

Resolution #TC-1869

BE IT HEREBY RESOLVED, the Transportation Commission's Special and Regular Meeting Minutes of May 19 & 20, 2010 are hereby approved as published in the official agenda.

**Transportation Commission of Colorado
Regular Meeting Minutes
Thursday, May 20, 2010**

Chairwoman Kimbra Killin convened the meeting at 9:39 a.m. in the auditorium of the headquarters building in Denver Colorado.

PRESENT WERE: Kimbra L. Killin, Chairwoman, District 11
Les Gruen, Vice Chair, District 9
Trey Rogers, District 1
Jeanne Erickson, District 2
Heather Barry, District 4
Bill Kaufman, District 5
George Krawzoff, District 6
Doug Aden, District 7
Steve Parker, District 8
Gilbert Ortiz, Sr., District 10
Stacey Stegman, Secretary/Public Relations Director

EXCUSED: Gary Reiff, District 3

ALSO PRESENT: Executive Director, Russ George
Pam Hutton, Chief Engineer
Jennifer Finch, Transportation Development Director
Debra Gallegos, representing Human Resources & Administration
Herman Stockinger, Government Relations Director
Casey Tighe, Audit Division Director
Rick Gabel, Staff Services Director
Heather Copp, Chief Financial Officer
Tony DeVito, Region 1 Transportation Director
Tim Harris, Region 2 Transportation Director
Pete Mertes, Acting Region 3 Transportation Director
Dennis Allen, Acting Region 4 Transportation Director
Richard Reynolds, Region 5 Transportation Director
Reza Akhavan, Region 6 Transportation Director
Harry Morrow, Chief Transportation Counsel
Doug Bennett, Representing FHWA
Vince Rogalski, Statewide Transportation Advisory Committee (STAC) Chairman
Dave Wieder, Maintenance and Operations Branch Manager

AND: Other staff members, organization representatives,
the public and the news media

Two audiotapes of the meeting were made and supporting documents are filed in the Transportation Commission office.

Audience Participation

Chairwoman Kim Killin began the meeting by mentioning that there were members of the audience that wished to address the Commission. Mayor Chuck Sisk with the city of Louisville stepped forward and began his comments by stating he was with a group representing the US 36 Coalition and he said that the group has been working to find ways to get a managed lane BRT component to US 36. He reported that the communities on the route have gotten together and are discussing what is best for the region. He mentioned that the group was at the Commission meeting to find a way to really clinch the deal. He reported they were encouraged by the commitment received in the week of May 17th from various entities and said that the group was aware they need to get information on tolling and are willing to toll on US 36. He affirmed that what they were asking was for the Commission's continued support because they are working in a partnership and the funds may come up \$15M short of the \$160M target and they will look forward to working with CDOT to find the funds. In closing, Mayor Sisk made many positive comments regarding CDOT staff and mentioned that their work has been extraordinary and the coalition was very thankful for all of the efforts for US 36.

Mayor Pat Quinn of Broomfield was introduced and began by stating that he was with Mayor Chuck Sisk on the US 36 Mayors and Commissioners Coalition. He reported that serving on the coalition has been an amazing experience for him seeing the group work together. Mayor Quinn declared that he was addressing the Commission in regards to the traffic study that would have to be approved by the Transportation Commission. He stated that as a part of the whole project, this piece was very important to the process and that he and the Coalition members were very interested to hear the findings of the study and they would really appreciate an approval for the funds to pay for the traffic study.

Commissioner Barry thanked the contingency from the US 36 Coalition for coming to the meeting and stated that the project was very special and that all of the cities and organizations who have rallied together around the project is a model on a national level and she looks forward to continued support of the study and all that follows.

Dan Grunig of Bicycle Colorado was introduced and reported that his organization was a non-profit, membership organization working on the building of a more bicycle friendly Colorado and that he wanted to address the Commission because CDOT was given an award for improving the bicycle friendliness of the state by the Board of Directors of Bicycle Colorado. He continued and stated that Jennifer Finch and Betsy Jacobsen were present at a dinner to receive the award on behalf of CDOT. He thanked Director George and the Intermodal Committee for their efforts on the bicycle and pedestrian policy and also offered thanks to CDOT for including bicycle projects in the

ARRA and FASTER funding. He said that multi modal gains are being seen including non-motorized people in transportation planning and decision making. He stated that his group is looking forward to the next steps of implementing the policy and working on a state bike plan to be included in the overall transportation plan. He concluded his talk by presenting an award from the Intermodal Committee and CDOT to the Transportation Commission. Commissioner George Krawzoff accepted the award as a representative of the Transportation Commission.

Individual Commissioner Comments

Commissioner Krawzoff stated that in his neighborhood, the Steamboat Springs/US 40 paving project has suffered in the cold wet spring and he hoped the Region 3 staff knows that they are supported in their efforts and he understands the difficulties they have faced. He reported that he drove to Fort Collins twice in the last week and that Cameron Pass is not plowed after 7:00 p.m. which can be worrisome in the wet, snowy spring season. He stated that with that kind of plowing restrictions he will be reminded of that during the discussion of three ballot issues that would be discussed later in the meeting and the budget cuts that would be necessary if they pass.

Commissioner Parker stated that recently he was with his friend who runs the Denver Museum of Nature and Science, George Sparks who gave kudos to CDOT because of a recent event in Castle Rock. He stated that a CDOT crew working in the area found a bunch of fossils and called the museum to come and get them. Commissioner Parker stated that his hat is off to them for this collaboration.

Commissioner Ortiz reported that on Tuesday, May 18, 2010 he attended a workshop in the Five Points area downtown and he couldn't believe the improvements done. In addition, he said he wanted to thank Debra Gallegos and her staff for the fine job they did on the FHWA/FTA DBE and Workforce Workshop and thank them for inviting him as he really enjoyed the experience and brought back useful information from the workshop to share with the other Commissioners.

Commissioner Erickson stated that it was a very big day because of the anticipated approval of the implementation of the Division of Transit and Rail and that she is thrilled and offered kudos to Jennifer Finch. She stated that Jennifer did a lot of difficult work to get the dollars together to open the new division. She thanked all of the other Commissioners and CDOT Staff for their work on the effort.

Commissioner Kaufman stated that recently he had the opportunity to attend the Region 4 Retirement Luncheon and found it to be a very rewarding experience because he got to hear the biography of the retirees and their service to CDOT. He recommended that if the other Commissioners had a chance to go to one of these celebrations that they do it as it was a great experience that he tries to attend every year.

Commissioner Gruen joined Commissioner Ortiz in April in Pueblo to commemorate Remembrance Day in Region 2 and that it was a somber event as they were joined by the Valdez family who lost one of the members of their family, David, last year in an accident. He also mentioned that he attended CASTA's 25th Anniversary and that Commissioner Erickson and Jennifer Finch and others had attended as well but he wanted to offer congratulations to CASTA on 25 years.

