



COLORADO

Department of Transportation

Clean Transit Enterprise Board

October 10, 2023



AGENDA

Topic	Presenter
Welcome, Roll Call, Agenda Review (5 min)	Matt Frommer, Chair
Action Agenda (5 min) <ul style="list-style-type: none"> Approval of Minutes - 08/08/23 CTE Board Meeting 	Matt Frommer, Chair
Program Administrator Update (5 min)	Kay Kelly, CDOT
Enterprise Financial Update (15 min) <ul style="list-style-type: none"> Approval of FY24-25 Draft Budget 	Kay Hruska & Cassie Rutter, CDOT
CTE ZEV Planning Grant Award Recommendations (30 min) <ul style="list-style-type: none"> Approval of FY23-24 ZEV Planning Grants 	Kay Kelly and Jan Rowe, CDOT
Adjournment	Matt Frommer, Chair
Executive session pursuant to Section 24-6-402 (3) (a) (II) of the Colorado Revised Statutes for the purpose of receiving legal advice and a litigation update on the Americans for Prosperity Lawsuit from counsel (20 min)	Kathy Young, COAG



Program Administrator Update



Program Administrator Update

- First Round of CTE Funding Opportunities:
 - **Planning Award** recommendations being presented to the Board for approval today
 - **Capital Notice of Funding Availability** (including **Vehicles, Infrastructure, Facilities**)
 - Estimated Release: January 2024
- Budget Planning Process for FY25 begins today
 - PROPOSED budget needs to be approved in October
 - FINAL budget needs to be approved in February
- CTE Annual Report summarizing activities for the 2023 Calendar Year will be prepared by staff and submitted to CDOT Transportation Commission and the TLRC in December.



Enterprise Financial Update



CTE Accounting Update

Year-To Date Figures Through June 2023

Fiscal Year 2023-24 Budget to Actual for Fund 540								
Clean Transit Enterprise								
Line Item		Approved Budget	July 2023	August 2023	September 2023	Total Quarter 1	Total	Remaining Funds
1	Fiscal Year Revenues							
2	Clean Transit Retail Delivery Fee	\$ 8,982,450	\$ 501,162	\$ 874,909	\$ 825,047	\$ 2,201,118	\$ 2,201,118	
3	Interest Revenue	-	-	25,519	29,061	54,580	54,580	
4	Total FY 2023-24- Revenue	\$ 8,982,450	\$ 501,162	\$ 900,428	\$ 854,108	\$ 2,255,698	\$ 2,255,698	\$ 6,726,752
5	Fiscal Year Allocations							
6	Administration & Agency Operations							
7	Administration and Agency Operations							
8	Staff Salaries	\$ 275,895	\$ -	\$ 65	\$ 2,261	\$ -	\$ 2,326	\$ 273,569
9	Attorney General Fees	1,000	67	320	-	387	387	613
10	Office of the State Audit-Annual Financial Audit	2,000	-	-	-	-	-	2,000
11	Professional Services	100,000	-	-	-	-	-	100,000
12	Language Translation Services	25,000	-	-	-	-	-	25,000
13	Board/Staff Travel	5,000	-	-	-	-	-	5,000
14	Board Meeting Expenses	600	-	-	-	-	-	600
15	Miscellaneous	1,000	-	-	-	-	-	1,000
17	Total Administration and Agency Operations	\$ 410,495	\$ 67	\$ 385	\$ 2,261	\$ 387	\$ 2,712	\$ 407,783
18	Contingency Reserve							
19	Board Reserve Fund (10%)	\$ 913,287	\$ -	\$ -	\$ -	\$ -	\$ -	913,287
20	Total Reserve Funds	\$ 913,287	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 913,287
21	Programmed Funds							
22	Programmed Funds	\$ 7,658,668	\$ -	\$ -	\$ -	\$ -	\$ -	7,658,668
23	Total Programmed Funds	\$ 7,658,668	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,658,668
24	Total FY 2023-24 Budget	\$ 8,982,450						
25	Total FY 2023-24 Allocations	\$ 8,982,450						



Clean Transit Enterprise - Retail Delivery Fee

FY 2022-23 Revenue (\$0.3 fee):

- Total Forecasted: \$8,280,329
- Total Collected: \$9,335,275
- Difference: \$1,054,946

