AGENDA
BOARD OF DIRECTORS
WEDNESDAY, JANUARY 17, 2018
6:30 – 9:30 p.m.
1290 Broadway
First Floor Independence Pass Conference Room

1. 6:30 Call to Order
2. Pledge of Allegiance
3. Roll Call and Introduction of New Members and Alternates
4. Move to Approve Agenda

STRATEGIC INFORMATIONAL BRIEFING
5. 6:40 Meet the new Colorado Department of Transportation Executive Director
   Mike Lewis, Colorado Department of Transportation Executive Director
6. 7:00 Report of the Chair
   • Report on Regional Transportation Committee Meeting
   • Report on Performance and Engagement Committee
   • Report on Finance and Budget Committee
   • Presentation of Five-Year Service Awards to Eva Henry, Adams County; Bob Roth, Aurora; Elise Jones, Boulder County
7. 7:10 Report of the Executive Director
8. 7:20 Public Comment
   Up to 45 minutes is allocated now for public comment and each speaker will be limited to 3 minutes. If there are additional requests from the public to address the Board, time will be allocated at the end of the meeting to complete public comment. The chair requests that there be no public comment on issues for which a prior public hearing has been held before this Board. Consent and action items will begin immediately after the last speaker.

TIMES LISTED WITH EACH AGENDA ITEM ARE APPROXIMATE
IT IS REQUESTED THAT ALL CELL PHONES BE SILENCED
DURING THE BOARD OF DIRECTORS MEETING. THANK YOU

Persons in need of auxiliary aids or services, such as interpretation services or assisted listening devices, are asked to contact DRCOG at least 48 hours in advance of the meeting by calling (303) 480-6701.
CONSENT AGENDA

9. 7:45 Move to Approve Consent Agenda
   • Minutes of December 20, 2017
     (Attachment A)
   • Designate location for posting notices of meetings
     (Attachment B)

ACTION AGENDA*

10. 7:50 Discussion of Federal Safety Targets
    (Attachment C) Jacob Riger, Transportation Planning Manager, Transportation Planning & Operations

11. 8:15 Discussion of actions proposed by DRCOG staff regarding implementation delays of Transportation Improvement Program projects
    (Attachment D) Todd Cottrell, Senior Transportation Planner, Transportation Planning & Operations

12. 8:25 Discussion of the 2020-2023 TIP Regional Share Policy and Funding Allocation
    (Attachment E) Douglas W. Rex, Executive Director

13. 8:45 Discussion of Policy on State Legislative Issues
    (Attachment F) Rich Mauro, Senior Policy and Legislative Analyst

14. 8:55 Discussion of state legislative issues
    New Bills for Consideration and Action
    (Attachment G) Rich Mauro, Senior Policy and Legislative Analyst
    Rich Mauro will present a recommended position on new bills based on the Board’s legislative policies. If a bill requires additional discussion it may be pulled from the package and action will be taken separately. Bills introduced after the agenda is posted will be emailed to members prior to the meeting, possibly even the day of the meeting. Positions on specific legislative bills requires affirmative action by 2/3 of those present and voting.

INFORMATIONAL BRIEFINGS

15. 9:10 Presentation on Annual Congestion Report
    (Attachment H) Robert Spotts, Transportation Planner, Transportation Planning & Operations

16. 9:20 Committee Reports
    The Chair requests these reports be brief, reflect decisions made and information germane to the business of DRCOG
    A. Report on State Transportation Advisory Committee – Elise Jones
    B. Report from Metro Mayors Caucus – Herb Atchison
    C. Report from Metro Area County Commissioners – Roger Partridge
    D. Report from Advisory Committee on Aging – Jayla Sanchez-Warren
    E. Report from Regional Air Quality Council – Doug Rex
    F. Report on E-470 Authority – Ron Rakowsky
    G. Report on FastTracks – Bill Van Meter

*Action requested
INFORMATIONAL ITEMS

17. Annual Listing of Federally Obligated Projects
   (Attachment I) Todd Cottrell, Senior Transportation Planner, Transportation Planning & Operations

18. Nominating Committee Report
   (Attachment J) Nominating Committee

19. Policy on Federal Legislative Issues
   (Attachment K) Rich Mauro, Senior Legislative and Policy Analyst

20. 2018-2021 Transportation Improvement Program Administrative Modifications
   (Attachment L) Douglas W. Rex, Executive Director

21. Relevant clippings and other communications of interest
    (Attachment M)
    Included in this section of the agenda packet are news clippings which specifically mention DRCOG. Also included are selected communications that have been received about DRCOG staff members.

ADMINISTRATIVE ITEMS

22. Next Meeting – February 21, 2018

23. Other Matters by Members

24. 9:30 Adjourn
SPECIAL DATES TO NOTE

DRCOG Board Orientation February 15, 2018
DRCOG Awards Event April 25, 2018

For additional information please contact Connie Garcia at 303-480-6701 or cgarcia@drcog.org

CALENDAR OF FUTURE MEETINGS

January 2018
16 Regional Transportation Committee 8:30 a.m.
17 Finance and Budget Committee 5:30 p.m.
17 Board of Directors 6:30 p.m.
19 Advisory Committee on Aging Noon – 3 p.m.
22 Transportation Advisory Committee 1:30 p.m.

February 2018
7 Board Work Session 4:00 p.m.
7 Performance and Engagement Committee 5:30 p.m.*
16 Advisory Committee on Aging Noon – 3 p.m.
20 Regional Transportation Committee 8:30 a.m.
21 Finance and Budget Committee 5:30 p.m.
21 Board of Directors 6:30 p.m.
26 Transportation Advisory Committee 1:30 p.m.

March 2018
7 Board Work Session 4:00 p.m.
7 Performance and Engagement Committee 5:30 p.m.*
16 Advisory Committee on Aging Noon – 3 p.m.
20 Regional Transportation Committee 8:30 a.m.
21 Finance and Budget Committee 5:30 p.m.
21 Board of Directors 6:30 p.m.
26 Transportation Advisory Committee 1:30 p.m.

* The Performance and Engagement Committee meeting will begin immediately following the Board work session; the time listed is approximate.
## Members/Alternates Present

<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bob Roth, Chair</td>
<td>City of Aurora</td>
</tr>
<tr>
<td>Steve O’Dorisio</td>
<td>Adams County</td>
</tr>
<tr>
<td>Jeff Baker</td>
<td>Arapahoe County</td>
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<tr>
<td>Elise Jones</td>
<td>Boulder County</td>
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<tr>
<td>David Beacom</td>
<td>City and County of Broomfield</td>
</tr>
<tr>
<td>Randy Wheelock</td>
<td>Clear Creek County</td>
</tr>
<tr>
<td>Anthony Graves (Alternate)</td>
<td>City and County of Denver</td>
</tr>
<tr>
<td>Robin Kniech</td>
<td>City and County of Denver</td>
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<tr>
<td>Roger Partridge</td>
<td>Douglas County</td>
</tr>
<tr>
<td>Libby Szabo</td>
<td>Jefferson County</td>
</tr>
<tr>
<td>John Marriott (Alternate)</td>
<td>City of Arvada</td>
</tr>
<tr>
<td>Larry Vittum</td>
<td>Town of Bennett</td>
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<tr>
<td>Aaron Brockett</td>
<td>City of Boulder</td>
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<tr>
<td>Anne Justen</td>
<td>Town of Bow Mar</td>
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<tr>
<td>Lynn Baca</td>
<td>City of Brighton</td>
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<tr>
<td>George Teal</td>
<td>Town of Castle Rock</td>
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<tr>
<td>Doris Truhlar</td>
<td>City of Centennial</td>
</tr>
<tr>
<td>Rick Teter</td>
<td>City of Commerce City</td>
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<tr>
<td>Steve Conklin</td>
<td>City of Edgewater</td>
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<tr>
<td>Joe Jefferson</td>
<td>City of Englewood</td>
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<tr>
<td>Daniel Dick</td>
<td>City of Federal Heights</td>
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<tr>
<td>Lynette Kelsey</td>
<td>Town of Georgetown</td>
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<tr>
<td>Saoirse Charis-Graves</td>
<td>City of Golden</td>
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<td>Ron Rakowsky</td>
<td>City of Greenwood Village</td>
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<td>Stephanie Walton (Alternate)</td>
<td>City of Lafayette</td>
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<td>Dana Gutwein</td>
<td>City of Lakewood</td>
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<tr>
<td>Karina Elrod</td>
<td>City of Littleton</td>
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<tr>
<td>Wynne Shaw</td>
<td>City of Lone Tree</td>
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<tr>
<td>Joan Peck</td>
<td>City of Longmont</td>
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<tr>
<td>Ashley Stolzmann</td>
<td>City of Louisville</td>
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<td>Connie Sullivan</td>
<td>Town of Lyons</td>
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<tr>
<td>Colleen Whitlow</td>
<td>Town of Mead</td>
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<tr>
<td>Jordan Sauers</td>
<td>City of Northglenn</td>
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<tr>
<td>John Diak</td>
<td>Town of Parker</td>
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<tr>
<td>Sally Daigle</td>
<td>City of Sheridan</td>
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<tr>
<td>Rita Dozal</td>
<td>Town of Superior</td>
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<tr>
<td>Jessica Sandgren</td>
<td>City of Thornton</td>
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<tr>
<td>Herb Atchison</td>
<td>City of Westminster</td>
</tr>
<tr>
<td>Bud Starker</td>
<td>City of Wheat Ridge</td>
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<tr>
<td>Deborah Perkins-Smith</td>
<td>Colorado Department of Transportation</td>
</tr>
</tbody>
</table>
Others Present: Douglas W Rex, Executive Director, Connie Garcia, Executive Assistant/Board Coordinator, DRCOG; Jeanne Shreve, Adams County; Bryan Weimer, Arapahoe County; Mac Callison, Aurora; Brad Boland, Castle Rock; Tammy Maurer, Andrew Firestine, Centennial, Benjamin Huseman, Commerce City; Janice Finch, Justin Begley, Denver; Julie Mullica, Northglenn; Kent Moorman, Kevin Forgett, Thornton; Bill Haas, FHWA; Danny Herrmann, CDOT; Chris Brown, Common Sense Policy Roundtable; and DRCOG staff.

Chair Bob Roth called the meeting to order at 6:32 p.m. with a quorum present. Chair Roth recognized new members and alternates

Move to approve agenda

Director Rakowsky moved to approve the agenda. The motion was seconded and passed unanimously.

Report of the Chair

• Items on the Regional Transportation Committee agenda are on this evening’s agenda for Board consideration.
• Director Beacom noted the P&E Committee did not meet in December.
• Director Diak reported the Finance and Budget Committee did not meet in December.

Report of the Executive Director

• Doug Rex noted information about training for newly-elected officials is available at directors’ seats.
• The annual awards event is scheduled for April 25 at the Hyatt Regency Downtown. Nominations for Metro Vision, John V. Christensen, and Way to Go Awards are now open.
• Winter Bike To Work Day is scheduled for February 9.
• DRCOG received a Collaboration in Industry award from the Colorado Business Roundtable for bringing regional communities together in the Way to Go partnership.
• A Boomer Bond Alumni event held recently was well attended. The event focused on past successes and future improvements to the initiative.
• On behalf of the U.S. Census Bureau, DRCOG hosted a technical workshop for the Local Update of Census Addresses (LUCA) program.
• Mr. Rex reported on a recent advocacy trip to Washington, D.C. to discuss funding for transportation and services for older adults.
• Mr. Rex reported that Chair Roth has been elected to the Colorado Municipal League’s Executive Committee, Director Dick also currently serves on the CML Executive Committee.

Public comment

Chris Brown, Director of Policy and Research at Common Sense Policy Roundtable, provided comment on limiting housing growth. A white paper on the topic was distributed.
Move to approve consent agenda

Director Truhlar moved to approve the consent agenda. The motion was seconded and passed unanimously.

Items on the consent agenda included:
- Minutes of the November 15, 2017 meeting

Discussion of amendments to the 2018-2021 Transportation Improvement Program
Todd Cottrell, Senior Transportation Planner, provided a brief overview of proposed amendments to the TIP.

Director Atchison moved to approve amendments to the 2018-2021 Transportation Improvement Program. The motion was seconded and passed unanimously.

Discussion of air quality conformity modeling for the 2040 Metro Vision Regional Transportation Plan
Jacob Riger, Transportation Planning Manager, provided information on the roadway capacity and rapid transit networks proposed for air quality modeling for amendment to the 2040 Metro Vision Regional Transportation Plan (2040 MVRTP).

Director Atchison moved to approve the amended 2040 MVRTP fiscally constrained roadway capacity and rapid transit networks to be modeled for air quality conformity. The motion was seconded and passed unanimously.

Discussion of the 2020-2023 TIP Regional Share Policy and Funding Allocation
Doug Rex, Executive Director, provided an overview of work to date and recommendations from the TIP Policy Work Group related to the Regional Share Framework for project/program eligibility. Members discussed the proposal elements at length. The Subregional/Regional Share funding percentage split was also discussed. The TIP Policy Work Group recommends a 70 percent minimum share for subregional projects, and 30 percent maximum share for regional projects. Members were requested to provide input on the options presented with the starting premise that the funding split would be 70 (subregional)/30 (regional). Support was expressed for different split amounts. Support was also expressed for reserving a percentage of subregional funds for small communities.

Director Szabo moved the TIP Regional Share Policy and Funding Allocation be presented to the Board at the January Board meeting. The motion was seconded and passed with 6 opposed.

Director Teal moved for the TIP Regional Share Policy and Funding Allocation be presented to the Board for action at the January meeting. The motion was seconded and passed unanimously.
Committee Reports

State Transportation Advisory Committee – Director Jones reported the STAC discussed the SB 267 transit project list. A decision was made to move forward with $30 to $50 million in projects. CDOT is preparing a list of projects for future SB 267 and potential transportation ballot measure funding.

Metro Mayors Caucus – Director Atchison reported the Metro Mayors Caucus did not meet. Instead, they hosted a legislative reception with the Metro Area County Commissioners.

Metro Area County Commissioners – Director Partridge reported the MACC did not meet.

Advisory Committee on Aging – Jayla Sanchez-Warren reported the Advisory Committee on Aging did not meet. She thanked Directors Roth and Atchison for their advocacy trip to Washington, D.C.

Regional Air Quality Council – Doug Rex reported the RAQC approved the 2018 Budget and Work Program.

E-470 Authority – Director Rakowsky reported the widening project on E-470 is complete, ahead of schedule and under budget.

Report on FasTracks – No report was provided.

Next meeting – January 17, 2018

Other matters by members
Director Jefferson, who is leaving the Board, thanked members for being great regional partners.

Adjournment
The meeting adjourned at 8:48 p.m.

__________________________________________
Bob Roth, Chair
Board of Directors
Denver Regional Council of Governments

ATTEST:

__________________________________________
Douglas W. Rex, Executive Director
To: Chair and Members of the Board of Directors

From: Douglas W. Rex, Executive Director
303-480-6701 or drex@drcog.org

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Agenda Category</th>
<th>Agenda Item #</th>
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<tbody>
<tr>
<td>January 17, 2018</td>
<td>Consent</td>
<td>9</td>
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SUBJECT
This action is related to the location for posting notice of meetings.

PROPOSED ACTION/RECOMMENDATIONS
DRCOG staff recommends designating the reception area of the DRCOG offices as the official location for posting notices of meetings.

ACTION BY OTHERS
N/A

SUMMARY
Notice of each regular and special meeting of the Board of Directors, each committee established by the Board, or those created as part of the approved committee structure of the Denver Regional Council of Governments, whether now existing or created in the future, should be posted in the reception area (which is a public place within the boundaries of DRCOG) of the offices of DRCOG located at 1290 Broadway, Suite 100, Denver, Colorado no less than twenty-four hours prior to the holding of the meeting. The posting shall include the time, date, and location of the meeting and shall, where possible, include specific agenda information.

This action implements SB 91-33.

PREVIOUS DISCUSSIONS/ACTIONS
N/A

PROPOSED MOTION
Move to designate the location for posting notice of meetings as described.

ATTACHMENT
N/A

ADDITIONAL INFORMATION
If you need additional information, please contact Douglas W. Rex, Executive Director, at 303-480-6701 or drex@drcog.org; or Connie Garcia, Executive Assistant/Board Coordinator, at 303-480-6701 or cgarcia@drcog.org.
To: Chair and Members of the Board of Directors
From: Douglas W. Rex, Executive Director
303 480-6701 or drex@drcog.org

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<th>Meeting Date</th>
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<tbody>
<tr>
<td>January 17, 2018</td>
<td>Action</td>
<td>10</td>
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SUBJECT
This item concerns setting 2018 safety targets as part of the performance-based planning requirements of the Fixing America’s Surface Transportation (FAST Act).

PROPOSED ACTION/RECOMMENDATIONS
Staff recommends approval of the 2018 safety targets shown in both Attachment 1 and Attachment 2 for the DRCOG Transportation Management Area.

ACTION BY OTHERS
December 18, 2017 – TAC recommended approval.
January 16, 2018 – RTC will act on a recommendation.

SUMMARY
The FAST Act requires state DOTs and MPOs to annually set targets and report on progress towards achieving those targets for several topics in support of a performance-based approach to transportation planning and programming. These topics include safety, infrastructure (pavement and bridge condition), system performance, and transit asset management.

Safety is the first topic to be implemented, meaning CDOT and DRCOG will each annually set targets and report on progress in achieving those targets for five measures. The first set of required targets are 2018 targets covering the five-year period of 2014-2018. The five measures are:

- Number of fatalities
- Rate of fatalities (per million VMT)
- Number of serious injuries
- Rate of serious injuries (per million VMT)
- Number of combined non-motorized fatalities and serious injuries

It is important to note, DRCOG has a long history of tracking and reporting on numerous performance measures through the Metro Vision Regional Transportation Plan, Metro Vision Plan, specialized reports, and other means. Regarding safety, DRCOG:

- regularly publishes a traffic crash report,
- will be updating its pedestrian and bicycle safety report as part of the Active Transportation Plan,
- works cooperatively with CDOT to annually geocode crash locations on off-system (non-state) roadways and provides complete crash data on its Regional Data Catalog and Denver Regional Visual Resources (DRVR) site; and
- will develop a regional Vision Zero Initiative as part of its FY 2018 and FY 2019 Unified Planning Work Program.
CDOT set its 2018 safety targets in August 2017; DRCOG has until February 27, 2018 to set and report its 2018 safety targets (for the period 2014-2018).

DRCOG staff worked with the Transportation Advisory Committee over several meetings to share CDOT’s methodology for setting 2018 safety targets and to develop DRCOG’s draft 2018 safety targets. Based on these efforts, staff is recommending the 2018 safety targets shown in the attached slides (Attachment 1).

At the January Board meeting, staff will review the proposed safety targets and the methodologies used to develop the targets.

**PREVIOUS DISCUSSIONS/ACTIONS**

*October 18, 2017* – Board informational briefing

**PROPOSED MOTION**

Move to adopt a resolution approving the proposed 2018 safety targets for the DRCOG Transportation Management Area as required by the FAST Act.

**ATTACHMENT**

1. Staff presentation
2. Draft resolution

**ADDITIONAL INFORMATION**

If you need additional information, please contact Jacob Riger, Transportation Planning Manager, at 303-480-6751 or jriger@drcog.org.
FAST Act Required Safety Targets

Presented by:
Jacob Riger, AICP
Transportation Planning and Operations

Board of Directors
January 17, 2018

Introduction – DRCOG Safety Activities

- Crash Report (education, awareness)
- Crash data analysis and visualization
- Bicycle/pedestrian safety analysis (Active Transportation Plan)
FAST Act Requirements

1. National Goals

2. Measures

3. Targets

4. Plans

5. Reports

6. Accountability and Transparency

Required Performance Measure Topics

Safety

- Congestion (Delay & Non-SOV Travel)
- Pavement Condition

FAST Act Performance Measures & Targets

- Freight Reliability
- Bridge Condition
- Travel Time Reliability
Safety Measures Target Setting

<table>
<thead>
<tr>
<th>Measure Area</th>
<th>Performance Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safety</td>
<td>• Number of fatalities</td>
</tr>
<tr>
<td></td>
<td>• Fatalities per million vehicle miles traveled</td>
</tr>
<tr>
<td></td>
<td>• Number of serious injuries</td>
</tr>
<tr>
<td></td>
<td>• Serious injuries per million vehicle miles traveled</td>
</tr>
<tr>
<td></td>
<td>• Number of non-motorized fatalities and non-motorized serious injuries</td>
</tr>
</tbody>
</table>

Process Requirements – Safety Targets

- CDOT 2018 Targets: Set August 2017
- DRCOG 2018 Targets: Due by February 27, 2018
  - 2019 Targets: 2015-2019 five year average
- DRCOG reports to CDOT; CDOT reports to FHWA
  - 2019: Report results for 2018 targets
  - 2020: FHWA assessment response
Staff Recommended 2018 Safety Targets

<table>
<thead>
<tr>
<th>2018 SAFETY TARGETS (2014-2018 Five Year Average)</th>
<th>METHODOLOGY</th>
<th>TARGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 DRCOG FATALITIES</td>
<td>METRO VISION</td>
<td>242</td>
</tr>
<tr>
<td>2 DRCOG FATALITY RATE PER 100 MILLION VMT</td>
<td>METRO VISION</td>
<td>0.90</td>
</tr>
<tr>
<td>3 DRCOG SERIOUS INJURIES</td>
<td>HOLD THE LINE</td>
<td>1,948</td>
</tr>
<tr>
<td>4 DRCOG SERIOUS INJURY RATE PER 100 MILLION VMT</td>
<td>HOLD THE LINE</td>
<td>7.20</td>
</tr>
<tr>
<td>5 NON-MOTORIZED FATALITIES AND SERIOUS INJURIES</td>
<td>METRO VISION (fatalities) + HOLD THE LINE (serious injuries)</td>
<td>59 + 287 = 346</td>
</tr>
</tbody>
</table>
"METRO VISION"
SAFETY TARGET SETTING METHODOLOGY

Regional Objective 5: Operate, manage and maintain a safe and reliable transportation system.

Performance Measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Where do we want to be? (Baseline)</th>
<th>Where do we want to be? (2040 Target)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-work-related fatalities (Non-OTH) in mode share to work</td>
<td>25%</td>
<td>35.5%</td>
</tr>
<tr>
<td>Daily vehicle miles traveled (VMT) per capita</td>
<td>25.5 daily VMT per capita (2010)</td>
<td>10.5% decline from 2010</td>
</tr>
<tr>
<td>Average travel time variation (TTV) (peak vs. off-peak)</td>
<td>1.22 (2014)</td>
<td>Less than 1.3</td>
</tr>
<tr>
<td>Daily personal delay per capita (10 minutes)</td>
<td>1.08 (2014)</td>
<td>Less than 10 minutes</td>
</tr>
<tr>
<td>Number of traffic fatalities</td>
<td>115 (2016)</td>
<td>Fewer than 100 annually</td>
</tr>
</tbody>
</table>

1. FATALITIES – 5 Year Moving Average

<table>
<thead>
<tr>
<th>Year</th>
<th>DRCOG Fatalities</th>
<th>DRCOG Fatalities 5 Year Moving Average</th>
<th>% of State Fatalities in DRCOG Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>192</td>
<td>192.0</td>
<td>45%</td>
</tr>
<tr>
<td>2008</td>
<td>220</td>
<td>220.0</td>
<td>45%</td>
</tr>
<tr>
<td>2009</td>
<td>155</td>
<td>155.0</td>
<td>45%</td>
</tr>
<tr>
<td>2010</td>
<td>163</td>
<td>163.0</td>
<td>45%</td>
</tr>
<tr>
<td>2011</td>
<td>157</td>
<td>157.0</td>
<td>45%</td>
</tr>
<tr>
<td>2012</td>
<td>166</td>
<td>166.0</td>
<td>45%</td>
</tr>
<tr>
<td>2013</td>
<td>177.0</td>
<td>177.0</td>
<td>45%</td>
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<tr>
<td>2014</td>
<td>171.0</td>
<td>171.0</td>
<td>45%</td>
</tr>
<tr>
<td>2015</td>
<td>166</td>
<td>166.0</td>
<td>45%</td>
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<tr>
<td>2016</td>
<td>157</td>
<td>157.0</td>
<td>45%</td>
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</table>

19
2. **FATALITY RATE - 5 Year Moving Average**

<table>
<thead>
<tr>
<th>Year</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Metro Vision Fatality Rate - 5 Year Moving Average</td>
<td>0.77</td>
<td>0.75</td>
<td>0.70</td>
<td>0.71</td>
<td>0.76</td>
<td>0.82</td>
<td>0.87</td>
<td>0.90</td>
</tr>
<tr>
<td>Actual Annual Fatality Rate</td>
<td>0.77</td>
<td>0.75</td>
<td>0.70</td>
<td>0.71</td>
<td>0.76</td>
<td>0.82</td>
<td>0.87</td>
<td>0.90</td>
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![Fatality Rate 5 Year Moving Average](image)

3. **SERIOUS INJURIES - 5 Year Moving Average**

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</tr>
</thead>
<tbody>
<tr>
<td>Serious Injuries - 5 Year Moving Average</td>
<td>1817.0</td>
<td>1799.0</td>
<td>1814.4</td>
<td>1858.0</td>
<td>1907.2</td>
<td>1936.0</td>
<td>1950.6</td>
<td>1947.8</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actual Annual Serious Injuries</td>
<td>1817.0</td>
<td>1799.0</td>
<td>1814.4</td>
<td>1858.0</td>
<td>1907.2</td>
<td>1936.0</td>
<td>1950.6</td>
<td>1947.8</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

![Serious Injuries 5 Year Average](image)
4. SERIOUS INJURY RATE - 5 Year Moving Average

![Graph showing the serious injury rate over 5 years with actual annual and moving average data.]

