

**Resolution #TC-3201**

**Approved by the Commission on November 20, 2014**

BE IT HEREBY RESOLVED THAT, the Transportation Commission's Regular Meeting Minutes for October 16, 2014, are approved as published in the official agenda of the November 19 & 20, 2014, meeting.-

**Transportation Commission of Colorado  
Regular Meeting Minutes  
October 16, 2014**

**Chairman Ed Peterson convened the meeting at 11:38a.m. in the auditorium of the headquarters building in Denver, Colorado.**

PRESENT WERE: Ed Peterson, Chairman, District 2  
Kathy Connell, Vice Chairman, District 6  
Shannon Gifford, District 1  
Gary Reiff, District 3  
Heather Barry, District 4  
Kathy Gilliland, District 5  
Sidny Zink, District 8  
Les Gruen, District 9  
Bill Thiebaut, District 10  
Steven Hofmeister, District 11

EXCUSED: Doug Aden, Chairman, District 7

ALSO PRESENT: Don Hunt, Executive Director  
Scot Cuthbertson, Deputy Executive Director  
Debra Perkins-Smith, Director of Division of Transportation  
Josh Laipply, Chief Engineer  
Heidi Humphreys, Director of Admin & Human Resources  
Barb Gold, Audit Director  
Amy Ford, Public Relations Director  
Scott Richrath, CFO  
Herman Stockinger, Director of Policy and Government Relations  
Mark Imhoff, Director of Division of Transit and Rail  
Ryan Rice, Director of the Operations Division  
Kyle Lester, Maintenance Division  
Tony DeVito, Region 1 Transportation Director  
Karen Rowe, Region 2 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  
John Cater, FHWA  
Vince Rogalski, Statewide Transportation Advisory Committee (STAC)

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**

Karen Hammer stated that she is with Hammer Law. She stated that she is an attorney who represents plaintiffs in a case in federal court against HPTE, the Transportation Commission and other defendants relating to violations of transparency and accountability rules. The individual commissioners of Transportation Commission are not named defendants, but the individual board members of HPTE have been named for their roles in those violations. She stated that she came before the Commission today to discuss the Transportation Commission rules. These are very serious and a fundamental piece of what public servants have to respect. She stated that her preference is always to work with people before lines are crossed. People do not have to agree with her on policy decisions, but they do have to follow the law.

She stated that the Audit Review Committee of the Transportation Commission is chaired by Mr. Gary Reiff, and Mr. Doug Aden is also a member of that committee. They directly supervise the Audit Division, Ms. Barbara Gold and her staff. She stated that she recently discovered in the agenda packet for this morning's Audit Review Committee that the committee under Mr. Reiff's leadership had asked the Audit Division to do a review to determine whether CDOT and its boards and commissions had complied with the very laws that are the subject of the litigation. That is a clear conflict of interest. Mr. Reiff is a named defendant. There are provisions for how an audit should be done. It can be externally. The Audit Division is required to follow generally accepted government auditing standards, and that includes fairly pristine independence. The Audit Review Committee's supervision of the Audit Division would preclude the Audit Division from being involved in this process. In addition, the Audit Division also conferred with the Office of the Attorney General, which normally would not be a big deal, but the two lawyers who support HPTE and CDOT are also named defendants due to violations of their own duties. Again this is inappropriate. This is very serious, and the rules are crystal clear.

Ms. Hammer stated that she asked that Audit Report 15-001 be removed from the agenda and explained her goal to Ms. Gold. Ms. Hammer stated that she asked the report be removed from the agenda and no further work be done on this subject due to lack of independence. While it was removed from the agenda this morning, sometime yesterday afternoon or last night, a new audit report was placed in that packet without notice to the public. Nothing was flagged that there was a new report. She stated that only her diligence allowed her to find the new audit report that was included for review this morning. She stated that there is some irony in the Audit Division not giving full and timely notice under the Sunshine Laws of their audit, which relates to requirements under the Sunshine Laws. These demonstrate some internal competence issues.

