

The Transportation Commission Workshops were Wednesday, September 19, 2018 and the regular meeting was Thursday, September 20, 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 Transportation Commission.

Transportation Commission Workshops

Wednesday, September 19, 2018

1:00 pm to 4:45 pm

Attendance: Nine Commissioners attended the workshops with Commissioners Gifford and Peterson excused. Commissioner Thiebaut, Vice-Chair, filled in for Commissioner Gifford.

Right of Way Workshop (Josh Laipply)

Purpose: The purpose of the workshop was to discuss six right-of-way (ROW) acquisition (negotiations) and four projects for condemnation authorization requests.

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

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

- Region 1
 - US 40 – Colfax and Chambers - Project Code 22392
 - Central I-70 Project, Code # 19631
- Region 2
 - SH 94 at Peyton Highway, Project Code 21543
- Region 4
 - Loveland ADA Curb Ramps - Phase 1, Project Code 22442
 - I 25 SH 66 to N/O SH 56, Project Code 18319
 - PR Flood Repair – SH 55, SH 59, and SH 385, Project Code 20257

Four projects for condemnation authorization for September 2018 included:

- Region 1
 - I-70 Central, Project Code: 19631
- Region 4
 - I-25 North: SH 402 to SH 14, Project Code 21506.
- Region 5
 - US 550: CR 214 North ROW Acquisition, Project Code 16791.
 - US 160 Passing Lane North of Towaoc, Project Code 20325.

Discussion:

- No comments were raised by Commissioners regarding the six ROW Acquisition requests.
- A new format to present the ROW acquisitions occurred to streamline the process to obtain TC comments.
- The Chief Engineer, Josh Laipply, referred to the contents in the Transportation Commission (TC) packet for ROW acquisitions and solicited comments from the Commission.

- With no comments, under this new process, the TC permitted the six projects with ROW authorization requests to be moved to the consent agenda of the regular meeting.
- For the four condemnation authorization requests, more details for each project were presented to the TC. Issues surrounding the condemnation authorization requests (that permit CDOT to proceed with the process for condemnation) included property owners not providing counter offers when CDOT makes an offer for purchase, or the differential between CDOT's purchase offers are substantially lower than what the property owner is requesting and an agreement on costs cannot be reached. The Commissioners indicated they would support moving forward with condemnation proceedings for these four projects.

[Review of Projects under Proposition 109 \(formerly Initiative 167\) \(Herman Stockinger\)](#)

Purpose: To discuss staff recommendations related to Proposition #109, which proposes that CDOT bond for up to \$3.5 billion for specific highway projects, with proceeds to be paid back over twenty years with General Fund revenue. Because the Proposition does not list funding amount for each project, and the total cost of the scope of the projects listed is approximately \$5.6 billion, the Transportation Commission must determine how the funds should be spent. This includes eliminating some projects and reducing the scope (and therefore cost) of others.

Action: Adopt a project list which utilizes all available revenue should Proposition 109 be approved by voters.

Background: Key Facts and Points to consider for Proposition 109:

- No tax increase. General Assembly (GA) shall identify and appropriate before July 1 of each year sufficient funds for repayments costs of the bond. Assumption is the GA provides General Funds for this cost
- No later than July 1, 2019, CDOT shall issue a maximum of \$3.5 billion in bonds with a maximum repayment of \$5.2 billion.
- Funds "shall be used exclusively for roads and bridge expansion, construction, maintenance and repair and shall not be used for transit, administration or indirect costs and expenses... the proceeds shall be used only for the projects identified in Part 11 and for costs directly related to such projects including planning, engineering, environmental assessments, as well as procurement and administrative costs."
- Net Revenue anticipated would be as follows:
 - SB 17-267: Current law allows for \$1.88 billion of COPs in four issuances. The final three years (\$1.5 billion) is repealed if Initiative 167 is approved
 - Prop 109 allows for bonding of up to \$3.5 billion
 - CDOT projects net gain over current law to be \$2 billion
- Narrowing the project list would involve:
 - Maintaining consistency with analysis of Proposition 110, including:
 - Start roughly with the RPP distribution formula to each region
 - Include revenue and project assumptions for SB 1 & SB 267 (Year 1 as opposed to all 4 years) when analyzing project list - which gives us a project list of just over \$4.1 billion
 - Start with the funding assumptions for each project on the Prop 110 list and then add or subtract from each project as necessary to achieve fiscal constraint
 - Give weight against projects that can't be built in three years

An informal opinion from the Attorney General's Office confirms the likely limits of potential TC action on the ballot list.

- The TC cannot select different projects for funding than those listed in the proposition
- The TC cannot use Prop 109 funds to go beyond the project limits of the project descriptions as listed in the proposition
- The TC cannot change the core substance of the project description (i.e. if the project description says "build a continuous flow intersection" the TC cannot fund a full interchange instead)
- The TC may reduce the scope or even eliminate a project from the list to stay within fiscal constraint or for other reasons (for example, the project is already funded with other funds or is no longer supported by CDOT or our planning partners)
- Court will determine compatibility with Prop 110

- Likely no conflict using General Funds
- Likely no conflict with using Sales Tax Funds
- Likely conflict with how SB 267 is handled. SB 18-001 handles SB 267 differently depending on which measure passes and does not contemplate if both measures pass

Options

- Option 1: TC adopts enclosed project list this month (with or without changes). This allows voters to see what projects would be funded under Proposition 109 (staff recommendation)
- Option 2: TC does not adopt a list in September, but provides instruction to staff to re-work the list based on TC input, returning to Commission in October for a vote on an updated list. While this still allows voters to see the list in advance of the November 6 vote, the timeline is more compressed.
- Option 3: Do not adopt a list. Proposition 109 has a list, and the Blue Book is expected to state that the TC will determine which projects will actually be funded.

Next Steps

- September 2018: Staff must determine how best to post project lists on our website for both Proposition 109 and Proposition 110.
- September 2018: Blue Book is finalized by Legislative Council
- November 6, 2018: Election Day
- Post-November: Vigorous workshops should a ballot question for transportation be approved in 2018.

