

DRAFT STAC
March 12, 2010 Meeting Minutes

Location: CDOT Headquarters Auditorium
Date/Time: March 12, 2010 9:00 a.m. – 11:30 a.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	Everyone in the room gave self-introductions.	No action taken
February Meeting Minutes	<i>February minutes approved.</i>	<i>Minutes approved</i>
Federal and State Legislative Update- Herman Stockinger & Mickey Ferrell	<p><i>State Legislative Update</i></p> <p>All of the FASTER related bills were heard in the State Affairs Committee this week. The two bills supported by the Governor moved forward. None of the other FASTER bills moved forward.</p> <p>HB 1162- the "Retainage Bill"- made it through its first committee, and is now being heard in the House Appropriations Committee. The bill requires a limit on the amount of retainage an owner must keep on a contract, and requires separate escrow accounts for each contract. The escrow account provision has been eliminated. Another provision stipulates that any interest accrued in an escrow account would go to the contractor, not the owner. This is a concern to us, as is the amount of retainage required under the bill. CDOT opposes this bill.</p> <p>HB 1341- Concerns fees collected by the Department of Revenue. These fees are directed to specific programs, and if they exceed the amount required to fund the programs, the excess flows into the HUTF. We expect to receive a couple of million dollars over the next couple of years from this source. This</p>	No action taken

	<p>bill will divert these dollars to the vehicle titling program. CDOT is neutral on this bill because of the need to protect the titling program.</p> <p>HB 1238- the "Wildlife Crossing Bill"- is still waiting for its first hearing. This bill would allow us to increase fines and lower speed limits on up to 100 miles of wildlife zones. CDOT is neutral on the bill.</p> <p>SB 173- Dan Gibb's "Commercial Vehicle Right Lane Bill"- CDOT is neutral on this bill. While there are some benefits, this is something we already have the authority to do. CDOT is typically not supportive of bills that direct the Commission to take actions it already has the authority to take.</p> <p>SB 184- Romer's "Moveable Barriers on I-70 Bill" was just introduced and would direct the installation of a concrete moveable barrier on an east bound lane for portions of I-70 between Georgetown and Idaho Springs. CDOT is already conducting a study and already has the authority to do without legislation.</p> <p>HB 1243- Transportation Related Powers of Special Districts- This bill would allow special districts to become members of RTAs. CDOT has no issues with the bills, although it appears as though there are some concerns at the local level.</p> <p>Question- Commissioner Wayne Williams: Who makes the decision as to whether or not CDOT is going to take a position on a bill?</p> <p>Herman Stockinger- Myself and our lobbyist have meetings ever Monday with Executive Director George, Heather Copp, Jennifer Finch, Sandi Kohrs and other executive staff. We look at the bills introduced that week and together make some determination as to CDOT's position. We also have to check in with the Governor's Office to make sure we are on the same page with our position.</p> <p>Question- Vince Rogalski: There are a number of initiatives that will be on the ballot this fall. Have we given any thought to how these would impact CDOT?</p>	
