

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

**December 3, 2020
Virtual Meeting**

Voting Members Present:

Dave Clark- CHAIR	-Loveland
Kathleen Bracke	-Transportation Commission
Mark Clark	-Evans
Paula Cochran	-LaSalle
Tom Donnelly	-Larimer County
Lanie Isbell	-Eaton
Will Karspeck	-Berthoud
Don McLeod	-Severance
Brett Payton	-Greeley
Paul Rennemeyer	-Windsor
Kevin Ross	-Weld County
Kristen Stephens	-Fort Collins
Dena Wojtach	-CDPHE

Voting Members Absent:

Fil Archuleta	-Garden City
Elizabeth Austin	-Milliken
Lisa Laake	-Timnath
Troy Mellon	-Johnstown

MPO Staff:

Suzette Mallette, Executive Director; Becky Karasko, Transportation Planning Director; Stuart Kurtz, Accounting Manager; Alex Gordon, Transportation Planner III; Medora Bornhoft, Transportation Planner II; AnnaRose Cunningham, Transportation Planner I

In Attendance:

Dawn Anderson, Darin Barrett, Abdul Barzak, Allison Baxter, Ken Bennett, Amanda Brimmer, Rich Christy, James Eussen, Jamie Grim, Josie Hadley, Joel Hemesath, Myron Hora, Mark Jackson, Scott James, Will Jones, Dean Klingner, Daniel Mattson, Steve Moreno, Mitch Nelson, Heather Paddock, Randy Ready, Jan Rowe, Bryan Schafer, Karen Schneiders, Jody Shaddock-McNally, Robin Stoneman, Eric Tracy, Wade Troxell, William

Chair D. Clark called the MPO Council meeting to order at 6:02 p.m.

Public Comment:

Darin Barrett, Loveland citizen, thanked Commissioner Donnelly for his contributions to the Council and I-25. Additionally, Barrett reiterated his public comment from last month's meeting requesting the Planning Council write a letter to the federal authorities or the Governor asking for the dismissal of air quality readings due to wildfires and the Coors factory fire.

Move to Approve Agenda:

Ross **moved** to approve the *December 3, 2020 Meeting Agenda*. The motion was **seconded** and **passed** unanimously.

Move to Approve Minutes:

McLeod **moved** to approve the *November 5, 2020 Council Meeting Minutes* as submitted. The motion was **seconded** and **passed** unanimously.

Executive Session:

Director Mallette provided instructions on how to join the Executive Session via a separate conference call. Chair D. Clark requested a motion to enter an Executive Session.

Donnelly **moved** the *Council enter into an Executive Session pursuant to C.R.S. §24-6-402(4)(f), for discussion of a personnel matter regarding the annual evaluation of the Executive Director and not involving: any specific employee who has requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies.* The motion was **seconded** and **passed** unanimously.

Chair D. Clark stated no Action would be taken during the Executive Session.

Council entered Executive Session at 6:11 p.m. The session lasted approximately thirty-five minutes.

Chair D. Clark called for a brief break.

The meeting reconvened at 6:52 p.m.

Lead Planning Agency for Air Quality Agenda

Chair D. Clark opened the Air Quality portion of the meeting.

Air Pollution Control Division (APCD)

Wojtach stated the Monthly Report from the APCD includes information and links for a review of the 2020 ozone season, stakeholder engagement meetings on a fee rule to fund the Air Quality Enterprise, and stakeholder meetings on Greenhouse Gas emissions from oil and gas. In November, the Air Quality Control Commission (AQCC) took preliminary action on the regional haze rulemaking, including expediting the closure of several power plants. In December, the AQCC will take final action on the regional haze rulemaking and hold the rulemaking hearing on the ozone SIP. Wojtach noted a separate rulemaking will be set to address pneumatic devices used in oil and gas operations.