Discussion:

- Much discussion occurred regarding the benefits of providing a list, and the TC's legal obligation to provide a list.
- Commissioner Thiebaut and Hofmeister both agreed that a list is not the TC's responsibility legally, and therefore no list should be attached to Proposition 109. Commissioner Zink also noted that she believes the list would be confusing for voters.
- Commissioners Connell and Stuart felt it would be important for voters to understand what they will get if they vote for this proposition.
- Commissioner Gilliland liked the idea of refining the resolution to indicate that with loss of SB 267 funding only \$2 billion would be bonded.
- Josh noted that perception is reality and attaching a project list will limit CDOT, if Proposition 109 passes.
- Debra Perkins-Smith, CDOT Division of Transportation Development Director, noted that CDOT could and most likely will provide a list on the CDOT website as part of Together We Go page and indicate this is not a TC approved list, but what CDOT sees as potentially being constructed if Proposition 109 passes. Commission D'Angelo supported this approach.
- However, it was noted that the issue at hand today was whether the TC will approve attaching a project list to Proposition 109.
- Commissioner Hall expressed concerns with the three-year timeline associated with the project list, as the buck stops with the TC. The Commission needs to make a statement.
- Commissioner Gilliland noted that Herman Stockinger, CDOT Deputy Executive Director and TC Secretary, should redraft a new resolution based on today's discussion related to adding statement about funding from Proposition 109 not covering a list of \$5.6 billion, and that transit and local projects are not included.
- Commissioners did agree that changes to a resolution are needed, whether or not a list is attached that would include:
 - A statement clarifying that the \$3.5 billion potentially collected from Proposition 109 passing would not cover all the projects on the current list (representing \$5.6 billion – if a list is attached, and with SB 267 funding losses, only \$2 billion would be available).
 - A statement that this Proposition 109 does not cover local or transit projects.
- Herman agreed to redraft the resolution and bring it to the TC breakfast and regular meeting for further discussion.

FY 20 Annual Budget Workshop (Jeff Sudmeier)

Purpose: This workshop focuses on the fiscal year (FY) 2019-20 revenue projections and begins the TC review of the FY 2019-20 Proposed Annual Budget, set for approval in November.

Action: The Division of Accounting and Finance (DAF) is asking the TC to review and comment on the FY 2019-20 revenue forecast and Proposed Annual Budget.

Background: At the beginning of each fiscal year, DAF develops an initial forecast of revenues for the upcoming fiscal year, which is then used to develop the draft budget for the upcoming fiscal year.

CDOT's FY 2019-20 estimated revenues for next fiscal year's Draft Annual Budget are \$1.903 billion, which is a decrease of \$141.9 million from FY 2018-19; the majority of the decrease is driven by a decrease in the FY 2019-20 Senate Bill (SB) 18-001 General Fund transfer from \$346.5 million to \$105.0 million, offsetting the \$120.0 million increase in the SB 17-267 allocation to \$500.0 million.

- **SB 17-267 proceeds** from state lease purchase agreements are codified in statute at \$500.0 million for FY 2019-20, dependent on ballot initiatives in November 2018 and/or November 2019. This represents an increase from \$380.0 million due in FY 2018-19.
- **The SB 18-001 transfer** due July 1, 2019 (FY 2019-20) has been reduced to \$105.0 million to the State Highway Fund and \$22.5 million to the Multimodal Transportation Options Fund (MTOF) from FY 2018-19 amounts of \$346.5 million and \$74.25 million, respectively.
- **Highway Users Tax Fund (HUTF) revenues** to CDOT are expected to increase slightly in FY 2019-20 from the FY 2018-19 forecasted amount by \$8.5 million due to an increase in vehicle miles traveled. In addition, vehicle registrations continue to increase due to an increasing population and Colorado's expanding economy.
- **CDOT Miscellaneous Revenue** is expected to increase by \$518,000 in FY 2019-20 due to an increase in interest income resulting from a higher Fund 400 cash balance.
- State Share of **FASTER Safety funds** to CDOT in FY 2019-20 is expected to increase by \$2.6 million to \$119.9 million due to an increasing population and Colorado's expanding economy.
- **Federal flexible revenue** in FY 2019-20 is expected to increase by \$9.2 million to \$423.8 million in accordance with the FAST Act.
- **Federal inflexible revenue** in FY 2019-20 is expected to increase by \$3.7 million to \$125.5 million in accordance with the FAST Act.
- **National Highway Traffic Safety Administration (NHTSA) grants** are expected to increase in FY 2019-20 by \$455,000 to \$8.6 million due to an increase in Transportation Safety Administration (TSA) grant funding.
- CDOT has not submitted a **Permanent Recovery funding** request in FY 2019-20.
- **Colorado's High Performance Transportation Enterprise (HPTE)** FY 2019-20 estimated revenues are currently \$16.5 million, which is a slight increase from FY 2018-19. There is currently no predicted tolling revenue estimate for FY 2019-20. HPTE expects to have an updated FY 2019-20 revenue estimate later this year, which will be incorporated into the FY 2019-20 Final Annual Budget to be reviewed by the TC in February 2019.
- **Colorado's Statewide Bridge Enterprise (CBE)** FY 2019-20 estimated revenues are \$118.1 million, which is an increase of \$1.9 million from FY 2018-19; the majority of the increase is driven by the forecasted increase in FASTER Safety Bridge Surcharge revenues, the primary funding source for CBE.

Discussion:

- Jeff Sudmeier, CDOT Chief Financial Officer, provided an explanation of how revenue projection for FY 20 was estimated. Some revenues may be spent with more flexibility than others may.
- A new revenue forecast will be needed if Proposition 109 and/or 110 pass.
- The current budget is based on existing legislation and does not include revenue generated from upcoming propositions.

- The budget item categories are those that are related to asset management (maintenance of existing infrastructure) mandated items, debt service, and administrative and operations.
- The Safe Routes to School program budget was adjusted to reflect local match, as done with other similar programs.
- Commissioner Hofmeister expressed concern that the practice of including local match in budget would make it appear CDOT has more money than it does.
- Mike Lewis, CDOT Executive Director, noted that local match dollars of the budget represent less than 1% of the total budget, and this correction was to provide consistency with other programs that have local matches.
- Commissioners generally had no other significant comments on the FY 20 budget.

Risk and Resiliency Program Update (Debra Perkins-Smith & Oana Ford)

Purpose: Update the TC on Risk and Resilience proposed activities.

Action: Information only.

