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## CLEAN TRANSIT ENTERPRISE BOARD MEETING - MARCH 7, 2023

### SCHEDULE & AGENDA

- I. **Welcome, Roll Call, Agenda Review (5 minutes)**  
*Matt Frommer, Chair*  
2:00 - 2:05 p.m.
- II. **Action Agenda (5 min)**  
*Matt Frommer, Chair*  
2:05 - 2:15 p.m.
  - A. **Approval of Minutes - January 23, 2023 CTE Board Meeting**
- III. **Program Administrator Update (5 min)**  
*Kay Hruska, (CDOT)*  
2:15 - 2:20 p.m.
- IV. **Clean Transit Retail Delivery Fee Inflationary Adjustments (10 min)**  
*Kay Kelly, Chief, Innovative Mobility (CDOT)*  
2:20 - 2:30 p.m.
- V. **Enterprise Financial Update (10 min)**  
*Kay Hruska and Celeste Kopperl (CDOT)*  
2:30 - 2:40 p.m.
- VI. **Final Decision Items for Upcoming CTE Funding Opportunity (15 min)**  
*Michael King, Asst Director, Electrification & Energy (CDOT)*  
2:40 - 2:55 p.m.
- VII. **Future CTE Meeting Schedule (5 min)**  
*Kay Kelly, Chief, Innovative Mobility (CDOT)*  
2:55 - 3:00 p.m.
- VIII. **Adjournment**  
3:00 - 3:05 p.m.

# Clean Transit Enterprise

January 24, 2023

**Regular Board Meeting – Tuesday, January 24, 2023. 1:00 – 3:00pm, Virtual via Zoom Meeting**

**Video Recording:** <https://youtu.be/yQBkZDOJegM>

**1. Call to Order, Roll Call (Matt Frommer) - Time 1:02**

Director Dawn Block,  
Director Bonnie Trowbridge,  
Director Mark Garcia,  
Director Cris Jones,  
Director David Averill,  
Director Theresa Takushi,  
Director Kelly Blynn,  
Director Richard Coffin,  
Chair Matt Frommer.

**2. Action Agenda - Time 1:04**

A motion by Chair Frommer to approve the meeting minutes from the last board meeting on November 9, 2022. Seconded by Director Trowbridge. Motion passes unanimously. No oppositions or abstentions.

**3. Enterprise Financial Update (Kay Hruska, Celeste Kopperl) – Time 1:05**

- Discussion of budget to actual funds collected for CTE
  - Expenses are mostly staff time and Attorney General fees
  - TC loan is paid off
- CTE Retail delivery fee revenues are tracking as projected

Mark Garcia: We are one month behind from when they are collected, correct?

Kay Hruska: Correct

**4. Program Administrator Update (Kay Kelly) - Time 1:07**

- We will need to meet in February to approve a final budget.
- We are awaiting information from DOR on CTE retail delivery fee adjustments for inflation.
- Today, we have a couple remaining items to decide on before issuing funding opportunities
- We're going to start talking about data reporting requirements

**5. CTE Match & Equity Approach Recommendations and Discussion (Mike King, Amber Blake) – Time 1:10**

- Recap from the last few months:
  - We identified that there was a need for a grantee match strategy. We don't want agencies with fewer resources to not get funding due to a lack of available matching funds. Recap of previous CTE Match approach.
  - We have an updated proposal for match levels

<i>Project Category</i>	<u>Planning</u>	<u>Infrastructure</u>	<u>Facilities</u>
<i>Standard Match Requirement</i>	10%	20%	50%
<i>Match Requirement with Relief Request</i>	5%	10%	25%

- Facilities projects are likely to be more expensive, hence the 50% requirement
- For vehicle grants, the incentive is expressed as a percentage of the incremental cost of buying an EV over an ICE replacement.

<i>Project Category</i>	<u>Vehicles</u>
<i>Standard Incentive Level</i>	100% of incremental cost
<i>Incentive Bonus with Scrapping of Existing Vehicle</i>	Additional 25% of incremental cost
<i>Incentive Bonus with Relief Request</i>	Additional 25% of incremental cost

Questions:

Mark Garcia: What is the definition of scrapping?

Mike King: We have a definition from the VW settlement, which we could use. That definition ensures that the vehicle is completely unusable permanently, specifically by drilling a 1-inch hole through the engine block and cutting the vehicle frame rails completely in two. Everything can be salvaged other than the frame and the engine. We can adopt this definition or consider a different one.

Mark Garcia: We should discuss and see how anyone feels about this definition.

David Averill: Will CTE grants be bundled with other grants to cover the entire purchase of a vehicle rather than just the incremental cost? The additional paperwork may be daunting for applicants, especially for smaller agencies. Will there be 2 contracts?

Mike King: From our experience with the Volkswagen Settlement, some applicants are able to make a project whole without pursuing additional grants. Many applicants also pursue a complementary state grant award, or a competitive federal grant such as FTA 5339. There is more logistical work if applicants pursue two grants, and we are discussing ways to combine multiple grant awards into a single contract, but for now there will still be two applications. The extra logistical challenge may be worth it to the CTE because it encourages some applicants to contribute more to a project and others to bring "outside" funding into the state.

