

**Colorado Transportation Commission  
Workshop and Meeting Minutes  
July 18 & 19, 2018**

PRESENT WERE: Shannon Gifford, Chair, District 1  
Ed Peterson, District 2  
Karen Stuart, District 4  
Kathy Gilliland, District 5  
Kathy Connell, District 6  
Kathy Hall, District 7  
Sidny Zink, Chair, District 8  
Rocky Scott, District 9  
Steven Hofmeister, District 11

EXCUSED: Luella D'Angelo, District 3  
William Thiebaut, Vice-Chair, District 10

ALSO PRESENT: Michael Lewis, Executive Director  
Josh Laipply, Chief Engineer  
Herman Stockinger, Government Relations Director  
Amy Ford, Director of Advanced Mobility  
Paul Jesaitis, Region 1 Transportation Director  
Karen Rowe, Region 2 Transportation Director  
Dave Eller, Region 3 Transportation Director  
Johnny Olson, Region 4 Transportation Director  
Mike McVaugh, Region 5 Transportation Director  
Kathy Young, Chief Transportation Counsel

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

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

**Note:** Materials for specific agenda items are available here:

<https://www.codot.gov/about/transportation-commission/documents/2018-agendas-and-supporting-documents/july-2018>

Signed Resolutions for June TC are here:

<https://www.codot.gov/about/transportation-commission/approved-resolutions/2018-approved-resolutions/july-2018>

**The Transportation Commission Workshops were Wednesday, July 18, 2018 and the regular meeting was Thursday, July 19, 2018. Both the workshops and the regular meeting took place at the Colorado Department of Transportation Headquarters at 2829 W. Howard Place, Denver, CO 80204.**

---

Documents are posted at <http://www.coloradodot.info/about/transportation-commission/meeting-agenda.html> no less than 24 hours prior to the meeting. The

documents are considered to be in draft form and for information only until final action is taken by the Commission.

## **Transportation Commission Workshops**

### **Wednesday July 18, 2018**

#### **9:30 am – 11:30 am**

[Tech Committee: Internet of Roadways - Connected Vehicle Network \(Ryan Rice and Amy Ford\)](#)

**Purpose:** To inform the Transportation Commission and the Technology Committee on Advanced Mobility efforts including: Internet of Roads and RoadX Project Updates.

**Action:** Information only.

**IoR:** CDOT is proposing to build the country's first commercial-scale connected vehicle environment using vehicle to everything (V2X) technology, called the Internet of Roads (IoR), that will communicate with connected vehicles to improve the safety and mobility of the transportation system. The IoR will bring nearly \$44 million in public and private investment to Colorado to provide a 537 mile network in primarily rural environments that will provide real-time communication with connected vehicles. Supported by automotive and tech partners like Ford Motor Company, Qualcomm, and Panasonic that are already working with CDOT, the IoR will send safety and mobility-critical messages directly to drivers through infrastructure-to-vehicle (I2V) communication. It will also allow CDOT to 'listen' to the roadways through vehicle-to-infrastructure (V2I) communication, immediately notifying CDOT of crashes or hazards on the road to expedite emergency services and hasten the clearance of a crash scene. CDOT has already partnered with Panasonic in an approximately \$72 million venture to build the nation's first V2X data ecosystem capable of enabling the IoR, and the project put forward for BUILD grant funding in this application is a necessary next step to deploying the hardware and fiber optics that will enable CDOT to communicate with connected vehicles across Colorado.

CDOT also announced via a partnership with Panasonic, Ford and Qualcomm an effort to begin testing Cellular V2X connected vehicle technologies in Colorado. Over the next several months, we will be the test bed for delivering connected technologies over the LTE or eventually 5G network.

**RoadX:** CDOT is moving forward with several projects including Smart 25, Smart Pavement, each moving into construction phase.

#### **Discussion:**

- The IoR operating system is designed to not depend on one technology over another.
- CDOT is discussing extending the IoR concept beyond Colorado to interstates in Utah and Nevada. Nebraska and Kansas are in discussions with CDOT, but Nebraska DOT does not have fiber.
- CDOT proposes to apply for a federal Better Utilizing Investments to Leverage Development (BUILD) grant (the replacement for TIGER grant program) that will cover 537 miles, and include the installation of new fiber for 204 miles. The grant will be for IoR improvements along I-25, I-76, and I-70. About 76 percent of the Interstate miles covered in the BUILD grant traverse rural sections of the state.
- Specific questions about IoR from Commissioner Hofmeister and answers from staff, were:
  - *Why not take advantage of EagleNet's work on I-76?*  
EagleNet actually does not extend very far on I-76. Another company has taken over the EagleNet assets, and asked for an audit to determine what it has. The audit will take a while to complete.

- *Why not start with the rural areas first rather than beginning in the Denver metro area?*

The BUILD grant includes a large percentage of miles in rural areas. The Transportation Commission learned about the Smart Mobility Plan (a cooperative plan that CDOT, Regional Transportation District, and the Denver Regional Council of Governments) last month. The Smart Mobility Plan is a unified approach to advancing intelligent transportation.

- *Why are we re-inventing the wheel? What we have (variable message signs, variable speed limits, rumble strips, queue ahead warnings) works well.*

The main reason CDOT is considering the IoR is that it can reduce injuries and fatalities more than what we are using today. (One slide in the presentation showed that spot weather warnings in connected and autonomous vehicles have the potential to reduce property damage only, injuries, and fatalities by 25 percent compared to variable message signs.)

- *What happens when electronic communications systems shut down? (When John Deere's satellite shuts down, tractors in farming country also stop working in the fields.)*

The system will be designed to have workarounds and safeguards, and will not depend upon a single technology.

- *Why is the government getting involved when the private sector has already started setting up the infrastructure?*

From another commissioner: Agricultural combines are not the same as infrastructure for connected and autonomous vehicles. We should be partnering with private industry to take advantage of what they've created, but also making sure it fits CDOT's needs.

- As the next step, CDOT will focus on vehicle to infrastructure technology.
- CDOT is looking for money from two possible sources: the BUILD grant that, if awarded, will support us through Stage 1, and the ballot initiative if it passes. Statewide programs is the most likely category for funding infrastructure for connected and autonomous vehicles from the ballot initiative.

### [Transit and Intermodal Committee \(David Krutsinger\)](#)

#### SB 228 & 267 Update and SB 228 Year Three Project Recommendations – Jeff Sanders

**Purpose:** The purpose of this agenda item was to provide background information and discuss possible project selections using Senate Bill 228 transit funds. Staff will seek a resolution by the Transportation Commission, likely in August, to approve projects.

**Action:** Informational only this month, with action requested in August or September.

#### **Discussion**

- Commissioners wanted to know what financial assistance Pueblo offered for the two Pueblo projects (Pueblo Park and Ride and Tejon Park and Ride). One of the rationales for CDOT picking up the cost is that the downtown Pueblo Park and Ride will accommodate intercity and regional buses, as well as local transit, while the Tejon Park and Ride would include minor improvements to better accommodate intercity and local transit services. They will serve more than local transit.
- David Krutsinger, the CDOT Division of Transit and Rail (DTR) Director, said CDOT could withhold all but the design money for the Pueblo projects until CDOT receives some financial commitment from the local community.
- Commissioners discussed having a policy that CDOT will not provide money for transit unless the local governments put up some local match money. Karen Rowe, Region 2 regional transportation director, asked that the Commission, if it approves such a policy, allow more flexibility, such as permitting local governments to maintain transit facilities as their contribution.

- One Commissioner asked if CDOT has a policy on local financial contributions to transit facilities. David Krutsinger said CDOT relies as much as possible on using existing facilities for regional and interregional transit, and that agreements worked out with local governments depend very much on local circumstances.

