

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

**December 1, 2022
Hybrid Meeting in Windsor, CO**

Voting Members Present:

Will Karspeck – Chair	-Berthoud
Scott James – Vice Chair	-Weld County
Elizabeth Austin	-Milliken
Kathleen Bracke	-Transportation Commission
Tricia Canonico	-Fort Collins
Mark Clark	-Evans
Jessica Ferko	-APCD
Liz Heid	-Eaton
Jon Mallo	-Loveland
Troy Mellon	-Johnstown
Johnny Olson	-Greeley
Paul Rennemeyer	-Windsor
Kristin Stephens	-Larimer County

Voting Members Absent:

Fil Archuleta	-Garden City
Frank Baszler	-Severance
Paula Cochran	-LaSalle
Lisa Laake	-Timnath

MPO Staff:

Suzette Mallette, Executive Director; **Becky Karasko**, Transportation Planning Director; **Cory Schmitt**, Mobility Director; **Alex Gordon**, Transportation Planner III; **Medora Bornhoft**, Transportation and Air Quality Planner III; **AnnaRose Cunningham**, Transportation Planner II; **Jerome Rouser**, Transportation Planner I; **Rachel Stillwell**, Accountant

In Attendance: Dawn Anderson, Dan Betts, Rich Christy, Rick Coffin, Michelle Edgerley, James Eussen, Dana Hornkohl, Katrina Kloberdanz, Heather Paddock, Evan Pinkham, Jan Rowe, Robin Stoneman, Josie Thomas

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

Public Comment:

No public comment.

Move to Approve Agenda and Minutes

James **moved** to *APPROVE THE DECEMBER 1, 2022 MEETING AGENDA AS SUBMITTED*. The motion was **seconded** by Bracke and **passed** unanimously.

Mellon **moved** to *APPROVE THE NOVEMBER 3, 2022 MEETING MINUTES AS SUBMITTED*. The motion was **seconded** by James and **passed** unanimously.

Lead Planning Agency for Air Quality Agenda

Chair Karspeck opened the Air Quality portion of the meeting.

REPORTS:

Air Pollution Control Division (APCD)

Ferko stated APCD is hosting several listening and engagement sessions, including sessions on modernizing the stationary source data system, the upcoming rulemaking for Colorado's building performance standard rule, and the development of a statewide air toxics monitoring program pursuant to House Bill 22-1244. Ferko noted the December meeting of AQCC will include the request for rulemaking on Regulation 20 related to Advanced Clean Trucks (Act), Low NOx omnibus, and large entity reporting rules. The December AQCC meeting also includes the rulemaking hearing for the two ozone State Implementation Plans (SIPs).

Regional Air Quality Council (RAQC)

A written report was provided.

NFRMPO Air Quality Program Updates

Bornhoft explained APCD is proposing temporarily withdrawing the Motor Vehicle Emission Budgets (MVEBs) for the Severe SIP and further lowering the MVEBs for the Moderate SIP. NFRMPO staff support the proposals. Bornhoft noted the GHG IGA will be brought to Council for review in January and work on equity considerations for GHG mitigations is ongoing.

Metropolitan Planning Organization (MPO) Agenda

Chair Karspeck opened the MPO portion of the meeting.

REPORTS:

Report of the Chair

Chair Karspeck thanked Council members, NFRMPO staff, and Vice Chair James for their service.

Executive Director Report

No report.

TAC

A written report was provided.

Mobility

A written report was provided.

Finance

A written report was provided.

Community Advisory Committee (CAC)

A written report was provided.

CONSENT AGENDA:

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

- FAML I Opt Out (*RESOLUTION NO. 2022-33*)
- Q3 2022 Unaudited Financials

ACTION ITEMS:

2023 Officers Election

Chair Karspeck opened nominations for 2023 Council Chair and noted that according to bylaws the Chair must switch between Larimer and Weld counties.

*Clark **nominated** Vice Chair James for Chair. Vice Chair James was elected to 2023 Council Chair by acclamation.*

Chair Karspeck opened nominations for 2023 Council Vice Chair.

Clark **nominated** Mallo for Vice Chair. Canonico **nominated** Stephens for Vice Chair. Mallo was elected 2023 Council Vice Chair by a ballot vote.

2022 Public Involvement Plan (PIP)

Cunningham described the purpose of the 2022 PIP and explained four sets of comments were submitted during the 45-day public comment period. NFRMPO staff addressed the comments and links to a markup version and a clean version of the PIP are in the packet. The TAC recommended Planning Council approval of the 2022 PIP.

