

**DRAFT STAC
December 11, 2009 Meeting Minutes**

Location: CDOT Headquarters Auditorium
Date/Time: December 11, 2009 9:00 a.m. – 11:15 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
November Meeting Minutes	<i>November minutes approved with corrections.</i>	<i>Minutes approved</i>
Federal & State Legislative Update- Herman Stockinger, Mickey Ferrell & Melissa Nelson	<p>AASHTO put out a list of 7,000 ready to go projects worth \$69 billion. This included 100 projects worth \$1.4 billion in Colorado. With very little turn-around time, we looked at existing lists of projects and grant applications and rounded the number to 100 projects. Projects submitted included:</p> <ul style="list-style-type: none"> • Some unfunded ARRA foundation projects- about half of the projects were included amounting to \$700-\$800 million • TIGER grant projects- included 7 CDOT TIGER projects for about \$500 million and also added non-CDOT TIGER projects for \$100 million • Surface-treatment projects • Local road projects- included about \$140 million worth, and notified AASHTO that there were many more projects beyond those included • Unfunded SB 1 Strategic Transit projects and some local transit projects <p><i>Federal Update</i> The continuing resolution is set to expire next Friday, December 18. A Conference Committee earlier this week drafted an omnibus appropriations bill that was passed by the House yesterday. The bill had no authorization language in it. The Authorization Committee in the Senate hopes to pass an authorization bill by December 18. Discussion on authorization is focusing on the length of the</p>	No Action Taken

	<p>extension and the issue of trust fund bankruptcy.</p> <p>The appropriations bill makes available \$48.1 billion which is line with SAFETEA-LU, however, there is a clause that says "or what funds may be available in the trust fund." This leaves us with little idea of what will actually be available next year. We hope that the authorization bill will answer some questions. With respect to SAFETEA-LU earmarks, half will come back to the States by formula and half will go to a \$600 million discretionary program. Additionally, multi-year contract authority was granted to transit, but nothing yet for the highway side.</p> <p>President Obama submitted a recommendation to Congress for the creation of a jobs bill. This would involve taking some of the remaining TARP funds and redirecting those funds into a jobs bill to extend retiring tax-cuts and to provide for infrastructure spending. No bills have been drafted yet, and no dollar figures are available. The bill will probably be worked on in January, after health care.</p> <p>Question- Commissioner Wayne Williams: The last stimulus bill had less than 5% of the total going to transportation despite being billed as an infrastructure bill. Do we have any idea of what proportion of a jobs bill will go to infrastructure?</p> <p>Mickey Ferrell: Early talk is that this will be a much smaller bill, in the range of \$100-\$120 billion, compared to nearly \$800 billion for ARRA. Of that, \$40 to \$60 million is being discussed for infrastructure.</p> <p><i>State Update</i></p> <p>The State Legislature will have two FASTER clean-up bills. The first will address the issue of recreational trailer registration late fees, seeking to cut those fees in half. The second will allow the Department of Revenue to set rules or standards allowing County Clerks some discretion in addressing extraordinary circumstances. In addition to the clean-up bills, there will be a large number of other bills addressing FASTER. These bills range from repealing the late fees to repealing FASTER in its entirety. The Senate Majority appears to be in agreement to keep FASTER as intact as possible, with the exception of the two clean-up bills. The House, on the other hand, is not in the same position right now. The budget remains a big issue, and we will continue to watch this closely. Rep.</p>	
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	<p>Vaad has again introduced a bill that would turn state roads no longer serving the purpose of state highways back to local governments.</p>	
<p>FASTER Safety Projects- Bob Garcia</p>	<p>There have been a couple of changes to the FASTER planning process chart. One of the values has been changed to mobility as we thought this was a stakeholder value that was not previously represented. Based on comments from the STAC last month, "Commission Guiding Principles" were moved up above the Regional Allocation process. We also added a box for Regional Perspectives, with the nexus between the Commission Guiding Principles and the Regional Perspectives being what feeds forward into the rest of the process.</p> <p>There was a fairly lengthy discussion at the Commission meeting regarding what the priorities should be. It was noted that the dollars coming through FASTER weren't going to be able to be used to achieve the strategic mission of the 7th Pot directly, nor would any individual regional allocation be enough to meet any 7th Pot needs. The Commission ultimately settled on the fact that, for FASTER, the primary focus should be safety, and the need to preserve the system. Projects must have a compelling safety need.</p> <p>The Regions are now starting to meet with their partners to generate lists. In Region 4 items of discussion with our partners have included leveraging local funds, focusing on regional connecting facilities that serve a broader strategic purpose, ready to go status, and the analysis of costs and benefits. For now, we suggest you work from last year's control total. We will constrain lists later when final figures are available. It would also be a good idea to have a range of projects with a wide range of cost.</p> <p>We have talked about going to the Commission in January, which is still the target, but may not be possible for all Regions. If you haven't yet connected with your RTDs on this, I would encourage you to do so.</p> <p>Question- Steve Rudy: Am I correct that the Commission will be acting on a list that will be in the ballpark of constraint, but it will not be a formal STIP action?</p> <p>Jennifer Finch: The list in January will probably require some refinement before it will move to TIP/STIP action, but there will be a draft list going to the Commission.</p>	<p>No Action Taken</p>

