Resolution #TC-15-4-1

Approved by the Commission on April 16, 2015

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

Transportation Commission of Colorado
Regular Meeting Minutes
March 19, 2015

Chairman Ed Peterson convened the meeting at 10:00a.m. in the auditorium of the headquarters building in Denver, Colorado.

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

EXCUSED: Gary Reiff, District 3

ALSO PRESENT: Shailen Bhatt, Executive Director
Scot Cuthbertson, Deputy Executive Director
Gary Vansuch, Director of Process Improvement
Debra Perkins-Smith, Director of Division of Transportation
Josh Laipply, Chief Engineer
Heidi Humphreys, Director of Admin & Human Resources
Barb Gold, Audit Director
Amy Ford, Communications Director
Scott McDaniel, Staff Services Director
Maria Sobota, Acting CFO
Herman Stockinger, Government Relations Director
Mike Cheroutes, Director of HPTE
Mark Imhoff, Director, Division of Transit and Rail
Kyle Lester, Director, Division of Highway Maintenance
Ryan Rice, Director of the Operations Division
Darrell Lingk, Transportation Safety Director
Tony DeVito, Region 1 Transportation Director
Karen Rowe, Region 2 Transportation Director
Dave Eller, Region 3 Transportation Director
Kerrie Neet, Region 5 Transportation Director
Kathy Young, Chief Transportation Counsel

Vince Rogalski, STAC Chairman

AND: Other staff members, organization representatives, the public and the news media

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

Audience Participation

Michael Hillman stated that he is the mayor of Idaho Springs. He thanked the Commission for the opportunity to have the resolution before them today for approval for the $21 million that the Commission is going to give to Idaho Springs to complete Colorado Blvd, a project that was started back in 2000. They will finally be able to finish this road and it will be a huge benefit to the city of Idaho Springs. He stated that they also wanted to say how much they appreciated the efforts that the Commission is putting into the entire corridor through Idaho Springs and Clear Creek County. There have been some "rough bridges" along the way, but the way that CDOT staff has worked with Clear Creek County and the City of Idaho Springs has moved things along. They hope for more projects and continued projects to continue to improve transportation along the I-70 Corridor.

Commissioner Connell thanked the mayor and all the officials of Clear Creek County for their participation, partnership and work with the Department. We have some great partnerships. The best thing is that everyone understands each person is trying to better not only their own area but also the traffic throughout the Corridor for everyone. She thanked him for his partnership and his attendance at the meeting.

Joe Kiely stated that he was a longtime friend of transportation in Colorado. He is the President of Operations for the Ports to Plains Alliance. He stated that he wanted to touch on two things briefly. Back in January, each member of the Commission and senior staff received a letter from Ports to Plains with the request that the Commission look at the opportunity that Ports to Plains in Eastern Colorado provides to allowing trucks moving north-south through Colorado not to be on I-25. In that letter, he stated that TxDOT was beginning to look at moving Ports to Plains to an extension of I-27. Those public hearings began this week and will take place this week and next week. They are very serious, and the process is moving quickly. He stated that he believes this will have long term impacts on Colorado's transportation system as Ports to Plains moves to an interstate in Texas. He stated that earlier this week he sent a letter to the Chairman of the Commission, the Executive Director of CDOT, and the Chairs of the House and Senate Committees. This letter encouraged these leaders to look at the Western States' Compact. The Western States' Compact is a concept that would take the federal moratorium on changing weights and combinations of trucks and giving that power to the states. This would allow about 14 western states to come together and harmonize the regulations. They are encouraging the legislature to act in a joint resolution to explore that. They are not saying it is the best thing in the world, but they believe it is an opportunity to take back something that Congress refuses to act on. That moratorium has been in place since 1991.

Individual Commissioner Comments

Commissioner Thiebaut stated that he is not a member of Safety Committee but that he sat in one of their meetings. He stated that he knows the plan is to move Colorado to zero deaths, and he congratulated the Department for taking that initiative and trying to do something about it. In recent years the deaths have slightly increased. So it is good that it is the priority of CDOT to ensure that the transportation systems are safe. He also stated that the Department is at a milestone. They have spoken over the last several days to the Director and to each other about this milestone. This is an opportunity for all staff members and even the community at large to seize the moment and try to rethink the role of the Commission and how the Commission's policies are being executed. It is a very vibrant time and a time for lots of opportunity. He encouraged everyone to participate in helping mold the future of transportation in Colorado.

Commissioner Gifford stated that along with Commissioner Barry and Commissioner Peterson she attended the Industry Forum to kick off the process for the procurement of I-70 East. It was gratifying to have such a wonderful turnout from the industry. It is a long process, but this looks like a happy start to it.

Commissioner Zink stated that there was a Regional Transit Meeting on March 17, 2015, in Durango. The route between Grand Junction and Durango proves more and more popular and important to those communities and the communities in between as more and more people become aware of it. They are very pleased with that transit success.

Commissioner Barry thanked the City of Brighton, who hosted Bagels with Barry in March. It was lovely to have full breakfast, in addition to the very good dialogue and a lot of work. She again thanked the staff who make it a point to support her in those meetings, getting up very early to travel to all parts far and wide in her district. She stated that it has been a busy month. They have attended DRCOG and the I-70 East kick off. For those who were not there, the room was packed and the conversation was excellent. CDOT staff did a great job explaining the process that got the Department to where it is today and the process that is in place moving forward. All of those presentations are posted online. She encouraged anyone who had not seen them to take a look. There is information there that even she appreciated learning. It was a great use of time.

