

Transportation Commission of Colorado
Regular Meeting Minutes
August 20, 2015

Chairwoman Kathy Connell convened the meeting at 9:02 a.m. in the auditorium of the headquarters building in Denver, Colorado.

PRESENT WERE: Kathy Connell, Chairwoman, District 6
Gary Reiff, Vice Chair District 3
Shannon Gifford, District 1
Ed Peterson, District 2
Heather Barry, District 4
Kathy Gilliland, District 5
Sidny Zink, District 8
Bill Thiebaut, District 10
Steven Hofmeister, District 11

ALSO PRESENT: Shailen Bhatt, Executive Director
Josh Laipply, Chief Engineer
Debra Perkins-Smith, Director of Transportation Development
Amy Ford, Communications Director
Maria Sobota, Acting CFO
Mark Imhoff, Director, Division of Transit and Rail
Karen Rowe, Region 2 Transportation Director
Dave Eller, Region 3 Transportation Director
Kerrie Neet, Region 5 Transportation Director
Kathy Young, Chief Transportation Counsel
Barb Gold, Audit Director
Scott McDaniel, Staff Services Director
Mike Cheroutes, HPTE Director
Ryan Rice, Operations Division Director
Tony DeVito, I-70 East Project Director
Vince Rogalski, STAC Chairman
Gary Vansuch, Process Improvement Director

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

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

Audience Participation

Chairwoman Connell opened the meeting for general public comment. There were no public comments.

Individual Commissioner Comments

Commissioner Barry is happy to have been re-appointed to the Transportation Commission for another two years. Over the summer, she spent three weeks at

Harvard taking part in their Executive leadership program. She recently took part in an open house for I-70 East in Commerce City. She stressed the importance of connecting individually with the citizens in the area to answer any questions and help the residents be comfortable with the upcoming project.

Commissioner Gilliland gave a report that Bustang is continuing to do very well. In July, the box fare for Bustang was 22%, which was stronger than anticipated. She is proud to say the western route to Glenwood Springs is averaging 85% capacity.

Recently Commissioner Gilliland had the opportunity to tour the Colorado State University transportation system. Commissioner Gilliland was surprised and impressed with their system and their separated bike and pedestrian points. The system works well with the local transit agency, and she hopes that Bustang will be able to partner with the school in the future.

Commissioner Gilliland attended two different meetings discussing I-25 North. One of the meetings Senator Bennett came to Loveland and offered his support to the community. The other meeting was with Larimer County that Jarred Polis attended.

Finally, Commissioner Gilliland attended a combined meeting between ports to plane and Heartland Express freight routes. At the meeting, members from Nebraska noted how their states are putting funding in their important freight routes, something that Colorado has not done. She hopes that Colorado is making the correct steps to support freight by developing better routes and managing congestion.

Vice Chair Reiff welcomed Paul Jesaitis as the new Region 1 Regional Transportation Director, and congratulated Maria Sobota on her new role as Chief Financial Officer. He thanked the commission for a good dinner with the Regional Transportation District the previous evening. Finally he was pleased to see Commissioner Barry returning to the Commission.

Commissioner Gifford also welcomed Paul Jesaitis and Maria Sobota to their new roles. She recently took part in a telephone town hall on the I-70 East Project, and thanked Michelle Castle and Rebecca White for their help on the town hall. She will be attending a town hall meeting on the project at the Swansea Rec Center in Denver.

Commissioner Hofmeister expressed that he would like to attend any future Ports to Planes and Heartland Express meetings with Commissioner Gilliland.

Commissioner Thiebaut congratulated the incoming commissioners and Heather Barry on their appointments. He also congratulated Paul Jesaitis and Maria Sobota on their new positions, and congratulated all the people who have moved onto different positions inside and outside of CDOT in the recent months. Commissioner Thiebaut also commented that he is always very impressed with all of the RTD's and Region 2 staff. He expressed his condolences for the recent loss of a CDOT employee.

Commissioner Peterson welcomed the new commissioners and congratulated Maria Sobota and Paul Jesaitis. He looks forward to working with Paul in his region. He also thanked Mike Cheroutes for his dedicated service to HPTE

Commissioner Zink attended three transportation planning region meetings in her district. At the meetings there are wants and needs, but also complements towards CDOT staff. She noted that though Red Mountain Pass is a wonderful area, she recommends a detour to avoid delays from the ongoing construction on the pass. Finally, Commissioner Zink gave an update on the situation in the Animas River in her district.

