

DRAFT STAC
March 13, 2009 Meeting Minutes

Location: CDOT Headquarters Auditorium
Date/Time: March 13, 2009, 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	Everyone in the room gave self-introductions.	
February Meeting Minutes	February minutes approved with changes.	Approved
Federal and State Legislative Update- Melissa Nelson	<p>The collection of new fees per the FASTER bill (SB 108) will begin in July. The bridge fee was approved, but will be phased in over three years. The bill provides for the tolling of existing capacity, with local approval. It also provides some transit funding, for which local governments will be eligible.</p> <p>Other items on the CDOT legislative agenda include:</p> <ul style="list-style-type: none"> -Aeronautics Division legislation is currently waiting for the Governor’s signature. -The Transit and Rail Division bill cleared the Senate and awaits its first hearing in the house. -The Maintenance Incentive Pilot Program bill will be heard next week in the House Transportation Committee. -The Corridor Strategic Planning bill sponsored by Claire Levy has been significantly amended. The bill pertains to land use and transportation corridor planning within MPO areas. It originally included impact fees, but that has since been removed. It has passed out of the Transportation Committee and awaits full hearing on the floor. -Senate Bill 228 would remove the 6% growth spending limit and affect SB 10 and HB 1310 diversions. This bill came up quickly on the heels of FASTER. The department currently does not have a position on the bill. 	Motion Approved: Recommend that the Commission take a strong position in opposition to SB 228.

Question- Commissioner Wayne Williams: How could the department not have a position on the elimination of the largest funding source in the 2035 Plan?

Melissa Nelson: This came out of left field for a lot of transportation advocates. There are a lot of politics and negotiations going on with this bill. The department has expressed their concerns and provided all of the information to show the impacts to transportation. The contractors only came out with an opposed position this week. Our concerns are being heard.

Jennifer Finch: We are using the avenues that are available to us to explain this bill's impact to transportation, but we are only one department within state government.

Melissa Nelson: The Governor's office doesn't have a position yet either. This would essentially mean that transportation would have to go out and compete at the JBC every year, which is not the way we have had to do things in the past.

Commissioner Wayne Williams: I recommend that the STAC recommend that the Transportation Commission adopt a position strongly opposing SB-228 as long as it has this impact on transportation.

Mick Ireland: The protection of SB-1 funds has been good for us, but has it been good for the state? The state is under-funding necessary services, not just for us. We have this crazy patch work of constitutional amendments that basically prevent our representatives from the ability to do things and be accountable for them. I don't think we are going to get far with the message kill this thing and keep us number one.

Commissioner Wayne Williams: I think amending the motion weakens it too much.

Thad Noll: If we look at it from a statewide level it is better for legislators to use their discretion. I am not for it or against it. We had a long discussion last night at our Intermountain meeting and at the I-70 Coalition meeting and there was no strong sentiment one way or another.

Commissioner Wayne Williams proposes a motion to recommend to Transportation Commission the adoption of a strong position in opposition to SB 228 as long as it has such a negative impact on transportation.

Motion approved.

Vince Rogalski: I will bring the motion before the Commission next week. Maybe at the workshop I will have an opportunity to bring up some of these other concerns. Mick is right in terms of suggesting that we need some type of overall legislation or initiative for change on a system-wide basis.

Jennifer Finch: FASTER has passed. We are doing a workshop with the Commission next week. FASTER includes bridge funding, safety funds which can go towards improvements on the state highway system, and \$10 million for multi-modal. All of these funds go through the HUTF. It also replaces the existing CTE with a high performance transportation enterprise. It allows for the tolling of existing capacity, given local approval. It also calls for the creation of an efficiency committee. There are also some factors that are to be considered in the planning process. At the Commission Workshop next week we will review the bill and go over key decision points. We will probably return to the STAC and present this information as well.