Commissioner Gilliland stated that she attended a Progressive 15 meeting. They had very good discussion there. There was a St. Patrick's Day parade in Ft. Collins with a Bustang Bus in attendance. The excitement is really mounting. They were able to distribute actual schedules, and about a quarter of the way through the parade, they were completely out. People were anxious to see what the rates were going to be and what the schedule was going to be. There is a lot of interest. It was very successful. The Department just needs to keep moving ahead with that program and hopefully do a strong introduction soon.

Commissioner Connell stated that she had the privilege and pleasure to go to Washington, D.C., to represent Colorado with Executive Director Bhatt, the Chairman of the Commission, and Region 4 RTD Johnny Olson. It was a very successful trip. They were able to have conversations with eight out of nine of the state legislators. She gave a special thanks to Herman Stockinger and Tromila Maile for their organization of the trip. Herman was also on the trip, leading everyone around despite being incredibly sick. He went far beyond the call of duty. It was a privilege.

Chairman Peterson stated thanked Commissioner Connell for joining them in Washington to meet with the Congressional delegation to discuss transportation issues that matter to the state and to the country. This year he was very encouraged by the trip. There seems to be a new tone that he had not heard before about taking a long term look at funding for transportation on a national basis, a much more positive vibe. He stated that he had the opportunity to speak at the I-70 East Industry Forum. He thanked the other commissioners who also attended. It was an incredibly productive and informative session. He thanked everyone who spent countless hours to make the event possible. He stated that this process has been underway now for about ten years. There is now beginning to be fruit out of the trees that were planted so many years ago. He stated that he thinks this will be something that will be beneficial to the entire state. He stated that he also had the opportunity to introduce the new Executive Director to the Executive Board of the Denver Region Council of Governments and their Executive Director. It was a very good and very free flowing lunch meeting. Everyone was impressed with the new Executive Director.

Executive Director's Report

Executive Director Shailen Bhatt that this month has included a lot of getting out and meeting different folks. It started with his three day tour around the state, and that has continued. He has focused on the internal side and meeting with a lot of the employees. He has tried to carve out one hour blocks to meet with different staff, many senior staff but also some other staff he wanted to reach out to. He has been impressed across the board with the level of commitment, professionalism and desire to effect positive change for the citizens of Colorado. That has been wonderful.

On the internal side, not only is he leading the organization but also trying to manage upwards. He has worked with the Governor, the new Chief of Staff, and other members of the Cabinet. They had a good Cabinet retreat focused around what the Governor and the team want to achieve over the next four years. Transportation is certainly something that came up again and again with regards to quality of life.

On the external side, he has had a lot of legislative meetings. He has been going over to the Capitol, not only to members of the Transportation Committee, who still have to confirm him, but also to other legislators who have ideas around transportation. There have been a lot of stakeholder meetings, including local mayors and contractors. There have also been a lot of media events, including a meeting with him, Amy Ford and *The Denver Post*, as well as other media outlets.

He stated that a few people mentioned transit, and he is glad to hear that there is an appetite for and a use of transit. He had the privilege of representing the Governor at the Ski Train. The Ski Train went up for the first time in a few years. It was widely successful. The train sold out; so they added another one, and it sold out. The demand is clearly there. There is an issue about working with Amtrack because Union Pacific owns the tracks. But that is very exciting.

He stated that another event that he wanted to touch on is the "Toward Zero Deaths Initiative." It is something that they discussed while they were in DC. He stated that if one thinks about it, there are 33,000 people who die on the roads every year federally. That number in Colorado has gone down over the last several years, but it is stubbornly stuck around the 480 mark. That means that 480 die every year on the roads of Colorado. If one was to come up with a product today that is a great product but it will kill 500 people a year, would that product get used? It is not likely. That does not even include the nearly 3500 serious injuries. With the Congress' leadership and the talented folks around this table, that will be very important.

He stated that last month he spoke about this being the best DOT in the country. Everything he has seen over the last month has supported that. *Rocky Mountain West* also selected CDOT as its Owner/Operator of the Year. That will be in an upcoming issue, but that is something everyone can be proud of. Again, this gives him great hope as things move forward.

Chief Engineer's Report

Josh Laipply thanked Mayor Hillman and Joe Kiely for their attendance. He stated that one of the things that had been discussed the previous day at the Program Management workshop was the next phase of the Peak Period Shoulder Lanes. They mentioned the liquidated damages, but one of the other requirements in this next phase that they did not mention is increased communication with both Clear Creek County and Idaho Springs. They are looking forward to increased communication and sitting down with them more often to ensure the local authorities know what is going on in their corridor.

He stated that while they are very excited about some of the press and the support that they are receiving from the communities on Bustang, it is a transit service, which is something that CDOT has never done before. This means there are many unique challenges that they are figuring out along the way. Mark Imhoff and his team have done an excellent job of tackling those challenges as they came up. But over the previous weekend, the team got their latest challenge, which is that the bus operator they selected is going to sell off their Denver operations to a different carrier. That has presented a hiccup to the team. They want to make sure that they do the process right, as the Department steps into transit. They do not want to trip on this new path. They will be doing due diligence around what the new operator may be and if they can perform everything that is within the scope or which parts might be subcontracted out. The team has a lot of work to do around that. They plan to come back to the Commission in the future to present those findings and the best course moving forward. They do not know if there will be scheduling impacts with that, but it is certainly a risk.

Chairman Peterson thanked Josh for the update on the Bustang situation. He stated that he has every confidence in Mark and the DTR staff to address this issue that has come up only in the last few days. As the Department moves forward with this very important transportation development for our state, it is important that the rollout be a positive one.

