

Resolution Number TC-1919

BE IT HEREBY RESOLVED, the Transportation Commission's Special and Regular Meeting Minutes of October 20 & 21, 2010 are hereby approved as published in the official agenda of the November 17 & 18, 2010 Meeting.

Transportation Commission of Colorado Regular Meeting Minutes October 20 & 21, 2010

Chairman Les Gruen convened the meeting at 9:33 a.m. in the auditorium of the headquarters building in Denver Colorado.

PRESENT WERE: Les Gruen, Chairman, District 9
Steve Parker, Vice Chair, District 8
Trey Rogers, District 1
Jeanne Erickson, District 2
Gary Reiff, District 3
Doug Aden, District 7
Gilbert Ortiz, Sr., District 10
Kimbra L. Killin, District 11
Herman Stockinger/Secretary, Government Relations Director

EXCUSED: Heather Barry, District 4
Bill Kaufman, District 5
George Krawzoff, District 6

ALSO PRESENT: Executive Director, Russ George
Pam Hutton, Chief Engineer
Jennifer Finch, Transportation Development Director
Heidi Bimmerle, Director, Division of Human Resources and Administration
Casey Tighe, Audit Director
Rick Gabel, Staff Services Director
Ben Stein, CFO
Mark Imhoff, Division of Transit and Rail Director
Michael Cheroutes, High Performance Transportation Enterprise Director
Tony DeVito, Region 1 Transportation Director
Tim Harris, Region 2 Transportation Director
Dave Eller, Region 3 Transportation Director
Johnny Olson, Region 4 Transportation Director
Richard Reynolds, Region 5 Transportation Director
Reza Akhavan, Region 6 Transportation Director

Harry Morrow, Chief Transportation Counsel
John Cater, 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

Chairman Gruen mentioned that Mr. Jason Maxey had signed up to share thoughts with the Commission and he stated to Mr. Maxey that he had up to three minutes. Jason Maxey introduced himself and stated that he worked for United Power and that their headquarters was located in Brighton, CO. He said that he wanted to explain United Power and what they do and to present CDOT with a check. He said that United Power is a Rural Electric Distribution Co-op serving 67,000 meters in Brighton and surrounding areas. Jason stated that his job was 2-fold and that he did project management by hooking up new meters and to maintain contact with key accounts and out of 67,000 members, CDOT is a key account with many meters. He said that CDOT has approximately 151 meters in the United Power Service Area and that he wanted to explain the check he was about to present. He said that they were a not for profit company and anytime a profit is made, it goes into a capital credit account and then at the end of the year the account is allocated back to the members based on a share of the power used by the member. Jason stated that the Board of United Power analyzed the account and determined that some of the Capitol Credit could be released and that the check he was presenting to CDOT was in the amount of \$6600. Chairman Les Gruen thanked him for that and requested that Jason present the check to Chief Financial Officer, Ben Stein.

Individual Commissioner Comments

Commissioner Ortiz stated that the paving going through Pueblo is almost completed and an excellent job is being done. He said he had received many positive comments from community members.

Commissioner Aden reported that he and his wife had recently returned from China and that they spent 3 ½ weeks in Asia. Commissioner Aden said that he paid attention to the transportation infrastructure and found that it was amazing in China. He stated that in Beijing the new status symbol is owning an automobile and that the massive city is already struggling with air quality and congestion problems on the streets and highways. He reported that the guide said that 2000 new cars a day are going into service in the city of Beijing. He declared that it was interesting that the Transit in Hong Kong, Shanghai and Beijing seemed very efficient and that they rode a train in Shanghai from the financial center to the airport and it accelerated to a speed of 250

mph in about 3 minutes and then stayed at that speed for about 1 minute and had to slow down for the airport. Commissioner Aden reported that Hong Kong and Beijing have linked their new airports with high speed trains and that this and their investment in Transportation Infrastructure was a thing our country needs to notice.

Commissioner Erickson mentioned that she had recently had opportunities to attend two meetings: one being the I-70 West Corridor meeting held at Clear Creek High School and that she was very pleased with the preparation that the staff put into the meeting and it was just excellent. She reported that the other opportunity was on the East side and that she attended the PACT meeting and took a tour of the I-70 East Corridor to look at the options there. She declared that she found the process fascinating.

