

OREGON TRANSPORTATION COMMISSION

Minutes of the Regular Monthly Meeting April 15, 2009 Salem, Oregon

On Wednesday, April 15, 2009, at 8:00 a.m., the OTC held a commission assessment followed by a 9:00 a.m. briefing session and agenda review in Room 135 of the Transportation Building, 355 Capitol Street NE, Salem. The regular monthly meeting began at 10:00 a.m., in Conference Room 122.

Notice of this meeting was made by press release of local and statewide media circulation throughout the state. Those attending part or all of the meeting included:

Chair Gail Achterman	Public Transit Administrator Michael Ward
Vice-Chair Michael Nelson	Governor's Sr. Trans. Advisor Chris Warner
Commissioner Wilson – by telephone	Region 1 Manager Jason Tell
Commissioner David Lohman	Region 2 Manager Jane Lee
Commissioner Alan Brown	Region 3 Manager Paul Mather
Director Matt Garrett	Region 4 Manager Bob Bryant
Chief of Staff Joan Plank	Region 5 Manager Monte Grove
Deputy Director for Highway Doug Tindall	DMV Administrator Tom McClellan
Deputy Director Central Services Lorna Youngs	Technical Services Admin. Cathy Nelson
Trans. Development Administrator Jerri Bohard	Rail Division Administrator Kelly Taylor
Communications Div. Admin. Patrick Cooney	Commission Assistant Amy Merckling
Major Projects Branch Manager Tom Lauer	

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

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Director's report highlights:

Director Garrett presented commission members a copy of *Oregon on the Move*, the result of a five-year project to update several previous publications including, *Reining in the Horseless Carriage* (DMV – 1989) and *The Chronological History of the Oregon Department of Transportation* (ODOT – 1993). Most research and all layout work in the publication was done on a volunteer basis and it is dedicated to the memory of John Sheldrake, a long-time Highway Division employee and charter member of the ODOT History Committee. An electronic version will eventually be available through the ODOT web site and will be part of the ODOT History Committee's contribution to "Oregon 150." Director Garrett acknowledged the invaluable contribution of ODOT Photo/Video Services without whose help this publication could not have been completed, and to Dave Davis who did much of this work. Dave is retired after 30 years with ODOT and works half-time for the Ask ODOT program.

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Go Oregon, a \$175-million deferred maintenance funding package, was launched early in the legislative session. ODOT was awarded 101 projects totaling about \$4.4 million. All the

projects have been selected and begun. Fifteen of the projects have been completed, 56 are in construction, 20 are in the process of being awarded to go to construction, and five have been advertised to begin the bid process. Thirty five of the 96 active projects have been awarded to minority, women owned, emerging small businesses.



The Green Light weigh station pre-clearance program passed another major milestone on April 7 when a truck operated by Cornerstone Transport, (Sheridan Oregon), approached the Woodburn weigh station on I-5 northbound and became the 11-millionth to be weighed in motion.



Public comments were received from:

James Lee expressed concern about the excessive costs of projects currently in the planning stage in Portland; the Sellwood Bridge project, and Columbia River Crossing. He said the Multnomah County Auditor has no trail of how this money is being spent, and asked the Commission to require that Region 1 present a \$100 million option on the Sellwood Bridge project, and a plan for a \$1-billion maximum, 1.25-mile bridge only, crossing of the Columbia.

Chair Achterman noted that the Columbia River Crossing is a joint project with the State of Washington, and the Commission shares Mr. Lee's concerns about costs. The Commission has spent considerable time reviewing the project and believes there are reasonable explanations for the increased costs.

The Sellwood Bridge project is not an ODOT project, but Region 1 staff has monitored state gas-tax revenues that have gone into the project and proposed a \$58 million alternative to be included in the Environmental Impact Statement. That alternative was rejected by the local government officials who selected the locally preferred alternative.



Ron Swaren expressed concerns about the cost of the Columbia River Crossing project and the fact that removal of a usable structure, to be replaced with a bridge up to 12 lanes, doesn't contribute that much to transportation in the area. He suggested alternatives be examined before \$4 billion of public money is spent.



Sharon Nasset said she would attend the Senate hearing today on Columbia River Crossing (CRC) cost analysis. She feels the analysis CRC put forward is lacking a substantial amount of information and that I-5 corridor boundaries are not being observed.



The Commission considered approval of an increase in construction authorization for the Willamette River Bridge project. *(Background material and PowerPoint presentation in General Files, Salem, Oregon)*

Deputy Director for Highways Doug Tindall explained that the increase request is substantial, but not unexpected considering the Construction Manager/General Contractor (CM/GC)

method used in this project in which early construction begins while the final design is being completed. The request is for \$158,774,756 over the current authorization, which is not a surprise to ODOT staff when using the CM/GC method. However, this might not have been explained to the Commission going into the project.

Major Projects Branch Manager Tom Lauer gave an overview of the CM/GC contracting process.

