

**Transportation Commission of Colorado**  
**Regular Meeting Minutes**  
**March 16, 2016**

**Chairwoman Kathy Connell convened the meeting at 1:07 p.m. at the CDOT Headquarters in Denver.**

PRESENT WERE: Kathy Connell, Chairwoman, District 6  
Shannon Gifford, District 1  
Ed Peterson, District 2  
Heather Barry, District 4  
Kathy Gilliland, District 5  
Kathy Hall, District 7  
Sidny Zink, District 8  
Bill Thiebaut, District 10  
Steven Hofmeister, District 11

EXCUSED: Nolan Schriner, District 9  
Gary Reiff, Vice Chair District 3

ALSO PRESENT: Shailen Bhatt, Executive Director  
Michael Lewis, Deputy Executive Director  
Josh Laipply, Chief Engineer  
Debra Perkins-Smith, Director of Transportation Development  
Maria Sobota, CFO  
Herman Stockinger, Government Relations Director  
Paul Jesaitis, Region 1 Transportation Director  
Dave Eller, Region 3 Transportation Director  
Johnny Olson, Region 4 Transportation Director  
Kerrie Neet, Region 5 Transportation Director  
Kathy Young, Chief Transportation Counsel  
Scott McDaniel, Staff Services Director  
David Spector, HPTE Director  
Ryan Rice, Operations Division Director  
Mark Imhoff, Director of Transit and Rail  
Vince Rogalski, STAC Chairman  
David Ulane, Director of Aeronautics  
Alicia Nolan, FHWA Representative

AND: Other staff members, organization representatives,  
the public and the news media

An electronic recording of the meeting was made and filed with supporting documents in the Transportation Commission office.

Chairwoman Connell noted that item #9 on the agenda, Wadsworth Highland to 10<sup>th</sup> Right of Way Condemnation has been pulled from the agenda, and will go in front of the commission at a later date.

**Audience Participation**

Chairwoman Connell opened the meeting for general public comment. There were no public comments. As the meeting started early, she mentioned they will be opening the floor for public comment multiple times throughout the meeting.

### **STAC Report**

Vince Rogalski had a couple items to report. This week, on Friday there will be a STAC meeting. At the last STAC meeting, Traffic Incident Management was discussed. At the meeting cooperation between emergency responders and highway patrol was highlighted to show how well accidents are cleared off. He also mentioned that SB 228 projects were strategically listed in 2014 to show the need of the money. The discussion at the time was about adding new projects to the list. To decide on particular projects will be on or off the list, they are put through a strict metric.

### **Individual Commissioner Comments**

Commissioner Hall commented on the rock fall on I-70 and how significant the impact is to everyone on the west of the corridor and along it. The canyon is a significant economic driver in the area, and the commission needs to be very aware of this fact. This is a good place where an alternate route would help in situations like the rock fall.

Commissioner Gifford spoke at the Downtown Democratic forum. She was given the opportunity to give a broad overview of CDOT, and focused on local issues. However the rock fall topic was brought up as well. She stated that as part of living in such a beautiful state like Colorado, we have to deal with issues like the Glenwood Canyon fall. She also stated that there is a lot of concern around town regarding the drainage project connected with the Central 70 Project.

Commissioner Hofmeister had a slower month in Northeastern Colorado. He noted that he has seen an uptick in construction now that spring is upon us.

Commissioner Thiebaut stated that he was very surprised with how good the road conditions were on Monument pass despite the storm. He congratulated the people who do that great work along the highway. Commissioner Thiebaut also was impressed with the signs stating how many cell phone related deaths there have been in the state. It made him reflect on why safety when driving is paramount when driving on the CDOT system.

Commissioner Peterson spoke with the Arvada Kiwanis club the morning of commission. He spoke to about 40 people about safety issues and the Goals at CDOT to be the best DOT in the nation. Commissioner Peterson also attended JEFFTAG, where he had a robust discussion on transportation issues in the area.

Commissioner Zink attended a Transit Town Hall in Durango that had a very engaged conversation on issues throughout the 5 county area. Executive Director Bhatt along with some staff took the trip down to Durango to conduct interviews for the new Region 5 Director.

Commissioner Barry thanked Louisville for hosting Bagels with Barry last week, and thanked the RTDs and staff for their help.

Commissioner Gilliland had a lot of activity this month around TRANSbond and tolling. She continues to get the word out about why CDOT needs more revenue streams. She attended a roundtable with a number of officials that centered on transportation. She stated there is a lot of interest throughout the area on transportation. Finally she spoke to a number of meetings in Larimer County discussing what their options are to help their traffic situation. They are finding a number of solutions to bring money to the table and help projects along through regional collaboration. She is hopeful for the TIGER Grants, and is happy to see this level of collaboration.

Chairwoman Connell took a second to recognize the hard work of her fellow commissioners this month. She has seen a lot of partnership between the staff and commission, and is thankful to see that. Next, she seconded Kathy Hall's comments on the need to look at resiliency plans around I-70 for when issues like the rock fall occur. In February, she had the opportunity to travel with CDOT to Washington, DC. Thanks to efforts from staff, they were fully prepared for great conversations with the senators and representatives. They were all very successful meetings that ended with a lot of positive discussions. Finally she noted that the PPSL was used on her trip in as a detour route around a wreck. This reduced the potential for a huge wreck, and thanked the crew for that great solution.

### **Executive Director's Report**

Executive Director Shailen Bhatt agreed that there was great collaboration and meetings in Washington, D.C. He also thanked the commission for their interest and time taken out to fight for good transportation in the state. He noted that typically in transportation the criticism is typically negative, not positive.

He stated that to become the best, we need to save lives and make lives better. However this year, we have had 59 fatalities on our roads. That number is much better than this same time last year, however zero deaths on the roadway is the goal.