**Annual Serious Injury Rate**

<table>
<thead>
<tr>
<th>Year</th>
<th>Actual Annual Serious Injury Rate</th>
<th>Moving 5 Year Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>7.53</td>
<td>7.73</td>
</tr>
<tr>
<td>2012</td>
<td>7.73</td>
<td>7.92</td>
</tr>
<tr>
<td>2013</td>
<td>7.99</td>
<td>7.99</td>
</tr>
<tr>
<td>2014</td>
<td>7.39</td>
<td>7.14</td>
</tr>
<tr>
<td>2015</td>
<td>6.94</td>
<td>6.75</td>
</tr>
</tbody>
</table>

**Serious Injury Rate 5 Year Moving Average**

<table>
<thead>
<tr>
<th>Year</th>
<th>Serious Injury Rate 5 Year Moving Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>7.6</td>
</tr>
<tr>
<td>2012</td>
<td>7.5</td>
</tr>
<tr>
<td>2013</td>
<td>7.5</td>
</tr>
<tr>
<td>2014</td>
<td>7.6</td>
</tr>
<tr>
<td>2015</td>
<td>7.7</td>
</tr>
<tr>
<td>2016</td>
<td>7.6</td>
</tr>
<tr>
<td>2017</td>
<td>7.5</td>
</tr>
<tr>
<td>2018</td>
<td>7.2</td>
</tr>
</tbody>
</table>

METRO VISION METHODOLOGY FOR NON-MOTORIZED FATALITIES

<table>
<thead>
<tr>
<th>Year</th>
<th>DRCOG TMA Fatalities</th>
<th>% of State Bike/Ped Fatalities in DRCOG TMA</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>48</td>
<td>68%</td>
</tr>
<tr>
<td>2008</td>
<td>44</td>
<td>75%</td>
</tr>
<tr>
<td>2009</td>
<td>35</td>
<td>57%</td>
</tr>
<tr>
<td>2010</td>
<td>27</td>
<td>56%</td>
</tr>
<tr>
<td>2011</td>
<td>38</td>
<td>69%</td>
</tr>
<tr>
<td>2012</td>
<td>56</td>
<td>62%</td>
</tr>
<tr>
<td>2013</td>
<td>40</td>
<td>67%</td>
</tr>
<tr>
<td>2014</td>
<td>49</td>
<td>65%</td>
</tr>
<tr>
<td>2015</td>
<td>51</td>
<td>65%</td>
</tr>
<tr>
<td>2016</td>
<td>67</td>
<td>67%</td>
</tr>
</tbody>
</table>

**66% Reduction to Hit 2040 Target**

<table>
<thead>
<tr>
<th>Year</th>
<th>DRCOG Bike/Ped TMA Fatalities</th>
<th>DRCOG Bike/Ped TMA Fatalities 5 Year Moving Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>67</td>
<td>53</td>
</tr>
<tr>
<td>2017</td>
<td>65</td>
<td>54</td>
</tr>
<tr>
<td>2018</td>
<td>63</td>
<td>52</td>
</tr>
<tr>
<td>2019</td>
<td>56</td>
<td>50</td>
</tr>
<tr>
<td>2020</td>
<td>58</td>
<td>54</td>
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<tr>
<td>2021</td>
<td>53</td>
<td>50</td>
</tr>
<tr>
<td>2022</td>
<td>53</td>
<td>50</td>
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<tr>
<td>2023</td>
<td>51</td>
<td>49</td>
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<tr>
<td>2024</td>
<td>49</td>
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<td>2025</td>
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<tr>
<td>2026</td>
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<td>2027</td>
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<td>2028</td>
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<td>2029</td>
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<td>48</td>
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<td>2030</td>
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<td>2031</td>
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<td>44</td>
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<td>2032</td>
<td>38</td>
<td>43</td>
</tr>
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<td>2033</td>
<td>36</td>
<td>43</td>
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<td>2034</td>
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<td>42</td>
</tr>
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<td>2035</td>
<td>33</td>
<td>41</td>
</tr>
<tr>
<td>2036</td>
<td>33</td>
<td>40</td>
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<tr>
<td>2037</td>
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<td>40</td>
</tr>
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<td>2038</td>
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<td>40</td>
</tr>
<tr>
<td>2039</td>
<td>30</td>
<td>39</td>
</tr>
<tr>
<td>2040</td>
<td>29</td>
<td>38</td>
</tr>
</tbody>
</table>
5. NON-MOTORIZED FATALITIES AND SERIOUS INJURY – 5 Year Moving Average

<table>
<thead>
<tr>
<th>Year</th>
<th>Actual Non-Motorized Fatalities and SI's</th>
<th>Metro Vision Methodology for Fatalities</th>
<th>Hold the Line Methodology for SI's</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>273</td>
<td>320</td>
<td>359</td>
</tr>
<tr>
<td>2012</td>
<td>320</td>
<td>359</td>
<td>372</td>
</tr>
<tr>
<td>2013</td>
<td>359</td>
<td>372</td>
<td>330</td>
</tr>
<tr>
<td>2014</td>
<td>372</td>
<td>330</td>
<td>345</td>
</tr>
<tr>
<td>2015</td>
<td>330</td>
<td>345</td>
<td>342</td>
</tr>
<tr>
<td>2016</td>
<td>345</td>
<td>342</td>
<td>339</td>
</tr>
<tr>
<td>2017</td>
<td>342</td>
<td>339</td>
<td>345</td>
</tr>
<tr>
<td>2018</td>
<td>339</td>
<td>345</td>
<td>342</td>
</tr>
</tbody>
</table>
### Staff Recommended 2018 Safety Targets

<table>
<thead>
<tr>
<th>2018 SAFETY TARGETS (2014-2018 Five Year Average)</th>
<th>METHODOLOGY</th>
<th>TARGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 DRCOG FATALITIES</td>
<td>METRO VISION</td>
<td>242</td>
</tr>
<tr>
<td>2 DRCOG FATALITY RATE PER 100 MILLION VMT</td>
<td>METRO VISION</td>
<td>0.90</td>
</tr>
<tr>
<td>3 DRCOG SERIOUS INJURIES</td>
<td>HOLD THE LINE</td>
<td>1,948</td>
</tr>
<tr>
<td>4 DRCOG SERIOUS INJURY RATE PER 100 MILLION VMT</td>
<td>HOLD THE LINE</td>
<td>7.20</td>
</tr>
<tr>
<td>5 NON-MOTORIZED FATALITIES AND SERIOUS INJURIES</td>
<td>METRO VISION (fatalities) + HOLD THE LINE (serious injuries)</td>
<td>59 + 287 = 346</td>
</tr>
</tbody>
</table>

**THANK YOU**
DENVER REGIONAL COUNCIL OF GOVERNMENTS
STATE OF COLORADO

BOARD OF DIRECTORS

RESOLUTION NO. _______, 2018

A RESOLUTION ADOPTING 2018 SAFETY TARGETS FOR THE DENVER REGIONAL COUNCIL OF GOVERNMENTS TRANSPORTATION MANAGEMENT AREA AS PART OF THE PERFORMANCE-BASED PLANNING REQUIREMENTS OF THE FIXING AMERICA’S SURFACE TRANSPORTATION (FAST) ACT

WHEREAS, the Denver Regional Council of Governments, as the Metropolitan Planning Organization, is responsible for the operation and maintenance of the continuing transportation planning process designed to prepare and adopt transportation plans and programs; and

WHEREAS, the transportation planning process within the Denver region is carried out by the Denver Regional Council of Governments through a cooperative agreement with the Regional Transportation District and the Colorado Department of Transportation; and

WHEREAS, 23 USC 150(c) establishes requirements for performance measures and targets for safety, infrastructure condition, system performance, freight, and air quality; and

WHEREAS, federal statutes require the Denver Regional Council of Governments to annually set targets for five required safety performance measures (number of fatalities, rate of fatalities, number of serious injuries, rate of serious injuries, and number of non-motorized fatalities and serious injuries); and

WHEREAS, the safety targets were prepared by the Denver Regional Council of Governments in cooperation with the Colorado Department of Transportation; and

WHEREAS, the Transportation Advisory Committee and the Regional Transportation Committee have recommended that the Board of Directors adopt the 2018 safety targets.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to its Articles of Association, and the authority granted under sections 30-28-106 and 43-1-1101 through 1105 of the Colorado Revised Statutes, as the Metropolitan Planning Organization for the Denver Region, the Denver Regional Council of Governments hereby adopts the following 2018 safety targets:
A RESOLUTION ADOPTING 2018 SAFETY TARGETS FOR THE DENVER REGIONAL COUNCIL OF GOVERNMENTS TRANSPORTATION MANAGEMENT AREA AS PART OF THE PERFORMANCE-BASED PLANNING REQUIREMENTS OF THE FIXING AMERICA’S SURFACE TRANSPORTATION (FAST) ACT
Resolution No.______, 2018
Page 2

<table>
<thead>
<tr>
<th>Safety Measures</th>
<th>2018 Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of fatalities</td>
<td>242</td>
</tr>
<tr>
<td>Rate of fatalities (per million VMT)</td>
<td>0.9</td>
</tr>
<tr>
<td>Number of serious injuries</td>
<td>1,948</td>
</tr>
<tr>
<td>Rate of serious injuries (per million VMT)</td>
<td>7.2</td>
</tr>
<tr>
<td>Number of combined non-motorized fatalities and serious injuries</td>
<td>346</td>
</tr>
</tbody>
</table>

RESOLVED, PASSED AND ADOPTED this ____ day of __________________, 2018 at Denver, Colorado.

__________________________________________  
Bob Roth, Chair  
Board of Directors  
Denver Regional Council of Governments

ATTEST:

__________________________________________  
Douglas W. Rex, Executive Director
To: Chair and Members of the Board of Directors  
From: Douglas W. Rex, Executive Director  
303 480-6701 or drex@drcog.org

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Agenda Category</th>
<th>Agenda Item #</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 17, 2018</td>
<td>Action</td>
<td>11</td>
</tr>
</tbody>
</table>

**SUBJECT**
This action concerns delayed projects or project phases that were scheduled to receive Fiscal Year 2017 TIP funding.

**PROPOSED ACTION/RECOMMENDATIONS**
Staff recommends approval of proposed actions regarding FY 2017 project delays.

**ACTION BY OTHERS**
- December 18, 2017 – TAC recommended approval.  
- January 16, 2018 – RTC will act on a recommendation.

**SUMMARY**
The *FY 2016-2021 Policy on TIP Preparation* document identifies expectations for project initiation and policy for addressing delays for projects/phases with DRCOG-allocated federal funding. Timely initiation of TIP projects/phases is an important objective of the Board. Delays, for whatever reason, tie up scarce federal funds that could have been programmed to other ready projects/phases.

At the end of FY 2017 (September 30, 2017), DRCOG staff reviewed the implementation status of DRCOG-selected projects/phases with CDOT and RTD. DRCOG staff discussed with the sponsors the reason(s) for the delays and heard action plans demonstrating the sponsor’s commitment to timely initiation.

The TIP Project Delays Report for FY 2017 summarizes the reasons for delays and actions proposed by sponsors to get projects to ad or a particular phase(s) initiated. The report includes DRCOG staff recommendations for Board consideration.

**PREVIOUS BOARD DISCUSSIONS/ACTIONS**
NA

**PROPOSED MOTION**
Move to approve actions proposed by DRCOG staff regarding TIP project delays for Fiscal Year 2017.

**ATTACHMENT**
1. TIP Project Delays Report for FY 2017

**ADDITIONAL INFORMATION**
If you need additional information Douglas W. Rex, Executive Director, at 303 480-6701 or drex@drcog.org; or Todd Cottrell, Senior Transportation Planner at 303-480-6737 or tcottrell@drcog.org.
A. POLICY

The FY2017 TIP Project Delays Report reviews project phases funded in the previous 2016-2021 TIP. The report is based on procedures established in the 2016-2021 Policy on Transportation Improvement Program (TIP) Preparation, adopted July 14, 2014, with amendments accordingly. The policy states that “implementation of an entire project or single project phase (if project has federal funding in more than one year) may be delayed only once by the project sponsor.” The objective of this delay policy is to minimize the number of projects delayed and improve the efficiency of spending federal dollars.

B. PROCESS

To implement the policy, the following steps were taken:

1. At the beginning of October (coinciding with the beginning of the new federal fiscal year), DRCOG staff requested CDOT and RTD to conduct a comprehensive review of all DRCOG-selected projects receiving TIP funds in FY2017. The review also included projects/phases previously delayed from FY2016.

2. CDOT and RTD reviewed all such project phases, identifying those that have not been initiated, and therefore delayed.

3. Project phases delayed for a second year (first year delay was in FY2016) are ineligible to receive further federal funding reimbursement, unless the DRCOG Board grants a variance to continue. Three projects met this qualification and were brought to the Board in October 2017. These are discussed in Section C below.

4. In late October, DRCOG staff notified first year delayed project/phase sponsors and requested a discussion regarding the delay. These projects are discussed in Section D.

C. SECOND-YEAR DELAY (FY2016) PROJECT SEEKING A VARIANCE TO CONTINUE

1. Boulder County

   Name: Real-Time Transit Signage Project
   TIP ID: 1997-097 (TDM Set-Aside)
   Project Phase: Initiate Construction
   FY2016 Federal funding: $258,000
   http://www3.drcog.org/Trips/Project/2016-2021/details/48544

   This project went before the Board in October to seek a variance to continue. A variance was granted for 120 days, meaning Boulder County will need to advertise the project no later than January 29, 2018. Final CDOT clearances are still ongoing, with advertisement expected soon after.

   Recommendation—Continuously monitor progress through project advertisement.
   • If Boulder County is unable to advertise before January 29, 2018, they must stop all future federal reimbursement payment requests retroactive to September 30, 2017.
2. **Denver**  
   **Name:** Upgraded Traffic Signal Equipment for the Denver CBD  
   **TIP ID:** 2016-004 (RTO Set-Aside)  
   **Project Phase:** Initiate Design  
   **FY2016 federal funding:** $1,029,000  

   This project issued a NTP for design in late December.

   **Recommendation**—*Since the project is no longer delayed, no conditions will be placed upon it.*

3. **Northglenn**  
   **Name:** North Metro Rail 112th Ave Corridor Improvements  
   **TIP ID:** 2012-079  
   **Project Phase:** Initiate Environmental and Design  
   **FY2016 federal funding:** $99,000  

   This project went before the Board in October to seek a variance to continue. A variance was granted for 120 days, meaning Northglenn will need to initiate environmental and design by issuing a Notice to Proceed to their selected consultants no later than January 29, 2018. Northglenn is currently working towards these goals and anticipates completing the required phase by January 29.

   **Recommendation**—*Continuously monitor progress through project advertisement.*  
   - If Northglenn is unable to achieve this status before January 29, 2018, they must stop all future federal reimbursement payment requests retroactive to September 30, 2017.
D. FIRST-YEAR DELAY (FY2017) PROJECTS SEEKING APPROVAL TO CONTINUE

Project phases initiated after October 15, 2018, will be delayed for a second year and sponsors will need to appear before the DRCOG Board to seek a variance to continue.

1. **Aurora**
   - **Name:** City Center Train/Traffic and Transportation Network Study
   - **TIP ID:** 2007-089 (STAMP/UC Set-Aside)
   - **Project Phase:** Initiate Study
   - **FY2017 Federal funding:** $200,000
   - [http://www3.drcog.org/Trips/Project/2016-2021/details/48586](http://www3.drcog.org/Trips/Project/2016-2021/details/48586)

   Aurora reports the study has been delayed due to additional contracting requirements put on RTD by FTA, in addition to a lack of response from RTD. Aurora originally contacted RTD to begin the IGA process in November 2016, but it wasn’t until April 2017 that RTD started the process of putting a draft together. Aurora received a draft in mid-October, and was able to return comments shortly thereafter. It’s anticipated a signed IGA and consultant kick-off meeting will happen within the 1st Quarter 2018.

   **Recommendation**—**DRCOG staff recommends the delay be approved subject to the following condition:**
   - Aurora and RTD staff continue to aggressively pursue IGA execution and consultant kick-off no later than the end of March 2018. If unachieved, Aurora and DRCOG staff shall discuss this study at the first of each month beginning in April 2018, until the kick-off meeting has been held.

2. **Boulder**
   - **Name:** Boulder Slough Path: 30th St to 3100 Pearl
   - **TIP ID:** 2016-008
   - **Project Phase:** Initiate ROW
   - **FY2017 Federal funding:** $96,000

   This project submitted its initial set of ROW plans to CDOT in late October.

   **Recommendation**—**Since the project is no longer delayed, no conditions will be placed upon it.**

3. **Boulder County**
   - **Name:** SH-7 Arterial BRT Station Design, Connectivity, and ROW Needs
   - **TIP ID:** 2007-089 (STAMP/UC Set-Aside)
   - **Project Phase:** Initiate Study
   - **FY2017 Federal funding:** $160,000
   - [http://www3.drcog.org/Trips/Project/2016-2021/details/48586](http://www3.drcog.org/Trips/Project/2016-2021/details/48586)

   Boulder County reports the project has been delayed due to additional contracting requirements at RTD. A draft IGA was sent to Boulder County at the end of October, and promptly sent back to RTD for final review. The study kick-off meeting is anticipated within the 1st Quarter 2018.

   **Recommendation**—**DRCOG staff recommends the delay be approved subject to the following condition:**
   - Boulder County and RTD staff continue to aggressively pursue IGA execution and consultant kick-off meeting no later than the end of March 2018. If unachieved, Boulder
County and DRCOG staff shall discuss this project at the first of each month beginning in April 2018, until the kick-off meeting is held.

4. **Castle Rock**
   - **Name:** Meadows Pkwy Reconstruction: US-85 to Meadows Blvd
   - **TIP ID:** 2016-027
   - **Project Phase:** Initiate Construction
   - **FY2017 Federal funding:** $1,333,000

   This project was advertised on December 13.

   **Recommendation**—Since the project is no longer delayed, no conditions will be placed upon it.

5. **Commerce City**
   - **Name:** Upgrade Cabinets and Controllers on Quebec St and SH-2
   - **TIP ID:** 2016-004 (RTO Set-Aside)
   - **Project Phase:** Initiate Procurement
   - **FY2017 Federal funding:** $132,000
   - [http://www3.drcog.org/Trips/Project/2016-2021/details/48579](http://www3.drcog.org/Trips/Project/2016-2021/details/48579)

   Commerce City reports this project has been delayed due to staff turnover and the IGA process. Recently, the IGA was executed, and the RFP was sent to CDOT. It is anticipated procurement will begin during the 1st Quarter of 2018.

   **Recommendation**—DRCOG staff recommends the delay be approved subject to the following condition:
   - Commerce City and CDOT staff continue to aggressively pursue project procurement no later than the end of March 2018. If unachieved, Commerce City and DRCOG staff shall discuss this project at the first of each month beginning in April 2018, until the RFP or similar has been issued for procurement.

6. **Commerce City**
   - **Name:** 88th Ave NEPA Study: I-76 to SH-2
   - **TIP ID:** 2016-079
   - **Project Phase:** Initiate Study
   - **FY2017 Federal funding:** $150,000
   - [http://www3.drcog.org/Trips/Project/2016-2021/details/48579](http://www3.drcog.org/Trips/Project/2016-2021/details/48579)

   Commerce City reports the study has been delayed due to staff turnover and the IGA process. Currently, the IGA is with CDOT and is expected to be executed by the 2nd Quarter of 2018, with consultant NTP shortly after.

   **Recommendation**—DRCOG staff recommends the delay be approved subject to the following condition:
   - Commerce City and CDOT staff continue to aggressively pursue the release of the RFP no later than the end of July 2018. If unachieved, Commerce City and DRCOG staff shall discuss this study at the first of each month beginning in August 2018, until the study kick-off meeting has taken place.
7. Commerce City  
   **Name:** North Metro Rail 72nd Ave and Colorado Blvd Station Sidewalks  
   **TIP ID:** 2016-080  
   **Project Phase:** Initiate Construction  
   **FY2017 Federal funding:** $1,357,000  

Commerce City reports the project has been delayed due to a historical clearance issue. The clearances have now been received and the ROW phase has been authorized. Commerce City plans on going to ad in February 2018.

**Recommendation**—DRCOG staff recommends the delay be approved subject to the following conditions:

- Commerce City and CDOT staff continue to aggressively pursue project advertisement no later than the end of February 2018. If unachieved, Commerce City and DRCOG staff shall discuss this project at the first of each month beginning in March 2018, until advertisement has taken place.

8. Denver  
   **Name:** North Capitol Hill/Colfax Urban Center Study  
   **TIP ID:** 2007-089 (STAMP/UC Set-Aside)  
   **Project Phase:** Initiate Study  
   **FY2017 federal funding:** $50,000  

Denver reports the study has been delayed due to receiving another federal grant within the same geography and the decision to combine them. The draft IGA is currently being prepared by the city, and Denver anticipates being able to execute by August 2018, with the consultant kick-off shortly after.

**Recommendation**—DRCOG staff recommends the delay be approved subject to the following conditions:

- Denver and RTD staff continue to aggressively pursue an executed IGA and consultant kick-off no later than September 2018. Denver, RTD, and DRCOG staff shall discuss this project at the first of each month beginning in July 2018, unless the kick-off meeting has been held.
9. Denver
   Name: Upgrade Controllers, Communication and Install UPS - CBD
   TIP ID: 2016-004 (RTO Set-Aside)
   Project Phase: Initiate Procurement
   FY2017 federal funding: $1,060,000
   http://www3.drcog.org/Trips/Project/2016-2021/details/48579

Denver reports that procurement has been delayed due to delays associated with the IGA and the design phase. The exact date for procurement depends on the outcomes of the design phase, but is expected to be issued in the summer 2018.

Recommendation—DRCOG staff recommends the delay be approved subject to the following condition:
   • Denver and CDOT staff continue to aggressively pursue procurement no later than July 2018. If unachieved, Denver and DRCOG staff shall discuss this project at the first of each month beginning in August 2018, until the RFP/RFQ is released for procurement.

10. Denver
    Name: Martin Luther King Jr Blvd Extension: Havana St to Peoria St
    TIP ID: 2016-022
    Project Phase: Initiate Construction
    FY2017 Federal funding: $5,379,000
    http://www3.drcog.org/Trips/Project/2016-2021/details/47550

Denver reports the project is delayed due to issues that arose during the NEPA environmental phase. CDOT/FHWA subsequently approved a Finding of No Significant Impact (FONSI) in October. Denver is currently working on the final design and expects to complete it within the 1st Quarter of 2018 and advertise the project within the 2nd Quarter.

Recommendation—DRCOG staff recommends the delay be approved subject to the following condition:
   • Denver and CDOT staff continue to aggressively pursue project advertisement no later than June 2018. If unachieved, Denver and DRCOG staff shall discuss this project at the first of each month beginning in July 2018, until ad takes place.

11. Golden
    Name: Washington Ave Complete Streets
    TIP ID: 2016-037
    Project Phase: Initiate Construction
    FY2017 federal funding: $2,700,000
    http://www3.drcog.org/Trips/Project/2016-2021/details/48594

Golden reports the project has been delayed due to design work. In addition, CDOT will take over the construction phase at the SH-93 intersection. As a result, additional time will be needed to revise the design plans. Project advertisement is anticipated for the 3rd Quarter of 2018.

Recommendation—DRCOG staff recommends the delay be approved subject to the following conditions:
Golden and CDOT staff continue to aggressively pursue project advertisement no later than September 2018. Golden and DRCOG staff shall discuss this project at the first of each month beginning in July 2018, until advertisement takes place.

12. Lakewood
   Name: Multi-use path on the D10: Wadsworth Blvd to Zephyr St and Kipling St to Oak St
   TIP ID: 2016-006
   Project Phase: Initiate ROW
   FY2017 federal funding: $536,000
   http://www3.drcog.org/Trips/Project/2016-2021/details/47515

ROW plans have been submitted to CDOT.

Recommendation—Since the project is no longer delayed, no conditions will be placed upon it.

13. Longmont
   Name: Main Street Corridor Plan
   TIP ID: 2007-089 (STAMP/UC Set-Aside)
   Project Phase: Initiate Study
   FY2017 federal funding: $200,000
   http://www3.drcog.org/Trips/Project/2016-2021/details/48586

Longmont reports the study has been delayed due to additional contracting requirements put on RTD by FTA, in addition to a lack of response from RTD. Longmont originally contacted RTD to begin the IGA process in April 2017, but it wasn’t until October 2017 when Longmont received a draft. Longmont was able to return comments within one week. It’s anticipated a signed IGA and consultant kick-off meeting will happen within the 1st Quarter of 2018.

Recommendation—DRCOG staff recommends the delay be approved subject to the following condition:

- Longmont and RTD staff continue to aggressively pursue IGA execution and consultant kick-off no later than the end of March 2018. If unachieved, Longmont and DRCOG staff shall discuss this study at the first of each month beginning in April 2018, until the kick-off meeting has been held.
14. **Northglenn**
   - **Name:** North Metro Rail 112th Ave Corridor Improvements
   - **TIP ID:** 2012-079
   - **Project Phase:** Initiate Construction
   - **FY2017 federal funding:** $728,000

   Northglenn reports the project has been delayed due to rescoping the project. The original delays caused second-year delays with the Environmental and Design phases (see Section C.3), and consequentially delayed putting the project to ad. It’s anticipated the project will go to ad by July 2018.

   **Recommendation**—DRCOG staff recommends the delay be approved subject to the following condition:
   - Northglenn and CDOT staff continue to aggressively pursue project advertisement no later than July 2018. Northglenn and DRCOG staff shall discuss this project at the first of each month beginning in July 2018, until advertisement can take place.

15. **RTD**
   - **Name:** 16th St Mall Reconstruction: Arapahoe St to Lawrence St
   - **TIP ID:** 2016-028
   - **Project Phase:** Initiate Construction
   - **FY2017 federal funding:** $2,400,000

   RTD reports the project has been delayed due to additional work required as part of the environmental process and additional collaboration with Denver. RTD is not expected to complete environmental until mid-2018. The project anticipates using a Construction Management/General Contractor contracting method, allowing a single contractor to design and construct the project. This would thereby reduce the time required for both phases. It’s anticipated a NTP to a contractor can be issued by the end of the 3rd Quarter of 2018.

   **Recommendation**—DRCOG staff recommends the delay be approved subject to the following condition:
   - RTD and Denver staff continue to aggressively pursue contractor NTP no later than October 15, 2018, to avoid a second-year delay on this phase. RTD and DRCOG staff will discuss this project at the first of each month beginning in July 2018, until the NTP is given.

16. **RTD**
   - **Name:** Regional BRT Feasibility Study
   - **TIP ID:** 2016-051
   - **Project Phase:** Initiate Study
   - **FY2017 federal funding:** $1,000,000

   RTD reports the study RFP has been issued, with consultant approval anticipated for mid-December. Contract award and NTP is anticipated for early January 2018.
**Recommendation**—DRCOG staff recommends the delay be approved subject to the following condition:

- RTD staff continue to aggressively pursue study kick-off no later than January 2018. If unachieved, RTD and DRCOG staff shall discuss this study at the first of each month beginning in February 2018, until the kick-off meeting has taken place.

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**17. UC-Boulder**

- **Name:** University of Colorado Boulder East Campus Pedestrian Bridge & Trail Connection
- **TIP ID:** 2016-007
- **Project Phase:** Initiate Construction
- **FY2017 federal funding:** $254,000

This project was advertised on November 22.

**Recommendation**—Since the project is no longer delayed, no conditions will be placed upon it.
To: Chair and Members of the Board of Directors
From: Douglas W. Rex, Executive Director
303 480-6701 or drex@drcog.org

Meeting Date | Agenda Category | Agenda Item #
-------------|----------------|---------------
January 17, 2018 | Action | 12

SUBJECT
Regional Share policy items for the 2020-2023 TIP call for projects:
1) Regional Share Framework (project/program eligibility); and
2) Subregional/Regional Share Funding Allocation (percentage split of available funds designated for the Regional Share and Subregional Share).

PROPOSED ACTION/RECOMMENDATIONS
Approval of the Regional Share Framework and Subregional/Regional Share Funding Allocation for inclusion in the 2020-2023 TIP Policy Document.

ACTION BY OTHERS
July 24, 2017 – TIP Policy Work Group

SUMMARY
At the December 20, 2017 meeting, the Board continued its discussion of two key elements of the Transportation Improvement Program (TIP) Dual (Regional/Subregional) Model being considered for the selection of projects for the 2020-2023 TIP — the Regional Share Framework and the Subregional/Regional Share Funding Allocation.

As you will recall, the TIP Dual Model includes two project selection elements: a single Regional Share call for projects administered by DRCOG, and eight Subregional Share calls for projects administered by county-based forums. All project recommendations by the county-based forums will ultimately come to the Board for final approval before they are included in the 2020-2023 TIP.

This evening, DRCOG staff request action on 1) the Regional Share Framework and 2) Subregional/Regional Share Funding Allocation for inclusion in the 2020-2023 TIP Policy document.

1. Regional Share Framework (program and project eligibility)
The draft Regional Share Framework-Eligibility Rules (Attachment 1) describes the types of regional programs eligible for Regional Share funding and defines specific types of eligible projects as identified on maps associated with DRCOG’s 2040 Metro Vision Regional Transportation Plan (MVRTP). On January 9, the TIP Policy Work Group (TPWG) reaffirmed the Framework recommendation ahead of anticipated action tonight. Items revised by the TPWG based on the December 20 Board discussion are redlined in Attachment 1.

Key elements of the Regional Share Framework as proposed by the TPWG include:
- The CDOT Central 70 commitment for $25 million should be included as part of the Regional Share allocation, and not taken from the set-asides.
• Regional Share project proposals will be permitted only from the subregional forums, CDOT, and RTD. A maximum of three submittals from each subregion, two from RTD, and two from CDOT (reaffirmation of Central 70 counts as one of CDOT’s project submittals).

• Projects located on Freeways and Major Regional Arterials (MRAs) are eligible
  o capacity projects must be identified in the 2040 Fiscally Constrained RTP.
  o operational projects are eligible on any segment of the freeway and MRA networks.

• BRT and managed lane projects identified in the 2040 Fiscally Constrained RTP are eligible.

• Railroad grade separations on the DRCOG Regional Roadway System are eligible.

• Any bicycle project identified in an adopted local plan or identified on the map of regional corridors and key multi-use trails shown on Figure B in Attachment 1-2 are eligible.

• Studies are eligible.

• Requests for DRCOG Regional Share federal funds cannot exceed 50% of the total project cost and are capped at a $20 million maximum (except for the Central 70 project commitment). The evaluation criteria process will more favorably recognize project/program proposals with a higher matching percentage.

2. Subregional/Regional Share Funding Allocation
At the June 7 Board Work Session, Directors first discussed a proposal by the TPWG to designate a minimum of 70 percent of the available funds to the Subregional Share and a maximum of 30 percent to the Regional Share (including the previous Central 70 project commitment).

At the December 20 Board meeting, most of the discussion focused on subregional/regional scenarios between 70%/30% and 80%/20%. Attachment 2 shows the estimated funding amounts for three subregional/regional scenarios (70%/30%, 75%/25%, and 80%/20%).