David Averill: Sounds great.

Matt Frommer: Looking at the match percentages, on the planning side, I think it is a high priority to lay the groundwork for the full fleet transition. Should the 5% be reduced to 0%? Can we just offer planning assistance?

Mike King: We try to avoid 0% match, because we want applicants to have some financial buy-in to incentivize success. We could always authorize a 0% match on a case-by-case basis.

Kay Kelly: For context, the match does not need to be cash, but could also be met by allocating existing resources, such as staff time. Is that correct?

Mike King: There is certainly an option for in-kind match. That final number could be contributed by staff time without needing to have cash on hand.

Cris Jones: I'm comfortable with the match requirements, but I have a problem with the scrapping requirement. I understand the idea, but is it actually helping emissions? Or is it just virtue signaling? I don't like the idea of asking a government agency to reduce the value of an asset without good cause. Is it reducing high emission vehicle demand? Or just supply?

Mark Garcia: I support that. Are there emission levels that we could track? Could we target vehicles with higher emissions?

Mike King: I believe that vehicles older than 2009 produce more harmful pollutants, but would need to look at the specifics for that.

Richard Coffin: Yes, 2009 is considered the cutoff. Concerning scrapping, most programs with scrap requirements say the vehicle has to be completely out of service, maybe we could allow people to retrofit them to be electric.

David Averill: Echoing Directors Jones and Garcia, I also don't feel great about scrapping. It seems pretty unique to the VW Settlement. There is a scenario where people are trying to upgrade before the old bus has reached its natural end of life. If the bus is on the road, even if it's dirty, it's still reducing SOV trips. Maybe an agency that wouldn't be able to afford that bus, or couldn't get one due to supply chain issues. Let's make sure we think about this before we're destroying engine blocks.

Matt Frommer: Agreed. These are large vehicles, and many agencies are trying to expand service. If they still have useful life, they can be used to expand service statewide. Scrapping light duty vehicles is one thing, but buses still provide climate benefits.

Theresa Takushi: More vehicles available is important, even if it's a diesel engine. There is still a climate benefit, and we don't want to remove flexibility.

Kay Kelly: To summarize, when we originally talked to agencies, scrapping wasn't popular, we left it in in hopes of reducing the pre-2009 very dirty vehicles. Now with the supply shortages, we may want to remove the incentive to scrap.

Does that sound right?

Cris Jones: I'm comfortable with removing the scrap incentive.

Kay Kelly: We will bring back for approval next month these match numbers, but no incentive to scrap. Are there any issues with that?

Richard Coffin: I'm interested in emissions reductions. There are quite a few older buses out there, is there a simple way we can encourage people to retire those? We may want to discuss before removing the incentive altogether.

Mike King: We can look deeper about scrapping and non-scrapping as well as safety.

- CTE Equity Approach
  - How do we incorporate equity into grant consideration?
  - We have three different ways of determining which agencies should be eligible for enhanced equity incentives: geographic, demographic, and agency focussed.
    - Geographic approach struggles in that the Census data doesn't align with transit lines or account for riders, but the data is easily available.
    - We have many different equity definitions, from CDPHE, CEO, USDOT, and the legislature, that can be overlaid geographically to identify which areas qualify.
    - To avoid confusion, we are saying that if you qualify for ANY of these definitions, then you are eligible for an enhanced incentive.

Matt Frommer: To clarify, if your transit agency is in the indicated area, or if the transit actually runs through the area?

Mike King: We can decide that, and it could be very complicated. Right now, we want to focus on what system we choose, and we can figure out how to apply it later.

Dawn Block: If this is going to be the standard, I would prefer this be used to avoid guessing.

David Averill: It does take some guessing out of it. I like the consistency, availability, and this type of analysis is going to be a part of the federal programs if I understand. This could make everything less confusing.

Mike King: It sounds like we have support for the geographic approach, regardless of how it is eventually applied.

- Demographic approach is inconsistent, may change over time, and may have privacy concerns, but it is better aligned with actual riders.
- Applicant could be allowed a write in area to describe how their service area is disproportionately affected in less quantifiable ways

David Averill: I support this addition.

Richard Coffin: I agree with previous comments. I like the map. I asked around CDPHE about incorporating equity, and most said geography. One thing we look at is if there should be a buffer area outside the block group to include areas around.

Theresa Takushi: I like having the map and the write-in section. Can we offer education to applicants? It may be a lot to ask of applicants to do a buffer analysis in order to determine eligibility. If we offered some education, it could help with the determination.

Mike King: Charge Ahead Colorado makes it easy by having you put in an address and telling you whether you qualify. Would you want that as a part of the application? I can talk to directors in the future about options for education with application.

Kelly Blynn: We previously talked about having an exemption process, and the write in could already solve this, but could that be an additional solution?

Mike King: Good point. Xcel Energy has an appeals process for requesting consideration as a High Emissions Community if the standard analysis doesn't show that. I'm hearing support for the combined approach, so I'll move forward.