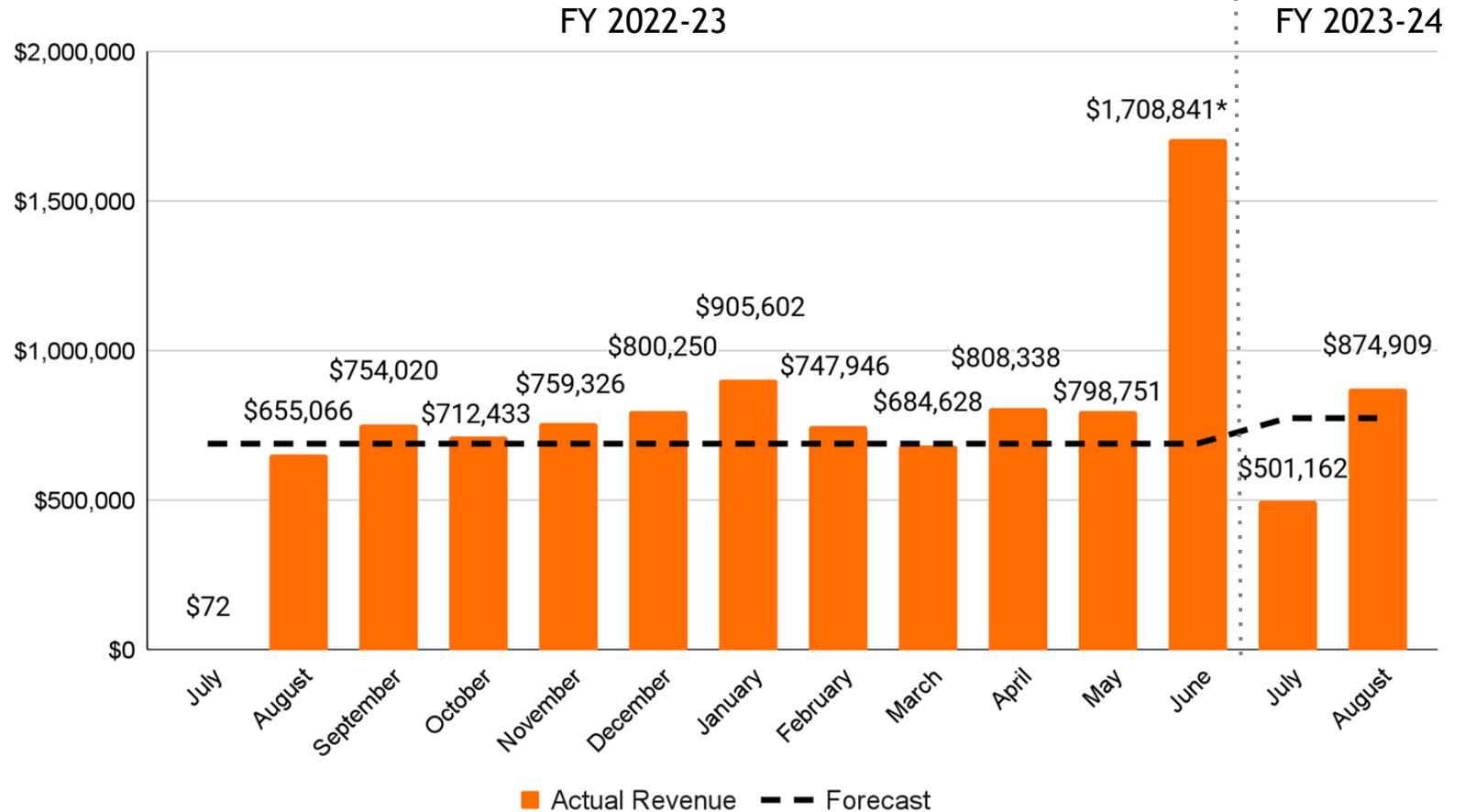
FY 2023-24 Revenue (\$0.311 fee):

- Total Forecasted: \$9,306,756
- Collected YTD: \$1,376,071

FY 2024-25 Revenue (\$0.317 fee*):

- Total Forecasted: \$9,902,388
- *projected fee adjustment for inflation; Board action required prior to 3/15/24)