Chairwoman Connell attended annual county meetings with CDOT staff and the annual planning meeting in the region. She has heard a number of complements from everyone involved, and thanked staff for doing a great job. She met with Dave Eller on Highway 13 where two slides occurred, she noted the importance of this road, and how water and weather impact our roads. In her district, she is continuing to message the need for transportation funding with every group she meets. Finally she welcomed the new Commissioners and Heather back to the commission.

Executive Director's Report

Executive Director Shailen Bhatt expressed his concern for all those impacted by the accident in the Animas River. As part of the march towards becoming the best DOT in the nation, three peaks have been identified to help CDOT reach that distinction. One of those peaks is People. CDOT will be losing HPTE Director Mike Cheroutes, however Mr. Cheroutes be part time for some time as he transitions out of the Department. Director Bhatt also said his condolences for Scott Ellis of Region 4 who recently passed.

Another one of the peaks is Technology. The department is starting the conversation of how technology will fundamentally change the way we look at and experience transportation. On Oct. 28 CDOT will hold a Summit that will focus on technology. A number of private sector companies have been invited to join and speak at the summit. Most notably Transportation Secretary Anthony Fox will be the keynote speaker for the event.

Chief Engineer's Report

Chief Engineer Josh Laipply echoed Shailens thoughts on the passing of Scott Ellis. Moving on, Josh took the opportunity to welcome Maria Sobota and Paul Jesaitis to their new positions. He also thanked Region 4 RTD Johnny Olson for his help in negotiating with the Union Pacific Rail Road on US 85. Johnny has done a good job enlisting the US 85 coalition to help the negotiations.

HPTE Director's Report

HPTE director Mike Cheroutes informed the commission that the HPTE board started the discussion on tolling rates for the peak period shoulder lanes. Before final action has been taken the proposed rates will be put in front of the Transportation Commission. Additionally, the HPTE board created an open records policy recommended by the HPTE Audit. He mentioned this policy will be a national leader in transparency in public private partnerships.

Commissioner Gilliland offered her praise to Mike Cheroutes for the work he has been able to do over the years for the Department and for the State. She is pleased that he will be staying as a consultant for the I-70 East Project.

FHWA Division Administrator Report

FHWA Division Administrator John Cator spoke about a course that will be taking place in Durango that focuses on the Americans with Disabilities Act (ADA). This course will help teach how to best build transportation systems that accommodate people with disabilities. He mentioned CDOT has recently created a national model for ADA inventory, but there is still a way to go to address all the ADA concerns that exist in the system. FHWA will be working with CDOT and Local Agencies to help address all of those issues.

He closed by commending Region 5 for their exemplary pavement markings. Pavement markings are a big focus of his office, and region 5 has set a great example to follow.

Act on Consent Agenda

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

Resolution #TC-15-8-1

BE IT HEREBY RESOLVED, that the Transportation Commission's Regular Meeting Minutes for July 16, 2015, are approved.

Resolution #TC-15-8-2

Resolution # TC-15-8-2

Repeal of Policy Directive 805.0, "Work Zone Safety and Mobility" dated 10.16.08

Approved by the Transportation Commission on Aug. 20, 2015

WHEREAS, § 43-1-106, 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 Department continues to review Policy Directives to determine whether they still offer value; and

WHEREAS, the Department has determined that this Policy Directive 805.0 no longer provides value given that the companion Procedural Directive 1502.1 (formerly 805.1) contains sufficient guidance on the safe and efficient movement of both motorized and non-motorized traffic through or around temporary traffic control work zones, and the protection for workers and equipment located within those work zones.; and

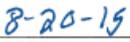
WHEREAS, updated Procedural Directive 1502.1 will meet the requirements of 23 U.S.C. 603.1006 which mandates that clear direction be given regarding work zone safety; and

WHEREAS, in addition to the updated Procedural Directive, the relevant terms of Policy Directive 805.0 are included in CDOT's "Work Zone Safety and Mobility Rule Protocol" which is reviewed bi-annually by the Federal Highway Administration ("FHWA") Division Administrator.

NOW THEREFORE BE IT RESOLVED, the Commission repeals Policy Directive 805.0 as being no longer necessary.



Herman Stockinger
Transportation Secretary



Date

Resolution #TC-15-8-3

Resolution # TC-15-8-3

Repeal of Policy Directive 1222.0 "Driving Record and License Requirements"

Approved by the Transportation Commission on Aug. 20, 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 Department continues to review Policy Directives to determine whether they still offer value; and

WHEREAS, the Department has determined that Policy Directive 1222.0 no longer provides value with the recent updated of Procedural Directive 1222.1 "Driving Record and License Requirements" which now conforms to current practices and legal requirements; and

WHEREAS, providing all information in one document rather than two supports the goal of Department efficiency and transparency.