Commissioner Parker stated that he had attended the rest of the County meetings that he needed to in Montezuma County and Costilla County and he drove a lot of roads in the area and they seemed to be holding their own. Commissioner Parker mentioned that he had been able to attend one meeting for Hinsdale County with a conference call in Downtown Lake City. He said that in response to legislation that passed in the last session, wildlife crossing zone warning signs are being installed in Chafee County and on Highway 550 near Durango and that they include reduced speeds at night and signage and that CDOT is trying to follow the law by installing these zones.

Chairman Gruen stated that he had tried to embarrass Harry Morrow in September but, he wasn't at the September meeting of the Commission. He addressed Harry Morrow and mentioned that he understood that Harry had been awarded the Mark G. May Professionalism Award and Commissioner Gruen stated that he and his colleagues wanted to congratulate him on the award.

Executive Director's Report

Executive Director Russ George started by introducing the new Colorado Division Administrator of Federal Highways, John Cater and he stated that he and John had already had a chance to begin getting acquainted and he welcomed John and informed him that CDOT is counting on him to be as capable a leader as his predecessors. He confirmed that CDOT prizes the good relationship they have with FHWA staff. Director George told John that CDOT has heard many good things about him and that he and staff look forward to working with him.

Director George declared that he had a number of events he wanted to share with the group.

- He said that he and several staff members attended the Denver Metro Chamber Transportation Committee to talk about a number of current issues but most communication involved the West I-70 collaborative effort and the revised draft. He stated that CDOT likes to keep the lines of communication open with the Committee and attend their meetings periodically.
- He said he spoke to the American Association of Railways and that he and Mark Imhoff had been invited to the national gathering of the Government Affairs side

of the Railways and that he made opening remarks on behalf of CDOT welcoming the group to Denver and then Mark stayed for the day.

- Director George declared that during the week of October 18th a project in Summit County that was approved a year ago to use ARRA Transit dollars had celebrated its Ribbon Cutting and he encouraged the gathering to stop by and look at the Summit County Fleet Maintenance Facility which is state of the art and was delivered on time and under budget.
- Director George reported that the Denver Union Station Project would be discussed later in the meeting but noted it was another example of public investment in motion and how a better future can be built. He stated that it was an enormous project that is over half-way done and that the fun part of deciding where to invest public funds is to see the product it produces.
- Director George stated that there continues to be a big use of his time and time of staff members being spent on the Regional Air Quality Council work to produce a new ozone plan because the Front Range is at risk and the focus for ozone is more heavily on transportation than it has been in the past. He declared that CDOT thinks it is important and necessary to be active leaders in the ozone management conversation and there may be a workshop with the Commission on CDOT's position on the Ozone Plan in the future.
- Director George mentioned that the CDOT Employee Council has set up opportunities for Senior Staff to meet with employees around the state and that in October there was an event at Sterling for Region 4 employees. He stated it was one of the larger gatherings that he and Chief Engineer Pam Hutton have been able to attend in the last several years and he was happy to report the employees were happy, maybe not content, but they were glad to see the Director and Chief Engineer and that problems were talked about but so were solutions. He reported that the event was upbeat and nice to attend. He thanked Johnny Olson, Region Transportation Director for Region 4 for the event.

Chief Engineer Report

Chief Engineer Pam Hutton stated that she wanted to deliver the first Chief Engineer's update that doesn't focus so much on the ARRA program. Pam mentioned she would be talking about the following points:

- ARRA Update
- FFATA
- FASTER
- EDC Summit Denver
- Helping Hands

ARRA Update

- 100% ARRA funds remain budgeted and obligated
- MOE – accomplished Sept 30 deadline
- Last four projects
 - Pitkin Coke Ovens - advertised

- Greeley #3 Ditch Bike/Pedestrian Trail - advertised
- I-70 Agate to KS concrete resurfacing – awarded this week
- SH 550 Colona to Chipeta resurfacing – awarded this week
- Project Activity / Jobs – continued slowing
- Project Status
 - Accepted 44 projects from the contractor
 - Closed out 17, including 5 of the top 28 at-risk projects

Federal Funding Transparency and Accountability Act (FFATA)

- It requires OMB to maintain single searchable website (USASpending.gov) on all federal awards.
- Federal agencies were submitting prime award information and will continue.
- New requirement – report information on states’ awards of federal funds to local agencies.
 - For CDOT this means reporting on about 250 contracts annually using federal funds from FAA, FHWA, FTA, NHTSA.

