Transportation Commission of Colorado
Regular Meeting Minutes
Sept. 15, 2016

Chairman Gary Reiff convened the meeting at 9:00 a.m.

PRESENT WERE: Gary Reiff, Chairman, District 3
Shannon Gifford, District 1
Ed Peterson, District 2
Kathy Gilliland, District 5
Kathy Connell, District 6
Kathy Hall, District 7
Sidny Zink, Vice Chair, District 8
Bill Thiebaut, District 10
Steven Hofmeister, District 11

EXCUSED: Heather Barry, District 4

VACANT: District 9

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
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
Chairman Reiff opened the floor for audience participation. There were no public comments.

Individual Commissioner Comments

Commissioner Hall reminded everyone that Grand Junction is a great place to visit for festivals or a weekend away. In September, she attended the Club 20 State Senate Debate. All of those involved were concerned about transportation.

Commissioner Gifford had nothing to report.

Commissioner Hofmeister had nothing to report.

Commissioner Thiebaut thanked the Region 2 Staff for their efforts as they go through Southeast Colorado for their county meetings. He stated that three years ago when he was appointed, the locals didn't have a great relationship with CDOT. However, those relationships have greatly improved thanks to the staff at Region 2.

Commissioner Peterson attended the Jefferson County Transportation Town Hall yesterday where he learned about a number of transportation projects in his district.

Commissioner Connell has been attending the County meetings throughout her area in September. Additionally, she attended the I-70 coalition meeting.

Commissioner Gilliland attended the International Bridge, Tunnel and Turnpike Association meeting hosted by E-470. She learned a lot about issues and solutions around tolling nationally and internationally. There is a number of issues of how to make every state have a seamless solution to tolling.

Vice Chair Zink attended the County Commissioner Meeting for Hinsdale County. She stated the commissioners are appreciative of CDOT and its efforts.

Chair Reiff had the chance to meet with Mayor Hogan of Aurora in September about the needs of Aurora as they go forward. He also gave a shout out to Maria's finance team for an excellent presentation at Workshops.

Executive Director's Report

Executive Director Bhatt informed everyone that there was an accident on I-70, that was quickly responded to by staff and the Chief Engineer. Ryan and his team were able to quickly avoid a significant safety situation. Additionally, CDOT was nominated for awards for the I-70 Mountain Express Lanes and the US 6 project. Finally, he attended the CDOT Truck Roadeo in Poncha Springs. Region 2 took the prize at this year's event.

Chief Engineer's Report

Chief Engineer Josh Laipply brought up a concern about workzone safety. There has been discussions internally to improve safety for the workers maintaining and building the system. Additionally, he brought up the local hiring grant from FHWA for the I-70 project. As part of that, there was a planning meeting where it was decided that the workforce project wouldn't be kept to Central 70, but a statewide workforce development program. Finally, he recognized Mark Imhoff and David Krutzinger for winning the Amtrack Presidential Safety Awards.

HPTE Director's Report

HPTE Director David Spector discussed HPTE's involvement at the International Bridge Tunnel and Turnpike Association's national conference, where Director Spector and Executive Director Bhatt both spoke. HPTE staff and Commissioner Gilliland join the conference to learn best practices in tolling. Additionally, HPTE has reached a milestone and distributed over 100,000 HOV switchable transponders.

FHWA

Alicia Nolan informed the Commission that it is the end of the Federal Fiscal year. However, FHWA has funds authorized through FAST Act, so they will not be shut down if the government shuts down. As it is the end of the year, she noted that in the last year there have been a number of things that Colorado should be proud of, including the I-25 TIGER Grant. However, crashes have been increasing, not just in Colorado, but the country too.

STAC

Vince Rogalski let the Transportation Commission know that they had a robust discussion the last month on Transit. STAC recommended DTR work throughout the state to inform what decisions would be made from 5311. STAC also encouraged that the entire Transportation Commission should attend the October STAC meeting. They believe it is a legislative mandate. Commissioner Reiff stated he and Commissioner Zink would be in attendance.

Act on Consent Agenda

Chairman Reiff stated that he removed items C, F and G from the Consent agenda to be moved for full discussion by the Commission. Chairman Reiff entertained a motion to approve the Consent Agenda. Commissioner Connell moved for approval of the resolution, and Commissioner Hofmeister seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-16-9-1

BE IT HEREBY RESOLVED, that the Transportation Commission's Regular Meeting Minutes for June 16, 2016, are approved.

Resolution #TC-16-9-2

Resolution #TC-16-9-2

Fiscal Year 2017 additions over $50,000 project list approval

Approved by the Transportation Commission on Sept. 15, 2016.

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 these projects to be done in Fiscal Year 2017 as detailed in the memorandum entitled; FY 17 Maintenance $50,000 to $150,000 project list.

WHEREAS, the funding for this project is contained in the Fiscal Year 2017 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.

Region 4 Section 1				
Hwy	Start	End	Surface Treatment	Estimated Cost
I-76 EB	48.82	48.83	Mill/Fill Bridge	$61,907.00
I-76 WB	48.83	48.82	Mill/Fill Bridge	$65,139.00
Hwy 34A	111.23	By Pass	Slope Paving	$54,200.00
			Total	$181,246.00

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

9-15-16

Date of Approval

Resolution #TC-16-9-3

Resolution #TC-16-9-3

Approving the disposal of abandoned Woodland Park Maintenance Facility

Approved by the Transportation Commission on Sept. 15, 2016.

WHEREAS, CDOT acquired property located at 930 West Bowman Avenue in the City of Woodland Park in 1968 and used the property as a maintenance site serving portions of Teller County;

WHEREAS, CDOT ceased using the property as a maintenance site in 2015;

WHEREAS, the establishment of an additional maintenance site has rendered this property unnecessary for CDOT purposes;

WHEREAS, the subject property consists of 2.24 acres of land, easements for water and sewer lines and two (2) garage/shop buildings and a salt storage shed;

WHEREAS, the Department of Transportation would like to sell the property located at 930 West Bowman Avenue in the City of Woodland Park at fair market value;

WHEREAS, the disposal of the subject property will not affect the operation, maintenance, use or safety of CDOT's facility;

WHEREAS, the Department of Transportation, Region 2 has declared through Joshua Laipply as Chief Engineer, that the property is no longer needed for maintenance or transportation purposes;

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

WHEREAS, the Department has determined that the subject property consisting of 2.24 acres has stand-alone value;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the C.R.S, 43-1-210(5) the Department of Transportation be given authority to declare the subject property at 930 West Bowman Avenue in Woodland Park as excess property and sell the subject property consisting of 2.24 acres, which is no longer needed for maintenance or transportation purposes for fair market value.

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

9-15-16

Date of Approval

Resolution #TC-16-9-4

Resolution #TC-16-9-4
Approval of the disposal of property near SH 287 in Lafayette.