NOW THEREFORE BE IT RESOLVED, the Commission repeals Policy Directive 1222.0 as being no longer necessary.

Neuman J. Stockinger II
Transportation Secretary

8-20-15
Date

Resolution #TC-15-8-4

Resolution #TC-15-8-4

Disposal of Parcels 3A-EX and 3B-EX, SH 285 in Englewood

Approved by the Transportation Commission on Aug. 20, 2015

WHEREAS, CDOT acquired Parcel 3A in 1956 in Arapahoe County, in Englewood, Colorado as a part of CDOT Project # F002-2(33) for use as SH 285;

WHEREAS, CDOT believes it also acquired title to Parcel 53-Rev 3A in 1956 in Arapahoe County, in Englewood, Colorado as a part of CDOT Project # F002-2(33) for use as SH 285;

WHEREAS, the title work for Parcel 53-Rev indicated that Cherry Hills Village may have some interest in Parcel 53-Rev;

WHEREAS, the City of Cherry Hills Village quit claimed any interest they may have in Parcel 53-Rev to CDOT on March 2, 2015 to give CDOT clean title to the property;

WHEREAS, the combined Parcels 3A and 53Rev have been combined into Parcel 3A-EX and consists of 6,854 square feet;

WHEREAS, the Department of Transportation intends to sell Parcel 3A-EX to the adjacent property owner for Fair Market Value in accordance with C.R.S. 43-1-210(5);

WHEREAS, Parcel 3B-EX consists of 945 square feet and is currently being used for an alley;

WHEREAS, the City of Englewood would like to maintain Parcel 3B-EX as its current use, an alley;

WHEREAS, the Department of Transportation intends to relinquish Parcel 3B-EX to the City of Englewood;

WHEREAS, the disposal of Parcel 3A-EX and relinquishment 3B-EX will not affect the operation, maintenance, use or safety of CDOT's facility;

WHEREAS, the Department of Transportation, Region 1 has declared through Joshua Laipply as Chief Engineer, that the 7,799 sf 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 3A-EX consisting of 6,854 sf of SH 285 right of way is of use only to the adjacent property owner;

WHEREAS, the Department has determined that Parcel 3B-EX consisting of 945 sf of SH 285 right of way is of use only to the City of Englewood;

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, 23 CFR 710.403(d)(1) allows CDOT to convey property to other governmental entities for nominal value if the property is used for continued transportation purposes;

WHEREAS, if Parcel 3B-EX ever ceases to be used for transportation purposes the property will revert back to CDOT ownership;

WHEREAS, the City of Englewood desires to exercise its right of refusal to purchase the 945 sf of SH 285 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 Parcels 3A-EX and 3B-EX as excess property and dispose of the 6,854 sf (3A-EX) of SH 285 right of way which is no longer needed for transportation purposes for fair market value and relinquish the 945 sf (3B-EX) of SH 285 right of way which is no longer needed for transportation purposes for nominal 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 Stockinger, Secretary
Transportation Commission of Colorado

8-20-15

Date

Resolution #TC-15-8-5

Resolution #TC-15-8-5

Confirmation of CDOT Divisions for purpose of clearly defining
Appointing Authorities

Approved by the Transportation Commission on Aug. 20, 2015

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

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

WHEREAS, CDOT is presently comprised of a number of offices and divisions; and

WHEREAS, the Transportation Commission, pursuant to their authority under C.R.S. 43-1-104 (2) (a), (b)(1) and (c) may establish divisions with the department; and

WHEREAS, it is necessary for every employee to be placed in a division with an appropriate Appointing Authority for the purpose of hiring, performance evaluations, job descriptions, corrective actions, creation/abolishment of positions, and as otherwise established in the State Personnel Board Rules.

