

Transportation Commission of Colorado
Regular Meeting Minutes
August 15, 2013

Chairperson Gary Reiff called the meeting to order at 1:00 p.m. on Thursday, August 15, 2013 in the auditorium of the headquarters building at 4201 East Arkansas Avenue, Denver, Colorado.

PRESENT WERE: Gary Reiff, Chairman, District 3
Shannon Gifford, District 1
Ed Peterson, District 2
Heather Barry, District 4
Kathy Gilliland, District 5
Kathy Connell, District 6
Doug Aden, District 7
Sydney Zink, District 8
Les Gruen, District 9
Bill Thiebaut, District 10
Steve Hofmeister, District 11

ALSO PRESENT: Don Hunt, Executive Director
Gary Vansuch, Director of Process Improvement
Scot Cuthbertson, COO & Deputy Executive Director
Tim Harris, Chief Engineer
Heidi Bimmerle, Director of Admin & Human Resources
Debra Perkins-Smith, Director of Division of Transportation Development
Herman Stockinger, Director of Policy and Government Relations
Mark Imhoff, Director of Division of Transit and Rail
Mike Cheroutes, Director of HPTE
Barbara Gold, Director of Audit Division
Ryan Rice, Director of Operations Division
Amy Ford, Director of Public Relations
Scott McDaniel, Director of Staff Services
Tony DeVito, Region 1 Transportation Director
Tom Wrona, Region 2 Transportation Director
Dave Eller, Region 3 Transportation Director
Johnny Olson, Region 4 Transportation Director
Kerrie Neet, Region 5 Transportation Director
Kathy Young, Chief Transportation Counsel
John Cater, FHWA
Vince Rogalski, Statewide Transportation Advisory Committee (STAC)

AND: Other staff members

An electronic recording of the meeting was made and filed with supporting documents in the Transportation Commission office.

Swearing in of New Commissioners

Commission Secretary, Herman Stockinger, administered the Oath of Office to the new Commissioners Sidney Zink, District 8 and Bill Thiebaut, District 10.

Audience Participation

Chairman Reiff stated that no audience members wished to address the Commission.

Individual Commissioner Comments

Commissioner Gruen had nothing to report this month.

Commissioner Connell mentioned that she has been going to our county meetings, and that she will continue to do that during the next few weeks. She stated that there is a lot of interest and concerns in Northwest Colorado about future funding and how CDOT is going to fund transportation, so a lot of active dialogue.

Commissioner Zink mentioned that she was very pleased to be here and anxious to get out and meet the elected officials in the 13 counties that are in her district.

Commissioner Barry had nothing to report this month.

Vice Chairman Aden stated that after the last commission meeting Commissioner Aden, Commissioner Connell & former Commissioner Parker attending a Club 20 meeting in Craig to talk about their possible support for a possible ballot to fund transportation

The Commission has had a couple of county meetings with the great staff at Region 3. The Commission has met with Mesa County & on Tuesday The Commission will meet with Summit County and that they are always productive meetings. Commissioner Aden thanked Dave Eller & his staff for their hard work.

Commissioner Aden made his annual pilgrimage back to Montana and in doing so, drove through Utah. It was his first time driving on the I15 project since it has been completed (the extension of the improvements of I15 south of downtown Salt Lake). The most recent project was a \$1.2 billion design-build project, all funded with state revenue. And that it has now been extended a distance of 60 miles south of downtown Salt Lake with 4 general purpose lanes and 1 HOV express lane in both directions. It has been done all in concrete with a commuter rail line running parallel to it. It was the most spectacular thing he has driven on in a long time. "It ought to be a mandatory field trip for every elected official in the State Of Colorado to go and see a State that has it all figured out, in terms of the value of investing in infrastructure." They continue to make improvements north probably 30 miles, it is not as substantial. In most cases there it is 4 lanes, but it's really something. Colorado talks about economic development. That is a state that Colorado competes with economically and an example of what Colorado can do if we put our minds to it.

Commissioner Gifford had nothing to report this month.

Commissioner Hofmeister had nothing to report this month.

Commissioner Peterson had nothing to report this month.

Commissioner Thiebaut took this opportunity to express his appreciation to the Governor for his decision to appoint him to the Commission. He looks forward to working with Commission members, the Executive Director, staff and the citizens to accomplish the job he was asked to do.

