

**DRAFT STAC
May 14, 2010 Meeting Minutes**

Location: CDOT Headquarters Auditorium
Date/Time: May 14, 2010 9:00 a.m. – 12:00
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
April Meeting Minutes	<i>April minutes approved.</i>	<i>Minutes approved</i>
Federal and State Legislative Update- Herman Stockinger & Mickey Ferrell	<p><i>State Legislative Update</i></p> <p>We ended the session fairly successfully in terms of protecting FASTER. There were three bills out of about ten that passed. The first two were supported by the Governor and limited late fees for non-motorized trailers and directed the Department of Revenue to develop guidance for County Clerks in waiving late fees under limited circumstances. An additional bill, Senate Bill 198, also passed and limits late fees for non-motorized trailers 16,000 pounds and under to \$10. These three bills probably have about a \$1 million impact in the first year, but will likely have less of an impact in subsequent years.</p> <p>There were two bills that effects funding from the HUTF. House Bill 1387 diverts HUTF revenue to the Division of Motor Vehicles for each of the next two years. This amounts to about \$20 million per year, 40% of which will come from the city and county share. We had to address this same issue last year when the bill originally was to make this a permanent diversion. Last year we were able to limit it to one year, this year we were able to limit it to a two year diversion. Another House Bill will divert excess funds from the motorist identification account to CSTARs instead of the HUTF. This will amount to \$2.2 million for each of the next two years.</p>	No action taken

	<p>Rep. Vaad's House Bill 1405 will require CDOT to work with the MPOs to conduct a study to determine which MPO-area highways are commuter highways. The bill was amended to state that the study wouldn't result in an unfunded mandate. This will make it more difficult to devolve state highways to local governments.</p> <p>Question: Commissioner Trent Bushner- What is happening with the Zipper Lane bill?</p> <p>Herman Stockinger: We just finished the first study looking at westbound traffic. It raised a lot of questions that we need to address. The bill itself encourages us to have something in place by January. It does require that we at least report to the legislature in January on our progress.</p> <p><i>Federal Legislative Update</i></p> <p>It is looking more and more likely that there will not be an appropriations bill, but that sometime in the fall Congress will pass another continuing resolution and will come back to look at it again after the fall elections. We know the trust fund has at least enough money to get through the early portion of the next calendar year. There will likely be a few short term extensions before Congress decides if they are going to do a longer continuing resolution.</p> <p>The global climate change bill was introduced by Sens. Kerry and Lieberman. Its goal is to reduce emissions by 17% by 2020 and 80% by 2050. Under the bill, EPA is to create a market price for carbon. It is expected to generate about \$20 to \$60 billion per year, of which transportation would get about \$6 billion. Of that \$6 billion, \$2.5 billion would go into the Highway Trust Fund, and the rest would go into two grant programs- \$1.875 into the existing TIGER program, and \$1.85 into another grant program that would fund transportation projects that reduce oil consumption and greenhouse gas emissions. From a transportation perspective, this would amount to something close to \$0.15 per gallon, about 2/3 of which would be diverted to non-transportation programs.</p> <p>TIGER I was a \$1.5 billion program that received \$50-\$60 billion in requests. TIGER II is a \$600 million program this includes \$150 million set aside for</p>	
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TIFIA financing, and \$140 million set aside for rural. US DOT is really looking to maximize the dollars so they will be looking for complete funding packages. The program and scoring criteria are very similar to TIGER I. Projects have to be ready-to-go. You must be able to obligate funds by September 30, 2012.

Because this is so similar to TIGER I, there will probably be few projects that CDOT will pursue that weren't already applications under TIGER I. Most of these will probably be TIGER applications that didn't get funded under the first round of TIGER. I think this will likely be the same of local projects given the smaller amount of money available, the time and resources necessary to put together an application, and the 20% upfront match. In June we hope that we will have some idea of the projects that the Regions are looking at for submittal and we will bring these back to STAC.

In aggregate, the TIGER I projects that were selected had 80% local money, and 20% TIGER. This is important to note because even though there were no match requirements in TIGER I, they mostly funded projects that already had large portions of local money.

We would like to see a copy of the application, and a resolution or something similar showing that the matching funds will be available before we provide letters of support.

Question: Thad Noll: Can you explain the \$35 million for Transportation Planning grants, and the \$40 million for HUD Community Planning Grants?

Mickey Ferrell: The \$35 million is coming out of the FY 10 transportation appropriation and the \$40 million from the HUD appropriation. The individual pieces of money are separate, and have separate requirements but they will be judged and ranked as a single program by the same interagency panel. These programs are intended for projects relating to the efficient use of land planning around transit. NEPA has to be already started and is not going to qualify.

