

Resolution # TC-3103

Approval of Department Requested Measures for Immediate Response to Disaster Emergency Efforts to Colorado's Transportation Infrastructure

WHEREAS, § 43-1-106 (8)(h) C.R.S. gives authority to the Transportation Commission of Colorado ("Commission") to promulgate and adopt all Colorado Department of Transportation ("Department") budgets, subject to § 43-1-113 C.R.S.; and

WHEREAS, pursuant to § 43-1-113(9)(c), C.R.S., by Resolution No. TC-3068 dated April 19, 2013, the Commission adopted a final Budget Allocation Plan for FY2013-14; and

WHEREAS, by Resolution No. TC-3068 dated April 19, 2013, the Commission established and approved the Contingency Fund for FY13-14; and

WHEREAS, beginning the week of September 9, 2013, heavy rainfall began falling west of Interstate 25 from south of Colorado Springs to the Wyoming border, resulting in widespread damage to the State's transportation infrastructure, isolation of the towns of Estes Park, Jamestown, Lyons and Nederland, and the closure of numerous roads due to flooding, and rock and mudslides; and

WHEREAS, on September 12, 2013, President Obama signed the "Colorado Emergency Declaration," FEMA Release Number: HQ-13-098, making the U.S. Department of Homeland Security's Federal Emergency Management Aid available to the State of Colorado to supplement state and local response efforts; and

WHEREAS, Governor John Hickenlooper signed Executive Order D 2013-026 "Declaring a Disaster Emergency Due to the Flooding in Adams, Arapahoe, Broomfield, Boulder, Denver, El Paso, Fremont, Jefferson, Larimer, Logan, Morgan Pueblo, Washington, and Weld Counties (Front Range Flooding)"; and

WHEREAS, the Department is working with the Federal government and other State agencies in the emergency relief and restoration effort; and

WHEREAS, the Department will recover as many dollars of expended funds in this emergency relief and restoration as allowed by funding agencies;

WHEREAS, in order to respond immediately to the needs of Colorado citizens, the Department requests that the Commission approve the transfer of funding from the Transportation Commission Contingency Fund to the Emergency Relief Program.

NOW THEREFORE BE IT RESOLVED, the Commission permits any two of the Executive Director, Deputy Executive Director, Chief Engineer or Chief Financial Officer, to add, budget and expend funds to and from the Commission Contingency Fund. Any transaction executed under this Resolution must be in writing executed by any two of such executives. The Commission shall thereafter review and approve actions taken under this Resolution regarding emergency relief efforts related to Executive Order D 2013-026.

BE IT FURTHER RESOLVED, the Commission supports temporary suspension of compliance with the \$ 50,000 and \$ 150,000 maintenance caps contained in § 24-92-109(1), C.R.S. for emergency relief efforts related to Executive Order D 2013-026.

Hermon J. Stockings III
Transportation Secretary

9-30-13
Date