Background: The I-70 Risk and Resilience Pilot, completed in late 2017 and available for browsing at <https://www.codot.gov/programs/planning/cdot-resilience-program>, builds on the work completed by CDOT in the wake of the catastrophic 2013 flood event. It is a first-of-its kind approach, meant to address vulnerabilities in Colorado's highway infrastructure by quantifying the risk and developing mitigation measures. The 450 miles of I-70 from the Utah border in the west to the Kansas border in the east have been analyzed for the potential of future damage and closures from physical threats. The pilot considers multiple significant threats—ranging from avalanche to wildfire, as well as human-made threats, such as high vehicle bridge strikes, and provides a quantitative, data-driven approach to quantifying risk and calculating benefit cost of alternative mitigation measures. The Transportation Commission Resiliency Committee provided input and direction on this study.

Details: Risk and Resilience has been established as a new CDOT Program in the CDOT Division of Transportation Development, with dedicated staff time. As detailed in the attached presentation, the Program is currently pursuing the next steps identified in the I-70 Risk and Resilience Pilot; specifically, 1) acting on the I-70 Pilot results, 2) developing a risk assessment standard for the state of Colorado, 3) integrating resilience in the Department, and 4) remaining engaged and active in the transportation resilience field.

Next Steps: The next steps for the Program include convening the Working Group to take action on I-70 results prioritization; provide regular TC updates if requested, and proceed with the resilience projects in the CDOT Resilience Work Plan.

Discussion:

- Debra introduced Oana Ford, CDOT's the Risk and Resiliency Program Manager.
- Oana noted that in the past a Risk and Resiliency Committee of the TC had met and was briefed on the status of the I-70 Risk and Resiliency Pilot. It is hoped this TC Risk and Resiliency Committee will continue and provide input to the CDOT Risk and Resiliency Program.
- An overview of the key findings from the I-70 Pilot Project was presented.
 - Risk Analysis and Management for Critical Asset Protection (RAMCAP) was the 7-step process used to assess resilience along I-70 from Utah to Kansas.
 - Purpose was to be proactive in looking at optimal investments that can be done now.
 - A total of 10 asset types and eight risks were assessed during the Pilot.
 - Both user (traveling public) risk in terms of their time and vehicle running costs and owner (CDOT) risk for asset replacement and in-kind services were evaluated.
 - Rockfall had the highest owner risk and flood was the highest user risk.
 - Annual risk was assessed on corridor segments of I-70.
 - Each asset type was assessed for each risk and methods to mitigate risks were considered, and their comparative benefits and costs were estimated to provide information on how to optimize proactive investments.

- Commissioner Connell mentioned that a dream of hers is to have money in a risk and resiliency program to pay for improvements that mitigate risk, and asked if the analysis included off-system detours. Oana responded that time for taking detours was included in user costs, but the roadways were not part of the analysis yet.
- Josh noted that when a Governor declares an emergency, federal emergency funds become available to pay for damages.
- Commissioner Scott requested to see human caused risks be included – e.g., terrorism/cyber-attacks.
- Josh noted that CDOT is diversifying platforms and segmenting data to protect CDOT from future cyber incidents.
- Commissioners expressed enthusiasm and support for the creation of the risk and resiliency program and the work Oana is doing.

Statewide Transportation Plan Committee (Debra Perkins-Smith & Tim Kirby)

Purpose: The purpose of this workshop was to provide the Commission members with an overview of the roles and responsibilities of the Statewide Plan (SWP) Committee of the TC. Another purpose was to provide staff's initial thoughts on the key elements or issues that the SWP Committee may want to provide guidance on and weigh-in related to the development of the 2045 Statewide Transportation Plan.

Action: TC consensus on having STAC representation on the SWP Committee.

SWP Committee Background: The SWP is a roadmap for Colorado's transportation system. The SWP is required to be developed by federal and state regulations. The SWP defines the vision for the transportation system. The SWP's prominence was elevated and this resulted in creating the SWP Committee for the 2040 SWP, and for the upcoming 2045 SWP.

General roles and responsibilities of the SWP Committee would include:

- Providing overall guidance on development of the SWP
- Confirming the vision
- Brainstorming on approaches and methodologies
- Serving as sounding board
- Conducting incremental reviews of draft SWP elements
- Recommending to TC SWP adoption

Discussion:

- Related to statewide planning, a discussion on re-envisioning Policy Directive (PD) 14 "Policy Guiding Statewide Plan Development" will occur next month instead of this month, to save time on the agenda.
- Debra asked if the Statewide Plan (SWP) Committee would be agreeable to having Vince Rogalski, the Statewide Transportation Advisory Committee (STAC) Chair serve on the SWP Committee also. The SWP Committee members agreed to have STAC Chair join the Committee.
- Commissioner Scott asked how the SWP links to the FY 20 budget discussion that just occurred.
- Debra responded that the SWP is an umbrella plan that identifies needs and priorities and strategies to use that feed down into how budgets are created. Conversely, the Regional Transportation Plans (RTPs) that CDOT helps rural Transportation Planning Regions develop, feed into the SWP with their needs and priorities highlighted. For example, the Freight Improvement Program project list will feed into needs and priorities of the rural TPRs and their RTPs that will then integrate upwards into the SWP.
- PD 14 also is a link to funding choices – as it compares performance with investment decisions.
- Commissioner Scott asked how and when technology would be considered in the SWP.
- Deb noted that the next SWP will conduct scenario planning for connected and autonomous vehicles (CAVs) and that is one way technology will be incorporated into the SWP, and the statewide travel modal will help analyze the scenarios. In addition, Intelligent Transportation Systems (ITS) and operational technology will be a component of the plan.

- Jeff Sudmeier also mentioned that the revenue projection and program distribution processes look at revenues and funding for the future out to 2045 for this upcoming SWP.
- Commissioner Stuart noted her excitement with the upcoming plan and noted it is similar to the Denver Regional Council of Governments (DRCOG) planning process.

