

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

**April 6, 2023
Hybrid Meeting in Berthoud, CO**

Voting Members Present:

Scott James – Chair	-Weld County
Jon Mallo – Vice Chair	-Loveland
Frank Baszler	-Severance
Kathleen Bracke	-Transportation Commission
Tricia Canonico	-Fort Collins
Mark Clark	-Evans
Paula Cochran	-LaSalle
Dan Dean	-Milliken
Liz Heid	-Eaton
Troy Mellon	-Johnstown
Johnny Olson	-Greeley
Kristin Stephens	-Larimer County

Voting Members Absent:

Fil Archuleta	-Garden City
Jessica Ferko	-APCD
Will Karspeck – Past Chair	-Berthoud
Lisa Laake	-Timnath
Paul Rennemeyer	-Windsor

MPO Staff:

Suzette Mallette, Executive Director; **Becky Karasko**, Transportation Planning Director; **Alex Gordon**, Transportation Planner III; **Medora Bornhoft**, Transportation and Air Quality Planner III; **AnnaRose Cunningham**, Transportation Planner II; **Jerome Rouser**, Transportation Planner I.

In Attendance: Andrew Boesnecker, Rich Christy, Jim Eussen, Jenna Fisher, Nicole Hahn, Omar Herrera, Mark Jackson, Will Jones, Katrina Kloberdanz, Celina Milner Leon, Deanna McIntosh, Tom Moore, Heather Paddock, Elizabeth Relford, Jan Rowe, Mike Silverstein, Josie Thomas, Eric Tracy, Paul Trombino, and James Usher

Chair James called the MPO Council meeting to order at 6:00 p.m.

Public Comment:

No public comment.

Move to Approve Agenda and Minutes

Canonico moved to *APPROVE THE APRIL 6, 2023, MEETING AGENDA AS SUBMITTED*. The motion was seconded by Stephens and passed unanimously.

Mallo moved to *APPROVE THE MARCH 2, 2023 MEETING MINUTES AS SUBMITTED*. The motion was seconded by Canonico and passed unanimously.

Lead Planning Agency for Air Quality Agenda

Chair James opened the Air Quality portion of the meeting.

REPORTS:

Air Pollution Control Division (APCD)

A written report was provided.

Regional Air Quality Council (RAQC)

Silverstein provided an overview of the history of RAQC. Silverstein noted there are four representatives from the North Front Range region on RAQC's board: Mayor Wendy Koenig, Councilmember Alicia Johnson, Commissioner Kristin Stephens, and Professor Jeff Collett. Silverstein stated RAQC does not receive direct allocations of federal or state monies and operations and programs are funded through grants and contracts. RAQC has an anticipated budget of \$8 million for 2023. Silverstein noted RAQC has worked with the NFRMPO in the past on Ozone SIP development, technical analyses and studies, emission control strategy development, and transportation conformity determinations. Olson asked how RAQC is working with the enterprises created by SB260 and if RAQC is anticipating receiving any SB260 funds in the future. Silverstein stated RAQC is waiting for additional opportunities to apply for funding and has not received announcements of any additional funding opportunities from the state. RAQC is monitoring the work of the enterprises, particularly the Air Quality Enterprise. James asked what data set RAQC uses for technical analysis. Silverstein noted RAQC receives data from many different data sources. Silverstein stated much of the industrial emissions are reported by industry to the state. James asked if RAQC uses EnviroScreen. Silverstein noted EnviroScreen is not used for ozone concentration or emissions analysis. James asked if stakeholders could have access to data. Silverstein noted data can be shared and RAQC will be holding a stakeholder meeting on the latest oil and gas emissions determinations.

NFRMPO Air Quality Program Updates

A written report was provided.

Metropolitan Planning Organization (MPO) Agenda

Chair James opened the MPO portion of the meeting.

REPORTS:

Report of the Chair

No report.

