

# OREGON TRANSPORTATION COMMISSION

## Minutes of the Workshop and Regular Monthly Meetings October 20 and 21, 2004 Clatskanie

On Wednesday, October 20, at 1:45 p.m., the Oregon Transportation Commission (OTC), and Oregon Department of Transportation (ODOT) staff met in the lobby of the Clatskanie River Inn in Clatskanie. The group toured projects in the area, after which a workshop was held in the Cedar Conference Room.

A no-host social hour and dinner were held that evening at the Hump's Restaurant and Lounge in Clatskanie.

On Thursday, October 21, at 8:00 a.m., the OTC and ODOT staff held a briefing session and reviewed the OTC agenda in the Pine Room of the Clatskanie River Inn. The regular monthly meeting began at 9:30 a.m. in the Cedar Conference Room.

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 Stuart Foster	Executive Officer for Highways John Jackley
Commissioner John Russell (resigned)	Rail Division Administrator Kelly Taylor
Commissioner Gail Achterman	Public Transit Administrator Martin Loring
Commissioner Randy Papé	Region 1 Manager Matthew Garrett
Commissioner Mike Nelson	Region 2 Manager Jeff Scheick
Director Bruce Warner	Region 3 Manager Paul Mather
Deputy Director for Highways John Rosenberger	Region 4 Manager Bob Bryant
Deputy Director for Central Services Mike Marsh	Region 5 Manager Monte Grove
Communications Administrator Patrick Cooney	Chief Engineer/Tech. Serv. Mgr. Cathy Nelson
Trans. Development Admin. Craig Greenleaf	Commission Secretary Jill Pearson
Trans. Safety Division Admin. Troy Costales	

### Wednesday, October 20, 2004

Chair Foster called the workshop to order at 3:35 p.m.

Paul Mather, Region 3 Manager, provided background on a study that Oregon State University (OSU) conducted for ODOT on Oregon's cracked bridge problem, including the study's key findings, ODOT's response to the key findings, criteria and processes ODOT will use to make changes to the OTIA III bridge program and how the changes will be documented. (Background material in General Files, Salem.)

Bridge design work can begin once documented findings are approved by the ODOT Bridge Oversight Committee. Applying the new criteria from the OSU Study will move some bridges from one solution to another (i.e., no work needed, remove, repair, replace, or more analysis needed). As an example, a bridge that requires replacement under current criteria may move to the repair solution after the new criteria are applied.

The 2003 Bridge Options Report will be updated in early 2005 using baseline reports, the OSU study, and new inspection reports. The goals are to keep the momentum of the OTIA III bridge program moving forward, utilize the new technology, secure routes for 20 years, minimize costs so new routes can be opened, and satisfy the budget notes.

Chair Foster adjourned the workshop at 4:20 p.m.



A no-host social hour and dinner were held at Hump's Restaurant and Lounge in Clatskanie. The dinner program included remarks from Clatskanie Mayor Chip Waisanen and a presentation from Paul Langner, Marine Industrial Property Manager, titled "Port Westward and the Economic Importance to Columbia County and Northwest Oregon." The dinner and program concluded at approximately 8:30 p.m.



#### **Thursday, October 21, 2004**

Chair Foster called the regular monthly meeting to order at 9:30 a.m.

Lorna Youngs, Driver and Motor Vehicle Services Administrator, represented Director Bruce Warner.



Director's report highlights:

- Director Warner is in Nagoya, Japan with other highway professionals learning about the latest in highway safety information technologies and how they are deployed in other countries. As the Chairman of the American Association of State Highway and Transportation Officials' (AASHTO's) Standing Committee on Highway Traffic Safety, Director Warner was asked to co-chair this scanning tour.

Nationally, 44,000 people die in traffic accidents every year; nearly 500 of them are in Oregon. The intent of the tour is to identify those technologies and programs that could be implemented in Oregon and elsewhere to bring these numbers down.

The Director will also hear about expanded uses in other countries of Intelligent Transportation System technology to improve mobility and safety.

Director Warner will update the Commission on the outcome of his trip at the November meeting.

- Congress adjourned earlier this month without completing the highway reauthorization bill or most of the 13 annual appropriations bills that are needed to fund federal agencies and programs for this fiscal year. Before adjourning however, Congress passed a Continuing Resolution which funds federal programs and agencies through November 20, and an eight-month extension of TEA-21.

