

Transportation Commission of Colorado
March 21, 2013
Regular Meeting Minutes

Vice Chair, Doug Aden convened the meeting at 12:30 p.m. in the auditorium of the headquarters building in Denver, Colorado.

PRESENT WERE: Trey Rogers, District 1
Ed Peterson, District 2
Kathy Gilliland, District 5
Kathy Connell, District 6
Doug Aden, District 7
Steve Parker, District 8
Gilbert Ortiz, Sr., District 10
Steve Hofmeister, District 11

EXCUSED: Gary Reiff, Chairman, District 3
Heather Barry, District 4
Les Gruen, District 9

ALSO PRESENT: Don Hunt, Executive Director
Gary Vansuch, Director of Process Improvement
Ben Stein, CFO
Heidi Bimmerle, Director of Admin & Human Resources
Debra Perkins-Smith, Director of Division of Transportation Development
Herman Stockinger, Director of Policy and Government Relations
Mike Cheroutes, Director of HPTE
Barbara Gold, Director of Audit Division
Ryan Rice, Director of Operations Division
Scott McDaniel, Director of Staff Services
Tony DeVito, Region 1 Transportation Director
Tom Wrona, 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

Vice Chair Aden mentioned that there were no members of the audience who had signed up to speak to the Commission.

Individual Commissioner Comments

Commissioner Gilliland reported that she had joined Don Hunt, Ben Stein and Mickey Ferrell for a trip to Washington, D.C for a congressional visit. She mentioned that they had met with 5 State Representatives and that the trip was very productive.

Commissioner Connell stated that she had recently given the Transportation Matters presentation to 114 people in the Steamboat area and that it was very well received.

Commissioner Parker related details of a recent trip to Salt Lake City, Utah and praised the state for its priority for transportation. He confirmed that Don Hunt, Executive Director had done a good job of answering questions at a recent meeting of the Colorado Forum where transportation was the focus.

Commissioner Aden spoke of a recent trip abroad and told of the Sydney Harbour Bridge in Australia and the transportation innovations in place on the bridge. He additionally noted that while in Bali he saw road construction workers who weren't wearing safety gear or appropriate protective clothing and it brought to mind how fortunate those who work on construction jobs in the US and the best safety practices that are used.

Executive Director's Report:

Director Hunt mentioned

- Recognized the life and accomplishments of Tom Clements Director of the Colorado Department of Corrections and his contributions to the State and his work on reform in the corrections department.
- CDOT Staff met earlier in the month and looking forward to the new Fiscal year of 2013-14 which will be all about making things happen
 - I-70 Twin Tunnels
 - Peak Period Shoulders
 - US36 Concessionaire selection
 - Operations Division
- RAMP
 - Concentrating on the one time program
- Commission in favor of accepting recognizing 228 Additional Funding that could come from the State Legislature
- Funding
 - Continue to work on statewide funding and confirm that additional sources are needed

- encouraged everyone to go to TBD Colorado website and fill out the survey on Transportation
- Wished Laurie Freedle a speedy recovery

High Performance Transportation Enterprise (HPTE) Director's Report

Mike Cheroutes reported that there were a few items he wanted to highlight:

- US 36
 - 2 very strong proposals for the completion of the corridor
 - Preferred proposer for the concessionaire will be selected in April
 - waiting on the news of what the bids produce for the first phase
- RAMP Program and the focus on P-3 projects has caught the attention of many groups that the HPTE has been working with
 - Pre-applications will be put together
 - Quite a few likely projects will be submitted

FHWA Division Administrator Report

John Cater discussed 2 very different conferences for the Transportation Industry that had been held at the end of February.

- CAPA Asphalt Conference
 - Many different groups from the industry were in attendance
- Colorado Transportation Environmental Conference
 - Put on by CDOT and ACEC/Colorado

STAC Report

Vince Rogalski declared that the STAC had met on Friday, March 15, 2013 and reported that they had been briefed on the following topics:

- Legislative Update
- Freight Plan
- Regional Commuter Bus Plan
- Statewide Plan
- Federal Lands Access Program
- MAP-21 Funding (SRTS, CMAQ STP)
- RAMP Program

He confirmed that the STAC had approved the CDOT Staff recommendation on MAP-21 Funding allocations.

