OREGON TRANSPORTATION COMMISSION

Minutes of the Regular Monthly Meeting
April 20, 2011
Salem

On Wednesday, April 20, 2011, at 9:30 a.m., the Oregon Transportation Commission (OTC) and Oregon Department of Transportation (ODOT) staff held a briefing session, and reviewed the agenda in the Salem Room at the Public Utility Commission Building, 550 Capitol Street N.E., Salem, Oregon. The regular monthly meeting began at 10:30 a.m. in the Main Hearing 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 Gail Achterman
Commissioner Mary Olson
Commissioner Dave Lohman
Director Matthew Garrett
Chief of Staff Joan Plank
Deputy Director for Central Services Clyde Saiki
Interim Deputy Director of Operations Jerri Bohard
Communication Div. Administrator Patrick Cooney
Highway Division Administrator Paul Mather
Region 1 Manager Jason Tell
Public Transit Division Administrator Michael Ward
Rail Division Administrator Kelly Taylor
Int. Trans. Develop. Administrator Barbara Fraser
Safety Division Administrator Troy Costales
Innovative Partnership Program Mgr. Jim Whitty
Interim Planning Section Manager Erik Havig
Commission Assistant Amy Merckling

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Chair Achterman called the meeting to order at 10:30 a.m.

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Public comments were received from:

Mark Wigg spoke in favor of changing the train schedule to go from Portland to Salem, (arriving at 8:00 AM), rather than only having the option of going from Salem to Portland.

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Rail Division Administrator Kelly Taylor gave the Commission a progress report on the purchase of two passenger trains. In addition, the Commission considered delegating authority to the director for the Oregon Department of Transportation to solicit proposals or direct negotiations under OAR 731-070-0230, and to review and approve of the resulting agreements, under ORS 367.806(6)(a) and OAR 731-070-0230, for consultant services to assist ODOT with the high-speed passenger rail train sets without further Commission review of the agreements. *(Background materials in General Files, Salem)*

In the early 1990s, the State of Washington and Amtrak bought five train sets to run primarily from Washington to Portland. Oregon piggy-backed on lines with spare time on that service, and owns three cab cars. Washington has aggressively worked to expand service lines. Soon that spare time will be gone, and Oregon will lose access to the trains it uses. Amtrak does not have other spare trains for use.

Last year, ODOT entered into a contract with Talgo, Inc., to purchase two high-speed train sets because of the pending loss of service that exists today between Eugene and Vancouver, B.C. Each of Oregon's trains will have two business class cars, seven coach cars, a bistro car, a table car, a baggage car and a cab car. Some components, i.e. the underframes and body shells, will be constructed in Spain; however the majority of the construction and the final assembly will take place in Milwaukee, Wisconsin. ODOT has hired Interfleet Technology on a short-term contract to provide consultant services to ODOT to ensure federal requirements are met and the trains are built to meet Oregon's needs. However, ODOT needs to secure longer-term consultant services to assist ODOT with the passenger trains

Chair Achterman asked if there was anything in the works that would answer Mr. Wiggs's questions about a Portland to Salem morning route. Jerri explained that ODOT has been in discussion for several months with Amtrak, Union Pacific and the State of Washington exploring that option. Nothing is conclusive, but some prospects look promising, and ODOT is pushing hard.

Oregon needs to expedite this procurement process to assure that it will satisfy compliance with federal requirements and to meet construction timelines. The Office of Innovative Partnerships Program (OIPP) process will accelerate cost-effective delivery and promote innovative approaches to carry out the project successfully. The Oregon Department of Justice has advised that the solicitation under OIPP is appropriate because these services are a necessary part of the purchase, and are part of the OIPP project as the OTC previously approved. ODOT may need to conduct direct negotiation to use the same consultants as Wisconsin.

Commissioner Lohman asked for the pros and cons of owning our own trains. Jerri said there is already a big shift in the relationship with Washington and Amtrak, truly acting as partners because ODOT purchased more train sets. Train owners have all the decision making voice, and now ODOT is more actively involved in those discussions. In addition to giving ODOT a seat at the table, buying these trains give us equity in the equipment. On the down side, ODOT would spend more time on management and maintenance issues, but the benefits strongly outweigh the negatives.

The Rail Funding Taskforce is scheduled to come back to the OTC at the end of this year with a recommendation for a potential, ongoing and sustainable funding source for both freight and passenger rail.

Commissioner Lohman moved to approve delegation of authority to the director, allowing him to approve the Request for Proposal (RFP) and sign the contract for

consultant services to assists with the high-speed passenger rail sets. Commission members unanimously approved the motion.

