Resolution #TC-15-11-1

Approved by the Commission on November 19, 2015

BE IT HEREBY RESOLVED THAT, the Transportation Commission's Regular Meeting Minutes for October 15, 2015, are approved as published in the official agenda of the November 18 & 19, 2015, meeting.

Transportation Commission of Colorado
Regular Meeting Minutes
October 15, 2015

Chairwoman Kathy Connell convened the meeting at 9:02 a.m. in the auditorium of the headquarters building in Denver, Colorado.

PRESENT WERE: Kathy Connell, Chairwoman, District 6
Gary Reiff, Vice Chair District 3
Shannon Gifford, District 1
Ed Peterson, District 2
Heather Barry, District 4
Kathy Gilliland, District 5
Kathy Hall, District 7
Sidny Zink, District 8
Nolan Schriner, District 9
Bill Thiebaut, District 10

EXCUSED: Steven Hofmeister, District 11

ALSO PRESENT: Shailen Bhatt, Executive Director
Michael Lewis, Deputy Executive Director
Josh Laipply, Chief Engineer
Debra Perkins-Smith, Director of Transportation Development
Amy Ford, Communications Director
Maria Sobota, CFO
Herman Stockinger, Government Relations Director
Debra Perkins-Smith, Director of Transportation Planning
Paul Jesaitis, Region 1 Transportation Director
Dave Eller, Region 3 Transportation Director
Johnny Olson, Region 4 Transportation Director
Kerrie Neet, Region 5 Transportation Director
Kathy Young, Chief Transportation Counsel
Barb Gold, Audit Director
Scott McDaniel, Staff Services Director
David Specter, HPTE Director
Kyle Lester, Director, Division of Highway Maintenance
Ryan Rice, Operations Division Director
Mark Imhoff, Director of Transit and Rail
Kevin Furman, Human Resources Director
Vince Rogalski, STAC Chairman
Gary Vansuch, Director of Process Improvement
David Ulane, Director of Aeronautics

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

An electronic recording of the meeting was made and filed with supporting documents in the Transportation Commission office.

Audience Participation

Will Toor, the Transportation Program Director for the Southwest Energy Efficiency Project (SWEEP) spoke to the Commission about the HOV policy issues on the C-470 Express Lanes Project. Mr. Toor thanked CDOT for their commitment to bicycle travel. He has already seen excitement from local agencies for the program.

Mr. Toor submitted a letter to the commission stating that SWEEP believes that managed lanes are the way to go fiscally to manage congestion. However, in the managed lanes, SWEEP believes that toll free access of HOV 3+ should be incorporated into the managed lanes, as well as bus transit. Mr. Toor states that by including HOV and transit into managed lanes, CDOT will be able to accommodate more travelers per lane mile, in turn, reducing congestion.

His second concern is an equity concern. Demographics show that higher income travelers are much more likely to utilize the tolled lanes than lower income populations. Allowing toll-free access for carpoolers opens this infrastructure to a wider range of incomes. Finally, with the technology for dynamic ride sharing growing and becoming more feasible, he is concerned that by not providing toll-free HOV, CDOT will be behind the curve by not supporting those technological advances in Managed Lanes.

Individual Commissioner Comments

Commissioner Schriner has been meeting with State Representatives over the last month and is settling into his new role.

Commissioner Barry held Bagels with Barry in Superior. The attendees were looking forward to having the Diverging Diamond Interchange at McCaslin opening soon. The work that staff and the communities have put forth are coming to light with the US36 project developing along.

Commissioner Gilliland recently met with the organization ColoRail with Mike Lewis. The group is focused on rail in Colorado, specifically Amtrak. They are also looking into methods for funding the Colorado Ski Train and how to support the Southwest Chief. She mentioned how impressive the Union Station in Denver is after the renovation, and recommended everyone to tour the building. It was refreshing to her to hear the excitement surrounding rail travel in the state.

