

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

**September 6, 2018
LaSalle Town Hall
128 N. 2nd Street
LaSalle, CO**

Voting Members Present:

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

Voting Members Absent:

Troy Mellon -Johnstown
Elizabeth Austin -Milliken
*No Member -Garden City

MPO Staff:

Suzette Mallette, Executive Director; Becky Karasko, Regional Transportation Planning Director; Renae Steffen, Administrative Director; Crystal Hedberg, Finance Director; Alex Gordon, Transportation Planner II/Mobility Coordinator; Medora Kealy, Transportation Planner II; and Sarah Martin, Transportation Planner.

In Attendance:

Dawn Anderson, Jeff Bailey, Bill Becker, Ken Bennett, Chad Crager, Jim Eussen, Randy Grauberger, Butch Hause, Joel Hemeseth, Wayne Howard, Will Jones, Will Karspeck, Alana Koenig, David May, Ken Martin, Johnny Olson, Mark Peterson, Claudia Reich, Paul Rennemeyer, Eric Richardson, Ginger Robitaille, Sandra Solin, Fred Starr, Herman Stockinger, and Robin Stoneman.

Chair Donnelly called the MPO Council meeting to order at 6:01 p.m.

Public Comment:

There was no public comment.

Move to Approve Agenda:

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

Move to Approve Minutes:

Casseday **moved** to approve the *August 2, 2018 Council 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.

Air Pollution Control Division

Chris Colclasure, APCD Deputy Director, announced it was his final MPO Council meeting as a member as he had accepted a position outside CDPHE. He presented the Summer 2018 Ozone Readings for the 4th Maximum Daily Value, citing the numbers exceeded both the 75 parts per billion (ppb) as well as the newer threshold of 70ppb, which suggests it was highly unlikely the North Front Range would be eligible for another extension in which to reach attainment, and, therefore, the region may be reclassified as "Serious" in January 2020. Gilliland asked if the above-average heat was a major contributor to the higher ozone numbers. Colclasure confirmed both heat and wind are contributors, as well as smoke from wild fires around the country, such as those currently burning in California, which also emit harmful particulates and are a health hazard.

Proposed Regulation 20, Colorado Low Emission Automobile Regulation (CLEAR), developed under Executive Order by Governor Hickenlooper in June 2018, preserves the GHG limits established in the current federal vehicle standards by adopting the California vehicle standards. Colclasure reviewed information on Colorado and Environmental Protection Agency's (EPA) Actions on Vehicle Greenhouse Gas (GHG) Standards, indicating twelve states, representing approximately 40% of US automobile market, follow California's low emission vehicle (LEV) program instead of the National Highway Traffic Safety Administration (NHTSA)/ EPA federal standards. The current federal and California LEV standards are essentially the same for GHG and criteria pollutant (non-methane organic gas plus oxides of nitrogen, i.e. NO_x and VOC's) that contribute to ozone as well as particulate matter, emission limits for model years 2017-2025. However, the EPA has signaled its intent to relax the federal GHG standards for model years 2021-2025. States have an option to follow EPA standards or California standards with Colorado currently following federal standards. Under the California standards, and current federal standards, the GHG emission limits decline through 2025. States wanting to retain the emission reductions are adopting the California standard.

There has been interest in zero emissions vehicles (ZEV) as part of the Proposed Regulation 20. The Air Quality Control Commission (AQCC) asked APCD staff to give a separate proposal in December on the ZEVs which may require some percentage of the vehicle fleet to be zero emissions.

Donnelly asked about the timeline of Commission membership. Colclasure replied appointments are for three-year term, adding Jana Milford, Ph.D., J.D. and William Toor, Ph.D. will be going off in January. Ross enquired whether the Proposed Regulation has to be voted on by the Colorado State Legislature in order to be adopted. Colclasure responded as a Colorado State Agency, the rule is adopted and expires after one year unless it is extended by the Legislature following review, but they are not involved in the writing or passing of the rule because it is not part of the State Implementation Plan (SIP). The exception would be if a legislator wanted to write a single bill for a regulation.

