

**The Transportation Commission Workshops were Wednesday, August 15, 2018 and the regular meeting was Thursday, August 16, 2018. Both the workshops and the regular meeting took place at the Colorado Department of Transportation Headquarters at 2829 W. Howard Place, Denver, CO 80204.**

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Documents are posted at <http://www.coloradodot.info/about/transportation-commission/meeting-agenda.html> no less than 24 hours prior to the meeting. The documents are considered to be in draft form and for information only until final action is taken by the Transportation Commission (TC).

## **Transportation Commission Workshops**

**Wednesday, August 15, 2018**

**1:00 pm to 4:00 pm**

### Right of Way Workshop (Josh Laipply)

**Purpose:** The purpose of the workshop was to discuss six right-of-way acquisition (negotiations) and two projects for Condemnation Authorization request.

**Action:** Prepare to act on agreed upon proposed acquisitions and condemnation authorizations at the regular Commission meeting.

The six projects with requests for authorization of property acquisitions for August 2018 included:

- Region 1
  - I-25 Gap Project Phase 2 - Project Code 21102
- Region 2
  - I-25 at South Douglas Creek Wall Repair, Project Code 22312
- Region 3
  - US 24 Leadville Resurfacing, Lake Count, Project Code 21818.
- Region 4
  - SH-60 and WCR-40 Intersection, Project Code 21876.
  - I-25 North: SH 402 to SH 14, Project Code 21506.
- Region 5
  - I-70 Central, Project Code: 19631.

Two projects for condemnation authorization with four sets property owners for August 2018 included:

- Region 4
  - I-25 North: SH 402 to SH 14, Project Code 21506.
    - Johnny Olson, CDOT Regional Transportation Director (RTD) of Region 4, provided an overview of this project's yearlong negotiations with the property owner, Mr. Horton. Condemnation for a small parcel on the property is required due to lack of property being deeded to Mr. Horton. Need title reports. The relationship with the property owner is positive and a preliminary agreement has been reached, but to stay on project timeline need to start condemnation to ensure no more project time is lost. The TC raised no comments or concerns for this condemnation authorization.
- Region 5
  - US 550 South Connection, Project Code 19378 (for three sets of property owners).
    - Mike McVaugh, CDOT RTD for Region 5 provided an overview of the three requests for condemnation with the US 550 South Connection project. First parcel owned by Mr. Webb. CDOT built a good relationship with the property owner, but there are many contingency requests that the owner is making that CDOT cannot accept. The hope is to continue to negotiate to get an agreeable counter offer from the owner while

condemnation court date is being scheduled. It is anticipated that Mr. Webb will attend a regular TC meeting in the future to provide comments to the TC. An attorney is anticipated to speak on behalf of Mr. Webb tomorrow.

- For the second parcel, the property owner intends to develop his land and have direct access to the highway. Currently access to site is from a secondary roadway. Owner is working towards the highest and best use of the property.
- Third parcel is an access issue to and how it plays out – CDOT is under pressure to resolve this quickly due to project schedule constraints.
- Mike Lewis, CDOT Executive Director, asked Mike McVaugh to explain in more detail why the need for this condemnation authorization now.
  - Mike McVaugh noted that if we don't get condemnation authorization now, we could lose time – next court dates for condemnation proceedings are out to March of 2019 – could lose March and April 2019 for the project if not we do not move forward now.
  - US 550 condemnation authorizations are important and there is potential for audience participation to occur for this project at tomorrow's regular TC meeting.

#### **Discussion:**

- Mike Lewis made mention of the bridge collapse in Genoa Italy and that these tragedies don't happen very often, but when they do they are catastrophic. We can't lose sight of the importance of asset management and bridge inspections being important – this is a reminder.
- Commissioner Hofmeister asked about the confidential owner listed on one of the projects.
- The response was that the owner is a police officer and the local jurisdiction requested CDOT to not include information on this property owner.
- Commissioner Scott raised a question about shortening the process for right-of-way acquisitions at TC workshops – could the process be by consent agenda.
- CDOT Staff will check further into if this process to determine if it could be changed. The Efficiency and Accountability Committee is also planning to discuss this and legislative changes.
- Other Commissioners supported the idea of checking into the feasibility of a consent agenda.
- This is especially related to temporary easement right-of-way acquisitions.

