

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

**December 1, 2016
Fort Collins Community Center
215 N. Mason Street
Fort Collins, CO**

Voting Members

Present

Gerry Horak- Chair -Fort Collins
Jennifer Baker -Berthoud
Brad Moos -Eaton
John Morris -Evans
Tom Norton -Greeley
Troy Mellon -Johnstown
Tom Donnelly -Larimer County
Paula Cochran -LaSalle
Dave Clark -Loveland
Linda Meisner -Milliken
Don Brookshire -Severance
Paul Steinway -Timnath
Sean Conway -Weld County
Myles Baker -Windsor
Kathy Gilliland -Transportation
Commission
Chris Colclasure -CDPHE

Absent

*No member -Garden City

MPO Staff:

Terri Blackmore, Executive Director; Renae Steffen, Administrative Director; Becky Karasko, Regional Transportation Planning Director; Aaron Buckley, Transportation Planner; Alex Gordon, Transportation Planner II/Mobility Coordinator.

In Attendance:

Steve Adams, Dawn Anderson, Jeff Bailey, Darin Barrett, Leah Browder, Julie Cozad, Bruce Croissant, Jim Eussen, Matthew T. Gould, Aaron Greco, Jamie Grim, Joel Hemesath, Mark Jackson, Will Jones, Janet Lundquist, Suzette Mallette, Johnny Olson, Karen Schneiders, Gary Thomas.

Chair Horak called the MPO Council meeting to order at 6 p.m.

PUBLIC COMMENT:

Gary Thomas, SAINT and Larimer County Mobility Committee, called attention to two reports from the Colorado Strategic Action Planning Group on Aging (SAPGA) produced with data from the Colorado State Demography Office; *Improving Senior Mobility in Colorado* and *Initial Strategic Action Plan on Aging for Colorado* (November 29, 2016), citing that although they are quite comprehensive reports and they include good insight into transportation issues facing Colorado seniors. The reports were created for submission to

the Legislature and he believes they will guide the approach to both urban and rural senior transportation issues over the next several decades. He encouraged the Council members to take the opportunity to find out what is in the reports because some of those issues may come before them in the future. He noted the two most important topics were transportation services not being used and some others that were duplicated. He believes that everyone involved needs to do a better job informing the public of the services that are available and form an office to eliminate duplicated State services, and find a better way to focus the efforts. He requested that MPO staff provide the relevant portions of the report to the Council.

APPROVAL OF THE MEETING AGENDA:

*Conway **moved** to approve the meeting agenda. The motion was **seconded** and **passed** unanimously.*

APPROVAL OF THE MINUTES:

*Clark **moved** to approve the November 3, 2016 meeting minutes. The motion was **seconded** and **passed** unanimously.*

Lead Planning Agency for Air Quality Agenda

Chair Horak opened the Air Quality portion of the meeting.

Air Pollution Control Division Report /VW Settlement Presentation

Chris Colclasure, Planning and Policy Program Manager of the Air Pollution Control Division (APCD), gave the Volkswagen and Audi Settlement NFRMPO Presentation to the Council. He described how Colorado may use the \$61 million it expects to receive from the Environmental Mitigation Trust. He noted that as required, Volkswagen (VW) will be seeking comments from the states on how it should spend the \$2 billion National Zero Emission Vehicle (ZEV) Investment beginning December 9th, although they are not obligated to adopt any suggestions that are made or respond to them. The National ZEV Investment is separate from the Environmental Mitigation Trust. The Colorado Department of Health and Environment (CDPHE) is engaging with CDOT, the Colorado Energy Office, the City of Denver and others to assemble an effective package that shows why Colorado is a good market for the National ZEC investment. Norton questioned why projects like railroad freight switchers, which were not affected by VW and Audi emissions, were considered eligible mitigation projects for the trust funding. Colclasure replied that the intention is to improve air quality and freight engines emit the same as vehicles and were often near protected populations. He went on to state that the Environmental Protection Agency (EPA), VW, and the State of California had negotiated projects that were in the transportation sector with diesel engines. He added that these projects were relatively connected. Norton said he did not agree and he felt that California had different issues than Colorado so their focus was not in alignment with Colorado. Colclasure reminded the Council that VW was getting the defective vehicles off the road and these were projects that would further improve air quality in the areas the VW vehicles had been driven, adding he did respect the Council's opinions. Steinway asked if it had been determined whether the available funds, if properly deployed in the State of Colorado, would in fact mitigate as much or more pollution than what was created by the affected vehicles being on the road. Colclasure stated that although they were looking at different types of projects and fuels that would be the most beneficial, that specific calculation had not been done and he thought they should continue looking into their options and run additional calculations. He also commented that the projects on the list allowed for flexibility and additional pollutant reductions beyond reducing NOx emissions.

