

Transportation Commission of Colorado
Regular Meeting Minutes
July 21, 2016

Chairwoman Kathy Connell convened the meeting at 10:10 a.m.

PRESENT WERE: Kathy Connell, Chairwoman, District 6
Shannon Gifford, District 1
Ed Peterson, District 2
Gary Reiff, Vice Chair District 3
Heather Barry, District 4
Kathy Gilliland, District 5
Kathy Hall, District 7
Sidny Zink, District 8
Steven Hofmeister, District 11

EXCUSED: Nolan Schriner, District 9
Bill Thiebaut, District 10

ALSO PRESENT: Shailen Bhatt, Executive Director
Michael Lewis, Deputy Executive Director
Josh Laipply, Chief Engineer
Debra Perkins-Smith, Director of Transportation Development
Maria Sobota, CFO
Scott McDaniel, Staff Services Director
Amy Ford, Public Relations Director
Herman Stockinger, Government Relations Director
Paul Jesaitis, Region 1 Transportation Director
Karen Rowe, Region 2 Transportation Director
Dave Eller, Region 3 Transportation Director
Johnny Olson, Region 4 Transportation Director
Mike McVaugh, Region 5 Transportation Director
Jane Fisher, Director of Program Management
Kathy Young, Chief Transportation Counsel
David Spector, HPTE Director
Mark Imhoff, Director of Transit and Rail
Vince Rogalski, STAC Chairman
John Cater, FHWA Administrator
Chris Wedor, Director of Audit Division

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

Chairwoman Connell opened the floor for audience participation. There were no public comments.

Individual Commissioner Comments

Commissioner Hall stated how impressed she was with the cooperation demonstrated on the Highway 9 wildlife crossing project. In the month of June she noticed a number of messages on the VMB's that were very clever and informative. Additionally, she talked funding issues with the Grand Junction Rotary club. Finally she thanked Dave Eller and his team for their hard work on Glenwood Canyon.

Commissioner Gifford attended a trip with the Downtown Denver Partnership. On the trip, she had the opportunity to speak with a number of Denver City Council members regarding the Central 70 project. She stated councilmembers were very excited about the regional workforce grant given to the project.

Commissioner Hofmeister had no report.

Commissioner Peterson had a busy June. He met with JeffTAG and received an update on the Marine Corps memorial on US6. Additionally, he mentioned that he has received a number of complements for the completion of the US6 project that has been a very positive impact in the area.

Commissioner Zink had the opportunity to attend an event between the Ute Mountain Ute Tribe and CDOT. She stated that they were very gracious hosts and it was an impressive event. Additionally, she took part in a highway cleanup event. She was encouraged by how little clean up the highway needed. Finally, CASTA visited Durango in June. They had good things to say about the working relationship that has been fostered.

Commissioner Barry attended the US36 completion event. Additionally she will be at the Saturday US 36 bike ride event.

Commissioner Gilliland attended the kick off for the Berthoud climbing lane on I-25. This area often gets backed up, so the hope is this will relieve this situation. She also attended the US36 opening event. She complemented commissioners Connell and Hall for their very informative narration of the Commission Road Trip in May. Finally she thanked Kathy Connell for her hard work as TC Chair the past year.

Commissioner Reiff took a moment to thank Commissioner Connell for her exceptional leadership over the past year as Commission Chairwoman. She also thanked Dave for his help at the Northern Area town hall meeting. Finally, she stated how impressed she has been with the flaggers on CDOT construction projects. They are always friendly and helpful which helps a lot during construction delays.

Executive Director's Report

Executive Director Bhatt stated that he very much enjoyed working with Chairwoman Connell over the past year. He is looking forward to working with Commissioner Reiff in the future as the new chair. Additionally, he stated that the maintenance agreement with the Ute tribe is a very important step for the area.

In June, Director Bhatt went to Washington, DC with the Denver Smart Cities Grant delegation. He was pleased with the team's presentation. Also while in DC, he met with the executive staff of the USDOT about the Central 70 project. While there,

CDOT showed the DOT how much outreach and planning has been taken for the project, which USDOT was very impressed with. Finally, he spoke with the ITS conference in San Jose, which emphasized technology solutions that will greatly improve our transportation issues.

Chief Engineer's Report

Chief Engineer Josh Laipply updated the commission on Cash Flow financing. It is currently heavy construction season, \$445 million in contracts will be going out this year for contracts, with an additional \$250 in FY17-18. This was all possible through cash flow financing.

Additionally, he spoke on resiliency throughout the CDOT System. A scope of work is currently being talked about to improve the resiliency of particularly the I-70 corridor. Finally, he highlighted how exciting the local hiring project on Central C70 is. He believes this will go a long way to stitch the community back together.

Commissioner Connell stated how important resiliency is to her and the commission and was happy to hear that report.

HPTE Director's Report

Nick Farber speaking on behalf of David Spector stated that the HPTE Board attended the US36 opening events rather than holding a board meeting. He also stated that the third RFP for the Central 70 will be released in June.

FHWA Division Administrator Report

FHWA Division Administrator John Cater stated that there is a lot of national interest on the Central 70 project, and the nation has seen the high level of work that has occurred on the project. Currently, a national team from FHWA is in Colorado looking at Wolf Creek Pass to view how to improve truck safety in the corridor. They are meeting with national experts, CDOT and state patrol to see what makes the site dangerous.

STAC

Vince Rogalski updated the commission on STAC's meeting in June. STAC discussed the bills that have been passed and were not passed at the state and federal level. One of the issues discussed was the move from HOV2+ to HOV3+ and how there might be pushback. Additionally and update the grants CDOT has applied for was given. Particularly, the Road Usage Charge pilot project was discussed.

Act on Consent Agenda

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

Resolution #TC-16-6-1

BE IT HEREBY RESOLVED, that the Transportation Commission's Regular Meeting Minutes for May 19, 2016, are approved.

Resolution to Approve HPTE's FY17 Fee for Service Agreement

Nick Farber walked the Commission through the reason for the Fee for Service Agreement between CDOT and HPTE for the HPTE services. The key points that will be addressed in FY 17 include the punch list construction items for US36, supporting the Central 70 project team, and supporting the C-470 team.