#### National Highway Freight Program (Deb Perkins-Smith)

**Purpose:** To review and discuss FY 18 National Highway Freight Program (NHFP) projects.

**Action:** Review of proposed FY 18 NHFP project selection process and projects for action in September.

**Background:** The NHFP is a formula freight program created under the FAST Act. The NHFP provides approximately \$15 million (federal) annually to Colorado. A staff recommendation has been developed for the Fiscal Year 2018. For Fiscal Year 2018, \$18.4 million (federal and state) are available for freight specific projects. CDOT Staff has recommended six projects to be funded. Per federal requirements, these projects will be identified in the Freight Investment Plan upon approval by the Transportation Commission (TC).

**Project Selection:** Sixteen project requesting approximately \$75 million were submitted by the five CDOT regions and the Divisions of Highway Maintenance and Transportation Systems Management and Operations. The staff recommendation includes: • I-25 South Monument Hill Climbing Lane (Region 1) - \$2,500,000 • US 287 Passing Lane South of Lamar (Region 2) - \$4,500,000 • I-70 Truck Parking (Region 3) - \$1,625,000 • US 40/US 287 Passing Lanes (Region 4) - \$4,500,000 • Mountain Pass Critical Safety Needs (Region 5) - \$2,400,000 • Truck Parking (Region 5) - \$2,220,000 Advisory Committee Input FAC formally recommended the approval of the projects listed for recommended selection at their July 24, 2018 meeting. A letter of support from FAC and was approved at the July 24, 2018 FAC meeting, and STAC unanimously concurred with the recommendation from FAC. The FY 18 NHFP staff recommendation is the same as the FAC and STAC recommendation.

#### **Next Steps:**

- September: Transportation Commission adoption of FY 18 NHFP projects.
- September: Designation of Critical Rural Freight Corridors as necessary (FHWA Requirement).
- September: Incorporate projects into Freight Investment Plan and the Colorado Freight Plan.

#### Discussion:

- Debra Perkins-Smith, CDOT Division of Transportation Development (DTD) Director, introduced the workshop and explained that the Multiple Objective Decision Analysis (MODA) tool was used to score proposed NHFP projects. However, MODA is not specifically outlined as part of Policy Directive 703.0 that guides the project budgeting process. MODA is a tool and does not determine final decisions, but informs the decision making process for project selection. This was the first time MODA was used at CDOT to score projects for the NHFP. Tim Kirby, CDOT Multimodal Planning Branch Manager will explain the MODA process in more detail.
- Debra confirmed that the projects proposed for TC Approval tomorrow is for FY 18 projects only.
  - Tim Kirby provided an overview of the MODA process that includes nine steps.
    1. MODA Workshop with CDOT staff and Region planners resulted in an agreed upon methodology using the MODA process and tool.
    2. Call for projects from Regions, where Region planners worked with local planning partners to identify projects.
    3. MODA Analysis employed the agreed upon method resulting in preliminary results.
    4. Peer Review among CDOT staff the Regions promoted consistent ranking/scoring of projects and finalized the results of MODA that went to STAC, EMT, RTDs, etc.
    5. Freight Advisory Council (FAC) Review for NFHP projects. FAC used three guiding principles to prioritize projects: – (1) a clear freight nexus; (2) projects ready for construction; and (3) statewide connectivity (geographic equity)
    6. Programmatic Review (EMT and CDOT Program Staff)
    7. STAC Review
    8. Staff Recommendation
    9. TC Review and Approval
- Deb offered RTDs to speak and comment on individual projects
- Commissioner Scott noted that at the High Performance Transportation Enterprise (HPTE) board meeting today the issue of commercial vehicles not using toll roads due to high tolls was discussed. How do we know which projects contribute or detract from the transportation system as a whole?
- Debra noted that mobility is a criterion evaluated in the MODA process and any project that improves mobility of freight, also improves mobility for all.
- Debra noted that the Colorado Motor Carriers and E-470 are exploring the issue of commercial use on toll roads. We also evaluate freight projects for their freight nexus.
- Commissioner Scott commented that we need more time spent on analyzing technology's impact on roadways.
- Debra responded that the new Statewide Travel Model would provide the capability to do this type of analysis.
- Commissioner Connell expressed concerns with potentially creating a new problem if trucks that can't keep up their speeds start using the toll roads.
- Mike Lewis noted that this is what plans are for to look at issues more broadly. Public sentiments heard have included banning trucks from the left lane.
- Debra explained that a real life example of a project is Monument where they are adding a climbing lane where trucks can stay to the right and this will improve mobility for all traffic.
- Commissioner Gilliland agreed that a climbing lane is a good solution and makes a difference for other travelers on the road.
- Debra asked TC if they are good with the list provided today and with the idea of coming back in September to approve the NHFP project list.
- Commissioner Scott asked if other advisory committees are on board with supporting this list.
- Debra responded yes. We have gotten support and two members of the Statewide Transportation Advisory Committee (STAC) are represented on the FAC, so STAC participates in FAC review too.