Congress will meet in a "lame duck" session after the elections to finish work on the appropriations bill, including the transportation appropriations bill. Whether or not Congress is able to complete a new six-year authorization bill before the latest extension runs out on May 30, 2005, may depend in large part on the outcome of the elections. Technically, all bills passed this year "die" when Congress adjourns sine die next month. If there is a change in Administration or control of the Senate, new bills could be drafted that differ significantly from the bills passed by the House and Senate earlier this year.

The funding outlook for next year remains uncertain and the combination of higher gas prices and a growing budget deficit will make it difficult to boost transportation spending regardless of who is in charge.

- ODOT received a budget note last Session to increase opportunities for women, minority, disadvantaged and emerging small businesses through the OTIA III Bridge Program. The Bureau of Labor and Industries received a companion budget note directing BOLI and ODOT to work together on these goals. The two agencies have developed a joint work plan to expand construction apprenticeship programs and are considering funding a pilot training program. The goal is to not just provide workers on individual projects but to build sustainable careers in the construction trades to help meet future workforce needs.

We are also working with stakeholders, such as the labor unions and the Associated General Contractors, to ensure that our programs meet their needs as well.

BOLI is scheduled to appear before the Legislative Emergency Board in November, and Director Warner will be there in support of Labor Commissioner Dan Gardner's report on our progress to date and plans for the future.

The Commission will hear a report on activities in this area as part of the Quarterly Project Delivery Status Report.

- ODOT appeared at two meetings of the Joint Interim Transportation, Trade and Economic Development Committee since the last time the Commission received a Director's Report.

At its September 23<sup>rd</sup> meeting in Astoria, the Northwest ACT Chair, Lylla Gaebel, provided the committee with a list of transportation projects funded in the 2004-07 Statewide Transportation Improvement Program (STIP) for Clatsop, Tillamook and Columbia Counties as well as a list of state and local bridge projects funded in those counties by OTIA III. Joan Plank gave an update on the status of the OTC action to consider changes to interstate speeds. Doug Tindall provided an update on the results of the Oregon State University work on bridges. This is the same work that the Commission heard about in detail on October 20, and Martin Loring provided an update on intercity bus service.

At the committee's October 13 meeting in Medford, the ACT Chair, Mike Montero, provided a list of STIP and bridge projects for Jackson and Josephine Counties. Chair Foster and Director Warner provided the committee with an update of OTIA I, II and III. John Vial, ODOT's District Manager in the Jackson County area, provided the committee with an overview of the joint highway maintenance efforts ODOT operates with Jackson County.

The next meeting of the Interim Committee will be December 2 in Salem, and ODOT will report on efforts to ensure women and minorities are participating in highway construction activities.

- John Rosenberger will be taking his leave of ODOT shortly, and the agency is in the middle of recruiting for a new Deputy Director for Highway Division. The advertisement period ended last week. Director Warner hopes to have someone appointed and in place by the end of the year.

Paul Mather will be Acting Director beginning in early November and we all appreciate Paul's willingness to serve in this way especially since it means he will be away from home for a good part of each week.



Commission member reports included the following information:

Commissioner Achterman said that the Oregon Transportation Plan Update Steering Committee has been meeting monthly, but did not meet since the last Commission meeting because staff needs time to do some of the modeling scenario development before the next meeting on November 5<sup>th</sup>.

Commissioner Papé attended the Lane County Metropolitan Planning Committee meeting at which they discussed freight route designations. He attended a

groundbreaking ceremony for the Redmond reroute and several OTIA projects. Congressman Greg Walden also attended.

Commissioner Nelson attended a regional bus tour with the Oregon Business Council. In September he toured the coastal area with Region 2 Manager Jeff Scheick, Cascades West Area Manager Vivian Payne and District Manager Bob Doran. He attended a joint meeting of OTC and Land Conservation and Development Commission (LCDC) members. ODOT and Department of Land Conservation and Development (DLCD) staff also attended.

Chair Foster reported on the status of OTIA I, II and III before the Joint Interim Transportation, Trade and Economic Development Committee in Medford. He also attended the meeting with ODOT staff, DLCD staff and two commissioners from the LCDC to address issues concerning the Transportation Planning Rule. He enjoyed the tour of local transportation projects on October 20.