Chairwoman Connell entertained a motion to approve the HPTE FY 17 Fee for Service. Commissioner Reiff moved for approval of the resolution, and Commissioner Peterson seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-16-6-2

Discuss and Act on 12th Budget Supplement of FY 2016

Chief Financial Officer Maria Sobota explained the items that are included in the 12th Budget Supplement. She opened the floor for questions, there were none.

Chairwoman Connell entertained a motion to approve the 12th Budget Supplement of FY 2016. Commissioner Gilliland moved for approval of the resolution, and Commissioner Hofmeister seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-16-6-3

Discuss and Act on PD 703.0 Amendment – Cash Balance Policy

Maria Sobota opened the floor for questions on the amendments to PD 703.0. Commissioner Reiff stated that though he would make a different decision, that staff has done a very good job crafting this PD.

Chairwoman Connell entertained a motion to approve the amendment to PD 703.0. Commissioner Gilliland moved for approval of the resolution, and Commissioner Hall seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-16-6-4

FY 2016-17 State Infrastructure Bank (SIB) Interest Rate & Origination Fee Setting

Maria Sobota stated that the treasury suggest the interest rate be lowered from 2.5% to 2.25%. This will be revisited in November by the Transportation Commission. She opened the floor for questions, there were none.

Chairwoman Connell entertained a motion to approve the SIB Interest Rate & Origination Fee. Commissioner Peterson moved for approval of the resolution, and

Commissioner Gifford seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-16-6-5

Report out from the TC Nominating Committee and Election of TC Officers for FY 2017

Commissioner Gifford stated that through discussion, herself, commissioner Hofmeister and Commissioner Hall have nominated Gary Reiff as the Chair for the 2016-2017 fiscal year, with Sidny Zink as the Vice Chair and Herman Stockinger as TC Secretary. The recommendation was voted on and was passed unanimously.

Acknowledgement

Commissioner Peterson presented a certificate of appreciation from the Marine Corps League to Paul Jesaitis and Kurt Allen from Region 1 for their hard work maintaining the Marine Corps memorial on US6.

Adjournment

Chairwoman Connell closed the June Transportation Commission meeting at 11:00 a.m.



COLORADO

Transportation Commission

4201 East Arkansas Avenue, Room270
Denver, CO 80222-3406

DATE: July 21, 2016
TO: Transportation Commission
FROM: Kyle Lester; Herman Stockinger
SUBJECT: Repeal of Policy Directive 8.0 “Residence and Telephone Requirements”

Purpose and Action

To request that the Commission repeal Policy Directive 8.0 “Residence and Telephone Requirements” which is no longer necessary given updated Procedural Directive 8.1 “Contact Requirements for Maintenance and Designated Essential Personnel Required to Respond to Emergencies.”

Background

Policy Directive 8.0 has been in effect since July 18, 1985. It requires that designated employees be available on short notice to respond to emergency situations in their areas of operation.

Details

Updated Procedural Directive 8.1 contains requirements pertaining to maintenance employees who are designated as essential personnel and required to respond to emergency or hazardous situations. The 1985 Policy Directive contained a residence requirement that the employee must live within 20 miles or sufficiently close to the work site to be able to respond for emergencies within 30 minutes. The Department determined this was antiquated language that is no longer necessary. The updated directive still requires that the employee be able to respond within 30 minutes from notification.

Key Benefits

Elimination of residence requirement.

Options and Recommendations

- 1) Approve repeal of Policy Directive 8.0 (staff recommendation);
- 2) Request a workshop to determine whether the Policy Directive needs to be repealed; or
- 3) Conclude that the existing Policy Directive 8.0 should remain in effect, and provide guidance on any amendments to staff.

Attachments

Resolution
Policy Directive 8.0
New Procedural Directive 8.1 (available upon request)



Resolution # TC-

Repeal of Policy Directive 8.0 “Residence and Telephone Requirements”

WHEREAS, under the Colorado Revised Statutes § 43-1-106(8), the Transportation Commission of Colorado has the statutory responsibility to set policies for the Colorado Department of Transportation (“CDOT”); and

WHEREAS, the Transportation Commission supports CDOT’s efforts to eliminate when possible directives that are no longer necessary or are out of date; and

WHEREAS, Policy Directive 8.0, dated July 18, 1985, contains a residence requirement that an employee live within 20 miles of the work site, which is antiquated language no longer relevant given the availability of cell phones; and

WHEREAS, the Executive Director has updated the requirements imposed on designated essential personnel in new Procedural Directive 8.1 “Contact Requirements for Maintenance and Designated Essential Personnel Required to Respond to Emergencies,” including eliminating the residence requirement; and

WHEREAS, Policy Directive 8.0 is no longer necessary as new Procedural Directive 8.1 addresses the Department’s current process regarding designated essential personnel responding to emergencies.

NOW THEREFORE BE IT RESOLVED, the Commission herein repeals Policy Directive 8.0 “Residence and Telephone Requirements” as being no longer necessary.

Herman Stockinger
Transportation Secretary

Date of Approval

COLORADO DEPARTMENT OF TRANSPORTATION		n POLICY DIRECTIVE .. PROCEDURAL DIRECTIVE	
Subject Residence and Telephone Requirements (Proximity of Residence and Telephone to Duty Station)			Number 8.0
Effective 7/18/85	Supersedes Policy Dir. 8 12/16/76	Originating office Staff Maintenance	

PURPOSE

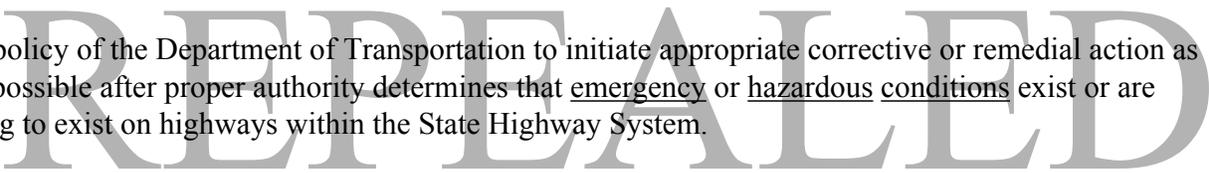
To set forth the policy of the Department of Transportation regarding residence and telephone requirements (proximity of residence to place of work or duty station and ability to contact) for employees (Department of Transportation's Maintenance and essential personnel who are required to respond to emergency or hazardous situations). For the purpose of this directive, "Place of Work or Duty Station" shall mean the District Office, Sub-District Office or Work Station to which Maintenance and essential personnel are assigned.