- How do we address equity needs?
  - Decrease Match
  - Increased funding
  - Higher application scoring
  - Statewide equity target
    - The first three are all already covered in the grant process. Should we have a statewide equity target? The challenge is that we don't have sufficient data to

know what that target should be. We have people that could look into that.  
Recommendation: Consider whether to set the target after year one, once we have real-world data.

Richard Coffin: Is there a downside to looking into this before the first round?

Mike King: We could talk to agency experts and set a target, but we won't know how realistic that target will be. It could be extremely over or under-optimistic.

Cris Jones: I'm fine waiting for the long term, as long as we do have the equity component.

Theresa Takushi: I'd like to understand what that would look like, but we can wait.

Dawn Block: It would be nice to get that done quickly, but probably better to wait until we have data, since it probably will change.

(Director Avrill supports with a thumbs up emoji)

Kelly Blynn: I would feel comfortable waiting, but we might want to be aspirational.

Kay Kelly: I'm hearing that moving forward is good, even if not perfect. We can start with what we have and refine as rounds happen.

Bonnie Trowbridge: We do need to have the opportunity to learn as we go.

Mike King: Does the group have an idea of what that target percentage of grantees should be in DI areas. Justice 40 suggests 40%, but we can do any number. We can develop two resolutions for a vote in February. These policies can also be revised in future years as conditions and priorities change.

Kay Kelly: Since Chair Frommer had to leave, I will lead the meeting from here.

## 6. Data Reporting Discussion (Mike King, Sina Zhen) - Time 2:22

- What are the appropriate data reporting requirements for agencies that receive CTE grants?
  - CDOT created a working group with experts to explore what vehicle and/or charger data should grantee transit agencies be required to report to the CTE on a regular basis
  - Following the working group meeting, feedback from the Colorado Electric Vehicle Coalition (CEVC) Transit Subgroup was also solicited.
  - Key Questions:
  - What vehicle and/or charger data should grantee transit agencies be required to report to the CTE on a regular basis?
    - Collect basic usage data and not overburden agencies in the data collection process
  - What vehicle and charger telematics are already being collected?
    - Energy used, miles and hours driven, regeneration rate, diesel saved, CO2 avoided, fleet utilization, and cost of maintenance
  - How often should data be reported?
    - All respondents recommended annual reporting

David Averill: Why not require all the telematics rather than have it optional? It is incredibly helpful information.

Sina Zhen: Due to the annual reporting, aggregating that data may be difficult for some agencies.

David Averill: Real world data is so valuable.

Bonnie Trowbridge: Agreed, I don't like it being optional, but can we push that burden to the manufacturers?

Mike King: If there is no grant agreement with manufacturers, we would struggle to enforce that.

Dawn Block: I agree with David. Onboard telematics should be required. But thanks to the working group for understanding the needs of small agencies.

Mark Garcia: Since we're looking at GHG emissions, does director Takushi have data recommendations?

Theresa Takushi: Telematics would be the most accurate.

Mark Garcia: If that's beneficial, we should require it.

Kay Kelly: Are there situations where the agency wouldn't have those telematics?

Sina Zhen: It depends on the manufacturer. I can report back with more info if needed.

Mike King: For agencies, is it all or nothing for telematics? Or does it depend on the vehicle?

Amber Blake: Not sure.

Mike King: We could require grantees purchase vehicles that have telematics. But we will look into that and report back to the board.

Cris Jones: Data is so important, if an agency has a transition plan, then data collection has probably been considered. We can communicate that data collection should be included in transition planning. Can we tie it to that instead?

Mike King: I'm hearing that we should consider requiring telematics, and we can look into how burdensome that will be, and also look into including data collection in the planning process.

## **7. Funding opportunity schedule (Amber Blake) - Time 2:39**

- We have about \$4 million in the CTE account and can include a call for CTE projects in the upcoming DTR call for projects.
- We expect the next DTR Super Call for funding (NOFA) to be released near the end of April 2023. Deadlines will be staggered for due dates.

Mark Garcia: In NOFA, are you going to state we have \$ 4 million, or project future funding?

Amber Blake: We plan to release whatever we have for this year, and then next year anything left will be offered again the next year.

Mark Garcia: So it's for the full year? To December 31st? Or the state fiscal year?

Kay Kelly: So for the fiscal year 22/23, we've predicted about \$8.2 million in CTE revenue, and then allocated about \$6.8 million to programmed funds. We don't anticipate we would be short at the times decisions will be made.

Amber Blake: And we are still working on calendars for when decisions will be made. So the anticipated cycle will be established.

Kay Hruska: Just to clarify: CTE's funds are not automatically appropriated. We should keep that in mind during these conversations.

Mark Garcia: Do we have percentage breakdowns between funding, planning, infrastructure, and facilities grants?

Kay Kelly: Yes, that was outlined in the 10 Year Plan. We anticipated some percentages, but didn't hold ourselves to them in case applications come in that don't match our expected distributions.

- Next meeting:
- Decision on Equity Scoring, Match Structure, and Data Reporting Requirements
- Information from the Department of Revenue regarding Clean Transit Retail Delivery Fee inflation adjustments

Mark Garcia: Great job on annual report, can we put that on the website?

Kay Kelly: Yes, we will do that.

