Transportation Commission of Colorado
Regular Meeting Minutes
April 16, 2015

Chairman Ed Peterson convened the meeting at 9:12a.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
Doug Aden, District 7
Les Gruen, District 9
Bill Thiebaut, District 10
Steven Hofmeister, District 11

EXCUSED: Sidny Zink, District 8

ALSO PRESENT: Shailen Bhatt, Executive Director
Scot Cuthbertson, Deputy Executive Director
Gary Vansuch, Director of Process Improvement
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, Communications Director
Scott McDaniel, Staff Services Director
Maria Sobota, Acting CFO
Herman Stockinger, Government Relations Director
Mike Cheroutes, Director of HPTE
Mark Imhoff, Director, Division of Transit and Rail
Kyle Lester, Director, Division of Highway Maintenance
Ryan Rice, Director of the Operations Division
Darrell Lingk, Transportation Safety Director
Tony DeVito, Region 1 Transportation Director
Karen Rowe, Region 2 Transportation Director
Dave Eller, Region 3 Transportation Director
Kerrie Neet, Region 5 Transportation Director
Kathy Young, Chief Transportation Counsel
Vince Rogalski, STAC Chairman

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.

60 Minute Public Comment Period for FY2016-2019 STIP

Chairman Peterson stated that the first item on the agenda was a 60 minute public comment period to run concurrently with the regular agenda. This was specifically for comments regarding the Fiscal Year 2016-2019 STIP.

Debra Perkins-Smith stated that she wanted to introduce the STIP by explaining how it fits into the Statewide Plan that the Commission previously approved that is the big picture. The Statewide Transportation Improvement Program is the four year program for transportation. The program is a requirement in order for CDOT to use federal dollars. Jamie Collins, who has been heading up the STIP, will talk a little bit about it before the public comment section begins. She thanked Jamie for all her work. She has worked very hard, especially since the process changed a budget process to an expenditure based process.

Jamie Collins stated that over the last several months there have been several STIP workshops with the Commission in which they explained the changes that were being made to the STIP. Some of the biggest changes include moving from a six year program of projects to a four year program to better align with federal regulations. They are changing the way they do amendments so that policy amendments will be done twice a year in May and November. Administrative actions will be done anytime as necessary. The other big change in the STIP is the separation out of regionally significant projects and put everything else in the STIP or program pool within the STIP. That allows more flexibility in the amendment process.

They did open the public comment period in March 2015 when the Commission released it. To date, there have only been one or two comments. Most of it was in reference to when the public hearing would be taking place. No one contacted her to state that they would be in attendance today, which is partly why they are doing it concurrently with the Transportation Commission meeting. She only received a single additional comment from a woman who requested a bus line between Denver and Estes Park so that people can get to Rocky Mountain National Park for the 100 year anniversary. Other than that, they are still open for comments until May 8, and when that period closes, all the comments will be summarized and presented to the Commission. The Commission will then be asked to adopt the STIP so it can be sent to FHWA and FTA for final approval.

Chairman Peterson thanked Jamie Collins for her hard work and diligence. He stated that this is no small undertaking. He stated that this one is working very well. Public comment is now open with respect to the STIP. It will run concurrently with the meeting today. When he closes the Commission meeting, he will once again ask if anyone is present who would like to comment on the STIP. Before moving into general audience participation, he asked if there was anyone in the room who wanted to comment on the 2016-2019 STIP.

There was no one present who wished to comment on the STIP.

Audience Participation

Chairman Peterson opened the meeting for general public comment.

Mr. Dan Love stated that he lives in Granby and that he has been promoting a byway between Durango, Colorado, and Chama, New Mexico. The reason for which is many-fold, but it is primarily to preserve a very important part of Colorado's history that at this point is undiscovered almost. It has economic development implications that he thinks are going to be great although not overwhelming. It will promote opening up two Native American tribes to visitors who begin to understand their role in Colorado's history and the current situation. More importantly, it is a chunk of the terrain in Colorado and in New Mexico that as people go through it, they are really traveling through time. They are seeing what developed the West: the railroads, before that, the Anglos that came with the railroads, lumber, mining, agriculture and other very important components along this route. Before that there were Native American tribes as well as Hispanics, and that goes all the way back to pre-Columbian periods. This is a very small 120 mile segment that people can really get a good look at what is going on and why it happened. He is very excited to bring this to the Commission in hopes that they will find this a worthy designation. He stated that he can guarantee not only on his own behalf but also with backing from two railroads that anchor this, that there is great economic interest in making this a success. The designation is the first step on their way to making this a success. He thanked the Commission for the opportunity to speak.