AUTHORITY

This directive applies to the Colorado Department of Transportation and all Divisions thereof.

POLICY

It is the policy of the Department of Transportation to initiate appropriate corrective or remedial action as soon as possible after proper authority determines that emergency or hazardous conditions exist or are beginning to exist on highways within the State Highway System.



As a condition of employment, all Colorado Department of Transportation Maintenance personnel, excluding clerical personnel and employees specifically excluded by the Appointing Authority, shall reside within twenty (20) miles or sufficiently close to the site where the equipment they operate is located, or their work station to be able to report for emergency work within thirty (30) minutes after being notified to report. For Highway Maintenance personnel attached to patrols or responsible for an area, knowledge of an emergency or hazardous condition may be considered to be notification to report to the work station.

Supervisory and/or essential personnel will be restricted to live within their District in order to respond promptly within their area of responsibility and, in no case, will supervisory and/or essential personnel live farther than the (20) miles or the (30) minutes criteria established. However, since each area of responsibility is unique to some degree, Appointing Authorities, based on manpower restrictions or location to the work station, may for good cause allow exemptions or further restrict this policy.

As a condition of employment, all Colorado Department of Transportation's Maintenance personnel, excluding clerical personnel and employees specifically excluded by the Appointing Authority, must provide his/her Supervisor with a telephone number where he/she can be reached for the purpose of responding to an emergency.

IMPLEMENTATION

The policy stated herein shall be effective immediately and shall be implemented by the Administrative Division of the Colorado Department of Transportation .

(signature on file)
Executive Director

(signature on file)
Secretary, Transportation Commission

REPEALED



COLORADO
Transportation Commission

4201 East Arkansas Avenue, Room270
Denver, CO 80222-3406

DATE: July 21, 2016
TO: Transportation Commission
FROM: Amy Ford; Herman Stockinger
SUBJECT: Repeal of Policy Directives 26.0 “Electronic Messaging Policy,” 27.0 “Computer and Internet Use,” and 31.0 “Web Site Policy”

Purpose and Action

To request that the Commission repeal Policy Directives 26.0 “Electronic Messaging Policy,” 27.0 “Computer and Internet Use,” and 31.0 “Web Site Policy” which are no longer necessary because two updated Procedural Directives, 27.1 and 31.1, address these issues.

Background

The Communications Office reviewed six Directives (three policy and three procedural directives) which addressed how CDOT employees use computers, the internet, email, and social media, and how CDOT websites and webpages are designed and managed. The six Directives were consolidated into two updated Procedural Directives, 27.1 “Use of Computer and Internet, Including Social Media and Email” and 31.1. “Website and Webpage Development and Management.” These updated directives clearly outline the requirements and prohibitions regarding computer, internet, and social media use, and the Communications Office requirements regarding websites and webpages.

Key Benefits

Reduction in the number of directives applicable to CDOT employees.

Options and Recommendations

- 1) Approve repeal of Policy Directives 26.0, 27.0, and 31.0 (staff recommendation);
- 2) Request a workshop to determine whether the Policy Directives need to be repealed; or
- 3) Conclude that the existing Policy Directives should remain in effect, and provide guidance on any amendments to staff.

Attachments

Resolution

Policy Directives 26.0, 27.0, 31.0

Procedural Directives 27.1 “Use of Computer and Internet, Including Social Media and Email” and 31.1. “Website and Webpage Development and Management” (available upon request)



Resolution # TC-

Repeal of Policy Directives 26.0 “Electronic Messaging Policy,” 27.0 “Computer and Internet Use,” and 31.0 “Web Site Policy”

WHEREAS, under the Colorado Revised Statutes § 43-1-106(8), the Transportation Commission of Colorado has the statutory responsibility to set policies for the Colorado Department of Transportation (“CDOT”); and

WHEREAS, the Transportation Commission supports CDOT’s efforts to repeal when possible directives that are no longer necessary, or are out of date; and

WHEREAS, current Policy Directive 26.0 “Electronic Messaging Policy” has been consolidated into updated Procedural Directive 27.1 “Use of Computer and Internet, Including Social Media and Email”; and

WHEREAS, current Policy Directive 27.0 “Computer and Internet Use” has been consolidated into updated Procedural Directive 27.1 “Use of Computer and Internet, Including Social Media and Email”; and

WHEREAS, current Policy Directive 31.0 “Web Site Policy” has been consolidated into updated Procedural Directive 31.1 “Website and Webpage Development and Management”; and

WHEREAS, updated Procedural Directives 27.1 and 31.1 comprehensively provide all necessary guidance on these topics, therefore Policy Directives 26.0, 27.0, and 31.0 are no longer necessary.

NOW THEREFORE BE IT RESOLVED, the Commission herein repeals Policy Directives 26.0 “Electronic Messaging Policy,” 27.0 “Computer and Internet Use,” and 31.0 “Web Site Policy” as being no longer necessary.

Herman Stockinger
Transportation Secretary

Date of Approval

COLORADO DEPARTMENT OF TRANSPORTATION		<input checked="" type="checkbox"/> POLICY DIRECTIVE <input type="checkbox"/> PROCEDURAL DIRECTIVE	
Subject ELECTRONIC MESSAGING POLICY			Number 26.0
Effective 1/22/98	Supersedes	Originating office Information Systems Center	

PURPOSE

To establish guidelines on the proper use of the electronic message systems provided by the Colorado Department of Transportation (CDOT).

AUTHORITY

24-72-203, C.R.S. and 24-72-204.5, C.R.S., as amended.
Executive Director

APPLICABILITY

This directive sets forth the CDOT's policy with regard to access to, and disclosure of, electronic messaging, including, but not limited to, electronic mail, attachments to electronic mail, Internet services, voice mail, recorded audio and video conferencing, and facsimile. The messages under this policy are those sent by or received by Department employees and other authorized users of the Department's electronic resources.