Finally, he shared that Denver has been selected as a finalist for the Smart Cities competition. He noted that RoadX and their partnership with Denver was a big part in Denver being accepted as a finalist.

### **Chief Engineer's Report**

Chief Engineer Josh Laipply had the opportunity to go the Hispanic Contractors Award banquet. At the banquet, he was asked to speak after Denver Mayor Michael Hancock about the Central 70 project. CCA and ACEC met with CDOT for a training seminar. The goal of this first time meeting was to get everyone on the same page for project collaboration and to solve project issues better as a team in the future. Additionally, he introduced the new Program Management Office Director, Jane Fischer.

### **HPTE Director's Report**

HPTE director David Spector updated the commissioners on the HPTE board, who approved the P3 Management Manual, complying with their audit findings. The board will also be doing a strategic planning retreat in April to figure out their direction for

the future. He also had the opportunity to talk at a P3 conference in Texas. He noted there is a lot of nationwide interest in what CDOT is doing in the field of P3s.

Last month, the I-25 North Loop was approved at a very favorable rate. This opens up the express tolls all the way up to E-470. Additionally, the first two segment lanes are going to be open this week. Toll commencement will take place early in the summer. Phase 2 on Us 36 will open in late March, and the bike lane is fully open. Finally, he noted that the Central 70 Final EIS ROD will be received later this summer.

### **FHWA Division Administrator Report**

FHWA Division Administrator John Cater updated the commission on the requirements of MAP 21 that required performance management in state DOT's. They are releasing now the requirements after a tremendous amount of communication and collaborations. He recently had the chance to meet with his counterparts in the west. They discussed how to better address improper payments across the program nationally. They will be releasing a corrective action program nationally shortly. Additionally, it is important for CDOT to release their ADA plan shortly to comply with federal standards.

### **Act on Consent Agenda**

Chairwoman Connell entertained a motion to approve the Consent Agenda. Commissioner Gilliland moved for approval of the resolution, and Commissioner Peterson seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

### **Resolution #TC-16-3-1**

BE IT HEREBY RESOLVED, that the Transportation Commission's Regular Meeting Minutes for Feb. 18, 2016, are approved.

### **Repeal of Policy Directive 207.0**

### **Resolution #TC-16-3-2**

**Resolution # TC-16-3-2**

Repeal of Policy Directive 207.0 "Travel Policy".

**Approved by the Transportation Commission on March 16, 2016**

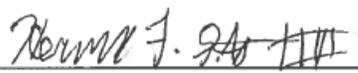
**WHEREAS**, under the Colorado Revised Statutes § 43-1-106(8), the Transportation Commission of Colorado has the statutory responsibility to set policies for the Colorado Department of Transportation (CDOT); and

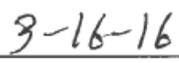
**WHEREAS**, the Transportation Commission supports the Department's efforts to eliminate when possible directives that are no longer necessary, are out of date, or are duplicative of federal and state laws and regulations; and

**WHEREAS**, Policy Directive 207.0 was adopted by the Transportation Commission on February 18, 2010, providing general policy for out-of-state, in-state, and foreign travel by Department employees; and

**WHEREAS**, Policy Directive 207.0 is no longer necessary given that the Executive Director has updated Procedural Directive 207.2 "Out-of-State Travel" which improves the process and reduces paperwork, and existing Procedural Directive 207.1 provides sufficient guidance for in-state travel.

**NOW THEREFORE BE IT RESOLVED**, the Commission herein REPEALS Policy Directive 207.0 "Travel Policy" as being no longer necessary.

  
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Herman Stockinger, Secretary  
Transportation Commission of Colorado

  
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Date of Approval

**Repeal of Policy Directive 501.0**

**Resolution #TC-16-3-3**

**Resolution # TC-16-3-3**

Repeal of Policy Directive 501.0 "Drainage Design and Cooperative Storm Drainage System"

**Approved by the Transportation Commission on March 16, 2016**

**WHEREAS**, under the Colorado Revised Statutes § 43-1-106(8), the Transportation Commission of Colorado has the statutory responsibility to set policies for the Colorado Department of Transportation (CDOT); and

**WHEREAS**, the Transportation Commission supports the Department's efforts to eliminate when possible directives that are no longer necessary, are out of date, or are duplicative of federal and state laws and regulations; and

**WHEREAS**, Policy Directive 501.0 was adopted by the Transportation Commission on July 20, 2009, and referenced Procedural Directives 501.1 and 501.2 for implementation requirements; and

**WHEREAS**, the Executive Director has updated Procedural Directive 501.1 to consolidate and include all of the requirements in Policy Directive 501.0 and Procedural Directives 501.1 and 501.2; and

**WHEREAS**, Policy Directive 501.0 is no longer necessary given that Procedural Directive 501.1 provides sufficient guidance.

**NOW THEREFORE BE IT RESOLVED**, the Commission herein REPEALS Policy Directive 501.0 "Drainage Design and Cooperative Storm Drainage System" as being no longer necessary.

  
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Herman Stockinger, Secretary  
Transportation Commission of Colorado

3-16-16  
Date of Approval

**Repeal of Policy Directive 503.0**  
**Resolution #TC-16-3-4**

**Resolution # TC-16-3-4**

Repeal of Policy Directive 503.0 "Landscaping with Native Plant Material"

**Approved by the Transportation Commission on March 16, 2016**

**WHEREAS**, under the Colorado Revised Statutes § 43-1-106(8), the Transportation Commission of Colorado has the statutory responsibility to set policies for the Colorado Department of Transportation (CDOT); and

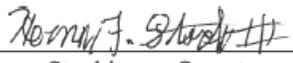
**WHEREAS**, the Transportation Commission supports the Department's efforts to eliminate when possible directives that are no longer necessary, are out of date, or are duplicative of federal and state laws and regulations; and

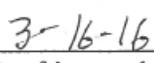
**WHEREAS**, Policy Directive 503.0 was adopted by the Transportation Commission on December 15, 1977; and

**WHEREAS**, federal and state laws have changed since 1977, including requirements related to landscaping plantings, irrigation, water conservation, composting, and best practices with regard to lessening chemical use on Department rights-of-way; and

**WHEREAS**, Policy Directive 503.0 is no longer necessary given that the Executive Director has updated Procedural Directive 503.1 "Landscaping with Colorado Native Plant Species" which provides detailed procedures for the Department to follow pursuant to updated federal and state requirements.