Act on Consent Agenda

Vice Chair Aden stated that a motion would be entertained on the Consent Agenda and Commissioner Connell moved for approval of the Consent Agenda. Commissioner

Ortiz seconded the motion and on a vote of the Commission, the Consent Agenda was unanimously approved.

Approve the Special & Regular Meeting Minutes of February 21, 2013

Resolution #TC-3053

BE IT HEREBY RESOLVED, that the Transportation Commission's Special and Regular Meeting Minutes of February 21, 2013 are hereby approved as published in the official agenda of the March 20 & 21, 2013 meeting Agenda.

Resolution #TC-3054

Approval of Resolution regarding the Declaration of Excess Property for Parcel 8-A in Region 4

Resolution #TC-3054

Declaration of Excess Property -Parcel 8A; Project # F004-1(6); Fort Collins, CO

Approved by the Transportation Commission on: March 21, 2013

WHEREAS, Parcel 8A shown in Exhibit A (the Property), was acquired in November 1948 by CDOT for Project F004-1(6) and

WHEREAS, the City of Fort Collins has requested CDOT convey the Property to the City of Fort Collins for the purposes of grading work related to the relocation of Poudre Trail; and

WHEREAS, the Department of Transportation, Region 4 has determined the Property is excess land no longer needed for transportation purposes; and

WHEREAS, Title 23, Part 710, Section 403(d)(1) of the Code of Federal Regulations, allows CDOT to convey property to other governmental agencies when the Property will be used for a nonproprietary public use; and

WHEREAS, upon the Transportation Commission concurrence that the Property is longer needed for transportation purposes, Region 4 will convey the Property to the City of Fort Collins; and

WHEREAS; if the Property ever ceases to be used as a nonproprietary public use, the Property will revert back to CDOT ownership; and

WHEREAS, the conveyance of the Property will alleviate CDOT of future maintenance expenditures and liability associated with the Property; and

WHEREAS, the Department of Transportation, Region 4 has declared through Timothy Harris as Chief Engineer, that the Property is no longer needed for transportation purposes; 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 Transportation Commission concurs with the Chief Engineer that the Property is no longer needed for transportation purposes; and

NOW THEREFORE BE IT RESOLVED, pursuant to 23 CFR 710.409 and 23 CFR 403(d)(1) and C.R.S. 43-1-106(8)(n); 43-1-110; 43-1-114(3) and 43-1-210

the Department of Transportation be given authority to declare the Property shown in Exhibit A, to be excess and to convey it to City of Fort Collins.

Herman Stockinger
Herman Stockinger, Secretary
Transportation Commission of Colorado

3-26-13
Date

Approval of Resolution regarding the Declaration of Excess Property for parcel 1-EX, Drake, Colorado State Highway 34

Resolution #TC-3055

Declaration of Excess Property - PROJECT #: FAP 9-R-6; PARCEL: 1-EX

LOCATION: SH 34 in Drake, CO; Larimer County

Approved by the Transportation Commission on: March 21, 2013

WHEREAS, the Colorado Department of Transportation acquired 1-EX in 1933 for SH 34 right of way; and

WHEREAS, Parcel 1-EX is a 1,416 square foot parcel in the NE ¼ SE ¼ of Section 5, Township 4 North, Range 71 West of the Sixth Principal Meridian, Larimer County, Colorado; and

WHEREAS, Parcel 1-EX is an approximately 10 foot wide strip of land that that is well outside the traveled way and approximately 12 feet above the road grade; and

WHEREAS, the corner of the house on the property adjacent to Parcel 1-EX, which was built in 1954, encroaches on the edge of Parcel 1-EX; and

WHEREAS, CDOT Region 4 has made the determination that Parcel 1-EX is no longer needed for transportation purposes; and

WHEREAS, CDOT Region 4 desires to sell Parcel 1-EX to the adjacent property owner for fair market value in accordance with Colorado Revised Statute 43-1-210 (5) ; and

WHEREAS, the sale of Parcel 1-EX will not affect the design, construction or utility of SH 34; and

WHEREAS, the Department of Transportation, Region 4, recommends that the property described as 31-EX of Project FAP 9-R-6 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 Timothy J. Harris as Chief Engineer, that Parcel 1-EX is no longer needed for transportation; and

WHEREAS, the Transportation Commission concurs with the Chief Engineer that Parcel 1-EX is no longer needed for transportation purposes.