	<p>Heather Copp: Control totals are complete, but I am waiting for Pam Hutton to review before they are sent out. These totals will be subject to change.</p> <p>Question- Bill Moore: Are there any restrictions on combining FASTER funds with other funds, HES funds, for example?</p> <p>Bill Garcia: I know of no restrictions. We are encouraging our planning partners to look for ways to combine funding.</p> <p>Steve Rudy: I applaud CDOT for getting this in front of the Commission quickly. We need to be able to tell the legislature “if you are going to think about gutting FASTER, here are the projects we are going to lose.” I am encouraging the Commission to take as definitive an action as they can in January.</p> <p>Herman Stockinger: We are already in the process of putting together a template for Fact Sheets for each of the FASTER projects that we select for FY 11-13. Usually when we are at the Capitol and we talk about losing funding, all we can do is point to the regional allocation. Now we will be able to say to legislators “here are the projects in your district that won’t be completed if FASTER is eliminated.”</p> <p><i>Handout: FASTER Safety Flow Diagram</i></p>	
<p>Contingency Funds Allocation – Heather Copp</p>	<p>CDOT Executive Management is forwarding three different recommendations regarding the use of Transportation Commission contingency funds (see handout).</p> <p>Recommendation 1 would not be consistent with TC Resolution 1306 since it allocates \$7 million to Region 1 beyond the regional allocation amount. The Commission can change the resolution, but this would not likely be our recommendation. Recommendation 2 is a variant of recommendation 1, but adjusted to be in line with TC 1306. Recommendation 3 does not fund the slide requests, and allocates the difference to design and construction. The slide requests would be funded out of regional allocations. Recommendation 3 is probably the closest to honoring the TC resolution but raises issues about what exactly should be considered a contingency.</p>	<p><i>Motion Approved- Fund slide requests out of 5% TC Cont.; allocate funds according to Rec. 1.</i></p>

Steve Rudy: I think that if we fund 7th Pot projects with these funds you send the message to the legislature that if you take away Senate Bill 1 funds we'll find other ways to do these things. I don't think we are sending the right message to the legislature by backfilling 7th Pot projects. I previously raised the question of whether we still needed the 5% contingency. If there is a time to use contingency funds, maybe it is now. I was trying to convince Heather to include a recommendation to take the slide requests out of the 5% TC Contingency so that the additional \$15.1 million could be distributed.

Commissioner Wayne Williams: Senate Bill 1 may have been eliminated, but the promise to the voters to complete the strategic projects has not been eliminated. The Transportation Commission could choose to do nothing to fund 7th Pot projects, but that's a particular problem when, throughout the planning process, partners were told don't worry if your project is not getting done now, it will get done later. I think CDOT needs to at least make some effort on fulfilling the promises that were made with respect to 7th Pot. I think the STAC recommendation should be to take the slide funding out of the 5% TC Contingency and use the remaining funds to address the challenges around the state. There is a certain point at which those that save money are penalized.

Bill Moore: I would argue that those of us that got our 7th Pot projects complete have been relegated to the back of the line. We might want to start rethinking non Senate Bill 1 funding to projects that might no longer be the highest priority projects.

Mayor Mick Ireland: We are still in the enabling business. I think we should be going to an all defensive budget which is about maintaining and defending the system we have.

Commissioner Barbara Kirkmeyer: I think we should look at Recommendation 1, but also look at funding the slides out of the 5% TC Contingency, as brought up by Steve and Wayne. With respect to the 7th Pot, Senate Bill 1 came way after the development of the 7th Pot list of projects. We should be true to our planning process and follow through with the 7th Pot.