Individual Commissioner Comments

Commissioner Barry stated that her only comment was that with all the change in staff, that the next Bagels with Barry will be the first week of May. She looks forward to doing that in May.

Commissioner thanked Mr. Love for coming down to discuss the state's byways on that project. She stated that the I-70 Project is moving forward in its Request for Qualifications.

Commissioner Thiebaut stated that he first wanted to acknowledge and congratulate the Commission Assistant Tromila Maile on the arrival of her daughter. She stated that it is especially on his mind because he has several daughters delivering children in April. He then encouraged the Colorado Legislature, even in the final weeks to step up to the plate and really try to solve the Senate Bill 228 problem. The data is out there to show that the TABOR surplus will reach at least $1 billion over the next three or four years. He stated that he thinks the wise thing to do would be to invest in Colorado's transportation infrastructure, as SB 228 has promulgated. He stated that it seems ironic to him because he knows that there are efforts to borrow in excess of $3 billion to put into the transportation system. It seems inconsistent in his mind that there is a surplus being returned to citizens who may get $100 over a three year period and that cannot be invested. Instead the state will borrow money to pay lawyers and financial brokers tons of money in terms of preparing the financing. He encouraged the Legislature to take some action on this very important issue. He stated that he also thought about the fact that the money could be refunded to the citizens by borrowing from them. They can be paid back with a revenue source of some kind, so that the state would not have to borrow money from Wall Street.

Vice Chair Connell stated that she attended the I-70 Coalition meeting the previous week with Herman Stockinger, who gave a wonderful presentation on the Statewide

Transportation Plan. The group is enthused and wants to be very involved to do anything possible to help look at funding for the future. She also attended one of the Highway 9 meetings by staff about everything that is now starting to happen there. She was very pleased with the presentation but very saddened by the lack of people who attended. She stated that one of the things that she is learning is that using the papers in order to put out great information out to Northwest Colorado to help people be aware of the issues.

Chairman Peterson stated that he had no comment other than to state that the Commission would miss Tromila Maile, who has been an incredible asset in all the road trips and has done exemplary work for the Commission in addressing the needs of the Commissioners.

Executive Director's Report

Executive Director Shailen Bhatt stated that it is hard to take a very intense month and try to shrink it into a few minutes but that he would try. He started at the federal level, just as a reminder to everyone that federal authorization runs out in 45 days and that is something that will result in a short term extension, but it is a big deal for states. There are states that are canceling projects and not advertising projects. This is something that is necessary to keep an eye on.

One of the highlights of the months was traveling to Washington, DC, with Governor Hickenlooper. They attended the SelectUSA Investment Summit put on by the Department of Commerce. Secretary Kerry and Secretary Pritzker both spoke, and Governor Hickenlooper was on the panel. It was a lot of the public sector hedge funds and pension funds. This literally trillions of dollars that are looking for ways to get into safe assets. They are looking not only at transportation but also at other public infrastructure. So that was exciting. The following day they went to the White House and met with a smaller group. He had some really good discussions with the Governor about his visions for transportation. It is impacted somewhat by what some people have heard about regarding the TRANS Bond II. Potential build up maybe dropped this week. He stated that he is in agreement with where he thinks most of the Commission is that the best way to fix a money problem is not through financing. While it is great to go out and borrow money, it is not possible to give us some money to build important projects and not worry about the rest of the system. That is something they will keep they eye on. He stated that it was encouraging that transportation is something that people want to look at. It has to be addressed the right way.

He then went down to the local level and stated that over the last month, he has been meeting with a lot of people on the state and local level. There is a lot of passion in Colorado and a lot of desire for transportation investment. There are a lot of needed projects out there and a lot of opportunity for investment. They had a great Stand Up for Transportation event last week that showcased in the Denver Metro Area.

