

AGENDA
SPECIAL BOARD OF DIRECTORS
WEDNESDAY, May 3, 2023
4:00 p.m. – 5:30 p.m.
VIDEO CONFERENCE
Denver, CO

1. 4:00 Call to Order
2. Roll Call and Introduction of New Members and Alternates
3. Move to Approve Agenda
4. 4:10 Report of the Chair
5. 4:15 Public Comment
Up to 45 minutes is allocated now for public comment and each speaker will be limited to 3 minutes. If there are additional requests from the public to address the Board, time will be allocated at the end of the meeting to complete public comment. The chair requests that there be no public comment on issues for which a prior public hearing has been held before this Board. Consent and action items will begin immediately after the last speaker.

CONSENT AGENDA

6. 4:25 Move to Approve Consent Agenda
 - i. Summary of April 19, 2023
(Attachment A)

ACTION ITEM

7. 4:30 Discussion on State Legislative Issues: SB23-213
(Attachment B) Sheila Lynch, Director, Regional Planning and Development
Positions on specific legislative bills require affirmative action by 2/3 of those present and voting.

TIMES LISTED WITH EACH AGENDA ITEM ARE APPROXIMATE. IT IS REQUESTED THAT ALL CELL PHONES BE SILENCED DURING THE BOARD OF DIRECTORS MEETING. THANK YOU!

Persons in need of auxiliary aids or services, such as interpretation services or assisted listening devices, are asked to contact DRCOG at least 48 hours in advance of the meeting by calling (303) 455-1000.



ADMINISTRATIVE ITEMS

8. **Next Meeting – May 17, 2023**
9. Other Matters by Members
10. 5:30 Adjourn

ATTACH A

SUMMARY
BOARD OF DIRECTORS MEETING
WEDNESDAY, April 19, 2023

Members/Alternates Present

Steve Conklin, Chair	City of Edgewater
Steve O'Dorisio	Adams County
Jeff Baker	Arapahoe County
Claire Levy	Boulder County
Austin Ward	City and County of Broomfield
Randy Wheelock	Clear Creek County
Nicholas Williams	City and County of Denver
Jolon Clark (alternate)	City and County of Denver
George Teal	Douglas County
Marie Mornis	Gilpin County
Tracy Kraft-Tharp	Jefferson County
Dustin Zvonek	City of Aurora
Larry Vittum	Town of Bennett
Nicole Speer	City of Boulder
Jan Pawlowski	City of Brighton
Deborah Mulvey	City of Castle Pines
Tammy Mauer	City of Centennial
Randy Weil	City of Cherry Hills Village
Josie Cockrell	Town of Foxfield
Lynette Kelsey	Town of Georgetown
Paul Haseman	City of Golden
George Lantz	City of Greenwood Village
Chuck Harmon	Town of Idaho Springs
Stephanie Walton	City of Lafayette
Stephen Barr	City of Littleton
Wynne Shaw	City of Lone Tree
Joan Peck	City of Longmont
Colleen Whitlow	Town of Mead
Tom Mahowald	Town of Nederland
John Diak	Town of Parker
Sandie Hammerly (alternate)	Town of Superior
Jessica Sandgren	City of Thornton
Bud Starker	City of Wheat Ridge
Darius Pakbaz	Colorado Department of Transportation
Brian Welch	Regional Transportation District

Others Present: Douglas W. Rex, Executive Director, Melinda Stevens, Executive Assistant, DRCOG; Mac Callison*, Aurora; Brad Boland*, Castle Rock; Art Griffith*, Lauren Pulver*, Douglas County; Deven Shaff*, Broomfield; Richard Holt*, Centennial; Ari Harrison*, Erie; Kat Bristow*, Lochbuie; Deb Fahey*, Louisville; Kent Moorman*, Thornton; Sarah Nurmela*, Westminster; Ed Bowditch, Jennifer Cassell, Bowditch & Cassell; Danny Herrmann*, Nathan Lindquist*, CDOT; and DRCOG staff.

