.

Move to Approve Minutes:

Casseday **moved** to approve the *January 3, 2019 Council Meeting Minutes as submitted*. The motion was **seconded** and **passed** unanimously.

Lead Planning Agency for Air Quality Agenda

Chair Melendez opened the Air Quality portion of the meeting.

Air Pollution Control Division (APCD)

A written APCD report was provided. Doug Decker, Colorado Department of Public Health and Environment (CDPHE) Mobile Sources Program Manager for APCD, Decker then presented Zero Emissions Vehicle Rule for Colorado-Status Update. Highlights of the presentation were as follows:

- January 17th Governor Polis signed Executive Order, *B 2019 002, Supporting a Transition to Zero Emission Vehicles*, which builds on the Low Emission Vehicle (LEV) standards recently adopted by CDPHE.
- On January 29th it was announced the Colorado Automobile Dealers Association (CADA) filed a law suit with the state government over those LEV standards, alleging they will hurt working families by increasing automobile prices and questioning the authority of AQCC in the development of these rules.
- How the ZEV mandate would work
 - Customer retains their choice of vehicle
 - Vehicle manufacturers must meet sales 'quotas' for ZEV's sold
 - ZEV credits are in use and based on the battery range of ZEV's and Hybrids sold
 - Some vehicle manufacturers are buying credits because they do not currently manufacture ZEV's in Colorado. Credits will expire between three to five years, dependent on certain criteria.
 - Because registration data is unclear, it cannot be estimated how many credits Colorado would have today, based on current sales of electric vehicles (EV's) without the standard in place, but approximately 1.5% of vehicle sales in the state are EV's.
- The majority of agricultural vehicles are naturally excluded because the rule applies only to light duty vehicles up to 8500 pounds gross vehicle weight. Nothing in the Executive Order supporting a transition to ZEV will impact tractors or farming equipment.
- The majority of ZEV standards may be met in Colorado's larger metropolitan areas that will benefit the entire State. Many requirements for the standard will be phased in by area over the next four years, including the infrastructure, some of which is already being built.
- CDPHE will refine an economic impact analysis of the proposed mandate ahead of the hearing.
- Penalties will be put in place for automakers out of compliance based on Colorado law.

Some Council members noted their concerns with the lack of accurate data, and presented their arguments against the ZEV rule, saying it appeared unattainable, and in essence, was mandating the need for community infrastructure to include charging stations and where citizens could purchase new vehicles. There are many challenges based on the differences between the needs of California versus Colorado driving which were noted, including terrain, climate and lifestyle.

Decker stated they were in the early stages of development and expressed the importance of feedback, strongly encouraging Council members to complete the CDPHE online survey as they had for Party Status at the LEV Hearing.

Melendez noted the Council was in consensus to have Director Mallette obtain legal counsel to assist in obtaining Party Status for the ZEV hearing and represent the Council through the process. Items of concern were:

- ZEV's do not contribute monetarily to the maintenance of transportation infrastructure through the Highway User Trust Fund (HUTF)
- Cost of non-ZEVs will go up to support the purchase of the ZEVs
- Non-ZEVs will be used more frequently in rural areas where there is a lower household income
- Tax payers are currently and will continue to subsidize the purchase of ZEVs
- Charging stations are not adequate, especially in rural areas, to make use of ZEVs and may not be for a long time
- Impact on County Clerks has recognized, but not been assessed
- Short turnaround time to offer thoughtful input on economic analysis and other components that have not yet been developed by CDPHE

Additional direction was given to prepare a Resolution Template identifying the issues for each Councilmember to take to their respective Councils/Boards/Commissions for possible adoption.

Regional Air Quality Council (RAQC)

No report was provided.

Metropolitan Planning Organization (MPO) Agenda

Chair Melendez opened the MPO portion of the meeting.

Reports:

Report of the Chair:

Chair Melendez recognized Becky Karasko, Transportation Planning Director and Karen Schneiders, Local Agency Planning & Environmental Manager, CDOT Region 4, for their knowledge, professionalism, and the exceptional work they do for the NFRMPO.

Members were asked if they desired to show their support as a Council to extend the Alternative Fuels Tax Credit (AFTC), which would reinstate benefits to those purchasing CNG and other alternative fuel vehicles for 2018 and 2019. Because the AFTC incentive would not benefit the local governments and was not a mandate, the Council chose not to support it collectively, but members were encouraged to support it individually, if suitable for their communities.

