

**DRAFT STAC  
September 11, 2009 Meeting Minutes**

**Location:** CDOT Headquarters Auditorium  
**Date/Time:** September 11, 9:00 a.m. – 12:00 p.m.  
**Chairman:** Vince Rogalski  
**Attendance:** A sign-in sheet was distributed to note attendance at the meeting.

<b>Agenda Items/Presenters/ Affiliations</b>	<b>Presentation Highlights</b>	<b>Actions</b>
Introductions	Everyone in the room gave self-introductions.	No Action taken
August Meeting Minutes	August minutes approved with no changes.	Approved minutes
Denver Union Station- Bert Melcher	<p>Bert Melcher, from the Colorado Passenger Rail Association, made brief comments about the Denver Union Station project and distributed a handout addressing his group's concerns.</p> <p><i>Handout: Denver Union Station</i></p>	No Action Taken
4P/STIP Guidelines- Jamie Collins	<p>Comments received on the draft 4P/STIP Development Guidelines have been incorporated in the latest draft, which will be going before the Commission next week for approval.</p> <p>Question- Commissioner Barbara Kirkmeyer: Doesn't state statute require county meetings?</p> <p>Pat Baskin: County meetings are optional. Some regions choose to do county meetings, and some do not.</p> <p>Commissioner Wayne Williams: I move to recommend that the Transportation Commission approve the guidelines.</p>	Motion Approved: Recommend Approval

	<p><i>Motion Approved: Recommend approval to the Transportation Commission.</i></p> <p><i>Handout: 4P and STIP Development Guidelines</i></p>	
CMAQ- Jennifer Finch	<p>The Commission will consider the CMAQ Resolution next week. This resolution addresses only FY 10 and 11. Further discussions will be required to address allocation beyond the next two years.</p> <ul style="list-style-type: none"> <li>• CDOT will allocate \$1 million of CMAQ funds annually to the eligible rural PM-10 areas.</li> <li>• The remaining CMAQ funds will be allocated to the three MPOs (DRCOG, NFRMPO, and PPACG) and to the UFRTPR within the Ozone non-attainment boundary and all of PPACG based on the 50 percent VMT/50 percent population formula.</li> <li>• Population and VMT will be updated annually for the 50 percent VMT/50 percent population formula.</li> <li>• For the period FY 2010 through 2011, the formula should be used for planning purposes only, and is not a budget allocation.</li> <li>• Should CDOT receive additional CMAQ funds beyond those estimated in the December 2006 resource allocation, the additional funds will be distributed to the non-attainment areas based on the 50 percent VMT/50 percent population formula.</li> </ul> <p>Diane Mitsch Bush: I would like to see the following statement added to the end of the last paragraph on the first page of the resolution: "however, the data show an upward trend in PM-10 levels in the affected rural areas."</p> <p>Commissioner Wayne Williams: Within a certain realm this makes sense, but if Congress decides to allocate a significantly larger sum of funds to CMAQ, then I think we would need to revisit this. I move to recommend the resolution, with two changes:</p> <ol style="list-style-type: none"> <li>1. Add "However, the data show an upward trend in PM-10 levels in the affected rural areas" to the last sentence on the first page of the resolution</li> <li>2. Change the last bullet on the second page to read "Should CDOT receive up to \$5 million in additional CMAQ funds..."</li> </ol>	Motion Approved: Recommend Approval, with amendments

	<p><i>Motion Approved: Recommend approval to the Transportation Commission with two amendments.</i></p> <p><i>Handout: CMAQ Resolution</i></p>	
<p>FASTER- Pam Hutton &amp; Bob Garcia</p>	<p>The RTDs have been charged with developing a list of projects based on the guidance provided thus far. The foundation we are laying today is hopefully the start of a multi-year planning process.</p> <p>Colorado has strong performance measurement devices for our pavement management and bridge programs, but these elements are not as well defined for safety and mobility, although we are working to improve these.</p> <p>We are looking to make a significant impact quickly through efficient program delivery. CDOT will aim to have 50% of FASTER safety projects advertised in the 2<sup>nd</sup> and 3<sup>rd</sup> quarters, with the remainder to be advertised in the 4<sup>th</sup> quarter.</p> <p>The draft list includes projects that we believe meet the intent of the legislation with respect to safety. We will present this list of projects to the Commission next week to receive their input and see if they agree that these are the types of projects that are appropriate for funding with FASTER safety dollars.</p> <p>Commissioner Wayne Williams: I would like to see a column added to this list indicating whether a project is a 7<sup>th</sup> Pot project or not.</p> <p>Thad Noll: While I agree it is good to note whether a project is a 7<sup>th</sup> Pot project or not, I do not want this to turn into the 7<sup>th</sup> Pot and see projects docked because they are not 7<sup>th</sup> Pot.</p> <p>Commissioner Wayne Williams: I think we need to think about how these projects sell as safety projects from a statewide perspective, recognizing that the FASTER legislation was not universally loved throughout Colorado.</p> <p>Commissioner Jim Austin: Maybe we need to add some language to this list better explaining the safety aspects of these projects.</p>	<p>Motion Approved: Recommend submission of list to Commission with additional explanatory comments</p>

