



NORTH FRONT RANGE TRANSPORTATION & AIR QUALITY PLANNING COUNCIL
REVISED
HYBRID MEETING AGENDA
October 5, 2023

<u>In-Person Attendance Option</u> LaSalle Town Hall 128 N 2nd St LaSalle, CO 80645	<u>Virtual Attendance Option</u> Call-in Number: (408) 650-3123 Access Code: 841-514-261 Online Meeting: https://bit.ly/3VGQ52U
--	---

For assistance during the meeting, please contact Alex Gordon – agordon@nfrmpo.org

Pledge of Allegiance

Public Comment- 2 Minutes Each (accepted on items not on the Agenda) Anyone in the audience will be given time to speak to items on the Consent Agenda. Please ask for that item to be removed from the Consent Agenda. Items pulled will be heard at the beginning of the regular agenda. Members of the public will be given an opportunity to speak to all other items prior to Council action being taken.

- 1) Acceptance of Meeting Agenda
- 2) Approval of Minutes - Lead Planning Agency for Air Quality/MPO – September 7, 2023 (Page 8)

Lead Planning Agency for Air Quality Agenda

REPORTS:

- | | | |
|--|--|------|
| 3) Air Pollution Control Division (APCD) (Page 13) | Jessica Ferko – APCD | 6:05 |
| 4) Regional Air Quality Council (RAQC) (Handouts) | (Handouts) | |
| 5) NFRMPO Air Quality Program Updates (Handouts) | Dena Wojtach – Two Roads Environmental | 6:15 |

ACTION ITEM:

- | | | |
|-----------------------------------|------------------|------|
| 6) NFRMPO Letter to EPA (Page 15) | Suzette Mallette | 6:25 |
|-----------------------------------|------------------|------|

Metropolitan Planning Organization Agenda

REPORTS:

- | | | |
|--|---|------|
| 7) Report of the Chair <ul style="list-style-type: none">• TBD | Scott James – Council Chair, Weld County Commissioner | 6:35 |
| 8) Executive Director Report <ul style="list-style-type: none">• TBD | Suzette Mallette - Executive Director | 6:40 |
| 9) TAC (Page 22) | (Written) | |
| 10) Mobility (Handouts) | (Written) | |

ACTION ITEM:

- | | | |
|--|---|------|
| 11) September 2023 TIP Amendment Resolution 2023-18
(Page 23) | AnnaRose Cunningham - Transportation Planner II | 6:45 |
|--|---|------|

DISCUSSION ITEMS:

- | | | |
|---------------------------------------|--|------|
| 12) CDOT Boundary Discussion | Herman Stockinger – CDOT Deputy Director | 6:50 |
| 13) FY2023 TIP Delay Review (Page 31) | AnnaRose Cunningham | 7:00 |

NEXT MPO COUNCIL MEETING: November 2, 2023- Hosted by the City of Loveland



COUNCIL REPORTS:

7:15

Transportation Commission	Heather Paddock - CDOT R4 Transportation Director
CDOT R4 Update	Heather Paddock
STAC Report <i>(Page 38)</i>	(Written)
Colorado Transportation Investment Office (CTIO) <i>(Page 40)</i>	(Written)
I-25 Coalition	Scott James
US34 Coalition	Kristin Stephens – Larimer County Commissioner
Nonattainment Area Air Pollution Mitigation Enterprise (NAAPME)	Kristin Stephens
Front Range Passenger Rail District <i>(Handouts)</i>	Will Karspeck – Past Chair, Mayor Town of Berthoud Johnny Olson – City of Greeley Councilmember
Host Council Member Report	Paula Cochran – Town of LaSalle Trustee

7:25

MEETING WRAP UP:

Next Month's Agenda Topic Suggestions

7:30



MPO Planning Council

Weld County

Scott James, Commissioner – Chair

Alternate- Perry Buck, Commissioner

City of Loveland

Jon Mallo, Councilmember - Vice Chair

Alternate- Steve Olson, Councilmember

Town of Berthoud

William Karspeck, Mayor – Past Chair

Alternate- Mike Grace, Mayor Pro Tem

Town of Eaton

Liz Heid, Mayor Pro Tem

Alternate- Glenn Ledall, Trustee

City of Evans

Mark Clark, Mayor

City of Fort Collins

Tricia Canonico, Councilmember

Alternate- Jeni Arndt, Mayor

Town of Garden City

Fil Archuleta, Mayor

City of Greeley and Greeley Evans Transit (GET)

