

ARTICLES OF ASSOCIATION



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CONTENTS

| | |
|--|----|
| ARTICLE I - PURPOSE..... | 5 |
| ARTICLE II – MPO COUNCIL | 7 |
| MEMBERSHIP | 7 |
| REPRESENTATION..... | 8 |
| OFFICERS..... | 8 |
| MEETINGS AND VOTING..... | 9 |
| MEETINGS | 9 |
| VOTING | 10 |
| COMMITTEES | 12 |
| COMMITTEES OF THE COUNCIL..... | 12 |
| ARTICLE III – TECHNICAL ADVISORY COMMITTEE..... | 14 |
| GENERAL..... | 14 |
| OBJECTIVE OF THE COMMITTEE | 14 |
| RESPONSIBILITIES | 14 |
| TERMS OF MEMBERSHIP AND ALTERNATES | 15 |
| MEMBERSHIP VACANCIES | 15 |
| OFFICERS..... | 16 |
| MEETINGS | 16 |
| ARTICLE IV – FINANCE COMMITTEE..... | 19 |
| GENERAL RESPONSIBILITIES | 19 |
| STRUCTURE AND MEMBERSHIP | 19 |
| MEMBERSHIP | 19 |
| MEETINGS | 19 |
| OPEN MEETINGS WITH ADVANCE NOTICE | 19 |
| MEETING LOCATION AND FREQUENCY | 20 |
| CONDUCT OF MEETINGS | 20 |
| CONSENSUS APPROACH | 20 |
| MEETING MINUTES..... | 20 |
| MEETING MATERIALS | 20 |
| ARTICLE V – HUMAN RESOURCES (HR) COMMITTEE | 21 |
| GENERAL RESPONSIBILITIES..... | 21 |

| | |
|---|----|
| STRUCTURE AND MEMBERSHIP | 21 |
| MEMBERSHIP | 21 |
| MEMBERSHIP VACANCIES | 21 |
| MEETINGS | 21 |
| OPEN MEETINGS WITH ADVANCE NOTICE | 21 |
| MEETING LOCATION AND FREQUENCY | 22 |
| CONDUCT OF MEETINGS | 22 |
| CONSENSUS APPROACH | 22 |
| MEETING MINUTES..... | 22 |
| MEETING MATERIALS | 22 |
| ARTICLE VI – MOBILITY COMMITTEES | 23 |
| GENERAL..... | 23 |
| OBJECTIVE OF THE COMMITTEES | 23 |
| RESPONSIBILITES | 23 |
| TERMS OF MEMBERSHIP AND ALTERNATES | 23 |
| MEMBERSHIP VACANCIES | 24 |
| OFFICERS..... | 24 |
| MEETINGS | 24 |
| ARTICLE VII –FINANCE | 27 |
| PROJECTS/PROGRAMS THAT BENEFIT ALL OF THE MPO MEMBERS | 27 |
| PROJECTS/PROGRAMS THAT BENEFIT LIMITED NUMBER OF MEMBERS | 27 |
| OTHER FINANCIAL ITEMS..... | 28 |
| ARTICLE VIII – STAFFING AND SUPPORT | 29 |
| ARTILE IX – ARTICLES OF ASSOCIATION AMENDMENTS | 30 |
| ARTICLE X – RE-DESIGNATION | 31 |
| ARTICLE XI – ADOPTION AND EFFECTIVE DATE | 32 |
| APPENDIX A- RESOLUTIONS | 34 |
| APPENDIX B – MPO BOUNDARY MAP AND LEGAL DESCRIPTION | 35 |
| APPENDIX C – FEDERAL REGISTER EXCERPT 23 CFR 450.310..... | 40 |
| APPENDIX D – CHARGING STATEMENT TEMPLATE | 43 |
| APPENDIX E – OPEN MEETING REQUIREMENTS OF THE COLORADO SUNSHINE LAW | 44 |

AMENDED ARTICLES OF ASSOCIATION NORTH FRONT RANGE TRANSPORTATION AND AIR QUALITY PLANNING COUNCIL

The undersigned Counties and Municipal Corporations, wishing to exercise the powers set forth in Article XIV, Section 18(2) of the Colorado Constitution and Part 2 of Article 1 of Title 29, C.R.S., as amended, hereby amend the Articles of Association (the "Articles") of the NORTH FRONT RANGE TRANSPORTATION AND AIR QUALITY PLANNING COUNCIL (the "Council") to provide as follows:

ARTICLE I - PURPOSE

1. The Council shall promote regional transportation and transportation related air quality planning, cooperation and coordination among federal, state and local governments and between levels of government within the geographical area referred to herein as the "Area," which is shown on the map in *Appendix B*. The need for a transportation and air quality planning organization is based on the recognition that the people in the Area form a community bound together physically, environmentally, economically and socially. It is the purpose of the Council, through its participating membership and its programs, to provide local officials with a means of responding more effectively to regional and state transportation and transportation-related air quality issues and needs.

Ordered and effective transportation and air quality planning in the Area requires the Council to coordinate the activities of federal, state, county and municipal agencies which are involved in the delivery of transportation facilities and services and protection of air quality.

The Council should also consider the activities and needs of the private sector and public franchised carriers involved in providing transportation services and facilities within the Area.

2. The Council shall promote and encourage regional coordination and cooperation in matters relating to transportation and transportation-related air quality planning through activities which will:
 - a. Provide a forum to identify, study and recommend solutions to regional transportation and transportation-related air quality problems.
 - b. Develop and formalize policies involving regional transportation and transportation-related air quality planning and coordination of federal and state funding assistance.
 - c. Provide the organizational framework to ensure effective communication and coordination among governmental bodies and between public and private agencies involved in the delivery of public transportation services and facilities and protection of air quality.

- d. Serve as a vehicle for the collection and exchange of transportation and air quality-related information and expertise.
 - e. Develop and approve regional transportation and transportation-related air quality plans in accordance with relevant federal, state and local regulations and policies.
 - f. Represent the members as a whole on matters of regional and mutual transportation and transportation-related air quality concerns; except that members shall not be limited in expressing contrary views should they determine that an overriding local interest exists.
 - g. Encourage action and implementation of regional plans and policies for transportation improvement by local, state and federal agencies.
 - h. Coordinate transportation-related air quality planning issues.
 - i. Identify and promote effective alternative transportation modes to the automobile.
 - j. Develop Resolutions as necessary that establish or modify the regional planning process.
 - k. Recognize the linkages between transportation and land use and work to ensure greater coordination between the two.
3. The Council shall be a body politic and corporate, and as such, shall have the powers necessary to accomplish its purposes. Because its activities are of a regional and multi-governmental nature, it may constitute the entity to perform those regional functions which are authorized by the 2015 Fixing America's Surface Transportation (FAST) Act (FASTAct - 23 USC Section 134) and its successor legislation, the Clean Air Act Amendments of 1990, (42 USC Section 7401), as amended, State Legislation requiring a State Transportation Plan, or any other Federal or State legislation that is applicable. To implement such powers, the Council will:
- a. Undertake comprehensive, regional transportation and transportation-related air quality planning; and
 - b. Be the designated entity for the purpose of receiving local, state and federal assistance for the purposes of undertaking transportation planning, air quality planning or for such purposes the Council deems related to those purposes stated above in *Article 1, Part 2*.
 - c. Contract for services as the Council may determine.