DEFINITIONS

Records: "Records" are all writings made, maintained, or kept by the Department for use in the exercise of functions required or authorized by law, administrative law, or administrative rule, or involving the receipt or expenditure of public funds. "Writings" includes all books, papers, magazines, maps, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical form or characteristics, including records in computerized format. Writings do not include computer software. (See also CDOT Procedural Directive 51.2, *Public Inspection of Department Records*.)

Electronic Message: An electronic communication transmitted between two or more computers or terminals, whether or not the message is converted to hard copy format after receipt, and whether or not the message is viewed upon transmission or stored for later retrieval. This includes electronic messages that are transmitted through a local, regional, or global computer network.

Capture: An electronic messaging system may capture or hold a message in a special "undeliverable" area when the system cannot deliver a message. An undeliverable message can be the result of an invalid mail address, the addressee's account has been deleted, an addressee is not authorized to receive mail, the electronic message can not be processed by the system for some other reason, or because of a malfunction in the electronic messaging system.

Open: System administrator accesses undeliverable messages to determine the cause of an

undeliverable message and to correct problems with the messaging system.

POLICY

The electronic messaging systems are to be used for Department related activities or the coordination of those activities.

The electronic messaging systems may be used by organizations or persons not employed by the Department of Transportation where their use provides a benefit to the Department. Electronic communication systems access will only be granted to persons with proper authorization by the Department.

All electronic messages are Departmental records and come under the laws set forth by the Colorado Revised Statutes (C.R.S.). 24-72-204.5, C.R.S. states that "correspondence of the employee in the form of electronic mail may be public record under the public records law and may be subject to public inspection under Section 24-74-203."

The release of any electronic information to the public, as set forth in the public records laws, shall not occur without the approval of the CDOT Executive Director or the CDOT Office of Public Information.

The official custodian of the Department's electronic messaging systems will be the Information Systems Officer. All questions pertaining to the department's electronic messaging policy should be directed to the Information Systems Officer.

Pursuant to the legal process, the Department reserves the right to disclose any electronic messages to law enforcement officials without any prior notice to any employees who may have sent or received such messages.

The following practices are prohibited:

- Use of electronic messaging systems to send copies of documents in violation of copyright laws.
- Use of electronic messaging systems to send messages, and provide access to data which is restricted by laws or regulations.
- Capture and "opening" of undeliverable electronic messages except as required by authorized ISC employees to diagnose and correct delivery problems.
- Use of electronic communications to intimidate or threaten others (refer to CDOT Policy Directive #10.0, *Workplace Violence*).
- Use of electronic communications to interfere with the ability of others to conduct official state business.

SUBJECT ELECTRONIC MESSAGING POLICY	NUMBER 26.0
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- "Spoofing," i.e., constructing an electronic message so it appears to be from someone else.
- "Snooping," i.e., obtaining access to the files or messages of others for the purpose of satisfying idle curiosity, with no substantial official state business purpose.
- Attempting unauthorized access to data or attempting to breach any Departmental security measures on any electronic communication system, or attempting to intercept any electronic communication transmissions without proper authorization.

Per 24-72-204.5, C.R.S., CDOT reserves the right to monitor electronic messages to ensure that the guidelines set forth above are followed.

IMPLEMENTATION

This policy shall be effective upon signature. All existing users of the electronic messaging systems will receive notice of this policy. Persons obtaining access to the electronic messaging systems in the future will receive notification of the policy upon issuance of their new account.

FISCAL NOTE

There will be no additional fiscal impact with the implementation of this directive.

SUNSET DATE

This policy shall sunset for review in December, 2000.

Signature on File
Guillermo V. Vidal, Executive Director

Date

Signature on File
Glenn A. Vaad, Secretary
Transportation Commission

Date

COLORADO DEPARTMENT OF TRANSPORTATION		<input checked="" type="checkbox"/> POLICY DIRECTIVE <input type="checkbox"/> PROCEDURAL DIRECTIVE
Subject COMPUTER AND INTERNET USE		Number 27.0
Effective 07/26/01	Supersedes ALL PREVIOUS	Originating Office OFFICE OF POLICY AND GOVERNMENT RELATIONS

PURPOSE:

1. To establish guidelines on the proper use of information technology resources including Internet access and software provided by the Colorado Department of Transportation (CDOT), and to insure that access to the Internet and information technology resources is consistent with the interests of CDOT and the State of Colorado.
2. To discourage use of information technology resources including Internet access and software for non-official purposes that may have an adverse effect on the department.
3. To encourage good judgment and responsible use of information technology tools provided by the department in an effort to increase the productivity and responsiveness of the department.

AUTHORITY:

CRS 1-45-118 (Fair Campaign Practices Act)
Policy Directive 26.0
Executive Director

POLICY:

In general, official department resources, including computers, software, and Internet access, may be used for official purposes only. Utilization of said resources should be consistent with the stated mission and goals of CDOT without regard to time, day, or location of resources.

What if employees

Certain occasional non-official use of certain resources, including Internet access, may be permitted provided that such use is infrequent and incidental. Employees should always exercise good judgment when utilizing department resources.

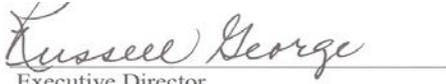
PROHIBITED USES

Department information technology resources, including Internet access, shall under no circumstances be utilized to view, or to attempt to view information that is offensive, objectionable, obscene, or of a prurient nature. In addition, employees shall not utilize department information technology resources to engage in any of the following, including but not limited to; political activity of a partisan nature, support of any political campaign or candidate, online gambling, stock trading, operating a business, or searching for outside employment. Downloading of screen-savers, games, or streaming audio or video for entertainment purposes shall not be permitted. Virus scans shall be performed before downloading and/or installing any file as downloading files without performing such scans may subject the network to viruses and other unwanted technological problems.

Personnel utilizing said resources, including Internet access, for purposes prohibited by this directive, or any purposes that are inconsistent with its intent shall be subject to strict corrective action consistent with existing law and regulation.