Transit & Intermodal Committee (David Krutsinger)

Attendees: Commissioner Gilliland, Commissioner Hofmeister, Commissioner Thiebaut, Commissioner Hall, Commissioner Stuart, Debra Perkins-Smith, Sharon Terranova, Karen Rowe, Mike Timlin, David Krutsinger, Jeff Sanders, Tim Kirby, Josh Laipply, Brodie Ayers, Maria Johnson, Kathleen Collins, and Ann Rajewski, CASTA

Colorado Freight Plan (CFP) Update – Debra Perkins-Smith

Background: The CFP is a strategic plan for CDOT and its partners to guide freight-related strategies and initiatives. The plan development process emphasized stakeholder engagement, implementation planning, and communication and education efforts. The CFP documents critical multimodal infrastructure needs, summarizes stakeholder input, and identifies high-priority strategies for future action.

At the August 2018 TC meeting, the TC approved the State Freight and Passenger Rail Plan (SF&PR). SF&PR Plan is federally required to be approved by the Department's governing body, the TC. Unlike the SF&PR Plan, and not to be confused with, the CFP and FIP does not require TC approval. The approval of those documents lies with FHWA. Additional information on the FIP is provided in the Details section below. This is a requirement in order to distribute National Highway Freight Program (NHFP) funding. The Freight Advisory Council (FAC) has reviewed and provided comments on the draft CFP. Staff is also offering a courtesy review of the draft CFP to the TC in October.

The CFP emphasized stakeholder engagement throughout the planning process. Stakeholders from private industry, economic development organizations, freight trucking and rail businesses, and regional and local governments were engaged through advisory committees, working groups, interviews, surveys, and through ongoing coordination with CDOT staff. Members of CDOT committees, including STAC and FAC were directly involved in identifying key strategies and in providing review and comments on the draft plan. Comments and input were integrated into the current draft plan to ensure responsiveness to key partners.

The CFP document is a performance-based investment approach to distribute funding under the National Highway Freight Program (NHFP). A key element of this plan is a federally required FIP. The FIP is included as an appendix to the CFP, and is a listing of prioritized freight-specific projects anticipated for funding through the NHFP. The TC via workshops has been instrumental in providing feedback on the methodology used to select and prioritize the projects over the last couple of months. As part of the September TC Consent Agenda, staff is requesting TC to approve the NHFP FY 18 project list which will be included in the FIP. The staff recommendation for NHFP FY 18 project list includes the following six projects:

- I-25 South Monument Hill Climbing Lane (Region 1) - \$2,500,000
- US 287 Passing Lane South of Lamar (Region 2) - \$4,500,000
- I-70 Truck Parking (Region 3) - \$1,625,000
- US 40/US 287 Passing Lanes (Region 4) - \$4,500,000
- Mountain Pass Critical Safety Needs (Region 5) - \$2,400,000
- Truck Parking (Region 5) - \$2,220,000

Discussion:

- Debra explained that we have the State Highway Freight Plan Amendment in place that allows CDOT to spend NHFP funds.
- Next month or November the full TC will get a package of freight materials – the CFP update, and the FIP list of projects. The TC is not required to approve the CFP, but staff wanted to give the TC an opportunity to comment before the plan is submitted to FHWA for approval/concurrence.
- Commissioner Gilliland noted that bringing a package was a good idea.
- Debra noted that the FAC, with members from the freight industry, has also been involved closely during the development of this plan, providing varied input.

Active Transportation Development Program – Tim Kirby

Background: The Development Program is a part of the transportation-planning process focused on identifying major investment needs and establishing priorities with planning partners to support the long-term development of the state transportation system. The Development Program focuses on projects that otherwise could not be constructed based on funding constraints and identifies a variety of elemental needs within the transportation system. It also bridges the gap between the Statewide Transportation Plan (25-year vision) and the Statewide Transportation Improvement Program (STIP).

There are a number of elements that exist as part of the transportation system that are inventoried within the Development Program. These elements include: Highway Capacity, Transit, Asset Management, Transportation Systems Management & Operations, and ADA Curb Ramps. This expansive inventory of identified unfunded projects demonstrates the unmet transportation needs across the state and allows the department to respond proactively when new funding sources become available.

Details: Growing interest from the general public, public interest groups, Transportation Planning Regions (TPRs), Metropolitan Planning Organizations (MPOs) and the General Assembly has demonstrated the need for an Active Transportation element of the Development Program. The Active Transportation element of the Development Program will include an inventory of the multimodal needs (e.g. sidewalk improvements, separated multi-use paths, bicycle and pedestrian paths, connections to transit centers, etc.) that exist on, or adjacent to, the state highway system. Staff is in the early stages of the development of this element, but the production of this element will follow the same process that other elements of the Development Program, such as Highway Capacity projects, followed. This process includes a review of relevant planning documents (e.g. studies, environmental, and Regional Transportation Plans), review and comment by CDOT regional planners, and review and comment from TPRs and MPOs.

Discussion:

- Debra explained that the initial active project list was gleaned from plans and then coordination with planning partners took place, as was done with the other DP projects.
- Tim mentioned the issues with the conflict between investing on roadways for improving pavement condition versus constructing improvements for active projects exists; however, the link is shoulder width. We need to identify where the key corridors for increasing shoulder width exists. STRAVA data is available that points out usage of facilities by cyclists.
- Debra suggested overlay map of shoulders with bicycle usage information.
- Commissioner Gilliland mentioned the regional bike plans there were conducted previously. Debra noted they were done by DNR.
- Josh recommended starting in areas with the most impact. In addition, Josh noted he understood that Colorado has no state designated bicycle routes and that we need to evaluate this in the next six months or so, and consider designations to link with Kansas and Utah, which do have designations. Would like to see designations determined in the next 18 months. Josh noted that most of the designations are on U.S. routes.
- Debra noted, that about 4 years ago, CDOT considered designations but decided, due to the designation requirements, to instead build an online bicycle map with detailed information– we are one of the only, if

not the only, state that has a bicycle map like this. DTD will look into Josh's request and see what can be done about establishing designated bicycle corridors.

SB 267 Transit Discussion – Jeff Sanders

SB 17-267 "Concerning the Sustainability of Rural Colorado" (SB 267) authorizes the execution of lease-purchase agreements on state facilities totaling \$2 billion, to be issued over four years, beginning in FY 2018-19. CDOT will be the steward of \$1.88 billion of those proceeds, of which 10% must go to transit (\$188 million) and a minimum of 25% to rural counties with a population of less than 50,000 as of July 2015. CDOT must use highway funds for federal aid highway projects that are included in the strategic transportation project investment program of the Department of Transportation and that are designated for Tier 1 funding as 10-Year Development Program projects." For transit funds, "at least 10 percent of the proceeds shall be expended for transit purposes or for transit-related capital improvements."