- Commissioner Peterson asked for more details on a project on the FY 18 NHFP project list. The list was then distributed to the TC and Commissioner Peterson was satisfied with the description provided on the project in the table.
- Staff is recommending six projects for NHFP FY 18 projects. The list with other projects included was just to be all inclusive of what underwent evaluation and the MODA process.
- Vince Rogalski, STAC Chair, explained that those projects not highlighted in green on this list are not precluded from future consideration.

#### PD 14 Report - Infrastructure Conditions and Maintenance (Deb Perkins-Smith and William Johnson)

**Purpose** To provide more information on the asset management program using pavements and bridges as examples, and to report on the results of the objectives in Policy Directive 14 (PD 14) in the areas of Infrastructure Condition (Asset Management) and Maintenance for fiscal/calendar year 2017.

**Action:** No action requested this month. The Transportation Commission (TC) reviews the performance of PD 14 objectives to determine if there is a need to modify objectives or realign resources to meet an objective(s). This month will be a review of current performance of Infrastructure Condition (Asset Management) and Maintenance goal areas from PD 14.

**Background:** PD 14 provides a framework for development of the Statewide Transportation Plan (SWP) and guides the distribution of resources in the SWP, the Statewide Transportation Improvement Program (STIP), and the annual budget. In 2017, the TC refined many performance metrics and targets for Infrastructure Condition. The refinements resulted in changes to performance metrics and targets for various asset programs. The refinements were a result of process improvements, analysis, and fiscal constraints. Additionally, the refinements were made to optimize how asset management programs would be able to best achieve the performance targets of PD 14.

**PD 14 Report:** The PD 14 Scorecard report has been updated with performance achievement data for calendar/fiscal year 2017. Attachment A: 2017 PD 14 Scorecard graphically summarizes the performance of PD 14 objectives for 2017 and the prior year. The August TC workshop included a review of performance measures for Infrastructure Condition (Asset Management) and Maintenance. In July 2018, the TC reviewed the performance of Safety, System Performance, and Transit goal areas. PD 14 performance areas comprise roughly 60% of CDOTs total budget (excluding Senate Bill 228 transfers).

#### **Next Steps:**

- Consideration of PD 14 in development of FY 2020 CDOT Budget

#### **Discussion:**

- Debra Perkins Smith introduced the workshop explaining that Policy Directive 14 helps the TC with investment decisions based on performance reporting that identifies if performance targets are being met.
- William Johnson, CDOT Asset Management and Performance Branch Manager kicked off the presentation on performance related to bridge and pavement, that is the focus of today's workshop. William introduced the asset data managers present. A Safety performance workshop to occur next month.
- Commissioner Gifford raised a question regarding low clearance bridges. Asked how did the number of low clearance bridges increase between years?
- Josh Laipply, CDOT Chief Engineer, responded that new paving can reduce pavement clearance and better data is being collected to account for this change.
- William noted that the funding short fall for asset management is roughly \$201 million per year.
- Stephen Henry, CDOT Materials and Geotechnical Branch, noted that for roadway pavement that roughly 350 centerline miles treated under the pavement maintenance program that relates to 800 lane miles. If pavement were properly maintained over a 10-year period, we would treat 2,300 lane miles annually as we have 23,000 lane miles in the state.