**NOW THEREFORE BE IT RESOLVED**, the Commission herein REPEALS Policy Directive 503.0 "Landscaping with Native Plant Materials" as being no longer necessary.

  
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Herman Stockinger, Secretary  
Transportation Commission of Colorado

  
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Date of Approval

**Release for Public Review Draft FY 2017-2020 STIP**

**Resolution #TC-16-3-5**

**Resolution # TC-16-3-5**

Resolution for Release of the Fiscal Year 2017-2020 Statewide Transportation Improvement Program (STIP) for Public Review and Comment Period

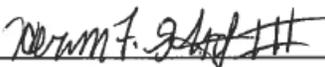
**Approved by the Transportation Commission on March 16, 2016**

**WHEREAS**, the Fiscal Year 2017-2020 Statewide Transportation Improvement Program has been prepared in accordance with 23 CFR Parts 450.210 and 450.216; and

**WHEREAS**, the Fiscal Year 2017-2020 Statewide Transportation Improvement Program is consistent with the 2040 Statewide Transportation Plan; and

**WHEREAS**, 23 CFR Part 450.210 requires public comment on the proposed STIP, which will take place between March 22, 2016 and April 29, 2016.

**NOW THEREFORE BE IT RESOLVED**, that the Colorado Transportation Commission releases the Fiscal Year 2017-2020 Statewide Transportation Improvement Program, in conjunction with 23 CFR Part 450.210, for public review and comment.

  
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Herman Stockinger, Secretary

Approval Transportation Commission of Colorado

3-22-16  
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Date of

**Discuss and Act on Maintenance Projects over \$50k and under \$150k**  
**Resolution #TC-16-3-6**

**Resolution #TC-16-3-6**

Additions to Fiscal Year 2016 over \$50,000 project list approval

**Approved by the Transportation Commission on March 16, 2016**

**WHEREAS**, under Senate Bill 98-148, public projects supervised by the Colorado Department of Transportation (CDOT) are exempt from the requirements of the "Construction Bidding for Public Projects Act;" and

**WHEREAS**, Section 24-92-109, Colorado Revised Statutes, as amended, requires CDOT to prepare cost estimates for projects to be undertaken by CDOT maintenance crews that exceed \$50 thousand, but are less than or equal to \$150 thousand for submission to the Transportation Commission for review and approval; and

**WHEREAS**, CDOT staff have prepared a cost estimate for these projects to be done in Fiscal Year 2016 as detailed in the memorandum entitled; Section 1 Addition to FY 16 over \$50,000.00

**WHEREAS**, the funding for this project is contained in the Fiscal Year 2016 Budget.

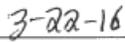
**NOW THEREFORE BE IT RESOLVED**, the Transportation Commission has reviewed the cost estimate, as contained in the official agenda, and approves CDOT Maintenance Forces undertaking the project therein.  
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**Region 4 Section 1**

Highway	Begin MP	End MP	Type	Estimate
34B	166.1	166.1	Culvert Lining	\$51,900.00
34A	111.233	By Pass	Slope Paving	\$54,200.00
Total - Region 4 Section 1				\$106,100.00

Sufficient funds exist within the appropriate MPA's to pursue this project. The project is in accordance with the directive and all other requirements.

  
Herman Stockinger, Secretary  
Transportation Commission of Colorado

  
Date of Approval

## **SH 128 ROW Exchange**

### **Resolution #TC-16-3-7**

#### **Resolution # TC-16-3-7**

SH 128 ROW Exchange.

#### **Approved by the Transportation Commission on March 16, 2016**

**WHEREAS**, Jefferson County Rocky Mountain Airport was granted a federal grant from the Federal Aviation Administration (FAA) in the early 2010's to lengthen its main runways;

**WHEREAS**, realignment of a portion of SH 128 northwesterly was necessary to extend Jefferson County Rocky Mountain Airport's runways;

**WHEREAS**, Jefferson County was required to obtain all of the right of way for the realignment of SH 128 in accordance with all CDOT, state and federal regulations;

**WHEREAS**, upon completion, the acquired right of way of the realigned SH 128 was to be exchanged with CDOT for the right of way now lying underneath the extended runways

**WHEREAS**, realignment of SH 128 has been completed;

**WHEREAS**, Parcel 2 consists of 440,945 square feet;

**WHEREAS**, Parcels 1, 1A, PE-1, PE-3, PE-3A, AP-4Rev, 5 and 5A combined consist of 548,553 square feet;

**WHEREAS**, the Department of Transportation would like to exchange Parcel 2 for Parcels 1, 1A and PE-1 from the City and County of Broomfield and Parcels PE-3, PE-3A, AP-4Rev, 5, 5A from the County of Jefferson;

**WHEREAS**, the disposal of Parcel 2 will not affect the operation, maintenance, use or safety of CDOT's facility;

**WHEREAS**, the Department of Transportation, Region 1 has declared through Joshua Laipply as Chief Engineer, that the 440,945 sf of Parcel 2 is not needed for transportation purposes;

**WHEREAS**, pursuant to Colorado Revised Statutes (C.R.S) 43-1-210(5)(a)(I) The Department of Transportation is authorized, subject to approving resolution of the Transportation Commission, to dispose of any property or interest therein which is no longer needed for transportation purposes for fair market value;