Commissioner Gilliland welcomed the new Commissioners. The Commissioner stated that it was really exciting to have 3 new Commissioners aboard and looked forward to working alongside the new Commissioners.

Commissioner Gilliland wanted to report on her participation in the regional listening tours that was a combined effort by the Senate & House Transportation Committees. The stops were Fort Morgan, Weld & Larimer Counties (with plans to do others throughout the state, sometime later this fall). Commissioner Gilliland went on to say it was a really good opportunity to meet the legislators. Johnny Olson from Region 4 participated in all 3 of the listening sessions. Commissioner Hofmeister participated in the session in Fort Morgan and Commissioner Gilliland participated in the session in Larimer County. "It was a valuable use of time because a lot of the legislators were new to their Transportation Committee positions and the sessions gave them a greater understanding of what is happening within those particular counties." Local elected officials spoke about the challenges of ongoing projects.

Chairman Reiff mentioned that his term as Chair ended today. The Chairman thanked Executive Director Don Hunt for his leadership, the Commission for their support and the entire staff for their tremendous hard work. It has been a lot over the last year with Don's leadership at the helm, and the support of this Commission, whether it is Surface treatment, Asset Management, RAMP, new division of Transportation Management, MOU between HPT and CDOT, the list goes on, and we know we had you on a force march, but you have responded wonderfully. Commissioner Reiff expressed his appreciation from all levels of the staff (you were spectacular). Commissioner Reiff went on to thank the Commission for all their help and Mr. Hunt whose leadership was invaluable.

Executive Director's Report:

Thank so much for your service Commissioner Reiff; you have done a terrific job. Commissioner Reiff you have left some big shoes to fill.

Mr. Hunt announced his decision to hire a permanent Deputy Director and Chief Operating Officer. Scot Cuthbertson if you could stand please so everyone can recognize you. Mr. Cuthbertson recently retired as a Colonel from the United States Army after 26 years of service. Mr. Cuthbertson has performed a variety of command and staff assignments in U.S. and overseas. He most recently was Assistant Deputy Commanding General for operations for major command at the U.S. Army Space and Missile Defense Command. Mr. Cuthbertson has kept this country safe from any incoming ballistic missiles for all these years. Mr. Cuthbertson worked at Peterson Air force Base where he was responsible for day-to-day operations at 28 sites in 17 countries. Equally important, he volunteers his time as Deputy Sheriff for the El Paso County and the Pike's Peak or Bust Rodeo.

Mr. Hunt also recognized Scott Richrath. On Monday, August 19th Scott Richrath will be our new Chief Financial Officer. Ben Stein is moving to the new office of Major Projects Development on that day. That is an assignment that Mr. Stein sought and CDOT felt it

would be good. Many internal and external candidates were interviewed for CFO and the panel felt that Scott Richrath is the right person to take us forward, so we are looking forward to working with Mr. Richrath.

Director Hunt mentioned that he made a couple of trips. We are members of the State Smart Transportation Initiative. There are about 15 states (we call them the cool states). It is amazing everyone is in the same place talking about funding what is the role of the state in the future at that particular meeting there was a very strong conversation about the future role of federal government and transportation. If congress cannot really get there, then maybe we should be debating the role of federal government and the DOT and transportation defining that more clearly and finding the money to take care of that mission. There are certainly some executive directors that think that the federal funding to states ought to become more of a block of grant type programs and that the federal program should focus on initiatives. Like the whole change in connected vehicles, intelligent transportation system and other kind of federal policy, freight movement and real federal issues. Commissioner Aden has Utah envy. I have Wyoming envy because they have a new 10-cent gas tax and Oklahoma envy because they are taking right off the top of their general fund in addition to gas tax. They are spending quite a bit of money to fund transportation improvements in Oklahoma. We are kind of more like New Mexico & Arizona because we are kind of on our own with the gas tax and finding difficult traction with the state. It makes it difficult for the legislator to help us, but we continue to talk about potential ballot measure. Our local government is talking a lot about that. Then Texas is somewhere in the middle. They have certainly done many public private managed lanes, more than anyone else has, but they are saying to the legislator that we want an extra billion dollars a year out of your “rainy day fund.” I think the Texas “rainy day fund” is bigger than the entire state of Colorado’s budget actually. They simply asked for a billion dollars and at the same time they issued a report saying that if, they did not get more money. That they would start converting state highways from paved highways to gravel and they have actually located the first 83 miles that they would convert to gravel on the state highway system. The legislators have passed that on and they will be voting on the conversion of some of that “rainy day fund” a billion dollars a year over to the DOT. They have to vote of this measure in November.