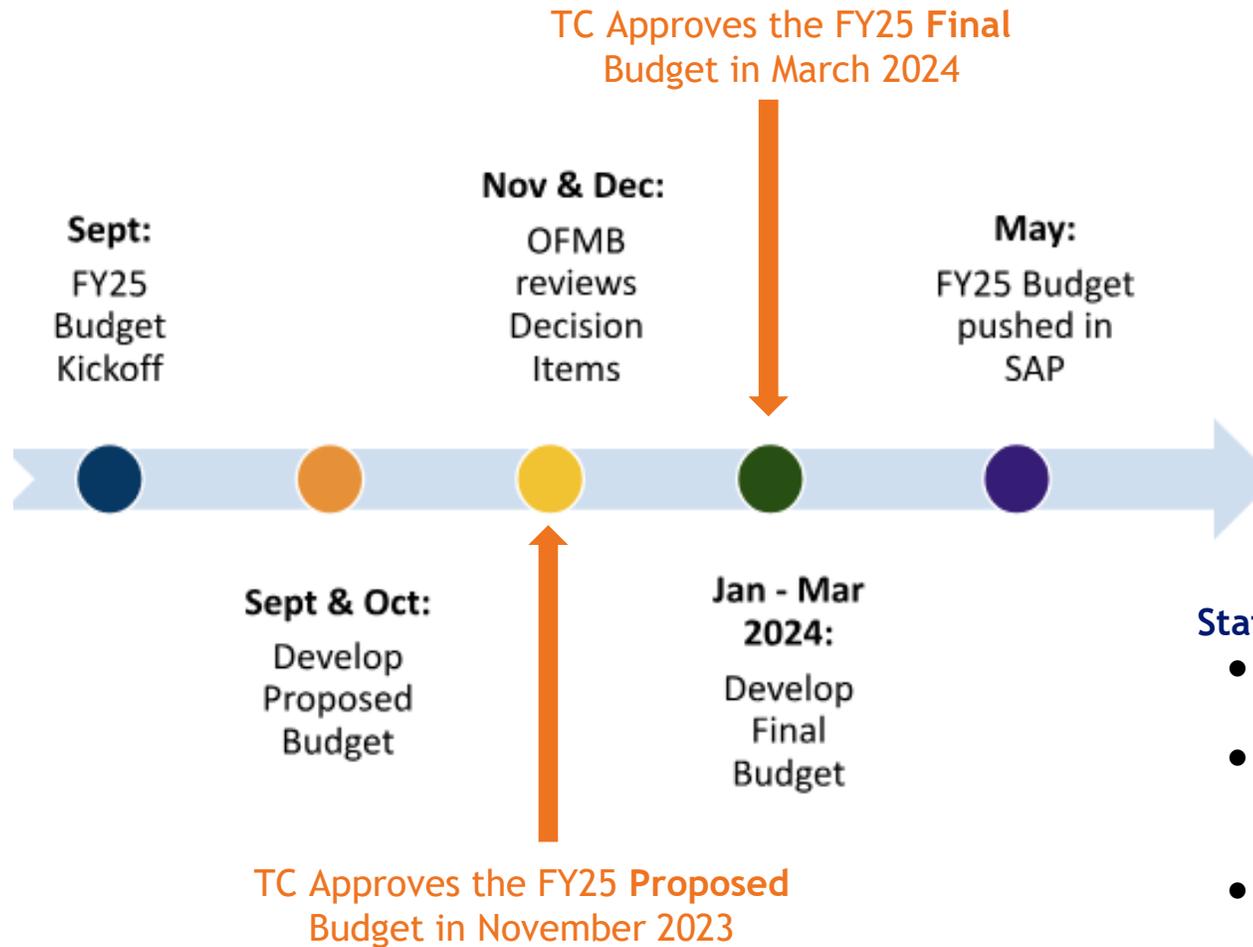
Actual Revenue and Forecasted



*June 2023 includes \$928,515.29 in Period 13 accruals



CDOT's Annual Budget Setting Process