**WHEREAS**, the parcels being exchanged have the same value on a dollar per square foot basis;

**WHEREAS**, CDOT is obtaining more square feet than it is disposing of in this exchange, and therefore meets the requirement to obtain fair market value in accordance with (C.R.S) 43-1-210(5)(a)(I);

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**Property Disposal: SH 385 Wray, CO**  
**Resolution #TC-16-3-8**

**Resolution # TC-16-3-8**

Property disposal: SH 385 Wray, CO

**Approved by the Transportation Commission on March 16, 2016**

**WHEREAS**, CDOT acquired Parcel 1EX (Tract 1) in 1953 in Yuma County as a part of CDOT Project # S 0001 (11) for use as US 385;

**WHEREAS**, actual construction of US 385 was not centered in the right of way, which created an excess, Parcel 1EX (Tract 1), on one side of the curve;

**WHEREAS**, Parcel 1EX (Tract 1) consists of 23,142 square feet;

**WHEREAS**, CDOT discovered signage advertising business on the adjacent property encroaching upon Parcel 1EX (Tract 1);

**WHEREAS**, the adjacent property owners, William E. Cure and Janet K. Cure would like to resolve the encroachment;

**WHEREAS**, the disposal of Parcel 1EX (Tract 1) would resolve the encroachment;

**WHEREAS**, the Department of Transportation would like to sell Parcel 1EX (Tract 1) to the adjacent property owner, William E. Cure and Janet K. Cure for fair market value;

**WHEREAS**, the disposal of Parcel 1EX (Tract 1) will not affect the operation, maintenance, use or safety of CDOT's facility;

**WHEREAS**, the Department of Transportation, Region 4 has declared through Joshua Laipply as Chief Engineer, that Parcel 1EX (Tract 1) is not needed for transportation purposes;

**WHEREAS**, pursuant to Colorado Revised Statutes (C.R.S) 43-1-210(5)(a)(I) The Department of Transportation is authorized, subject to approving resolution of the Transportation Commission, to dispose of any property or interest therein which is no longer needed for transportation purposes for fair market value;

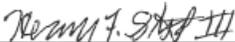
**WHEREAS**, the Department has determined that Parcel 1EX consisting of 23,142 sf of US 385 right of way is of use only to the adjacent property owner;

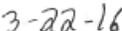
**WHEREAS**, pursuant to Colorado Revised Statutes (C.R.S) 43-1-210(5)(a)(III) when a parcel that is no longer needed for transportation purposes has value to only one adjacent owner, that owner shall have first right of refusal to purchase said property for fair market value;

**WHEREAS**, William E. Cure and Janet K. Cure desires to exercise its right of refusal to purchase the 23,142 sf of US 385 right of way which is no longer needed for transportation purposes;

**NOW THEREFORE BE IT RESOLVED**, pursuant to the provisions of the C.R.S, 43-1-210(5) and 23 CFR 710.403 the Department of Transportation be given authority to declare Parcel 1EX (Tract 1) as excess property and dispose of the 23,142 sf of US 385 right of way, which is no longer needed for transportation purposes for fair market value.

**FURTHER**, funds from the sale of the property shall be disbursed in accordance with Section 7.2.15 of the CDOT Right-of-Way Manual.

  
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Herman Stockinger, Secretary  
Transportation Commission of Colorado

  
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Date of Approval

# **Relinquishment of I-70 Parcels to Eagle County**

## **Resolution #TC-16-3-9**

### **Resolution # TC-16-3-9**

Relinquishment of I-70 Parcels to Eagle County

**Approved by the Transportation Commission on March 16, 2016**

**WHEREAS**, CDOT acquired Parcels 37 REV.3, 38 REV.3, 41-B and E-41A in the early 1970s in Eagle County as a part of CDOT Project No. I 70-2(10) Unit 1 to facilitate the construction of I-70;

**WHEREAS**, the subject parcels were acquired to effect of a channel change of the Eagle River for the construction of I-70;

**WHEREAS**, the subject parcels have not been needed for transportation or maintenance purposes subsequent to the river channel change and construction of I-70;

**WHEREAS**, Parcel 37 REV.3 consists 0.818 acres;

**WHEREAS**, Parcel 38 REV.3 consists 1.074 acres;

**WHEREAS**, Parcel 41-B consists 2.174 acres;

**WHEREAS**, the combined Parcels 37Rev.3, 38Rev.3 and 41-B consists of 4.066 acres of land;

**WHEREAS**, Parcel E-41A, a permanent easement, contains 0.714 acres;

**WHEREAS**, Eagle County is interested in the subject parcels to accommodate the development of a whitewater park and associated amenities;

**WHEREAS**, the Department of Transportation would like to quitclaim Parcels 37Rev.3, 38Rev.3, 41-B and E-41A to the County of Eagle;

**WHEREAS**, if the 4.066 acres, comprising Parcels 37Rev.3, 38Rev.3 and 41-B, and the 0.714 acres, Parcel E-41A, to be conveyed to Eagle County ever ceases to use the subject parcels for social, environmental and nonproprietary governmental purposes pursuant to 23 CFR 710.403(d)(1) then the subject parcels shall revert to CDOT;

**WHEREAS**, in the event the placement of outdoor advertising signs on or near the subject parcels violates the Federal-Aid Highway Act of 1958 and/or the Federal Highway Beautification Act of 1965, the subject parcels shall revert to CDOT, after notice and a reasonable opportunity to cure;

**WHEREAS**, the disposal of Parcels 37 REV.3, 38 REV.3, 41-B and E-41A will not affect the operation, maintenance, safety or use of any CDOT facility;

**WHEREAS**, the Department of Transportation, Region 3 has declared through Joshua Laipply as Chief Engineer, that the 4.066 acres of land and 0.714 acres of permanent easement is not needed for State transportation purposes;