On April 1, CDOT had Remembrance Day to remember those who lost their lives in the line of duty. This is something we should always remember. On snowy days, it is dangerous for the public to drive, but CDOT has employees who are out there really putting everything on the line.

Chief Engineer's Report

Josh Laipply stated that the previous evening Region 1 put on a great presentation for the US 285 at Shaffers Crossing. There have a been a lot of concerns from the community around safety, and the group Paul Jesaitis, Stephen Harelson and Emily Wilfong really put on a good presentation. The ten minute presentation to the community in Conifer with some questions and answers afterwards. It was overall a very positive meeting in which CDOT was able to lay out the plan about how safety would be improved. It is actually a lot about driver perception. They did some geometric improvements to the roadway that made it safer, but driver perception is that this is a really safe roadway. So people may be going too fast or not paying attention to the curves that are coming up, and it is a mountainous environment. They reminded everyone of that and then laid out the steps for moving forward. They are hoping to break ground for construction in July.

He stated that secondly, he wanted to touch a little on the workshop that the Commission had had the previous day about FY2019 Asset Management. That is a critical piece to the overall program. Identifying that investment now allows them to use those planning budgets to start programming projects. Returning to the Four Year Plan, that allows them to do a lot around planning, scoping out work, applying the workforce and plotting the future of what project will be designed and which ones will be contracted out. It is very critical in how they operate efficiently as a government entity and as a type of business here.

HPTE Director's Report

Mike Cheroutes stated that the on March 30, 2015, the Legislative Audit Committee released a performance audit of the US 36 transaction. It found gratifyingly that the US 36 project brought value to the state and that the goals that HPTE were trying to achieve were good for Colorado. The recommendations as to how things could be done better, and HPTE is well into implementing each of those recommendations. That was the highlight of the month, and it was also a spur to do even better. That report is available publicly on the HPTE website.

Commissioner Thiebaut stated that he took a moment to briefly review the report, and he congratulated Michael Cheroutes on the approach that HPTE took with the Audit Committee. Essentially, there were a dozen or more routine recommendations. What he found gratifying was that HPTE agreed with all the recommendations and set up a timeline for them to be implemented, and many of them have already been implemented. He really thinks that is important. He served on the Legislative Audit Committee for several years, and there was always a lot of push back in terms of recommendations and how they were to be viewed and implemented. He stated that the approach HPTE was taking could only make things better for the future.

Executive Director Shailen stated that it was very gratifying this was job very well done, and that it lends a lot of credibility to the agency for future projects.

Chairman Peterson stated that the work that the HPTE and Mr. Cheroutes has done on very critical issues for the state of Colorado is phenomenal.

FHWA Division Administrator Report

Alicia Nolan, Deputy Administrator for the state of Colorado, stated that she wanted to first address TIGER VII. The pre-application process is open right now. In this it is necessary to have a pre-application. That closes on May 4. This is similar to previous rounds.

Her second announcement was that the Strategic Transportation Innovation Council has a solicitation out for Innovation. There is another round of $100,000 to find different projects that they are going to be promoting. That solicitation is on the STIC website and will direct people right to that application process.

Her last announcement was SHARP II. Round six is coming out, and they should have that round announcement on May 29.

Public Comment Period for FY2016-2019 STIP

Chairman Peterson again asked if there was anyone who wished to comment on the FY20176-2019 STIP. He stated that there were none at that time.

Act on Consent Agenda

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

Resolution #TC-15-4-1

BE IT HEREBY RESOLVED, that the Transportation Commission's Regular Meeting Minutes for March 19, 2015, are approved as published in the official agenda of the April 15 & 16, 2015, meeting.

