

Resolution #TC-2008

BE IT HEREBY RESOLVED, that the Transportation Commission's Special and Regular Meeting Minutes of July 20 & 21, 2011 are hereby approved as published in the official agenda of the August 17 & 18, 2011 meeting Agenda.

Approved by the Transportation Commission on: August 17, 2011

**Transportation Commission of Colorado
Regular Meeting Minutes
July 21, 2011**

Chairman Les Gruen convened the meeting at 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
Gary Reiff, District 3
Heather Barry, District 4
Kathy Gilliland, District 5
Doug Aden, District 7
Gilbert Ortiz, Sr., District 10
Kimbra L. Killin, District 11
Herman Stockinger, Secretary

EXCUSED: Kathy Connell, District 6

ALSO PRESENT: Don Hunt, Executive Director
Debra Perkins-Smith, Director of Transportation Planning
Laurie Freedle, for CFO
Mark Imhoff, Division of Transit and Rail Director
Mike Cheroutes, HPTE Director
Casey Tighe, Audit Director
Mindy Crane, for Public Relations Director
Scott McDaniel, Staff Services Director
Dave Gordon, Aeronautics Director
Tony DeVito, Region 1 Transportation Director
Tom Wrona, on behalf of Region 2 Transportation Director
Dave Eller, Region 3 Transportation Director
Johnny Olson, Region 4 Transportation Director
Mike McVaugh, on behalf of Region 5 Transportation Director
Reza Akhavan, Region 6 Transportation Director
Harry Morrow, Chief Transportation Counsel

Doug Bennett on behalf of John Cater, FHWA
Vince Rogalski, Statewide Transportation Advisory
Committee (STAC) Chairman

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 noted that no member of the audience had signed up to address the meeting.

Individual Commissioner Comments

Commissioners Rogers extended his welcome to new Commissioners Gilliland and Connell.

Commissioner Reiff welcomed the new Commissioners as well and mentioned that he Reza Akhavan and Mike Cheroutes had been participating in the C-470 Coalition with Douglas and Arapahoe Counties. He reported that the group was using the example of some things being done on US 36 to model the C-470 project after. He confirmed that he and Mike and Reza were making themselves available to the group as much as possible.

Commissioner Killin welcomed Commissioners Gilliland and Connell and stated that she could just tell they were going to fit right in on the Commission

Commissioner Ortiz welcomed them as well.

Commissioner Gilliland said she was impressed with the Commission, the Executive Director, and staff. She noted that staff members she had recently met were very welcoming, knowledgeable, and helpful. She noted that she had witnessed a collaborative effort in her District and that recently the I-25 and 34 project had been completed and that it had been a public/private effort that had gone well. She mentioned she was looking forward to seeing these types of projects in the future.

Commissioner Aden welcomed both new Commissioners and reported that Commissioner Connell, along with he and Commissioner Parker, participated in a Club 20 meeting this month. He noted that this was first time in a number of years that all three west slope commissioners attended the Club 20 meeting. He also had the opportunity to see the Bus Maintenance Facility that was built in Frisco. He confirmed that it was an impressive facility. He also attended the annual Eagle

County meeting with Region 3 RTD Dave Eller and staff. He thanked Dave and his staff for maintaining good relationships with local governments in Region 3.

Commissioner Barry welcomed the two Kathys to the Commission and reported there was an exciting “buzz” surrounding the U.S. 36 project on the possibility of finishing the project, and thanked Region 6 RTD Director Reza Akhavan and his team for their hard work on the corridor.

Vice-Chairman Parker agreed with Commissioner Aden that it was a pleasure to attend the Club 20 meeting. He noted that a local tea party member attended the meeting and said she was tired of CDOT complaining about how little money they have.

Chairman Gruen expressed appreciation that he was reappointed to the commission, and is looking forward to working with new the new commissioners. He also welcomed Debra Perkins-Smith as DTD Director.

Executive Director’s Report

Director Hunt welcomed the two new commissioners and mentioned that it was a good time to thank the Commission members that are already in place for their support and allowing him the elbow room to add his input to CDOT over the last 5 months. He stated that he looks forward to their continued partnership. Mr. Hunt reported that the new CDOT team is complete, and he was excited about the new talent on board adding that the final member to the team will be Gary Vansuch who will be on board August 16, 2011. He exclaimed that the new team is ready to work. Director Hunt stated that a retreat was scheduled for Senior Management on August 4.