Executive Director's Report

Executive Director Russ George began his report by stating that he wanted to introduce the new Director of Aeronautics, Dave Gordon, who stood up and was given a round of applause.

Director George continued and reported that he joined Commissioner Ortiz at the DBE workshop and that it was one of the finest events he had been to in a long time and that Colorado is one of five states being singled out by FTA and FWHA to become a model and showcase for the next level of DBE efforts. He said the workshop was very well attended by people from all over the country to include the Federal Highways Administrator, Victor Mendez who gave very good remarks emphasizing the raised importance to Federal Highways and US DOT on making real progress to bring small business and disadvantaged business people into the regular business of building transportation infrastructure. Mr. George reported that all of the efforts that have been building for years in the U.S. are headed into the next level partnering increasingly in the industry with the assistance and additional partnering by all of the government agencies involved. He said that Phil Washington, General Manager of RTD laid out his plan and had some very good things to say in regards to the partnering and that it is one thing to bring new small business owners, managers and employees into a project and so much more to bring them in on a long string of projects and allow for the companies to grow, learn and compete at more levels. Director George declared that CDOT has an annual construction program and can participate in the same way and he thanked Federal Highways and FTA for setting up the workshop and being there for all to help everyone succeed. He stated that the workshop highlighted the increasing good relationship between RTD and CDOT in another place of common interest. The Director offered his congratulations to COMTO who had national officers at the workshop and said that it is a fine organization and really is a key player in small business and DBE activities. He thanked Debra Gallegos and her staff for all that they did to help put on the workshop and for staying through the whole workshop to bring back and help incorporate all of the information presented into work at CDOT.

Director George highlighted details of his recent visit to Region 5 and said that the group had a chance to go to the Southern Ute Tribal Council and meet with them to highlight a historical event. He reported that the purpose for being there that day was to sign a four way access control plan. These plans are done on a regular basis with local governments but, this one was different. He said that for the first time, there were four separate jurisdictions at the table on the same document on the same plan. He mentioned that the Town of Ignacio, La Plata County, CDOT and the Southern Utes were the participants but, the historical piece was that the Southern Utes took the lead and CDOT was in a supporting role for access on state highways within the Tribal Lands and the county which are all interspersed and that two of the state highways involved transect the town of Ignacio. He announced that they were all together and in agreement on how to handle the inter-relationships between access, planned use, mobility and other transportation functions. Mr. George reported that the group was very honored by the dignity and grace of the Council sitting in formal session and it was a great event for everyone involved and shows the strong cooperative relationship between CDOT Region 5 and their constituents and all of the jurisdictions. He offered congratulations to Richard Reynolds, Region Transportation Director, Region 5 and his staff and said he was glad to be a part of the event.

Chief Engineer Report

Chief Engineer Pam Hutton addressed the Commission and stated that she was going to talk about the ARRA program and give an update on FASTER. She said that as discussed on Wednesday, May 19, 2010 there has been analysis done to meet a 100% obligation by the September 30, 2010 deadline and that there would be additional projects to approve later in the agenda. She gave a report on the current status on ARRA projects:

ARRA Update:

- Advertised all 103 projects
- Awarded 96 contracts
- Issued 88 Notices to Proceed
- 18 projects construction complete
- \$128M (33%) expended
- Expended 26% of funds CY2009
- Expect to expend 60% CY2010

Ms. Hutton reported that these statistics bring CDOT up to 90% expended by the end of the construction season. She continued and reported on other items of note:

- DRCOG recognition for leadership in delivering ARRA projects
- Presentation to American Public Works Association
- Outreach to Local Agencies – CDOT provided direct links to OMB Local Agency data for transportation projects
- OMB expanded reporting on ALL projects at Federal, Recipient, and Sub-Recipient level

Transit Progress

- Obligated 100%
- Advertised 11 projects
- Awarded 10 projects
- Issued Notices to Proceed to 10 projects
- Completed 3 projects

She displayed a chart and stated that the data in the chart was interesting in the fact that it can be seen where the trend in terms of people going to work, in terms of hours worked on projects, and the payroll paid on both the highway and the transit side and that it mirrors the construction progress. She said though the report is related to people and payroll a sense of the process of construction in Colorado is displayed and that it illustrates that there was an uptake in February, a dip in March due to weather and significant increases in April. She reported that CDOT expects even more increase in construction activity as well as people on the jobs and payroll being spent in May, June and July.

FASTER Update:

Bridges

- 20 Bridges in 11 projects identified for FY10
- Advertised 5 projects (11 bridges) worth \$16.9M in FASTER, awarded 1 project worth \$2.5M
- R2 Turkey Creek \$2.5M FASTER
 - o NTP April 27
- R2 US 24 bridges(3) worth \$30.2M
 - o advertised on May 13
- R2 SH 96 bridges (4) worth \$4.6M FASTER
 - o advertised April 29
- R4 SH 138 bridges (2) worth \$1.6M FASTER
 - o advertised April 29
- R5 US 550 Bear Creek Bridge (Red Mt. Pass) worth \$5.8M FASTER
 - o advertised May 13

FASTER Safety

41 safety projects identified and Commission approved for FY10

Status

- Advertised – 11 projects in R1, R3, R4 worth \$33.6M
- Scheduled To be Advertised – 27
- 6 in April, 3 in May, 5 in June, 4 in July
- Bids Opened - 10
- Bids Awarded – 8
- Notices to Proceed – 3

Commissioner Krawzoff made comment that since he has been appointed to the Commission the cycle has seemed to run in such a way that makes people say “Oh we don’t have enough money” and then “Oh we’ve got to spend \$500M right away” and he thanked the Chief for her work on these projects.

FHWA Division Administrator Report

Doug Bennett gave the report and stated that Karla Petty has left Colorado permanently and that he would be in attendance at the Commission meetings for the next couple of months until a replacement is found. Doug reported that Ms. Petty took a national position and she has relocated to Arizona. He estimated that by the June 17, 2010 meeting he should be able to report who would be the new Division Administrator would be but, that they probably would not arrive until August. Doug granted that in the briefings, workshops and the Chief Engineer’s report that there is a lot going on and that FHWA is extremely happy with CDOT and how well the major events are going to include the ARRA program, the US 36 project, and the I-70 Mountain Corridor Programmatic Environmental Impact Statement. Further, Doug stated that FHWA appreciates the support on the national DBE workshop on May 18, 2010 because it’s no small matter that it was actually an RTD transit project but there was very strong CDOT support in all aspects of the workshop.

Commissioner Killin remarked that the Commission is very appreciative with all the support and cooperation that CDOT receives from the FHWA.