Commissioner Hall is enjoying learning about all CDOT does despite the learning curve. Region 7 has a lot of concern about highway funding, and has been seeing a number of presentations from associations about securing more funding for transportation. In Grand Junction a dangerous area is in the process of being improved to increase the safety of the road. She was concerned this would cause

traffic congestion during construction, but the contractor was able to avoid too much congestion.

Commissioner Gifford recently attended a US36 town hall meeting on the tolling of the highway. She thanked Megan Castle on her great work on the town hall.

Commissioner Thiebaut thanked the members of the public for their time speaking to the Commissioner. He recently had the chance to tour Southeast Colorado and was impressed with the efficiency and quality of work that staff does. He also gave an update on Region 2 Transportation Director Karen Rowe, and that she might be coming back from leave mid-October. Finally Commissioner Thiebaut extended his condolence to a CDOT employee in Eads who had passed away.

Commissioner Peterson had the opportunity to go to the JeffTac meeting. He received a glowing review from everyone there on CDOT staff and the projects they were taking part in. Specifically the WestConnect coalition has been very encouraging for the area. Last night the TC had the chance to have dinner with DRCOG. At the dinner a member of the DRCOG board mentioned how wonderful the working relationship is between DRCOG with CDOT staff.

Commissioner Zink appreciated that TLRC came to southwest Colorado. She believes it is important for staff and others to see the region and talk with the locals and appreciates that they take that effort. She has also been continuing her meetings with County Commissioners throughout the area. Finally Red Mountain Pass is now open. Commissioner Zink was proud to say it opened on time and with a clean safety record.

Vice Chair Reiff thanked Deb Perkins-Smith for all the work she does keeping a good line of communication open with DRCOG. He thanked the commission for a good dinner with DRCOG last night.

Chairwoman Connell echoed Vice Chair Reiff's thoughts on a successful dinner with DRCOG. Chairwoman Connell stated that the Commission and CDOT staff are very concerned with the issues on I-70 West around Idaho Springs, and that we stand with the community and look forward to addressing the problems there. She acknowledged it has been a long process in the area, and that she hopes as the project comes to a close that it will end successfully for everyone involved. She also mentioned the first phase of the Highway 9 project is going very well.

Executive Director's Report

Executive Director Shailen Bhatt introduced David Specter as the new HPTE Director, replacing Michael Cheroutes. Director Bhatt brought up the success of realigning the I-25 and US 6. This area had up to 400 crashes in a year before the project, and is looking forward to seeing a much lower number in the area.

Last month there were some public comments to the TC regarding the environmental process on C-470. Executive Director Bhatt is still committed to following the process, and will listen and vet all concerns from the public.

Coming up on Oct. 28, CDOT will be hosting the Transportation Matters Summit. The summit is sold out with a waiting list. Tom Lorz and Amy have done a wonderful job putting together the event. As part of the summit, rides will be provided in autonomous vehicles to demonstrate what the future of transportation might be like. Additionally, CDOT is hosting a Leadership Forum for all of the managers at CDOT.

Executive Director Bhatt echoed Commissioner Thiebaut's thoughts for Karen Rowe, and stated that she should be back in the office in the near future and thanked Ajin Hu for her hard work as interim RTD. Additionally, he offered his condolences to Craig Hansen, the TM1 who passed away recently.

Chief Engineer's Report

Chief Engineer Josh Laipply informed the Commission that CDOT hosted an FHWA showcase project for a three span interstate bridge with GRS. For the showcase people from all over the nation came out to see the innovations CDOT is using. Mr Laipply also spoke on the recovery path for the cash management program. Thanks to a proactive approach, PMO is back on track by increasing funding and scope on some projects that had been trimmed.

