

**DRAFT STAC
June 12 , 2009 Meeting Minutes**

Location: CDOT Headquarters Auditorium
Date/Time: June 12, 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
May Meeting Minutes	May minutes approved with no changes.	Approved
FASTER Presentation and Discussion- Heather Copp, Jennifer Finch, Pam Hutton	<p>Heather Copp, Jennifer Finch and Pam Hutton provided an overview of key provisions of the FASTER legislation (see attached slides). Key areas discussed included:</p> <ul style="list-style-type: none"> • Financial Provisions- Heather Copp • Creation of New Enterprises- Heather Copp • Bridge Projects- Pam Hutton • Road Safety Projects- Pam Hutton • Multi-Modal and Transit Provisions- Jennifer Finch <p>The presentation of additional materials on planning provisions, efficiency and accountability, truck weights and permitting, and reporting was omitted due to time constraints.</p> <p><i>Financial Provisions</i> Question- Commissioner Wayne Williams: What was the distribution formula used in the legislation?</p> <p>Heather Copp: The distribution is the same as that in current law for the distribution of Highway User Trust Fund (HUTF) dollars to CDOT, counties and</p>	No Action Taken

cities.

Bridge Projects

Question- Craig Casper: In putting together our select list of bridges shouldn't we consider Average Annual Daily Traffic (AADT), and length or distance of diversion due to a bridge closure?

Pam Hutton: Our sufficiency rating does consider these factors. AADT and detour length are part of the calculation of sufficiency rating.

Question- Commissioner Wayne Williams: Is there anything in the sufficiency rating that can account for the difference in bridge failure between a bridge over a small draw versus a bridge failure such as the one that occurred in Minneapolis?

Pam Hutton: Yes, the sufficiency rating incorporates a factor for vertical clear over the deck and under clearance.

Question- Steve Rudy: Should this be more of a statewide program rather than one with annual allocations for regions?

Pam Hutton: We are discussing that, but no decision has been made. Historically we have allocated our bridge money to the regions.

Steve Rudy: To say that we are taking bridges greater than 40,000 s.f. out of the equation (with respect to the allocation of bridge project funds) is not going to go over very well with our metro members.

Pam Hutton: We are not excluding large bridges such as the I-70 viaduct from the program. This is just presented in terms of possible annual allocations to the regions.

Question - DeWayne Findley: Would these figures for percent of poor bridges by region be updated periodically so as to change annual allocations?

Pam Hutton: It will be updated annually.

	<p>Question- Craig Casper: Why would we subdivide the money if we already have needs prioritized on a statewide basis?</p> <p>Pam Hutton: We already have a fairly good distribution of poor bridges in every region.</p> <p>Commissioner Wayne Williams: I think one of the factors that needs to be considered in selecting bridge projects is 7th Pot eligibility.</p> <p>Question- Commissioner Wayne Williams: What has been the discussion with the Commission about bonding?</p> <p>Heather Copp: We have the ability to do that as long as we can maintain the enterprise status. We have not begun to run any bonding scenarios yet because the market isn't very good at the moment.</p> <p>Mick Ireland: The amount of money from FASTER going towards bridges is less than the annual depreciation of the current bridge list. The only real question is then how do we slow the growth of the poor bridge list? I think we should be looking at a statewide program that maximizes revenue and minimizes decay.</p> <p>Heather Copp: You need to remember that we still have about \$40 million annually in CDOT bridge funding. We are not going to stop spending these funds just because we now have FASTER bridge revenue.</p> <p>Barbara Kirkmeyer: If we are giving greater consideration to 7th Pot projects then we need to make sure they truly are 7th Pot projects, and not just projects that were added on later.</p> <p><i>Road Safety Projects</i></p> <p>Steve Rudy: We haven't heard how CDOT plans to address the Memorandum of Understanding (MOU) with DRCOG and the distribution of FASTER funds.</p> <p>Pam Hutton: We are having discussions on that topic.</p>	
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	<p>Mick Ireland: It seems that we should be looking at what projects will most improve safety rather than looking at vehicle miles traveled (VMT) or MOUs or how to distribute funds regionally. We should really be looking at this program for ways to most effectively reduce injuries and fatalities, regardless of geographic location.</p> <p>Steve Rudy: DRCOG's expectation in supporting FASTER was that this was new money and that the MOU would be followed.</p> <p>Wayne Williams: Some of the 7th Pot projects have safety components that we should consider when selecting road safety projects.</p> <p><i>See Handout: FASTER Presentation (attached)</i></p>	
<p>Bike and Pedestrian Policy- Betsy Jacobson</p>	<p>Postponed until July due to time constraints. Jennifer asked members to review the Bike and Pedestrian Policy handout and contact Betsy Jacobson with any questions or comments.</p> <p><i>See Handout: CDOT Bicycle and Pedestrian Policy Key Concepts</i></p>	<p>No Action Taken</p>
<p>Federal Legislative Update- Mickey Ferrell</p>	<p>We are currently in the process of working with CDOT Regions and planning partners in the identification of potential projects for TIGER (Transportation Infrastructure Generating Economic Recovery) grants. The Regions will be reaching out to you sometime in the next few weeks. It is important that you are aware that this will be a highly competitive nationwide process. Since we will already be having discussions surrounding project identification for TIGER grants we thought this would also be a good time to discuss projects for Senate Earmarks, MOE projects and bid savings.</p> <p>For the House earmarks request we had less than 30 days to get projects together. As such, the Commission chose to limit CDOT project requests to 7th Pot projects. However, CDOT did provide letters of support for a large number of local agency projects.</p> <p>Jennifer Finch: All of the states appear to be on track with getting their money out the door so it is unlikely there will be any redistribution this summer. We do need</p>	<p>No Action Taken</p>