NOW THEREFORE BE IT RESOLVED, that the Department of Transportation be given authority to dispose of Parcel 1-EX of Project FAP 9-R-6 containing 1,416 square feet more or less as shown in Exhibit A and contained in the official agenda.

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

3-26-13
Date

Approval of Resolution regarding the Declaration of Excess Property for Wadsworth-Grandview

Resolution #TC-3056

Declaration of Excess Property – Parcels 17X, 9X, 16X in Jefferson County; Wadsworth and Grandview

Approved by the Transportation Commission on: March 21, 2013

PROJECT #: STU M040-011
PARCEL: 17X, 9X, 16X
LOCATION: SH 121 at 58th Ave
COUNTY: Jefferson

WHEREAS, the Colorado Department of Transportation acquired right of way in 2006, under Project Number STU M040-011, for the construction of improvements to State Highway 121 (Wadsworth Boulevard); and

WHEREAS, the City of Arvada, has requested that a portion of the right of way be disposed of to the City for future development purposes; and

WHEREAS, the Department's Region 6 Office recommends that the property labeled Parcel 17X of Project STU M040-011 be declared excess right of way and no longer needed for transportation purposes in the foreseeable future; 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 Timothy J. Harris as Chief Engineer, that this property is no longer needed for highway purposes in the foreseeable future; and

WHEREAS, the Transportation Commission concurs with the Chief Engineer that this portion of right of way is not needed for highway purposes; and

WHEREAS, the Department also acquired Parcels 9X and 16X as part of Project Number STU M040-011; and

WHEREAS, Parcels 9X and 16X are still required for pedestrian and recreation purposes, but are currently maintained by the City of Arvada; and

WHEREAS, Title 23, Part 710, Section 403(d)(1), allows CDOT to convey property to other governmental agencies for nominal value when the Property will be used for a nonproprietary public use; and

WHEREAS, the Departments Region 6 Office has also agreed to convey
Parcels 9X and 16X of the above referenced Project for nominal value
upon commission approval; and

WHEREAS, if the Property ever ceases to be used as a nonproprietary
public use, the Property will revert back to CDOT ownership; and

WHEREAS, the Departments Region 6 Office has also agreed to convey
Parcels 9X and 16X of the above referenced Project for nominal value
upon commission approval;

NOW THEREFORE BE IT RESOLVED, that the Department of
Transportation be given authority to dispose of Parcel 17X and convey
Parcel 9X and 16X of Project STU M040-011 as shown on Exhibit A, and
contained in the official agenda, to the City of Arvada. Parcel 17X will be
sold for fair market value. Parcels 9X and 16X will be conveyed for a
nominal fee.

FURTHER, 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

3-26-13
Date

Resolution # TC-3057
Adoption of Policy Directive 3.0 "Procurement Policy"

Approved by the Transportation Commission on: March 21, 2013

WHEREAS, pursuant to § 43-1-106(8)(a), C.R.S., the Colorado Transportation Commission is charged with formulating 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 adopted the current Procurement Policy effective January 1, 2007; and

WHEREAS, the Department, in response to an audit by the Department of Personnel/State Controller in 2008-2009 commenced a revision of its practices and procedures; and

WHEREAS, the Office of Procurement and Contract Services has focused its methods of improvement on the findings of a 2012 internal audit; and

WHEREAS, in response to both the State Controller audit and the internal audit, the Department has developed a CDOT Procurement Manual and a new Procedural Directive 3.1 "Procurement Violations Process" providing clear guidance to purchasing agents and; and

WHEREAS, the Department, in taking these measures, establishes principles and standards necessary to govern the proper conduct of the procurement function at the Colorado Department of Transportation; and

WHEREAS, the Transportation Commission supports the Department's efforts to strictly adhere to the State Fiscal Rules, the State Controller's Policy on statutory violations and the State Procurement Code.

NOW THEREFORE BE IT RESOLVED, the Commission herein approves Policy Directive 3.0 "Procurement Policy."