Johnny Olson, Councilmember

Alternate- Brett Payton, Mayor Pro Tem

Town of Johnstown

Troy Mellon, Mayor

Larimer County

Kristin Stephens, Commissioner

Alternate- Jody Shaddock-McNally, Commissioner

Town of LaSalle

Paula Cochran, Trustee

Town of Milliken

Dan Dean, Trustee

Alternate- Elizabeth Austin, Mayor

Town of Severance

Frank Baszler, Councilmember

Alternate- Matt Fries, Mayor

Town of Timnath

Lisa Laake, Mayor Pro Tem

Town of Windsor

Paul Rennemeyer, Mayor

Alternate- Barry Wilson, Mayor Pro Tem

CDPHE- Air Pollution Control Division

Jessica Ferko, Manager, Planning & Policy Program

Colorado Transportation Commission

Jim Kelly, Commissioner

Alternate- Heather Paddock, Region 4 Director



Date: October 4, 2023

From: Mike Silverstein
Executive Director

To: North Front Range Metropolitan Planning Organization

Subject: Monthly Meeting Briefing Memo

New Monies for RAQC's Mow Down Pollution Programs

The RAQC has received \$600,000 through a **Supplemental Environmental Program** from Suncor Energy in connection with the settlement of an enforcement action taken by the U.S. Environmental Protection Agency for alleged violations of federal laws. "SEPs" are state or federal programs that direct a portion of fine money from industries to organizations doing environment-benefitting work in impacted communities.

RAQC will be using the funds to electrify small engine equipment in the area through its **Mow Down Pollution** programs. Funding will be used in both the residential program and the public sector grant program which offer direct incentive monies to electrify residential, parks, and other lawn and garden equipment. The residential program spending is specifically for communities closer to the Suncor facility and the public sector spending will support equipment electrification throughout the greater Front Range.

Gas-powered L&G equipment is among the largest local contributors to summertime ozone and directly exposes workers, residents, and neighborhoods to harmful air emissions. Electrification eliminates these emissions.

Ozone Season End-of-Year Report

Great news! Our summertime ozone season has ended and regional ozone levels have been lower than in recent years. August ozone concentrations were highest, reflecting the hot, stable weather typical for the month. Exceedances occurred throughout the summer, though some were heavily influenced by regional wildfire smoke. RAQC staff will present [the final summertime ozone monitoring information](#) at the October 6 Board meeting.

Denver Metro/North Front Range Area - 2023 8-Hour Ozone Summary*
Through 10/1/2023

Monitor	1st Max 2023	2nd Max 2023	3rd Max 2023	4th Max			2021-2023 Estimated Design Value [^]
				2023	2022	2021	
Aurora East	81 05/23/23	76 08/02/23	73 07/29/23	73 05/22/23	70	77	73
Blackhawk	79 08/15/23	74 07/12/23	73 08/09/23	73 05/22/23	71	82	75
Boulder Reservoir	81 08/17/23	72 09/26/23	71 08/23/23	71 08/20/23	72	82	75
CAMP	74 08/24/23	74 07/31/23	73 08/09/23	73 08/02/23	71	77	73
La Casa	73 05/22/23	72 08/02/23	71 08/24/23	70 07/31/23	72	83	75
Chatfield	83 08/24/23	77 08/15/23	76 08/09/23	76 08/08/23	78	89	81
Evergreen	79 08/24/23	76 08/09/23	75 08/15/23	73 05/22/23	74	79	75
Fort Collins - CSU	78 08/17/23	68 08/15/23	67 05/22/23	67 07/12/23	70	76	71
Fort Collins West	88 08/17/23	75 08/15/23	72 05/22/23	71 07/12/23	73	85	76
Greeley Weld County	74 07/30/23	70 06/08/23	69 07/11/23	68 08/18/23	70	76	71
Highlands	77 08/24/23	75 07/29/23	75 05/20/23	74 08/02/23	73	84	77
NREL	78 08/15/23	76 08/09/23	75 05/22/23	74 08/24/23	77	89	80
Platteville Observatory	70 07/30/23	68 08/15/23	68 05/23/23	67 05/22/23	73	83	74
Rocky Flats North	83 08/17/23	78 08/15/23	77 09/26/23	77 08/20/23	78	87	80
Welby	74 08/15/23	73 08/02/23	70 08/24/23	70 05/23/23	75	79	74

* Based on 8-hour averages of raw 1-hour ozone data from the [Colorado Department of Public Health and Environment \(CDPHE\)](#) and consistent with [Data Reporting and Handling Conventions outlined in 40 CFR Part 50 - Appendix P.](#)

The form of the standard is in parts per million (ppm), however, values in this table are expressed in parts per billion (ppb) for simplicity. Data is synced monthly with Air Pollution Control Division (APCD) monthly ozone summary with final quality assurance conducted by APCD at end of ozone season.

[^] The 2021-2023 design value is an estimate based on certified monitor data from 2021 and 2022 and uncertified current data from 2023. The final design value will be available in 2024 after the monitor data for 2023 is certified and submitted to EPA.

