

PLANNING AND DEVELOPMENT DEPARTMENT

MEMORANDUM 18-19

DATE: June 4, 2018
TO: Honorable Mayor Carol Dodge and City Council Members
FROM: James A. Hayes, AICP, City Manager *JH*
Brook Svoboda, Director of Planning and Development *BS*
SUBJECT: ADCOG IGA and DRCOG Subregional Forum Overview

PURPOSE

Staff will provide Council with an overview of the new Denver Regional Council of Governments (DRCOG) process for allocating Transportation Improvement Program (TIP) funding in advance of related June 11 action items.

BACKGROUND

DRCOG is responsible for distributing TIP funding throughout the Denver metro area. Over the past year the DRCOG Board has explored and adopted a new model for allocating funds, the dual TIP model, which will be in effect for the upcoming 2020-2023 cycle. Instead of one centralized call for projects, now a portion of the funds will go to regionally significant projects (20%) and the remaining majority (80%) will be allocated to subregions (which have been defined as counties) based on a combination of population, vehicle miles traveled (vmt) and employment. Adams County is estimated to receive approximately \$28M (this is the amount the Forum will be responsible for allocating).

Each subregion (county) has been tasked to create a Forum to help develop project selection criteria and process to prioritize projects prior to the subregional call for projects in fall/winter 2018. Individual jurisdictions are responsible for designating an elected official to serve on the Forum and assist in making key decisions for Adams County transportation funding.

Adams County has developed an intergovernmental agreement (IGA) to include language addressing the new TIP funding process, including the creation of a Subregional Forum. This updated IGA will replace the existing IGA between Adams County jurisdictions. The IGA has been reviewed by staff and attorneys in each jurisdiction, including Northglenn.

BUDGET IMPLICATIONS

N/A

SCHEDULE/TIME IMPLICATIONS

N/A

NEXT STEPS

June 11 – City Council to adopt Adams County IGA

June 11 – City Council to designate Council liaison to Adams County Subregional Forum

STAFF RECOMMENDATION

N/A

STAFF REFERENCE

Brook Svoboda, Director of Planning and Development, bsvoboda@northglenn.org, 303.450.8937
Ashley Kaade, Senior Planner, akaade@northglenn.org 303.450.8836

ATTACHMENTS

Attachment 1	DRCOG Adams County Subregional Forum Kickoff Presentation
Attachment 2	Adams County IGA



2020-2023 TIP

Adams County Subregional Forum

May 3, 2018



Review of Previous TIP Process

Board direction:

“Form a TIP Review Work Group...

to address TIP process, funding allocation and any other criteria mentioned by this Board, including looking at other MPOs around the country and bringing it back to the (Board) in six months (Feb. 2016)”





TIP Working Group

Convened TIP Work Group

22 members from TAC; representatives from each county, regional agencies, TDM/non-motorized, and business interests

Presented: 1st White Paper to Board (Feb. 2016)
2nd White Paper to Board (Feb. 2017)

Board direction:

- **“...develop TIP Policy, incorporating Dual Model process;**



Dual Model Project Selection– Overview

Previous TIP

A centralized
Call for Projects

Dual Model

A centralized
Call for **Regional** Projects

Plus
8 decentralized **Subregional**
Calls for Projects

Projects to be consistent with TIP Focus Areas, Metro Vision, and the MVRTP





Dual Model Project Selection – Overview

Set-Asides

- “Off the Top” Regional programs each with Calls for Projects

Regional Share

- Transformative projects/programs
- Quantitative benefits to the entire region

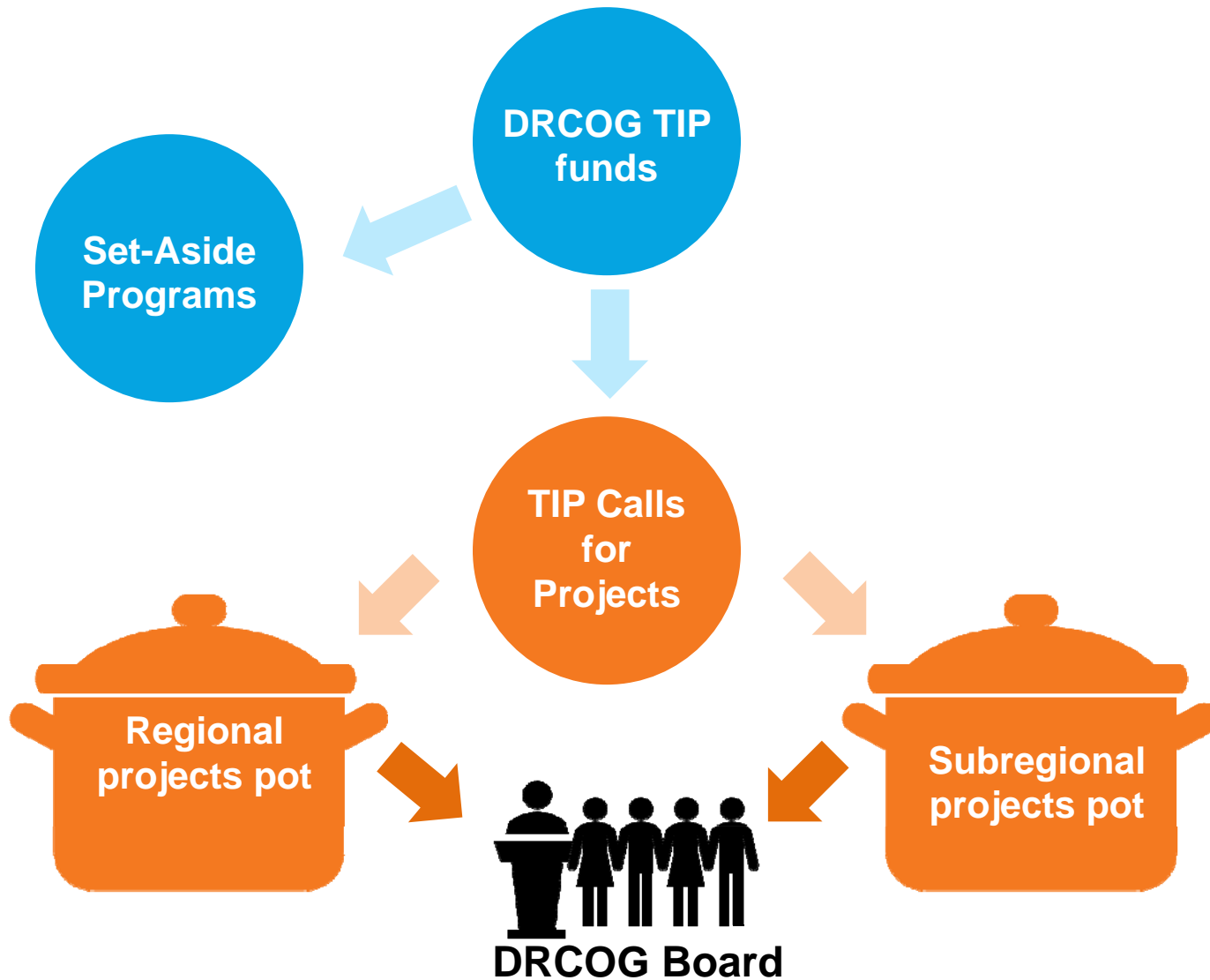
Subregional Share

- Funds proportionately targeted for planning purposes to predefined sub-geographic units (counties)
- Project evaluation, selection, and recommendation to the DRCOG Board





Dual Model Concept Visualized

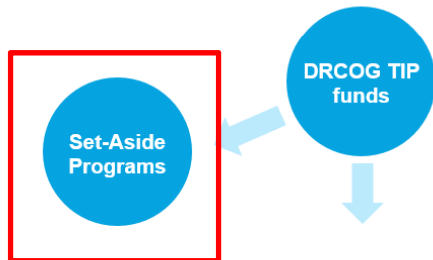


DISCUSSIONS / DIRECTIONS TO DATE



TIP Set-Asides \$49.4 million total over 4 years

Board Direction on TIP Set-Asides
(Aug. 2017)