HPTE Director's Report

Mike Cheroutes stated that HPTE has a full plate of activity and controversy. The one upcoming effort worth noting this morning is that they have undertaken and budgeted money for a fairly significant media and public outreach campaign on Express and Toll Lanes and how the public can use them. That will kick off soon. There are a few town hall meetings coming up on the US 36 corridor concerning the proposed tolls for the express lanes there. They will revisit that entire subject at the May meeting of the HPTE board.

FHWA Division Administrator Report

Alicia Nolan, Deputy Administrator for the state of Colorado, stated that she wanted to share some accolades with the Department. The first one is the "Move toward Zero" kick off that occurred earlier in the week. It was a great event on an important topic that will really save lives of everyone traveling on the roadways. Colorado has fully embraced it. The Governor is behind it, and they also want to help those numbers move down. It is a very important initiative, especially in the state of Colorado but also nationally. She commended everyone on the great job that they were doing.

She stated that the I-70 Industry Forum was another great event, as has been mentioned several times already. It really showcased the dedication and the professionalism with which everyone is trying to move this very important project forward. She acknowledged everyone who has worked on it and the very long hours they have put in. She stated that hopefully the project would move forward.

She stated that one of the things that is going to be happening shortly is the Strategic Highway Safety Plan. This is a very important blueprint for us to move forward on those safety initiatives.

Finally, she stated that she wanted to discuss the Stewardship and Oversight Agreement with the state. This is between the FHWA and the state DOT and details how their roles and responsibilities are working together. FHWA has a great partnership with the Colorado Department of Transportation. She stated that it was likely going to signature within the following week.

Executive Director Bhatt stated that there were three Commissioners who attended the I-70 East Industry Forum. He stated that he really appreciated everyone's attendance, and that Ms. Nolan summed it up well. It was a great event, and those of

us who have organized those types of events before know that they take a lot of effort and energy and execution to make them successful. He commended the public affairs staff and HPTE staff. He stated the same was true of the "Toward Zero Deaths" event at the Capitol. He heard many comments about the professionalism of the event. He also commended that staff who worked on that.

Act on Consent Agenda

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

Resolution #TC-15-3-1

BE IT HEREBY RESOLVED, that the Transportation Commission's Regular Meeting Minutes for February, 2015, are approved as published in the official agenda of the March 18 & 19, 2015, meeting.

Resolution #TC-15-3-2

BE IT HEREBY RESOLVED, that the Transportation Commission's Special Workshop Minutes for February 5, 2015, are approved as published in the official agenda of the March 18 & 19, 2015, meeting.

Resolution #TC-15-3-3

Resolution #TC-15-3-3

Approval of Policy Directive 4.0 "Audit Division Policy and Charter"

Approved by the Transportation Commission on March 19, 2015

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

WHEREAS, § 43-1-106 (12)(c) C.R.S., gives authority to the Audit Review Committee (ARC) comprised of members of the Commission to oversee the operations of the audit division; and

WHEREAS, Policy Directive 4.0 previously titled "Audit Division Policy" was adopted by the Transportation Commission on August 13, 2013; and

WHEREAS, since that date, members of the ARC and the Audit Division director concluded that the governing documents related to the Audit Division should be consolidated into one directive, including Procedural Directive 4.1 "Audit Division Standards and Procedures" dated August 27, 2013, and the Audit Division Charter; and

WHEREAS, Revised Policy Directive 4.0 adds value by setting forth internal audit procedures in one document and by providing guidance to the Commission, the ARC, the Department, vendors and contractors with regard to the audit division internal processes; and

WHEREAS, Revised Policy Directive 4.0 "Audit Division Policy and Charter" has been reviewed by the ARC and meets its expectations with regard to transparency and clarity of language.

NOW THEREFORE BE IT RESOLVED, the Commission herein approves Policy Directive 4.0 "Audit Division Policy and Charter."

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

4-1-15
Date

Resolution #TC-15-3-4

Resolution #TC-15-3-4

Approval of Revised Policy Directive 1300.0 "Disposal of Excess Property and Annexation" and Repeal of Policy Directives: 1303.0 "Annexation of Department Property"; 1307.0 "Property Leases"; 1612.0 "State Highway Relocation Policy", and 1003.0 "Maintenance Incentive Pilot Program."

Approved by the Transportation Commission on March 19, 2015

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

WHEREAS, the Commission has supported the Department's efforts to review governing policy and procedural directives on an ongoing basis and recommend repeal or consolidation where necessary; and

WHEREAS, the Commission supports the Department's efforts to timely respond to internal audit findings which improve the Department's business practices and transparency; and

WHEREAS, the Department's Policy Directives referenced herein no longer reflect current Department procedures regarding property-related actions on non-active projects, including abandonment, disposal, exchange, relinquishment, devolution, remainders, vacation, and the annexation of Department property; and

WHEREAS, the proposed revision to current Policy Directive 1300.0 "Disposition of Excess Land" dated September 17, 1996 and the proposed repeal of Policy Directives: 1303.0 dated April 16, 1998; 1307.0 dated October 16, 1997; 1612.0 dated June 18, 1981, and 1003.0 dated May 14, 2008 support both the timely response to the audit findings and the efforts of the Department to update and consolidate directives; and

NOW THEREFORE BE IT RESOLVED, the Transportation Commission approves revised Policy Directive 1300.0 "Disposal of Excess Property and Annexation"; and

BE IT FURTHER RESOLVED, the Transportation Commission repeals the following Policy Directives: 1303.0 "Annexation of Department Property" dated 4.16.98; 1307.0 "Property Leases" dated 10.16.97; 1612.0 "State Highway Relocation Policy" dated 6.18.81; and 1003.0 "Maintenance Incentive Pilot Program" dated 5.14.08.