HPTE Director's Report

HPTE director David Spector introduced himself as the new Director of HPTE. He reported that Director Day will be leaving the HPTE Board. Public outreach is being conducted along US36 and PPSL. A telephone town hall was conducted for both projects, reaching 10,000 and 5,000 people respectively. The HPTE board approved the toll rate ranges for PPSL, and will be looking at what triggers the increase in rates on the lanes. The Board also approved the special event schedule for the US36 corridor. The board also recommended to the commission that HOV 3+ not free on C-470. Finally, the HPTE board took action on the US 36 concession, and the Transportation Commission will be asked in this meeting to act on the same item.

FHWA Division Administrator Report

FHWA Division Administrator John Cater made the Commission aware that in Sept. of every year, FHWA has their annual leaders meeting. They recently received word that the FHWA Executive Director will be stepping down shortly. In Sept., Mr. Cater spent time touring Region 2 and Region 3. He was very impressed with the scale and scope of the HW 9 wildlife project. Additionally, he toured the US 50 EIS corridor and the Lamar Reliever route and spoke with some locals about the projects.

Mr. Cater finished with sharing a concern with the Commission. This year, traffic volumes are rising and fatalities are rising. This is on state and local roads. So far, analysis is not showing why this is the case, however speculation is distracted driving is a contributing factor. He stressed it will continue to be important to think about safety and how to deal with creating safe roadways.

Commissioner Thiebaut thanked Mr. Cater for spending the time to tour southeast Colorado. He brought up how important the Lamar Reliever route is to the area, and would like to see the commission act on it soon.

Act on Consent Agenda

Chairwoman Connell entertained a motion to approve the Consent Agenda. Commissioner Gifford moved for approval of the resolution, and Commissioner Gilliland seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-15-10-1

BE IT HEREBY RESOLVED, that the Transportation Commission's Regular Meeting Minutes for Sept. 17, 2015, are approved.

Resolution #TC-15-10-2

Resolution # TC-15-10-2

Disposal of property no longer needed for transportation purposes.

Approved by the Transportation Commission on October 15, 2015

WHEREAS, CDOT acquired undesignated subject Parcel as right of way for the purposes of SH 24 right of way as part of projects NRH 248-F and NRM 248-H;

WHEREAS, approximately four (4) square feet (sf) of a private single family residence extend into and encroaches upon the subject right-of-way;

WHEREAS, the adjacent property owner has requested to acquire the 4 square feet of the undesignated Parcel;

WHEREAS, the disposal of the subject Parcel, containing four 4 sf, will not affect the operation, maintenance, use, design, construction, utility or safety of CDOT's US24;

WHEREAS, the Department of Transportation, Region 3 has declared through Joshua Laipply as Chief Engineer, that the 4 sf is not needed for transportation purposes;

WHEREAS, pursuant to Colorado Revised Statutes (C.R.S) 43-1-210(5)(a)(I) The Department of Transportation is authorized, subject to approving resolution of the Transportation Commission, to dispose of any property or interest therein which is no longer needed for transportation purposes;

WHEREAS, the Department has determined that the 4 sf of SH 24 right of way is of use only to the adjacent property owner;

WHEREAS, pursuant to Colorado Revised Statutes (C.R.S) 43-1-210(5)(a)(III) when a parcel that is no longer needed for transportation purposes has value to only one adjacent owner, that owner shall have first right of refusal to purchase said property for fair market value;

WHEREAS, the Department of Transportation, Region 3, recommends disposing of a portion of the subject Parcel, containing four 4 sf, for a nominal sum of $100.00;

WHEREAS, the adjacent property owner desires to exercise its right of refusal to purchase the four 4 sf of SH 24 right of way which is no longer needed for transportation purposes;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the C.R.S, 43-1-210(5) and 23 CFR 710.403 the Department of Transportation be given authority to declare a portion of undesignated Parcel as excess property and dispose of the four 4 sf of SH 24 right of way, as shown on Exhibit A, which is no longer needed for transportation purposes for a nominal fee of $100.00.