The recent passage of SB 18-001 resulted in some uncertainty for the SB 267 funds. While the legislation confirmed the first year of 267 funds, future years are contingent on outcomes of ballot initiatives. This memo presents an approach for how CDOT will program the transit funds associated with SB 267. The first year of funds results in \$38 million for transit projects, \$9.5 million of which must be used in rural counties.

Selection Criteria

DTR has used the following criteria to propose project selections for SB-267 funds:

- Project Readiness – The project has already undergone a significant level of planning and is ready to proceed to construction in the short term.
- Strategic Nature – Project is of regional or statewide significance or is part of a statewide programmatic need.
- Planning Support – The project is supported by relevant planning documents (Transit Development Program, Intercity Bus Plan, corridor NEPA documents)
- Statewide Transit Plan Goal Areas – Supports statewide plan goal areas of system preservation and expansion, mobility/accessibility, transit system development and partnerships, environmental stewardship, economic vitality, and safety.
- Supports Statewide System – Supports a statewide transportation system, with consideration of transportation needs throughout the state.

Current recommended projects are presented below.

Current Recommended Projects

Project	Project Description	Non-Rural	Rural
Monument (I-25 / SH 105) bus slip ramps	<ul style="list-style-type: none"> • Significant travel time savings for Bustang passengers • Cost savings if built with I-25 South “Gap” Project • Fits PD14 goal for regional/interregional connectivity 	\$4.0 M	
Longmont (SH 119 / I-25) park-and-ride	<ul style="list-style-type: none"> • Existing CDOT park-and-ride which can be activated for “reverse commute” transit service to Fort Collins • Also provides a Weld County stop for trips into Denver • Fits PD14 goal for regional/interregional connectivity • Request of NATA and NFRMPO to have a connection in this area, with longer-term goal also at SH 7 / I-25. 	\$5.0 M	
Berthoud (SH 56 / I-25) park-and-ride	<ul style="list-style-type: none"> • New park and ride consistent with North I-25 EIS • Fits PD14 goal for regional/interregional connectivity • Cost savings if built with I-25 North Segment 6 Hwy 	\$12.4 M	
Kendall (near US 34 / I-25) park-and-ride	<ul style="list-style-type: none"> • Project already funded with SB 228 funds, but improved design requires additional funds • Cost savings since built with I-25 North project • Fits PD14 goal for regional/interregional connectivity 	\$5.8 M	
Non-Rural Program Support	<ul style="list-style-type: none"> • Project support, design, environmental clearance, etc for non-rural projects 	\$1.3 M	
Rural Infrastructure Projects	<ul style="list-style-type: none"> • Currently unallocated funds that will be used for rural projects consistent with project selection criteria (more discussion below) 		\$7.5 M
Rural Program Support	<ul style="list-style-type: none"> • Project support, design, environmental clearance, etc for rural projects 		\$2.0 M
	Total	\$28.5 M	\$9.5 M

Rural Infrastructure Projects

Since the bill defines rural as counties with less than 50,000 people, most counties along I-25 and I-70 are not eligible. CDOT has already identified a few likely projects. For instance, Poncha Springs has approached CDOT to discuss a park and ride that would serve regional and local transit service. Another project is a park and ride in Park County (Fairplay) for a regional transit route. CDOT proposes to use its annual capital application process available in the fall to identify and evaluate additional projects.

Discussion:

- Commissioner Gilliland mentioned median slip ramps and how they are good technology for future projects.
- Jeff noted that they save money if installed in conjunction with other roadway improvement construction.
- Josh noted their use is dependent on where they would be and traffic patterns – sometimes they aren’t the best solution.
- Jeff noted at the Berthoud Center a median is being planned.
- Commissioner Hall mentioned that rural areas are looking for more transit.

Asset Management Plan – Jeff Sanders

Background: In July 2016, the FTA published the National Transit Asset Management Final Rule (49 U.S.C. 625) defining the term “state of good repair” (SGR) and establishing requirements for transit asset management for FTA recipients (e.g. CDOT) and sub-recipients (e.g. transit agencies receiving sub-awards from CDOT). The rule applies to all transit agencies that receive federal funds through 49 U.S.C Chapter 53 and own, operate or manage capital assets used for public transportation. Major provisions of the rule include:

- Each agency is required to either develop its own TAM Plan or participate in a group plan.
- Each agency is required to assess the conditions of its assets at least every three years.
- Agencies need to report overall SGR measures to FTA and set one-year SGR targets annually. This reporting is handled through the National Transit Database (NTD). Measures that need to be reported include 1) percent of revenue and non-revenue vehicles exceeding a specified Useful Life Benchmark age (ULB), 2) percent of facilities not in SGR (overall condition of 1 or 2 on the 5-point Transit Economic Requirements Model scale), and 3) percent of guideway under speed restrictions for rail guideway.

- State DOTs, including CDOT, are required to develop Group TAM Plans on behalf of smaller “Tier 2” agencies to reduce the planning and reporting burden on those agencies.

CDOT provides some level of Federal and/or State funding support to approximately 93 transit agencies in Colorado, including both public and specialized transit providers.

The Group TAM Plan, that has been under development in some capacity since 2016, is a business model that uses the condition of assets to guide the optimal prioritization of capital spending in order to keep the transit system in a State of Good Repair. Per the TAM Rule, this plan contains the following elements:

- **Asset Inventory:** An inventory of the number and type of capital assets to include: Rolling Stock (vehicles), Facilities, and Equipment.
- **Asset Condition Assessment:** A condition assessment of those inventoried assets for which agencies have direct capital responsibility.
- **Decision Support Tools & Management Approach:** A description of the analytical processes and decision-support tools used to estimate capital investment needs over time, and to develop its investment prioritization.
- **Investment Prioritization:** The project-based prioritization of capital investments based on CDOT’s reasonably anticipated Federal and State funding available.

The Group TAM Plan will analyze groupings of vehicles and facilities by asset class to set SGR performance targets for the 2019 plan year. The Transit Asset Prioritization Tool (TAPT) implemented by CDOT’s contractor, Spy Pond Partners, will support the analysis of State of Good Repair (SGR) needs and the anticipated Federal and State funding available to provide the basis for a prioritized list of SGR investments.

