

Resolution #TC-3016

BE IT HEREBY RESOLVED, the Transportation Commission's Special and Regular Meeting Minutes for September 19 & 20, 2012 are hereby approved as published in the official agenda of the October 17 & 18, 2012 Meeting.

**Transportation Commission of Colorado
Regular Meeting Minutes
September 20, 2012**

Chairman Gary Reiff convened the meeting at 10:08 a.m. in the auditorium of the headquarters building in Denver Colorado.

PRESENT WERE: Gary Reiff, Chairman, District 3
Trey Rogers, District 1
Ed Peterson, District 2
Heather Barry, District 4
Kathy Gilliland, District 5
Kathy Connell, District 6
Doug Aden, District 7
Gilbert Ortiz, Sr., District 10
Steve Hofmeister, District 11

EXCUSED: Steve Parke, District 8
Les Gruen, District 9

ALSO PRESENT: Don Hunt, Executive Director
Gary Vansuch, Director of Process Improvement
Ben Stein, CFO
Tim Harris, Chief Engineer
Heidi Bimmerle, Director of Admin & Human Resources
Debra Perkins-Smith, Director Division of Transportation
Development
Mike Cheroutes, HPTE Director
Barbara Gold, Audit Director
Stacey Stegman, Public Relations Director
Scott McDaniel, Staff Services Director
Tony DeVito, Region 1 Transportation Director
Tom Wrona, Region 2 Transportation Director
Dave Eller, Region 3 Transportation Director
Johnny Olson, Region 4 Transportation Director
Kerrie Neet, Region 5 Transportation Director
Reza Akhavan, Region 6 Transportation Director
Harry Morrow, Chief Transportation Counsel
John Cater, FHWA

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.

Audience Participation

Chairman Reiff asked if there were any members of the audience who had signed up to speak to the Commission. He recognized that there were no requests and moved to the next item.

He mentioned to the group that the Executive Director had requested that all comments in regards to Reza Akhavan be held until later in the meeting when a discussion would be held.

Individual Commissioner Comments

Commissioner Rogers mentioned that there had been dinner meetings with the DRCOG Board and the RTD Board attended by the Commission during the previous week and that the meetings had opened the lines of communication between the organizations and that he encourages the continuation of the meetings.

Commissioner Peterson reported that he would echo the comments of Commissioner Rogers and confirmed that the meetings with RTD and DRCOG had gone extremely well.

Commissioner Gilliland stated that the previously mentioned meetings had gone well and that she had attended a meeting of the group Progressive 15 in the northeastern counties of Colorado. She declared that she and Herman Stockinger had given a presentation to the group and that the presentation was well received.

Commissioner Connell stated that she had been attending the annual meetings of County Commissioners and had attended that training on Transportation Matters and found it to be excellent. She confirmed that she had witnessed CDOT Staff presenting the information at the annual County meetings and stated that she felt it was very important to get the message out to constituent groups. She thanked staff for a job well done.

Commissioner Aden stated that he had also attended the Ambassador Training on Transportation Matters and mentioned that he wanted to thank Stacey Stegman and Herman Stockinger and all staff that had worked on the program. He declared that he felt it was a good message. He reported that he had presented Transportation Matters at the fall meeting of Club 20 and that it was well received.

Commissioner Reiff stated that he had attended the Opening of the US 36 project and confirmed that he had appreciated the comments delivered by Commissioner Barry and

the attendance of Commissioners Peterson and Gilliland at the event. He declared that he wanted to thank staff and his fellow Commissioners who had shown support for a jump into an aggressive agenda over the next year.

Executive Director's Report:

Director Hunt declared that he wanted to jump right into the acknowledgement of one of CDOT's best on his retirement and made the following comments regarding Reza Akhavan:

- Reza Akhavan has over 27 years of progressive transportation engineering and planning experience. He has been the Region 6 Transportation Director since December 2009. He played a key role in advancing recent improvements at the I-225/Colfax interchange, I-225 corridor widening, and construction projects which resulted from the Valley Highway Environmental Impact Statement. He strategized the creation of the mini-TREX, thereby creating the opportunity to advance the Regional Transportation Districts Light Rail Transit and highway widening on I-225. His foresight in planning prepared Region 6 to advance several large transportation projects utilizing ARRA funds. His partnership with Douglas County paved the way to build a flyover structure at C-470 and Santa Fe interchange. He is a believer in the Planning and Environmental Linkage, and under his leadership Region 6 has undertaken three new PEL studies to identify needed improvements on SH-7, I-25 and the I-70/Kipling interchange. In the mid-1990s, Reza was the project engineer on CDOT's first design/build project at I-225/I-70. He has consistently promoted the importance of the US-36 Managed Lane project and helped create the groundwork to deliver the project, which will be the second largest design/build project in CDOT's history.