Doug Tindall said that CM/GC contracts need the flexibility to allow the contractor to do work with flexibility to time the schedule, which will be different on every project. In addition to approving this request, Doug proposed a recommendation on how the new method of contracting could be integrated into ODOT's approval process while still giving the Commission appropriate oversight over projects. He said an initial, first-level engineering estimate for CM/GC projects will be brought to the Commission for approval to allow the project to move forward. Reports will be made to the Commission in six-month increments, with a final construction number for Commission approval when that point is reached.

Commissioner Lohman is pleased we are exploring this type of contracting but noted the challenge of assuring the contractor takes responsibility for the risk of cost overruns due to inefficiencies. Tom Lauer noted this was an ODOT concern also and efficiency responsibility has been built into the process. A suggestion was made to schedule a meeting with the Commission to discuss lessons learned on the bid process.

Commissioner Brown moved to approve the increase in construction authorization. The motion was unanimously approved.



The Commission received an update from the Public Transit Advisory Committee.

Public Transit Administrator Michael Ward introduced members of the Public Transit Advisory Committee (PTAC): Chair Terry Parker; members Peter Shultz, Sally Lawson, Julie Brown, and Allan Pollock.

Chair Terry Parker talked about PTAC's philosophy to provide a forum for transportation providers to review and make recommendations on policy issues and investment options affecting mobility in Oregon. PTAC members provided input on issues of regional and statewide significance affecting public transportation.

Peter Shultz from Yamhill County discussed emerging challenges facing public transit. Changing demographics in communities (Baby Boomers) are putting more pressure on public transit. Changing environments require we look at how to change public practices to get people out of single vehicles onto public transit. Urbanization of suburbs and integration of people with disabilities into the community continue to be issues.

Sally Lawson works for Northwest Senior Disability Services, an area agency on aging that serves Marion, Polk, Yamhill, Clatsop and Tillamook Counties. Transportation is one of the major concerns of the elderly across the State of Oregon.

Julie Brown talked about the numerous small transportation systems around Oregon and their struggle to deal with the growing aging community and current economic conditions.

Allan Pollock discussed some of the funding issues facing public transit, basically, doing less with less. Increasing numbers of people are using public transit. The demand for services is going up, while the ability to provide these services is going down. Local funding sources are often inflexible and unavailable.

The Commission recognized the challenges facing public transit and suggested communities can benefit from each other's successes and lessons learned.



The Commission considered approval of a list of Public Transit projects funded by the American Recovery and Reinvestment Act (ARRA). (*Background material in General Files, Salem, OR*)

Michael Ward said ARRA funds in the amount of \$14.6 million have been awarded to the Rural and Small Urban Areas Program (5311). The list contains 34 eligible entities that provide general public transit service in areas with a population under 50,000 and meet program eligibility criteria.

Commissioner Lohman moved to approve the list. The motion passed unanimously.



The Commission heard a report from the Global Warming Commission. (*Background material and PowerPoint presentation in General Files, Salem, OR*)

Transportation Development Administrator Jerri Bohard introduced Angus Duncan, Chair of the Global Warming Commission, and President of the Bonneville Environmental Foundation. The Global Warming Commission was created in March 2008 to oversee the state's efforts to meet greenhouse gas reduction goals and prepare for the effects of climate change. Highlights of Mr. Duncan's presentation:

- Transformational changes, such as electricity costs and gasoline price expectations, drive changes in behavior.
- Emission reduction goals need to be 10 percent completed by 2020 and 75 percent by 2050 to meet state goals. Projections show that we will meet the 2020 goal.
- HB2120, Least Cost Planning, directs ODOT to develop a process of comparing direct and indirect cost of demand and supply options to meet transportation

goals and policies. The intent of the process is to identify the most cost-effective mix of options. Standards for least cost planning involve tradeoffs and thresholds.

- Renewable energy projects in the Northwest have increased dramatically in the last ten years. These projects include wind, wave, solar and geothermal projects.

Chair Achterman said Dan Sperling's book, *Two Billion Cars*, is an excellent analysis of climate change and transportation.

High intensity coastal storming has devastated ODOT facilities the past two years. Most scientists agree that one of the effects of climate change is increased high intensity storms. ODOT's task is to examine what will be done to adapt. Angus agreed and said the Global Warming Commission's agenda this year is to shift its focus to the issue of adaptation.

Jerri Bohard will send the Commission a copy of the *290 Report* table showing likely impacts to the transportation infrastructure from high intensity storms.



The Commission received an update on ODOT's Sustainability Program. (*Background material and PowerPoint presentation in General Files, Salem, OR*)

Sustainability Program Manager Margi Lifsey gave a brief history and overview of ODOT's Sustainability Program and talked about ODOT's current sustainability successes with anti-idling technology, alternative fuels, alternative vehicles, the new maintenance facility in Baker City using solar panels, and the Region 1 retrofitting of 95% of traffic signals and flashers with power-saving LED lights.

ODOT's Sustainability Program consists of three volumes. Volume 1 sets the vision for the program. Volume 2 and 3 are still being developed. Volume 2 addresses ODOT's internal operations (fleet and facilities), and Volume 3 will focus on the transportation system at large (stakeholder and external systems). Lastly, Green Roads will address design and construction at the project level. This will be a sub-set volume because it is not seen as internal or external.

