

**Resolution Number TC-1899**

BE IT HEREBY RESOLVED, the Transportation Commission's Special and Regular Meeting Minutes of August 18 & 19, 2010 are hereby approved as published in the official agenda of the September 15 & 16, 2010 Meeting.

**Transportation Commission of Colorado  
Regular Meeting Minutes  
August 19, 2010**

Chairwoman Kim Killin convened the meeting at 9:32 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  
Gary Reiff, District 3  
George Krawzoff, District 6  
Doug Aden, District 7  
Steve Parker, District 8  
Gilbert Ortiz, Sr., District 10  
Stacey Stegman, Secretary/Public Relations Director

EXCUSED: Heather Barry, District 4  
Bill Kaufman, District 5

ALSO PRESENT: Executive Director, Russ George  
Pam Hutton, Chief Engineer  
Jennifer Finch, Transportation Development Director  
Heidi Bimmerle, Director, Division of Human Resources and Administration  
Herman Stockinger, Government Relations Director  
Denise Harvey, representing Audit Division  
Rick Gabel, Staff Services Director  
Ben Stein, Manager, OFMB  
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  
Doug Bennett, Representing FHWA  
Vince Rogalski, Statewide Transportation Advisory Committee (STAC) Chairman

Dave Wieder, Maintenance and Operations Branch Manager  
Dave Gordon, Director, Aeronautics Division

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**

There were no requests to address the Transportation Commission.

### **Individual Commissioner Comments**

Commissioner Reiff mentioned that in his first year on the Transportation Commission, he had the pleasure of having Chairwoman Killin as the Chair and that it had been a delightful transition bringing him onto the Commission during her tenure and that as she passes the gavel to the next Chair he appreciated the job she did as Chair.

Commissioner Reiff reported that he had recently attended the Arapahoe County hearings and that he wanted to thank Tony DeVito and Reza Akhavan and their staffs for the fantastic job of pulling together a lot of information from a complex county with many differing needs. He stated that the meeting was very well done.

Commissioner Erickson reported that she had been involved in the Jefferson County hearing and was lucky to work with Reza Akhavan and Tony DeVito. She stated that the interest in Jefferson County was palpable and there were many things going on there and stakeholders made many great comments and it was exciting for her. Commissioner Erickson stated that another exciting thing that happened was that on Wednesday, August 18<sup>th</sup> it was announced that the first Director of the Division of Transit and Rail would be Mark Imhoff who had great experience in transportation. She declared that he had a wealth of knowledge and she looks forward to him beginning the position on September 8, 2010. Commissioner Erickson also mentioned that Kim Killin had been a fantastic Chair.

Commissioner Krawzoff echoed Commissioners Reiff and Erickson's comments with regard to thanking Kim Killin and Les Gruen for their service as Chair and Vice Chair of the Commission. He stated that he also wanted to thank Region 1 and Region 3 Directors Tony DeVito and Dave Eller for their help during county meetings and that their preparation for the meetings was much appreciated. Commissioner Krawzoff mentioned that he was excited to hear that Governor Ritter had announced that Colorado would have a Stage Race Pro-cycling Tour for next year and that once the route is determined, CDOT would need to play an integral role in the project and he would encourage staff to work on the project with enthusiasm and that he was thrilled to see that kind of economic boost come to the state.

Commissioner Aden reported that he had attended a couple of County meetings and that the first with Region 5 in Chaffee County was a mini meeting where two county commissioners didn't attend the meeting with CDOT Staff. Commissioner Aden stated that the group did meet with County Commissioners who were there and, specifically Frank Wohlers, as well as other local government representatives. He stated that the other meeting was with Eagle County and that Dave Eller and the Region 3 staff did a great job. He was impressed with the meeting because they had a well laid out presentation from the county and municipalities and that they identified what the county needs were. He declared that the county's challenge will be to prioritize because they had an extensive list. Commissioner Aden also mentioned that he and Commissioner Parker took a trip to the Eastern Plains to visit former Transportation Commissioners Don Morrison and George Temple and it was impressive to hear from them about the Highway 287 corridor and the project that CDOT is working on there. He confirmed that in the past, former Commissioner Morrison had been an advocate for getting the project on the original 7<sup>th</sup> pot list and that when he left, former Commissioner Temple took over that role. Commissioner Aden stated that the improvements that have been made to the corridor were amazing and the progress that has been made there is a great example of what can be done. He said that both of the former Commissioners were delighted that the funding is in place to complete the project. Commissioner Aden said that George Temple had very kind words for Tim Harris and that he asked them to pass on a greeting to all of his friends at CDOT.