STAC Report

Vince Rogalski addressed the gathering and mentioned that the STAC met on Friday, May 14, 2010 and discussed many things to include:

- State Legislature – disappointed that money had been diverted away from CDOT
- Federal Legislation – the Global Climate Change Bill is significant to watch with its possibility of a .15 cent a gallon tax and that 2/3's of it would not go to transportation
- Transit Funding – with the Division of Transit and Rail the STAC is supporting that the \$5M be distributed to the Regions working with the TPR's and MPO's and fund projects in those areas that are of significance to transportation planners to move forward
- ARRA – A presentation was given at the meeting by Charles Meyer and it was very similar to the Chief Engineer presentation
- H.I.R.E. Act Funds – Working with the total amount of funds at \$129M but the updated amount is \$167M. The allocation was looked at and discussed in terms of strategic projects within each of the areas and then the 7th pot projects. There was discussion back and forth on the fact that there were changing priorities in some regions and significant projects may need to be done before 7th pot projects and the other contingent that is pushing for 7th pot projects and how all of this can be completed and what is the plan for doing this. A motion was passed that recommends to the Commission, the regional needs scenario with an emphasis on encouraging 7th Pot projects and the condition that \$6M be taken off of the top for maintenance equipment and any additional H.I.R.E. funds above \$129M be set in a statewide pot for 7th Pot projects.
- 4P Meetings – these meetings will be happen this summer and will deal with the upcoming 2035 long range plan amendment and will be worked in conjunction with putting together the STIP for 2012 to 2017.

Committee Reports:

Safety

Commissioner Gruen said that the committee met on Wednesday, May 19, 2010 and he delivered the following report:

- Risk Manager Tracie Smith presented CDOT's Risk Management Safety Performance Data Report for the 3rd quarter of fiscal year 2010 and provided a handout.

- For Auto Liability Equipment Accidents, the third quarter was positive with a 35% decrease in accidents from the previous two quarters. Going straight continues to be the primary vehicle operation, and the majority of accidents occur among those with minimal service time. Day of week trends shifted from early in the week to late in the week.
 - The Winter Safety Campaign goal of a 25% reduction was met. The reduction is attributed to several factors, including continued implementation of existing programs and various efforts to increase safety awareness.
 - Workers' Compensation reflects an increase in the incident rate; however, there was a significant decline in severity; average lost days decreased 2.78% from FY 10 - 2nd quarter to 3rd quarter. Strains and sprains continue to be the primary cause of injury and are addressed in the Statewide Safety Action Plan.
- Ty Ortiz, Rock Fall Program Manager, presented the Rock Fall Report.
 - The slideshow included a review of FY 2010 projects. Up to this point in 2010, CDOT has been asked to evaluate about 28 locations throughout the state.
 - Most rock fall accidents occur when motorists drive into rocks that have already fallen.
 - Mr. Ortiz covered the phases and methods of rating and prioritizing locations for rock fall funds. The initial evaluation includes a drive-through with CDOT Maintenance and a Geologist to score sites according to hazard potential. Sites scored as hazardous based on a rock fall hazard rating system continue on for further evaluation and rating to determine risk and mitigation efforts.
 - Safety Officer Rick Tenuta provided a safety wrap-up.
 - The Winter Safety Campaign reflects many successes and overall 20-25% reductions in vehicle incidents, workers compensation claims and property damage.
 - The Summer Campaign begins May 28, 2010 and runs through September 7, 2010. It will be called "100 Safe Days of Summer".
 - The FY 2011 Statewide Safety Action Plan is ready for implementation July 1, 2010 and consists of one state plan with regional appendixes and again focuses on employee accountability for safety.

Efficiency and Accountability

Mary Beth Lewis-Baker reported on the Efficiency and Accountability Committee and said that there was a very short meeting in April and that they welcomed Jennifer Finch to the committee. Ms. Baker mentioned that the committee adjourned to three different sub-committee meetings on that day in April and the three sub-committees were planning, procurement processes, and construction engineering costs. She stated that the sub-committees have met a second time and the full committee would meet later on May 20, 2010 to receive reports from the sub-committees on recommendations or areas identified for further study.

HPTE

Commissioner Doug Aden delivered the report for the HPTE and he said that the Board met on Tuesday, May 18, 2010 and welcomed a new member, Trey Rogers who took Mike Cheroutes place and that he and Commissioner Barry and Commissioner Rogers were the three Commission appointees to the board. Commissioner Aden reported that Commissioner Rogers was voted Vice-Chairman and obviously made a favorable impression on everyone and so in the future, Commissioner Rogers can deliver the HPTE report. Commissioner Aden mentioned that the focus of the meeting was an update from consultants on the strategic planning process and it was moving along nicely and there is a four hour workshop planned in June to bring that to a conclusion. He stated that the rest of the time was spent on a report on the status of the US 36 project that has been mentioned a lot because if debt is incurred on the project, it will be the HPTE that would borrow money and the project is moving along very favorably and has a lot of support and teamwork. He confirmed that the next step is to do the Investment Grade Traffic and Revenue Study and he said that it is the recommendation of the HPTE board that the Transportation Commission authorize transfer of the funds from the TIGER grant to accomplish that.

Act on Consent Agenda

Chairwoman Kimbra Killin asked for consideration of the Consent Agenda and she requested for a motion on the Consent Agenda. Commissioner Aden moved for adoption of the Consent Agenda. Commissioner Kaufman seconded the motion and on a vote of the Commission, the following resolutions were unanimously adopted.

Approve the Special & Regular Meeting Minutes of April 14 & 15, 2010

Resolution Number TC-1854

BE IT HEREBY RESOLVED, the Transportation Commission's Special and Regular Meeting Minutes of April 14 & 15, 2010 are hereby approved as published in the official agenda.

Approve the STIP Amendment

Resolution # TC-1855

Resolution to Approve STIP Policy Amendment Package for Amendment #25 May 20, 2010

WHEREAS, the Colorado Transportation Commission has statutory authority pursuant to 43-1-106, C.R.S. to approve, accept, and amend various planning documents resulting from Section 135 Title 23 of the USC, and 43-1-1101 through 1105 C.R.S.; and

WHEREAS, the Commission adopted the 2008 – 2013 Statewide Transportation Improvement Program (STIP) in March, 2008; and

WHEREAS, the STIP is occasionally amended due to significant changes in project scope or projects need to be programmed in or out of the first four years of the STIP, thereby requiring a policy amendment to the STIP; and

WHEREAS, the Section 450 Title 23 of the CFR requires a public process be implemented for review and comment on proposed policy amendments, as well as Transportation Commission approval of said amendments; and

WHEREAS, the public process for the policy amendments set before the Commission for the month of Amendment #25 was provided from April 12, 2010 through May 19, 2010, and no comments were received; and

WHEREAS, it is requested that the Transportation Commission approve the policy amendments to the STIP which are detailed in the attached table and direct staff to forward this approval to the Federal Highway Administration and the Federal Transit Administration for concurrence.

