

**DRAFT STAC
December 10, 2010 Meeting Minutes**

Location: CDOT Headquarters Auditorium
Date/Time: December 10, 2010 9:00 a.m. – 12:00 p.m.
Chairman: Vince Rogalski
Attendance: A sign-in sheet was distributed to note attendance at the meeting.

Agenda Items/Presenters/ Affiliations	Presentation Highlights	Actions
Introductions	<i>Everyone in the room gave self-introductions.</i>	No action taken
November Meeting Minutes	<i>November minutes approved.</i>	<i>Minutes approved</i>
Transportation Commission Report- Vince Rogalski	<p>Items discussed at the November Transportation Commission (TC) meeting included:</p> <ul style="list-style-type: none"> • FY 12 Budget- The final draft budget was approved in November. TC discussed MLOS (Impact of adjusting from Level B to Level D). • Bridge Enterprise- TC Workshop - \$300M of Bonds were issued on December 1st. Anticipate additional sales of \$200M in FY12 and \$200M in FY14. • Transit and Intermodal Committee – TC discussed disposition of funds from the sale of FREX buses. After the sale, \$1.0M was used and approximately \$440K was placed in escrow. There has been a request to use \$220K of the escrowed funds. Conditions will likely be placed on use of the funds. Further discussion is scheduled at the next TC meeting. • Technical energy audit on CDOT’s facilities– TC reviewed. 	No action taken
Federal & State Legislative Update- Herman Stockinger, Mickey Ferrell & Melissa Nelson	<p><i>Federal Update (Mickey Ferrell)</i></p> <p>The President’s National Debt Commission recommended a gas tax increase of 15 cents, which would be phased in over a 3- year period. The increase would eliminate the need for general fund transfers. The total highway funding generated by a 15 cent increase is approximately \$22B annually, resulting in</p>	No action taken

	<p>an increase in funding over SAFETEA-LU levels if phased in by FY12. On the transit side, the tax increase would mean approximately \$8.6M on an annual basis when fully ramped up. However, according to a recent poll, 75% of Americans are opposed to a gas tax increase.</p> <p>On the other end of the playing field, the Chairman on the House side recently said, "We need to make revenues collected equate with revenues out" which results in a 20 percent reduction of the federal program over a 6-year authorization. We believe the administration is fully committed to proceeding with a 6-year authorization bill next year and we could see something as early as February.</p> <p>The House recently passed a full year Continuing Resolution (CR) with a full year authorization extension which now goes to the Senate. The funding amount was a flat line extension from FY10 to FY11 and also contained Rep. Markey's rescission language (rescind old earmarks). Only one project in Colorado (\$96,000 in Region 5) would be affected by the rescission. There is some desire in the Senate for an omnibus bill, which would carry earmarks (a CR would not.) The current appropriations bill expired on December 3rd, and a CR was passed by both houses, extending the bill through December 17th. One final comment, a CO freshman (Republican) has been assigned to the Energy and Commerce Committee. We are waiting to hear about other assignments. Last month Bill Moore brought up earmarks affected by possible rescissions. His comments spurred a review of earmarked projects and his timely comment was appreciated.</p> <p>Commissioner Wayne Williams: What is the funding source for the proposal?</p> <p>Mickey Ferrell: There is enough money thru FY12 from the HIRE Act.</p> <p>Commissioner Diane Mitsch Bush: If the House version of a bill doesn't have earmark language and Senate version does, what happens?</p> <p>Mickey Ferrell: Usually there are wholesale changes to a bill. For example, the Senate can remove all CR language and substitute omnibus language. This</p>	
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	<p>process of removal/substitution can be iterative.</p> <p><i>State Update (Melissa Nelson)</i> We are also waiting to hear about committee assignments. We do know our Senate Transportation Committee. Senator Williams is the Chair and Senator Hudak is Vice-Chair. Members are Schwartz, Tochtrop, King, Renfroe and Spence. We are waiting to hear about the House committee members.</p> <p>CDOT is starting to hear discussion of changes to FASTER legislation. Also, CDOT held a briefing before the Joint Budget Committee, which has 4 new committee members.</p> <p>Commissioner Barbara Kirkmeyer: Are any of the other departments making a run at the HUTF to take additional money off the top?</p> <p>Melissa Nelson: I have not heard anything to date.</p>	
<p>Draft Resolution concerning Devolution - Herman Stockinger & Melissa Nelson</p>	<p>Presentations on the Devolution Study findings were delivered at MPO meetings in November and December. A TC Workshop was held in November, and action is scheduled at the December TC meeting. The final report will be complete in January 2011. A draft resolution was sent in the STAC materials and comments were received from the TPRs/MPOs.</p> <p>Steve Rudy: Draft Resolution as presented does not include a STAC recommendation on what the TC should say. What I would propose....."STAC recommends that TC not propose any state highways be devolved as a result of the analysis conducted this year pursuant to the act."</p> <p>Bill Moore: Steve's draft with corrections suggested," ...a study should consider elements that may include, but are not limited to....." I came up with 10 factors (elements) that show how complicated this issue really is. I never intended that those factors be included in the Resolution. My main concern is to come up with some language that reflects the complexity of the issue for future policy makers. I want something that illustrates that this issue is complex and that it has received careful thought.</p>	<p>Motion Approved – Adopt resolution as modified.</p>