ARTICLE II – MPO COUNCIL

MEMBERSHIP

1. Each MPO that serves a Transportation Management Area (TMA), as defined by the U.S. Census, shall consist of local elected officials, officials of public agencies that administer or operate major modes of transportation in the metropolitan planning area, and appropriate State transportation officials. At a minimum one elected official from each of the local governments within the MPO boundary are included as members.
2. The MPO may increase the representation, with voting or non-voting members. Non-voting memberships may be granted to any public or private entity involved in transportation or air quality with conditions for such memberships to be determined by the Council. The appointment of primary and alternate members will be communicated to the MPO staff in writing. Appointed members will serve on the committee, so long as their member entity (government or organization, as appropriate) sustains the appointments.
3. The Council may impose such conditions upon membership as it deems necessary to preserve the structure and integrity of the Council, including, but not limited to, requiring financial support for its continued operation.

Current members of the Council:

| Government Entity | Membership Date |
|--------------------------------|------------------------|
| Air Pollution Control Division | 8/1993 |
| Berthoud | 8/1993 |
| Eaton | 7/2007 |
| Evans | 1/1988 |
| Fort Collins | 1/1988 |
| Garden City | 1/1988 |
| Greeley | 1/1988 |
| Johnstown | 12/1997 |
| Larimer County | 1/1988 |
| LaSalle | 1/1988 |
| Loveland | 1/1988 |
| Milliken | 12/2001 |
| Severance | 7/2007 |
| Timnath | 4/1994 |
| Transportation Commission | 1/1988 |
| Weld County | 1/1988 |
| Windsor | 1/1988 |

REPRESENTATION

1. The business of the Council shall be conducted by representatives of the members, determined as follows:
 - a. One (1) representative and a designated alternate, respectively, of each county or municipal corporation, who shall be a member of the governing body of the county or municipal corporation represented. Alternates are encouraged to attend MPO meetings to learn procedures, issues, etc. Alternates are not intended to give two voices to a jurisdiction. Alternates may serve on committees of the Planning Council.
 - b. Voting memberships may be granted to state or federal entities at the discretion of the Council. Such memberships shall not be conditioned upon contribution to the Council and may be summarily terminated by the Council at its discretion.
2. Non-voting memberships may be granted to any public or private entity involved in transportation or air quality with conditions for such memberships to be determined by the Council. Such memberships may be summarily terminated by the Council at its discretion.
3. Each representative serving on the Council shall serve at the direction of the organization they represent. Vacancies occurring on the Council shall be filled in the same manner as is provided for in the original designations.

OFFICERS

1. The officers of the Council shall consist of a Chair, the Vice Chair and immediate Past Chair. The Chair and Vice Chair will not be representatives of government entities from the same county. Members will represent the county in which the entities' Town Hall is located. The Executive Committee is responsible for direct guidance to the Executive Director and speaks for the entire Planning Council on specific issues/direction with consensus from the Council.
2. Each officer will serve a term of one (1) year, with the term to run from January 1 through December 31. Nominations and elections will be held during the last meeting of the previous calendar year. The current Chair will run the meeting at which the election is held with a change in Chair occurring at the next meeting.
3. Vacancies in any office shall be filled by the Council as soon as practical.
4. The duties of the officers shall be as follows:

- a. The Chair shall preside at all meetings of the Council. No Chair shall serve in this capacity in excess of two (2) consecutive years.
- b. The Vice Chair shall serve in the absence of the Chair, and, in addition, shall assist the Chair and perform other duties as may be assigned by the Council. The Vice Chair shall serve no more than two (2) consecutive years.
- c. The Chair, or their representative, will represent the Council on the State Transportation Advisory Committee (STAC) to review Regional and State Transportation plans, amendments, and updates to the State Plan, and to advise the Colorado Department of Transportation on the needs of transportation systems in Colorado.

MEETINGS AND VOTING

MEETINGS

1. The Council shall meet at least quarterly, at a time and place set forth by the Council, and at such other times as the Chair may direct. However, meeting monthly is generally expected.
2. All meetings are subject to the Colorado Open Meetings Law, as defined for a State Body.
3. All Council meetings will be open to the public, and the public will be able to speak at a designated time during the meetings. Regular monthly meetings will be announced at least seven (7) days in advance by email to the full Council membership including notification on the NFRMPO website.
4. In the event of a Special or Emergency meeting, the meeting notices will be made public as soon as practical and follow the Colorado Open Meetings law, as defined for a State Body.
5. Council meetings will be electronically recorded and minutes prepared by MPO staff. Minutes are approved at the next Council meeting and posted on the NFRMPO website.
6. Prior to meetings, the MPO staff will provide a packet of background materials to the Council at least seven (7) days in advance via e-mail, post office mailing when requested, and the NFRMPO website.

7. Agendas for the Council meetings will be reviewed and approved by the Executive Committee prior to preparation of materials
8. After the Executive Committee, the agenda is sent to the whole Council to allow for the request of additional items or corrections.
9. Meetings are conducted in accordance with Robert's Rules of Order, <http://www.rulesonline.com>

VOTING

The voting structure will be as follows:

1. Each voting member of the Council shall receive one (1) vote.
 - a. The State Transportation Commissioner is not eligible to vote on the Call for Projects that awards funding in the Transportation Improvement Program (TIP).
 - b. The State Transportation Commissioner is eligible to vote on amendments to the Call for Projects.
 - c. The Air Pollution Control Division member votes on air quality related items only.
2. Three of the five members of the principal local units of governments (Fort Collins, Greeley, Loveland, Larimer County, and Weld County) shall constitute a quorum, or a majority of the voting membership shall also constitute a quorum.
 - a. A quorum may need to be reestablished on the Call for Projects as the State Members are not eligible to vote on this item.
3. All votes must be done in person by the representative or by an alternate, and there shall be no voting proxy.
4. The Council may vote to go into executive session for the purpose of discussing personnel matters and meeting with attorneys representing the Council in an advisory situation, and for any other purpose authorized by and consistent with the Colorado Open Meetings Law.

WEIGHTED VOTE

1. Any member of the Council, that is eligible to vote on a given item, can call for a weighted vote.
2. A weighted vote cannot be used on matters related to changing the Articles of Association or on personnel matters regarding the executive director.
3. Should a weighted vote be called, the item under consideration shall immediately be tabled and a weighted vote carried out at the next regular meeting of the MPO Council. This allows Council members to consult with their local governments prior to a weighted vote being cast.
4. Determination of the weighted votes is based on the Decennial Census numbers and updated annually to reflect the State Demographer's estimates.

- a. Weighted votes will be adjusted when a new member government joins the Council.
- b. Weighted votes will be reviewed and adjusted annually in conjunction with the release of the State Demographer's estimates and/or the American Communities Survey from the U.S. Census Bureau, generally in the fall.

Revised population estimates will be released with the adoption of the Unified Planning Work Program (UPWP) that serves to update the Local Match contribution as well as the weighted vote.

- c. Population for the cities and towns is either based on the Decennial Census, once every ten (10) years, or the State Demographer's estimates.
- d. Population for the Counties within the Area is calculated as follows:
 - i. Decennial Census: Total the Census Blocks which are within the MPO boundary, minus the cities and towns within the boundary.
 - ii. Adjusted annually by the U.S. Census Bureau's American Communities Survey using the same method as above.
- e. State Members, the Transportation Commissioner and the Air Pollution Control Division have a weighted vote of one.