FASTER Safety

- FY10 Status
 - Under Construction – 19 worth \$49M
 - Awarded or pending (but have not begun work) – 5
 - Scheduled to be Advertised – 6
 - o 3 in 2010, 3 in 2011
 - Remain to be scheduled for advertisement - 8
 - Design or ROW Projects - 12

FHWA Every Day Counts

- Western States Summit in Denver
 - Colorado FHWA Division will host DOT and transportation association members from Colorado, Montana, Wyoming, South Dakota, Utah, and Nebraska
 - November 9-10
- EDC is Administrator Mendez’s initiative of urgency to improve efficiency and accountability, enhance safety, and protect the environment.
- Summit will focus on:
 - Accelerating technology and innovation deployment
 - Shortening project delivery times

Helping Hands

- **2010 - to date**
 - Cash Donations - \$881
 - BBQ @ Truck Roadeo (R6) - \$297.82
 - Golf Tournament Saddleback (R4) - \$1425.75
 - BBQ @ Truck Roadeo (R4) - \$250.00
 - Mini Poker Run (7/31/10) - \$142.00

- Snow Cones - Centennial Celebration (7/31/10) - \$248.00
- Annual Poker Run (8/29/10) - \$731.00
- Alamosa Golf Tournament (9/25/10) - \$2223.50
- **Total Raised - \$6,199.07**
- Paid out **13 \$550 Awards** to date

FHWA Division Administrator Report

Chairman Gruen introduced John Cater, the new FHWA Division Administrator who gave some information on his career stating that in 30 years with FHWA he had worked in many different locations but has come to Colorado from New Hampshire. He mentioned that in regards to the Recovery Act, one thing that FHWA is closely tracking is the amount of Federal Funds expended and that in Colorado up to 68% of the funds are expended which he reported was very good. He declared that the National Average is around 50% and that the National Goal is to expend 80% by September 30, 2011. He said he had heard from many people that the cooperation between CDOT and FHWA and local agencies in Colorado has worked very well. Mr. Cater mentioned that recently in the media it has been reported that the Tiger II grants have been awarded and that 2 were received in Colorado. John mentioned that one will be led by FTA and was \$2.9M for transit in the west corridor for Transit Oriented development in the Denver Metro Area. He said the second one was for \$1.2M and was for the Sustainable Main Street Initiative and it will be split by FHWA and HUD and will be granted to the Colorado Department of Local Affairs for 3 small communities to help revitalize local economy and downtown areas. Mr. Cater reported that the Every Day Counts initiative was the highest priority of the Administrator currently and it is in place to find technologies and processes that can be improved to deliver projects more safely and efficiently and make transportation function better. He said that some ideas on the technology side of things include a safety edge on road edges and warm mix asphalt. He said that on the process side is the programmatic agreement in which Colorado is already recognized as a national leader and design builds and mitigation banking. He thanked the Commission and mentioned that he looked forward to working with them and CDOT Staff for years to come.

STAC Report

Vince Rogalski stated that the STAC had its regular meeting on Friday, October 15, 2010 and that they received reports on the following topics:

- Report of the September 2010 action of the Transportation Commission
- Discussion on State and Federal Legislation
 - Possibility of discussing the Devolution Study at the November meeting
 - Tiger II
- Budget Update
 - FY 2012 budget
 - FY 2011 funds
 - Bridge Enterprise
- Strategic Projects

- Difficulties in the discussion
 - o Some who view the obligation in concrete
 - o Some view that it is different now and the state needs to re-think where it is and where it is going on these projects
 - o Consensus is that the corridors within the strategic projects are still very important and the strategic program should still be worked on when funds are available
- Non Metropolitan Local Officials consultation process
- TPR Review of the Gunnison Valley TPR: what it is and what it does

