

Resolution – HPTE #215

Approving HPTE November 16, 2016 regular meeting minutes

BE IT RESOLVED, that the November 16, 2016, meeting minutes attached hereto, are hereby approved by the High Performance Transportation Enterprise Board of Directors.

Signed as of December 14, 2016

Kari Grant
Secretary, HPTE Board

Agenda Item: **MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE HIGH PERFORMANCE TRANSPORTATION ENTERPRISE (HPTE)**
Held: Wednesday, November 16, 2016; 10:30 am
4201 E. Arkansas Ave., CDOT HQ Auditorium, Denver, CO 80222

The regular meeting of the Board of Directors of the HPTE was convened in accordance with applicable statutes of the State of Colorado, with the following Directors present:

Attendance:	Kathy Gilliland, Chair	Jan Martin	Trey Rogers
	Don Marostica, Vice Chair	Thad Noll	Shannon Gifford
		Gary Reiff	

Chair Gilliland called the meeting to order @10:30 am: All Board Directors were present.

Director's Agenda Overview and Discussion: HPTE Director Spector reported on the Tolling Operations Manager candidate position. The pool of candidates from within the state is not as robust as hoped, so the position will also be posted nationally. Director Spector hopes to have someone hired early in the next calendar year.

He also reported on recent proactive outreach to Legislators. In the last month, Director Spector met with Representative Singer, the House sponsor of last session's SB 16-123), as well as with Representative Benavidez. Additionally, Speaker of the House Duran and Representative Kraft-Tharp attended CDOT's Transportation Matters Summit, where Director Spector moderated a panel on express lanes, public private partnerships (P3s), and road usage charges. Director Spector and CDOT Legislative Liaison Andy Karsian also met with Senator Martinez Humenik. Director Spector reported that there is talk of a potential bill that would mandate fair wages on all P3 and capital construction projects. The Central 70 Project is already structured in a way that exceeds the proposed requirements, and the project could serve as a model for other projects.

Director Spector noted the I-25 Segment 2 Performance Report has been rescheduled for the December 14th meeting.

HPTE Communications Manager Megan Castle reported that outreach for the HOV3 transition has been very busy. The DRCOG "My Way To Go" carpooling campaign is the backbone of the HOV3 solutions and incentives programs for the participating transportation management organizations, including 36 Commuting Solutions, Smart Commute Metro North and the Regional Transportation District. She also reported that numerous meetings have been held with local communities, governing councils and individual elected officials. Television programming, newsletters, group presentations, and paid advertising with various media with a "countdown" theme are also being put into place. On December 12, CDOT will host a telephone town hall on the HOV3 topic, and Reps. Kraft-Tharp and Winter have been invited to participate. After the HOV3 rollout, HPTE's outreach efforts will be evaluated for the response to the commuting incentives offered.

HPTE Budget Analyst Piper Frode reported on the progress of the draft FY2018 HPTE budget, with an emphasis on bringing the timeline for budget development and approval into alignment with the state budget process. Ms. Frode discussed the updated Fee for Service Scope of Work and Stifel's updated HPTE Market Assessment, both revised to account for HPTE's work for the expanding system of express lanes, and HPTE's value to CDOT. In response to questions from the Board about lump sums and programmatic categories, Ms. Frode said HPTE is looking for enough flexibility to move funds as needed with sufficient detail for transparency. Director Reiff and other Board members suggested that asked additional detail be provided for certain line items. Staff will provide the additional detail in the next draft of the budget to be presented in February 2017.

Andy Karsian noted Director Spector's earlier comments on legislative outreach. He added that Colorado Ski Country is very supportive of the I-70 Mountain Express Lane. He said Senator Grantham is monitoring a number of express lane issues, and that HPTE can be a resource for him in the upcoming legislative session. Other direct outreach included Sen. Sonnenburg and Rep. KC Becker. Mr. Karsian noted that no currently proposed bills pertain to HPTE. There was discussion among the Board about the need for a proactive strategy as the 2017 legislative session begins. Anticipating issues and being prepared with information will be especially important this year. Board Chair Gilliland agreed that a proactive approach is necessary to generate support among key legislators. Director Spector will work with Mr. Karsian and Herman Stockinger from the CDOT Office of Policy and Government Relations to create a proactive legislative plan, as well as dedicating resources at the Capitol if there is a bill introduced that would affect HPTE.

**Board Break,
Reconvene and Roll
Call:**

The Board took a five-minute break. Upon reconvening, all Board members were present.

