

Transportation Commission Workshops were held on Wednesday, September 20, 2017. The Regular Transportation Commission Meeting was conducted and was hosted at CDOT HQ Auditorium on Thursday, September 21, 2017.

Note: Materials for specific agenda items are available at <https://www.codot.gov/about/transportation-commission/meeting-agenda.html> by clicking on the agenda item on the schedule provided at this site, or by clicking on links provided in this document. For the full agenda of workshops and sessions see the link presented above.

**Transportation Commission Committee Meetings
Wednesday, September 20, 2017**

Transit and Intermodal Committee

Purpose: To consider possible reprogramming of annual transit funds, review Bustang and outrider service planning, evaluate Year 2 recommendations and Year 3 planning of the SB 228 transit program funds, and hear informational items on the status of 5311 redistribution, transit development program, and 5339 bus and bus facilities consolidated application.

Re-programming annual transit funds - To better meet transit needs around Colorado, the concept under discussion would place \$2 million per year from FASTER Local transit funds to increase the local operating pool 25 percent. FASTER Statewide funds would increase the interregional and rural regional pools (\$500K for Bustang and \$1.5 million for Outrider annually), and periodic state funds (SB 228, SB 267) to backfill capital needs. Currently, Federal Transit Administration (FTA) funds are used for operating expenses and FTA and FASTER Transit funds are used for capital.

Bustang and outrider service planning – For 2018, the Division of Transit and Rail (DTR) is recommending that CDOT purchase four new 45-foot Bustang bus coaches, for a total cost of \$2.4 million; for 2019, another four new 45-foot Bustang bus coaches for \$2.4 million. If the Transit and Intermodal Committee approves, the item will be placed on the November Transportation Commission agenda as an action item. The bus purchases are to enable Bustang and Bustang Outrider expansions. Expansions include one more roundtrip per day from Dec. 15 to Easter from Glenwood Springs to Denver; one roundtrip per day from Grand Junction to Denver by taking over a subsidized route from Greyhound; one more roundtrip from Denver to Raton, New Mexico with adding roundtrip from Denver to Colorado Springs and extending Bustang to Trinidad and Pueblo. Other enhancements that would be funded by SB 267 are two buses from Castle Rock, one bus service to and from Longmont, and a spare fleet vehicle to support expansions.

SB 228 transit program funds – To pay for the new buses and other service improvements and expansions, DTR is recommending the expenditure of SB 228 funds: \$9.9 million in FY 2017-2018 and \$7.9 million in FY 2018-2019. The expenditures would cover the cost of nine new buses (five 45-foot buses for Bustang expansions and five 35-foot over-the-road coaches for Bustang Outrider), local agency capital needs, and a matching funds pledge to upgrade the Southwest Chief tracks.

Action: Discuss and provide input on the possible reprogramming of annual transit funds, Bustang and outrider service planning, and SB 228 funding. Workshop tentatively planned for October, with Transportation Commission action to follow in November.

Discussion:

- Re-programming annual transit funds
 - This hasn't received transit agency review yet. DTR staff will discuss with CASTA members on Friday at the CASTA conference in Telluride if Transportation Commission committee members give the go-ahead.
 - If any other pot of state money comes to pass, money likely will be set aside for transit. SB 228 sets aside 10 percent for transit.
 - SB 267 money would be used for long-term purposes in keeping with its 20-year payback, such as park and rides.
 - Plan provides a way of meeting rural needs, which typically are human services needs between communities.
 - People in Lamar, Walsenburg, and Pueblo need Bustang Outrider to get between communities. This is a fresh way to look at things.
 - Previously Transportation Commission adamant that FASTER Transit should not be used for operating expenses, but there has been a shift since with the introduction of Bustang.
 - This proposal addresses complaints of rural transit agencies that they need more operating funds, not more capital funds. It also is helpful that re-programming will reduce the 50 percent local match required for FTA 5311 funds by adding state money to the pot.
- Bustang and Outrider service planning
 - Argument that CDOT is competing against private industry doesn't hold up because Greyhound would quit providing service if it didn't receive an FTA 5311(f) subsidy.
 - Amtrak approached CDOT about providing "throughway service" to get people to Amtrak stations because it is unhappy with Greyhound service.
 - Bustang Outrider service will vary. Northeastern Colorado doesn't want large Bustang buses, but might prefer vans.
- SB 228 transit program funds
 - The Transportation Commission on Thursday will be asked to approve a list of TIGER 9 applications; among them is \$1 million for Southwest Chief improvements.
 - The Local Capital Pool would be funded at \$2 million per year for 5 years, for a total of \$10 million.
- Other points
 - SUCAP will continue its service. SUCAP has been urged to work with Durango on maintenance so that buses don't have to go to Farmington, NM, for service.
 - FASTER transit money is \$10 million a year for statewide purposes, and \$5 million a year for local transit purposes.
 - Bus drivers are hard to retain because of competing jobs. The vendor, Ace Express, has had more luck finding bus riders among those who live outside the Denver metro area.
- Members agreed that staff recommendations are ready to take to TC for further consideration in October and November.