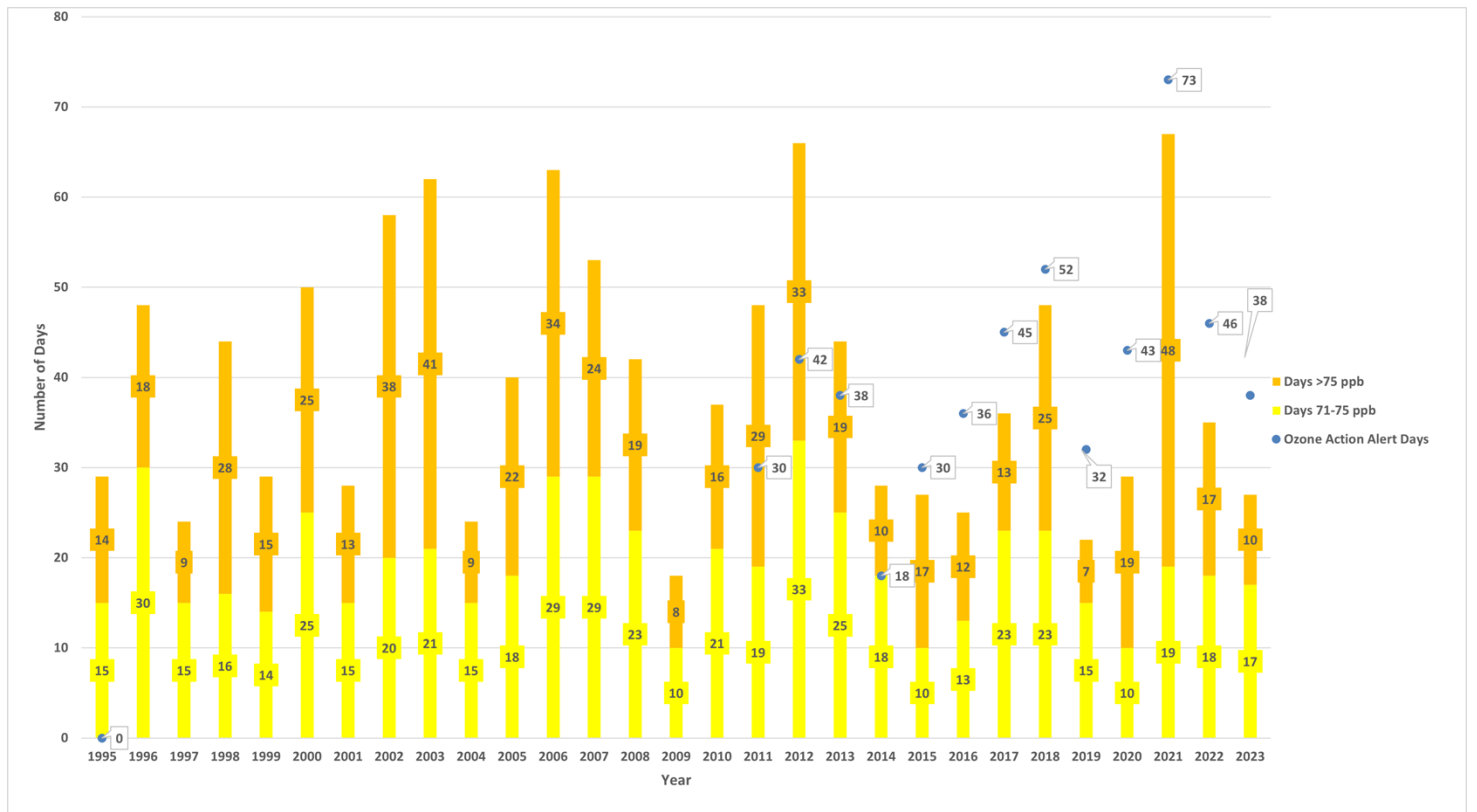
	= 8-hour average ozone value exceeds 75 ppb 2008 standard
	= 8-hour average ozone value exceeds 70 ppb 2015 standard
	= 8-hour average ozone value does not exceed 70 ppb 2015 standard

For 2023 Ozone Season:

1 = Days > 84 ppb	27 = Days > 70 ppb
3 = Days > 80 ppb	54 = Days > 65 ppb
10 = Days > 75 ppb	96 = Days > 60 ppb

Data summary provided by the Regional Air Quality Council (RAQC)

10/2/2023





Subject: Air Quality Related Activities Report to NFRMPO Council

Date: 10/4/23

Introduction:

Two Roads Environmental LLC (TRE) is providing a monthly report of air quality related activities to the North Front Range Metropolitan Planning Organization (NFRMPO) Council for their October 5, 2023 Council Meeting.

Summary:

Colorado continues to aggressively pursue air pollution reduction strategies as demonstrated by activities before the Air Quality Control Commission (AQCC), the Regional Air Quality Council (RAQC), and more. In September, the AQCC adopted a greenhouse gas trading program and control requirements for 18 industrial facilities and set an ozone state implementation plan (SIP) revision rulemaking hearing for December 2023. The RAQC shared Severe SIP attainment modeling results, showing all monitors attaining the 75 ppb standard in 2026, solicited input for the next round of modeling (for Serious SIP under the 2015 70 ppb std) and announced an upcoming modeling forum.

Regarding the ozone SIP rulemaking hearing and specific to the Severe Nonattainment Designation under the 2008 75 ppb standard, there are a number of different aspects to consider, as summarized below. Additional reduction strategies focus on the oil and gas sector, stationary internal combustion engines, large industrial and commercial operations and lawn and garden equipment.