**WHEREAS**, pursuant to Colorado Revised Statutes (C.R.S) 43-1-210(5)(a)(I) The Department of Transportation is authorized, subject to approving resolution of the Transportation Commission, to dispose of any property or interest therein which is no longer needed for transportation purposes;

**WHEREAS**, 23 CFR 710.403(d)(1) allows CDOT to convey property to other governmental entities for nominal value if the property is used for social, environmental, economic or nonproprietary governmental use;

**WHEREAS**, FHWA has concurred to the disposal of the subject parcels;

**WHEREAS**, the County of Eagle desires to exercise its right of refusal to purchase the 4.066 acres of land and 0.714 acres of permanent easement in I-70 right of way, which is no longer needed for State transportation purposes;

**WHEREAS**, the Board of County Commissioners of the County of Eagle adopted Resolution No. 2015-007, authorizing acceptance of the subject parcels solely for social, environmental and nonproprietary governmental purposes pursuant to 23 CFR 710.403(d)(1);

**NOW THEREFORE BE IT RESOLVED**, pursuant to the provisions of the C.R.S, 43-1-210(5) and 23 CFR 710.403 the Department of Transportation be given authority to declare Parcels 37Rev.3, 38Rev.3, 41-B and E-41A as excess property and dispose of the I-70 right of way which is no longer needed for State transportation purposes for nominal value.

Herman F. Stockinger III  
Herman Stockinger, Secretary  
Transportation Commission of Colorado

3-22-16  
Date of Approval

# **Disposal of Abandoned Rifle Maintenance Site** **Resolution #TC-16-3-10**

## **Resolution # TC-16-3-10**

Disposal of Abandoned Rifle Maintenance Site.

**Approved by the Transportation Commission on March 16, 2016**

**WHEREAS**, CDOT acquired property located at 1115 Park Avenue in the City of Rifle in 1947 and used the property as a maintenance site serving portions of Garfield County;

**WHEREAS**, CDOT ceased using the property as a maintenance site in 1989;

**WHEREAS**, the establishment of additional maintenance sites have rendered this property unnecessary for CDOT purposes;

**WHEREAS**, the subject property consists of 36,250 square feet (0.832 acres);

**WHEREAS**, Garfield County would like to purchase the property without restrictions or reversions at fair market value;

**WHEREAS**, the Department of Transportation would like to sell the property located at 1115 Park Avenue in the City of Rifle to Garfield County;

**WHEREAS**, the disposal of the subject property will not affect the operation, maintenance, use or safety of CDOT's facility;

**WHEREAS**, the Department of Transportation, Region 3 has declared through Joshua Laippy as Chief Engineer, that property is no longer needed for maintenance of transportation purposes;

**WHEREAS**, pursuant to Colorado Revised Statutes (C.R.S.) 43-1-210(5)(a)(I) The Department of Transportation is authorized, subject to approving resolution of the Transportation Commission, to dispose of any property or interest therein which is no longer needed for transportation purposes;

**WHEREAS**, the Department has determined that the subject property consisting of 36,250 sf has stand-alone value;

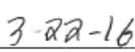
**WHEREAS**, pursuant to Colorado Revised Statutes (C.R.S.) 43-1-210(5)(a)(IV), if the Department determines that such property or interest is of use to more than one owner or potential owner, any political subdivision of this state including but not limited to any state agency, city or town, or county located within the boundaries of the property or interest therein shall have first right of refusal to purchase or exchange such property or interest at the fair market value;

**WHEREAS**, Garfield County desires to exercise its first right of refusal to purchase the subject property, which is no longer needed for maintenance or transportation purposes;

**NOW THEREFORE BE IT RESOLVED**, pursuant to the provisions of the C.R.S, 43-1-210(5) and 23 CFR 710.403 the Department of Transportation be given authority to declare the subject property at 1115 Park Avenue in Rifle as excess property and sell the subject property consisting of 36,250 sf, which is no longer needed for maintenance or transportation purposes for fair market value.

**FURTHER**, funds from the sale of the property shall be disbursed in accordance with Section 7.2.15 of the CDOT Right-of-Way Manual.

  
Herman Stockinger, Secretary

  
Date of Approval

# **Ratification of TC Resolution #TC-3212**

## **Resolution #TC-16-3-11**

### **Resolution # TC-16-3-11**

Ratification of Transportation Commission Resolution #TC-3212  
Abandoning SH 33 BRIDGE #E-17-AH Project #NHPP -33A-001 and  
Project Code 20343 to the City and County of Denver.

**Approved by the Transportation Commission on March 16, 2016**

**WHEREAS**, the Transportation Commission is authorized pursuant to Colorado Revised Statutes § 43-2-106 to make determinations regarding abandonment of State Highways to the affected counties or municipalities; and

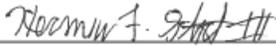
**WHEREAS**, the Transportation Commission approved the abandonment of Bridge #E-17-AH on State Highway 33 to the City and County of Denver ("City") through Resolution #TC-3212 on December 18, 2014, in exchange for a payment of \$2,000,000.00; and

**WHEREAS**, Resolution #TC-3212 and Colorado Revised Statutes §43-2-106(1)(a) required the City to adopt an ordinance within 90 days of official notice of abandonment by the Transportation Commission, which was December 19, 2014; and

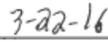
**WHEREAS**, CDOT staff worked with City representatives, but the City did not pass the requisite ordinance agreeing to accept ownership of SH 33 Bridge #E-17-AH until January 19, 2016; and

**WHEREAS**, in order to comply with statutory requirements, CDOT requests that the Transportation Commission ratify its previous resolution in which it abandoned SH 33 BRIDGE #E-17-AH to the City and County of Denver in exchange for a payment of \$2,000,000.00.