Herman J. Stockinger III — 4-1-15

Herman Stockinger, Secretary — Date
Transportation Commission of Colorado

Resolution #TC-15-3-5

Resolution #TC-15-3-5

Approval of Time Extension for Project #: C 067A-034 on SH 67 from 4th St. west to Victor City Limits in City of Victor

Approved by the Transportation Commission on March 19, 2015

WHEREAS, The Transportation Commission approved the abandonment of 0.31 linear miles of Highway 67 (SH 67) in Victor, Colorado Via TC Resolution 3198;

WHEREAS, TC Resolution 3198 required CDOT to execute a quitclaim deed to complete the abandonment within 90 days of the Resolution;

WHEREAS, the 90 day deadline expired to execute the quitclaim deed expired February 18, 2015

WHEREAS, CDOT was unable to execute a quitclaim deed within the 90 day deadline as result of delays related to negotiating an IGA with the Town of Victor;

WHEREAS, CDOT and the Town of Victor have negotiated the IGA that outlines the abandonment;

WHEREAS, CDOT and the Town of Victor would like to extend the deadline to execute the required quitclaim deed to April 15, 2015;

WHEREAS, Transportation Commission is authorized pursuant to Colorado Revised Statutes (C.R.S) 43-2-106 to make determinations regarding abandonment of State Highway(s) to affected county(ies) or municipality(ies);

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the C.R.S, 43-2-106 the Department of Transportation be given authority to extend the deadline to abandon that portion of SH 67 from mile marker 45.56 to 45.87 containing approximately 0.31 miles to April 15, 2015.

Herman F. Stockinger III

Herman Stockinger, Secretary
Transportation Commission of Colorado

4-1-15

Date

Resolution #TC-15-3-6

Resolution #TC-15-3-6

Approval of Relinquishment of Project#: NH 0252-299, Project Code: 1584 on I-25 at Yosemite, Willow Drive in Greenwood Village

Approved by the Transportation Commission on March 19, 2015

WHEREAS, the Department of Transportation is in ownership of Parcel 2 (a.k.a., Willow Road) and also a portion of East Caley Avenue lying east of I-25 that were created out of Department of Transportation ("CDOT") and Regional Transportation District ("RTD") properties located in the northeast quadrant of I-25 and Yosemite Drive;

WHEREAS, as part of CDOT Project NH 0252-299, Project Code 11584, (a.k.a., Transportation Expansion Project, "T-REX"), CDOT and RTD entered into an Easement and Real Property Exchange Agreement for the Arapahoe Park-N-Ride and Maintenance Facility ("Agreement") describing the property rights, required exchanges, and easements between the parties and the City of Greenwood Village ("City") at this location;

WHEREAS, the City contributed $6,954,000 to construct the combined RTD parking facility and CDOT maintenance facility to assist in the coordinated development of City property adjacent to the facility;

WHEREAS, in Paragraph B of the Agreement, "Parcel 2 will be maintained as access to the general public for so long as Parcel 3 is operated as a park-n-Ride.";

WHEREAS, in Paragraph 6 of the Agreement, CDOT's responsibilities to provide public access to Parcel 2 shall be terminated when and if CDOT conveys Parcel 2 to the City and the City accepts the abandonment according to terms acceptable to CDOT;

WHEREAS, the City has formally requested said abandonment of Parcel 2 and the above noted portion of East Caley Avenue, to support their desire to develop the property they own adjacent to Willow Road and East Caley Avenue;

WHEREAS, the requested abandonment will alleviate all CDOT maintenance responsibility and liability for Parcel 2 and the described portion of East Caley Avenue;

WHEREAS, within 90 days of the date of execution of the Transportation Commission Resolution, CDOT will execute a quitclaim deed that will include a reversion provision stating that if the property that is the subject of the quitclaim deed is not used for transportation purposes, title to such property will automatically revert back to CDOT;

WHEREAS, the Transportation Commission is authorized pursuant to Colorado Revised Statutes (C.R.S) 43-2-106 to make determinations regarding abandonment of State Highway(s) to affected county(ies) or municipality(ies);

WHEREAS, the Transportation Commission Parcel 2 and the described portion of East Caley Avenue is not needed for State Highway purposes;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the CRS 43-2-106, the Department of Transportation be given authority to abandon Parcel 2 and portions of East Caley Avenue, as shown in Exhibit A.

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

4-1-15
Date

Resolution #TC-15-3-7

Resolution #TC-15-3-7

Approval of the Disposal of Project #: F 030-1(3) on SH 36 in Lyons, CO

Approved by the Transportation Commission on March 19, 2015

WHEREAS, CDOT acquired right of way for the purposes of SH 36 right of way as part of project F 030-1(3) in 1967;

WHEREAS, the Lyons Fire District (District) building was destroyed in the September, 2013 floods;

WHEREAS, the District rebuilt their fire station as quickly as possible to regain the ability to provide fire protection and life safety services to the Town of Lyons;

WHEREAS, upon completion of the new fire station a survey was completed. The survey determined that 7,796 square feet of the building encroached on SH 36 right of way;

WHEREAS, the Department has determined that the 7,796 sf of SH 36 right of way the District's building encroaches on is no longer 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 the 7,796 sf of SH 36 right of way is of use only to the District;

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;

WHEREAS, the District desires to exercise its right of refusal to purchase the 7,796 sf of SH 36 right of way 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 the benefit of public safety services;

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 dispose of, for nominal value, the 7,796 sf of SH 36 right of way which is no longer needed for transportation purposes described in Exhibit A.