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The Commission considered approval of a request to adopt the U.S. 26: Access to Springwater Interchange Area Management Plan (IAMP) in Multnomah and Clackamas Counties, which implements Policy 3C of the Oregon Highway Plan and is consistent with the IAMP requirements of the department's Access Management Rule (OAR 734-051-0155(b)). Adoption of the IAMP will constitute an amendment to the 1999 Oregon Highway Plan. *(Background materials in General Files, Salem)*

Region 1 Manager Jason Tell introduced City of Gresham Associate Transportation Planner Kelly Niemeyer, Region 1 Senior Planner Michael Ray, and Region 1 Senior Policy Advisor Lainie Smith.

Lainie Smith gave a presentation on the contents of the IAMP. Highlights of the presentation were:

- a brief history of the area for the proposed interchange, which is just south of the City of Gresham
- safety issues, and a lack of convenient and safe access to a planned industrial area are the problems the function of the interchange will address
- the goal is to improve access and capacity, maintain mobility, minimize impacts to natural environment, increase the viability of development, and ensure financial feasibility of the interchange
- elements of the plan include physical improvements, an access management plan, and a local plan/code provisions
- actions taken by ODOT and the City of Gresham
- implementation policies
- monitoring and updates

Chair Achterman expressed concern about how the north/south connections will work with the Springwater corridor development. We have to recognize that the Springwater corridor isn't going to achieve industrial land development objectives if there aren't north/south connections to the Columbia corridor, Highway 26, the marine and air facilities, and to I-84. How do we assure that through traffic gets on the through routes, and local/regional traffic stays off? If this is not managed, the improvements just made will soon be beyond capacity and we will lose the benefit of the investments made.

Commissioner Lohman moved to approve adoption of the Springwater IAMP. Commission members unanimously approved the motion.

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The Commission received a request from Highway Division Administrator Paul Mather and State Bridge Engineer Bruce Johnson to consider approval of a request to amend the 2010-2013 Statewide Transportation Improvement Plan (STIP) to add the Interstate 84: Bridge Deck Overlays project on four bridges in Multnomah County between milepoints 35 and 42. *(Background materials in General Files, Salem)*

The majority of state bridges were built before 1970. Of the 2,700 ODOT bridges, 1500 will reach the end of their design life by 2020, and 27 percent of these are one point away from being classified as structurally deficient. One of ODOT's seven bridge preservation strategies, 'giving priority to maintaining the highest priority freight corridors,' has driven the proposed amendment to the STIP.

Each year, the Major Bridge Maintenance Program includes work to address maintenance recommendations that are considered to be of "critical" or "urgent" priority. While there has been active maintenance on these four Interstate 84 bridge decks, including sealing cracks and repairing joints, the combination of the extent of work needed to address these issues, high traffic volumes, and freight mobility concerns cause this work to be beyond the capabilities of the Major Bridge Maintenance Program. The recommended repair for each of these bridge decks is a polyester polymer concrete overlay and associated work of repairing joints.

Bridge 02176, Interstate 84 westbound over the Historic Columbia River Highway (Oregon 35) and Union Pacific Railroad, Interstate 84 at milepoint 35.12, has significant cracking at the joints, and portions of the overlay are delaminating from the original deck concrete.

Bridge 02176A, Interstate 84 eastbound over the Historic Columbia River Highway (Oregon 35) and Union Pacific Railroad, Interstate 84 at milepoint 35.12, has cracking in the overlay, and there are portions that are delaminating from the original deck concrete.

Bridge 02063, Eagle Creek, Interstate 84 eastbound at milepoint 41.55, has delaminated areas, and cracking that is increasing in severity.

Bridge 09377, Ruckel Creek and Union Pacific Railroad, Interstate 84 at milepoint 41.96, has numerous "pop outs" and delaminated areas, including potholes down to the steel reinforcement in the right lane.

Commissioner Lohman moved to approve the amendment to the STIP. Commission members unanimously approved the motion.

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Director Garrett led a presentation recognizing ODOT employees who helped facilitate the move out of the Transportation Building (T-Bldg.).

