

OREGON TRANSPORTATION COMMISSION

Minutes of the Regular Monthly Meeting April 22 and 23, 2008 Portland

On Tuesday, April 22, 2008, the Oregon Transportation Commission (OTC) and Oregon Department of Transportation (ODOT) held a working lunch at Region 1 Headquarters, followed by a tour of the Traffic Management Operations Center and local projects including the Martin Luther King Jr. Viaduct, Milwaukie Maintenance Facility and 82nd Avenue of Roses. A no-host reception was held that afternoon at Wilf's Restaurant and Bar. OTC members and local partners had dinner and discussion at Bridgeport Brewpub and Bakery.

On Wednesday, April 23, 2008, at 8:00 a.m., the OTC and ODOT staff held a briefing session and reviewed the agenda in Room 344 of the Region 1 Headquarters. The regular monthly meeting began at 9:30 a.m. in Public Meeting Rooms A and B.

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	Public Transit Administrator Michael Ward
Commissioner Janice Wilson	Communications Division Admin. Patrick Cooney
Commissioner Alan Brown	Rail Division Administrator Kelly Taylor
Commissioner David Lohman	Governor's Sr. Transportation Advisor Chris Warner
Director Matthew Garrett	Region 1 Manager Jason Tell
Chief of Staff Joan Plank	Interim Region 2 Manager Dee Jones
Deputy Director for Central Services Lorna Youngs	Region 3 Manager Paul Mather
Deputy Director for Highways Doug Tindall	Region 4 Manager Bob Bryant
Trans. Development Administrator Jerri Bohard	Region 5 Manager Monte Grove
Motor Carrier Division Admin. Gregg Dal Ponte	Commission Assistant Kim Jordan
Transportation Safety Administrator Troy Costales	

April 22, 2008

The commission working lunch began at 12:00. Region 1 Manager Jason Tell presented a short video on the people of Region 1.

Mr. Tell and Area Manager David Kim recognized 61 people who helped get the I-5: Delta Park to Lombard project underway.



April 23, 2008

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

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Director's report highlights:

Jane Lee has been selected as the Northwest Region (Region 2) Manager. She begins her assignment on May 1. Director Garrett thanked Dee Jones for filling in as interim Region Manager.

Director Garrett noted the efforts of Gregg Dal Ponte and Troy Costales in the campaign to target aggressive drivers and truck drivers. May has been proclaimed as Transportation Safety Month with the emphasis to engage efforts to highlight the importance of safety across all divisions. Mr. Dal Ponte and State Traffic Engineer Ed Fischer have been working on a program to target aggressive drivers. In addition, the *Move Over* campaign has just been launched. ODOT is working closely with the Oregon State Police on this campaign, which asks motorists to be courteous to emergency vehicles and workers.

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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 Manager Tom Lauer said the OTIA I and II programs are on track. The OTIA III Modernization program and OTIA III State Bridge Delivery Program are also on track.

The fourth annual review conference with all 13 regulatory programmatic permit partners was concluded this month with positive responses by all partners. One challenge is orientating new members from the regulatory agencies to the changing culture of regulatory oversight, from the negative put in front of them to a positive environment of 'how do we make this work.'

Local Government Section Manager Marty Andersen provided the *ConnectOregon* update. The program is very close to the half-way point in terms of expenditures.

The commission asked the status of the *ConnectOregon* II Program. Jerri Bohard reported that the final review committee meeting is April 29 and 30, 2008. A public hearing will be held at the May commission meeting, with approval coming to the June meeting. Sixty-nine applications have been submitted for the \$174 million in funding, with \$99.5 million available.

The commission noted the need to make reports for OTIA I, II, and III into effective visual reports that show the legislature and the public how this agency can deliver when we have the resources to do so.

The commission received information regarding the Local Government Certification Program for receipt of federal funding. Doug Tindall and Beth Vargas-Duncan. *(Background material and PowerPoint presentation in General Files, Salem.)*

Beth Vargas-Duncan gave a power-point presentation on the Local Government Certification Program which allows local agencies to demonstrate they have the necessary qualifications to deliver projects with federal-aid funding. Under the certification program, local agencies will have more control when delivering transportation projects. The first training for interested local agencies on federal regulations starts April 25, 2008. Additional cities and counties are showing interest in certification such as the City of Portland, Clackamas County, the City of Eugene, Metro, Multnomah County, Marion County, Linn County, and the City of Medford.