- Commissioner Hofmeister commented concerns that rural areas under the drivability life method of maintenance do not get treated.
- Commissioner Connell supports the drivability life approach.
- Josh agreed with both – that drivability life is based on traffic, and not a long-term treatment for roadway maintenance, generally patching with limited funds.
- Johnny Olson noted that lane miles do not cover frontage roads or on ramps.
- Commissioner Gilliland agreed that drivability life is a short-term fix for surface treatment.
- Debra reiterated that every year we are short roughly \$200 million for asset management.
- Commissioner Hofmeister noted that if we actually consider going back to dirt roads in some areas that this would negatively affect commerce especially in rural areas. Semis with cattle and grain driving 40 mph vs. 60 mph. It is hard to keep dirt roads in drivable condition, concerns with safety also on washboard dirt roads.
- Mike Lewis noted that without money things would revert and get worse and more expensive to fix. The situation we are in for maintenance is not sustainable.
- Commissioner Scott stressed the importance of having the ability to communicate the situation and find solutions to the problem – not continue to reiterate the problems we face.
- Commissioner Peterson agreed with Commissioner Scott. The narrative provided for drivability life does not point out the negatives of the situation adequately. We need to figure out a way to tell the story, that without investment in transportation; the results are negative impacts to sustainability and quality of life for Coloradans. This messaging is hard.
- Debra agreed with everything stated just now, the Together We Go initiative on the CDOT website provides some messaging. Today we are providing performance information to help with budget focus.
- Commissioner Peterson noted that a drivability graph in the presentation is missing information on how much time we are getting from the drivability life approach. We will need this for discussions with the public.
- Johnny Olson explained that for preventative maintenance for pavement the focus is always keeping your good roads good (generally focusing on roadways treated 5 years ago) – need this information included in life cycle pavement maintenance discussions.
- Messaging needs to address rural farmers and freight impacts to folks getting supplies. Need messages for entire state.
- Commissioner Scott asked about CDOT's comfort level with focusing on maintenance vs. capacity improvements.
- Mike Lewis responded that it is all related to funding. What happened in Italy is a lesson teaching us that we need to focus on assets vs. capacity improvements to avoid these types of incidents.
- Commissioner Hofmeister recommended that we tell the public about enhanced maintenance programs.
- Josh Laipply noted that PD 14 information shows how costs saved by bridge maintenance over time compared to bridge replacement.
- Josh provided an overview of CDOT bridge inspection program – it is a robust system to avoid what happened in Italy.
- Bridge Enterprise (BE) funds can only be spent on poor condition bridges for major repair or rehab.
- Mike Lewis noted that it takes hundreds of millions of dollars to move the needle to improve asset condition.

### [Budget Workshop \(Jeff Sudmeier\)](#)

**Purpose:** The workshop summarized information related to FY 2019-20 budget.

#### **Budget topics and timing include:**

- *Introduction to CDOT budget process* - that includes developing a draft and final FY 2019-20 Budget.
- *Revenue Forecasts* - In September 2018, DAF will present the TC with FY 2019-20 revenue estimates. A draft FY 2019-20 Annual Budget will be prepared based on estimated revenue.
- *Decision Items* - DAF will present Decision Items to the EMT and TC in January and February. Decision items are newly initiated division-requested programmatic opportunities for funding that require EMT

approval if a line item on the Final Annual Budget remains unchanged or TC approval if a line item on the Final Annual Budget requires an increase.

- *Final Budget* - The FY 2019-20 Proposed Annual Budget will be updated in February to reflect updated revenue projections, Decision Items, and legislative and Governor's Office initiatives. The TC will have a chance to make recommendations in the February workshop in anticipation of adoption in March. The statutory mandate for delivery of the FY 2019-20 Final Annual Budget to the Governor is April 15.

**Action:** No formal action required. Content was presented to the Transportation Commission (TC) for informational purposes only.

**Discussion:**

- Three topics to be covered today: FY 18 roll forwards, amendments to FY 19 budget, brief overview FY 20 process to begin next month.
- PD 703.0 covers policy and procedures on how to handle remaining balances between fiscal years. Balances over \$1 million require TC approval. Under this amount may be approved by EMT.
- EMT approved Attachment B –the TC raised no questions.
- Attachment A includes rollovers that are over \$1 million and require TC approval - \$11.9 for TC for roll forwards to approve.
  - A question was raised by a Commissioner regarding friction sensors – if they are under Division of Highway Maintenance (DHM) or under RoadX. The response was they are a DHM responsibility.
  - A discussion occurred regarding CDOT's responsibility to pay for maintenance on general purpose lanes adjacent to managed express toll lanes.
  - Josh Laipply explained that cost increases unforeseen on US 36 resulted in CDOT needing to pay concessionaire for increased materials costs for maintenance.
- Amended FY 19 budget – Jeff highlighted the amendments that occurred since last month's TC approval.
- Commissioner Theibaut noted that there was a discrepancy between listed needs and expenditures in the FY 19 budget.
- Jeff Sudmeier explained that CDOT used SB 1 funds were used to level out expenses in the FY 19 budget where Responsible Acceleration of Maintenance of Partnerships (RAMP) projects were paid for in advance with FY 19 dollars. CDOT got \$100 million in projects out in advance under RAMP). SB 1 funds were used to make the transition easier between the when the budget included RAMP funding and in FY 19 the first year in recent times without RAMP program funds.
- No TC comments were raised on the amended FY 19 budget.
- The FY 20 budget process is kicking off next month and process will occur over the next six months.
- Commissioner Gilliland asked if the ballot passes, how we could make changes to FY 20 budget.
- Jeff explained the current FY 20 budget does not assume the ballot passed, but changes could be made in November, and a final budget is not formalized until March 2019. The can amend the budget if needed, monthly supplemental actions usually take care of needed changes, but we did change last year due to SB 267.
- Commissioner Zink raised the issue of a gubernatorial candidate noting that the CDOT budget is complicated and not transparent.
- Jeff admitted that the budget is complicated. We have had the current format for past 5 years. Recognized that one view of budget can't answer all questions – not proposing to change budget but additional tools to explain it is planned.
- A sixty+-page narrative budget is available and a legislative budget format exists. These are publically available.
- Commissioner Connell – supports CDOT's budget transparency using different formats.
- Commissioner Theibaut also supports CDOT approach to budget formats.