Herman F. Stockinger III — 4-1-15

Herman Stockinger, Secretary — Date
Transportation Commission of Colorado

Resolution #TC-15-3-8

Resolution #TC-15-3-8

Approval of Parcel Exchange for Project #: NH 2873-068 Unit 2 Code: 91309 on SH 287 in Larimer County

Approved by the Transportation Commission on March 19, 2015

WHEREAS, CDOT acquired Parcels PE-232, TE-232 and TE-232A ("CDOT Owned Easements") (26.85 acres) for a "water quality and drainage buffer" in May, 2003 as part of the US 287 Larimer County Road 6 to SH 402 project NH 2873-068 Unit 2/Code: 91309;

WHEREAS, CDOT constructed three detention ponds on the CDOT Owned Easements;

WHEREAS, the detention ponds did not require the use of the full 26.85 acres;

WHEREAS, the Prairie Star Development owns the underlying fee real estate in the location of the CDOT Owned Easements;

WHEREAS, in November 2010, the Attorney General's office received notice that Prairie Star, the underlying fee owners of the property, had filed a quiet title lawsuit against CDOT that made the assertion that CDOT did not have good title to the easements;

WHEREAS, CDOT and the Attorney General's office have negotiated a settlement with Prairie Star;

WHEREAS, the settlement agreement requires CDOT to terminate the CDOT Owned Easements in exchange for fee simple ownership of the areas needed for the highway water quality and drainage buffer;

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, pursuant to Colorado Revised Statutes (C.R.S) 43-1-210(5)(a)(III) the department has determined that the CDOT Owned Easements are of use only to the underlying fee owner;

WHEREAS, in the case of an easement the underlying fee owner shall have first right of refusal to purchase or exchange property that is no longer needed for transportation purposes;

WHEREAS, the underlying fee owner has exercised its right of refusal to exchange Lots 1, 4 and 6 in Block 1, Prairie Star Filing No.2 for the release of the CDOT Owned Easements;

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 exchange Parcels PE-232, TE-232 and TE-232A of project NH 2873-068 Unit 2/Code: 91309 for Lots 1, 4 and 6 in Block 1, Prairie Star Filing No.2.

Herman J. Stockinger III

Herman Stockinger, Secretary
Transportation Commission of Colorado

4-1-15

Date

Resolution #TC-15-3-9

Resolution #TC-15-3-9

Approval of the Devolution of Project #NH 0703-349 and Project Code 17219 on US 6 and 40, Colorado Boulevard, SH 103, 13th Avenue in Idaho Springs

Approved by the Transportation Commission on March 19, 2015

WHEREAS, the Department of Transportation owns 2.0 linear miles of Highway in Idaho Springs identified as US Highways 6 and 40 (Colorado Boulevard), and operates approximately 500 feet of Highway connecting US 6 and 40 with Interstate 70, identified as SH 103 (13th Avenue);

WHEREAS, that portion of US 6 and 40 is located between the Interstate 70 interchanges at Exits 239 and 241, beginning at the intersection of Stanley Road and ending near the right of way line of I-70 at the Exit 241 Interchange, and that portion of SH 103 is located between Colorado Boulevard and the I-70 ROW at the Exit 240 Interchange; (Exhibit A)

WHEREAS, Region 1 has determined that abandoning these portions of US 6 and 40 and SH 103 would be in the best interest of Colorado taxpayers;

WHEREAS, the Colorado Revised Statute 43-2-103 (1)(a) provides that the Transportation Commission may determine that a state highway, or portion thereof, no longer functions as a state highway, and with the agreement of each affected county or municipality, the state highway, or portion thereof, can be abandoned to the affected county or municipality;

WHEREAS, the affected county or municipality will assume ownership of the above mentioned roads in "as is" condition in exchange for a specific dollar amount to be paid by CDOT to the local governing body on the date of the transfer of ownership of this specified road segments;

WHEREAS, Idaho Springs proposed to take ownership of US 6 and 40 from mile marker (MM) 0+00 to MM 2.0 and SH 103 from Colorado Boulevard to the I-70 ROW, as depicted in Exhibit A which is attached hereto, in exchange for a payment of $21,900,000 and a piece of surplus maintenance equipment with an approximate value of $100,000, from CDOT, of which $21,900,000 is from RAMP Funds and the surplus equipment is selected from equipment slated for disposal by CDOT;

WHEREAS, $22,000,000 is anticipated to be less than the amount CDOT reasonably expects to expend to maintain, preserve, or improve this section of US 6 and 40 and SH 103 over the next 20 years;

WHEREAS, Colorado Revised Statutes (CRS) 43-2-106 (1) (b) further provides that any county or municipality receiving a payment from CDOT as a result of CRS 43-2-106 (1) (a) shall credit the payment to a special fund to be used only for transportation-related expenditures;

WHEREAS, the Parties desire to enter into an Intergovernmental Agreement (IGA) and agree upon the condition of the abandonment of said highway segment by the State and acceptance by Idaho Springs pursuant to the terms and conditions of the IGA;

WHEREAS, concurrent with the execution of the IGA, CDOT will provide an initial payment of $1,500,000.00 to Idaho Springs, and those funds are to be expended in

design efforts for improvements Idaho Springs plans to construct on US 6 and 40 and SH 103;

WHEREAS, upon the execution of the IGA, Idaho Springs will be allowed to inspect and select CDOT surplus maintenance equipment that is periodically disposed of by auction, and this equipment would have an approximate value of $100,000, and should no suitable piece of equipment be identified and selected by Idaho Springs by September 30, 2015, Idaho Springs may elect to instead accept a cash payment of $75,000 in lieu of the surplus equipment;