Discussion:

- Commissioner Gilliland asked about getting more transit agencies involved in developing the plan and leveraging it to get more vested transit agencies.
- Ann Rajewski noted that budgets are very tight at transit agencies and the plan could be used as a tool to help agencies make better choices.
- Jeff explained it is anticipated the final TAM will be presented to the TC for adoption in November 2018.

Bustang Year-end Presentation - Mike Timlin

Mike provided an overview of Bustang related to:

- Quarterly Comparison
- Ridership Growth since 2015
- Farebox Recovery
- Revenue
- Safety – Collisions
 - System Collisions dropped to 1.4 per 100K miles in 2017-18 vs 2.01 in 2016-17
- Overall Bustang is doing well.

Next Steps:

- Launch INIT ITS in November with RTD as HOST
- Launch Masabi Cross ticketing PILOT with RTD – targeting Flatirons Flyer Boulder and University of Colorado A Line to DIA January 2019
- Launch “GAP” temporary Service to Denver Tech Center – December 15, 2018
- Launch Colorado Springs – Pueblo 1 RT December 15, 2018
- Launch Seasonal West Line enhancement trips December 15, 2018

Discussion:

- Commissioners Gilliland noted this is a success story.
- Commissioner Stuart commented that the fares are priced right to attract the ridership. Mike noted studies suggested a \$0.17 per mile fare and it is working so far.

Outrider next Phase (preview) – Mike Timlin

Phase 1 was completed in FY 2016-17 with the following routes established.

<u>Route</u>	<u>FTA \$\$ Saved/Redeployed</u>	<u>Comment</u>
I-76 Denver - Nebraska State Line (Omaha)	\$80,000	Route was reasonably profitable
US 50 Pueblo - Kansas State Line	\$100,000	Poor times and ridership
I-70 - Denver - Grand Junction	\$260,000	Bustang now operates the service

Phase II was completed June 29, 2018 with the launch and/or integration of new and current grant partners on four routes:

1. Lamar – Pueblo one Monday – Friday round trip launched January 2 following the elimination of the poorly scheduled and utilized Bee Line service that operated between Wichita, KS and Pueblo in collaboration with Kansas DOT.
2. Alamosa – Pueblo transitioned on May 1 with a new operator with larger bus capacity allowing for ridership growth. Senior Resource Development Agency (SRDA) of Pueblo operates both Lamar and Alamosa lines with an emphasis on essential service transit service from Pueblo, southern Colorado’s urban service center.
3. An RFP was awarded to Alpine Express Shuttle of Gunnison, CO to replace the existing carrier on the Gunnison – Denver route. This competitive selection process on this route ensures future viability and a renewed emphasis on customer service with a Colorado based carrier. Both Alamosa – Pueblo and Gunnison Denver routes connect in Salida to ensure access on both routes access to the Pueblo side and Denver side.
4. The Durango – Grand Junction line transitioned to Outrider on July 1 and soon will return to daily service from 5 day per week service. The operator, Southern Ute Community Action Program (SUCAP) has recently transformed to Southern Colorado Community Action Agency (SoCoCAA).

HDR was tasked to consider and prioritize the phase III routes (if excess funding is available) by gathering comment from stakeholders and develop a list of 21 Statewide routes and complete ridership demand using standard ridership demand models and present those results for further review. Initial results of the Phase III study was presented to the TC.

Discussion:

- General appreciation for this program was expressed by Commissioners.
- Josh noted that DTR was audited last week by the Federal Transit Administration (FTA), and that DTR did very well.
- David Krutsinger, DTR Director expanded on this point and noted that the last DTR audit resulted in 75% subject area findings, whereas this time it went down to 15%, practically a perfect score, and acknowledged the work of Brodie Ayers to make this happen.

Quarterly Reports - Informational Items – David Krutsinger

- SB 228 Project Update - A table providing a brief description of each project for year 1 and year 2 of the program and its current status was presented to the TC. Please see the TC packet for more details.
- Transit Grants – a brief summary of transit grants and their status was provided to the TC. A summary of grant contracting and invoicing performance is provided below.

Table 3: Summary of Grant Contracting & Invoicing Performance	
Goal Area	Results
Timely Contracts	Normal Year: 175 to 200 Grant Agreements, Contracts, & Extensions 2015 Goal: 210 contracts & extensions by Thanksgiving. Met goal. Completed 228 total. 2016 Goal: 235 cont. & ext. 4 wks earlier than 2015. Achieved 2 wks earlier, 246 total. 2017 Goal: 185 contracts & extensions met, 224 total for calendar 2017. 2018 Goal: 198 contracts & extensions for calendar year 2018.
Timely Payments (Average Days ≤ 30 Days)	45 days to payment, average for SFY July 1 2013 - Jun 30 2014 35 days to payment, average for SFY July 1 2014 - Jun 30 2015 29 days to payment, average for SFY July 1 2015 - Jun 30 2016 26 days to payment, average for SFY July 1 2016 - Jun 30 2017 25 days to payment, average for SFY July 1 2017 - Jun 30, 2018 28 days to payment, average for SFY July 1 2018 - Aug 30, 2018 (year to date)
No Statutory Violations	12 Statutory Violations occurred in 2014 2 Statutory Violations in calendar 2015 2 Statutory Violations in calendar 2016 1 Statutory Violation in calendar 2017 (June 2017; 14 mo prior, 6 mo now without a S.V. 0 Statutory Violations in calendar 2018

- Rail Abandonments Report for TLRC
 - Each year the SB 37 Report provides an update on possible rail line abandonments and opportunities for rail line acquisitions. This year, there is one rail yard and four rail lines on the watch list (see TC packet for more details).
 - Burnham Yard (UP)
 - Towner Line
 - Tennessee Pass Line (UP)
 - Fort Collins Branch Line (UP)
 - Raton Pass Line

Discussion:

- Commissioner Gilliland asked about the status of the Southwest Chief.
- David explained that the TIGER grant is on hold as AMTRAK is asking for additional requirements that are beyond federal requirements.