Approved by the Transportation Commission on Sept. 15, 2016.

WHEREAS, CDOT acquired Parcel 11A in 1994 in Boulder County as a part of CDOT Project No. FCU-NH (CX) 287-3(52) Unit 1 to facilitate the re-alignment of SH 287;

WHEREAS, the subject parcel was acquired as a result of the re-alignment of SH 287 leaving the parcel without access;

WHEREAS, the subject parcel is partially located in the Coal Creek channel and flood plain;

WHEREAS, CDOT purchased a permanent easement across the site for the benefit of the adjacent owner for their irrigation lateral;

WHEREAS, the subject parcel has not been needed for transportation or maintenance purposes subsequent to the re-alignment of SH 287;

WHEREAS, Parcel 11A consists 6.071 acres;

WHEREAS, City of Lafayette is interested in acquiring the subject parcel for the preservation of flood plain for Open Space;

WHEREAS, the Department of Transportation would like to quitclaim Parcel 11A to the City of Lafayette;

WHEREAS, the conveyance of Parcel 11A to the City of Lafayette is subject to CDOT's permanent easement;

WHEREAS, if the 6.071 acres, comprising Parcel 11A, to be conveyed to the City of Lafayette ever ceases to be used for social, environmental and nonproprietary governmental purposes pursuant to 23 CFR 710.403(d)(1) then the subject parcel shall revert to CDOT;

WHEREAS, in the event the placement of outdoor advertising signs on or near the subject parcel violates the Federal-Aid Highway Act of 1958 and/or the Federal Highway Beautification Act of 1965, the subject parcel shall revert to CDOT, after notice and a reasonable opportunity to cure;

WHEREAS, the disposal of Parcel 11A will not affect the operation, maintenance, safety or use of any CDOT facility;

WHEREAS, the Department of Transportation, Region 4 has declared through Joshua Laipply as Chief Engineer, that the 6.071 acres of land is not needed for State transportation purposes;

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

WHEREAS, 23 CFR 710.403(d) (1) allows CDOT to convey property to other governmental entities for nominal value if the property is used for social, environmental, economic or nonproprietary governmental use;

WHEREAS, the City of Lafayette desires to exercise its right of refusal to purchase the 6.071 acres of land in US 287 right of way, which is no longer needed for State 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 11A as excess property and dispose of the SH 287 right of way which is no longer needed for State transportation purposes without monetary compensation.

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

9-15-16
Date of Approval

Resolution #TC-16-9-5

Resolution # TC-16-9-5

Approval of the disposal of the 4th Street Bridge Field Office in Pueblo.

Approved by the Transportation Commission on Sept. 15, 2016.

WHEREAS, CDOT acquired Parcel 13x in 2007 in Boulder County as a part of CDOT Project # BR 00961-008 for the new 4th Street bridge and realignment of SH 96;

WHEREAS, CDOT acquired 59,255 square feet of land as a total acquisition to include a residential house;

WHEREAS, the residential house was demolished as part of the project;

WHEREAS, CDOT utilized the vacant property to house construction trailers while the new 4th Street bridge and realignment of SH 96 were completed;

WHEREAS, Parcel 13x is only a portion of the original 59,255 square foot parcel purchased by CDOT in 2007;

WHEREAS, CDOT Region 2 Right of Way and Region 2 Maintenance defined the limits of parcel 13x to ensure there is enough property to complete all required maintenance operations in the area on a slope and under the bridge;

WHEREAS, Parcel 13x consists of 21,690 square feet;

WHEREAS, the Fraternal Order of Eagles would like to purchase Parcel 13x;

WHEREAS, the Department of Transportation would like to sell Parcel 13x to the adjacent property owner, the Fraternal Order of Eagles;

WHEREAS, the disposal of Parcel 13x will not affect the operation, maintenance, use or safety of CDOT's facility;

WHEREAS, the Department of Transportation, Region 2, has declared through Joshua Laipply as Chief Engineer that Parcel 13x is not needed for transportation purposes;

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

WHEREAS, the Department has determined that Parcel 13x consisting of 21,690 sf of land is of use only to the adjacent property owner;

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

WHEREAS, the Fraternal Order of Eagles desires to exercise its right of refusal to

purchase the 21,690 sf of SH 96 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 13x as excess property and dispose of the 21,690 sf of SH 96 right of way, which is no longer needed for transportation purposes for fair market value.

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

9-15-16

Date of Approval

Resolution #TC-16-9-6

Resolution # TC-16-9-6

Repeal of Policy Directive 387.0 "Administration of Federal-Aid Highway Projects by Public Agencies".

Approved by the Transportation Commission on Sept. 15, 2016.

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; and

WHEREAS, Policy Directive 387.0 "Administration of Federal-Aid Highway Projects by Public Agencies" directed the Department to rely on the CDOT Local Agency Manual and the CDOT/FHWA Stewardship Agreement for the administration of Federal-aid highway projects performed by public agencies; and

WHEREAS, CDOT's governing contractual documents with public agencies, including Intergovernmental Agreements, require adherence to the FHWA Stewardship Agreement and the Local Agency Manual; and

WHEREAS, CDOT employees are continuing to comply with CDOT's governing contractual documents with public agencies and the governing federal law and regulations, therefore Policy Directive 387.0 is no longer necessary.

NOW THEREFORE BE IT RESOLVED, the Commission herein repeals Policy Directive 387.0 "Administration of Federal-Aid Highway Projects by Public Agencies" as being no longer necessary.

Herman F. Stockinger III

Herman Stockinger, Secretary
Transportation Commission of Colorado

9-15-16

Date of Approval

Resolution #TC-16-9-7

Resolution # TC-16-9-7

Repeal of Policy Directive 500.0 "Development of Federal Aid Projects Under the CDOT Federal-Aid Highway Program Stewardship Agreement".

Approved by the Transportation Commission on Sept. 15, 2016.

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; and

WHEREAS, Policy Directive 500.0 directed the Department to follow the most current version of the CDOT Federal-Aid Highway Program Stewardship Agreement when developing CDOT Federal-Aid construction projects; and

WHEREAS, CDOT employees are required to comply with the CDOT Federal-Aid Highway Program Stewardship Agreement by virtue of the Agreement itself, therefore Policy Directive 500.0 is no longer necessary.

NOW THEREFORE BE IT RESOLVED, the Commission herein repeals Policy Directive 500.0 "Development of Federal Aid Projects Under the CDOT Federal-Aid Highway Program Stewardship Agreement" as being no longer necessary.

Herman F. Stockinger III

Herman Stockinger, Secretary
Transportation Commission of Colorado

9-15-16

Date of Approval

C-470 IAA

David Spector outlined the IAA between HPTE and CDOT for C-470. This is similar to what has been previously passed, however there are some changes to the IAA due to the differences in projects, namely TIFIA loans and toll revenue backed bonds.