Next Steps
DRCOG staff has initiated preparation of the draft 2020-2023 TIP Policy document for the TPWG and Board’s review in the coming months. The document will include the project selection criteria and the procedures for preparing the upcoming TIP. Additionally, DRCOG staff will begin the process of formalizing the eight subregional forums.

PREVIOUS DISCUSSIONS/ACTIONS

June 7, 2017 – Board Work Session
August 2, 2017 – Board Work Session
September 6, 2017 – Board Work Session
November 1, 2017 – Board Work Session
December 20, 2017 – Board

PROPOSED MOTION
Move to approve the *Regional Share Framework* and *Subregional/Regional Share Funding Allocation* for inclusion in the 2020-2023 TIP Policy document.

**ATTACHMENTS**
1. Draft Regional Share Framework-Eligibility Rules
2. Estimates of Subregional/Regional Share Funding Allocation
3. Staff presentation
4. Past TIP Projects Regional Share-eligible (provided at 12/20/17 Board meeting)
5. Information on Puget Sound Regional Council TIP Process (provided at 12/20/17 Board meeting)
6. TIP Policy Work Group white paper: *Recommended Funding and Project Selection Framework for the 2020-2023 Transportation Improvement Program* (accepted by the Board February 2017)

**ADDITIONAL INFORMATION**
If you need additional information please contact Douglas W. Rex, Executive Director, at 303-480-6701 or drex@drcog.org.
1. **Submittals**

Applications will be submitted to DRCOG from each Subregion (a maximum of two-three from each). In addition, two may be submitted from RTD, and two from CDOT (with the Central 70 project commitment counted as one of CDOT’s). **Funding level options:**

**Option 1:** Requests for DRCOG Regional Share funding cannot exceed 50% of the total project cost and are capped at a $20 million maximum (except for the Central 70 project commitment).

**OR**

**Option 2:** No maximums or restrictions on Regional Share funding request.

2. **Programs eligible for Regional Share**

Programs funded through DRCOG’s Regional Share shall address mobility issues to a level that can definitively illustrate a “magnitude of benefits” fitting of a regional program. Participation within the proposed program, along with the anticipated services and benefits, must be available within the entire DRCOG TIP planning area (the Metropolitan Planning Organization (MPO) area). Regional programs will focus on optimizing the multimodal transportation system by increasing mobility and access, and/or programmatic efforts to ensure that people of all ages, incomes, and abilities are connected to their communities and the larger region.

3. **Projects eligible for Regional Share**

Projects funded through DRCOG’s Regional Share shall include eligible transportation improvements that implement the fiscally constrained elements of the 2040 Metro Vision Regional Transportation Plan (2040 MVRTP) as specified in Table 1 below.

<table>
<thead>
<tr>
<th>2040 MVRTP Eligible Networks</th>
<th>Eligible Projects Reference Maps/Table</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Specific project attributes such as start and end points, alignment, service levels, and number of lanes are subject to revision through future environmental studies.</strong></td>
<td>(as adopted in RTP at time of TIP Call for Projects in 2018)</td>
</tr>
<tr>
<td>Regional Rapid Transit (rail and BRT/busway guideway corridors)</td>
<td>Figure A</td>
</tr>
<tr>
<td>Bicycle Facility Projects</td>
<td>Figure B Projects 1) from an adopted local plan or, 2) on a regional corridor or key multi-use trail identified on Figure B</td>
</tr>
<tr>
<td>Freeways and Major Regional Arterials (MRAs) on Regional Roadway System (stand-alone tollways are not eligible: E-470, NW Parkway, Jefferson Parkway)</td>
<td>Figure C and Figure D** <code>**Capacity projects identified on Figure C and Figure D are eligible. Operational projects that benefit freeway mainlines (red lines on Figure C and gold lines on Figure D) are eligible.</code></td>
</tr>
<tr>
<td>Regional Managed Lanes System</td>
<td>Figure E</td>
</tr>
<tr>
<td>Rail Freight System (new railroad grade separations at existing grade crossings that improve operations on the designated Regional Roadway System)</td>
<td>Figure 7 of Appendix 5 of 2040 MVRTP</td>
</tr>
<tr>
<td>Studies</td>
<td>Any study for a project that is DRCOG eligible that crosses county boundaries (inter-subregional)</td>
</tr>
</tbody>
</table>

**Note:** For fiscally constrained roadway and rapid transit capacity project details, see Appendix 4 of the 2040 MVRTP.
Attachment 1-2  Figure B

Key Multi-Use Trails and Regional Bicycle Corridors

2040 Metro Vision
Regional Transportation Plan

- Green: Key Multi-use Trails
- Red: Regional Corridors
- Blue: Regional Roadway System
- Gray: Roads Outside Region
- Light Blue: Lakes and Reservoirs
- Green: Open Space and Parks
- MPO and TIP Boundary
- Outside MPO/TIP Boundary

Corridors Note: The specific facility representing a corridor may be directly on the route depicted or may be parallel within 1/4 mile. No more than one facility may represent the defined corridor.

SOURCE DATA: DRCOG, USGS This data is provided for informational purposes only. DRCOG makes no warranty, express or implied, including without limitation, implied warranties of merchantability, fitness for a particular purpose, or non-infringement. DRCOG disclaims any express or implied, or to be complete, current, accurate, complete, or correct information, or as to the correctness or completeness of the data for a particular use or purpose. DRCOG is not responsible to any user for any costs, damages or injuries arising from inaccuracies in the data or from any use of the information.
Attachment 1-3  Figure C

Fiscally Constrained RTP Regionally Funded Freeway Capacity Projects Eligible for TIP

Freeways on Regional Roadway System
Future Capacity Projects (Operational projects eligible on entire Freeway system)
MPO and TIP Boundary
Outside MPO/TIP Boundary

SOURCE DATA: DRCOG, ESRI. This data is provided for informational purposes only. DRCOG makes no warranties, representations or guarantees, express or implied, as to the completeness, accuracy or correctness of the data, or as to its fitness for a particular use or purpose. DRCOG is not responsible for any use for any errors, omissions, or changes, or for any use of this information.
30% Regional - 70% Subregional
Central 70 project in Regional

DRAFT

DRCOG Federal Funds
(FY 2020-2023)

$280 Million Total (Estimate)

<table>
<thead>
<tr>
<th>Set-Aside Amount:</th>
<th>$ 49.4</th>
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<tbody>
<tr>
<td>Minus Central 70</td>
<td>$ 230.6</td>
</tr>
<tr>
<td>Total Avail for Shares:</td>
<td>$ 230.6</td>
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</table>

Regional Share

Call for Regional Projects/Programs
Similar to structure used for current TIP.

Regional Percent: 30%

<table>
<thead>
<tr>
<th>Funding Level:</th>
<th>$ 69.2</th>
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Subregional Share

Proportionately targeted for planning purposes to predefined sub-geographic units for project identification and recommendation by eligible stakeholders within each subregion.

Subregional Percent: 70%

| Amount Remaining to be Programmed: | $ 44.2 |

TPWG Proposed

<table>
<thead>
<tr>
<th>Subregional Share Based On:</th>
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</table>

Total to be Programmed: $ 161.4 Million

| 100% | $ 161.4 Million |

DRCOG Federal Funds (FY 2020-2023)

Total Funds: $ 280.0

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| 100% | $ 161.4 Million |

DRCOG Federal Funds (FY 2020-2023)

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| 100% | $ 161.4 Million |

DRCOG Federal Funds (FY 2020-2023)

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Total to be Programmed: $ 161.4 Million

| 100% | $ 161.4 Million |

DRCOG Federal Funds (FY 2020-2023)

Total Funds: $ 280.0

Set-Aside Amount:

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Subregional Percent: 70%

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</tbody>
</table>

Total to be Programmed: $ 161.4 Million

| 100% | $ 161.4 Million |
### 25% Regional - 75% Subregional

Central 70 project in Regional

**DRAFT**

#### DRCOG Federal Funds (FY 2020-2023)

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<th>Set-Aside Amount:</th>
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<td>Amount Remaining to be Programmed:</td>
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**TPWG Proposed**

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<td>Adams 15.20% $24.5</td>
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<tr>
<td>Arapahoe 19.25% $31.1</td>
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<tr>
<td>Boulder 9.96% $16.1</td>
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</table>

<table>
<thead>
<tr>
<th>Subregional Share Based On: 75%</th>
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</thead>
<tbody>
<tr>
<td>Adams 15.20% $26.3</td>
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<td>Douglas 9.97% $17.2</td>
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<td>SW Weld 2.31% $4.0</td>
</tr>
</tbody>
</table>

Total Funds: $280.0

Total to be Programmed: $173.0

Set-Aside Amount: $49.4

Minus Central 70: $57.7

Total Avail for Shares: $230.6

Amount Remaining to be Programmed: $32.7

---

**Set-Asides**

- Community Mobility Planning & Implementation
- TDM Services
- Regional Transportation Operations & Technology
- Air Quality Improvement
- Human Service Transportation

**Regional Share**

Call for Regional Projects/Programs

Similar to structure used for current TIP.

**Subregional Share**

Proportionately targeted for planning purposes to predefined sub-geographic units for project identification and recommendation by eligible stakeholders within each subregion.
20% Regional - 80% Subregional
Central 70 project in Regional

DRAFT

DRCOG Federal Funds
(FY 2020-2023)

$280 Million Total (Estimate)

Total Funds: $ 280.0

Subregional Share Based On: 70%
Adams 15.20% $ 24.5
Arapahoe 19.25% $ 31.1
Boulder 9.96% $ 16.1
Broomfield 2.34% $ 3.8
Denver 24.15% $ 39.0
Douglas 9.97% $ 16.1
Jefferson 16.81% $ 27.1
SW Weld 2.31% $ 3.7

100% $ 161.4 Million

Subregional Share Based On: 80%
Adams 15.20% $ 28.0
Arapahoe 19.25% $ 35.5
Boulder 9.96% $ 18.4
Broomfield 2.34% $ 4.3
Denver 24.15% $ 44.6
Douglas 9.97% $ 18.4
Jefferson 16.81% $ 31.0
SW Weld 2.31% $ 4.3

100% $ 184.5 Million

Set-Asides
- Community Mobility Planning & Implementation
- TDM Services
- Regional Transportation Operations & Technology
- Air Quality Improvement
- Human Service Transportation

Regional Share
Call for Regional Projects/Programs
Similar to structure used for current TIP.

Regional Percent: 20%
Regional Share: $46.1

Subregional Share
Proportionately targeted for planning purposes to predefined sub-geographic units for project identification and recommendation by eligible stakeholders within each subregion.

Subregional Percent: 80%
Subregional Share: $184.5

Set-Aside Amount: $ 49.4
Minus Central 70: $ 25.0
Total Avail for Shares: $ 230.6
Amount Remaining to be Programmed: $ 21.1

Call for Regional Projects/Programs
Similar to structure used for current TIP.

• Community Mobility Planning & Implementation
• TDM Services
• Regional Transportation Operations & Technology
• Air Quality Improvement
• Human Service Transportation

Minus Central 70
Total Avail for Shares: $ 230.6
Amount Remaining to be Programmed: $ 21.1

Set-Asides

Regional Share

Subregional Share

DRCOG Federal Funds
(FY 2020-2023)

$280 Million Total (Estimate)

Total Funds: $ 280.0

Subregional Share Based On: 70%
Adams 15.20% $ 24.5
Arapahoe 19.25% $ 31.1
Boulder 9.96% $ 16.1
Broomfield 2.34% $ 3.8
Denver 24.15% $ 39.0
Douglas 9.97% $ 16.1
Jefferson 16.81% $ 27.1
SW Weld 2.31% $ 3.7

100% $ 161.4 Million

Subregional Share Based On: 80%
Adams 15.20% $ 28.0
Arapahoe 19.25% $ 35.5
Boulder 9.96% $ 18.4
Broomfield 2.34% $ 4.3
Denver 24.15% $ 44.6
Douglas 9.97% $ 18.4
Jefferson 16.81% $ 31.0
SW Weld 2.31% $ 4.3

100% $ 184.5 Million

Set-Aside Amount: $ 49.4
Minus Central 70: $ 25.0
Total Avail for Shares: $ 230.6
Amount Remaining to be Programmed: $ 21.1

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2020-2023 TIP Regional Share Framework Eligibility and Funding Split Allocation

Board of Directors
January 17, 2018

Tonight's Discussion:
1) Regional Pot eligibility
2) Funding split between Regional/Subregional

TIP dual model concept

Set-Aside Programs → DRCOG TIP funds → TIP Calls for Projects
Regional projects pot → Subregional projects pot
DRCOG Board Final Project Selection 2020-2023 TIP

Set-Asides
- Regional Transportation Demand Management (TDM)
- Way to Go
- Regional Transportation Operations (RTO)
- Station Area Master Plans/Urban Center Studies (STAMPs)
- Air Quality

Subregional Share
Proportionately targeted for planning purposes to predefined sub-geographic units for project identification and recommendation by eligible stakeholders within each subregion.

DRCOG Federal Funds

Regional Share and Other Commitments
Call for Regional Projects - Similar to structure used for current TIP

Regional/Subregional Funding Split

30% Regional - 70% Subregional
Central 70 project in Regional

DRAFT
QUESTIONS/COMMENTS
## Past TIP Projects Regional Share-Eligible

(December 13, 2017)

### Projects Funded in 2012-17 TIP and 2016-19 TIP

<table>
<thead>
<tr>
<th>Project Description</th>
<th>DRCOG Federal Amount Funded ($1,000's)</th>
<th>Total Project Cost ($1,000s)</th>
<th>% DRCOG Funds</th>
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</thead>
<tbody>
<tr>
<td><strong>Freeways:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>S. I-25 Lane Balance (RidgeGate to County Line Rd.)</td>
<td>$10,400</td>
<td>$32,000</td>
<td>32.5%</td>
</tr>
<tr>
<td>N. I-25 Managed Lanes</td>
<td>$5,000</td>
<td>$70,000</td>
<td>7.1%</td>
</tr>
<tr>
<td><strong>MRAs (Major Regional Arterials):</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wadsworth Widening from 35th to 48th</td>
<td>$25,280</td>
<td>$31,600</td>
<td>80.0%</td>
</tr>
<tr>
<td>US-85: Highlands Ranch Pkwy to Blakeland Dr Capacity</td>
<td>$15,000</td>
<td>$30,000</td>
<td>50.0%</td>
</tr>
<tr>
<td>US-85: Blakeland Dr to County Line Operational</td>
<td>$11,273</td>
<td>$30,000</td>
<td>37.6%</td>
</tr>
<tr>
<td>120th Ave Connection (final phase)</td>
<td>$20,800</td>
<td>$26,000</td>
<td>80.0%</td>
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<tr>
<td>Wadsworth Widening from 10th to 14th</td>
<td>$6,240</td>
<td>$7,801</td>
<td>80.0%</td>
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<tr>
<td>Wadsworth Widening from Highland Dr to 10th</td>
<td>$5,400</td>
<td>$6,750</td>
<td>80.0%</td>
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<tr>
<td>Foothills Pkwy Operations from SH-119 to Valmont</td>
<td>$600</td>
<td>$750</td>
<td>80.0%</td>
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<tr>
<td>120th Ave and Federal Operational Improvements</td>
<td>$3,421</td>
<td>$5,214</td>
<td>65.6%</td>
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<tr>
<td>I-25/Arapahoe Interchange - Design</td>
<td>$4,200</td>
<td>$6,000</td>
<td>70.0%</td>
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<tr>
<td>Arapahoe/Yosemite Operational Improvements</td>
<td>$3,000</td>
<td>$5,000</td>
<td>60.0%</td>
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<tr>
<td><strong>Key Bicycle Corridors:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C-470 Multi-use Trail Grade Sep. @ Yosemite</td>
<td>$2,000</td>
<td>$4,000</td>
<td>50.0%</td>
</tr>
<tr>
<td>US-6 Path: Colfax to Johnson</td>
<td>$589</td>
<td>$737</td>
<td>79.9%</td>
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<tr>
<td>Lakewood D-10 Multi-use Path</td>
<td>$1,920</td>
<td>$2,400</td>
<td>80.0%</td>
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<tr>
<td>Aurora Toll Gate Creek Trail</td>
<td>$5,683</td>
<td>$7,105</td>
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<tr>
<td>Aurora 23rd Ave. Bike/Ped Path</td>
<td>$1,492</td>
<td>$1,866</td>
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<tr>
<td>Tollgate Creek Bike/Ped Bridge and Trail</td>
<td>$1,214</td>
<td>$1,577</td>
<td>77.0%</td>
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<tr>
<td>Wonderland Underpass Path - Foothills to 30th</td>
<td>$2,000</td>
<td>$4,000</td>
<td>50.0%</td>
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<tr>
<td>SH-119/Airport Rd Underpass</td>
<td>$915</td>
<td>$1,725</td>
<td>53.0%</td>
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<tr>
<td><strong>Rapid Transit and Other:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First RTD FasTracks Commitment (total $60M)</td>
<td>$32,000</td>
<td>$4,700,000</td>
<td>0.7%</td>
</tr>
<tr>
<td>Second FasTracks Corridor Commitments (total $60M)</td>
<td>$35,591</td>
<td>$4,700,000</td>
<td>0.8%</td>
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<tr>
<td>16th St. Mall Reconstruction</td>
<td>$4,799</td>
<td>$5,999</td>
<td>80.0%</td>
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<tr>
<td>SH-119 BRT NEPA study</td>
<td>$1,000</td>
<td>$1,250</td>
<td>80.0%</td>
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<tr>
<td>Mobility Choice Blueprint</td>
<td>$400</td>
<td>$1,200</td>
<td>33.3%</td>
</tr>
<tr>
<td>Regional BRT Feasibility Study</td>
<td>$1,000</td>
<td>$1,500</td>
<td>66.7%</td>
</tr>
<tr>
<td>Ozone Modeling Study</td>
<td>$480</td>
<td>$600</td>
<td>80.0%</td>
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<tr>
<td>Hwy 79/36 Grade Separation of UPRR Design</td>
<td>$1,176</td>
<td>$1,500</td>
<td>78.4%</td>
</tr>
<tr>
<td>Peoria/Smith Grade Separation</td>
<td>$25,000</td>
<td>$50,000</td>
<td>50.0%</td>
</tr>
<tr>
<td>Transportation Model Network Enhancements</td>
<td>$100</td>
<td>$125</td>
<td>80.0%</td>
</tr>
<tr>
<td><strong>Past TIP Non-Competitive Commitments:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Denver Union Station Purchase (2002)</td>
<td>$20,000</td>
<td>$470,000</td>
<td>4.3%</td>
</tr>
<tr>
<td>Central 70 (I-70 East) Project</td>
<td>$25,000</td>
<td>$1,200,000</td>
<td>2.1%</td>
</tr>
<tr>
<td>US-36 Managed Lanes/BRT ($25 Million in previous TIP)</td>
<td>$15,000</td>
<td>$700,000</td>
<td>2.1%</td>
</tr>
</tbody>
</table>
Information on Puget Sound Regional Council (PSRC) TIP Process

- PSRC TIP policy framework is available at the following link:

- PSRC consists of four counties, 75 cities/towns, six transit agencies, four ports, the State of Washington DOT, and nine tribes. A call for projects is held every two years.

- Applications must center on the adopted policy focus:
  - For regional projects, federal funds are used to support the development of regional growth centers, regional manufacturing/industrial centers and the corridors that serve them.
  - For the subregional process, the centers and corridors noted above are used, as well as additional centers that may be identified through the county-wide process.

- PSRC has set-asides, such as a preservation pilot (20% of STP funds), 10% to bicycle and pedestrian projects, and the Rural Town Centers and Corridors Program ($3 million), in addition to previous carryover projects. With the exception of the Rural Town Centers and Corridors Program, the set aside funds are proportionately provided to the subregional forums for their consideration.

- The effective rate of the funding split is 34.5% regional and 65.5% subregional.
  - Note: since most of the set-aside funds revert back to the subregional pool, the effective funding split is different than the 50/50 split suggested in their documentation.

- Regional projects are intended to be of a regional, high-priority nature.
  - The projects are submitted by subregional forums.
  - There is no minimum federal funding request.
  - Point criteria do not rely heavily on engineering methodologies or precise benefit calculations.
  - PSRC staff review and score applications and prepared recommendations to the Transportation Policy Board for further review and discussion. The Policy Board then makes recommendations to the Executive Board for final approval.

- Within the county-wide process, the subregional forums are responsible for following federal and MPO guidelines when conducting their competitive project selection process. The intent is to fund subregional priorities, while still maintaining a region-wide policy focus.
  - Each forum dictates its process and sets its criteria consistent with applicable federal statute, guidelines, and PSRC policy. PSRC staff reviews applications to ensure eligibility.
  - Point criteria do not rely heavily on engineering methodologies or precise benefit calculations.
  - Funding recommendations are forwarded to the Transportation Policy Board for further review and discussion. The Policy Board then makes recommendations to the Executive Board for final approval.
To: Chair and Members of the Board of Directors

From: Douglas W. Rex, Executive Director
(303) 480-6701, or drex@drcog.org

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Agenda Category</th>
<th>Agenda Item #</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 17, 2018</td>
<td>Action</td>
<td>13</td>
</tr>
</tbody>
</table>

SUBJECT
This item concerns approval of the Draft 2018 Policy Statement on State Legislative Issues.

PROPOSED ACTION/RECOMMENDATIONS
Staff recommends approving the 2018 Policy Statement on State Legislative Issues.

ACTION BY OTHERS
N/A

SUMMARY
Each year, the Board adopts two policy statements on a range of specific state and federal legislative issues. These documents provide the DRCOG Board, staff and lobbyists with policy direction on legislative issues during the coming year.

Many of the staff proposed changes are editorial in nature to provide clarity or to make sure language is up-to-date. Proposed changes that are more substantive in nature include revisions to the “Regional Planning,” “Transportation” and “Aging” sections to reflect the new Metro Vision plan as well as another revision to the “Aging” section to reflect a new ombudsman service.

PREVIOUS DISCUSSIONS/ACTIONS
The draft document was provided for review and comment at the December 20, 2017 meeting. No comment was received from Board members.

PROPOSED MOTION
Move to approve the 2018 Policy Statement on State Legislative Issues.

ATTACHMENT
Draft 2018 Policy Statement on State Legislative Issues

ADDITIONAL INFORMATION
Should you have any questions regarding the draft policy statement, please contact Douglas W. Rex, Executive Director, at 303-480-6701, or drex@drcog.org; or Rich Mauro, Senior Legislative and Policy Analyst, at 303-480-6778 or rmauro@drcog.org.
Introduction

This paper outlines the key state policy issues of the Denver Regional Council of Governments (DRCOG). It identifies policy positions intended to inform the General Assembly, state executive branch officials and others as they develop and implement state policy on these issues. This policy statement guides positions and actions taken by the DRCOG Board, its staff and members during the 2018 state legislative session. DRCOG is a membership organization of local elected officials representing 48 municipalities and nine counties in the Denver metro area. Under federal law, DRCOG serves as the metropolitan planning organization (MPO) coordinating transportation planning with air quality goals, and serves as the Area Agency on Aging in eight counties to aid the 60-plus population. Under state statutes, DRCOG, as the regional planning commission, prepares and adopts a regional plan for the metro area and has regional responsibility for oversight of transit projects and certain state-sponsored and private toll-road projects.

REGIONAL PLANNING AND DEVELOPMENT

Regional Planning

Regional growth and development is of significant concern for metro area residents, policymakers, and community leaders. The counties and municipalities of the Denver region have been advancing a shared aspirational vision of the future of the metro area for more than 60 years. Working together to make life better for our communities and residents, that vision has taken various forms over the years—most recently as a regional plan known as Metro Vision.

Metro Vision fulfills DRCOG’s statutory duty to make and adopt a regional plan for the physical development of the region’s territory. The plan remains advisory for a local jurisdiction unless its planning commission chooses to adopt it as its official advisory plan under Colorado Revised Statutes 30-28-106(2). The current Metro Vision plan was unanimously adopted by DRCOG’s Board of Directors on January 18, 2017.

Metro Vision guides DRCOG’s work and establishes shared expectations with our region’s many and various planning partners. The plan outlines broad outcomes, objectives and initiatives established by the DRCOG Board to make life better for the region’s residents. The Metro Vision is aspirational and long-range in focus, but it has historically served to inform nearer-term policies and initiatives.

The DRCOG Board of Directors recognizes that the success of the Metro Vision plan requires the coordinated efforts of local, state and federal governments; the business community; and other planning partners, including philanthropic and not-for-profit organizations.
DRCOG supports those efforts that contribute to the achievement of Metro Vision’s regional outcomes and encourages state and regional entities to align their policies and investment decisions with Metro Vision and other regional agreements to advance shared objectives.

Metro Vision establishes fourteen inter-related aspirational outcomes, which describe a future that DRCOG, local governments and its partners will work toward together. DRCOG may support or oppose legislative proposals based on their potential to impact the region’s ability to achieve these outcomes and the associated performance measures, targets and action elements. These Metro Vision outcomes are as follows:

An Efficient and Predictable Development Pattern
- The region is comprised of diverse, livable communities.
- Through a coordinated effort between DRCOG and local communities, new urban development occurs in an orderly and compact pattern within regionally designated areas.
- Connected urban centers and multimodal corridors throughout the region accommodate a growing share of the region’s housing and employment.

A Connected Multimodal Region
- The regional transportation system is well-connected and serves all modes of travel.
- The transportation system is safe, reliable and well-maintained.

A Safe and Resilient Natural and Built Environment
- The region has clean water and air, and lower greenhouse gas emissions.
- The region values, protects and connects people to its diverse natural resource areas, open space, parks and trails.
- The region’s working agricultural lands and activities contribute to a strong regional food system.
- The risk and effects of natural and human-created hazards are reduced.

Healthy, Inclusive and Livable Communities
- The built and natural environment supports healthy and active choices.
- The region’s residents have expanded connections to health services.
- Diverse housing options meet the needs of residents of all ages, incomes and abilities.

A Vibrant Regional Economy
- All residents have access to a range of transportation, employment, commerce, housing, educational, cultural and recreational opportunities.
- Investments in infrastructure and amenities allow people and businesses to thrive and prosper.
Metro Vision also includes numerous objectives and strategic initiatives that identify areas for continuous improvements and specific voluntary opportunities that DRCOG and our many partners can consider. To help track the region’s progress toward our shared outcomes, the plan establishes a series of regional performance measures. More information on the Metro Vision plan, including objectives and performance measures that may inform DRCOG’s position on legislative proposals can be found on the DRCOG website (http://metrovision.drcog.org/).

**Transit-Oriented Development**

The citizens of the Denver metro area have a very large financial commitment to expand the rail transit system. To maximize the benefit of this investment, the areas surrounding existing and future transit stations should be developed or redeveloped to include appropriate higher-density, mixed-use, pedestrian- and bicycle-oriented development that supports transit use. **DRCOG supports legislative initiatives that foster transit-oriented development, including but not limited to:**

- Providing the Regional Transportation District (RTD) with the ability to manage its park-and-ride facilities using best practices that help the region reduce vehicle miles traveled (VMT);
- Expanding the ability of RTD and local governments to enter into joint-development agreements; and
- Protecting local authority to use tax-increment financing to leverage development in areas around transit stations.

**Regional Planning Agreements**

Following the adoption of Metro Vision, the local government members of DRCOG collaboratively developed the Mile High Compact, a unique intergovernmental agreement, created as an implementation tool for Metro Vision. While the compact is a regional planning agreement, it reinforces the role of local planning by committing local governments to use their comprehensive/master plans as the primary tool for growth and development decisions in their communities.

