

OREGON TRANSPORTATION COMMISSION

**Minutes of the Regular Monthly Meeting
January 24, 2008
Salem**

On Thursday, January 24, 2008, at 9:00 a.m., the OTC and Oregon Department of Transportation staff held a briefing session and reviewed the agenda in Room 135 of the Transportation Building, 355 Capitol Street NE, Salem. The regular monthly meeting began at 9:30 a.m. in Conference Room 122.

Notice of these meetings was made by press release of local and statewide media circulation throughout the state. Those attending part or all of the meetings included:

Chair Gail Achterman	Motor Carrier Administrator Gregg Dal Ponte
Vice Chair Michael Nelson	Public Transit Administrator Michael Ward
Commissioner Janice Wilson	Governor's Sr. Transportation Advisor Chris Warner
Director Matthew Garrett	Interim DMV Administrator Tom McClellan
Chief of Staff Joan Plank	Region 1 Manager Jason Tell
Deputy Director for Highways Doug Tindall	Interim Region 2 Manager Dee Jones
Deputy Director for Central Services Lorna Youngs	Region 3 Manager Paul Mather
Communications Administrator Patrick Cooney	Region 4 Manager Bob Bryant
Transp. Development Administrator Jerri Bohard	Region 5 Manager Monte Grove
Transportation Safety Administrator Troy Costales	Commission Assistant Kim Jordan

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Chair Achterman called the meeting to order at 9:35 a.m.

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Director's report highlights:

As of last week, 450 is the unofficial total number of fatalities during 2007. This is a 5.9% drop from 2006, and the third lowest number of fatalities since 1958.

Final truck crash totals will not be available until April, but it appears almost certain that truck-at-fault crashes declined in 2007 for the first time in years. As of January 15, the preliminary total for 2007 is 612. Even if 60 or 70 late-filed crash reports are added in the next few months, we will have experienced a 10% reduction in both truck-at-fault crashes and the truck-at-fault crash rate (compared with 2006).

The decline is not attributable to a decline in truck miles traveled. That's down less than 1% as it's estimated that trucks traveled 1.905 billion miles last year, compared with 1.908 billion in 2006. The decline is not attributable to weather because each of the last two years has had its share of bad weather. The decline is not attributable to less road construction or less congestion because we all know that's not changed.

The Motor Carrier Transportation Division believes the decline is attributable to safety enforcement efforts that are beginning to pay dividends. One change from year to year is a sharp increase in inspections, particularly truck driver inspections. Oregon is now getting the attention of safety officials nationwide for the aggressive driver checks it started in mid-2007. Our inspectors are remarkable at finding drivers with critical safety violations. In the most recent exercise in December at six locations in Marion and Clackamas counties, inspectors working round-the-clock for four days completed 383 inspections and placed 105 drivers out-of-service (27%). Nationally, drivers are placed out-of-service in 7% of inspections.

Oregon contractors working on ODOT projects, or Oregon city and county projects partly funded by ODOT, were honored by the American Council of Engineering Companies of Oregon this month. Below are a few examples of the very diverse work contractors are performing for ODOT that won excellence awards for creativity and innovation:

I-205 Corridor Future Stormwater Management Analysis Smart stormwater planning leads to improved stormwater management—a key element of sustainable design. The I-205 corridor future stormwater management analysis provided a thorough understanding of the amount, origin and destination of all stormwater entering and exiting the 25-mile corridor. This analysis was ODOT's first stormwater planning effort. (Contractor: OTAK Consultants)

East Grants Pass Interchange Bridge Aerial Survey An OTIA III-funded project used fixed-wing aircraft to develop survey base maps of the Interstate 5 East Grants Pass Interchange Bridge. This innovative approach kept surveyors from affecting traffic and freight mobility; it protected surveyors from the dangers of traffic on the high-volume bridge; it cost less than the traditional method; and it was completed faster. (Contractor: Anderson-Perry and Associates, Inc.)