Commissioner Parker stated that during he and Commissioner Aden's trip to eastern Colorado they observed a survey crew working on the 287 project and that rural America is under pressure for economic viability and the Highway 287 project allows the area to take a huge step toward assuring that the area will have a fighting chance to be viable for years to come. He thanked Tim Harris and Tony DeVito and their crews for doing a good job there and assured them that the desired result is being achieved. Commissioner Parker reported that he met with County Commissioners and city officials in Rio Grande and Mineral Counties and the scheduled meeting with Conejos County had been canceled.

Commissioner Gruen stated that he wanted to thank the chairwoman for her leadership over the last year.

Chairwoman Killin reported that it had been her privilege to Chair the Commission and that the group is intense but, collegial and that upon reflection on what CDOT has had to handle in the past year such as ARRA, FASTER, new divisions: Bridge Enterprise, HPTE, and the new Division of Transit and Rail that she doesn't think the public understands what CDOT has been through and that she continues to be impressed with CDOT from the top on down.

### **Executive Director's Report**

Executive Director Russ George began his report by stating that on January 15, 1910 the first Colorado Highway Commission convened for the first time and that when thinking about the calendar it is recognized that the day of January 15, 1910 was the 3<sup>rd</sup> Thursday of the month and that as far as we know on the 3<sup>rd</sup> Thursday of each month for the past 100 years the Commission's predecessors have met to do the

business of transportation for the citizens of Colorado. Director George declared that as CDOT was marking its hundredth year it was decided that the century should be commemorated in a couple of ways. He stated that CDOT was not in a position to spend public money on the commemoration and did not do so. He confirmed that personal time and resources was spent and the lasting part was an internally completed document: "100 years of Colorado State Transportation History". Director George read the dedication page and he declared Happy Anniversary to CDOT and all of the employees. He encouraged the audience to get a copy of the coffee table style book and described some of its contents and stated that the book was being paid for by donations. Director George stated that the Centennial Celebration took place at CDOT Headquarters on July 31, 2010 and that all employees were invited, to include current and past employees, for a Family Picnic. He mentioned the many volunteers had made the Celebration a success to include Stacey Stegman and the Public Relations staff and many others while they continued to accomplish their regular duties. He reported that the event was very well attended by approximately 1000 past and present employees from all over the state. He thanked all who helped and attended the Celebration.

### **Chief Engineer Report**

Chief Engineer Pam Hutton addressed the Commission and stated that she would not be reporting on the Recovery Act Projects for very much longer and that September's report will probably be the last ARRA report because the September 30<sup>th</sup> deadline would be very close and all that would remain would be finishing up and cleaning up projects. She quoted from an article in the Washington Journal and said that the article mentioned that Arkansas, North Carolina and Colorado lead the nation in per-capita stimulus spending. Pam declared that the Commission and CDOT could be proud for having that kind of record.

Pam displayed the following presentation with many updates:

#### Risk Analysis

##### ■ Continuing Obligation Analysis

- Today's budget actions and following obligations will move all ARRA funds that were at risk.
- Remaining risk -
  - o Local agency projects
  - o Projects closing out with unexpected surplus after Sept 15.
- For projects that close out in deficit, budget actions will be needed to supplement those projects.