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	<p>Herman Stockinger: There are some studies that have illustrated the impact, and it is pretty substantial across the state. We haven't taken any formal position. The Commission may choose to take a position, but has not at this point.</p> <p>Question- Bill Moore: I take it that since this is a ballot initiative CDOT cannot take a position and it would have to be the Commission that took the position?</p> <p>Herman Stockinger: Correct. There are specific rules that dictate how the department addresses initiatives.</p> <p>Question- Bill Moore: All of the studies and figures I have seen relate to total impact across the state. Have you seen any disaggregation, showing specific impacts to transportation funding?</p> <p>Herman Stockinger: I believe that one of the think tanks- the Bell Policy Institute- put something out that articulated some of the revenue impacts to various agencies or issues.</p> <p><i>Federal Legislative Update</i></p> <p>Congress passed a 30 day extension, which carries us through March 28. The House passed the jobs bill, and the Senate decided to break it into five pieces. The Senate sent the first piece back to the House, which made an amendment and returned it to the Senate. This first piece included an authorization extension through the end of the calendar year. It appears that the Senate will be able to take up that bill next week. Congress is also now looking at FY 11 appropriations. The Democrats have declared that they will not do earmarks for for-profit entities, the Republicans have countered by saying they will not do earmarks period. The Senate committed to the House that they will at least begin to have hearings to start working on a six year transportation bill. There is little likelihood of seeing a new six year authorization bill this year.</p>	
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<p>Safe Routes to School- Lenore Bates</p>	<p>Safe Routes to School is a federal aid program under SAFETEA-LU designed to get children kindergarten through 8th grade walking and biking to school. It is 100% federally funded with no match requirement. We are currently in our 5th funding cycle for FY 10. The applications are typically posted August 1 of each year, with a December deadline. We review applications in January, and take the selected projects to the Commission in March. We currently have the funded projects on our website. This year we received 50 applications, and 25 were selected for funding.</p> <p><i>Handout: Safe Routes to School FY 10 Projects</i></p>	<p>No action taken</p>
<p>ARRA Update- Pam Hutton</p>	<p>We fully obligated all ARRA funds on February 8, meeting all of our deadlines almost a month ahead of time. March 1, at 11:59 was the deadline for obligation; March 2 began our next phase. This phase will involve de-obligating and re-obligating funds from bid and project savings. Our strategy has been to mix dollars- so a project might include ARRA dollars and surface treatment dollars, for example, and any savings comes out of non-ARRA dollars. All dollars must be obligated again by September 30. If there is a project that completes construction after September 30 and you have surplus ARRA dollars in that project, we would lose those dollars. Therefore, savings will be applied to the other types of funds.</p> <p>We had discussions last month about a Jobs II bill. As you heard from Mickey, that bill was broken up into five different parts. The part that would bring recovery act dollars to CDOT is way down on the priority list. We developed a list of projects for a potential Jobs II bill. If we were to get word that there would be a Jobs II bill, we would revisit that list.</p> <p>Every single state met the 100% obligation requirement, so there will be no dollars for redistribution as of March 2.</p> <p>Commissioner Kathy Hartman: Colorado was the sixth state in the Nation to have all of its ARRA funds obligated ahead of the March 2 deadline.</p>	<p>No action taken</p>