IMPLEMENTATION:

This policy shall become binding on all CDOT employees upon its adoption by the Transportation Commission.



Executive Director



Secretary to the Commission

REPEALED

COLORADO DEPARTMENT OF TRANSPORTATION		<input checked="" type="checkbox"/> POLICY DIRECTIVE <input type="checkbox"/> PROCEDURAL DIRECTIVE
Subject Web Site Policy		Number 31.0
Effective 03/18/10	Supersedes New	Originating Office Office of Public Relations

PURPOSE

To establish policies and guidelines for developing CDOT-related Web sites to ensure that consistent, accurate and timely information is being provided to CDOT stakeholders through the CDOT external Web site and that all sites contain appropriate CDOT branding and strive to meet Americans with Disability Act (ADA) requirements.

AUTHORITY

Transportation Commission
Americans with Disability Act

APPLICABILITY

This directive applies to all Divisions and Offices of the Colorado Department of Transportation.

DEFINITIONS

Web site - A collection of related Web pages, images, videos or other digital assets that are addressed with a common domain name or IP address. A Web site is hosted on a server and is accessible via a network such as the Internet.

POLICY

The Office of Public Relations will have final approval on all CDOT Web sites or Web pages and how the site or page will be implemented. In addition, the Office of Public Relations will have final approval on all content posted on CDOT Web sites or Web pages.

The Office of Public Relations will develop procedures and guidelines for CDOT offices/division/projects to initiate the development of Web sites or Web pages for inclusion on CDOT’s external Web site.

FISCAL IMPACT

There will be no fiscal impact with the implementation of this directive.

IMPLEMENTATION

This procedural directive shall become binding on all CDOT employees upon signature.

REVIEW DATE

This policy shall be reviewed on or before December 2015.

Signed Russels George

02/04/2010

Transportation Commission Secretary

Date of Approval



DATE: June 21, 2016
TO: Transportation Commission
FROM: Joshua Laipply, P.E. Chief Engineer
SUBJECT: SH 74 Parcel 2Rev 2-EX - Disposal/Exchange to Hammond Hardware, LLC

Purpose

CDOT Region 1 is proposing an exchange of property. Hammond Hardware, LLC will convey by deed 971 sf of land to CDOT for use as SH 74 Right of Way (ROW). In turn, CDOT will quitclaim 434 sf of ROW to Hammond Hardware, LLC for the construction of a private sidewalk.

Action

CDOT R1 is requesting a resolution approving the disposal of 434 sf of ROW that is no longer needed for State transportation purposes.

Background

Parcel 2 Rev 2-EX was originally acquired by Rule and Order #44829 and #44499 in conjunction with the construction of a segment of SH 74 that was built under Project C 11-0074-15 in 1975. Parcel 2 Rev 2-EX is 434 square feet of a larger parcel, which is 2,964 square feet and is outside of the right of way necessary for State Highway 74.

Details

Hammond Hardware, LLC will utilize the parcel CDOT is quitclaiming to build a sidewalk. This exchange will give CDOT ownership by deed of this portion of SH 74. Parcel 1A will be conveyed by deed to CDOT from Hammond Hardware, LLC. CDOT will quitclaim Parcel 2 Rev 2-EX to Hammond Hardware, LLC. The exchange will have no effect upon the operation, use, maintenance or safety of the highway facility. Parcel 2 Rev 2-EX contains approximately 434 sf and the exchange parcel contains approximately 971 sf. Both parcel 2 Rev 2-EX (434 square feet) and parcel 1A (971 square feet) have an equal fair market value per square foot. Both parties are aware of the difference in square footage of the exchange parcels and are agreeable to exchanging the parcels without any additional compensation due to the private property ownership.

Key Benefits

This exchange will result in CDOT having ownership by deed of this portion of SH 74. Additionally, Hammond Hardware, LLC will benefit from the development of a sidewalk to increase safety of its operations.

Next Steps

Upon approval of the Transportation Commission, CDOT will execute a quitclaim deed to convey Parcel 2 Rev 2-EX to Hammond Hardware, LLC. The deed will be recorded in office of the Jefferson County Clerk and Recorder. Hammond Hardware, LLC will execute a deed to convey Parcel 1A to CDOT.

Attachments

Proposed Resolution
Exhibit Depicting the Parcels Available Upon Request

Project #: C 11-0074-15
Location: SH 74 in Evergreen
Parcel #: 2 Rev 2-EX
County: Jefferson

PROPOSED RESOLUTION

WHEREAS, CDOT acquired Parcel 2 Rev 2-EX in 1975 in Jefferson County as a part of CDOT Project # C 11-0074-15 for use as SH 74;

WHEREAS, the abutting property owner would like to construct a sidewalk between the highway and their property;

WHEREAS, the adjacent property owner has requested to exchange Parcel 1A for Parcel 2 Rev 2-EX;

WHEREAS, Parcel 1A consists of 971 square feet;

WHEREAS, Parcel 2 Rev 2-EX consists of 434 square feet;

WHEREAS, the Department of Transportation would like to exchange Parcel 2 Rev 2-EX to the adjacent property owner, Hammond Hardware, LLC;

WHEREAS, this property exchange will clear title to CDOT ROW at this location;

WHEREAS, the disposal of Parcel 2 Rev 2-EX will not affect the operation, maintenance, use or safety of CDOT's facility;

WHEREAS, the Department of Transportation, Region 1 has declared through Joshua Laipply as Chief Engineer, that Parcel 2 Rev 2-EX is not needed for transportation purposes;

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

WHEREAS, Parcel 2 Rev 2-EX (434 square feet) and the parcel 1A (971 square feet) have an equal fair market value per square foot;

WHEREAS, both parties are aware of the difference in square footage for the exchange and are agreeable to exchanging the parcels without any additional compensation due to the private property ownership;

WHEREAS, the Department has determined that Parcel 2 Rev 2-EX consisting of 434 sf of right of way is of use only to the adjacent property owner;

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

WHEREAS, Hammond Hardware, LLC desires to exercise its right of refusal to exchange for the 434 sf of right of way which is no longer needed for transportation purposes;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the C.R.S, 43-1-210(5) and 23 CFR 710.403 the Department of Transportation be given authority to declare Parcel 2 Rev 2-EX as excess property and dispose of the 434 sf of right of way, which is no longer needed for transportation purposes for exchange of equal value property.