##### ■ DTD - working with FTA to use at-risk funds

#### Highway Update

##### ■ Last project was certified on August 12

##### ■ About \$1.4M yet to be re-budgeted and re-obligated to re-reach 100% allocation

- 1 project remains to be budgeted and obligated
- 2 more remain to be obligated

#### ARRA Highway Status

■ Current Status (as of August 1)

- CDOT has now selected 111 infrastructure projects
- 111 are Commission approved
- 110 are 1511 certified (last one cert on Aug 12)
- Advertised 103 projects
- Awarded 101 contracts
- Issued 96 Notice to Proceeds
- 33 projects are complete (+9)
- \$191M (49%) expended

2010 Highway Activity

■ Construction activity slowing

- 9 projects completed in July, 2 started
- Projects reporting jobs - 59 (63 in June)
- Jobs - about 10% drop from last month
- Continued ARRA slowdown expected
- 33 projects now complete
- Another 40 projects expected to be complete by September 30

Transit Progress

■ Summary - continued progress

- Obligated 100% - \$18.4M
- Advertised 24 projects worth \$17M ARRA
- Awarded 24 projects worth \$17M
- Work has begun on 23 projects worth \$16M
- Completed 5 projects worth \$0.53M
- Expended \$7.1M

■ Potential Risks - coordinating with FTA

- Castilla Co. Transit Service
  - o \$100k in operating funds at risk
- Summit Co. Facility
  - Expected completion mid-Sept
  - Anticipated savings - \$0.5M
  - Use savings for other capital purchases per FTA

ARRA Jobs

■ Construction activity beginning to decline

- Highway to date
  - o People - 32,143 (July - 3100)
  - o Hours - 1,592,431 (July - 161,344)
  - o Payroll - \$43,017,449 (July - \$4,098,843)
- Transit to date (CDOT and Locals)
  - o People - 387
  - o Hours - 129,204
  - o Payroll - \$4,024,305

FASTER Safety

■ Commission approved for FY10

- Status

- Under Construction – 18 worth \$39M
- Awarded or pending (but have not begun work) – 2
- Scheduled To be Advertised – 13
  - 10 in 2010, 3 in 2011
- Remain to be scheduled for advertisement - 4
- Design or ROW Projects - 12

#### FASTER Bridges

- 21 Bridges identified for FY10 program
  - Advertised or under construction – 13 bridges
    - Under construction - 9 bridges
    - Awarded - 3 bridges
    - To be re-advertised - 1 bridge
  - Remaining:
    - 3 bridges to be advertised in 2010
    - 2 are funded for ROW only and 1 for design only
    - 2 deferred to FY2011

#### 2010 Other Construction

- Non-ARRA, Non-FASTER Construction Program (CDOT only)
  - Year to Date
    - Advertised 99 contracts
    - Awarded 95 contracts worth \$204M
    - Currently advertised – 2

Chief Hutton confirmed that the presentation she had given represents a significant amount of work which could not have been accomplished without the hard work of all employees at CDOT. Commissioner Reiff requested information from Chief Hutton and stated that if by the end of September she would have 73 projects done then what was the total amount of money that would be expended. Pam promised that an estimate of the total dollars expended by the September 30, 2010 deadline would be included in the September report.

She said that she had spoken with the Transportation Commission Safety Committee on Wednesday, August 18 about the Safety Star Award Presentation she wanted to present. She stated that the program follows guidelines created by the Executive Management Team which includes an Employee Safety Reward and Incentive program which complements the accountability portion of the statewide safety plan. Pam stated the Employee Safety Reward and Incentive program includes three components: an individual component which has been previously awarded traditionally in December, a unit contributor component, and a Region recognition award which is called the Safety Star Award. She reported that the Safety Star Award is a competition among the Regions with many criteria to include: incident rate, total lost work days due to injury, total number of vehicle accidents and the percent of the Region employees who participated in the Region wellness fairs. Pam confirmed that the lowest combined score resulted in the winner and she mentioned that the Risk Management department had been tremendous help in tallying the scores for the award and offered thanks to Tracie Smith, in particular. Pam announced that the winner was clear but, there were also three Regions that tied for second place. She stated that this year's winner demonstrated the lowest number of lost work days, the smallest incident rate, and was

the 3<sup>rd</sup> in having the fewest vehicle accidents, and had the 2<sup>nd</sup> highest participation in Wellness activities. Pam announced that the 1<sup>st</sup> Annual Safety Star Award was won by Region 4 and she then presented a trophy to Johnny Olson, Region Transportation Director of Region 4. Johnny Olson thanked Pam and mentioned that Nikki Upright, the Region 4 wellness coordinator had done a great job in the Region and always had.

### **FHWA Division Administrator Report**

Doug Bennett was in attendance at the meeting but, stated that he had no report.