Last fall, ODOT moved more than 400 occupants of the T-Bldg. to other locations in Salem in preparation for the renovation of the building. Director Garrett said a dedicated group of ODOT employees were responsible for making the move a successful one. Just a few of the things these employees did to make the move seamless include:

- moved phones, furniture, and computers -- most staff left their old office on Friday, and had working computers and phones in their new office on Monday morning
- helped staff purge files – 85 tons of old documents were recycled during the move
- facilitated the move of over 1500 pieces of equipment

Director Garrett recognized 14 people who are representative of more than 60 people who helped make the move a successful one. Director Garrett gave certificates of appreciation to:

- Information Services Branch: Kevin Erickson, Patricia Hatfield
- Support Services Branch: Lisa Martinez, Gary Will, Bryant Bischoff, Virginia Carey, Kathryn Ryan, Kelly Faville
- Move Coordinators: Peggy Zahler, Debbie Vick, Dianne Marsh
- Communications: Kevin Beckstrom
- Safety: Scott Seater
- Region 2: Richard Hinkle

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Director's report highlights were:

-- Director Garrett announced the retirement of Barbara Fraser. He said Barbara has worked for ODOT for more than 26 years, most recently as the Interim Administrator for the Transportation Development Division. Before filling this role, she served as the Planning Section Manager for the Transportation Development Division. For twelve years she worked with long-range transportation planning. All of these efforts were toward the development of a multimodal transportation system that preserves and optimizes the existing system. The division works with partners to guide and support short-range and long-range planning for the state's transportation system. Program areas include research and analysis, technical assistance and statewide and regional planning.

The director said Barbara has all the attributes you could ask for in an employee: integrity and character; intelligence; strong work ethics; and dedication and passion. He said he has been blessed to have worked with Barbara, who has made him a better person, ODOT a better organization, and the lives of Oregonians better. Barbara will be missed.

Commissioner Lohman added that Barbara has been a great asset on the Freight Steering Committee and will be missed.

-- ODOT implemented the All Hazard Emergency Operations Plan for the tsunami that traveled from the coast of Japan to Oregon. The agency response followed the protocol in the plan for a major emergency. The regions along the coast and Portland Metro opened their Emergency Operations Centers. We activated the Agency Operation Center with a small staff and opened the coastal district EOCs.

Agency staff went to several coastal county emergency centers to support any necessary coordination, and ODOT was in phone communication with the other coastal county emergency centers. ODOT also had a representative in the state Emergency Coordination Center at the Anderson Readiness Center.

Crews were placed along several routes to the coast, in a place where they could inform drivers of the tsunami warning and be able to stop coast-bound traffic if the county requested us to do so. Variable message boards were also turned on with the tsunami warning message. Equipment in the Hunter Creek maintenance yard along the southern Oregon coast was moved to high ground. Support from OSP was provided at our potential road closures sites for security purposes to help with closure enforcement, if needed. No routes were actually closed to traffic. Crews and equipment in the valley prepared to shift toward the coast in support, if needed. Traffic along the coastal corridor was also monitored for congestion and crashes, and DMV offices along the coast delayed opening until 10 am.

ODOT's after-action review of the event determined that the coordination with the various response agencies went very well, and that the locations where we potentially would stop coast-bound traffic were good locations. We need to continue to work on our tool kits for agency operations center staff. We are working with DAS to clarify the state office closure policy, and to provide more training to all state agencies on which agency decides that state buildings should be open or closed for certain types of events, as well as when it is an individual building managers decision. ODOT is also updating the map of its facilities, relative to the updated tsunami inundation and evacuation maps.

--Beginning Tuesday, April 12, ODOT has been engaged with Ways and Means and budget discussions. Today, the formal presentation to the Ways and Means Committee was concluded. Direct Garrett gave the Commission a brief overview of these proceedings and discussions. He said that overall, the staff work presented was top-notch, and the back and forth conversation was positive.

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The Commission received a presentation on the status of transportation safety in Oregon from Safety Division Administrator Troy Costales, and considered approval of the 2010 Traffic Safety Performance Plan Annual Report. *(Background materials in General Files, Salem)*

Safety Division Administrator Troy Costales presented the annual evaluation report, which represents the closure of the prior year's activity for highway safety dollars, and includes performance measures initiated in August 2009. He gave a brief overview of highlights of the evaluation and goals for 2012 and 2015.

Oregon's strong citizen-involved process continues to be a national model, and many Oregon program areas exceed expectations.

Chair Achterman thanked Troy for the report, saying the Commission takes great pride in the Transportation Safety Program, his leadership, and the leadership of the Advisory Committee, all of which have been essential to the success of the program.

The Commission accepted the 2010 Traffic Safety Performance Plan Annual Report.

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The Commission received a briefing on the fiscal year 2011 Oregon Transportation Needs and Issues Survey from Communications Division Administrator Patrick Cooney, and Interim Planning and Implementation Unit Manager Amanda Pietz. *(Background materials in General Files, Salem)*

Amanda Pietz presented the results of the Need and Issues Survey, which is a customer satisfaction survey that assesses people's perceptions about transportation, determines people's use of transportation services, and helps to identify transportation related concerns. The survey was first conducted in 1992, and has been done about every two years since, the latest completed the summer of 2010. This survey is different from previous surveys, which were conducted through telephone interviews, in that it was conducted using only web and mail survey instruments to help eliminate the potential bias of phone surveys where people might feel compelled to politeness.