**NOW THEREFORE BE IT RESOLVED**, the Transportation Commission ratifies Transportation Commission Resolution #TC-3212 abandoning SH33 BRIDGE #E-17-AH to the City and County of Denver in exchange for a payment of \$2,000,000.00.



Herman Stockinger, Secretary  
Transportation Commission of  
Colorado



Date

## **P3 Manual**

### **Resolution #TC-16-3-12**

#### **Resolution #TC-16-3-12**

Approving the CDOT/HPTE P3 Management Manual

#### **Approved by the Transportation Commission on March 16, 2016**

**WHEREAS**, pursuant to Section 43-1-106(8), C.R.S, the Transportation Commission is responsible for formulating the general policy of the Colorado Department of Transportation ("CDOT"); and

**WHEREAS**, on September 30, 2013, by Resolution #TC-3100, the Transportation Commission approved a Memorandum of Understanding ("the "MOU") between CDOT and the High Performance Transportation Enterprise ("HPTE") defining the roles and responsibilities of CDOT and HPTE in advancing and promoting their respective missions, including with respect to projects involving public-private partnerships ("P3s"); and

**WHEREAS**, the March 30, 2015, HPTE Legislative Audit concluded that the application of project management principles is crucial to managing projects for the State, and recommended the development of additional guidance to support such a framework; and

**WHEREAS**, HPTE and CDOT have jointly developed a P3 Management Manual to provide for a consistent approach for the selection of potential P3 projects, and to outline a framework for the development, implementation and oversight of P3 projects; and

**WHEREAS**, in order to optimize efficiencies in the delivery of P3 projects, the P3 Management Manual clarifies the roles and responsibilities of CDOT and HPTE with respect to the delivery of P3 projects, including certain identified areas where changes have been made from the allocation of roles and responsibilities described in the MOU; and

**WHEREAS**, to the extent there are inconsistencies between the P3 Management Manual and the MOU, it is the intent of the Transportation Commission that the P3 Management Manual shall govern.

**NOW THEREFORE BE IT RESOLVED**, the Transportation Commission hereby approves the P3 Management Manual in the form presented.

**BE IT FURTHER RESOLVED**, the Transportation Commission also authorizes CDOT's Executive Director or the Chief Engineer to deviate from the specific requirements outlined in the P3 Management Manual if a particular project or circumstance warrants such deviation, and to approve minor revisions to the P3 Management Manual, provided that the Executive Director or Chief Engineer shall timely report to the Chairperson of the Transportation Commission any

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### **Discuss and Act on the 9<sup>th</sup> Budget Supplement of FY 2016**

CFO Maria Sobota drew the commissioner's attention to the one project and one snow and ice requests. There was also a RoadX request that had been submitted before. Finally there are a few FHWA requests in the supplement as well. Maria opened the floor for questions.

Commissioner Zink asked for clarification for the shortfall. Maria Sobota stated that they have a projection for the year, however at this point the projection is historical, so we cannot project an accurate shortfall. They will ask for funding once a accurate projection is available.

Chairwoman Connell entertained a motion to approve the Consent Agenda. Commissioner Hofmeister moved for approval of the resolution, and Commissioner Gilliland seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

**Resolution #TC-16-3-13**

**Discuss and Act on Fiscal Year 2015-16 Amended Annual Budget**

Maria Sobota opened the floor for questions. There were none.

Chairwoman Connell entertained a motion to approve the Consent Agenda. Commissioner Peterson moved for approval of the resolution, and Commissioner Hofmeister seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

**Resolution #TC-16-3-14**

**Resolution # TC-16-3-14**

Resolution for the amended fiscal year 2015-16 annual budget.

**Approved by the Transportation Commission on March 16, 2016**

**WHEREAS**, in accordance with § 43-1-113 (2), C.R.S. (2015) requires the Transportation Commission to submit a final budget allocation plan for moneys subject to its jurisdiction for each fiscal year beginning on July 1 to the Joint Budget Committee, the House Transportation and Energy Committee, the Senate Transportation Committee and the Governor on or before December 15 of the prior year for their review and comments; and

**WHEREAS**, C.R.S. § 43-1-113(9)(c) requires the Transportation Commission adopt a final budget allocation plan, which shall upon approval by the Governor constitute the budget for the Department of Transportation for each fiscal year; and

**WHEREAS**, the Transportation Commission adopted and submitted the Fiscal Year 2015-16 final budget allocation plan to the Governor by April 15, 2015; and

**WHEREAS**, the Fixing America's Surface Transportation Act created updated funding formulas and allocations to the Colorado Department of Transportation for Fiscal Year 2015-16; and

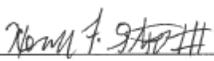
**WHEREAS**, the Office of State Planning and Budgeting (OSPB) released an economic forecast in December 2015 projecting a General Fund transfer to the State Highway Fund of \$200.2 million, requiring adjustments in CDOT Senate Bill 09-228 estimates; and

**WHEREAS**, the Fiscal Year 2015-16 final budget allocation plan requires an updated strategic projects line item based on the December 2015 OSPB economic forecast; and

**WHEREAS**, the Division of Aeronautics has an updated revenue forecast for Fiscal Year 2015-16; and

**WHEREAS**, the updated program allocations on the Fiscal Year 2015-16 final budget allocation plan require Transportation Commission authorization for the remainder of the fiscal year.

**NOW THEREFORE BE IT RESOLVED**, that the Colorado Department of Transportation's amended budget allocation plan for the period of July 1, 2015 through June 30, 2016, including the creation of the National Highway Freight Program, is approved by the Transportation Commission.

  
\_\_\_\_\_  
Herman Stockinger, Secretary  
Transportation Commission of Colorado

3-22-16  
\_\_\_\_\_  
Date of Approval

**Discuss and Act on Final Fiscal Year 2016-17 Annual Budget Approval**

Maria Sobota opened the floor for questions. There were none.