She stated that although the Audit Committee tabled the report this morning, no disclosure was made to the Commission of the issue of the conflict of interest and the lack of independence. In a conflict of interest, there is taking oneself out of the realm

of being able to influence but there is also disclosing when one has tripped into, intentionally or inadvertently, something. She stated that at this point there is such a clear conflict of interest that she does not believe that Mr. Reiff or Mr. Aden can continue to serve on the Audit Review Committee if it will continue to look at compliance issues. She stated that this is something that needs to be discussed and included on the agenda for next month's Transportation Commission meeting. In the meantime she does not believe that named defendants should continue to represent the Transportation Commission on the HPTE Board. Some of the Board members are appointed by the Governor and some are appointed by the Commission, but at this point there should be an examination into such a clear conflict of interest that perhaps other Commission members with more objectivity should be stepping back to see how HPTE should get back on track. These are very, very serious issues. At the HPTE Board meeting yesterday, consultants that consumers' biggest issue with P3s is that they do not trust CDOT to supervise and they do not trust CDOT to have accountability and transparency. They stated that if there is a guarantee that these things happen the public will be more supportive of transportation.

### **Individual Commissioner Comments**

Commissioner Gifford stated that this month had been really fun and that Executive Director Hunt had expanded the scope of his activities and taught a seminar at the Institute for Public Policy Studies at the University of Denver on the history of transportation and the direction for the future. She stated that he did a great job, and it was very interesting to think about the future and what can be done even without a lot of money but changes in technology. Also in District 1, the Supplemental EIS for the I-70 Viaduct replacement is in the comment period so there has been a lot of activity around that.

Commissioner Hofmeister stated the he wanted to thank the Commission and the staff that joined the road trip in September to the northern part of District 11 through Region 4. He appreciated everyone coming out to see what is out there as far as crops, land, farm, markets and the need for infrastructure.

Commissioner Thiebaut stated that the amount of traffic never ceases to amaze him between Pueblo and Denver at 4:30 in the morning. He complimented CDOT on keeping up with what seems to be an overwhelming matter in terms of sheer numbers of cars that are on the roads in both urban and rural areas. He congratulated staff for all their hard work and for making trips as bearable as possible.

Commissioner Reiff stated that he would divert from his normal comments to say that he has never had his integrity impugned in a public meeting by anyone. He stated that he has been a licensed lawyer for thirty years and values his reputation in this community, which is fairly widespread, for integrity. He stated that if this Commission has any concern over his integrity, ethics or disclosure he asked that he immediately be informed so that he could tender his resignation. He stated that he has never been impugned in a public or a private setting the way that was impugned during public comment. He stated that he thought it as outrageous and that Ms. Hammer's behavior is outrageous.

Commissioner Barry stated that it had been a busy month. The Adams County and Broomfield County hearings were held and went very well. There was well planned conversation and dialogue around future transportation requests and needs, particularly from Adams County. She stated that they will continue in those dialogues.

Commissioner Connell stated that she has continued county meetings in Jackson County and Grand County. She stated that she is pleased to say that crews are getting the roads ready for the winter and are doing a lot of good work. The relationships with constituents are very positive, and she commended staff for doing such a great job in those areas. She stated that the road trip was a great success.

Chairman Peterson thanked the entire Commission for its dedication and cooperation on the road trip. It was a very worthwhile endeavor, and he personally appreciated the opportunity to see parts of the state that he had not visited in a while. He stated that it was good to hear from local community representatives about their needs and desires for the transportation system in their areas. He stated that he also had the opportunity to attend JEFFTAG and to work with his transportation partners in Jefferson County and the western part of the Denver metro area. He stated that he continues to have a wonderful working relationship with those partners, and he commended their understanding and willingness to cooperate as everyone moves forward with limited budgets and needs that exceed those budgets. He stated that lastly he wanted to personally reiterate his support and his continued admiration for Commissioner Reiff's ability to perform not only as a Transportation Commissioner for the state of Colorado but also as an individual who maintains the highest integrity in everything that he does. Chairman Peterson stated that every interaction he has had with Commissioner Reiff is one that leaves the Chairman in awe of the commissioner's abilities, his commitment to the safe transportation of the residents of Colorado, his representation of his constituency in his district, and his support for the actions of this board. He thanked Commissioner Reiff for his service and continued to offer him admiration and support as a fellow commissioner.