Resolution #TC-15-4-2

Resolution #TC-15-4-2

Fiscal Year 2016 over $50,000 Division of Highway Maintenance project list approval

Approved by the Transportation Commission on: April 16, 2015

WHEREAS, under Senate Bill 98-148, public projects supervised by the Colorado Department of Transportation (CDOT) are exempt from the requirements of the "Construction Bidding for Public Projects Act;" and

WHEREAS, Section 24-92-109, Colorado Revised Statutes, as amended, requires CDOT to prepare cost estimates for projects to be undertaken by CDOT maintenance crews that exceed $50 thousand, but are less than or equal to $150 thousand for submission to the Transportation Commission for review and approval; and

WHEREAS, CDOT staff have prepared a cost estimate for this project to be done in Fiscal Year 2016 as detailed in the memorandum entitled.

WHEREAS, the funding for this project is contained in the Fiscal Year 2016 Budget.

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

Sufficient funds exist within the appropriate MPA's to pursue this project. The project is in accordance with the directive and all other requirements.

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

4-21-15
Date

Discuss and Act on TIGER Funding

Herman Stockinger stated that he was not going to list the deadlines, but that they were all available in the information packet. He stated that they have been doing a lot of work over the last several months to figure out what it is that the USDOT is looking for. It is not typical highway widening projects for the last few rounds of TIGER. It has been a lot about freight, transit, and bike-ped. Local agencies are faring better than state DOTs. With those things in mind, they did not search for projects that only fit the funding category but also what would actually be competitive in the process. They found three great projects that are still in development. There are I-70 operational improvements that tie with freight really well. There is an I-70 underpass with serious bike-ped and transit benefits, which is a RAMP project with local and state funding already in it. TIGER might be able to fill that gap. The third is the I-25 bus on shoulder from US 36 to Downtown Denver, which is expected to be a partnership with RTD who may actually become the lead applicant. There are some issues with a bridge in that corridor. If that bridge needs to be replaced, that probably removes it from being a competitive application. There may be only two applications in that case.

As usual, they expect that at the end of the process before they submit that they will review the applications, figure out which one is the top priority and really push that one with the congressional delegation and USDOT. They will not know which one will be the best until they see the final applications. They are also asking the Commission to allow staff to support other applications on a case by case basis should they come up with local governments. If they have competitive applications, CDOT can write a letter of support.

Chairman Peterson entertained a motion to approve the TIGER VII resolution. Commissioner Gilliland moved approval of the resolution, and Commissioner Gruen seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Herman Stockinger stated that he wanted to thank OPGR's new local liaison, Ron Papsdorf. This was his first month, and his first task was to take on TIGER and try to find some applications around the state that would be competitive. He did a great job.

Resolution #TC-15-4-3

Resolution #TC-15-4-3

Instructing the Department to submit applications for projects under the USDOT TIGER VII Discretionary Grant program and support priority projects submitted by other Colorado applicants.

Approved by the Transportation Commission on April 16, 2015

WHEREAS, on December 16th, the President signed the Consolidated and Further Continuing Appropriations Act, 2015 that includes a $500 million authorization for National Infrastructure Investments, referred to by the U.S. Department of Transportation (USDOT) as TIGER Discretionary Grants; and

WHEREAS, a Notice of Funding Availability was issued by the U.S. Department of Transportation (USDOT) on April 2 for the Transportation Investment Generating Economic Recovery Discretionary Grant Program (also known as TIGER VII); and

WHEREAS, pre-applications for the TIGER VII discretionary grant program are due to the U.S. Secretary of Transportation on May 4, 2015 and final applications are due on June 5, 2015; and

WHEREAS, the USDOT's consideration of TIGER VII discretionary grant applications will be based on state of good repair, economic competitiveness, quality of life, environmental sustainability, and safety as primary selection criteria; and

WHEREAS, the Colorado Department of Transportation (CDOT) staff evaluated and analyzed potential projects for the Department to submit under the TIGER VII discretionary grant program; and

WHEREAS, the USDOT limits eligible applicants to three grant applications that may be submitted for consideration; and

WHEREAS, CDOT may co-sponsor other applications without those applications counting against the application limit imposed by USDOT; and

NOW THEREFORE BE IT RESOLVED, the Department is instructed to submit applications for the following projects under the USDOT TIGER VII Discretionary Grant program:

- Capital Project: I-25 Bus on Shoulder, US 36 to Downtown Denver (co-sponsor with RTD)
- Capital Project: I-70 West SSMARTT Corridor Improvements
- Capital Project: I-70 Simba Run (Vail) Underpass

NOW THEREFORE BE IT FURTHER RESOLVED, should any of the above listed projects not be able to meet the financial, technical or other requirements for a competitive TIGER VII application, said project will not be submitted by the Department.

