

# OREGON TRANSPORTATION COMMISSION

## Minutes of the Regular Monthly Meeting May 18, 2005 Salem

On Wednesday, May 18, the Oregon Transportation Commission (OTC) and Oregon Department of Transportation (ODOT) staff held an agenda briefing session in room 135 of the Transportation Building, 355 Capitol Street NE, Salem. The regular monthly meeting was held 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 Stuart Foster	Executive Officer for Highways John Jackley
Commissioner Gail Achterman	Rail Division Administrator Kelly Taylor
Commissioner Mike Nelson (was not present)	Motor Carrier Trans. Admin. Gregg Dal Ponte
Commissioner Randy Papé	Public Transit Administrator Martin Loring
Commissioner Janice Wilson	Transportation Safety Admin. Troy Costales
Director Bruce Warner	Region 1 Manager Matthew Garrett
Deputy Director Central Services Mike Marsh	Region 2 Manager Jeff Scheick
Deputy Director Highway Doug Tindall	Region 3 Manager Paul Mather
Communications Admin. Patrick Cooney	Interim Region 4 Manager Mark Usselman
Trans. Development Admin. Craig Greenleaf	Region 5 Manager Monte Grove
Chief of Staff Lori Sundstrom	Chief Engineer/Tech. Serv. Mgr. Cathy Nelson
DMV Administrator Lorna Youngs	Commission Secretary Jill Pearson

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Chair Foster called the meeting to order at 9:45 a.m.

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Director's report highlights:

- Commissioner Mike Nelson underwent quadruple bypass surgery on May 6 at St. Luke's Hospital in Boise, Idaho. The surgery went very well and he is on his feet already. Commissioner Nelson expects to rejoin the Commission for its July meeting.
- On May 17, the U.S. Senate adopted its proposal to reauthorize TEA-21 by a vote of 89 to 11. The bill provides \$295 billion for highway, safety and public transit programs through 2009. This represents an \$11 billion increase over the House proposal and increases the average annual funding for highways by 31%. The bill

now heads to a conference committee to develop a compromise bill. ODOT staff will be analyzing the bill and will let the Commission know what this means for Oregon.

- The City of Seaside voted on the referral of the City Council's intergovernmental agreement. The "no" vote means that the Seaside project will not move forward. There is \$32.6 million committed to that project. No further funds will be expended on planning for the Seaside project. ODOT will come back to the Commission with a proposal for reallocation of the funds at a future meeting.
- On May 10, ODOT received formal approval from the Federal Highway Administration for three potential Public Private Partnership highway projects. This means that the three highway projects that are the subject of our request for proposal are eligible to receive federal funding through the SEP 15 program. Oregon is the second state, behind Texas, to receive this approval.
- At the April Commission meeting, Commissioner Achterman reported that she and Chief of Staff Lori Sundstrom were going to travel to Washington, D.C. to receive a national award from the Federal Highway Administration (FHWA) for the OTIA III Bridge Replacement Environmental Stewardship Program. This is the third time in three years that ODOT has been recognized by the FHWA for its environmental work. We previously won awards for our Scenic Byway program and for environmentally friendly maintenance practices. This is also the feature story this week on the State's webpage at Oregon.gov.
- ODOT completed Phase II of the three-phase legislative Ways and Means process last week before a joint House and Senate subcommittee chaired by State Representative Greg Smith. Each division head presented his or her programs and budgets, and we also answered questions which members raised during the Phase I appearance.

Director Warner was especially pleased to hear some of the public testimony offered on the last day of hearings. The Commission viewed a video excerpt that included remarks from Roger Martin, a lobbyist representing several of our constituencies, including public transit and railroad interests. ODOT's own Kelly Taylor was frequently complimented by people testifying in favor of ODOT's budget. It was very gratifying to hear the things that people said about many of our staff and programs. The Department's budget has been scheduled for work sessions in early June.