### **STAC Report**

Vince Rogalski addressed the gathering and reported that the STAC met on Friday, August 12, 2010 and that they discussed a number of issues to include the following:

- Update on the Federal and State legislative information by Mickey Ferrell
  - potential rescission that could mean \$30M taken from Colorado
  - TIGER II, TIGER III
- FY 2012 Budget Cycle update by Ben Stein
  - Potential \$314M shortfall if Proposition #101 passes
- 7<sup>th</sup> pot Projects
  - Reviewed by Region all projects that are not done
  - Beginning to understand the scope of what is left to do
- Briefing by Jennifer Finch
  - FASTER Transit funds
    - After review it was confirmed that the money needs to be distributed
    - Easiest way is to match the process used in the \$5M allocation to Regions
    - Recommended that some funds be set aside for connectivity projects
  - Rail abandonment report
- Update on the 34 express by Eric Ellis
  - Information on buses available
  - Need to reimburse the upper north front range with 20% value for the buses

### **Committee Reports**

#### **Safety Committee**

Commissioner Gruen stated that he Safety Committee met on Wednesday, August 18, 2010 and he delivered the following report on what the Committee heard:

- 1) Safety Officer Rick Tenuta provided an update on the CDOT Summer Safety Campaign and on the Year End Safety Action Plan Progress Report.
  - a. The 100 Safe Days of Summer will come to a close September 6<sup>th</sup>.  
During the campaign there has been a 25% decrease in vehicle incidents and a 4% increase in personal injuries.
  - b. The final FY10 Safety Action Plan progress report was presented showing successful completion of several statewide safety initiatives.
  
- 2) Ty Ortiz, Rock Fall Program Manager, presented the Rock Fall Report.
  - a. The slideshow included a review of FY 2010 projects, assistance to regions, and what's planned for FY 2011.
  - b. Tim Harris, Region 2 Transportation Director, presented Ty Ortiz with a Certificate of Recognition for his assistance to Maintenance during an incident in Region 2.
  
- 3) Risk Manager Tracie Smith presented FYE highlights and quarterly results from the Risk Management Safety Performance Data Report.
  - a. This year CDOT had no fatal accidents and a decrease in accident numbers.
  - b. Regions 2 and 5 had significant reductions in incident rates for workers-comp accidents.
  
- 4) Employee Council Chairperson Gina Talmadge provided information on the Employee Council Safety Pledge.
  
- 5) Public Relations Representative Heather Halpape gave a Highway Safety PR update.
  - a. Effective August 1<sup>st</sup>, the age limit for vehicle child restraints increased from 6 to 8 years old, expanding the booster seat requirement.
  - b. 100 Days of Heat is in its 2<sup>nd</sup> year, kicking off Memorial Day weekend and ending Labor Day weekend. 2009 resulted in the lowest alcohol fatalities on record.
  - c. Plans for FY 2011 include Drug Impaired Driving campaigns, fall festival enforcement, distracted driving campaign planning and driver's license office displays and brochures targeting teen drivers.
  
- 6) Chief Engineer Pam Hutton provided a briefing on a fatal accident in Region 1.
  - a. A safety stand-down took place in Region 1 as a result of the accident.
  - b. Suggestions continue to be taken from the region and are forwarded to the Executive Safety Committee.
  
- 7) Pam Hutton announced that she will be presenting the Chief Engineer's Safety Star Award to the safest region in the State.



Commissioner Gruen advised that his term on the Safety Committee would be coming to an end and subsequently, Commissioner Kaufman was nominated and voted in as successor as Chairperson of the Safety Commission which concluded Commissioner Gruen's report on the Safety Committee

### **Audit Committee**

Commissioner Parker delivered the following report of the meeting of the Audit Committee:

- The Audit Committee discussed the Information Technology Governance Audit. The audit identified various risks. CDOT management has already remediated some of these findings, and is working on the remediation of the others. The biggest risk facing CDOT now is there is not a signed agreement in place with the State Information Technology Office. CDOT Management continues to meet with ITO for the purpose of obtaining a service level agreement.
- Internal Audit reviewed two design build projects are being administered outside of the normal process. Audit determined that documented procedures should be developed for projects that are administered within CDOT's normal process. Internal Audit also complimented the Region 6 Highway 285 project team for developing an Access database of requirements necessary for the project. This "Best practice" should be leveraged, if possible, for other projects.
- External Audit is performing audits of indirect rates for the Federal Aid Grantees. This helps provide assurance to CDOT that the indirect rates are properly calculated and contain allowable costs.
- Audit reported that Phase one of the Contracting Assessment performed by Treya Partners has been completed. Management will continue to work with Treya on Phase two of the project, which includes implementation of some recommendations made in Phase one. Heidi Bimmerle CDOT's Director of DOHRA, will spearhead this initiative.