Committee Reports

Audit Committee

Commissioner Parker delivered the Audit Review Committee Summary as follows:

- The ARC discussed an audit of duplicate payments. The audit found that there are many different controls CDOT uses to prevent duplicate payments but some duplicate payments still occur. The audit found only a few instances where a duplicate payment was made and CDOT collect the funds back in each of these instances. The audit suggested more standardized data entry process to prevent mistake and some additional reviews to try and identify any duplicate payments that could occur.
- Audit investigated a citizen's complaint over excess gravel on a project. The caller was concerned that neighboring property owners were using the rocks for private use. The audit found that the materials belonged to the contractor and not CDOT. The materials did not meet CDOT specifications and could not be used on the CDOT project, so CDOT did not pay for the gravel. The contractor let the property owners use the gravel rather than going to the expense of hauling the rocks away. Audit staff thanked the citizen for letting CDOT know about the issue, so the Department can assure no CDOT assets are used improperly.
- Audit is completing the first round of Control Self Assessments with CDOT managers. A lot was learned the first year and the next round of Assessments should be even better.
- The audit recommendation tracking report was submitted. About eight recommendations are over five years old and remain outstanding. Managers have taken action on most of the recommendations but work remains to bring the issues to closure. Audit suggested that the Control Self Assessment process could be used to address some of the more difficult issues that remain open.
- We congratulated Hong Zhu an IT Auditor in the Division for earning her certification as a Certified Information Systems Auditor.

Transit & Intermodal Committee

Commissioner Erickson delivered the following report:

- The committee heard a presentation from Mountain Metropolitan Transit about the status of the FREX bus service. They've conducted a performance audit and have been reporting progress to our staff. Their ridership dropped as a result of losing Castle Rock as a participant, and they lost riders late last year when they warned riders the service might end soon. But, ridership has been growing back this year. They've been examining other funding sources and city revenues have been on the rise. They've proposed a budget to City Council that includes funding for FREX and are awaiting a council decision.
- Mark Imhoff, our new DTR Director, made some recommendations on how to move ahead with the formation of the Transit and Rail Advisory Committee, following the model used in forming the Interim advisory committee. He recommended a strong connection between our committees. He suggested making a call for letters of interest Nov. 1, a due date of Nov. 19, a staff review of candidates, and Commission approval in December. Our committee agreed with his recommendations, adding that consideration should be given to using our video conferencing capability for meetings.
- We were informed that the \$10 million Summit County ARRA transit facility has been completed on time and under budget. It looks like they'll have savings of about \$500,000 that we'll need to reallocate, using our Senate Bill 1 list. We discussed two options—one for rolling stock and one to fund early construction of a bus facility. After more staff research we'll make a decision at our next meeting.
- Staff gave us an update on the FASTER transit funds. We're now receiving requests for funds for both the Local and State share of FASTER transit funding. The DTR staff and CDOT Regions have been meeting to discuss these requests and are hoping to come up with recommended projects by December.

Efficiency and Accountability

Mary Beth Lewis Baker gave some more information on the Summit County Fleet Maintenance Facility and what it means to Summit County. She mentioned that at the September 16, 2010 meeting of the Committee they continued to discuss how to improve CDOT's use of Context Sensitive Solutions (CSS) on various transportation projects and that John Eddy from CDOT gave a condensed version of the training that CDOT project Engineers receive which emphasizes early identification of stakeholder issues and ways to creatively solve the issues. She said that the Committee has requested that CDOT Management develop a policy that increases the use of the CSS process and make CSS a regular part of project development. She said that they received an update on the completion of Phase I of the Treya Partners review of CDOT's contracting processes and they were told that Phase II and information on the recommendations will start soon and the Committee looks forward to that process. She reported that Executive Director George would be submitting the Committee's first annual report to the State Legislature soon and that staff is preparing a draft of that

first report which will be discussed later at the October 21, 2010 meeting of the Committee.