Commissioner Diane Mitsch Bush: On behalf of NWTPR, we need to stress that this is an unfunded mandate. Secondly, I am uncomfortable with the wording that recommends expanding the statute beyond the MPOs – most TPRs don't have money to do this. Also, rural resort and energy counties have unique time related traffic volumes and patterns.

Commissioner Barbara Kirkmeyer: I agree. I suggest not expanding study to a statewide basis. Suggest the recommendation to the TC be worded more positively....and we add factors in a study. Instead of saying that "STAC recommends to not devolve based on the analysis", that "STAC recommends before any highway are devolved that it be based on certain factors.....and add those factors."

Steve Rudy: Want to touch on MPO versus statewide aspect. Numerous roadways that have been devolved, mutually, were roadways outside the MPO area. So, it's evident that some areas outside the MPOs may have interest in devolving roads. Some of the roads discussed (such as SH13) are not the roads you want to devolve. There are elements of the entire state highway system that need to be looked at. Regardless of what a study says, the transfer of any highway should only be through mutual agreement of the parties. I agree with Commissioner Barbara Kirkmeyer to make the language more positive.

Commissioner Wayne Williams: We need to remember that passing a state gas tax is difficult if state highways within, for example, the Denver urban area, have been devolved. It is unlikely there will be passage of any type of funding increase under this scenario.

George Wilkinson: Agree. I have seen first-hand the condition of roads that have been given back to rural entities in Colorado. This will significantly affect rural Colorado.

Justin Clifton: The idea of a mutual agreement to devolve any state highways is the direction we want to go because it addresses all concerns. The only way

to address everything is to make it a mutual voluntary program.

Commissioner Barbara Kirkmeyer: Representatives see resolutions, even though they are only intended for the TC. Rep. Vaad has a pretty good understanding of CDOT. He is a former CDOT employee and Weld County Commissioner. He continues to push this issue and is making progress. We need to be more positive with the recommendation because when the legislators find out how much money is needed to address the budget shortfall, they will look more closely at solutions such as devolution.

Commissioner Wayne Williams: I disagree. Because Rep Vaad has passed a costless study does not mean that devolution is inevitable.

Bill Moore: The idea of using stronger language is a good one. Pueblo passed a resolution against devolution. If the scope of the study is expanded to a Statewide evaluation, the role of the TPR would be the same as the current role of the MPO. This is not costless. If we (Pueblo) had used the same approach as used in DRCOG and PPACG, this would have cost \$7,000 or approximately 14% of my discretionary budget.

Resolution was projected on the large screen, and modifications were discussed and viewed by all.

Commissioner Wayne Williams: I move to adopt the resolution.

Motion approved. STAC recommends any process for the transfer of a highway, or portion thereof, from the state highway system to a local jurisdiction shall only be through mutual agreement of the parties affected; and STAC opposes any unfunded or underfunded present or future mandates that would result from devolution of state highways to local jurisdictions, and STAC recommends the Transportation Commission include in its report to the legislature the STAC recommendations and that the TC should not recommend devolving any roads based on the limited study provided by the ACT.