Joint Workshop of HPTE Board and Transportation Commission for Branded City Communications

Purpose: The workshop is about the results of the High Performance Transportation Enterprise (HPTE) request for proposals for network-based revenue generating opportunities on CDOT-owned properties for action by the Transportation Commission in October. Branded Cities, Outfront Media, and Panasonic Corporation North America formed a consortium that proposes to “build a state-of-the-art digital communications sign network (DCSN) on CDOT-owned properties, facilities, and/or rights-of-way throughout the State of Colorado.”

FHWA has since confirmed that highway or interstate right-of-way cannot have commercial advertising devices in the right of way, but that outdoor advertising may be placed on CDOT property outside the right of way with these conditions: all federal and state outdoor advertising laws are followed, CDOT owns the property, and, if federal funds were used to purchase the land, CDOT reimburses FHWA.

Action: No action proposed.

Discussion:

- Up to 60 digital signs could be placed on CDOT properties along interstates and highways in Denver, Fort Collins, and Colorado Springs metro areas. The consortium will pay all the capital and operational costs.
- Community messages, traffic updates, Amber Alerts, and similar messages would be on the signs. The revenue potential is about \$2 million to \$8 million annually. Excluding emergencies, the messages would be on for about 3 minutes per hour.
- The copy changes would occur once every 8 seconds. The messages would not be animated, and would originate from local and national companies. Religious, political, liquor, or tobacco content would not be permitted.
- The consortium has looked at several sites that fall within the FHWA guidelines, but some commissioners wondered if the number of locations where this is feasible might be more limited.
- The consortium plans to present a synopsis of the proposal again in October, and provide a status report in November.

Right of Way Workshop (Josh Laipply)

Purpose: The purpose of the workshop is to discuss and approve right-of-way acquisition (negotiations), settlement authorization requests, and moving forward with condemnation authorization requests.

- Acquisition – Five authorizations for US Highway 85 expansion, a critical culverts project, a pedestrian/bicycle improvements project on SH 160 in Walsenburg, traffic signal installation on SH 141 in Mesa County, and the SH 138 Lodgepole Creek projects.
- Settlements – Agreements for a total amount of \$3.2 million were reached with a number of landowners at SH 88 and Interstate 25 as part of the Arapahoe Road and I-25 project.
- Condemnations – Two condemnations are up for Transportation Commission action: one for the US 85 and 104th Avenue intersection project, and one for the US 85 and Louviers project.

Action: Prepare to act on agreed upon proposed acquisition authorizations, settlements, and condemnation proceeding at the regular meeting, based on discussion at today’s workshop.

Discussion:

- Condemnation – up for action at tomorrow’s meeting; US 85 and Louviers.
- Courts will decide the amount for condemnation; that’s not up to the Transportation Commission to determine.

Budget Workshop (Michael Krochalis and Louie Barela)

Purpose: To summarize FY 2016-2017 revenue reconciliation and review an updated Transportation Commission program reserve reconciliation.

Action: The Division of Accounting and Finance (DAF) is asking the Transportation Commission to review surplus fund balances from FY 2016-2017, including federal redistribution, and an updated FY 2017-2018 Transportation Commission program reserve reconciliation.