David Spector introduced the Commission to why they need to have a scope of work/Fee for Service agreement with HPTE. This is approved yearly in the budget cycle, and the amendments cover any additional cost or work. Commissioner Zink asked about where the accountability on HPTE. David answered that HPTE works hand in hand with DAF to ensure the services are being delivered, and also is required to present to the Commisison mid-year to previde an update on services and a reconciliation, if necessary.

Chairman Reiff entertained a motion to approve the C-740 IAA. Commissioner Peterson moved for approval of the resolution, and Commissioner Hall seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Review and Approve 1st Amendment to HPTE 2016/17 Scope of Work

David Spector introduced the Commission to why they need to have a scope of work/Fee for Service. This is approved yearly in the budget cycle, and the amendments cover any additional cost or work. Commissioner Zink asked about where the accountability on HPTE was? David answered that HPTE works hand in hand with DAF to ensure the services are being delivered.

Chairman Reiff entertained a motion to approve the HPTE Scope of work. Commissioner Connell moved for approval of the resolution, and Commissioner Peterson seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-16-9-8

Resolution #TC-16-9-8

Approving an Intra-Agency Agreement between the Colorado Department of Transportation and the Colorado High Performance Transportation Enterprise for the C-470 Express Lanes Project.

Approved by the Transportation Commission on Sept. 15, 2016.

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

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

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

WHEREAS, HPTE is authorized, pursuant to Section 43-4-806(2)(c)(I), C.R.S., to impose user fees on the travelling public for the privilege of using surface transportation infrastructure, and is further authorized pursuant to Section 43-4-806(2)(c)(III), C.R.S. to contract with any governmental or non-governmental source of funding for loans to be used in support of HPTE's functions; and

WHEREAS, CDOT, in partnership with HPTE, is undertaking the first phase of the C-470 Express Lanes Project which generally consists of the completion of one to two new tolled express lanes in each direction on State Highway 470 ("C-470") from approximately Wadsworth Boulevard to the C-470/Interstate 25 interchange (the "Project"); and

WHEREAS, CDOT has requested HPTE's involvement in the Project for a variety of benefits that CDOT will receive from implementing tolling on the Project, including, but not limited to, allowing CDOT to better manage congestion over the long term on C-470 and providing the traveling public with the choice of a new travel lane with more reliable and efficient travel times; and

Herman F. Stockinger III

Herman Stockinger, Secretary
Transportation Commission of Colorado

9-15-16

Date of Approval

Resolution #TC-16-9-11
Approval of the 1st Amendment to the HPTE 2016/17 Scope of work.

Approved by the Transportation Commission on Sept. 15, 2016.

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

WHEREAS, the Transportation Commission promulgates and adopts all budgets for CDOT and state transportation programs; and

WHEREAS, HPTE and CDOT previously entered into that certain *Fee for Service Intra-Agency Agreement*, dated September 9, 2015 (the "FY 2015-16 Agreement"), in which CDOT acknowledged that HPTE possesses expertise and legal powers unavailable to CDOT, and agreed to compensate HPTE for the fair market value of certain services to be provided to CDOT; and

WHEREAS, on June 16, 2016, the Transportation Commission approved that certain *Fiscal Year 2016-17 Fee for Service Agreement*, which incorporated the terms of conditions of the FY 2015-16 Agreement and set forth a new scope of services to be provided by HPTE to CDOT during the 2016-17 fiscal year; and

WHEREAS, CDOT has subsequently requested additional services from HPTE for the 2016-17 fiscal year, which HPTE has agreed to provide for a fee, and which are described in the *First Amendment to the Fiscal Year 2016-17 Fee for Service Agreement* (the "Amendment"); and

WHEREAS, the Transportation Commission has reviewed the Amendment and finds the compensation amounts set forth to constitute fair and reasonable compensation for the additional services to be provided by HPTE to CDOT during the 2016-17 fiscal year.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby approves the Amendment in substantially the form presented and authorizes the CDOT Executive Director to execute the Amendment with such changes therein and additions thereto, including further revisions or modifications to the fiscal year 2016-17 scope of work as the Executive Director may determine to be necessary or appropriate.

Herman F. Stockinger II — 9-15-16

Herman Stockinger, Secretary — Date of Approval
Transportation Commission of Colorado

Disposal of Properties at Region 4 and Headquarters

Joshua Laipply outlined to the commission the need to dispose of properties that housed the former Region 4 headquarters, as well as the Headquarters building in Denver.

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

Resolution #TC-16-9-9

Resolution # TC-16-9-9

Disposal of the former Region 4 Headquarters properties.

Approved by the Transportation Commission on Sept. 15, 2016.

WHEREAS, CDOT Region 4 is proposing to dispose of two properties that were vacated as a result of the construction of the new headquarters that was built and put into service in November, 2015;

WHEREAS, in July, 2014, the Transportation Commission approved TC-3178 to authorize the construction of a new Region 4 Headquarters;

WHEREAS, the new Region 4 headquarters project included the consolidation of several offices in Region 4 including 1420 2nd Street in Greeley and 3939 Riverside Parkway in Evans;

WHEREAS, the main office in Greeley has been being leased to the City of Greeley from the time CDOT vacated it;

WHEREAS, the City of Greeley's lease on the property in Greeley expires at the end of February, 2017;

WHEREAS, CDOT desires to sell the Greeley property for fair market value in accordance with C.R.S. 43-1-210(5);

WHEREAS, the Evans facility was severely damaged from the floods in 2013 and the building has since been condemned and demolished;

WHEREAS, the City of Evans would like to acquire the property in Evans in exchange for relinquishing the requirement for CDOT to landscape and maintain a park and ride CDOT operates in the City of Evans;

WHEREAS, the City of Evans and CDOT Region 4 have executed an MOA that is subject to the passage of this resolution, agreeing to the exchange;

WHEREAS, the properties in Greely and Evans are no longer needed by CDOT as a result of the construction of the new building.

WHEREAS, the Department of Transportation, Region 4 has declared through Joshua Laipply as Chief Engineer, that the properties are no longer needed for maintenance or transportation purposes;

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

WHEREAS, the Department has determined that the subject properties described above are longer needed for transportation purposes;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the C.R.S, 43-1-210(5) the Department of Transportation be given authority to declare the subject properties located at 1420 2nd Street in Greeley and 3939 Riverside Parkway in Evans as excess property and sell/exchange the subject properties, which are no longer needed for maintenance or transportation purposes.

FURTHER, funds from the sale of the property shall be used to pay down the balance of Certificates of Participation used to finance the new Region 4 headquarters project.