Gilliland asked how the NFRMPO and other organizations could provide input on the funding options. Colclasure replied that although the public process had already begun, they would continue to engage on how the process should continue and will be meeting with the stakeholders to comprise a plan. He noted that they may choose to work with the Regional Air Quality Council (RAQC) to use their Charge Ahead Colorado and Alt Fuels Colorado programs as an example for a statewide VW trust program

and cited some of many options they could consider. Conway commented that the Statewide Transportation Advisory Committee (STAC) had discussed money going to the area most impacted, which were the nine counties of non-attainment, including the Denver-metro/North Front Range region and El Paso County. Colclasure agreed that aligned well with the purpose of the trust since those are the areas with the most severe air quality issues and where the majority of the VW vehicles were. Norton remarked that it should be called a non-attainment program instead of a statewide program. Colclasure stated that the trust was written as a statewide program intended to reduce emissions where the vehicles were, are, and will be driven and get the most air quality benefits possible, citing that some smaller counties also want some of the funding and CDPHE must honor the language of the trust. Norton stated he did not agree that the smaller communities should get a percentage. Conway agreed and suggested that CDPHE work with the MPO's in the affected areas to distribute approximately 80% of the funds and work with RAQC to distribute the remaining 20%. Colclasure indicated that was an option being considered.

Morris enquired what the administrative costs would be. Colclasure replied that the trust allows reimbursement of administrative costs up to 15%, and CDPHE would work with partner agencies to implement the trust settlement as it would be much more efficient than trying to do the work in-house. Colclasure completed his presentation by informing the Council that this was going to be a very long process and it may be 2018 before Colorado receives any funding. Horak thanked Colclasure for his presentation.

Regional Air Quality Council

A written report was provided.

Metropolitan Planning Organization (MPO) Agenda

Chair Horak opened the MPO portion of the meeting.

REPORTS:

Executive Director Report:

Terri Blackmore, Executive Director, indicated that there was a written report in the packet and mentioned that the MPO shared marketing concepts developed for Air Quality and VanGo™ that they are considering using. She also mentioned the letter to the CDPHE regarding the VW and Audi Settlement she included with her report citing the importance of ensuring these vehicles remain in Colorado after they are purchased or there is a prorated payback offered that allows the state to continue to receive the benefit. She indicated that she did not have an addendum for the meeting and would discuss that in the Executive Session.

Report of the Chair:

Blackmore announced that this would be Horak's last meeting as Chair and presented him with a plaque and cake. Horak said it was a pleasure to serve as the Chair and expressed his appreciation for the support he received from the Council. Conway commended Horak for his outstanding efforts used to obtain the TIGER Grant. Donnelly said it had been a privilege to serve under his tremendous leadership and credited Horak with bringing a somewhat divided Council together and demonstrating such a regional perspective. Several Council members praised Horak for his leadership and accomplishments as the 2016 Council Chair. Horak thanked the Council and credited much of his success to the fact that Northern Colorado had evolved into a "coalition of the willing" and thanked the Council members for their collaborative efforts.

TAC:

A written report was provided.

Finance:

Donnelly briefly reviewed the November 17, 2016 Finance Committee Report bullet points and minutes with the Council and updated the information regarding the audit firm fees, complimenting Blackmore and Hedberg for getting them reduced significantly. He also noted that in spite of an additional expense of \$6,000 for carpet, Blackmore was able come in approximately \$8,000 under budget and the project was completed slightly ahead of schedule. Horak commended Blackmore and MPO staff for managing the project and keeping the expense from being added to the rent. Donnelly complimented Horak and Blackmore for negotiating the lease with Blue Ocean.