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

Executive Director Hunt stated that this is the political season, and that there are few ways to look at the issues. He stated that he has been dismayed that there has not been a lot of discussion about transportation in any of the races. On the other hand, Commissioners and staff can take that as a compliment that everyone is doing a great job. While there have certainly been differences of opinion, but when it comes down to delivering for Colorado it seems everyone believes CDOT is doing a good job with the available resources so it has not turned into a political issue.

He stated that CDOT is gearing up for the I-70 mountain corridor for the winter. This is the most important mission for the winter. There are many important things going on, but the tandem of operations and maintenance working with the regions to keep that corridor moving is really in the minds of Coloradans and business people in Colorado as one of the most important things that CDOT needs to do. The winter operations plan that includes more aggressive ramp metering, snow plow escorts up to the Eisenhower Tunnel will bring some challenges to staff. Staff will be moved around to where weather and maintenance demands require them for bursts of time. There will be more aggressive equipment maintenance during the winter so that

CDOT is not losing its most important tandem equipment, as well as better systems for putting down de-icer products. These are all necessary to keep that corridor open and to keep delays to a minimum, although it is important to remember that there will be delays.

He stated that he has also been working with Colorado Motor Carrier's Association who are very unhappy with the Department in terms of possibly moving to hold trucks at Dotsero Eastbound on Saturday and Sunday afternoons. But this is an important tool in the Department's toolbox. It needs to be an option that is available when public safety is deteriorating on the corridor. He stated that is encouraging the Association to help with this option.

Finally, he stated that he wanted to mention the Transportation Summit. CDOT is hosting this Summit with some private partners on Thursday, November 20, at the Denver Westin. Herman Stockinger and his staff have been working hard on that, and it begins at 12:30pm right after the Commission meeting in November. He stated that the purpose is to emphasize the connection between business and transportation as everyone goes forward as partners. He also thanked Commissioner Gifford for her kind comments.

### **Chief Engineer's Report**

Josh Laipply stated commended staff for the efforts surrounding the I-70E project. There is an industry forum on October 22. The purpose behind the forum is that this is a very large project that will get big players from the national and international scene that will gain interest around, but CDOT wants to make sure that local contractors and people within Colorado get some involvement in that very large project. The purpose of that is to bring those two groups together, get those introductions made and get them on some teams for that potential project.

He stated that the Flood Recovery Efforts were mentioned as one America's Transportation Award's Top Ten Infrastructure Projects. There is a People's Choice Award that everyone can go online and vote for. Everyone should be able to get a link to that.

### **High Performance Transportation Enterprise (HPTE) Director's Report**

Mike Cheroutes stated that HPTE is extremely busy these days. There are five unique corridors that they are actively working on to either develop or implement financing plans. They are making good progress on all of these projects, which include Peak Period Shoulder Lanes, North I-25, some work on US 36 to ensure that is going smoothly, C-470 and the viaduct project. There will be lots to report in the near future.

He wanted to describe some results from public surveys that have been done, mostly in the metropolitan area. These are statistically valid about people's views of private investment in the transportation system. HPTE has learned some useful lessons from that. People seemed to be extraordinarily concerned with the population explosion in the metro area and the traffic congestion problems it causes. They are open to hearing about different ways to solve some of those problems, including private investment and private partnerships. There is one finding that shows about 70% of

people who were polled indicated open mindedness toward private investment in the system in specific circumstances for a particular transaction. This underscores the need to get out and make sure people understand what the particular circumstances are, but it is comforting to know that people are open minded about it. They will provide that full report to the HPTE Board, the Transportation Commission and the public.

### **FHWA Division Administrator Report**

John Cater stated that he was pleased to learn that American Public Works Association in Colorado had their annual awards banquet. The project in Region 3 on I-70 at Exit 26 Diverging Diamond Interchange won the award as the medium community transportation project of the year. It is a credit to the city of Grand Junction and to Region 3 for being creative. One of things that FHWA emphasizes is the need to be innovative and do things differently. That project is an example of trying something that had never been done in Colorado before. He congratulated everyone involved in that project.