Greg Jones said the Portland Office of Transportation has worked with ODOT on the completion of four very successful projects to date and is looking forward to final certification. The program saves time and money and allows local agencies to do work in the manner they are accustomed to while still meeting federal and state requirements. Time savings are significant as demonstrated by the Naito Parkway project when one whole construction season was saved and some projects, like Union Station, might not have moved forward at all without certification. The overall cost of the project might not always show savings, but being able to deliver the project quicker reduces the inflation cost.

The commission noted this is an example of two of the commission's focus areas, cross-jurisdictional partnership building and project streamlining.

The commission asked for any suggestions on improving the process. Greg said the main stumbling block that takes the greatest time to work through is civil rights. Most agencies don't have federally certified civil rights programs so getting ODOT's civil rights system set up to be readily and easily usable by local agencies would make the certification program more accessible to local agencies. The commission suggested provisions for Title 23 should be reviewed and brought to the attention of congressional delegates if the process and/or forms need to be simplified.



Transportation Development Division Administrator Jerri Bohard requested approval to commit, in State Fiscal Year 2009, funding to the state's Metropolitan Planning Organizations. The total amount to be passed through to the MPOs is \$7,593,245 (\$6,611,526 federal share, \$346,992 local match, \$634,727 state match). She also requested approval to authorize the Division Administrator of the Transportation Development Division to sign the necessary agreements for the disbursement of the above noted funds. *(Background material in General Files, Salem.)*

Metro Councilor Rod Parks distributed several color maps and a PowerPoint presentation. There are six MPOs (Portland, Salem, Eugene, Medford, Corvallis and Bend) that represent about 65% of Oregon's population. Ongoing issues that confront MPOs are rapid growth, increased congestion, development of transit systems and major street systems with almost entirely local funds, and falling behind on state and federal highway investments. Emerging MPO issues include using an outcome based approach to try and balance land use and transportation decisions, the growing urgency to respond to climate change, the growing elderly and disabled population, funding issues, and state participation in funding freight investments.

The commission can obtain copies of the maps Councilor Parks distributed by contacting Tom Kloster at Metro.

Commissioner Wilson moved to approve this request. The motion passed unanimously.



Public Transit Division Administrator Michael Ward requested approval for adoption of Oregon Administrative Rule 732-035-0010 through 732-035-0080 relating to the Oregon Streetcar Project Fund Program. (*Background material in General Files, Salem.*)

Michael Ward introduced Tom Miller, Chief of Staff for City of Portland Commissioner Sam Adams, to give an overview on streetcars and how streetcars play into the City of Portland's transportation system and the success of the eastside streetcar extension.

- Streetcars support 12,000 riders per day.
- There are over 10,000 housing units along the line.
- Streetcars dramatically reduce the environmental impact by reducing carbon footprints.
- Streetcars are in line with the Governor's goal on reducing greenhouse gases.
- Due to Portland's success, it is the first city in the queue, nationwide, for federal funding.
- This is a unique opportunity for Oregon to manufacture streetcars, to the benefit of all of Oregon.

The law was passed in 2007 that dedicates \$20 million in lottery backed bonds for the purchase of Oregon-owned and Oregon-built streetcars. In addition to the City of Portland, applications to build the streetcars have come from Astoria and Lake Oswego.

Commissioner Lohman moved to approve this request. The motion passed unanimously.



Scenic Byways Program Manager Pat Moran and representatives from Douglas and Washington Counties requested approval of the designation of a new *Umpqua River Scenic Byway* (portions of Oregon 38 and Oregon 138 in Douglas County) and *Vineyard*

and Valley Scenic Tour Route (portions of Oregon 47 and Oregon 219 in Washington County). Approve an amendment to the Oregon Highway Plan to include the new Scenic Byway and Tour Route. (*Background material and PowerPoint presentations in General Files, Salem.*)

Umpqua River Scenic Byway

Tom Llewellyn and Bette Keehley gave a PowerPoint presentation on the proposed Umpqua River byway.

Vineyard and Valley Scenic Tour Route

Ruthie Reinert, Chief Executive Officer of the Washington County Visitor's Association, introduced Richard Kidd, Mayor of Forest Grove, and Gerald Kubiak, Project Manager for the tour route and gave a description of the proposed scenic tour route.