NOW THEREFORE BE IT FURTHER RESOLVED, the Department may provide letters of support for priority projects submitted for a TIGER VII grant by other Colorado applicants.

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

4-2-15
Date

Discuss and Act on the Scenic Byways

Deb Perkins-Smith stated that before the Commission today was the request for an approval of the proposed "Tracks Across Borders" Byway. It is the one that Mr. Love spoke about earlier in the meeting and eloquently described the project. The Commission will see a map in the packet of the 125 mile byway from Durango to Chama, New Mexico. There is also some information about the byway itself. Based on Executive Order, there is a Byways Commission, and the commission approved this designation and asked that it be sent to the Transportation Commission. They

recommended designation. Based on the Executive Order it is up to the Commission to take action to actually approve the designation for this scenic byway.

Deb Perkins-Smith stated that she wanted to take moment to recognize Lenore Bates. She is the head of the program for scenic byways and does a great job administrating grants and working with lots of local communities. As the Commission knows, most of these designations are in rural communities so she is a great support to them in terms of providing staff.

Commissioner Gifford stated that she sits on the Scenic Byways Commission and has been part of some of the discussions. As they talked a little bit about earlier, this is very important to the local communities. It is not a byway that can be seen along the drive as it is now. The designation as a scenic byway will help the communities along the route. It will secure funding to improve sign information.

Chairman Peterson entertained a motion to approve the designation of the scenic byway. Commissioner Gifford moved to approve the resolution, and Commissioner Connell seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-15-4-4

Resolution #TC-15-4-4

Resolution for Approval of Tracks Across Borders Scenic and Historic Byway

Approved by the Transportation Commission on April 16, 2015

WHEREAS, in 1989 the Colorado Department of Transportation established the Colorado Scenic and Historic Byways Program under the Intermodal Surface Transportation Efficiency Act (ISTEA); and

WHEREAS, since that time, Colorado has designated 25 Scenic and Historic Byways throughout the state, eleven of which are nationally recognized as part of America's Byways; and

WHEREAS, Colorado offers abundant and easily accessible opportunities for viewing and visiting scenic, recreational, historical, educational, scientific, geological, natural, cultural and ethnic resources; and

WHEREAS, a new byway has been proposed that travels along the Colorado and New Mexico border between Durango, Colorado and Chama, New Mexico; and

WHEREAS, this route offers many unique Colorado stories related to the railroad, Native American and Hispanic culture and prehistory that are not offered by other Colorado Byways; and

WHEREAS, this proposed Byway's primary feature is one of Colorado's greatest stories – the creation and development of the state's first and largest narrow gauge railroad system – the Denver and Rio Grande Railroad; and

WHEREAS, the Scenic and Historic Byways Commission has reviewed, approved and recommends the nomination for designation;

NOW THEREFORE BE IT RESOLVED, the Transportation Commission approves the nomination and designation of the proposed Tracks Across Borders Byway.

Herman F. Stockinger III — 4-21-15

Herman Stockinger, Secretary — Date
Transportation Commission of Colorado

Discuss and Act on the 10th Supplement to the FY2015 Budget

Maria Sobota stated that there were several items before the Commission. The supplement for April was brief. The first was for a repairs on bridges, and the second is for additional $1.1 million from the Snow and Ice Contingency. There were also two RAMP projects.

Commissioner Gruen referred to the chart on page 4 of 18 showing Snow and Ice History. He stated that it showed that there was a record year this year. Thinking back to weather conditions over the time that he served, he stated that it does not seem like this is even close to the worst weather years. He stated that he was curious as to why the budget seems to be higher than previous years when there have previously been more inclement weather conditions. Maria Sobota asked Kyle Lester to address the Commissioner's question.

Kyle Lester stated that even though it seems like weather conditions do not match up even to last year, the plow miles, accomplishments and materials have increased. There has been an emphasis on increasing the level of service. That is why they are seeing the expenditure increase.