The number of votes is based on where the population falls within the following increments:

| Population Increments* | Number of Votes |
|------------------------|-----------------|
| Less than 10,000 | 1 |
| 10,001-20,000 | 2 |
| 20,001-30,000 | 3 |
| 30,001-40,000 | 4 |

| | |
|-----------------|----|
| 40,001-50,000 | 5 |
| 50,001-60,000 | 6 |
| 60,001-70,000 | 7 |
| 70,001-80,000 | 8 |
| 80,001-90,000 | 9 |
| 90,001-100,000 | 10 |
| 100,001-110,000 | 11 |
| 110,001-120,000 | 12 |
| 120,001-130,000 | 13 |
| 130,001-140,000 | 14 |
| 140,001-150,000 | 15 |
| 150,001-160,000 | 16 |
| 160,001-170,000 | 17 |
| 170,001-180,000 | 18 |
| 180,001-190,000 | 19 |
| 190,001-200,000 | 20 |

COMMITTEES

The Council may agree to establish working committees as necessary and the Chair shall provide for the appointment of the membership of said committees. These appointments, where necessary, shall be in accordance with state and/or federal requirements.

Standing committees of the Council are: Executive Committee (Chair, Vice-Chair, and Current Past Chair), Finance Committee (Chair is Vice-Chair) and a Human Resources Committee (Chair is the Current Past Chair).

COMMITTEES OF THE COUNCIL

The MPO Council may agree to establish a Committee of the Council to work on specific items in more detail than time allows at regular Council meetings. The Chair will appoint the members of the Committee and identify the specific charge or the Committee. A Charging Statement will be written up based on the discussion and direction of the Council that specifies the charge of the Committee. The Council will approve the Charging Statement prior to Committee work beginning. If during the course of the Committee work it is determined that the Charging Statement needs to be modified, a revised Charging Statement will be presented to the whole Council for approval. *Appendix D* contains a Charging Statement template that can be prepared during the Council meeting and approved at the same meeting.

The MPO Chair will also appoint a Chair of the Committee. The Committee Chair will be responsible for conducting meetings, directing MPO staff on work items, and reporting back to the MPO Council with recommendations.

Committees are intended to make recommendations to the Council as a whole for their consideration. Any recommended action from Committees must be approved by the Council as a whole following the normal deliberative procedure. This procedure calls for discussion of the item in one month followed by either taking action or further discussion in subsequent month(s). If the Council as a whole does not agree with the Committee recommendation, the Council would need to determine the most appropriate next step.

ARTICLE III – TECHNICAL ADVISORY COMMITTEE

GENERAL

A general Technical Advisory Committee (“TAC”) was established by resolution of the MPO Council. The Committee is called the Technical Advisory Committee (TAC).

OBJECTIVE OF THE COMMITTEE

The TAC serves the NFRMPO Council by performing technical tasks related to the MPO work items. The TAC works with MPO staff and MPO Council either individually or collectively to address technical items and makes recommendations to the MPO Council through an established process. The TAC represents all modes of transportation as directed through federal and state regulations, 23 CFR Part 450.310 (d) (ii) and CRS 43-1-1103.

RESPONSIBILITIES

The TAC brings technical and/or operational expertise as well as their unique perspectives to work tasks on MPO items. The TAC generally performs these duties through regularly scheduled standing meetings although part of its responsibilities may be assigned to subcommittees or addressed at additional, specially announced, TAC meetings.

The TAC shall be responsible for reviewing and recommending to the MPO Council the approval of the following:

- **FHWA & FTA**
 - Unified Planning Work Program (UPWP)
 - Transportation Improvement Programs (TIP)
 - Regional Transportation Plans (RTP)
 - Congestion Mitigation Process (CMP)
 - Public Involvement Plan (PIP)

- **CDOT**
 - Regional Transit Element (RTE)

- **Other**
 - Policies and programs as directed by the MPO Council

When a specific item for Council consideration is developed through a separate process that has authority in that area, TAC shall be responsible for making a recommendation to the Planning Council. These items include but are not limited to:

- FTA Section 5307 distribution of funds to various transit operators serving the Transportation Management Area (TMA)
- FTA Section 5304, 5307, 5310 and/or 5339 Program of Projects for the TMA
- NFRMPO Coordinated Public Transit/Human Services Transportation Plan (Coordinated Plan)

The TAC will recommend approval of the above FTA funded improvements to the Planning Council as part of the approval of the TIP, TIP Amendments or RTP and RTP Amendments.

TERMS OF MEMBERSHIP AND ALTERNATES

Membership on the TAC may include staff from counties, municipalities, state or federal agencies or from public and private entities involved in transportation. TAC members are expected to have ongoing communications with their respective elected or appointed official, as applicable, who serve on the MPO Council.

- A. The appointment of primary and alternate members will be communicated to the MPO staff in writing and a completed TAC Representative Form. Appointed members will serve on the committee, so long as their member entity (government or organization, as appropriate) sustains the appointments.
- B. TAC representatives from a non-member entity, defined as not having a voting representative on the MPO Council, need appointment by the MPO Council.
 1. MPO staff will bring the requested appointments to the MPO Council for approval.
 2. Membership will become effective on the date of the MPO Council's approval.
- C. Considering that the TAC addresses many modes of transportation, the primary member (or alternate) may ask that other staff attend and participate in the discussion on any given item. Other representatives are encouraged to speak, particularly as subject matter experts.
- D. There may be occasion to appoint a spokesperson(s) to represent TAC to the MPO Council on a given item. The TAC members will appoint such a spokesperson(s) by consensus. The appointed spokesperson(s) has the responsibility to represent TAC as a whole.

MEMBERSHIP VACANCIES

In the event of a vacancy for a member entity, that vacancy will be filled by the member entity as soon as possible by submitting the appointment in writing to the NFRMPO.

OFFICERS

- A. The TAC shall elect a Chair and Vice-Chair from among the appointed members. Elections shall be held in December.
- B. The newly elected officers shall take office at the January or first meeting of the year.
- C. The officers may serve up to two (2) one-year terms.
- D. The Chair shall preside at the TAC meeting and be responsible to attend or appoint a representative to make a report at the Planning Council meeting.
- E. The Vice-Chair shall preside at the TAC meeting and attend or appoint a representative to make a report at the Planning Council meeting in the Chair's absence.
- F. Any vacancy shall be filled as soon as possible using the same process used to elect the officers.

MEETINGS

The TAC shall conduct its business within the policy guidelines of the Council and shall make its recommendations to the Council for action.

A. *Open Meetings with Advance Notice*

All committee meetings will be open to the public, and the public will be able to speak at a designated time during the meetings. Meetings will be announced at least seven (7) days in advance by mail and/or email to the full committee membership including notification on the NFRMPO website.

- 1. In the event of a Special or Emergency meeting, the meeting notices will be made public as soon as practical and follow the Colorado Open Meetings law, as defined for a State Body.

