

# OREGON TRANSPORTATION COMMISSION

## Minutes of the Regular Monthly Meeting June 15, 2005 Salem

On Wednesday, June 15, the Oregon Transportation Commission (OTC) and Oregon Department of Transportation (ODOT) staff held an agenda briefing session in the Public Utility Commission small hearing room located at 550 Capitol Street NE, Salem. The regular monthly meeting was held in conference room 122 of the Transportation Building, 355 Capitol Street NE, Salem.

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 9:30 a.m.

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Director's report highlights:

- The U.S. House passed a \$284 billion reauthorization bill. The Senate added \$11 billion to the House number. The Conference Committee, which includes Representative DeFazio, has met once, but no announcements of agreements on funding or any other issues have been made. In the meantime, the Bush Administration reaffirmed its veto threats if the final bill exceeds \$284 billion. We are still hearing from Conference Committee Chair Don Young of Alaska that there will be a bill this month and that there will not be any further extensions.

- ODOT and the Department of Land Conservation and Development are making progress to implement the March 2005 changes to the Transportation Planning Rule and on further changes to the Rule. We will be reporting monthly on this through the Division Reports beginning next month.

In March, the Land Conservation and Development Commission (LCDC) adopted amendments to section 0060 of the Transportation Planning Rule to remove the requirement that transportation infrastructure be put in place concurrently with development by extending the relevant measurement point for determining the significant effects of development to the end of the 20-year planning period. The rule also extended protections for interchanges on the interstates.

At a joint Commission meeting with LCDC in March, the OTC directed that the next phase of the project would address sections 0050 and 0070 so that projects within an acknowledged Transportation System Plan will not be subjected to additional land use review. It also directed ODOT to consolidate the rule provisions that guide the exceptions process within one rule, to address concerns over the TPR term "Reduced Reliance" that helps shape the direction for local Transportation System Plans, as well as address concerns raised by Metropolitan Planning Organizations.

The Work Group appointed by LCDC is meeting under the direction of the Joint Commission Subcommittee, and the work appears to be proceeding. Director Warner acknowledged the efforts of Chair Foster to keep this work focused and productive. ODOT hopes to report to the OTC in September that additional changes to the TPR are ready for proposal.

- This month, the Bend weigh station turned on its new Green Light system and precleared its first customer on June 2<sup>nd</sup> at 4 p.m. when a 3-axle truck operated by Parr Lumber from Hillsboro was weighed in-motion, electronically screened, and signaled to keep going northbound on US97. The Bend station is one of three major stations that check northbound traffic on US97, along with the Klamath Falls Port of Entry at the California border and the Juniper Butte scale north of Redmond.

Truck traffic on US97 should increase in coming years as bridges are repaired and replaced on Interstate 5, and trucks passing through Oregon are diverted to US97 through Central Oregon. The Green Light technology continues to pay great dividends in terms of efficiency for both ODOT and the trucking companies that use it.

- The Motor Carrier Transportation Division recently participated with other public safety agencies in two joint safety enforcement efforts. On May 26<sup>th</sup>, ODOT joined Oregon State Police, the Department of Public Safety Standards and Training, and the Myrtle Creek Police Department at the Woodburn Port of Entry on southbound Interstate 5 for a three-day, around-the-clock truck safety check. This was the eighth year Oregon has conducted Operation Trucker Check and this time inspectors

focused on driver impairment and vehicle equipment safety. A total of 444 truck drivers and 131 vehicles were inspected, and inspectors issued 81 citations and 221 warnings. One-half of the citations issued were for logbook violations. Three drivers were arrested for driving under the influence of intoxicants.

On June 7<sup>th</sup> through the 9<sup>th</sup>, ODOT joined thousands of others around North America for Roadcheck 2005, an annual Commercial Vehicle Safety Alliance event that spotlights truck safety. A report on the results of this effort will be included in a Division Report in July.

- We recently had other opportunities for greatness, courtesy of the weather. Director Warner showed the OTC some slides of two instances where Mother Nature did some damage to two state highways; a slide on the Historic Columbia River Highway, near the Stark Street Bridge, and a plugged culvert on the Oregon Coast Highway just south of Cannon Beach.

Weather can challenge us, but fortunately we have great crews who know what to do when these things happen. We obviously can't control the weather, but we can control how we respond to it. It highlights the importance of having trained personnel and the equipment we need where and when we need them.

- Commissioner Mike Nelson's recovery from quadruple bypass surgery continues to go well, and pending the outcome of a visit with his doctor on June 15<sup>th</sup>, he expects to return to work on a limited basis on June 16<sup>th</sup>. He is planning to rejoin the Commission at its August meeting.