FURTHER, as this is an exchange and not a sale there will be no funds to be disbursed in accordance with Section 7.2.15 of the CDOT Right-of-Way Manual.



DATE: June 21, 2016
TO: Transportation Commission
FROM: Joshua Laipply, P.E. Chief Engineer
SUBJECT: SH 265 Abandonment; City and County of Denver

Purpose

CDOT Reion 1 is proposing an abandonment of 1.01 linear miles of SH 265 between I-70 and I-270, beginning at the northerly right of way line of 47th Avenue and ending near the southeasterly right of way line of York Street

Action

CDOT R1 is requesting a resolution approving the above referenced abandonment of right of way.

Background

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.

Details

Region 1 has determined that abandoning this portion of SH 265 would be in the best interest of Colorado taxpayers. Region 1 is currently completing an environmental clearance (Categorical Exclusion, Form 128) as required for the devolution of state highways;

Key Benefits

CDOT will be relieved of all maintenance requirements for the abandoned section of highway.

Next Steps

Subject to completion of the required environmental clearance and within 90 days of the official notification of such abandonment by the Transportation Commission, the City and County of Denver shall execute a resolution or ordinance accepting the abandoned portion of SH 265 as a city street. Within 90 days of the date of execution of the City and County of Denver Resolution or Ordinance accepting the abandoned portion of SH 265, 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.

Attachments

Proposed Resolution
Exhibit Depicting the Parcels Available Upon Request

PROJECT #: C C010-117
PROJECT CODE: 21445
LOCATION: SH 265 (Brighton Blvd), 47th Ave to York
Municipality: City and County of Denver

PROPOSED RESOLUTION

WHEREAS, the Department of Transportation owns 1.05 linear miles of Highway in the City and County of Denver identified as State Highway 265 (Brighton Boulevard);

WHEREAS, that portion of SH 265 is located between I-70 and I-270, beginning at the northerly right of way line of 47th Avenue and ending near the southeasterly right of way line of York Street (Exhibit A);

WHEREAS, Region 1 has determined that abandoning this portion of SH 265 would be in the best interest of Colorado taxpayers;

WHEREAS, Region 1 is currently completing an environmental clearance (Categorical Exclusion, Form 128) as required for the devolution of state highways;

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 on the date of the transfer of ownership of this specified road segment;

WHEREAS, the governing body of the City and County of Denver shall adopt a resolution agreeing to the State’s abandonment of the portion of SH 265 and agreeing that said highway segment no longer serves the ongoing purposes of the State Highway system; committing the City and County of Denver to assume ownership of said highway segment in the “as is” condition;

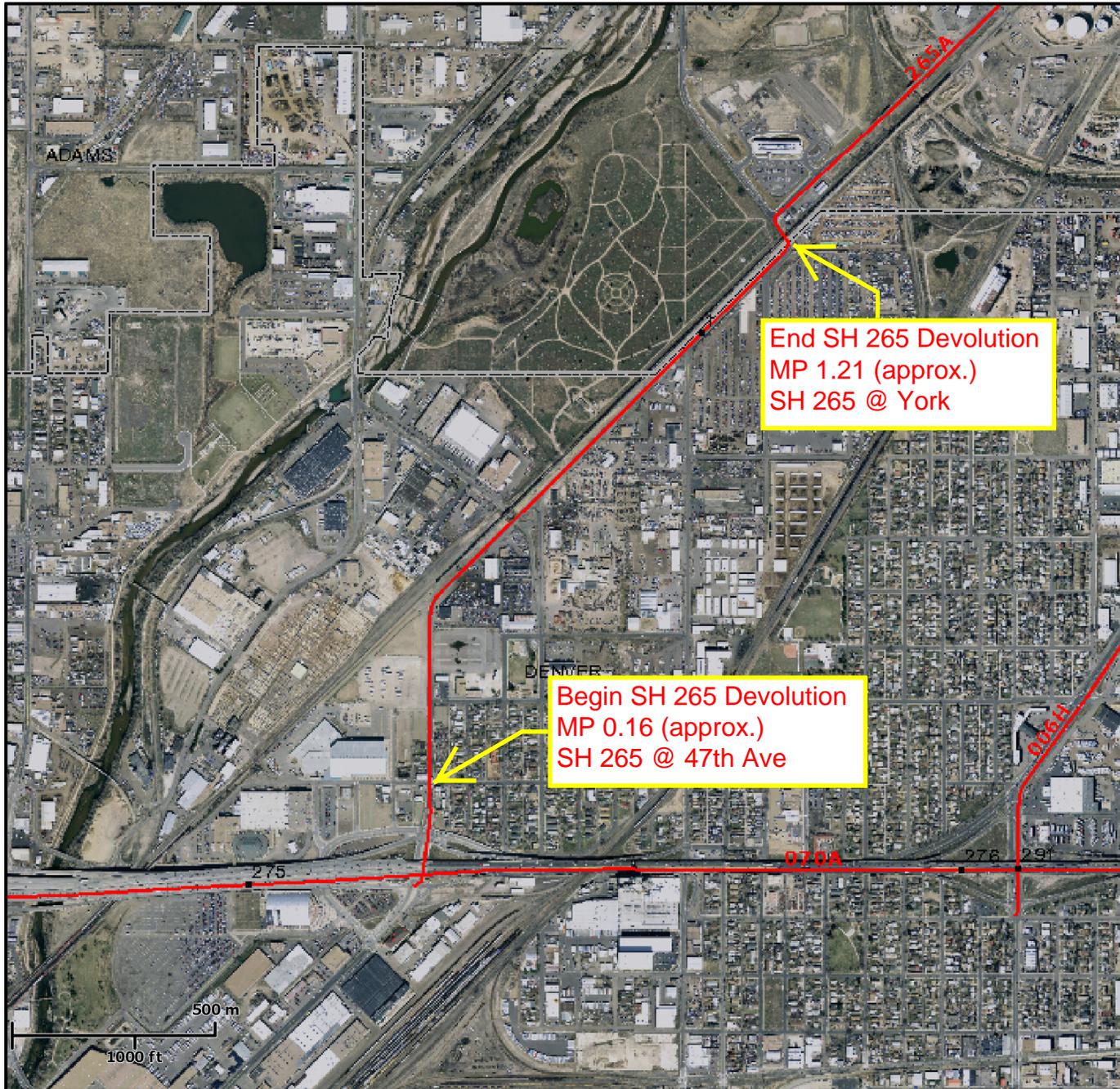
WHEREAS, subject to completion of the required environmental clearance and within 90 days of the official notification of such abandonment by the Transportation Commission, the City and County of Denver shall execute a resolution or ordinance accepting the abandoned portion of SH 265 as a city street;