[Technology Committee \(Amy Ford and Ryan Rice\)](#)

**Purpose:** To inform the Transportation Commission and the Technology Committee on CDOT's Statewide Fiber Optic Master Plan effort and other related topics.

**Action:** Information only.

**Details:** CDOT's fiber optic network is critical to improve safety and mobility through operations strategies and support connected and autonomous vehicle infrastructure. The expansion of CDOT's fiber optic network is critical over the next five to ten years to make significant improvements in safety and mobility throughout the State. Over the past several months, the Intelligent Transportation Systems (ITS) Branch in the Division of Transportation Systems Management and Operations (TSM&O) has been updating its Statewide Fiber Optic Master Plan as a major component of the Smart Mobility Plan. In June, the Transportation Commission received information in the Technology Workshop on the Smart Mobility Plan and the Statewide Fiber Optic Master Plan. In July, the Transportation Commission received information on the Internet of Roadways V2X (vehicle to everything) deployment plan, which is a major component of the Smart Mobility Plan. This Technology Committee workshop will focus on updating the Commission on the Statewide Fiber Optic Master Plan, which is in final draft form, as well as public-private partnerships for fiber optics and other related topics.

**Discussion:**

- Amy Ford, CDOT Advanced Mobility and Communications Director introduced the workshop and noted that this workshop is a third workshop in a series considering broader technology as a whole with the Smart Mobility Plan that includes the internet of Roadways (IoR) and under IoR is the fiber plan. The Fiber Plan is the focus for today.
- Ryan Rice, Transportation Systems Management & Operations (TSM&O) Director, introduced Wes Maurer, of TSM&O to present information on the Fiber Plan.
- Planning, People, and Partnerships are the focus of fiber plan. Multiple partners in the plan include: CDOT, Information Technology Team (ITT), Office Economic Development and International Trade (OEDIT), Department of Local Affairs (DOLA) and Colorado Counties Incorporated (CCI), Colorado Municipal League (CML), and others.
- Fiber Plan is being finalized now.
- Commissioner Scott asked if CDOT is soliciting proposals to expedite projects.
- Wes noted that CDOT has a transparent process and a web presence to share data and accelerate conversations to bring in unsolicited proposals.
- Commissioner Scott asked about cyber security interruptions and how robust is the effort to be in front of this challenge. Requested Wes to give us comfort that the path we are on regarding our dependence on fiber.
- Ryan Rice responded that redundancy via private industry partners is key, that is developed through public private partnerships (P3)
- Josh Laipply mentioned that the Optiv consultant firm is working to provide CDOT information regarding gaps in cyber protection with an evaluation coming soon.
- A discussion with Commissioners on cyber security occurred and discussed potential cost effective options for finding opportunities to enhance security.
- Josh Laipply that any meaningful security enhancements would be very costly and require internationally recognized cyber security consultant.
- Amy Ford noted that although the budget does not include these costs, budget items for cyber security are buried now, but we will start to see more funds dedicated to this.
- The concept for the Fiber Plan is that CDOT provides ROW and private entities provide the fiber.
- Commissioner Gilliland noted it is good to have a map and plan for fiber. We don't want to miss out on opportunities for partnerships. We need a strong policy established related to fiber and to find funding to pay for elements of this now for technology that makes sense. .
- Utah has barter system that works well for fiber. We will evaluate this over next six months, and use best practices from other states.
- Amy Ford noted that in terms of policy, CDOT intends to always plan for fiber. Utah is the leader in this arena. Colorado is ahead of the nation on this. We are partnering with counties and cities on this too, along with OEDIT, DOLA, Broad Band Office, etc. There exists an opportunity also to leverage the knowledge we have leveraging the experience of Bob Fifer with fiber. We need to let industry know about ongoing projects where fiber installation can occur.