<p>Resource Allocation for FY 12-FY 17 STIP- Heather Copp & Pat Saffo</p>	<p>We will be taking a resolution to the Commission this month along with the regional allocations. The regional allocations are balanced so that each Region has the same amount of money as they had in the original 2035 resource allocation. The TMAs are not balanced yet- that is the next step. We have meetings setup with RTDs to balance the TMAs to make sure they too have the same amount as in the original 2035 resource allocation.</p> <p>In the last version of the resource allocation from last month, the maintenance dollars went down from FY 11 between FY 12. We wanted maintenance to continue in FY 12 and beyond with at least the same level of funding as FY 11. To do this, we moved dollars from operations to maintenance.</p> <p>Each Region receives the same control total as in the last plan (in deflated dollars). Within the Region, we do not have the same programs so the makeup within those dollars will not be the same.</p> <p>Question- Commissioner Wayne Williams: What happens to our funding that causes it to decrease from \$5.3 billion in 2018-2022 to \$4 billion in 2026-2030?</p> <p>Pat Saffo: The 2018 to 2035 years as a whole were used to balance to the 2035 Plan totals. The TMAs have to run air quality conformity, and to assist them with this they requested that where we needed to add money to programs we do it in the earlier years, and where we subtract we do it in the later years. Because of this request, we did not spread the balancing equally across 2018 to 2035. It was agreed with FHWA and our planning partners that we would focus closely on the years 2012 through 2017, and would use the out years to balance with the 2035 Plan.</p> <p>Question- Commissioner Wayne Williams: This shows just over \$2 billion in deflated dollars for Strategic Projects. So is the presumption that the 7th Pot per this resource allocation will not be completed by 2035?</p> <p>Heather Copp: That's correct. Senate Bill 228 stops in 2017, and there isn't enough money to complete the 7th Pot. The \$2 billion is about \$800 million</p>	<p><i>Motion approved-forward to the Commission the staff recommendati-on with a proviso of significant concern</i></p>
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	<p>short of the total required. The Regions and TPRs have the option to use some of their RPP or FASTER Safety money on 7th Pot projects.</p> <p>Commissioner Wayne Williams: Our 7th Pot money went to pay for other region's projects and if we want to see our projects completed, we are going to have to use our own regional funds, not statewide 7th pot funds, to pay for it. So those of us that were on the bottom of the list paid into the 7th Pot, but will now have to use our own regional funds to complete our projects.</p> <p>Thad Noll: I think the RPP money should stay where it is, and the message is that these things are going to take a lot longer to get done because the legislature took away the money.</p> <p>Commissioner Barbara Kirkmeyer: There was a commitment made in 1999 with regard to the strategic projects. Maybe there should be a commitment that FASTER dollars go to 7th Pot projects first, wherever possible.</p> <p>Bill Moore: I think we are making the money fit the projects, rather than having a set of priorities within the 7th Pot Corridors.</p> <p>Question- Commissioner Wayne Williams: Is there a reason that we need to move forward this month, before we have the TMA allocations?</p> <p>Heather Copp: The TMAs have told us the numbers need to be approved by the Commission this month, or they will fall behind schedule.</p> <p>Question- Commissioner Wayne Williams: Has staff developed any proposals of where cuts might come from to bring the strategic project totals up to \$3 billion, or whatever is required to finish the 7th Pot, by 2035?</p> <p>Heather Copp: No. We have not been given that direction, and feel that the Commission is not leaning in that direction. The Commission did put more money into Strategic Projects than would have been received through SB 228 alone. We also presented them the option of putting even more money into 7th Pot, but they did not go that direction. There were several reasons why the</p>	
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	<p>Commission did not want to look for 7th Pot funding elsewhere within the budget. One reason was that the funding source disappeared. The other concern was in taking money out of other parts of the budget to fund it. Many of the Commissioners were not willing to give up RPP or surface treatment projects for 7th Pot. However, they had no problem with individual Regions choosing to use RPP funds on 7th Pot.</p> <p>Commissioner Wayne Williams (with clarification adopted from Barbara Kirkmeyer): Recommend the staff recommendation, but recommend further consideration by the Commission, through staff, on how to complete 7th Pot projects by 2035.</p> <p><i>Motion fails.</i></p> <p>Commissioner Kathy Hartman: I am move that the STAC forwards to the Commission the staff recommendation with a proviso of significant concern that this does not fund to completion the strategic transportation corridors previously approved by the voters.</p> <p><i>Motion approved.</i></p> <p><i>Handouts: Resolution, Draft 2035 Resource Allocation by CDOT Region, Updated Status of 28 Strategic Corridors</i></p>	
Other Business	<p>Bill Moore: The PACOG board wanted to thank our RTD, Tim Harris, for the great things he has done for the region.</p> <p>Steve Rudy: I'd like to thank Bob Garcia for his service, as this will be his last STAC meeting. I'd like to particularly recognize Bob for his leadership on the FASTER safety projects. He was point person on the FASTER safety initiative, and did great work in convincing the Commission that these really ought to be regional decisions.</p> <p>Thad Noll: Kudos to CDOT, Region 3 in particular, for the Glenwood Canyon cleanup.</p>	No action taken

	<p>Vince Rogalski: No decisions have been made yet with respect to FASTER transit funding.</p> <p>Commissioner Barbara Kirkmeyer: It might be helpful at some point to have an agenda item on what the role of STAC should be with respect to our statutory responsibilities. I understand that we are supposed to give recommendations to the department. I appreciate what Jennifer Finch was trying to do with the CMAQ resolution, but was disappointed with the development at the last minute of a new scenario. Many of us didn't even have a chance to look at it before the Commission was asked to act on it.</p> <p><i>Meeting adjourned.</i></p>	
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