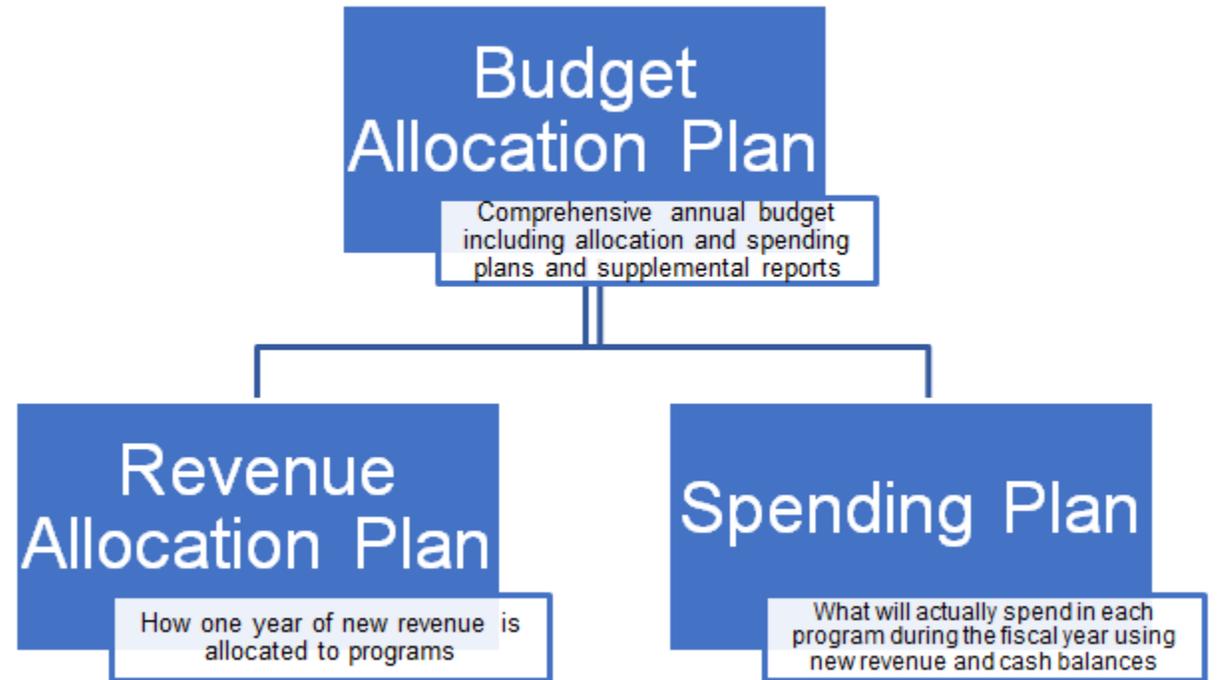
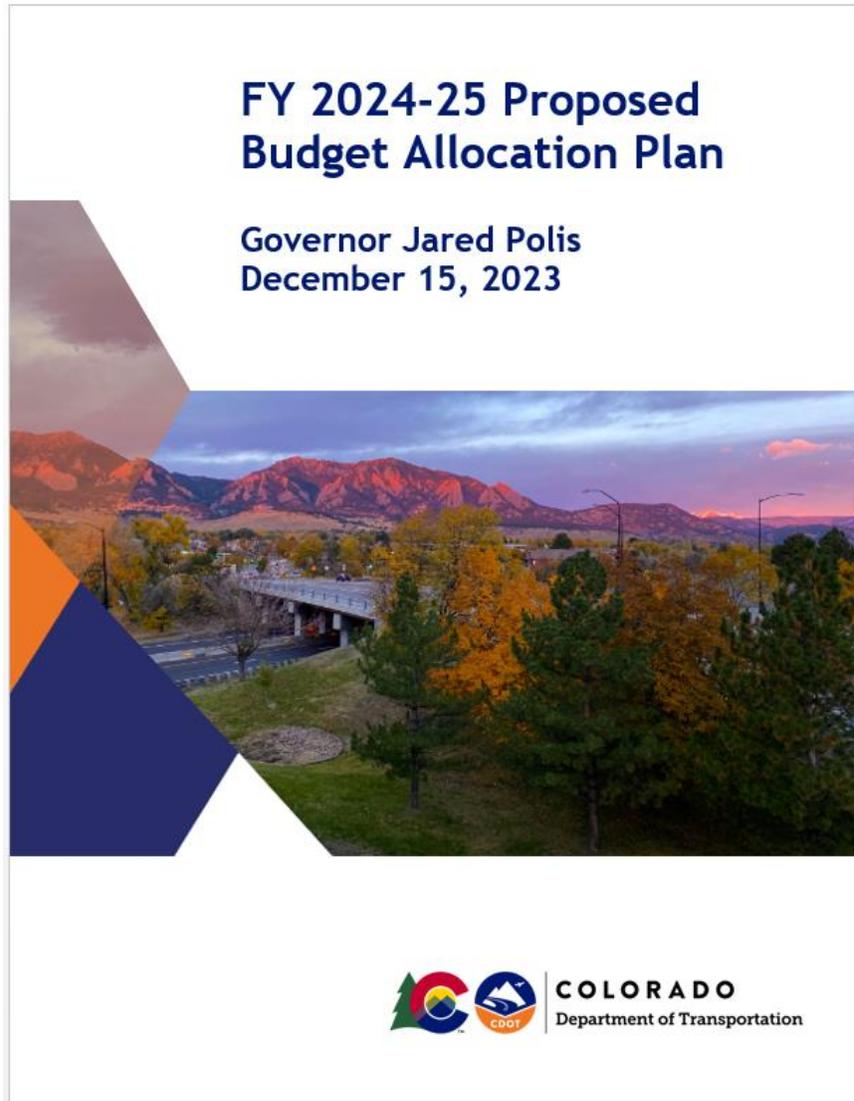
The deadline for divisions and regions to submit their FY25 budget request to OFMB is **November 1**