Wojtach provided information on the impact of wildfires on ozone values and the process for submitting an exceptional event demonstration to the EPA. The APCD will evaluate the 2020 data in 2021 and decide if a demonstration should be submitted. She noted a demonstration takes substantial time and effort, may not be approved by EPA, and even if approved, may not change the outcome, as the region may still fail to meet the standard. Wojtach identified ways to provide comment, including submitting written comment to the RAQC, AQCC, or state political representatives and clarified the decision to pursue an exceptional event demonstration can be made by the Governor. After the meeting, Wojtach will provide instructions on submitting written comment.

Discussion focused on the value of identifying accurate ozone readings reflective of human contributions using the EPA's exceptional events provision.

Regional Air Quality Council (RAQC)

A written report was provided.

SIP Hearing

Director Mallette noted the NFRMPO was involved in developing the motor vehicle emissions budgets (MVEB) included in the Serious SIP, which are used for conformity. The AQCC's rulemaking hearing for the Serious SIP is in December. An alternative proposal was submitted by WildEarth Guardians to lower the budgets by 25 percent. Due to the alternative proposal, the NFRMPO submitted a request for late party status but the request was denied. Instead, the NFRMPO submitted a public comment letter to AQCC and the NFRMPO will serve as a witness during the RAQC's testimony at the hearing. Mallette noted the alternative proposal to lower the budgets does not meet process requirements and is not backed by scientific analysis.

Amanda Brimmer, RAQC, provided additional detail on the AQCC's Serious SIP rulemaking hearing and the rebuttal statement submitted by the RAQC countering the alternative proposals. Public comment is 4:30-7:30 pm on December 16 and the hearing is December 17 and 18.

Metropolitan Planning Organization (MPO) Agenda

Chair D. Clark opened the MPO portion of the meeting.

REPORTS:

Report of the Chair

Chair D. Clark recognized the service of Mayor Pro Tem Stephens, Commissioner Ross, and Commissioner Donnelly, who will no longer be representing their communities on the Planning Council. The Council members received accolades for their dedication and contributions to NFRMPO accomplishments.

Executive Director Report

Director Mallette reported the MPO Boundary Discussion focus group has met twice with Transportation Planning Region (TPR) chairs. The group considered six boundary scenarios and narrowed it down to four. The focus group is meeting next week to further refine the scenarios and determine impacts to funding and governance structures. She noted the discussions are in the preliminary phase, participation is open to all communities, and any change would require an extensive process and would not happen quickly. Stephens stated it is unclear if any of the scenarios will resolve any identified issues. Chair D. Clark noted it has been an informative process and the 2020 Census could also prompt boundary changes.

Finance Committee

A written report was provided.

TAC

A written report was provided.

Mobility

A written report was provided.

CONSENT AGENDA:

Karspeck **moved** to *APPROVE THE CONSENT AGENDA*. The motion was **seconded** and **passed** unanimously. Items on the consent agenda included:

- Updated Federal Performance Measures: Pavement Condition
- FY2020 TIP Delay Review
- FY2021 UPWP Tasks Amendment
- Articles of Association Update

ACTION ITEMS:

November 2020 TIP Amendment

Medora Bornhoft, Transportation Planner II, stated the amendment includes two new projects for the Transportation Improvement Program (TIP). No comments have been received to date, and Council action is contingent on no comments being submitted following Council approval and prior to the closure of the 30-day public comment period on December 10, 2020.

Ross **moved** to *APPROVE RESOLUTION 2020-25 FOR THE NOVEMBER 2020 TIP AMENDMENT*. The motion was **seconded** and **passed** unanimously.

E-Signature Policy

Stuart Kurtz, Accounting Manager, stated electronic signatures have become necessary and a policy was drafted to govern the usage and acceptance of e-signatures. He explained the policy and noted it conforms with state law.

Stephens **moved** to *APPROVE RESOLUTION 2020-26 FOR THE E-SIGNATURE POLICY*. The motion was **seconded** and **passed** unanimously.

2021 Officer Elections

Chair D. Clark opened nominations for 2021 Council Chair, noting the bylaws require alternating chairs between Larimer County and Weld County and therefore nominations for representatives from Weld County are requested.