Highlights of Ozone Related Efforts:

The [Air Pollution Control Division \(APCD\)](#) proposed (all materials can be found [here](#)):

- Revisions to Colorado's ozone SIP Chapt 3: Milestone Year Emissions Inventory
 - Chapt 4: Reasonable Further Progress Demonstration
 - Chapt 5: Attainment Demonstration/Weight of Evidence
 - Chapt 11: Motor Vehicle Emission Budgets/Transportation Conformity Demonstration
- Revisions to existing regulations and/or new regulations
 - Air Quality Standards - lower motor vehicle emission budgets in 2026
 - Reg 7 (Oil & Gas) - establish/expand control requirements internal combustion engines; add definitions of cumulatively impacted community and disproportionately impacted community; align reporting requirements
 - with EPA Reg 21 (Consumer Products/Coatings VOC Content) - address EPA concerns on reporting
 - Reg 25 (Surface Coating) - address EPA concerns on reporting
 - Reg 26 (Engines and Large Sources) - establish/expand control requirements for generally for engines in all sectors, and also for specific sources in the nonattainment area



- New Regulation 29 (Lawn and Garden Equipment)- establish control requirements for state government, municipalities and county governments using small (<25 hp) push- and hand-held gasoline powered lawn and garden equipment in the nonattainment area
- Technical Support Documents
 - Ambient Air Monitor Data
 - Emissions Monitoring Plan and Update
 - Modeling Protocol and Addendum
 - Revised oil and gas emissions inventory

Alternatively, the RAQC has proposed an early alternative to the proposed new Regulation 29 that differs from the APCD proposal. The RAQC's alternative proposal applies beyond government entities to also include commercial entities, it applies only to smaller equipment and includes an equipment sales prohibition compared to the APCD's proposal.

Additionally, the APCD requested that the AQCC consider revisions to Regulation 3 (Emissions Reporting and Permitting) establishing fees for GHG emissions state-wide that apply to 2024 emissions and make use of existing reporting frameworks. Fees appeared to be calculated by dividing \$8.3 million by the percentage of total GHG emissions sources or companies emitted. While this request was included in the ozone SIP rulemaking documentation, the AQCC's rulemaking notice does not reference these revisions to Reg 3.

Next Steps:

The Council may want to decide if and how to engage with the December AQCC ozone rulemaking. Party Status to this rulemaking hearing must be requested by 10/12/23, 5:00 pm; if not a formal party to the rulemaking, public comments may be submitted by 11/28/23, 5:00 pm.

Upcoming Meetings:

- 10/6/23 RAQC Board Meeting
- 10/17/23 AQCC Air Quality and Health Symposium (incl. 2023 ozone season briefing)
 - Register [here](#)
- 10/17-20/23 AQCC October Monthly Meeting
 - 10/17/23 Air Quality and Health Symposium - joint meeting with Board of Health
 - 10/18-20/23 - AQCC Light Duty/Med Duty Low Emission Vehicle (LEV)/Zero Emission Vehicle (ZEV) Rulemaking Hearing (Reg 20)
- 10/26/23 RAQC/Ramboll/APCD Modeling Forum
- 11/8/23 Colorado Legislative Interim Committee on Air Quality
- 11/16/23 AQCC November Monthly Meeting
 - GHG Report on progress meeting GHG targets/goals
 - Update on costs/benefits or regulatory analyses addressing climate change
 - GHG Roadmap update
 - Nuclear Energy briefing



- GHG reduction planning for oil & gas midstream fuel combustion equipment
 - GHG inventory
 - Suncor briefing
- 12/12-15/23 AQCC December Monthly Meeting
 - Rulemaking Hearing



COMPARISON OF LAWN & GARDEN PROPOSALS (10/4/23)

Element	APCD	RAQC
AQCC Mat'ls Filed	Proposed Reg Initial Economic Impact Analysis	Proposed Reg Initial Economic Impact Analysis
Use Limitation		
Applicability	State governments, municipalities and county governments in the nonattainment area, including contractors providing services to these entities Use of gasoline-powered push/hand-held <25 hp L&G	Public entities and commercial entities in the nonattainment area, including contractors providing services to these entities Use of gasoline-powered push/hand-held <10 hp/7kw/200cc L&G
Compliance Timeline	6/1/25-8/31/25, and annually thereafter 6/1/26-8/31/26, and annually thereafter	6/1/25-8/31/25, and annually thereafter 6/1/26-8/31/26, and annually thereafter
Limitation	Not able to use gasoline-powered push/hand-held <25 hp L&G equipment 6/1/-8/31, annually, beginning in 2025 for state government and then in 2026 for all remaining municipalities and county governments in the NAA	Not able to use gasoline-powered push/hand-held <10 hp/7kw/200cc L&G equipment 6/1/-8/31, annually, beginning in 2025 for public entities and then in 2026 for commercial entities in the NAA
Recordkeeping	Annual inventory of all gasoline-powered push/hand-held L&G equipment, incl: hp, mfg, mo#, etc. Maintain annual inventories and annual reports for 5 yrs	Use of equipment during 6/1-8/31 Special circumstances of equipment use during 6/1-8/31 Maintain annual inventories and annual reports for 5 yrs
Reporting	Annual reports of inventory	Annual reports of inventory
Other	Exempts limitations on use during emergency situations	Exempts limitations on use during emergency situations or fire