Question- Mayor Mick Ireland: Will the 20% match include work that was previously done on some of these applications?

	<p>Mickey Ferrell: I think you would want to recognize that you have already spent that because it shows that you have already contributed significant local dollars towards the project, but you will still need the matching funds.</p> <p><i>Handout: Summary of Key Legislation from Session, TIGER II National Infrastructure Investment Grants</i></p>	
<p>Transit Funding- Jennifer Finch & Tom Mauser</p>	<p>A draft FY 11 budget has been prepared for the new Division of Transit and Rail that would allow for the hiring of a new Director, and some additional staff including the shifting of some existing staff into the new Division. We will continue to use the Interim Advisory Committee as needed during the initial formation of the new Division. We are using the recommendations of the Interim Committee in developing the criteria and process of selecting a Division Director and adapting it to the requirements of the state hiring process.</p> <p>The Commission will make a final decision on the allocation of funds for the FASTER Local Transit Grant program at its meeting next week. Primary consideration is being given to allocating the funds to the CDOT Regions and having the Regions develop a list of projects for the STIP in cooperation with the TPRs. As a reminder, this program is for capital expenses only, not including land purchases or office equipment purchases. There is a \$100,000 minimum, although some exceptions will be made down to \$25,000 for rural areas. Distribution will be based on a 40/30/30 formula that includes HUTF, population, and performance. Public agencies are eligible applicants, as are public and private nonprofit agencies that offer either public transportation or "open door" specialized transportation.</p> <p>Potential projects will be identified and prioritized using the 4P process that is currently underway for the development of the STIP. The STIP includes FY 12-17, but there are also funds available for FY 10 and FY 11 that need to be programmed. We are primarily emphasizing project selections for the next three years- after that point we will revisit the process for selecting projects.</p> <p>There is also \$10 million in funds that go to the State, part of which is being recommended to go towards funding the new Division. We still have to discuss</p>	<p>No action taken</p>

	<p>the allocation of these funds, and there are a variety of opportunities and needs that could be potentially funded using these funds, including connectivity studies, strategic transit projects and supplementing the local grant program.</p> <p>There are also five new federal grant opportunities including a Discretionary Bus and Bus Facilities Program, a Transit Investments for Greenhouse Gas and Energy Reduction (TIGGER II) program, a Clean Fuels Bus Program, and some grants that are part of the TIGER II program. Some of these have upcoming due dates including June 18 on the Discretionary Bus and Bus Facilities program, and June 14 on the Clean Fuels Bus Program.</p> <p><i>Handouts: Summary of Recent Federal Transit Funding Opportunities, Transit Piece for 4P Packet</i></p>	
ARRA Obligation Update- Charles Meyer	<p>CDOT has been conducting extensive analysis of projects and potential savings. All funds must be obligated by September 30, 2010. Any funds that are de-obligated after September 30 will be lost to Colorado. We asked the Regions to look at projects on an individual basis and to identify any funding that might not be used by a project. At most this could result in up to \$36 million in potential savings. Some of the potential savings are in projects that are 100% ARRA funded, and some are in projects that have a mix of funds. Where there is a mix of funds in the project, the savings will come in the form of non-ARRA funds. Of the \$36 million, about \$13 million is in 100% ARRA funded projects and therefore at risk should these funds be de-obligated after September 30.</p> <p>Through the analysis of projects we identified seven categories of risk. The most critical projects are those that are 100% ARRA funded and will not close until after September 30. There are several strategies to mitigate the risk of losing funds. Our general approach has been to make sure that every project possible has some mix of ARRA and non-ARRA funds so that if there are savings, the savings come back in the form of non-ARRA dollars. For some projects this is not possible. As such we have identified new projects to move some of the potential ARRA savings into. The Regions have identified seven new CDOT projects to absorb some of these savings. These will be presented to the Commission next week for their approval. The Commission will also be</p>	<i>Motion Approved- Recommend approval of projects.</i>