**Transportation Commission Regular Meeting
Thursday, September 20, 2018, 9:30 am – 11:30 am**

Call to Order, Roll Call: Nine Commissioners attended with Commissioner Peterson excused and Commissioner Thiebaut attending via telephone for two meeting agenda items - Proposition 109 and Proposition 110.

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

- Barbara Johnston regarding I-25 from SH 402 to SH 14 for Parcel 7 provided comments during the Condemnation Authorization discussion and action agenda item highlighted below.

Comments of Individual Commissioners

- Commissioner Gilliland attended the long-awaited ribbon cutting ceremony of the I-25 North Project that has been desired for 20 years. It was a wonderful event. Still need the third lane to Denver, but this is great. Also appreciated the investments from the High Performance Transportation Enterprise (HPTE).
- Commissioner Zink attended a Club 20 meeting where an enjoyable presentation of Propositions 109 and 110 took place. Also noted that the Ridgway Responsible Acceleration of Maintenance and Partnerships (RAMP) partnership project received an American Public Works Association Award.
- Commissioner D'Angelo attended the ground breaking for the I-25 Gap project that received funding from multiple entities – local governments, towns, counties. The INFRA grant and SB 267 funds were critical pieces of funding to make this project happen.
- Commissioner Scott also attended the I-25 Gap groundbreaking ceremony and noted that this project is a remarkable partnership. US 24 in Manitou Springs opened up after an emergency culvert repair. Commissioner Scott also participated in the Coal Creek Clean Up event that was enjoyable and

meaningful. Appreciated the robust discussion with other TC members on Proposition 109, the TC members may not always agree, but discussions are respectful.

- Commissioner Connell attended an I-70 Coalition meeting where the Propositions 109 and 110 were discussed. More messaging is needed to simplify proposition information for the public. Also attended Clear Creek County meetings where staff did a wonderful job presenting on the Propositions.
- Commissioner Hall attended rotary groups to explain Propositions 109 and 110. Noted the energetic discussions of the TC that occurred yesterday, the TC is doing what the Governor tasked us.
- Commissioner Hofmeister noted that the Eastern TPR 4P meetings have finished and they were enjoyable and successful. It is good to meet with TPR stakeholders on their own turf.
- Commissioner Gifford attended the I-25 Gap project groundbreaking ceremony.

Executive Director's Report (Michael P. Lewis)

- Mike mentioned the recent groundbreaking ceremonies for I-25 North, I-25 Gap and noted that coalitions formed helped make these projects happen, after CDOT developed game plans for the projects. We should continue to use coalition formation as a future model for projects.
- Attending the American Association of State Highway and Transportation Officials (AASHTO) Annual Meeting in Atlanta next week (see: <http://www.cvent.com/events/aashto-2018-annual-meeting/event-summary-dcc1a6b43672451abe40e8b0f8360615.aspx> for more details) to discuss what we can do to influence federal transportation legislation. The FAST Act will expire in 2020. Many topics and sessions were mentioned, including: connected and autonomous Vehicles (CAVs), data management and analytics, environmental protection, research and innovation, safety, security and resiliency. Mike mentioned that he chairs the security and resiliency committee of AASHTO.
- Hurricane Florence in the Carolinas – these types of events are happening more frequently and we have to better prepare.
- Planning to attend and participate at the Resilience Innovations Summit and Exchange (RISE) event to be held on October 9 and 10 at the Sheraton Downtown Denver. See <http://www.cvent.com/events/2018-transportation-resilience-innovations-summit-and-exchange/event-summary-4a> for more details.

Chief Engineer's Report (Jared Esquibel)

- Another ribbon cutting aside from those already mentioned includes the 120th connection at Wadsworth that occurred this summer.
- An update on Central 70 is that Tony DeVito retired and CDOT is actively searching for his replacement. Good candidates are being considered.
- Recognized and thanked the CDOT Regions for their help with the project list for Proposition 109.
- A Notice of Funding Opportunity (NoFo) was released on September 5 regarding a grant for \$225 million – we hope to get roughly \$10-\$20 million for Bridge Enterprise (BE), working with staff on the application.
- Subsurface Utility Engineering (SUE) – 811 SB 18-167 was signed this summer and became effective on August 8. This will change the culture of CDOT regarding underground utilities, as a process for utilities will now be required in the project design phase, where it used to occur during construction. CDOT is conducting education on this to bring staff up to date. There is a potential for project savings with this new process.

High Performance Transportation Enterprise (HPTE) Report (David Spector)

- Held the first Express Toll Lane Master Plan workshop after TC last month and good input was received.
- The FHWA Innovation and Finance section is hosting an in depth training on public private partnerships (P3s) on November 13 – 14.
- The HPTE Board approved an express toll lanes (ETL) media campaign for US 36 and I-25 highlighting why and how we use ETLs – when you don't want to be late for: first date, daycare pickup, or for a football game.
- Commissioner Scott asked about the use of P3s and what is known about them in terms of trends and how often they are employed elsewhere.

- David responded that P3 is one of many tools used by the HPTE. Other P3 projects include broadband development, installation of lighting, real estate transactions, airports are a hot item for P3s in general, and housing, especially student housing. P3 is growing outside of the transportation context.
- David noted that ETLs are expanding across the country.

FHWA Colorado Division Administrator's Report (John Cater, Division Administrator)

- Towards Zero deaths is safety program that is reemphasizing how to make priority of what works to create a safety culture. Strategies that are proven to work include:
 - Primary seatbelt laws – they save 50 lives a year and it is a simple thing to do with a low cost.
 - Cable guardrail medians
 - Rumble strips and they are less expensive
 - Roundabouts, Colorado is a leading state in roundabouts
 - Working with other agencies – Partnerships with FHWA, CDOT and CSP work have strengthened, and the Parks and Wildlife partnership is a good example that is not publicized enough – need to promote this, as Colorado is the leader in forming this type of partnership.
 - Technology and innovation - Colorado is doing well in this category
 - Safety culture FHWA and CDOT employees must set a good example - where seatbelts, and do not drink and drive.
 - We need to use every tool in the tool box
- Last week FHWA held a national meeting on safety and federal reauthorization; we are working on initiatives; a follow up activity is the AASHTO conference scheduled in a couple of days.
- Attended ribbon cutting ceremony for a Moffat County swinging bridge; it is the only one of its type in Colorado and is 8ft wide; this project had multiple funding sources.
- Commissioner Gilliland agreed that roundabouts are important to safety.
- Commissioner Connell noted that she is happy to see use of rumble strips – they really do slow down traffic.