Commissioner Connell stated that in Northwest Colorado, even though there was less snow, it was a very unusual winter because it was freeze-thaw-freeze-thaw, which can bring a lot more icy conditions that had to be contended with. This is more dangerous driving. As far as loads of snow, they unfortunately did not have that, but there was a lot of ice due to those variable conditions.

Commissioner Reiff stated that he is assuming that when Kyle said "Levels of Service," he meant levels of service set by the Commission. Kyle Lester stated that was correct, and that they were trying to meet the established levels of service. There were smaller but more frequent storms this year which increased our product usage.

Chairman Peterson entertained a motion to approve the Tenth Supplement to the FY 2015 Budget. Commissioner Reiff moved to approve the resolution, and Commissioner Gilliland seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-15-4-5

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

Discuss and Act on the SIB Transfer to Aeronautics

Maria Sobota stated that she is before the Commission requesting a $1 million transfer from the State Infrastructure Bank to the Aviation Fund. For the last several months, staff has been evaluating multiple cash replenishment options to offset the shortfalls that are currently being experienced due to gas and oil issues within the aeronautics business. This is one of the areas that they were able to identify. They ask the Colorado Aeronautics Board last month if they would like to make this request of the Commission, and they said yes. Subsequently, there was a review with the SIB Committee. It was approved unanimously to bring this forth today to ask for the approval to transfer those funds.

Commissioner Reiff stated that he wanted to confirm that the retransfer back of the $1 million will not in any way impair the State Infrastructure Bank. It still has commission corpus and can fulfill its purposes. Maria Sobota confirmed that was accurate. She also stated that this is not unprecedented. A transfer of this nature occurred in 2009 at their request as well. That documentation was included in the packet.

Executive Director Bhatt stated that this is part of a larger overall solution with the Aeronautics Board, and they are working to ensure that they are able to meet their grant obligations. There were some issues with prices that had caused everyone potential difficulty. Kathy Young has been part of these discussions as well. They

believe that they have found a solution and that it will come to resolution. This transfer is only one part of that broader solution.

Chairman Peterson entertained a motion to adopt the FY 2016 Budget. Commissioner Aden moved to approve the resolution, and Commissioner Connell seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-15-3-6

Resolution # TC-15-4-6

Approval of a State Infrastructure Bank Transfer to the Colorado Aeronautics Board

Approved by the Transportation Commission of Colorado on April 16, 2015

WHEREAS, the Colorado Department of Transportation works cooperatively with the Division of Aeronautics to provide an integrated multi-modal transportation system; and

WHEREAS, the Division of Aeronautics is overseen by the Colorado Aeronautical Board (CAB) and manages the provision of valuable state funding to Colorado airports for aviation projects that are eligible for federal matching funds; and

WHEREAS, the CAB oversees a State Aviation Fund that consists of certain revenue reserved for aviation uses and purposes; and

WHEREAS, the Colorado State Infrastructure Bank (CO SIB) is a transportation investment bank with the ability to make loans to public and private entities for the formation of public transportation projects within the state; and

WHEREAS, the General Assembly passed Legislation (43-1-113.5 CRS) that made certain provisions for the CO SIB and established within the bank, a highway account, a transit account, an aviation account and a rail account; and

WHEREAS, the General Assembly has passed Legislation (House Bill 09-1066) that allows for the transfer of moneys from the aviation account of the CO SIB in an amount not exceeding the amount previously transferred from the Division of Aeronautics State Aviation Fund (fund 160) back to fund 160; and

WHEREAS, in 2007, the CAB transferred $10,000,000.00 from fund 160 to the CO SIB aviation account; and

WHEREAS, the Transportation Commission has previously authorized a transfer in the amount of $9,000,000.00 from the CO SIB aviation account back to fund 160, leaving $1,000,000.00 in the aviation account of the CO SIB previously transferred from the aviation fund (fund 160); and

WHEREAS, on March 17, 2015 the CAB requested that the Transportation Commission authorize a transfer of the remaining $1,000,000.00 of aviation fund (fund 160) money in the aviation account of the CO SIB back to the aviation fund (fund 160); and

WHEREAS, the SIB committee has authorized, reviewed the request, and recommends the transfer.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission authorizes, under the guidance and direction of the CDOT Chief Financial Officer, the transfer in the amount of $1,000,000.00 from the aviation account of the CO SIB back to fund 160 to fund aviation projects eligible for federal matching funds.