## **8. Meeting Adjourned (Mark Garcia) - Time 2:47**



**COLORADO**

Department of Transportation

# Clean Transit Enterprise Board

March 7, 2023



# AGENDA

Topic	Presenter
Welcome, Roll Call, Agenda Review (5 min)	Matt Frommer, Chair
Action Agenda (5 min) <ul style="list-style-type: none"> <li>• Approval of Minutes - 1/24/23 CTE Board Meeting</li> </ul>	Matt Frommer, Chair
Program Administrator Update (5 min)	Kay Kelly, CDOT
Clean Transit Retail Delivery Fee Inflationary Adjustments (10 min) <ul style="list-style-type: none"> <li>• Determination and Approval of Enterprise Fee Levels for FY 23-24</li> </ul>	Kay Kelly, CDOT
Enterprise Financial Update (10 min) <ul style="list-style-type: none"> <li>• Approval of FY 23-24 CTE Budget</li> </ul>	Celeste Kopperl, CDOT
Final Decision Items for Upcoming CTE Funding Opportunity (15 min) <ul style="list-style-type: none"> <li>• Approval of Match Structure</li> <li>• Approval of Equity Approach</li> <li>• Approval of Data Collection Requirements</li> </ul>	Mike King, CDOT
Future CTE Meeting Schedule (5 min)	Kay Kelly, CDOT
Adjournment	Matt Frommer, Chair



# Program Administrator Update



# Program Administrator Update

- State Legislative Update
- Remaining Decisions from CTE 10 Year Plan on Match Structure/Match Relief Policy, Equity Approach and Data Reporting Requirements
  - Multiple presentations from staff between July 2022 and January 2023
  - Robust conversation with transit stakeholders and CTE Board
  - Final recommendations being presented today
- First CTE Funding Opportunity to be included in upcoming Division of Transit and Rail “Super Call”
  - Estimated Release in April 2023



# Clean Transit Retail Delivery Fee Levels for FY 23-24



# 2 CCR 607-1 Clean Transit Retail Delivery Fee

## Statutory Authority for Fees

### **CRS 43-4-1203 (7)(b)** Sets the Clean Transit Retail Delivery Fee

- \$0.03 per retail delivery

### **CRS 43-4-1203 (7)(c)(I) & (II)** Describes Yearly Fee Level Adjustments

- Allows for the adjustment of the Clean Transit Retail Delivery Fee on an annual basis based on inflation
- New Fee levels must be approved by the Enterprise Board (no new rulemaking) and communicated to the Department of Revenue by March 15th



# Current and Proposed Fee Levels

YEAR	ANNUAL CPI	INFLATION RATE	INFLATION RATE FOR FEES	FEE LEVEL FOR FISCAL YEAR	CLEAN TRANSIT RETAIL DELIVERY FEE
2021	281.845	3.54%	N/A	2022-23	\$0.0300
2022	304.424	8.01%	3.86%	2023-24	\$0.0311
2023	N/A	N/A	N/A	2024-25	TBD

## Recommendation for Fee Level Adjustment:

- Increase the Clean Transit Retail Delivery Fee from \$0.0300 to \$0.0311 for FY 23-24 (Colorado Fiscal Year starting July 1, 2023 and concluding on June 30, 2024)



# Enterprise Board Action and Next Steps

## Proposed Motion:

Move for the Clean Transit Enterprise to adopt a new retail delivery fee level of three and eleven one-hundredths cents (\$0.0311) for fiscal year 2023-24, based on the recommendation from the Department of Revenue and Enterprise staff.

## Next Steps:

- 1) Program Administrator will send memorandum to the Department of Revenue outlining the Board's Decision of Fiscal Year 2023-24 fee levels.
- 2) Updated Enterprise fee level and fee collection forecasts for review by the Board of Directors.
- 3) Fee level adjusted by the Department of Revenue starting on July 1, 2023.