Emergency Landslide Repair, Milepoint 24, Sunset Highway Heavy rains in November 2006, triggered a landslide along a narrow portion of the Sunset Highway, U.S. 26, just west of the Jewell Junction. Severe pavement damage to this primary freight route prompted an emergency response. Engineers designed an innovative tied-back retaining wall in less than three weeks; the highway reopened in just seven weeks with no traffic restrictions. (Design contractors: GRI and Berger/Abam Engineers, Inc.)

Director Garrett announced that Highway 47 near Clatskanie was reopened on January 22. It had been closed since the early December storm.

The *ConnectOregon* II feasibility review has been completed. The modal committees are beginning their review and ranking of the project applications.

ODOT had a very successful meeting before the Legislative Emergency Board last week. Requests for federal discretionary grants centered on the Columbia River Crossing and a partnership with the Oregon State Police were approved. ODOT's

rebalance was approved. Financial adjustments the agency needed to make in light of the \$142 million fiscal deficit was brought forward. One issue called out for discussion was the Sisters maintenance station that needs to be moved because the U.S. Forest Service is moving from the land on which the station is located. The Emergency Board discussed whether Sisters is the appropriate place for a maintenance facility, or whether it could be combined with the Bend maintenance station. ODOT will have additional opportunities to discuss this issue during to the February session.



The Commission received the monthly status report on the Statewide Transportation Improvement Program, Oregon Transportation Investment Acts of 2001, 2002 and 2003, OTIA III State Bridge Delivery Program and *ConnectOregon* Program. *(Background material in General Files, Salem.)*

Major Projects Branch Manager Tom Lauer said the OTIA I and II programs remain on track, as does the OTIA III Modernization program. The OTIA III State Bridge Delivery Program continues on pace. The Columbia River Gorge bridge bundles are now out of the “red” and on schedule. We are making real progress in sorting through issues for those projects.

The commission asked staff to consider how it will evaluate the lessons learned from the OTIA programs and how it will produce an overall performance report.

Doug Tindall, Deputy Director for Highways, provided the *ConnectOregon* program update. The matching funds for the Treasure Valley Railroad project were determined to be unavailable and the project has been officially cancelled. Because the project had associated Statewide Transportation Improvement Program and Shortline Rail projects, the agency will ask the commission to cancel those projects.

The commission emphasized that it must stay removed from the *ConnectOregon* II project selection process until the project recommendations are brought forward for its final decision. Commission members will not accept any communications regarding individual projects.



The Commission considered approval of the following Consent Calendar items. *(Background material in General Files, Salem.)*

1. Approve the minutes of the December 12, 2007, Commission meeting in Salem.
2. Confirm the next two Commission meeting dates.
 - Thursday, February 21, 2008, in Salem.
 - Tuesday and Wednesday, March 18 and 19, 2008, in Astoria.

3. Adopt a resolution for authority to acquire real property by purchase, condemnation, agreement or donation.

4. Approve the following Oregon Administrative Rules:

a.	The temporary amendment of OAR 731-005-0450 relating to contractor prequalification in projects estimated at less than \$100,000.
b.	The amendment of OAR 735-016-0030, 735-016-0040, 735-050-0000, 735-050-0060, 735-050-0062, 735-050-0064, 735-062-0030, 735-064-0005 related to treating domestic partner as equal to spouse.
c.	The amendment of OAR 735-064-0100 related to hardship or probationary permit restrictions.
d.	The amendment of OAR 735-064-0230 relating to emergency driver permits.

5. Approve a request to appear before the January 2008 interim Joint Committee on Ways and Means to request retroactive approval to apply for grant funds for the Columbia River Crossing project under a number of U.S. Department of Transportation discretionary programs.