NOW, THEREFORE, BE IT RESOLVED, the attached STIP Policy Amendment package for Amendment #25 be adopted and forwarded to the Federal Highway Administration for concurrence.

BE IT FURTHER RESOLVED, after said concurrence is received from the Federal Highway Administration, staff from the CDOT Office of Financial Management and Budget will finalize the policy amendments in the STIP Database.

Approve Adoption to changes to the Rules and Regulations Pertaining to the State Highway Access Category Assignments Schedule 2 CCR 601-0, authorized Under section 43-2-147(4)(8c), CRS.

**Resolution Number TC-1856
Access Category Assignments for highways
May 20, 2010**

WHEREAS, pursuant to 43-2-147, the TC is charged with the responsibility for adopting rules pertaining to Access Category Assignments for highways throughout the State of Colorado, and;

WHEREAS, those rules are set forth in the *Rules and Regulations Pertaining to the State Highway Access Category Assignment Schedule, 2 CCR 601-0*, and;

WHEREAS, the category assignments were first adopted and published by the TC in 1992 and the latest revision was in 2007, and;

WHEREAS, on January 20, 2010 the Transportation Commission passed a Resolution TC 1810 authorizing an Administrative Hearing Officer to conduct a rulemaking hearing and prepare a complete record of the hearing and recommend changes to the Access Category Assignments for several highways around the state; and

WHEREAS, the rulemaking hearing was conducted on March 31, 2010, and public comment was received; and

WHEREAS, the Hearing Officer made a complete procedural record of the hearing, and the recommended changes to the existing Rules are based upon the evidence presented at the hearing.

NOW THEREFORE BE IT RESOLVED, the TC has considered the record and the recommended decision of the Administrative Hearing Officer.

BE IT FURTHER RESOLVED, the TC hereby adopts the recommended decision of the Administrative Hearing Officer making it a final agency decision and adopting all changes to the Rules as prescribed in the record.

Approve Extension of Pilot Program for Tow Carriers

Resolution # TC-1857 Pilot Program for Towing Carriers May 20, 2010

WHEREAS, the Transportation Commission adopted Resolution No. 1731 on May 21, 2009 implementing a Pilot Program for Towing Carriers which affected Rule 2 CCR 601-4, and

WHEREAS specific authority for the Colorado Department of Transportation to promulgate rules and regulations and issue permits, pertaining to the movement of Extra- Legal Vehicles and Loads operating on the State Highway system, is contained in Section 42-4-501 to 512, C.R.S.; and

WHEREAS, the Transportation Commission agreed that consideration of revisions to the Rule is appropriate after a Pilot Program is implemented to monitor towing of disabled Extra-Legal Vehicles and Loads based on an interpretation of “the nearest place of safekeeping” to mean the final destination of the disabled vehicle; and

WHEREAS, the Resolution contained a sunset date of December 31, 2009 of the Pilot Program in anticipation of the Rule 2 CCR 601-4 being amended to adopt the conforming language to institutionalize the Pilot Program;

WHEREAS, rulemaking for 2 CCR 601-4 is now scheduled on May 10, 2010 and conforming language will be inserted into the rule; and

WHEREAS, the Transportation Commission has the authority to extend the Pilot Program under § 43-1-108, C.R.S.;

NOW THEREFORE BE IT RESOLVED, the Transportation Commission authorizes extension of the Pilot Program through the date the OSOW rulemaking is final and incorporates the conforming language into the rule.

Approve New Hazmat Routing Policy

Resolution # TC-1858

Hazardous Materials Routing Policy

May 20, 2010

WHEREAS, Title 42, Article 20 of the Colorado Revised Statutes governs the routing of hazardous materials by motor vehicles on all public roads. The Colorado State Patrol has authority to designate which public roads shall be used and which shall not be used by motor vehicles transporting hazardous materials; and

WHEREAS, the Department of Transportation is the authority that is responsible for petitioning the Colorado State Patrol to make changes to any public road maintained by the state that is not located within a town, city, or city and county, and the Transportation Commission must approve any petition the department wishes to make to the Colorado State Patrol regarding changes to hazardous materials routes; and

WHEREAS, No formal, uniform process exists for considering whether the department should petition changes to hazardous materials routes; and

NOW THEREFORE BE IT RESOLVED, Policy Directive 1903.0 Hazardous Materials Routing Policy is hereby adopted.

Approve Resolution regarding appointing a HPTE Board member and ratifying the earlier appointments

Resolution #TC-1859

Board of the High Performance Transportation Enterprise Appointments

May 20, 2010

WHEREAS, the High Performance Transportation Enterprise was created pursuant to C.R.S. 43-4-806; and

WHEREAS, the Board of the High Performance Transportation Enterprise consists of three (3) members of the Transportation Commission appointed by Resolution of the Commission and four (4) members appointed by the Governor; and

WHEREAS, the Transportation Commission initially appointed three members of the High Performance Transportation Enterprise Board at its April 16, 2009 regular meeting and appointed a new member at its August 20, 2009 regular meeting; and

WHEREAS, a vacancy on the High Performance Transportation Enterprise Board among the Transportation Commission representatives requires the appointment of a new member.

NOW THEREFORE BE IT RESOLVED, that Trey Rogers is hereby appointed as a member of the High Performance Enterprise Board and the appointments of Douglas

Aden and Heather Barry, previously appointed in April 2009, are ratified and confirmed.

Discuss and Act on Resolution to approve proposed changes to R6 FASTER Safety list of projects

Region 6 Director Reza Akhavan stated that there are a few things that the region wants to do in regards to the previously approved list of FASTER Safety projects and that the resolution under consideration lists a change to the process and changes needed to the candidate list of projects. He reported that there are three reasons for the changes:

- a project listed on FY '10 list I-25 84th Street Bridge Replacement cannot have FASTER Safety funds used on it since it has been transferred to the Bridge Enterprise
- Four of the projects in the FY'10 list will take longer to deliver than originally anticipated so they would like to swap funding from the four to three projects in the Hazard Elimination Program
- Requests have been made to group projects by year for efficiency and those changes are proposed in the resolution

Reza mentioned that the goal of this resolution is to deliver the FASTER projects even faster and that the Commissioners consider that the resolution is facilitating staff to be able to make minor changes to the list as long as it meets the intent and the guiding principles that were laid out to follow in FASTER. He confirmed that the projects would still be reviewed in the STIP budget proposals and budget requests when they are adjusted on the list and he asked the Commission to pass the resolution.

Commissioner Rogers moved for adoption of the resolution. Commissioner Kaufman seconded the motion and on a vote of the Commission, the following resolution was unanimously adopted.