The signers of the compact agreed that their comprehensive/master plans will follow the specific principles and contain the specific elements outlined in the compact and will ensure consistency between local plans and between local plans and Metro Vision. **DRCOG supports the following goals as a framework for future regional planning agreements and may support or oppose legislative proposals based on consistency with these goals:**

- Establish a process to adopt a regional planning agreement by the local governments.
- Include the public in the development of the agreement.
- Focus on regional goals and plans to accomplish those goals for transportation, land use, housing, environmental quality and utility facilities.
- Make local plans consistent with the agreement.
- Reevaluate and amend the agreement as needed.
Local Land Use Authority and Planning

Local comprehensive/master plans provide a framework for the exercise of local land use authority. They form the basis for local growth and development decisions. **DRCOG supports the use of comprehensive/master plans as the foundation for local land use decision-making.**

Private Property Rights

DRCOG respects private property rights within a legal context that protects local land use authority and emphasizes that governmental actions often add value to private property. While acknowledging that there are concerns over a potential for inappropriate uses of that authority, DRCOG believes that U.S. Supreme Court decisions defining constitutional restrictions on local government regulation of private property are adequate to protect both public and private rights. When these restrictions are coupled with established precedents of the Colorado Supreme Court, protections accorded to landowners are reasonable, appropriate and balanced. Therefore, **DRCOG opposes further restrictions on the ability of governmental entities to regulate private property for the benefit of the public and opposes takings and eminent domain legislation that goes beyond the existing rulings of the U.S. Supreme Court and the Colorado Supreme Court as an attempt to unconstitutionally restrict local land use authority.**

Planning Data and Technical Support

DRCOG recognizes the importance of unbiased, reliable and consistent data in effective local and regional planning and decision-making. DRCOG also collaborates with the state to provide a variety of planning and technical assistance services to small communities. **DRCOG encourages the General Assembly and state agencies to support these efforts and any other efforts that would provide local governments with planning tools, technical assistance and other resources needed to enhance local and regional decision-making.** DRCOG supports legislation that ensures readily available access to public data sets, including digital data, for use in planning analysis.

Housing

An adequate supply and mix of housing options continues to be a concern of local governments. Housing choices allow individuals and families to find desirable housing that is affordable and accessible to them in communities throughout the region, allowing them to stay in their community of choice as their economic or life circumstances change. A range of housing options across the region benefits both individuals and families, and can improve the economic vitality and diversity of local communities. **DRCOG supports the following principles pertaining to the quality, quantity and affordability of housing in the Denver metro area:**
Policies and programs that support the private and public sectors in the creation and maintenance of an adequate supply of affordable rental and ownership options and providing a variety of housing sizes and types integrated with the community to meet the needs of people of all ages, incomes, and abilities.

Regional approaches to addressing the affordable housing issue that incentivize local efforts, particularly as they relate to preservation of existing affordable housing stock.

An adequate supply of permanently affordable housing located near job and transit hubs and continued public- and private sector support for such an effort.

Increased state financial support for loan and grant programs for low- and moderate-income housing, including associated amenities that promote access to opportunity.

Collaboration among public and private entities, including efforts to develop loan programs and address the jobs-housing connections.

Renters and homeowners (including manufactured home owners) have appropriate protections from discrimination and displacement. Policies should emphasize the rights of residents and minimize disparities in treatment under the law.

Actions to provide more accessible and obtainable housing options for seniors.

TRANSPORTATION

Transportation Planning

Federal and state laws establish a critical role for the metropolitan planning organization (MPO) in the transportation planning process. Congress has emphasized the importance of local government involvement, through the designated regional planning agency, in selecting projects and prioritizing funding for transportation. To reinforce this role at the state level, DRCOG supports the process, established between DRCOG, the Regional Transportation District (RTD) and the Colorado Department of Transportation (CDOT) to address the following issues before final adoption of the Statewide Transportation Plan and will evaluate state legislative and administrative actions for consistency with this process:

- The distribution of estimated future transportation revenues and the range of certainty regarding estimated funding allocations;
- Rules and criteria for determining regional transportation project selection, including system preservation projects as well as immediate and future transportation priorities based on the Regional Transportation Plan; and
- A dispute resolution process to mediate disputes related to these requirements.

The synergy between transportation and land use affects the region’s growth and development, use of transportation facilities and environmental quality. A coordinated approach between the state and regional transportation systems -- planning efforts and local project development is crucial to ensure environmental compatibility, efficient system performance and cost-effective solutions. Although individual local governments can take actions to address these issues in their own jurisdictions, a regional approach
to addressing them also is necessary. DRCOG supports early and frequent consultations between state, regional and local agencies to coordinate region-wide system and project planning efforts, as well as to coordinate transportation, land use and air quality planning efforts. DRCOG will evaluate state legislative and administrative actions for consistency with this policy.

Role of the MPO

The interdependence of transportation systems in metropolitan areas, particularly in the context of population growth and its demands on resources, necessitates a regional approach to transportation problem solving. As the metropolitan planning organization (MPO) for the Denver metro area, DRCOG is responsible for planning and programming funds for a multimodal transportation system. The role of the MPO and the importance of cooperation among transportation agencies are recognized in federal law and regulation. The MPO serves as the forum for collaborative decision-making on regional transportation issues. The MPO brings together decision-makers from local governments, other regional agencies and state transportation agencies to consider strategic and innovative solutions to regional transportation issues. The critical role of the MPO needs to be recognized and supported at the state level. Consensus between state and regional transportation agencies also is critical. DRCOG supports the following principles with regard to the role of the MPO:

- Transportation planning that is coordinated between DRCOG, CDOT, RTD and affected local communities, with each participating transportation agency’s plan recognizing the region’s priorities in the context of statewide transportation priorities.
- A strong role for MPOs placing MPOs on equal footing with CDOT and applicable regional transit agencies in selecting projects to be funded to ensure that local, regional and state transportation needs are met in a coordinated and cooperative manner.
- Legislation that reinforces collaboration between state and regional transportation agencies and recognizes their respective roles, responsibilities and interests.
- Legislation to ensure that representation on the Transportation Commission reflects approximately equal populations based on the most recent population census.

Transportation Financing

Colorado and the Denver metro area face serious funding shortages for meeting their transportation needs. Regional and statewide analyses show existing revenue sources are inadequate to maintain current infrastructure, let alone address congestion in urban and recreational areas, provide multimodal options desired by the public, address needs in agricultural and energy-impacted areas, and assure safe travel throughout the state. The region’s long-term economic vitality requires a built environment that supplies effective and functional transportation and infrastructure systems. Colorado and the
metro area need a revenue system that is reliable and sufficient. Thus, enhancements to existing revenue sources and the enactment of new, revenue sources are necessary. **DRCOG supports the following principles and actions to meet transportation financing needs:**

- Increase funding for transportation to preserve the system, address congestion and safety, and provide multi-modal options for people of all ages, incomes and abilities.
- Eliminate off-the-top appropriations from the Highway Users Tax Fund.
- Consider alternative revenue and financing mechanisms, such as VMT-based fees, pay-as-you-drive insurance, and under certain circumstances, tolling and congestion pricing of existing roadways.
- Provide a share of increased revenues back to local governments.
- Consider the impacts of land use decisions on the needs for transportation infrastructure.
- Protect and expand the authority of regions to implement regional financing tools.
- Use tolls as a financing mechanism for public roads or highways with the conditions that any road, highway, or tolled lanes in the Denver metro area or that impact the Denver metro area are reviewed and approved by the DRCOG Board for inclusion in the fiscally constrained regional transportation plan; toll receipts remain in the toll highway system within the region that is tolled; and toll receipts are allowed to be used for multimodal improvements and accumulated for system reconstruction.
- Allocate existing and new federal and state funds to achieve funding equity statewide based on justified needs (system preservation, congestion and multimodal options) and contribution to overall revenues. DRCOG and the Transportation Commission worked under a 2004 memorandum of understanding (MOU) to accomplish this goal. As that MOU has expired, DRCOG may initiate discussions with CDOT to formulate a new funding agreement. DRCOG recognizes some potential funding mechanisms under consideration by the state may be appropriate for allocation to the entire statewide system. DRCOG believes that other mechanisms, including tolls, VMT fees, and taxes on lodging, to name a few, may be more appropriately returned to the region of generation.
- Re-examine state formulas and procedures to ensure an adequate amount of federal and state funds are made available to urbanized areas to relieve congestion, increase safety and achieve and maintain air quality standards.
- Consider revising the responsibilities for maintenance and supervision of the non-National Highway System portions of the current state highway system, subject to the condition that any devolution to local governments be accompanied by the funding necessary to avoid unfunded mandates and pursuant to review by, and consent of, affected local and regional agencies.
Multimodal Transportation

Efforts to address transportation needs in the region must draw upon an array of transportation modes to reduce single-occupant vehicle demand and to provide a variety of transportation choices. DRCOG strongly believes multimodal solutions to transportation problems are imperative to preserve and enhance our quality of life. DRCOG supports legislation that promotes efforts to create and fund a multimodal transportation system. DRCOG also supports measures to improve safety for users of alternative modes, especially pedestrians and bicyclists. DRCOG supports funding for programs that provide transportation for “access to jobs” for low-income workers who cannot afford to live near where they work, and for safe routes to schools.

Coordination of Regional and Statewide Transportation Efforts

The DRCOG area generates a significant number of trips throughout the state of Colorado. At the same time, Residents from throughout Colorado travel to, and through, the metro area. Coordination of transportation planning and funding efforts between DRCOG and neighboring councils of governments, transportation planning regions and coalitions, especially in the primary north-south (Interstate 25) and east-west (Interstate 70) corridors will provide mobility and economic benefits not just for the DRCOG region but for the entire state. Regional consensus through the existing planning processes is critical for defining large-scale projects in the state’s major transportation corridors, establishing their priorities, and broadening the base for their funding. DRCOG supports regional and statewide efforts at such consensus-building and will work to pursue multimodal transportation solutions. DRCOG supports using the regional and statewide transportation planning processes to explore and identify transportation solutions and will evaluate state legislative and administrative actions for consistency with this policy.

Transportation Demand Management (TDM)

TDM programs can help reduce congestion and improve air quality by decreasing the amount of automobile traffic during high-demand periods. DRCOG sees TDM as an important element of the region’s long-range growth management and transportation planning strategy. DRCOG supports the following principles and programs to promote TDM efforts:

- Telecommuting, flextime and other changes to normal work patterns to avoid peak traffic conditions.
- Carpooling, vanpooling, encouraging parents to use carpools for taking students to school and infrastructure that facilitates these transportation options and infrastructure that facilitates these transportation options.
- Non-automobile infrastructure created by the state, counties and cities.
- Employer promotion of alternative mode use by their employees.
• Coordination of transportation alternatives wherever traffic congestion may occur, such as at schools, large retail shopping centers, and in connection with sporting or cultural events or major transportation infrastructure construction.
• Incentives to individuals who use alternative modes.
• Limiting the liability of rideshare agencies and others who promote or provide alternative transportation services.

**Safe and Effective Management of the Transportation System**

Efforts to promote the effective day-to-day, operational management of the freeway and arterial road systems and transit facilities are important to making the best use of existing transportation investments. **DRCOG supports approaches that make use of the roadways and transit facilities more efficient, including programs for incident management and intelligent transportation systems. DRCOG supports efforts that improve or expand real-time traveler information.**

DRCOG’s Board-adopted Metro Vision Plan includes a safety performance measure to reduce the number of traffic fatalities to fewer than 100 annually by 2040. Additionally, the Board will focus its investments in the next Transportation Improvement Program on improving the safety and security of the transportation system. **DRCOG supports efforts to improve the safety of the traveling public – drivers, transit riders, pedestrians, and bicyclists. DRCOG supports educational, enforcement, and engineering approaches that enhance safety to reduce crashes, serious injuries, and fatalities. These include approaches to optimize the multimodal transportation system to improve the safe and reliable flow of people and goods such as incident management, safety education and awareness, driver safety measures, and other measures proven to enhance safety.**

**Transportation and Older Adults and Persons with Disabilities**

Access to transportation is critical for older adults and persons with disabilities, particularly to obtain health care, food and to avoid isolation. DRCOG promotes the concept of regional cooperation and coordination among counties and local service providers to most effectively utilize the limited resources available for transportation for older adults and persons with disabilities. **DRCOG supports the following:**

• A system that better coordinates the resources and delivery of transportation services between providers, the federal government, counties, RTD, and the state.
• Increased state funding for transportation services for older adults and persons with disabilities.
• Increased state funding for Medicaid transportation services for older adults and persons with disabilities.
HUMAN SERVICES

Older Adults and Persons with Disabilities

As the designated Area Agency on Aging (under the federal Older Americans Act) for Adams, Arapahoe, Broomfield, Clear Creek, Denver, Douglas, Gilpin and Jefferson counties, DRCOG advocates, plans, funds and coordinates the provision of services for older adults. DRCOG also has been designated as an Aging and Disability Resource Center (ADRC) under the Affordable Care Act (ACA) and in that capacity is charged with providing a coordinated and streamlined access point to long-term care services and supports for adults age 60 and over or age 18 and over living with a disability, and their caregivers. As an advocate for older adults, persons with disabilities, veterans and their caregivers, DRCOG works with various agencies, groups and individuals to support state legislation, regulations and programs to meet their needs. DRCOG also provides the direct services of a long-term care ombudsman and information, referral and assistance. In performing these roles, DRCOG supports the following:

Planning and Delivery of Services

The federal Older Americans Act and the state Older Coloradans Act mandate critical roles for Area Agencies on Aging: planning and developing programs and services to meet the needs of older adults; advocating for and representing the issues and concerns of older adults; and distributing federal and state funds to service providers. As an ADRC, DRCOG is directed to provide older adults, persons with disabilities, and their caregivers with information and assistance about available resources and options counseling. DRCOG works with the state, other government agencies, consumers, service providers, private and nonprofit organizations, and foundations to identify needs for services and then brings the parties together to determine the preferred approaches to address these needs. DRCOG supports state legislative and regulatory provisions reinforcing collaboration between the state and Area Agencies on Aging and respecting their respective roles and interests, consistent with state and federal laws. DRCOG supports collaboration and partnerships to better meet service needs consistent with DRCOG’s responsibilities as an Area Agency on Aging and an ADRC, including policies, projects, programs, and funding to improve data collection and analysis of cost effectiveness.

Funding

Colorado and the Denver metro area face serious funding shortages for economically and socially needy older adults, persons with disabilities, and their caregivers in the region. Regional and statewide assessments show that existing revenue sources are insufficient to meet current needs for services such as home modifications, meals, transportation to medical appointments, and health promotion. Thus, enhancements to existing sources and development of more reliable sources are necessary. DRCOG supports:
Increased funding for programs and exploration of new programs providing services to older adults, persons with disabilities, veterans, and their caregivers, especially services that support individuals continuing to live independently in their homes and communities.

Efforts to use state funds for programs that provide prescription drugs more efficiently and effectively. This would include efforts to increase pricing transparency and reduce the costs of purchasing such prescription drugs to enable associated programs to better serve their growing caseloads.

Increasing the appropriations to the State Funding for Senior Services line item in the Long Bill. This includes increasing the continuing appropriation to the Older Coloradans Cash Fund, as well as any additional state General Fund monies that might become available. DRCOG specifically supports a stable, long-term funding source that increases to meet the growing needs for services. This also would provide a level of funding certainty that would improve yearly program planning for needed services.

Action by the General Assembly to fully fund the required share to match federal funds that are available to the state through the Older Americans Act, including the National Family Caregiver Support Program, so as not to require an increase in the required local share. Such state or local shares/matches should not be required to come from existing program funds.

Distributing State Funding for Senior Services monies, including the Older Coloradans Cash Fund, using the existing structure created to administer Older Americans Act funds. DRCOG also supports the equitable distribution of the federal and state funds to Area Agencies on Aging based on the needs and contribution of each region.

Re-examination of the state procedures and distribution formulas for federal and state funds to ensure adequate funds are available to urbanized areas to meet the needs of older adults.

Long-Term Care

Older adults receiving long term care services, including those living in long-term care communities (i.e., nursing homes and assisted living) and those enrolled in the Program of All-Inclusive Care for the Elderly (PACE) are some of the most vulnerable members of the regional community. As the operator of the Long-Term Care Ombudsman Program for the region, DRCOG is an advocate for the rights of residents and quality of care for those in long-term care communities and participants in the PACE program. DRCOG supports increases in the quality of care and consumer protections for older adults and their caregivers and, in particular legislation strengthening the role of the long-term care ombudsman and PACE ombudsman as resident/consumer advocates. DRCOG urges the state, when making decisions regarding funding for these long-term care programs, to structure such funding to protect the quality of care for residents and participants, including funding for optimal ombudsman staffing.
Housing

Available, affordable and accessible housing is a particular concern for older adults and persons with disabilities, who mostly live on a fixed income. However, an equally critical concern is the ability to live independently in a setting that is truly part of the larger community. As individuals age or experience disability, in-home and related services that enable them to remain in their homes become critical. Growing evidence indicates older adults and persons with disabilities are healthier and require fewer costly services when they have affordable and accessible housing choices, are provided with the ability to age in place, remain connected to the community and its networks, and have access to long-term care when needed. To achieve this, DRCOG supports:

- Increased funding and regulatory changes that improve the availability of these supportive services, while maintaining consumer protections for clients and family caregivers.
- Property tax relief to help reduce a tax liability that especially burdens low income seniors and seniors on fixed incomes.
- Policies, programs and services that preserve existing affordable housing stock, promote access to diverse housing options in diverse geographic locations, and provide consumer protections that enable older adults and persons with disabilities to age in place.

Driver Safety and Older Adults

As individuals age, their ability to drive safely may diminish. However, DRCOG is concerned that attempts to address this issue solely based on age imposes undue hardships on older citizens who can drive safely. When older citizens are not allowed to drive, the availability of transportation for medical appointments, grocery shopping and the like is critical for seniors to maintain independence. DRCOG supports functional assessments of driving ability rather than age cut-off as the basis for imposing limitations on an individual’s driving. DRCOG supports adequate funding for providing transportation services for the elderly and persons with disabilities.

ENVIRONMENT

Air Quality

Air quality affects all residents of the region and continues to be a concern. The region fails to meet current federal standards for ozone and more stringent standards are expected to be established by the Environmental Protection Agency. Meeting a more aggressive ozone standard will require continuous efforts from many parties. DRCOG supports:

- Efforts to reduce emissions from all sources sufficient to meet federal air quality standards
• Transportation and land use strategies that improve air quality in the region.
• Alternative fuel sources and clean-burning technology and provision of infrastructure and services for alternative fuels.
• Incentives for purchasing high fuel economy or alternative fuel vehicles or for accelerated retirement of inefficient or high-polluting personal, commercial, or fleet vehicles that are beyond repair.
• Offering services, including incentives that encourage and facilitate the use of alternative modes of travel.
• Examination of the potential of select speed-limit reductions.

**Water Supply**

An adequate, dependable supply of water is necessary for urban, agriculture, recreation and open space priorities both in the Denver metro area and throughout the state. Metro Vision calls for maximizing the wise use of water resources through efficient land development and other strategies. **DRCOG supports:**

• Collaborative efforts among local governments, water providers and other stakeholders to promote water conservation.
• Data collection and research to increase understanding of the link between land development and water demand, and best practices to promote the efficient use of water resources across the region.
• Water resource planning, management and development within the existing constitutional framework and pursuant to the basin round-tables process established in HB 05-1177, in which interbasin compacts are negotiated for the equitable distribution of the state’s waters.
• Water reuse as one component in efforts to meet water supply needs and thus supports efforts to facilitate the reuse of water consistent with Colorado’s constitutional water rights system.
• Policies and practices that, consistent with local government authority, protect Colorado’s water resources.
• The development of Colorado’s Water Plan that emphasizes conservation, storage, drought mitigation and streamlining of the regulatory processes, aligns the state’s various water efforts, and provides a benchmark for future collaboration in addressing Colorado’s water supply needs.

**Open Space**

Open space resources available to citizens in the Denver metro area are important to our quality of life. **DRCOG supports:**

• Planning, acquisition, protection and preservation of open space resources.
• Increasing funding for open space preservation.
• Great Outdoors Colorado and other efforts advancing major land acquisitions along the Front Range that link open spaces in the metro area to protect canyons
and river corridors, the mountain backdrop and prominent geographic features, freestanding community buffer areas, and the east metro plains.

INTERGOVERNMENTAL RELATIONS

Intergovernmental Cooperation. The state, local governments and regional agencies all play an important role in providing critical services and implementing programs for the benefit of Colorado residents. Legislative bodies and executive agencies at each level should respect the roles and responsibilities of the others. DRCOG supports building consensus among state, local and regional entities in developing and implementing new and existing programs and improved approaches to planning and service provision.

Shared Services

Many of the services provided by local governments to their citizens are also provided by neighboring communities. To address related coordination and funding concerns, local governments have entered into agreements with each other and with DRCOG for shared service delivery. DRCOG encourages local governments to enter into shared services agreements and supports efforts to ensure that such agreements are honored and endorsed by the state.

State/Regional Relations

As the state’s policy issues become more complex, it is evident that the solutions are not one-size-fits-all. The Denver metro area has made significant progress in developing collaborative solutions and decision-making processes for a number of the complex issues with which it has been confronted—especially in the related areas of growth and transportation. As the regional planning commission, the metropolitan planning organization for transportation, and the Area Agency on Aging, DRCOG is in a unique position to convene parties of interest on intergovernmental issues, provide the necessary forum for their resolution and facilitate a negotiated outcome. In recognition of the importance of regionalism, it is an appropriate role for DRCOG to act as a facilitator of regional approaches. Consequently, it is appropriate for state agencies to ensure that actions they take affecting the region are consistent with regionally derived solutions and the adopted Metro Vision plan.

Regional Service Delivery

The state plays an important role in the funding of public services and programs administered at the regional and local levels. When making such funding and programmatic decisions, it is appropriate for state agencies and the General Assembly to give consideration to which programs are implemented most appropriately at the local and regional level. State administration of federal programs can be problematic for local governments, as state agencies tend to be more removed from clients and less responsive to their needs. On the other hand, individual local governments may lack the
resources to achieve the desired efficiencies and cost-effectiveness. Also, some programs are most appropriately and effectively addressed at the regional level. The collaborative partnerships typical of regional approaches can provide the critical mass of users and clients for services or programs to be cost-effective. **DRCOG urges the state, when making funding and programmatic decisions, including creating new programs or changing existing programs, to consider the following principles:**

- Use existing local or regional service delivery systems wherever practical.
- Ensure a consultative process among federal, state and local governments and regional councils before making changes to services currently being delivered at the local or regional level.
- Ensure existing levels of services are maintained and adequate administrative funds are provided to implementing agencies.
- Ensure the state treats the continuity of service delivery as a key principle guiding any actions to create new programs or revise existing programs by respecting the local and regional programs already in existence.
To: Chair and Members of the Board of Directors

From: Douglas W. Rex, Executive Director  
303-480-6701 or drex@drcog.org

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SUBJECT

This item concerns adoption of positions on state legislative bills as presented by staff.

PROPOSED ACTION/RECOMMENDATIONS

Adopt positions on bills presented.

ACTION BY OTHERS

N/A

SUMMARY

The 2018 Session of the Colorado General Assembly convenes on January 10. Any bills of interest introduced after January 10 will be emailed to Board members prior to the meeting with staff comments and staff recommended positions (relative to the Board adopted Policy Statement on State Legislative Issues) for review at the meeting per current Board policy.

Also, attached is the 2018 Colorado Legislative Session Outlook prepared by DRCOG’s lobbyists Ed Bowditch and Jennifer Cassell. We hope you find the Outlook informative and useful. It is intended to provide a high-level overview of the upcoming session, but with links to background information that will allow you to dig deeper into those issues that are of interest to you.

PREVIOUS DISCUSSIONS/ACTIONS

N/A

PROPOSED MOTION

Move to adopt positions on state legislative issues.

ATTACHMENT

2018 Colorado Legislative Session Outlook

ADDITIONAL INFORMATION

Should you have any questions regarding the legislative bills, please contact Douglas W. Rex, Director, Executive Director at 303-480-6701 or drex@drcog.org; or Rich Mauro, Senior Policy and Legislative Analyst at 303-480-6778 or rmauro@drcog.org.
Colorado General Assembly
2018 Legislative Session Outlook

We are pleased to offer this Legislative Session Outlook to provide readers a “30,000 foot” view of what to expect in the coming legislative session, offering access to the data and backup material used to develop the Outlook. We hope you find the Outlook to be informative, useful, and entertaining, and ask that you give appropriate attribution should you decide to share it with friends, family, and business colleagues.

Thanks and enjoy!

Happy New Year,
Ed, Jennifer, and Alaina
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I. PREVIEW OF THE 2018 LEGISLATIVE SESSION

The Second Regular Session of the 71st General Assembly of Colorado convenes on Wednesday, January 10, 2018, at 10:00 am. Per the Colorado State Constitution, the legislature will meet for no more than 120 days, with adjournment sine die occurring no later than midnight on Wednesday, May 9, 2018. You can obtain additional information on the General Assembly, including contact information for legislators, information on bills that have been introduced, schedules for committee hearings, and links for listening to live audio broadcasts of legislative proceedings at the Colorado General Assembly homepage. The deadline schedule for the House and Senate is also available online. The House of Representatives and the Senate will be televised, both on the Internet and on Comcast cable television channel 165.

A. 2018 LEGISLATIVE LEADERSHIP

The 2018 House and Senate leaders will be the same as the previous session:

- House Speaker Crisanta Duran, D-Denver
- House Majority Leader K.C. Becker, D-Boulder
- House Minority Leader Patrick Neville, R-Castle Rock
- Senate President Kevin Grantham, R-Canon City
- Senate Majority Leader Chris Holbert, R-Parker
- Senate Minority Leader Lucia Guzman, D-Denver

Three members of the General Assembly will be new in 2018. Dylan Roberts, currently a deputy district attorney in Eagle, was selected to fill a vacancy when then-Representative Diane Mitsch Bush (D-Steamboat Springs) stepped down to run for congress. Representative Clarice Navarro (R-Pueblo) was recently appointed as the Colorado Director for the Farm Service Agency, and a vacancy committee appointed Judy Reyher of Swink as her replacement. And a vacancy committee selected Shane Sandridge as the replacement for Representative Dan Nordberg (R-El Paso) who was recently appointed to serve as Regional Administrator of the Small Business Administration.

Also, State Senator Cheri Jahn, who is beginning her last year as a legislator, recently changed her voter registration from Democrat to unaffiliated. This changes the Senate party balance to 18 (Republican), 16 (Democrat), and one unaffiliated.

B. CHANGES AT THE FEDERAL LEVEL

Two federal issues will impact Colorado:

- **Tax Changes:** Congress has passed the most significant tax changes since 1986, and its impact will affect Colorado’s General Fund revenue. Colorado is one of seven states that links its income tax to federal taxable income. With the reduction of federal exemptions and deductions, Colorado’s General Fund revenues will increase.

- **Health Care:** After many failed attempts, the federal government has not repealed the Affordable Care Act, though President Trump did sign an executive order to eliminate payments to insurance companies that helped defray out-of-pocket costs for low-income individuals. In addition, one
component of federal tax reform is the elimination of the penalty for not having health insurance. One upcoming key issue will be the reauthorization of the Children’s Health Insurance Program (CHIP). This currently provides health coverage for approximately 75,000 children and pregnant women in Colorado, and is not authorized at the federal level past January. Recently, the Legislative Joint Budget Committee approved a “1331” interim supplemental request to continue the program through February.

C. KEY ISSUES IN THE 2018 LEGISLATIVE SESSION

There are many high profile, key issues that will be discussed in 2018: transportation funding (again), affordable housing (again), PERA (back after a brief hiatus) and the state budget (every year). Each of these is discussed in more detail below. Of course, many more issues will be debated and discussed this session.

More so, the lack of action during the 2017 special session, the marijuana tax policy issues resulting from the passage of the Hospital Provider Fee bill (SB17-267) will undoubtedly resurface this session. An unintended consequence of the bill is the inability of nine special districts, including the Regional Transportation District (RTD), to collect their share of the statewide retail marijuana sales tax. The legislature re-convened in October 2017 for a special session to resolve this issue; however, both proposed bills that were introduced were rejected in the Senate. Without a specific legislative correction, the nine districts expect to incur revenue losses exceeding $8.5 million in FY 2018-19.

II. BUDGET OVERVIEW

A. COLORADO’S ECONOMY AND TAX REVENUE

Colorado’s economy continues to be among the best in the nation. From the Legislative Council December forecast:

The economy will continue to grow at a moderate pace through 2019. In the maturing economic expansion, job growth will be constrained by an increasingly tighter labor market. Business activity has rebounded from 2015 lulls and consumer activity remains solid, though debt spending is on the rise. Colorado’s economy is among the nation’s strongest.

Impact of Federal Tax Changes on Colorado’s General Fund

The December 20 revenue estimates increased substantially due to the linkage between Colorado’s state tax calculation and changes at the federal level. According to Legislative Council:

The Tax Cuts and Jobs Act effectively broadens the federal income tax base and lowers federal income tax rates for both individual and corporate taxpayers. While these changes reduce federal income tax revenue, the impacts are expected to increase state tax revenue. This is because state taxes are based on federal taxable income.
The General Fund revenue growth attributable to federal tax changes is $32.7 million, $182.4 million, and $350.4 million in FY 17-18, FY 18-19, and FY 19-20 respectively. These should be considered estimates at this time.