Statutory Deadlines for the Budget:

- **November 1** - legislative budget submitted to the Joint Budget Committee
- **December 15** - Proposed Annual Budget submitted to the Governor's Office and legislature
- **April 15** - Final Annual Budget submitted to the Governor's Office and legislature
- **by June 30** - Governor signs Final Budget



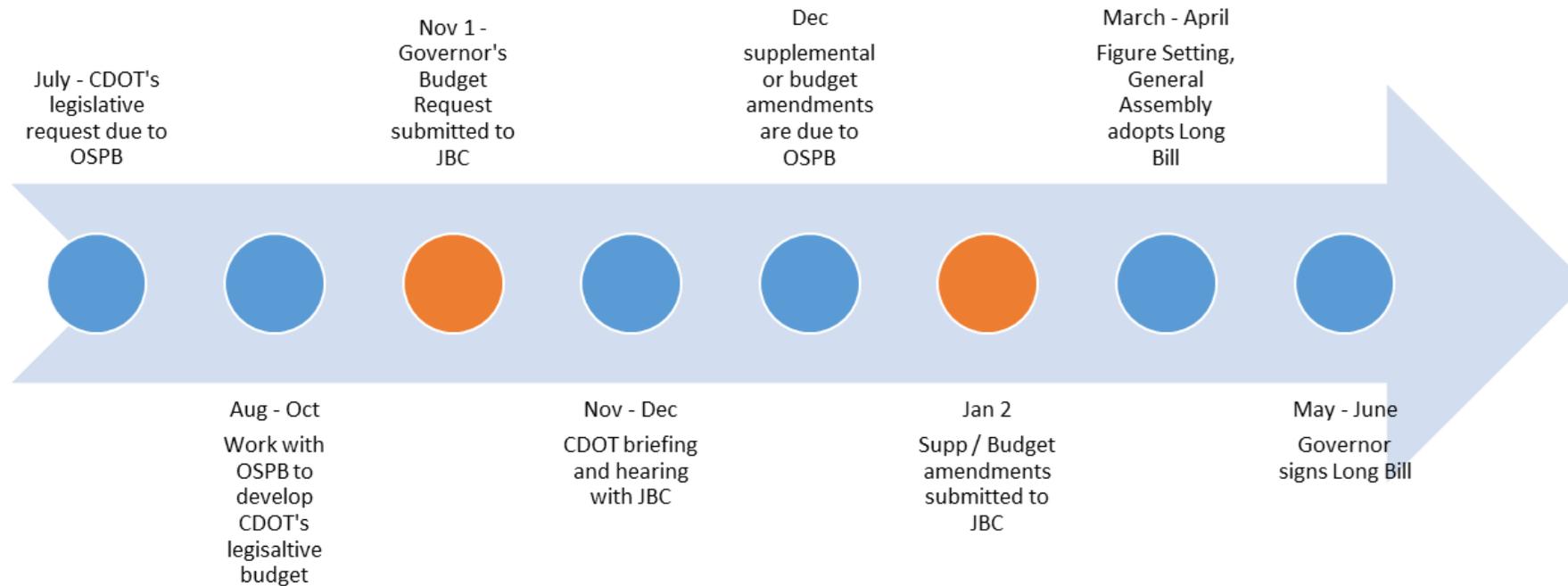
FY25 Budget Allocation Plan



<https://www.codot.gov/business/budget/cdot-budget/fy-2023-2024-budget-reports-information/fy-2023-2024-final-budget-allocation-plan>



Legislative Budget Setting Process



Current legislative request for CTE for FY 2024-25: **\$9,902,388**



CTE Proposed FY25 Budget (FY starts 7/1/24)

LINE ITEM	FY2024-25
TOTAL REVENUES	\$ 9,902,388
Clean Transit Retail Delivery Fee	\$ 9,902,388
ADMINISTRATION & AGENCY OPERATIONS	\$ 560,450
Staff Salaries	\$ 450,250
Attorney General's Office Fees	\$ 5,000
Office of State Audit - Annual Financial Audit	\$ 2,000
Professional Services	\$ 100,000
Administrative Expenses	\$ 3,200
Board/Staff Travel	\$ 2,000
Board Meeting Expenses	\$ 200
Supplies/Registration Fees/Etc.	\$ 1,000
CONTINGENCY RESERVE	\$ 990,239
Board Reserve Fund (10.00%)	\$ 990,239
PROGRAMMED FUNDS	\$ 8,351,699
Programmed Funds	\$ 8,351,699
TOTAL - CTE	\$ 9,902,388