Colorado State Freight and Passenger Rail Plan– David Krutsinger & Sharon Terranova

**Purpose:** To respond to questions proposed at the June 2018 workshop, engage in further dialogue at the July meeting, and then seek approval of the Plan at the August 2018 meeting.

**Action:** Discussion and advice in July, leading to action in August.

**Discussion:**

- A Commissioner asked if multi-modal funds in the ballot issue could improve railroad crossings, but staff said the multi-modal category is for bike, pedestrian, and transit projects, not rail.
- Another Commissioner said she is supportive of the freight plan. However, she would like the language in the plan softened so that the Transportation Commission is not committed to spending money on railroad projects other than the federal railroad crossing funds it already receives.
- The Transit and Rail Advisory Committee (TRAC) recommended a softening of the resolution language so that it is broader.
- Staff will soften the plan and resolution language to be more “technology agnostic” for the Commission’s August meeting.

Bustang Quarterly Report

**Purpose:** The purpose of this agenda item was to provide the Transit & Intermodal Committee the FY 2017-18 4th quarter Bustang update on operational and performance measures.

**Action:** No action is required.

**Discussion:**

- One Commissioner said the published arrival and departure times for the Durango-to-Grand Junction route indicate one bus leaves 10 minutes before another bus arrives, but Mike Timlin, Bustang Director, said CDOT adjusted the bus timing.
- CDOT signed a contract last week for starting the Durango-to-Grand Junction route. The start of the service is about three weeks behind.
- Commissioners discussed fare box recovery. David Krutsinger said the Bustang goal is 40 percent; one Commissioner said he thought it should be 100 percent.
- Josh Laipply, chief engineer, said many forms of transportation receive a governmental subsidy, from surface transportation to aviation. The commissioner said the difference is that transportation agencies like CDOT use the gas tax to pay not only for highways, but also for bike lanes, transit, and rail.
- The Regional Transportation District in Denver has a 20 percent fare box recovery.
- A Bustang ticket is not inexpensive, and Bustang remains an important tool toward reducing congestion by getting vehicles off the road.

Outrider Quarterly Report

**Purpose:** The purpose of this agenda item was to provide the Transit & Intermodal Committee a quarterly Bustang Outrider update on operational and performance measures.

**Action:** Informational only - no action is required.

**Discussion:**

- Commissioners had no comments.

### Bus Operations / S I-25 Gap

**Purpose:** The purpose of this agenda item was to provide the Transit & Intermodal Committee an update on proposed Bustang involvement in the I-25 Gap traffic congestion mitigation.

**Action:** No action is required.

#### **Discussion:**

- Josh Laipply said CDOT should emphasize to the public that Bustang would provide the expanded service during construction only.
- On the issue about subsidizing Bronco bus passes from \$30 to \$15 to get around construction, one Commissioner said that if people can afford to attend a Bronco game, they could pay full bus fare.
- Another Commissioner said the Bustang Bronco Sunday service also saves people driving under the influence (DUI) citations.

### Safe Routes to School Strategic Plan – Leslie Feuerborn, and Summer Gathercole of SHG Advisors

- Summer Gathercole said she and Leslie Feuerborn are seeking two commissioners to take part in a 15-minute phone call about the kind of data they would like to see gathered and compiled about the Safe Routes to School program.
- Three Commissioners - Kathy Connell, Ed Peterson, and one more– volunteered for the phone interviews.

### Small Business and Diversity Committee Meeting (Greg Diehl)

Triennial DBE Goal Proposal - The triennial disadvantaged business enterprise (DBE) goal is determined by identifying a base figure for the relative availability of DBEs based on demonstrable evidence of the availability of ready, willing, and able DBEs as compared to the availability of all businesses participating on federally-funded DOT-assisted contracts, and making subsequent adjustments to that figure based on available data.

- The proposed goal of 11.55% is 0.15% off from the historical median of achievement, indicating that the methodology and resultant goal align with past goals and achievements.
- This triennial goal will be proposed to the Transportation Commission for Adoption on Thursday, July 19. Please find the full methodology at <https://www.codot.gov/business/civilrights/dbe-goal>.

#### **Discussion:**

- Commissioners seemed receptive to the 11.55% DBE goal for federal fiscal years 2019-2021.

### Small Business Partial Bond Guarantee Program Funding Workshop (Greg Diehl)

**Purpose:** The goal of CDOT's Partial Bond Guarantee Program is three-fold:

1. Develop capacity in the construction industry by investing in Emerging Small Businesses;
2. Increase competition on CDOT advertisements by removing barriers to bidding; and,
3. Manage risk to CDOT by educating and supporting new prime contractors.

The Partial Bond Guarantee Program is proposed will address bonding as a barrier to becoming a CDOT prime contractor by assuming part of the risk for qualified small businesses. Assets, cash flow, and past performance are all areas of development for small businesses, while CDOT is stable in those areas and can offset some of the bond investment with minimal risk. Eligible contracts are those under \$3 Million and the anticipated maximum guarantee is 50%, so CDOT's maximum risk is \$1.5 Million on any given contract. The Risk Management Unit will determine the guarantee percentage for each applicant, ensuring that CDOT is effectively assessing costs and benefits on every eligible contract.

Firms interested in using the Partial Bond Guarantee program will indicate that preference at time of bid submission. CDOT has a consultant firm to support this initiative through financial vetting and bond education.

A Program Implementation Team is recommended that includes: Lockton Companies for financial program administration under CDOT Risk Management, and CDOT's Civil Rights and Business Resource Center will lead program administration, working with the Construction Contracts unit to identify and advertise projects that are eligible for this program.

**Discussion:**

- If bonding initiative passes, projects that are totally state funded would not need to meet DBE requirements.
- Josh Laipply said that if the bond issue passes, it might be good to not federalize the bonding program

**2:00 pm – 5:00 pm**

**Right of Way (ROW) Workshop (Josh Laipply)**

**Purpose:** The purpose of the workshop was to discuss six right-of-way acquisition (negotiations) and one Condemnation Authorization request.

**Action:** Prepare to act on agreed upon proposed acquisitions and one condemnation authorization at the regular Commission meeting.

Right of Way Workshop (Josh Laipply)

The six projects with requests for authorization of property acquisitions for July 2018 included:

- Region 1
  - SH 72 Permanent Flood Repair: 20334.
- Region 2
  - SH 24 Business: Retaining Wall at Serpentine Drive, Project Code: 21923.
  - US 50 Pueblo Critical Scour K-18 BY and K-18-BZ, Project Code: 22481.
- Region 3
  - SH 82 Glenwood Springs to Carbondale, project Code: 21200.
- Region 5
  - US 550: CR 214 North, Project Code: 16791.
- I-70 Central Project
  - I-70 Central, Project Code: 19631.

One project for condemnation authorization for July 2018 included:

- Region 5
  - US 550 South Connection, Project Code 19378

**Discussion:**

- All six requests for authorization of property acquisition projects for July 2018 were presented to the Commission for discussion, no comments were raised.
- Mike McVaugh, CDOT Region 5 Transportation Director, provided an overview of the condemnation authorization request for the US 550 South Connection project. Mike noted that they have had three meetings with the property owner. The issue is the property owner has not obtained an appraisal for the property or submitted a counter

offer for price since 2016. To keep the project moving, CDOT is requesting condemnation authorization so a final decision regarding the property can be rendered. The owner has been notified of CDOT's final offer and has not responded.

[Policy Directive 14.0: Statewide Transportation Planning \(Deb Perkins-Smith\)](#)

**Purpose:** To report on progress made towards meeting the objectives in Policy Directive 14 (PD 14) in the areas of Safety, Transit, System Performance, and Maintenance for fiscal/calendar year 2017. Future months will report on Infrastructure Condition (Asset Management).

**Action:** No action requested this month. Review of current performance and objectives for System Performance, Transit, Maintenance and Safety goal areas. To better align the annual budget setting process with PD 14, the Commission reviews the performance of PD 14 objectives to determine if there is a need to modify objectives or realign resources to meet an objective(s).