Mickey Ferrell: The President signed the 09 Appropriations bill yesterday, which has fully funded the 09 SAFETEA-LU levels. The bill also includes a \$3B rescission. The transportation trust fund at the federal level will probably be bankrupt again this year.

Heather Copp: The President's FY 10 budget fully funds the 09 levels of SAFETEA-LU. However, a big concern is that it takes away contract authority. This would result in a limit to how much we can get reimbursed in a year, and how much we could obligate in a year. We are very concerned about this provision. We are working on a white paper. We figure that we would be out a whole year's worth of funding in advance construction money.

<p>Modified Resource Allocation and Statewide Plan Amendment- Pat Baskin & Michelle Scheuerman</p>	<p>Pat Baskin: This would be a Plan Amendment, not a new plan. The years of the plan would stay the same. With respect to resource allocation, we will not change any of the policies. There will be no new formulas or new distributions, just updated revenue forecasts for the 2012-2017 years. In order to keep the same total plan dollars, whatever changes in the years 2012-2017 will be balanced in 2018. Dollars will not change in 2019-2035. We are going to go to the Commission with this next week, and then will probably bring a resolution before them in April. The plan will stay in 08 dollars and the same inflation/deflation factors will be used as were used in the original plan.</p> <p>Question- Bill Moore: Do you anticipate going back to the Demographer's office and asking for a new set of numbers?</p> <p>Michelle Scheuerman: Our plan will essentially remain intact, with the exception of the Resource Allocation. The MPOs, however, will need to update that information.</p> <p>Question- Commissioner Barbara Kirkmeyer : Should we (TPRs) be anticipating doing an update to our plan, or just an amendment?</p> <p>Sandi Kohrs: You don't need to do either. If there is some specific reason why a change is needed, I think we should visit those individually. The TPRs do not need to do either an update or an amendment.</p> <p>Heather Copp: If something bigger than FASTER occurs, such as a ballot measure or reauthorization we may have to do a full update sooner.</p> <p>Pat Baskin: There will be more or less money in 2012-2017, but the total to 2035 will stay the same.</p> <p>Jennifer Finch: We have chosen not to do a full update and a full resource allocation, given the fact that there is so much uncertainty- we don't have authorization, we don't know what the policies are going to be, and we don't know what the funding is going to be.</p>	<p>No Action Taken</p>
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<p>Budget Update- Heather Copp</p>	<p>Staff has made changes to the budget based on more recent information and on direction received last month at the 3rd FY 10 Budget Workshop</p> <ul style="list-style-type: none"> • Updated the tolling revenue line item based on more accurate estimation of toll revenues for FY 10. • Added \$585,000 for rockfall fencing in Glenwood Canyon and \$150,000 for rockfall fencing maintenance. • Reduced operations line items by 10% and included the most recent information on statewide indirects, worker's compensation, etc. to the operations line item. • Reduced Transportation Commission contingency by the amount needed for rockfall fencing and the \$12.5 million shortfall due to a loss of additional SB 1 funds. <p>Staff recommended that the Transportation Commission look at funding indirect costs with state funds instead of through projects. We have since determined that it would be very difficult to do this under current financial conditions.</p> <p>We will be having a FASTER workshop with the Commission. We are considering having the Commission adopt this budget, and then amending in the FASTER dollars once we have a better idea of what they might be.</p> <p>On the highway side, FASTER is expected to generate \$150 million, with 60% going to the state and 40% to cities and counties.</p> <p>There have been a lot of questions about when CDOT will bond for bridges. The bond market is awful right now, and even if we had the authority today we probably wouldn't issue bonds.</p> <p>The consultant is currently working on the Revenue Model. We are looking at coming back to the STAC in April with a presentation, and then doing a Commission workshop in May with the consultant.</p>	<p>No Action Taken</p>
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<p>American Recovery and Reinvestment Act- Jennifer Finch</p>	<p>Jennifer Finch: ARRA includes a competitive grant program with \$1.5 billion in funding for projects ranging from \$20 million to \$300 million. Application criteria have not yet been released, although there are indications that the projects should be of national or regional significance. Colorado will want to have a project or two for consideration.</p> <p>Heather Copp: Secretary La Hood said at a recent meeting that the President's goal with this program was to address freight issues at ports and inner city passenger rail. This is somewhat distressing for those states, such as Colorado, that have neither.</p> <p>Jennifer Finch: Of the three large MPOs, DRCOG and Pike's Peak have taken action on their sub-allocated formula fund projects. North Front Range is still completing their project selection process.</p> <p>Question- Steve Rudy: Who reports the sub-allocated funds?</p> <p>Heather Copp: We are responsible for reporting. I have a conference call this evening to discuss how the DOT can funnel information for Oberstar's request as well so that we don't have to funnel it individually.</p> <p>Jennifer Finch: We have had several discussions, participated in some webinars and are trying to find ways to coordinate reporting. We are trying to find if there is an easier way to coordinate all this reporting. There is still a lot of confusion regarding reporting.</p> <p>Heather Copp: Colorado is one of sixteen states that the GAO has selected to actively monitor stimulus spending. A cross-functional team will be out in the state probably within the next two weeks and they will be monitoring the stimulus package in Colorado over the next three years.</p> <p>Jennifer Finch: All of the reporting requirements of a federal highway project apply, as well as a number of additional reporting requirements, to the ARRA funds.</p> <p>Question- Diane Mitsch Bush: Where do our B and C lists fit in?</p>	<p>Motion Approved: Recommend enhancement projects and additional projects in Regions 3 and 4</p>
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Jennifer Finch: A, B and C lists were developed for the recovery funds. I would say that close to 100% of the funds have been approved and put into the STIP. The remainder that didn't get funded will be eligible for consideration if we get redistribution funds. If we don't get redistribution there is really no special standing for those projects. They will compete with other projects through the normal planning process.