Herman F. Stockinger III

Herman Stockinger, Secretary
Transportation Commission of Colorado

9-15-16

Date of Approval

Resolution #TC-16-9-10

Resolution # TC-16-9-10

Approval of the disposal of the four properties that will be vacated from the old Statewide and Region 1 Headquarters.

Approved by the Transportation Commission on Sept. 15, 2016.

WHEREAS, CDOT is proposing to dispose of four properties that will be vacated as a result of the construction of the new headquarters project that will consolidate several buildings into one Statewide and Region 1 headquarters office;

WHEREAS, in August, 2016, the Transportation Commission approved TC-16-8-6 to authorize the construction of a new Statewide and Region 1 headquarters;

WHEREAS, the new Statewide and Region 1 headquarters project will include the consolidation of several offices in the Denver Metro area including 4201 E Arkansas Avenue in Denver 2000 South Holly Street in Denver, 8333 South Wadsworth Court in Lakewood and 7328 South Revere Parkway in Centennial;

WHEREAS, CDOT desires to sell the properties for fair market value in accordance with C.R.S. 43-1-210(5);

WHEREAS, CDOT intends to begin the process of selling these properties as soon as possible to maximize their value;

WHEREAS, the sale of all of these properties will be contingent upon the completion of the new Statewide and Region 1 headquarters building;

WHEREAS, the Department of Transportation, has declared through Joshua Laipply as Chief Engineer, that upon the completion of the new Statewide and Region 1 headquarters building the properties will no longer be needed for maintenance or transportation purposes;

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

WHEREAS, the Department has determined that the subject properties described above; will no longer be needed for maintenance or transportation purposes upon the completion of the new Statewide and Region 1 headquarters building;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the C.R.S, 43-1-210(5) the Department of Transportation be given authority to declare the subject properties located at 4201 E Arkansas Avenue in Denver 2000 South Holly Street in Denver, 8333 South Wadsworth Court in Lakewood and 7328 South Revere Parkway in Centennial as excess property and sell the properties subject to the completion of the new Statewide and Region 1 headquarters building.

FURTHER, funds from the sale of the property shall be used to pay down the balance of Certificates of Participation used to finance the new Statewide and Region 1 headquarters building.

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

9-15-16
Date of Approval

Discuss and Act on 3rd Budget Supplement

Maria Sobota asked the board if there were any questions on the supplement.

Commissioner Thiebaut asked if there was a policy to help projects where RPP money is low. Maria stated the contingency reserve is not often used for project relief funds. Commissioner Hofmeister echoed Commissioner Thiebaut's concerns.

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

unanimously.

Larimer County Parcel #15010-00-017

Joshua Laipply explained to the commission that this property condemnation is part of the US34 Big Thompson Canyon project. This discussion was brought to the Commission due to the continuing Supreme Court Case.

Chairman Reiff entertained a motion to approve the Parcel condemnation. Commissioner Gifford moved for approval of the resolutions, and Commissioner Hall seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-16-9-14

Resolution # TC-16-9-14

Authorizing the Chief Engineer to negotiate with and tender damages to C. Kevin Stees

Approved by the Transportation Commission on Sept. 15, 2016.

WHEREAS, the Transportation Commission is authorized pursuant to Section 43-1-106(8), C.R.S. to formulate the general policy with respect to management, construction and maintenance of public highways and other transportation systems in the state and to promulgate and adopt all budgets of CDOT; and

WHEREAS, pursuant to Colorado law at Section 43-1-208, C.R.S., the Colorado General Assembly has conferred the power of eminent domain upon CDOT to acquire property necessary for state high ways purposes; and

WHEREAS, pursuant to the final sentence of Section 43-1-208(3), C.R.S., since 1994 the Transportation Commission has authorized CDOT to condemn private property without following the more prescriptive practice for condemnation set forth in Section 43-1-208(1), (2) and the first two sentences of (3); and

WHEREAS, there is pending before the Colorado Supreme Court a challenge to the Transportation Commission's and CDOT's authority to condemn private property pursuant to the final sentence of Section 43-1-208(3) which case is titled *Department of Transportation v. Amerco Real Estate Company; U-Haul Company of Colorado; et al.*, 2016SA75; and

WHEREAS, the pendency of the Colorado Supreme Court case is having a negative impact on CDOT's ability to timely acquire possession of property sought for state highway purposes under the authority granted pursuant to the final sentence of Section 43-1- 208(3); and

WHEREAS, in order to allow CDOT construction projects to proceed in a more timely fashion, the Transportation Commission, without admitting the validity of the challenge to its condemnation authority presented in the pending Colorado Supreme Court case, is electing to follow the prescriptive practice set forth in Section 43-1-208(1), (2) and the first two sentences of (3); and

WHEREAS, the Transportation Commission is authorized pursuant to Section 43-1-208(2). C.R.S. to determine whether a proposed change to a state high way will serve the interest and convenience of the public; and

WHEREAS, the Transportation Commission may enter a resolution upon its minutes approving the proposed high way changes and authorizing the

CDOT Chief Engineer to tender landowners the amount of damages, as estimates by the Chief Engineer; and

WHEREAS, CDOT has an immediate need for the Property and the inability to work on the Property will likely cause delay to Unit 1 of the PR US 34 Big Thompson Canyon Project which is a Flood Project, resulting in significant monetary harm to CDOT; and

WHEREAS, CDOT and Mr. C. Kevin Stees have not been able to agree on the fair market value of the Property; and

WHEREAS, without admitting that CDOT is required to comply with the provisions of Section 43-1-208(1), (2) and the first two sentences of (3), C.R.S., the Transportation Commission acknowledges that it has reviewed the written report of the Chief Engineer in relation to Unit 1 of the PR US34 Big Thompson Canyon Project and the C. Kevin Stees Property; and

WHEREAS, after reviewing the Chief Engineer's written report regarding Unit 1of the PR US34 Big Thompson Canyon Project and the Property, the Transportation Commission has determined that the proposed changes to the alignment of US Highway 34 will *serve* the public interest and convenience of the travelling public; and

WHEREAS, the Transportation Commission also approves the Chief Engineer's estimate of damages set forth in his written report.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby declares that the public interest and convenience will be served by the proposed changes US High way 34 by virtue of Unit 1of the PR US34 Big Thompson Canyon Project, and authorizes the Chief Engineer to negotiate with the Owner regarding the amount of damages, and tender at least the damages estimated by him, and authorizes CDOT to proceed with condemnation of the Property in the event negotiations are unsuccessful.

Herman F. Stockinger III — 9-15-16

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date of Approval

Approval of R2 HQ

David Fox and Maria Sobota walked the commission through the proposed location of the new Region 2 Headquarters. They informed the commission on the issues with the current building, the site selected for the new building, and the financing that will be used to fund the new building. The floor was then opened to Commissioners.

Commissioner Gifford asked why the budget is different for Colorado State Patrol. The answer is they have different requests going into the building.