Act on Consent Agenda Act on Consent Agenda

Chairman Gruen mentioned that the next item was the Approval of the Consent Agenda but, that the Master Calendar as first printed in the Agenda had an inaccuracy on the December dates. He reported that the dates of the meetings for December needed to be changed to December 14 and 15 in 2011. He then asked for a motion on the Consent Agenda. Commissioner Aden moved for adoption of the Consent Agenda. Commissioner Parker seconded motion and on a vote of the Commission, the following resolutions were unanimously adopted.

Approve the Special & Regular Meeting Minutes of September 15 & 16, 2010

Resolution Number TC-1908

BE IT HEREBY RESOLVED, the Transportation Commission's Special and Regular Meeting Minutes of September 15 & 16, 2010 are hereby approved as published in the official agenda of the October 20 & 21, 2010 Transportation Commission Meeting.

Approve the 2011 Master Calendar of the Transportation Commission

Resolution Number TC-1909

BE IT HEREBY RESOLVED, the Transportation Commission's Master Calendar for 2011 is hereby approved as published in the official agenda of the October 20 & 21, 2010 meeting with changes to the meeting dates for December of 2011 as shown below.

**TRANSPORTATION COMMISSION OF COLORADO
2011 MASTER CALENDAR**

		<u>JANUARY</u>
December 31st	Holiday	New Year's Day (observed)
January 17th	Holiday	Martin Luther King Jr. Day
January 18th		Regional Transportation Committee
January 19th		Workshops/Committee Meetings
January 20th		Regular Commission Meeting
		<u>FEBRUARY</u>
February 15th		Regional Transportation Committee
February 16th		Workshops/Committee Meetings
February 17th		Regular Commission Meeting
February 21st	Holiday	Presidents' Day
Date not set		Washington Briefing

Washington DC

MARCH

March 15th		Regional Transportation Committee
March 16th		Workshops/Committee Meetings
March 17th		Regular Commission Meeting
March 31st	Holiday	César Chávez Day

APRIL

April 19th		Regional Transportation Committee
April 20th		Workshops/Committee Meetings
April 21st		Regular Commission Meeting

MAY

May 17th		Regional Transportation Committee
May 18th		Workshops/Committee Meetings
May 19th		Regular Commission Meeting
May 30th	Holiday	Memorial Day

JUNE

June 14th		Regional Transportation Committee
June 15th		Workshops/Committee Meetings
June 16th		Regular Commission Meeting

JULY

July 4th	Holiday	Independence Day
July 17 -20		WASHTO Annual Mtg.-Ok. City, OK
July 19th		Regional Transportation Committee
July 20th		Workshops/Committee Meetings
July 21st		Regular Commission Meeting

AUGUST

August 16th		Regional Transportation Committee
August 17th		Workshops/Committee Meetings
August 18th		Regular Commission Meeting

SEPTEMBER

September 5th	Holiday	Labor Day
September 20th		Regional Transportation Committee
September 21st		Workshops/Committee Meetings
September 22nd		Regular Commission Meeting

OCTOBER

October 10th	Holiday	Columbus Day
October 13-17		AASHTO Annual Conference
		Detroit, Michigan
October 18th		Regional Transportation Committee
October 19th		Workshops/Committee Meetings
October 20th		Regular Commission Meeting

NOVEMBER

November 8th		Election Day
November 11th	Holiday	Veterans' Day
November 15th		Regional Transportation Committee
November 16th		Workshops/Committee Meetings
November 17th		Regular Commission Meeting
November 24th	Holiday	Thanksgiving Day

DECEMBER

December 13th		Regional Transportation Committee
December 14th		Workshops/Committee Meetings
December 15th		Regular Commission Meeting
December 26th	Holiday	Christmas Day (observed)

Approve STIP Amendments

Resolution #TC -1910

Resolution to Approve STIP Policy Amendment Package for Amendment #30

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 #30 was provided from September 17 through October 20, 2010, and no comments were received; and

WHEREAS, it is requested that the Transportation Commission approve these 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 #30 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.