- Commissioner Hofmeister expressed concerns over the rural areas of state further away from Interstates not getting a fair share of fiber and other benefits.
- Ryan Rice mentioned that rural areas of the state have an opportunity to increase safety with the IoR project. Safety is anticipated to be able to be increased with a 17:1 cost benefit ratio.
- Ryan Rice noted, that as Amy mentioned, a policy to take care of this for all major construction projects as Why dig twice.?
- Commissioner Zink mentioned that a fiber company in Durango approached her regarding fiber and CDOT and confirmed that providing Bob Fifer's name, as a contact, was the right information to provide this entity.
- Commissioner Gilliland suggested providing education to the rural areas on the correct CDOT contact would help.
- Commissioner Scott confirmed that the general life of fiber is 20 years per Ryan Rice.
- Josh Laipply that where fiber is eventually installed is driven by the private sector customers. Government investment is required to cover other areas.
- Commissioner Scott stressed the need to look at cyber security in terms of establishing policy.
- Redundancy and separate platforms is key. TSM&O did wonderful job protecting their information during the cyber incident.
- Amy Ford mentioned that she is planning to present and provide an update on the work of the Advanced Mobility Task Force at tomorrow's TC meeting, and will request the TC to approve a resolution to bless this process.

### Central 70 Update (Tony DeVito)

**Purpose:** To provide the TC with the April through June 2018 70 Central Quarterly Status Report. The update summarized the status of the Central 70 Project across the following areas:

- Status of Notice to Proceed (NTP)
- Status of Pre-Development Budget
- Status of Community Commitments

More specifically, information outlined in the quarterly update document include:

- Completed milestones
- Lawsuit update
- Issues
- Schedule status
- Budget status
- Contract change notices
- Quality issues
- Safety, Maintenance and Traffic issues
- Civil rights
- Mitigation/Commitments status
- Community Engagement

**Action:** Information only.

### **Discussion:**

- Commissioner Gifford noted that this is Tony's last report to the TC on the 70 Central project, as Tony is retiring.
- Key highlights of Tony's report included:
  - Many meetings occur in between the TC quarterly updates – EOC, PMT, etc. if anything important arises it can be brought to TC in between quarterly updates.
  - Made a note to add milestone payments to events for future reports.
  - There are no changes to budget at this point.
  - Civil rights status - \$4 million to DBE design firms is one of many civil rights related actions taking place for this project.

- Glad to be leaving the project overall in good shape before retiring. Tony expressed gratitude to the Central 70 team and feels the team to take over is well prepared and up for this task.
- Tony DeVito received an applause after he finished his report.
- Mike Lewis noted that KMP, the Central 70 consultant, responded to 600 courtesy patrol calls along the project corridor in the first month.

## **Transportation Commission Regular Meeting Thursday, August 16, 2018, 9:30 am – 11:30 am**

**Call to Order, Roll Call** –Eleven of 11 Commissioners attended.

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

- None

### **Comments of Individual Commissioners**

- Commissioner D’Angelo mentioned she was impressed with staff preparations for a meeting in Castle Rock regarding ballot initiative projects.
- Commissioner Peterson reported that he had gone to two meetings on Jefferson County to discuss transportation issues: one an association of businesses along West Colfax, and the other with Jefferson County commissioners. He, too, was pleased with how well the staff dealt with questions from the audience.
- Commissioner Gilliland co-hosted a Telephone Town Hall call, and met with a group at which Jon Caldara of the Independence Institute was present. At another meeting, she was disappointed in the poor turnout of state legislators. One speaker at another meeting stressed that CDOT should use “value capture” – a type of public financing intended to recover some or all the value of public infrastructure generates for private landowners. This idea makes sense to her. Commissioner Gilliland also congratulated Gary Vansuch for the Top 25 Innovation in American Government for 2018 CDOT’s Lean Everyday Ideas received from Harvard University’s John F. Kennedy School of Government.
- Commissioner Zink attended a San Luis Valley TPR meeting in Alamosa, at which the group was excited about news that the San Luis Valley would be getting a radar station to assist with weather prediction. She also mentioned a letter to the editor in the Durango newspaper from someone who complimented CDOT for repaving US 550, but asked why CDOT did not add more lanes at the same time. The letter indicates the writer did not understand the expense of capacity projects, and the lack of funding for them.
- Commissioner Scott said he was very happy about the start of the gap project from Monument to Castle Rock to add a lane to I-25 in both directions. He serves on the Technology Commission of the TC. Although technology is important, the TC needs to keep in mind the contribution of infrastructure improvements to public safety and mobility.
- Commissioner Stuart took part in three Telephone Town Halls this month. One of the interesting aspects of the questions is that they indicated public confusion about the respective transportation roles of CDOT and the Regional Transportation District. The public wants transportation improvements, and does not care what entity carries them out. She also said she spent some time playing with CDOT’s online interactive map of the ballot initiative projects. The interactive map seemed complete and easy to use.
- Commissioner Hall, who is from Grand Junction, had distributed Colorado peaches from the Palisade area to other Commissioners before the meeting, an action earning her thanks from the TC. She praised Tony DeVito for the work that he and his staff put in to get the Central 70 project ready to start. She also enjoyed taking part in a Telephone Town Hall at which people seemed to thank CDOT more than in the past.
- Commissioner Hofmeister said not much has been going on in his area in transportation.
- Commissioner Connell reported on a meeting she attended in Clear Creek County. People there seemed to be happy with CDOT, a fact she attributed to the leadership of Region 1 Regional Transportation Director (RTD) Paul Jesaitis.