Commissioner Hofmeister asked why this project costs more than the Region 4 project. The R2 building's cost is higher due to the needs from Colorado State Patrol. However the CDOT side, the budget is very similar.

Commissioner Reiff asked how long before COP's can be closed on. Maria estimated by the end of the Fiscal Year.

Commissioner Thiebaut informed the commission that the father of his daughter-in-law is related by marriage to the owner of the site selected. He does not feel this should recuse him from the discussion. He stated that he has a policy statement that outlines his concern and the reason why he will vote no on this location. He

believes the other site is more favorable for CDOT when taking into account the area involved. The policy paper is as follows:

Finding the Right Site for CDOT's Pueblo Headquarters
by Bill Thiebaut

In 2013, which was early in my first term as Transportation Commissioner, I advocated for a new Colorado Department of Transportation regional office building and maintenance facility in Pueblo. Current office and maintenance space in downtown Pueblo was built during the middle of the last century. The facilities are dangerous, deficient, and costly to operate and maintain. Given the age and condition of the buildings, it has been determined that it is cost prohibitive to renovate them. But the location chosen at this time for the new Pueblo CDOT headquarters is not the right site.

Any new site must be beneficial to Colorado taxpayers and provide our capable state work force of today and the future with an environmentally friendly work facility that will allow them to meet the demands of the bold, multi-modal transportation mission of CDOT for the next 50 years or more.

A Process Yielding the Wrong Outcome

A design-build contractor team was hired by CDOT to assist the department with the selection of a site for the new Pueblo headquarters, and to establish a guaranteed maximum price in order to design and build the facility. There were two competing sites that had a scorecard of equal value. The team chose the site in north Pueblo near Outlook Boulevard and Wills Boulevard (behind the Kohl's-anchored shopping center). In making its decision, the team overlooked the opportunity cost of not selecting the alternate competing site near U.S. 50 West and S.H. 45 (Pueblo Boulevard). The map in the presentation shows the "Pueblo Relocation Options." It describes the Outlook site as the "Selected Site" and the Pueblo Boulevard site as the "Alternate Site" (p. 4).

Opportunity cost is the value of a forgone alternative when another activity is chosen, especially when two options are otherwise equal – difficult to quantify, but real. In this case the Outlook site will spur low-paying retail jobs while a single developer benefits; the Pueblo Boulevard site will create high-paying commercial jobs while many developers will prosper. My argument, an overarching one, is that when two otherwise equal sites are under consideration the one that promotes higher paying commercial jobs is a better legacy for CDOT to leave Puebloans than one that only offers low-paying retail jobs, especially when safety considerations at the Outlook site may lead to greater consequences than the alternate site, and when the Pueblo Boulevard site can stimulate a needed link between Pueblo and Pueblo West.

A Rare Opportunity to Stimulate Commercial Development

I believe it is fair to say that once the team had decided that it preliminarily favored the Outlook site, there were no further deliberations about the Pueblo Boulevard location, including its collateral benefits to Pueblo. Instead, two items of concern to the team were left without resolution: The grading of the terrain and the proximity of the Pueblo West water treatment plant. In my judgment, the one could have been mitigated and the other remediated, both in an economically feasible manner within a reasonable time.

The Outlook site is land owned by an out-of-state developer who will donate it to the City of Pueblo. The City will then transfer it to CDOT. Of course, the developer is *giving* the land with an expectation of a return on his *investment*. He is banking on the fact that his donation of the land for the new Pueblo CDOT headquarters will create a chain reaction so that the facility will serve as an anchor in order to generate future retail development – creating retail jobs that will pay a worker a retail wage-scale salary – and so that in the end his company will make a lot of money. Notably, the Pueblo Boulevard site is already owned by the City – a site that will spur commercial development, and commercial jobs that will pay substantially more to a worker than a retail job.

By selecting the Outlook site millions of dollars will not flow into the Pueblo economy that otherwise would be generated at the Pueblo Boulevard site. The City has a long-standing "Honor Farm" master plan for the private development of this site. It has seven separate use zones all compatible with CDOT's operations. Commercial investors and developers are already building adjacent to this site – medical facilities, the Social Security Office, financial institutions, and the YMCA, are examples of facilities either under construction or completed. Notably, the current Highway 50/Pueblo Boulevard CDOT maintenance 'yard' that parks, loads and dispatches snow plows is located across from the Pueblo Boulevard site and will remain at that location.

Moreover, the Outlook property is pinned in by retail and is "more mixed residential with CDOT industrial use". Over the next 50 years there will be dangerous congestion as retail development growth continues and as residential development blossoms adjacent to the site. Imagine CDOT's heavy trucks driving into the maintenance shop for repair while interacting with retail shoppers and residents who are and will be living in the area. But the Pueblo Boulevard site is more compatible with CDOT's industrial use than the dangerous mixed use at the Outlook site.

A Missed Opportunity to Stimulate the Connection of Communities

The number of residents in Pueblo West equals approximately one-third of the entire population of Pueblo County. Each day the Pueblo West population drives to and from Pueblo to engage in employment, and to access other services. The RAMP project that is underway on U.S. 50 West between Pueblo and Pueblo West, along with an expansion of that project, will provide safer and less congested travel between Pueblo and Pueblo West.

Future plans to alleviate congestion along U.S. 50 West (eastbound and westbound between Pueblo West and Pueblo) include expanding Pueblo Boulevard (S.H. 45) to the north beyond its intersection with U.S. 50 West. It will intersect with I-25 as an alternative to accessing I-25 on U.S. 50 West eastbound.

Moreover, the communities of the City of Pueblo, Pueblo County and Pueblo West can determine if they wish to undertake a developer-constructed project to extend Spaulding Ave. westbound as a way to align with roadways in Pueblo West. This will create another connection between Pueblo West and Pueblo rather than utilizing U.S. 50 West.

The Outlook Site: Managing the Risks and Taking Advantage of the Location

The design-build team should know, or reasonably should know, the contingencies that are associated with the Outlook site. At that site there have been historical drainage issues; and there will be a need to maintain public roads and internal roads, (presumably the former will be maintained by the City and the latter will be maintained by the property owners), as well as a need to provide future signalized intersections. Accessibility to the site from southbound I-25 is not as direct as it will be from northbound I-25. Apparently, a large mound of dirt will remain adjacent to the site until a developer acquires that area for retail development and removes the mound.

Bustang: Eventually, Bustang will service Pueblo. Now is a good time to consider a bus park-and-ride service terminal within the North Pueblo Urban Renewal Project area, especially on the west side of I-25 near the new headquarters. Training CDOT's workforce of the future: There could be a higher potential for recruiting Pueblo residents to work at CDOT's Pueblo headquarters. Why not engage our local community college to undertake a program for the training of Puebloans who want to be part of CDOT's work force of the future?