### **Efficiency and Accountability Committee**

Mary Beth Lewis Baker declared that she was happy to report that she had results from the Committee meeting and that the Committee had adopted three recommendations described below and delivered them to Executive Director George.

- Encouraging facilitation of meetings with improved use of technology in particular
  - expand on the savings that has been realized with video conferencing but also include external stakeholders
  - Use of webinars and other technologies that are available.

- use of technologies that are now available or new technologies that become available
- Effective hosting of staffing of meetings
  - Public perception that CDOT over staffs meetings
  - Examine meeting policies to confirm that meetings are efficient and effective
  - Confirm that meetings have a clearly defined purpose for attendees
- Analyze fixed and variable cost within the Department
  - Understanding CDOT's budget
  - Determine if the Programmatic budget is appropriate
  - Contingency planning

Ms. Lewis-Baker declared that the Efficiency and Accountability Committee was excited to hear that Director George was enthusiastic about the recommendations and they are looking forward to working with staff on them. She reported that at the meeting scheduled for Thursday, August 19, 2010 the committee would receive draft recommendations from the Planning Sub-committee for discussion.

### **Transit & Intermodal Committee**

Commissioner Erickson delivered the following report for the Transit and Intermodal Committee:

- The committee was informed that CDOT submits an annual Senate Bill 37 report to the Legislature's Transportation Legislation Review Committee. The report is intended to outline any rail line abandonments that are anticipated in the state and indicate whether the state should seek to acquire and preserve any of those lines. CDOT also uses the report as an opportunity to inform the TLRC of significant rail developments.
- There were no rail abandonments this past year and none are anticipated in the near future. CDOT is providing a number of rail updates in the report, such as the RMRA's completion of the Colorado High Speed Rail Feasibility Study; implementation of the new Division of Transit and Rail; CDOT receipt of FRA grants for a State Rail Plan and a High Speed Rail Connectivity Study; and the status of the NA Towner rail line. Staff informed us there is very little freight service on the Towner line. It's being used primarily to store rail cars, and the local communities are unhappy with the appearance of the cars. The current operators will soon be able to exercise their option to complete the purchase the line.
- Approval of this report will be on next month's Commission agenda.
- Tom Mauser reported that interest was expressed by two transit operators to take ownership of three buses that were funded by a Senate Bill 1 grant and are no longer needed for the intended strategic project. The Committee agreed

with his proposal to now conduct a formal application process and to move quickly to get the buses back into operation by transferring them. The Committee will conduct a conference call next month to select the new bus recipients. Final approval will be on the September Commission agenda.

**Act on Consent Agenda Act on Consent Agenda**

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

**Approve the Special & Regular Meeting Minutes of July 21 & 22, 2010**

**Resolution Number TC-1890**

BE IT HEREBY RESOLVED, the Transportation Commission's Special and Regular Meeting Minutes of July 21 & 22, 2010 are hereby approved as published in the official agenda of the August 18 & 19, 2010 Transportation Commission Meeting.

**Approve STIP Amendments**

**Resolution Number TC- 1891**  
**STIP Policy Amendment #28**

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 #28 was provided from July 16, 2010 through August 18, 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 #28 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 Directive Number 387.0 Construction by Public Agencies**

#### **Resolution Number TC-1892**

#### **Policy Directive 387.0 Construction by Public Agencies**

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 Transportation Commission pursuant to section 43-1-106 (8), C.R.S., has the authority to formulate the general policy, and to do all things necessary and appropriate with respect to state highways; and

WHEREAS, the policy directive has been updated to reflect current policy with regard to the administration of federal-aid highway projects by public agencies; and  
WHEREAS, the policy directive has been updated with minimal revisions, and now points to the need to follow procedures outlined in the Local Agency Manual and the CDOT/FHWA Stewardship Agreement.