Lastly, I would like to say “thank you so much to Axzareena Weaver.” Axzareena and Kerry Cataldo with the vacations and departure of Toni Bircher, we would not have known what we were doing today without the two of them. So thank so much!

Chief Engineer Report

Chief Engineer Tim Harris began by welcoming the new commissioners. While attending WASHTO (Western Association of State Highways and Transportation Officials) Mr. Harris mentioned that it was reported that Utah’s program is dropping to about \$400 million for the next few years.

High Performance Transportation Enterprise (HPTE) Director’s Report

Mike Cheroutes expressed his “welcome” to the new commissioners and that he looked forward to getting to know them as well as working with them and that he will try to stay “out of their hair” as much as he could.

He then went on to report that at yesterday’s HPTE Board Meeting, they elected an acting chair and vice chair, which was necessary due to former Commissioner Trey Roger’s

departure from the Commission. Tim Gagen will act as our Chairman and Kathy Gilliland will act as our Vice Chairman until permanent replacements in November.

We took some budget actions yesterday based on final numbers for last year. I am pleased to report that we have been able to squeeze out some modest repayment of the Transportation Commission loan and that we have started down the path and have plans to continue down that path.

We have pretty much finalized the Memo of Understanding (MOU) between the HPTE and CDOT with input at staff level anyway. And we will get that out for circulation for the Transportation Commission hopefully for review and action at the September meeting. At which time the HPTE Board will take action and hopefully get that signed up so that we have some written guidance as to how those entities will work together obviously I am including the new office of Major Project Development and we will continue to tie up loose ends on US 36. We are waiting anxiously to get our results for C470. I hope to get something as early as next week to start working on and then I will dive into I70 East Project, which is obviously a major undertaking.

FHWA Division Administrator Report

John Cater starting by making the Commission aware of a couple of issues, the first issue is the "Curved Ramps" and the American with Disabilities Act (ADA). As you probably are aware of, the ADA was passed back in 1990, so it has been around for 23 years and as part of that, it is a requirement that when there is an alteration in the roadway we provide curved ramps and bring things up to standard for pedestrians. So what constitutes an alteration? That has been kind of an issue around the country. Various states have interpreted this differently. The consensus within the DOT Community is that if there is an inch and a half overlay, or more or something similar to that then that is an alteration and you would go ahead and provide curved ramps. If it is less than that then we will not do anything until a more substantial improvement is done. Not everybody has agree on this so on July 8, 2013 the Department of Justice (DOJ) in conjunction with USDOT issued some technical guidance on what constitutes and alteration and it changes pretty substantially. Any kind of paving at all is now considered an alteration. The only thing that is not considered an alterations are things like striping, crack sealing, chipped seals, retrofits, are not considered alteration. Which means we now need to provide curved ramps need to be provide and pedestrian facilities need to be brought up to standard in conjunction with that transportation improvement. If we are altering that roadway, then we need to bring everything up to standard. We should be doing everything together. That guidance applies immediately, so projects that are under contract if they do not have that work in the contract, then the contract needs to be altered or a follow-up project to bring it up to standard shortly. The issue I would like to make you most aware of is that this is does not just apply to Federal "A" Projects, this is not a federal highway thing, this applies to all public roads in the nation. So any city, if the City of Canon City makes an improvement then the City of Canon City has to make sure it happens whether the federal highways/CDOT is involved or not. There is going to be impact throughout the state, for all of us involved in the transportation business. It is not just at the higher levels with interstates and major roads. It applies to all roads and cities and the state have transition plans to address this. Many cities already have a transition plan that addresses this and discusses how they are going to do this, so there may not be much impact for those cities. If a city does not have a transition plan, they are going to need to get one and they are going to need to implement it. This applies to every city with over 50 employees. I know that this

is a lot of requirement type stuff, stuff from both a federal highway and CDOT standpoint we have some involvement in this, but like I said the City of Sterling or the City of Durango whether it is a federal or state project or not these things will apply to them. If there are questions, you may contact the CDOT Department of Civil Rights or my office the DOJ will be providing training through national webinars to educate people. This will have a potential impact on many projects throughout the state.