Paying for the Pueblo Headquarters

The cost to build the headquarters is about $23 million. The exiting downtown facility consisting of nine buildings has an estimated net property value of $1 million.

The City has agreed to front about $2 million of Pueblo taxpayer dollars for initial infrastructure improvements for the Outlook site (or the Pueblo Boulevard site): public roads, water and sewer services, curbs and gutters, manholes, sidewalks, street lighting, and so on. Because the Outlook site is part of the North Pueblo Urban Renewal Project area, the idea is that as retail development occurs in this area, the City will, theoretically, be reimbursed for the $2 million.

CDOT should spend cash to build the headquarters if it is possible. If not, it will need to borrow the money. Notably, there is a remarkable financial opportunity currently available to bundle the loan with the financing of other CDOT facilities under construction: A new state headquarters in downtown Denver, and new Region 1 (Denver) and Region 4 (Greeley) headquarters. The annual fiscal cost to retire the debt service for all these projects, including Pueblo, is about $8 million a year. This amount is available from the CDOT capital building budget, including operational costs for each facility.

But would you pay for a mortgage on a house that is located on the wrong site? Would you borrow money to send your child to college that is not the right one for him or her? Would you sign a promissory note to buy a car that is not the best car for you?

I cannot, and will not, saddle taxpayers with debt for the Pueblo headquarters unless all three of the following factors are present: Cash is not available, CDOT can afford the debt, and the correct site is chosen.

Commissioner Hofmeister asked the selection committee what they would think if a maintenance facility were built in their neighborhood. He believes it is a safety concern that hasn't been addressed properly.

Commissioner Peterson stated that he was involved in the site selection of the R2 site, and thanked staff for his involvement. He believes operationally for CDOT this was the best site available.

Chairman Reiff gave his endorsement to the COP funding of this project.

Chairman Reiff entertained a motion to approve the New Region 2 Headquarters. Commissioner Peterson moved for approval of the resolutions, and Commissioner Connell seconded the motion. Upon vote of the Commission, the resolution 6-2, with Commissioners Thiebaut and Hofmeister voting no.

Resolution #TC-16-9-15

Resolution #TC-16-9-15

A resolution of the Colorado State Transportation Commission declaring the official intent of the Colorado Department of Transportation to reimburse itself from the proceeds of a future lease purchase financing for capital expenditures and providing certain other matters in connection therewith.

Approved by the Transportation Commission on Sept. 15, 2016.

WHEREAS, the Colorado Department of Transportation ("CDOT") is an executive department of the State of Colorado; and

Approved by the Transportation Commission on Sept. 15, 2016.

WHEREAS, the Colorado State Transportation Commission (the "Commission") is the governing body of CDOT; and

WHEREAS, CDOT presently intends to acquire, renovate and construct certain properties to house CDOT operations (the "Project"), including facilities in Pueblo, Colorado; and

WHEREAS, on June 18, 2015, the Transportation Commission approved resolution #15-6-9 to authorize staff to expend $1,600,000 (in aggregate, including the initial design amount) to fund design through the Design Development phase, provide earnest money in an effort to secure potential site location(s) for the Project, and establish the Project GMP; and

WHEREAS, CDOT has made an agreement with the City of Pueblo ("City") and W.L. Enterprises for the acquisition of approximately 12 acres of property located on the northeast corner of Outlook Blvd. and Wills Blvd.; and

WHEREAS, W.L. Enterprises is donating this land to the City, which will plat and rezone the property before deeding the property to CDOT for the purpose of constructing its new Region 2 headquarters; and

WHEREAS, the City has also agreed to pay for and construct the offsite improvements required to enable development of the site; and

WHEREAS, CDOT currently intends and reasonably expects to participate in a lease purchase financing to finance the Project, including an amount of approximately $23,275,000 (the "Reimbursement Amount") for reimbursing CDOT for capital expenditures made by CDOT prior to the date when funds for the Project are available from such financing;

COLORADO
Department of Transportation
Division of Transportation Development
Multimodal Planning Branch
4201 E. Arkansas Ave, Shumate Bldg.
Denver, CO 80222

DATE: October 20, 2016
TO: Transportation Commission
FROM: Debra Perkins-Smith, Director, Division of Transportation Development
SUBJECT: Policy Directive 14.0 Approval

Purpose
To review final proposed revisions to Policy Directive (PD) 14.0.

Action
Transportation Commission (TC) approval of recent revisions to PD 14.0 and of the attached resolution, Attachment A.

Background
PD 14.0 sets objectives for safety, infrastructure condition, system performance, and maintenance. The PD 14.0 goals and objectives help provide a framework for development of the Statewide Transportation Plan (SWP) and guide distribution of resources in the SWP, the Statewide Transportation Improvement Program (STIP), and the annual budget. To better align budget setting with PD 14.0, the Commission annually reviews the performance of PD 14.0 objectives to determine if there is a need to modify objectives or realign resources in an effort to meet an objective(s).

The TC had several workshops in recent months on infrastructure condition and maintenance performance. The September 14 workshop focused on the current performance of safety, and system performance, as well as suggested refinements to the objectives for system performance and infrastructure condition.

Details
Attachment B is an updated PD 14.0, including the changes presented to the TC in September. Changes reflect refinements and clarifications to existing objectives, technical modifications, and changes to align with recent federal performance measure rulemaking. In general, these are not significant changes but refinements, without additional implication for the allocation of resources. Changes are highlighted in red and include:

System Performance
- Highways: Change objectives (to align with new speed data) to: a PTI of 1.05 or less on 90% or greater on Interstate centerline miles; a PTI of 1.16 or less on 90% or greater of NHS centerline miles, excluding Interstates; and a PTI of 1.12 or less on 90% or greater of Colorado Freight Corridor centerline miles.
- Transit Connectivity: Clarify current objective by qualifying as "CDOT funded" passenger service.

Infrastructure Condition:
- Geohazards: Change "% of sites" to "% of segments" to correspond with new FHWA standards. This also requires a revision in the target from 60% to 80% in year 2015.
- Transit Asset Condition: Change to "CDOT completion of a group transit asset management plan, with the involvement and participation of CDOT transit grantees, by December 2017." This change is due to new federal regulations requiring a statewide transit asset management plan, not individual asset management plans by each transit grantee.
- Tunnels: Change to "Percentage of network tunnel length with all elements in equal or better condition than 2.5 Weighted Condition Index." The proposed objective is based on recommendations for safe and reliable tunnel operations from the recently published National Tunnel Inspection Standards.
- Walls: Change to "Percentage of CDOT-owned walls, by square foot, that are structurally deficient (have a rating of 4 or less)." This is recommended to better align with the performance metric of other structural assets, like culverts and bridge.