The July Transportation Commission workshop included a review of highway performance measures for Safety, and Maintenance (Infrastructure Condition will be reviewed in later months).

PD 14 performance areas of safety- all highways, safety-bike and pedestrian,, system performance, transportation asset management (statewide system maintenance level of service, and snow and ice removal level of service), transit ridership and fleet condition, comprise roughly 60% of CDOT's total Budget (excluding Senate Bill 228 transfers). No changes to performance measures and objectives for any of the goal areas are proposed at this time.

**Discussion:**

- Debra Perkins-Smith, CDOT Division of Transportation Development (DTD) Director, recognized Tim Kirby and Darius Pakbaz for their work on PD 14. PD 14 provides a framework for statewide transportation planning and goals in the statewide transportation plan are referenced to develop performance measures and targets. Whether or not the targets are met may influence the Commission's final approval of the annual budget, as performance targets align with 60% of the annual budget. Each program manager will report on the status of their performance area and whether or not they met their performance goals/target.
- Charles Meyer of CDOT Traffic Safety provided a report on safety performance and targets. Fatalities and serious injury crashes have been increasing over the past several years. Stats for 2016 and 2017 reflect this. We are not meeting the safety targets established five years ago in the State Highway Safety Plan (SHSP). However at the time of the SHSP the performance and outlook for safety was better. We kept these targets, believing that we could reduce fatalities with the hope of a future with new technologies on the horizon to get us there. We need to update the SHSP and we will start this in the fall and winter of this year. We will look at needed strategies. Not meeting the target for the number of fatalities, but getting closer to meeting the target for the number serious injuries in 2017. For the serious injury rate – we are meeting the target. For economic impacts of crashes we are also meeting the target.
- Commissioner Gilliland asked if we are also looking into the real reasons for the crashes and fatalities and what we can do to change things to reduce fatalities.
- Charles answered yes, that his team is working extensively on analyzing fatalities and where and why they occur and looking into strategies to implement. Another approach we know to be important is to have the right stakeholders involved in the strategy development and implementation of the SHSP.
- Commissioner Gilliland requested staff to conduct a workshop on this topic with the Commission. More specifically, a presentation on why crashes occur, also would like to

see and learn what the Commission and others can do to promote or influence change. The more we know and understand the more we can get the word out.

- Commissioner Scott noted that CDOT should focus on efforts where CDOT has influence. Many areas CDOT has no influence. CDOT may not control many of the factors – distracted driving, not using seat belts, and intoxication.
- Mike Lewis, CDOT Executive Director, mentioned that it is important to correlate education campaigns with data. Need data to look at the whole picture, and to confine what you can hold yourself accountable for.
- A discussion ensued between CDOT staff and the Commission regarding the items CDOT can control and which ones they can be held accountable for.
- A recommendation was for staff to send the Commission CDOT's Performance Plan for their information.
- Herman Stockinger also noted that CDOT does have lead and lag measures reported on a regular basis.
- Charles noted that Darrell Lingk is not here today, but could shed light on the status of employee safety. For bike and pedestrian safety, fatalities and serious injury events have increased and are far above our targets. For these crashes, distracted driving plays a role. Currently working with DTD on how to respond to increases in bike and pedestrian crashes and improve outcomes. We will come back with the SHSP.
- Commissioner Stuart mentioned that we promote more bicycling and walking but the crashes go up – consider in areas where there is ongoing construction to not allow bicycles and pedestrian access as a precaution. Experienced instances being startled by bicycles traveling close to moving cars. Appreciate having this information presented.
- Commissioner Hofmeister explained that CDOT really has no control of the issue of bicycle and pedestrians – local county and state enforcement of bicycle laws is what is needed and safe driving practices.
- CDOT is working on training motorists and cyclists on how to share the roadway safely and efficiently.
- Charles noted it is important to determine which corridors are best for bicycles and pedestrians. Sometimes we need separated facilities or wider shoulders provided. The SHSP will be evaluating this. Intersection improvements with striping and signals are also influential.
- Commissioner Connell noted that during construction or maintenance projects it is the responsibility of CDOT to educate and communicate.
- Commissioner Hall expressed the need for wider shoulders in rural areas, which make a huge difference. It is hard to prompt behavior changes.
- Debra thanked the Commissioners for their good comments and noted this warrants another workshop. To keep on time for the Joint Commission and Statewide Transportation Advisory Committee (STAC) session on the ballot projects, we will remove maintenance update from today's agenda.
- Lisa Streisfeld, CDOT Division of Transportation Management and Operations (TSM&O) presented the status of operation planning time index (PTI) performance goals and target status. TSM&O is meeting targets, but we are slightly down from last year. We opened the Traffic Incident Management (TIM) training track and increased the number of TIM trained staff. Pertaining to infrastructure we implemented ramp meters. For rural areas, we are getting traffic operations centers opened in Greeley and one in Pueblo that we are actively working on. Other projects are signal priorities for snow plows as part of RoadX, we are applying for a grant to cover this. Also working on work zones to see how to improve safety and operations in work zones.
- Debra reiterated that CDOT has lead and lag measures for specific corridors.
- David Krutsinger, provided an overview of transit performance goals and status of meeting transit targets. For small rural ridership transit providers the goal is to keep pace with population growth – DTR is meeting this goal and target. For keeping transit vehicles at a certain level of revenue service miles the target is still to be determined.

An influential factor for this target relates to the loss of rural health center across the county. DTR will continue to work on getting data. For transit fleet condition there will be a new federal asset planning requirement.

- Commissioner Scott asked how often is PD 14 updated.
- Debra responded that a wholesale review and update of PD 14 is completed for each statewide transportation plan update that occurs every 4-5 years. Some revisions have been made between this period, but not a comprehensive evaluation.

[Joint Session with State Transportation Advisory Committee \(STAC\): Ballot Projects \(Herman Stockinger and Deb Perkins-Smith\)](#)

Attendees: Vince Rogalski, STAC Chair; Sean Conway, STAC Vice-Chair; Shannon Gifford, Commission Chair; Commissioner Rocky Scott; Peter Baier, Grand Valley MPO; Thad Noll, Intermountain Transportation Planning Region (TPR); Jeff Sudmeier, CDOT Chief Financial Officer; Debra Perkins-Smith, CDOT DTD Director; Andy Gunning, Pikes Peak Area Council of Governments (PPACG) Executive Director; John Liosatos, PPACG Transportation Director; Trent Bushner, Eastern TPR; Gary Beedy, Eastern TPR; Roger Partridge, Greater Denver Area, Ron Papsdorf, Denver Regional Council of Governments (DRCOG) Transportation Director, David Krutsinger, CDOT DTR Director; Ann Rajewski, Colorado Association of Transit Agencies (CASTA); Danny Katz, Colorado Public Interest Research Group (COPIRG), Tony DeVito, CDOT Central 70 Project Manager; Suzette Mallette, North Front Range Metropolitan Planning Organization (NFR MPO) Director; Johnny Olson, CDOT CDOT Region 4 Transportation Director; Dave Eller, CDOT Region 3 Transportation Director; CDOT Executive Director, Mike Lewis; CDOT Deputy Director, Herman Stockinger; Josh Laipply, CDOT Chief Engineer; Karen Rowe, CDOT Region 2 Transportation Director; Mike McVaugh, CDOT Region 5 Transportation Director; Commissioner Karen Stuart; Commissioner Kathy Connell; Commissioner Kathy Gilliland; Commissioner Kathy Hall; Heather Sloop, Northwest TPR; Commissioner Sidney Zink; Paul Jesaitis, CDOT Region 1 Transportation Director; Barbara Kirkmeyer, Upper Front Range TPR; and Commissioner Steven Hofmeister.