6. Approve \$230,000 in Transportation Enhancement discretionary funds for sidewalk construction, street trees and electrical conduit on the north side of U.S. 30/Court Avenue in Pendleton. Approve an amendment to the 2008-2011 Statewide Transportation Improvement Program to incorporate the Transportation Enhancement funds into the West City Limits Pendleton – Milton-Freewater project (Key 13600).

7. Approve an amendment to the 2008-2011 Statewide Transportation Improvement Program to add the construction phase to the Oregon 140: Drews Creek Fish Passage project in Lake County. The total estimated cost of this project is \$1,540,000.

8. Approve an amendment to the 2008-2011 Statewide Transportation Improvement Program to cancel the Oregon 126: WALTERVILLE CANAL BRIDGE NO. 01516 project in Lane County. The total estimated cost of this project is \$1,290,110.

9. Approve an amendment to the 2008-2011 Statewide Transportation Improvement Program to cancel the construction phase of the U.S. 26: Military Creek Road to Wolf Creek project in Clatsop and Washington Counties. The total estimated cost of this project is \$4,968,000. Funds from this project will be used to deliver other critical preservation projects.

Commissioner Wilson moved to approve the items on the Consent Calendar excluding Consent Calendar item 4(b). The motion passed unanimously.

Commissioner Wilson moved to approve Consent Calendar item 4(b) on the condition that the rule not be filed with the Secretary of State until the court determines that House Bill 2007 becomes law. The motion passed unanimously.

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The commission conducted a workshop on its work plan for 2008. (*Background material in General Files, Salem.*)

Time Allocation at Commission Meetings

Chair Achterman asked two interns from Oregon State University to analyze how the commission has spent its time over the last two years. Graduate students John Miaso and Scott Stauffer, analyzed OTC agendas for the two year time period. Key results from the analysis include:

- 53% of formal meeting time was spent on approval and informational items regarding the Highway Division. Administrative tasks (director and member reports, public comments and consent calendar items) received 21% of the commission's attention.
- 64% of formal meeting time was spent on informational items.
- Of the 229 consent calendar items considered by the commission, 110 were administrative (includes administrative rules, property acquisition, Emergency Board requests, appointments to committees, etc.) and 69 were Statewide Transportation Improvement Program requests.
- The commission spent nearly equal amounts of time on the board responsibility categories of public engagement, oversight and policy. Less time was spent on the areas of financial management, strategic investment, risk management and CEO (senior management) evaluation.

Staff/OTC comments:

- The analysis does not take into account all the areas for which the commission is involved, such as other agency committees in which its members participate (Audit Committee, Transportation Enhancement Advisory Committee, etc.)
- The target outcome is to determine what the commission is engaging in, and then determine how the commission should accomplish that work
- It would be helpful to define what the term "risk management," as well as other board responsibility categories, means to make sure the commission has opportunity to provide guidance to the department under the full range of its responsibilities
- If the informational items were broken down into specific subsets you would see is preparation for eventual approval items

Roles and Responsibilities of Transportation Commissions

After reviewing information from a University of Kentucky study on the roles and responsibilities of transportation commissions, Chair Achterman put together a list of eight commission principal functions and priorities.

1. Policy development
2. Strategic planning
3. Oversight of operations (performance measures and tracking)
4. Strategic transactions (major projects/corridors)
5. Financial management (revenue and expenses)
6. Risk management
7. External relations (independent eyes and ears, independent advocate for transportation needs)
8. Review of director's effectiveness

The commission needs to have a clear idea of its policy making authority. The agency is reviewing its delegation order structure, it is referencing the statutes from which the authority comes and the statutes that are implemented as functions are delegated. The current timeframe to complete this review process is a matter of months. The timeline could be accelerated if necessary.

The area of risk management should be further defined. It will be important to define each function and provide examples of the types of work that fall under each function.

The function of reviewing the director's effectiveness may need to be further defined. ODOT's director works for the Governor, and the Governor directly manages that position. The commission can serve as a sounding board toward constructive and effective performance appraisals. It could discuss with the Governor what its role might be in performance review.