Commission member reports:

Commissioner Achterman traveled to Washington, D.C. with Lori Sundstrom to receive the leading award for Environmental Excellence from FHWA for the Bridge Replacement Environmental Stewardship program. She and Sundstrom met with FHWA's deputy assistant administrator. They also met with the acting director of the

U.S. Fish and Wildlife Service. Its Oregon office received that agency's highest honor for its participation in the same program. Commissioner Achterman credited the program's success to Lori Sundstrom, ODOT's Environmental Services and Project Delivery teams.

Commissioner Papé worked with Lori Sundstrom and the Oregon Freight Advisory Committee Chair, Tom Zelenka, to redraft the bylaws that will be considered later in this meeting. He traveled to central Oregon to participate in a meeting of the Central Oregon Advisory Commission on Transportation. The main purpose of the agenda was to discuss each county's long range plan for all modes of transportation for the next 20 to 30 years.

Commissioner Nelson was not present.

Commissioner Wilson chaired the Public Transit Discretionary Grant Selection Committee. She complimented Martin Loring and his staff for an outstanding job in putting together almost 300 applications in a manner that made it relatively easy for the selection committee to work through all of the proposals. The committee pulled two ADA paratransit requests for funds because those issues had not been dealt with on a policy level by the Commission and it was unclear whether the Commission would fund those requests. The Commission will be asked to review this policy question at a future meeting. She and Region Manager Matt Garrett met with Clackamas County commissioners and senior staff to learn about the county's vision and issues.

Chair Foster attended a meeting of the Freeway Loop Advisory Committee. He attended a subcommittee meeting on the Transportation Planning Rule (TPR). The subcommittee has formed a work group to address the remaining issues identified in the study done last fall by Angelo Eaton. The work group identified seven areas to possibly consider in addition to sections 050 and 070 of the TPR. The subcommittee reviewed those seven areas and agreed that the work group should address three of those issues as well as refinements on sections 050 and 060 for the next meeting in July.



The Commission received a presentation on the Oregon Transportation Plan (OTP) policy and policy analysis issues focusing on results of the Reference Scenario. The presentation informed the Commission of the plan progress, policies and funding principles and included comments from Commissioner Achterman, Steve Pickrell, Cambridge Systematics, Transportation Development Division Administrator Craig Greenleaf and OTP Manager Carolyn Gassaway. (Background in General Files, Salem.)

Commissioner Achterman chairs the OTP Update Steering Committee. Other members include Mike Burrill, Director Warner and Mike Marsh.

The Steering Committee is currently working on policy analysis, which will determine the impacts on the transportation system of various funding levels and strategies. The

Steering Committee is also reviewing several funding options. This update is moving toward breaking down the modal barriers and barriers between the state, counties and cities to view the system as a single jurisdictional system.

It is vital to focus on the investments needed where the various modes connect, and to get multiple benefits from every investment. It is just as important to increase investments in operational efficiency; to move away from being a public works agency to a mobility services agency and tie all of the work on the transportation system to economic development and environmental sustainability.

The Steering Committee is using a number of analysis tools, including the Statewide Land Use-Transportation-Economic Model that was also used for the Bridge Options Study. It includes information about highways, public transit and passenger rail. It does not have details about freight rail and the other modes, so the committee is relying on other expertise and other research and data for that information.

The evaluation approach includes identifying performance criteria, a reference scenario and alternatives, analyzing how well each alternative satisfies the performance criteria and judging the total effectiveness of each alternative in achieving agency goals.

The evaluation criteria include accessibility/mobility, economic vitality, effectiveness and efficiency, equity, reliability and responsiveness, safety, sustainability, as well as public support for the system and financial feasibility. The committee developed one or more performance measures in each one of these categories.

Several scenarios were defined that will be useful to evaluate the effect and impact of a variety of transportation policies. We are not assuming that any particular scenario will be the final answer, but by conducting analysis of multiple scenarios, we will get a sense of how the different policies and actions impact the system. Most likely, a set of policies and actions will be combined to represent the most desirable scenario.