*participated via Zoom

Chair Steve Conklin called the meeting to order at 6:30 p.m. with a quorum present.

Move to approve agenda

Director Williams **moved** to approve the amended agenda, with the removal of agenda item #5. The motion was **seconded** and **passed** unanimously.

Report of the Chair

- Director Baker reported that the Performance and Engagement Committee met earlier in the evening and received an update on the 2023 Board Retreat and discussed meeting participation options for future Board meetings. The committee also elected Austin Ward as Vice Chair of the committee.
- Director Whitlow reported the Finance and Budget Committee met and elected Neal Shah as Vice Chair of the committee and recommended approval of the 2023/2024 Budget to the Board. They also discussed and approved six resolutions authorizing the Executive Director to:
 - execute a contract with the Felsburg, Holt & Ullevig to create a multimodal corridor plan for Alameda Avenue in an amount not to exceed \$300,000 for a one year term.
 - negotiate and execute a contract with Fehr and Peers to create a multimodal corridor plan for South Boulder Road in an amount not to exceed \$200,000 for an 18 month term.
 - execute a contract with HDR for on-call grant writing services to support DRCOG's efforts to apply for federal grants in an amount not to exceed \$125,000 through December 2023 with and option to renew for an additional one year term upon satisfactory performance.
 - accept approximately \$20.5 million from the Colorado Department of Human Services and to allocate approximately \$13.5 million to AAA service providers for the period beginning July 1, 2023 and ending June 30, 2023.
 - enter into an agreement with the Federal Transit Administration (FTA) for approximately \$3.4 million dollars for the period beginning July 1, 2023 and ending September 30, 2024 and to allocate approximately \$3.1 million to projects beginning July 1, 2023 and ending June 30, 2024 pending approval of the projects by the board of directors.
 - allocate approximately \$3 million of Older Americans Act/State Funding for Senior Services (OAA/SFSS) funds to transportation projects as recommended for the period of July 1, 2023 through June 30, 2024 pending approval of the projects by the board of directors.

Report of the Executive Director

- The 2023 Board Retreat will be May 12–13. Friday night dinner and social will be held at the Renaissance Hotel.
- Small Communities Hot Topics Forum will be on Thursday, May 4.
- IIJA Workshop: OEDIT will be holding a regional IIJA Summit for the DRCOG region on Monday, May 22nd. DRCOG has EST Inc. officially onboard as the IIJA regional grants navigator. Funding was provided by OEDIT to fund this position through 2023.
- The spring session of Civic Academy had its first meeting on April 18. There are currently 35 participants from across the region participating.

Board of Directors Meeting Summary

April 19, 2023

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- Bike to Work Day registration is officially open for the June 28 event.

Public Comment

There was no public comment.

Move to approve consent agenda

Director Pawlowski **moved** to approve the consent agenda. The motion was **seconded** and **passed** unanimously.

Items on the consent agenda included:

- Summary of the April 5, 2023 meeting
- July 2023-June 2024 HST, FTA 5310, and OAA projects

Discussion of the U.S. Environmental Protection Agency's Climate Pollution Reduction Grant (CPRG) program

Robert Spotts provided an in-depth overview of the program to directors. The Environmental Protection Agency (EPA) is administering the Climate Pollution Reduction Grants (CPRG) program to provide grants to states, local governments, tribes, and territories to develop and implement plans for reducing greenhouse gas emissions and other air pollution. On March 1, 2023, the EPA announced a two-staged grant program that first provides \$250 million for noncompetitive planning grants (Phase I), and then \$4.6 billion for competitive implementation grants (Phase II). As the 18th largest Metropolitan Statistical Areas (MSA) in the country, the Denver-Lakewood-Aurora MSA is eligible to receive \$1 million in grant funds to accomplish specific planning tasks. No cost-share or matching funds is required. Within each recipient MSA, one organization must be designated to serve as the lead for the grant and planning efforts. The designated organization can be a local government, MPO, regional council, council of governments, or air pollution control agency. For grants to MSAs, a Notice of Intent to Participate is due by April 20, 2023 and a complete application is due May 31, 2023.