Including the increases resulting from the federal tax changes, the chart below shows the percent change in General Fund revenues for the past few years and projections (by Legislative Council in the December 2017 revenue estimates) for the next few years.

The table above shows the fluctuations of General Fund revenues from year to year. Colorado’s General Fund is made up of income tax (two-thirds) and sales tax (one-third) and is highly dependent on the state’s economic condition.

B. FY 2018-19 BUDGET REQUEST

Governor Hickenlooper submitted his FY 2018-19 budget request (for the fiscal year beginning on July 1, 2018) on November 1, 2017. This request was built off the September revenue estimates from the Governor’s Office. The key components of the request:
• **Education:** Full funding for K-12 education for inflation and enrollment, plus an additional $70 million to buy down the Budget Stabilization Factor (formerly known as the Negative Factor). For higher education, the request includes an 8.5 percent increase in General Fund support for the governing boards to mitigate tuition increases. The Governor’s Office recommends that resident tuition increases not exceed 3.0 percent.

• **Health Care/Human Services:** For the state’s Medicaid program, the appropriation includes an increase of $98 million General Fund. For the Department of Human Services, the Governor’s budget proposes a salary increase in direct care staff at 24/7 facilities and an increase of $4 million for the Area Agencies on Aging.

• **Corrections:** After a few years of prison population declines, the Governor’s Office forecasts an increase in population and recommends a General Fund increase of $58 million to expand capacity.

• **Reserve:** The Governor proposes an increase in the state’s reserve from 6.5 percent to 7.0 percent of General Fund appropriations. The increase requires $54 million General Fund. Recently the Pew Charitable Trusts issued a [comparative analysis](#) of state reserves (or “Rainy Day Funds”) and noted that Colorado’s reserve would provide sufficient funds to operate the state for 18 days.

The November budget request serves as a starting point in the budget process. The budget request can be modified based on revenue or policy changes. The Joint Budget Committee will conduct figure setting for state agencies in February and March – and present a recommended Long Bill to the House on March 26.

**C. FUTURE BUDGET CHALLENGES**

**Impact of Gallagher Amendment**

Ten years prior to TABOR, the voters approved the Gallagher Amendment, which requires an adjustment to the residential assessment rate to maintain a constant ratio between the statewide share of residential taxable value and nonresidential taxable value.

To understand the Gallagher Amendment and the impact of a decline in the residential assessment rate, we have listed the components of a homeowner’s property tax liability (courtesy of Legislative Council):

- **Step 1: Determine Assessed Value:**
  \[
  \text{Home Value} \times \text{Residential Assessment Rate} = \text{Assessed Value}
  \]

- **Step 2: Determine Local Property Tax Collections:**
  \[
  \text{Assessed Value} \times \text{Local Mill Levy} = \text{Local Property Tax}
  \]

Since the passage of Gallagher in 1982, the increasing value of residential real estate has periodically forced a decrease in the residential assessment rate to maintain the formula. After going unchanged since 2003, the legislature was required to **decrease the residential assessment rate from 7.96 to 7.2 percent** for FY 2017-18. Legislative Council anticipates a **further decline in the residential assessment rate in 2019. At this point, they predict the 2019 residential assessment rate will be set at 6.11.**

**What does this mean for Colorado?** A decrease in the residential assessment rate will decrease the amount of local property taxes that are collected to support K-12 education. This decrease in the residential assessment rate also impacts local governments that rely on property taxes as well.
Medicaid
How much can the Medicaid caseload continue to grow? Colorado’s Medicaid population has increased by 720,000 in the last six years. Many of these individuals have been covered by federal funds, but Medicaid continues to consume an ever-greater portion of the state budget. Since FY 2010-11, Medicaid’s share of the General Fund budget has increased from 18.7 percent to 26.4 percent.

TABOR
To its supporters, TABOR represents a necessary “check” on the growth of government. Opponents argue that the state’s infrastructure is deteriorating falling apart, and Colorado is the only state required to issue refunds. SB17-267 provided more revenue space under the TABOR cap through the creation of the Colorado Healthcare Affordability and Sustainability enterprise, but Colorado will reach that cap in a few years.

K-12 Budget Stabilization Factor
The K-12 budget continues to increase. However, the Budget Stabilization Factor (the amount below our funding target required by the provisions of Amendment 23) remains at approximately $830 million. The state has been “carrying” a K-12 Budget Stabilization Factor since FY 2009-10, and it has hovered between $800 million and $1.0 billion most of that time. At this point, it is fair to ask whether the Budget Stabilization Factor will ever be eliminated.

State Support for Higher Education
Higher education is the largest discretionary portion of the budget and the portion of state funding for higher education has been in decline for over 30 years. Consequently, institutional reliance on tuition has increased along with student debt. Can the state continue this trend? With tuition increases, is Colorado pricing out the middle class – those individuals who can’t pay out of pocket, but make too much money for Pell Grants and other aid packages? Are tuition rates creating a “sticker shock” impact for low-income residents who may not even consider higher education opportunities?

Transportation
The state’s transportation infrastructure continues to deteriorate. Outside of a proposal to borrow additional dollars without a dedicated method of repayment (TransBonds as used to finance TREX), there is no plan to address this deterioration in any significant way. With the announcement of the increased revenue from federal tax reform, a number of legislators have already stated a preference to allocate this revenue to transportation.

PERA
This is a long-term issue, and requires some combination of increased funding or decreased benefits. The system is not anticipated to run out of money in the short term, but faces long-term sustainability challenges.

Demographic Changes
Colorado will experience a substantial demographic shift in the coming years as a higher percentage of our population will be over 65. According to the initial Strategic Action Plan on Aging for Colorado, the number of Coloradans aged 65 and older is expected to increase by more than 508,000 in the next 12
years. This demographic change will be reflective in the state budget – as retired individuals generally pay less in taxes and have different budgetary needs.

III. 2018 LEGISLATIVE ISSUE OVERVIEW

A. AGRICULTURE

Agriculture continues to play an instrumental role in Colorado by employing over 172,000 people and contributing over $7 billion a year to the economy. Colorado is a top producer of cattle, dairy, wheat, potatoes, and corn, and ranks first in millet production while being in the top 10 for nearly 25 different commodities. Colorado expects to export $2 billion in beef, wheat, feed grains, dairy, corn, and other crops in 2017.

During the 2017 interim, the Young and Beginning Farmers Interim Study Committee, met to discuss ways the state can better support young farmers and encourage more young people to enter the industry. One piece of legislation was voted out of committee to create an Agriculture Workforce Development Program within the Department of Agriculture to incentivize agricultural businesses to hire interns by offering reimbursements for costs of employment. Other topics of discussion included creating “agriculture districts” which would be areas of the state with tax incentives and credits to promote agriculture development and creating a grant program for students in agriculture education programs to also take business management courses.

The Colorado Department of Agriculture will have a legislative agenda this year to address modernizing the Nursery Stock Act to keep up with changes and growth in the industry. With the increase of millet production in the state and the popularity of the grain in health food, the Department will support legislation to redefine millet as an “agriculture commodity”. This will allow the Commissioner to call a market order for the millet industry to self-impose a fee to go towards research, promotion, and marketing. The Department is also requesting funds create a federal lands position to provide technical assistance and expertise on land management and regulatory issues to farmers and ranchers.

We will see a push to expand the sale of cottage foods to retail establishments, such as restaurants and natural grocers; however, such an expansion will not be met without concern. The Custom Processing of Meat Animals Act is up for sunset review this session with DORA recommending continuation of the program for thirteen years.

In partnership with Farm Flavor, CDA released the second edition of “Cultivating Colorado,” a publication highlighting agriculture, agribusiness, livestock, and food products in Colorado. The 2018 issue focuses on the longevity of the Brands Inspection Division within CDA, the thriving craft brewery industry, and the strength of the dairy industry.

B. ECONOMIC DEVELOPMENT

Over the past few years, Colorado has seen robust economic growth, though it has slowed recently. The state has a lower unemployment rate than the national average and is almost at full employment. In addition, Colorado ranks #1 in overall state economy by *U.S. News and World Report* and #1 in state job
market by Wallethub. However, not every area of the state has seen the same robust growth and unemployment.

Along with the Department of Revenue, the Governor’s Office of Economic Development and International Trade (OEDIT) will be pursuing an initiative to alter the way business income tax is collected in the state. The new proposal follows the Multistate Tax Commission model legislation and will change Colorado from using the single sales factor apportionment model to the market based sourcing model. Under this new model, companies pay state income tax in the state where the benefit of the service is received and subsequently used by the customer, thus companies will likely pay less tax in Colorado for sales to customers outside of Colorado.

OEDIT has two JBC requests this session: 1) Allocate $1.25 million to the Office of Film, Television, and Media and 2) Allocate $175,000 a year for the next seven years for the Advanced Industries Export Accelerator Program. The latter request will also require legislation to extend the program in statute until 2024.

C. EDUCATION (K-12)

The last two sessions have seen major debates around charter school funding, specifically, mandating that districts share funds from mill levy overrides with district charter schools. At the end of the 2017 session, the legislature passed a measure (HB17-1375) requiring districts to either share mill levy override dollars on an equal basis or on a per student basis.

Teacher Shortages
Colorado, similar to most states, will experience a teacher shortage in the next few years. Indeed, the shortage is already impacting certain types of teachers (math, science, and special education) throughout the state, and all types of teaching positions in sections of rural Colorado. Numerous national studies have documented the large number of teachers who will retire in the next decade. In 2017, the legislature adopted legislation requiring the Departments of Education and Higher Education to develop a strategic plan to address the teacher shortage. This report was released on December 1, and contains a variety of recommendations, including ensuring teachers have continual training and professional development. This can include focusing on teacher induction programs and alternative preparation programs, and better programs for preparing teachers to work in hard to serve areas. In addition, the report recommends supporting teaching as a career so that teachers remain in the classroom. The report also recommends a minimum salary for teachers. Currently, according to a Colorado Department of Education Survey, average teacher salaries range from high districts of Boulder ($72,951) and Cherry Creek ($69,110) to low districts Agate ($29,748) and Woodlin ($26,649).

Coloradans can expect bills to be introduced aimed at mitigating the teacher shortages in rural communities as well as hard to serve urban districts. Concepts include creating a teacher loan forgiveness program, an apprenticeship and/or mentorship program, and a teacher cadet program, among others.
Outside of teacher shortages, the legislature will likely debate suicide prevention for school students. Such legislation will include grant programs to train school personnel, and a recommendation of model suicide prevention policies.

K-12 Funding
There are two groups currently examining the state’s education system. In 2017, the legislature established a two-year Interim Committee on School Finance. It is unknown if they will have any recommendations for the 2018 session. Also, the Governor’s Office reestablished the Education Leadership Council to review coordination between K-12 and higher education.

Outside of the ongoing discussions in the interim committees, the School Finance Act, both the allocation of funds between districts and the amount of funds to be allocated, will be a critical discussion. To many, the 1994 School Finance Act is outdated; however, modifying or updating the Act is difficult without creating “winners and losers” among the districts. The Governor’s budget request will fully fund inflation plus enrollment and “buy down” the Budget Stabilization Factor (formerly the Negative Factor) by an additional $70 million. The average change in funding for districts is 5.2 percent, though this will vary widely based on enrollment changes.

Finally, the question: does K-12 education need more money? In the November 2017 election, voters said a resounding yes – two thirds of the mill levy override elections passed at the local level. Those passing elections include Greeley (its first ever), some larger districts, (Colorado Springs D-11 and Mesa) and many smaller districts. Six districts that went to the voters failed. Herein lies the larger policy question about mill levy overrides – while obtaining local voter support is impressive, does the increasing reliance of overrides in selected districts indicate an imbalance of resources?

D. HIGHER EDUCATION

While there are some policy issues associated with the state’s system of public higher education, the most important issue is state support and the related issue of tuition policy. For the past few years, the Department of Higher Education and the Colorado Commission on Higher Education have submitted budget requests that emphasize the relationship between state support for higher education and tuition rates. In his budget request for FY 2018-19, the Governor requested an 8.5 percent increase in state General Fund support for the governing boards. With this level of state support, the Governor’s Office estimates that resident tuition increases can average approximately 3.0 percent.

Public institutions of higher education generally have access to two types of unrestricted funds: tuition and state support. In Colorado, as in many states, the level of state support varies based on economic conditions, though Colorado’s state support has declined in both real and inflation adjusted levels over the past ten years.
The table below shows the current year (FY 2017-18) resident tuition rates for full time students.

<table>
<thead>
<tr>
<th>Institution</th>
<th>FY 2017-18 Resident Tuition and Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colorado School of Mines</td>
<td>$18,386</td>
</tr>
<tr>
<td>University of Colorado Boulder</td>
<td>$12,086</td>
</tr>
<tr>
<td>Colorado State University</td>
<td>$11,519</td>
</tr>
<tr>
<td>University of Colorado Denver</td>
<td>$11,258</td>
</tr>
<tr>
<td>Univ. of Colorado Colorado Springs</td>
<td>$10,201</td>
</tr>
<tr>
<td>Colorado State University Pueblo</td>
<td>$10,090</td>
</tr>
<tr>
<td>Western State Colorado University</td>
<td>$9,802</td>
</tr>
<tr>
<td>University of Northern Colorado</td>
<td>$9,537</td>
</tr>
<tr>
<td>Adams State University</td>
<td>$9,440</td>
</tr>
<tr>
<td>Colorado Mesa University</td>
<td>$8,972</td>
</tr>
<tr>
<td>Fort Lewis College</td>
<td>$8,609</td>
</tr>
<tr>
<td>Metro State University of Denver</td>
<td>$7,353</td>
</tr>
</tbody>
</table>

The issues of tuition and student debt have become national issues and raise some related policy questions: What is the role of the legislature versus the governing boards at setting tuition rates? Can the legislature establish a consistent tuition policy that recognizes all the unique attributes of Colorado’s state system of higher education including technical colleges, rural community colleges, rural four-year schools, and major research institutions? What is the relationship between tuition rates and student debt? Do tuition rates impact the types of students who participate in postsecondary education? Should any tuition caps be linked to percentage increases or dollar caps?

The Governor’s Office also submitted two higher education policy initiatives:

- **Emergency Completion and Retention Grant Program**: This initiative includes a request of $1.5 million General Fund and is to be utilized to assist students who have “small unexpected financial events that...prevent them from retaining or graduating”.

- **Occupational Credential Capacity Grant Program**: This initiative contains a request for $5.0 million General Fund. The intent is to increase the number of high-demand post-secondary certificate credentials, including concurrent enrollment students, Department of Corrections inmates, and other post-secondary students. This initiative involves a statutory change.

E. ENVIRONMENT AND ENERGY

The Colorado Energy Office (CEO) aims to improve Colorado’s efficient use and development of both renewable and nonrenewable energy resources to deliver cost-effective energy services and advance innovative energy solutions while protecting Colorado’s economic and environmental interests. While the CEO is subject to statutory obligations to fulfill these goals, its previously mandated funding through HB12-1315 ended its annual General Fund transfer of $3.1 million in June 2017. Without these state funds, the CEO has repurposed federal American Recovery and Reinvestment Act grant funds to backfill its current operations; however, those funds are restricted to a narrower scope than the CEO’s statutory obligations. Coloradans should expect the CEO funding issue to arise in legislative conversations this year with a few potential outcomes. First, the legislature can agree to allocate $3.1 million including 16.5 FTE to continue operations as proposed in the Governor’s FY 2018-19 budget. Or second, the legislature can introduce legislation to change the CEO’s statutory obligations with the potential to allocate additional funding at that time. They may take both actions, a combination of actions, or no action at all.
The Department of Natural Resources requests $272 million in total funds for FY 2018-19, down nearly 9 percent from its FY 2017-18 appropriation. Nearly half of all total funds are dedicated to the division of Parks and Wildlife to manage 41 state parks and over 960 game and non-game wildlife species. The largest funding sources for CPW are lottery funds, fees from park use, and federal and state grants including the Great Outdoors Colorado (GOCO) grants funded through lottery revenues. To continue its 5-year planning, GOCO will support legislation to renew state lottery funding beyond 2024.

F. HEALTH CARE AND HUMAN SERVICES

In 2015, in response to Colorado’s changing demographics, the legislature established a strategic working group on aging through HB15-1033. This working group was appointed by the Governor and has been working for over a year. The group was directed to develop a comprehensive strategic action plan on aging and issued its first report in 2016.

Since 2000, Colorado has offered qualifying seniors and disabled veterans a property tax exemption. In recent years, however, the number of people qualifying for this exemption has expanded significantly. This tax benefit does not account for any other type of income or wealth and is not available to seniors most in need who do not own homes or have been forced to downsize because of finances. The program is estimated to cost an additional $15 million General Fund in 2018-19, moving from $148 million to $163 million. There have been some legislative discussions surrounding modifications to the program – either “de-funding” the current program and focusing the funds on more needy seniors, or expanding the program to allow seniors who are forced to move for health issues to maintain eligibility. Legislative Council staff recently issued a background history of the Senior and Disabled Veterans Property Tax Exemption program.

A number of advocacy organizations are supporting a modernization and enhancement of state’s newborn screening and hearing programs in order to maximize the health opportunities for all newborns. This effort will involve increasing the number of conditions for which the state screens, and enhancing the follow-up services for infants testing positive.

After a summer of discussions, the Opioid and Other Substance Use Disorders Interim Committee will introduce a bill this session that would expand Colorado Medicaid to provide residential and inpatient treatment, contingent upon federal approval. The Committee will also introduce a bill to limit opioid prescriptions to a 7-day supply.

G. INSURANCE

Amid recent data breaches experienced by large companies, the Attorney General’s office is working on legislation aimed at protecting consumer data and records. The National Association of Insurance Commissioners has model legislation on this issue, and various stakeholders are meeting to determine the best path forward with the initiative.

Reciprocity coverage for workers' compensation insurance between Colorado and neighboring states has become an issue of late. Currently, if someone lives in Colorado and works for a Colorado company, and gets hurt in Wyoming doing incidental work, Wyoming recognizes the Colorado coverage and allows
the employer to not have insurance in Wyoming; however, the reverse is not true. Advocates are pushing for Colorado to adopt a reciprocity statute that would recognize the Wyoming insurance, and a proposal is in early stages of negotiation. The chiropractors’ association is also interested in supporting legislation to allow them to be treating physicians for workers compensation cases. In addition, the Division of Worker’s Compensation will support legislation to remove the reserve requirement in the Workers Compensation Cash Fund.

Colorado continues to see auto insurance rates rise, and for the 2018 session, insurance companies want to focus on ways to curb distracted driving. Two legislators are introducing legislation to ban the use of cell phones for everyone (currently only those 18 and younger are prohibited from using cell phones) and mandate the use of hands-free devices. We may see another attempt at tort reform from insurance carriers through the elimination of ‘phantom damages,’ or the difference between the medical expenses paid versus billed.

Health insurance will continue to be a topic at the legislature with uncertainty of potential changes at the federal level to the Affordable Care Act. And we will see a variety of proposals mandating coverage for certain providers, procedures, and/or medical treatments.

H. JUDICIAL AND PUBLIC SAFETY

After decreasing prison populations from 2010-2013, Colorado experienced two years of slight increases followed by another year of decreases in 2015-2016. These ebbs and flows resulted from the passage of new legislation including SB15-124, HB15-1043, and HB14-1355. Colorado now anticipates the population to stabilize with slight increases in the next few years expected at or below 1 percent. During this same time, the judicial branch witnessed decreasing caseloads that stabilized around 630,000 cases per year over the past five years.

The Division of Criminal Justice estimates that the state will realize an increase of 550 additional inmates by the end of FY 2018-19, and a component of the Department of Corrections budget request includes $19.4 million to increase capacity. This will be addressed through a combination of external capacity (private prisons and county jails) and increases in state facilities.

The Department of Public Safety (DPS) is requesting a $28.3 million (6.7 percent) increase in total funds with $22.3 million generated through cash funds. A significant driver of the DPS budget is the second of a four-year annual appropriation of $12.5 million General Fund transfers to the Disaster Emergency Fund for 2013 flood recovery programs. The requests also divert $1.2 million from the Marijuana Tax Cash Fund (MTCF) to the Colorado Bureau of Investigation (CBI) to create an eight-person Black Market Interdiction program that includes two full time criminal investigators each in Pueblo, Grand Junction, and Denver to combat illegal marijuana operations statewide.

I. LOCAL GOVERNMENT

The 2018 session will see numerous pieces of legislation around attainable and workforce housing. With a large influx of people moving into the state, the rapid growth of property values, and the increasing real estate market, young adults and families are being priced out of markets. This is not an urban only
issue; we are seeing the same trend in Colorado’s mountain and resort communities and rural areas of the state.

We anticipate legislation again focused on renters’ rights legislation to set new parameters around eviction processes including extending the allowable time period for paying back rents before being evicted. Strategies to create an affordable housing fund to facilitate affordable development and expanded affordable inventory vary, but concepts anticipated in this year’s legislation include implementing a document recording fee, a documentary filing fee, a real estate transfer tax, and an extension of a sales/use tax exemption for affordable developers.

For three years in a row, we have seen an attempt to allow storage units that have been condominiumized to classify as residential property – this has been known as the “man cave” bill. It is not clear if the proponents will bring this legislation back. The Colorado Assessors’ Association is supporting legislation to allow for leniency if a property owner who intends to rebuild or locate a residential improvement on their property, but for certain circumstances has not been able to pour a foundation by January 1 of that year, to continue being assessed at the residential rate.

There will be a focus on broadband this session as well. The Governor has made it a priority to funnel more dollars towards areas of the state that have little to no Internet access. We will see a proposal to shift monies in the High Cost Support Mechanism Fund into a broadband-specific fund. Also, we will see a push from private carriers to prohibit cross-subsidization on the part of local governments, which may limit broadband access in areas of the state whose only option for Internet service is provided by the government.

The Colorado Civil Rights Commission is also up for sunset review with recommendations to extend the Civil Rights Division (CCRD) and Commission for nine years until 2027. The Commission is tasked with investigating discriminatory practices, making recommendations for policies, rules, and regulations aimed at addressing illegal discrimination, and reviewing appeals of CCRD discrimination cases.

J. MARIJUANA

Colorado’s marijuana tax collection continues to rise with FY 2018-19 projected to generate over $284 million. Last year’s SB17-267 modified the tax rates on retail marijuana, exempting retail sales from the 2.9 percent state sales tax while simultaneously increasing the special sales tax from 10 percent to 15 percent. Because the special sales tax is voter approved, the revenues collected are not subject to TABOR’s revenue limits. SB17-267 also requires an annual 12.59 percent appropriation to the State Public School Fund for total education programming. This resulted in a one-time appropriation of $30 million in FY 2017-18 with $20-$23 million forecasted for FY 2018-2019.

<table>
<thead>
<tr>
<th>Dept.</th>
<th>Program</th>
<th>FY 2018-19 Request (millions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>DHS</td>
<td>Increase Access to Substance Use Disorder Services</td>
<td>$12.2</td>
</tr>
<tr>
<td>DHS</td>
<td>4-year Medication Consistency &amp; Health Record Exchange</td>
<td>$0.6</td>
</tr>
</tbody>
</table>
With revenue collections rising, state agencies continue to seek additional funds through the marijuana tax cash fund (MTCF), which holds nearly half of each year’s total marijuana tax revenue. While the legislature can utilize the MTCF for any purpose (excluding a statutory 6.5 percent reserve), they have prioritized investment in prevention, intervention, and treatment services for those impacted by marijuana or opioids while protecting the state’s youth and ensuring public health and safety. This revenue resource has spurred investment in new and existing programs across many state departments to combat marijuana as well as opioid issues. The table above outlines nearly $55 million in FY 2018-19 budget requests to create a more comprehensive approach to enforcement, diversion, education, and behavioral health services targeting those directly or indirectly impacted by opioids or marijuana. In addition to these programs, HCPF and DHS also receive annual appropriations to the DHS’ Office of Behavioral Health and HCPF’s Behavioral Health Community Programs, both of which provide services targeting individuals who may be experiencing co-occurring mental health and substance use disorders. Both programs request a combined $93.6 million (10.1 percent) increase in total funds, including a $42.5 million General Fund increase.

We will inevitably see multiple pieces of legislation introduced regarding marijuana. Proponents will bring forth an initiative to allow public consumption of marijuana, as well as allow delivery of recreational marijuana.

K. PERA

Colorado’s Public Employee Retirement Association (PERA) provides a defined benefit retirement program for state employees, teachers, and certain local governments and special districts. PERA members are not covered by Social Security.

The contribution rates for each category (state, school, local government) may differ slightly, but in CY 2016 state employees contributed 8.0 percent of their salaries to PERA. Their employers contributed a base contribution of 10.15 percent. Two other employer contributions were authorized in recent years: the Amortization Equalization Disbursement (AED) and Supplemental Amortization Equalization Disbursement (SAED) are additional employer contributions of 4.6 and 4.5 percent, bringing the total employer contribution to 19.25 percent. The SAED is intended to be in lieu of salary increases.
Changes to the state’s Public Employees Retirement Association are introduced each year; however, broad bipartisan support is necessary for any substantive bill impacting PERA to pass.

PERA Proposal
The PERA Board adopted two policy changes in the last year that changed the projected long-term financial stability of the plan. First, they adopted a lower anticipated rate of return (7.25 percent) against which to consider their long-term investment performance. They also adopted new mortality tables to reflect increased life spans. With these two changes, the state’s retirement system is projected to have a $32 billion gap over the next 30 years. The system is not anticipated to run out of money in the short term, but in order to assure promised benefits are available in future years, the PERA Board made a series of legislative policy recommendations for 2018. These include:

Benefit Modifications
- Increase eligibility for full retirement benefits for future employees.
- Lower CPI for retirement payments from a cap of 2.0 percent to 1.5 percent.

Increase in Contributions
- Increase current member contributions by 3.0 percent.
- Increase future employee contributions by 2.0 percent.
- Increase employer (taxpayer) contributions by 2.0 percent.

Other Changes
- Modify calculation of PERA includable salary from net pay to gross pay.
- Change the definition for part-time employees.

Governor Hickenlooper’s Proposal
In his budget request, Governor Hickenlooper endorsed the PERA plan – but with two significant changes. The Governor doesn’t support any increased rates for employers, and the Governor reduced the CPI increase for retirees from 2.0 percent to 1.25 percent.

Questions About PERA
- The legislature debated and passed a PERA fix in 2010. Many people were under the impression that SB 10-001 would assure PERA’s solvency for the future. We have not experienced a market crash since 2010, how can PERA say they need additional money or reduced benefits?
- Even with PERA lowering the 30-year rate of return from 7.5 to 7.25 percent, is this realistic?
- What if PERA continues to earn less than 7.25 percent rate of return in each of the next few years? At what point should the state make policy changes to PERA to recognize the “new normal?”
- Does the PERA Board have the right expertise – and level of independence – to manage this large entity?
- What is the role of the legislature in providing PERA oversight? Are once a year presentations to the three oversight committees (JBC, Finance, Audit) sufficient?
- Should the legislature consider more substantive changes to the state’s retirement program, such as a salary cap on PERA benefits, switch to a partial defined contribution plan for new employees, or other more substantive change to PERA?
L. TRANSPORTATION

After the failed attempt to pass HB17-1242, which would have referred to the voters a state sales tax increase to fund transportation projects throughout the state, it is unlikely we will see a similar initiative with strong, bipartisan support. Last year we saw a variety of bills dealing with transportation ranging from creating a new funding stream, prioritizing north I-25 projects, and authorizing transportation bonding. Given little action on this subject last session, it is possible we will still see attempts at funding transportation. We do know that the Greater Denver Metro Chamber of Commerce will spearhead an effort to place on the ballot a question to the voters to raise the state sales tax. The details of the initiative will be developed over the next several months.

As mentioned before, we will see a focus this year on safe driving. Legislation will be introduced to limit distracted driving – banning the use of mobile electronic devices while driving (except in emergency situations) and by creating stronger penalties for not wearing a seatbelt (make it a primary offense for not wearing a seat belt).

IV. 2018 ELECTIONS AND BALLOT MEASURES

The 2018 Governor’s race will be the next area of political focus. For the first time in decades, Colorado will see open, contested primaries in both parties. This will also be the first election in which unaffiliated voters can choose to participate in primary elections. There are many questions surrounding this - how will unaffiliated voters vote? Will they participate in large numbers? How will the parties court these voters?

There are multiple Republican, Democrat, and unaffiliated individuals who have announced their candidacy for Governor. With no runoff required, candidates could win their party primary nominations with 20 to 25 percent of voter preference.