Chairwoman Connell entertained a motion to approve the Consent Agenda. Commissioner Hall moved for approval of the resolution, and Commissioner Barry seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

**Public Comment**

Joe Keily, VP of operations for Ports to Plains shared a document with the commission that discusses transportation and rural Colorado. He hopes this document is helpful to the commission in signifying the importance of funding transportation on a Statewide basis.

Commissioner Gilliland thanked Joe for passing out the document, and encouraged the commission take a look at it.

Rick Klien, with the City of La Junta thanked the Commission for supporting the Southwest Chief in the TIGER VII. He stated they are going for TIGER VIII Project and hopes the commission will support the application.

## **Resolution #TC-16-3-15**

### **Resolution # TC-16-3-15**

Resolution for the fiscal year 2016-17 annual budget.

**Approved by the Transportation Commission on March 16, 2016**

**WHEREAS**, in accordance with § 43-1-113 (2), C.R.S. (2015) requires the Transportation Commission to submit a draft budget allocation plan for moneys subject to its jurisdiction for the fiscal year beginning on July 1, 2016 to the Joint Budget Committee, the House Transportation and Energy Committee, the Senate Transportation Committee and the Governor on or before December 15, 2015 for their review and comments; and

**WHEREAS**, C.R.S. § 43-1-113(9)(c) requires the Transportation Commission adopt a final budget allocation plan, which shall upon approval by the Governor constitute the budget for the Department of Transportation for Fiscal Year 2016-17; and

**WHEREAS**, the chart below shows the baseline Fiscal Year 2016-17 budget recommendations for Asset Management and the recommended Fiscal Year 2016-17 RAMP program allocations for each asset.

	Baseline	PriorTransBond Allocation	RAMP	Total
Surface Treatment	150.0		92.1	242.1
Bridge, BE and Bridge Fixed Costs	149.0		18.4	167.4
MLOS	262.6			262.6
RoadEquipment	0.0		26.4	26.4
ITS Maintenance	15.0		9.5	24.5
Geohazards	5.1	4.9		10.0
Buildings	10.0		11.4	21.4
Tunnels	0.0	7.2	0.4	7.6
Culverts	0.0	10.0	1.0	11.0
Walls	0.0		5.8	5.8
Traffic Signals	0.0	16.9		16.9
<b>TOTAL</b>	<b>591.7</b>	<b>39.0</b>	<b>165.0</b>	<b>795.7</b>

**WHEREAS**, under Policy Directive 703.0, those Asset Management programs with Transportation Commission approved metrics shall rely on statewide asset management models to develop their projects lists and those without approved metrics shall provide project lists to the Transportation Commission; and

**WHEREAS**, the Fiscal Year 2016-17 budget allocation plan contains funding requests from Colorado Department of Transportation Divisions to increase program allocations from the Fiscal Year 2015-16 budget allocation plan; and

**WHEREAS**, these funding requests are included within the Fiscal Year 2016-17 budget allocation plan; and

**WHEREAS**, in November 2010, the Transportation Commission adopted TC Resolution #TC-1925 approving the policy of transferring federal bridge funds from CDOT to the

Colorado Bridge Enterprise for purposes of advancing the business purposes of the Colorado Bridge Enterprise and this continues to be the policy of the current Transportation Commission; and

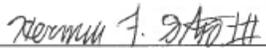
**WHEREAS**, requested by the CDOT Executive Director, the reallocation and transfer of \$15 million (\$15,000,000) of eligible federal bridge funds from CDOT to Colorado Bridge Enterprise is reflected in the approved CDOT and Colorado Bridge Enterprise Fiscal Year 2016-17 budget; and

**WHEREAS**, the National Highway Freight Program has been created through the federal Fixing America's Surface Transportation (FAST) Act and included in the budget allocation plan; and

**WHEREAS**, Fiscal Year 2016-17 revenue forecasts are based on current federal appropriation guidelines, which may change by July 1, 2016; and

**WHEREAS**, the Transportation Commission has the statutory authority to alter the Fiscal Year 2016-17 proposed budget allocation plan before and/or after it is delivered to the Governor on April 15, 2016.

**NOW THEREFORE BE IT RESOLVED**, that the Colorado Department of Transportation's budget allocation plan for the period of July 1, 2016 through June 30, 2017, including \$795.7 million allocated to Asset Management Programs as indicated above, is approved by the Transportation Commission and submitted to the Governor on or before April 15, 2016.

  
Herman Stockinger, Secretary  
Transportation Commission of Colorado

3-16-16  
Date of Approval

### **TIGER VIII – Action**

Herman Stockinger presented the TIGER VIII Resolution to the Commission. He stated that CDOT is requesting a grant for the Northwest I-25 lane, as well as a match for the Southwest Chief. He opened the floor for questions. Commissioner Theibaut thanked Mr. Klien for his hard work on the Southwest Chief, and state his support for the application.

Commissioner Gilliland stated her excitement and support for the applications.

Chairwoman Connell entertained a motion to approve the Consent Agenda. Commissioner Peterson moved for approval of the resolution, and Commissioner Gilliland seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

## **Resolution #TC-16-3-16**

### **Resolution #TC-16-3-16**

Instructing the Department to submit applications for projects under the USDOT TIGER VIII Discretionary Grant program and support priority projects submitted by other Colorado applicants.