Handout: Draft Resolution and Adopted Resolution

<p>Bridge Enterprise Update – Ben Stein</p>	<p>This will be brief, as a more detailed update is planned in January. \$300M of bonds were sold on December 1st. Closing will be December 15th and monies will be available to the Bridge Enterprise after that date.</p> <p>Addressing Bill Moore’s earlier question – Statute permits the money to be spent to take a “poor” bridge and fix it. At the time of the passage of the FASTER legislation, there were 128 “poor” bridges that the TC adopted as a policy decision. Other bridges can be added if the TC so decides.</p> <p>Bill Moore: Of the 127 bridges (minus I70 viaduct), will the \$700M to be sold by FY14 be sufficient to bring the identified poor structures up to an acceptable level?</p> <p>Ben Stein: Yes, as long as the TC doesn’t change its policy.</p> <p>Steve Rudy: I want to thank Ben Stein, Pam Hutton and Russ George for coming to the DRCOG Board meeting and making a Bridge Enterprise presentation. The Board asked how much interest would be paid on \$700M in bonds. The answer was \$900M. Some of you might remember a cost-benefit assessment comparing bonding vs. “pay as you go” during the TRANS bond discussions. Ben will be providing a more detailed analysis similar to that for discussion at the next meeting.</p>	<p>No action taken</p>
<p>Cooperation across TPR and Regional Boundaries – Commissioner Diane Mitsch Bush & Drew Nelson, Winter Park Town Manager</p>	<p>I have brought with me today Drew Nelson, Town Manager of Winter Park. Winter Park is located in NWTPR and Region 3. The main access route to Winter Park is on US40 over Berthoud Pass (Region 1). Winter Park does not have a seat at the Region 1-DRCOG table. Recent meetings and discussions have been held with Regions 1 and 3 to address the town’s concerns with respect to avalanche control and US40.</p> <p>Drew Nelson: US 40 is a critical link from the front range to Winter Park. Because of the Town’s location in Grand County (Region 3) and NWTPR, there is no way to resolve issues or concern about access via US40 within another</p>	<p>No action taken</p>

	<p>County (Clear Creek- Region 1) and TPR (DRCOG). How do we get a seat at the table in another TPR? This is brought before STAC to hear how other areas of the state address these types of concerns.</p> <p>Vince Rogalski: Gunnison Valley TPR is located in Regions 3 and 5 and we were originally concerned about being located in two CDOT Regions. Additionally, maintenance responsibility for Monarch Pass is handled by Region 5. We talk frequently with both Regions and communication is the key to successfully addressing concerns.</p> <p>Drew Nelson: The County line is the top of Berthoud Pass. Region 1/Region 3 maintenance responsibility changes at a stop light in the Town of Winter Park.</p> <p>Commissioner Barbara Kirkmeyer: This happens all over the state. The original legislation called out the 5 MPOs and then said the counties could work together to create up to 15 TPRs. There is an amendment process to change boundaries. CDOT Commission boundaries can only be changed by statutory changes. The maintenance boundaries can be changed by CDOT.</p> <p>Pam Hutton: When I was a traffic engineer in Region 1, we had an arrangement among different regions regarding maintenance. I will be happy to work with the two RTDs to improve communication.</p> <p>Drew Nelson: Maintenance is not such a concern. Planning is more of a hurdle. How do I get funding for avalanche improvements in Region 1.</p> <p>Commissioner Barbara Kirkmeyer: The County Hearing Process is another avenue for discussions with the Transportation Commissioner and RTD.</p> <p>Commissioner Peter Runyon: Similar boundary line changes exist in IMTPR. There are a number of people who think that the I70 Mountain Corridor should be its own TPR. Is anyone at CDOT looking into redistricting/changing boundaries?</p> <p>Jennifer Finch: We have looked at changing boundaries several times, but it</p>	
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	<p>usually brings up a whole new set of problems in day-to-day operations and creates other unintended consequences.</p> <p>Drew Nelson: There is an opportunity here to bring stakeholders together in targeted areas. NWTTPR meetings are fair, but everyone is arguing for their interests.</p> <p>Jennifer Finch: Most areas have found a way to work together. We are open to additional coordination in these areas. If this needs to be formalized, that's okay.</p>	
<p>2035 Statewide Transportation Plan Amendment Briefing- Michelle Scheuerman</p>	<p><i>Staff handed the STAC representatives a draft version of the 2035 Plan Amendment (PA) and presented a brief overview of the document, key messages and next steps and schedule. Comments are due by January 7, 2011. The rationale for the PA, in lieu of a full update, was reviewed with STAC along with a discussion of the 2035 Modified Resource Allocation. Reasons for the Plan Amendment approach include:</i></p> <ul style="list-style-type: none"> • <i>Transportation Authorization</i> • <i>2010 U.S. Census</i> • <i>Economic and financial uncertainties</i> • <i>Legal requirements</i> • <i>Existing Plan is SAFETEA-LU compliant</i> • <i>Limited resources</i> <p><i>The current financial outlook and public involvement approach were presented. A 30-day review period for the PA will run from February 17th thru March 18th.</i></p> <p><i>FASTER Planning Factors will be addressed in the next full plan update. The emerging issues of sustainability & livability, air quality, performance based planning, GHG emissions and partnerships are discussed briefly in the PA. Efforts currently under way in these areas will serve as the foundation of the next plan update.</i></p> <p><i>Recent accomplishments are reviewed including project completions, ARRA, FASTER, Division of Transit and Rail and the Bike/Ped Policy Directive.</i></p>	<p>No action taken</p>