Director Hunt declared that he has been busy with many speaking engagements, trying to get the CDOT message out. He listed the following gatherings where he spoke during the month:

Colorado Municipal League- Transportation Panel
Ribbon cutting US 34 and I-25 project in Loveland
Metro North Chamber
Colorado Forum

Accompanied Chief Engineer Tim Harris to visit Regions 3 and 5

- Tim will soon round out his team selecting two new Regional Transportation Directors in Regions 2 and 5 following his promotion and the retirement of Richard Reynolds

WASHTO Conference in Oklahoma City & Smart Transportation Institute Meeting in Detroit

- visited with groups of other state Executive Directors to discuss the challenges they all face

He stated that what was reported by Carlos Braceros from the Utah DOT in a workshop on July 20, 2011 is the exception. He confirmed that other states are not

in the same boat as Utah. Mr. Hunt spoke about messaging and how the message should be spread in regards to the linkage between transportation and economic development. He stated that the industry is not doing as good a job with this as it could. Mr. Hunt reported that one idea for changing the message is to compare what is spent on other systems such as cable TV and cell phones as compared to the gas tax and it would reveal that probably less than \$20 per month is spent for access to transportation, versus \$80-\$100 monthly for so many other systems. He confirmed that CDOT is looking for creative new ways to communicate and show people what kind of value they would receive with an investment in Transportation and then link it the value to Economic Development. In closing, Mr. Hunt congratulated Herman Stockinger for being named as Deputy Director and declared that he looks forward to working with Herman over the next year.

Chief Engineer Report

Acting Chief Engineer, Scott McDaniel stated that there would be no formal report but, noted a few walk on items in the budget supplement.

High Performance Transportation Enterprise (HPTE) Director's Report

HPTE Director, Michael Cheroutes reported that he spent a good week in Washington, DC and the US 36 project was approved for a TIFIA loan. He confirmed that they talked about terms, conditions and other issues.

FHWA Division Administrator Report

Doug Bennett stated that he did not have an extensive report but that he wanted to welcome the new commissioners. He noted to Commissioner Gilliland that FHWA's role is to administer the funds from the Federal Gas Tax back to the state and the Colorado office has 20 employees. He stated that he appreciated the work of new Executive Director Hunt on the I-70 East PACT. Mr. Hunt acknowledged that he had big shoes to fill with the way Russ George had worked so well with FHWA and the local governments and he offered his thanks to Reza Akhavan for working hard on a neighborhood cleanup showing the community that it was an important area to CDOT. He thanked Doug and team for attending all the collaborative team meetings, which brought confidence to the community. He spoke about the results of collaborative effort and that there would be a lot of work over the next six months.

STAC Report

Vince Rogalski extended his welcome to new commissioners Kathy and Kathy and noted that the STAC meets on the Friday before the Transportation Commission meetings. He detailed the STAC role for new commissioners and reported that the STAC had had briefings and discussions on the following topics:

- Talked about federal authorization
- TIGER III grants
 - Colorado will be able to submit 3 projects

- Federal issues
 - Discussion of additional federal money coming in, and whether the funds should be spent.
 - No recommendation yet, but considering whether to hold some or put it out
- \$90 million in TC discretionary funds
 - Leaning was toward support for Twin Tunnels, but other projects are “ready to go”- STAC will continue to discuss that.
- Long range plan- 2040
- Received a 21 page report on what other states are doing
- AGS: Study going to be happening and there was a discussion
- Mark Imhoff is trying to engage industry to help define project, what’s possible, and how it can be implemented
- RMRA will be included and looked at.
- Railroad crossing discussion
 - Difficult to work with railroads on railroad crossing and safety
 - FHWA provides about \$2.2 million for rail safety
- DTR reported on activities of the TRAC, and discussed the FTA discretionary grant applications.
- TRAC looking at performance measures

Committee Reports

Transit and Intermodal Committee

Commissioner Rogers delivered the following report on the Transit and Intermodal Committee Meeting that was held on Wednesday, July 20, 2011:

- Mark Imhoff gave a brief update on the contract status of the 2010 to 2012 FASTER Transit Projects that were awarded last fall. This will be a monthly update.
- Wendy Wallach gave an overview of the upcoming I-70 Mountain Corridor Advanced Guideway System (AGS) Feasibility Study. The study will take a unique approach to engage the transit manufacturing and delivery industry in the feasibility analysis. Executive Director Hunt stressed the commitments CDOT made to the corridor stakeholders through the I-70 PEIS, and importance of the AGS study in the sequence of proposed solutions for the corridor.
- Ann Rajewski, the Chairperson for the Transit & Intermodal Advisory Committee (TRAC), gave an update of the committee’s recent activities and topics. The TRAC would like to have a half day retreat with the Transit & Intermodal Committee in November, possibly on the Tuesday before the regular Transportation Commission meetings.
- Commissioner Parker brought up a bike safety issue that arises when major biking events utilize the Interstate, specifically I-70 between Loveland Pass and Georgetown. He will be working with Tony DeVito and Betsy Jacobson, CDOT’s bicycle specialist, to coordinate with Bicycle Colorado.

Audit Committee

Commissioner Parker delivered the following report on the Audit Committee Meeting held on July 20, 2011

- The Committee reviewed a report on the SAP Basis Security. The SAP Basis is the system used by IT professionals to manage, operate and repair the SAP Software at CDOT. It is important that this system be secure to protect the SAP system from being compromised.
- OIT and CDOT Management are following many best practices in protecting the system, however the audit identified five areas where security could be improved. CDOT's Director of IT Services has agreed to work with the Office of Information Technology to reconfigure SAP in some areas to close any security gaps.
- We also reviewed a report on computer inventory procedures. The audit found that CDOT has good procedures for tracking new equipment but staff needs to improve the procedures for tracking computers that are taken out of service and sent to surplus.
- Audit provided an update on the implementation of Audit Recommendations from the Division of Aeronautics. The recommendations were from the State Auditor's Office and covered many different business and operational issues. Audit found that the Division has taken remedial action to resolve all but three recommendations. The three outstanding issues will be implemented during the next grant cycle. The Division of Aeronautics should be commended on their work to complete these audit recommendations.
- The Audit Division received a clean opinion in their latest Peer Review. Congratulations to the Audit Division Staff on this positive report.

Act on Consent Agenda

Chairman Gruen asked for a motion on the Consent Agenda and Commissioner Ortiz moved for approval of the item. Commissioner Rogers seconded the motion. Commissioner Aden pointed out that the FREX Resolution was amended and was shown on a handout printed on green paper. Chairman Gruen amended the approval of the Consent Agenda with the correction that the FREX resolution approved would be the new resolution noted in green. The motion makers agreed with the amended motion. The Chairman then asked if there was any further discussion on the item and there being none, on a vote of the Commission, the Consent Agenda was unanimously approved.

Approve the Special & Regular Meeting Minutes of June 15 & 16, 2011

Resolution #TC-2001

BE IT HEREBY RESOLVED, that the Transportation Commission's Special and Regular Meeting Minutes of June 15 & 16, 2011 are hereby approved as published in the official agenda of the July 20 & 21, 2011 meeting Agenda.

Resolution # TC-2002

Resolution to Approve STIP Policy Amendment Package for Amendment #1

Approved by the Transportation Commission on: July 21, 2011

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 2012 – 2017 Statewide Transportation Improvement Program (STIP) in May, 2011; 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

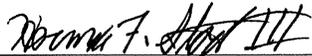
WHEREAS, the Section 450 Title 23 of the CFR requires a public process be implemented for review and comment on proposed policy amendments, as well as Transportation Commission approval of said amendments; and

WHEREAS, the public process for the policy amendments set before the Commission for Amendment #1 was provided from June 14, 2011 through July 20, 2011, 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 #1 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.



Herman Stockinger, Secretary
Transportation Commission of Colorado

Approve the Resolution for approval of the Project list of over \$50 Thousand for FY 2012

Resolution #TC-2003

Approval of Additional projects on the over \$50,000 project list

Approved by the Transportation Commission on: July 21, 2011

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 a cost estimate for six additional projects to be done in Fiscal Year 2012 as detailed in the memorandum entitled, Addition to approved over \$50,000.00 project list dated July 1, 2011; and

WHEREAS, the funding for this project is contained in the Fiscal Year 2012 Budget.