Norton questioned why there was \$229,013 more in Expenditures than Revenues on the Statement of Net Assets (page 45 of the packet) citing it appears that money was spent that the MPO did not have. Hedberg explained that was partially because the MPO had not received any Fort Collins sales tax funds in exchange for 5307 money and indirect costs were low because many had not been covered, and mentioned that cost would be recovered next year. She added that the indirect costs are calculated by CDOT who uses the latest audit, which is generally from two years prior. Blackmore clarified that typically an organization calculates the indirect rate based on the budget they have and then true it up at the end of the year, making it a true indirect rate. She added that CDOT uses the two years previous audit to calculate the indirect rate for the current year's budget and that the MPO has attempted to get the costs as close as possible. Norton said that he understood how it was calculated but he did not understand why it was varying. Hedberg responded that it is getting closer each year and there should be much less of a variance in coming years. Blackmore stated that when she came to the MPO there were many expenses that could have been attributed to a specific grant but were billed to administration. Now those expenses are allocated as a direct expense to their appropriate grants and cited this was one of several changes made that have improved the overall process. Norton questioned the remainder of the amount in question. Hedberg responded that some was from money lost through the VanGo™ program, citing that the program has been losing money and the Finance Committee would need to meet and discuss how to address the issues the program is having.

Norton expressed his concern regarding the how fluctuations in revenue are shown in the quarterly reports. Steinway indicated he has felt there were unusual timing issues included in those reports and he found the information difficult to decipher. He said he was told by staff they were aware of the difficulties but they were due to certain software restrictions. He added that although he had been assured that there was not more money being spent than there should be, he thought resolving the reporting issues should be a priority. The Council engaged in a comprehensive discussion regarding how direct costs are handled, how and why financials are presented the way they are, and what changes should be made. Hedberg confirmed that all direct costs are billed 100% every month and that she and Merideth Kimsey, Accounting Clerk II, verify that all of the expenses are billed, indicating that there are no expenses related to grants in which they have not received money. Norton cited that although he did not question the handling of the finances, he wanted the Council to receive a report that simply, clearly identified the current status of the financial records. Horak requested that Hedberg and the Finance Committee work together on a quarterly financial reporting process and format that is easier to comprehend, identifying that may require the purchase of new software.

CONSENT ITEMS:

2016 Q4 TIP Amendments

Open 2018-2021 TIP Public Comment

Horak asked if there were any public comments on the Consent Agenda items. There were no comments.

*Conway **moved** to Approve the Consent Agenda. The motion was **seconded** and it **passed** unanimously.*

ACTION ITEMS:

3rd Quarter Unaudited Financials

Crystal Hedberg, Operations and Finance Manager, indicated that the CY 2016 3rd Quarter Unaudited Financials had been reviewed with the Council during the Finance Report and offered to answer any additional questions.

*Conway **moved** to accept the CY 2016 3rd Quarter Unaudited Financials. The motion was **seconded** and it **passed** unanimously.*

Horak noted that he recognized that although the money always appears to come out correctly, as discussed earlier during the Finance Committee report, he felt that making improvements to how the quarterly reports were presented would be beneficial to the Council as a whole.

Election of 2017 MPO Officers

Horak opened nominations for 2017 MPO Chair.

Conway announced that Ross was very apologetic for his absence during the Officer Elections and noted that he had sent a very heartfelt letter to the Council requesting their support for him as MPO Council Chair for 2017.

*Conway **nominated** Kevin Ross and Gilliland **seconded** the nomination.*

*Conway **moved** to close the nominations for the 2017 MPO Chair. The motion was **seconded** and it **passed** unanimously.*

Horak called for a vote to elect Kevin Ross as MPO chair for 2017.

*The Council **voted unanimously** for Ross **as MPO Chair** for 2017.*

Horak opened nominations for 2017 MPO Vice-Chair.

*Conway **nominated** Tom Donnelly and Brookshire **seconded** the nomination.*

*Conway **moved** to close the nominations for the 2017 MPO Vice-Chair. The motion was **seconded** and it **passed** unanimously.*

Horak called for a vote to elect Tom Donnelly as MPO Vice-Chair.

*The Council **voted unanimously** for Donnelly **as MPO Vice-Chair** for 2017*

Horak congratulated Ross and Donnelly and informed the Council that the assignment of STAC Representative would be done at the January meeting by Chair Ross.

Open 2016 Non-Motorized Plan Public Comment Period

Horak requested that Buckley discuss the 2016 Non-Motorized Plan prior to opening the 30-day public comment period. Buckley reviewed information from the 2016 Non-Motorized Plan 30-day Public Comment Period memo and the 2016 Non-Motorized Plan AIS with the Council.

*Conway **moved** to Release the 2016 Non-Motorized Plan for 30-day Public Comment period. The motion was **seconded** and it **passed** unanimously.*

Conway complimented Buckley for his presentation and the Council applauded his efforts.