He stated that on October 20, 2014, in Durango the Tribal Summit and Joint Cooperation Meeting that is held periodically between the Mountain Utes, the Southern Utes, BIA, CDOT, New Mexico DOT, Utah DOT and FHWA as a way of coming together to talk about transportation issues. It helps everyone be on the same page and gives people an opportunity to raise issues and concerns. It's a great forum.

Another upcoming event on November 5-6, 2014 is a Public-Private Partnership Peer Exchange. Mike Cheroutes stated that they have been very busy, and in addition to everything else HPTE will be involved in this peer exchange. There will be representatives from Virginia DOT, Florida DOT, national consultants as well as FHWA HQ in order to have a conversation about P3s, what works, what does not, what has been successful and what has not. This will be a chance to learn from one another, hopefully getting some good ideas going forward and sharing things that have worked well for CDOT. It will be a relatively small group, but it will be a great opportunity to improve knowledge in this area.

### **Act on Consent Agenda**

Chairman Peterson entertained a motion to approve the Consent Agenda. Commissioner Connell moved to approve the agenda, and Commissioner Gruen seconded the motion. Upon vote of the Commission, the Consent Agenda passed unanimously.

### **Resolution #TC-3196**

BE IT HEREBY RESOLVED, that the Transportation Commission's Regular Meeting Minutes for September 18, 2014, are approved as published in the official agenda of the October 15 & 26, 2014, meeting.

**Resolution #TC-3197**

**Resolution #TC-3197**

Resolution to Approve the Disposal of Project #CR 200-070 Unit 1, Parcel 5X and 5AR, on SH21 in Colorado Springs

**Approved by the Transportation Commission on October 16, 2014**

**WHEREAS**, the Colorado Department of Transportation acquired 5X and 5AR for SH 21 right of way; and

**WHEREAS**, Parcel 5X and 5AR contain a total of 2.616 acres and is located in the east side of the SH 21 in northern Colorado Springs, El Paso County, Colorado; and

**WHEREAS**, CDOT Region 2 has made the determination that Parcel 5X and 5AR are no longer needed for transportation purposes; and

**WHEREAS**, CDOT Region 2 desires to sell Parcel 5X and 5AR for fair market value in accordance with Colorado Revised Statute 43-1-210 (5) ; and

**WHEREAS**, the sale of Parcel 5X and 5AR will not affect the design, construction or utility of SH 21; and

**WHEREAS**, the Department of Transportation, Region 4, recommends that the property described as 5X and 5AR of Project CR 200-070 Unit 1 be declared excess property; and

**WHEREAS**, the Chief Engineer and the Department of Transportation are authorized pursuant to C.R.S. 43-1-106(8)(n), 43-1-110, 43-1-114(3), and 43-1-210(5) to make determinations regarding property to be declared excess and not needed for transportation purposes; and

**WHEREAS**, the Department of Transportation, has declared through its Chief Engineer, that Parcel 5X and 5AR is no longer needed for transportation; and

**WHEREAS**, the Transportation Commission concurs with the Chief Engineer that Parcel 5X and 5AR is no longer needed for transportation purposes.

**NOW THEREFORE BE IT RESOLVED**, that the Department of Transportation be given authority to dispose of Parcel 5X and 5AR of Project CR 200-070 Unit 1 containing a total of 2.616 acres more or less.

**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 J. Stockinger III  
Herman Stockinger, Secretary  
Transportation Commission of Colorado

11-17-14  
Date

## **Resolution #TC-3198**

### **Resolution #TC-3198**

Approval of the Devolution of SH 67 from 4th St. west to Victor City Limits to the City of Victor from Project #: C 067A-034

#### **Approved by the Transportation Commission on October 16, 2014**

**WHEREAS**, The Department of Transportation owns 0.31 linear miles of Highway in Victor, Colorado identified as State Highway 67 (SH 67); and

**WHEREAS**, that portion of SH 67 is located between, and connecting 4th Street west to the Victor, City Limits (Exhibit A); and