Question- Bill Moore: If there isn't going to be a problem getting the first 50% of the money out the door in four months, that suggests to me that there is another eight months of time in which we might be able to collaborate and come up with some kind of reasonable projects. Do you really think that we are going to have the \$135 million obligated in 120 days?

Jennifer Finch: Yes, and the commission has told us they want, as quickly as possible, 100% of the funds obligated. If we get redistribution funds, we might have a different discussion. Then we might have some greater possibility to do some things.

Question- Bill Moore: I can't find one set of numbers that addresses the spending of sub-allocated funds for areas greater than 5,000 but less than 200,000.

Karla Petty: The sub-allocation that Bill is referring to and is outlined in ARRA is just part of our normal federal regulation- 23 USC 133d. It outlines how STP funds are to be sub-allocated across the state. CDOT's Resource Allocation complies with this regulation.

Jennifer Finch: We can work the details out. I understand that Pueblo and Grand Junction are very concerned about where those funds went. We can discuss this at the Statewide MPO meeting.

Sandi Kohrs: Enhancement projects in Region 4 and 6 have gone through DRCOG's approval process. Region 5 enhancement projects have been approved by the Commission. Some are ready for ad, others have been posted and are awaiting completion of the 30 day posting period. There are also three projects- one in

	<p>Region 3 and two in Region 4- that are currently out for 30 days. These are projects that did not previously appear in the project lists.</p> <p>Vince Rogalski proposes a motion to recommend enhancement projects and additional projects in Regions 3 and 4.</p> <p>Motion approved.</p> <p>Karla Petty: For those that have not visited it, www.recovery.gov provides access to a large amount of information on recovery.</p>	
Other Business	Commissioner Wayne Williams will chair the April STAC meeting in Vince Rogalski's absence.	

For Follow-up:

- Discuss sub-allocations and disbursement of monies to TPRs under 200,000 and over 5,000 (Pueblo and Grand Junction) at the next SW MPO meeting.