B. *Meeting Location and Frequency*

- A. The location of meetings is to be arranged by the MPO staff in accordance with the preference of the committee. Meeting locations will be recorded on the meeting agenda and in the meeting minutes.
- B. The TAC shall conduct meetings at least quarterly. However, meeting monthly is generally expected.
- C. The TAC agenda will include a request for items at the next scheduled meeting. Whenever it might appear that a meeting is not needed due to a lack of agenda

items, the MPO staff will poll the Chair and Vice-Chair for any new agenda items and then, if appropriate, send a notification cancelling the meeting.

C. Conduct of Meetings

The TAC Chair or Vice-Chair will convene and facilitate the committee meetings following a previously prepared agenda. Committee members may request agenda items at least ten (10) days in advance of a regularly scheduled meeting. Agenda items need to be generally consistent with the mission of the NFRMPO and the priorities of an overall schedule and/or work plan as defined by the Unified Planning Work Program (UPWP) or MPO Council priorities.

D. Quorum

A quorum is established one of two ways: Three of the five members of the principal local units of governments (Fort Collins, Greeley, Loveland, Larimer County, and Weld County) shall constitute a quorum, or a majority of the voting membership shall also constitute a quorum.

E. Voting

1. Each entity or governmental organization having a voting representative on the MPO Council is entitled to appoint a voting representative to serve on the TAC.
2. Additional members that are not representing a governmental entity, as identified through the MPO Council membership and whose appointment is approved through the MPO Council are considered ex-officio members. These members are encouraged to participate in the TAC meetings but do not have a vote.
3. All votes must be made in person by the representative or alternate. There shall be no voting via proxy.

F. Meeting Minutes

The MPO staff will prepare minutes summarizing the deliberations and recording the actions taken at each committee meeting. The minutes will accurately reflect the conduct of the meeting, note substantial activity and discussion relevant to the agenda items, and record all outcomes. The draft minutes will be distributed to the TAC for approval at the next meeting. The MPO Council will receive an executive summary of the meeting identifying discussion items and any action taken in their meeting packet for the next month.

G. Meeting Materials

Prior to meetings, the MPO staff will provide a meeting packet including supporting materials to the committee via email and posted on the NFRMPO website.

H. Public Meetings

The MPO staff will host public meetings related to transportation issues. From time to time, the TAC members may be requested to participate in public meetings, share information, and receive input on planning questions with the North Front Range public.

ARTICLE IV – FINANCE COMMITTEE

The Finance Committee reviews and makes recommendations to Council concerning all financial matters including but not limited to the Unified Planning Work Program (UPWP), Financial Statements, the annual audit, investments and other financial issues assigned by the Planning Council.

GENERAL RESPONSIBILITIES

The committee may assist the MPO staff and make a recommendation to the Planning Council with the following tasks:

- A. Preparation and amendments of the Annual Budget.
- B. Review and recommendation on Financial Statements
- C. Review and recommendation on any financial policies.
- D. Review and recommendation on the annual audit.
- E. Providing input, advice, and recommendations concerning other financial issues.
- F. Approve zero budget amendments with report on those items to the Planning Council as a whole.

STRUCTURE AND MEMBERSHIP

MEMBERSHIP

Annually the Planning Council Chair shall review and appoint members to the Finance Committee to ensure representation from both counties and from large and small community members, generally 3 to 5 members. The Chair for the Finance Committee will be the Vice Chair of the Council.

MEMBERSHIP VACANCIES

In the event of a vacancy or resignation, the Council chair will appoint a new member of the Finance Committee

MEETINGS

OPEN MEETINGS WITH ADVANCE NOTICE

All committee meetings will be open to the public, and the public will be able to speak at a designated time during the meetings. Meetings will be announced at least seven (7) days in advance by email to the finance committee membership and notification on the NFRMPO website.

1. In the event of a Special or Emergency meeting, the meeting notices will be made public as soon as practical and follow the Colorado Open Meetings law, as defined for a State Body.

MEETING LOCATION AND FREQUENCY

- A. The location of meetings is to be determined by committee members. Meetings will either be in one location within the region or will rotate around the region to better accommodate attendance by representatives. Meeting locations will be recorded on the meeting agenda and in the meeting minutes.
- B. The committee will meet monthly, or every six weeks, as necessary when agenda items exist and will conduct meetings at least quarterly. The regular schedule of meetings is to be determined by the committee.

CONDUCT OF MEETINGS

The Finance Committee Chair will facilitate meetings following a previously distributed prepared agenda. Committee members may request agenda items up to at least ten (10) days in advance of an upcoming meeting.

CONSENSUS APPROACH

The Finance committee will strive to reach consensus on issues rather than vote.

MEETING MINUTES

The MPO staff will prepare minutes for each finance committee meeting. The minutes will accurately reflect the conduct of the meeting, note all activity and discussion relevant to the agenda items, and record all outcomes. The MPO Council will receive an accurate summary of the minutes identifying discussion items and any recommendations to Council.

MEETING MATERIALS

Prior to meetings, the MPO staff will provide background materials to the committee via email.

ARTICLE V – HUMAN RESOURCES (HR) COMMITTEE

The Human Resources (HR) Committee makes recommendations to the Council concerning HR matters that include but are not limited to the Executive Director annual evaluation and modifications to the MPO Personnel Policies.

GENERAL RESPONSIBILITIES

The committee may assist the MPO staff/consultant(s) and make a recommendation to the Planning Council with the following tasks:

- A. Working with the HR Consultant to select and carry out the annual evaluation for the Executive Director as laid out in the Executive Director's contract.
- B. Work with the HR Consultant on issues that may be outside of the MPO staff purview
- C. Approve mandated amendments to the Personnel Policies
- D. Refer any specific HR items to the Council's attention
- E. Make recommendation to Council on any substantive changes to the Personnel Policies

STRUCTURE AND MEMBERSHIP

MEMBERSHIP

Annually the Planning Council Chair shall review and appoint members to the HR Committee to ensure representation from both counties and from large and small community members, generally 3 to 5 members. The Planning Council Chair shall appoint members to the HR Committee with the Current Past Chair serving as the Chair.

MEMBERSHIP VACANCIES

In the event of a vacancy or resignation, the Council Chair will appoint a new member of the HR Committee

MEETINGS

OPEN MEETINGS WITH ADVANCE NOTICE

All committee meetings will be open to the public, and the public will be able to speak at a designated time during the meetings. Meetings will be announced at least seven (7) days in advance by email to the HR committee membership and notification on the NFRMPO website.

1. In the event of a Special or Emergency meeting, the meeting notices will be made public as soon as practical and follow the Colorado Open Meetings law, as defined for a State Body.

MEETING LOCATION AND FREQUENCY

- A. The location of meetings is to be determined by committee members. Meetings will either be in one location within the region or will rotate around the region to better accommodate attendance by representatives. Meeting locations will be recorded on the meeting agenda and in the meeting minutes.
- B. The committee will meet at least annually in September in conjunction with the HR Consultant to determine the Executive Director performance evaluation plan. The committee chair, or their representative, will make a recommendation to the Council at their October meeting. Mandated amendments to the Personnel Policies may be handled electronically.

CONDUCT OF MEETINGS

The HR Committee Chair will facilitate meetings following a previously distributed prepared agenda. Committee members may request agenda items up to at least ten (10) days in advance of an upcoming meeting.

CONSENSUS APPROACH

The HR committee will strive to reach consensus on issues rather than vote.