Community Mobility Planning & Implementation	\$4.8 mil.	Combination of the current STAMP/UC Set-Aside and small infrastructure projects from the current TDM Set-Aside
TDM Services	\$13.4 mil.	Rebranded to include the TMA partnerships, TDM projects, and Way to Go
Regional Transportation Operations & Technology	\$20 mil.	<ul style="list-style-type: none"> • 25% to staff DRCOG Traffic Signal Program • Remaining for project solicitation
Air Quality Improvements (to RAQC)	\$7.2 mil.	
Human Service Transportation	\$4 mil.	New set-aside to improve service and mobility options for vulnerable populations



TIP Focus Areas

**Board Direction
on Focus Areas**
(Sept. 2017)

Recommended 2020-2023 TIP Focus Areas

- Improve mobility infrastructure and services for vulnerable populations (including improved transportation access to health services)
- Increase reliability of existing multimodal transportation network
- Improve transportation safety and security

Board direction:

“...use as a guide for investment decisions, both quantitative and qualitative, and for both Regional and Subregional Share projects”





Regional / Subregional Funding Split

**Board Direction
on Funding Split**
(Jan. 2018)

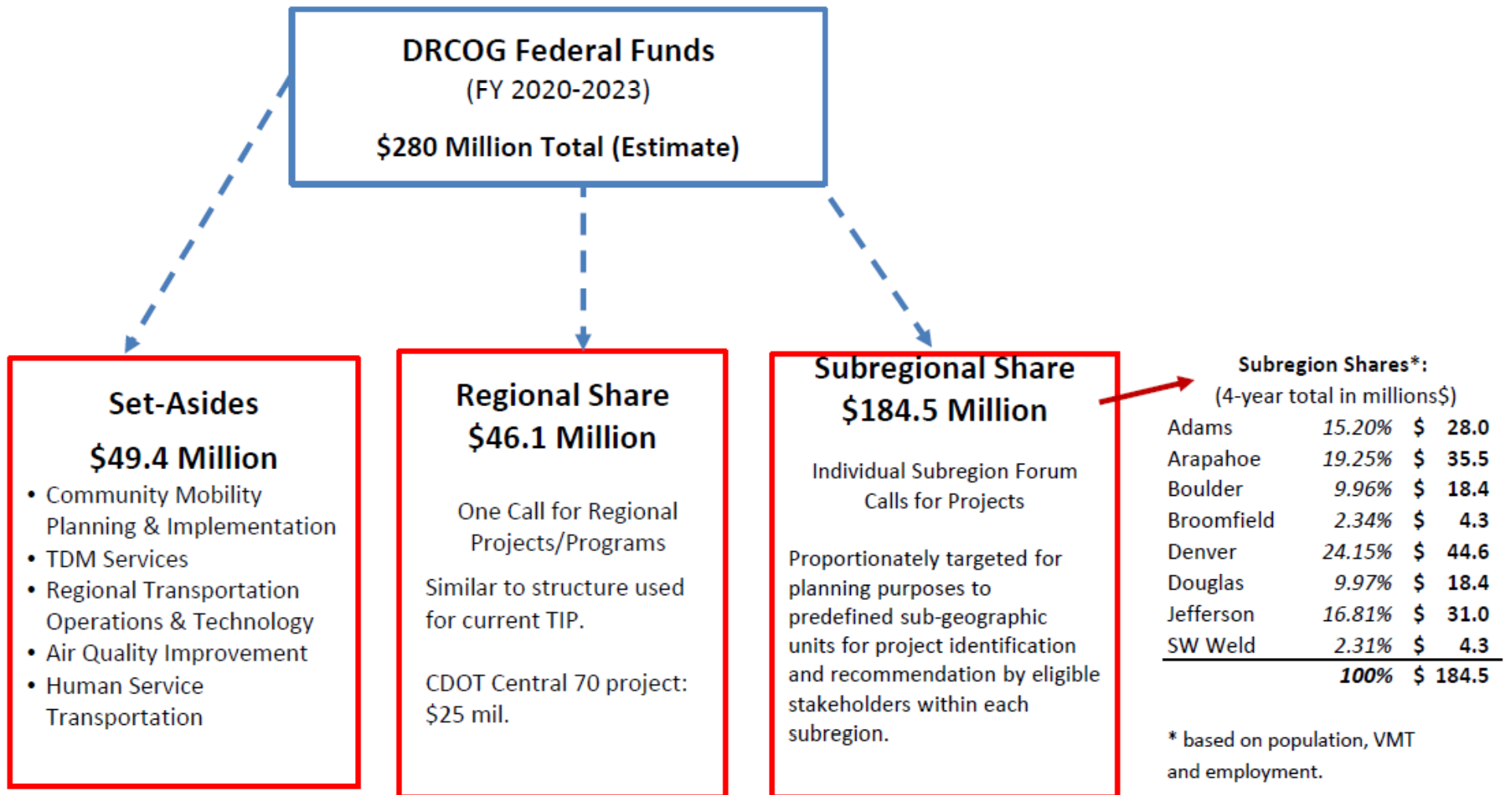
Funds remaining (est. \$230 million after set-asides subtracted) is split:

80% Subregional and 20% Regional





Regional/Subregional Funding Split



REGIONAL SHARE



Regional Share Project Eligibility

Board Direction on Eligibility

(Jan. 2018)



- Submittals - A maximum of three submittals to DRCOG from each of the 8 subregions, two from RTD, and two from CDOT (*reaffirmation of Central 70 counts as one*)
- Programs – Must be regional; services must be available to everyone
- Roadway projects must be located on freeways or MRAs
- Capacity, BRT, managed lane projects must be in 2040 FC-RTP (operational projects eligible)
- Railroad grade separation projects on DRCOG RRS
- Bicycle projects in adopted plan or regional corridors map
- Studies for DRCOG-eligible projects
- Requests capped at \$20 million and can't exceed 50% of total project cost





Regional Share Application Criteria

The 3-part **Framework** is the foundation for creating the Regional Share application

<p>Part 1</p> <p>Basic information</p>	<p>Part 2</p> <p>Evaluation criteria, questions, and scoring</p>	<p>Part 3</p> <p>Project data calculations and estimates</p>
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Board Direction on
Criteria
(April 2018)





Foundational project information

- Name
- Location
- Key elements
- Scope
- Cost
- **Define the regional problem the project will address**
 - i.e. Problem Statement





Regional Criteria Part 2: Evaluation Criteria and Questions

- A. **Regional significance** of proposed project
- B. Board-approved **TIP Focus Areas**
- C. Consistency and contributions to **transportation-focused Metro Vision Objectives**
- D. **Leveraging** of non-Regional Share funds





Regional Criteria 2-A: Regional Significance

Questions include:

- Regional importance?
- Cross and/or benefit multiple municipalities and subregions?
- How the specific transportation problem will be addressed?
- Connectivity to different travel modes?
- Project/program partnerships?





Qualitative with quantitative evidence

Focus Areas (Board-approved Sept. 2017)

- Improve mobility infrastructure and services for vulnerable populations
- Increase reliability of existing multimodal transportation network
- Improve transportation safety and security





Regional Criteria 2-C: Consistency with Metro Vision Objectives

Qualitative with quantitative evidence

Metro Vision Transportation-focused Objectives (selective)

Help locations designated for urban development

Connect people to natural resource or recreational areas

Increase housing and employment in urban centers

Increase access to amenities that support healthy choices

Improve/expand multimodal network

Improve access to opportunity

Improve air quality

Improve the region's competitive position



Regional Criteria 2-D: Leveraging

- Based on how much “overmatch” the project provides
- Assumes a high amount of outside funds will be contributed