WHEREAS, the governing body of Idaho Springs shall adopt a resolution agreeing to the State's abandonment of the portion of US 6 and 40 and SH 103 and agreeing that said highway segment no longer serves the ongoing purposes of the State Highway system; committing Idaho Springs to assume ownership of said highway segment in the "as is" condition;

WHEREAS, within 90 days of the official notification of such abandonment by the Transportation Commission Idaho Springs shall execute a resolution or ordinance accepting the abandoned portion of I-70K and SH 103 as city streets;

WHEREAS, within 90 days of the date of execution of the Idaho Springs Resolution or Ordinance accepting the abandoned portion of US 6 and 40 and SH 103, on or about May 15, 2015 CDOT will execute a quitclaim deed that will include a reversion provision stating that if the property that is the subject of the quitclaim deed is not used for transportation purposes, title to such property will automatically revert back to CDOT;

WHEREAS, concurrent with the execution of the quitclaim deed, CDOT will provide final payment of $20,400,000 to Idaho Springs, and that shall constitute the total consideration from the State to Idaho Springs related to the abandonment and transfer of the Abandoned Highway;

WHEREAS, the Transportation Commission is authorized pursuant to Colorado Revised Statutes (C.R.S) 43-2-106 to make determinations regarding abandonment of State Highways(s) to affected county(ies) or municipality(ies);

WHEREAS, the Transportation Commission has determined that portion of US 6 and 40 and SH 103 abandoned, as shown in Exhibit A, containing approximately 2.1 miles is no longer needed for the state highway purposes;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the CRS 43-2-106, the Department of Transportation be given authority to declare that portion of US 6 and 40 and SH 103 abandoned, as shown in Exhibit A, containing approximately 2.1 miles.

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

4-1-15
Date

Resolution #TC-15-3-10

Resolution #TC-15-3-10

Approval of Revised Central City SIB Loan Resolution

Approved by the Transportation Commission on March 19, 2015

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

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

WHEREAS, a loan application has been submitted by the City of Central (borrower), to borrow $1,521,639 to correct drainage issues and mitigate rockslide incidents; and

WHEREAS, the Transportation Commission has adopted rules, pursuant to 43-1-113.5 CRS, in 2 CCR 605-1 regarding the eligibility requirements, disbursement of funds, interest rates, and repayments of loans from the bank; and

WHEREAS, pursuant to 2 CCR 605-1, Rule VI, Section 4 the Review Committee has reviewed and is in support of the application; and

WHEREAS, 2 CCR 605-1, Rule VI, Section 6 (2) provides "loan agreements for construction will specify that funds will be disbursed in their entirety to a third party fiduciary or escrow agent" unless the Transportation Commission provides a specific exemption; and

WHEREAS, the borrower has expressed its intent to attain Colotrust (the agent) as the third party fiduciary, escrow, or administrative agent to confirm proper documentation from the borrower for loan draws and pay a 0.75% origination fee, with the Department's Division of Highways, directly disbursing funds to the borrower upon receipt of the agent's confirmation; and

WHEREAS, the Division of Project Support has reviewed and acknowledged the highway projects significance to transportation goals for which the Borrower requests to borrow funds; and

WHEREAS, a sufficient amount is available to loan in the highway account; and

WHEREAS, the term of the loan is ten (10) years with a 2.50% interest rate, set by the Transportation Commission semi-annually, the Borrower must maintain a minimum Current Asset Balance equal to the balance of the remaining Highway SIB loan; and, allow CDOT to have consent rights to any new parity obligations before issued by the City; and, provide CDOT the ability to retain any gaming revenues to be rebated back to the City in the event of non- appropriation: and, enable CDOT to retain the right to secure any gaming or device fee revenues if non-

appropriation should occur and HUTF ($45,600 annual average over the past five years) funds do not cover principal and interest payments; and

NOW THEREFORE BE IT RESOLVED, the Transportation Commission authorizes the Department, under the guidance and direction of the Chief Financial Officer, to execute a loan agreement with the borrower in an amount of $1,521,639 under the terms and provisions set forth in the adopted rules.

Herman J. Stockinger III — 4-1-15

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date

Discuss and Act on the 9th Supplement to the FY2015 Budget

Maria Sobota stated that she had approximately seven items to walk through, including a walk on from the Executive Director. The first item is from Region 1 that was discussed at the PMO workshop the previous day. It is a request for additional Surface Treatment and RPP funds for Package 3 to finalize the award and completion of the design. The overall cost for the Peak Period Shoulder Lanes, as was discussed the previous day, is approximately $78.5 million.

The second request is from Region 5 and is approximately $966,000 for construction. This item is related to SH 184 at Mile Marker 25. Due to differing site conditions, the contractor requested a dispute resolution board be convened. It was determined that the request to provide these funds was supported by the convened board.

The third request is from Transportation Systems Management and Operations. In February, the Budget Office came before the Commission to request approval to move funds from the cost center of Performance, Programs and Services Budget. As the team has worked toward identifying how they want to spend these funds, there is another request before the Commission to transfer $1.7 million within their cost centers in order to cover equipment and instrumentation, software and licenses, and consultant support for various initiatives.

The next two items are for RAMP operations funds transfers. One is in Region 2 for $1.8 million. This request would reduce Project #2-08 US 24, increasing Project #2-17 at US 50. The transfer of these funds would bring the total project cost for Project #2-17 to $5.8 million. There is also a request from Region 4, a RAMP operations project for $525,000. This will reduce Project #4-42 Fiber Optics and ITS devices on I-76 and increasing Project #4-50 Fiber Optic Communications from I-25 to CDOT West Yard. This transfer would increase Project #4-50 to $2.225 million.