Herman Stockinger, Secretary
Transportation Commission of Colorado



Date

Approval of the Resolution regarding the STIP Policy Amendment for March 2013

Resolution #TC-3058

Approve STIP Policy Amendment Package for March 2013

Approved by the Transportation Commission on: March 21, 2013

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 was provided from February 14 through March 20, 2013, and no comments were received; and

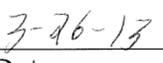
WHEREAS, it is requested that the Transportation Commission approve these policy amendments to the STIP, which are detailed in the attached table, and direct staff to forward this approval to the Federal Highway Administration and the Federal Transit Administration for concurrence.

NOW, THEREFORE, BE IT RESOLVED, the attached STIP Policy Amendment package for 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



Date

Approval of the Resolution regarding the Update to the Bridge Enterprise Candidates List

Resolution # TC-3059

Resolution to Approve FY13 Candidate Bridge Enterprise Projects for Inclusion in the FY12-17 STIP

Approved by the Transportation Commission on: March 21, 2013

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 FY2012 – FY2017 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, a list of candidate Bridge Enterprise projects was submitted to, and approved by, the Bridge Enterprise Board at their December, 2011, meeting for inclusion in the FY12-17 STIP and now needs to be updated. The attached table details the updated candidate projects; 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 these Bridge Enterprise projects was provided from February 8, 2013 through March 20, 2013, and no comments were received; and

WHEREAS, it is requested that the Transportation Commission approve this updated list of candidate projects for inclusion into the STIP once funding and ad dates are secured, 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 the updated list of Bridge Enterprise Candidate Projects be adopted and forwarded to the Federal Highway Administration for concurrence.



Herman Stockinger, Secretary
Transportation Commission of Colorado

3-26-13
Date

**Approval of the Resolution regarding the Repeal of Policy Directive 701 –
Access Control Policy**

Resolution # TC-3060
Repeal Policy Directive No. 701.0 "Access Control Policy"

Approved by the Transportation Commission on: March 21, 2013

WHEREAS, § 43-1-106 (8)(a) C.R.S. (2011) gives authority to the Transportation Commission of Colorado ("Commission") to formulate the general policy with respect to the management, construction, and maintenance of public highways and other transportation systems in the state; and

WHEREAS, Policy Directive 701.0 was adopted by the Transportation Commission on November 18, 1977; and

WHEREAS, Policy Directive 701.0 "Access Control Policy" may be repealed as no longer containing relevant information, as the Highway Access Code, found at 43-2-147(4), C.R.S. and two sets of CDOT rules govern the Access Program; and

WHEREAS, eliminating this Policy Directive is part of CDOT's project to reduce the number of Policies and Procedural Directives and repeal any that are no longer necessary.

NOW THEREFORE BE IT RESOLVED, the Commission herein repeals Policy Directive 701.0, "Access Control Policy" dated November 18, 1977.



Herman Stockinger, Secretary
Transportation Commission of Colorado

3-26-13

Date.

Approval of the Resolution regarding the Repeal of Policy Directive 800 – State Highway Safety Agency

Resolution # TC-3061

Repeal Policy Directive No. 800.0 "State Highway Safety Agency"

Approved by the Transportation Commission on: March 21, 2013

WHEREAS, § 43-1-106 (8)(a) C.R.S. (2011) gives authority to the Transportation Commission of Colorado ("Commission") to formulate the general policy with respect to the management, construction, and maintenance of public highways and other transportation systems in the state; and

WHEREAS, Policy Directive 800.0 was adopted by the Transportation Commission on November 1, 2006; and

WHEREAS, Policy Directive 800.0 "State Highway Safety Agency" may be repealed as it no longer accurately reflects the current structure of the Traffic and Safety Engineering Branch; and

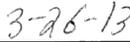
WHEREAS, a Policy Directive is no longer necessary to establish the internal structure of the Traffic and Safety Engineering Branch; and

WHEREAS, eliminating this Policy Directive is part of CDOT's project to reduce the number of Policies and Procedural Directives and repeal any that are no longer necessary.

NOW THEREFORE BE IT RESOLVED, the Commission herein repeals Policy Directive 800.0 "State Highway Safety Agency" dated November 1, 2006.