MEETING MINUTES

The MPO staff will prepare minutes for each HR committee meeting. The minutes will accurately reflect the conduct of the meeting, note all activity and discussion relevant to the agenda items, and record all outcomes. The MPO Council will receive an accurate summary of the minutes identifying discussion items and any recommendations to Council.

MEETING MATERIALS

Prior to meetings, the MPO staff will provide background materials to the committee via email.

ARTICLE VI – MOBILITY COMMITTEES

The Mobility Committees were established by resolution of the MPO Council. The Committees are called the Larimer County Mobility Committee (LCMC) and Weld County Mobility Committee (WCMC).

GENERAL

OBJECTIVE OF THE COMMITTEES

The local coordinating committees serve the NFRMPO Council by helping to implement the goals and strategies outlined in the NFRMPO Coordinated Plan. The Larimer and Weld Counties Mobility Committees (MC) work with MPO staff either individually or collectively to address mobility technical work and make recommendations to the MPO Council through an established process.

The MC's represent human service agencies and transit providers that provide transportation as directed through federal, 49 USC 5302 § (3)(K).

RESPONSIBILITIES

The MC's bring Human Services and/or Transit operational expertise as well as their unique perspectives to work tasks on MPO Mobility items. The MC's generally performs these duties through regularly scheduled standing meetings although part of its responsibilities may be assigned to subcommittees or addressed at additional, specially announced, MC public meetings

MPO staff or others appointed by the MC's may be asked to present Mobility issues to the MPO Council on a given item.

The MC's shall be responsible for reviewing and recommending to the MPO Council the approval of the following:

FTA

- The NFRMPO Coordinated Public Transit/Human Services Transportation Plan
- Work items as they relate to implementation of the NFRMPO Coordinated Plan

TERMS OF MEMBERSHIP AND ALTERNATES

Membership on the MC may include staff from counties, human services agencies, state or federal agencies or from public and private entities involved in Mobility transportation coordination for older adults and people with disabilities.

- A. The appointment of primary and alternate members will be communicated to the MPO staff in writing. Appointed members will serve on the committee, so long as their member entity (government or organization, as appropriate) sustains the appointments.

- B. In the event of a vacancy for a member entity, that vacancy will be filled by the eligible entities as soon as possible by submitting the appointment in writing to the MPO staff.
- C. Citizen members: Citizen members' must be residing in the same County (Larimer or Weld) as their respective Mobility Committee and live within the MPO planning area and takes an active interest in improving mobility for seniors and persons with disabilities. Citizen members have voting rights but do not have the right to designate an alternate.
- D. Citizen members shall be nominated and voted on by the Coordinating Council.

MEMBERSHIP VACANCIES

In the event of a vacancy for a member entity, that vacancy will be filled by the eligible entities as soon as possible by submitting the appointment in writing to the MPO staff.

OFFICERS

- A. The MC's shall elect a Chair and Vice-Chair from among the appointed members. Elections shall be held in January.
- B. The newly elected officers shall take office at the February or the next meeting of the year.
- C. The officers may serve up to two (2) one year terms.
- D. The Chair shall preside at the meetings and be responsible to attend or appoint a representative to make a report at the Planning Council meeting if needed.
- E. The Vice-Chair shall preside at the meetings and attend or appoint a representative to make a report at the Planning Council meeting in the Chair's absence if needed.
- F. Any vacancy shall be filled as soon as possible using the same process used to elect the officers.

MEETINGS

The MC's shall conduct its business within the policy guidelines of the NFRMPO Council and shall make its recommendations to the Council for action.

A. *Open Meetings with Advance Notice*

All meetings will be open to the public, and the public will be able to speak at a designated time during the meetings. Meetings will be announced at least seven (7) days in advance by mail and/or email to the full committee membership including notification on the NFRMPO website.

1. In the event of a Special or Emergency meeting, the meeting notices will be made public as soon as practical and follow the Colorado Open Meetings law, as defined for a State Body.

B. Special Meetings

Special meetings of the MC's specifically may be called by or at the request of the Chair or any three committee members. Business at special meetings shall be limited to the subjects stated in the call for the meeting.

C. Meeting Location and Frequency

1. The location of meetings is to be arranged by the MPO staff in accordance with the preference of the committee. Meeting locations will be recorded on the meeting agenda and in the meeting minutes.
2. The LCMC and WCMC shall conduct meetings at least quarterly; however, meeting bi-monthly is generally expected.
3. Whenever it might appear that a meeting is not needed due to a lack of agenda items, the MPO staff will poll the membership by email for any new agenda items and then, if appropriate, send a notification cancelling the meeting.

D. Conduct of Meetings

The LCMC and WCMC Chair or Vice-Chair will convene and facilitate the committee meetings following a previously prepared agenda. Committee members may request agenda items at least ten (10) days in advance of an upcoming meeting. Agenda items need to be generally consistent with the mission of the NFRMPO and the priorities of an overall schedule and/or work plan as defined by the Unified Planning Work Program (UPWP) or MPO Council priorities.

E. Quorum

A quorum is established when a majority of the voting membership is present.

F. Voting

Each member is afforded one full vote on any decision put to a vote of the MC. Each organizational member's vote can be cast by their representative or alternate representative. Members shall attend meetings on a regular basis. If members miss three consecutive meetings and/or indicate that they are not interested in participating in MC business, removal will be considered by the MC. If a member is removed, the MC may request the appointing agency or community to affirm or replace the member.

G. Meeting Minutes

MPO Staff will prepare minutes summarizing the deliberations and recording the actions taken at each committee meeting. The minutes will accurately reflect the conduct of the meeting, note substantial activity and discussion relevant to the agenda items, and record all outcomes. The draft minutes will be distributed to the MC's for approval at the next meeting. The MPO Council will receive an accurate summary of the minutes identifying discussion on all items in addition to action taken.

H. Meeting Materials

Prior to meetings, the MPO staff will provide a meeting packet including supporting materials to the committee via email.

I. Public Meetings

The MPO staff will host public meetings related to transportation issues. From time to time, the MC members may be requested to participate in public meetings, share information, and receive input on planning questions with the North Front Range public.

ARTICLE VII –FINANCE

Each year the TAC and Finance Committee shall recommend to the Council, and the Council shall adopt, a UPWP budget required for the operation of the NFRMPO during the ensuing fiscal year.

For purposes of local match contribution, there are two types of projects in the UPWP. The first are projects and programs that benefit all of the MPO members and the second are projects and programs that benefit one or more of the members.

PROJECTS/PROGRAMS THAT BENEFIT ALL OF THE MPO MEMBERS

Costs related to NFRMPO operations for activities shown below shall be clearly separate from technical studies or activities which benefit particular members. Any such costs shall be funded jointly by the members of the NFRMPO, as established and approved by the Council. Appropriate federal or state grants will be given priority for these expenses. The following activities are examples of costs benefitting all members, although the listing is not exclusive:

1. Make necessary meeting arrangements for Council and TAC meetings, such as obtaining adequate meeting space, preparation and publication of notices, preparation, sending and distribution of agendas and relevant information, refreshments or meals provided as part of meetings.
2. Maintain adequate minutes of Council and TAC meetings, including written documentation of the meetings.
3. Prepare contracts related to passing through federal and/or state grants except for VanGo™ Program.
4. Prepare billings for federal or state grants.
5. Conduct audits as required by federal or state grants.
6. Maintain financial records adequate to sustain such audits.
7. Provide administrative support for the Council and TAC in their roles as MPO and air quality planning agency.
8. Coordinate information exchange between the member's staffs, the Colorado Department of Transportation, the State Legislature, the Federal Highway Administration, the Colorado Department of Health, Federal Transit Administration, and the United States Environmental Protection Agency.
9. Development of required planning documents and supporting information
10. Other such administrative costs as may be approved by Council.