# Enterprise Financial Update

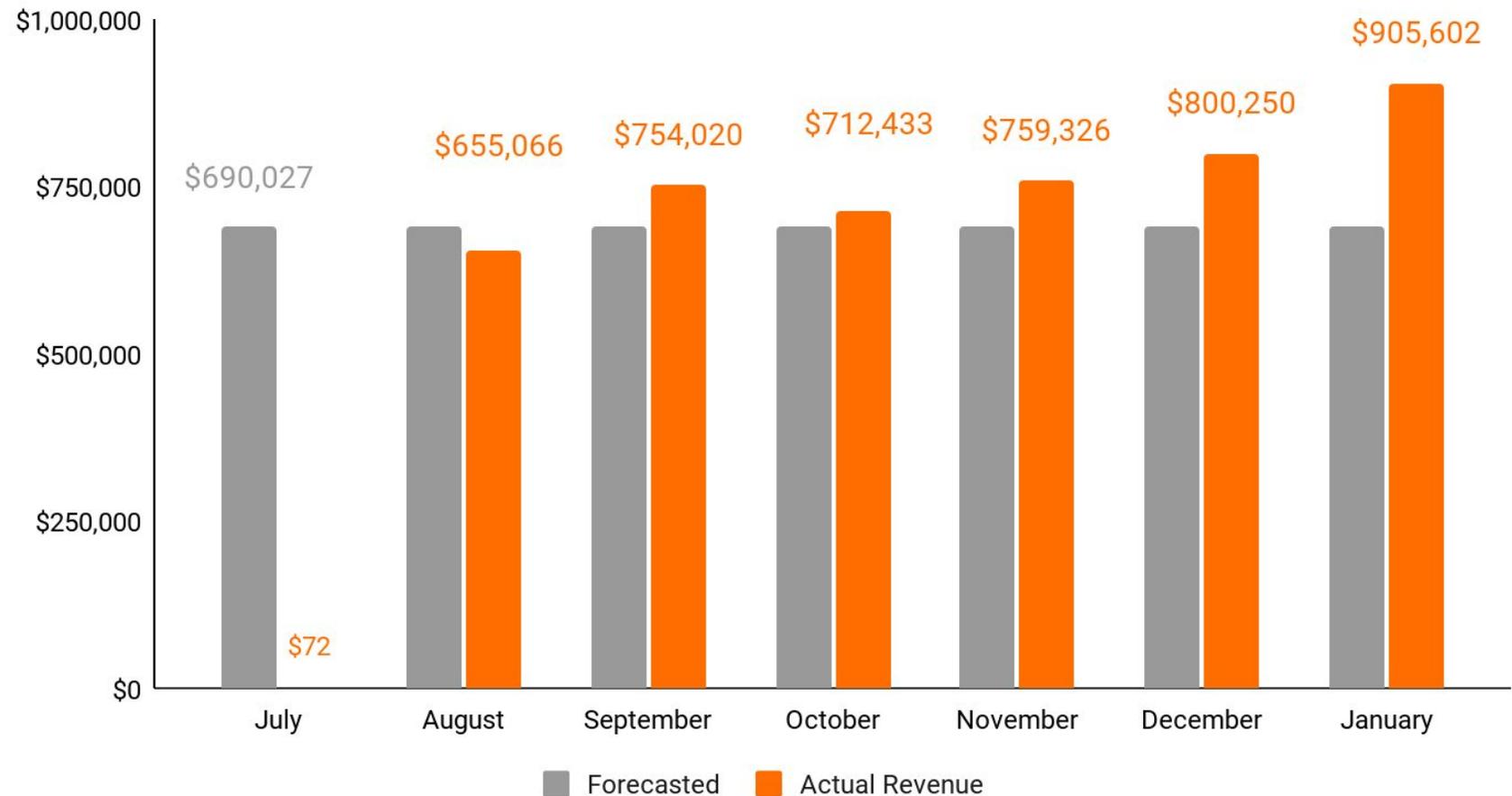




# Clean Transit Enterprise - Retail Delivery Fee

- **Retail Delivery Fee (\$0.03):**
  - Total Forecasted: \$4,830,192
  - Total Collected: \$4,586,769
  - Difference: -\$243,423

Clean Transit Enterprise Retail Delivery Fee Forecasted to Actual





# Decision Item: FY 2023-24 Final Budget Review and Approval

LINE ITEM	FY2023-24
<b>TOTAL REVENUES</b>	<b>\$ 9,132,872</b>
Clean Transit Retail Delivery Fee	\$ 9,132,872
<b>ADMINISTRATION &amp; AGENCY OPERATIONS</b>	<b>\$ 560,917</b>
Staff Salaries	\$ 426,317
Attorney General's Office Fees	\$ 1,000
Office of State Audit - Annual Financial Audit	\$ 2,000
Professional Services	\$ 100,000
Language Translation Services	\$ 25,000
Administrative Expenses	\$ 6,600
Board/Staff Travel	\$ 5,000
Board Meeting Expenses	\$ 600
Miscellaneous	\$ 1,000
Loan Payments	\$ -
<b>CONTINGENCY RESERVE</b>	<b>\$ 913,287</b>
Board Reserve Fund (10.00%)	\$ 913,287
<b>PROGRAMMED FUNDS</b>	<b>\$ 7,658,668</b>
Programmed Funds	\$ 7,658,668
<b>TOTAL - CTE</b>	<b>\$ 9,132,872</b>



<b>Staff Salaries</b>	<b>\$ 426,317</b>
Program Administrator	\$ 15,525
Board Secretary	\$ 5,693
DTR Director	\$ 6,728
DTR Staff	\$ 310,500
OIM Staff	\$ 38,813
Enterprise Controller/Accountant	\$ 15,525
DAF Budget Analyst	\$ 10,350
DAF Procurement Staff	\$ 20,700
OPGR Rules Coordinator	\$ 2,484



# Highlights of Final FY 2023-24 CTE Budget

- **Aligning enterprise budget cycle to CDOT budget Cycle**
  - Enterprise budgets included in CDOT overall budget allocation plan for the fiscal year
  - Proposed Budget approved in November 2022 for FY 2023-24 to submit to the Joint Budget Committee by December 15, 2022
  - Final budget allocation plan to be presented to the Board in March, for submission to the Governor on April 15, 2022
- **Total Revenue Allocation for FY 2023-24: \$9,132,872**
  - Admin and Agency Operations: \$560,917
  - Contingency Reserve: \$913,287
  - Programmed Funds: \$7,658,668
- **Annual appropriation: residual FY22 balance will stay in cash fund until requested from legislature**