FURTHER, funds from the sale of the property shall be disbursed in accordance with Section 7.2.15 of the CDOT Right-of-Way Manual.

Herman F. Stockinger III
Herman Stockinger, Secretary
Transportation Commission of Colorado

10-20-15
Date

Discuss and Act on the 4th Budget Supplement of FY 2016

Maria Sobota discussed the 5th item for consideration. The item is a RAMP request to meet the requirement of initial finance plan for C-470. Chairwoman Connell entertained a motion to approve the Budget Supplement. Commissioner Schriner moved for approval of the resolution, and Commissioner Barry seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Discuss and Act on Amendment to the June 27, 2013 US 36 Concession Project IAA between CDOT and HPTE

Nick Farber explained that now Phase 1 is done, Plenary Roads is now responsible for routine maintenance. In the agreement plenary is performing those services based on the requirements ion the concession agreement. If they do not reach those requirements, HPTE Board can assess noncompliance points to Plenary. In March, the legislative Audit did not have a project specific agreement that defined HPTE and CDOT's ability to oversee the agreement. This resolution defines HPTE as overseeing the concession agreement.

Commissioner Reiff commented that he is thoughtful about oversight on Plenary. Any good partnership requires trust, however if we are not active in verifying it will leave CDOT vulnerable to be taken advantage of. Being vigilant prevents abuse of the relationship through cutting corners. He stated he believes it is important for Plenary to attend HPTE and Commission board twice a year. Additionally, he believes there should be a person on a senior level who works with Plenary in oversight.

Chairwoman Connell entertained a motion to approve the Budget Supplement. Commissioner Reiff moved for approval of the resolution, and Commissioner Peterson seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-15-10-4

Resolution # TC-15-10-4

Approving the Second Amendment to Intra-Agency Agreement between CDOT and HPTE for the US 36 Concession Project.

Approved by the Transportation Commission on October 15, 2015

WHEREAS, the Transportation Commission is responsible, pursuant to Section 43-1-106(8), C.R.S., for formulating the general policy with respect to the management, construction and maintenance of public highways and other transportation systems in the State; and

WHEREAS, the Transportation Commission's approval is required for Colorado Department of Transportation ("CDOT") intergovernmental agreements that may involve more than $750,000; and

WHEREAS, the Colorado High Performance Transportation Enterprise ("HPTE"), negotiated and entered into a public private partnership concession agreement ("Concession Agreement") dated June 27, 2013, with Concessionaire Plenary Roads Denver, Inc., for the design, construction, financing, operation and maintenance of the U.S. 36 corridor between Denver and Boulder and the I-25 Express Lanes (collectively US 36 Project); and

WHEREAS, the Transportation Commission previously approved an Intra-Agency Agreement dated June 27, 2013 ("Original Agreement"), between CDOT and HPTE for the US 36 Project and a first amendment to the Original Agreement dated October 17, 2013 ("First Amendment").

WHEREAS, in both the Original Agreement and the First Amendment, CDOT agreed, among other things, to perform the CDOT Service Funding Obligations, provide for a CDOT Backup Loan to HPTE, and fulfill the CDOT Performance Obligations, all relating to the Concession Agreement and the US 36 Project; and

WHEREAS, the Colorado Office of the State Auditor undertook a performance audit of the Concession Agreement and issued its audit report to members of the Colorado Legislative Audit Committee on March 11, 2015; and

WHEREAS, in its audit report, the State Auditor recommended, in part, that the HPTE should work with CDOT to develop a comprehensive monitoring framework and systematic mechanisms for managing and monitoring the Concessionaire during the 50-year operations phase of the Concession Agreement and recommended that HPTE execute a project-specific agreement for specifying in detail HPTE's, CDOT's, and their contractors' respective roles and responsibilities for monitoring the 50-year Concession Agreement operations phase; and

WHEREAS, the attached Second Amendment to the Intra-Agency Agreement between CDOT and HPTE for the US 36 Concession Project outlines and memorializes HPTE's and CDOT's plan to manage and monitor the 50-year operations phase of the of the Concession Agreement.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby approves the Second Amendment to the Intra-Agency Agreement between CDOT and HPTE for the US 36 Concession Project and authorizes CDOT's Executive Director to sign the amendment on behalf of CDOT.