The other thing I would like to talk about is yesterday afternoon there was a wreck on I70 a few miles west of the Eisenhower Tunnel. It involved a semi and the semi went off to the left and hit the median and hit a cable median guardrail and not much else happened. He did not go across the median and hit oncoming traffic there were no fatalities. There were no explosions of the truck, nothing happened. And I say this because this is a place where we have made a difference. We installed this cable median guardrail a few years ago and we probably saved a few people's lives by that very action. Many times when we get to thinking what can we do, and that we really do not have much impact on fatalities that they are all random, well we really need to get away from that mode of thinking. This case just happened yesterday and someone's life was saved because of the cable median guardrail. We do this throughout the state, sometimes without second thought. This happens week after week, month after month, year after year. Someone's life has been saved due to the efforts of CDOT (this is good news that we can be proud about).

STAC Report

Vince Rogalski declared that the STAC met on Friday, August 8, 2013 and reported on the following topics:

- Concerns regarding Curb improvements and ADA requirements & questions
- MPACT 64
- Statewide Plan Updates
- Public Outreach – Public opinion/participation in transportation
- Bridge Update – Preventative maintenance
- First look 2015 budget

Act on Consent Agenda

Chairman Reiff stated that a motion would be entertained on the Consent Agenda and Commissioner Connell moved for approval of the Consent Agenda. Commissioner Hofmeister seconded the motion and on a vote of the Commission, the Consent Agenda was unanimously approved.

Resolution #TC-3097

BE IT HEREBY RESOLVED, that the Transportation Commission's Regular Meeting Minutes of July 17 & 18, 2013 are hereby approved as published in the official agenda of the August 14 & 15th meeting Agenda.

Resolution #TC-3094

Confirming the update to Policy Directive 4.0 Audit Division Standards and Procedures

Resolution #TC-3095

Approval of the Resolution to the Abandon State Highway 85 Business Route in Region 4, Greeley & Garden City

Resolution #TC-3096

Approval of Resolution to the relinquishment of the Sound Wall Property to City of Colorado Springs

Discuss and Act on the 3rd Supplement to the FY'14 Budget

- Pat Saffo mentioned that Phase Two of US36 Managed Lanes Project is in this supplement.
- Request for \$730,000– FASTER Safety – Union Pacific Railroad Line over Santa Fe Avenue (SH 85) near Oxford Avenue – This action establishes the construction phase of work to replace a railroad crossing that has buckled across multiple lanes of Santa Fe, creating a hazard for motorists.
- \$5,500,000 – Transportation Commission Contingency Funds – Mainline US 24 and US 24 Business Route near Manitou Springs and Cave of the Winds – Emergency Repairs – This action requests TCCRF funding to repair the damage caused by flooding on August 9, 2013. Construction is anticipated to begin no later than September 9, 2013.

Costs are itemized as follows:

- \$1,000,000 Cleanup
- \$1,000,000 Slope Stabilization
- \$1,500,000 Repairs to roadway and bridge deck
- \$1,500,000 Replace 72” CMP with CBC
- \$ 500,000 Design

Commissioner Aden inquired if some of the money spent may be eligible for Federal Disaster Reimbursement. It was advised that there may be a possibility that \$3 to \$4 Million may be eligible if the funds are available. This will be discussed in the future with John Carter, FHWA.

Chairman Reiff made a motion to adopt the 3rd budget supplement, plus the two walk-on items. Commissioner Peterson moved for approval. Commissioner Connell seconded the motion. On a vote of the Commission, the 3rd Budget Supplement & two walk-on items was unanimously approved.

Resolution #TC-20

Approval of the 3rd Budget Supplement for FY'14

BE IT RESOLVED THAT, the 3rd Supplement to the Fiscal Year 2012-2013 Budget is approved.