James **moved** to approve *RESOLUTION NO. 2022-34 ADOPTING THE 2022 NFRMPO PUBLIC INVOLVEMENT PLAN (PIP)*. The motion was **seconded** by Rennemeyer and **passed** unanimously.

November 2022 TIP Amendment

Cunningham described the revision request from CDOT for the *North I-25: Design Build* project to reflect previously programmed and currently budgeted funds for the project. The revisions correct funding in the TIP and STIP entries but do not change actual funding going to project. The 30-day public comment period is open through December 8, 2022, and no comments have been received to date.

Rennemeyer **moved** to approve *RESOLUTION NO. 2022-35 APPROVING THE NOVEMBER 2022 TIP AMENDMENT TO THE FY2023-2026 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)*. The motion was **seconded** by James and **passed** unanimously.

Transportation Demand Management (TDM) Plan

Gordon provided background and an overview of the TDM Action Plan. Several of the recommendations of the Plan are already underway, such as the exploration of a regional Safe Routes to Schools and Safe Routes to Parks program by NoCo Bike and Ped, consideration of incorporating a TMO for the US34 corridor by the US34 Coalition, and next steps for LinkNoCo funded by MMOF. Gordon described the seven comments that were submitted during the public comment period and addressed in the final version of the Plan.

Mallo asked for detail on next steps for LinkNoCo. Gordon stated he is meeting with FTA next week to discuss LinkNoCo recommendations and ensure FTA processes are followed. As discussed with the US34 Coalition, a service development plan should be developed for the corridor to identify headways, locations for transit signal priority, etc.

Olson asked how success will be measured. Gordon explained metrics will be written into the contract for the TMO and other measures of success will be defined at the outset of each implementation activity.

Rennemeyer **moved** to approve *RESOLUTION NO. 2022-36 ADOPTING THE TRANSPORTATION DEMAND MANAGEMENT (TDM) ACTION PLAN*. The motion was **seconded** by James and **passed** unanimously.

DISCUSSION ITEMS:

FY2022-2023 Unified Planning Work Program (UPWP) FY2023 Tasks Update

Karasko explained a task update is needed to account for the additional funding of \$167K approved by Planning Council in November with FY2023 Budget Amendment #1. No new tasks or products are being added to the UPWP. Karasko noted the increase for staff salaries will be distributed across all relevant tasks.

FY2023-2025 Additional Allocations

Cunningham explained additional federal and state funds are available to award for FY2023 through FY2025 across five funding programs. The Infrastructure Investment and Jobs Act (IIJA) increased federal funding for the CMAQ, STBG, and TA programs beginning in FY2022. IIJA also established the Carbon Reduction Program (CRP), which provides funding for projects designed to reduce greenhouse gas (GHG) emissions from transportation. All FY2022 funds have been rolled into FY2023. A substantial amount of the available funding is current year (FY2023) funding.

A total of \$13.5M is available to award. There is a total of \$11.6M in unfunded requests for waitlisted or unfunded projects from the two most recent NFRMPO Calls for Projects. The additional federal funds could be awarded to some or all of the waitlisted and unfunded projects.

Cunningham explained the process for awarding additional funds, which is outlined in the TIP and the relevant Call's guidelines, provides funding to waitlisted projects if funding becomes available within the applicable funding program and funding year.

NFRMPO staff propose to award funds to waitlisted and unfunded projects regardless of the funding program to which the project was originally submitted. This approach will enable obligation of current year funding more quickly. Projects recommended to receive funds from a different funding program have been screened for eligibility by NFRMPO staff. The recommendation to include unfunded projects was made by the TAC.

Cunningham provided details on the three unfunded projects from the MMOF Call for Projects and listed the 12 projects proposed to receive funding. All but one of the projects would be fully funded. Larimer County agreed to a slightly lower funding award for the *North LCR 17 Expansion* project due to funding year availability and match requirements.

James asked if CRP has any performance standards or requirements. Cunningham stated CRP requires the project to reduce GHG emissions. Staff is recommending awarding CRP funds to projects with unfunded requests from the MMOF Call because GHG reductions were evaluated for MMOF applications. Reporting requirements for CRP may be developed as part of CDOT's forthcoming Carbon Reduction Strategy, which is federally required to be developed in partnership with MPOs by November 2023. Council members discussed leveraging the GHG work already conducted in the state to minimize duplication.

James asked if the state MMOF program and federal CRP have the same requirements, which could provide flexibility to projects. Cunningham stated the programs are very similar and suggested for FY2026 and beyond the NFRMPO could hold a super call with all funding programs to improve the fit between projects and funding programs.