CDOT has a budget surplus of \$137.8 million, primarily due to Certificate of Participation revenues, State Highway User Tax Fund (HUTF) revenues, and federal distribution funds all being higher than anticipated. These surpluses are offset by the loss of SB 09-228 general fund revenue.

Discussion:

- Redistribution is what CDOT gets if other states are unable to obligate.
- One possibility could be that the Transportation Commission could decide to use SB 267 funds for the curb ramp project, freeing up additional funds for FY 2019.
- A Transportation Commission request was for CDOT staff to highlight strategic decisions before the Commission.

Policy Directive 14 Asset Management and Safety (Jeff Sudmeier and William Johnson)

Purpose: To report on progress made towards meeting the objectives in Policy Directive (PD) 14 in the areas of Safety, Infrastructure Condition (Asset Management), and Maintenance (areas that make up about 60 percent of CDOT's total budget, excluding Senate Bill 228 transfers), and review proposed changes. In August 2017, the Commission had a workshop on the PD 14 System Performance (including Transit) goal area. This month, staff will conduct a workshop on the Safety, Infrastructure Condition, and Maintenance goal areas.

No changes to the Safety and Maintenance performance measures and objectives are proposed at this time. Changes are proposed for Infrastructure Condition measures for culverts, geohazards, traffic signals, and walls, primarily as a result of more experience with asset management, better inventories and condition assessments, more advanced analytical capabilities, and the Asset Investment Management System.

Action: No action this month. The Transportation Commission will be asked to adopt the proposed updates to PD 14 in October.

Discussion:

- Safety –Although the number of crashes has been increasing, no changes are recommended at this point to the objectives for serious injuries and fatalities.
- Maintenance – CDOT is meeting its objectives in snow and ice removal, but is falling behind in general overall maintenance. CDOT is trying to compare how it measures asset management with how other states do it, a move that won praise from the Transportation Commission.
- Asset Management (Infrastructure Condition) – Bridges and pavement condition most important to the public. Data should back up measures and objectives.
- A question was asked about how CDOT determines funding for several different assets. The revenue projections and program distribution process that is undertaken every 4-5 years is one place where those broader questions can be addressed.

Statewide Plan Long-Range Revenue Projections (Jeff Sudmeier and Herman Stockinger)

Purpose: To provide an overview of the long-range revenue projection process, and review proposed baseline, high, and low long-range revenue projections for the 2045 planning cycle.

- Baseline Scenario - Assumes current law and revenue sources, including full Senate Bill (SB) 17-267 proceeds of \$1.88 billion between FY 2018-2019 and FY 2021-22. Vehicles miles traveled (VMT) is assumed to track Colorado population growth, increasing roughly 1.4 percent annually through 2044-45. The baseline scenario also assumes shoring up of the federal Highway Trust Fund (HTF) through federal General Fund transfers, as well as a 25 percent market penetration of electric vehicles.
- Low Scenario - Assumes all the same key variables as the baseline scenario, but assumes a federal rescission beginning in FY 2019-2020 and continuing through FY 2044-45, thereby eliminating any growth in federal apportionments. This amounts to a 6.5 percent decrease in revenue.
- High Scenario – Retains the same assumptions as for the baseline scenario, except for an assumption of an increase in Higher User Trust Fund (HUTF) revenues to CDOT of \$300 million per year beginning in 2023-2024. The increase could come from a state sales tax increase for transportation, an increase in the gas tax, or an equivalent mechanism.

Action: No action requested. Transportation Commission input is requested on proposed baseline, high, and low long-range revenue projections, with a request for Commission approval to follow at a subsequent meeting. In a later discussion, how the scenarios would be used will be highlighted.

Discussion:

- The Commission provided general agreement with the assumptions behind the scenarios.

INFRA Grant and SB 17-267 (Jeff Sudmeier)

Purpose: To discuss potential projects for submittal by CDOT and/or local agencies under the current Infrastructure for Rebuilding America (INFRA) and Transportation Investments Generating Economic Recovery (TIGER) discretionary grant programs.