Resolution Number TC-1860 Revised FASTER Candidate Safety Project List for FY 2010-2013

WHEREAS, the Transportation Commission adopted Resolution No. 1783 on October 15, 2009 approving a candidate list of FASTER Safety Projects for Fiscal Year 2010; and

WHEREAS, the Transportation Commission adopted Resolution No. 1827 on February 18, 2010 approving a candidate list of FASTER Safety Projects for Fiscal Years 2011-13; and

WHEREAS, pursuant to SB09-108, the Colorado State Legislature has declared that there is an urgent present need to improve highway safety in the state; and

WHEREAS, the Transportation Commission is charged with the responsibility for developing projects for the purpose of addressing this safety need; and

WHEREAS, the estimated annual revenue to be allocated for the purpose of addressing this safety need is \$79.5 million for Fiscal Year 2010, \$78.6 million for Fiscal Year 2011, \$78.7 million for Fiscal Year 2012, and \$78.7 million for Fiscal Year 13; and

WHEREAS, several revisions to the list of candidate safety projects are now proposed consistent with Transportation Commission guidance in order to ensure the most efficient delivery of projects receiving FASTER funding;

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby approves the modification to Fiscal Years 2010 – 2013 FASTER Candidate Safety Project List, dated May 20, 2010 and directs staff to proceed with STIP and budget actions for these projects as well as all future STIP and budget actions necessary to modify this list of projects consistent with Transportation Commission guidance.

The Project List presented at the May 20, 2010 Transportation Commission Meeting will be maintained in the Transportation Commission Office

Discuss and Act on Resolution for the 12th Budget Supplement

Ben Stein reported that the proposed budget and highlighted the following items of note:

- The first items related to the Resolution for the changes to FASTER Safety list for Region 6
- \$246,000 of interagency transfer of funds to the State Controller in non operating account for ARRA indirect cost recovery was described in detail
- New ARRA project in Region 4 \$3.5M for the US 85 project
- Requesting contingency funds for the Region 3 Glenwood Canyon Rockfall in the amount of \$480,000
- The Denver Region \$396,000 from the Snow and Ice Contingency

Commissioner Krawzoff moved for adoption of the resolution. Commissioner Kaufman seconded the motion and on a vote of the Commission, the following resolution was unanimously adopted.

Resolution #TC- 1861

Resolution for the 12th Budget Supplement

NOW THEREFORE BE IT RESOLVED, that the Twelfth Budget Supplement to the Fiscal Year 2009-2010 budget be approved by the Commission.

Discuss and Act on Fiscal Year '11 over \$50,000 project list

Dave Wieder addressed the Commission in regards to the over \$50,000 project list and said that it is required for him to have this list approved each year by State Statute and by CDOT Policy. Dave mentioned that he has reviewed the list with the Maintenance Superintendants and Region Directors and they have found that the list is accurate and meets the project definitions. He stated that sufficient funds are in the MLOS 150 MPA for the projects and if there were no further questions, he asked for approval of the resolution for the over \$50,000 project list.

Commissioner Aden moved for adoption of the resolution. Commissioner Parker seconded the motion and on a vote of the Commission, the following resolution was unanimously adopted.

Resolution Number TC-1862

Projects for CDOT maintenance crews that exceed \$50,000

WHEREAS, under Senate Bill 98-148, public projects supervised by the Colorado Department of Transportation (CDOT) are exempt from the requirements of the "Construction Bidding for Public Projects Act;" and

WHEREAS, Section 24-92-109, Colorado Revised Statutes, as amended, requires CDOT to prepare cost estimates for projects to be undertaken by CDOT maintenance crews that exceed \$50 thousand, but are less than or equal to \$150 thousand for submission to the Transportation Commission for review and approval; and

WHEREAS, CDOT staff have prepared cost estimates for projects to be done in Fiscal Year 2011 as detailed in the memorandum entitled, Fiscal Year 2011 Projects by Maintenance Forces Requiring Transportation Commission Approval dated April 21, 2010; and

WHEREAS, the funding for these projects is contained in the Fiscal Year 2011 Budget.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission has reviewed the cost estimates, as contained in the official agenda, and approves CDOT Maintenance Forces undertaking the projects therein.

Discuss and Act on Resolution to allow CDOT to work with HPTE on pursuit of a TIFIA loan for US 36

Reza Akhavan requested that the Commission support the Resolution to authorize the transfer of up to \$900,000 of the \$10M of TIGER Grant funds from CDOT to the HPTE and the reflection of that funding in the State transportation improvement

program to conduct work required prior to submitting for a TIFIA loan for the US 36 Managed Lanes Project. Reza requested approval of the resolution.

Commissioner Barry moved for adoption of the resolution. Commissioner Rogers seconded the motion and the following discussion was held:

Commissioner Gruen commented that he wanted to reiterate his concern that it is important that the costs of the proposed study be carefully watched and that the study is very important to advance the project but, that he is concerned that the money be spent very wisely. Reza Akhavan reported that he is speaking for himself and many staff members who have put in a lot of long hours on the project. Reza wanted to convey that he will be watching every dollar as he always watches every dollar entrusted to CDOT and Region 6 to make sure that when a buck is spent more than a buck's worth of product is received. Commissioner Gruen stated that he appreciated these remarks. Chairwoman Killin stated that there has been interest expressed by some of the other Commissioners to sit on a selection committee for the consultant to complete the traffic study and when that point is reached, she requested that the staff let the HPTE members know and they may be willing to participate on the selection.

Chairwoman Killin asked for a vote of the Commission, and the following resolution was unanimously adopted.

Resolution # TC-1863

Allowing CDOT to work with the HPTE to apply for a TIFIA loan

WHEREAS, the Colorado Department of Transportation (CDOT) was awarded a \$10 million Transportation Investments for Generating Economic Recovery (TIGER) Challenge grant by the U.S. Department of Transportation (US DOT) in February of 2010 for the US 36 Corridor Managed Lanes Project; and

WHEREAS, the intent of the TIGER Challenge grant is to provide incentive to Colorado to pursue up to \$100 million in funding for the corridor through the Transportation Infrastructure Finance and Innovation Act (TIFIA) loan program; and

WHEREAS, the High Performance Transportation Enterprise (HPTE) was authorized by the Colorado Legislature to aggressively pursue innovative means of more efficiently financing transportation projects in the State of Colorado; and

WHEREAS, HPTE is the appropriate entity to apply for a TIFIA loan; and

WHEREAS, May 20, 2010 is the deadline for CDOT to communicate its intent or lack of intent to pursue the TIFIA loan option and to describe how the TIGER grant funds would be used in the event that a TIFIA loan is not sought or cannot be secured; and