In conclusion, Colclasure noted with the proposed rule auto manufacturers may need to offset the higher emission vehicles with that of lower emission vehicles. This Regulation only applies to new vehicles model year 2022 and beyond. Used vehicles with over 7,500 miles are not part of this rulemaking.

Cozad asked why the rule is being considered if it does not have an air quality benefit. Colclasure replied it had GHG impact. Cozad asked for confirmation the MPO Council would need to petition for party status to have a collective voice. Colclasure confirmed that was correct, but they could comment individually by going to the State Legislature or submitting written comments. Mallette stated written comments were due by October 30th, prior to the Commission hearing November 14-

16 and party status petitions were due September 17th. Donnelly commented it may be appropriate for the MPO to apply considering the ramifications of Regulation 20.

Colclasure was recognized for his years of service and provided with a plaque and card from the Council. He thanked the Council stating he had greatly appreciated his time on the Council.

Chair Donnelly called a five-minute recess. Council reconvened at 6:26.

Regional Air Quality Council (RAQC)

A written report was provided.

Metropolitan Planning Organization (MPO) Agenda

Chair Donnelly opened the MPO portion of the meeting.

Reports:

Report of the Chair:

Chair Donnelly did not have a report.

Executive Director Report:

Mallette provided information on the following:

- Three NFRMPO seats remain available for CDOT's Transportation Matters Summit 2018. The event is Friday, September 28th at Hyatt Regency-Denver Convention Center.
- *Southwest Chief & Front Range Passenger Rail Commission Update*
- Invitation to the I-25 North Express Lanes: Johnstown to Fort Collins Groundbreaking south of the 402 Park-n-Ride in Johnstown at 9 a.m. on September 10th.
- Invitation to October 12th, 2018 NoCo Leaders' Ride. RSVP by September 10th.
- Location of the September 7th I-25 Coalition meeting was changed to the Candlelight Theater Playhouse, 4747 Marketplace Drive in Johnstown.

Finance:

A written report was provided. Melendez commented the Finance Committee recommended approval of the *2nd Quarter Unaudited Financial Statements*. She also mentioned Crystal Hedberg, Finance Director, had added explanations to the variances under the budgets.

TAC:

A written report was provided.

Mobility:

A written report was provided.

Move to Approve Consent Agenda:

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

Items on the consent agenda included:

- *2nd Quarter Unaudited Financials*
- *Approve Resolution No. 2018-15 to Set Targets by Supporting the Targets Established by CDOT for the Pavement and Bridge Condition Measures (PM2) and Performance of NHS, Freight, and CMAQ Measures (PM3) Targets.*

Action Items:

Revised NFRMPO Articles of Association

Mallette reviewed information from the Revised NFRMPO Articles of Association AIS noting the HR Committee would become a standing committee with the approval of the revised articles and the current committee would remain in place until January.

Ross **moved** to approve *Resolution No. 2018-16 to Amend the Articles of Association*. The motion was **seconded** and **passed** unanimously.

Revised NFRMPO Personnel Policies

Ginger Robitaille, HR Consultant, reviewed information from the Revised NFRMPO Personnel Policies AIS and responded to concerns expressed at the August 2 meeting. Horak asked what was meant by "should avoid" in the Distracted Driving Policy. Robitaille explained although certain distractions were not considered illegal, the message to staff was they were to drive without distractions when on MPO business to protect themselves as well as the organization. She identified this was the language suggested by the Colorado Intergovernmental Risk Sharing Agency (CIRSA) Attorney. D Clark, HR Committee Chair, noted the HR Committee had consensus that the Personnel Policies were ready to finalize. He also recognized the time commitment and efforts of Robitaille, Mallette and Steffen and thanked Committee members for their contributions.

Ross **moved** to approve *Resolution No. 2018-17 Approving Amendments to the NFRMPO Personnel Policies*. The motion was **seconded** and **passed** unanimously.