NOW, THEREFORE, BE IT RESOLVED, the Commission herein confirms the following non-statutory divisions as division of the department:

- Division of Administrative Services
- Division of Accounting & Finance
- Division of Transportation Systems Management and Operations
- Office of Program Management
- Office of Communications
- Office of Policy & Government Relations
- Division of Project Support
- Office of Major Project Development
- Office of Emergency Management
- Regional One
- Regional Two
- Regional Three
- Regional Four
- Regional Five

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

8-20-15
Date

Resolution #TC-15-8-6

Resolution #TC-15-8-6

Additions to Fiscal Year 2016 over \$50,000 project list approval

Approved by the Transportation Commission on Aug. 20, 2015

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

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

WHEREAS, CDOT staff have prepared a cost estimate for these projects to be done in Fiscal Year 2016 as detailed in the memorandum entitled; Addition to FY 16 over \$50,000.00

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

NOW THEREFORE BE IT RESOLVED, the Transportation Commission has reviewed the cost estimate, as contained in the official agenda, and approves CDOT Maintenance Forces undertaking the project therein.
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Region 1 Metro

Highway	Begin MP	End MP	Type	Estimate
40A	243	243.7	Machine Patch	\$102,000.00
36	130.2	130.65	Machine Patch	\$118,000.00
I-70	Ramps	E-470	Machine Patch	\$95,000.00
Total - Region 1 Metro				\$315,000.00

Region 2 - Pueblo

Highway	Begin MP	End MP	Type	Estimate
101A	0	5	Chip Seal	\$149,340.00
Total Region 2 Pueblo				\$149,340.00

Region 4 - Greeley

Highway	Begin MP	End MP	Type	Estimate
60/County Rd 40	0		Machine Patch	\$125,508.00
Total Region 4 Greeley				\$125,508.00

Region 5 - Durango

Highway	Begin MP	End MP	Type	Estimate
184	.3	1.1	Machine Patch	\$112,470.76
145 A	39	43	Chip Seal	\$125,322.79
160 A	11.25	13.75	Chip Seal	\$140,170.69
140 A	13.2	17.7	Chip Seal	\$145,621.57
550 B	68.7	72.7	Chip Seal	\$129,465.01
550 B	49.8	53	Chip Seal	\$129,465.01
Total Region 5 Durango				\$642,345.14

Region 5 Alamosa

Highway	Begin MP	End MP	Type	Estimate
114 A	45.8	50.8	Chip Seal	\$147,500.00
17 B	115	116	Machine Patch	\$147,000.00
Total Region 5 Alamosa				\$294,500.00

Statewide Total			\$1,526,693.14
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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

8-20-15
Date

Resolution #TC-15-8-7

BE IT SO RESOLVED, that the 2nd Supplement to the Fiscal Year 2015-2016 Budget as amended be approved by the Commission.

Discuss and Act on 2nd Budget Supplement of 2016

Chief Financial Officer Maria Sobota thanked everyone for the warm welcoming comments, and stressed her commitment to creating a world class financial institution. She opened up to the commission for questions on the budget supplement.

Chairwoman Connell entertained a motion to approve the Budget Supplement. Commissioner Gilliland moved for approval of the resolution, and Vice Chair Reiff seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-15-8-8

Resolution Number TC#15-8-8

Approval of FY 2015 roll forward requests

Approved by the Transportation Commission on Aug. 20, 2015

WHEREAS, the Transportation Commission has oversight of the Colorado Department of Transportation annual budget, including roll forward requests; and

WHEREAS, offices of the Colorado Department of Transportation can make requests to roll forward budget resources from a prior fiscal year to a current fiscal year; and

WHEREAS, the Division of Highway Maintenance has applied to the Office of Financial Management and Budget to roll forward \$3,640,000 of FY2014-15 funds to FY2015-16 for specific prioritized projects; and

WHEREAS, these projects have positive cost-benefit ratios that will make the Department more efficient, increase public safety, and further increase compliance with regulations; and

WHEREAS, Policy Directive 703.0, approved in May 2015 by the Transportation Commission, allows only the Transportation Commission to approve roll forward requests above \$1.0 million; and

WHEREAS, Department Executive Management must approve roll forward requests greater than \$1.0 million before they are presented to the Transportation Commission; and

WHEREAS, The Office of Financial Management and Budget, based on approval of Executive Management, has requested the Transportation Commission approve the \$3,640,000 roll forward request from the Division of Highway Maintenance.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission, in accordance with Policy Directive 703.0, authorizes the Office of Financial Management and Budget to roll forward \$3,640,000 from FY2014-15 to FY2015-16 for projects managed by the Division of Highway Maintenance.



Herman Stockinger, Secretary
Transportation Commission of Colorado



Date

Discuss and Act on FY 2015 Roll Forward Items

Chief Financial Officer Maria Sobota asked the commission if there were any questions on the roll forward items.

Chairwoman Connell entertained a motion to approve the FY 2015 Roll Forward Items. Commissioner Hofmeister moved for approval of the resolution, and Commissioner Gilliland seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Adjournment

Chairwoman Connell closed the July Transportation Commission meeting at 9:32 a.m.