Executive Director Report

Mallette provided an update on legislation that the NFRMPO is tracking. HB23-1101 will go to a second conference committee. Mallette noted HB23-1276 will allow for the Bridge and Tunnel Enterprise to expand their scope and complete preventative maintenance bridge projects and would allow the enterprise to repair, reconstruct, replace, and maintain a fair-rated bridge under certain circumstances. SB23-268 would require CDOT to provide more information and transparency with the Ten-Year Transportation Plan. Mallette noted the VanGo program is still not back to pre-pandemic numbers but has made significant revenue from van sales. Mallette stated the NFRMPO received a shoutout for the 2045 RTP System Performance Report in the Model Long-Range Transportation Plans: A Guide for Performance Based Planning document created by FHWA.

Colorado Legislature Update

State Representative Andrew Boesnecker noted the General Assembly passed the 2023 budget which allows the assembly to begin working on bills with a fiscal note of more than \$100,000. Stephens asked if SB23-268's intention is to require CDOT to be more transparent with the 10-Year Transportation Plan. Boesnecker noted he is not familiar with SB23-268 but does believe there should be more transparency with the 10-Year Transportation Plan. Mallette asked about the status of HB23-1101. Boesnecker noted HB23-1011 passed the house on party line vote, and the Senate added amendment L007. The House rejected amendment L007 and

the bill went to the first Conference Committee. The Senate rejected the first Conference Report. The bill is a study and will not have the same implications as it would with amendment L007. Mallette asked for an update on HB23-1276. Boesnecker noted the House approved it out of the Transportation and Local Government Committee. Lots of interest in that bill due to the expanded scope that CDOT can address and the financial savings and safety concerns that the bill addresses. Boesnecker noted the bill aims to address bridge condition proactively to avoid bridge failure. Mallette asked for an update on SB23-213. Boesnecker noted it is in committee and there were at least 375 witnesses to testify. Boesnecker would welcome feedback on this bill. Boesnecker is watching some of the affordability options that local governments would be required to develop and some of the anti-displacement measures and the state's focus on transportation infrastructure and how it impacts affordable housing on transit corridors.

TAC

A written report was provided.

Mobility

A written report was provided.

VanGo™ Dashboard

A written report was provided.

CONSENT AGENDA:

No items.

ACTION ITEMS:

2050 RTP Goals, Objectives, Performance Measures, and Targets (GOPMT) – Rouser outlined the NFRMPO's proposed GOPMT for the 2050 RTP and updates to Regional Targets based on Planning Council feedback at their March meeting. Rouser noted the changes to non-motorized facilities, fixed-route transit service per capita, and non-single occupant vehicle (SOV) commute trips targets. Bracke noted equity should be considered when developing the GOPMT.

Olson **moved** to approve the *2050 RTP GOALS, OBJECTIVES, PERFORMANCE MEASURES, AND TARGETS (GOPMT)*. The motion was **seconded** by Heid and **passed** unanimously.

March 2023 TIP Amendment – Cunningham reviewed the projects included in the March 2023 TIP Amendment from CDOT and the City of Fort Collins.

Stephens **moved** to approve RESOLUTION NO. 2023-07 THE MARCH 2023 AMENDMENT TO THE FY2023-2026 TRANSPORTATION IMPROVEMENT PROGRAM (TIP). The motion was **seconded** by Olson and **passed** unanimously.

DISCUSSION ITEMS:

10th Street Access Control Implementation Project Funding Exchange – Paul Trombino, Public Works Director, Greeley, outlined the history of the *10th Street Access Control Implementation Project* and noted the project was completed, but the awarded funding could not be used due to the contractor not being able to provide the required Buy America documentation. The City of Greeley is requesting the STBG funds be reallocated to the *83rd Avenue Roadway Improvement Project*.

Olson noted the City of Greeley pulled one of the projects from the last Call for Projects which resulted in none of the remaining projects being waitlisted. James asked if there would be any conflicts with funding requirements by switching the projects. Cunningham said there would be no conflicts. Council supported reallocating the STBG funds to the *83rd Avenue Roadway Improvement Project*.

2023 Call for Projects Preview – Cunningham noted the next Call for Projects will open August 4th with applications due October 6th. Cunningham outlined the four funding programs included in this call and the projected dollar amounts. NFRMPO Staff recommended not awarding FY2026 and FY2027 Multimodal Transportation Options Fund (MMOF) funds during this Call for Projects due to uncertainty surrounding MMOF funding estimates. Stephens asked what the reasoning is for revisiting the MMOF formula. Cunningham noted the Transportation Commission was always planning to revisit the MMOF formula. Stephens asked if allocated MMOF funds could be rescinded. James expressed concerns that SB23-213 could severely alter the MMOF program. Mallette noted SB23-213 will use MMOF funds, but it does not specify how much funding will be used. It does say any project rewarded from 2024 on must be in conjunction with the State Housing Plan which has yet to be completed.