All statewide races will be contested in 2018 – Attorney General, Treasurer, and Secretary of State. All but the Secretary of State seat will have primaries.

Certainly, control of both legislative chambers will be highly contested in 2018. The Senate is the most vulnerable chamber to switching party control - the Republicans currently have a majority of 18 to 16. All eyes will be on a handful of competitive Senate races in the state. According to Legislative Council, six House members and eight Senate members will be term limited in 2018. Those subject to term limits include the Speaker of the House, the President of the Senate, and four of the six members of the Joint Budget Committee. With term limits and seats changing hands, we could see upwards of twenty new members for the 2019 session.

Ballot Measures
With the passage of the Raise the Bar ballot measure (Amendment 71) in 2016, and its geographic signature requirements, Coloradans should see shorter ballots in the future. Realistically, only issues with broad-based support throughout the state can reach the ballot – we would put education and transportation in this category.
Looking towards the 2018 election cycle, a number of measures have already been submitted:

- Candidate Disclosure of Income Tax Returns
- Transportation Funding
- Limit on Local Housing Growth
- Prohibit the Sale of Smart Phones to Minors Under 13
- Increase Funding for K-12 Education

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*Much of the data for this report is from Legislative Council, Joint Budget Committee staff, and various other offices of state government. Any errors or omissions are ours alone.*
V. APPENDIX A - LEGISLATIVE COUNCIL BILLS

The legislature dedicates time and resources to combatting these issues through a variety of specialized legislative committees, each of whom recently reported recommendations to Legislative Council. Appendix A provides an overview of relevant recommendations and their approval status from Legislative Council. Bills approved will be introduced in the 2018 session with additional credibility, expertise, and bipartisan support due to the stakeholder engagement process each interim committee conducted through the drafting process. Most recommendations were passed unanimously while others faced partisan votes that may threaten their chance of passage. Select each committee title for a more detailed look at each committee’s activities and bill drafts.

**County Courthouse & County Jail Funding & Overcrowding Solutions**

<table>
<thead>
<tr>
<th>Bill A — Financial Assistance for County Jails and Courts.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expands role of the Underfunded Courthouse Facility Cash Fund Commission, changes eligibility parameters for grants, and sets a five year $30M annual transfer from the General Fund.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill B — Increase DOC Reimbursement to County Jails.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concerns DOC reimbursement to municipalities for housing DOC inmates before DOC can transfer them. Sets a permanent reimbursement rate of $108.78 per person per day.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill C — Court System for Remote Participation in Hearings.</th>
<th>Passed 15-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requires the CO Dept. of Safety and the Office of the State Court Administrator to operate a telejustice program allowing remote participation in judicial hearings.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Joint Resolution A — Medicaid Eligibility Detained Individuals.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urges U.S. Congress to amend Medicaid eligibility laws so that persons detained remain eligible for Medicaid until conviction.</td>
<td></td>
</tr>
</tbody>
</table>

**Early Childhood & School Readiness Legislative Commission**

<table>
<thead>
<tr>
<th>Bill A — Align Early Childhood Quality Improvement Programs.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streamlines application and eligibility for quality improvement programs administered by DHS.</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill B — Substitute Placement Agency Licensure.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorizes DHS to create a licensure type for substitute placement agencies to oversee substitute child care providers.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill C — Extend Repeal Early Childhood Legislative Commission.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extends the Commission for five years to July 1, 2023.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill D — Use of Colorado Preschool Program Positions.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clarifies eligibility requirements for early childhood at-risk enhancement (ECARE) positions in full-day kindergarten.</td>
<td></td>
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</tbody>
</table>
### Opioid & Other Substance Use Disorders

<table>
<thead>
<tr>
<th>Bill A – Prevention of Opioid Misuse.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moves committee from interim to year round, appropriates $750K annually from the Marijuana Cash Fund (MCF) to the Center for Research into Substance Use Disorder Prevention, Treatment, and Recovery Support Strategies, appropriates additional $750K from MCF to CDPHE to fund grants to school based health centers, directs HCPF to award $500K in grants operating screening, brief intervention, and referral to treatment (SBIRT) programs, and appropriates $150K to HCPR from MCF to develop an online education tool for women of childbearing age.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill B – Clinical Practices for Safe Opioid Prescribing.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limits opioid prescriptions to seven-day supply with potential for one seven-day supply refill. Providers must query the Prescription Drug Monitory Program (PDMP) prior to refill.</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill C – Harm Reduction and Criminal Penalties.</th>
<th>Passed Unanimously</th>
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<tbody>
<tr>
<td>Authorizes Denver to establish a supervised injection facility pilot program and exempts employees, volunteers, and users from drug paraphernalia laws, authorizes hospitals to operate clean syringe exchange programs, and enables school districts to obtain opiate antagonists.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill D – Increasing Access to Behavioral Health Care Providers.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concerns loan repayment for behavioral health providers, scholarship opportunities for service in state or federally designated shortage areas, and appropriates $2.5M annually from MTCE.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill E – Inpatient and Residential Substance Use Treatment.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expands CO Medicaid Program to cover inpatient and residential substance use disorder treatment. If granted federal approval, the bill requires an appropriation from the MTCF.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill F – Payment and Coverage for Substance Use Disorder Treatment.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Makes changes to substance use treatment mandates under health insurance and Medicaid.</td>
<td></td>
</tr>
</tbody>
</table>

### Police Officers’ and Firefighters’ Pension Reform Commission

<table>
<thead>
<tr>
<th>Bill A — FPPA Statewide Standard Health History Form.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requires employers ensure Fire and Police Pension Association (FPPA) members complete a health history form when hired and allows an electronic format be implemented.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill B — Employer Entry FPPA Defined Benefits System.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Changes statutory provisions concerning employers within the FPPA.</td>
<td></td>
</tr>
</tbody>
</table>

### Sales and Use Tax Simplification Task Force

<table>
<thead>
<tr>
<th>Bill A — DOR Issue Sales Tax Request for Information.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requires DOR issue an RFI to explore implementing an electronic tax simplification system.</td>
<td></td>
</tr>
</tbody>
</table>
Sentencing in the Criminal Justice System

<table>
<thead>
<tr>
<th>Bill A – Determinate Sentence for Indeterminate Sex Offense.</th>
<th>Passed 9-7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gives courts discretion to choose type of sentencing for incarceration, probation, or parole so long as certain considerations are met</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill B – Sentences for Habitual Criminals.</th>
<th>Passed 9-7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Repeals three-strike conviction sentencing requirements except for certain convictions, giving court more discretion to consider exceptional and extenuating circumstances.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill C – Reauthorize Commission on Criminal &amp; Juvenile Justice (CCJJ).</th>
<th>Passed 9-7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extends repeal of CCJJ to July 2, 2028.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill D – Lowering Mandatory Parole from 5 Years to 3 Years.</th>
<th>Passed 10-6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lowers mandatory parole when sentenced for class 2 or class 3 felonies.</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill E – CCJJ Criminal Sentencing Study.</th>
<th>Passed 14-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requires CCJJ contract a best practices study on criminal sentencing and establish an advisory committee to make recommendations based on findings.</td>
<td></td>
</tr>
</tbody>
</table>

Transportation Legislative Review Committee

<table>
<thead>
<tr>
<th>Bill A — Human Trafficking Commercial Driver’s License.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adds human trafficking education to requirements for commercial driver’s licenses.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill B — Private Interstate Commercial Vehicle Registration.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allows private providers to register commercial vehicles according to DOR regulations.</td>
<td></td>
</tr>
</tbody>
</table>

Treatment of Persons with Mental Health Disorders in the Criminal Justice System

<table>
<thead>
<tr>
<th>Bill A – Competency to Proceed Juvenile Justice System.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defines factors related to competency in the children’s code and requires determinations be based on evaluations of mental and developmental disabilities, and mental capacity.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill B – Fund Transitioning from Criminal and Juvenile Justice Systems.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Continues transfers of unspent community corrections funds to DOLA for housing assistance to persons transitioning from incarceration.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bill C – Inmate Treatment Incentive Plans.</th>
<th>Passed Unanimously</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requires the DOC track inmates not receiving mental health treatment and develop incentives to attract mental health providers to regions where inmates cannot access services.</td>
<td></td>
</tr>
<tr>
<td><strong>Water Resources Review Committee</strong></td>
<td></td>
</tr>
<tr>
<td>--------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Bill A – Authorize Water Use Incidental Sand and Gravel Mines.</strong>&lt;br&gt;Allows a replacement plan may authorize uses of water incidental to open mining for sand and gravel.</td>
<td>Passed Unanimously</td>
</tr>
<tr>
<td><strong>Bill B – Mussel-free Colorado Act.</strong>&lt;br&gt;Creates new financing mechanisms for the Department of Natural Resources Aquatic Nuisance Species Program.</td>
<td>Passed Unanimously</td>
</tr>
<tr>
<td><strong>Bill C – Reclaimed Water Use for Marijuana Cultivation.</strong>&lt;br&gt;Codifies in statute a rule from the Water Quality Control Commission related to uses of reclaimed domestic wastewater, and allows such usage for marijuana cultivation.</td>
<td>Passed Unanimously</td>
</tr>
<tr>
<td><strong>Bill D – Reclaimed Water Use on Industrial Hemp.</strong>&lt;br&gt;Codifies in statute a rule from the Water Quality Control Commission related to uses of reclaimed domestic wastewater, and allows such usage for irrigation of industrial hemp.</td>
<td>Passed Unanimously</td>
</tr>
<tr>
<td><strong>Bill E – Expanded Duration for CWRPDA Revolving Loans</strong>&lt;br&gt;Removes the 20-year limitation on public water pollution control and drinking water project loans issued by the Colorado Water Resources and Power Development Authority.</td>
<td>Passed Unanimously</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Wildfire Matters Review Committee</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bill A — Extend Wildfire Matters Review Committee and Modify Charge.</strong>&lt;br&gt;Extends the committee to September 1, 2025, and removes obsolete requirements.</td>
</tr>
<tr>
<td><strong>Bill B — Statutory Provisions Extinguish Unattended Fires.</strong>&lt;br&gt;Concerns penalties for unattended campfires.</td>
</tr>
<tr>
<td><strong>Joint Memorial A – Memorialize Congress to Fund Wildfire Response.</strong>&lt;br&gt;Requests the U.S. Congress implement laws to mitigate wildfire risks and fund response costs.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Young and Beginning Farmers Interim Study Committee</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bill A — Agricultural Workforce Development Program.</strong>&lt;br&gt;Requires the Department of Agriculture implement a workforce development program that reimburses up to half the cost of employing an intern in agricultural businesses.</td>
</tr>
</tbody>
</table>
To: Chair and Members of the Board of Directors

From: Douglas W. Rex, Executive Director
303 480-6701 or drex@drcog.org

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Agenda Category</th>
<th>Agenda Item #</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 17, 2018</td>
<td>Informational Briefing</td>
<td>15</td>
</tr>
</tbody>
</table>

SUBJECT
Presentation on the results of the 2016 Annual Report on Traffic Congestion in the Denver Region.

PROPOSED ACTION/RECOMMENDATIONS
N/A

ACTION BY OTHERS
N/A

SUMMARY
DRCOG maintains a federally-required congestion management process (CMP). One component of the process is the calculation of congestion measurements for roadways in the DRCOG region, and presentation within an annual report on traffic congestion. The annual reports have been prepared since 2006.

Staff will present results and topical items from the 2016 Annual Report on Roadway Traffic Congestion in the Denver Region, such as the growth in VMT, regional congestion measures, and the impacts of traffic crashes and incidents on congestion.

PREVIOUS DISCUSSIONS/ACTIONS
N/A

PROPOSED MOTION
N/A

ATTACHMENTS
1. Staff presentation

ADDITIONAL INFORMATION
If you need additional information please contact Douglas W. Rex, Executive Director, at 303-480-6701 or drex@drcog.org; or Robert Spotts, Senior Transportation Planner, at 303-480-5626 or rspotts@drcog.org.
2016 ANNUAL REPORT ON TRAFFIC CONGESTION IN THE DENVER REGION

Presented by:
Robert Spotts
October 17, 2017

Topics

1. Daily Vehicle Miles of Travel (VMT)
2. Measuring traffic congestion
3. Impacts of crashes on traffic congestion
DRCOG Congestion Management Process

- DRCOG is federally required to monitor roadway traffic congestion
  - Database of roadway network segments (freeways and arterials)
    - Traffic volumes
    - Operating speed and travel time
    - Vehicle and person travel delay
  - Results used in project evaluation for Regional Transportation Plan and Transportation Improvement Program

DRCOG Regional Roadway System
DRCOG Congestion Management Process

- DRCOG Annual Reports on Traffic Congestion since 2006
  - Regional VMT change
  - System system performance measures (person and vehicle delay)
  - Key congested locations
  - Special subjects

- Reporting to FHWA
  - FAST-Act federal performance measures (2018)
    - Work with CDOT
  - Coordination with CDOT, RTD, Local Governments, TMAs, etc

1. VMT Trends
   Average Daily VMT in the Denver Region (2000 - 2016)

   ![Graph showing VMT trends from 2000 to 2016]

   - Total VMT
   - VMT/Capita
   - 2040 Metro Vision Target 23 VMT/Capita
Why is VMT Increasing?

- Booming economy
- Consistently low fuel costs
- Population growth

VMT Annual change data sources: FHWA Monthly VMT Reports; State HPMS (Highway Performance Management System); CDOT continuous traffic counter results; DRCOG traffic count database.

2. MEASURING CONGESTION
Congestion Mobility Score – 5 measures

- Grades based on total score from 0-20 (5 pt. scale per measure)

<table>
<thead>
<tr>
<th>Measure</th>
<th>Description</th>
<th>Grade</th>
<th>Total Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duration</td>
<td>How long does the congestion last? (number of hours per day congested)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Severity</td>
<td>How much of driving time is in delayed conditions? (percent of travel time in delay in peak hour)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Magnitude</td>
<td>What is the total amount of delay for all travelers at that location? (total daily delay time per mile)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Variation</td>
<td>What is the variation in travel time between off-peak and rush hour?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reliability</td>
<td>How often do crashes or incidents occur? (crashes per mile per year)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

New Methodology for Freeways- INRIX Data

- INRIX collects minute by minute speed observations on roadways, 24 hours a day, 365 days a year
  - Available through CDOT – Thanks!
  - Real world speed observations
    - Previously used calculated speeds
    - Still used for arterial roadways
  - Used for FHWA performance measures – CDOT & DRCOG in 2018
Estimating Future 2040 Conditions

- Use the DRCOG Focus Travel Model to estimate the future change in traffic volumes, person volumes, operating speed, and travel delay on every segment

- Assume 2040 MVRTP roadway network and transit system
  - Includes future projects

- Changing demographics of population

- Household and employment growth

- New INRIX methodology predicts less delay in 2040 than previous methodology
2016 and 2040 - Most Congested Roadways

<table>
<thead>
<tr>
<th>Grade</th>
<th>Total Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>0 to 1</td>
</tr>
<tr>
<td>B</td>
<td>2 to 6</td>
</tr>
<tr>
<td>C</td>
<td>7 to 10</td>
</tr>
<tr>
<td>D</td>
<td>11 to 16</td>
</tr>
<tr>
<td>F</td>
<td>17 to 20</td>
</tr>
</tbody>
</table>

Congested Corridors in 2016 and 2040

(Congestion Mobility Grade of D or F)
- Corridor Congested in 2016
- Corridor Congested by 2040
### Congestion Performance Measures
- **Regional Roadway System**

<table>
<thead>
<tr>
<th>Vehicle Measures</th>
<th>2018</th>
<th>2040 (RTF)</th>
<th>Percent Change <strong>Baseline</strong> to 2040 (RTF)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle Miles of Travel</td>
<td>62,500,000</td>
<td>21,141,977,000</td>
<td>37%</td>
</tr>
<tr>
<td>Vehicle Hours of Travel</td>
<td>1,495,000</td>
<td>270,000</td>
<td>91%</td>
</tr>
<tr>
<td>Vehicle Hours of Delay</td>
<td>2,495,000</td>
<td>370,000</td>
<td>81%</td>
</tr>
<tr>
<td>Travel Delay Per Driver Registered Vehicle</td>
<td>7 minutes</td>
<td>73 minutes</td>
<td>32%</td>
</tr>
<tr>
<td>Travel Delay Per Household</td>
<td>10 minutes</td>
<td>97 minutes</td>
<td>30%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Person Measures</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Person Miles of Travel</td>
<td>85,200,000</td>
<td>26,917,831,000</td>
<td>37%</td>
</tr>
<tr>
<td>Person Hours of Travel</td>
<td>1,666,000</td>
<td>168,399</td>
<td>90%</td>
</tr>
<tr>
<td>Person Hours of Delay</td>
<td>301,000</td>
<td>290,000</td>
<td>35%</td>
</tr>
<tr>
<td>Travel Delay Per Person</td>
<td>54.5%</td>
<td>32%</td>
<td>48%</td>
</tr>
</tbody>
</table>

### Special Congestion Topic

#### 3. IMPACTS OF CRASHES

- **Economic Travel Delay Costs**
  - Commercial Vehicles (2): $1,500,000 to $24,940,000 (47%)
  - Passenger Vehicle Passengers (3): $3,000,000 to $4,400,000 (43%)
  - Total Cost of Delays: $4,500,000 to $22,340,000 (49%)

- Total RTD Translators: 332,000 N/A 580,000 N/A 75%  
- Fleet Translators: 91,200 N/A 200,000 N/A 115%  
- RTD Park and Ride Parking Space Utilization (Out of 32,811 Spaces): 32% N/A 48% N/A N/A

- Modeled Bicycle and Pedestrian Trips: 1,490,700 N/A 2,281,800 N/A 48%

- Traffic Crashes (2014): 237 68,381 N/A N/A N/A
Impacts of Crashes

- 69,800 “Reported” crashes in 2014 in the region (200/day)
- Fatalities and serious injuries biggest concern
- Reduce and mitigate impacts of crashes
  - Incident Management Plans, Traveler alerts
  - Clearing of crash and incident scenes (e.g. CDOT Motorist Patrol)
  - Roadway design elements
- Freeways experience greatest impact of crashes

Examining an individual crash with INRIX data

- DRCOG maintains a database of reported crashes in the region
- Using INRIX, we can examine the duration and severity of congestion associated with a crash
Example Crash in June 2016
Westbound I-70 near W. US-6 at 4:00 pm

Day of Crash

5 Mile Backup Queues

4 Hours to Clear Out

Effects on surrounding area

7:30 pm

Average Day

Day of Incident
Mitigating Congestion – DRCOG & Partners

How to Mitigate Congestion

Avoid it
Real-Time Information
Extra Night in Mountains
Flexible Work Hours
Telework

Adapt to it
Mobility Choices:
- Alternative modes
- Transit, Walk, Bicycle
- Car/Vanpool
Real-Time Information
Efficient Land Use Designs

Alleviate it
Add Lanes / Capacity
Improve Operations:
- Traffic Signals
- Signing and Striping
- Access Management
- Incident Management
Expand Transit Facilities

QUESTIONS? COMMENTS?
To: Chair and Members of the Board of Directors
From: Douglas W. Rex, Executive Director

303 480-6701 or drex@drcog.org

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<td>17</td>
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</table>

SUBJECT
Federal law requires metropolitan planning organizations to produce for public review an annual listing of projects that receive federal obligation.

PROPOSED ACTION/RECOMMENDATIONS
No action requested. This item is for information only.

ACTION BY OTHERS
N/A

SUMMARY
The enclosed report lists all transportation projects in the Denver region that were obligated with federal funds in federal Fiscal Year 2017 (October 1, 2016 – September 30, 2017).

A net total of $390.6 million was obligated in FY 2017 for 90 transportation projects.

PREVIOUS DISCUSSIONS/ACTIONS
N/A

PROPOSED MOTION
N/A

ATTACHMENT
1. FY 2017 Annual Listing of Federally Obligated Projects

ADDITIONAL INFORMATION
If you need additional information Douglas W. Rex, Executive Director, at 303 480-6701 or drex@drcog.org; or Todd Cottrell, Senior Transportation Planner, at 303 480-6737 or tcottell@drcog.org.
ANNUAL LISTING OF FEDERALLY OBLIGATED PROJECTS

Fiscal year 2017
Oct. 1, 2016 - Sept. 30, 2017

Dec. 20, 2017
Purpose of this Report

The federal metropolitan transportation planning statute states:

"In metropolitan planning areas, on an annual basis, no later than 90 calendar days following the end of the program year, the State, public transportation operator(s), and the MPO(s) shall cooperatively develop a listing of projects (including investments in pedestrian walkways and bicycle transportation facilities) for which funds under 23 U.S.C. or 49 U.S.C. Chapter 53 were obligated in the preceding program year."

The Federal Highway Administration defines obligation as the federal government's legal commitment (promise) to pay or reimburse states or other entities for the federal share of a project's eligible costs. Thus, an obligated project is one that has been approved by the federal government for reimbursement, though not necessarily reimbursed yet. Obligated projects were not necessarily initiated or completed during this year. The obligated project cost reflected in this report also may not equal final project cost.

This report responds to the directive set forth in statute. It lists all federally-funded transportation projects in the Denver region that were obligated in federal fiscal year 2017 (October 1, 2016 to September 30, 2017).

Background

The Denver Regional Council of Governments (DRCOG), an association of 58 local governments in the Denver metro area, promotes a regional perspective towards the metropolitan area's most pressing issues and addresses those issues through cooperative local government action. The DRCOG region includes Adams, Arapahoe, Boulder, Clear Creek, Douglas, Gilpin, Jefferson, and southwest Weld counties, plus the City and County of Denver and the City and County of Broomfield.

DRCOG is the Metropolitan Planning Organization (MPO) for Broomfield, Denver, Douglas, and Jefferson counties, and portions of Adams, Arapahoe, Boulder, and Weld counties. Federal transportation legislation requires, as a condition for spending federal highway or transit funds in urbanized areas, the designation of an MPO. The MPO has responsibility for planning, programming, and coordinating federal investments. The DRCOG MPO process creates a partnership among state, local government, and transit operators in providing transportation improvements.

DRCOG represents the perspectives of its local government members, while coordinating its planning efforts with the Colorado Department of Transportation (CDOT), the Regional Transportation District (RTD), the Regional Air Quality Council (RAQC), the Colorado Department of Public Health and Environment (CDPHE), the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA). DRCOG develops its positions by working with elected officials, staff from local governments and the above agencies, and the public through a committee system where the various issues are discussed and recommendations are made. Current committees include the Regional Transportation Committee and the Transportation Advisory Committee. Working groups are also created and appointed, as need dictates.

Regional Transportation Plan

DRCOG develops a minimum 20-year regional transportation plan (RTP), called the Metro Vision RTP, last adopted in April 2017. The Metro Vision RTP is an element of the region's Metro Vision plan. The Metro Vision RTP includes the needed transportation system and the fiscally-constrained RTP. The fiscally-constrained RTP, required by federal law, identifies the multimodal transportation system that can be achieved over a minimum 20-year planning horizon with

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1 23 U.S.C. 450.334 (a)
the reasonably available financial resources over that time. Federal law requires the fiscally-constrained plan to be updated at least every four years to validate air quality conformity.

Some types of projects (roadway capacity and rapid transit) must be included in the fiscally-constrained portion of an adopted conforming RTP, before they can be selected for Transportation Improvement Program (TIP) funding.

**Transportation Improvement Program**

The Transportation Improvement Program (TIP) is the adopted list of public transit, roadway, bicycle, pedestrian, air quality projects, and studies that will receive federal or state transportation funds in the near future. The TIP also includes the projects in the DRCOG area that are defined as regionally significant, regardless of funding type. The TIP implements the fiscally-constrained RTP.

The TIP covering FY2017 is the 2016-2021 TIP, and was adopted on April 15, 2015. It has been amended regularly since adoption. Some of the projects in this obligation report are from other TIPs.

**Public Involvement**

DRCOG aims to proactively engage the public in the regional transportation planning process and embraces federal requirements that MPOs provide the public with complete information, timely public notice, full public access to key decisions, and early and continuing involvement in developing the RTP, TIP, and other products. DRCOG’s public involvement strategies include presenting information and educating the public, continuously soliciting public input, helping information flow between the public and decision makers, and considering and responding to public concerns.
Summary of Projects

A net total of $390.6 million was obligated in FY2017 on 90 transportation projects. Some statistics regarding the FY2017 obligations include:

- $162.2 million (41.5 percent) for roadway/bridge projects,
- $103.7 million (26.5 percent) was for RTD FasTracks projects,
- $97.9 million (25.1 percent) for non-FasTracks transit projects,
- $18.5 million (4.7 percent) for bicycle and pedestrian projects,
- $4.7 million (1.2 percent) for congestion management projects,
- $3.2 million (0.8 percent) for studies,
- $0.6 million (0.1 percent) for other air quality projects.

The chart below illustrates these percentages:

Fiscal Year 2017 Federally Obligated Project Summary

Obligation Report

This report is organized by TIP project sponsor. Information shown about each project includes:

- **TIP Sponsor** lists the agency that is financially responsible for the TIP project
- **Project Name**
- **TIP Identification (TIP ID)** is a unique number given to each project selected for inclusion into a DRCOG TIP
- **Funding Type** identifies the federal program that funds the project
- **Obligations** is the sum of all the obligations that occurred for that particular TIP project in FY2017
- **B/P** indicates if bicycle/pedestrian infrastructure is part of the project

2 Stand-alone bicycle and pedestrian projects only. Calculation does not include other projects with a bicycle/pedestrian element.
For the purposes of this report, obligations of local or state funds are not presented herein. Non-federal funding would be included within the Total Cost column as part of the total overall project cost. For the purposes of this report in FY2017, federal funding was distributed through the following TIP categories:

- **Total Cost** lists the total project cost in the TIP for the lifecycle of the project, regardless of the particular TIP cycle.
- **Federal Total** lists the total amount of federal transportation funds awarded in the most recent TIP that the project was active (may or may not be the current 2018-2021 TIP).
- **Total Federal Funds Remaining** lists the programmed federal transportation funds in the current 2018-2021 TIP that are remaining for the project.

With federal funding being the focus of this obligation report, obligations of local or state funds are not presented herein. Non-federal funding would be included within the Total Cost column as part of the total overall project cost.

- **Bridge funds** are for the replacement, rehabilitation, and widening of any public bridge.
- **Congestion Mitigation/Air Quality (CMAQ)** can fund projects that reduce transportation-related emissions in non-attainment and maintenance areas for ozone, carbon monoxide, and small particulate matter.
- **FASTER Safety** supports the construction, reconstruction, or maintenance of projects that the state Transportation Commission, a county, or municipality determine are needed to enhance the safety of a state highway, county road, or city street. It is a CDOT program, but the funds depicted in this report are from federal sources only.
- **Federal Emergency** funds emergency and permanent repairs on Federal-aid highways and roads, tribal, transportation facilities, and roads on Federal lands that the federal government finds have suffered serious damage as a result of natural disasters.
- **The RAMP program** accelerates funding for projects on the state highway system and transit projects. It is a CDOT program, but the funds depicted in this report are from federal sources only.
- **Regional Priority Projects (RPP)** typically fund construction, widening, and reconstruction on roadways on the state highway system. It is a CDOT program, but the funds depicted in this report are from federal sources only.
- **Safety funds** are typically used for projects that reduce the number and severity of crashes.
- **Section 5307** funds capital, maintenance, operations, and planning assistance for mass transportation in urbanized areas.
- **Section 5309** funds mass transit capital projects, regional rapid transit system construction, and studies to plan and implement the above.
- **Section 5310** funds capital assistance grants to private nonprofit organizations to serve the transportation needs of elderly people and individuals with disabilities.
- **Section 5311** funds capital and operating assistance grants for transit service in non-urbanized areas.
- **Section 5316** funds capital, planning, and operating expenses for projects that transport low income individuals to and from jobs and activities related to employment, and for reverse commute projects.
- **Section 5337**, or State of Good Repair funds, intend to repair and upgrade rail transit systems and high-intensity bus transit systems that use high-occupancy vehicle lanes.
- **Section 5339** funds replace, rehabilitate, and purchases buses and other transit vehicles as well as to construct bus-related facilities.
- **STP-Metro** is a flexible funding category typically used to fund roadway reconstruction, roadway operational improvements, roadway widening, new roadway, new interchanges, interchange reconstruction, bicycle/pedestrian improvements, and studies.
- **Surface Treatment funds** are used for repaving and resurfacing on the state highway system. It is a CDOT program, but the funds depicted in this report are from federal sources only.
- **TC Contingency** is funding controlled by the CDOT Transportation Commission for projects/programs they see fit best for the state. It is a CDOT program, but the funds depicted in this report are from federal sources only.
- **Transportation Alternative** funds program such projects as bicycle/pedestrian projects, historic preservation projects, environmental mitigation projects, transportation museum projects, landscaping and beautification projects, and conversion of rails-to-trails projects. The projects must relate to surface transportation.
This report also contains deobligations, depicted with (). Deobligation occurs when CDOT has to return the obligation to the federal government. Deobligation can occur for several reasons, including:

- Bids come in at a lower amount than the obligation amount for a project. After the project bid is accepted, the remaining funds are returned and shown as a negative obligation.
- Advanced construction projects (where the sponsor first pays the cost and is reimbursed later) often result in a deobligation because first the project must be obligated and then deobligated when the sponsor agrees to pay the costs of the project. The project is then finally obligated again when it is time for the federal government to reimburse the sponsor.
- A project phase is closed out, causing the remaining funds to be deobligated out of that phase. This must happen before the funds can be obligated into another phase for the same project.3
- After a project is complete and all bills are paid, any remaining obligation authority is returned to the federal government and is shown as a deobligation. Project closeouts can sometimes take place many years after the project was actually completed.