WHEREAS, certain studies and work are necessary prior to submitting a TIFIA loan application, including completion of an investment grade Traffic and Revenue Study; and

WHEREAS, US DOT has confirmed that up to \$900,000 of the \$10 million TIGER grant to CDOT may be used for doing work that is necessary to submit a TIFIA loan application; and

WHEREAS, there is benefit to having HPTE conduct and pay for this preliminary work so that expenses for the managed lane project can accrue to HPTE rather than CDOT for purposes of TABOR;

NOW THEREFORE BE IT RESOLVED: The Transportation Commission desires to work in partnership with the HPTE, RTD, DRCOG, and US 36 MCC to take the steps necessary to maintain the option to apply for a TIFIA loan for the US 36 Corridor Managed Lanes Project. To that end the Transportation Commission authorizes CDOT staff to:

1. Work with partner agencies to identify funding to fill the gap for a minimum \$160 Million project.
2. Communicate the Commission's intent to maintain HPTE's option to apply for a TIFIA loan. Final direction to submit a TIFIA loan application would be subject to future action by the HPTE and the Commission.
3. Communicate a backup plan for utilizing the \$10 million TIGER grant for a smaller project in the event that a TIFIA loan is not sought or secured.

NOW THEREFORE BE IT FURTHER RESOLVED: The Transportation Commission authorizes transfer of up to \$900,000 of the \$10 million TIGER grant funds from CDOT to HPTE and reflection of that funding in the State Transportation Improvement Program (STIP) to conduct work required prior to submitting for a TIFIA loan for the US 36 Managed Lanes project.

Discuss and Act on Resolution for approval of distribution formula for FASTER Local Transit Grant funds.

Jennifer Finch mentioned that the resolution in front of the Commission had been modified to reflect the request to include an additional criteria regarding financial capacity of the grantee to utilize the funds and to provide service and use of capital expenditures of the grant awarded that were made in the workshop on Wednesday, May 19, 2010. Jennifer stated that changing this criteria will require the staff to update the more detailed paper that will be used as a communication piece with the local entities and that it will be provided to applicants. She said that the resolution goes through and determines how the local FASTER transit funds will be used as part of a local grant program and it allocates the funds to the engineering Regions, determines the prioritization criteria, and identifies the eligibility for types of projects that these funds can be used for using the formula that has been recommended. She mentioned that as discussed on Wednesday, May 19, 2010 the formula is 40% HUTF, 30% population and 30% performance and based on this formula, it would become part of the STIP process this year prioritizing projects for FY '10, '11, '12 and potentially beyond that to 2017 but, the emphasis is on the first three years. Jennifer pointed out that the paragraph under g. is where the adjustments were made to add

“financial capacity” as the second bullet. She asked for approval of the resolution so that it could be incorporated into the STIP process with local transportation planning partners.

Commissioner Erickson moved for adoption of the resolution. Commissioner Parker seconded the motion and on a vote of the Commission, the following resolution was unanimously adopted.

Resolution # TC – 1864

Allocation of FASTER funds for Local Transit Grants

May 20, 2010

WHEREAS, pursuant to 43-4-811 (2) the Department will receive five million dollars from the FASTER program for state fiscal year 2009-10 and for each succeeding state fiscal year, to be used by the Transit and Rail Division “to provide grants to local governments for local transit projects;” and

WHEREAS, the Transportation Commission of Colorado has considered a variety of options for how these funds could be distributed and awarded; and

WHEREAS, the Transportation Commission considered geographical equity in the distribution of funds, resource allocation policies, and the ability to reasonably manage the new grant program; and

WHEREAS, after thorough review of the various options, the Commission selected an option identified as the “regional allocation and prioritization process” option; and

WHEREAS, the selected option calls for a regional distribution of the FASTER funds by formula and project prioritization using existing planning processes during the upcoming STIP development process;

NOW THEREFORE BE IT RESOLVED, staff is hereby directed to distribute FASTER Local Transit Grant funds through a regional allocation and prioritization process using the following guidelines:

- A. Project eligibility shall be limited to items defined as “capital expenses” by the Federal Transit Administration, with the exception of land purchases and office-related equipment. Operating, administrative and planning expenses will not be eligible for funding.
- B. The minimum project request shall be \$100,000. Exceptions may be granted for smaller rural projects and smaller vehicles, at a minimum of \$25,000.
- C. Eligible applicants shall be limited to public agencies and public or private nonprofit organizations that offer either public transportation or transportation for the elderly and disabled that is “open door” service, which refers to service available to any elderly or disabled person in need and not limited to a particular clientele or facility. Organizations that do not offer “open door” specialized service, as well as commercial intercity operators, are not eligible

- applicants but may apply through an eligible applicant; the eligible applicant in such a case would be the responsible grant recipient if funds were awarded.
- D. The FASTER funds may be used to fund up to 80% of project costs, and all awards would require a minimum local match of 20%.
 - E. The FASTER funds may be used to match a federal grant, providing up to 80% of the required local match for the federal grant; however, the grant recipient will be required to sign a Maintenance of Effort agreement committing not to reduce its local contribution to its transit program as a result of receiving the matching funds and to provide documentation of such effort.
 - F. The requested projects will be evaluated, prioritized and programmed by the CDOT Regions during the STIP development process, in cooperation with the state's fifteen Transportation Planning Regions (TPRs) and Metropolitan Planning Organizations (MPOs). In addition, the current STIP will be amended to add projects for 2010 and 2011, using funds being made available for those two years by the FASTER legislation.
 - G. The CDOT Regions, working cooperatively with the state's fifteen Transportation Planning Regions (TPRs) and Metropolitan Planning Organizations (MPOs), would be encouraged to use the following criteria, in this priority order, when considering and prioritizing projects:
 - 1. Criticality
 - 2. Financial capacity
 - 3. Financial need
 - 4. Project impacts
 - 5. Readiness
 - H. FASTER local grant funds will be distributed to the Regions using a formula with three components: the existing HUTF distribution formula to cities and counties aggregated by CDOT Region; the most recent population estimate by CDOT Region; and, annual performance data of the public transportation systems within the CDOT Region, which shall consist of total ridership, vehicle miles, and vehicle hours, as listed in the National Transit Database or other database acceptable to the Department. The distribution formula shall be based on the following ratio: 40% HUTF, 30% population and 30% performance.
 - I. This process will be evaluated after three years of funding to determine its effectiveness.
 - J. Further clarification of these guidelines will be developed by the Division of Transit and Rail as needed.