The Priority Climate Action Plan is a pre-requisite for any eligible agency to compete in the second phase of the CPRG program. Any future application for an implementation award under the CPRG will need to be consistent with the programs, measures, and projects included in a PCAP. An entity that did not directly receive a planning grant may apply for an implementation grant provided that the measures they propose for funding are covered by a PCAP. Collaborating partners who developed joint plans or regionally based plans will retain eligibility for implementation funds, regardless of who administers the planning grant. Municipalities and air pollution control agencies will also be eligible for funding for measures identified in their state's or metropolitan area's plan for implementation at their level. DRCOG's boundary includes most of the Denver-Lakewood-Aurora MSA for which planning grant funds have been allocated. DRCOG also has a unique role as a regional convenor and facilitator. One lead agency must be designated to coordinate the development of regional plans under the grant program.

Director Starker **moved** to adopt **Resolution No. 3. 2023**, authorizing the Executive Director to submit a Notice of Intent to Participate to the Environmental Protection Agency designating the Denver Regional Council of Governments as the lead agency

and grant recipient for the Denver-Aurora-Lakewood metropolitan statistical area climate pollution reduction grant. The motion was **seconded** and **passed** unanimously.

Discussion on State Legislative Issues: Bills on Which Positions Have Previously Been Taken

Rich Mauro, Jennifer Cassell, and Ed Bowditch provided a [current status](#) update on bills previously acted upon by the Board to the directors. Sheila Lynch and Andy Taylor provided an overview of amendments on Senate Bill 23-213. SB 23-213 was introduced on March 21, which addresses land use requirements related to residential development, establishes a statewide housing needs assessment and planning process, and seeks to address consistency of housing planning with other planning efforts across the state. The Senate Committee on Housing and Local Government reviewed this bill on April 18 and voted for the bill with 18 amendments. The DRCOG board had previously voted to take a position of oppose to this bill. DRCOG staff will continue to monitor this SB23-213 and keep the board apprised of updates and amendments. There was no additional action taken by the Board.

Discussion on State Legislative Issues: New Bills for Consideration and Action

Rich Mauro provided an overview of new bills for consideration to the Board. There were two new bills: one regarding Aging and one regarding Housing, which Shelia Lynch provided an overview for HB-1255. Both bills were voted on separately:

- HB-1243 – Hospital Community Benefit
 - Director Peck **moved** a position of support. The motion was **seconded** and **passed** with 26 in favor, 1 opposed, and 6 abstentions.
- HB-1255 – Regulating Local Housing Growth Restrictions
 - Director Teal **moved** a position of oppose. The motion was **seconded** and **passed** with 17 in favor, 2 opposed, and 14 abstentions.

SB23-213 Story Map

Rachel Pierstorff presented the created story map to the directors. Senate Bill 23-213 was introduced on Wednesday, March 21, 2023 to address land use requirements related to residential development in an effort to impact housing supply and affordability across the state of Colorado. The bill includes an array of policies that apply across the state based on key geographies, including Tier One Urban Municipalities, Tier Two Urban Municipalities, Rural Resort Job Centers and Non-Urban Municipalities. DRCOG staff has developed [a story map](#) to illustrate the recommended policy areas of the bill, as introduced. Contextual information such as jurisdiction boundaries, rail, bus rapid transit, high-frequency bus corridors, and parcels within transit stations are included. The intent of the story map is to clarify the geographic application of the proposed legislation though is not intended to assess long term impacts of the bill.