PROJECTS/PROGRAMS THAT BENEFIT LIMITED NUMBER OF MEMBERS

All project/program costs not deemed to be of benefit to the whole of the NFRMPO shall be paid for by the members benefiting from the projects/programs. Where such projects/programs are eligible for state or federal grants, the benefiting members shall be responsible for any required local match.

OTHER FINANCIAL ITEMS

1. The final UPWP budget shall be approved through the adoption of the Unified Planning Work Program document, by resolution of the Council. The budgetary year of the Council shall follow timelines required by federal and state contracts.
2. The Council is specifically empowered to contract or otherwise participate in and to accept grants, funds, gifts or services from any federal, state or local government or its agencies or instrumentalities thereof, and from private and civic sources, and to expend funds received therefrom, under provisions as may be required and agreed to by the Council, in connection with any program or purpose of which the Council exists.
3. The Council shall arrange for a systematic and continuous documentation of the Council's financial affairs and transactions and shall obtain an annual audit of its financial transactions and expenditures, or as otherwise required by law.
4. The Council may authorize through Resolution or other written and approved document any officer or officers, agent or agents, to enter into any contract, or execute and deliver any instrument, in the name of or on behalf of the Council and such authority may be general or confined to special instances. Authority is generally authorized to the Executive Director.
5. No loan shall be contracted on behalf of the Council and no evidence of indebtedness issued in the name of the Council shall be signed by such officer or officers, agent or agents, of the Council.
6. All funds of the Council not otherwise employed shall be deposited from time to time to the credit of the Council in such banks, trust companies or other depositories according to the Council approved Investment Policy.

ARTICLE VIII – STAFFING AND SUPPORT

1. The administration and coordination needs of the Council shall be provided by the NFRMPO staff.
2. To provide for the operation of the Council activities, the Council shall appoint an Executive Director. The Executive Director shall hire and assign titles and duties to the staff for the completion of the activities of the Council.
3. The Council shall review the performance of the Executive Director on an annual basis using the guidelines in the Executive Director's contract

ARTICLE IX – ARTICLES OF ASSOCIATION AMENDMENTS

These Articles may be amended by an affirmative vote of a majority of the representatives present and voting according to the vote system described In *Article V*, hereof. Such amendments may be accomplished at any regular meeting of the Council, provided at least twenty-one (21) days written notice of the proposed amendment has been given to the members.

ARTICLE X – RE-DESIGNATION

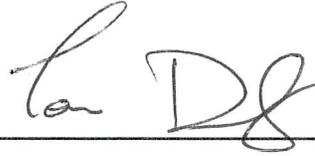
An existing MPO may be re-designated only by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the existing metropolitan planning area population (including the largest incorporated city, based on population, as named by the Bureau of the Census), 23 CFR 450.310. See *Appendix C*.

ARTICLE XI – ADOPTION AND EFFECTIVE DATE

These Articles, first signed on January 27, 1988, have been amended by the affirmative vote of the representatives, in accordance with *Article IX*, at a regular meeting of the Council held on the 6th day of September 2018.

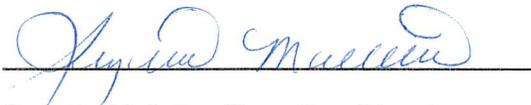
NORTH FRONT RANGE TRANSPORTATION
AND AIR QUALITY PLANNING COUNCIL

By:



Tom Donnelly, Chair

ATTEST:



Suzette Mallette, Executive Director

| Affirmed: | Name: | Vote Tally: |
|----------------------------|------------------|-------------|
| Air Pollution Control Div. | Chris Colclasure | |
| Berthoud | William Karspeck | |
| Eaton | Kevin Ross | |
| Evans | Mark Clark | |
| Fort Collins | Gerry Horak | |
| Garden City | | |
| Greeley | Robb Cassedy | |
| Johnstown | Troy Mellon | |
| Larimer County | Tom Donnelly | |
| LaSalle | Paula Cochran | |
| Loveland | Dave Clark | |
| Milliken | Elizabeth Austin | |
| Severance | Don McLeod | |
| Timnath | Aaron Pearson | |
| Transportation Comm. | Kathy Gilliland | |
| Weld County | Julie Cozad | |
| Windsor | Kristie Melendez | |
| Total: | | |

As of September 6, 2018



APPENDIX A- RESOLUTIONS

| <u>Resolution Number</u> | <u>Date Signed</u> | <u>Change</u> |
|--------------------------|--------------------|--|
| 2018-16 | 9/6/18 | Clarify the formation of (sub) committees and responsibility of the Chair; Created a standing HR committee, Open Meetings requirements with Special or Emergency meetings; Removed Annual review of Executive Director. |
| 2015-09 | 07/9/15 | Changes to Article XI – Staffing and Support, added section 3 outlining the procedure for the annual review of the Executive Director |
| 2014-08 | 05/1/14 | Clarify Council elections, update TAC officers, elections and responsibilities, delete Air Quality Technical Committee, add Finance Committee and Mobility Councils, updated Budget and Finance Section, update supporting documents to reflect Census, updated meeting conduct and renumber articles. |
| 2012-09 | 5/3/12 | Add Meeting Conduct, Subcommittees of Council, Appendices, and remove State Member voting on Call for Projects |
| 2012-01 | 1/5/12 | TAG dissolution |
| 2011-10 | 6/2/11 | Weighted Vote & AQTC |
| 2007-08 | 6/7/07 | Add members (Severance & Eaton) |
| 2007-07 | 6/7/07 | Add Severance |
| 2007-06 | 6/7/07 | Add Eaton |
| 2004-27 | 10/7/04 | Weighted Vote |
| 2004-20 | 7/1/04 | Weighted Vote |

BEGINNING AT THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN;

1—THENCE LEAVING SAID SECTION, RUN EASTERLY TO THE NORTHEAST CORNER OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN;

2—THENCE LEAVING SAID SECTION, RUN SOUTHERLY TO THE NORTHEAST CORNER OF SECTION 30, TOWNSHIP 7 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN;

3—THENCE LEAVING SAID SECTION, RUN EASTERLY TO THE NORTHEAST CORNER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

4—THENCE LEAVING SAID SECTION, RUN SOUTHERLY TO THE NORTHEAST CORNER OF SECTION 29, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

5—THENCE LEAVING SAID SECTION, RUN EASTERLY TO THE NORTHEAST QUARTER CORNER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

6—THENCE LEAVING SAID QUARTERQUARTERSECTION, RUN SOUTHERLY TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN ;

7—THENCE LEAVING SAID QUARTERSECTION, RUN SOUTHWESTERLY, TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

8—THENCE LEAVING SAID QUARTERQUARTERSECTION, RUN SOUTHERLY, TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

9—THENCE LEAVING SAID QUARTERQUARTERSECTION, RUN WESTERLY TO THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN;