Commission member reports:

Commissioner Achterman reported that work is continuing on the Oregon Transportation Plan (OTP) update. The modeling results were presented to the OTP Steering Committee last week. She joined many transportation leaders from the Portland metro area on a bicycle ride from the Hawthorne Bridge to the Canby Ferry to demonstrate how to get from downtown Portland to Champoeg. Commissioner Achterman co-chairs, with Commissioner Nelson, a group to address how to integrate tourism and transportation in Oregon. This interagency tourism and economic development coordination group meets regularly.

Commissioner Papé continued liaison work with the Central Oregon Area Commission on Transportation and the Lane County Metropolitan Policy Committee.

Commissioner Nelson was not present.

Commissioner Wilson met with Public Transit Division staff and others to finish the work on the Public Transit Discretionary Grant Project Selection Committee.

Chair Foster did not provide a report.



Public comments were received from:

Russ Earl, Don McKay, and Diana Schafer (Seaside, OR) asked the Commission to remove the redistribution of the funding once allocated to the Seaside-Airport Road to Dooley Bridge project from the Consent Calendar for reevaluation. They felt that if the project is not built, the \$6 million already invested in the Final Environmental Impact Statement (FEIS) would be wasted.

The Commission responded that the Seaside-Airport Road to Dooley Bridge project is funded under Oregon Transportation Investment Act (OTIA) funds. Projects funded under these programs must be ready for construction and have community support. This project does not meet those criteria. As a result, the funds must be reallocated to projects that can be delivered within the timeframe required by OTIA funding.

The Commission acknowledged the Northwest Area Commission on Transportation for its support of this project and its support of the recommendations to reallocate the funds. The Commission thanked Shirley Kalkhoven and Lylla Gaebel for their first-class community work.

This request will remain on the Consent Calendar.

Rob Zako and Carrie Maclaren (1000 Friends of Oregon) provided an update on and raised potential impacts from Measure 37 claims on ODOT. Their recommendation was to work to identify the types of unanticipated uses now allowed or potentially allowed under Measure 37 to assess what the greatest impacts would be on the effectiveness or the cost of state highways. Specifically, try to identify within the Measure 37 claims that have already been filed, what this might do to ODOT's modeling of different projects. 1000 Friends is working with Portland State University to collect claims from around the state and is hoping to have a claims database that could be worked into a geographic information system to map the location of claims. (Written comments in General Files, Salem.)

ODOT is looking for strategies to mitigate impacts of Measure 37 on interchange area management plans.

Unless changes are made to Measure 37, it will be difficult for those who have applied, because of the measure's financing constraints, to make large impacts on the system.

1000 Friends agreed that as Measure 37 is written, waiver rights are not transferable, which has a significant impact on financing ability. It may have more impact on residential development than on commercial development.

The Commission requested staff to refer to a memo presented to the Commission at its July 16, 2003, meeting. The memo compares tools ODOT uses to address interchange management to the tools that exist under the land use planning system. Staff should review those tools to determine which tools can still be used.



The Commission heard informational presentations on the Highway Division Performance Management System and Quarterly Project Performance Report. Additional information on ODOT's Quality Assurance Program was also provided. Highway Division Deputy Director Doug Tindall, Chief Engineer Cathy Nelson and Alan Arceneaux, Manager of the Highway Finance Office, were the presenters. (Background material in General Files, Salem.)

Doug Tindall thanked the Commission for its helpful input after the May 18, 2005, meeting. That input will assist ODOT in developing more meaningful and understandable measures. Mr. Tindall is reviewing the performance of the Highway Division. He is committed to put measures in place that will be readily understandable by decision makers and employees.

Mr. Arceneaux said that the Highway Division Performance Management System will help the Highway Division deliver a higher volume of work with existing staff, manage its resources more effectively, and improve efficiency.

The contract with Cambridge Systematics is laid out in a four-phase approach: performance management assessment, performance management system creation, implementation, and expansion. There is a go-no-go clause after each phase. Currently, Cambridge Systematics is working to complete the first two phases of work.

In the performance management assessment phase the contractor will assess the Highway Division processes and operations, document division goals and objectives and recommend performance measures. Target completion for this phase is June 30, 2005.

The system creation phase includes designing the recommended measures into the logic on how data will be captured, how measures will be set up, modeling, etc. A prototype database for storing, calculating and reporting measures will be developed. An approach for collecting and managing data required for performance will also be developed. The performance measurement system will be tested in this phase. Completion of this phase is targeted for November 30, 2005.