NOW THEREFORE BE IT RESOLVED, that Policy Directive Number Policy Directive 387.0 Construction by Public Agencies is hereby adopted as submitted as the standard form for use by CDOT.

### **Approval of Resolution for newly developed Policy Directive Number 1222.0 Driving Record and License Requirements**

#### **Resolution #TC-1893**

#### **Policy Directive 1222.0 Driving Record and License Requirements**

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 Executive Management Team has recognized the need for a Policy with comprehensive guidelines for managing staff who have lost their Drivers' license

and who may be required to possess a valid driver's license in the performance of their assigned duties with or without temporary job modifications; and

WHEREAS, the CDOT also recognizes the legal responsibility and obligation to ensure a safe work environment and to protect the public; and

WHEREAS, the policy is intended to disseminate the department's commitment to the safety of its employees and the general public, and all applicable statutes and rules as they apply to driving privileges in the State of Colorado.

NOW THEREFORE BE IT RESOLVED, Policy Directive 1222.0 Driving Record and License Requirements is hereby adopted as submitted in the standard form for use in CDOT.

### **Approval of Resolution for Policy Directive Number 1700.0 Development of Federal Aid Projects under the CDOT Federal-Aid Highway Program Stewardship Agreement**

#### **Resolution #TC-1894 Development of Federal Aid Projects**

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

WHEREAS, It is the purpose of this newly developed policy 1700.0 to provide uniform policy guidelines for the development of Federal Aid Projects; and

WHEREAS, the policy directive 1700.0 has been developed to conform to the current version of the CDOT Federal-Aid Highway Program Stewardship Agreement; and

NOW THEREFORE BE IT RESOLVED, that Policy Directive Number 1700.0 is hereby adopted as submitted as the standard form for use by CDOT.

### **Discuss and Act on Resolution for the 3<sup>rd</sup> Budget Supplement**

Ben Stein declared that the monthly budget supplement was contained in the Agenda Booklet and the he would highlight the changes:

#### Region 1-

- ARRA surpluses and re-programmed dollars

#### Region 2-

- \$1.7M in Public Lands Discretionary program for the Ft. Carson Gate project

- \$6.8M of the Military Construction Program for Colorado Springs Airport access roads

#### Region 4-

##### ARRA surplus

- \$135,000 re-budgeting of local ARRA projects to supplement the State Highway 157 Goose Creek/Belmont
- \$974,000 ARRA Surplus/Federal Aid Funds re-programmed into State Highway 85

Ben stated that with the changes mentioned he would request approval of the Budget Supplement.

Commissioner Reiff asked for an update of the status of the Zipper lane feasibility study receiving \$500,000 and requested an update of where the study stands as a project. Ben Stein deferred to Region 1 Director, Tony DeVito.

Tony DeVito reported that the first level study had been completed and that the team was moving forward to release the findings of the study. He said that the study has shown nothing to preclude CDOT from moving forward and that they are moving forward with studying operational questions. He declared that Staff should have a report of those conclusions in December.

Doug Aden made a comment in regards to the Transportation Commission's Contingency fund and the fact that it shows \$82M after setting aside \$10M for snow and ice. He declared that in the September budget discussions he'd like a briefing on the reasons to keep the Contingency fund at the current figure set aside or ways for it to be programmed. Commissioner Aden also questioned Dave Eller, Regional Transportation Director for Region 3 in regards to the \$6M going into the West Parachute Interchange. He stated that the budget sheet suggests that the ad date for the project is February of 2013. Dave reported that it is the date currently being stated by the town of Parachute due to right-of-way issues but, that he would check into ways to speed up the progress.

Chairwoman Killin requested a motion on the Budget Supplement. Commissioner Krawzoff moved for adoption of the Budget Supplement. Commissioner Erickson seconded motion and on a vote of the Commission, the Third Supplement to the FY 2011 Budget was unanimously adopted.

#### **Resolution #TC-1895**

##### **Third Supplement to the FY 2010-2011 Budget**

BE IT RESOLVED THAT the Third Supplement to the Fiscal Year 2010-2011 is hereby approved by the Commission.