WHEREAS, within 90 days of the date of execution of the City and County of Denver Resolution or Ordinance accepting the abandoned portion of SH 265, 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, the Chief Engineer, the Department of Transportation, and the Executive Director are authorized pursuant to CRS 43-1-106, 43-1-110, 43-1-114, 43-2-101, 43-2-106, 43-2-110, 43-2-144, and 43-2-303, to make determinations regarding abandonment of State Highway(s) to affected county(ies) or municipality(ies);

WHEREAS, the Transportation Commission concurs with the Chief Engineer that this portion of SH 265 is no longer needed for State Highway purposes;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the CRS, Sections 29-1-203, 43-1-106, 43-1-110, 43-1-114, 43-2-101, 43-2-106, 43-2-110, 43-2-144, and 43-2-303, the Department of Transportation be given authority to declare that portion of SH 265 abandoned, as shown in Exhibit A, containing approximately 1.05 miles.



Legend

Base Layers

Milepoints



Highways



Boundaries

Counties



Map scale 1:14,692

Created 2016/02/29 16:04:23 UTC

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The information contained in this map is based on the most currently available data and has been checked for accuracy. CDOT does not guarantee the accuracy of any information presented, is not liable in any respect for any errors or omissions, and is not responsible for determining "fitness for use".



DATE: June 21, 2016
TO: Transportation Commission
FROM: Joshua Laipply, P.E. Chief Engineer
SUBJECT: SH 85 Parcel Exchange; City of Brighton

Purpose

CDOT Reion 1 is proposing an exchange of property with the City of Brighton (the City) for parcels of property located in SH 85 right of way. The City intends to convey Parcels 5A, 7A and 8 (45,206 total square feet) to CDOT in exchange for CDOT conveying Parcel 3Rev (32,583 square feet) to the City for the hotel development site.

Action

CDOT R1 is requesting a resolution approving the above referenced exchange of right of way.

Background

In 2001 CDOT abandoned a portion of SH 85-B (Business) to the City. In 2013 the City and CDOT agreed to realign the abandoned portion of SH 85-B and make other safety improvements to the transportation system in the area. As a result of the alignment, Parcel 3Rev and Parcel 8 ceased to be used for transportation purposes and therefore should have reverted to CDOT in accordance with CRS 43-2-106.

Details

The proposed exchange will transfer ownership of Parcel 8 to CDOT (previously abandoned to the City), Parcel 7A (currently City ROW, to be used by CDOT for a future interchange) and Parcel 5A (recently acquired by the City of Brighton Urban Renewal Authority, to be used by CDOT for a future interchange). In exchange for the above parcels, CDOT will not exercise the reverter clause on Parcel 3Rev, and allow the City to use that parcel for commercial development.

Key Benefits

This exchange will provide CDOT with adequate right of way to construct a future interchange at Bromley Lane and SH 85.

Next Steps

Upon approval of the Transportation Commission, CDOT and the City will exchange deeds to formalize the exchange of parcels.

Attachments

Proposed Resolution
Exhibit Depicting the Parcels Available Upon Request

PROJECT #: NH 0853-068
LOCATION: US 85 @ Bromley Road
PARCEL #: 3Rev
COUNTY: Adams

PROPOSED RESOLUTION

WHEREAS, on February 15, 2001, the Transportation Commission approved resolution TC-925 which abandoned State Highway 85-B (Business) within the city limits of Brighton; and

WHEREAS, the Transportation Commission received from the City of Brighton, Ordinance 1661 accepting the abandoned portion of SH 85-B; and

WHEREAS, the City entered into an Intergovernmental Agreement (IGA) with CDOT on June 27, 2001 to set forth the terms of the City taking possession of SH 85-B (now known as Main Street) between Bromley Lane and Denver Street; and

WHEREAS, the City also entered into an IGA with CDOT on January 17, 2013 setting forth terms of the realignment of Main Street at Bromley Lane and other safety improvements in the vicinity; and

WHEREAS, in accordance with CRS 43-2-106 if the City ceases to use the abandoned portion of SH 85 for the purpose of a city street, title to the abandoned state highway or portion thereof shall revert to the Department of Transportation, State of Colorado; and

WHEREAS, Parcel 8 (23,319 square feet) on the attached Exhibit A is a portion of the abandoned SH 85-B which was accepted by the City as part of Main Street; and

WHEREAS, the City and the Brighton Urban Renewal Authority have or will acquire the properties abutting the previous (2001) and current Main Street alignments, identified as Parcels 5 (30,402 square feet) and 7A (1,872 square feet) on the attached Exhibit A; and

WHEREAS, it is the intent of the City to assemble and develop the parcels with a hotel and conference center. A conceptual draft site plan is shown on Exhibit B; and

WHEREAS, Parcel 3Rev (32,583 square feet) on Exhibit A represents a portion of the previously defined right of way of Main Street upon which an existing cul-de-sac serves to currently provide access to Parcel 5; and

WHEREAS, the City acknowledges that the intersection of US 85 and Bromley Lane is planned to be a single point urban interchange (SPUI) at some point in the future, and that the right of way beyond the existing boundaries of US 85 will be necessary for the planned interchange; and

WHEREAS, the design of the hotel site will keep any structures and parking improvements outside of the anticipated footprint of the SPUI to reduce impacts to the future interchange; and

WHEREAS, Parcel 5A (21,887 square feet) and Parcel 8 on the attached Exhibit A comprise a portion of the anticipated right of way required for the interchange footprint; and