The next request is to transfer $5.8 million from the Transportation Commission Contingency Reserve for Snow and Ice. This will leave approximately $1.1 million in the additional Snow and Ice Contingency with approximately 35% of the statistical winter remaining. As she previously mentioned, it is likely that the Department will use the remaining $1.1 million and perhaps have to request additional funds from the Commission Contingency.

The final request is a walk on. The reason that this is in the supplement because the Commission is required to approve any internal staff maintenance work that exceeds $50,000. As has been discussed over the last several days, the internal maintenance staff will cost approximately $150,000 to repave the parking lot. In addition, they will go through procurement cycles to work toward another $60,000 of project cost that will actually be contracted by an outside vendor.

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

Maria Sobota requested to draw the Commission's attention to one item included in the supplement as an additional item. During the previous year, there had been several discussions regarding the Commission Reconciliation. With the Commission's approval, they targeted a year-end balance of approximately $40 million. They are likely to exceed that balance from anywhere between $3 million and $15 million, depending on the requests that come forward over the next several months. The balance currently sits at approximately $59 million. Over the next several months, the conversations will continue, especially regarding the flood liability.

Resolution #TC-15-3-11

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

Discuss and Act on the Adoption of Fiscal Year 2016 Budget

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

Resolution #TC-15-3-12

Resolution #TC-15-3-12

Approval of the Resolution for the FY 2015-2016 Budget

Approved by the Transportation Commission on March 19, 2015

WHEREAS, in accordance with § 43-1-113 (2), C.R.S. the Transportation Commission of Colorado formally approved and submitted a draft budget allocation plan for the moneys subject to its jurisdiction for the fiscal year beginning on July 1, 2015 to the Joint Budget Committee, the House Transportation Committee, the Senate Transportation Committee and the Governor on December 15, 2014 for their review and comment; and

WHEREAS, C.R.S. § 43-1-113(9)(c) requires the Transportation Commission adopt a final budget allocation plan, which shall upon approval by the Governor constitute the budget for the Department of Transportation for Fiscal Year 2015-2016; and

WHEREAS, the Asset Management Budget Setting Workshop — a workshop that included the Executive Director and other members of Senior Management, Regional Transportation Directors, Asset Managers, and staff from the Division of Transportation Development and the Division of Accounting and Finance as well as the Regions—met on January 30, 2014 and came to consensus on a recommendation to the Asset Management Committee of the Commission for the Fiscal Year 2015-2016 budget and RAMP program (sized at $150 Million annually) for all asset management programs; and

WHEREAS, the chart below shows the baseline Fiscal Year 2015-2016 budget recommendations and the recommended FY 2015-2016 RAMP program allocations for each asset.

(In Millions)	FY16 Asset Management Workshop Baseline Budget	FY16 Budget Recommendation to TC	Asset Management Workshop RAMP $150M Average	FY16 Budget Total With RAMP
Surface Treatment	$149.5	$149.5	$86.4	**$235.9**
Bridge, BE & Bridge Fixed Costs	$140.3	$140.3	$23.8	**$164.1**
MLOS	$254.4	$254.4	$0.0	**$254.4**
Road Equipment	$11.5	$11.5	$6.9	**$18.4**
ITS Investments	$10.0	$10.0	$11.4	**$21.4**
Geohazard Mitigation	$5.1	$5.1	$4.1	**$9.2**
Buildings	$1.0	$1.0	$11.9	**$12.9**
Tunnels	$2.5	$2.5	$2.7	**$5.2**
Culverts	$3.6	$3.6	$4.6	**$8.2**
Walls	$0.0	$0.0	$2.4	**$2.4**
Traffic Signals	$1.5	$1.5	$4.2	**$5.7**
Total	**$579.4**	**$579.4**	**$158.4**	**$737.8**

WHEREAS, under Policy Directive 703.0, those Asset Management programs with Transportation Commission approved metrics shall rely on statewide asset management models to develop their projects lists and those without approved metrics shall provide project lists to the Transportation Commission; and

WHEREAS, the Asset Management Budget Setting Workshop presentation by the Tunnel Program included a baseline request for $2.5 Million and RAMP request of $2.7 Million. Proposed projects for these funds are as follows:

- $0.3 Million for Fire System
- $0.4 Million for a Transformer
- $0.1 Million for Fire Control Panel Upgrade
- $0.1 Million for Fan Monitoring Relays
- $0.1 Million for Digital Voice Upgrade
- $0.3 Million for Tunnel Control Servers
- $0.1 Million for Control Room Upgrade
- $1.6 Million for Upgrade Cameras
- $0.3 Million for Fiber Optic Design
- $1.9 Million for Inspection Program

WHEREAS, the Asset Management Budget Setting Workshop presentation by the Geohazard Mitigation Program included a baseline request for $5.1 Million and RAMP request of $4.1 Million. Proposed projects for these funds are as follows:

- $5.5 Million for Corridor Risk Reduction Projects
- $1.4 Million for High Risk Site Outside Corridor Projects
- $2.3 Million for Geohazard Management

NOW THEREFORE BE IT RESOLVED, that the Colorado Department of Transportation's FY 2015-2016 budget allocation plan for the period beginning July 1, 2015, including $579.4 Million allocated to Asset Management Programs as indicated above, and approved by the Transportation Commission and submitted to the Governor on or before April 15, 2015.

BE IT FURTHER RESOLVED, that the Colorado Transportation Commission accepts staff recommendations for funding RAMP Asset Management in FY 2015-2016 with modifications outlined in this resolution and with the understanding that staff will implement the projects and spirit and intent of the plans as presented to the Transportation Asset Management Committee or shall return to that Committee for approval of revision to those projects or plans.