Projected Revenue

Anticipate higher salary costs going forward as grant programs move from planning phase into execution phase

Small reduction in professional services category from prior years (based on experience)

Travel and Meeting Expenses line items adjusted to allow for 2 in-person meetings per year

Total of \$9,341,938 remaining for the CTE Grant Portfolio and Contingency Funds (94% of Revenue)



Enterprise Board Action

Proposed Motion for Board of Directors Consideration:

Move for the Clean Transit Enterprise to adopt the fiscal year 2025 PROPOSED budget as presented by Enterprise staff.



CTE Planning Grant Award Recommendations



Planning Grant Applications

DTR received a total of 5 applications for ZEV Transition Planning Grants in the latest round of the program, totalling \$327,500 in requests.

The scoring committee was comprised of subject matter experts from DTR, OIM, DTD, the Environmental Justice & Equity (EJE) Branch, Colorado Energy Office, Colorado Department of Public Health & Environment, CASTA, and the National Renewable Energy Laboratory (NREL).

Applications were reviewed and scored in September and then recommended awards were reviewed with the Chief of Innovative Mobility and Director of DTR. We are now bringing them to the CTE Board for your review and potential approval.



Submitted Applications

<u>Agency</u>	<u>Grant Request</u>	<u>Local Match</u>	<u>Total Project Cost</u>
City of Pueblo	\$99,000	\$11,000	\$110,000
Laradon Hall Society for Exceptional Children and Adults	\$90,000	\$10,000	\$100,000
Neighbor to Neighbor Volunteers (aka Chaffee Shuttle)	\$40,500	\$4,500	\$45,000
Teller Senior Coalition	\$30,500	\$3,500	\$35,000
Via Mobility	\$67,500	\$7,500	\$75,000
Total	\$327,500	\$36,500	\$365,000



Planning Grant Evaluation Criteria

Zero Emission Vehicle (ZEV) Transition Planning Grants Evaluation Criteria	
Project Need and Benefit	35%
Equity, Inclusivity, and Access for Disproportionately Impacted (DI) Communities	30%
Project Readiness	15%
Agency Capacity	10%
Application Quality	10%



Application Scores

<u>Agency</u>	<u>Committee Recommendation</u>	<u>Recommended Grant</u>
City of Pueblo	Award	\$99,000
Laradon Hall Society for Exceptional Children and Adults	Award	\$90,000
Neighbor to Neighbor Volunteers (aka Chaffee Shuttle)	Award	\$40,500
Teller Senior Coalition	Deny / Re-apply	\$0
Via Mobility	Award	\$67,500
Total	–	\$297,000



City of Pueblo

Grant Request: \$99,000

Committee Recommendation: Award

This ZEV Transition Plan is part of a broader commitment to the City's goal of 100% renewables by 2035. Their application shows the City's understanding of the needs in disproportionately impacted communities, the need for a facility assessment, and a commitment to equitable engagement. The City of Pueblo has one of the larger transit fleets in Colorado and will benefit from a planning study.



Laradon Hall Society of Exceptional Children and Adults

Grant Request: \$90,000

Committee Recommendation: Award

Laradon Hall provides service to a wide geographic area and the organization serves diverse and disproportionately impacted individuals. The organization has already received funding from both Xcel Energy and DRCOG to jumpstart their electrification efforts. A planning effort will help them to better understand the challenges and opportunities of electrifying a fleet of cutaways and vans that operate demand-response services.



Neighbor to Neighbor Volunteers aka Chaffee Shuttle

Grant Request: \$40,500

Committee Recommendation: Award

The goal of this project is an assessment of the viability of ZEV service in a rural area as the organization serves a large area of the San Luis Valley. The committee appreciates NTN's equity approach including implementing a public engagement campaign and commitment to conduct outreach activities in English and Spanish. Given the project's geographic location and vehicle types, it could be a challenge but the committee believes it would be a valuable exercise for the agency and can set a model for other rural agencies in the state to consider electrification.



Application Descriptions

Teller Senior Coalition

Grant Request: \$30,500

Committee Recommendation: Deny / Re-Apply

The application was vague and all responses lack specificity of what the applicant is trying to achieve with this plan. In addition, the organization does not have a local match approved. The committee suggests the applicant apply for the next round. The CASTA Director will reach out to this applicant after the award announcements to better understand and assist the organization with developing a future application if they chose to do so.