The table also identifies which projects contain elements improving pedestrian and/or bicycling infrastructure. In some cases, this is a pedestrian and bicycle-only project (reflected in the previous pie chart). In most circumstances, the pedestrian and bicycle components are part of a larger project. Since deobligations by definition are not current “investments,” their bicycle/pedestrian applicability is shown as not applicable (N/A).

Descriptions of the projects that are contained in this report can be found within the TIP documents, which are available at https://drcog.org/programs/transportation-planning/transportation-improvement-program or by using the searchable online database of transportation projects in the MPO area, TRIPS. The table below is based on records obtained from CDOT and RTD, as DRCOG does not directly participate in the obligation process.

3 This report does not include the project phases.
<table>
<thead>
<tr>
<th>TIP Sponsor</th>
<th>Project Name</th>
<th>TIP ID</th>
<th>Funding Type</th>
<th>Obligations</th>
<th>B/P</th>
<th>Total Cost</th>
<th>Fed. Total</th>
<th>Fed. Funds Remaining</th>
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<tbody>
<tr>
<td>Arapahoe County</td>
<td>I-25/Arapahoe Rd Interchange Reconstruction</td>
<td>2012-043</td>
<td>RAMP</td>
<td>$39,791,814</td>
<td>No</td>
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<td>Arvada</td>
<td>Kipling Pkwy Underpass: Van Bibber Trail Extension from W 56th Pl to Grandview Ave</td>
<td>2012-045</td>
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<td>$1,027,860</td>
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<td>Arvada</td>
<td>W 57th Ave Bike/Ped Project</td>
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<td>Aurora</td>
<td>Nine Mile Station: Bike/Ped Access Improvements</td>
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<td>Aurora</td>
<td>Metro Center Station Area Bike/Ped Connector Facility</td>
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<td>Aurora</td>
<td>Tollgate Creek Park Bike/Ped Bridge and Trail</td>
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<td>Aurora</td>
<td>Peoria-Smith Commuter Rail Station Bike/Ped Access Improvements</td>
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<td>Colfax Ave Bike/Ped Improvements: Fitzsimons Pkwy to Peoria St</td>
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<td>Boulder</td>
<td>Wonderland Creek Underpass and Multi-use Path Connection: Foothills Pkwy to Diagonal Hwy</td>
<td>2012-002</td>
<td>Congestion Mitigation / Air Quality</td>
<td>$1,661,218</td>
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<td>Boulder</td>
<td>Baseline Rd Bike/Ped Underpass: Broadway St/SH-93 to 28th St/US-36</td>
<td>2012-046</td>
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<td>$2,295,805</td>
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<td>Boulder</td>
<td>28th St/US-36 Multi-use Bike/Ped Path: Iris Ave to Yarmouth Ave</td>
<td>2012-055</td>
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<td>Boulder County</td>
<td>RTD Route L Service Enhancement</td>
<td>2016-010</td>
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<td>Boulder County</td>
<td>SH-7 BRT Study: Boulder to Brighton</td>
<td>2016-045</td>
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<td>Boulder County</td>
<td>SH-119: LoBo Trail Connections</td>
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<td>Boulder County</td>
<td>Boulder County Bus-then-Bike Shelters</td>
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<td>Broomfield County</td>
<td>120th Ave Connection: Wadsworth Blvd to US-287</td>
<td>2007-029</td>
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<td>$11,983,880</td>
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<td>Safe Routes to School Pool</td>
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<td>Enhanced Mobility for Elderly and Disabled (FTA 5310)</td>
<td>2012-107</td>
<td>Section 5310</td>
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<td>Transit Operating and Capital (FTA 5311)</td>
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<td>Section 5316</td>
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<td>CDOT</td>
<td>I-70/Genesee Bike Path</td>
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<td>CDOT Region 1</td>
<td>Region 1 2013 Flood-Related Projects Pool</td>
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<td>CDOT Region 1</td>
<td>I-25: 120th Ave to SH-7 Managed Lanes</td>
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<td>CDOT Region 1</td>
<td>C-470 Managed Toll Express Lanes: I-25 to Wadsworth</td>
<td>2016-059</td>
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<td>$13,617,928</td>
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<td>CDOT Region 1</td>
<td>C-470 Managed Toll Express Lanes: I-25 to Wadsworth</td>
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<td>CDOT Region 1</td>
<td>I-225: Parker Rd to 2nd Ave Widening</td>
<td>1999-006</td>
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<td>CDOT Region 1</td>
<td>East I-70 Corridor: Environmental Study (I-25/Pena Blvd)</td>
<td>2001-259A</td>
<td>Regional Priority Projects</td>
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<td>US-6: Wadsworth Blvd (SH-121) Interchange Reconstruction</td>
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<td>US-36: Wetland Mitigation</td>
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<td>I-70/Kipling: NEPA and Post NEPA Improvements</td>
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<td>US-6/19th St Intersection Grade Separation</td>
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<td>Region 1 Hazard Elimination Pool</td>
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<td>I-76/136th: Concrete Pavement/Culvert Repairs</td>
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<td>TC Contingency</td>
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<td>Region 4 RAMP Project Pool</td>
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<td>Arapahoe Ave (SH-7): Cherryvale Rd to N 75th St</td>
<td>1997-033</td>
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<td>I-25: Wetland Mitigation</td>
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<td>Commerce City</td>
<td>Route 62: Central Park Station to 60th Ave/Dahlia Transfer Station</td>
<td>2016-039</td>
<td>Congestion Mitigation / Air Quality</td>
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<td>Denver</td>
<td>Denver Traffic Signal System Upgrade: Citywide</td>
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<td>Congestion Mitigation / Air Quality</td>
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<td>2008-001</td>
<td>Transportation Alternatives</td>
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<td>Village Center &amp; Goldsmith Gulch Trail Extension: Fair Dr to Yosemite St</td>
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<td>Wadsworth Blvd (SH-121) Roadway Capacity Project: Highland Dr to 10th Ave</td>
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<td>Main St/US-287: Ken Pratt Blvd to 3rd Ave Reconstruction</td>
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<td>US-36 - Lyons Streetscape: Stone Canyon Rd to 3rd Ave</td>
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<td>Congestion Mitigation / Air Quality</td>
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<td>New Starts</td>
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<td>RTD Preventive Maintenance: Transit Vehicle Overhaul and Maintenance</td>
<td>1997-084</td>
<td>Section 5307</td>
<td>$59,410,199</td>
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<td>Colfax Corridor Connections (3C) TOD Implementation Plan</td>
<td>2016-082</td>
<td>Section 5309 TOD</td>
<td>$1,350,000</td>
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<td>Section 5337 State of Good Repair</td>
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<td>RTD Capital Improvements: Bus and Facilities Funding</td>
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<td>Section 5339</td>
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<td>No</td>
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<td>Thornton</td>
<td>North Metro Rail Bicycle/Pedestrian Access to Three FastTrack Stations</td>
<td>2012-081</td>
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<td>$1,322,809</td>
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<td>124th Avenue/Eastlake Station: Claude Court Realignment</td>
<td>2012-117</td>
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**Grand Total of Obligations** $390,630,005
To: Chair and Members of the Board of Directors

From: Members of the Nominating Committee

Meeting Date   | Agenda Category     | Agenda Item #  
------------- | ------------------- | ------------- 
January 17, 2018 | Informational Item | 18             

SUBJECT
This item is related to the Nominating Committee’s recommendations for election of DRCOG Board officers for 2018.

PROPOSED ACTION/RECOMMENDATIONS
No action is requested. Election of officers occurs at the February meeting.

ACTION BY OTHERS
N/A

SUMMARY
The Nominating Committee – comprised of Elise Jones, Boulder County; Robin Kniech, Denver; Roger Partridge, Douglas County; Steve Conklin, Edgewater; Ron Rakowsky, Greenwood Village; and Rita Dozal, Superior – considered all individuals who submitted their names to serve as Board officers. The committee wishes to thank those who expressed interest in serving. After discussion and consideration, the candidates proposed below are recommended by the Nominating Committee:

Chair – Herb Atchison, Mayor, Westminster  
Vice Chair – Bob Fifer, Council Member, Arvada  
Secretary – John Diak, Council Member, Parker  
Treasurer – Ashley Stolzmann, Council Member, Louisville

Bob Roth will serve as Immediate Past Chair for the coming year.

Nominees have all been contacted and have indicated their willingness and enthusiasm to serve. In accordance with the Articles of Association, nominations may be made from the floor, provided the consent of the nominee is obtained in advance.

Election of Officers occurs at the February meeting of the Board of Directors.

PREVIOUS DISCUSSIONS/ACTIONS
N/A

PROPOSED MOTION
N/A

ATTACHMENTS
N/A

ADDITIONAL INFORMATION
If you need additional information, please contact Douglas W. Rex, Executive Director at 303-480-6701 or drex@drcog.org; or Connie Garcia, Executive Assistant/Board Coordinator at 303-480-6701 or cgarcia@drcog.org.
To: Chair and Members of the Board of Directors

From: Douglas W. Rex, Executive Director
(303) 480-6701 or drex@drcog.org

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<th>Meeting Date</th>
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<tr>
<td>January 17, 2018</td>
<td>Informational Item</td>
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SUBJECT
This item concerns transmittal of the *Draft 2018 Policy Statement on Federal Legislative Issues*.

PROPOSED ACTION/RECOMMENDATIONS
No action requested. This item is for information only. Action to approve the policy will be requested at the February 21, 2018 meeting.

ACTION BY OTHERS
N/A

SUMMARY
Each year, the Board adopts two policy statements on a range of specific state and federal legislative issues. These documents provide the DRCOG Board, staff and lobbyists with policy direction on legislative issues during the coming year.

This year, the changes in the document are proposed to clarify the intent of a particular policy, use more precise language or otherwise update a statement to better reflect current practice.

The *Draft 2018 Policy Statement on Federal Legislative Issues* is provided now to give Board members and their staff sufficient time to review its contents before the Board considers and acts on the document in February. If you have suggested changes to the draft, you are encouraged to contact staff prior to February 12.

PREVIOUS DISCUSSIONS/ACTIONS
N/A

PROPOSED MOTION
N/A

ATTACHMENT
2018 Policy Statement on Federal Legislative Issues – changes highlighted

ADDITIONAL INFORMATION
Should you have any questions regarding the draft policy statement, please contact Doug Rex at 303-480-6701, or drex@drcog.org; or Rich Mauro at 303-480-6778 or email to rmauro@drcog.org.
INTRODUCTION

This paper outlines the key federal policy issues of the Denver Regional Council of Governments (DRCOG). It identifies policy positions intended to inform the Colorado congressional delegation, Congress, federal and state executive branch officials and others as they develop and implement national policy on these issues. This policy statement guides DRCOG’s federal legislative positions and actions during the coming year.

DRCOG is a membership organization of over 50 cities, towns and counties in the Denver metropolitan region. Under federal law, it serves as the Area Agency on Aging for eight counties to aid the 60+ population and the Metropolitan Planning Organization (MPO) coordinating transportation planning with air quality goals. Under state statutes, DRCOG is a regional planning commission, responsible for preparing a regional plan for the development of the metro area.

REGIONAL PLANNING

Comprehensive Planning and Land Use. Although comprehensive planning and land use are primarily matters for local determination and regional coordination, the federal government can play a supportive role in encouraging local and regional efforts through funding, technical assistance and other incentives. DRCOG’s Metro Vision plan represents a shared regional vision for creating sustainable, livable communities that allow people of all ages, incomes and abilities to succeed. Metro Vision further recognizes that the success of the region’s visionary plan requires the coordinated efforts of local, state and federal governments; the business community; and other planning partners, including philanthropic and not-for-profit organizations.

Metro Vision guides DRCOG’s work and establishes shared expectations with our region’s many and various planning partners. The plan outlines broad outcomes, objectives and initiatives established by the DRCOG Board to make life better for the region’s residents. Achieving Metro Vision goals requires coordinated investment in a wide range of planning and implementation activities that transcend traditional funding categories. DRCOG supports those efforts that help the region achieve the shared outcomes described in Metro Vision and encourages federal entities to align their policies and investment decisions to advance regionally-determined objectives.

DRCOG’s Metro Vision plan emerged from a collaborative process that spanned more than four years. During this time, DRCOG’s policy committees, member governments, partner agencies, regional stakeholders, and the community at large worked together to create a shared vision for action for shaping the future of the Denver metro area. The plan’s shared vision of the future is captured in five overarching themes and 14 inter-
related aspirational outcomes, which describe a future that DRCOG, local governments and partners will work toward together. **DRCOG may support or oppose legislative proposals that impact the ability of the region to achieve these outcomes and the associated performance measures and targets.**

**Theme: Efficient and Predictable Development Pattern**

**Outcomes**
- The region is comprised of diverse, livable communities.
- Through a coordinated effort between DRCOG and local communities, new urban development occurs in an orderly and compact pattern within regionally designated areas.
- Connected urban centers and multimodal corridors accommodate a growing share of the region’s housing and employment.

**Theme: A Connected Multimodal Region**

**Outcomes**
- The regional transportation system is well-connected and serves all modes of travel.
- The transportation system is safe, reliable and well-maintained.

**Theme: A Safe and Resilient Built and Natural Environment**

**Outcomes**
- The region has clean water and air, and lower greenhouse gas emissions.
- The region values, protects and connects people to its diverse natural resource areas, open space, parks and trails.
- The region’s working agricultural lands and activities contribute to a strong regional food system.
- The risk and effects of natural and human-created hazards is reduced.

**Theme: Healthy, Inclusive and Livable Communities**

**Outcomes**
- The built and natural environment supports healthy and active choices.
- The region’s residents have expanded connections to health services.
- Diverse housing options meet the needs of residents of all ages, incomes and abilities.

**Theme: A Vibrant Regional Economy**

**Outcomes**
- All residents have access to a range of transportation, employment, commerce, housing, educational, cultural and recreational opportunities.
- Investments in infrastructure and amenities allow people and businesses to thrive and prosper.
DRCOG further urges Congress to consider the following in support of local and regional planning:

- DRCOG supports improving the coordination of housing, community development, transportation, energy, and environmental policy in the United States; coordinating federal policies and investments to promote sustainable development; and, encouraging comprehensive regional planning for livable communities.

- DRCOG supports federal policies and investments that help local governments and the private sector develop successful urban centers, including transit station areas.

- DRCOG supports federal funding, regulatory support and other incentives to bolster local and regional efforts to increase the supply of affordable housing, including housing suitable for fixed-income older adults. Additionally, DRCOG supports effective means to create and maintain supportive services for residents in affordable housing communities.

- DRCOG supports efforts to promote affordable housing options by:
  - promoting policies and programs that support the creation and maintenance of an adequate supply of affordable rental and ownership options integrated with the community to meet the needs of people of all ages, incomes, and abilities. This should include expansion of the Low-Income Housing Tax Credit, a critical tool for supporting private investment in the production and preservation of affordable housing in the State of Colorado and throughout the country, and efforts to strengthen communities through investments in transportation, economic opportunities, education, health services and other amenities that promote opportunity.
  - Ensuring that renters and homeowners (including manufactured home owners) have appropriate protections from discrimination and displacement. Policies should emphasize the rights of residents and minimize disparities in treatment under the law.
  - Ensuring that policies, programs and other actions that affect land-use and housing support the private and public sectors in providing a variety of housing sizes and types for people of all ages, incomes and abilities.

- Federal agencies and elected officials must respect and support local and regional plans and land use authority. This includes ensuring funding decisions and the siting of federal and other facilities are consistent with those plans and respect local and regional land use authority. Federal agencies and elected officials also must ensure maximum local and regional participation in those decisions.

- The federal government must protect open space, including natural habitats, by fully funding the land conservation, preservation and infrastructure improvement trust fund programs and providing new incentives for land conservation and outdoor recreation opportunities.
• Federal investments in local and regional data and information programs help DRCOG deliver improved information, tools and services for local and regional planning and decision-making. DRCOG supports continued funding for these programs and legislation that requires local, regional and state governments to proactively share digital data with the public.

OLDER ADULTS

Older Americans Act Reauthorization. DRCOG has been the designated Area Agency on Aging (AAA) for the metro area under the auspices of the federal Older Americans Act since 1973. In this capacity, DRCOG is responsible for planning and advocating for the needs of the region’s older residents, as well as for providing a broad array of services and programs.

While Congress reauthorized the Older Americans Act (OAA) in 2016, the act is set to expire in 2018. Since the last “full” reauthorization (2006), the challenges to communities, states and the nation presented by the aging of the population have continued to accelerate across the nation but particularly in Colorado. This critical national issue has continued to put pressure on services, especially the need for more tailored in-home and community-based services, more focused prevention programs, need for consumer advocacy in long term care facilities, and increased support for family caregivers. These issues were not addressed in any substantive way in the 2016 reauthorization. The 2016 reauthorization also only partially addressed the funding imbalances in the existing OAA funding formula. The coming reauthorization offers a prime opportunity to modernize and reshape aging services in the U.S. and rebalance the allocation of OAA funds to the states. Accordingly, DRCOG adopts the following principles for reauthorization of the Older Americans Act.

Eliminate Obsolete Funding Provisions in the Older Americans Act

DRCOG has expressed concerns that the current funding formula for the Older Americans Act (OAA) is outdated and unfair, particularly to states with fast growing older adult populations. The OAA funding formula generally allocates federal funds to states based on the proportion of older adults in each state. However, the full reauthorization in 2006 included a modified “hold harmless” provision to prevent slow growing states from falling below their FY06 funding levels. The 2006 formula, also used population numbers from the 2000 Census, which quickly became outdated after the 2010 Census. While the data was updated in the full reauthorization that passed in 2016, it will need to be updated again after the 2020 census. This combination of obsolete data and the hold harmless provision caused Colorado to lose more funding than any other state, during both the annual appropriations as well as in the sequestration cuts in 2012.

DRCOG opposes the inclusion of the Hold Harmless Provision when allocating OAA funds.
The full reauthorization only included a small change to the funding formula in the direction of fairness. All nine members of the Colorado Congressional delegation in a bipartisan manner have sent multiple communications to House and Senate leadership and the Administration urging them to ensure the next reauthorization of the Older Americans Act treats all seniors fairly by eliminating the "hold harmless" provision. DRCOG appreciates the continued support of the Colorado Delegation for this issue.

**Encourage meaningful coordination with other systems and programs**

The Administration on Aging should adopt rules and regulations incorporating the following specific concerns:

- Require states, AAAs, Medicaid long-term care agencies, and other relevant entities to continue efforts to better coordinate regional and statewide planning of services and programs for seniors.
- Coordinate all federal programs and planning processes that serve older adults, such as Older Americans Act, Medicaid, Fixing America’s Surface Transportation (FAST) Act and Section 202 housing programs.
- Establish new policy and program guidelines to improve coordination and optimize all public and private benefits, services, and resources aimed at promoting elder economic security.
- Remove institutional barriers to the coordination of elderly and disabled transportation services by providing the flexibility to allow trips for elderly and non-elderly disabled persons and for meal, medical and personal services to be served by the same provider using a combination of U.S. Department of Health and Human Services and U.S. Department of Transportation funding.
- Avoid shifting the cost burden from cash-strapped programs such as Medicaid to the Older Americans Act programs, simply to bail out those programs.
- Strengthen the collaboration between the AAAs and federal, state and local governments with community-based organizations and national organizations that work with diverse older adults by providing resources, including funding research, programs and training to more effectively respond to changing demographics and target services to those most in need.

**Establish a Federal Services Identification Database for Senior Services**

To better provide coordinated services to seniors, DRCOG supports the creation of a federal database, which will summarize all care that a patient is receiving regardless of which federal agency is providing the care. Currently, DRCOG has no ability to understand the complete umbrella of services a patient is receiving because there is no way to access information about that patient outside of the information that DRCOG has. This data sharing will allow the AAA to better shape and provide services for aging adults.

**Maximize Flexibility in Use of Older Americans Act Funds**
The majority of federal funding provided to state and local entities under the federal Older Americans Act is specifically earmarked to particular services. While all of the OAA-funded services, such as meals and transportation, are critically important, the AAAs, local governments and service providers are in the best position to assess the specific needs in the local areas. Increased flexibility in the use of program funds would allow area agencies on aging to better meet the needs of older adults.

- Simplify rules and regulations to allow better coordination of senior services thus enabling AAAs and service providers to more efficiently and effectively use federal funds to address local priorities. This could include the consolidation of certain funding categories to improve administration of the affected programs. For example, the Title III C-1 congregate meal and Title III C-2 home-delivered meal programs could be merged.

- Create flexibility in state- and federally-specified allotments of Older Americans Act funds allowing AAAs to utilize regional priorities to determine funding distributions at the local level, consistent with the goals of the Act.

- Set required local match at 10 percent and required state match at 5 percent across all programs of the Older Americans Act. Currently, required local and state funding match percentages vary widely. For example, state/local match for the National Family Caregiver Support Program is 25 percent, while the Nutrition and Supportive Services Programs require a 15 percent state/local match. In some cases, states can completely opt out of providing a state match, as with the National Family Caregiver Support Program.

Fund Aging-Related Planning for Local Communities

The 2006 reauthorization established new requirements for AAAs to broaden their planning efforts beyond service needs to include senior-friendly community planning to promote livable communities for all ages but did not include funds for this new mandate. To assure these requirements are met, Congress must appropriate funds for state, regional and local collaboration, planning, community capacity-building and technical assistance. This should include funds for conducting analyses of the strengths and needs of seniors in a given area.

Increase Federal Funding for Older Americans Act Programs

The funding provided through the Older Americans Act has proven critical in maintaining a quality standard of living for many of the nation’s older adults. For years, however, OAA funding has not kept pace with inflation or the growing population of individuals eligible for services. Yet, demand by at-risk older adults in need of supportive services has risen and will continue to rise with the growth of the aging population. This long-term gap in funding translates to greater numbers of older adults and family caregivers with unmet needs and increasing pressures on state and local agencies, service providers and families. Meanwhile, waiting lists for Older Americans Act-funded
services, such as Meals on Wheels, rides to medical appointments, and in-home care, have burgeoned throughout the country.

Compounding these problems, financial pressures on other programs that provide services to seniors, such as Medicare and Medicaid, have led to reductions in the services provided by those programs, and a related increase in demands on Older Americans Act programs. At the same time, there are proposals for addressing the nation’s long-term debt that would result in significant cuts in funding for these programs. Funding cuts, such as those in the Budget Control Act of 2011 under “sequestration,” has had devastating consequences on vulnerable older adults in the metro area and across Colorado. Congress should fund the Older Americans Act adequately now and into the future – in preparation for the aging of the baby boomers. DRCOG specifically supports:

- A balanced approach to addressing the nation’s budget deficits and long-term debt. Any approach must protect those older adults in greatest social and economic need by fairly balancing increased revenues and targeted spending reductions and taking no actions that increase economic vulnerability or poverty.
- Significant annual increases in the overall funding for the Older Americans Act Programs, which are necessary to catch up with the lag in historical funding. DRCOG supports the position of the National Association of Area Agencies on Aging, which is advocating total funding for OAA be increased to at least FY 2010 levels to restore the capacity of OAA programs, with special attention to Title III B Supportive Services, Title III E National Family Caregiver Support Program and Title VII State Long-Term Care Ombudsman Program, as these programs have had no relief from the sequester.
- Future authorized appropriations at levels adequate to fund identified needs but at least commensurate with the rates of growth in inflation and the economically needy older population.
- Priority for funding given to those Older Americans Act programs and services, especially nutrition services that emphasize assisting clients to live in their homes as long and as independently as possible.
- Support evidence-based health and wellness programs.
- Bridging the gap between community services and health care through programs that promote care transitions and care coordination and encourage community based models.
- Increases in the funding for family caregiver support services (including training, respite care, counseling, and information and assistance) and the continued distribution of these monies through AAAs, which are important to address the growing needs of families who provide extensive care to their loved ones.
- Increases in funding for Long-Term Care Ombudsman programs, which are necessary to improve the ability to respond to complaints and safeguard residents’ rights.
- Congress also should change budget rules to allow credit for discretionary programs that save money in mandatory programs.
Long-Term Care Facility Quality of Care

Older adults living in long-term care communities (i.e., nursing homes and assisted living) are some of the most vulnerable members of society. As the Long-Term Care Ombudsman for the region, DRCOG is an advocate for the rights of residents in long-term care communities and for improvement in the quality of care in such facilities. The quality of care provided by long-term care facilities is an ongoing concern to facility residents, their families, local governments and resident advocates. **DRCOG supports increases in consumer protections for older adults and their caregivers and, in particular, strengthening the role of the Long-Term Care Ombudsman as a resident/consumer advocate and reimbursement for long-term care communities structured to enhance the quality of care for residents. DRCOG believes the following issues require particular attention by Congress and federal agencies.**

- Federal regulations designed to ensure the quality of care in long-term care facilities are not fully enforced, largely due to inadequate staffing levels in state enforcement agencies. There also are several actions that could be added to the regulations to improve enforcement. These include increased inspections and penalties on long-term care facilities failing to comply with regulations. **DRCOG supports such improved enforcement of long-term care regulations and an increase in funding for enforcement actions.**
- Most complaints investigated by DRCOG ombudsmen are traceable to staffing issues in the long-term care facilities. The inability to maintain adequate staffing is a critical concern that negatively impacts long-term care facility quality of service. **DRCOG supports federal legislation, policies and programs to improve the quality of service in long-term care facilities, including setting minimum staffing levels and providing financial and technical assistance for the recruitment, training and retention of long-term care facility employees.**
- “Nursing home transparency” is an ongoing issue in advocacy for the rights of residents. Occasionally legislation has been proposed to enhance families’ access to information about the quality of care in nursing homes and improve the government’s ability to ensure quality care and a better-trained staff in those facilities. **DRCOG supports legislation that includes stronger disclosure of ownership and control of facilities, better oversight of quality of care indicators, improved consumer information, and an enhanced complaint and penalty process.**

Fund the Elder Justice Act

This legislation provides critical protection for residents living in nursing homes and assisted living; provides needed resources and coordination to address the problem of elder abuse; and includes increased funding for the Long-Term Care Ombudsman program. The Elder Justice Act sets out a comprehensive approach to preventing and combating elder abuse, neglect, exploitation and self-neglect. **DRCOG supports full funding and implementation of the Elder Justice Act, consistent with the following principles:**
• Provide a stronger and more coordinated federal response to promote elder justice.
• Increase federal support to states and communities for elder justice activities.
• Provide funding and training support to adult protection programs.
• Improve consumer protection by requiring the reporting of crimes by nursing facilities or employees and communication of consumer rights information.
• Provide new funding to improve ombudsman capacity and training, and for training of health department surveyors investigating allegations of abuse.