Discuss and Act on Resolution for approval of initial budget for Division of Transit and Rail

Jennifer Finch mentioned that the resolution in front of the Commission had been revised to reflect the requests from the Workshop on Wednesday, May 19, 2010 and that it sets the budget for the new division. Jennifer stated that it identifies FASTER funds to be utilized to help fund the new division for staffing and personal services for studies and activities that were recommended by the Interim Advisory Committee on Transit and Rail. She remarked that the Resolution takes the first step forward

using those recommendations and putting them into action within the department including the dollar amounts of up to \$2,650,336 of FASTER transit funds, existing FRA Grants, and the FTA dollars utilized for staff and local grants programs, the creation of up to 8 additional FTE's to be used in the Division with the process for filling the Division Director immediately as the first position and that others would come on incrementally as it proceeds. She confirmed that one addition was made to the resolution that passed to distribute the \$5M and that the new Division of Transit and Rail is responsible for the \$5M local grant program and that it would be appropriate to acknowledge that fact in this resolution. She then asked for approval of the resolution and mentioned that the budget detail was included on the back page and that the Office of Financial Management and Budget helped in putting the budget formally together.

Commissioner Krawzoff moved for adoption of the resolution. Commissioner Erickson seconded the motion and on a vote of the Commission, the following resolution was unanimously adopted.

Resolution # TC 1865

**Commission action to budget and staffing for new Division of Transit and Rail
May 20, 2010 -**

WHEREAS, Senate Bill 09-094, within 43-1-117.5, created a Division of Transit and Rail within the Department and authorized the creation of the office of the director of the Division; and

WHEREAS, pursuant to 43-1-1104 (b), the Executive Director, in consultation with the Transportation Commission, appointed a special Interim Transit and Rail Advisory Committee to specifically advise the Commission and the Executive Director regarding the initial focus of the Transit and Rail Division created in section 43-1-117.5, and to recommend a long-term advisory structure; and

WHEREAS, the Interim Transit and Rail Advisory Committee convened and submitted a final report and recommendations to the Commission in April 2010; and

WHEREAS, the Interim Transit and Rail Advisory Committee final report included recommendations on the characteristics of the director of the Division of Transit and Rail, as well as a recommendation that the Department proceed expeditiously to fill the position; and

WHEREAS, the Interim Transit and Rail Advisory Committee recommended several initial priority activities that should be undertaken to establish and identify for the new division and build support for its ongoing success; and

WHEREAS, staff has developed a draft proposal for budget and staffing for the new Division; and

WHEREAS, Department has identified funding for the new division;

NOW THEREFORE BE IT RESOLVED, the FY 2011 budget for the new Division of Transit and Rail is approved per the attached plan including up to \$2,650,336 in

FASTER transit funds, \$2,800,000 in existing FRA grants, and \$19,254,299 in estimated FTA formula funds to provide funds for staff, personal service contracts, and local grants to accomplish the activities identified by the Interim Transit and Rail Advisory Committee;

BE IT FURTHER RESOLVED, the Commission authorizes the transfer of seven (7) existing FTEs from Division of Transportation Development to the Division of Transit and Rail along with the creation of up to eight (8) new FTEs and the process to fill the position of Director of the Division of Transit and Rail should proceed immediately;

BE IT FURTHER RESOLVED, the Commission confirms that the Division of Transit and Rail is responsible for the \$5,000,000 local transit grant program created by FASTER.

IMPLEMENTATION PLAN FOR DIVISION OF TRANSIT AND RAIL

		FY 2011 Budget	
		Existing Transit Funds	FASTER Transit Funds
FTEs	Salaries 7 Existing 5 New		
	Director - Management Profile Program Assistant Rail Project Mgr/Supervisor - GP V Special Project Mgr - GP III Grants Specialist - GP III Accountant Tech Contract Writer - GP III Grants Specialist - GP III	\$747,567	\$816,476
	4+ Matrix Management		
Operating	Operating - Existing Employees/Matrix Management	\$12,950	\$3,700
	Operating - New Employees		\$30,160
SUBTOTAL		\$760,517	\$850,336
Projects	Personnel Services (consultant contracting)		\$1,800,000
	FRA Grants	\$2,800,000	
	FTA Program Grants	\$18,493,782	
SUBTOTAL		\$21,293,782	\$1,800,000
TOTAL		\$22,054,299	\$2,650,336
Already Budgeted within DTD		\$19,254,299	
Already Budgeted FRA Grants		\$2,800,000	
Remaining to be Budgeted		\$0	\$2,650,336

Notes: Other FTEs that contribute to Rail but would remain in existing organizations with same duties

Bill Snowden Rail Safety Program

Jason Wallis Rail Crossing Inventory - Freight Program

Discuss and Act on Approval of Resolution for H.I.R.E. funds distribution

Heather Copp mentioned that the resolution to be adopted was distributed to the Commission reflecting changes made from the workshop on Wednesday, May 19, 2010 stating that it allocates a total of \$167.6M and that the chart of allocations is displayed at the bottom of the resolution. Chairwoman Killin commented that while reflecting on comments from STAC's Vince Rogalski the STAC had recommended that \$40M go to 7th pot projects and actually the resolution is allocating \$56M to 7th pot projects. Heather asked for approval of the resolution.

Commissioner Kaufman moved for adoption of the resolution. Commissioner Aden seconded the motion and on a vote of the Commission, the following resolution was unanimously adopted.

Discuss and Act on Approval of Resolution for New Projects using Recovery Act Savings

Chief Engineer, Pam Hutton mentioned that the resolution presented before the Commission reflects what was reviewed in a workshop on Wednesday, May 19, 2010 and discusses the Recovery Act program, the money that came to CDOT, the fact that the Commission has previously approved a list of projects and that the staff is requesting approval of a new list of projects for project savings to be funneled into the program. She reported that there are savings as a result of favorable bid openings and project closures that have returned savings to the fund and that the list was compiled in accordance with guidance received from the Commission in the past. She confirmed that there was collaboration with CDOT's planning partners and that 3 new projects were added as a result of receiving the TIGER Grant for US 36 managed lane project and additional grant funding for training programs and asked the Commission to approve the resolution which illustrates the list of projects included as Attachment A below and that staff be directed to continue to with all the necessary steps to make sure the funding goes to these projects.

Commissioner Ortiz moved for adoption of the resolution. Commissioner Parker seconded the motion and on a vote of the Commission, the following resolution was unanimously adopted.