	<p>Jennifer Finch: The Hazard Elimination and Safety (HES) definition was not used in determining projects. The selection criteria were much broader.</p> <p>Herman Stockinger: The starting point for choosing a safety project is in the legislation, which says you need to choose projects that are defined by the Transportation Commission as enhancing safety.</p> <p>Thad Noll: I suggest we continue with this process the way we have been doing it and rely on the discretion of the RTDs, working in conjunction with their planning partners.</p> <p>Commissioner Wayne Williams: I move we recommend this list to the Transportation Commission with two caveats. First, the comments be updated or amended to reflect the specific safety benefits, and two the Commission review this list to determine whether projects are appropriate given the additional explanatory comments.</p> <p><i>Motion Approved. Recommend the FASTER safety project list be submitted to the Transportation Commission, with additional explanatory comments, for review and consideration.</i></p> <p>Pam Hutton: We will have several consultants and contractors coming to the Commission meeting next week to discuss their ideas on innovative program delivery relating to the new Bridge Enterprise. FHWA's Innovative Program Delivery office will be delivering a presentation. We also have some research from staff on what has been done in Missouri and Oregon. We are hoping to get some guidance from the Commission on what direction they might want to pursue. Heather will also be presenting a draft Bridge Enterprise budget.</p> <p><i>Handouts: FASTER Road Safety Projects, Draft FASTER Safety Proposal</i></p>	
<p>Recovery Act Bid Savings Update- Pam Hutton</p>	<p>We are making this presentation next week to see if the Commission is comfortable with the process we have used and with the projects we intend to recommend.</p>	<p>No Action Taken</p>

	<p>We need to have 100% of this money obligated by March 2, 2010. As of the end of August, we have 75% of funds obligated. We are doing very well from a national perspective. In the event we have some project savings after March 2, we can re-obligate between March 2 and September 30, 2010. After September 30 any surplus from projects will go back to the federal government.</p> <p>To ensure that we use all of the recovery funds, most of the projects that we are recommending to the Commission for funding from bid-savings are being proposed with a mixture of funds, recovery funds plus surface treatment or some other category of funding. The recovery funds are spent first, so if there is a surplus it will most likely be from some other funding source, not recovery funds. We have approximately \$39.3 million in bid-savings at this point. Some bid-savings have been used to cover other Recovery projects that went over estimates to make the project whole. We have some guidelines outlining the conditions in which bid-savings can be used to cover costs on other projects.</p> <p>The Executive Management Team (EMT), in conjunction with staff, outlined the criteria that needed to be considered in bid-savings project selection, including expeditious project delivery (March 2, 2010 obligation deadline), three year construction completion, and job and economic benefit maximization. The criteria relating to Economically Distressed Areas (EDA) is really being emphasized, and might be considered the second most important criteria after expeditious project delivery.</p> <p>RTDs were given direction to identify projects in two categories: projects that they would select using the bid-savings within their region, and projects within their region of statewide significance that could be funded if all of the bid-savings statewide were applied to one project. The EMT is going to recommend regionally based projects. We were not able to find one big project that everyone could agree would be a good use of funds for a project of statewide significance.</p> <p>The projects that staff intends to recommend to the Transportation Commission for funding with bid-savings, include:</p> <ul style="list-style-type: none"> <li>• Region 1: SH 24 West of Limon (EDA)</li> <li>• Region 2: Veteran’s Bridge, Pueblo (EDA), US 50 Surface Treatment, Pueblo</li> </ul>	
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	<p>County (EDA)</p> <ul style="list-style-type: none"> <li>• Region 3: SH 14 Walden to US 40, Jackson County (EDA)</li> <li>• Region 4: US 34: Brush to Akron Chipseal (EDA)</li> <li>• Region 5: US 160 Shaw Creek to Del Norte (EDA)</li> <li>• Region 6: I-25 &amp; Alameda Supplement, SH 2 Vasquez to Quebec Resurfacing (EDA)</li> </ul> <p>All of these projects with the exception of the I-25 &amp; Alameda project are in EDAs, or at least partially within EDAs.</p> <p>Jennifer Finch: Denver has a substantial population that does meet economically distressed criteria, but the county as a whole does not qualify. It is part of the narrative, but it doesn't count in terms of EDA reporting.</p> <p>Commissioner Wayne Williams: What other counties or areas did we look at? What are the criteria we are using to determine areas that don't qualify but that we want to examine anyway?</p> <p>Sandi Kohrs: This was just for Denver County. We have a fairly large number of projects in the Denver metro area and anticipated questions surrounding project selection in the Denver area. We wanted to have a better answer for FHWA, and it was somewhat at their request that we looked at the area of this particular project. It wasn't done to justify a project in Denver that we would not have had otherwise.</p>	
<p>Federal and State Legislative Update- Herman Stockinger &amp; Mickey Ferrell</p>	<p>The rescission is set to take place on September 30. FHWA sent out a notice to the states a couple of weeks ago. We have been informed that Senator Boxer will include elimination of the rescission in the 18 month extension. That will put the bill back in the house. Congresswoman Markey joined two other freshmen on the House Transportation Committee in signing a letter to Chairman Oberstar requesting that this issue be addressed in the extension. The sub-committee chair also came out and acknowledged that some sort of fix would likely be necessary.</p>	<p>No Action Taken</p>