Other Health and Community Services. There are numerous other health and home care issues not covered under the Older Americans Act. In general, the following policies address concerns regarding consumer protection, access to treatment, and access to services that increase independence. **DRCOG believes it is appropriate for federal legislation, regulations and policies to promote access to health care coverage and the integration of long-term care into a continuum of medical and non-medical services, including health promotion and disease prevention.**

• **Enhancing Health and Security of Older Adults.** The Affordable Care Act (ACA) contains several provisions regarding older adults and their ability to stay healthy and age in the community. These include provisions for Aging and Disability Resource Centers, prevention and wellness programs, care transitions and coordination, and efforts to rebalance the long-term care system relative to institutional and community care. The AAAs are positioned to play a key role in implementing these provisions. **DRCOG urges Congress and federal agencies to recognize the full potential of the Aging Network and utilize AAAs in implementing these ACA provisions.**

• **Avoid Institutional Care.** Home- and community-based services are critical components in the continuum of care for the elderly and disabled and are more cost efficient than services in institutions, particularly with regard to rural areas and for minority populations. Adequate reimbursements to providers are necessary to offset the costs of providing these important services. **DRCOG supports increased funding of home- and community-based care programs and higher Medicare and Medicaid reimbursements.**

• **Prescription Medication.** Older adults typically require more medication than younger people. Even with the adoption of a prescription drug benefit under Medicare, the high cost of prescription medication will continue to be a financial hardship for many older adults. **DRCOG supports increased prescription drug pricing transparency.**

  ➢ **DRCOG supports** revisions to the Medicare Part D prescription drug benefit to simplify the application process and coverage offered, as well as address the gaps in coverage to provide a more comprehensive prescription medication benefit for all beneficiaries.
DRCOG supports allowing the federal government to negotiate prescription drug prices for patients using Medicare, Medicaid, and other federal programs to lower cost to these critical federal programs.

DRCOG also encourages the federal government to provide additional funding for AAAs to provide public education, counseling and enrollment assistance for citizens about the Medicare drug program.

- **Patients' Rights.** Enforceable federal protections, in areas including access to care, quality assurance, patient information, grievances and appeals, doctor-patient relationship, and physician treatment decisions, are necessary to ensure that quality health care and other services are available to all. **DRCOG supports legislation to protect consumers in managed care plans and other health coverage.**

- **Housing.** The ability to afford to live in a residence independently is a concern of older adults, especially those on fixed incomes. As the Denver metro area has grown and developed, the shortage of affordable housing has become an even more important concern. **DRCOG supports policies and programs designed to support older adults, especially those of low- and moderate-income, and persons with disabilities to live independently in the residence of their choice. This includes policies and programs to:**
  
  - Encourage the delivery of home- and community-based supportive services to assist older people and persons with disabilities in maintaining independence and actively engaging in their community.
  - Improve home design to promote independence and aging in place, including home modification and repair, appropriate design features in new and rehabilitated housing (through principles such as universal design, visitability, inclusive home design, and energy efficiency), and the use of innovative home products.
  - Ensure that policies and funding for housing assistance and preservation programs continue to support residents who choose to remain in their homes as they age and that low- and moderate-income households have access to well-designed, safe, decent, affordable, and accessible housing integrated throughout well-designed communities.
  - Promote financial security of housing assets to support the availability of affordable homeownership options, safeguard home equity, and promote the innovative use of housing assets to maintain and improve the independence and quality of life of older people.

**TRANSPORTATION**

Transportation is an essential component of multidimensional efforts to advance economic development, industry growth and competitiveness; reduce the nation’s dependency on fossil fuels; increase job access and mobility; and create communities having a high quality of life for people of all ages, incomes and abilities.
DRCOG supported the Fixing America’s Surface Transportation (FAST) Act. However, while the FAST Act provided funding stability and delivery of long-term capital projects, the reauthorization falls short of needed investment in the nation’s infrastructure and did not address a number of other important issues. As Congress and the U.S. DOT consider additional transportation issues and rulemaking for FAST Act, and proposals for infrastructure investment that may come from the new Administration, DRCOG will evaluate each for consistency with the following policies:

• DRCOG supports an energy-efficient, environmentally sustainable, multimodal transportation system that ensures America’s economic competitiveness and supports livable communities for its residents.
• DRCOG supports providing additional transportation revenues to accomplish this vision.
• DRCOG urges Congress to consider the remaining elements of the Board’s adopted policy framework as outlined below.

Additional Investment in the Nation’s Infrastructure. DRCOG supports both short- and long-term federal funding policies:

Short-term
• Boost the federal gas tax (at minimum, to restore the purchasing power of the Highway Trust Fund) and other existing Highway Trust Fund revenue,
• Index the federal gas tax to inflation,
• Create a National Strategic Freight Trust Fund (supported by a dedicated funding mechanism from all users of the freight system that is predictable, dedicated and sustainable),
• Reduce federal obstacles to options available to states and localities such as tolling, congestion pricing and public/private partnerships, and
• Further expand current federal credit programs.

Long-term
• Carbon tax or trading programs (if Congress implements such a program) should ensure transportation activities that reduce greenhouse gas emissions receive a proportionate share of any new revenue generated by such programs.
• Transition to a new, more direct user charge system such as a road usage based fee (also referred to as the mileage-based user fee). This includes:
  ➢ An aggressive research, development and demonstration program to address issues such as privacy rights, program administration, costs, revenues, partnerships with states and localities, and interplay with national policy objectives such as reducing VMT and congestion,
  ➢ A national public education program, and
  ➢ A national pilot program.
Support Multimodal Solutions

Addressing the nation’s transportation challenges requires investment in a comprehensive, multi-faceted approach. The nation will need to provide multimodal alternatives to achieve congestion relief, better air quality, reduced household transportation costs, and increased independence for people unable to drive because of age, income or ability. DRCOG’s Metro Vision plan includes targets for reducing VMT, and greenhouse gas emissions per capita, traffic fatalities, traffic congestion, and SOV mode share. **DRCOG supports adding multimodal transportation capacity appropriate to meet national and regional objectives.**

- Funding programs that allow states and planning regions to develop, fund and implement integrated transportation solutions should be maintained and expanded. In addition, transportation funding must allow flexibility to address the multimodal, energy and environmental needs of individual urban areas.
- National performance objectives and measures for increasing access and mobility for people of all ages, incomes and abilities should be established in addition to those for traffic congestion.
- Flexibility must be permitted to allow each state and region to decide how to best make investments to show progress toward national safety, mobility and accessibility goals.
- Create a national strategy for interregional person mobility.
- Expand the National Freight Strategic Plan to include all major modes of freight transport including rail, water, and air, to better enable informed decision-making about efficient, long-distance freight movement.

Support Metropolitan America

Metropolitan areas account for 84-85.7 percent of the U.S. population and more than 85 90 percent of employment, income and production of goods and services. (Source: U.S. Conference of Mayors, July 2012-January 20, 2016) Growing congestion, poor travel reliability, along with deteriorating infrastructure threaten the ability of regions and the nation to compete globally. Metropolitan regions must play a stronger role in the nation’s transportation programs, both in the authority to direct investment and demonstrate accountability for the system’s performance. **DRCOG supports transportation legislation that addresses metropolitan mobility and accessibility issues, specifically with consideration for the following:**

- Enable major metropolitan areas to establish and implement overarching plans for mobility and accessibility with focus on:
  - Increased accessibility, modal choices and seamless transfers
  - Elimination of traffic chokepoints and reduction of severe traffic congestion
  - Strategies that manage transportation demand, provide transit service and implement non-motorized methods of travel
  - Strategies for accommodating interregional movement of people and goods within and through the metropolitan areas
- Fostering livable communities for people of all ages, incomes and abilities
- Promoting the urban infrastructure necessary to support high-density development around transit
- Performance metrics that extend beyond existing traffic congestion and motor vehicle emissions measures and consider Vehicle Miles Traveled (VMT) reduction, economic development, environmental sustainability, global competitiveness, accessibility, etc.

- Fold “Complete Streets” policies into the metropolitan planning process so that transportation agencies routinely consider designing and operating the entire right of way to enable safe access for drivers, transit users and vehicles, pedestrians, and bicyclists, as well as for older people, children, and people with disabilities.

**Improve Energy Efficiency and Environmental Sustainability**

Transportation plays a key role in achieving energy independence and addressing some of the nation’s environmental concerns. More than 60 percent of every barrel of oil used in the United States today is used by the transportation sector, and transportation sources accounted for 26 percent of total U.S. greenhouse gas (GHG) emissions in 2016 (Source: U.S. EPA website). The competitiveness of our economy, the health of our citizens and the strength of our national security depend on reducing our reliance on and consumption of fossil fuels. **DRCOG supports strategies to reduce fossil fuel use and greenhouse gas emissions by the transportation sector.**

- Expand investment in research and development for alternative fuels, new clean fuel technologies, more efficient vehicles, and new ideas and technologies for transporting people and goods.
- Incentivize rapid conversion to more fuel efficient and lower-emission vehicles or retrofits.
- Increase incentives for environmentally-friendly replacement transportation fuels.
- Incentivize regions to more closely link land use and transportation infrastructure to reduce transportation energy consumption, increase non-vehicle transportation options, and reduce VMT, through techniques including scenario planning and investments in projects that improve accessibility.
- Add public transit projects that enhance mobility, convenience and/or reliability to the exempt project list for Clean Air Act purposes; these types of improvements increase in importance in situations where conformity cannot be attained.

**Provide Responsible and Efficient Investment**

The SAFETEA-LU-authorized National Surface Transportation Policy and Revenue Study Commission, which released a congressionally mandated report in January of 2008, called for interim investments of at least $225 billion annually over the next 50 years at all levels of government. The February 2009 report of the National Surface Transportation Infrastructure Financing Commission set up under SAFETEA-LU estimated we need to invest at least $200 billion per year at all levels of government to maintain and improve our highways and transit systems. The FAST Act did not
meaningfully increase transportation revenues nor provide anywhere near these levels of investment. DRCOG continues to support the funding principles adopted by the National Surface Transportation Infrastructure Financing Commission, which includes developing a funding and financing framework that:

- Supports a goal of enhancing mobility and accessibility for users of the transportation system,
- Generates sufficient resources to meet national investment needs on a sustainable basis with the aim of closing the funding gap,
- Causes users and all beneficiaries to bear the full cost of using the transportation system to the greatest extent possible, *
- Encourages efficient investment in the transportation system,
- Incorporates equity considerations, including but not limited to geography, equity across income groups, population growth, and revenue generation, and
- Synchronizes with other broad public policy objectives (and may include energy independence, environmental protection, and workforce housing).

*Note: This is a change from the Commission’s original language, which refers to “direct beneficiaries.”

Project Delivery and Planning

DRCOG supports the following policies that promote efficiency, stability and reliability of funding, project delivery and planning:

- Maintain transportation program’s use of contract authority, allowing states to advance money for multiyear construction projects.
- While supporting a shift to national performance standards and goals, consideration must be given to equity issues (geographical/return on dollar).
- If the 115th Congress brings back earmarking or modifies any discretionary programs, a number of safeguards should be included: ensure transparency of the earmarking process; fully fund each phase of an earmarked project (no partial funding earmarks should be approved); do not reduce formula funds that would affect projects already in an approved TIP.
- Provide full-year appropriations at the start of the federal fiscal year to the level of the authorization. Limit the use of short-term continuing resolutions and rescissions. These tactics reduce the flow of or cut into formula funds and negatively impact fiscal constraint, responsible planning, implementation of federal requirements, and project continuity.
- While FAST Act made progress in this regard, continue to streamline project delivery and National Environmental Policy Act processes without compromising environmental or public participation values.
- Enhance and strengthen the cooperative, collaborative partnerships required under current legislation with all the transportation planning partners.
• Support publication and dissemination of performance measurement results and analyses and widespread distribution of, and education about, the conditions of the transportation system.

Other Transportation Issues

DRCOG expresses the following about policies on other federal transportation issues:

• **Clarify and Enhance the Role of the Metropolitan Planning Organization.** The metropolitan planning process establishes a cooperative, continuous, and comprehensive framework for making transportation investment decisions in metropolitan areas. In many cases, MPOs provide the only regional, multimodal transportation plans that link transportation to land use, growth and air quality. Through the MPO process, local governments, in cooperation and collaboration with the state and local transit operators, determine the best mix of transportation investments to meet long-term transportation needs of a metropolitan area. This important role must be strengthened to make metropolitan transportation planning successful.

  ➢ FAST Act requires adequate regional financial forecasts be developed with the cooperation and collaboration of the state, MPO and public transit agency for use in preparing transportation plans. However, “collaboration, cooperation, and consultation” are poorly defined in the context of developing such financial forecasts. States are given wide discretion in how and when those estimates of revenues are to be provided and allowing for various interpretations of the regulations. **DRCOG supports:**
    – Expanding regulations to require all three entities to agree upon procedures governing the projection of future revenue estimates.
    – Requiring all three agencies (DRCOG, RTD, and CDOT) to agree upon distribution of estimated revenues.
    – Establishing an external appeals process to USDOT if there is disagreement among the parties regarding estimate procedures and revenues.

  ➢ FAST Act similarly requires cooperative project selection and prioritization for the Transportation Improvement Program (TIP). **DRCOG supports:**
    – Expanding current regulations to require all three entities to agree upon procedures governing project selection and prioritization for transportation planning and there should be consequences for not following these procedures.
    – As part of the normal Memorandum of Agreement between an MPO, state DOT and local transit agency, requiring the three entities to cooperatively establish a process for addressing project cost overruns.
    – Requiring revenue suballocation to Transportation Management Areas (MPOs representing populations greater than 200,000) to be based on the total population within the MPO boundary.
- Establishing a population-based/air quality severity formula for suballocating CMAQ funds within a state and requiring suballocation of CMAQ to non-attainment MPOs representing populations greater than 200,000 on the basis of the total populations within the MPO boundary.

**Transit.** Transit is an essential part of the metropolitan transportation system. Implementation of the Denver region’s transit system is a high priority for DRCOG. Unfortunately, cost increases and revenue decreases forced RTD and DRCOG to remove some corridors from the fiscally constrained 2040 Regional Transportation Plan. DRCOG recognizes the importance of making transit-supportive improvements to bus and rail corridors throughout the region. With the metro area having made a significant commitment of local resources for the regional transit system, **DRCOG urges Congress and the administration to take the following actions in support of transit in the Denver region:**

- Continue the federal investment for transit and multimodal projects in the Denver region.
- Provide dedicated sources of revenue and increased funding for bus rapid transit and rail new starts programs.
- Continue to provide federal funding for the FasTracks corridors (over time this could include corridors that have had to be removed from the fiscally constrained RTP).
- Clarify with regard to transit-oriented developments (TOD) that up to a half-mile from an existing or proposed transit station, parking and transportation infrastructure, TOD planning, land acquisition, and a project or program that supports compact, mixed-use, mixed-income, bicycle/pedestrian friendly development are eligible for federal transportation funding and require that this clarification be incorporated in funding program decisions, and work to identify additional sources of funding.
- Incorporate the Partnership for Sustainable Communities’ Livability Principles into federal policy and investment decisions.
- Improve transportation services for older adults and individuals with disabilities by giving states added flexibility in utilizing their federal funds; enhancing the planning and coordination process; providing technical assistance; and promoting innovative community programs.
- Designate the “Rocky Mountain Corridor” (from Cheyenne, Wyoming, through Colorado to Albuquerque, New Mexico, and the I-70 corridor from DIA to the Utah border) and the Western Regional Alliance high-speed rail network (to provide high-speed rail connections between Denver, Salt Lake City, Reno, Las Vegas, and Phoenix) as High-Speed Rail Corridors. This action would identify them as having potential for high-speed rail activity and enable these corridors to receive federal funds that might become available for corridor studies of high-speed rail options, development of plans for high-speed rail infrastructure, construction of high-speed rail facilities and highway/rail grade crossing safety improvements.
• **Air Quality Conformity.** The air quality conformity process has increased support for multimodal planning and for integrated land use and transportation planning. It has also increased interagency coordination between the air quality and transportation planning agencies. **DRCOG supports maximum flexibility so that comparatively minor changes to the planned or programmed highway and transit network do not require a full conformity analysis at taxpayer expense.** DRCOG supports continued funding for transportation projects that improve air quality.

• **Transportation Demand Management (TDM).** DRCOG views TDM principles and practices as increasingly important elements of the region’s long-range transportation planning strategy. **DRCOG supports actions that minimize the barriers to the use of alternatives to the single-occupant vehicle and encourage changes to normal work patterns to avoid peak traffic conditions.** DRCOG also supports efforts to provide incentives to employers, schools, rideshare agencies, and individuals to encourage alternative transportation use.

**ENVIRONMENT**

**Water Conservation.** Water is a particularly scarce resource in the Denver region and western United States, and a key consideration in planning for future growth and development. Recognizing this fact, the DRCOG Board of Directors added a new water conservation element to Metro Vision, the Denver region’s long-range plan for growth. The element calls on the region to maximize the wise use of limited water resources through efficient land development and other strategies, and establishes a goal of reducing regional per capita water consumption. **DRCOG therefore supports federal policies and investments that contribute to local and regional water conservation efforts.**

**Water Quality.** Local governments in the Denver region face increasingly complex water quality challenges in an environment unique to the arid West but without the resources to respond to them appropriately. Reauthorization of the Clean Water Act could provide local governments and regional water quality planning agencies the additional planning, financing and regulatory tools needed to address our growing water quality challenges. **As the legislative process proceeds in these areas, there are a number of issues of concern to DRCOG that Congress can address.**

• **Integrated Planning.** DRCOG supports an integrated approach to water quality, tying together the management of point sources, nonpoint sources and stormwater through the involvement of the various stakeholders.

• **Regional Planning.** The Clean Water Act recognizes the importance of planning to address the challenges associated with both point and nonpoint source pollution. The regional planning provided for in the act is even more critical, given the growing emphasis on watershed approaches. **Congress should maintain and strengthen the regional planning process as the key component of the watershed approach.** The planning funds provided under section 604(b) need be
increased to assist responsible parties in meeting the expanding responsibilities that accompany implementation of a watershed planning and management approach.

- **Infrastructure Funding.** Colorado and the nation are at a critical juncture regarding water and wastewater infrastructure. There are significant needs for new treatment plants and upgrades to existing plants. Local governments already shoulder a significant portion of water and wastewater capital investment. Increased funding for infrastructure investment as well as the provision of greater flexibility of these funds will allow states and local governments to determine the best use, according to local prioritization of needs.

- **Good Samaritan Protection.** Abandoned and inactive mines present a serious risk to the quality of nearby water supplies. Lack of adequate funding for reclamation and the potential liability for “Good Samaritans” are serious obstacles that have prevented cleanup of many of these sites. DRCOG supports federal funding for reclamation activities. DRCOG also supports legislation encouraging federal, state, tribal and local governments, as well as mining companies and nonprofit groups that have no prior ownership or responsibility for an abandoned mine, to clean up an abandoned or inactive mining site by granting them liability protections under several environmental statutes, including the Clean Water Act.

**Superfund.** DRCOG is concerned that a number of Superfund issues have become serious problems in recent years while the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) has been awaiting reauthorization. DRCOG urges Congress to address the following issues individually or as part of a comprehensive reauthorization.

- **Liability Protection.** Under current law and regulation, parties interested in cleaning up a Superfund site may decide not to pursue remediation efforts for fear of being held liable for preexisting problems. Lengthy clean up delays have occurred in our region and elsewhere while parties litigate over responsibility. DRCOG supports federal funding for cleanup activities. DRCOG supports legislation and regulations encouraging parties that have had no prior ownership or responsibility for a site to clean up the site by granting them liability protections under several environmental statutes, including the Superfund law. DRCOG also supports limiting liability when a party has complied with applicable environmental laws at the time of disposal to further the goal of timely and cost-effective clean-up of Superfund sites.

- **Community Participation.** Local governments often face significant community and neighbor-hood concerns regarding contaminated sites. Public involvement in the assessment, planning and clean-up for such sites is an important aspect of efforts to bring these sites to a safe condition. Provisions that assist local governments in
establishing and funding formal mechanisms for citizens to participate in the clean-up and land-use decision-making process are appropriate and necessary.

- **Funding for Clean-up.** DRCOG is concerned that the federal government not reduce its commitment to assist with clean-up and redevelopment of these sites. **DRCOG supports the creation of new mechanisms to fund clean up to the extent they are sufficient to make significant progress toward the Act’s goals.** Allocation of clean-up costs among responsible parties should be according to the proportion of contamination caused by each.

- **Health Risk Criteria.** The safety and health of populations exposed to pollution associated with Superfund sites is a primary concern related to potential redevelopment. Health risk-based criteria are necessary to guide these efforts. **These criteria must reflect the intended reuse of a site and the risks to special populations, including children, the elderly and those already disproportionately exposed to pollution. Risk-based standards specific to Superfund clean-up are needed to promote redevelopment of contaminated sites while protecting human health and the environment.**

**Brownfields.** Redevelopment of brownfields is important for economic development and environmental and public health and safety in many areas within the Denver region. This is a specific issue related to CERCLA that is of particular significance and should be pursued separately, if inaction on the Superfund reauthorization continues. There are approximately 250 brownfields, former industrial and commercial sites, in both urban and rural areas throughout the Denver region. The redevelopment of brownfields is consistent with DRCOG’s Metro Vision, which supports infill and redevelopment within the region. **DRCOG supports federal actions, including increased funding, to encourage the redevelopment of brownfields. DRCOG urges Congress to prioritize funding for projects that go beyond remediation and redevelopment of individual sites to focus on broader planning and economic development efforts, such as projects that incorporate brownfield remediation and redevelopment into larger infill development efforts.**

**INTERGOVERNMENTAL RELATIONS**

**Intergovernmental Cooperation.** All levels of government – federal, state, local and regional – play an important role in providing critical services and implementing programs for the benefit of their residents. Legislative bodies and executive agencies at the federal and state levels should respect the roles and responsibilities of local governments and regional entities. **DRCOG supports cooperation among federal, state, local and regional entities in developing and implementing new programs and improved approaches to service provision.**

**Federal/Regional Relations.** The region is the nexus of local, state and federal issues and economic activities. DRCOG convenes parties of interest on intergovernmental issues, providing the necessary forum for their resolution, and facilitating a negotiated
outcome. DRCOG urges Congress, when new legislation is proposed and existing legislation is reauthorized, to identify and use regional agencies as critical partners in the implementation of such legislation, including the planning for and delivery of services.

Regional Service Delivery. The federal government plays an important role in setting standards and priorities for the funding of public services and programs administered at the state, regional and local levels. When making such funding and programmatic decisions, it is essential to consider the most appropriate level of government for delivery of such public services.

State administration of federal programs can be problematic for local governments, as state agencies tend to be more removed from clients and less responsive to their needs. On the other hand, individual local governments may lack the resources to achieve the desired efficiencies and cost-effectiveness. Further, some programs, such as transportation, air quality and water quality, that address issues crossing local political boundaries, are most appropriately and effectively addressed at the regional level. Regional programs also often benefit from economies of scale. The collaborative partnerships of regional approaches can provide more cost-effective services and programs for users and clients. DRCOG urges Congress to use existing regional service delivery systems.

Principles for Implementation. New programs or changes to existing programs must at least maintain the existing level of services and provide adequate administrative funds for implementation. Otherwise, there is a shift in responsibility without adequate funds for the services to be provided or programs administered. As such, it is important to treat the continuity of service delivery as a key principle guiding any actions to create new programs or revise existing programs. A consultative process among the federal, state, local, and regional agencies must be in place before any changes are made to services currently being delivered at local or regional levels.
To: Chair and Members of the Board of Directors  
From: Douglas W. Rex, Executive Director  
303 480-6701 or drex@drcog.org

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**SUBJECT**
January administrative modifications to the 2018-2021 Transportation Improvement Program.

**PROPOSED ACTION/RECOMMENDATIONS**
No action requested. This item is for information.

**ACTION BY OTHERS**
N/A

**SUMMARY**
Per the DRCOG Board-adopted Policy on Transportation Improvement Program (TIP) Preparation, administrative modifications to the 2018-2021 TIP are reviewed and processed by staff. Administrative modifications represent revisions to TIP projects that do not require formal action by the DRCOG Board.

Once processed, the projects are posted on the DRCOG 2018-2021 TIP web page and emailed to the TIP Notification List, which includes members of the Regional Transportation Committee, the Transportation Advisory Committee, TIP project sponsors, staff of various federal and state agencies, and other interested parties.

The one January 2018 administrative modification is listed and described in the attachment. Highlighted items in the attachment depict project revisions.

**PREVIOUS DISCUSSIONS/ACTIONS**
N/A

**PROPOSED MOTION**
N/A

**ATTACHMENT**
1. 2018-2021 TIP Administrative Modification (January 2018)

**ADDITIONAL INFORMATION**
If you need additional information, please contact Douglas W. Rex, Executive Director, at (303) 480-6701 or drex@drcog.org; or Todd Cottrell, Senior Transportation Planner, at (303) 480-6737 or tcottrell@drcog.org.
To: TIP Notification List
From: Douglas W. Rex, Executive Director
Subject: January 2018 Administrative Modifications to the 2018-2021 Transportation Improvement Program
Date: January 17, 2018

SUMMARY

- Per the Policy on Transportation Improvement Program (TIP) Preparation covering the 2018-2021 TIP, administrative modifications are reviewed and processed by staff. They are emailed to the TIP Notification List, and posted on the DRCOG 2018-2021 TIP web page.

- The TIP Notification List includes the members of the DRCOG Regional Transportation Committee and Transportation Advisory Committee, TIP project sponsors, staffs of various federal and state agencies, and other interested parties. The notification via email is sent when Administrative Modifications have been made to the 2018-2021 TIP. If you wish to be removed from the TIP Notification List, please contact Mark Northrop at (303) 480-6771 or via e-mail at mnorthrop@drcog.org.

- Administrative Modifications represent minor changes to TIP projects not defined as “regionally significant changes” for air quality conformity findings, or per CDOT definition.

- The project included through this set of Administrative Modifications is listed below. The attached describes this modification.

PROJECT TO BE MODIFIED

- 2016-080: I-25 S PEL: Monument to C-470
  - Add funding
2016-080: Add State RAMP funding to FY 2018 for preconstruction activities

**Existing**

Title: I-25 S PEL: Monument to C-470
TIP-ID: 2016-080

**Project Scope**

Conduct PEL, NEPA, and preconstruction activities on I-25 between Monument and C-470.

| Affected County(ies) | Douglas |

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We often think of poor health in terms of chronic diseases like cancer or obesity. But what if 82-year-old Jim can no longer drive, lives alone, and doesn’t have a way to get to the doctor’s office? This type of external factor, known as a social determinant of health, isn’t an issue that a physician can address, but it’s a crucial—and sometimes costly—piece of the health care web. That’s why, in May 2017, the Centers for Medicare & Medicaid Services (CMS) provided five-year grants to 32 organizations nationwide to screen patients for social determinants of health such as lack of transportation, food insecurity, and housing instability. The Denver Regional Council of Governments (DRCOG), which is the Denver metro area’s expert on issues senior citizens face, is one of two Colorado recipients; the group has 16 partners and $4.5 million to help determine whether local patients face these challenges and which ones are most prevalent. The catch: CMS won’t necessarily pay to fix any problems identified, even if the evidence is strong, because the possible solutions often require a long-term commitment, says Jayla Sanchez-Warren, director of DRCOG’s Area Agency on Aging. “It’s an ethical dilemma,” she says. “If you only pay for five years of Meals on Wheels, what happens in year six?” She is hoping the scientific proof of the problems she’s seen for the past 30 years will prompt funding groups (public and private) to act. We hope so, too.
After growing for nearly two decades, the student population in Denver Public Schools is forecast to drop almost 2 percent by 2021, according to a new analysis released by the district.

The main reasons, the analysis concludes, are lower post-recession birth rates and rising housing prices, which are pushing lower-income families out of the city.

But the decrease won’t be felt in every neighborhood, it says. Some parts of the city, like the booming near northeast Stapleton neighborhood, are expected to see increases. Meanwhile, more than half of the city’s 78 neighborhoods are predicted to experience drops in enrollment. Southwest Denver, home to many Latino families, will be among the hardest hit.

For at least three regions of the city, district planning officials recommend considering a controversial solution: consolidating schools, especially at the elementary level.

The enrollment predictions are the work of the Denver Council of Regional Governments and the Shift Research Lab, which is affiliated with the local children-focused Piton Foundation. (The Piton Foundation is a funder of Chalkbeat.)

This year is the first that Denver Public Schools commissioned an independent, five-year enrollment forecast as part of its annual “strategic regional analysis,” which also examines school capacity and performance in an attempt to identify trends and issues.

Given the rapid pace at which the city is changing, the district wanted an expert opinion, explained Brian Eschbacher, the district’s executive director of planning and enrollment services. The district also hoped having an independent third-party conduct the forecast would give skeptical community members more confidence in the numbers, he said.

The analysis was released publicly at a school board work session Thursday.