**Purpose:** To discuss staff recommendations related to Initiative #153, which proposes a 0.62% sales tax increase for transportation and which could appear on the November 2018 ballot. The Transportation Commission has been asked to identify projects and priorities for how CDOT would utilize the funds made available under the Initiative.

**Action:** Adopt a project and program list this month, including the following key items:

1. Agree to the size of the project list
2. Agree to funding distribution for difference between current \$6.2b list and \$7b list
3. Agree to distribution of potential additional funds beyond project list
4. Agree to the projects on the “highway list”
5. Agree to the statewide programs on the “highway list”
6. Agree to the multi-modal “bond” projects on the list
7. Agree to the language in a TC Resolution, essentially approving 1-6.

**Discussion:**

- Mike Lewis welcomed the group to this important meeting. Provided an overview of SB 1 funding bar chart that displayed needs and funding to address needs that were identified collectively by STAC and Commission as priorities.
  - Last year there was zero dollars in SB 267 in place up until this year. Two ballot measures for 2018 are a general fund transfer and a sales tax increase of 0.62 percent – CDOT cannot advocate for these, but we can explain what is out there. If both 2018 ballot initiatives fail – referred measures in 2019 ballot initiative

- occurs, where certain dollars are available with debt service, and if that 2019 ballot initiative fails we revert back to the base.
  - Our planning process is a robust grass roots process that is a bottoms-up approach for the ten rural TPRs and five MPOs that identify transportation priorities working with CDOT. All of you in the room represent your constituents.
  - A map from the State Demography Office shows where Colorado's population growth is anticipated to occur. The two blue lines on the map are I-25 and I-70 the life blood routes of the state.
  - We are all in this together until we get a little money. Election Day is November 6<sup>th</sup>. If we wake up on November 7<sup>th</sup> and nothing passes we go back to the beginning, back to zero, and that would be a shame. If focus outside this room stays on individual needs vs. statewide, we could lose – this is a generational opportunity here today with these funds before us. If ballot passes and funds come to us there is more to go around, if not and measures fail – it will become harder to agree on how to spend the limited dollars.
- Vince Rogalski concurred with Mike. We need to look at TPRs and MPOs and look forward. Where are our priorities consistently are the same – in many areas needs have changed – we all have to be part of the planning process.
  - Debra noted that there are 15 folks on the phone – need to ask for comments from those on the phone.
  - Herman noted that there are seven key items the group needs to agree on to move forward with a “resolved” in the proposed resolution covering each item to adopt tomorrow. We will cover each one today, and obtain agreement and move on to the next item on the list until we are finished. All five Regional Transportation Directors are here today to answer questions.

### **1. Agree to the size of the project list discussion**

- First is the size of the list. We proposed adding \$800 million of projects due to the \$6.2 billion plus SB 1 and SB 267 and 20 years of sales tax estimates adding up to roughly \$7 billion.
- Andy Gunning asked if this amount considers times of recession too. How is that handled?
- Jeff Sudmeier responded that we have looked at different projections of growth and identified an average of three percent, in the last 19 years, five years were negative, but then rebounds occurred. Looked at lower rates of growth and we still met the \$7 billion level.
- Commssoiner Zink asked so we have \$7 billion how do we decide which projects come first? Taking about 20 years. How do we talk about that?
- Josh Laipply noted that if we do all the projects at once we overwhelm market and supplies. Keep ones delivered up front with low risk about 80% fall in the same range – consider these the meat of the program and anticipate having them all completed in ten years. Regions 3 and 5 have own geographic areas except for really big projects we tackle first.
- Herman noted if we assume a \$7 billion list then we need to add \$800 million – and look at the equity of all ballot funds distributed and how this balances against the RPP formula. Do folks agree to grow the list?
- Barb Kirkmeyer asked if \$800 million is only highway or multi-modal.
- Herman noted the \$800 million does include projects bonded with 50/50 match for multi-modal.
- **Herman confirmed the group's agreement to 1. Size of the project list, which will be \$7 billion.**

## **2. Agree to funding distribution for difference between current \$6.2b list and \$7b list discussion**

### **3. Agree to distribution of potential additional funds beyond project list discussion**

- Barbara Kirkmeyer noted that six TPRs have no projects; a statewide program of \$50 million – what does that get you? Do not agree with this.
- Dave Eller, Region 3 Transportation Director, and Mike McVaugh, Region 5 Transportation Director both noted the significant projects on the lists for their Regions and agreed with the level of funding for projects are proposed for their areas.
- Thad Noll – taking Mike’s comments to heart – this list seems a little out of wack.
- Herman Stockinger noted that yes when it comes to equity for \$800 million and all funds together are out of wack but have a good chance to pass at the ballot.
- Trent Bushner noted \$330 million in Region 4 on I-25 with \$250 million to North I-25. Yes this bothers me coming from a rural area – little pavement money is left – we need pavement and safety improvements (shoulders) – only big projects – where does this leave rural areas? Looking for Front Range voters – rural areas don’t need extra lanes.
- Herman Stockinger – focus of the statewide programs are there to cover pavement, shoulders and wildlife crossings.
- Mike Lewis – we need to emphasize this piece of the puzzle.
- Commissioner Connell noted that voters don’t feel impacts related to pavement and shoulders.
- Josh Laipply noted that the \$7 billion list is based on no growth. \$1.5 billion going to surface treatment program considering PD 14 performance objectives and use surface treatment more focused away from the metro areas.
- Thad Noll expressed his support for the \$7 billion list and if more dollars added put into statewide programs.
- Herman solicited comments from those participating via the phone.
- Peter Baier asked CDOT to look at shoulders and pavement to be done in rural areas – separately from the shoulder program. Supports the statewide program.
- Josh Laipply noted that CDOT is committing to this. We have one shot to get out to the rural areas – for shoulders. We want to do it right. We have a commitment from CDOT for this.
- Mike Lewis stated to keep in mind to keep roads in good condition every year we should do 10% each year for a 10 year period. That is roughly 2,300 miles, right now we only do 300 miles. We are falling behind. If we wake up on November 7<sup>th</sup> and nothing passes – none of this happens.
- Heather Sloop supported the idea of not having projects just numbers with projects going through the TPR process. Voters feel left out – there may be greater success without earmarking funds.
- Herman noted the \$7 billion list is all projects at once. Not a \$800 million breakout presented separately. There is \$1.5 billion for pavement – assuming an additional \$2 billion with revenue growth – we are not allocating any of this yet to serve as a safety net. This gives folks additional hope for more projects.
- Commissioner Gifford noted that these estimates also are made before the salestax – could have up to two percent more as well.
- Vince Rogalski asked about what happens to the existing regularly scheduled projects scheduled.
- Josh responded that we will continue with the existing plan and Central 70, and projects in the STIP – all these other funding sources are supplemental to the base program.
- Vince Rogalski noted that if the ballot passes it might free up money for more work on shoulders and pavement.
- Josh noted that this is a huge program – having concerns about contracting and supplies for such a big program.