As ways to address mobility services are worked out, it is important to incorporate what the Transportation Safety Division does to address congestion problems; the truck inspections the Motor Carrier Transportation Division does to avoid breakdowns; what Driver and Motor Vehicle Services does to insist that people are better drivers. The commission wants to have more conversations about engaging the department's divisions in figuring out strategies to follow that include TSD, DMV and MCTD in effectuating an entirely new level of mobility.

Risks as well as opportunities within each portfolio need to be brought forward and monitored. Having such information, along with creative ways to reduce risks or increase opportunities will provide a "dashboard" for executive managers and the commission.

2008 OTC Work Plan

There are eight work items for which the OTC must assume the lead role.

1. Transportation funding
2. Strategic investment analysis and project investment criteria development
3. Rail assessment and action strategy
4. Governance – cross-jurisdictional relationships

5. Development mitigation impacts
6. Project delivery performance improvement
7. Systems optimization/operational improvement strategy development
8. Federal reauthorization strategy

There are five items the commission will monitor:

- A. Metro's regional transportation plan – OTC involvement
- B. Freight plan
- C. *ConnectOregon* II – project selection
- D. Employee recruitment/retention – strategies
- E. ODOT performance benchmarks

Staff/OTC comments:

- Work item number 6 could address risk management issues as well as project delivery issues if its definition were expanded.
- Staffing resources could be impacted for items like development mitigation impacts. May need to adjust staffing levels in some areas.
- The work plan should work toward removing silos (work items 2, 7 and to some extent work item 4, could be expanded to include transit, rail, safety, etc.).
- Do we have/need an action plan for OTC and staff roles during the legislative session?
- The highest priority item is transportation funding.
- May need to develop new, less time intensive ways to accomplish work items.
- The OTC should spend more of its time on risk management issues.
- What can the OTC do to reduce the project delivery timeline to improve cost effectiveness?
- Intermodal integration (reducing silos) should be a theme in all the work items.
- Regardless of the work item, project investment criteria, intermodal integration, performance measures and risk management are major underpinning elements of the entire work program.
- Work items such as development mitigation impacts may go beyond the OTC's authority without changes in statute, etc.
- Distinguish between the service provided to the public and the time invested working on the organization
- As the work plan is further developed, do not overburden staff with more work demands
- It will be a challenge to integrate DMV into work items that are more focused on the highway system. DMV can be seen as an entry point for safety of the system, etc.

Next steps:

1. Review the list of roles and responsibilities, define each one, provide examples, correlate items with statute authority and match them up with delegations. The eighth item (review of director's effectiveness) will be revised.
2. Determine the outcomes, milestones, lead staff, and so on, for each work item on the work plan.
3. Add each work item to a calendar/timeline matrix.


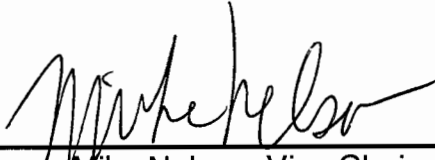
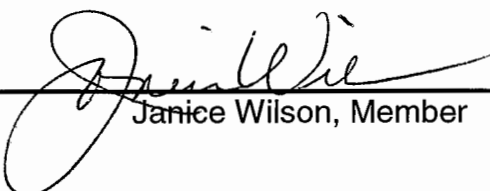

It is understood that some items will take more time to work through the process.

As the work plan is developed, staff and OTC will think about how the commission can be most effective in each area. Items like property acquisitions could be delegated from OTC to staff. Some items may need to be added to the OTC responsibilities through statute, etc.

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Chair Achterman adjourned the meeting at 12:07 p.m.

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 _____ Gail Achterman, Chairman	 _____ Mike Nelson, Vice Chairman
 _____ Janice Wilson, Member	 _____ Kim Jordan, Commission Assistant