DISCUSSION ITEM

2016 Non-Motorized Plan

The item was discussed during the opening of the 30-day public comment period.

COUNCIL REPORTS:

Transportation Commission Report

Gilliland reported on the following:

- HOV 2+ lanes will advance to HOV 3+ lanes on January 1, 2017.
- The Commission had seen many transportation projects in production when they went on a recent field trip through Colorado Springs, Pueblo and Limon. She said it was beneficial to them to realize some of the transportation challenges other districts experience.

CDOT Region 4

Johnny Olson, CDOT R4 reported on the following:

- I-25 climbing lanes project on schedule and should have three lanes open in early December but they will need final pavement and restriped in the spring.
- Crossroads project is on schedule for 2018 and they have had very few complaints so far.
- There is a good chance that an Omnibus bill will be signed for the flood program US 34. CDOT can request up to \$229M and will move forward as if they are receiving the full amount. More information will be available in February or March.
- CDOT is working on the \$237M base package for the North I-25 project. CDOT is open to bringing their team in to give an update and provide more details on the criteria at the North I-25 Coalition meeting in January. More information will be available once it is more clear what President Elect Trump's infrastructure bill will put into place and what option they choose for going all the way to SH 66.
- The \$3.7M 1,000 foot gap on US 287 from SH 1 to the Larimer Weld Canal has been partially financed through TAP funds. CDOT has committed to complete the project over the next 18-24 months but are still hoping to get the cost down.

Council Member Reports-

Evans- Morris reported US 85 Access Control Plan identified improvement on 37th Street and Highway 85 is in process and scheduled to be completed by June 2017.

Permanent flood repairs are complete on Brantner Road and Industrial Road.

Severance- Brookshire announced the Town of Severance Christmas Open House was Saturday, December 3rd.

Weld County- Conway reported the WCR 49 project is on schedule for December 2017 and time-lapse video updates are available on the Weld County website.

Loveland- Clark announced new signals will be going in at the US 34 and Boyd Lake Avenue intersection.

Timnath- Steinway reported that the Town of Timnath's Holiday Lighting Festival would be at 5:30 on Friday, December 2nd on Main Street.

LaSalle- Cochran announced the LaSalle Christmas Celebration would be on December 9th.

Greeley- Norton reported the City of Greeley's \$12M Capital Improvement Plan was going well but they are still negotiating on the lights for 83rd Avenue.

Eaton- Moos announced the Town of Eaton was expected to pass the preliminary budget for their stoplight at 10th Street (Weld County Rd. 76) and Highway 85.

Johnstown- Mellon reported that Santa would be in Johnstown on Saturday, December 3rd.

Larimer County- Donnelly announced that recognizing it's importance, Larimer County had received funding for sidewalks on the US 287 Gap Project.

Berthoud- Baker reported that the Berthoud SNOWFEST, a winter festival as well as the sanctioned Colorado Snow Sculpting Competition, would be held at Fickel Park on December 13 - 16, 2017.

MEETING WRAP-UP:

Final Public Comment:

Bruce Croissant, Loveland resident, informed the Council that he has a hard time leaving his residence because the light at US 34 takes too long and gets traffic backed up. He said this is a crucial intersection and he wants CDOT, the City of Loveland and the NFRMPO to work on it and he has a plan he will share with them. Clark responded that the intersection is being studied but there was nothing planned for the short-term. Conway said he would get an invitation to Croissant for the US 34 meeting. Donnelly invited Croissant to the US Highway 287 Coalition meeting December 8th at 2:30 in the Loveland Library.

Next Month's Agenda Topic and Suggestions:

- 1) Assignment of STAC and Committee Members and Officers

EXECUTIVE SESSION:

*Mellon **moved** that the Council go into an Executive Session pursuant to section 24-6-402(4)(f) of the Colorado Revised Statutes for discussion of a personnel matter involving the MPO's Executive Director Performance Evaluation Process for the current year and her potential salary and benefits. The motion was **seconded** and it **passed** unanimously.*

The Council entered into an Executive Session at 8:09 p.m. The session lasted approximately 53 minutes.

Chair Horak reopened the regular MPO Council meeting and announced that Executive Session Action would be taken at the January 5, 2017 meeting.

The meeting was adjourned at 9:04 p.m.

Meeting minutes submitted by: Renae Steffen, MPO Staff