Next Steps

Staff will continue to monitor performance of PD 14.0 objectives and report to the TC in order to inform the annual budget setting process. Staff will also continue to monitor the need for changes to objectives based on federal rulemaking and/or changes in funding.

Attachments

Attachment A: Resolution of Adoption

Attachment B: Updated PD 14.0 - October 2016

Resolution #TC-16-XX-XX

Adoption of updated Policy Directive 14.0 "Policy Guiding Statewide Plan Development"

WHEREAS, the Colorado Transportation Commission ("the Commission") has statutory authority pursuant to § 43-1-106(8)(a) C.R.S. to formulate policy concerning transportation systems in compliance with 23 U.S.C. 134, 135, and 450; PL 114-94 ("Fixing America's Surface Transportation Act" or "FAST Act") and PL 112-141 ("Moving Ahead for Progress in the 21st Century" or "MAP-21), and their regulations; and to undertake transportation planning under § 43-1-1103, C.R.S.; and

WHEREAS, a statewide plan is considered part of the state and federally required statewide transportation planning process; and

WHEREAS, Policy Directive 14.0 is the framework for development and implementation of a multimodal comprehensive Statewide Transportation Plan and for distribution of resources to meet or make progress toward objectives;

WHEREAS, the Commission approved the updated Policy Directive 14.0 in February 2015 in Resolution #TC-15-2-7;

WHEREAS, Policy Directive 14 as adopted in February 2015 states that the policy will be brought forward for consideration by the TC as additional measures and objectives are developed;

WHEREAS, changes are needed to Policy Directive 14.0 due to passage of the FAST Act in July 2015; a change in a dataset used for system performance; and new transportation industry standards; and

WHEREAS, over the past several months, the Commission has reviewed and discussed proposed refinements of objectives for the goal areas of system performance and infrastructure condition in Policy Directive 14.0; and

WHEREAS, the Commission approved all the proposed changes on October 20, 2016; and

NOW THEREFORE LET IT BE RESOLVED, that the Commission adopts the updated Policy Directive 14.0 "Policy Guiding Statewide Plan Development" as reflected in Attachment A to this resolution.

_____ _____

Herman Stockinger, Secretary
Transportation Commission

Date

COLORADO
Department of Transportation
Office of the Chief Engineer

DATE: August 30, 2016
TO: Transportation Commission
FROM: Joshua Laipply, P.E. Chief Engineer
SUBJECT: SH 160/SH 550 - DIsposal to the City of Durango

Purpose
CDOT is proposing to dispose of ~13.3 acres of land in SH 160/SH 550 right of way that is no longer needed for transportation purposes. The property will be quitclaimed to the City of Durango for nominal value.

Action
CDOT R5 is requesting a resolution approving the disposal of ~13.3 acres of land of SH 160/SH 550 ROW that is no longer needed for State transportation purposes.

Background
The three parcels were acquired as part of CDOT Project RF 019-2(14) Sec 2 in 1986. The parcels are currently occupied by the City as part of the Santa Rita Park and the City's Waste Water Treatment Plant (WWTP).

Details
The City of Durango is proposing to utilize the subject parcels for the continued use as a public park, with ancillary public uses and a public waste-water treatment facility and other city utility uses. Pursuant to 23 CFR 710.403(d)(1), the parcels will revert to CDOT in the event the City of Durango ceases to use the parcels for parks, recreation, scenic, greenbelt and open space purposes. Additionally, the subject parcels will revert to CDOT in the event the placement of outdoor advertising signs on or near the subject parcel violates the Federal-Aid Highway Act of 1958 and/or the Federal Highway Beautification Act of 1970. The disposal of the three parcels will have no effect upon the operation, use, maintenance or safety of the highway facility. The disposal of the three parcels will be for nominal value in accordance with 23 CFR 710.403.

Key Benefits
CDOT will be relieved of maintenance responsibility and liability associated with this property. Additionally, the State of Colorado will benefit from the public park and public waste-water treatment facility managed by the City of Durango.

Next Steps
Upon approval of the Transportation Commission, CDOT will execute a quitclaim deed to convey the three parcels to the City of Durango. The deed will be recorded in office of the La Plata County Clerk and Recorder

Attachments
Proposed Resolution
Exhibit Depicting the Parcels Available Upon Request

Project #: RF 019-2(14) Sec. 2
Location: SH 160/SH 550
Parcel #: Area 1, 2 and 3
County: La Plata

PROPOSED RESOLUTION

WHEREAS, CDOT acquired Area 1, 2 and 3 in 1986 in La Plata County as a part of CDOT Project No. RF 019-2(14) Sec. 2;

WHEREAS, the subject parcels are currently occupied by the City as part of the Santa Rita Park and the City's Waste Water Treatment Plant;

WHEREAS, the subject parcels are not needed for transportation or maintenance purposes;

WHEREAS, Area 1 consists ~1.7 acres;

WHEREAS, Area 2 consists ~1.6 acres;

WHEREAS, Area 3 consists ~10.0 acres;

WHEREAS, the subject parcels total ~13.3 acres of land;

WHEREAS, City of Durango is interested in acquiring the subject parcels for the continued use as a public park, with ancillary public uses and a public waste-water treatment facility and other city utility uses;

WHEREAS, the Department of Transportation would like to dispose the parcels to the City of Durango;

WHEREAS, in the event the placement of outdoor advertising signs on or near the subject parcel violates the Federal-Aid Highway Act of 1958 and/or the Federal Highway Beautification Act of 1965, the subject parcel shall revert to CDOT, after notice and a reasonable opportunity to cure;

WHEREAS, the disposal of the parcels will not affect the operation, maintenance, safety or use of any CDOT facility;

WHEREAS, the Department of Transportation, Region 5 has declared through Joshua Laipply as Chief Engineer, that the 13.3 acres of land is not needed for State transportation purposes;

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

WHEREAS, 23 CFR 710.403(d) (1) allows CDOT to convey property to other governmental entities for nominal value if the property is used for social, environmental, economic or nonproprietary governmental use;

WHEREAS, the City of Durango desires to exercise its right of refusal to purchase the 13.3 acres of land in SH 160/SH 550 right of way, which is no longer needed for State 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(d) (1) the Department of Transportation be given authority to declare the parcels comprising of Area

1, 2 and 3 as excess property and dispose of the SH 160/SH550 right of way which is no longer needed for State transportation purposes for nominal value.

COLORADO
Department of Transportation
Office of the Chief Engineer

DATE: October 4, 2016
TO: Transportation Commission
FROM: Joshua Laipply, P.E. Chief Engineer
SUBJECT: 6075 W. Frontage Rd., Frederick - Frederick Maintenance Site – Exchange and Relocation

Purpose
CDOT is proposing to exchange an existing maintnance site for a new turnkey maintenance site. The property will be exchanged for no less than fair market value.