Presentations:

Ballot Initiatives 153 & 167 Analysis

Sandra Solin, Northern Colorado Legislative Alliance (NCLA) and the FIX North I-25 Business Alliance, introduced herself to the Council noting her presentation focused on North I-25 and Herman Stockinger, CDOT Director of Office Policy and Government Relations, would be presenting more of a statewide overview of the two initiatives. Solin then presented Ballot Questions: Transportation Funding & Finance-September 2018 to the Council that discussed the differences between the two initiatives.

Based on Council questions about the sales tax initiative, Stockinger said the difference between the revenue received in a local community with the statewide sales tax of .62 vs if a local community passed the same tax was a ratio of 4 to 1. However, a local sales tax would not include several hundred million dollars for North I-25 or transit dollars. In order to do a true comparison it would be necessary to compare specific transportation dollars that would come from both scenarios, citing many areas of the State would see a net gain for money contributed versus what they receive back. He then provided information from Propositions #109 & #110: CDOT Analysis, citing CDOT does not take a position on ballot questions, but they can create a factual summary that includes pros and cons. He also noted the sales tax of 20% for "City Streets" and "County Roads" had been corrected to read "Transportation Needs" since the funding is flexible.

When Stockinger completed his presentation Donnelly asked if segments 5 and 6 will be constructed to the full EIS alignment, regardless of which proposition passes. Stockinger responded he expected that to be true. Donnelly asked if the same was true for segments 7 and 8, Johnstown to Fort Collins. Stockinger replied the Transportation Commission still had to vote on it but he did not believe the CDOT staff would recommend those segments be added to the Proposition #109 list because there would not be enough revenue for those and the full builds of segments 5 and 6. Mallette stated the distinction between the two was that Initiative 167 would not build Segments 7 and 8 to the full EIS. Donnelly asked Solin which proposition NCLA was supporting. Solin replied that there was not consensus among the member organizations; therefore, members will support their initiatives independently. Donnelly asked if the Chambers had announced their positions. Solin indicated the

Fort Collins and Loveland Chambers' position is to support both; the others have not formally taken a position.

Gilliland stated one of the bigger distinctions between the two propositions is the ongoing revenue stream provided by Proposition #109 would build the continuity of a system between rural areas and allow the State to accomplish the massive projects on I-25 that have been a billion dollars short, and increasing every year, adding this was the first time she had seen an opportunity to get some real transportation system funding for Colorado. Melendez noted she was now on the Colorado Municipal League (CML) Board and their formal position was to support #110 and to oppose #109. Gilliland remarked Pro 15 and Club 20 made the same commitment. Donnelly thanked Solin and Stockinger for their presentations.

Larimer County Project Priorities

Donnelly introduced Todd Blomstrom, Larimer County Public Works Director and Community Planning and Infrastructure Director, noting Larimer County has been working on regional project priorities for some time and now with the potential of Propositions #109 or #110 passing the list may prove to be very beneficial in providing the public, especially those in smaller communities, with new transportation solutions. Blomstrom gave the Larimer County Transportation Infrastructure Funding Strategies presentation to the Council, noting one of the biggest challenges for Larimer County while creating their Master Plan was deciding which communities' projects to prioritize. They determined combining the eight municipalities' projects in order to define the region's top transportation priorities was the best approach.

Cozad praised Blomstrom and Larimer County for developing a Regional Task Force to gain perspective, citing Weld County works with multiple municipalities but this more formal approach could be very beneficial for the County as a whole. She asked if there may be opportunities to partner on their regional projects that expand into Weld County. Blomstrom said he thought regional collaboration was a great idea, but they would need to work within a local county level first. She relayed she would like to discuss potential collaboration within her district before her term ends in December. Cozad asked if Blomstrom had spoken to the communities about joint funding, which could include money from the communities, the county, developers, some grant opportunities, etc., on prioritized projects to leverage funds. Blomstrom stated they are looking at pooling funds that may come from the ballot initiatives, to invest in the prioritized projects but are still determining how to balance those funds and choose projects regardless of where the money is generated. It may be the most challenging piece of the entire effort. Their concept is to acquire a funding source that is captured not sourced out for a regional list of projects. Gilliland was impressed with their prioritization, noting how challenging it can be working with opposing opinions. Donnelly recognized elected officials and TAC members from the audience for their participation in the process with Larimer County.