Regional Criteria Part 3: Project Data – Calculations and Estimates

Worksheets to determine usage or benefits (current and predicted)

- Enter information only for a project's key elements
- Results are used in Part 2 to validate qualitative responses
- Data entered is not scored





Regional Share Approval Process

1. Applications

- Project applications submitted by Subregions, CDOT, RTD
- DRCOG staff review for eligibility



2. Scoring

- Eligible applications scored by DRCOG staff



Board Direction on

Approval Process

(April 2018)

3. Recommendations

Review Panel / Total Score Review

- Identify top submittals
- Sponsor presentations
- Make recommendations



4. DRCOG

Transportation Advisory Committee (TAC)

Regional Transportation Committee (RTC)

DRCOG Board of Directors

Final Approval



SUBREGIONAL SHARE



Subregional Share Project Eligibility

Basic eligibility includes:

- Projects must be eligible under specific federal rules and guidance for the applicable funding program(s) for the type of project
- Roadway projects must be on the designated Regional Roadway System
- Capacity, BRT, managed lane projects must be in 2040 FC-RTP





Subregional Share Criteria

Preliminary discussions have centered on:

Option 1: Subregions can use the Regional Share criteria as is;

Option 2: Use Regional Share criteria, but with alternative scoring/weighting system;

Option 3: Subregions can create criteria and a scoring system, though must include the following major tenets of the Regional criteria:

Metro Vision TIP Focus Areas

Transportation-focused Metro Vision Objectives

Regional criteria Part 1: Base Information

Q: Why is this proposed project important?

Q: How will the proposed project address the specific transportation problem stated in Part 1?

Q: How will connectivity to different travel modes be improved?



Board Work Session discussion scheduled for May 2



Subregional Forum Overview

Subregional Forum formation guidelines

- Forums are an extension of DRCOG governance
- Responsible for submitting Regional and Subregional Share project recommendations to DRCOG
- All DRCOG members invited to participate as voting members; other non-voting
- Formal meetings must be open to the public
- Forums must provide documented process to DRCOG
- Forums “officially” begin today with this meeting

Board Direction on Forums

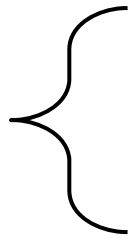
(Feb. 2018)





Subregional Forum Membership

Subregional forums are an extension of DRCOG governance



- All DRCOG member municipal and county government entities with corporate limits wholly or partially within each subregion shall be invited to participate, though individual participation is optional
- Each entity who participates shall designate an elected official or designee as their representative
- Each forum member entity will have one vote; quorum and decision-making structure are determined by each subregion
- RTD and CDOT shall be invited as non-voting members
- Other non-DRCOG governmental entities may be invited at the discretion of each subregion

Entities Invited	
Adams County	Lochbuie
Arvada	Northglenn
Bennett	Thornton
Brighton	Westminster
Commerce City	CDOT R1
Federal Heights	RTD





Subregional Forum Formation

Forum structure

- Formal governance structure document or agreement (IGA, MOU/MOA, etc.) is optional; all actions are ultimately a recommendation back to the DRCOG Board

Staff participation in forums

- DRCOG staff will attend all future forum meetings; level of participation/assistance is up to you





Eligible Entities to Submit Projects

Who's eligible

- DRCOG member local governments within the subregion
- Local governments within the subregion that are not DRCOG members
- Other state and regional agencies who are eligible to directly receive federal funds (e.g., state universities, RAQC, and transportation management associations)





Agenda Packet Postings and Notification

Subregional Forum meetings must:

- follow the compliance requirements for posting meetings for the Forum host agency, the host agency's county, and of DRCOG
 - be open to public and contain a period for public comment
-
- Formally established subcommittees must follow the meeting requirements above
 - All local governments within the subarea (members or not) must receive forum notification and any call for projects





Subregional Forum Process Documentation

Subregions must document:

- subregional forum member entities and designated representatives
- other entities invited to attend
- any subregional forum formation governance agreements or documents
- membership of any formal subcommittees, and
- officially established procedures