State Representative Betsy Johnson commented on Columbia County activities, opportunities and projects. The State's Lewis and Clark bicentennial activities, which are scheduled for November 2005 in Clatsop County, will bring many opportunities to the area. Representative Johnson thanked ODOT staff and the Commission for their continued support and service to northwest Oregon.

Chair Foster recognized Representative Johnson for her support and leadership to the department, particularly the OTIA program.

The Commission would like Representative Johnson to attend a future Commission meeting to speak about the importance of general aviation to the economy in rural areas.



Public comments were received from:

- Vickie Dugger, Executive Director, and John Swanson, Downtown Specialist, from the Oregon Downtown Development Association. They extended an invitation to the Association's final presentation at Hump's Restaurant the evening of October 21<sup>st</sup> and requested that Highway 30 through downtown Clatskanie be made more pedestrian friendly.
- Preston Polasec, Clatskanie City Manager. The City of Clatskanie is excited about the economic benefits Port Westward will bring to the community. He requested continued support from ODOT for Highway 30 capacity and safety improvements.
- Diane Pohl, Clatskanie Chamber of Commerce. The Chamber is working on a downtown review that will help to provide sustainable growth for the area.

- Roger Martin, Executive Director of the Oregon Transit Association. The Association supports ODOT in the Governor's Connect Oregon efforts. (Written comments in General Files, Salem.)



An update and approval request of the current "Charter" (referred to as "Operating Guidelines") of the Central Oregon Area Commission on Transportation (COACT) was deferred to the November Commission meeting.



Region 2 Manager Jeff Scheick requested approval of OTIA III funding at a level of \$133,100,000 to proceed with the US 20: Pioneer Mountain – Eddyville Project (Lincoln County) through the use of advance construction funds. (Background material in General Files, Salem.)

ODOT continues to pursue a \$30,000,000 earmark through Oregon's congressional representatives in the next federal six year transportation package.

Commissioner Papé moved to approve this item with the understanding of the financing issues that we are confronted with because of the status of federal reauthorization, the under funding of the earmark that we anticipate, and the fact that we are flexing some funds in order to move forward on this project.

The Commission acknowledged Don Lindley, Lincoln County Commissioner, for his outstanding efforts regarding this project.

The motion passed unanimously.



Bob Bryant requested approval of OTIA III funding at a level of \$9,600,000 for the US 97: Redmond Reroute, Phase 1, Unit 1 (Maple-Negus Over-crossing) for construction in 2005. The original US 97 Redmond Reroute has been split into two separate units and will be let through the use of advance construction funds at different bid lettings in 2005. (Background material in General Files, Salem.)

ODOT has entered into an intergovernmental agreement with the City of Redmond to transfer jurisdiction of the existing portion of Highway 97 to the city after the reroute is constructed.

Commissioner Papé moved to approve funding for this project, which has the same federal reauthorization earmark issue as the US 20: Pioneer Mountain – Eddyville project.

The motion passed unanimously.



Jeff Scheick requested approval of an increase in project authorization of \$550,000 or 7.33 percent on the Oregon Coast Highway at Cannon Beach construction project (Clatsop County). The current authorization for this project is \$7,502,132. (Background material in General Files, Salem.)

Commissioner Achterman moved to approve this item. The motion passed unanimously.

Some portions of Highway 101 are located in areas where the ocean is rising due to climate shifts. The Commission directed ODOT staff to review future Highway 101 projects in regard to exposure to impacts from sea level rise and increased wave heights and consider relocating Highway 101 in some sections. The Commission hopes that the initiatives from Governor's Advisory Group on Global Warming will include this type of adaptations that will need to be made to Highway 101 on the north Oregon coast.



Region 5 Manager Monte Grove requested approval of an increase in project authorization of \$655,823 or 11.18 percent for the Snake River (Nyssa) Bridge widening project on the Central Oregon Highway (Malheur County). (Background material in General Files, Salem.)

Commissioner Nelson moved to approve this increase in project authorization. The motion passed unanimously.



Deputy Director for Highway Division John Rosenberger discussed requested revisions to department policy on early acquisition of real property. (Background material in General Files, Salem.)