WHEREAS, the City and CDOT desire to exchange properties in the area of SH 85 and Bromley Lane to allow the assemblage of properties for a hotel and conference development site and for the preservation of the right of way needed for the future interchange; and

WHEREAS, the City intends to convey Parcels 5A and 8 (45,206 total square feet) to CDOT for the right of way preservation in exchange for CDOT conveying Parcel 3Rev (32,583 square feet) to the City for the hotel development site; and

WHEREAS, all subject parcels have an equal fair market value per square foot, and both parties are aware of the difference in square footage for the exchange and are agreeable to exchanging the parcels without any additional compensation; and

WHEREAS, the exchange of the property will not affect the operation, maintenance, use or safety of CDOT's facility; 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 land to be declared excess and not needed for transportation purposes now or in the foreseeable future; and

WHEREAS, the Department of Transportation, Region 1 has declared through Joshua Laipply as Chief Engineer, that the property is not needed for transportation purposes; and

WHEREAS, the Transportation Commission concurs with the Chief Engineer that this property is not needed for transportation purposes now or in the foreseeable future; and

NOW, THEREFORE BE IT RESOLVED, pursuant to C.R.S. 43-1-106(8)(n); 43-1-110; 43-1-114(3) and 43-1-210; Code of Federal Regulations and Title 23, Part 710, Section 409 (23 CFR 710.409) the Department of Transportation be given authority to declare Parcel 3Rev of Project Number NH 0853-068 as excess land.

FURTHER, as this is an exchange and not a sale, there will be no funds to be disbursed in accordance with Section 7.2.15 of the CDOT Right-of-Way Manual.

EXHIBIT A

Colorado Department of Transportation
 2000 South Holly St
 Denver, CO 80222
 Phone: 303-757-6923

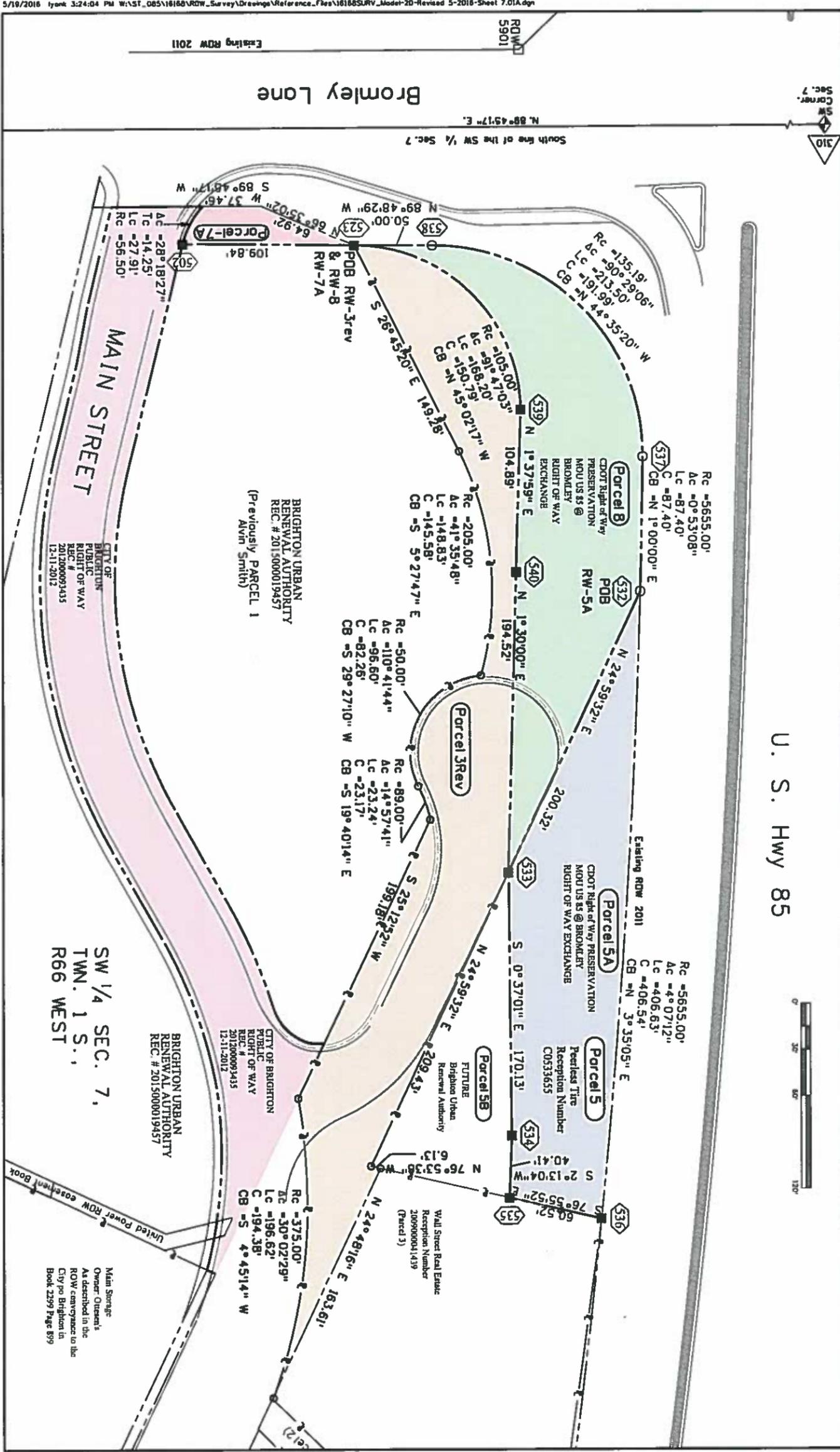
Sheet Revisions			
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Sheet Revisions			
Date (mm/dd/yy)	Description	Initials	Scale
XXXXXX	XXXXXX	XXX	XXX

Right of Way Plans			
Plan Sheet			
Project Number:	Sheet No.	Project Location:	Scale
NH 0853-068	7.01A	US 85 @ Bromley Road	7.01A of 7.01A
Project Code: 1898			

U. S. Hwy 85



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