- Commissioner Thiebaut thanked Commissioner Gifford for arranging a productive dinner meeting with the board of the Denver Regional Transportation District Wednesday. He also complimented Region 2 RTD Karen Rowe and her staff for their work. In addition, he commented that he thinks he saw his first autonomous car in use on the streets of Phoenix.
- Commissioner Gifford said she has attended on Telephone Town Hall, and wished Tony DeVito well in his future endeavors.

#### **Executive Director's Report (Michael P. Lewis)**

- Mike Lewis congratulated Mike Goolsby for becoming the new RTD for Region 3, taking the place of Dave Eller, who retired from CDOT.
- He also mentioned that construction of another I-25 gap project, this one on north I-25, would begin soon.
- In discussing the Central 70 project that now has become a construction project, Mike mentioned that the I-70 viaduct, if not replaced, could have collapsed in the same way that the bridge in Genoa, Italy, did last week.
- Colorado has some very complicated tunnels that are very important to the transportation infrastructure.

#### **Chief Engineer's Report (Josh Laipply)**

- Public comments made at the Telephone Town Halls with commissioners seemed to be a good validation of the project lists that CDOT put together.
- The Central 70 project will bring with it benefits for area residents, ranging from affordable housing to job training in construction. CDOT recently wrote a large check to help pay for affordable housing, the first time that CDOT has paid for something like that.
- Josh is serving on a group concerned with preventing cyber security attacks such as the one CDOT suffered in February 2018.
- Advances in data collection and analysis may help CDOT and other DOTs make more informed transportation investments in preventing secondary crashes, those that are a direct result of previous crashes.

#### **High Performance Transportation Enterprise (HPTE) Report (David Spector)**

- The first workshop for the Express Lane Master Plan will take place soon. Those who are interested in attending should contact HPTE.
- HPTE's success with public-private partnerships (P3) is garnering a number of invitations for staff to speak before such organizations as the National Conference of State Legislatures.
- HPTE is working with other states to assure interoperability of transponders so that people can easily drive in more than one state with toll roads using the same transponders.
- A 400-page *I-25 South Gap and Revenue Study* carried out for HPTE indicates that more than half of those polled support express and toll lanes. The study also indicates the rates that people consider reasonable. Those interested in the study may contact him for an electronic version.

#### **FHWA Colorado Division Administrator's Report (Vershun Tolliver, Assistant Division Administrator)**

- Vershun mentioned that Cynthia Walker, the acting executive director of FHWA since June 1, was very pleased with what she saw when she visited the state for the launch of Central 70.
- FHWA is having a meeting with state divisions on the rail highway crossings program.

#### **STAC Report (STAC Chair, Vincent Rogalski)**

- The STAC approved the ballot initiative list. Some were concerned that if a project were not on the ballot initiative lists, CDOT would not build it. CDOT staff assured some STAC members that passage of the ballot initiative could help free funds for other projects.

- Among the comments made about the Transit Development Program was that transit agencies have a great need for operating funds.
- The STAC discussed use of the “multimodal funds”, which are for bicycle, pedestrian, and transit projects.
- Concerning safety data, some STAC members would like to know the locations of frequent bike-vehicle collisions. If CDOT is interested in working toward zero deaths on the roads, it needs to know the locations.