**WHEREAS**, Region 2 has determined that abandoning this portion of SH 67 would be in the best interest of Colorado taxpayers; and

**WHEREAS**, the Colorado Revised Statutes 43-2-106 (1) (a) provides that the Transportation Commission may determine that a state highway, or portion thereof, no longer functions as a state highway, and with the agreement of each affected county or municipality, the state highway, or portion thereof, can be abandoned to the affected county or municipality; and

**WHEREAS**, the City of Victor proposed to take ownership of SH 67 from mile marker (MM) 45.56 to MM 45.87, as described in Exhibit A which are attached hereto, in exchange for a payment of \$307,702.00 from CDOT; and

**WHEREAS**, \$307,702.00 is anticipated to be less than the amount CDOT reasonably expects to expend to maintain, preserve, or improve this section of SH 67 over the next 20 years; and

**WHEREAS**, the abandonment of the above referenced section of SH 67 will be funded with Region 2 RAMP funds; and

**WHEREAS**, Colorado Revised Statutes (CRS) 43-2-106 (1) (b) further provides that any county or municipality receiving a payment from CDOT as a result of CRS 43-2-106 (1) (a) shall credit the payment to a special fund to be used only for transportation-related expenditures; and

**WHEREAS**, the Parties desire to enter into an Intergovernmental Agreement (IGA) and agree upon the condition of the abandonment of said highway segment by the State and acceptance by the City of Victor pursuant to the terms and conditions of the IGA; and

**WHEREAS**, the governing body of the City of Victor has adopted Resolution No. 2014-08-14.01, agreeing to the state's abandonment of the portion of SH 67, agreeing that said highway segment no longer serves the ongoing purposes of the state highway system; committing the City of Victor to assume ownership of said highway segment in the "as is" condition; and

**WHEREAS**, within 90 days of the date of CDOT's Transportation Commission Resolution formalizing the abandonment of the above referenced portion of SH 67,

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CDOT will execute a quitclaim deed that will include a reversion provision stating that if the property that is the subject of the quitclaim deed is not used for transportation purposes, title to such property will automatically revert to CDOT; and

**WHEREAS**, concurrent with the execution of the quitclaim deed, CDOT will provide payment of \$307,702.00 to the City of Victor, and that shall constitute the total consideration from the State to the City of Victor related to the abandonment and transfer of the abandoned highway; and

**WHEREAS**, Transportation Commission is authorized pursuant to Colorado Revised Statutes (C.R.S) 43-2-106 to make determinations regarding abandonment of State Highways(s) to affected county(ies) or municipality(ies); and

**WHEREAS**, the Transportation Commission has determined SH 67 between mile marker 45.56 and 45.87 is no longer needed for the state highway purposes; and

**NOW THEREFORE BE IT RESOLVED**, pursuant to the provisions of the C.R.S, 43-2-106 the Department of Transportation be given authority to abandon that portion of SH 67 from mile marker 45.56 to 45.87 containing approximately 0.31 miles.

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

11-17-14  
Date

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## **Resolution #TC-3199**

### **Resolution #TC-3199**

Resolution to Approve the Devolutoin of SH 34 (Elkhorn Ave) in Estes Park as part of Project #C 06-0016-10

**Approved by the Transportation Commission on October 16, 2014**

**WHEREAS**, the Department of Transportation owns 1.28 linear miles of Highway in Estes Park identified as State Highway 34 (SH 34);

**WHEREAS**, that portion of SH 34 is located between mile marker 0.02 and mile marker 1.3;

**WHEREAS**, Region 4 has determined that abandoning this portion of SH 34 would be in the best interest of Colorado taxpayers;

**WHEREAS**, the Colorado Revised Statute 43-2-103 (1)(a) provides that the Transportation Commission may determine that a state highway, or portion thereof, no longer functions as a state highway, and with the agreement of each affected county or municipality, the state highway, or portion thereof, can be abandoned to the affected county or municipality;

**WHEREAS**, the affected county or municipality will assume ownership of the above mentioned roads in "as is" condition in exchange for a specific dollar amount to be paid by CDOT to the local governing body on the date of the transfer of ownership of this specified road segments;