Way to Go program updates

Nisha Mokshagundam presented updates to the Board on two initiatives. Colorado Clean Commute is a marketing program designed to provide recognition to businesses that invest in commute benefits for employees. The program also helps employers leverage the Alternative Transportation Options Tax Credit. The annual Bike to Work Day event is on June 28, 2023 and staff shared thoughts on how DRCOG's member governments can support the event.

Committee Reports

State Transportation Advisory Committee – Director Williams stated the STAC met and discussed two informational items. The first being updates on the Revitalizing Main Streets and updates on the Multimodal Options Funding Program. The second being an overview of the new Freight Plan.

Metro Mayors Caucus – Director Starker stated the caucus met on April 12 and had robust discussions after receiving legislative updates on Proposition 123 and SB23-213.

Metro Area County Commissioners – Director Baker stated the commissioners will meet on April 21 at DRCOG offices.

Advisory Committee on Aging – Jayla Sanchez-Warren stated the ACA put out an RFP for contractor services, which was reviewed and scored by two separate committees. Ms. Sanchez-Warren also provided an overview of the 4 Year Plan on Aging to the committee.

Regional Air Quality Council – ED Rex stated the council met on April 7 and received a presentation on the development of the 2023 Severe Ozone SIP. They also received a presentation from DRCOG staff on the Climate Action Planning Initiative.

E-470 Authority – Director Mulvey stated the crash analysis was completed for the E-470 highway.

Report from CDOT – Director Pakbaz wanted to remind everyone that it was Work Zone Awareness week.

Report on FasTracks – Director Welch stated the RTD released draft revisions to the Code of Conduct for public review. RTD also released the system-wide Fare Study and Equity Analysis for public review.

Next meeting – **May 17, 2023**

Other matters by members

There were no other matters by members.

Adjournment

The meeting adjourned at 9:03 p.m.

Steve Conklin, Chair
Board of Directors
Denver Regional Council of Governments

ATTEST:

Douglas W. Rex, Executive Director

ATTACH B

To: Chair and Members of the Board of Directors

From: Douglas W. Rex, Executive Director
303 480-6701 or drex@drcoq.org

Meeting Date	Agenda Category	Agenda Item #
May 3, 2023	Action	7

SUBJECT

Review of Senate Bill 23-213 with amendments

PROPOSED ACTION/RECOMMENDATIONS

Provide direction to staff regarding SB23-213

ACTION BY OTHERS

N/A

SUMMARY

Background

Senate Bill 23-213 was introduced on Wednesday, March 21, 2023 to address land use requirements related to residential development in an effort to impact housing supply and affordability across the state of Colorado. The DRCOG Board of Directors reviewed and took a position of opposed on the bill as introduced at a Special Meeting on April 5, 2023. Since April 5, 2023, SB23-213 was considered and passed by the Colorado Senate's Local Government & Housing Committee with approximately 20 amendments to the bill as introduced. The Senate Appropriations Committee adopted a "strike below the enacting clause" amendment (L.073) that essentially rewrote the bill and forwarded it to the Senate floor on April 26, 2023.

With the amendments to SB23-213 as of April 26, 2023, the bill focuses on housing needs assessments and housing needs plans and provides direction on required components on local government comprehensive plans. Sections of the bill, as introduced, that preempt local land development regulations related to accessory dwelling units, middle housing, transit-oriented areas, and key corridors have been removed. Components addressing water planning and manufactured housing are retained in the bill, as amended.

PREVIOUS DISCUSSIONS/ACTIONS

[April 5, 2023](#) - Special Board Meeting

[April 19, 2023](#) - Regular Board Meeting

PROPOSED MOTION

At the discretion of the Board of Directors

ATTACHMENT

Link: [SB23-213 - L.073](#)

ADDITIONAL INFORMATION

If you need additional information please contact Douglas W. Rex, Executive Director, at (303) 480-6701 or drex@drcoq.org; or Sheila Lynch, Division Director, Regional Planning and Development at (303) 480-6839 or slynch@drcoq.org.