**Autonomous Mobility Task Force and Process to Approve Autonomous Vehicle Testing (Amy Ford) – Approved unanimously on August 16, 2018**

- The Autonomous Mobility Task Force comprises representatives of CDOT, the Department of Revenue, and the Colorado State Patrol. The three agencies established the task force under SB 17-213 to oversee a process to approve testing of autonomous vehicles. The three entered into a Memorandum of Understanding about governance of the task force.
- The process follows the National Highway Traffic Safety Administration’s guidance on how states should manage autonomous vehicles. The process includes submission of an application packet from an interested tester that explains the request. The task force has approved two requests to date: a field-deployment request for CDOT’s Autonomous Truck Mountain Attenuator, and a request for EasyMile, Inc.’s autonomous shuttle.
- A resolution included in the packet authorizes CDOT staff on the task force to work with the Colorado State Patrol, the Department of Revenue’s Division of Motor Vehicles, and other stakeholders as needed to process autonomous vehicle testing requests in accordance with the process the task force developed, and make recommendations to the CDOT Deputy Executive Director.
- After some discussion, the TC decided to change the resolution to state that recommendations on autonomous vehicle applications should go to the CDOT Executive Director for approval since CDOT does not always have a Deputy Executive Director. They also agreed to change the title of the resolution.

**Act on Consent Agenda – Approved unanimously on August 16, 2018.**

- [Resolution to Approve the Regular Meeting Minutes of June 21, 2018 \(Herman Stockinger\)](#)
- [Resolution to Approve Disposal: Lowell Ponds State Wildlife Area \(Parcels 64, 64A, 65, 66 & 68\) \(Paul Jesaitis\)](#)

**Discuss and Act on SB 228 Year 3 Transit Projects (David Krutsinger and Jeff Sanders) – Approved unanimously on August 16, 2018.**

**Discuss and Act on State Freight and Passenger Rail Plan (David Krutsinger and Sharon Terranova) – Approved unanimously on August 16, 2018.**

- Commissioner Gifford said she appreciated that the Division of Transit and Rail (DTR) staff stepped up to soften the resolution so that the TC isn’t committing itself to actions beyond distribution of federal highway crossing rail funds.

**Discuss and Act on the Amended FY2018-2019 CDOT Annual Budget – Approved unanimously on August 16, 2018.**

**Discuss and Act on the 2nd Budget Supplement of FY 2019 (Jeff Sudmeier) – Approved unanimously August 16, 2018.**

**Discuss and Act on Budget Roll Forward Requests (Jeff Sudmeier) – Approved unanimously on August 16, 2018.**

[Discuss and Act on ROW Acquisition Authorization Requests \(Josh Laipply\)](#) – **Approved unanimously on August 16, 2018.**

[Discuss and Act on ROW Condemnation Authorization Requests \(Josh Laipply\)](#) – **Approved unanimously on August 16, 2018 in two separate actions: one to approve the right of way condemnation authorization for two properties, and one to approve condemnation authorization for a third property on US 550.**

- Lawyer Dan Gregory of Durango and Telluride, representing landowners of the third property, the Webb Ranch, contended that CDOT's offer of \$746,000 did not take into account the market value of the gravel on the property that could be used for developing the property or for selling it, but which could not be used due to CDOT's proposed acquisition.
- He asked that the TC not authorize condemnation because he did not believe a good faith effort to negotiate had been completed.
- CDOT met with the landowners on June 25 and gave the landowners an offer on Aug. 8. The landowners did not make a counter-offer, nor are they required to do so, according to Kathy Young, Senior Assistant of the Colorado Attorney General's Office.
- Authorization to proceed with condemnation does not mean all negotiation will cease, nor does it mean that condemnation will occur. The difficulty is that the parties are too far apart in their valuations, according to Kathy Young.

[Confirm Transportation Commission Committee Appointments \(Herman Stockinger\)](#) – **Approved unanimously on August 16, 2018.**

#### **Recognition**

- Mike Lewis recognized Tony DeVito for his decades of work for CDOT beginning as a temporary worker while in high school, saying that Tony's departure precipitated one of the longest goodbyes he has seen of several months. The Colorado School of Mines graduate worked his way up the organization to become RTD of Region 1 and then headed the giant Central 70 project until construction was ready to start.
- Tony said he has grown up in CDOT, and that he has had great opportunities with CDOT. He added that he looks forward to working with CDOT in a slightly different role.
- Commissioners Gilliland, Peterson, and D'Angelo shared recollections of their dealings with him.
  - D'Angelo said she first met Tony when she had been a commissioner for about a month. Their sons were both involved in the same fender-bender in the high school parking lot, and Tony handled the situation with his usual cool and aplomb.
  - Gilliland recalled when Tony was working on the Twin Tunnels project as the Region 1 RTD, and had to call each of the commissioners personally to obtain approval to proceed when costs escalated. Tony was so humble and forthright that it was impossible to refuse him.
  - Peterson joked that Tony is not only an admirable public servant, but he has been effective serving as a *squeaky wheel* also.