TWO ROADS ENVIRONMENTAL

Element	APCD	RAQC
	or fire reduction efforts	reduction efforts Exempts persons under 18 yrs, generally
Sales Prohibition		
Applicability	NA	Retailers, suppliers, distributors & manufacturers state-wide selling, supplying, distributing or manufacturing gasoline-powered push and hand-held equip <7kw/10hp/200 cc
Compliance Timeline	NA	≥1/1/25
Limitation	NA	Sales ban in NAA
Recordkeeping	NA	Maintain list of commercial entities/contractors for 5 yrs Justification of use of exemptions
Reporting	NA	Annual report of inventory 11/1/26, and annually thereafter
Other	NA	Exemptions: <ul style="list-style-type: none"> • Manuf or sold in CO solely for shipment/use outside of NAA • Used to abate or prevent damage during declared emergency or used by 1st responders to provide emergency services • Used for fire hazard reduction activities in/near wildland areas or wildland urban interface • Used for riparian, forest or grassland management



Weld County Mobility Committee (WCMC)—MINUTES
September 26, 2023
1:30pm – 3:00pm

1. Call Meeting to Order, Welcome and Introductions

- Leiton Powell, Greeley-Evans Transit
- Celeste Ewert, Envision
- Leticia Arguello, ARC of Weld County
- Margie Martinez, United Way of Weld County
- Ernest Cienfuegos-Baca, United Way of Weld County
- Lisa Bitzer, Via Mobility Services
- Olga Maria Gonzalez, WCDPHE
- Nichole Seward, Weld County AAA
- Steve Teets, WAND
- Sarah Thorne, Colorado Energy Office
- Amy Threewitt, 60+ Ride

NFRMPO staff: Cory Schmitt, Brooke Bettolo, Lisa Deaton

2. Review of Agenda

3. Public Comment (2 minutes each)

None.

4. Approval of June 2023 Meeting Minutes

Powell motioned to approve the June minutes. Ewert seconded the motion, and it was approved unanimously.

PRESENTATION

1) Colorado e-Bike Rebate Program

Thorne

Sara Thorne from the Colorado Energy Office provided an overview of the ebike rebate program that launched in August. Slides can be found [here](#). This is an income qualified program for low to moderate incomes that offers a rebate at the time of purchase. The next round of rebates opens Oct 9th at 10am and ends October 16th at 4:00pm. Applicants will be randomly selected from a pool and if chosen, they need to provide proof of residency and income. Once the rebate is received, it can be used at one of the 157 statewide participating retailers within 60 days of issue. The Colorado Energy Office will continue to offer this program until funding runs out. If the rebate doesn't get used within 60 days, the recipient can request an extension. If it is unused, the money goes back into the pool.

ACTION ITEM(S)

Proposal to Cancel the December 2023 Meeting



The majority moves to cancel the December 2023 meeting.

RIDENOCO UPDATE

Schmitt introduced the expanded mobility team and shared respective roles with WCMC members. Slides can be found [here](#) and other updates include:

1) Update on TDS Project

Schmitt discussed the roll out of RideNoCo. Not much has changed since the last meeting in August except progress is being made connecting RideNoCo with SAINT, RAFT, 60+ ride and N40MA using Transactional Data Specifications (TDS). This will allow the software systems to communicate with each other without the need to use the same software platforms. Currently, the RideNoCo call center provides callers the contact information to get in touch with the appropriate providers. This connectivity will allow RideNoCo to conduct the initial intake and share the client information with the providers directly.

2) 2024 Mobility Committee Format

Feedback from the NCMC members, the consensus was to keep the same format of the Mobility Committee meetings in 2024. WCMC and LCMC will continue to meet once a quarter and collectively as a NCMC. Discussed the end of this year's calendar with the holidays in mind. Agreed to make adjustments that will be reflected in the calendar.

PRESENTATIONS

1) United Way Collective Impact

Cienfuegos-Baca

Cienfuegos-Baca presented on United Way Collective Impact work. Collective Impact is a group of individuals from different sectors to a common agenda for solving a specific social problem, using a structured form of collaboration. The example of the 2013 floods was used, he explained how the program helped help folks get navigate where to get the assistance they needed. Also discussed the status of education, cost of living, lack of emotional and social support for seniors. Not one agency can address all these issues and that is how Collective Impact began, through collaboration. Focus areas are Early Childhood Development, Youth Success, Household Stability, and older adults & Healthy Aging. Created community wide measurable goals to improve the focus areas.

Discussion: Schmitt pointed out that quite a few people in this meeting are members of the Transportation Work Group that was working on the Age Friendly Weld Plan. The original plan was to have an Aging Well Transportation sub-committee as part of the WCMC that would meet separately and be a liaison and share those larger updates and progress with the group. Do we think this approach makes sense?