The Reference Scenario serves as a reasonable point of reference from which other scenarios can be compared and contrasted. Four other scenarios will be considered and analyzed – Maximum Operations, Flat Revenue, Major Improvements, and Pricing. The scenarios assume different levels of total funding. Analysis is complete for the Reference Scenario only.

Reference Scenario analysis indicates that over the next 25 years, commute travel time (per trip) will increase more rapidly than the average trip distance in most areas of the state. The Commission noted that, in the Portland metro area, trip distance is increasing more rapidly than travel time toward the end of the plan period (year 2030) and asked why these data do not correspond with Metro's 2040 Plan.

In contrast, Reference Scenario data show that freight travel time per trip will increase much more steeply than travel distance over the plan period.

In regard to economic vitality, one measure under analysis is the number of workers within 30 minutes of an average job. This measure takes into account employment patterns, land use consumption, and proximity and accessibility.

Other tools and data are being used to analyze other modal systems and to obtain greater detail in urban areas where the state model does not have detail. These include demand and revenue forecasts, needs analyses, rail and aviation plans, MPO modeling on accessibility and consultant and staff expertise.

The Steering Committee will next compare and contrast the alternative scenarios, refine the policy, and develop investment and implementation strategies. Once these steps are complete, in early fall 2005, a draft plan will be provided to the Commission and public for review.

The Commission is concerned about whether the Statewide Land Use-Transportation-Economic Model will accurately predict what may happen over the next 25 years. The model is not used to predict a stable end point. It is used to establish a range of likely outcomes of a variety of scenarios, defined by things you can control and things you cannot. It will help ODOT take the best course of action to get to the most desirable outcome.

There are three major features of the funding principles proposed by the OTP Update Steering Committee. They should achieve state goals. Funding for each component of the system should be paid for by those who benefit from the system. They should also have a high level of public acceptability and understanding.

There may be differing opinions about looking at transportation as a singular focus versus transportation financing to support the state's environmental, land use, and economic goals and objectives. The Commission strongly supports the language in the proposed OTP funding principles, under Achievement of State Goals.

The Commission would like the OTP funding principles and policies to be shared with key legislative leaders. The plan should include a strategy to accomplish this.



Senator Betsy Johnson, Aviation Board Chair Mike Burrill, and Aviation Director Bob Hidley provided an informational presentation on aviation industry issues. (Background in General Files, Salem.)

The Oregon Department of Aviation (ODA) was established by the Legislature in 1999. Prior to that, it was within the Oregon Department of Transportation as the Aeronautics Division. Bob Hidley was named director of the department in early 2005.

The ODA owns and maintains 28 airports. Its Business Division inspects airports located in Oregon (state owned and others) for the Federal Aviation Administration.

ODA also receives about 10 applications per year for proposed airports or heliports which are inspected to ensure they meet minimum safety standards.

The Airports Division coordinates planning projects, financial aid to municipalities grants, general aviation entitlement and state-owned airport projects.

The Commission would like ODOT and ODA to consider entering into a cooperative agreement for sharing maintenance equipment.

Senator Johnson thanked Mr. Burrill for his dedication to the ODA, especially over the last year. He guided the agency through a series of management changes and the selection of Mr. Hidley. The Aviation Board is fortunate to have a good mix of different perspectives at the table.

Many members of the Legislature are interested in the possibility of expanding air service into other parts of Oregon. A number of private initiatives have come forward. One initiative that ODA will need to undertake is making sure that, as we are trying to recruit and strengthen commercial service, that our airports are capable of receiving commercial service (proper pavement, land systems, amenities, etc.).

The Commission thanked Senator Johnson for her passionate commitment to aviation and transportation in general.

The Commission is interested in ways to bring scheduled aviation service to smaller communities and rural parts of the state. It would benefit the economy of those areas, through tourism, if accessibility to the rural parts of the state were made available through aviation.