The survey found the largest satisfaction rating was with the way DMV provides licenses and services, and the lowest rating was with highway pavement condition and ODOT's efforts to make nighttime driving safer. Amanda gave highlights of question specific results of the survey, and trends:

- 67 percent are satisfied with efforts to expand and improve highways, roads and bridges to meet state residents needs
- 70 percent are satisfied with ODOT's efforts to make transportation options available to all
- 8 out of 10 people drive alone
- the average commute distance is 11 miles

Patrick Cooney said research shows that the public climate in Oregon is quite negative of government in general. People are fed up with waste and inefficiency, perceived gridlock, wrong priorities, public employee compensation, toothless laws and regulations, reduction in services, kicker reform, and tax breaks for corporations that do not hire local. We are in a climate where 37 percent of Oregonians do not know Oregon

has two U.S. Senators, and 60 percent cannot name the three branches of government. There is no understanding of public finance, how taxes are collected, or where they go. This climate puts the survey results in the context that people perceive that ODOT is doing a really good job. This perception is not based on what we say, but rather what people experience when they come into contact with ODOT and its staff.

Chair Achterman underscored how important the survey research, and the continuity of the survey research, is to the consistency and quality of that research so we really do know where we're going, and how we're perceived objectively. She also noted the importance of using that research as we factor our investment strategies, underscoring once again, the need to make the case for transportation funding in terms of the services it provides to businesses and citizens.

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The Commission received a status report from Interim Deputy Director of Operations Jerri Bohard, and Interim Transportation Development Administrator Barbara Fraser on the work of the Oregon Sustainable Transportation Initiative (OSTI) regarding greenhouse gas reduction. *(Background materials in General Files, Salem)*

The Oregon Sustainable Transportation Initiative (OSTI) is an integrated statewide effort to reduce greenhouse gas emissions (GHG) from transportation, while considering ways to improve transportation options and flexibility, build an environment for healthier communities, increase economic opportunities, create energy independence, and to help meet Oregon's GHG emission reduction goals. ODOT and the Department of Land Conservation and Development (DLCD) are leading OSTI in consultation with the Department of Environment Quality, Department of Energy, and a broad and diverse group of stakeholders.

Barbara Fraser gave a presentation on OSTI. Highlights of the presentation were:

- statewide transportation strategy
- OTC role
- strategy input factors
- agencies' technical report
- rulemaking
- scenario planning guidelines
- tool kit
- public education and outreach

Chair Achterman said that, when addressing emission reductions and the many variables involved, we need to consider such things as how much of a switch to alternative fuels can we reasonably expect in the future. How much conversion to electric vehicles can we anticipate? How much do we think will happen in the individual fleet versus the commercial fleet?

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The Commission received an update on the Road User Fee Task Force from Innovative Partnership Program Manager Jim Whitty. *(Background materials in General Files, Salem)*

The 2001 Oregon Legislature passed legislation creating the Road User Fee Task Force (RUFTF). This law charged the task force to analyze options for new revenue mechanisms to replace the current fuel tax dominated system, and to propose an alternative system for Oregon. The law also required the Oregon Department of Transportation (ODOT) to run a pilot program to test the new system.

The pilot program used an on-vehicle data collection system, with a GPS receiver, to determine the number of miles a given vehicle drove within Oregon for a period of time. During a field test in 2006-2007, 299 volunteer motorists in the Portland area used this electronic mileage counting mechanism to pay their mileage fees at the fuel pump. Operationally, the field test was successful, and Oregon's pilot program received national attention and analysis. Several national commissions cited Oregon's work to propose that the nation move from a gas tax to a VMT (vehicle miles traveled) tax as the principal way the nation funds its road system. Notwithstanding the success, analysts noted a few weaknesses with the Oregon concept: not all vehicles covered; slow technological evolution, and high start up costs. Perhaps more important, members of the public objected to certain perceived elements of the pilot program. Specifically, the issues raised by the public were around violation of privacy, inappropriate rate structure, a lack of confidence in the system, and perceived government mandates.

After reviewing observations and feedback about the pilot program, solutions to some of the public concerns over the vehicle miles travel fee were developed. Make the system simple and easy to use. Design the data collection and payment system to access existing processes that are familiar and acceptable to the public. Provide choices to motorists.

