

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

**May 6, 2021
Virtual Meeting**

Voting Members Present:

Will Karspeck- Vice Chair -Berthoud
Elizabeth Austin -Milliken
Jeni Arndt -Fort Collins
Kathleen Bracke -Transportation Commission
Frank Bazler -Severance
Dave Clark -Loveland
Mark Clark -Evans
Paula Cochran -LaSalle
Lanie Isbell -Eaton
Scott James -Weld County
Brett Payton -Greeley
Paul Rennemeyer -Windsor
Kristin Stephens -Larimer County
Dena Wojtach -CDPHE-APCD

Voting Members Absent:

Fil Archuleta -Garden City
Lisa Laake -Timnath
Troy Mellon -Johnstown

MPO Staff:

Suzette Mallette, Executive Director; **Becky Karasko**, Transportation Planning Director; **Merideth Kimsey**, Accounting Manager; **Cory Schmitt**, Mobility Manager; **Alex Gordon**, Transportation Planner III; **Medora Bornhoft**, Transportation Planner II; Ryan Dusil, Transportation Planner II; and **AnnaRose Cunningham**, Transportation Planner I, **Kerri Ishmael**, **Accounting Clerk III**

In Attendance:

Dawn Anderson; Jeff Bailey; Darin Barrett; Abdul Barzak; Allison Baxter; Frank Bazler; Dan Betts; Michael Cheroutes; Rich Christy; Paula Cochran; Spencer Dodge; Simon Duranceau; James Eussen; Jamie Grim; Josie Hadley; Joel Hemsath; Omar Herrera; Myron Hora; Will Jones; Dean Klingner; Katrina Klobberdanz; Mitch Nelson; Johnny Olson; Heather Paddock; Carla Perez; Mark Peterson; Kim Redd; Jan Rowe; David Singer; James Souby; Robin Stoneman; Eric Tracy

Vice-Chair Karspeck called the MPO Council meeting to order at 6:01 p.m.

Public Comment:

There was no public comment.

Move to Approve Agenda:

James **moved** to *APPROVE THE MAY 6, 2021 MEETING AGENDA AS SUBMITTED*. The motion was **seconded** by Isbell and **passed** unanimously.

Move to Approve Minutes:

D. Clark **moved** to *APPROVE THE APRIL 1, 2021 MEETING MINUTES AS SUBMITTED AND THE CORRECTED DECEMBER 3, 2020 MINUTES*. The motion was **seconded** by Stephens and **passed** unanimously.

Public Hearing

Air Quality Conformity for the FY2022-2025 Transportation Improvement Program (TIP)
Medora Bornhoft, Transportation Planner II, stated the purpose of the Public Hearing was to notify the public and receive input on Air Quality Conformity Determinations for the NFRMPO Region and a portion of the Upper Front Range Transportation Planning Region within the Northern Subarea of the Denver Metro-North Front Range 8-hour Ozone Nonattainment Area and the Fort Collins Carbon Monoxide Maintenance Area. The NFRMPO is required to determine conformity of the TIP with federal and state air quality laws and regulations before federal-aid transportation projects may proceed. The FY2022-2025 TIP meets all conformity criteria and all planning requirements. No comments were received from the public on the Conformity documents during the public comment period, which opened on April 2, 2021 and closed on May 3, 2021.

Karspeck opened the Public Hearing. There was no public comment.

Karspeck closed the Public Hearing at 6:07 p.m

Lead Planning Agency for Air Quality Agenda

Vice-Chair Karspeck opened the Air Quality portion of the meeting.

Air Pollution Control Division (APCD)

A written report was provided.

Regional Air Quality Council (RAQC)

A written report was provided.

NFRMPO Air Quality Program Updates

Bornhoft reported the greenhouse gas (GHG) rulemaking, pertaining to GHG budgets in transportation plans, by the Air Quality Control Commission (AQCC) which was originally scheduled to be discussed at the Commission's meeting in May with a hearing to be held in August has likely been delayed one month. Bornhoft stated the three programs that are being created or modified with the GHG rulemaking as well as the concerns from the NFRMPO based on previous Council discussions. The NFRMPO is considering filing for party status for the rulemaking which will include hiring an air quality attorney for the process.