- Commissioner Connell noted that there is nothing on the list that addresses resiliency – need justification to protect roads – have not heard in a while about this – need to bring this back.
- Roger Partridge asked how dollars are allocated to rural areas over time.
- Herman noted the expected formula for pavement is a planning estimate by Region – asked Josh or Johnny to explain the pavement model.
- Johnny Olson described the pavement model – it is a robust model with 20-years of history embedded – model proposes projects to stay ahead of the curve, but funding is not enough to do this. Region 3 runs the pavement model every 2 years. If \$100 million is recognized by the model for work, it eventually will not be a recommended project once the project is built. Region 4 uses a 4-year plan to work through the process.
- **Herman confirmed a head nod from the group on items 2 and 3 - funding distribution for difference between current \$6.2b list and \$7b list, and distribution of potential additional funds beyond project list**

#### **4. Agree to the projects on the “highway list” discussion**

#### **5. Agree to the statewide programs on the “highway list” discussion**

- Herman asked folks to review the project list –if project descriptions changed, they are shown in red. See the list and the map of projects.
- Barbara Kirkmeyer asked about the source for the new projects for \$800 million.
- Herman noted that the newly added ones are from the capital plan.
- Mike Lewis noted that \$1.5 billion for pavement and \$500 million for other. Fact Sheets are being developed for all the projects, and will be distributed soon.
- Gary Beedy noticed a discrepancy on the list between the project in the table and what is portrayed on the map for SH 71 (B-78), and US 50 (B-35) – map is showing bigger project.
- Herman agreed and noted that this will be fixed. Fiber tech fund went from \$100 million to \$120 million. Adding a statewide program – ADA sidewalks –current program is \$86 million and proposed is \$120 million and rename the program to ADA Sidewalks and Bicycle/Pedestrian. For Safety Shoulder, Rest Area Restoration, Small Freight Projects & Truck Parking, and Wildlife Crash Mitigation – the current program is \$219 million with \$220 million proposed.
- Commissioner Connell noted that she supports this fully and supports more money going to statewide programs. For Rural areas – for wildlife crashes – we need simplified information for initially reaching out. It is important how this list is presented.
- **Herman confirmed that the group was in agreement to numbers 4 and 5 –projects on the “highway list” and statewide programs on the “highway list”.**

#### **6. Agree to the multi-modal “bond” projects on the list discussion**

- Herman noted that most of the discussion is the 45 percent to go to CDOT for distribution – we will not cover the 40 percent going to the locals.
- Mike Lewis noted that you all know this information, but the public doesn’t – so much more needs are there for the local governments and counties – almost 50% of the whole pie.
- Herman noted that 15% of multi-modal options –that the 15% average over 20 years is \$140 million/\$145 million per year.
- For the 50/50 match DTR staff visited TPRs across the state to discuss matching potential with TPRs.
- \$10 million was set as the project threshold – bonding \$30 million annually with a total of \$103 million available in total. There will be up to \$800 million of bonded projects with \$400 million obtained with the 50 percent match. After bonding 15% to statewide projects, and 85% to local projects, there is \$30 million bonded for local projects.
- The Commission is responsible to determine the formula for the transit bond project list, and MPO areas receive a suballocation where MPOs chose their projects.

- On the back page of the project list distributed is the multi-modal project list that is all new and presented in red; every CDOT Region is represented, but not every TPR.
- With the 50/50 match requirement for this program, it may not be a good fit for smaller TPRs.
- Commissioner Hofmeister noted he is disappointed with the multi-modal list as it focuses on transit and has no bike paths and trails included.
- David Krutsinger responded that 67% of multi-modal funding is at the discretion of transit agencies and communities, where bike and pedestrian is listed as these types of projects are too small to consider for bonding.
- Debra Perkins-Smith concurred with David Krustinger's response – we looked for big bike/pedestrian projects – but the match was an issue and the projects being over \$10 million. But with the rest of the multi-modal funding program these types of projects for paths and trails are covered.
- Thad Noll mentioned that the Transit Development Program (TDP) and the multi-modal lists are different. There is a TPR meeting on Friday to go through. There are at least 20 more projects that could be on this list that aren't. – there is a bit of a disconnect.
- Commissioner Hofmeister expressed concern about the multi-modal projects and questioned whether staff needed to rethink projects on this list.
- Herman noted that folks who developed the multi-modal list, included the local governments providing 50/50 matching funds are very supportive of the projects.
- Commissioner Gifford stated that the projects for Region 1 are good.
- John Liosato noted PPACG had a robust discussion on bike/pedestrian and multi-modal - working on the TDP and the multi-modal list hasn't been created yet, once we learned ballot language is different from the CDOT process. When you look at multi-modal projects, they are already included in the complete streets program. \$10 million projects are big and because bonded projects need to be ready to go in four years, we do have projects like that, but not for \$10 million. If we had more time, maybe we could have added more. CDOT held our hand through the process – not sure too much would have changed with additional time.
- Heather Sloop noted that for the Northwest TPR we had a very thorough discussion on this. Really believe it was very highly vetted. Feel pretty happy with the TPR process even though only one project is on the list.
- Ann Rajewski commented that many of these projects have been kept in mind for a long time. Folks have been waiting for the opportunity to get them funded. Lots of the projects have been well researched and documented.
- Danny Katz noted that it was hard to find \$10 million bike/pedestrian projects with the 50/50 match.
- Ann Rajewski noted that these projects allow local governments to serve communities better.
- **Herman confirmed the group was in agreement to the multi-modal bond projects on the list.**

## **7. Agree to the language in a TC Resolution, essentially approving 1-6 Discussion**

- Went over the resolved items of proposed resolution:
  - 1st Resolved: Approves the list of projects and states there is no priority order and the projects will be constructed in an order that acknowledges statewide equity and project readiness with a 10 year target completion goal (but not promise)
  - 2nd Resolved: Approves the statewide programs and states projects specific to each program would be determined at a date after the ballot is approved by voters
  - 3rd Resolved: Commits to the dollar amount for each project, not necessarily the scope
  - 4th Resolved: Acknowledges project list or scopes may be modified based on changes in revenue

- 5th Resolved: Acknowledges the need for full funding of SB 18-001 and SB 17-267 if the project list is to be fully constructed
- 6th Resolved: Acknowledges the importance of transportation improvements for Colorado
- To complete projects in 10 years and split out geographically, approving the statewide programs with dollar amounts for programs, but not project dollars, building to the dollar amount, but not a scope- this protects against changes in revenue, and acknowledges the need for full funding.
- Suzette Mallette noted that resolve number three dollar amount commit but not scope of work –what if the costs increase?
- Response was we will have some reserve, as we can't expect all projects to come in at budget.
- Josh noted that our estimations result in 70% coming in at or under budget, with roughly 30% going over. If this happens, we can still rebalance and deliver the program.
- Mike Lewis noted that this is a big program, and managing scope of work and schedule will be a big challenge, we added language to include rigorous controls to keep on track.
- Barbara Kirkmeyer noted that the 27 projects of 7<sup>th</sup> pot – lots of projects grew - we are watching out for scope growth.
- Sean Conway mentioned that we don't want to over promise and under deliver. And asked CDOT is they are comfortable with this list.
- Josh Laipply responded yes, we are appropriately comfortable with the list.
- Andy Gunning noted that we need to determine how to communicate the fact that this does not replace existing revenue and projects.
- Herman noted that yes this will be communicated. HUTF funds are protected for most instances.
- Herman distributed a new handout from us 36 Coalition and Metro Mayors that support adding Northwest Rail FasTracks project to the list. This is not a CDOT staff recommendation, but submitted from other stakeholders.
- Several group members expressed their opposition to including the Northwest Rail FasTracks project on the list, as it was not discussed of part of the planning process, not under CDOT's jurisdiction and would cause confusion as to which agency is responsible for transit – CDOT is already confused with RTD. Those opposed included Barbara Kirkmeyer, Commissioner Gifford, Sean Conway, Peter Baier, Commissioner Hofmeister, and Commissioner Stuart.
- Sean Conway and Commissioner Stuart noted that this project was only raised as an idea to add as late as two days ago and did not go through the planning process.
- Herman noted that legislators are implying that if this Northwest Rail FasTracks project is not on the list then it is not reflective of area needs.
- Discussion ensued regarding a resolved to address this request to not lose any public support, but reflect that other options with ballot initiative funding exists. Commissioners Gilliland, Hofmeister, Zink, Thad Noll, Ron Papsdorf also joined in to comment on proposed resolved.
- Barbara Kirkmeyer came up with a proposal that was acceptable to the group. As a result, the following whereas was added to the resolution - *WHEREAS, the Commission acknowledges that Initiative #153 also provides local governments with sales tax funds for local transportation priorities and multi-modal projects, including rail, in addition to what the Commission is responsible for, and those local governments will use their own planning processes to determine project selection for those funds*
- Gary Beedy mentioned that the project table on the map is missing three projects (B-77 – B-79)– will give this information to Tim Kirby to address.
- **Herman confirmed that the group agreed with 7 - the language in Commission Resolution, essentially approving 1-6.**

# **Transportation Commission Regular Meeting**

## **Thursday, July 19, 2018, 9:30 am – 11:30 am**

**Call to Order, Roll Call** – ten of 11 Commissioners attended with Commissioner Luella D’Angelo excused.

Mike Lewis, CDOT Executive Director, announced that Shannon Gifford had been elected Commission Chair and Bill Thiebaut Vice Chair. Herman Stockinger continues to serve as Commission Secretary.