We also developed a new vision for road usage charges. One component of the vision is an *open system* for data collection that is an integrated system based on common standards, and an operating system accessible to the marketplace, in which multiple providers can provide substitute components that perform the same function readily.

Mr. Whitty discussed House Bill 2328A, which applies vehicle road usage charge to electronic vehicles. He also discussed the research, development, and request for proposals needed to move forward.

The Commission thanked Mr. Whitty for the informative update.

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The Commission received an informational update and provided feedback on recommendations from the Joint Subcommittee on the Transportation Planning Rule and Oregon Highway Plan. *(Background materials in General Files, Salem)*

Interim Planning Section Manager Erik Havig and ODOT Principal Planner Michael Rock discussed the amendment recommendations that came from the Joint Subcommittee of the Oregon Land Conservation and Development Commission (LCDC) and the Oregon Transportation Commission (OTC). The subcommittee held three meetings to gather information and develop recommendations centered on three key areas:

- whether to initiate formal rulemaking on OAR 660-012-0060 (Section 0060 of the TPR) and/or whether to request that the OTC consider amending related provisions of the OHP
- what are the highest priority issues that should be addressed
- how should the process be structured to recognize the joint authority of LCDC and the OTC concerning these issues

From that, staff put together a draft recommendation document. There were five specific areas around Oregon Highway Plan mobility standards:

- exempt proposals with small increase in traffic
- use average trip generation, not reasonable worst case
- streamline alternate mobility standard development
- corridor or area mobility standards
- standardize a policy framework for considering measures other than volume-to-capacity ratios

Senate Bill 795 recommends that each action item move forward, with completion of that work being done by the end of the year. The committee, in anticipation of that, submitted a draft work-schedule to the Commission. The Technical Advisory Committee is already working some of these issues to bring back a report to the Commission next month.

Commissioner Lohman said he feels the recommendations go a long way toward addressing concerns of those who testified before the committee.

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

1. Approve minutes from the March 16, 2011, telephonic meeting in Salem.
2. Confirm the next two Commission meeting dates:
    - Wednesday, May 18, 2011, in Salem
    - Wednesday, June 15, 2011, in Salem
3. Adopt a resolution for authority to acquire real property by purchase, condemnation, agreement or donation.

4. Approve the Amendment of OAR 735-150-0015 relating to vehicle dealer surety bonds.
5. Request approval to commit funding to the state's Metropolitan Planning Organizations (MPOs) in Fiscal Year 2012. The MPOs will use the funds to carry out their transportation planning programs to meet the requirements of federal and state law. The funding amounts passing through to the MPOs are listed in the attachment. Request delegated authority to the Transportation Development Division Administrator to sign the necessary agreements for the disbursement of the funds.
6. Approve a request to adopt the Interstate 5 Exit 129 Interchange Area Management Plan (IAMP) in Douglas County, which implements Policy 3C of the Oregon Highway Plan and is consistent with the IAMP requirements of the department's Access Management Rule (OAR 734-051-0155(b)). Adoption of the IAMP will constitute an amendment to the 1999 Oregon Highway Plan.
7. Approve a request to increase the project authorization in the amount of $694,288 on the U.S. 26: East Fork Dairy Creek – McKay Creek – Bundle 511 project in Washington County. This will change the project authorization from $5,922,984 to $6,617,272.
8. Approve a request for the City of Oregon City to restore two-way traffic on approximately a one-block section of Oregon 43 (Main Street) through downtown Oregon City which is currently designated as a one-way. ORS 810.130 gives the Oregon Transportation Commission the authority to determine which state highways are one-way facilities.
9. Approve a request to amend the 2010-2013 Statewide Transportation Improvement Program to add the U.S. 101: Pistol River Bridge Repair project in Curry County. This project will be funded with a portion of savings from the bridge program. The total estimated project cost is $6,089,000.
10. Approve a request to amend the 2010-2013 Statewide Transportation Improvement Program to increase the scope and add $1,700,000 to the Interstate 5: Elkhead Road – Sutherlin Paving and Climbing Lanes project in Douglas County. The total estimated project cost is $14,327,000.

Commissioner Lohman moved to approve the Consent Calendar. Commission members unanimously approved the motion.

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The Commission received a brief update on the Transportation Building renovation project from Deputy Director for Central Services Clyde Saiki, and participated in a tour of the building.

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Public comments. None.

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Chair Achterman adjourned the meeting at 3:13 P.M.

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Gail Achterman, Chairman

Not present
Michael Nelson, Vice Chair

Mary Olson, Member

David Lohman, Member

Roxanne Van Hess, Commission Support