Action Items:

Initiative 167 Projects

Mallette reviewed information from the Initiative 167 Projects memo with the Council. Stating that there are two projects on the list in the NFRMPO, Segment 6 on I-25 and US 34/US 85 Junction. Mallette suggested prioritizing I-25 over US 34/US 85 Junction due to the constraints identified by CDOT. Donnelly asked if the MPO had the same prioritization as CDOT. Johnny Olson, CDOT Region 4, said they were the same and reviewed the difference in total funding between the two propositions and explained the strategies which had been set up with TRP chairs in prioritizing the project development list and any other list that may go before the Transportation Commission. One of his major goals is to get a project completely finished. He noted the top CDOT commitments in order were I-25, I-70, I-76, US 85, US 34 and SH 119. Mallette informed the Council there were no amounts identified for each project in the resolution. The resolution is to approve the recommended projects and provide direction to Region 4 and the NFRMPO STAC representative. Olson proudly

stated that in 2012 there did not appear to be a way to get a budget to complete I-25 but now, only six years later there was a budget and a plan.

Ross **moved** to approve *Resolution NO. 2018-18 Approving the Draft Initiative 167 Ballot List*. The motion was **seconded** and **passed** unanimously.

RPP Formula Distributions

Karasko provided information to the Council from the RPP Formula Distributions memo. Following a brief discussion confirming which option would be most beneficial to the MPO and Region 4 as a whole, the Council came to a consensus to support Option B providing \$11,678,077 to Region 4 and \$2,518,378 to the NFRMPO, as shown on the chart in the Council packet.

Melendez **moved** to approve giving direction to the NFRMPO STAC Representative to support RPP Formula Distribution Option B. The motion was **seconded** and **passed** unanimously.

Discussion Items:

Initiative 153 -Local Funds

Mallette reviewed information from the Initiative 153 -Local Funds Let's Go Colorado and Forecast Revenue to Larimer & Weld Counties/Communities documents to the Council. She explained that because there was a significant amount of money for many of the communities it was suggested the Council discuss how these funds may be used if they become available. Horak indicated it was important as communities to state what will be done with the potential funding, noting Fort Collins planned to use some of their \$10M for an overpass that could not previously be easily financed at \$700K a year for 10-15 years. They also plan to look at their transit plan, specifically expanding Transfort routes within the base system on holidays and Sundays. They also are discussing using some on I-25 as well as other projects they are prepared to amend their budget for if the funding becomes available. M Clark said the City of Evans was not supporting the state sales tax as they need transportation funding for local projects and are asking for a 1% local sales tax increase. He also mentioned even if they received the additional funds noted on the chart, the City of Evans is \$1.3M short of what they need annually to fix local roads, therefore it is not feasible for their infrastructure needs.

Donnelly asked if communities would be willing to collaboratively fund regional projects. Horak agreed that it was important for a substantial portion of the potential funding to go to regional projects including I-25. He added Fort Collins would be willing to work collaboratively and he appreciated the opportunity to have a say in what is done and how the communities can connect, which in turn would be strong argument for the funding's continuance. Clark responded Evans is working on catching up on transportation funding they have needed for several years and will probably need to ask voters for more money; however he could see the possibility of collaborating on something for the region. Melendez said the Town of Windsor would receive almost twice what they generally do and would be very interested in partnering on projects; although she could not say how much money they could be contributed. Olson reminded Council that it is expected the funding will grow approximately 2% every year for twenty years. Melendez cited the success the MPO had with contributing funds collaboratively to I-25 and suggested that effort helped propel the corridor project to where it was currently. She added the communities working together helped optimize what could be accomplished. Cozad commented Weld County was not in support of the sales tax increase, but believed they would work regionally if the tax passes. Casseday stated the City of Greeley had two continuing tax initiatives on their 2018 ballot and had opted out of adding an additional sales tax as they supposed a state sales tax increase was likely. He believed Greeley would be open to project partnerships.