Teets asked how often they meet, Cienfuegos-Baca said that it depends on the needs or what the overall objectives are.

Schmitt discussed who was in the transportation group and in reviewing there are a lot of things that the WCMC are already doing. On these calls we hear about service updates and technical services; this sounds like something that these meetings are already a forum to talk about these things. The second



goal is to work with partners to increase awareness and access to transportation services that serve older adults and adults with disabilities in Weld County. This sounds like an activity we are doing in our WCMC quarterly meetings and in our partnership with the LCMC that meets 6 times a year. Third, to Identify and address barriers that impact the mobility of older adults and adults with disabilities in Weld County. This topic may be tricky to carry out in this group. 4th goal to increase and broaden the participation in the WCMC for the purpose of further advancing age and ability friendly mobility work.

DISCUSSION ITEMS

2) Mobility Case Study

Bettolo

Wife calling on behalf of newly wheelchair-bound husband needing rides in Firestone. He is 6'9" and 350 lbs. He has Guillain Barre, so will hopefully not be paralyzed permanently, but the family is struggling to find options accessible to him since he is 3 inches too tall in his wheelchair to fit in the Wheelchair accessible vans.

The family does not qualify for at-home care, and he cannot be left alone, so they will need to take him to some football games in Broomfield and Arvada on Saturdays. The caller is looking for a transit van to transport him (Like a small bus or a very tall van).

Since he is the primary income earner, they are looking for affordable options wherever possible, and cannot currently afford to buy a van of their own.

Discussion: What options are available for these kinds of mobility needs? How can RideNoCo become more knowledgeable? Powell: Possible RTD route? If he can get to Longmont, he may be about to connect. Powell suggested checking RTD paratransit service area. Members agreed the solutions for this situation were few and far between.

3) Language Access Update

Bettolo discussed what Language Justice is and the importance with the work agencies do. The NFRMPO is working with Language Link, the over-the-phone interpretation service and in the process of getting Interpretation services for in person and virtual meetings, and translation of documents to support language equity.

GREELEY-EVANS TRANSIT NEWS AND UPDATES

Powell is working with Loveland to finalize a rendezvous point between the Poudre Express and COLT. City of Loveland has route 7 that they are developing, possible start date mid-January 2024. Johnstown has reached out to GET and Hanna Johnson is working with them to identify solutions for the 25/34 Development.



Senate bill 23-094 created a School Transportation Modernization Task Force which Powell has been appointed to be a representative. The task force will be working on presenting a recommendation to the general assembly by December 2024. Greeley-Evans Transit was awarded the Coordination Initiative of the Year from CASTA for collaborating with UCHHealth Greeley and the Greeley-Evans School District 6. This was a result of students that participated in the Project Seach Program.

Final Public Comment *(2 minutes each)*

None

Next Month's Agenda Topic Suggestions

None

Upcoming Meetings:

- 1. Upcoming Meetings:**
 - a. Northern Colorado Mobility Committee – November 28th**
 - b. Weld County Mobility Committee - March 26th, 2024**



MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS
FRONT RANGE PASSENGER RAIL DISTRICT (THE “FRPRD”)

Held: Friday, September 22, 2023; 9:00 am
(Virtual)

The regular meeting of the Board of Directors of the FRPRD was convened in accordance with applicable statutes of the State of Colorado, with the following Directors present:

Attendance: Jim Souby, Jill Gaebler, Chris Nevitt, Daneya Esgar, Dennis Flores, John Graham, David Harris, Alex Khalfin, Josh Laipply, Claire Levy, Deborah Mulvey, Johnny Olson, Joan Peck, John Putnam, Jose Soto, Jim Tylick, and Randy Wheelock.

Not Present: Nathan Anderson (Vic Stone attended for Union Pacific), Debra Johnson, Will Karspeck, Luis Lopez, Julie Duran Mullica, Sal Pace, and Dale Steenbergen.

Chair Souby called the meeting to order to order @ 9:01 am: Chair Souby welcomed meeting attendees and took the roll. A quorum of voting Directors was established.

Welcoming New Board Member: CDOT has appointed John Putnam as their representative on the FRPRD Board. Director Putnam most recently served as general counsel for the United States Department of Transportation and is now working with CDOT to advance implementation of transit and rail projects.

Public Comment: No public comments were received in advance of the meeting. Chair Souby opened the floor to public comments; no public comments were received during the meeting.

Approval of Minutes August 25, 2023, Regular Meeting: Director Graham motioned to accept the August 25, 2023 minutes and Director Levy seconded. Directors voted unanimously to approve the minutes.

General Manager’s Report:
Transportation Technology Center Tour
On September 19, Governor Polis’s office and CDOT convened a tour of the FRA’s Transportation Technology Center in Pueblo, including a ride on a first-of-its-kind hydrogen-powered train. FRPRD Directors, state legislators, and other key stakeholders attended and were briefed by Governor Polis, CDOT, and FRPRD. FRPRD Directors expressed appreciation for the experience and celebrated the world renowned TTC being in Colorado.