### **Audience Participation; Subject Limit: 10 minutes; Time Limit: 3 minutes**

- No audience participation at this time – public comments on the ballot list were heard later and prior to the Commission voting on whether or not to approve of the ballot list.

### **Comments of Individual Commissioners**

- Commissioners congratulated Shannon Gifford for her election as Chair and Bill Thiebaut as Vice Chair, and complimented Commissioner Sidny Zink on her leadership as Chair over the past year.
- They also recognized the departure of Dave Eller after seven years as regional transportation director for Region 3, and that of Tony DeVito as leader of the important Central 70 project in Region 1. Tony will serve for one more month.
- Other comments concerned:
  - The well-attended opening ceremony of the Grand Avenue Bridge in Glenwood Springs, and all the collaboration and coordination the project required during construction.
  - Discussion about the potential ballot measure by Club 20, Central Front Range TPR, the town of Westcliffe, and various groups.
  - Heavy rains right after the fires in the Durango area that caused mudslides on fire-scarred hills.
  - Compliments to the Division of Transit and Rail for a 40 percent fare box recovery for Bustang, and a desire expressed that Bustang could extend to SH 7 after it reaches Longmont.
  - Compliments for the “phenomenal” work through the planning process to compile the ballot project list.
  - Reflections on the joint Transportation Commission/Statewide Transportation Advisory Committee (STAC) meeting on Wednesday.

### **Executive Director’s Report (Michael P. Lewis)**

- Mike Lewis pointed out that CDOT crews have been fighting the various wildfires in the state. CDOT crews have been cutting fire lines and hauling water with CDOT heavy equipment, and doing traffic control. CDOT crews have been an integral part of the supply chain needed to fight the fires.
- He thanked Sydney Zink for her work chairing the Transportation Commission, and Dave Eller for his work as Regional Transportation Director in Region 3. He welcomed Shannon Gifford as Chair and Bill Thiebaut as Vice Chair of the Commission.
- Ground-breaking for the Central 70 project will take place in two weeks after 16 years of work, just before Tony DeVito’s departure.
- Ground-breaking for the I-25 Gap project (Monument to Castle Rock) will take place in August after concentrated CDOT staff work following the formal go-ahead from the Federal Highway Administration (FHWA) in June.
- Mike said he belongs to the American Association of State Highway and Transportation Officials (AASHTO) national committee that shares best practices regarding resiliency planning.

- Denver will be the location of the national 2018 Transportation Innovations Summit and Exchange (RISE) conference Oct. 9-10 this fall. CDOT, the Transportation Research Board, AASHTO, and FHWA are sponsoring the conference, which will focus on how to include resilience practices within system performance activities for transportation. All are invited.

### **Chief Engineer's Report (Josh Laipply)**

- He thanked Sydney Zink for her work as chair of the Transportation Commission.
- He also thanked staff for their work on the ballot project list. The list has four to five columns, but many more columns of information are behind those few columns.
- On the I-25 Gap project, he noted how extraordinary it was that within weeks of NEPA approval of the widening of I-25 from Monument to Castle Rock, CDOT secured the funding and had the project out to bid. The winning bid was under 1 percent of the independent cost analysis. "We've done a great thing," Laipply said.
- He also pointed to the coordination among CDOT, Glenwood Springs, and the Roaring Fork Valley Transportation Authority that eventually led to completion of the Grand Avenue Bridge project in Glenwood Springs. He also complimented Dave Eller for his leadership on the project.
- In saying goodbye to Dave Eller, Josh said Dave has not only been an excellent Regional Transportation Director for Region 3, but also has had an influence statewide on his membership on and contributions to committees aimed at making the state transportation system better. Dave has always been someone Josh said he could count on for thoughtful, well-considered comments.

### **High Performance Transportation Enterprise (HPTE) Report (Nick Farber)**

- The HPTE board on Wednesday approved a plan for tolling operations on the I-25 Express Lanes.
- Every year HPTE and CDOT negotiate an interagency agreement that outlines responsibilities of each entity during the coming year. A statement of work accompanies the interagency agreement. In exchange for performing specified work, HPTE earns a fee from CDOT. The HPTE board approved the agreement for the state fiscal year.
- In the past year, HPTE worked with others to do public outreach on tolling.
- HPTE has launched a master planning process; consultant WSP will assist with the plan.

### **FHWA Colorado Division Administrator's Report (Vershun Tolliver, Assistant Division Administrator)**

- FHWA's toll credit process does not bring new funding. Rather, it permits state departments of transportation like CDOT to leverage state funds for additional projects. (Under federal law, the non-Federal share of projects can come through a "soft match" of toll credits. The amount of credit earned equals the amount of excess toll revenues spent on federally funded capital improvement projects and certain transit projects.)
- FHWA has approved CDOT's FY 2019-22 Statewide Transportation Improvement Program (STIP). It is significant that CDOT developed the STIP while dealing with a breach in its cyber security.

### **STAC Report (STAC Chair, Vincent Rogalski)**

- As did many others, Vince thanked Dave Eller and Tony DeVito for their work for CDOT.
- He said it was great to have a map of all the projects proposed for the ballot initiative at the joint meeting of the STAC and Transportation Commission earlier in the day.
- The CDOT staff's recommendation for the project list for the potential ballot initiative received approval from the STAC. Two STAC members did not support the list because they had not had enough time to review it.
- STAC reviewed the preliminary list of bonded transit projects for the ballot initiative.
- STAC also reviewed use of MODA (Multi Objective Decision Analysis) in project selection for the National Highway Freight Program. The freight program could include rail projects in the future.

**Act on Consent Agenda – Approved unanimously on July 19, 2018.**

- [Resolution to Approve the Regular Meeting Minutes of June 21, 2018 \(Herman Stockinger\)](#)
- [Resolution to Approve Disposal: Iliff & I225 \(Parcels 1 Rev & SE-1 Rev\) \(Paul Jesaitis\)](#)
- [FY 19 Additions over \\$50,000 project approval \(Kyle Lester\)](#)
- [Adoption of Policy Directive 1209.0 "Housing Assistance"](#)

**Discuss and Act on Resolution to Approve FHWA Triennial DBE Goal (Greg Diehl) – Approved unanimously on July 19, 2018.**

**Discuss and Act on Small Business Partial Bond Guarantee Program Funding (Greg Diehl) – Approved unanimously on July 19, 2018.**

- This action is an effort of CDOT to help emerging small businesses with bonding.
- Mike Lewis said he applauded Greg Diehl and Josh Laipply for moving the idea forward.

**Discuss and Act on the 1st Budget Supplement of FY 2019 (Jeff Sudmeier) – Approved unanimously on July 19, 2018.**

This request was for two items:

- A transfer of \$1.3 million from the Statewide Intelligent Transportation System (ITS) account for the Division of Transportation Systems Management and Operations (TSM&O) to Region 1 Traffic Cost Center. This transfer request went to the Commission because it was more than \$1 million.