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

ADDENDUM TO THE LIST OF PROJECTS:

Region 1 – Aurora

Highway	Begin MP	End MP	Type	Estimated Cost
86	21	22.43	Overlay	\$117,000.00
36	119.2	119.99	Overlay	\$120,500.00
36	134.6	135.3	Overlay	\$121,965.00
40	234	235	Overlay	\$150,000.00
40	242	243	Overlay	\$150,000.00

Aurora Total \$659,465.00

Region 2 – Pueblo

Highway	Begin MP	End MP	Type	Estimated Cost
50	459	462.58	Chip Seal	\$149,500.00

State Total \$808,965.00



Herman Stockinger, Secretary
Transportation Commission of Colorado

Resolution #TC-2004

FREX program may use \$220,000 from the funds remaining in escrow for 2011 operating expenses

Approved by the Transportation Commission on: July 21, 2011

WHEREAS, Pursuant to 43-4-206(VII)(2)(a)(I) CRS, the Department received approval and funding for implementation of Senate Bill 97-001 Strategic Transit Project Funds from the Colorado Legislature and its Joint Budget Committee; and

WHEREAS, the Transportation Commission of Colorado solicited and reviewed project applications in accordance with established program criteria and determined which entities' projects would be most appropriate for funding; and

WHEREAS, the Commission approved a list of strategic transit projects by Resolution Number TC-1455; and

WHEREAS, the City of Colorado Springs (City) submitted a funding application to carry out a strategic transit project, hereinafter referred to as the Project, and that Project was included on the list of strategic projects approved by the Commission; and

WHEREAS, Senate Bill 97-001 funds were provided to the City for the Project by the State by means of IGA 07-HTD-00103, which consisted of the purchase of nineteen (19) transit coaches for use only for the Front Range Express (FREX) bus service; and

WHEREAS, the City, as a result of poor economic conditions and drastically declining City revenues, requested that the Department allow the City to sell nine (9) of the buses and use the proceeds to pay for FREX operating expenses in 2010; and

WHEREAS, by means of Resolution # 1803 on December 16, 2009, the Commission allowed the City to use up to \$1,000,000 of the proceeds derived from the sale of up to nine transit coaches to be used for the operating expenses of FREX in calendar year 2010, required the remaining funds from the sale be placed in an escrow account and not disburse such excess funds until such time that the Transportation Commission provides direction and takes action on the disposition of such funds, required the City to conduct a performance audit of FREX and examine other potential funding sources, and required the City to relinquish to the State its 20% Local Share interest in all remaining transit coaches; and

WHEREAS, the City sold the nine aforementioned transit coaches for \$1,440,000 dollars, used \$1 million for 2010 FREX operations and placed the remaining \$440,000 in an escrow account; and

WHEREAS, the City, in a letter to the Commission dated October 25, 2010, requested permission to use the remaining \$440,000 held in escrow for FREX operational costs in 2011; and

WHEREAS, by means of Resolution # 1935 on December 19, 2010, the Commission allowed up to \$220,000 of the funding now held in escrow to be used by the City for

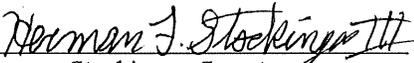
the operating expenses of FREX in calendar year 2011 only under certain terms and conditions, including the successful development of a viable, long-term business plan for FREX, negotiations with the Regional Transportation District regarding potential financial support and the submittal of quarterly financial and operational data to the Department; and

WHEREAS, the Colorado Transportation Commission recognizes that FREX service provides a valuable alternative mode of transportation for commuters that reduces congestion on the south I-25 corridor;

WHEREAS, the Colorado Transportation Commission has determined that unique circumstances have arisen with this service and that the Commission will respond to a special need on a one-time basis;

NOW THEREFORE BE IT RESOLVED, staff is hereby directed to inform the City of the following:

- A. The terms and conditions of Resolution Number TC 1803 and Resolution Number TC 1935 remain in effect and are amended by the terms herein.
- B. The City may use \$220,000 from the funds remaining in escrow for 2011 operating expenses of the FREX program.
- C. The City agrees to continue to operate the FREX service in 2011 and 2012, subject to annual appropriation of funds by the City and the Pikes Peak Regional Transportation Authority, and will update its business plan as necessary to plan for the future operation and financing of FREX.
- D. The City will continue to regularly provide financial and operational data to the Department.