Approval of Resolution for Policy number 10.0 Workplace Violence

Resolution #TC – 1911 Workplace Violence Policy

WHEREAS, it is the statutory responsibility of the Transportation Commission of Colorado to set policies and establish rules for the Colorado Department of Transportation (CDOT); and

WHEREAS, the Commission adopted a Policy Directive 10.0 Workplace Violence policy for non-tolerance for workplace violence in August of 1999; and

WHEREAS, per the guidance of Executive Order D 02309, staff has revised the Workplace Violence Policy to address Workplace Violence, Including Domestic Violence Affecting the Workplace; and

WHEREAS, a policy directive has been revised to standardize the practice of such implementation.

NOW THEREFORE BE IT RESOLVED, that Policy Directive 10.0, entitled Workplace Violence, is hereby adopted as revised and submitted in the standard form for use in CDOT.

Approval of Resolution for 1207.0 Policy on Employee Innovations

Resolution #TC-1912 Employee Innovations

WHEREAS, under the Colorado Revised Statutes 43-1-106(8), the Transportation Commission of Colorado has the statutory responsibility to set policies and establish rules for the Colorado Department of Transportation (CDOT); and

WHEREAS, Colorado Revised Statute 24-50-901 has established a new cost savings incentive program which allows permanent state employees to realize an monetary award for submitting suggestions for agency improvements that result in cost savings; and

WHEREAS, the policy 1207.0 Employee Innovations process and methods are defined in Procedural Directive 1207.1 Cost Savings Incentive; and

NOW THEREFORE BE IT RESOLVED, Policy Directive 1207.0 Employee Innovations Policy is hereby adopted as submitted as the standard form for use by CDOT.

Approval of Resolution for 707.0 Policy on CDOT Transportation Commission Budget Adoption

Resolution # TC-1913 CDOT/Transportation Commission Budget Adoption

WHEREAS, under C.R.S. 43-1-106, the Transportation Commission of Colorado has the statutory responsibility to set policies and establish rules for the Colorado Department of Transportation (CDOT); and

WHEREAS, the Transportation Commission is responsible for adopting all CDOT department budgets; and

WHEREAS, the policy directive 707.0 Budget Policies for the Transportation Commission has been implemented to clarify and delineate the policies for the approval of the CDOT annual budget.

NOW THEREFORE BE IT RESOLVED, that Policy Directive 703.0 entitled CDOT/Transportation Commission Budget Adoption. The Transportation Commission is hereby adopted contained in the official agenda

Discuss and Act on Resolution for the 5th Budget Supplement

Ben Stein addressed the Commission and reported that there were three items that were not in the original packet and they were:

\$100,000 transfer in Region 1 for a Fire Alarm System at their headquarters
\$130,000 from Denver Water to the Highway 30 Cherry Creek Bridge

\$49,425,483 transfer from the Transportation Commission Contingency to the following programs:

\$7,000,000 to Road Equipment
\$32,000,000 to the Regional Priority Program
\$10,425,483 to the Surface Treatment Program

Ben stated that these transfers were being done based on guidance received from the Commission in the Workshop meeting on Wednesday, October 20, 2010.

Commissioner Reiff motioned for the 5th Budget Supplement to be approved and the motion was seconded by Commissioner Killin. On a vote of the Commission, the Budget Supplement was passed unanimously.

Resolution #TC-1914 5th Budget Supplement

BE IT RESOLVED, that the Fifth Supplement to the Fiscal Year 2010-2011 Budget be approved by the Commission

Discuss and Act on Resolution for DUSPA request to Approve use of SB-1 funds for bus box construction rather than Commuter Rail Terminal construction

Director George mentioned that he wanted to have the Commission consider Item number 11, which was the Resolution for DUSPA's request and that the information had not changed from the mailing packet or from the Workshop on Wednesday, October 20, 2010. He declared that the actionable part of the Resolution is Exhibit A to the existing contract between CDOT and DUSPA on pages 71 and 72 and that it involved appropriate project scope of work items for the Senate Bill 1 funds that the Commission had made available to the project. He stated that there is a restriction on funds that DUSPA has received from TIFIA and RIFF loans and that re-allocating the Senate Bill 1 funds would help them to maximize their loans. He stated that with that description, he would ask for the Commission's approval of the Resolution.

Chairman Gruen asked for a motion and Commissioner Erickson made the motion. Commissioner Rogers seconded the motion and on a vote of the Commission, the following Resolution was unanimously approved.