Rescissions- Heather Copp	Our analysis shows that we have sufficient fund balances consistent with SAFETEA-LU to cover our rescission. However, there is a provision that allows FHWA to rescind our apportionment to cover shortfalls in other states. If this happens, it will result in money coming out of projects in the STIP. We could lose another \$30-40 million in Safety, CMAQ, Enhancement and STP-Metro if this were to occur. FHWA is going to cut us off on the 18 <sup>th</sup> , and the rescissions will start on the 25 <sup>th</sup> . FHWA will automatically take the money, and will not be asking for input.	No Action Taken
FY 11 Budget- Heather Copp	<p>We will start monthly budget workshops with the Commission next week. October is when the Commission will really get into the budget, with a draft budget to be adopted in November. There will be additional budget workshops in the spring, and the final budget will have to be adopted in April.</p> <p>Due to the uncertainty of the federal program right now, we are anticipating a swing of anywhere from \$45 million less for FY 10 to \$128 million more for FY 10. Based on what happens with SAFETEA-LU reauthorization this month, this could have an impact on the FY 11 revenues. Additionally, the Commission set aside \$98 million to be prepared for the rescission this month. If we don't have to use those funds for the rescission, those dollars would also be available for FY 10.</p> <p>Vehicle registration revenues were down for FY 09. We think this will go back up in FY 10 as a result of the Cash for Clunkers program. Gas tax revenue collections have been relatively constant over the past two years. We have seen a transfer of HUTF to other purposes, and we may see more of this depending on the position of the General Fund. Gaming funds for FY 10 were not transferred to CDOT, but were used to backfill the General Fund.</p> <p>Unless it is highlighted in yellow, an item on the budget handout is subject to Commission discretion. For this first draft budget, FY 10 budget levels have been maintained except where noted. FASTER is broken out separately. Since this program is under such scrutiny, the EMT thought it wise to track this separately. Because of the significant cuts we made to the program last year, we are beginning budget discussions this year in a much better position. That being said the situation remains serious. We have been cutting things out of the budget each</p>	No Action Taken

	<p>year to get to the point where we can live within a \$1 billion budget. We have lost 1/3 of our budget in the past three years.</p> <p>Discussion at next week's Commission will include funding for gaming, maintenance, surface treatment, Regional Priority Program (RPP), Contingency, Strategic Projects, Rail and Transit Division, MPO planning and the Maintenance Incentive Pilot program.</p> <p>Question- Bill Moore- How much longer will we be making the \$168 million bond payment?</p> <p>Heather Copp: In 2017 it drops to \$135 million, and then we are done.  <i>Handout: FY 11 1<sup>st</sup> Budget Workshop</i>  <i>Note: Heather agreed to prepare an amended handout showing the final budget going back several years to send out to STAC members.</i></p>	
<p>CDOT Bike/Pedestrian Policy- Jennifer Finch</p>	<p>The Bike/Pedestrian Policy will be going to the Intermodal Committee next week for further discussion. You have previously seen the key principles, but we now have a draft policy and procedural directive. If you have any comments, we would be happy to take these into account. The objective is to incorporate bicycle and pedestrian considerations into the CDOT planning, design, construction and maintenance process. We hope to take it to the Commission for action in October. We will also bring this back to STAC for further consideration and action in October.</p> <p><i>Handout: CDOT Bicycle and Pedestrian Policy</i></p>	<p>No Action Taken</p>
<p>Other Business</p>	<p>The CDOT Interim Transit &amp; Rail Advisory Committee has been named, and includes two STAC members, Vince Rogalski and Gary Beedy. The first meeting is next week. The interim committee will advise the Commission on the focus of the new division and recommend a long-term advisory structure.</p> <p>CDOT submitted or partnered on the submittal of three applications to the Federal Rail Administration (FRA): Denver Interregional Connectivity Study, Colorado Rail Plan, and a high speed rail corridor study.</p>	<p>No Action Taken</p>

	<p><i>Handout: Transit &amp; Rail Advisory Committee Named, CDOT FRA Applications</i></p> <p>Future Agenda items: CDOT Bicycle/Pedestrian Policy, Denver Union Station, RMRA study</p> <p>Next Meeting: Thursday, October 8<sup>th</sup> at 1:30pm</p>	
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