Each Subregional Forum shall maintain summaries of all actions and attendance

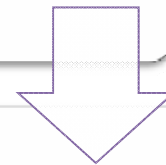




Remaining Schedule for 2020-2023 TIP

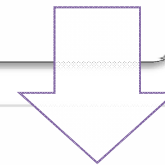
TIP Policy Action

Summer 2018



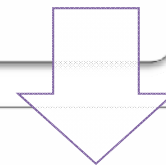
Regional Call for Projects

Summer/Fall 2018



Subregional Call for Projects

Fall/Winter 2018



TIP Adoption

Spring/Summer 2019

QUESTIONS/COMMENTS

ADAMS COUNTY COLLABORATIVE TRANSPORTATION PLANNING AGREEMENT TO ESTABLISH THE ADAMS COUNTY COUNCIL OF GOVERNMENTS (ADCOG) SUBREGIONAL FORUM PROCESS AMONG THE CITY OF ARVADA, THE CITY OF AURORA, THE TOWN OF BENNETT, THE CITY OF BRIGHTON, THE CITY OF COMMERCE CITY, THE CITY OF FEDERAL HEIGHTS, THE TOWN OF LOCHBUIE, THE CITY OF NORTHGLENN, THE CITY OF THORNTON, THE CITY OF WESTMINSTER AND ADAMS COUNTY

THIS ADAMS COUNTY COLLABORATIVE TRANSPORTATION PLANNING AGREEMENT (“Agreement”) is entered into effective as of the ____ day of _____, 2018, by and among Adams County, the City of Arvada, the City of Aurora, the Town of Bennett, the City of Brighton, the City of Commerce City, the City of Federal Heights, the Town of Lochbuie, the City of Northglenn, the City of Thornton, and the City of Westminster, all of said parties being referred to collectively herein as the “Agencies.”

WITNESSETH

WHEREAS, the Agencies are authorized by the provisions of Colo. Const. art. XIV, § 18(2)(a) and §§ 29-1-201, et. seq., C.R.S., to enter into contracts with each other for the performance of functions that they are authorized by law to perform on their own; and

WHEREAS, the Agencies wish to set forth their understanding of how the transportation planning efforts in Adams County will be coordinated for purposes of submitting project funding requests to the Colorado Department of Transportation (CDOT), the Regional Transportation District (RTD) and the Denver Regional Council of Governments (DRCOG) for consideration in their respective Capital Improvement Plans; and

WHEREAS, DRCOG is changing its Transportation Improvement Program (“TIP”) submittal process from a centralized Regional Model where all TIP funding applications were submitted directly to DRCOG, to a new Dual Model that comprises both a Regional Funding process and a Subregional Funding process; and

WHEREAS, the Subregional Funding process component of the Dual Model is comprised of subregions that are defined as the geographical boundaries of counties and include the incorporated Towns, Cities and unincorporated county areas located within a county and Adams County’s subregion shall be referenced as the “ADCOG Subregion”; and

WHEREAS, in the Dual Model, the participating agencies within each subregion will collaborate and submit projects as a subregion to compete directly with other subregions, CDOT and RTD for Regional Funding as well as develop a list of recommended projects to use the Subregional Funding; and

WHEREAS, the Agencies wish to enter into this Agreement to coordinate current and future transportation planning within Adams County.

NOW, THEREFORE, THE AGENCIES AGREE TO COOPERATE AS FOLLOWS:

1. **Adams County Project Priority Programming Process (“4P County Hearing Process”) for ADCOG Multimodal Projects.** The Mayors and Commissioners of the Agencies (“Executive Committee”) will use good faith efforts to collaborate in identifying priority corridors and in the development of a prioritized countywide list for state highway system, transit, bike & pedestrian, and Transportation Demand Management (TDM) projects. These priority corridors and list will be presented to CDOT, RTD and DRCOG for funding consideration during the 4P County Hearing Process and during cyclical updates to CDOT’s State Transportation Improvement Plan (STIP), RTD’s Strategic Plan, and DRCOG’s Transportation Improvement Plan (TIP), as applicable.
2. **Establishment of the ADCOG Subregional Forum to specifically participate in the DRCOG Dual Model Process.**
 - A. Establishment of the Forum. There is hereby established by the Agencies the ADCOG Subregional Forum (“Forum”), which is authorized to operate in accordance with this Agreement and take the actions authorized in subsection (E) of this Section 2.
 - B. Representation on the Forum. Each Agency shall appoint its representative to the DRCOG Board of Directors, a public official or other delegate to serve as a regular member of the Forum (“Appointee”). Each Agency may designate one (1) alternate to participate in the Forum in the absence of the Appointee (“Alternate”).
 - C. Establishing a Chair and Vice-Chair. Upon the execution of this Agreement, the Appointees and/or Alternates (as determined by an Agency) identified to participate in the Forum will meet and vote to elect a Chair and Vice-Chair for the Forum. The Chair, or Vice Chair in the Chair’s absence, will be responsible for: establishing Forum agendas; chairing meetings; coordinating with staff support, as provided in Section 3, to establish meeting locations and prepare agenda packets; and coordinating the presentation of the Forum’s recommended portfolio of projects to the DRCOG Board of Directors.
 - D. Voting Procedures. A quorum of the Forum must be present to take a vote. The quorum is comprised of the simple majority (Six) of the Appointees (or Alternates in the absence of an Appointee). All Forum actions shall be made by motion duly seconded and approved by the simple majority. Each Agency shall have one vote. Jurisdiction(s) that do not sign this Agreement shall be considered a “Non-Voting Member(s)” without any authority to vote on Forum matters as set forth in subsection F of this Section 2.
 - E. Forum Actions. The Forum’s actions may include, but are not limited to, establishment of the Forum rules; approving project submittals for Regional Funding; developing a recommended portfolio of projects for Subregional funding; adhering to established rules and procedures set forth by the DRCOG Board; developing and approving any additional rules and procedures or other activities related to the TIP project selection and evaluation process.
 - F. Non-Voting Members. In addition to the Agencies, all DRCOG members and governmental entities with corporate limits wholly or partially within the ADCOG Subregion shall be invited to participate in discussion and provide perspective to the Forum, as well as submit projects for Subregional funding. This includes all non-signatory jurisdictions to this Agreement, RTD, CDOT, transportation management organizations, as well as other entities and agencies that are eligible for the direct receipt of federal TIP funding.
 - G. Project Requests for DRCOG Funding. The Agencies agree to submit all DRCOG funding applications for ADCOG Subregion transportation projects or programs seeking Regional or Subregional funding through the Forum. Submissions may include any transportation related