Cunningham stated there will be an estimated \$22,745,092 available in this call. Cunningham outlined the new Federal requirements outlined in the Infrastructure Investment and Jobs Act (IIJA) which include additional project eligibilities for all funding programs, additional focus on safety, and the inclusion of complete streets. Other changes include a focus on equity. Additional updates to the call process include aligning evaluation criteria to Council priorities, incorporating additional Federal and State requirements, the addition of the Carbon Reduction Program (CRP), defining eligible entities, funding set-asides, and the implementation of MPO plans and programs. Olson asked for clarification on defining eligible entities. Cunningham stated eligible entities will all be eligible and partner agencies like CDOT and RAQC have been eligible in previous calls. Cunningham noted the NFRMPO has set aside \$25,000 per year for four years for ozone modeling and technical work and NFRMPO staff will be recommending continuing that set aside to RAQC.

Olson requested staff to include previous funding amounts for comparison at future council discussions. Olson asked if there are any additional set-asides other than air quality modeling. Mallette stated there have been other set-asides in the past, including for I-25 and the Premium Transit Analysis. Cunningham noted Council can request additional set-asides as well. Olson asked if there are any additional points for projects that are regionally significant. Cunningham noted there are criteria under the 2050 RTP goals that can indicate regional significance. Stephens asked if set-asides must meet the eligibility criteria. Cunningham stated yes. Bracke asked if the project prioritization process and scoring criteria will be tied to how well projects will help achieve greenhouse gas emissions reduction goals. Cunningham noted emissions benefits will be considered and there will be scoring criteria based on the project's greenhouse gas emissions.

Equity Resources – Cunningham showcased the equity resources story map which provides an overview of the Federal, State, and regional equity resources. Cunningham provided an overview of the different equity requirements, including Justice40, Disproportionately Impacted Communities and Environmental Justice. James asked how Justice40 interacts with the NFRMPO's Environmental Justice (EJ) Plan. Cunningham noted there is a lot of overlap between these equity requirements, but the environmental justice areas outlined in the plan are looking at low-income and minority populations while Justice40 is much broader and considers different demographics. Cunningham noted there are two separate parts of the definition of Disproportionately Impacted (DI) Communities. One part of the definition is looking at just demographics and the other is concerning communities that were affected by discriminatory laws.

Cunningham noted EJ areas are determined by the demographics of Census block groups when compared to the region while DI communities are compared to the rest of the state and Justice40 areas are compared to the rest of the country. Cunningham outlined the Equity Index which overlays the Justice40 areas, DI Communities, and EJ areas. Cunningham noted the Equity Areas outlined in the Equity Index can be used in Calls for Projects instead of using just EJ areas. James noted there are two different definitions of environmental justice: the EPA definition and the State Legislature definition. James asked which definition will the NFRMPO use. Cunningham said the Equity Areas are looking at all the pieces outlined in the various equity resources. Bracke expressed appreciation for the work that was done to create this resource and expressed the importance of equity when making transportation decisions. Olson recommended giving a point for each equity category that a block group falls under.

NFRMPO 10-Year List of Projects – Karasko provided an overview of TAC’s suggestions from the March 27th TAC workshop. These suggestions include keeping projects separate instead of going corridor by corridor, prioritize I-25 projects, and adding a line item for intersection improvements. Olson and James expressed their opposition to keeping projects separate and requested to continue to prioritize corridors. James asked if intersection improvements will be prioritized above Tier 1 projects. Karasko clarified the suggestion was to include intersection improvements on the Tier 1 list. Olson noted the \$20-30 million funding for the US34 and WCR 17 project is being provided by the City of Greeley.