James asked if there was a reason for the rulemaking delay. Bornhoft stated there has not been an official reason released. D. Clark and James expressed concerns about the employee traffic reduction program and support for filing for party status during the rulemaking process. Stephens asked about the stakeholder outreach to larger businesses in the region and the responses the business have given on the program. Bornhoft reported business that attended the stakeholder sessions expressed similar concerns as have been expressed by the Planning Council.

Metropolitan Planning Organization (MPO) Agenda

Vice-Chair Karspeck opened the MPO portion of the meeting.

REPORTS:

Report of the Chair

Karspeck reported he is acting as Chair until the elections later in the meeting.

Executive Director Report

Mallette provided information on the following:

- Kerri Ishmael, Accounting Clerk III began at the NFRMPO in April, and reported Hanna Johnson will be starting on May 24 as the new Mobility Coordinator who will be working with to Cory Schmitt on the Weld and Larimer County mobility committees and the launch of RideNoCo, the One Call/One Click Center.
- The NFRMPO will be hosting the first Community Advisory Committee (CAC) on May 11 at 6:00 p.m. as a virtual meeting. The meeting will include an introduction to the NFRMPO, a discussion on the goal of the CAC, and a presentation on the Active Transportation Plan.

- Senate Bill 21-260, the bill that is proposing raising fees to pay for transportation, has been released with a written update provided.

Finance Committee

A written report was provided.

TAC

A written report was provided.

TIP Modifications

A written report was provided.

Mobility

A written report was provided.

PRESENTATIONS:

Front Range Passenger Rail Update

Becky Karasko, Transportation Planning Director and the Commissioner Representing the NFRMPO on the Southwest Chief/Front Range Passenger Rail (FRPR) Commission, introduced the presentation. Karasko reported that Senate Bill (SB) 21-238 was introduced in April, during the April FRPR meeting. Karasko, along with representatives from the Denver Regional Council of Governments (DRCOG), Regional Transit Division (RTD), and BNSF abstained from voting in support of the Bill as well as on an alignment. An alignment was selected during the April FRPR meeting by the remaining commissioners as using the US 287/BNSF corridor in the NFR region. NFRMPO staff have expressed concerns about the legislation including creating a district prior to an alignment being selected and vetted through the NEPA process, creating a taxation district through legislation rather than through a vote of the people, how this bill would affect future sales tax initiatives, and concern that there is not equal representation between the northern and southern portions of the district.

David Singer, CDOT Environmental Policy and Biological Resources Section Manager, introduced the purpose of the FRPR Commission and outlined the role CDOT has on the commission of providing technical assistance and knowledge on the project. Singer outlined the work that has been completed on the project including developing a vision, ridership modeling, cost estimating, an alternatives analysis, and an analysis of potential alignments.

Jim Souby stated the FRPR Commission took action on three items during the April meeting; approving the legislation, creating a Rail District based on MPO boundaries and within 10 miles of the I-25 corridor, and the preferred alignment.

James and Payton expressed concerns that the selected alignment does not serve the populations within the Rail District and stated this issue could be addressed through the Rail District being created based on population rather than geographies. Stephens expressed concerns about the creation of a taxation district prior to addressing concerns from the public. Bracke expressed concerns on equity and representation on the district, expressing support of focusing on population centers as opposed to geography.

North I-25 Unsolicited Proposal to HPTE

Michael Cheroutes, Senior Representative of Roadis, an international toll road operator, stated the CDOT Transportation Commission lifted the moratorium on unsolicited proposals related to I-25 North in Fall 2020. Roadis partnered with Horrocks to submit a proposal to CDOT's High Performance Transportation Enterprise (HPTE) regarding the feasibility of a financing proposal for the improvements along I-25. Jonny Olson, Move Colorado President and Horrocks Engineering outlined the benefits of the proposal and the next steps in the proposal process.

D. Clark asked for clarification about the timeline of next steps in the process. Olson stated the earliest anticipated date is currently 2024 with possible groundbreaking in 2024 or 2025 but is dependent CDOT's processes. Mallette asked for clarification on what is currently unfunded in the North I-25 project. Olson stated that currently segments two through five are unfunded.