MATOC RFQ Pre-Proposal Meeting
On September 11, FRPRD held a pre-proposal meeting in advance of releasing the Multiple Award Task Order Contracts (MATOC) RFQ to develop the pre-qualified consultant bench. Over 100 consultants attended the meeting. Coalition building and financial strategies are the immediate consultant needs for FRPRD. General Manager Karsian thanked Director Laipply and his City and County of Denver staff for hosting the event.

Short December Board Meeting
MATOC proposals will be scored by a scoring committee. Applicants advanced for inclusion on the bench will enter into professional services agreements (contracts) with FRPRD. Scoring is anticipated to be completed in late November. FRPRD staff would like to update the Board on the process at the Annual Retreat (11/30 – 12/1) and hold a short, one-off Board meeting in mid-December to ratify the contracts.



Director Peck asked if FRPRD Directors will be able to view the proposals before being asked to ratify contracts. Mr. Brent Butzin, legal counsel, shared that this can be accommodated.

Directors are requested to provide their availability through the scheduling link in the Board meeting packet.

District Staffing

The Board packet includes a memo and matrix summarizing the FRPRD's most immediate in-house staffing needs. The two key staffing areas are rail operations and outreach/communications. General Manager Karsian expressed a desire to bring on a Director of Rail Programs by the end of 2023, followed shortly by a Director focusing on Outreach/Communications. Ideally, Director of Community Outreach and Director of Communications would be two distinct roles. However at the onset, FRPRD anticipates hiring one person to cover both roles, with consultant support.

Directors raised considerations of salary ranges for the proposed positions including the FRPRD's ability to pay for these new positions. General Manager Karsian is working with the FRPRD's accountant to model budget impacts for new staff. Directors Levy and Olson expressed the importance of avoiding bringing on staff that the FRPRD doesn't have the revenue to support. Director Souby noted that it will be important for new director level hires to bring in additional revenue, likely federal grants. Director Olson recommended the FRPRD develop a 5-year budget, warned against relying upon grants to fund staffing, and advocated for the FRPRD working with the state legislature to develop a sustainable revenue source to maintain the administrative operations of the FRPRD.

General Manager Karsian is working with the FRPRD's accounting firm to develop a DOLA-compliant budget, to be shared at the October FRPRD Board meeting.

Union Pacific Meeting

The FRPRD met with senior staff members from Union Pacific earlier this month. The meeting touched on direct service models whereby states negotiate directly with Class I railroads for track access, rather than an operator doing the negotiating. The meeting further covered the UP's willingness to discuss track usage south of Denver and broader opportunities to advance partnership.

Director Nevitt noted that direct service models was also a key discussion item during the Planning Committee's September 13 Service Provider/Operator procurement workshop. Director Levy asked when the full FRPRD board will directly work through the process of choosing an operator, including deliberating service arrangements like direct service models.

General Manager Karsian responded that the FRPRD staff wanted to provide the Board an opportunity to dive into a substantive policy issue and thus introduced service provider/operator procurement as a near term item for the Board to begin consideration. The first touch was an in-person Planning Committee workshop, whose summary is in the Board packet. Future steps include interviews with peer intercity passenger rail organizations around the country (October – November), a lunch-n-learn for the full Board (October), and an operator procurement strategy with near term action steps to be presented to the full Board at the annual retreat. The FRPRD does not anticipate selecting a future rail operator at the end of the year.

Director Nevitt added that a primary takeaway from the workshop was the need for the Board to define its goals and vision for the service and for procurement. Defining the FRPR vision is the most immediate first step, not selecting an operator.



Director Putnam added that track access is a pressing item to advance. The SDP team is working with the freights to determine what infrastructure improvements are needed to accommodate passenger service. These conversations play a critical role in defining the service and identifying the pricing. These railroad conversations with the hosts are critical and the FRPRD will have a role in these conversations.

Recent
Presentations

The FRPRD partook in Commuting Solutions' August 30 Sustainable Transportation Summit in Longmont. Directors Levy, Peck, Johnson, and Putnam all played roles in the summit. On September 11, General Manager Karisan presented to the Larimer County Board of Commissioners. Larimer County is receptive to passenger rail and interested in advancing station planning.

AASHTO CORT Annual
Meeting

General Manager Karisan and Ms. Breit will attend AASHTO's Council on Rail Transportation Annual Meeting October 10-13. This annual meeting brings together intercity passenger rail services, Amtrak, private operators, and the Federal Railroad Administration. FRPRD staff look forward to sharing what they learn with the Board.

Consent agenda
items

Director Mulvey asked about the advantages of entering a contract with HNTB and why Board education on operators was not competitively procured. General Manager Karsian shared that timing considerations and the expertise and service quality HNTB offers supported sole sourcing the contract in accordance with the FRPRD Procurement and Purchasing Policy.