	<p>Commissioner Gary Beedy: The US 287 project finishes this corridor which runs from Denver down to New Mexico. The section that is left is rutted pavement that gets over 3,000 trucks a day that are generally going to the front range. This serves the entire front range corridor by getting some of the trucks off of I-25.</p> <p>Commissioner Wayne Williams: I move that we recommend Recommendation 1, but add to that Steve Rudy's suggestion that the slide requests be funded out of the 5% TC Contingency.</p> <p>Mayor Mick Ireland: I would like to offer a second resolution that we recommend a moratorium on new construction that does not come with an identified funding source, either FASTER or some other source. I think we are making a huge mistake if we continue to let the system deteriorate and gamble with contingency funds, while we finish the 7th Pot. People need to know that the 7th Pot is unfunded and they are choosing not to fund it. We are creating a false impression that there is money available to pay for things.</p> <p>Greg Clifton: I agree with the underlying concept, but I am troubled that we would send out that message because it seems to imply that there isn't a direct relationship between new projects and the mitigation of maintenance issues on existing infrastructure.</p> <p><i>Motion Approved with one vote against: Recommend to the Transportation Commission that the two slide requests for \$15.1 million be funded out of the \$50 million 5% TC Contingency Fund, restoring the \$15.1 million for distribution, and distribute funds as outlined in Recommendation 1.</i></p> <p><i>Motion Fails: Recommend that the Transportation Commission adopt a moratorium on new construction in the absence of an identified funding source.</i></p> <p><i>Handouts: Reconciliation and Allocation of Transportation Contingency Funds</i></p>	
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<p>Resource Allocation / Revenue Projection – Heather Copp</p>	<p>In order for us to complete revenue projections and resource allocation by March 2010, we need to begin running revenue scenarios now. We are seeking volunteers to help provide input on revenue scenarios through a series of three meetings. These meetings will be held via video conference or conference call on December 21, January 5 and January 25. I will send out an e-mail meeting request next week to those who volunteer.</p> <p><i>Steve Rudy, Bill Moore, Barbara Kirkmeyer, Diane Mitsch Bush, Mick Ireland, Jim Austin, Craig Casper and Cliff Davidson agreed to participate.</i></p>	<p><i>Meeting volunteers selected</i></p>
<p>CMAQ FY 12 – FY 17 Allocation – Jennifer Finch & Brad Beckham</p>	<p>In September the Transportation Commission approved the distribution of CMAQ funds for FY 10 and 11. At that time we noted that we would revisit the discussion for FY 12 – 17 at a later date. We now need to begin these discussions and determine the CMAQ allocation for resource allocation. A memo was sent out earlier this week outlining the four basic questions that must be addressed:</p> <ul style="list-style-type: none"> • Should CMAQ funds be allocated to non-attainment areas only, or to non-attainment and maintenance areas? • Should there be an emphasis on ozone non-attainment areas? • Should there be some provision for addressing possible future allocations to “at risk” maintenance areas? • Is there a need to set-aside CMAQ funds for a multiregional approach? <p>EPA will be issuing a new proposed ozone standard on December 21. The final promulgation of that standard will occur in August of next year. Revisions to the State Implementation Plan would need to be submitted to EPA by 2013. Preceding that effort, EPA will receive from the state designations of those areas that fail to comply with the standard.</p> <p>It is anticipated that the proposed standard will fall somewhere in between 65 and 70 parts per billion (ppb). If that is where the standard falls, based on current monitoring, there will be a number of new areas in non-attainment. If the standard is 70 ppb El Paso County would be in non-attainment. If the standard were 65 ppb, Grand Junction may also be included.</p> <p>Last March the Governor issued an executive order reconstituting the Regional Air</p>	<p>No Action Taken</p>

	<p>Quality Council (RAQC). They are the leading planning agency for air quality purposes along the front range. The new RAQC is expanding its scope to look at local government interests, transportation strategies and is looking to consult with other MPOs.</p> <p>We will be setting up a working session with current CMAQ recipients to discuss via telephone or video conference in early January.</p> <p><i>Handouts: STIP Resource Allocation for CMAQ FY 12 – FY 17; TC Resolution 1766</i></p>	
Other Business	The next meeting is on Thursday, January 14 at 1:00.	No Action Taken