**Consent Agenda:
Resolution #214
Approving October
19, 2016 Minutes:**

Upon a motion by Vice-Chair Marostica and second by Board Director Gifford, the Consent Agenda was approved by all present.

Public Comment:

Chair Gilliland invited members of the public to come forward if they wished to comment. No speakers came forward.

Director's Report:

HPTE Director David Spector reported that CDOT's Division of Accounting and Finance is assembling a review of financial goals and processes department-wide. HPTE is working with CDOT staff to document these processes, which will showcase both needed improvements and successful initiatives.

Throughout 2016, HPTE has focused on participation in P3 training and education. In October, Director Spector and HPTE Operations Manager Nick Farber participated in the CG/LA national conference. Mr. Farber is also developing an express lane and P3 training for the Board, CDOT staff and legislators. Director Spector also briefly reported on how he and Simon Stachnik of Plenary Roads Denver presented revenue sharing information and analysis with stakeholders at a recent meeting on the corridor.

Director Spector then discussed that HPTE is working with the Division of Transit and Rail to develop plans for park-n-ride facilities along the Bustang route. More information should be forthcoming.

OMPD Report:

OMPD Director Brett Johnson gave quick project status reports. He said there has been good momentum on the I-70 mountain corridor, with coordination for a possible peak period lane starting on the westbound lanes. Joe Mahoney of OMPD noted that FHWA has approved extended hours for the eastbound Mountain Express Lane through 2016, and that he is confident that CDOT can address all their concerns. Mr. Johnson also noted that the Planning and Environmental Linkages (PEL report on South I-25 is underway and should be completed in 2017. The South I-25 project has seen strong support from legislators and local officials.

**Communications
Report:**

HPTE Communications Manager Megan Castle described continuing outreach to municipalities and stakeholders through media, TV and radio. Director Spector said he went to a Central-70 meeting in Stapleton, and the strategies for Central 70 and the focus on transparency have really changed the nature of the public conversation. Chair Gilliland said HPTE is doing a great job but it can't expect to slide easily into HOV3 implementation. She urged staff to keep up the communication efforts. Ms. Castle noted that 113,000 switchable transponders have been distributed so far.

**C-470 Financing
Update:**

HPTE Operations Manager Nick Farber presented an overview of the draft TIFIA loan agreement and master trust indenture for the C-470 Express Lanes Project. Staff will follow up in December with additional bond documents for Board review, with final approval expected to be requested in January

2017. Mr. Farber said the Highlands Ranch Neighborhood Coalition lawsuit regarding noise walls is ongoing. Negotiations with TIFIA related to the lawsuit and other financing terms are ongoing. Otherwise, the project is proceeding at a slower pace than originally scheduled due to additional work require to incorporate the Additional Required Elements proposed by the project contractor. Mr. Farber said this should not create significant problems for the project.

Executive Sessions pursuant to C.R.S. Section 24-6-402(3)(a)(II) for the purpose of receiving legal advice pertaining to the US 36 Phase 2 Project and pursuant to C.R.S. Sections 24-6-402(3)(a)(II)-(III) and 24-72-204(3)(a)(IV) for the purpose of discussing confidential commercial and financial information and receiving legal advice concerning an evaluation by HPTE under C.R.S. Section 43-4-806(7)(a).

Chair Gilliland requested for a motion for Executive Sessions pursuant to C.R.S. Section 24-6-402(3)(a)(II) for the purpose of receiving legal advice pertaining to the US 36 Phase 2 Project, and pursuant to C.R.S. Sections 24-6-402(3)(a)(II)-(III) and 24-72-204(3)(a)(IV) for the purpose of discussing confidential commercial and financial information and receiving legal advice concerning an evaluation by HPTE under C.R.S. Section 43-4-806(7)(a). Vice Chair Marostica made a motion to enter into the Executive Sessions. Upon a second by Board Director Rogers, and the affirmative vote of at least two-third of the Board, the Board entered into Executive Sessions at 12:03 pm. Members of the public were excused.

The Board took a short break at 1:05 p.m. while the Transportation Commission called its meeting to order, and subsequently continued in Joint Executive Session with the Transportation Commission, also pursuant to C.R.S. Sections 24-6-402(3)(a)(II)-(III) and 24-72-204(3)(a)(IV) for the purpose of discussing confidential commercial and financial information and receiving legal advice concerning an evaluation by HPTE under C.R.S. Section 43-4-806(7)(a).

The Board exited the Joint Executive Session at 1:35 p.m.

Adjourn

There being no further business, the Board adjourned at 1:35 p.m.