Future management plans include enhancement, marketing, stewardship, and other activities intended to ensure the route functions well. Future efforts to preserve and enhance the route include building partnerships, maintaining stewardship to be a good neighbor, developing a steering committee to monitor and provide leadership to assure the route functions effectively, promoting product development, exploring extension of the route, and proactive use of the route.

Commissioner Wilson moved to approve this request. The motion passed unanimously.



The commission received a progress report on the Employee Recruitment and Retention Strategy. Doug Tindall and Cathy Nelson (*Background material and PowerPoint presentation in General Files, Salem.*)

Doug Tindall introduced Blake Dye, ODOT Employment and Special Programs Consultant.

Cathy Nelson said because 42% of technical staff will be eligible for retirement in five years and 30% will be eligible within 10 years the agency faces significant staff and management retirements. A major gap will appear because over 50% of technical staff has less than ten years experience. The private sector is competing for talent. There is also a national shortage of engineers. This strategy was developed because of these three factors.

The strategy addresses recruitment techniques and retention methods by marketing, branding and communication, both short-term and long-term strategies.

ODOT employees have participated in programs designed to personally interact with students through training programs, career fairs, campus visits, and regional conferences. We have developed relationships with over 125 different universities and colleges. In addition, diversity outreach has resulted in 40% of applicants for the

College Engineering Trainee program and the Graduate Engineering program coming from under-represented classes, including 20% women.

A Policy Option Package is being developed for the 2009 legislative session to add 22 Graduate Engineering positions with a goal of filling 11 positions each year. The Policy Option Package also acknowledges ODOT is at risk of sustaining core technical competency and requests 27 technical positions to mitigate this risk. In addition, the Policy Option Package requests one human resource position to lead recruitment and retention efforts.



The commission reviewed and discussed the draft Public Involvement Policy update and considered a request to approve release of the policy for the formal 45-day public review period. (*Background material in General Files, Salem.*)

Transportation Development Administrator Jerri Bohard and Long Range Planning Manager Robert Maestre gave a brief overview of the policy that ensures department compliance with federal requirements for public involvement in statewide planning and Statewide Transportation Improvement Program development. If approved, this will be brought back for public comment in July.

Commissioner Lohman moved to approve this request. The motion passed unanimously.



The commission received an update on the ODOT Vegetation Management Program. (*Background material and PowerPoint presentation in General Files, Salem.*)

Will Lackey, Vegetation Management Coordinator, said vegetation management is primarily about safety on curves, shading and overhangs that create driving hazards, sign visibility and preservation of pavement. The program also addresses state and federal laws around invasive species and environmental issues.

ODOT has several different methods of vegetation management (mechanical, cultural, chemical, biological), and different methods to evaluate the mechanical alternatives. ODOT is trying to employ a number of different strategies to minimize chemical use and has been working with the Governor's Toxic Task Force on how to reduce toxins in general.

A Policy Option Package is proposed for funds, allowing the discussion in the legislature about the costs versus the benefits to society of the different methods of vegetation management. The commission noted that now is the time to get comments to the OTC before the June meeting so they can be included in the comments going to the Governor.

Public comment was received from:

- Brenda Pace from Bend wants to expand the Adopt-A-Highway program to include pulling weeds as well as litter pick-up. (written and testimony)
- Tom Kerns described issues related to ODOT's practice of broadcast herbicide spraying and human rights issues. (written and testimony)
- Dona Hippert questioned the accuracy of per-mile costs in the report. (written and testimony)
- John Sundquist from Coburg supports concepts in the pilot project. He questions the cost estimates in the presentation. (written and testimony)
- Maxine Centala (written only).
- Jan Wroncy (written only).

The commission would like follow-up on the following points:

- Are the cost estimates correct?
- Are mechanical means being used where toxins are also being used?
- Are some areas being mowed twice a year?
- What is the cost of using jail crews for highway maintenance?

The current rule does not allow pulling weeds as part of the Adopt-A-Highway program. The Statute states the program is for the collection of litter. The rule would have to be amended to allow pulling weeds.



The commission received a presentation on the Drive Less/Save More campaign. (*Background material and PowerPoint presentation in General Files, Salem.*)

The campaign was developed because while millions of dollars are spent increasing capacity, virtually nothing is spent preventing trips to begin with or lowering demand. Professionally designed and sustained public education programs work; as evidenced by recycling, seat belts, litter and other education programs. The goal is to provide education, increase awareness, and thereby effect behavior change. The benefits will include reductions in emissions and pollution, consumer time and money savings, fuel savings and decreased traffic, congestion and wear to roads.