Herman Stockinger, Secretary
Transportation Commission of Colorado

4-1-15
Date

Discuss and Act on the Resolution to Approve the 2040 Statewide Transportation Plan

Deb Perkins-Smith stated that she was very excited about the Statewide Plan. Lynn Holly distributed printed copies of the Executive Summary to the Commission. This is the culmination of work with the Transportation Commission, the Statewide Plan Committee, as well as stakeholders and the public. It will provide a roadmap for the next ten and twenty-five years for CDOT. The goals are going to guide future investment decisions, project selection and programing. She stated that she wanted to reflect back a little bit on the process that was used for this plan. It was very different than past plans. They used a lot of new techniques, including telephone town halls, and created a web-based plan. Only the Executive Summary is actually printed. The rest of the document and the documentation is all web-based. For the plan that included all the environmental information, they used GIS based

information that is included on the website. They used a lot of info-graphics and succinct information rather than lengthy, lengthy reports. Each of the TPRs have their own plan that is succinct as well and follow a similar format but tailored to the specific TPR.

Deb Perkins-Smith then showed the Commission the Executive Summary video. Commissioner Connell stated that the video was awesome and that they would love to use it out in the regions for the elected officials. She asked that the Commissioners be informed about how they could get it.

Chairman Peterson said that this was one of the best presentations that had seen as a Commissioner or in any other role. It was an excellent, excellent job. He encouraged the entire Commission to get a copy of it and use it as they go about the state to meet with other partners in transportation. It was incredibly well done.

Deb Perkins-Smith thanked Amy Ford for her work as well as all the consultants and staff. It is a great culmination of the plan, and the video in addition to the hard copy is a great tool.

She stated that they are not stopping there. It is necessary to continue to challenge themselves. The next step is to start implementing the things that were discussed in the plan. In order for that to happen, she asked that the Commission adopt the resolution and the Statewide Plan.

Chairman Peterson entertained a motion to approve the resolution to adopt the Statewide Plan. Commissioner Connell moved for approval of the resolution, and Commissioner Gilliland seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-15-3-13

Resolution #TC-15-3-13

Resolution for Adoption of 2040 Statewide Transportation

Approved by the Transportation Commission on March 19, 2015

WHEREAS, the Colorado Transportation Commission (the Commission) has statutory authority pursuant to §43-1-106 Colorado Revised Statutes (C.R.S.) to approve, accept, and amend various planning documents resulting from 23 United States Code (U.S.C.) 135 and §43-1-1101 through 1105 C.R.S.; and

WHEREAS, the Commission, the Colorado Department of Transportation (CDOT), and the Statewide Transportation Advisory Committee have developed a web-based 2040 Statewide Transportation Plan (Plan) and Executive Summary document that serves as a roadmap for the next 10 and 25 years in identifying future needs, as well as strategic actions and investment strategies to achieve plan goals and performance measures; and

WHEREAS, the goals and objectives of the Plan are based on Policy Directive 14: Policy Guiding Statewide Plan Development, that establishes goals, measures and objectives; and

WHEREAS, the Plan contains statewide major corridors and regional priority investment corridors that are used to identify transportation needs, develop priorities, and focus input from the public and from public agencies; and

WHEREAS, the Plan integrates key elements of the five Metropolitan Regional Transportation Plans, and the 10 Rural Regional Transportation Plans; and

WHEREAS, the Denver Regional Council of Governments (DRCOG), and Grand Valley Metropolitan Planning Organization (GVMPO) Regional Transportation Plans have been adopted by their respective Boards, the Plan will be amended by Transportation Commission resolution as other MPO Regional Transportation Plans are adopted; and

WHEREAS, the Plan integrates the CDOT modal plans including the Statewide Transit Plan, Statewide Bicycle and Pedestrian Plan, Colorado State Freight and Passenger Rail Plan, Colorado Aviation System Plan, and Colorado Freight Plan; and

WHEREAS, the Plan integrates other CDOT plans, including the Strategic Highway Safety Plan, Statewide Transportation System Management & Operations Plan, and Risk-Based Asset Management Plan; and

WHEREAS, the Plan will guide future investment decisions, project selection, and programming, and support achievement of plan goals and performance objectives; and

NOW THEREFORE BE IT RESOLVED, that the Commission adopts the 2040 Statewide Transportation Plan.

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

4-1-15
Date

Acknowledgements

Deb Perkins-Smith stated that History Colorado at its annual awards meeting in February 2015 honored CDOT with the Stephen H. Hart Award. Stephen Hart was the first State Historic Preservation Officer in Colorado. He was very dedicated to preserving cultural resources in Colorado. The award was established in 1986 and it recognizes historic preservation efforts across the state. Some past recipients include Governor Hickenlooper before he was governor, Federico Pena when he was the mayor of Denver, Phillip Anschutz who was a businessman and philanthropist. The thing that was most exciting about this is that they were nominated by the Colorado Office of Archaeology and the Colorado Office of Historic Preservation.

They received the award for initiating and developing a collaborative mitigation program throughout Colorado. The staff recognizes the importance of cultural and historic resources in these communities. They have also helped CDOT in terms of streamlining a lot of the processes that are required through federal regulations.

It was a great evening for the staff, and she was very pleased to see the turn out. CDOT had a dozen CDOT and FHWA members there to congratulate them. With that she called up the cultural team and congratulated them on a job very well done.

Chairman Peterson thanked them for their good work.

Other Matters

Chairman Peterson stated that there were no other matters to come before the Commission.

Adjournment

Chairman Peterson announced that the meeting was adjourned at 10:50a.m.

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

4-21-15
Date