Herman F. Stockinger III
Herman Stockinger, Secretary
Transportation Commission of Colorado

10-20-15
Date

Discuss and Act on Adoption of HOV Policy

Deb Perkins Smith passed out a revised resolution to the Commission. She stated that in the resolution, the benefits of HOV are pointed out, noting CDOT and the

Commission's position supporting HOV. The question is if HOV should be free in express lanes. After research, in some projects this is not reasonable. Staff came up with a number of analytics on how to determine if an express lane should include toll-free HOV3+.

Commissioner Peterson thanked HPTE Board and staff for looking into the issue. He stated he has strong support for toll-free HOV3+ as an alternative, because it helps to mitigate the inequities from tolling. He likes this resolution as it gives the amount of flexibility needed to bring express toll projects together. This resolution gives a good basis to make decisions on projects like this in the future.

Commissioner Gilliland stated she supports the use of toll-free HOV3+ and transit opportunities. She believes the criteria listed in the resolution to determine if free HOV3+ is applicable are appropriate. Commissioner Gilliland reiterated she strongly believes CDOT try to use toll-free HOV3+ whenever possible.

Chairwoman Connell entertained a motion to approve the HOV Policy. Commissioner Peterson moved for approval of the resolution, and Commissioner Gilliland seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-15-10-5

Resolution #TC-15-10-5
Adopting a requirement that as of January 1, 2017, toll-free travel offered to High Occupancy Vehicles on all tolled managed lanes that are part of the state highway system shall be limited to vehicles with three or more occupants; and

Adopting an approach for the consideration of toll-free travel for High Occupancy Vehicles with three or more occupants on all tolled managed lanes that are part of the state highway system.

Approved by the Transportation Commission on: October 15, 2015

WHEREAS, the Transportation Commission is responsible, pursuant to C.R.S. 43-1-106(8), for formulating the general policy of the Colorado Department of Transportation (CDOT); and

WHEREAS, the Transportation Commission recognizes the importance of consistency among tolled managed lane corridors with regard to High Occupancy Vehicle exceptions; and

WHEREAS, the Transportation Commission recognizes the benefits of toll-free travel for vehicles carrying three or more occupants (HOV-3+) to increasing person throughput and encouraging carpooling and transit use, with resulting reductions in vehicle emissions, to reduce congestion, and improve the safety, capacity, and accessibility of the surface transportation system; and

WHEREAS, the General Assembly created the Colorado High Performance Transportation Enterprise (HPTE) as a government-owned business within CDOT, pursuant to Section 43-4-806 C.R.S., to aggressively pursue innovative means of more efficiently financing important surface transportation projects that will improve the safety, capacity, and accessibility of the surface transportation system; and

WHEREAS, to facilitate the financing of important transportation projects, the HPTE Board of Directors has recommended that the Transportation Commission require toll-free travel offered to High Occupancy Vehicles on tolled managed lanes that are part of the state highway system to be limited to HOV-3+; and

WHEREAS, the Transportation Commission recognizes the benefits of toll-free HOV-3+ and the importance of considering toll-free HOV-3+ on all planned or future tolled managed lanes that are part of the state highway system; and

WHEREAS, the Transportation Commission recognizes that the feasibility of toll-free HOV-3+ must be considered with respect to its impacts on safety, the ability to achieve established performance measures on tolled managed lanes, financial feasibility, and other factors that may be applicable.