#### **Discuss and Act on the Resolution for TIGER II Grant Projects**

Mickey Ferrell confirmed that the Resolution was to officially identify the projects that CDOT will submit for the TIGER II Grant and two local requests that have money for CDOT participating in them with match money. He described the four projects for CDOT and the Local projects that CDOT would participate in.

There were no questions and Chairwoman Killin requested a motion on the Resolution. Commissioner Aden moved for approval of the Resolution. Commissioner Krawzoff seconded motion and on a vote of the Commission, the following Resolution was unanimously approved.

**Resolution Number TC- 1896**  
**TIGER II Grant projects**

WHEREAS, on April 26, 2010 and on June 1, 2010 the U.S. Department of Transportation published notices in the Federal Register for funding availability for Supplemental Discretionary Grants for Capital Investments in Surface Transportation Infrastructure (also known as TIGER II Discretionary Grants) under the Fiscal Year 2010 Transportation Appropriations Bill; and

WHEREAS, the TIGER II Discretionary Grants must be submitted to the U.S. Secretary of Transportation by August 23, 2010; and

WHEREAS, the USDOT's consideration of TIGER II Discretionary Grant applications will be based on Job Creation & Economic Stimulus and Long-Term Outcomes as primary selection criteria; and

WHEREAS, the Colorado Department of Transportation, working with its planning partners across the state, prepared a list of potential projects for CDOT to submit under the TIGER II Discretionary Grants program; and

WHEREAS, the State Transportation Advisory Committee assisted in prioritizing the six grants statewide that CDOT would apply for; and

WHEREAS, Transportation Commission confirms its support for the four projects selected by CDOT and the STAC.

NOW THEREFORE BE IT RESOLVED, the Department is instructed to prepare and submit applications for the following four projects under the USDOT Tiger II Discretionary Grant program:

- North Clear Creek Corridor: \$55 Million
  - \$0 CDOT Match (Rural Request)
- Interstate 70B (Business) Widening between 24 ¾ Road and Rimrock: \$10 Million
  - \$3.6 Million CDOT Match (FASTER Safety Funds)
- Interstate 25 / Santa Fe Interchange: \$10 Million
  - \$51 Million CDOT Match (FASTER Bridge and RPP Funds)
- Interstate 225 Joint RTD / CDOT Project: \$123.3 Million
  - \$47.3 Million CDOT Match (right of way and current design project)

BE IT FURTHER RESOLVED, the Department may commit matching funds in support of the following local projects:

- North Front Range – Interstate 25 North ITS Project: \$18 Million
  - \$3 Million CDOT Match (FY12 ITS funds)
- Colorado Springs - Colorado Avenue Project: \$10.77 Million

**Discuss and Act on Approval of Resolution for the Declaration of Excess Property (on SH 7 southwest of Lyons) - two parcels designated 1X and 2X**

Johnny Olson confirmed that he would speak on behalf of two requests for Resolutions to approve a Declaration of Excess Property. He stated that both of the requests were for approval to get rid of small slivers of property that are not needed by the Department any longer.

Chairwoman Killin recognized Commissioner Reiff who requested a motion to approve items 12 and 13 on the Agenda. Commissioner Rogers seconded the motion and on a vote of the Commission, the following Resolutions were unanimously approved.

**Resolution # TC-1897**

**Declaration of Excess Property of State Highway 7**

**Project #:** 26-H3  
**Location:** SH 7 Southwest  
of Lyons  
**Parcels:** 1X & 2X

WHEREAS, the US Department of Commerce, Bureau of Public Roads acquired right of way in 1955 under Project Number 26-H3 for the Construction of Route 26. Route 26 was subsequently adopted into the State Highway System as State Highway 7 (SH 7)

WHEREAS, the Departments Region 4 office recommends that the property labeled 1X and 2X of Project 26-H3 be declared excess right of way and no longer needed for highway purposes in the foreseeable future;

WHEREAS, the two adjoining private property owners have requested to purchase Parcels 1X and 2X from the Department;

WHEREAS, Colorado Revised Statutes 43-1-210(5)(a)(III) authorizes that if the department determines that the property or interest therein is of use only to one abutting owner or, in the case of an easement, to the underlying fee owner, the abutting owner or underlying fee owner shall have first right of refusal to purchase or exchange the property or interest therein upon which disposition is being made at the fair market value.