Solicitations are open for the two federal programs, for which applications are due on October 16 (TIGER) and Nov. 2 (INFRA). State funding from SB 17-267 could be used to match requested federal dollars. Details of the two programs are:

TIGER

- \$500 million available nationwide.
- Grants may be not less than \$5 million and not greater than \$25 million, except for projects located in rural areas where the minimum grant size is \$1 million.
- Selection criteria for TIGER remains fundamentally the same as previous rounds of TIGER.
- FY 2017 TIGER solicitation gives special consideration to projects which emphasize improved access to reliable, safe, and affordable transportation for communities in rural areas, such as projects that improve infrastructure condition, address public health and safety, promote regional connectivity, or facilitate economic growth or competitiveness.

INFRA

- \$1.56 billion available nationwide- \$1.5 billion for large projects > \$100 million, and \$60 million for small projects < \$100 million.

- Minimum grant of \$25 million for large projects, and \$5 million for small projects.
- Retains the same basic elements of the previous FASTLANE program, but with new selection criteria focused on economic vitality, leveraging funds, innovation, and performance and accountability

Action: Transportation Commission approval of projects and commitment of matching funds for proposed TIGER project applications.

Input on proposed projects and commitment of matching funds for proposed INFRA project applications, with final Transportation Commission approval to follow in October.

Discussion:

- Some concern that we are making decisions about use of SB 267 funds for INFRA and TIGER, prior to considering the broader set of projects we might fund with SB 267. It was noted that match commitments are provisional, contingent upon a grant award, and that the timing of grant solicitations required the consideration of INFRA and TIGER up front.
- Law requires that 25 percent of SB 267 funds should go to rural areas. Question asked about how that percentage will be determined.
- If any project is approved for TIGER, TC will decide where matching funds will come from, whether from SB 267 or from some other source. CDOT has not been very successful in obtaining TIGER grants.
- Agreed with recommendations for the three top TIGER projects: Amtrak Southwest Chief, SH 13 Reconstruction, and US 160 Towaoc Passing Lanes. Colfax County, New Mexico is the likely applicant for Amtrak Southwest Chief, CDOT for the SH 13 Reconstruction between the Wyoming state line and Rifle, and the Ute Mountain Ute Tribe for the US 160 Towaoc Passing Lanes.
- For FASTLANE, last time \$40 million was the average award, so that was used as a reference point in determining appropriate grant request amounts.
- Next time, one commissioner would like to see revenue generating potential for the different projects.

RoadX - Continue Panasonic Partnership (Peter Kozinski and Amy Ford) - postponed to next month due to other business

FY'18 Budget Supplement Request for TSM&O and update on opportunities to acquire Eagle Net Fiber Optic Network (Ryan Rice)

Purpose: To approve a budget supplement request from the Division of Transportation Systems Management & Operations (TSM&O) in order to keep funding levels in FY 2018 consistent with the previous three fiscal years to support continuation of mission-critical functions.

Before the beginning of FY 2018, funding was not approved to keep funding levels consistent with the prior three fiscal years to sustain new programs and services, such as contracted staffing of Traffic Management Centers, expanded safety patrol and heavy tow, the bottleneck reduction program, the TSM&O evaluation of all projects, and development of performance measures. FY 15, \$7M only; FY 16, \$6M; FY 17, \$4.25 M, plus \$3.72M supplement. This request is to restore funding for the programs that were reduced or eliminated, bringing the total TSM&O FY 2018 budget to \$51.7 million compared to \$47.55 million for FY 2017:

- Traffic Management Center Contracted Staff for EJMT and CTMC Golden: \$1,800,000
- Contracted Safety Patrol and Heavy Tow Programs: \$1,700,000
- Chain Law Enforcement: \$300,000
- Bottleneck Reduction (COBRA) project support: \$500,000
- TMC and TIM Planning & Program Support: \$740,000

- TSM&O Evaluation and Program Support: \$500,000
- Traffic Incident Management (TIM) Training Track: \$1,500,000
- Planning, Performance Measures, and Travel Demand Management: \$960,000

Action: The Transportation Commission is asked to review the staff recommendations and approve the supplemental request of \$8 million.