10—THENCE LEAVING SAID SECTION, RUN SOUTHERLY , TO THE SOUTHEAST CORNER OF SECTION 11, TOWNSHIP 4, NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN;

11—THENCE LEAVING SAID SECTION, RUN WESTERLY TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTERSECTION OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN;

12—THENCE RUNNING ALONG SAID EDGE OF THE QUARTERSECTION SOUTHERLY, TO THE INTERSECTION OF

THE EASTERN EDGE OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN AND THE SOUTHERLY RIGHT-OF-WAY OF WELD COUNTY ROAD 38;

13—THENCE WESTERLY, ON SAID SOUTHERLY RIGHT-OF-WAY, TO THE WESTERLY RIGHT-OF-WAY OF WCR 3; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY, RUN WESTERLY, TO THE INTERSECTION OF THE WELD, LARIMER AND BOULDER COUNTY LINES;

THENCE SOUTHERLY, TO THE SOUTHERLY RIGHT-OF-WAY OF LCR 2, WHICH IS ALSO KNOWN AS N. COUNTY LINEROAD (BOULDER COUNTY);

THENCE WESTERLY, ON SAID SOUTHERLY RIGHT-OF-WAY, TO THE WESTERLY RIGHT-OF-WAY OF FRONT RANGE AVENUE (LARIMER COUNTY);

THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY, RUN WESTERLY, TO THE NORTHWEST CORNER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN;

14—THENCE LEAVING SAID QUARTERSECTION, RUN NORTHERLY TO THE NORTHWEST CORNER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE LEAVING SAID QUARTERSECTION, RUN EASTERLY TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, SECTION 34, TOWNSHIP 5 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE LEAVING SAID QUARTERQUARTERSECTION, RUN NORTHERLY, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER SECTION, SECTION 3, TOWNSHIP 5 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN;

15—THENCE LEAVING SAID QUARTERSECTION, RUN WESTERLY, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 5 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN;

16—THENCE LEAVING SAID QUARTERSECTION, RUN NORTHERLY TO THE NORTHWEST CORNER OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN;

17—THENCE LEAVING SAID NORTHWEST CORNER, RUN NORTHEASTERLY, TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE LEAVING SAID QUARTERQUARTERSECTION, RUN EAST TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN;

- 18**—THENCE LEAVING SAID QUARTERQUARTERSECTION, RUN NORTHERLY TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 6 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN;
- 19**—THENCE LEAVING SAID QUARTERSECTION, RUN NORTHWESTERLY TO THE NORTHWEST CORNER OF SECTION 2, TOWNSHIP 6 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN;
- 20**—THENCE ALONG THE NORTHERN EDGE OF SAID SECTION RUN EASTERLY, TO THE NORTHEAST CORNER OF SAID SECTION 2, TOWNSHIP 6 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN;
- 21**—THENCE LEAVING SAID SECTION, RUN NORTHERLY, TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTERSECTION OF SECTION 24, TOWNSHIP 8 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN;
- 22**—THENCE LEAVING SAID QUARTERSECTION, RUN EASTERLY TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER SECTION OF SECTION 20, TOWNSHIP 8 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN;
- 23**—THENCE LEAVING SAID QUARTERSECTION, RUN NORTHERLY TO THE NORTHWEST CORNER OF SECTION 20, TOWNSHIP 8 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN;
- 24**—THENCE ALONG THE NORTHERN EDGE OF SAID SECTION RUN EASTERLY TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTERSECTION OF SECTION 14, TOWNSHIP 8 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN;
- 25**—THENCE ALONG THE WESTERN EDGE OF SAID QUARTERSECTION, RUN NORTHERLY TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTERSECTION OF SECTION 14, TOWNSHIP 8 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN;
- 26**—THENCE ALONG THE NORTHERN EDGE OF SAID QUARTERSECTION, RUN EASTERLY TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTERSECTION OF SECTION 14, TOWNSHIP 8 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN;
- 27**—THENCE ALONG THE EASTERN EDGE OF SAID QUARTERSECTION, RUN SOUTHERLY TO THE SOUTHWEST CORNER OF SECTION 13, TOWNSHIP 8 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN;
- 28**—THENCE LEAVING SAID CORNER RUN EASTERLY ON NORTHERN EDGE OF SAID SECTION TO THE NORTHERLY RIGHT-OF-WAY OF WEST LARIMER COUNTY ROAD 56;
- THENCE EASTERLY ON SAID NORTHERLY RIGHT-OF-WAY TO THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 8 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN;

29—THENCE SOUTHERLY FROM SAID QUARTERSECTION TO THE POINT OF BEGINNING.

§450.310 Metropolitan planning organization designation and redesignation

As amended November 29, 2017

(a) To carry out the metropolitan transportation planning process under this subpart, an MPO shall be designated for each urbanized area with a population of more than 50,000 individuals (as determined by the Bureau of the Census).

(b) MPO designation shall be made by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the affected population (including the largest incorporated city, based on population, as named by the Bureau of the Census) or in accordance with procedures established by applicable State or local law.

(c) The FHWA and the FTA shall identify as a TMA each urbanized area with a population of over 200,000 individuals, as defined by the Bureau of the Census. The FHWA and the FTA shall also designate any urbanized area as a TMA on the request of the Governor and the MPO designated for that area.

(d) TMA structure:

(1) Not later than October 1, 2014, each metropolitan planning organization that serves a designated TMA shall consist of:

(i) Local elected officials;

(ii) Officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation; and

(iii) Appropriate State officials.

(2) An MPO may be restructured to meet the requirements of this paragraph (d) without undertaking a redesignation.

(3) *Representation.* (i) Designation or selection of officials or representatives under paragraph (d)(1) of this section shall be determined by the MPO according to the bylaws or enabling statute of the organization.

(ii) Subject to the bylaws or enabling statute of the MPO, a representative of a provider of public transportation may also serve as a representative of a local municipality.

(iii) An official described in paragraph (d)(1)(ii) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (d)(1) of this section.

(4) Nothing in this section shall be construed to interfere with the authority, under any State law in effect on December 18, 1991, of a public agency with multimodal transportation responsibilities—

(i) To develop the plans and TIPs for adoption by an MPO; and

(ii) To develop long-range capital plans, coordinate transit services and projects, and carry out other activities pursuant to State law.

(e) To the extent possible, only one MPO shall be designated for each urbanized area or group of contiguous urbanized areas. More than one MPO may be designated to serve an urbanized area only if the Governor(s) and the existing MPO, if applicable, determine that the size and complexity of the urbanized area make designation of more than one MPO appropriate. In those cases where two or more MPOs serve the same urbanized area, the MPOs shall establish official, written agreements that clearly identify areas of coordination, and the division of transportation planning responsibilities among the MPOs.

(f) Nothing in this subpart shall be deemed to prohibit an MPO from using the staff resources of other agencies, non-profit organizations, or contractors to carry out selected elements of the metropolitan transportation planning process.

(g) An MPO designation shall remain in effect until an official redesignation has been made in accordance with this section.

(h) An existing MPO may be redesignated only by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the existing metropolitan planning area population (including the largest incorporated city, based on population, as named by the Bureau of the Census).