Pam Peck gave a presentation on the strategy of the campaign and showed videos of news clips and television ads that will be used. The premise of the ads is real people seeing real people just like themselves doing things to drive less and save more. The commission asked to have a copy of the video with the news clips and television ads sent to Commissioner Nelson.

Rex Burkholder talked about the need for support to continue and expand the program. Regardless of which community a person lives in, the Drive Less/Save More website is a quick and easy way to get information about all the programs across the state to give options to those people who do not have easily accessible shopping locations or bus stops.

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

1. Approve the minutes of the March 18 and 19, 2008, Commission meeting in Astoria.
2. Confirm the next two Commission meeting dates.
 - Tuesday, May 13, 2008, in Salem.
 - Thursday and Friday, June 19 and 20, 2008, in Enterprise.
3. Adopt a resolution for authority to acquire real property by purchase, condemnation, agreement or donation.

4. *Approve the following rules:*

a.	The amendment of OAR 734-001-0025 relating to relocation appeal procedures in land acquisitions.
b.	The amendment of OAR 735-062-0090 relating to early renewal of driver licenses and ID cards for persons who are deployed.

5. Adopt the U.S. 730 Corridor Refinement Plan. Adoption of this plan will amend the Oregon Highway Plan to include an access management plan for U.S. 730 from Irrigon to Umatilla. OTC adoption will identify circulation and access management strategies and capital improvement projects that would address the corridor's near-term and long-term safety needs. This refinement plan has been adopted into all relevant local comprehensive plans and transportation system plans.
6. Approve a Type A Immediate Opportunity Fund grant to the City of Bend in the amount of \$196,813 for transportation improvements on the Powell Butte Highway at Butler Market Road. The estimated total cost is \$393,626.
7. Approve a Type A Immediate Opportunity Fund grant to the City of Salem in the amount of \$540,000 for transportation improvements Gaffin Road. The estimated total cost is \$1,080,000.
8. Approve a temporary amendment to Oregon Administrative Rule 734-075-0010 related to maximum allowable sizes for manufactured homes transported over Oregon highways. The proposed amendment provides authority to the Motor Carrier Transportation Division Administrator to allow transport of manufactured homes that exceed current size limits.

Commissioner Wilson moved to approve all items on the Consent Calendar. The motion passed unanimously.

The commission participated in a discussion with a wide range of transportation stakeholders from across Region 1. (*Background material in General Files, Salem.*)

As a starting point for the conversation, the commission asked stakeholders these questions:

1. How can transportation investments and policies best support sustainability and enhance the region's economic competitiveness?
2. Polling continues to show transportation as a second tier issue. How does your organization engage a wide range of stakeholders, both public and private, in transportation decision making?

Lynn Peterson, Clackamas County Chair – Need an investment scheme for railroads. Increase sustainability efforts. Build a coalition to build a solid plan and once there is a solid plan for transportation investment, the business community will help. Build task forces to look at specific areas of cost and sustainability.

Bill Wyatt, Port of Portland – Expanded on Lynn Peterson's suggestion to include multiple modes. Facilitation of rail related investments are very important, along with consideration of the barge option.

Working with colleges at the Land Conservation and Development Commission is important in the land use and transportation area. Continual reinforcement of this message with partners is vital so that urban or zoning decisions are made that benefit transportation.

Transportation continues to be a lower priority in people's minds, and to be effective, will require political leadership. We need to reach out beyond the obvious stakeholders to engage businesses and others who rely on transportation, for their support, advice and council.

ODOT has done well investing in operations related improvements and parking innovations for modest investment.

David Bragdon, Metro Council President – Make sustainability and economic competitiveness explicit criteria for the decision-making process. It is also important to set goals and drive that down through the organization. Level of service is the standard most priorities are set by and sustainability needs to be raised to that standard level and some form of return on investment calculations need to be assigned to them in terms of job creation or international trade opportunities that are generated by virtue of a given investment.

Changing public opinion starts with building credibility with the public by communicating more of the 'outcomes' and less of the attributes of a project or system. Tell people what the project or system will do to benefit them. Do not over-promise.

Ted Wheeler, Multnomah County Chair – The word ‘sustainability’ is overused. Break it and economic competitiveness down and define them more specifically. Transportation planning and funding schemes need to be nimble and flexible. As the department and OTC designs funding packages, keep the needs of the consumer in mind.