**WHEREAS**, Estes Park proposed to take ownership if SH 34 from mile marker 0.02 and mile marker 1.3, in exchange for a payment of \$4,200,000 from CDOT RAMP Funds;

**WHEREAS**, \$4,200,000 is anticipated to be less than the amount CDOT reasonably expects to expend to maintain, preserve, or improve this section of SH 34 over the next 20 years;

**WHEREAS**, Colorado Revised Statutes (CRS) 43-2-106 (1) (b) further provides that any county or municipality receiving a payment from CDOT as a result of CRS 43-2-106 (1) (a) shall credit the payment to a special fund to be used only for transportation-related expenditures;

**WHEREAS**, the Parties desire to enter into an Intergovernmental Agreement (IGA) and agree upon the condition of the abandonment of said highway segment by the State and acceptance by Estes Park pursuant to the terms and conditions of the IGA;

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**WHEREAS**, the governing body of Estes Park shall adopt a resolution agreeing to the State's abandonment of the portion of SH 34 and agreeing that said highway segment no longer serves the ongoing purposes of the State Highway system; committing Estes Park to assume ownership of said highway segment in the "as is" condition;

**WHEREAS**, within 90 days of the official notification of such abandonment by the Transportation Commission, Estes Park shall execute a resolution or ordinance accepting the abandoned portion of SH 34 as a city street;

**WHEREAS**, within 90 days of the date of execution of the Estes Park Resolution or Ordinance accepting the abandoned portion of SH 34, CDOT will execute a quitclaim deed that will include a reversion provision stating that if the property that is the subject of the quitclaim deed is not used for transportation purposes, title to such property will automatically revert back to CDOT;

**WHEREAS**, concurrent with the execution of the quitclaim deed, CDOT will provide payment of \$4,200,000 to Estes Park, and that shall constitute the total consideration from the State to Estes Park related to the abandonment and transfer of the Abandoned Highway;

**WHEREAS**, Transportation Commission is authorized pursuant to Colorado Revised Statutes (C.R.S) 43-2-106 to make determinations regarding abandonment of State Highways(s) to affected county(ies) or municipality(ies);

**WHEREAS**, the Transportation Commission has determined SH 34 between milemarker 0.02 and mile marker 1.3 is no longer needed for the state highway purposes;

**NOW THEREFORE BE IT RESOLVED**, pursuant to the provisions of the C.R.S, 43-2-106 the Department of Transportation be given authority to abandon that portion of SH 34 from mile marker 0.02 and mile marker 1.3 containing approximately 1.28 miles.

Herman J. Stockinger #  
Herman Stockinger, Secretary  
Transportation Commission of Colorado

11-17-14  
Date

### **Discuss and Act on the 4<sup>th</sup> Supplement to the FY2015 Budget**

Scott Richrath stated that there are a number of projects with small nuances, so it is necessary to go through them. There was a Region 1 Walk On Request for a bid that came in slightly above the previously approved amount of Commission Contingency. There is a request for additional contingency this month for about \$600,000. Also in Region 1, there is a great use of the Transition Fund. The request is for \$2.1 million. The Commission set aside \$10 million by resolution several months ago. To date only about \$1 million has been used. There is a per project cap of \$2.5 million. This is a project that would have been eligible under certain criteria, but under new statewide criteria, it no longer has that eligibility.

In Region 2, it has been nearly a year since requesting Contingency funds for US 24 in Waldo Canyon outlining a very specific plan that included automated monitoring and gate closure system. The Commission set aside a certain amount of funding for that. Region 2 has used \$1.1 million exactly as intended. They are now requesting to

repurpose \$400,000 to determine what can be done for long term resiliency in that corridor.

Region 3 requests Commission Contingency for a culvert. There have been culvert failures that could be funded through critical culverts, but this one is not on the Asset Management list of critical culverts.

Region 5 has a structure in need of repair. If approved, this is a shared expense between the Contingency fund and the Bridge Enterprise fund. It now finds itself eligible for Bridge Enterprise funding. Bridge Enterprise earlier covered some immediate, temporary need. It is seeking \$940,000 for a midterm need, and the long term structure itself and the permanent repair solution would be addressed by Bridge Enterprise. That is significantly larger than the \$940,000 request.