Director Hunt also read a statement provided by former CDOT Executive Director Russ George:

- Thank you for inviting me today to share from afar in this fitting tribute to our good friend Reza. I have long admired and appreciated Reza's competence and abilities as an engineer. He has been a student, a teacher, a leader and a producer on many of CDOT's significant projects. But, the story that I tell about Reza begins with his role as Region 6 Director. By rights he should have run away from me as fast as he could when we asked him to add to his engineering duties the often thankless and nearly impossible task of regional director. Yet, he never hesitated. He accepted the responsibility and applied his ever present good will, good humor, compassion, positive outlook and serious drive and determination to succeed. During this time he also stepped out as a visible and effective leader on several of our most important projects in Region 6 and the Denver Metro area.

During our years together I have come to greatly admire Reza's sensible caution, his careful and complete "engineer's analysis" and his need and willingness to do what is right, all of which is exceeded only by his warmth and affection as a true friend to many of us. Reza, you have served CDOT and the citizens of Colorado well. You have made me proud.

Director Hunt stated that Reza was the original 3P: principled, positive, people - people are the most important.

Commissioners Rogers, Barry, Peterson, Gilliland, and Aden made many glowing comments to Reza and Chairman Reiff concluded by stating that Reza exemplified everything known about CDOT employees and their devotion, hard work, and leadership skills and that these qualities will be missed. He reported that it is rare that he gets calls from Mayors and County Commissioners lamenting a departure and that these calls are a testament to Reza's skill as a manager and facilitator of very complex dynamics in the Metro Area and stated that he appreciated these attributes very much.

Reza addressed the gathering and expressed his appreciation of all of the kind comments made to him over the previous weeks following his announcement of retirement.

Chief Engineer Report

Chief Engineer Tim Harris delivered a presentation with information on the US 24 Sink hole and repair in Region 3.

High Performance Transportation Enterprise (HPTE) Director's Report

Mike Cheroutes reported that there were a few items he wanted to highlight:

- Stated his appreciation of Reza Akhavan
- HPTE Board met with on Wednesday, September 19, 2012 and had received an Executive Order from the Governor re-appointing Dan Cleveland, Tim Gagen, and Charlotte Robinson, to the Enterprise Board.
- The HPTE will embark on a Toll Enforcement Rulemaking process over the next several months
- Continuing conversations on the following projects:
 - 70 east, US36, and Jefferson Parkway

FHWA Division Administrator Report

John Cater recognized Reza Akhavan and mentioned that FHWA had a lot going on and highlighted the following:

- MAP-21 Implications
- Principal Arterials and NHS
- Every Day Counts
- Presentation on Continuous Flow Intersections

STAC Report

Wayne Williams was present representing the STAC and declared that the Committee had met on Friday, September 14, 2012 and reported that the STAC had covered the following topics:

- Transportation Commission Update
- Legislative Update
- CDOT Ambassador Program
- Overview of Long Range Plans
- FY '13 Additional Funds
- MAP-21 and FY '13 Budget
- Federal Aid Essentials for Local Obligation
- Rail Communication Handbook
- Review of Principal Arterials and Routes on the National Highway System
- Transit and Rail Update

Committee Reports

TRANSIT AND INTERMODAL COMMITTEE

Commissioner Peterson reported on the Thursday, September 20, 2012 meeting of the Committee:

- Commissioner Peterson elected to Chair the Committee
- Safe Routes to School program was presented
- Motion to adopt the program as presented
- Bike and Ped Plan discussed
- Meeting frequency was discussed
- Meetings will be held quarterly

EFFICIENCY AND ACCOUNTABILITY COMMITTEE

Commissioner Gilliland reported on the August 16, 2012 meeting of the Committee:

