

# MINUTES

## REGIONAL AIR QUALITY COUNCIL Thursday, January 7, 1999

### MEMBERS PRESENT:

Wade Buchanan, *Chair*  
Don Allard, *City of Arvada*  
Jim Bullecks, *City of Lakewood*  
Dennis Creamer, *Conoco, Inc.*  
Theresa Donahue, *City & County of Denver*  
Joshua Epel, *Gablehouse & Epel*  
Martin Flaum, *Adams County*  
Ted Hackworth, *City & County of Denver*  
Kent Hanson, *Attorney at Law*  
Ingrid Lindemann, *City of Aurora*  
Jim Martin, *Environmental Defense Fund*  
David Pampu, *Denver Regional Council of Govts.*

Robert Reid, *Colo. Interstate Gas*  
Joan Ringel, *Ringel Policy & Strategy Assoc .*  
Glenn Scott, *City of Westminster*  
Patti Shwayder, *Colo. Dept. Public Hlth & Env.*  
Ken Siler, *City of Wheat Ridge*  
Peter Spoor, *Pioneer Metal Finishing/CABA*  
Susan Thornton, *City of Littleton*  
Dick Watt, *Norwest Banks*  
Sen. Frank Weddig, *Colo. Senate*  
Steve Wilson, *Metro Home Builders Assoc.*  
Greg Winger, *City of Longmont*

### MEMBERS NOT IN ATTENDANCE:

M. Michael Cooke, *Douglas County*  
Spenser Havlick, *City of Boulder*  
Michelle Lawrence, *Jefferson County*  
Marie Mackenzie, *Arapahoe County*  
Mark Mathews, *Brownstein, Hyatt, Farber & Strickland*  
Carolyn McIntosh, *City of Lafayette*  
Jana Mendez, *Boulder County*  
Olon Plunk, *New Century Energies*  
Rosemary Paolillo, *Regional Transportation Dist.*  
Rep. Paul Schauer, *House of Representatives*  
Skip Spensley, *JSC/Spensley*  
Bill Vidal, *Colo. Dept. of Transportation*  
Sharon Votruba, *City of Thornton*  
Vacant, *Governor's Office*

### ALTERNATES PRESENT (\* - voting):

Mark Fox\*, *New Century Energies*  
George Gerstle\*, *Colo. Dept. of Transportation*  
Bud Hover \*, *Douglas County*  
Dickey Lee Hullinghorst\*, *Boulder County*  
Julio Iturria\*, *Arapahoe County*  
Mark Johnson\*, *Jefferson County*  
Carol Maclennan, *City of Aurora*  
Dave Yamada\*, *City of Thornton*

## **OTHERS PRESENT:**

Ken Lloyd, RAQC; Jerry Dilley, RAQC; Misty Howell, RAQC; Michele Majuene, RAQC; Melissa Clark, RAQC; Annmarie Jensen, RAQC; Bob Brady, Coors Brewing/AQCC; Paul Adams, ACX Technologies; Doug Lempke, AQCC; and Bill Myers, Sierra Club.

Chair Wade Buchanan called the meeting to order at 3:35 p.m. A quorum was present.

## **Approval of the Agenda and Minutes**

Council approved the agenda and minutes without objection.

## **Public Comment**

None.

## **Informational Items**

Ken Lloyd informed Council that an updated version of the white paper would be available to them after the meeting. Wade spoke with Roy Palmer, Governor Owens' Chief of Staff, who suggested the RAQC contact Rick O'Donnell, Director of the Governor's Office of Policy and Initiatives, to discuss the future of air quality planning in the metro area. Ken will send the white paper along with a letter to Governor Owens next week. He will also schedule a follow up meeting with Rick O'Donnell.

Ken stated the RAQC's legislative committee will be meeting on Tuesdays at 7:45 a.m. Those who want to participate should contact Annmarie Jensen. Ken also apprised Council that Margy Christiansen would be the Council's sole lobbyist this season.

## **Approval of Final *Blueprint for Clean Air* Recommendations**

Patrick Cummins gave Council an overview of changes that had been made to the document. The majority of the changes were in response to comments Council made at the December 10, 1998 meeting. The table on page two was added to summarize the recommendations. A chart indicating the air quality benefits of the recommended measures was given to Council for consideration as part of the Executive Summary.