Ryan Rice and Transportation System Management and Operations has a request for \$1.85 million. Last year around this time, Ryan came before the Commission with a \$12 million baseline budget request. Commission funded that to level of available funding, which was approximately \$6 million. This is follow up request from current year budget to deploy \$1.85 million for execution of tolled express operation per the outline provided.

On the RAMP front, there is a request to bump up the Operations portion of the total RAMP pool. The Commission gave staff permission to exceed any project amount by up to 7.5% without returning to the Commission for formal action. The normal project amount is 15%. For the entire program, if Operations, Public-Public or Public-Private exceeded its amount by 3.5%, staff also needed to return to Commission. By virtue of Peak Period Should Lanes that Commission previously approved, Operations was pushed above that 3.5% threshold. Rather than hold all other Operations projects to a \$1 limitation that require return to the Commission, staff requests the Commission to bump up by \$3 million, which is not Commission Contingency, the entire RAMP program. He stated that he will continue to return to the Commission if any single RAMP project exceeded its budget by 7.5%.

The final request is to take \$5 million of remaining Maintenance Level of Service budget from the year that ended June 30<sup>th</sup> and roll that forward for some new one time initiatives.

Under PD 703, there are several projects that did not appear on this list because staff is operating with more flexibility at the dollar threshold.

Chairman Peterson entertained a motion to approve the 4<sup>th</sup> Supplement to the Fiscal Year 2014-2015 Budget. Commissioner Reiff moved to approve the resolution, and Commissioner Connell seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

### **Resolution #TC-3200**

BE IT SO RESOLVED, That the Fourth Supplement to the Fiscal Year 2014-2015 Budget be approved by the Commission.

## **Acknowledgements**

Director Hunt stated that the first award was for the 2014 CDOT Safety Innovation Award. This is a very important program. On an ongoing basis, CDOT asks employees to suggest safety improvements, make safety innovations and watch out for themselves and their coworkers at all times. It is one thing to come up with an innovation, and it is another thing to think it through so that it can be applied to the entire department.

Darrell Lingk stated that it was his privilege to present the Safety Innovation Award for 2014. The award winner fabricated a very simple device that can be attached to the hitch of any of CDOT's maintenance vehicle. The device is designed to hold a maximum of 20 standard size 36" traffic cones. The device brings a number of safety enhancements. Picking up lane closures usually requires two employees, one in the back of the truck who stacks the cones and one on the ground who picks up the cones. With this device one person can do the pickup of the lane closure. There are a number of new safety benefits, but that is probably the biggest one. The device can be attached and detached in seconds, and the winner of award is clear about one thing: he would like to see this device used across the Department. This year's Safety Innovation Award Winner is Mr. Joseph Young.

Director Hunt congratulated Mr. Young on his award. He then stated that the Public Relations Department received an award for the Statewide Plan website.

Amy Ford stated that Michelle Scheuerman won this award for an extraordinarily innovative approach to CDOT's statewide plan which will be released later in November. It is entirely web-based, online and interactive. The public will be able to interact with the plan, videos, data and surveys. It will not be a plan that collects dust on the shelf but one that we will be engaging for many years to come. Amy congratulated Michelle on her award.

Director Hunt stated that a little more than a year after the catastrophic floods that hit Colorado, there has been local and national recognition for the great work done by the Department and its staff. On September 18 & 19, the Denver Transportation Club hosted a symposium of Transportation Clubs International. During this annual meeting, the Club usually presents a Person of the Year Award. CDOT's Region 4 Director Johnny Olson was asked to speak at that event, and while he was there he was able to accept the TCI Person of the Year Award on behalf of all the Men and Women of CDOT. This is a reminder of some very difficult times and challenges that CDOT continues to face.

Chairman Peterson congratulated all those who received recognition.

## **Other Matters**

Chairman Peterson stated that there were no other matters to come before the Commission.

**Adjournment**

Chairman Peterson announced that the meeting was adjourned at 12:20p.m.

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

12-8-14  
Date