- Committee Meeting Time being discussed and will align with Commission schedule revisions
- Steve Hofmeister will be representative to the Committee beginning at the October meeting
- Financial Accountability Task Force Report
- Pre Contract Award Authority update
- Improvement efforts in the Division of Aeronautics update
- Demonstration of CDOT's online financial data base system

Act on Consent Agenda

Chairman Reiff stated that a motion would be entertained on the Consent Agenda and Commissioner Rogers moved for approval of the Consent Agenda. Commissioner Peterson seconded the motion and on a vote of the Commission, the Consent Agenda was unanimously approved.

Approve the Special & Regular Meeting Minutes of August 15 & 16, 2012

Resolution #TC-3012

BE IT HEREBY RESOLVED, that the Transportation Commission's Special and Regular Meeting Minutes of August 15 & 16, 2012 are hereby approved as published in the official agenda of the meeting Agenda.

Approval of the STIP Policy Amendment for September 2012

Resolution #TC-3013

Resolution to Approve STIP Policy Amendment Package for STIP Policy Amendments for September, 2012

Approved by the Transportation Commission on: September 20, 2012

WHEREAS, the Colorado Transportation Commission has statutory authority pursuant to 43-1-106, C.R.S. to approve, accept, and amend various planning documents resulting from Section 135 Title 23 of the USC, and 43-1-1101 through 1105 C.R.S.; and

WHEREAS, the Commission adopted the 2012 – 2017 Statewide Transportation Improvement Program (STIP) in May, 2011; and

WHEREAS, the STIP is occasionally amended due to significant changes in project scope or projects need to be programmed in or out of the first four years of the STIP, thereby requiring a policy amendment to the STIP; and

WHEREAS, the Section 450 Title 23 of the CFR requires a public process be implemented for review and comment on proposed policy amendments, as well as Transportation Commission approval of said amendments; and

WHEREAS, the public process for the policy amendments set before the Commission for the September 2012 Policy Amendments was provided from August 13, 2012 through September 20, 2012, and no comments were received; and

WHEREAS, it is requested that the Transportation Commission approve these policy amendments to the STIP, which are detailed in the attached table, and direct staff to forward this approval to the Federal Highway Administration and the Federal Transit Administration for concurrence.

NOW, THEREFORE, BE IT RESOLVED, the attached STIP Policy Amendment package for the September, 2012 policy amendments be adopted and forwarded to the Federal Highway Administration for concurrence.

BE IT FURTHER RESOLVED, after said concurrence is received from the Federal Highway Administration, staff from the CDOT Office of Financial Management and Budget will finalize the policy amendments in the STIP Database.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date

Approval of the Resolution regarding the Addendum to the approved FY 13 Over \$50K Project List

Resolution #TC-3014

Addendum to Fiscal Year 2013 over \$50,000 project list approval

Approved by the Transportation Commission on: September 20, 2012

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 cost estimates for these additional projects to be done in Fiscal Year 2013 as detailed in the memorandum entitled; Additions to the FY 13 approved over \$50,000.00 project list dated July 31, 2012; and

WHEREAS, the funding for these projects is contained in the Fiscal Year 2013 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 6 – Maintenance Section 8 (Denver)

Highway	MM	Project Type	Estimated Cost
C-470	4.55	Ramp Overlays	\$60,000
6H (Frontage Road)	294.91 – 295.24	Overlay	\$90,000
US 40 (Colfax)	288.4 – 289	Overlay	\$120,000
I-76	11.8 – 12.4	Overlay	\$135,000
I-25	217.5 – 218.4	Overlay	<u>\$147,940</u>
		State total	\$552,940

Sufficient funds exist within the appropriate MPA's to pursue these projects.
The projects are in accordance with the directive and all other requirements.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date

Discuss and Act on the 4th Budget Supplement

Laurie Freedle mentioned that there were some Walk On items for the Supplement as shown below:

Region 3

- \$1,600,000 – FASTER Safety – I-70: Wildlife Fencing (MP 96-MP 110) – An advancement of FY 2015 funds is requested so this project can move forward as a whole rather than a phased approach. The entire project is on the shelf and can be advertised in November 2012, if funding is made available.
- \$4,440,000 – Regional Priority Program (FY13) and FASTER Safety (FY15) – I-70: Diverging Diamond Interchange in Grand Junction (Exit 26) – An advancement of \$3.1 million of FY 2015 FASTER Safety is requested for this project to move forward in conjunction with a separate, independent project being done by the city on its local system. The timing of construction advertisement is dependent on the city's effort, but March 2013 has been discussed and agreed to with the local.