# Enterprise Board Action & Next Steps

## **Proposed Motion for Board of Directors Consideration:**

*Move for the Clean Transit Enterprise to adopt the final fiscal year 2023-24 budget, based on the recommendations of Enterprise staff, and report the final revenue allocation plan to the Colorado Department of Transportation.*

## **Next Steps:**

- 1) Staff will include final budget in CDOT Final Budget Allocation Plan
- 2) Any adjustments to this plan will be brought to the Board of Directors for review and approval



# Final Decision Items for Upcoming CTE Funding Opportunities

- 1) Match Structure
- 2) Equity Approach
- 3) Data Collection Requirements



# CTE Match Approach Background

## 10 Year Plan Development

- During the development of the CTE 10 Year Plan, board members, stakeholders, and staff identified the need for a grantee match strategy that accounts for different types of projects (e.g. planning versus capital) and differences in available local resources
  - Without accounting for this element, larger and better resourced agencies would be able to take advantage of CTE funding opportunities, while smaller and more tightly constrained entities might be left behind
- In order to consistently and fairly determine the appropriate match level for a given agency, the formula model employed in CDOT's Multimodal & Mitigation Options Funds (MMOF) Program was suggested as a potential starting point



# CTE Match Approach Background

- In the July CTE board meeting, Michael Snow from CDOT DTD shared the MMOF match formula, which determines match percentages for each county and municipality in the state based on a formula incorporating multiple data points
- During the October CTE board meeting, the directors indicated a preference for a more simplified approach using a standard match percentage for each type of project, plus a supplemental process for case-by-case match relief
- At the November CTE board meeting, the directors encouraged staff to further refine the proposed match and incentive levels - particularly for vehicle grants that include the scrapping of an existing ICE vehicle



# CTE Match Approach Background

- During the January CTE board meeting, many directors expressed concern about the impact of vehicle scrapping incentives on further limiting the supply of transit vehicles in the state and encouraged staff to leave such decisions at the discretion of transit agencies
- The updated match structure incorporates all of these requested changes



# CTE Grantee Match Requirements

<i>Project Category</i>	<u>Planning</u>	<u>Infrastructure</u>	<u>Facilities</u>
<i>Standard Match Requirement</i>	10%	20%	50%
<i>Match Requirement with Relief Request</i>	5%	10%	25%

<i>Project Category</i>	<u>Vehicles</u>
<i>Standard Incentive Level</i>	100% of incremental cost
<i>Incentive Bonus with Relief Request</i>	Additional 25% of incremental cost

- Match relief requests will be assessed based on predetermined criteria in line with existing CDOT policy, including the potential use of Toll Credits
- “Incremental cost” is defined as the difference between the cost of a “conventional” replacement vehicle and that of an equivalent zero-emission vehicle
- Scrapping of existing transit vehicles will not be required or incentivized, but remains at the discretion of the grantee transit fleet; the Board may revisit this decision in future funding cycles



# CTE Grantee Match Requirements

## Decision Item

- Motion to approve the proposed match levels from the below table for the first grant cycle and consider adjustments in future grant rounds.

<i>Project Category</i>	<u>Planning</u>	<u>Infrastructure</u>	<u>Facilities</u>
<i>Standard Match Requirement</i>	10%	20%	50%
<i>Match Requirement with Relief Request</i>	5%	10%	25%

<i>Project Category</i>	<u>Vehicles</u>
<i>Standard Incentive Level</i>	100% of incremental cost
<i>Incentive Bonus with Relief Request</i>	Additional 25% of incremental cost



# CTE Equity Approach



# Equity Approach Options

Basis of Determination	Pros	Cons
Geographic ✓	<p>Data is clear and readily available</p> <p>Consistent with other state and federal equity approaches</p>	<p>Census boundaries don't align neatly with transit routes or service areas</p> <p>Geographic approach doesn't account for riders</p>
Demographic ✗	<p>Potentially better aligned with actual riders and neighbors bearing the disproportionate impacts</p>	<p>Data is inconsistent or sparse</p> <p>Data may change over time to become less reflective of need</p> <p>Possible privacy concerns</p>
Agency Focused ✗	<p>May better reflect the barriers to electrification if they are related to the agency rather than the geographic area</p> <p>Consistent metrics may be easier to identify</p>	<p>Agency staffing and resources aren't necessarily reflective of public needs and impacts</p> <p>Unclear if a consistent, meaningful measure exists</p>
Other ✓		