Canonico asked for clarification on how the list was developed. Karasko stated Council determined six priority corridors in 2019 and decided to focus on I-25 projects to get those projects completed. Karasko noted there was a workshop in January 2020 where council members and TAC representatives voted on the top priority projects. Tier 1 projects were the projects that received the most votes and were determined to be regionally significant projects. Tier 2 projects received at least one vote, and Tier 3 projects were projects that did not receive any votes at the workshop. Olson noted the NFRMPO began focusing on corridors in 2012 with portions of I-25, SH 392, the railroad bridge over the Poudre River, and parts of Harmony Road were built. These projects cost around \$800 million over the last 10 years. Mallette noted US-34 was intended to be the next priority corridor after I-25. Bracke encouraged Council to identify the transformative projects and corridors that reflect Council’s priorities.

FY2024-2025 Unified Planning Work Program (UPWP) – Karasko discussed the two new tasks for the FY2024-FY2025 UPWP, which are Complete Streets and Safe Routes to School. Karasko noted the LinkNoCo and Safety tasks have been expanded. Karasko requested Council review the FY2024-FY2025 UPWP and provide comments April 14th.

COUNCIL REPORTS:

Transportation Commission – Bracke stated there was a joint meeting with CTIO at the last Transportation Commission (TC) meeting. Bracke noted TC received a briefing on CDOT’s Safety program. CDOT will be having the 4 P meetings with the counties in Late May and Early June.

CDOT R4 Update – Thomas stated the east frontage road bridge over Hillsborough tributary is tracking ahead of the opening schedule date of May 26th. 78% of construction work on I-25 Segment 6 has been completed. LCR 16 offramp and through movement under I-25 will have a 90-day closure starting in April. CDOT will be rebuilding portions of the West Frontage Road/LCR 5. Bridge construction is wrapping up and will allow for summer paving to begin. This is the last paving season on Segment 6 before project completion in early 2024. Segment 5 project kickoff will be in Late April and contracting is still underway and design will commence in May. The first construction package will begin in Early 2024. Thomas noted the bid for SH257 between US-34 and Chestnut Street opened on March 30th and the bid was below the engineer’s estimate and construction will begin in the summer. Region 4 received 27 draft applications for the TAP Call for Projects with a request of over \$47 million and there is only \$11.8 million available. 29% of applications were from the North Front Range region. Final draft applications will be due on April 24th. Chair James will be representing the NFRMPO on the scoring committee.

STAC Report – A written report was provided.

Colorado Transportation Investment Office (CTIO) – Gutierrez noted CTIO began discussions on the idea of a corridor wide financing plan. At the time, the corridor began at the southern end of Segment 2 to the northern end of Segment 8. In 2021, CTIO submitted a letter of interest to the Build America Bureau. CTIO will be looking at documents to receive a TIFIA loan. The request is for a \$501 million TIFIA loan. \$24 million of that loan will be used to reimburse CTIO for Segment 3A. The loan will fund \$154 million for Segments 7 and 8 and \$323 million for future construction on Segment 5. The total estimated construction cost for Segment 5 is \$430 million. CTIO will be using the income from the revenues from Segment 2 and 3 to meet the payments on these loans. James asked if CTIO is considering potential decreases in SOV travel due to the expansion of mass transit and other TDM measures when completing their revenue projections.

Gutierrez noted CTIO did consider that when completing the revenue study. Gutierrez stated Segments 6,7, and 8 will begin to collect toll revenue in 2024 which will bring in additional revenue. CTIO has built-in as much flexibility as possible in its documents to help address Segment 2 when the project is ready as well as Segment 3 and 4 in the future. Mallette asked when the documents will be completed. Gutierrez stated Late April to Early May. Olson asked if CTIO knows the interest rate they will get for this loan. Gutierrez noted he does not know.

I-25 Coalition – No report.

Nonattainment Area Air Pollution Mitigation Enterprise (NAAPME) – Stephens noted there was no quorum at the last meeting so they did not meet and will meet May 25th. Stephens stated NAAPME is not open to projects yet.

Front Range Passenger Rail District – No report.

Host Council Member Report – No report.

MEETING WRAP-UP:

Next Month's Agenda Topic Suggestions

None.

The meeting was adjourned at 8:52 p.m.

Meeting minutes submitted by: Jerome Rouser, NFRMPO Staff