Cathy Nelson reminded the Commission that at its April 2005 meeting, information was presented on ODOT's construction quality assurance program. The Commission had questions about the accountability and quality of design products in relation to ODOT staff and private sector consultants who do that work.

Professional engineering accountability is governed by the Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS). Its mission is to regulate the practice of land surveying in the state as it relates to the welfare of the public in safeguarding life, health and property.

Professional engineers must have appropriate technical competence for the task and they must use appropriate care and professional judgment in applying their skill to the task. It is the individual engineer's responsibility to assess his or her level of competence. There are industry standards, and ODOT has minimum education and experience requirements for different classifications of the professional work that its engineers do. The same is true for any consultants working for the agency.

ODOT has developed design manuals, procedures and policies that professional engineers must follow. A design quality program ensures that appropriate care is being taken in the development of engineering products.

To assess whether due diligence is occurring when designing engineering products, new engineering theories, technologies and materials are continually implemented.

Performance accountabilities for ODOT staff engineers and private sector consultants include license revocation and assessment of civil penalties (OSBEELS). ODOT would also apply discipline with regard to its staff engineers, up to and including dismissal. In the case of errors and omissions by a private sector consultant, ODOT would use contractual methods to pursue cost recovery at consultant expense.

OTIA I, II and III doubled ODOT's engineering program over a 10-year period. ODOT did not hire additional staff. Instead, staff was realigned and decentralized to be more responsive to regional stakeholder needs. Headquarters staff focuses on strategic management of the highway system. ODOT now uses more private sector consultants to provide engineering services. During the implementation of these changes, ODOT experienced a turnover rate of 43%. The separation rate has been significantly lower than the turnover in the same time frame, at about 8%.

The Commission asked how ODOT's engineer separation rate compares to other states (status quo vs. during major change).

ODOT's programmatic approach to professional engineering accountability has five key elements: engineering policies and procedures, training, deviation policy, design quality program, and consequences for failure to comply.



Intelligent Transportation System Unit Manager Galen McGill provided an informational presentation on ODOT's Intelligent Transportation System (ITS) program. (Background material in General Files, Salem.)

The Federal Highway Administration's definition for operations is "customer focused strategies and technologies to get the most out of our existing transportation system." ITS provides important tools to implement the various operations strategies and is only one component of an operations program.

Planning for ITS deployment involves working with many partners to develop a regional view of transportation system operations. With plans in place, technologies can be implemented to support the strategies. Agencies using federal funding for operations projects must complete planning that includes a regional architecture, a description of roles and responsibilities of each regional partner, and they must comply with national standards to ensure interoperability of equipment and simplify data sharing efforts.

A core component of the ITS strategy is a project called the Transportation Operations Center System (TOCS), which will provide many functions including system management and operations tools (monitor status, traffic and incident management, computer aided dispatch, decision and process support). TOCS is a highly integrated data sharing system within ODOT as well as with public and private partners.

Traffic management, for the most part, has been focused on Portland. We have ramp meters on the majority of ramps on the Portland freeway system. The recently implemented System Wide Adaptive Ramp Metering (SWARM) software adjusts ramp metering timing based on what is happening on the system, versus the current practice of static time of day plans.

There are over 140 cameras statewide with more than 90 in the Portland area allowing for quick and efficient incident detection and response.

Oregon has about 3,400 traffic signals statewide. ODOT is responsible for about 1,250 of them. Central signal system software is in place in Portland, Eugene, Medford and Salem, allowing remote adjustment of timing plans in response to specific events, incidents and changing traffic patterns.

ODOT has dedicated staff to respond to incidents in the Portland area, mid-Willamette Valley and Bend. In other areas of the state, incident response activities are performed by maintenance. Benefits of the incident response program include reduced incident duration, improved cost recovery for damage to ODOT infrastructure, and fewer interruptions to work by maintenance crews.

An updated TripCheck system will soon be launched. New features include improved navigation, an alert feature, and travel services data. Along with TripCheck and the 511 phone system, ODOT plans to provide an improved cable TV format for Bend. It will have more automated features and better capability to include video, text, graphics and audio in the cable TV feed.

The ITS Unit is working with Public Transit Division to develop a public transportation trip planning tool to replace the current bus/rail information on TripCheck. This bi-state project with Washington DOT will be completed sometime next year.

Some ITS projects are more focused on improving safety and improving efficiency of ODOT staff. These include weather warning systems, a speed and road geometry warning system, snow zone signs, and a one-of-a-kind over-length detection system on McKenzie Pass.