#### **Approved by the Transportation Commission on March 16, 2016**

**WHEREAS**, the Consolidated Appropriations Act, 2016 includes a \$500 million authorization for National Infrastructure Investments, referred to by the U.S. Department of Transportation (USDOT) as TIGER Discretionary Grants; and

**WHEREAS**, a Notice of Funding Availability was issued by the U.S. Department of Transportation (USDOT) on February 23 for the Transportation Investment Generating Economic Recovery Discretionary Grant Program (also known as TIGER VIII); and

**WHEREAS**, applications for the TIGER VIII discretionary grant program are due to the U.S. Secretary of Transportation on April 29, 2016; and

**WHEREAS**, the USDOT's consideration of TIGER VIII discretionary grant applications will be based on state of good repair, economic competitiveness, quality of life, environmental sustainability, and safety as primary selection criteria; and

**WHEREAS**, the Colorado Department of Transportation (CDOT) staff evaluated and analyzed potential projects for the Department to submit under the TIGER VIII discretionary grant program; and

**WHEREAS**, the Commission understands as part of the project, the High Performance Transportation Enterprise (HPTE) will consider an approximately \$100 million commercial loan or other financing backed by a pledge of future toll revenues, with credit support from the Department through a secondary backup loan commitment, to be presented to the HPTE Board of Directors and Commission in April.

**NOW THEREFORE BE IT RESOLVED**, the Department is instructed to submit a single application for the following project under the USDOT TIGER VIII Discretionary Grant program:

- I-25 North Express Lanes- Phase I Improvements to Segments 8 and 7

**NOW THEREFORE BE IT FURTHER RESOLVED**, in order to show the Department's financial commitment to the I-25 project and because a state match is required and enhances the viability of the application, the Commission commits to funding up to \$80 million of state match for the project, with the state funding source to be determined and allocated if the TIGER VIII grant application is successful, provided local governments in the region also provide significant local match funds toward the project.

**NOW THEREFORE BE IT FURTHER RESOLVED**, the Commission also commits to providing up to \$1 million of state match from available SB 97-1 funds for a local grant application to enhance the viability of the SW Chief Amtrak line in Colorado. The funds will be allocated to the project if the grant application is successful.

**NOW THEREFORE BE IT FURTHER RESOLVED**, the Department may provide letters of support for priority projects submitted for a TIGER VII grant by other Colorado applicants.

  
Herman Stockinger, Secretary  
Transportation Commission of Colorado

3-16-16  
Date

## **Freight Discretionary Grants – Action**

Herman Stockinger presented the projects that will be pursued for the Freight Discretionary Grants applications. Staff will vet the projects, and submit the most appropriate choices. Commissioner Thiebaut asked if the projects will need to be acted upon once they are selected. They do not, staff will report back once projects are selected.

Chairwoman Connell entertained a motion to approve the Consent Agenda. Commissioner Thiebaut moved for approval of the resolution, and Commissioner Gilliland seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

## **Resolution #TC-16-3-17**

### **Resolution # TC-16-3-17**

Instructing the Department to submit applications for projects under the USDOT FASTLANE Discretionary Grant program and support projects benefiting the state highway system submitted by other Colorado applicants.

### **Approved by the Transportation Commission on March 16, 2016**

**WHEREAS**, the Fixing America's Surface Transportation (FAST) Act established a new discretionary grant program for nationally significant freight projects known as the Fostering Advancements in Shipping and Transportation for the Long-term Achievement of National Efficiencies (FASTLANE) Grants; and

**WHEREAS**, a Notice of Funding Opportunity was issued by the U.S. Department of Transportation (USDOT) on March 2 for the \$800 million FASTLANE Grant Program; and

**WHEREAS**, applications for the FASTLANE discretionary grant program are due to the U.S. Secretary of Transportation on April 14, 2016; and

**WHEREAS**, the FASTLANE discretionary grant program includes large and small project categories; and

**WHEREAS**, the Colorado Department of Transportation (CDOT) staff evaluated and analyzed potential projects for the Department to submit under both FASTLANE categories; and

**NOW THEREFORE BE IT RESOLVED**, the Department is instructed to submit applications for one project in the small project category and up to two projects in the large category, including:

- Small Project Category: Multi-State Truck Parking Information and Management System
- Large Project Category: US 287 Lamar Truck Reliever Route
- Large Project Category: US 85 Highway/Rail Corridor
- Large Project Category: US 550/US 160 Connection

**NOW THEREFORE BE IT FURTHER RESOLVED**, in order to show the Department's financial commitment to the FASTLANE projects, and because a state match is required and enhances the viability of the application, the Commission commits to funding up to the amounts in the table below, with the funds to be allocated to the projects only if a federal award is made.

Project	Match
Multi-State Truck Parking Information and Management System	Other State -\$4 M Freight Formula \$32M SB228/Other State \$27M
US 287 Lamar Truck Reliever Route	RPP \$5M
US 85 Highway/Rail Corridor	Freight Formula \$25M SB228/Other State \$20M RPP \$2.5M
US 550/US 160 Connection	Freight Formula \$25M SB228/Other State \$20M RPP \$13M Surface Treatment \$8M

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## **Recognition**

### **US 6 Project**

Josh Laipply explained that this project started out as three separate projects in the corridor. Thanks to the hard work from staff, they found out how to make the projects into a larger vision. This shrunk the price tag and construction time, in addition to bringing more improvements to the corridor. Paul Jesaitis and Josh Laipply recognized the following for their work on the project:

- Matthew Pacheco, CDOT
- Kevin Sullivan, CDOT
- Dean Bradley, FHU
- Tim Maloney, Kramer
- Nathan Corbin, Kramer
- Mike Ingram, Kramer

### **Jason Fernandez**

Paul Jesaitis read an email he received. The email told the story of a car that drove off the road in the snowstorm. Seeing the tire tracks, Jason Fernandez followed the tracks to the car, helping the two mothers and two babies in the car get out of the crash, up the hill and into his warm car and get them help. The email thanked Jason for keeping them safe and truly caring about people. Jason was presented with a safety coin for his actions in the snow storm. Executive Director Bhatt stated that Jason was a shining example of what makes CDOT the best DOT in the nation and thanked him for his great work.

**Adjournment**

Chairwoman Connell closed the January Transportation Commission meeting at 2:18 p.m.