Resolution # TC-1867

WHEREAS, Congress has passed and the President of the United States has signed the American Recovery and Reinvestment Act (ARRA) of 2009 effective February 18, 2009; and

WHEREAS, CDOT has received \$318M for CDOT regional priorities, \$12M for Transportation Enhancement projects and \$56M for distribution to the

Transportation Management Areas (TMA's) and \$13M in Federal Transit Administration funds for non-urbanized rural areas; and

WHEREAS, the Transportation Commission has previously approved projects to be funded with ARRA funds based on lists developed by the CDOT Regions in collaboration with our planning partners and that met the ARRA project selection criteria; and

WHEREAS, CDOT has opened bids and executed contracts on projects and has realized bid savings, and CDOT has closed out projects and realized savings on some of those projects; CDOT now has bid and project savings that are available to be allocated to other projects so that all Recovery funds can be obligated by the September 30, 2010 deadline; and

WHEREAS, CDOT has conducted an analysis of potential future closeout savings on ARRA projects and anticipates some additional savings that will need to be allocated to projects so that all Recovery funds can be obligated by the September 30, 2010 deadline; and

WHEREAS, a list of proposed projects for allocation of those funds, that meet the ARRA project selection criteria, has been developed in collaboration with our planning partners; and

WHEREAS, CDOT was the recipient of a Transportation Improvements Generating Economic Recovery (TIGER) grant as part of the ARRA in the amount of \$10 million for the US 36 Managed Lanes project; and additional grant funding under ARRA for use on training programs;

NOW THEREFORE BE IT RESOLVED, that the Transportation Commission adopts the projects listed on attachment "A" to this resolution to be implemented with ARRA funds contingent upon their inclusion in the Statewide Transportation Improvement Program (STIP); including grant funded training programs and the US 36 Managed Lanes project also listed on attachment "A" to this resolution.

BE IT FURTHER RESOLVED, that the Transportation Commission directs staff to move forward with the necessary processes to meet the requirements for STIP public review and approvals and budget actions necessary for the projects on the aforementioned list to proceed to implementation.

ATTACHMENT A

Colorado Department of Transportation
Additional ARRA Projects
May 20, 2010

Region 1 – No new projects

Region 2 – SH 115 Surface Treatment Project (EDA)

Region 3 – SH 550 Colona to Chipeta (EDA)
– Pitkin Coke Ovens (non-EDA)

Region 4 – US 85 Rockport/Wyoming South (EDA)

Region 5 – No new projects

Region 6 – US 6 Wadsworth (non-EDA)
– US 85 Fiber optic in Adams County (EDA)
– US 36 Managed Lanes TIGER grant (partially in EDA)

Training Programs
– \$150,000 for Wounded Warrior On-the-job training (OJT)
– \$210,000 for entry level training and job placement

Chairwoman Killin mentioned that item number 18 - **Discuss and Act on Approval of Resolution** for Agreement with Governor's Office of Information Technology, was pulled from the agenda and moved to the next item.

Discuss and Act on Resolution Regarding Statewide Ballot Initiatives

Commissioner Aden addressed the meeting and stated that he and Commissioner Parker were approached by representatives of the group that has been formed to fight Amendment 60 & 61 and proposition 101 and that the resolution before the Commission had been modified to be more specific to the impacts it would have on CDOT specifically as well as general impacts to the State of Colorado and he said he would recommend that as the Transportation Commission, these ballot measures be opposed and defeated this fall because of the very detrimental effect they would have.

Commissioner Aden moved for approval of the resolution. Commissioner Barry seconded the motion and on discussion, Commissioner Parker stated that when he read about the initiatives, he felt that they were the same rhetoric that the anti-government crowd has been espousing for years and the fact is that there are certain basic functions that government needs to provide and that everybody at the meeting got there by driving a car, or using light rail and then walking and under any circumstances there was a need to use a government service and that by opposing these initiatives a clear message will be sent that the Commission is here to keep Colorado competitive in the United States of America. Commissioner Krawzoff mentioned that he also believes that the trio of propositions would be devastating to the state and devastating to the communities he represents in Northwest Colorado and he is happy to support the resolution. Chairwoman Killin asked if there were any more comments and there being none, she asked for a vote on the resolution and on a vote of the Commission, the following resolution was unanimously adopted.

Resolution #TC-1868
Regarding Statewide Ballot Initiatives

WHEREAS, Three measures appearing on the November statewide ballot would significantly damage Colorado's state and local governments ability to fund their most basic services including safety, education and transportation, and;

WHEREAS, At a time when the state budget has been cut by billions of dollars, the trio would slash at least another \$1 billion annually in state taxes, roll back half of all school property taxes statewide and drastically limit government's ability to construct new buildings, and;

WHEREAS, One of the many components of Proposition 101 reduces the vehicle registration fee (annual license plate fee) to 1919 levels, a provision that alone would devastate Colorado's ability to maintain safe roads and bridges, and;

WHEREAS, It is estimated that Proposition 101 would result in a loss of nearly \$300 million in revenue to the Colorado Department of Transportation (CDOT) or about 26 percent of CDOT's budget, impacting critical transportation needs statewide, and;

WHEREAS, One of the many components of Amendment 60 would overturn hundreds of elections approved by local voters in the past eighteen years, creating financial chaos for school districts and local communities, and;

WHEREAS, One of the many components of Amendment 61 would eliminate any practical means for state and regional governments to make future road, highway and bridge improvements, or other capital improvements to their districts, such as DIA, FasTracks, the Anschutz Medical Center, colleges and universities, water conservation districts; or improvements to public schools, cities and counties, and;

WHEREAS, The cumulative and destructive nature of the three measures would ensure that Colorado surrender its competitive standing to attract large and small employers alike, resulting in little to no economic growth for the state, a steady decline in property values and erosion of the state and local tax base;

NOW THEREFORE BE IT RESOLVED, The Colorado Transportation Commission does hereby oppose the three ballot measures known as Proposition 101, Amendment 60 and Amendment 61 and urges the defeat of these measures at the November 2, 2010 General Election.

Acknowledgements

Presentation of "Best in Colorado" Asphalt Pavement Award winners

Tom Peterson of the Colorado Asphalt Pavement Association came to the Commission meeting to give a presentation of the winners in many categories from the "Best in Colorado" and stated that there were four exceptional projects constructed on state highways in 2009. He also mentioned that there was a 40% drop in asphalt

production related to the economy and reduced spending in infrastructure. Tom reported that at the Annual Rocky Mountain Asphalt Conference and equipment show where Commissioner Ortiz spoke, there were nominations of 65 projects, 13 were accepted and 4 of them were CDOT projects and they were truly the “best of the best”. Tom gave the following awards:

- Region 5, Preventative Maintenance Overlay, State Highway 160, Cortez
- Region 6, Urban Highway Resurfacing, State Highway 88 – Federal to Sante Fe
- Region 5, Smoothest Resurfacing, State Highway 160 Shaw Creek to Del Norte
- Region 5, Rural Highway Resurfacing, State Highway 62 Dallas Divide to Ridgeway

Tom remarked that one common denominator in all of the awards is the level of cooperation and partnering among the CDOT staff and contractors working together towards a common goal of quality and success and he offered congratulations to all who received the awards.

Other Matters

Chairwoman Killin noted that there were no other matters to discuss.

Adjournment

The meeting was adjourned at 11:20 a.m.

Stacey Stegman, Secretary
Transportation Commission of Colorado