As investments in operations or any program that adds features to the transportation system are considered, we need to find a way to link operations and maintenance funding to capital spending.



Doug Tindall provided the monthly status report on the OTIA III Bridges program. (Background material in General Files, Salem.)

In the last month, four more bridges were opened to traffic, and nine more were contracted through the Oregon Bridge Delivery Partners.

Included in the report was an economic success story about the Staton Companies. Jeanne Staton was key in getting the OTIA III legislation passed. The story shows the positive impact that the OTIA III bridge program is having on the economy.

As ODOT analyzes more bridges using the Oregon State University study findings, the number of bridges needing to be replaced under the previous analysis will be reduced, as will the number of bridges needing repair.

We have been counseling the legislature that it is very premature to anticipate significant cost savings as a result of the work we have been able to do to determine whether we need to replace or repair or do nothing to bridges. We need to keep in perspective the fact that construction material costs have increased and are increasing significantly. As we ramp this up and start screening the capacity of our contractors in this state, the Commission is concerned that we will see the bids start to exceed engineers' estimates.

ODOT, in a joint effort with the Associated General Contractors, is exploring ways to continue to encourage competition and mitigate the issue of increasing costs.



The Commission asked that ODOT keep the legislature informed regarding these complex issues.



Public Transit Division Administrator Martin Loring requested approval of funding options for Curry County Public Transit. (Background material in General Files, Salem.)

With approval from the Commission, the Public Transit Division intends to do the following three actions to assist the county to get transit service back onto a path of fiscal accountability:

- Advance one or two quarters of funding (\$11,000/quarter) that they would otherwise receive through the formula portion of Special Transportation Program funds. This amounts to a total of \$22,000.
- Hire a consultant with available rural technical assistance program funds to help county commissioners gather information about capability of the area, understand the financial situation, and make recommendations on what kind of service could be sustainable with the resources that are likely to be available in the long run. This would cost \$5,000 to \$7,000 in federal funds.
- \$125,622 in Special Transportation Program funds from Region 3, originally allocated to Josephine County for passenger shelters, has been returned to ODOT. If needed, funds up to this level may be reallocated and made available to Curry County. The funds will require a match of 10.27%, or \$14,378.

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



The Commission approved the next two meeting dates as:

- Wednesday, July 20, 2005, in Portland.
- Tuesday, August 16 and Wednesday, August 17, 2005, in La Grande.



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

1. Approve the minutes of the May 18, 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 734-020-0220 relating to yield to bus signs.
b.	Temporary amendment of OAR 735-062-0030, 0105, 0110, 0115, 0120, 0135 and 735-070-0010 relating to replacement licenses, driver permits and identification cards.

4. Request the reappointment of Betsy Belshaw, Rick Pignone, Beth Royce, and Mark Schumacher to the Winter Recreation Advisory Committee. The appointments will be for four-year terms, expiring in June 2009. All four are active Winter Recreation Advisory Committee members and are willing to serve for an additional term.
5. Request approval to amend the 2004-2007 Statewide Transportation Improvement Program (STIP) to cancel the Region 1 Traffic Loop Repair (Unit 14) project in the amount of \$886,000.
6. Request approval to amend the 2004-2007 STIP for an increase in project authorization of \$1,955,829 for the I-105 Willamette River-Pacific Highway (Eugene), interstate maintenance project.
7. Request approval to appear before the House and Senate Special Budget Committees to apply, receive and expend a \$1,250,000 federal grant offered by the U.S. Department of Transportation, Federal Highway Administration for the OTIA III Highway Bridge Program for fiscal year 2006.
8. Request approval to use half of one percent of Surface Transportation Program (STP) and Highway Bridge Replacement and Rehabilitation Program (HBRR) funds for construction workforce recruitment and training. The projected amount is \$630,000 per year. We are requesting to use \$1,266,000 for workforce development for the 2005-2007 biennium.
9. Request approval to amend the 2004-2007 STIP and update the 2006-2009 draft STIP to accomplish the following:
  - Cancel Airport Road to Dooley Bridge (Seaside) project from the 2004-2007 STIP and remove from the draft 2006-2009 STIP in the amount of \$32,380,000.
  - Redistribute OTIA and STIP funding assigned to the Seaside project to other projects in Region 2. The total amount of this request is \$32,000,000.
10. Request approval to appear before the House Budget Committee and the Senate Budget Committee to request an increase in the Highway Division Bridge expenditure limitation totaling \$35 million for the 2003 – 2005 biennium. The increase in expenditures is due to the increased projected payout of OTIA projects.

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



Chair Foster adjourned the meeting at 12:15 p.m.



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