	<p>to identify projects for Maintenance of Effort (MOE). In the case of bid-savings, we have so far asked the Regions to hold bid-savings in their pools. In some cases, bid-savings are being used for resurfacing, in others to restore projects (that had been reduced) to their original scope, and in other instances to advance projects already in the TIP and STIP. We also want to have these funds available if the bid-savings do not hold and we start to have bid overruns. With respect to both bid-savings and MOE we need to give special consideration to projects in Economically Distressed Areas (EDA). We need to document our project selection process. If there are projects in EDAs that are not selected, we need to document why they were not selected.</p> <p>Question- Cliff Davidson: What about projects that are just over the county line from an economically distressed county?</p> <p>Jennifer Finch: The GAO is only considering projects as being in an EDA if they are in an economically distressed county.</p> <p><i>See Handout: Talking Points for Upcoming TPR Meetings</i></p>	
<p>FY 09 Revenues- Heather Copp</p>	<p>CDOT had to rescind \$43.6 million in May, and we are anticipating a second rescission of \$120.4 million will take place at the end of September. Until FY 08, each state had the discretion to choose which accounts to rescind funds from. Many of the states have first cut the accounts that were directed to the large MPOs, rather than cutting dollars in the accounts the department controls. To prevent this inequity, Congress in 2007 restricted state DOTs from having the discretion to choose which federal accounts to rescind from. Instead, each account must now be drawn down proportionally, except that some programs, such as STP-Metro and Safety, cannot be touched at all. CDOT had taken the opposite approach of many states, choosing not to rescind from the accounts of the MPOs, and instead rescind additional dollars from the accounts CDOT controlled.</p> <p>The "proportionality provision" was waived for the May rescission, but remains for the September rescission, as does the restriction on rescissions from certain programs such as STP-Metro. This means that instead of rescinding up to \$120.4 million in unobligated dollars we couldn't spend anyway, we instead will be cutting</p>	<p>Motion Approved- Support staff recommend ation; recommend funds be kept in reserve.</p>

about \$98.7 million in real projects, while leaving the MPO STP-Metro account with over \$61 million, and the Safety account with over \$37 million in unobligated balances that we can't spend under the current authorization act.

CDOT is engaging the MPOs, our congressional delegation and key congressional committee staffers in an effort to fix this problem and prevent \$98.7 million in cuts this year. Colorado's fix would be to allow CDOT to rescind money proportionally in each account until we reach a zero balance of unobligated funds. This would mean the department would not have to cut "real" dollars.

After a \$98.7 million "real" dollar rescission there are TC Contingency funds of \$32 million remaining for FY 10. The staff is recommending that the Commission keep this in reserve, rather than allocating, because the outlook for FY 10 and FY 11 remains unstable.

It is important to note that the \$98.7 million would be available to spend if the rescission issue is fixed. Either way, money currently in the STIP will remain in the STIP if we take the outlined actions to fund a possible "real" dollar rescission.

AASHTO recently released projections showing Colorado's allocation for next year at \$286 million, as opposed to the \$330 million worst case scenario we had forecast.

Mickey Ferrell: Because of "pay as you go," we can't deficit spend as we have in the past to keep the trust fund afloat. We will have to cut programs or raise new revenue. The President has said he will veto a bill that doesn't include "pay as you go." The fixes are not as easy as they previously were.

Motion Proposed by Wayne Williams: Support staff recommendation; recommend to the Transportation Commission that these funds be kept in reserve until more is known about the September rescission.

Motion approved unanimously.

See Handout: FY 09 and FY 10 Funding Reconciliation Memorandum; Revenue

	<i>Projections for SB 09-108</i>	
American Recovery and Reinvestment Act- Jennifer Finch	CDOT has passed the 50% mark on the obligation of ARRA funds.	No Action Taken
Other Business	None.	No Action Taken