(i) For the purposes of redesignation, units of general purpose local government may be defined as elected officials from each unit of general purpose local government located within the metropolitan planning area served by the existing MPO.

(j) Redesignation of an MPO (in accordance with the provisions of this section) is required whenever the existing MPO proposes to make:

(1) A substantial change in the proportion of voting members on the existing MPO representing the largest incorporated city, other units of general purpose local government served by the MPO, and the State(s); or

(2) A substantial change in the decisionmaking authority or responsibility of the MPO, or in decisionmaking procedures established under MPO by-laws.

(k) Redesignation of an MPO serving a multistate metropolitan planning area requires agreement between the Governors of each State served by the existing MPO and units of general purpose local government that together represent at least 75 percent of the existing metropolitan planning area population (including the largest incorporated city, based on population, as named by the Bureau of the Census).

(l) The following changes to an MPO do not require a redesignation (as long as they do not trigger a substantial change as described in paragraph (j) of this section):

(1) The identification of a new urbanized area (as determined by the Bureau of the Census) within an existing metropolitan planning area;

(2) Adding members to the MPO that represent new units of general purpose local government resulting from expansion of the metropolitan planning area;

(3) Adding members to satisfy the specific membership requirements described in paragraph (d) of this section for an MPO that serves a TMA; or

(4) Periodic rotation of members representing units of general-purpose local government, as established under MPO by-laws.

(m) Each Governor with responsibility for a portion of a multistate metropolitan area and the appropriate MPOs shall, to the extent practicable, provide coordinated transportation planning for the entire MPA. The consent of Congress is granted to any two or more States to:

(1) Enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in support of activities authorized under 23 U.S.C. 134 and 49 U.S.C. 5303 as the activities pertain to interstate areas and localities within the States; and

(2) Establish such agencies, joint or otherwise, as the States may determine desirable for making the agreements and compacts effective.



SUBCOMMITTEE CHARGING STATEMENT TEMPLATE

CHARGE OF THE COMMITTEE

The purpose of this committee is to examine the Articles of Association for necessary updates. Specifically they should examine.....

DELIVERABLE

The subcommittee will produce a draft revised document for Council consideration

OFFICERS

Chair:

Vice Chair:

COMMITTEE MEMBERS

ASSIGNED STAFF

Passed and adopted at the regular meeting of the North Front Range Transportation & Air Quality Planning Council held this 3rd day of May, 2012.

ATTEST:

Name, Executive Director

Name, Chair



OPEN MEETING REQUIREMENTS OF THE COLORADO SUNSHINE LAW¹

The Open Meetings Law (OML),² which is part of the Colorado Sunshine Law, generally requires any state or local governmental body to discuss public business or to take formal action in meetings that are open to the public. A "meeting" refers to any kind of gathering, convened to discuss public business, whether in person, by telephone, electronically, or by other means of communication. The Colorado Supreme Court has held that "a meeting must be part of the policy-making process to be subject to the requirements of the OML."³ Therefore, for example, emails can be considered "meetings", but the term does not include chance meetings or social occasions where public business is not the central purpose of the meeting. For additional information on the OML, please see the OLLS FAQ on "[Open Meetings Law – State Public Body](#)" located under the Legal Topics, "Memos of Interest" link on the OLLS webpage.⁴

| | State Body | Local Body |
|--------------|---|---|
| DEFINITIONS: | Any board, commission, or other advisory decision-making body of the state; state college or university board; the General Assembly; or any entity that has been delegated the governmental decision-making | Any board, commission, or other advisory decision-making body of a political subdivision of the state; or any entity that has been delegated the governmental decision-making function. |

¹ This summary contains information commonly requested from the Office of Legislative Legal Services. It does not represent an official legal opinion of the General Assembly or the state of Colorado and does not bind the members of the General Assembly. It is intended to provide a general overview of Colorado law as of the date of its preparation. Any person needing legal advice should consult his or her own lawyer and should not rely on the information in this memorandum.

² Section [24-6-401](#) and [24-6-402](#), C.R.S.

³ *Bd. County Comm'rs v. Costilla County Conservancy*, 88 P.3d 1188, 1194 (Colo. 2004).

⁴ http://tornado.state.co.us/gov_dir/leg_dir/olls/legal_topics.htm

| | State Body | Local Body |
|---------------------------|---|--|
| | function. | |
| MEMBERS: | Two or more members of the body conducting business are subject to this law. | Three or more members of the body (or two members if two constitutes a quorum) conducting business are subject to this law. |
| NOTICE: | The statute requires full and timely notice, posted in its designated place within a reasonable time prior to the meeting. | The statute requires full and timely notice, posted in its designated place within a reasonable time prior to the meeting. A local body may comply by posting notice at least 24 hours prior to the meeting. |
| MINUTES: | Minutes of meetings must be taken and promptly recorded and are open to public inspection. | Minutes of meetings must be taken and promptly recorded and are open to public inspection. |
| EXECUTIVE SESSION: | <p>Requires announcement of topic for discussion, citation to authorizing law, and a two-thirds vote of all members.</p> <p>Discussions held in an executive session must be electronically recorded.</p> <p>No record or electronic recording is required to be kept of the portion of a discussion by the governing board of a state institution of higher education held in executive session that constitutes a privileged attorney-client communication.</p> | <p>Requires announcement of topic for discussion, citation to authorizing law, and a two-thirds vote of the members present.</p> <p>Discussions held in an executive session must be electronically recorded.</p> <p>No record or electronic recording is required to be kept of the portion of a discussion in executive session that constitutes a privileged attorney-client communication.</p> |

REVISED: August 5, 2016

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RESOLUTION NO. 2018-16
OF THE NORTH FRONT RANGE TRANSPORTATION & AIR QUALITY
PLANNING COUNCIL TO AMEND THE ARTICLES OF ASSOCIATION

WHEREAS, the North Front Range Transportation & Air Quality Planning Council as the Metropolitan Planning Organization (MPO) established Articles of Association in January 27, 1988 for the purpose of promoting regional transportation and transportation related air quality planning, cooperation, and coordination among federal, state and local governments; and

WHEREAS, the North Front Range Transportation & Air Quality Planning Council has amended the Articles of Association as needed to reflect the changing needs of the Council and addition of the new members; and

WHEREAS, the North Front Range Transportation & Air Quality Planning Council has determined that the following items needed to addressed:

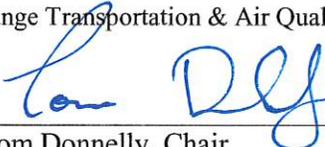
- Open Meetings Law requirement for Special or Emergency meetings
- Council Chair appointment of members to Committees and/or Subcommittees
- Addition of a standing Human Resources Committee
- Removal of Executive Director annual review procedure; and

WHEREAS, the Articles of Association amendment requires twenty one (21) days written notice of the proposed amendment to the members; and

WHEREAS, the twenty one (21) day notice requirement has been met;

NOW THEREFORE, BE IT RESOLVED, the North Front Range Transportation & Air Quality Planning Council hereby amends The Arcticles of Association and makes the necessary changes to accomplish the changes.

Passed and adopted at the regular meeting of the North Front Range Transportation & Air Quality Planning Council held this 6th day of September, 2018.



Tom Donnelly, Chair

ATTEST:



Suzette Mallette, Executive Director