STAC Report (STAC Vice Chair, Sean Conway)

- STAC provided input on project list to present to TC yesterday for Proposition 109.
- STAC was presented the amended FY 20 budget and information on SB1 funds.
- CDOT's debt service payments were clarified.
- For the statewide fiber optic master plan, local governments want to partner.
- The State Demographers Office provided a presentation on population and the economy and its relationship to transportation. Population growth is creating challenges for transportation; Colorado population is aging fast, and changing transportation needs. The population that is 65 and over is anticipated to be 77% larger in 2050 than it is today. Colorado's population is projected to be 8.5 million in 2050. The presenter, Elizabeth Garner, did an excellent job.
- Staff provided a presentation on the PD 14 scorecard including performance targets and safety last month and this month maintenance and management will be covered.
- Active Transportation element of the Development Program was discussed and its importance for local off-system needs too, especially in rural areas.
- Bustang update indicated the program is doing well
- Sean recognized and thanked Commissioner Scott for his presentation at the Front Range CCI meeting in Castle Rock.
- Recognized and thanked the TC for stepping up to get I-25 North started. Commissioner Gilliland was working on this sometime back in the '90s.

Act on Consent Agenda – Approved unanimously on September 20, 2018.

- [Resolution to Approve the Regular Meeting Minutes of August 16, 2018 \(Herman Stockinger\)](#)
- [Disposal: SH 105 and I-25 Interchange \(Parcel 1X\) \(Karen Rowe\)](#)
- [Re-affirm Disposal: Ward Canal Morrison \(Parcel PE-270C Rev-EX\) \(Paul Jesaitis\)](#)
- [National Highway Freight Program FY 18 Project List Approval \(Debra Perkins-Smith\)](#)
- [\\$50-\\$150k Maintenance Project Approvals \(Kyle Lester\)](#)
- [1207.0 Repeal of Policy Directive 1207.0 "Employee Innovations" \(Susan Rafferty\)](#)
- [ROW Acquisition Authorization Requests \(Jared Esquibel\) - **MOVED TO CONSENT DURING WORKSHOPS**](#)

Discuss and Act on ROW Condemnation Authorization Requests (Jared Esquibel) – Approved unanimously on September 20, 2018

- Barbara Johnston property owner of Parcel 7 along CDOT project 21506 for I-25: SH 402 to SH 14 provided comments:
 - Expressed concern regarding negotiations of her parcel with state engineers.
 - At the last meeting with CDOT, she was presented only two options where one would go over the cornfield and the other would impact the silo pit and result in lack of access to the garage. A Park-n-Ride driveway being directly across from their driveway was another concern.
 - Barbara feels she is being damaged and not being made whole as a result of this process
- CDOT's Susan Christiansen responded that the changes of the driveway being moved are due to safety concerns. She recognized that two options were provided to Barbara. CDOT did ask the owner for suggestions but none were offered. It was determined that a roundabout as an alternative would be outside of the project's scope and beyond the project limits. The Park-n-Ride driveway being placed across from the owner driveway was determined to be safer compared to other options as a result of research. CDOT recently contacted property owners to reinitiate communication and negotiations.
- Mike Lewis noted that Region 4 could continue negotiations with the property owner.
- Commissioner Gilliland noted that the purpose of the TC is to decide if to approve moving forward with a process for condemnation, but this does not mean condemnation is certain to occur, if an agreement can be reached with the property owner, while waiting for a court date.
- It was noted that the project schedule is threatened by not having access to the parcel.
- As negotiations with the property owner may continue even with condemnation proceedings initiating, and seeing the project being in the public interest, the TC agreed to move forward with the process of condemnation.

Discuss and Act on Projects under Proposition 109 (formerly Initiative 167) - (Herman Stockinger) – Approved with nine yeases and two opposed on September 20, 2018.

- Herman explained the modifications to the resolution after discussion the day before.
 - A project list will not be included; the resolution will state that the TC will develop a project list if Proposition 109 passes.
 - The resolution clarifies with the loss of SB 267 funds, approximately \$2 billion will be available to bond.
 - The resolution also clarifies that this funding will not cover improvements for local or transit projects.
- Commissioners thanked Herman for yesterday's robust and respectful discussion on this subject.

Discuss and Act on Resolution Stating Commission Position on Proposition #110 (Vice Chair Bill Thiebaut) – Approved with 10 yeases and one opposed on September 20, 2018.

- Commissioner Thiebaut led the discussion via telephone.
 - Commissioner Thiebaut supports this resolution, as it includes Development Program reference for developing and attaching a project list.

- Herman to add text for “net projected increase of funds” to clarify dollar amount, similar to resolution change of Proposition 109.

[Discuss and Act on I-270 IAA with HPTE \(David Spector\)](#) – **Approved on September 20, 2018.**

[Discuss and Act on Third Budget Supplement of FY 2019 \(Mike Krochalis\)](#)– **Approved unanimously on September 20, 2018.**

Recognitions

- Mike Lewis received a letter from Douglas County Commissioner, Lora Thomas. Bobby Snyder, of CDOT Region 1 had gone beyond his regular duties, when he found Commissioner Thomas, who was in a car crash and injured. Bobby found her on the road, moved the car off the road to safety, and helped by taking the Commissioner to Georgetown, and waited with her until her family came to pick her up. Attendees gave Bobby an applause for his heroic and kind behavior.
- Mike Lewis recognized that CDOT’s Office of Process improvement, led by Gary Vansuch, was a recipient of the Harvard Top 25 Innovation Award by the JFK School of Government. Gary was not available to attend, but Geneva Hooten, accepted this recognition on Gary’s behalf.
- CDOT Hero Award (Division of Aeronautics, Todd Green) David Ulane Aeronautics Division Director recognized Todd Green for his heroism. Todd was returning to home along Weld County Road 49, and noticed a crash where a school bus had rolled over. Todd, being a former volunteer fireman and emergency responder, was the first on the scene of the crash, and jumped on bus to help to evacuate passengers. Todd then stayed on an additional two hours to assist emergency responders. Attendees gave Todd an applause for his heroic actions.