Theresa Donahue asked if footnoting would be included with the air quality benefits of the recommended measures chart for clarification.

Bob Reid stated that "gasoline" should be used on the charts on page 5 instead of "gas".

Steve Wilson asked for clarification of the 10% reduction for street sanding on page 10. Patrick indicated the reduction would be from 2020 levels not current levels.

**Bob Reid moved to accept the final draft of the *Blueprint for Clean Air Executive Summary*. Seconded by Dick Watt.**

**Mark Johnson moved an amendment which changed page 11, item 4A, concerning Metro Vision 2020 to the language outlined in the letter from the Jefferson County Commissioners dated 1/7/99. Seconded by Ken Siler.**

**Proposed Language:** Second, the RAQC urges DRCOG to adopt ~~whatever~~ incentives **THAT WILL ENCOURAGE** ~~are needed to achieve~~ local government ~~compliance with~~ **IMPLEMENTATION OF** the agreed-upon regional plan. ~~For example, the RAQC urges that DRCOG make compliance with the Metro Vision plan one of the highest TIP evaluation criteria.~~

Mark Johnson stated that there needs to be clear wording regarding whether the recommendation is to have Metro Vision 2020 be mandatory or voluntary. He also said that incentives are not necessarily positive. The Jefferson County Commissioners believe the Metro Vision 2020 plan should be voluntary and the recommendation should reflect such.

Ken Siler indicated that if the recommendation cannot be explained in one sentence then maybe it should not be there. He further stated that at the DRCOG retreat Metro Vision 2020 was given the highest priority.

**Theresa Donahue offered a substitute motion to amend which uses the language from Patrick Cummins memorandum dated December 23, 1998. Seconded by Kent Hanson.**

**Proposed Language:** Second, the RAQC urges DRCOG to adopt whatever incentives are needed to achieve local government compliance ~~with~~ **IMPLEMENTATION OF** the agreed-upon regional plan. For example, the RAQC urges that DRCOG make compliance with the Metro Vision plan one of the highest TIP evaluation criteria.

Theresa indicated that this wording recognized that not only local governments, but agencies such as RTD and CDOT also need to comply with the plan.

Susan Thornton explained that at the last meeting Council seemed concerned with one word. This change to the language will hopefully get more support and make the recommendation stronger.

Ingrid Lindemann expressed that she would support this language.

Mark Johnson reiterated that he and his Commissioners have concerns with the second sentence. He stated he would be willing to take out the local government reference in his proposed language.

Joan Ringel stated she favored the substitute motion. She is very concerned with the Jefferson County proposal using “encourage”. It weakens the *Blueprint for Clean Air*.

Dick Watt indicated that the Jefferson County letter gets to the real issue, which is should the program be voluntary. DRCOG has decided that it should be. Dick asked Theresa if her proposed language implies a voluntary program.

Theresa stated it is up to DRCOG to determine what is necessary to achieve implementation of the plan. If DRCOG determines that voluntary compliance is all that is necessary, then it is assumed that is what system DRCOG would put into place.

Greg Winger asked if it would be more advantageous for the Council to agree on the first sentence, then the second. He indicated he liked the substitute motion without the second sentence.

Frank Weddig indicated that he would support the substitute motion. He thought leaving out “local governments” made the recommendation better.

Mark Johnson stated that the language in the substitute motion still gives DRCOG the option to make compliance with Metro Vision 2020 mandatory.

Theresa Donahue indicated she would be willing to accept a friendly amendment to delete the second sentence from her substitute motion. Kent Hanson agreed to act on each separately.

Council agreed to divide the question and take each sentence separately.

Concerning the first sentence, Kent Hanson suggested changing incentives to voluntary measures. Theresa was not amenable to this change.

Ken Siler suggested changing “whatever incentives” to “those measures that”. This was not acceptable to Theresa or Kent.

**The amendment to adopt the first sentence of Theresa’s substitute motion passed 16-11-1.**

Concerning the second sentence, Kent Hanson stated that this language was added after much discussion by the Council. He is concerned with Council wanting to now delete the language.

Dick Watt asked if transportation projects have to be part of the Metro Vision 2020 plan to be included in the TIP.

Dickie Lee Hullinghorst stated that communities get points for adopting the growth boundaries. She expressed that more can be done with the point system. She indicated there needs to be further clarification of the intent of the RAQC recommendation.