Via Mobility

Grant Request: \$67,500

Committee Recommendation: Award

This organization has already been deploying electric buses in their transit fleet and having a well documented ZEV transition plan will help support their ongoing implementation. Via Mobility operates one of the larger fleets in the state and this project will have a high impact. Responses on the equity measures could be improved, but CDOT OIM and DTR staff will work with the organization to ensure equity is embedded in the planning and implementation process.



Questions & Discussion





Enterprise Board Action

Proposed Motion for Board of Directors Consideration:

Move for the Clean Transit Enterprise to approve the four recommended awards in the Zero Emission Vehicle Transition Planning grant category for a total of \$297,000 in Programmed funds, based on the recommendations of Enterprise staff.



Upcoming Meetings and Topics

Upcoming Meetings:

- Tuesday, February 20, 2024 - 1:00-3:00 pm

Topics:

- Capital Award Recommendations
- FY25 FINAL Budget Approval
- Inflationary Adjustments to Clean Transit Enterprise Fees (Due March 15th)
- Public accountability dashboard
- Other topics at the Board's pleasure



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- Electrification
- Mobility Services
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Clean Transit Enterprise

To support Colorado's transit electrification through planning efforts, transit site upgrades, procurement of electric transit buses, and deployment of associated charging infrastructure.



About the Clean Transit Enterprise

This enterprise is created within the Colorado Department of Transportation (CDOT) to support public transit electrification planning efforts, facility upgrades, fleet motor vehicle replacement, as well as construction and development of electric motor vehicle charging and fueling infrastructure. The bill allows the enterprise to impose a clean transit retail delivery fee to fund its operations, and to issue grants, loans or rebates to support electrification of public transit.

Contact Us

cdot_cleantransitenterprise@state.co.us

Resources

- [Board Appointments](#)
- [Enterprise Funds](#)
- [Board Powers & Duties](#)
- [Clean Transit Enterprise 10 Year Plan](#)
- [2021 Transit Zero Emission Vehicle \(ZEV\) Roadmap](#)
- [Clean Transit Enterprise Processes and Fees, 2 CCR 607-1](#)

Upcoming Meetings

Board of Directors Meeting
July 13, 2022
12:00-2:00 pm
[YouTube Link](#)
[Schedule & Agenda](#)

Prior Meetings

Board of Directors Meeting - January 31st, 2022
[Video Recording](#)

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THANK YOU!





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Ad Hoc Meeting - November 6, 2023



Members of the Clean Transit Enterprise Board

For terms expiring 9/28/2024

x**Matt Frommer** **CHAIR** (Denver): Member with an expertise in zero-emissions transportation, motor vehicle fleets or utilities

x**Bonnie Trowbridge** (Berthoud): Member representing a public advocacy group that has transit or comprehensive transit expertise

Dawn Block (La Junta): Member representing a transportation-focused organization that services an environmental justice community

For terms expiring 9/28/2025

Mark Garcia (Pagosa Springs): Member of the Transportation Commission and have statewide transportation expertise

x**Cris Jones** (Boulder): Member representing an urban area, having transit expertise

x**David Averill** **CO-CHAIR** (Telluride): Member representing a rural area having transit expertise

Agency Appointments

x**Erik Sabina**: Colorado Department of Transportation designee

x**Kelly Blynn**: Colorado Energy Office designee

x**Richard Coffin**: Colorado Department of Public Health & Environment designee



AGENDA

Topic	Presenter
Welcome, Roll Call, Agenda Review (5 min)	Matt Frommer, Chair
Enterprise Financial Update (15 min) <ul style="list-style-type: none">Approval of request to increase CTE spending authority for FY24-25	Kay Kelly and Cassie Rutter, CDOT
Adjournment	



CTE Budget Amendment

Current Total Cash Balance - 10/30	\$11,802,060.31
FY 2024-25 Request	
FY 2022-23 Carryforward Amount	\$8,648,494.48
FY 2023-24 Revenue Forecast	\$9,306,756.00
FY 2023-24 Expenditure Forecast (CTE Admin & Round 1 ZEV Planning Grants)	-\$707,495.00
Total Carry Forward to FY 2024-25	\$17,247,755.48
FY 2024-25 Revenue Forecast	\$9,902,388.00
Total Possible FY 2024-25 Request	\$27,150,143.48
FY 2024-25 Expenditure Forecast	\$17,955,250.00
FY 2024-25 CTE Admin Expenses	\$560,450.00
FY 2024-25 ZEV Planning Grants (estimate)	\$500,000.00
FY 2023-24 ZEV Capital Grants (estimate)	\$16,894,800.00