# Overview of different equity definitions and tools

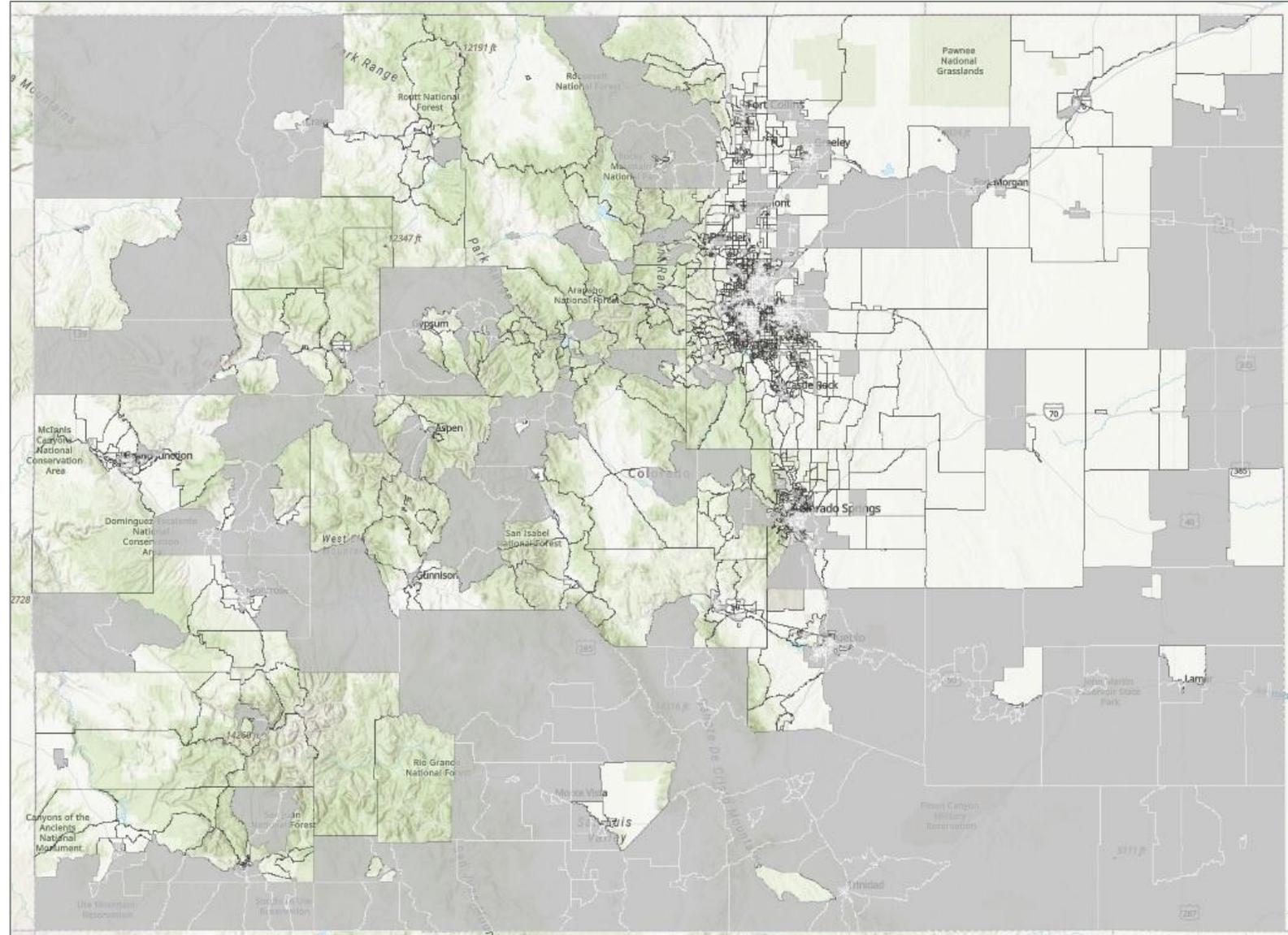
Tool/definition name	Agency	Summary	Considerations for use
<a href="#">SB21-260</a> <b>disproportionately impacted definition</b>	Legislature	Disproportionately impacted community (DIC) - census block group where <ol style="list-style-type: none"> <li>1. the proportion of households that are low income is greater than 40%</li> <li>2. the proportion of households that identify as as minority is greater than 40%, or</li> <li>3. the proportion of households that are housing cost-burdened is greater than 40%</li> </ol> Cost-burdened: household that spends more than 30% of its income on housing Low income: median household income less than 200% of FPL	<ul style="list-style-type: none"> <li>• Defined in statute, must be used in Enterprise-funded community programs at least in some way</li> </ul>
<a href="#">CO Enviroscreen</a>	CDPHE	Environmental justice mapping and health screening tool for Colorado that identifies areas with current/past environmental inequities, where DICs have a greater health burden and/or face more environmental risks, and DICs based on the definition in Colorado’s Environmental Justice Act (HB21-1266)	<ul style="list-style-type: none"> <li>• Likely to be used by many CO state grant programs</li> <li>• Scores every block group with a percentile - have to decide what to use as a threshold</li> </ul>
<a href="#">Electric Vehicle (EV) Charging Justice40 Map</a> <b>Disadvantaged Communities (DACs)</b>	USDOT/ USDOE	Consistent with the Justice40 Interim Guidance, U.S. DOT and U.S. DOE developed a joint interim definition of disadvantaged communities (DACs) for the National Electric Vehicle Infrastructure (NEVI) Formula Program. The definition uses publicly available data sets that capture vulnerable populations, health, transportation access and burden, energy burden, fossil dependence, resilience, and environmental and climate hazards.	<ul style="list-style-type: none"> <li>• Must be used in NEVI-funded programs, at least in reporting</li> <li>• Tract level, while others are at block group level</li> </ul>
<b>EV Equity Prioritization tool and indices</b>	CEO	Includes several different indexes, including an overall “transportation equity” index. Identifies areas with different types of transportation burdens, such as exposure to freight pollution, lack of transit access, etc.	<ul style="list-style-type: none"> <li>• May capture additional variables beyond Enviroscreen that are more focused on transportation</li> </ul>