*Chair D. Clark **nominated** McLeod.* The motion was **seconded**.

*Chair D. Clark **moved** to close nominations and elect McLeod as 2021 Council Chair by Acclamation.* The motion was **seconded** and **passed** unanimously.

Chair D. Clark opened nominations for 2021 Council Vice Chair, noting nominations for representatives from Larimer County are requested.

*McLeod **nominated** Karspeck.* The motion was **seconded**.

*Chair D. Clark **moved** to close nominations and elect Karspeck as 2021 Council Vice Chair by Acclamation.* The motion was **seconded** and **passed** unanimously.

Chair Elect McLeod thanked Chair D. Clark for his dedication and extensive contributions. Mallette stated Chair D. Clark will be receiving a plaque in recognition of his service to the MPO.

Chair Elect McLeod will assign a Statewide Transportation Advisory Committee (STAC) Representative at the January 2021 meeting.

DISCUSSION ITEM:

2017-2021 NFRMPO Targets for Safety Performance Measures

AnnaRose Cunningham, Transportation Planner I, explained States and MPOs are required to adopt targets each year for five safety performance measures. She presented the targets adopted by CDOT and considerations for whether the MPO should set regionally specific targets or support the targets adopted by CDOT.

Discussion centered on how the targets relate to Vision Zero and the NFRMPO's Safety Vision. Cunningham explained the Safety Vision informs the NFRMPO's plans and programs and is aspirational, whereas the targets must be data driven.

COUNCIL REPORTS:

Transportation Commission Report

Bracke reported the Commission is working on adjusting budgets and forecasts due to the financial impacts of COVID-19. Bracke noted the Governor's budget proposal includes funding for shovel ready projects and Safer Main Streets. Executive Director Lew reconvened the Statewide Transportation Working Group to identify funding options. Bracke offered to meet with Planning Council members, local government councils, and community organizations to provide information on transportation planning at CDOT.

CDOT R4 Update

Paddock thanked Commissioner Donnelly, Commissioner Ross, and Mayor Pro Tem Stephens for their service and leadership on I-25.

Paddock stated the Larimer County Emergency Management Team reported the Cameron Peak fire is now 100 percent contained.

The Governor's budget proposal includes a \$1.2B stimulus package with \$200M for transportation. The specific projects are still being discussed. \$130M would go to shovel ready

projects and failing assets. Another \$70M would go to the Revitalizing Main Streets and Safer Main Streets program to bolster multimodal downtowns and economic activity. The criteria for this program are still being developed. Similar programs were available earlier this year and provided substantial support in Region 4.

The Great Western Railroad bridge deck slide in over North I-25 was successful. Paddock noted the US34 bridge deck is progressing with traffic shift in early spring. Prospect interchange is still planned to be completed by end of the year. Final bids on Segment 6 were recently received, and the full scope will be addressed within the project budget, which is a testament to the great work of the project team and the construction manager general contractor (CM/GC) process.

I-25 Coalition Report

Chair D. Clark stated Sandra Solin reported on the stimulus package and legislative action during the special session. David May provided a report on the I-25 Funding Committee to identify funding options. May is retiring from the Fort Collins Chamber of Commerce and Chair D. Clark noted May provided substantial support for I-25. The TIFIA loan for I-25 Segments 7 & 8 is still in process.

US-34 Coalition Report

Chair D. Clark stated CDOT presented on interchange designs for WCR17, 35th Avenue, and 47th Avenue and US34. The overall goals of the Coalition will be addressed at the next meeting.

STAC Report

A written report for November was provided.

Host Council Member Report

Donnelly stated collaboration between Larimer County and Berthoud on LCR17 using federal funding provided by the NFRMPO has been successful and work is nearly completed.

MEETING WRAP-UP:

Next Month's Agenda Topic Suggestions

None

The meeting was adjourned at 8:33 p.m.

Meeting minutes submitted by: Medora Bornhoft, NFRMPO Staff