DUSPA RESOLUTION to be INSERTED HERE

RESOLUTION # TC-1915

DUSPA request to Approve use of SB-1 funds for bus box construction

Discuss and Act on Resolution to approve excess declaration of parcel 1X on US 34 at Big Thompson River, Larimer County

Johnny Olson declared that he wanted to speak on behalf of item 12 in regards to the Declaration of Excess for a parcel on the Big Thompson River and that the history on the property goes back to 1999 when the property owner came to the department stating that the septic tank and leach field for her property were actually on CDOT property and that she would like to purchase the property. Johnny stated that at that time, there was a project in progress and the department wasn't ready to declare the property excess. He said that now that project has been completed and it has been determined that the right of way is not needed in Region 4 and the same property owner has requested for CDOT to declare the property excess now.

Chairman Gruen asked for a motion on the Resolution and Commissioner Aden made the motion. Commissioner Parker seconded the motion and on a vote of the Commission, the following Resolution was unanimously approved.

RESOLUTION # TC-1916

US 34 at Big Thompson River

Project #: F.A.P. 9-R-8

Location: US 34 at Big Thompson River

Parcel: 1X

WHEREAS, the Colorado Department of Transportation acquired Parcel 1X for the construction of US 34 (originally SH 9) in the late 1930s.

WHEREAS, the Department's Region 4 office recommends that the property labeled Parcel 1X of Project F.A.P. 9-R-8, be declared excess right of way and is not needed for highway purposes in the foreseeable future;

WHEREAS, the adjacent private property owner has requested to purchase Parcel 1X from the Department of Transportation;

WHEREAS, the Department of Transportation, has declared through Pamela Hutton as the Chief Engineer, that this property is not needed for highway transportation purposes in the foreseeable future;

WHEREAS, the Transportation Commission concurs with the Chief Engineer that this parcel of right of way is not needed for highway purposes;

NOW THEREFORE BE IT RESOLVED, that the Department of Transportation be given the authority to dispose of Parcel 1X of Project F.A.P. 9-R-8 as described in Exhibit A, and contained in the official agenda, and to sell the excess right of way to the adjacent private property owner at fair market value.

FURTHER, funds from the sale of this parcel shall be disbursed in accordance with Section 7.4 of the CDOT Right of Way Manual.

Discuss and Act on Resolution to approve the Transfer of Assets to the Bridge Enterprise

Ben Stein mentioned that the item in question had been briefly discussed at the workshop on Wednesday, October 20, 2010 and that multiple bridges had been transferred from CDOT to the Bridge Enterprise. Ben reported that all of the Resolutions to date specified that the transfers were being accomplished with no costs associated with them. He continued to say that there were 2 structures, F11-AC and F11-AB, that are poor structures but do have some remaining asset value, unlike the previous transfers. He stated that the Resolution in question will correct the record for the 2 structures and allow for proper accounting.

Chairman Gruen asked for a motion on the Resolution and Commissioner Killin made the motion. Commissioner Rogers seconded the motion and on a vote of the Commission, the following Resolution was unanimously approved.

Resolution # TC-1917 Assets Transfer – TABOR Impact

WHEREAS, in order to utilize Bridge Enterprise funding for financing, repair, reconstruction and replacement of bridges designated as structurally deficient or functionally obsolete and rated as poor by CDOT, the ownership of the bridge structures must be transferred by CDOT to the Bridge Enterprise; and

WHEREAS, pursuant to Resolution TC-1889, dated July 22, 2010, the Transportation Commission transferred certain bridge structures to the Bridge Enterprise contingent upon final review of CDOT financial records to assure the structures carried no value; and

WHEREAS, two of the bridge structures identified within Resolution TC-1889 carry substantial value and must be treated and accounted for under TABOR as having such value for purposes of transfer from CDOT to the Bridge Enterprise.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission confirms the transfer of the following bridge structures identified in Resolution TC-1889 with their associated values as shown herein.