NOW THEREFORE BE IT RESOVLED, the Transportation Commission hereby requires that as of January 1, 2017 toll-free travel offered to High Occupancy Vehicles on tolled managed lanes that are part of the state highway system shall be limited to HOV 3+; and

BE IT FURTHER RESOLVED, the Transportation Commission hereby directs that, for all planned or future tolled managed lanes that are part of the state highway system, consideration be given as to the feasibility of offering toll-free HOV-3+, including an evaluation of factors including, but not necessarily limited to, its impact on safety, the ability to achieve established performance measures on the tolled managed lanes, and financial feasibility of the tolled managed lane proposal.

Herman F. Stockinger III — 10-20-15

Herman Stockinger, Secretary — Date
Transportation Commission of Colorado

Discuss and Act on C-470 HOV Policy

Brett Johnson introduced a resolution contemplating if C-470 managed lanes should be HOV3+. Based on the numbers the project team has analyzed, the C-470 Express Lanes project would be between $20-$40 million underwater with HOV3+ added to the managed lanes. This number is one of the criteria listed in the last resolution, as the project would not be financially feasible with HOV included.

Commissioner Peterson brought up why he likes the previous resolution, as it lets the commission be pragmatic towards this issue. The planning process for this project has been long and collaborative. With this in mind, he believes it is important for this project to move forward, with no free HOV3+ should be the policy on the project.

Commissioner Thiebaut stated that he will respectfully not support the resolution. He believes the corridor should include toll-free HOV3+, and is interested in the potential of adding free HOV3+ in the future. However, he doesn't believe it is realistic to wait to change it to free HOV3+. On a policy level, he believes that toll-free HOV3+ should be included on all projects of this nature. He stressed that by voting no on this project, he feels remorse for not supporting his fellow commissioners on this project, but on a policy level he could not get past it.

Commissioner Reiff stated he believes Commissioner Thiebaut's policy concerns are very real. He is 60-40 on the issue himself, with the economics pushing him to voting in favor for the resolution. He agrees it would be very difficult for the managed lanes to switch to HOV3+ free later on down the road.

Commissioner Zink asked the question, why can't CDOT cover the difference to make it a free HOV3+ managed lane? Brett Johnson stated there are two options going forward. TC could pass the resolution as is, or CDOT could find the money to make the project work. However to get the money to backfill the project, funds would likely be drawn from other projects.

Commissioner Schriner asked how the project can switch towards toll-free HOV3+ in the future. Executive Director Shailen Bhatt suggested staff sit down with HPTE to figure out how it would be possible in the future to switch to toll-free HOV3+.

Commissioner Peterson echoed Executive Director Bhatt's thoughts, and strongly encouraged the future alternatives of toll-free HOV3+ in the corridor be assessed.

Commissioner Gifford seconded the thoughts of Commissioner Peterson, and would like to see every project have the potential to be free HOV3+ to help future decision making.

Chairwoman Connell entertained a motion to approve the Budget Supplement. Commissioner Peterson moved for approval of the resolution, and Commissioner Reiff seconded the motion. Upon vote of the Commission, the resolution passed 9-1, with Commissioner Thiebaut voting no.

Resolution #TC-15-10-6

Resolution #TC-15-10-6

Determining Not to Include Toll-Free HOV3+ Travel for the C-470 Tolled Express Lanes Project

Approved by the Transportation Commission on October 15, 2015

WHEREAS, pursuant to § 43-1-106(8), C.R.S, the Transportation Commission is responsible for formulating the general policy of the Colorado Department of Transportation (CDOT) with respect to the management of public highways in the state; and

WHEREAS, the Transportation Commission is authorized, pursuant to § 42-4-1012(1)(a), C.R.S., to designate exclusive or preferential lanes that carry a specified number of persons; and

WHEREAS, the Transportation Commission recognizes the benefits of HOV accessibility in encouraging carpooling and transit use, with resulting reductions in vehicle emissions, congestions mitigation, and improvements in the safety, capacity, and accessibility of the surface transportation system; and