Bracke asked if funding is needed for Poudre River Trail connections on either side of North I-25. Cunningham and Mallette believed the trail connections are funded and will send details to the Councilmembers following the meeting.

Cunningham noted the staff proposal to award funds regardless of funding program has support from the TAC. With this proposal, all available CMAQ and TA funds would be awarded. A mini-Call would be held to award the remaining funding, which is mostly FY2025 funding and includes \$679K STBG, \$347K MMOF, and \$1M CRP.

COUNCIL REPORTS:

Transportation Commission – Bracke stated the Bustang Outrider service launched between Sterling and Denver and Sterling and Greeley. Transportation Commission (TC) discussed budget at last month's meeting and final review of the budget is in March. The State Demography Office presented at STAC on the slowing population growth rate, decline in workforce age population, and high telework rates. A robust discussion was held on the TAP program at STAC. Bracke noted CDOT has a wide range of safety messages which can be leveraged by local governments and partners to promote safety. The TC's December meeting is on Wednesday only and includes a decision on delivery of North I-25 Segment 5 and opportunity for public comment on that item.

CDOT R4 Update – Paddock noted the State is not proceeding to phase 3 for the public-private partnership (P3) Roadis/ "I-25 Now" proposal which would have entailed issuing an RFP. Paddock provided additional detail on the TC's decision item in December on how North I-25 Segment 5 will be delivered. Two options are being considered, including retaining the existing contractor who was hired before the accountability and transparency guidelines of SB260 were passed or start over with a new project delivery selection matrix. Paddock reported Region 4 has good staffing levels for maintenance. Paddock recommended using the CO Trip app to view the location of plows and see which roadways have been plowed.

STAC Report – A written report was provided.

Colorado Transportation Investment Office (CTIO) – A written report was provided. Mallette noted Gutierrez will attend the Planning Council meeting in January and future meetings when there are major items to report.

I-25 Coalition – James noted a meeting will not be held in December.

James stated he will provide public comment at the December TC meeting to advocate for retaining the existing contractor for North I-25 Segment 5. Rebidding the project would incur a mobilization cost and a delay of six months to two years, and he noted SB260 had not been passed when the contractor was selected. Olson stated delaying the project would increase costs substantially due to 7% annual inflation in construction costs. Bracke supports completing the project quickly and at a lower cost to address safety issues on the corridor.

Stephens asked if CDOT will seek federal grants for Segment 5. Bracke stated CTIO's decision creates clarity for next steps and means applying for federal funding makes sense. Paddock stated the project is a great candidate for INFRA/MEGA and expects to apply next year.

Council members discussed how to present concerns to the TC. Mallette will send out bulleted talking points for communities wishing to submit a letter or provide public comment at the TC meeting. In addition, NFRMPO staff will develop a letter from the Planning Council for the Chair's signature.

Nonattainment Area Air Pollution Mitigation Enterprise (NAAPME) – Stephens stated NAAPME will meet on December 7, 2022.

Front Range Passenger Rail District – Olson stated Andy Karsian was selected as General Manager for the FRPRD. The board retreat will occur December 8-9, 2022.

Host Council Member Report – Rennemeyer reported Windsor is adding at least 150 parking spots in the downtown area. Future Legends is moving forward. Windsor is expanding its wastewater treatment facility this year for \$50M. The bond mill levy passed in November will fund a new middle school, which will be built north of the Windsor Public Works Complex and will alleviate traffic on Main Street. A new police facility will also be built north of the Public Works Complex.

Herrera stated work to widen a section of SH392 is complete; however, work will continue on the south shoulder to replace a 24" transmission line. Next year Windsor will pursue 90% design for widening SH392 between Highland Meadows Parkway and Colorado Boulevard. Construction drawings are finalized for the SH257 and Eastman Park drive intersection and groundbreaking is expected in spring 2023. Traffic Engineer Eric Bracke is developing a roadway safety program to identify traffic safety issues. Windsor is updating its roadway impact fee and will conduct outreach with developers in 2023.

EXECUTIVE SESSION:

Chair Karspeck requested a motion to enter an Executive Session.

Rennemeyer **moved** the Council enter into an Executive Session pursuant to C.R.S. §24-6-402(4)(f), 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** by James and **passed** unanimously.

Chair Karspeck initiated a 5-minute recess at 7:32 p.m.

Council entered Executive Session at 7:42 p.m. The Session ended at 8:18 p.m.

MEETING WRAP-UP:

Next Month's Agenda Topic Suggestions

None.

The meeting was adjourned at 8:18 p.m.

Meeting minutes submitted by: Medora Bornhoft, NFRMPO Staff