F-11-AC I 70 ML EBND over US 6, RR. Eagle River \$683,692

F-11-AB I 70 ML WBND over US 6, RR. Eagle River \$683,880

Discuss and Act on Resolution concerning CDOT's Mission Statement

Pam Hutton stated that the Resolution came from a group of Region 4 LTC OPS employees who were putting together a training class for their TM IIIs and she stated that they each had a discussion topic to put together for the class. Pam said that Wes Templeton had the topic of the Safety CDOT Value and it stood out to him that if Safety was CDOT's number one priority then how was it that Safety wasn't mentioned in the Mission and Vision Statements that he was to presenting to his employees. Pam confirmed that Wes went to the Maintenance Superintendent, Dennis Allen with his question and that Dennis brought the topic up to the Executive Safety Committee at a recent meeting. Pam said that she felt it would be appropriate to bring the situation to the EMT for discussion. She confirmed that Policy Directive 14.0 articulates the wording for the Mission and Vision statement and it is within the prerogative of the Commission to change the wording in the Directive. Pam declared that the Resolution she was asking the Commission to approve would direct staff to add the words underlined in the Resolution which adds the word Safely in two paragraphs to the statements as detailed below.

Chairman Gruen asked if there were further questions for the Chief Engineer. There being none, Commissioner Aden moved for adoption of the Resolution and thanked the gentleman from Region 4 for taking the initiative to bring the idea forward. Commissioner Ortiz seconded the motion and on a vote of the Commission, the following Resolution was unanimously approved.

Resolution #TC -1918

Adding Safely to the Mission and Vision Statements

WHEREAS, Region 4 Employees, Wes Templeton and Dennis Allen suggested that the Colorado Department of Transportation Executive Management Team consider adding Safely to the CDOT Mission Statement and the CDOT Vision and;

WHEREAS, Safety is CDOT's number one priority, and the CDOT Values include the following Safety Statement, **“We work and live safely! We protect human life, preserve property, and put employee safety before production”**, and;

WHEREAS, the CDOT MISSION STATEMENT currently states: **“The mission of the Colorado Department of Transportation is to provide the best multi modal transportation system for Colorado that and most effectively moves people, goods, and information”**, and;

WHEREAS, the CDOT Mission STATEMENT is proposed to be updated in the following manner: **“Mission -The mission of the Colorado Department of Transportation is to provide the best multi-modal transportation system for Colorado that most effectively and safely moves people, goods and information.”**, and;

WHEREAS, the CDOT VISION currently states: **“Enhance the quality of life and the environment of the citizens of Colorado by creating an integrated transportation system that focuses on moving people and goods by offering convenient linkages among modal choices”**, and;

WHEREAS, the CDOT VISION is proposed to be updated in the following manner: **“Vision -To enhance the quality of life and environment of the citizens of Colorado by creating an integrated transportation system that focuses on safely moving people and goods by offering convenient linkages among modal choices”**, and;

WHEREAS, the Executive Management Team have met, discussed and agree with the need to add Safely to the Mission and Vision Statements of CDOT, and;

WHEREAS, the Executive Management Team have discussed and agree that Policy Directive number 14.0 be revised and be implemented accordingly by the Department of Transportation, and;

NOW THEREFORE BE IT RESOLVED, The Colorado Transportation Commission does hereby Direct staff to add Safely to the CDOT Mission and Vision Statements and that Policy Directive 14.0, is hereby adopted by the Transportation Commission.

Pam Hutton stated that she and staff had put some paper on the Commissioners desks that detailed an initiative put forth by the CDOT Employee Council called the Safety Star and she stated that by approving the Resolution they had shown they were Safety Stars and invited the Commissioners to sign the oath and receive the Safety Star Pin.

Acknowledgements

There were no acknowledgements.

Other Matters

Historian Presentation give by:

- **Jennifer Wahlers, CDOT Assistant Staff Historian**
 - **Depression-Era Work Programs on Colorado's Highway System**

Jennifer Wahlers presented a PowerPoint that included many interesting photos of present day landmarks, roads and bridges. Some photos illustrated a then and now comparison and Jennifer's report highlighted very interesting topics.

Adjournment

The meeting was adjourned at 11:05 a.m.

Herman Stockinger, Secretary
Transportation Commission of Colorado