WHEREAS, by Resolution #TC-3052, approved February 21, 2013, the Transportation Commission recognized the importance of consistency among tolled managed lane corridors with regard to encouraging high occupancy vehicle (HOV) use; and

WHEREAS, by Resolution #TC-XXXX, approved October 15, 2015, the Transportation Commission updated Resolution #TC-3052 to provide that the feasibility of toll-free travel for vehicles carrying three or more occupants (HOV-3+) be considered with respect to its impact on safety, the ability to achieve established performance measures on tolled managed lanes, financial feasibility, and other factors which may be applicable, for all planned or future tolled managed lanes that are part of the state highway system; and

WHEREAS, pursuant to § 43-4-806, *et seq.*, C.R.S., the General Assembly created the High Performance Transportation Enterprise (HPTE) as a government-owned business within CDOT to pursue innovative means of more efficiently financing important surface transportation projects that will improve the safety, capacity, and accessibility of the surface transportation system; and

WHEREAS, HPTE and CDOT are currently undertaking the procurement of the C-470 Express Lanes Segment 1 Project, which is planned to add two tolled express lanes westbound from I-25 to Colorado Blvd., one tolled express lane westbound from Colorado Blvd. to Wadsworth Blvd.; and one tolled express lane eastbound from Platte Canyon Road to I-25, with a desire to extend the tolled express lanes in each direction to Kipling Blvd. as funding allows; and

WHEREAS, in accordance with the general policy in favor of HOV-3+, HPTE and CDOT staff undertook a HOV-3+ Analysis with respect to the C-470 Tolled Express Lanes Project; and

WHEREAS, the HOV-3+ Analysis determined that accommodating HOV-3+ is not currently financially feasible for the C-470 Express Lanes Segment 1 Project, as it would result in a funding gap of approximately $40 million in the preferred financing scenario for the project and there are currently no other funding sources available to close the gap; and

WHEREAS, the analysis further determined that accommodation of HOV-3+ is projected to reduce excess toll revenues by approximately $100 million over 40 years, potentially delaying future additional corridor improvements; and

WHEREAS, in order to facilitate the financing of the C-470 Express Lanes Segment 1 Project, the Board of Directors of the HPTE has recommended that the Transportation Commission not include toll-free HOV-3+ travel for the C-470 Tolled Express Lanes; and

WHEREAS, the Transportation Commission's determination in the resolution with respect to toll-free HOV-3+ travel is not intended to affect or prejudice in any way the ongoing NEPA process, and the determination not to include toll-free HOV-3+ travel for the C-470 Tolled Express Lanes is contingent upon a final determination from FHWA on a Proposed Action based on the C-470 Corridor Revised Environmental Assessment.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby determines that offering toll-free HOV-3 travel in the C-470 Tolled Express Lanes is not feasible at this time, and declares that the C-470 Tolled Express Lanes will be exempted from the general policy that tolled managed lane corridors permit HOV-3 vehicles toll-free.

BE IT FURTHER RESOLVED, if financing conditions permit reconsideration of this determination at a future date, HPTE and CDOT staff should evaluate a re-designation of the C-470 Tolled Express Lanes as an HOV-3+ corridor in accordance with Transportation Commission HOV policy guidance and, if conditions warrant such re-designation, present such findings to the Transportation Commission for its consideration.

Herman F. Stockinger III
Herman Stockinger, Secretary
Bridge Enterprise Board of Directors

10-20-15
Date

Acknowledgements

Every year, the regions have a bicycle challenge to see which region can get the greatest percentage of their employees to ride their bikes from June through August. Overall, CDOTers who signed up rode over 22,000 miles. This year Region 2 had the largest percent at 9% of their employees riding their bicycles.

Adjournment

Chairwoman Connell closed the September Transportation Commission meeting at 10:05 a.m.

Herman F. Stockinger III
Herman Stockinger, Secretary
Transportation Commission of Colorado

11-19-15
Date