The proposed changes will provide the department greater flexibility and clarity in how it handles protective buying and hardship acquisitions.

The Commission has concerns about funding for these types of acquisitions and wants ODOT to look into setting up a revolving fund. As ODOT continues to move forward with these policy revisions it will also develop a revolving fund process.



Government Relations Manager Joan Plank and Deputy Director for Central Services Mike Marsh provided a progress report on ODOT's activities related to Governor Kulongoski's initiative, Connect Oregon, a multimodal funding package. (Background material in General Files, Salem.)

The Department has discussed Connect Oregon with transportation stakeholders and is working with Legislative Counsel to draft legislation that will carry out this capital improvement program for ports, rail, public transit and aviation. ODOT has developed a preliminary list of projects to be considered for funding under a lottery backed bond program.

ODOT envisions that the Commission will receive input from various boards and commissions, such as the Economic Development Commission and Aviation Board, regarding project selection. At this point, the legislation is asking that a rail advisory committee be created in statute, which would help make decisions on rail projects. Legislation will most likely request that the current Public Transportation Advisory Committee also be made statutory.

Other criteria in the legislation will cover economic benefit, sustaining jobs/job creation, projects that benefit more than one mode of transportation, local participation and match. The legislation will set minimum funding levels for each of the modes. Fifty percent of the money would be allocated to the four modes and the remaining funds would be available for projects that meet the criteria.

If an advisory board is to be created in statute, it should be one that would have representatives of all the various transportation modes. Oregon should be investing in projects that integrate the modes. A critically important multimodal project might not be a high priority for one mode, but very important for the system as a whole.

In the next 30 days, the Governor needs to make his budget decisions. Next week, ODOT will hear the Department of Administrative Services budget analyst's report. The following week, ODOT will have an opportunity to appeal and to have discussion with the Governor's office. After the Governor makes his decision on December 1<sup>st</sup> and communicates that decision, the agency will move forward into the legislative session and complete a more detailed project list for the legislative package.



Pat Egan, Port of Portland, provided comments in support of Connect Oregon. (Written comments in General Files, Salem.)



The Commission approved the next two meeting dates as:

- Wednesday, November 17, Salem.
- Tuesday, December 14, Salem.





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

1. Approve the minutes of the September 29 and 30, 2004, Commission meeting in Newport.
2. Adopt a resolution for authority to acquire real property by purchase, condemnation, agreement or donation.
3. Approval to appear at the November 2004 meeting of the Legislative Emergency Board to report on Budget Note No. 1 – Access Management Performance and request that five limited duration positions be authorized in the 2003-05 budget.
4. Approval to appear at the November 2004 meeting of the Legislative Emergency Board to report on the reorganization of the Highway Division.
5. Approval to appear at the November 2004 meeting of the Legislative Emergency Board to report on the status of The West Arterial Road.
6. Approval to appear at the November 2004 meeting of the Legislative Emergency Board to report on the Lewis and Clark excursion train activities for the 2003 and 2004 operational seasons and on plans for the 2005 season.
7. Approval to appear at the November 2004 meeting of the Legislative Emergency Board to request an increase in Other Funds limitation for rail related bond issuance costs.
8. Approval to rescind the winter recreation parking location (Sno-Park) designation for the Pole Butte Sno-Park.

Commissioner Achterman moved to approve the items on the Consent Calendar with one modification to the third item. The first paragraph of the October 12, 2004 memorandum to the Commission will now read, “Request approval to appear at the November 2004 meeting of the Legislative Emergency Board to present the attached report in response to a budget note and request that five **permanent** positions authorized in the 2003-05 budget be made.” The motion passed unanimously.



Rita Burnhart, Chair of Columbia County Commission, thanked the Commission for holding its meeting in Columbia County.

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The Commission held an Executive Session to discuss pending litigation with legal counsel in accordance with ORS 192.660 (2) (h).

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Chair Foster adjourned the formal meeting at 11:43 a.m.

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_____ Stuart Foster, Chairman	_____ (Resigned) John Russell, Member
_____ Gail Achterman, Member	_____ Randy Papé, Member
_____ Mike Nelson, Member	_____ Jill Pearson, Commission Secretary