Herman Stockinger, Secretary
Transportation Commission of Colorado

Resolution # TC - 2005
Submittal of Section 5309 Applications to FTA

Approved by the Transportation Commission on: July 21, 2011

WHEREAS, the Federal Transit Administration, pursuant to the Bus and Bus Facilities grant program (49 U.S.C. 5309), authorized by the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A legacy for Users (SAFETEA-LU), Pub. L. 109-59, August 10, 2005, is authorized to award funds to local and state governments for public transportation capital projects on a nationwide competitive basis; and

WHEREAS, pursuant to C.R.S. 43-1-1001, the Department is authorized to take all steps and adopt all procedures necessary to make and enter into such contracts or agreements as are necessary for the state application and administration of any funds made available under the "Federal Transit Act", codified at 49 U.S.C. sec. 5301 et seq., under certain limitations in urbanized areas over 200,000 population; and

WHEREAS, the Federal Transit Administration has issued Notices of Funding Availability announcing the availability of Section 5309 grant funding and the grant requirements therefor; and

WHEREAS, the Notices of Funding Availability for certain programs require that proposals for projects in rural (nonurbanized) areas be submitted as part of a consolidated State application; and

WHEREAS, the Department is only required to submit a consolidated State application on behalf of rural (nonurbanized) areas, while projects from urbanized areas are authorized to submit applications directly to the FTA; and

WHEREAS, Division of Transit and Rail staff queried the designated recipients of FTA funding in Colorado's urbanized areas to determine if any wished to submit a project request through the consolidated State grant application; and

WHEREAS, only the Grand Junction urbanized area's designated recipient expressed an interest in submitting a project request through the consolidated State application; and

WHEREAS, the Department is the body designated and authorized to submit such a consolidated State application on behalf of rural areas and the Grand Junction urbanized area; and

WHEREAS, the management of the Federal Transit Administration has advised Department staff that the application submittal of the State would be enhanced if it explicitly listed the State's highest priority projects in some fashion; and

WHEREAS, the Department has developed evaluation criteria for developing a prioritized list of projects, using input solicited from the Transportation Commission's Transit and Intermodal Committee, the Statewide Transportation Advisory Committee, the Department's Transit and Rail Advisory Committee, and the Colorado Association of Transportation Agencies; and

WHEREAS, local transit agencies have been given a fair and equitable opportunity to submit application materials justifying their projects and needs; and

WHEREAS, an evaluation committee made up of Division of Transit and Rail staff, as well as staff from the Division of Transportation Development and Office of Policy and Governmental Relations, have used the established evaluation criteria to evaluate, score and rank projects; and

WHEREAS, the Director of the Division of Transit and Rail, with the concurrence of the Executive Director of the Colorado Association of Transportation Agencies, will give final approval to prioritized project lists for submittal to the FTA for each of the Section 5309 programs and agrees that such listings best reflect the most competitive submittal from the State;

NOW THEREFORE BE IT RESOLVED, the Commission directs staff to submit the prioritized project lists to the FTA for each of the Section 5309 programs and to take all necessary steps to administer any funds that are awarded to the State on behalf of local transit agencies.



Herman Stockinger, Secretary
Transportation Commission of Colorado

Discuss and Act on the 2nd Budget Supplement

Laurie Freedle presented the Walk on items

- \$2M from the Transportation Commission Contingency for the emergency of a slope failure on Highway 285
- Region 6 \$710,000 Bridge Deck Rehabilitation

Chairman Gruen asked if there were any questions on the item and there being none he requested a motion for approval of the Budget Supplement. Commissioner Parker motioned for approval and Commissioner Killin seconded the motion.

Commissioner Aden noted that on page 43 of the Agenda that there was a request for \$420,000 of Contingency fund money for upgrades for equipment at the Hanging Lake Tunnels. He said he was not opposed to it, but noted that the tunnels are so critical, and we have trouble meeting the ongoing capital needs that it was necessary for everyone to be realistic that we can't continue to ignore the issue and deal with these types of issues from contingency.