On January 29th Melendez attended the annual Joint TPR Chair meeting for Region 4 Transportation Planning Regions, and MPO's (TPR's), North Front Range, Upper Front Range, Eastern, and Denver Regional Council of Governments. At the meeting they reviewed comments from each of their final 2018 meetings and discussed the distribution of RPP funds. Of the many projects chosen by the TPR's, the higher priority projects were I-25, I-76, I-70, US 34, SH119, and SH52. It was agreed \$9M of the \$11.6M of the Region 4 CDOT-administered funds would rotate to the TPR's every four years, allowing larger projects to get funded. CDOT staff will set the fund rotation schedule.

Executive Director Report:

Mallette provided information on the following:

- Members and alternates were asked to sign and return the 2019 Conflict of Interest form.
- The MPO office will be installing new phones to separate their service currently held with the City of Fort Collins. Although the VanGo™ Toll-free number will remain the same all other numbers in the office will change. Updated information will go out to Council and others in multiple ways. The transition to the new phone system will be complete in about 60 days.
- The March Planning Council meeting has been moved to Larimer County's Loveland Campus at 200 Peridot Avenue, (Denver and First Avenues).

- MPO staff has been working with local government staffs to confirm their Regionally Significant Corridors (RSC's) meet roadway requirements with the correct functional classification in order to be eligible for Federal funding including STP, CMAQ, and TA. Changes were submitted to CDOT the last week of January. A response is expected soon.

TAC:

A written report was provided.

Mobility:

A written report was provided.

Q4 TIP Modifications:

A written report was provided.

Presentation:

Windsor Area Network Study (WANS)

Johnny Olson, CDOT R4, reviewed the WANS area map showing the Council where a new route is being considered to replace the one-mile section where SH 392 and SH 257 currently overlap in the central business district of Windsor. He explained how CDOT planned to work with Windsor, Greeley, Loveland, Timnath, Severance, Larimer County and Weld County on potential options, while ensuring improved safety, enhanced access management and effective connectivity. The WANS is a precursor to what may be next for the 2045 Regional Transportation Plan and CDOT's Long Range Transportation Plan. CDOT plans to begin meeting with impacted communities the week of February 11th and interested members of TAC on February 20th. The first public meeting will be held in March.

Move to Approve Consent Agenda:

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

Items on the Consent Agenda included:

- *2015-2019 NFRMPO Targets for Safety Performance-Resolution 2019-02*
- *2045 Regional Transportation Plan Strategies*

Discussion Items:

FY2022-23 Call for Projects Recommendations

Becky Karasko, Transportation Planning Director, announced there were 18 project applications submitted for the three funding programs; 11- Congestion Mitigation and Air Quality Improvement Program (CMAQ), 6- Surface Transportation Block Grant Program (STBG), and 1-Transportation Alternative (TA). CMAQ and STBG applications were scored by the Scoring Committee which included voting representatives from the communities of Evans, Fort Collins, Greeley, Loveland, and Weld County, and non-voting representatives from CDOT, FHWA, NoCo Bike & Ped, RAQC, and NFRMPO staff. The TA application was reviewed by the NoCo Bike & Ped Collaborative (NoCo). Karasko reviewed information from FY2022-23 Scoring Committee Recommendations memo and presentation explaining projects were listed by their ranking. Presenters were introduced prior to a two-minute summary of their project recommendation as follows:

CMAQ Project Recommendations- CMAQ projects were ranked highest to lowest based on their emissions benefits and contribution to achievement of targets using the scoring criteria and point system identified in the 2018 Call for Project (CFP) Guidebook.

Citywide Signal Retiming-City of Greeley
Allison Baxter, Multimodal Transportation Planner

Transfort Electric Bus Purchase-City of Fort Collins
Drew Brooks, Transfort/Parking Services Director

Phase 3 Fiber-City of Greeley
Allison Baxter, Multimodal Transportation Planner

N. Taft Ave. & US 34 Intersection Widening/Improvements-City of Loveland
Dave Klockeman, Senior Civil Engineer, Loveland Public Works

College Ave. & Trilby Road Intersection Improvements-City of Fort Collins
Tim Kemp, Fort Collins Interim Capital Projects Program Manager

STBG Project Recommendations- STBG projects were ranked highest to lowest based on the scoring criteria and point system identified in the 2018 CFP Guidebook.