	<p><i>The PA schedule follows:</i></p> <p><i>Jan 19 TC Workshop</i> <i>Feb 11 STAC meeting - STAC rec. TC release draft PA for review</i> <i>Feb 17 TC Workshop - TC releases draft PA for 30-day review period</i> <i>March 11 STAC meeting - Status of public comments</i> <i>March 16 TC Workshop - Status of public comments</i> <i>April 15 STAC meeting - STAC recommends adoption of PA</i> <i>April 21 TC Meeting - TC adopts 2035 PA</i></p> <p>Commissioner Wayne Williams: I'm concerned that the PA is too optimistic and doesn't truly explain the gravity of the funding problem.</p> <p>Michelle Scheuerman: The document addresses the funding gap in more detail. If you are concerned after reading the full document, please share your comments and we will try to address them.</p> <p><i>Handout - Draft 2035 Plan Amendment</i></p>	
<p>FASTER State Transit Grants – Mark Imhoff & Tom Mauser</p>	<p>The Division of Transit and Rail (DTR) is excited to move forward with the first round of FASTER–Statewide Transit Fund projects. Next month we will begin discussing the FASTER-Local Transit Fund projects. At the end of this presentation, you will be given a draft list of Local Transit projects to receive funding as recommended to the TC by the Regions.</p> <p>As background, DTR, in conjunction with the Regions, issued a call for projects for FASTER funds in late summer 2010. A total of 111 applications (Statewide and Local) were received totaling approximately \$83M. We want to thank everyone who assisted with this process. See you next month for a FASTER Local Transit Grant discussion.</p> <p><i>Mark reviewed the 2010-2012 FASTER Statewide Projects selection process as outlined in the STAC meeting materials. He noted the next step after the STAC presentation was to present and discuss projects at the TC Transit workshop on December 15th, followed by a resolution on December 16th.</i></p> <p><i>Mark also noted that DTR was in the process of formalizing recipient</i></p>	<p><i>Motion Approved – Recommend TC approval of FASTER Statewide Transit Projects</i></p>

	<p><i>"contingencies and conditions". These conditions include the following:</i></p> <ul style="list-style-type: none"> <i>• Projects are expected to begin implementation within the year of award</i> <i>• The TC may withdraw funding if a project fails to comply</i> <i>• DTR will negotiate the SOW, and</i> <i>• Funding will be held to the amount of the award. Overages will be the sole responsibility of the participating agency.</i> <p><i>Mark referred to Table A, which tabulated the awards by Region.</i></p> <p><i>Tom Mauser then discussed the various projects recommended for Statewide funding as listed in ranked order in Table B.</i></p> <p><i>Craig Casper: Are any studies planned for I25?</i></p> <p><i>Mark Imhoff: There is an FRA Connectivity Study that will look at connections with FasTracks.</i></p> <p><i>Commissioner Wayne Williams: I move that STAC recommended approval of this list of projects.</i></p> <p><i>Motion approved- Recommend to the TC approval of the list of Statewide FASTER Transit projects.</i></p> <p><i>Handouts – Transit Workshop Materials for FASTER Statewide Transit and draft list of projects for FASTER Local Transit</i></p>	
<p>TPR Profile – Central Front Range TPR – Jim Austin</p>	<p><i>The podium was decorated with lights and taffy was passed out for all to enjoy. STAC listened to an enjoyable presentation about Central Front Range which consists of sections of El Paso and Teller, and all of Park, Fremont and Custer Counties. Handout – Taffy</i></p>	<p>No action taken</p>
<p>Other Business</p>	<p>Commissioner Wayne Williams and Craig Casper will present a TPR/MPO Update on PPACG at the January STAC meeting.</p>	<p>No action taken</p>