Herman F. Stockinger III — 4-21-15

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date

Discuss and Act on the Transfer of Re-Appropriated Federal Funds to Bridge Enterprise

Maria Sobota stated that in March 2015 the Commission approved the 2016-2017 Budget for the Department of Transportation. As a part of that budget, the Commission also approved transferring $15 million of revenue to Bridge Enterprise.

This is a similar request that has been done since 2009. It was not included as part of the resolution, which staff plan to do in the future. So she wanted to come back today to make sure that the Commission was aware of it and approved the allocation and transfer of those funds. The Commission actually did approve the budget as it was presented, but staff wanted to be clear that as part of the budget, this transfer was also approved. In the next meeting, the Bridge Enterprise would be accepting this transfer.

Chairman Peterson entertained a motion to approve the resolution to transfer re-appropriated federal funds to the Bridge Enterprise. Commissioner Reiff moved for approval of the resolution, and Commissioner Gruen seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-15-3-7

Resolution #TC-15-4-7

Transfer of eligible federal funds from CDOT to Colorado Bridge Enterprise for the purpose of advancing the business purpose of the Colorado Bridge Enterprise

Approved by the Transportation Commission on April 16, 2015

WHEREAS, the Transportation Commission is charged with formulating the general policy with respect to management, construction and maintenance of public highways and other transportation systems in the State; and

WHEREAS, the Transportation Commission promulgates and adopts all budgets for the Colorado Department of Transportation (CDOT) and state transportation programs; and

WHEREAS, CDOT has the responsibility to plan, develop, construct, coordinate and promote an integrated transportation system within the State; and

WHEREAS, the Colorado General Assembly created the Colorado Bridge Enterprise in C.R.S. 43-4-805 as a government-owned business within CDOT for the business purpose of financing, repairing, reconstructing, and replacing Designated Bridges, defined in C.R.S. 43-4-803(10) as those bridges identified as structurally deficient or functionally obsolete and rated poor; and

WHEREAS, the Colorado General Assembly declared and provided that the Colorado Bridge Enterprise shall constitute an "enterprise" for purposes of TABOR, section 20 of article X of the Colorado Constitution, so long as it retains the authority to issue revenue bonds and receives less than ten percent of its total revenue in grants from all Colorado State and local governments combined; and

WHEREAS, the Colorado General Assembly has excluded federal funds, regardless of whether such federal funds pass through the state or any local government prior to receipt by an enterprise from the definition of "grants" pursuant to C.R.S. 24-77-102(7); and

WHEREAS, CDOT receives federal bridge funds from the US Department of Transportation for purposes of repairing, reconstruction, and replacing bridges; and

WHEREAS, in November 2010, the Transportation Commission adopted TC Resolution #TC-1925 approving the policy of transferring federal bridge funds from CDOT to the Colorado Bridge Enterprise for purposes of advancing the business purposes of the Colorado Bridge Enterprise and this continues to be the policy of the current Transportation Commission; and

WHEREAS, requested by the CDOT Executive Director, the reallocation and transfer of $15 million ($15,000,000) of eligible federal bridge funds from CDOT to Colorado Bridge Enterprise is reflected in the approved CDOT and Colorado Bridge Enterprise Fiscal Year 2015-2016 budget

NOW THEREFORE BE IT RESOLVED, the Transportation Commission of Colorado hereby allocates and transfers from CDOT to the Colorado Bridge Enterprise fifteen million dollars ($15,000,000) of eligible federal funds for Fiscal Year 2015-2016 for purposes of advancing the financing, repair, reconstruction and replacement of Designated Bridges by the Colorado Bridge Enterprise.