ODA plans to develop a comprehensive system plan, in cooperation with other agencies such as ODOT, which will provide a ranked list of aviation projects to improve air service, economic development and airport infrastructure. ODA is in the process of forming an Oregon Aviation Comprehensive System Plan Committee. The agency goal is to have the comprehensive plan completed in time to present it to the legislature in 2007 and request funding for projects included in the plan.



Transportation Safety Division Administrator Troy Costales provided a presentation on the status of transportation safety in Oregon. (Background in General Files, Salem.)

Oregon is one of just a few states that deal with policy, legislation and has Governor appointed committees that coordinate transportation safety initiatives. Oregon has the five-member Oregon Transportation Safety Committee (OTSC). Dr. John Tongue's term as chair of the OTSC expired. Mark Koberstein, Deputy Sheriff with Clackamas County, is the newly appointed chair of the OTSC. As chair, Mr. Koberstein has the ability to

appoint an OTSC representative to the Speed Zone Review Panel. Dr. Tongue accepted that role.

Over the past 30 years fatalities statewide, on all roads and streets, have generally declined. Over the last six years, fatalities in Oregon have been at or below 500. There are over 4,000,000 registered vehicles on the roads.

The rate of injury due to crashes has also declined. In 1996, nearly 39,000 people were treated for crash related injuries. In 2004, that number was reduced to about 27,000.

The Transportation Safety Division (TSD) conducts media campaigns to help reduce incidents of impaired driving, work zone crashes, and speed related crashes. Other campaigns include driver education about driver behaviors, such as running red lights, following too closely and driver distractions. TSD works with local law enforcement agencies by providing funding for them to conduct saturation patrols for impaired driving and speed related issues.

Other media campaigns are geared toward bicyclist safety, children aged 14 and under, occupant protection and teenage drivers. Oregon's safety belt use is among the highest in the nation at more than 91%. As a result of Oregon's graduated driver license program for teenage drivers, 16-year-old drivers who were involved in fatal or injury crashes has declined dramatically – from 1,158 in 1998 to 679 in 2004 (a 41.4% reduction).

Oregon's motorcycle training program was recently recognized as the number one comprehensive program in the United States.

In the future, Oregon needs to consider a broader definition of Driving Under the Influence of intoxicants (DUI), continue to focus on young people and roadway improvements, training programs for engineers, law enforcement, judges, and prosecutors. Oregon should also encourage national incentive programs rather than sanctions and maintain strong partnerships with ODOT as well as other agencies and organizations.

Oregon's annual transportation safety conference will be held at Gleneden Beach in September 2005. Oregon has also been selected for the National Governor's Highway Safety Association conference in September 2007.

The interface between road safety design, vehicle safety improvements and Intelligent Transportation Systems is something Oregon must learn more about. The interaction between the driver of the vehicle and the road, in terms of safety improvements, is a good area of opportunity.



Chief of Staff Lori Sundstrom requested approval of the Oregon Freight Advisory Committee (OFAC) Bylaws. (Background in General Files, Salem.)

Commissioner Papé moved to approve the OFAC Bylaws with the recommendation that the Commission periodically review them. The motion passed. Commissioner Nelson was not present.



The Commission approved the next two meeting dates as:

- Wednesday, June 15, 2005, in Salem.
- Wednesday, July 20, 2005, in Portland.



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

1. Approve the minutes of the April 20, 2005, Commission meeting in Salem.
2. Adopt a resolution for authority to acquire real property by purchase, condemnation, agreement or donation.

3. Approve the following Oregon Administrative Rule (OAR) actions:

a.	Amendment of OAR 735-062-0190 relating to CDL hazardous materials endorsements.
b.	Amendment of OAR 735-062-0073, 735-064-0040, 735-074-0080, 0160, 0170 and 0180 relating to mandatory medical reporting.
c.	Adoption, amendment and repeal of OAR 735-160-0005 through 0130 relating to commercial driver training schools.