Discussion:

- A question was asked about why CDOT is involved in funding contracted Colorado Safety Patrol (CSP) workers and traffic incident management (TIM) training. The answer was that the contracted work is to help the State Patrol with overstretched manpower. Funding the TIM training also helps CDOT build relationships with first responders to help ensure smoother traffic operations.
- Question raised as to whether Panasonic program should be an economic development effort by another state agency, not by CDOT.
- Some discussion on the merits of different operational strategies and whether funding was appropriate at the level discussed.
- There was some criticism that the requested budget supplement amounts to a 20 percent budget increase, and that the TSMO budget and current request had not been more clearly communicated.
- The CSP praised CDOT's TSM&O before talking about the CDOT/CSP TIM Training Track Area at Douglas County's Emergency Vehicle Operations Center. The center would supplement FHWA TIM classroom training with hands-on training.
- Kyle Lester, CDOT maintenance director, talked about the advantages of combined CSP/CDOT TIM training.
- Twenty-seven percent of first responders around the state have received the TIM training.
- The Eagle-Net fiber opportunity for CDOT also was touched on. Under that proposal, CDOT would purchase Eagle-Net fiber network that includes 628 miles of new and existing communication infrastructure valued at \$68 million. Because the network was started with federal funds, it can't be sold to the private sector.

**Transportation Commission Regular Meeting
Thursday, September 21, 2017**

Call to Order, Roll Call

- All present but Commissioners Ed Peterson and Kathy Hall, who had excused absences.

Audience Participation: Subject Limit: 10 minutes; Time Limit: 3 minutes

- No audience participation.

Comments of Individual Commissioners

- Comments concerned:
 - The bumps on SH 71 between Brush and Limon
 - Compliments to Region 2 for working together to get as much road improvements done as possible
 - Compliments to CDOT for preparations for the Aug. 21 eclipse
 - Satisfaction that the I-25/Cimarron project is almost done on time and within budget
 - How the future is already here with CDOT using an autonomous vehicle to shield workers from traffic with the aid of a drone, and with CDOT in discussions with Panasonic for Road X.

Executive Director's Report (Shailen Bhatt)

- Shailen Bhatt reiterated his pride in CDOT staff in preparing for the eclipse and in the staff for receiving a number of awards. He also said that transportation is very important to attract such companies as Amazon to the state.

Chief Engineer's Report (Josh Laipply)

- Much has happened in the past month: a tour of Panasonic, the I-25/Cimarron project almost done, the response to the traffic generated by the total eclipse being visible in Wyoming and Nebraska, and Colorado being in the running for a Hyperloop. He also mentioned that Shailen Bhatt received a community advocate of the year award from a small business group.

HPTE Director's Report (Nick Farber)

- FY 2017-2018 HPTE budget was amended yesterday.
- The Tampa Bay Expressway came to discuss public-private partnerships with CDOT.
- The Railvolution conference was in Denver last week.
- Work proceeds on I-25 North between 120th and US 36.
- I-25 South traffic and revenue kick-off meetings are set for Oct. 6 and Oct. 13.
- For the US 36 project, the landscaping issues will be fixed during Phases 1 and 2.

Federal Highway Administration (FHWA) Director Report (John Cater)

- The annual tribal summit took place in Durango, and Region 5 Director Mike McVaugh was praised for how well it went.
- FHWA had its annual meeting recently in Washington D.C. The Trump Administration's infrastructure program was a topic, and could result in \$1 trillion worth of infrastructure spending over the next 10 years. The trend seems to be that there's an emphasis on competitive funding and less on formula funding. A bill might be before Congress this fall.
- The new director of FHWA is Paul Trombino, who is the former director of the Iowa DOT and active in the American Association of State and Highway Transportation Officials. Shailen said the new FHWA director is a friend of his.