- project or program eligible per the DRCOG Board’s TIP Policy. The Forum will cooperate and work diligently and in good faith to create a recommended list of projects for submission to DRCOG for each TIP cycle. The Forum shall ensure that all regional and subregional projects submitted to DRCOG comply with all grant requirements, such as, but not limited to, DRCOG adopted TIP policy and criteria; any supplemental Forum policies and /or criteria; presence in the adopted *Metro Vision Fiscally-Constrained Regional Transportation Plan*; local match requirements; and, that any project or program that is under the respective jurisdiction of either CDOT and/or RTD are supported by said Agencies.
- H. **Criteria and DRCOG Assistance.** DRCOG will establish overall criteria regarding project and program eligibility and evaluation of submitted projects. The Forum may choose to establish additional policy and criteria consistent with applicable Federal law and regulations. The Forum or Technical Committee, which is described in Section 3, may request assistance or information, including but not limited to, air quality information and vehicle traffic projections from DRCOG staff. Once the criteria has been approved by the Forum and ratified by DRCOG staff, the Technical Committee will be responsible for ranking and presenting the results of the ADCOG Subregional Forum portfolio of projects to the Forum.
- I. **Open Meetings; Notice and Agenda Packets for Meetings.** All meetings of the Forum and all the meetings of the Technical Committee specifically pertaining to the DRCOG Dual TIP Model process shall be open to the public with reasonable time allotted for public comment. Notice of meetings and associated materials shall be posted the Thursday prior to the week of the meeting in accordance with DRCOG requirements.
- J. **Intersubregional Coordination.** The Technical Committee will coordinate with adjacent subregions to identify potential projects with intersubregional benefits. Adams County Community & Economic Development Department (“AdCo”) will send out invitations during the DRCOG subregional ‘Call for Projects’ to solicit projects from other subregions that are requesting project and funding coordination from the ADCOG Subregional Forum.
3. **Establishment of the Forum Technical Committee.** There is hereby established the Forum Technical Committee which will consist of one (1) staff representative from each Agency, as designated by each Agency. The Technical Committee shall be responsible for gathering potential projects for the 4P County Hearing Process and Forum processes; developing recommended ranking criteria for the Forum’s consideration; and, recommending projects to the Forum for Subregional and Regional funding, subject to review and approval by the Forum.
4. **Staff Support.** AdCo staff shall be responsible for coordinating the 4P County Hearing Process and Forum processes in coordination with this Agreement’s designated Technical Committee. AdCo staff shall support the Technical Committee by taking meeting minutes, developing agenda packets, and ensuring DRCOG posting requirements are adhered to in conjunction with the Technical Committee.
5. **Planning Timeline.** The Agencies review and prioritization of the Multi-Modal Projects will be coordinated with the DRCOG TIP planning process timeline and the CDOT/Transportation Commission planning timeline for the 4P County Hearing process and STIP programming.
6. **Benefits Inure to Agencies Only.** It is expressly understood and agreed that the enforcement of terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the undersigned parties and nothing in this Agreement shall give or allow any claim or right of action whatsoever by any other person not included as a party to this Agreement. It is the express intention of this Agreement that any entity, other than the Agencies

that are parties to this Agreement, that receives services or benefits as a result of this Agreement shall be an incidental beneficiary only.

7. **Government Immunity.** No portion of this Agreement shall be deemed to constitute a waiver of any immunities the Agencies or their officers or employees may possess, nor shall any portion of this Agreement be deemed to have created a duty of care which did not previously exist with respect to any person.
8. **Term and Termination.** The term of this Agreement is through December 31, 2028. Any Agency may withdraw from this Agreement by providing written notice to the Forum Chair of its intent to do so at least ninety (90) days prior to termination. The notice not to renew shall be by formal action of the governing body requesting withdrawal. The Agreement shall remain in effect unless terminated by all of the Agencies. Any Agency that withdraws from the Agreement will be considered as a “Non-Voting Member” upon such withdrawal.
9. **Prior Agreement Terminated.** As of the effective date noted above, the 2010 Adams County Collaborative Transportation Planning Agreement is terminated and shall have no further force or effect.
10. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original and all such counterparts taken together shall be deemed to constitute one and the same instrument.

By signing this Agreement, the Agencies acknowledge and represent to one another that all procedures necessary to validly contract and execute this said Amendment have been performed, and that the persons signing for each Agency have been duly authorized by such Agency to do so.

**ADAMS COUNTY
BOARD OF COUNTY COMMISSIONERS**

Mary Hodge, Chair

Date

ATTEST:

APPROVED AS TO FORM:

County Clerk

County Attorney's Office

CITY OF ARVADA

(), Mayor

Date

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney's Office

CITY OF AURORA

(), Mayor

Date

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney's Office

TOWN OF BENNETT

(), Mayor

Date

ATTEST:

APPROVED AS TO FORM:

Town Clerk

Town Attorney's Office

CITY OF BRIGHTON

(), Mayor

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APPROVED AS TO FORM:

City Clerk

City Attorney's Office

CITY OF COMMERCE CITY

(), Mayor

Date

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney's Office

CITY OF FEDERAL HEIGHTS

(), Mayor

Date

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney's Office

TOWN OF LOCHBUIE

(), Mayor

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CITY OF NORTHGLENN

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