CR19 Improvements- Horsetooth Rd. to Harmony Rd.- Larimer County & City of Fort Collins
Tim Kemp, Fort Collins Interim Capital Projects Program Manager

Roundabout at WCR74 and WCR33-Weld County & Town of Eaton
Everett Bacon, Weld County Transportation Planner

37th Street Widening-City of Evans
Randy Ready, Evans Public Works and Community Development Director

US 34 Widening Boise to Rocky Mountain Avenue- City of Loveland
Dave Klockeman, Senior Civil Engineer, Loveland Public Works

WCR13 Alignment Improvements- Town of Windsor
Dennis Wagner, Director of Engineering

83rd Avenue Roadway Improvements-City of Greeley
Allison Baxter, Multimodal Transportation Planner

TA Project Recommendations-

Poudre River Trail Realignment- Town of Windsor
Wade Willis, Parks and Open Space Manager

Karasko noted the next steps for the 2022-2023 CFP Recommendations would be TAC action at their February 20th meeting to recommend Council's approval at their March 7th meeting. Once approved by Council the recommendations will be incorporated into the 2020-2023 TIP currently in development.

Kirkmeyer asked what the process was for generating the recommendation list, and the required percentage of match, noting the Greeley City -wide signal retiming had not been awarded the full amount requested. Karasko responded the list is new for every call and sponsor-projects may come from previous lists if they did not receive full funding. The Greeley signal project

included signals which were not federal aid-eligible, so approximately \$10k was deducted from the amount awarded. The percentage of match required for projects using any of the three funding sources is 17.21%, partnership projects require the partner provide at least 10% of that maximum, no additional match is allowed. Kirkmeyer requested Council members receive a tabulation of the total funds given to the communities over the past 3 CFP's or 6 years. Karasko agreed to provide information to the Council. Kirkmeyer questioned where the call's remaining funds go. Karasko explained the additional funds were allocated based on the ranking of the call's two waitlisted projects, because those funds were so small and essentially unusable, they are being held until additional funds come from reconciliations or project close-outs.

2019 Public Involvement Plan (PIP)

Alex Gordon, Mobility Coordinator/Transportation Planner II, said the PIP was federally-required every four years for all NFRMPO operations, including VanGo™, the TIP, the Long-Range Plan, etc., to ensure the goals, desired outcomes and strategies of these operations reflect the desires of the region's residents. The PIP must be approved prior the adoption of the 2045 Regional Transportation Plan (RTP). The Council will be asked to approve the PIP at the March 7th meeting.

Executive Policy Draft

Malette explained a policy of this type had been previously discussed with the Executive Committee and had been mentioned by the Federal Highway Administration and Federal Transit Administration in the most recent Certification Review as the organizations need for a succession plan or a delegation of authority. The intent of the policy is to give direction to anyone coming in to take on any, or all duties of the Executive Director duties. It outlines the Council's expectations of the Executive Director and their appropriate operating procedures.

Malette briefly reviewed the sections in the draft, highlighting sections 5 & 6, where specific documents are referenced and will need to be added to an appendix. Kirkmeyer suggested the policy was more similar to an Administrative Policy, which she would prefer and asked what other policies were in place. Malette responded the MPO had recently updated with Council approval, the MPO Personnel Policies and Articles of Association, the Executive Policy was drafted to lay a stronger foundation for the organization and address items not covered in the others. Kirkmeyer offered to review the document and send her suggestions and samples of similar policies.

Council Reports:

Transportation Commission Report /CDOT Region 4

A Project Status Update for February 4, 2019 was provided. Gilliland reported Shoshana Lew was the new Executive Director for CDOT who was expected to attend the March 7th meeting at Larimer County's Loveland Campus. The Commission is focused on watching the Legislature to see what changes there will be for transportation funding in the coming year. There is a possibility some revenue streams will no longer be an option, so the Commission is looking at ways to best use existing funds.

US 34 Coalition

Olson reported the US 34 Coalition met earlier that evening and clarified the desire to ratify resolutions of support from the local governments for the US 34 PEL rather than the Coalition support a resolution. The hope is Coalition members will ask for approval from their boards, councils, or commissions to accept the PEL, although it is not mandatory. He offered to provide a presentation to the communities or the MPO Council, prior to voting on any projects. The Coalition plans to meet quarterly with their next meeting on May 2nd in Evans.

Olson announced CDOT Director Lew was retaining all Regional Transportation Directors, including himself, however nine administration position openings were announced, and would

be open through February 8th. He credited Director Lew with recognizing regional importance, transit strategies and how to disseminate funding effectively. Olson said she likes and understands the importance of obtaining the \$250M needed for segments 7 & 8 on I-25.

North I-25 Updates

The meeting was cancelled- there was no report.

Host Council Member Report- Ross welcomed everyone to Eaton and reported CR 72 at the railroad crossing in Eaton would be open soon, although Union Pacific was holding up the installation of a traffic light and crossing arms.

Meeting Wrap-Up:

Next Month's Agenda Topic Suggestions:

No suggestions were made.

The meeting was adjourned at 8:43 p.m.

Meeting minutes submitted by: Renae Steffen, MPO Staff