Other Matters

Report from the Nominating Committee

Commissioner Gruen declared that the Nominating Committee (Commissioners, Gruen, and Connell & Hofmeister) is pleased to the present to the Commission their recommendation of Vice Chairman Aden will serve as Chairman through the to the July

2014 Commission Meeting and that Commissioner Peterson will serve as Vice Chairman during the same time period. Commissioner Gruen stated that both Commissioner Aden & Commissioner Peterson accepted the nomination. It was also confirmed that Herman Stockinger, will continue as the Secretary to the Commission.

Chairman Reiff made a motion to adopt the Nominating Committee's recommendation. Commissioner Gruen moved for approval. Commissioner Hofmeister seconded the motion.

Acknowledgements

Region 6 Wins Chief Engineer's Award & Trophy

When it comes to safety performance indicators, CDOT Region 6 found out that consistency is the key. R6 was named winner of the 2013 Chief Engineer's Star Award for safety performance.

The award is based on the following three statistical safety indicators over the past year:

- Worker's Compensation Claims
- Auto Liability Accidents
- Lost Time Claims

The regions were awarded points for statistical improvements (drops) in each of the categories. When the indicators remained the same or increased in any category, the regions received no points.

In presenting the award, CDOT Chief Engineer Tim Harris noted that all six of CDOT's transportation regions had strong showings in at least one of the statistical indicators. He specifically mentioned the following:

- 33% decrease in lost time claims for Region 1
- 39% decrease in auto liability accidents for Region 2
- 21% decrease in lost time claims for Region 3
- 24% decrease in lost time claims for Region 4
- 36% decrease in auto liability claims for Region 5
- 51% decrease in auto liability claims

Region 1 and Region 6 each had improvements in each of the three statistical categories, but Region 6 accumulated the most points with, in addition to its auto liability claims as listed above, a 40% drop in lost time claims and an 11% drop in worker's compensation claims. In addition to its lost time claims drop listed above, Region 1 showed a 7% drop in worker's compensation claims and a 6% drop in auto liability accidents.

Harris noted that this is likely to be the final major award won by Region 6, which beginning this spring and concluding on July 1 was combined with Region 1 into the new CDOT Region 1. "Region 6 had a proud history of 60 years of service and achievement," Harris told the Commission and a capacity crowd in the CDOT Headquarters Auditorium. "All of the Region 6 achievements, including winning the Executive Director's Cup in 1996 and 2005, will always be an important part of our history." CDOT Executive Director Don Hunt echoed Harris' comments, adding, "What a fitting conclusion to a great history of service and achievement."

On hand to accept the award on behalf of nearly 400 former Region 6 employees, most of whom are now settled into similar work roles with Region 1, were, pictured from left: former R6/current R1 Safety Officer Gio Ciddio; former R6/current R1 Deputy Maintenance Superintendent Greg Hayes; former R6/current R1 TM-III Myron

Cunningham; and former R6/current R1 Deputy Maintenance Superintendent Gary Goldsberry.

Statewide Safety Innovation Award Winner

Tom Fick wins the Statewide Safety Award Tom a TM-I for Patrol 30 at Delta, Grand Junction Maintenance Section 2, Region 3, received the CDOT Statewide Safety Innovation Award for fiscal year 2013.

Fick was honored for his invention of a small wing cart which allows easy and quick mounting and removal of wing plows from CDOT mid-range and tandem-drive-axle trucks. The cart, which was built using less than \$200 in parts, has reduced the task of mounting and removing wing plows from an operation requiring two or more employees, two or more hours, and quite likely a front-end loader or overhead crane to one requiring only one employee and less than five minutes to complete.

In addition to time and person-power time savings, the operation using the cart is considered much safer and more efficient. The employee is not required to be beneath any heavy equipment using the cart, and wing plows can be stored on the cart, as well, allowing for quick mounting for any emergency or unforeseen purpose.

Darrell Lingk, Director of the CDOT Office of Transportation Safety, made the award presentation to Fick. "If you've ever had the opportunity to walk up next to a wing plow blade, you know how large and heavy they are," he told the Commission and a capacity crowd in the Headquarters Auditorium. "Tom's invention makes the task of putting these blades on and taking them off much quicker and safer." Attendees viewed a brief video presentation of the cart in action in the Delta patrol shed.