# Enhanced Incentive Map

This Enhanced Incentives Map combines the 4 layers on the previous map and adds tribal areas as a final input. Any parcel shown in grey is considered eligible for enhanced incentives in the Charge Ahead Colorado and DCFC Plazas grant programs.

For consistency, the CTE could consider a similarly broad definition of geographic equity need.





# Equity Approach Options

Method of Addressing	Pros	Cons
Decreased Match Requirement ✓	Consistent with approach to scrapping and match relief, easy to understand	Doesn't make award more likely  Combining 2 or more match changes may limit overall impact
Increased Funding ("Bonus") ✓	Clear and direct support for project	Doesn't make award more likely  Taken alone, could increase match amount
Higher Application Scoring ✓	Directly increases likelihood of award for projects that support equity  Could be combined with match relief	Taken alone, doesn't address match limitations
Statewide Equity Target ?	Takes focus off of individual application or applicant for a more holistic view  Encourages staff to promote grants to more agencies statewide	Number, location, and equity status of applicants is out of CTE control
Other	?	?



# CTE Equity Approach

## Decision Item

Motion to:

- base the initial CTE equity approach on Geography, using the 5-factor map wherein eligible applicants will receive higher scoring on grant applications, reduced match requirements, and/or incentive bonuses; and
- provide an opportunity for applicants to request Equity consideration based on other, non-geographic factors via an open-ended narrative; and
- work with CDOT's Environmental Justice and Equity Branch to develop a statewide equity target for the CTE to track moving forward



## Data Reporting Discussion



# CTE Data Reporting Requirements

## Key Questions:

- What vehicle and/or charger data should grantee transit agencies be required to report to the CTE on a regular basis?
- What vehicle and charger telematics are already being collected?
- How often should data be reported?



# Data Reporting Requirements Background

- CDOT staff established a working group with experts from the CDOT Division of Transit and Rail (DTR), Colorado Department of Public Health and Environment (CDPHE), Colorado Energy Office (CEO) and the National Renewable Energy Lab (NREL) to explore what vehicle and/or charger data should grantee transit agencies be required to report to the CTE on a regular basis.
- Following the working group meeting, feedback from the Colorado Electric Vehicle Coalition (CEVC) Transit Subgroup was also solicited.
- During the January CTE Board Meeting, directors expressed consensus that full telematics data reporting should be required on an annual basis for vehicles funded via CTE grants.



# CTE Data Reporting Requirements

## Decision Item

Motion to require CTE awardees to share any and all telematics data on funded vehicles to the staff of CDOT on an annual basis in order to verify usage and conduct analysis aimed at improving CTE programs and supporting future transit electrification planning efforts.



## Next Steps

- Thank you for your work and deliberation on these topics for the last year!
- Staff will use the Board's direction to issue CTE's first funding opportunity to be included in the upcoming DTR Super Call
  - Anticipated release in April 2023
- Applications for CTE funding will be assessed for eligibility and scored by a review panel
- Staff will present a list of applications recommended for funding to the Clean Transit Enterprise Board for final approval



# Future CTE Meeting Schedule



# Future CTE Meeting Schedule

- Per our Articles of Organization and Bylaws, CTE Board is required to meet a minimum of four times per year:
  - The Board will always need to meet in **October** for draft budget approval and in **February** for final budget approval
  - The Board will always need to meet in **February** to discuss inflationary adjustments to the Clean Transit Retail Delivery Fee so that the Department of Revenue can be notified of any changes by March 15th
- Staff recommends meeting in **October** and **February** to align with budget and fee timelines and targeting **May** and **August** for other scheduled meetings
- Additional meetings can also be scheduled for timely items that the Board needs to discuss



# Upcoming Meetings and Topics

## Upcoming Meetings:

- Tuesday May 2, 2023 - 2:00-4:00 pm
- Tuesday August 8, 2023 - 2:00-4:00 pm
- Tuesday October 10, 2023 - 2:00-4:00 pm

## Topics:

- CTE Budget Policy Directive
- Public accountability dashboard development
- Transit agency presentations
- Other topics at the Board's pleasure



# Questions / Discussion



# Clean Transit Enterprise Information



**COLORADO**  
Department of Transportation

<https://www.codot.gov/programs/innovativemobility/cte>

## Programs

### Resources

- Clean Transit Enterprise
- Electric Vehicle Ride & Drive Event
- Electrification
- Mobility Services
- Mobility Technology
- Transit and Rail

## 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

[codot\\_cleantransitenterprise@state.co.us](mailto:codot_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](#)

## Subscribe for CTE Updates

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THANK YOU!