\$2.5 million from the Transportation Commission Program Reserve for initial funding of the Small Business Partial Bond Guarantee Program.

**Discuss and Act on ROW Acquisition Authorization Requests (Josh Laipply) – Approved unanimously on July 19, 2018.**

**Discuss and Act on ROW Condemnation Authorization Requests (Josh Laipply) – Approved unanimously on July 19, 2018.**

Discuss and Act on Resolution to Approve Changes to the Statewide Planning Rules, 2 CCR 601-22 (Herman Stockinger and Deb Perkins-Smith) – **Approved unanimously on July 19, 2018.**

- The Statewide Planning Rules guide the transportation planning process, and the STAC and Commission review the Rules at the beginning of each process to develop the statewide and regional transportation plans.

- The primary change to the Rules was on the STAC due to passage of two state laws: one to clarify that the STAC advises both CDOT and the Commission on transportation needs and issues, and one to make the representatives of the Southern Ute and Ute Mountain Ute voting members of the STAC.  
A state bill accidentally deleted some sections of the Rules in 2013; those sections have been added back in.

The public comment period began March 15 and a public hearing took place May 22. Members of the public attended the hearing, but did not raise any comments.

**[Discuss and Act on 2018 Ballot List of Projects \(Herman Stockinger\)](#) – **Approved unanimously on July 19, 2018.****

Audience Participation on Ballot List

- Ten people spoke representing such groups as the US 36 Mayors Commission, Longmont City Council, Regional Transportation District (RTD), Boulder Chamber of Commerce, Denver Public Works, and STAC.
- Senators, Matt Jones (D-District 17) and Representative Jonathan Singer (D-District 11) also spoke.
- Comments included:
  - The area was promised the Northwest Rail during the light-rail ballot initiative in 2004, and the measure passed partially due to the positive votes in the area.
  - CDOT should include some funding for Northwest Rail on the ballot initiative under the multi-modal bonded project list to help get it started. Yet rail projects are not permitted on the bonded multi-modal project list.
  - Including Northwest Rail would assure passage of the ballot initiative in the northwest quadrant of the Denver metro area; not including it could mean failure of the measure in the area and possibly statewide.
  - CDOT needs to think creatively about how to help with getting rail extended to that part of the Denver metro area.
  - It seems that bikes have supplanted rail as multi-modal at CDOT.
  - Bus Rapid Transit, proposed as a replacement for Northwest Rail, is not realistic without a full dedicated lane separated from the rest of the traffic.
  - Boulder County generates 128,000 jobs. Congestion is hampering the local economies.
  - Speakers from Boulder County and Denver said they appreciated that the ballot list includes projects for their areas, but that their areas need many more projects.
  - It is not true that various entities did not go through the planning process. They did, but found that rail projects are not multi-modal for ballot purposes.
  - Commissioner Bill Thiebaut asked state Sen. Matt Jones if he would be willing to give up some of the projects on the list in exchange for the Northwest Rail. Jones said no.
  - People pack the buses between Denver to Boulder. The area has waited too long for relief.
  - Peter Baier of Grand Valley MPO said that 60 percent of the funds from the ballot initiative will go to CDOT, but 40 percent will go to local governments. He suggested local governments plan to use their share as matching money for Northwest Rail. He said the STAC on which he sits did not have the opportunity to vet the Northwest Rail project along with all the others.
- Mike Lewis, CDOT Executive Director, said all regions would benefit from a successful ballot initiative. He thanked people for their comments on what he characterized as a “generational opportunity.” He noted that state law set up different structures for CDOT and RTD, with different responsibilities. He said CDOT is open to taking its input on transit opportunities for the Boulder area to the RTD board.

- Herman Stockinger, policy director for CDOT, noted that when CDOT compiled its Transportation Development Program, it did so in the hope that additional federal money might come to CDOT. At that time, staff did not anticipate a state ballot initiative. He presented a resolution to the Transportation Commission revised slightly from a version the Commission saw earlier. The revised resolution made these changes:
  - Added “utilizing the existing statewide transportation planning process” in front of a clause about the creation of the Development Program in the fifth Whereas statement.
  - Added a ninth Whereas: “...the Commission acknowledges that Initiative #153 also provides local governments with sales tax funds for local transportation priorities and multi-modal projects, in addition to what the Commission is responsible for, and those local governments will use their own planning processes to determine project selection for those funds.”
- Commissioner Kathy Connell suggested adding “including rail” after “multi-modal projects” to the ninth Whereas after telling those who attended the meeting that everything in life is somewhat of a compromise. The other Commissioners accepted her suggestion.
- Commissioner Karen Stuart said a lot of thought and effort went into compiling the project list for the ballot initiative. She said no one is as frustrated with Northwest Rail not getting off the ground as people like her who live in the area. The addition of the phrase “including rail” is significant, and will be a strong statement to carry to the RTD board. “This is that leverage you haven’t had before,” she told the crowd. She said CDOT may have one shot at getting more funding for transportation. “I hope this inclusion [of the phrase “including rail”] will help,” she said.

[Discuss and Act on SB1 Project List \(Josh Laipply\)](#) – **Approved unanimously on July 19, 2018.**

- By this action, the Commission approved using SB 18-001 funds for a list of \$30 million in SB 267 preconstruction projects, \$194 million in SB 267 construction projects, \$21.6 million in preconstruction work for ballot and potential grant projects, and \$100,000 for asset management using SB 18-001 funds.
- The Commission took this action to assure that projects can move forward during uncertainty over when and if CDOT will receive SB 267 funds.

[Discuss and Act on Off Highway Vehicle Permitting on State Highways \(Herman Stockinger & Kathy Young\)](#)– **Approved unanimously on July 19, 2018.**

- The Commission approved a resolution that outlines use of off-highway vehicles to travel state highways in Region 3 using special permits.
- The resolution does not have any seasonal language, but staff said the pilot project would be from Memorial Day through Labor Day, and would not include snowmobiling season.
- The pilot program would be a 2-mile strip along a state highway in Region 3.
- Staff would report to the Commission on the pilot program no later than September 2019.

**Recognition**

- Commissioner Kathy Hall reiterated her respect for Dave Eller and the “tremendous leadership” he exhibited during construction of the Grand Avenue Bridge in Glenwood Springs. The bridge project physically divided the city in half, but work progressed smoothly.



**DATE:** July 31, 2018  
**TO:** Transportation Commission  
**FROM:** Joshua Laipply, P.E. Chief Engineer  
**SUBJECT:** SH 85 and Liggett Rd. Parcel 26 Rev-X - Disposal

#### Purpose

CDOT is proposing to dispose 0.139 acres of right of way that is no longer needed for transportation or maintenance purposes. The property will be conveyed for fair market value.

#### Action

CDOT R1 is requesting a resolution approving the disposal of 0.139 acres of right of way that is no longer needed for transportation or maintenance purposes.

#### Background

Parcel 26 Rev-X was acquired as part of CDOT Project # FI 002-2(20) in 1954 for the Liggett Rd. connection with Santa Fe (SH 85). Liggett Rd. was realigned in 2000 as part of CDOT Project # IM0252-323 resulting in the vacancy of Parcel 26 Rev-X. This portion of SH 85 was abandoned to the Town of Castle Rock per Transportation Commission Resolution # TC-1246. The Town of Castle Rock has determined to cease to use Parcel 26 Rev-X for transportation purposes, which reverts ownership back to CDOT pursuant to CRS 43-2-106. Parcel 26 Rev-X contains approximately 0.139 acres and is outside of the right of way necessary for SH 85.

#### Details

Pursuant to CRS 43-2-106, the parcel will revert to CDOT in the event the Town of Castle Rock ceases to use the parcel for transportation purposes. CDOT Region 1 has determined the subject property has value only to the adjacent owner. Pursuant to C.R.S. 43-1-210(5)(a)(IV), the adjacent owner has elected to exercise its first right of refusal to purchase the subject property at fair market value. The disposal of the subject property will have no effect upon the operation, use, maintenance or safety of the highway facility. The disposal of the subject property will be at fair market value.