Fick was presented with a framed certificate of award and he received the Safety Innovation Traveling Trophy, which will be his to display and/or share with co-workers for the next year. The trophy is shown in the photo above.

Fick had a large contingent of family and co-workers on hand to see the award presentation, all of whom traveled from the Delta, Cedaredge, and Grand Junction areas to share the day with him. In addition to his wife, Shirley, his parents Don and Barbara of Cedaredge, and his uncle, John Hall, Tom's co-workers who attended to support him. Their names are as follows: Marty Medina, Region 3 Safety Officer; Tom Schlup, TM-III at Delta; Fick, and Eric Langford, LTC Operations I at Montrose: Section 2 Maintenance Superintendent Mike Goolsby; Region 3 Transportation Director Dave Eller; and Section 2 Deputy Maintenance Superintendent John David.

Statewide Safety Innovation Award Winner Runner-Up

Mark Slayton was honored for Safety Innovation. Mark's a TM-I for Denver Maintenance Section 8, Region 6 and now for Denver Maintenance Section 5, Region 1, received the 2013 CDOT Statewide Safety Innovation runner-up award.

Slayton was honored for his work to invent a tool that makes the frequent and burdensome maintenance task of straightening delineator posts that have been bent or knocked over by vandals, weather, or vehicles. The simple tool he invented fits all CDOT

delineator posts and makes the task of straightening them relatively easy while minimizing potential for strains, sprains, and back injuries.

Slayton had a big support group of family and friends on hand for the award presentation, including his parents from Aurora, and the following co-workers, Transportation Director Tony DeVito; TM-III Myron Cunningham; Deputy Maintenance Superintendent Gary Goldsberry; Deputy Maintenance Superintendent Jeff Tatkenhorst; Safety Officer Bill Holsopple; Deputy Maintenance Superintendent Greg Hayes; Maintenance Superintendent Al Martinez; and Safety Officer Gio Ciddio.

Moment of silence in honor of Ray Hufford

Ray Hufford remembered & his co-workers honored for their ability to react in an emergency situation.

On July 24 in the mid-afternoon, Tunnels Electronics Specialist IV Aaron Fischer came around a corner and discovered his co-worker Ray Hufford, who was on modified duty at the tunnels while he recovered from an injury, collapsed on the floor.

“That’s when my training kicked in,” Fischer said as he and his seven co-workers recounted their thoughts and experiences shortly after being recognized by the Colorado Transportation Commission and receiving a standing ovation on Aug. 15 for their efforts to save Hufford.

Fischer had just seconds to make multiple notifications, including to his co-worker Tom Hurst, a 30-year veteran of both the tunnels and as a paramedic in Clear Creek County. Hurst grabbed oxygen, checked for a pulse, and assigned tasks, including calling for an ambulance.

Multiple employees sprinted to the scene to offer help. Susan McOllough, a second-generation CDOH/CDOT employee and a 24-year Tunnels veteran, brought an automated electronic defibrillator (AED) from the control room. “We got Ray prepped for applying the AED pads,” she said. Mitchell Andrews made sure Hurst’s ‘jump bag’ of medical gear got there, as well. Many additional employees waited on standby just outside the cramped area, ready to help if they were needed.

When the AED unit was prepped, the display consistently showed “No shock advised – resume CPR.” Becoming discouraged by the message wasn’t an option, because CPR now needed to continue indefinitely.

Performing CPR at 11,000 feet is not an easy task. “It’s really tiring,” admitted Ken Martinez, a 31-year tunnels veteran. “They tell us to keep our elbows locked to do CPR properly, and it just takes a lot out of you.” Even though they are all extensively trained, only three of the eight employees in the immediate response group had ever performed CPR in a real emergency situation.

None of the eight Tunnels employees honored, who have a combined 133 years of service at the facility 11,000 feet above sea level, could recall any previous emergency where CPR was required for a fellow employee.

Employees honored by the Transportation Commission are: Bill Lester, Jason Bonger, Susan McOllough, Christine Schleicher, Ken Martinez, Mitchell Andrews, Aaron Fischer, and Tom Hurst.

Adjournment

Chairman Reiff announced that the meeting was adjourned at 1:50 p.m.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date