Herman F. Stockinger III — 4-21-15

Herman Stockinger, Secretary — Date
Transportation Commission of Colorado

Acknowledgements

Executive Director stated that this is a very important part of the meeting from his perspective. There are a few things already out there, but he wanted to again commend the HPTE staff on the audit results. He commended Maria and her staff on moving forward on Aeronautics and Amy and her team for the efforts around Stand Up for Transportation Day.

Heidi Humphries stated that the first recognition of the day started with a problem with the Shumate building. Before Shumate housed professional staff and served as office space, it was a materials testing lab where materials were tested to ensure their integrity. With that there were underground storage tanks so that the process was properly managed. Unfortunately, those storage tanks began to leak in the 1980's. And that caused a critical environmental situation. It not only affected the CDOT property but also affected the residential and business areas around CDOT. It was an amazing project to overcome that again started back in the 1980s. It has been a long and complex project. She invited Theresa Santangelo to the podium to explain a little more about what was involved in that mitigation.

Theresa stated that Jim Palmino managed the relocation of residents, which was a huge part of the project, the initial testing, and the initial installation of the remedial system that were put in the homes of residents that lived above the plume. She also recognized George Gerstle, who was the fearless leader at the time. Scott Andrews and Craig Divine were instrumental in pushing the out of the box and creative approaches that they were able to work though. She then provided a brief site history and the innovative approaches they used to mitigate the contamination. The completed the project in 17 years, rather than the expected 30-50 years.

Jim Palmino congratulated CDOT on the record setting remediation. He stated that there were a lot of citizens that lived close to CDOT and that CDOT really did the right thing by those citizens from the beginning.

Heidi then read into the record the comments of George Gerstle, who was then a CDOT employee and is now the Transportation Director for Boulder. He congratulated CDOT on the completion of a complex and ground breaking project.

Commissioner Aden stated that when he joined the Commission in 1997 there was active discussion among the Commissioners and senior management about the alternatives. One of them was that CDOT would buy all of the multi-family property between Headquarters to at least as far as Mississippi and over two or three blocks. That was potentially the least costly alternative. So what the team was able to

accomplish was certainly an extraordinary effort and much less costly than buying three or four blocks of real estate.

Vice Chair Connell stated that on behalf of the Commission, this is wonderful that CDOT and staff have managed to do this successfully. Doing the right thing by the community is the most important thing, and doing it in 17 years is even more impressive.

Chairman Peterson stated that his background is in construction and real estate and that they deal with this in a lot of urban areas. Just listening to how CDOT addressed that and did the right thing because it was the right thing to do that is the foundation and bed rock statement. But then the staff were innovative and creative about how they would address it. That was ground breaking and phenomenal. It sets precedent for not only government agencies but also the private sector to address these things.

Gary Vansuch came to present the next acknowledgement. He stated that he is very pleased to be at the meeting this morning. He stated that innovation had been mentioned several times in the meeting this morning. Innovation is alive and well at CDOT, and it is being recognized. CDOT has been recognized for its process improvement initiative by the Ash Center for Democratic Governance and Innovation at Harvard University as one America's Bright Ideas in Government for 2015. CDOT has had a variety of successes that are recognized in this award across the Department in our efforts to reach the Governor's goals of being more effective, efficient and elegant. There was a press release in February 2015 so that people across the nation could see CDOT's successes.

Executive Director Bhatt stated that the last acknowledgement was the Mountain States Edition of the *Engineering News Record Magazine* selected CDOT as one of its two Owners of the Year. This is a very prestigious award because it is voted on by people all across the country. It is not only the mountain states that are included. They chose CDOT due to the very ambitious construction projects that the Department has undertaken in the last several years, including the US 36 partnership, the Design-Build work, the 1-25 widening, the I-70 Eastbound Peak Period Shoulder Lanes, and the Twin Tunnels. He stated that as someone coming in recently to the organization, being recognized by institutions like Harvard and the *Engineering News Record* says a lot of good things about the Department.

Chairman Peterson stated thanked everyone who came forward to share acknowledgements and stated that it is a privilege and an honor to serve this organization.

Public Comment Period for FY2016-2019 STIP

Chairman Peterson again asked if there was anyone who wished to comment on the FY20176-2019 STIP. He stated that there were none at that time and then closed the comment period.

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 10:12a.m.