	<p>asked to approve three additional projects- the US 36 TIGER grant project, and two on-the-job training programs. The seven projects include:</p> <ul style="list-style-type: none"> • Region 2 <ul style="list-style-type: none"> - SH 115 Surface Treatment Project • Region 3 <ul style="list-style-type: none"> - SH 550 Colona to Chipeta - Pitkin Coke Ovens • Region 4 <ul style="list-style-type: none"> - US 85 Rockport / Wyoming South • Region 6 <ul style="list-style-type: none"> - US 6 Wadsworth - US 85 Fiber-optic - US 85 at 144th Intersection <p>Commissioner Wayne Williams: I move that the STAC recommend approval of these projects subject to incorporation in the STIP and approval by local transportation planning regions.</p> <p><i>Motion approved.</i></p>	
<p>Distribution of HIRE Act Funds- Ben Stein</p>	<p>When the latest continuing resolution was passed, significant additional funds became available. These funds amount to roughly \$150 million. Roughly \$50 million needs to go to specific programs including funds for Safety, Bridge, Planning, and other discretionary programs. Roughly \$33 million goes to Local Programs such as CMAQ and STP-Metro. This leaves about \$89.3 million available for the Commission to program. In addition there is \$3.5 million available in SB 97-01 funds that will need to go to a strategic project. Finally, there are \$36.5 million in TC Contingency funds that are potentially available to program. This amounts to roughly \$129.4 million in funds that are available for the Commission to program. These numbers are based upon an estimate of the final federal numbers. The real number will be somewhat higher than this, although we will be looking at using similar formulas for distribution. This will also keep the TC contingency with \$50 million at the end of the year. The Commission would like to end the year with \$50 million in contingency to have</p>	<p><i>Motion Approved- Regional Needs with 7th Pot emphasis, \$6 million to maintenance equipment and provision that additional funds go to statewide 7th Pot.</i></p>

	<p>additional funds for flexibility. Federal funding available in FY 11 only goes through the end of December and there is some uncertainty about what will happen with federal funding in the upcoming year.</p> <p>We are going to offer a series of scenarios, but the EMT has decided not to make a staff recommendation. One of the options is to put additional money into maintenance. This includes putting money into equipment. Road equipment is currently being operated at 172% of its average annual life. The other possibility that was examined was to look at MLOS. We have outlined a series of figures for increasing MLOS overall, and for increasing the MLOS of particular programs such as Pavement and Bridge. Another option is to put additional funds towards 7th Pot projects. We have provided a list of 7th Pot projects that are potentially ready-to-go.</p> <p>Scenarios include:</p> <ul style="list-style-type: none">• Project Specific- Specific Regions get funds for specific projects, with the remaining funds going to RPP or Surface Treatment.• Emphasis on Surface Treatment- 50% of funds go to Surface Treatment, with the remaining going to either 7th Pot or RPP.• 7th Pot- Funding goes to 7th Pot (but without attachment to a specific project), with the remaining going to RPP or Surface Treatment.• Regional Needs- Funds can be allocated at the Region's discretion• Regional Needs Less \$30 Million for Maintenance- \$30 million put into maintenance to improve the overall MLOS grade, the rest to be allocated at the Region's discretion. <p>Question- Commissioner Wayne Williams: What amount of additional funds might be available beyond the \$129 million we are currently discussing?</p> <p>Pat Saffo: By my calculations there may be upwards of \$40 million in additional funds that the Commission may be able to allocate.</p> <p>Commissioner Gary Beedy: I move that we support the Regional Needs scenario with an emphasis on 7th Pot projects and the condition that \$6 million be taken off the top for maintenance equipment.</p>	
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	<p>Commissioner Wayne Williams: I suggest an amendment that to the extent that funds come in above the \$129 million currently presented, these funds go into a statewide 7th Pot pool.</p> <p>Commissioner Barbara Kirkmeyer: I think that if additional funds come in you go back to the regional formulas per the MOUs.</p> <p>Commissioner Wayne Williams: I am suggesting that additional funds not go through the regional formula, but go into statewide 7th Pot funding.</p> <p><i>Motion Approved. Recommend to the Commission the Regional Needs scenario with an emphasis on 7th Pot projects, and the condition that \$6 million be taken off the top for maintenance equipment and additional HIRE Act Funds received beyond the \$129 million presented go towards statewide 7th Pot.</i></p> <p><i>Handout: Allocation of HIRE Funds</i></p>	
<p>Plan Amendment & 4P Meeting Update- Jennifer Finch & Michelle Scheuerman</p>	<p>We are making progress on the Plan Amendment. The Plan Amendment will be a very limited document that will supplement the existing Plan. It will briefly discuss the reasons for the Plan Amendment approach, the public involvement plan, recent accomplishments, and what's on the horizon, including new FASTER planning requirements and emerging issues such as sustainability and livability and climate change. It will include the MPO Plan Updates by reference. We anticipate having a draft for your review in September or October. The Commission will review the draft at a Workshop in November, and will release the draft for 45 days of public comment in December. It is hoped that the final plan amendment will be adopted in April 2011.</p>	<p>No action taken</p>
<p>Other Business</p>	<p>The agenda item on the roles and responsibilities of the STAC has been delayed until next month.</p> <p><i>Meeting adjourned.</i></p>	<p>No action taken</p>