FY2018-2019 Unified Planning Work Program (UPWP) Amendment #3

Karasko reviewed information from the FY2018-2019 Unified Planning Work Program (UPWP) Amendment #3 memo with the Council noting the amendment would be an action item at the October 4 Council meeting. The items are Local Transportation Plan in the Severance area and grant funds for the Larimer County Senior Transportation Implementation Plan.

2018 Call for Projects Process

Medora Kealy, Transportation Planner II, reviewed information from the 2018 Call for Projects Process AIS and presentation with the Council. Donnelly noted his frustration with the Buy America program as it made it impossible to meet their requirements for purchasing vehicles, which in the past had been done quite regularly by Larimer County and others. He suggested that CMAQ money may be better spent elsewhere. Kealy stated the process was under review by FHWA and they were not currently accepting applications. She also called their attention to the list of project types eligible for CMAQ funds noting there was a wide variety of projects they could choose from.

Mallette noted all the modeling done for the State Implementation Plan (SIP) is done through the RAQC. The MPO has in the past contributed some funding for the benefit they receive from these models. Donnelly asked where the CMAQ funding from areas which were no longer receiving CMAQ funds due to their status improvement from non-attainment was going. Karasko replied once those areas cycle out of maintenance the funds were going into a pool and being redistributed to the NFRMPO, Upper Front Range and DRCOG, all within the ozone non-attainment area. Olson added there was a proposal for that funding to go into a statewide pool and distribution would be based on the Smart Mobility Plan (SMP). Karasko clarified \$2.5M would go to the "backbone and brain" of that system along I-25 and will not impact MPO funding for ozone non-attainment. Melendez asked if under Eligible Projects, Transit Service and Improvements was different from expansion or construction for transit stops. Kealy indicated she believed transit stops would be part of expansion. Donnelly asked if DRCOG received credit for the VanGo™ vanpooling program. Karasko said they did not. Kealy stated the Council will take action on the process at the October meeting.

2045 Goals, Objectives, Performance Measures, and Targets (GOPMT)

Sarah Martin, Transportation Planner, reviewed information from the 2045 Goals, Objectives, Performance Measures, and Targets (GOPMT) AIS and presentation with the Council, noting the GOPMT was the first portion of the 2045 RTP the MPO was updating as it serves as a framework for that plan and influences the policies and recommendations that come from the RTP, as well as influencing the scoring criteria and the programming process.

Council Reports:

Transportation Commission Report /CDOT Region 4

Gilliland reminded the Council the I 25 North Express Lanes groundbreaking was Monday, September 10th at 9 a.m. south of the 402 Park-n-Ride in Johnstown.

I-25 Update

A written Project Status Update for August 22, 2018 was provided.

STAC Report

A written report was provided.

Host Council Member Report- Cochran welcomed everyone to LaSalle and thanked them for coming. She recognized Don Juan's Mexican Restaurant for catering the food and thanked Council Alternate, Mayor Pro Tem, Claudia Reich, for her assistance in setting up. She then reported on the following transportation related projects in LaSalle:

- LaSalle's Comprehensive Plan has been finalized. The Public Works Department has been busy line-locating as the town prepares to redo all of its utility mapping.
- The town continues its collaboration with Weld County and the UPRR for a new county road they hope to complete in the next couple years.

Meeting Wrap-Up:

Mayor Don McCleod invited the Council to Severance for their Town Hall Meeting with Congressman Buck on September 18th.

Next Month's Agenda Topic Suggestions:

No suggestions were made.

The meeting was adjourned at 8:37 p.m.

Meeting minutes submitted by: Renae Steffen, MPO Staff