Board Visioning
Workshop:

FRPRD staff has heard Directors' desire for Board processes and decision-making. To advance this process, General Manager Karisan proposed a visioning workshop for the Board to determine its role, the work the District needs to be doing, and the principles that guide and define the FRPRD. Earlier in the summer, FRPRD staff put out a calendar hold for a Board workshop in Pueblo for October 26-27, which could be used for the Board visioning workshop. During the meeting, Directors discussed the best timing for the workshop, especially considering that the Board gathered in Pueblo in late September for the Transportation Technology Center tour, some Board members have local elections in early November, and the Board will have its annual retreat in late November. During the meeting, Directors voted to hold the visioning workshop in Pueblo on October 27.

Consent Agenda:
Resolution #23-09
Regarding
Participation in the
Colorado Local
Government Liquid
Asset Trust
(COLOTrust)

Director Gaebler motioned to approve the consent agenda and Director Nevitt seconded. General Manager Karsian summarized his consent agenda memo. Resolution #23-09 ensures the FRPRD is properly affiliated with COLOTrust, including appropriately adopting its indenture of trust. Resolution #23-10 approves the contract with HNTB to provide the operator procurement education discussed earlier in the meeting. Resolution #23-11 is arranging for the firm who facilitated last year's retreat to coordinate and facilitate this year's annual retreat. Directors voted unanimously to approve the items on the consent agenda.

Resolution #23-10
Adopting a Contract
with HNTB

Resolution #23-11
Adopting a Contract
with CDR



Committee Reports:

Executive

The summary of the September 18, 2023 Executive Committee meeting is included in the Board packet. During the meeting, the Committee discussed the Board visioning workshop approach and the consent agenda items.

Planning

As noted earlier in today's Board meeting, the Planning Committee participated in an in-person workshop with HNTB as the first step in the full Board's multi-step operator/service provider education process. The consultant has recommended the Board consider operator selection through a service provider procurement lens whereby the FRPRD defines its service and contracting goals and from there do due diligence with potential operators for the service. A primary thread of this discussion is that operator identification and procurement is incredibly important work for the Board, but actual selection of an operator is not the most pressing near-term step. Looking ahead, a full Board lunch-n-learn will be held on October 19 to discuss this topic and peer-to-peer interviews will be held in October and November with other intercity passenger rail organizations.

In reviewing the Planning Committee minutes, Director Levy raised a question about project sponsorship and the roles and responsibilities associated with it. Director Laipply added that there's great value in Director Putnam now being on the Board as there needs to be clearer definition around CDOT's and FRPRD's roles now and in the future. Current work in the Service Development Plan impacts the Board's negotiations with host railroads, which impacts operator procurement.

Director Mulvey added that the issue of who is a sponsor, especially in respect to grants, is a key matter to determine, to be clarified through the IGA with CDOT.

Director Putnam affirmed that a top priority for CDOT is to define the roles for CDOT and FRPRD. CDOT sees their role as bridging capacity as the FRPRD matures. Director Levy asked what FRPRD needs to do to be the entity that FRA looks to as the leader of the project and to expand credibility in Washington D.C. Director Putnam added that many of the conversations with FRA on behalf of the project have been held with CDOT because CDOT is the one administering the FRA CRISI Grant. He continued that FRA has likewise expressed a desire to see an IGA or better definition of the CDOT/FRPRD relationship. Director Putnam added that many new funding programs established through the IIJA promote teaming on grant applications, which could further bridge CDOT's experience with the project with FRPRD's statutory role. Similarly, for applications like CRISI Grants, it's possible to bring on host railroads as part of the applications. In determining whom to fund, FRA weighs whether an applicant has the capacity and capability to deliver a project. Director Putnam expressed that CDOT is interested in working with the FRPRD to build and demonstrate capacity and capability to FRA.

Finance

During its monthly meeting, the Finance Committee focused on vetting the contracts in the consent agenda. Additionally, the Committee worked through the scope categories in the MATOC RFQ, recognizing that financial strategy is anticipated to be one of the first tasks mobilized from the bench.

Government Affairs/ Communications

The Government Affairs/Communications Committee has worked diligently over the course of multiple meetings to determine the FRPRD Clean-Up bill language. Reports on this work have been shared at recent Board meetings so the full Board could track the Committee's progress. The Board packet for this meeting included a memo summarizing this process and



an advance draft of the legislation that will be introduced at the October 3 Transportation Legislation Review Committee meeting.

Director Nevitt raised that it is likely the bill will evolve in the General Assembly, as is typical for all bills. Director Mulvey said the Government Affairs/Communications Committee is committed to being an active participant in conversations should there be bill evolution. Director Levy noted that as part of this bill introduction, it's possible that discussion of District boundaries may emerge. She shared that she feels consideration of such issues is premature and recommended the Government Affairs/Communications Committee develop a messaging strategy around this matter.

As Chair of the FRPRD Government Affairs/Communications Committee, Director Mulvey moved to approve presenting the Front Range Passenger Rail District Efficiency Bill to the TLRC as written. The full Board of Directors unanimously to approve the motion.

Director
Updates/Other
Business:

Chair Souby expressed his pleasure that CDOT now has a Board appointment and spoke to the urgency of the FRPRD and CDOT working through an IGA.

Adjourn:

Director Olson moved to adjourn the meeting and Director Peck seconded. The Board adjourned at 10:30 a.m.