Action
CDOT R4 is requesting a resolution approving the exchange and relocation of the existing CDOT Maintenance Facility in Frederick, CO.

Background
The subject property, located at 6075 W. Frontage Rd. in the City of Frederick, was originally acquired for the development of a maintenance facility to serve highway maintenance needs in portions of Weld County. The Frederick Maintenace Facility is currently utilized for transportation or maintenance purposes.

Details
The City of Frederick would like to purchase CDOT's Maintenance Facility at I25 and SH 52 (6075 W. Frontage Rd., Frederick) in an effort to improve the entry to their City from I-25. The City of Frederick's proposal to CDOT includes the provision of five acres of suitable land and the construction of a new facility to CDOT specifications. CDOT Region 4 and the City of Frederick have identified an acceptable replacement property for the maintenance site. The exchange and relocation of the subject property will have no effect upon the operation, use, maintenance or safety of the highway facilities. The exchange of the subject property will be for no less than fair market value.

The exchange and relocation of CDOT's Maintenance Facility currently located at 6075 W. Frontage Rd in the City of Frederick is pending the execution of an IGA between CDOT and the CITY of Frederick. The IGA will outline the terms and responsibilities for the construction of CDOT's replacement facility. If the IGA cannot be negotiated to terms acceptable to CDOT thenthe exchange will not be completed. The City of Frederick has requested the approval of this resolution to confirm CDOT's willingness to enter into this exchange prior to finalizing IGA negotiations.

Key Benefits
CDOT will obtain brand new maintenance facility buildings at a location that CDOT has determined is operationally equivilant to the existing location.

Next Steps
Upon approval of the Transportation Commission, CDOT will proceed with the execution of an IGA and the exchange and relocation of the subject property for no less than fair market value value, in accordance with C.R.S. 43-1-210(5).

Attachments
Proposed Resolution
Exhibit Depicting the Disposal Property Available Upon Request

Project #: Frederick Maintenance Site
Location: 6075 W. Frontage Rd., Frederick, Colorado
Parcel #: N/A
County: Weld

PROPOSED RESOLUTION

WHEREAS, CDOT acquired property located at 6075 W. Frontage Rd. in the City of Frederick and uses the property as a maintenance site serving portions of Weld County;

WHEREAS, the City of Frederick would like to purchase the property located at 6075 W. Frontage Rd. in the City of Frederick to improve the entry to their City from I-25;

WHEREAS, the City of Frederick has proposed the exchange of five acres of suitable land and the cost to construct a new maintenance facility to CDOT's specifications for the CDOT maintenance site;

WHEREAS, the exchange and relocation of the subject property will not affect the operation, maintenance, use or safety of CDOT's facility;

WHEREAS, the exchange and relocation of CDOT's Maintenance Facility currently located at 6075 W. Frontage Rd. in the City of Frederick is pending the execution of an IGA between CDOT and the CITY of Frederick;

WHEREAS, the IGA will outline the terms and responsibilities for the construction of CDOT's replacement facility;

WHEREAS, if the IGA cannot be negotiated to terms acceptable to CDOT then the exchange will not be completed;

WHEREAS, the City of Frederick has requested the approval of this resolution to confirm CDOT's willingness to enter into this exchange prior to finalizing IGA negotiations;

WHEREAS, the Department of Transportation, Region 4 has declared through Joshua Laipply as Chief Engineer that the property will no longer be needed for maintenance or transportation purposes once the new turnkey maintenance site is built;

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

WHEREAS, C.R.S, 43-1-210(5) requires CDOT to obtain fair market value for the disposal of property;

WHEREAS, CDOT has determined that the value of the new turnkey maintenance facility shall be equal to, or more than, the value of the existing maintenance facility;

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 the subject property at 6075 W. Frontage Rd. in Frederick as excess property and exchange and relocate the subject property for no less than fair market value.

COLORADO
Department of Transportation
Office of Policy and Government Relations

DATE: Oct. 19, 2016
TO: Transportation Commission
FROM: Herman Stockinger, Transportation Commission Secretary
SUBJECT: Transportation Commission Committee and Board Membership

Purpose
To officially approve the roster of the Transportation Commission membership on the Audit Review Committee, Transit and Intermodal Committee, Scenic Byways, DBE Committee (To be renamed as Small Business and Diversity Committee), Efficency and Accountability Committee, State Infrastructure Bank Review Committee and HPTE Board of Directors for FY 2016/17 with the new addition of Commissioner Rocky Scott. The Technology and Resiliency committees membership are not required to be approved as they are defined as ad hoc committees.

Action
Approve the appointment of the Transportation Commissioners to their respective Committees and Board for FY 2016/17.

Background
Persuant to statue C.R.S. 43-1-106, the following roster of the proposed Commission Committees and Board must be approved via resolution.

Details

	HPTE Board of Directors	Audit Review Committee	DBE Committee	Transit & Intermodal Committee	Efficiency & Accountability Committee (1 member)	State Infrastructure Bank Review Committee (1 Member)	Scenic Byways Committee (1 Member)
GIFFORD	Member			Member			
PETERSON		Member		Member			
REIFF - Chair	Member						
BARRY			Chair				
GILLILAND	Chair		Member	Member			
CONNELL		Member					
HALL				Member			Hall
ZINK		Chair			Member		
THIEBAUT		Member	Member	Chair			
HOFMEISTER			Member			Member	

SCOTT		**Member**					

Next Steps

Option 1: Approve the FY 2016/2017 Committees and Board roster as listed.

Option 2: Discuss and update the Committees and Board roster.

Attachments

Resolution

Resolution #TC-16-10-X
Adopting the Transportation Commission Committee and Board Rosters for 2016/2017

WHEREAS, under C.R.S. 43-1-106, the Transportation Commission of Colorado has powers and duties pertaining to the Colorado Department of Transportation; and

WHEREAS the following Commissioners are proposed to serve on the following Board and Committees:

- High Performance Transportation Enterprise Board of Directors: Shannon Gifford, Gary Reiff, Kathy Gilliland
- Audit Review Committee: Ed Peterson, Kathy Connell, Sidny Zink, Bill Thiebaut, Rocky Scott
- DBE Committee (Small Business and Diversity Committee): Heather Barry, Kathy Gilliland, Bill Thiebaut, Steven Hofmeister
- Transit and Intermodal Committee: Shannon Gifford, Ed Peterson, Kathy Gilliland, Kathy Hall, Bill Thiebaut
- Efficiency & Accountability Committee: Sidny Zink
- Scenic Byways: Kathy Hall
- State Infrastructure Bank Review Committee: Steven Hofmeister; and

WHEREAS, the membership described above meets the requirements of the required number of Commissioners on each Committee and Board.

NOW THEREFORE BE IT RESOLVED, the Commission authorizes by resolution that the TC Members set for the above shall serve for the Committees as stated.

_____ _____

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date of Approval