CONSENT AGENDA:

James **moved** to *APPROVE THE CONSENT AGENDA*. The motion was **seconded** by Stephens and **passed** unanimously. The consent agenda included four items:

- Air Quality Conformity, Resolution No. 2021-10
- FY2022-2025 Transportation Improvement Program (TIP), Resolution No. 2021-11
- FY2022-2023 Unified Planning Work Program (UPWP), Resolution No. 2021-12
- Q4 Unaudited Financial Statements

ACTION ITEMS:

Election of Chair & Vice Chair, NFRMPO RAQC Representative Recommendation

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

Chair Karspeck opened the nominations for 2021 Council Vice Chair. *M. Clark* **nominated** *James*. The motion was **seconded**. *Chair Karspeck* **moved** to close the nominations and elect *James* as 2021 Council Vice Chair by Acclamation. The motion was **seconded** and **passed** unanimously.

Chair Karspeck opened the nomination for recommendation for appointment as the RAQC representative. *Chair Karspeck* **nominated** *Stephens*. The motion was **seconded** and **passed** unanimously.

Executive Director Contract

D. Clark presented the continuation of the contract for Director Mallette. Payton stated the HR committee recommends approval of the new contract.

D. Clark **moved** to *APPROVE the EXECUTIVE DIRECTOR CONTRACT*. The motion was **seconded** by James and **passed** unanimously.

Air Quality Attorney

Mallette outlined the reasons the NFRMPO is considering hiring an air quality attorney based on discussions with the Planning Council and Executive Committee. The attorney being considered is the same attorney which Weld County has hired. The attorney would work with the NFRMPO on filing for party status during the rulemaking for the GHG budgets and the ETRP program. The cost estimate is \$35,000 per Hearing which would be budgeted using the Fort Collins exchange with VanGo™ funds. If approved, a budget amendment would be processed in the upcoming months. No objections were received and Chair Karspeck considered the action **approved**.

FY2021 UPWP Budget Amendment #2

Kimsey outlined the budget amendment which includes additional funding in FY2021 of \$115K for Transportation Services for Vulnerable Populations (TSV); \$33K of FTA 5310 funds for transportation services for non-urban areas; and finalizing the previously approved VanGo funds to cover the excess expenses of the Section 5310 contract for 2020 which was approved during the April 2021 council meeting. Budget tables are available for review.

James **moved** to *APPROVE RESOLUTION 2021-13 APPROVING THE FY2021 UPWP BUDGET AMENDMENT #2*. The motion was **seconded** by Isbell and **passed** unanimously.

COUNCIL REPORTS:

Transportation Commission

Bracke reported the state transportation bill was released earlier in the week, stating the bill will be a sustainable funding source for transportation in the state and will help fund the 10-year pipeline of projects.

CDOT R4 Update

Paddock reported CDOT will be returning to the office starting in June. Construction will be continuing along I-25 with upcoming closures on Highway 60. Additionally, cleanup is still happening on I-25 at Highway 402 due to the diesel spills. D. Clark asked if the upcoming closures include the frontage road between North and South Highway 60. Paddock stated that permanent closure will happen at a later date. Paddock stated that the I-25 project managers can give a presentation updating progress along the corridor at an upcoming meeting.

STAC report

A written report was provided.

I-25 Coalition

James reported the I-25 Coalition discussed the upcoming transportation legislation. CDOT/HPTE presented about the process and public private partnerships along the corridor and the progress on the TIFIA loan.

Host Council Member Report

Stephens reported construction is continuing for the signalization of Douglas Road/CR54 and SH1 to address safety concerns. Construction will begin to widen Shields St between Willox and Highway 287 and will be completed by the end of 2021. Construction will also begin to widen CR 70/Owl Canyon Road and Taft Hill Road.

MEETING WRAP-UP:

Next Month's Agenda Topic Suggestions

CDOT presentation on progress of the North I-25 project

The meeting was adjourned at 7:48 p.m.

Meeting minutes submitted by: AnnaRose Cunningham, NFRMPO Staff