- CTE has a total cash balance of \$11.8M
- CTE is also carrying forward \$17.2M in unspent funds for FY24-25
- CTE will be collecting an additional \$9.9M in revenue in FY24-25
 - \$9.9M is also our current request for FY24-25 spending authority
- With the timing of CTE funding opportunities, CTE staff expects we could need spending authority for \$17.9M in FY24-25
 - \$560,450 for CTE Administration
 - \$500,000 for FY24-25 ZEV Planning Grants
 - \$16,894,800 for FY23-24 Capital Grants ⁴



Rationale for Requesting an Increase to FY24-25 CTE Spending Authority

- To streamline the burden on transit agencies in accessing CTE funding, CTE's bylaws require CTE-funded grants to be advertised as part of the standing bi-annual transit agency calls for projects issued by the CDOT Division of Transit and Rail
- Due to the timing of those calls for projects relative to when the CTE Board of Directors had completed its development of CTE grant criteria, CTE had already accumulated:
 - 1 year of revenue prior to first round of ZEV planning grants
 - 1.5 years of revenue prior to first round of capital grants
- Staff wants to be prepared for anticipated demand in upcoming capital call
 - DTR always experiences more demand for capital grants than funds available
 - Other SB21-260 enterprises saw demand up to 6x available funding in their initial grant rounds
- ZEV buses have a long lead time and making more CTE funds available in FY24-25 will help orders be placed sooner



Increasing CTE Spending Authority for FY24-25

STATE PROCESS

- Spending authority is granted to CTE by the Colorado Legislature based on the annual revenue forecast
- Currently, CTE's request for spending authority is based on the forecasted \$9.9M in revenue for FY24-25
- CTE can request an amendment to our spending authority request
- Amendment requests must be submitted to the Governor's Office by November 13, 2023 in order to be presented to the Legislature on January 2, 2024

ENTERPRISE PROCESS

- All amendments to CTE budget >\$150,000 require approval of the Board



ENTERPRISE BOARD ACTION

Proposed Motion for Board of Directors Consideration:

Move for the Clean Transit Enterprise to direct enterprise staff to request an increase in CTE spending authority for FY 24-25 as presented by enterprise staff.



Clean Transit Enterprise Information



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CTE Meeting Notes (11/6/2023)

- Erik Sabina is a new CTE Board member representing CDOT (Theresa Takushi has taken a new role)
- Frommer, Coffin, Trowbridge, Averill, Blynn, and Jones are also present to establish a quorum

Agenda Review (Matt Frommer)

Enterprise Financial Update (Kay Kelly & Cassie Rutter)

- As part of recent budget conversations, staff realized that the CTE spending authority only accounts for \$9.9 million in FY24-25 revenue but doesn't include \$17.2 million in unspent funds
- With the timing of CTE funding opportunities coming up we may need spending authority for \$17.9M in FY24-25
- Bylaws require us to advertise CTE grants at the same time as DTR does theirs
 - They always see more demand for capital than what is available and other SB21-260 enterprises did as well
 - There is also a long lead time to order ZEV buses so putting funds out sooner is beneficial for agencies
- Staff want to get ahead of anticipated demand rather than lagging behind it
- Every year the CTE's spending authority will be based on the coming year's anticipated revenues unless we expressly ask for an amendment to increase it
 - Requests are due to the Governor's Office by 11/13/23 to be presented to the Legislature on 1/2/24
 - Staff cannot do this without Board approval per bylaws that budget changes over \$150,000 require Board approval
 - If approved in March 2024 then CTE Board and CDOT staff would have sufficient information to award and contract funds to awardees in early spring 2024
- Questions & Answers:
 - Frommer: Is this a one-time fix or would we need to do this yearly?
 - Kelly: The CTE is annually appropriated so we would have to do this each time around.
 - Rutter: We could request amendments for multiple years in advance, or we could request roll-forward authority, but there is no guarantee they would approve.
 - Sabina: The slides says that we're carrying forward \$17.2 million for FY24-25 but that's in the future, so are we saying that this is being carried forward to FY24-25?
 - Rutter: Yes, these are unspent funds in the account that we don't currently have the authority to spend but would like to.
- Proposed Motion for Board of Directors Consideration
 - Move for the CTE to direct enterprise staff to request an increase in CTE spending authority for FY24-25 as presented by the enterprise staff.
 - Motion by Frommer, second by Trowbridge

- Unanimous “ayes”
 - Motion is approved
- Meeting adjourns