If the state does not take action on transportation funding, ODOT can help local jurisdictions by removing the preemptions that prevent them from going out to their own jurisdictions to ask for increased fees or taxes to pay for the infrastructure for which they are responsible.

Ron Bunch, Assistant Community Development Director with the City of Tigard – Tigard has the highest traffic counts in the state. Communicating to the public that there are limits to capacity is an issue. To efficiently as possible manage the capacities that we have, we need to understand what those capacities are. The basic way to achieve efficiency improvements is to change the way we move people back and forth, and that is transit.

From a communications standpoint, the most successful method to promote transportation funding is on a very local level. These are the people that will be affected and these are the people who will give their support. Promote public transit as a good way to improve the movement of people and reduce capacity issues. Treat transportation as we would a utility.

Mara Gross, Coalition for a Livable Future – Sustainability is made up of different factors: economic (where people live); environmental (global warming issue); and social (decrease vehicle miles traveled). Stakeholders should be shown the whole range of goals of sustainability and not just focused points. Transportation and health are intimately intertwined.

Frank Angelo, Chair of the Westside Economic Alliance Transportation Committee – Sustainability and economic competitiveness do not have to conflict. Land use connections are very important and they are very supportive of the efforts Metro has undertaken the last few years. Businesses must have that certainty that infrastructure will be provided where we say it is going to be provided. Efficiency of freight movement is vital and multimodal connections are a key part to the industries the Alliance represents on the west side.

Alliance members do not consider transportation issues as second tier, but rather a very important issue. One problem they are starting to see is individual local jurisdictions are going out at local levels to get funding. This creates contention between local and statewide funding issues.

Lynn Peterson – We need to move forward to get tolling on a major project. Oregon was the first state in the union to have a gas tax, and we should be the first to move away from it and show innovation in the state again.

David Bragdon – ODOT should always be sensitive to the fact that Highway 99 W and Highway 99 E serve historic communities that are dealing with a state highway that, to some extent, inhibits the growth of the retail sector in their downtown and the residential sector. The communities are raising local gas tax to fund improvements to the intersection of 99 and Greenburg Road. This shows how state and local facilities and financing can fit together. If the communities are successful in their efforts to redevelop the downtown areas, and more people can live and shop in the downtown, and walk instead of drive in those downtowns, it diminishes the demands on the transportation system. Our level of service standards and systems development charges do not take that into account. Our funding mechanisms are set up to pay for things like interchanges not structured parking for retail, which may be more cost effective in the long run.

The commission thanked everyone for the thoughtful discussion. It noted how difficult it is to involve the public to the right degree and in the right places. Public involvement is a huge expense for ODOT, but it must happen. The agency may need to be slightly less responsive to the public in order to produce more products for the public.

Lynn Peterson – Oregon has a distributed power base. We are asking for flexibility, not in terms of the public process, in facilitating meetings. What we are looking for is flexibility in funding and design. ODOT is willing to work with us, but according to the American Association of State Highway and Transportation officials, is up against very strict standards (in both Oregon and Washington) that make it very difficult to be flexible. The public process is very important, but needs some attention in terms of facilitated decision making which we as a state have not recognized that citizen participation is goal number one, but what does that mean in terms of decision making process.


The commission agreed that we need to be more credible to the public for it to be more confident that we are delivering efficiently – we need to figure out how to do that, but it is very hard message to get across.

Ron Bunch – Citizen involvement and getting things done takes enlightened leadership; people who are committed and share the values of the state. It is important to set up a culture of good governance at the local level to have the community engaged with itself and have a sense of vision and a sense of place. Those things rise out of the places where people want to be in and have a commitment to. It falls to the local leaders to communicate the need for good governance, sound infrastructure, and to promote the democratic way of doing things.

Our challenge now is to convince the people working on the funding package it is spread wider than the economy and the condition of our bridges. Now, our transportation system needs an infusion and sustainable funding to serve the people of Oregon and the economy in the way it should be done.

The commission thanked everyone for attending and sharing their thoughts. It looks forward to working together to solve transportation issues.

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Chair Achterman adjourned the meeting at 3:40.
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Gail Achterman, Chairman

(Was not present.)

Michael Nelson, Vice Chair




Janice Wilson, Member



Alan Brown, Member



David Lohman, Member



Roxanne Van Hess, Commission Support