Laurie requested to address the question and stated that several years ago a study was done on the Eisenhower Johnson Tunnel which resulted in the tunnel becoming a separate Maintenance Section and that a study is being planned to analyze the Hanging Lake Tunnel and a Tunnel near Durango. She said that during the years that there was a Regional Priority Program, regions could juggle the funds to deal some of these items that were not clear emergencies but, with no RPP funds, there is no way for the Regions to fund these "urgencies" to prevent them from becoming "emergencies." Commissioner Aden noted one of the projects is Skippers Island west of Grand Junction where the Colorado River flooded and there were partial closures on I-70. He stated that if it isn't dealt with now it could result in a complete closure of I-70. Commissioner Reiff asked that when items are brought forward using the Contingency that staff provide a paragraph explaining each of these items in the Budget Descriptions. He stated that he had no objection to the items but that he felt that the Commission needed to be more informed when dealing with funds from the last pool of funds that are outside the normal business.

Following the discussion, Chairman Gruen asked for a vote of the Commission and the 2nd Budget Supplement was unanimously approved.

Resolution #TC-2006

Approval of the 2nd Budget Supplement

BE IT RESOLVED THAT, the 2nd Supplement to the Fiscal Year 2011-2012 Budget be approved.

Discuss and Act on Authorization of an Administrative Procedures Officer conducting a hearing regarding revisions to the General Rules of Practice and Procedure Before the Transportation Commission of Colorado

Herman Stockinger mentioned that a workshop was held in June in regards to updating the Commission Rules and that it had been many years since the Rules had been looked at. He said that corrections were made following the guidance given in June and that it was being brought before the Commission to agree to open the Rules

for a hearing. He confirmed that this would begin a process that once completed, would bring the Rules forward to be presented for approval at that time.

Chairman Gruen asked if there were any questions and there being none, he asked for a motion on the item. Chairman Aden motioned for approval of the item and Commissioner Gilliland seconded the motion. On a vote of the Commission, the Resolution was unanimously approved.

Resolution # TC- 2007

Authorize an Administrative Procedures Officer to conduct a hearing regarding revisions to the General Rules of Practice and Procedure Before the Transportation Commission of Colorado

Approved by the Transportation Commission on: July 21, 2011

WHEREAS, section 43-1-106(6) and 43-1-106(8)(k) directs the Transportation Commission of Colorado ("Commission") to adopt rules in relation to its meetings and the transaction of business; and

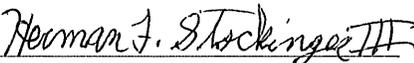
WHEREAS, the current Commission rules were last adopted in 1991; and

WHEREAS, the Department and Commission staff recommend revising the rules to reflect current practices and to update statutory references; and

WHEREAS, the Transportation Commission has the authority to conduct the rule making or to delegate the authority to an Administrative Hearing Officer for the purposes of conducting the rule making hearing, making a complete procedural record of the hearing, and submitting that record and any recommendations back to the Transportation Commission for its review and action concerning the promulgation of the rules; and

NOW THEREFORE BE IT RESOLVED, the Transportation Commission authorizes staff to prepare a draft of the proposed rule amendment, and to take all necessary actions in accordance with the Colorado Administrative Procedures Act to initiate rule making for the purpose of promulgating the rules.

BE IT FURTHER RESOLVED, the Transportation Commission delegates its authority to conduct the rule making hearing to a CDOT administrative procedures officer and hereby directs the Hearing Officer to prepare a complete record of the hearing and forward said record to the Transportation Commission for consideration and its adoption of the proposed rules.


Herman Stockinger, Secretary
Transportation Commission of Colorado

Acknowledgements

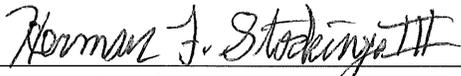
Chairman Les Gruen declared that there were no Acknowledgements.

Other Matters

Chairman Gruen announced that with respect to other matters, he had asked Commissioner Aden to chair the Nominating Committee and requested for the Committee to report their recommendations. Commissioner Aden stated that the Committee recommends that Steve Parker serve as Chair, Gary Reiff as Vice-Chair and for Herman Stockinger to continue to serve as the Secretary.

Adjournment

Chairman Gruen announced that the meeting was adjourned at 10:18 a.m.



Herman Stockinger, Secretary
Transportation Commission of Colorado