Herman Stockinger, Secretary
Transportation Commission of Colorado



Date

Approval of the Resolution regarding the Safe Routes to School Projects list

Resolution #TC-3062
Approval of FY2013 Safe Routes to School Projects

Approved by the Transportation Commission on: March 21, 2013

WHEREAS, in 2004, C.R.S. 43-1-1604 required the Transportation Commission of Colorado to establish and the Colorado Department of Transportation (CDOT) to administer a Safe Routes to School (SRTS) program to distribute federal funds to eligible projects that enable and encourage children K-8 to bicycle and walk to school; and

WHEREAS, in 2005, Rules outlining the Colorado SRTS program were developed by a taskforce consisting of CDOT staff, representatives of the bicycling and pedestrian community, and the Colorado Department of Health and Environment and subsequently the Rules were adopted by CDOT; and

WHEREAS, CDOT has awarded more than \$13 million in SAFETEA-LU SRTS funds since 2005; and

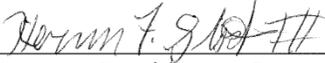
WHEREAS, the Commission approved \$1.517 million in MAP-21 Transportation Alternatives Program funds for FY2013 Safe Routes to School Program Grants; and

WHEREAS, an annual Colorado SRTS Advisory Committee was appointed by the CDOT Executive Director to represent teachers, parents, law enforcement, pedestrians, bicyclists, and transportation advisors to develop the Colorado SRTS program, to review all applications and to recommend projects for funding; and

WHEREAS, the SRTS Advisory Committee selected projects in February 2013 to recommend to the Commission for approval; and

NOW THEREFORE BE IT RESOLVED, the Commission approves the Fiscal Year 2013 SRTS project list.

BE IT FURTHER RESOLVED, the Commission directs staff to take appropriate steps to amend the STIP, if required, and supplement the budget to be able to proceed with contract development.



Herman Stockinger, Secretary
Transportation Commission of Colorado



Date

Discuss and Act on the 10th Budget Supplement

Ben Stein mentioned that the supplement was in the packet and asked if there were any questions regarding the Budget Supplement.

Commissioner Gilliland made a motion for approval of the Budget Supplement. Commissioner Parker seconded the motion. On a vote of the Commission, the Budget Supplement was unanimously approved.

Resolution #TC-3063

Approval of the 10th Budget Supplement

BE IT RESOLVED THAT, the 10th Supplement to the Fiscal Year 2012-2013 Budget be approved.

Acknowledgements

Vice Chair Aden declared that there were a number of acknowledgements.

Region 5 RTD, Kerrie Neet was introduced and spoke about a Region 5 employee:

- Jeff Mondragon, Temporary TM-1 for Alamosa Maintenance Section 7, Region 5 in recognition of his efforts in the rescue of a woman who had gone off the road on La Manga Pass in a snow storm.

Region 1 RTD, Tony DeVito was introduced and gave a PowerPoint presentation about repairs to the bridge on I-270 which was hit on December 28th.

- Closure lasted 9 days for inspection, design, and repair
- The entire fix from closure to re-opening was done by CDOT staff
- Recognition of the following list employees involved in the repair:
 - Region 6: Steve Pineiro, Leonard Delvalle, Matt McVay, Scott Perry and Larry Reed
 - Staff Bridge: Lynn Crosswell, Karen Mondragon, and Ken Churches

Director Don Hunt mentioned that March 8, 2013 marked the 40th anniversary of the dedication and opening of the Eisenhower Tunnel. He introduced Tony DeVito who showed a PowerPoint with Tunnel highlights and additionally he recognized a number of Tunnel Employees for their service to the EMJT:

- Kenny Martinez, 30 years
- Tom Hurst, 30 years
- Claudio Gutierrez, 29 years
- Susan McOllough, 26 years
- Rodney Henderson, 40 years
- John Wilson, 39 years
- Michael Salamon, 36 years

Mr. Hunt offered congratulations to everyone who had been recognized.

Other Matters

Vice Chair Aden confirmed with the gathering that there were no other matters to come before the Commission.

Adjournment

Vice Chair Aden announced that the meeting was adjourned at 1:20 p.m.

Herman Stockinger, Secretary
Transportation Commission of Colorado