Statewide Transportation Advisory Committee (STAC) Report (Thad Noll)

- Thad Noll said that in the 12 years he has been on STAC, the mood of the STAC vastly better today than it once was.
- Concerning INFRA grants, the STAC debated the best strategy for submitting applications: submit many or just a few, large or small.
- With the Volkswagen settlement money, Colorado could really advance alternative fuels.
- A positive development is the grants from Alt Fuels Colorado can now be used for standalone charging stations for electric vehicles; before, they had to be co-located with compressed natural gas (CNG).
- It should be noted that 25 percent market penetration of electric vehicles by 2045 is included in the baseline revenue scenario. That market penetration will mean proportionately less gas tax revenues. In addition, the high revenue scenario includes \$300 million more per year from some unspecified source.

Act on Consent Agenda (Herman Stockinger) – Approved unanimously on September 21, 2017.

- a. Resolution to approve regular meeting minutes of July 20, 2017 (Herman Stockinger)
- b. Utility and Drainage Easement Disposal: SH 82 (Parcel PE-224-X, PE-224-XA and PE-224-XB) (Dave Eller)
- c. Authorize Disposal of Parcel 1701 Platte (Josh Laipply)
- d. Authorize Maintenance Requests \$50-150k project list (Kyle Lester)

Discuss and Act on the 3rd Budget Supplement of FY 2018 (Michael Krochalis) – Approved unanimously on September 21, 2017

Budget supplements were approved for:

- TSM&O: to fund contracted staffing of Traffic Management Centers, expanded safety patrol and heavy two service hours, the bottleneck reduction program, the traffic incident management program, and TSM&O evaluation for all projects, performance measures, and planning efforts with local stakeholders, \$8 million from TCPRF. The motion passed, with Steven Hofmeister voting no.
- HPTE: to pay for additional staff compensation costs of \$395,000 as a result of the merger of the Office of Major Project Development and HPTE. One of the results of the merger will be an Express Lane Master Plan that might get started as soon as January 2018. The motion passed unanimously.

Discuss and Act on Right of Way Acquisition Authorization Requests (Josh Laipply) – Approved unanimously on September 21, 2017 – The Santa Fe resurfacing project was dropped from the requests.

Discuss and Act on Right of Way Settlement Authorization Requests (Josh Laipply) – Approved unanimously on September 21, 2017

Discuss and Act on Right of Way Condemnation Authorization Requests (Josh Laipply) – Approved unanimously on September 21, 2017 – The US 34 Big Thompson Canyon project was dropped from the requests. The remaining two projects were approved on separate motions.

Discuss and Act on TIGER 9 project list (Jeff Sudmeier) – Approved unanimously on September 21, 2017

- The department is instructed to submit a single application for the SH 13 Reconstruction project, with the Commission committing to \$60 million of state match for the project. The source of the matching funds will be determined and allocated if the TIGER 9 grant application is successful.
- Other commitments in the resolution are:
 - \$1 million in state match from available SB 228 funds for the local grant application to improve the Southwest Chief Amtrak line in Colorado. (The City of La Junta is the likely applicant.)
 - \$9 million of state match for a local grant application for US 160 Towaoc Passing Lanes, with the state funding source to be determined and allocated if the TIGER 9 application is successful.

Recognitions:

TRANSCOMM Awards (DOTs):

- Drugged Driving: Sam Cole (consultants CIG & Amalie)
- Duct-Work: Rebecca White (along with CIG)
- Three's Free: Megan Castle (along with CIG)
- Highway 9 Wildlife: Tracy Trulove (along with a consultant)

PRSA Awards

2017 Gold Pick Awards - Component

Winter Issues Drive Engagement

- Lil' Mec Pledge: Turning Tragedy into Action
- I-70 Traffic Gets Animated
- Media Joins Fight Against Drunk Driving
- Don't Drive Distrac... SQUIRREL!
- Digital Addiction Is a Killer Habit
- CDOT Goes Slow as Colorado Gets High
- Media Gets Caught in Slow-Speed Chase

2017 Gold Pick Awards - Campaign

I-70 'duct-work: Finding Beauty in the Beast

2017 Silver Pick Awards

DUI Prevention - There's an App for That

Blow to Know!...Your BAC

Emmy – Amy Ford of Office of Communications said she also recently learned that a video that CDOT produced also won an Emmy.