Don Allard asked if funds are held back from municipalities that do not comply with Metro Vision, what will happen to roads that fall into more than one jurisdiction.

Ken Siler indicated that there are 100 points to split within the TIP. He stated that 1/20 of the points are currently used for those who comply with the urban growth boundaries.

Dickey Lee stated that every category of funding gets 5 points. She suggested DRCOG look at the incentive process in light of the importance of the Metro Vision 2020 plan.

**The amendment to delete the second sentence from Theresa's the substitute motion passed 18-8-3.**

Dave Pampu indicated that he could not stand behind the \$1 billion number indicated on page 11, paragraph 3, indicating potential savings in public infrastructure costs. He has not had an opportunity to research the number and DRCOG does not have plans to do any detailed analysis.

Steve Wilson stated that consumers are not minimizers and would be willing to pay for these costs.

**Dick Watt moved to amend page 11, paragraph 3, to strike the \$1 billion figure. Seconded by Glenn Scott.**

**Theresa Donahue made a substitute motion to change the wording to "based on initial rough estimates by DRCOG". Seconded by Dickey Lee Hullinghorst.**

Dave Pampu said that DRCOG calculated the number but an in-depth analysis was not performed.

Dick Watt stated that Metro Vision 2020 assumes a large transit investment which is not included in the \$1 billion figure.

Steve Wilson said that there is reduction in some infrastructure costs. It is important to talk about all costs. If it is not possible to include all costs, then the figure should be left out.

Peter Spoor indicated that he is in opposition to the motion and the substitute motion. The \$1 billion figure is for information and it will help the average reader understand the recommendation better.

**The substitute motion failed 7-20-1.**

**Ingrid Lindemann made a friendly amendment to strike the last sentence and incorporate "new local streets and utilities (water, sewer, and storm water)" after**

**other infrastructure costs in the preceding sentence. This was acceptable to Dick and Glenn.**

**The motion as amend passed 20-5-2.**

Mark Fox had some minor editing changes. Council was OK with Mark giving them directly to Patrick Cummins.

**Mark Fox moved to amend page 4, paragraph 1, line 5, to change “coal fired power plants” to “industrial sources”. Seconded by Martin Flaum.**

**The motion failed 3-27.**

**The motion to adopt the *Blueprint for Clean Air Executive Summary* as amended passed 28-1-0 (See Roll-Call).**

### **Election of Executive Committee and Vice-Chair**

Wade Buchanan informed Council that given the transition taking place in the state, this would be his last meeting as Chair. He will be submitting his resignation to Governor Owens. Wade indicated that since the Chair is a Governor appointing position, he wanted to give Governor Owens the opportunity to make the appointment. Wade also expressed his enjoyment in his association with the RAQC and Council members.

Theresa Donahue then acknowledged that Patti Shwayder would also be leaving the Council.

Ken Siler suggested that the Council acquire a gift for Wade. On that note, Ken Lloyd presented Wade with a book from the staff and a picture from the Council. He thanked Wade for his years of service and guidance.

Wade explained that each January elections for the Executive Committee are held. The made of the committee includes the Chair, Denver’s Representative, 2 Governor’s Appointees and 2 Local Government Representatives. The current Executive Committee is Wade Buchanan, Theresa Donahue, Dennis Creamer, Bob Reid, Sharon Votruba and Carolyn McIntosh.

Dave Yamada apologized for Sharon that she was unable to attend the meeting due to a work conflict. He stated that Sharon expressed a desire to remain on the Executive Committee and the Vice-Chair.

Bob Reid indicated he was willing to step down from the Executive Committee in favor of someone else who may be interested.

**Ingrid Lindemann moved to nominate Dick Watt to be on the committee. Seconded by Peter Spoor. Motion passed unanimously.**

**Martin Flaum moved to retain Sharon, Carolyn and Dennis on the committee. Seconded. Motion passed unanimously.**

**Joshua Epel moved that Sharon Votruba continue as Vice-Chair. Seconded. Motion passed unanimously.**

Ken Lloyd thanked Bob Reid for his service on the Executive Committee. Bob has served as a member of the committee since the RAQC's inception in 1989.

There being no further business before the Board, the meeting was adjourned at 5:00 p.m.