Regions 2 & 4

- \$3,900,000 – Transportation Commission Contingency Reserve – US 24 and SH 14 – June - July 2012 Wildfires – This request is in addition to the action on page 6, bullet 1. The estimated cost to mitigate future flooding due to accelerated runoff from burn areas has risen to \$9 million.

Division of Transit and Rail

- \$253,809 – Federal-aid Earmark (CO034) – Interregional Connectivity Study – This action will augment a current grant with surplus earmark funds to address the consequences of freight rail traffic not re-locating to the eastern plains of Colorado.

Region 6

- \$33,163,716 – Local Agency (City and County of Denver) – Peoria and Smith Road: Grade Separation – Design Build – Denver needs to move forward with design-build procurement in order to complete the project as required by the EAGLE P3 schedule for the East Rail corridor. Given that full Federal funding for this project (approximately \$20 million) will not become available until July 1, 2013, and that the Federal funding, as currently programmed for this project, is not guaranteed due to the uncertainties of MAP-21, Denver has made a financial commitment of \$33 million in order to obtain concurrence from CDOT and FHWA to advertise the design-build phase as soon as possible, with subsequent reimbursement when funding becomes available.

Following some discussion on future Walk On items, Chairman Reiff requested a motion on the Budget Supplement.

Commissioner Connell made a motion for approval of the Budget Supplement. Commissioner Gilliland seconded the motion. On a vote of the Commission, the Budget Supplement was unanimously approved.

Resolution #TC-3015

Approval of the 4th Budget Supplement

BE IT RESOLVED THAT, the 4th Supplement to the Fiscal Year 2012-2013 Budget be approved.

Discussion of MAP-21 and Preserving the FY2013 Budget

Discussion of 2014 Budget Categories & Decision Items

Acknowledgements

Chairman Reiff introduced Tim Harris who gave a presentation on the Summer of 2012 Emergency Fire Response Activities in Region 4 and Region 2.

The following employees were honored for their contributions to the effort:

Region 4

Tom Aguilar, Scott Ellis, Jon Anderson, Jeremy Beumer, Tom Blehm, Bill Boege, Bob Conley, Nick Cooper, Justin Decker, John Elshof, Jeff Erickson, Mike Fields, Jerry Franklin, Jon Glover, Dereck Hackett, Bill Heidenreich, Manny Herrera, Brad Holmes, James Howard, Scott Johnson, Tom Lujan, Wes Mansfield, Owen Marshall, Robert Mathies, Pat McGoldrick, Daniel McKelvey, Steve Miller, Bladon Phillips, Micah Schmidt, Bill Sparks, Jim Stephenson, Nick Stermer, Robert Stout, Josh Sutherland, Chris Turnbull, Greg Venette, Jeff Williams, Rocky Winters and Pat Ziegman, Greg Berkheimer, Gary DeWitt, Rachel Gonzales, Jennifer Gorek, Steven Griffin, Ty Ortiz, Ashley Mohr, Justin Pipe, Kevin Piper and Daryl Wilson

Region 2

Doug Lollar, Dave Watt, Gary Heller, Andy Stecklein, Lesley Mace, Kim Pachak, Russ Bircher, Ken Quintana, Craig Eaks, Steve Eurich, Robert Pultz, Tom Music, Bill Riddle, Walter Garcia, Keith Sturdevant, Kurt Loss, Eric Darby, Joe Willits, Dave Coleman, Brad Bauer, Mark Pennington, Ernie Meno, Tim Kirtley and Jon Masura

Other Matters

Chairman Reiff confirmed with the gathering that there were no other matters to come before the Commission.

Adjournment

Chairman Reiff announced that the meeting was adjourned at 11:40 a.m.

Norman J. Stockinger III 10-22-12

Herman Stockinger, Secretary Date

Transportation Commission of Colorado