4. Approve an amendment to the 2004-2007 Statewide Transportation Improvement Program (STIP) to delay the OR39: Oregon, California & Eastern (OC&E) Railroad Overcrossing Bridge project in Dairy to 2010.

Project Name	OR39: OC&E Railroad Overcrossing Bridge #02147 (Dairy), Key 12740	
PHASE	YEAR	COST
PE	2010	\$365,000
RW	2010	\$101,000
UR	2010	\$2,026,000
CN	2010	\$2,492,000
<b>TOTAL</b>		<b>\$2,492,000</b>

5. Revise the Conditions of Approval for OTIA I and II projects as related to access management and described in the Background and as specified in the Summary of Changes.



6. Approve a Type A Immediate Opportunity Fund (IOF) Grant of \$73,900 for Comfort Dental Lab in La Grande.
7. Approve an amendment to the 2004-2007 Statewide Transportation Improvement Program (STIP) to remove the US 395: Canyon Creek Bridges, totally \$489,000.

Project Name	US 395: Canyon Creek Bridges, Key 12797	
PHASE	YEAR	COST
PE	2005	\$79,000
RW	2006	\$20,000
UR	N/A	-0-
CN	2007	\$390,000
<b>TOTAL</b>	<b>\$489,000</b>	

8. Approve an amendment to the 2004-2007 Statewide Transportation Improvement Program (STIP) by adding Region 2 Fish Passage (Jetty Creek) project, Oregon Coast Highway. Total project cost is \$1,498,000.

Project Name	Region 2 Fish Passage (Jetty Creek), Key 13807	
PHASE	YEAR	COST
PE	2006	\$210,000
RW	2006	\$50,000
UR	2006	\$60,000
CN	2006	\$1,178,000
<b>TOTAL</b>	<b>\$1,498,000</b>	

9. Withdraw the March 16, 2005 vote on Transportation Enhancement projects. Approve 13 Transportation Enhancement projects for inclusion in the FY 2006-2009 Statewide Transportation Improvement Program (STIP) and approve six additional projects as alternates (Reserve List). Authorize the Deputy Director for Highways to advance Reserve List projects to the STIP if sufficient funds come available in this funding cycle.
10. Adopt a temporary amendment to OAR 734-082-0030, which authorizes the Administrator of the Motor Carrier Transportation Division to approve issuance of a permit allowing movement of loads that exceed current allowable rear overhang limits.

Commissioner Achterman moved to approve the items on the Consent Calendar excluding the authorization for acquisition of real property for the Highway 62 Corridor Solutions (Unit 1) and the I-5 South Medford Interchange projects (Consent Calendar Item #2). The motion passed unanimously. Commissioner Nelson was not present.

Commissioner Achterman moved to authorize the acquisition of I-5 South Medford Interchange, parcel number 7059 013. Chair Foster declared a conflict of interest on and abstained from the vote for parcel number parcel 7059 013. The motion passed.

Commissioner Achterman moved to authorize the acquisition of parcel number 6916 036 owned by Papé Properties, Inc. as part of Highway 62 Corridor Solutions (Unit 1)

listed on the resolution for authority to acquire real property. Commissioner Papé declared a conflict of interest on and abstained from the vote for parcel number 6916 036. The motion passed.

Commissioner Achterman moved to authorize the acquisition of parcel 6916 037 owned by Wayne L. Hanlon as part of Highway 62 Corridor Solutions (Unit 1), listed on the resolution for authority to acquire real property. Chair Foster declared a conflict of interest on and abstained from the vote for parcel number parcel 6916 037. The motion passed.

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Chair Foster adjourned the meeting at 12:50 p.m.

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_____ Stuart Foster, Chairman	_____ Gail Achterman, Member
_____ Randy Papé, Member	_____ Not present at the meeting Mike Nelson, Member
_____ Janice Wilson, Member	_____ Kim Jordan, Commission Secretary