#### Key Benefits

CDOT will be relieved of maintenance responsibilities and liability associated with this parcel. CDOT will also obtain revenue from the sale of the parcel that will be applied to future transportation projects in accordance with 23.710.403(d).

#### Next Steps

Upon approval of the Transportation Commission, CDOT will convey Parcel 26 Rev-EX in accordance with C.R.S. 43-1-210(5). CDOT will execute a quitclaim deed to convey the subject property. The deed will be recorded in the office of the Douglas County Clerk and Recorder.

#### Attachments

Proposed Resolution  
Exhibit-Legal Description  
Exhibit Depicting the Disposal Parcel

**Resolution #TC18-08-XX**

Project #: FI 002-2(20) Location: SH 85 and Liggett Rd. Parcel #: 26 Rev-X County: Douglas

**Approved by the Transportation Commission on \_\_\_\_\_, 2018.**

**WHEREAS**, CDOT acquired Parcel 26 Rev-X in 1954 as part of CDOT Project # FI 002-2(20) for the SH 85 (Santa Fe) connection with Liggett Rd.;

**WHEREAS**, Liggett Rd. was realigned in 2000 as part of CDOT Project # IM0252-323;

**WHEREAS**, Parcel 26 Rev-X became vacant due to the realignment of Liggett Rd.;

**WHEREAS**, Parcel 26 Rev-X consists of 6,032 sq. ft. (0.139 acres);

**WHEREAS**, CDOT abandoned this portion of SH 85 to the Town of Castle Rock per Transportation Commission Resolution # TC-1246;

**WHEREAS**, the Town of Castle Rock has determined to cease the use of parcel 26 Rev-X for transportation purposes;

**WHEREAS**, ownership of Parcel 26 Rev-X reverts back to CDOT pursuant to Colorado Revised Statutes (C.R.S.) 43-2-106;

**WHEREAS**, the adjacent property owner would like to purchase Parcel 26 Rev-X;

**WHEREAS**, the Department of Transportation would like to sell Parcel 26 Rev-X;

**WHEREAS**, the disposal of Parcel 26 Rev-X 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 Parcel 26 Rev-X is not needed for transportation purposes;

**WHEREAS**, pursuant to 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 Parcel 26 Rev-X consisting of 6,032 sq. ft. (0.139 acres) of land 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**, the adjacent landowner desires to exercise its right of refusal to purchase the 11,385 square feet of SH 285 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 26 Rev-X as excess property and dispose of the 6,032 sq. ft. (0.139 acres) of SH 85 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.

**EXHIBIT "A"**  
**PROJECT NUMBER: F1-002-2(20) UNIT 1 (1954)**  
**PARCEL NUMBER: 26 REV-X**  
**DATE: MAY 24, 2018**

**LEGAL DESCRIPTION**

A tract or parcel of land No. 26 REV-X of the Department of Transportation, State of Colorado, Project Number F1-002-2(20) Unit 1 (1954), containing 6,032 sq. ft.(0.139 acres) of land, more or less, lying in the Northeast Quarter of Section 34, Township 7 South, Range 67 West, of the Sixth Principal Meridian, in Douglas County, Colorado, said tract or parcel being more particularly described as follows:

**Beginning** at a point on the westerly right-of-way of U.S. Highway 85, established by Project F1 002-2(20) Unit 1 whence the North Quarter Corner, of Section 34, being a found 2-1/2" diameter aluminum capped monument stamped LS 6935, bears North 56°34'56"West, a distance of 2536.56 feet;

1. Thence South 27°59'00" East, a distance of 117.43 feet;
2. Thence South 24°12'01" West, a distance of 65.18 feet to a point of curve;
3. Thence Southwesterly along the arc of a curve to the right a distance 25.17 feet, said curve has a radius of 19.00 feet and a central angle of 75°54'31" with a chord that bears S66°51'46"W a distance of 23.37 feet, to the westerly ROW Line of said US Highway 85;
4. Thence North 28°52'20" West along said westerly ROW line, a distance of 27.44 feet
5. Thence North 02°27'59" East along said westerly ROW Line, a distance of 148.46 feet to the **Point of Beginning**.

The above described tract or parcel of land contains 6,032 sq. ft.(0.139 acres), more or less.

Basis of Bearings: All bearings are based on the line connecting the North quarter corner of Section 34 (being a found 2-1/2" diameter aluminum capped monument stamped LS 6935) and the Northeast corner of Section 34 (being a found 3-1/4" diameter aluminum capped monument stamped LS 13258), That bearing being South 89° 06' 00" East.

For and on behalf of the  
Colorado Department of Transportation  
Johnny Calvin Hicks for and on behalf of David E. Archer & Assoc., PLS 36570  
(303) 688-4642  
105 Wilcox Street  
Castle Rock, CO 80104

Signed



# ILLUSTRATION FOR EXHIBIT A

N 1/4 COR. SEC. 34-7-67  
Found 2 1/2" Dia. Alum. Cap  
Monument LS 6935

NE COR. SEC. 34-7-67  
Found 3 1/4" Dia. Alum.  
Cap Monument LS 13258

NORTH LINE NE 1/4, SEC. 34  
(BASIS OF BEARINGS)

S89°06'00"E

2670.41'

DOUGLAS COUNTY  
SCHOOL DISTRICT  
2806 HWY 85  
BOOK 510, PAGE 743



GRAPHIC SCALE 1"=60'



YOUR STORAGE CENTER  
AT CASTLE ROCK LLC  
REC. #2017008669

EXISTING WESTERLY  
RIGHT-OF-WAY  
U.S. HIGHWAY 85  
CDOT F1-002-2 (20)  
UNIT 1 (1954)

U.S. HIGHWAY 85  
F1-002-2 (20)  
UNIT 1

P.O.B.  
26 REV-X

S27°59'00"E 117.43'

N02°27'59"E 148.46'

26 REV-X  
6,032  
S.F.

PROPOSED WESTERLY  
RIGHT-OF-WAY  
U.S. HIGHWAY 85

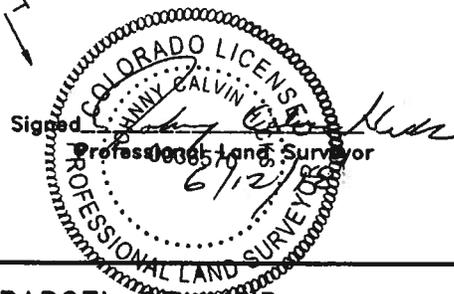
S24°12'01"W  
65.18'

N28°56'20"W  
27.44'

R=19.00'  
L=25.17'  
Δ=75°54'31"  
ChL=23.37'  
ChB=S66°51'46"W

LIGGETT  
ROAD

- SET CDOT TYPE 1 MONUMENT (3 TOTAL)
- FOUND 3" DIA. ALUM. CAP CDOT MONUMENTS



THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY.  
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.  
PARCEL CONTAINS 6,032 SQ. FT. OR 0.139 ACRES±

PARCEL 26-REV-X  
PROJECT NO. F1-002-2(20) UNIT 1 (1954)

|                  |                   |   |
|------------------|-------------------|---|
| DRAWN BY:<br>DMH | SCALE:<br>1"=60'  | FILE<br>G:\Drawings\16-0998<br>HIGHWAY R.O.W. EXHIBIT.pro |
| CHECKED BY:      | DATE:<br>05/24/18 | JOB NUMBER:<br>CDOT F1-002-2(20)<br>UNIT 1 (1954)         |

A PARCEL OF LAND  
LOCATED IN THE NE 1/4  
OF SEC. 34, T7S, R67W. 6th P.M.  
CASTLE ROCK, COLORADO