WHEREAS, the Department of Transportation, has declared through Pamela Hutton as the Chief Engineer, that this property is no longer needed for highway transportation purposes in the foreseeable future;

WHEREAS, the Transportation Commission concurs with the Chief Engineer that these parcels of right of way are not needed for highway purposes;

NOW THEREFORE BE IT RESOLVED, that the Department of Transportation be given the authority to dispose of Parcels 1X and 2X of Project 26-H3 as shown on Exhibit A, and contained in the official agenda, and sell the excess right of way to the adjoining property owner at fair market value.

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

**Approval of Resolution for the Declaration of Excess Property (on SH 170, south of the City of Boulder) - one parcel designated 1RevX**

**Resolution #TC-1898**

**Declaration of Excess Property State Highway 170**

**Project #:** C 07-0170-03  
**Location:** SH 170 at Eldorado  
Springs Dr.  
**Parcels:** 1 Rev X

WHEREAS, the Colorado Department of Transportation acquired right of way in 1958, under Project Number C 07-0170-03, for the construction of a portion of SH 170;

WHEREAS, the Department's Region 4 office recommends that the property labeled 1 Rev X of Project C 07-0170-03 be declared excess right of way and is not needed for highway purposes in the foreseeable future;

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

WHEREAS, Colorado Revised Statutes 43-1-210(5)(a)(III) authorizes that if the department determines that the property or interest therein is of use only to one abutting owner or, in the case of an easement, to the underlying fee owner, the abutting owner or underlying fee owner shall have first right of refusal to purchase or exchange the property or interest therein upon which disposition is being made at the fair market value.

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 1 Rev X of Project C 07-0170-03 as shown in Exhibit A, and contained in the official agenda, and sell the excess right of way to the abutting property owner at fair market value.

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

### **Report from the Nominating Committee & Election of Officers**

Chairwoman Killin noted that Commissioner Aden was the only member of the Committee in attendance and asked him to give the report of the Nominating Committee. Commissioner Aden stated that the members of the Nominating Committee were requesting nomination of Les Gruen for Chairman of the Transportation Commission; for Vice Chairman, they were requesting Steve Parker, and for Secretary, Herman Stockinger. Commissioner Aden thanked Stacey Stegman for her service to the Commission as Secretary and mentioned that she had been a great support to the Commission and had offered terrific advice and counsel. He mentioned he was sad to see her resign the post and he thanked her on behalf of the Transportation Commission for all of the work she had done on the Centennial Event and on the Book, *100 years of Colorado State Transportation History*. He stated that they were an excellent example of the quiet, behind the scenes work that Stacey and her staff have done and that their efforts are appreciated.

Commissioner Aden made a motion to Nominate Les Gruen for Chairman of the Transportation Commission, Steve Parker for Vice Chairman and Herman Stockinger for Secretary. Commissioner Erickson seconded the motion and on a vote of the Commission, the motion was carried unanimously.

Chairwoman Killin thanked Stacey for her service to the Transportation Commission as Secretary and mentioned that Toni Kelly was also great to have on board as the Assistant to the Commission.

Stacey reminded the Commission that there would be a dinner with the Colorado Contractors Association on Wednesday, September 15, 2010.

### Acknowledgements

Chairwoman Killin noted that there were no acknowledgements requested.

### Other Matters

Chairwoman Killin stated that typically in the past, the gavel would be passed at the next meeting following the nominations of a new Chairperson but, that she would not be in attendance at that meeting in September 2010. She declared that she wished to pass the gavel to Commissioner Les Gruen and mentioned that the whole Commission was behind him and offered her congratulations. Commissioner Gruen

thanked Kim for service and thanked the other Commissioners for their confidence and with that called for adjournment.

Adjournment

The meeting was adjourned at 10:43 a.m.

A handwritten signature in black ink, reading "Stacey A. Stegman". The signature is written in a cursive style with a long horizontal flourish extending to the right.

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Stacey Stegman, Secretary  
Transportation Commission of Colorado