One of the biggest challenges the Sustainability Council faces is identifying performance measures. Identifying measurable usage figures for such things as electricity, water, recycled materials, etc. is very difficult in a large agency like ODOT.

ODOT's sustainability efforts will continue to focus on energy alternatives, vehicle efficiency, use of more efficient modes of transportation, system optimization, and reduction of greenhouse gas.



The Commission reviewed the criteria for Type C Immediate Opportunity Fund grants. *(Background material and PowerPoint Presentation in General Files, Salem, OR)*

Jerri Bohard introduced Sarah Miller from the Oregon Economic and Community Development Department (OECDD), who gave a presentation on the history of Type C Immediate Opportunity Funds (IOF).

The Oregon Transportation Commission (OTC) approved a third IOF category (Type C) in October 2006 when it approved revised guidelines for IOFs. One of the revisions included adding a third project category (Preparation of State Certified Industrial Lands) to be called Type C. The OTC requested that OECDD establish criteria to identify and prioritize shovel-ready projects.

OECDD proposes the following criteria when making a request for IOF Type C funding:

- Likelihood and timing of development
- Magnitude of overall economic impact to the state, region, and local communities
- Alignment with key industries as identified by the OECD Commission
- Available workforce alignment to proposed key industry or industries being targeted for certified site

Commissioner Lohman asked why Type C IOFs require the same immediate response and allocation of funds as a Type A IOFs. Sarah explained this was mainly due to the timeline associated with getting a project on the priority list for STIP investment, which can take up to five years.

The Commission noted the importance of co-operation between the two agencies to monitor issues of job creation, zoning changes, and industrial land supply to make sure funds allocated stay within the intent of IOF. Jerri Bohard said regional IOF coordinators work closely with ODOT region managers on applications being brought forward.

Commissioner Lohman moved to approve the criteria, and revised guidelines for IOF Type C projects. The motion was approved unanimously.



The Commission received an overview of Special Transportation Area designations (STA) and considered approval of STA designation for two cities.

Jerri Bohard gave a brief background of STAs, which recognize existing community centers and pedestrian needs, and how to promote development and still accommodate transit, pedestrians and bicyclists. There are currently 110 STAs throughout Oregon that total less than 38 linear miles; the average length being about one-third of a mile.

Erik Havig presented STA designation requests for the Cities of Monmouth and Aurora. The City of Monmouth STA will help sustain the existing Monmouth Downtown Development Plan and continue to support the city's current and future development plan. The City of

Aurora's STA will provide consistency with the existing Aurora downtown National Historic District designation. Both STA requests are highly recommended by ODOT region staff.

Commissioner Lohman moved to approve the STA designation requests. The motion passed unanimously.



The Commission considered approval of items on the Consent Calendar

1. Approve the minutes of the February 27, 2009; March 11, 2009; and March 18, 2009, meetings in Salem.
2. Confirm the next two commission meeting dates.
 - Wednesday, May 20, 2009, in Salem
 - Tuesday, June 23, 2009, in Salem
3. Adopt a resolution for authority to acquire real property by purchase, condemnation, agreement or donation.
4. Approve the following Oregon Administrative Rule (OAR) action:
 - a. Amendment of 734-078-0015 and adoption of 734-078-0017 relating to rear overhang for certain motor carriers.
5. Approve an increase in construction authorization in the amount of \$802,978 on the Interstate 5: Rice Hill Frontage Road – Comstock Cemetery Road in Douglas County. This will change the construction authorization from \$4,065,811 to \$4,868,789.
6. Approve an amendment to the 2008-2011 STIP to cancel the Oregon 213 at Toliver Road in Molalla funded by the Highway Safety Improvement Program. The total estimated cost savings is \$984,000.
7. Approve an amendment to the 2008-2011 STIP to cancel the U.S. 30 bypass preservation/modernization refinement study project in Region 1. The total estimated cost savings is \$100,000.
8. Approve an amendment to the 2008-2011 STIP to cancel the U.S. 30 at Knappa, Svenson and Tongue Point flashers project in Clatsop County. The total estimated cost savings is \$249,000.
9. Approve an amendment to the 2008-2011 STIP to combine the U.S. 101 at Broadway Street and Avenue U in Seaside with the U.S. 30: Astoria Signal Foundations Construction project. The total estimated cost savings is \$2,456,000.
10. Approve a request to reduce capacity on Oregon 99E designated freight route between mile post 13.8 and 15.2. The reduction from four lanes to two will allow a turning refuge and will widen shoulders for bicycles and pedestrians.
11. Approve a request to commit funding to the state's Metropolitan Planning Organizations for the fiscal year 2010 and grant authority to the Transportation Development Division Administrator to sign agreements for disbursement of these funds.
12. Approve request to submit an application to the U.S. Department of Energy's Clean Cities program to Ways and Means for \$12,500,000 to accelerate the deployment of Electric Vehicle Charging Infrastructure and Alternative Fueled Vehicles.
13. Approve a request to increase American Recovery and Reinvestment Act (ARRA) funds for the Interstate 5: striping, mile post 18-168, an ARRA project approved by the

Oregon Transportation Commission (OTC) in Region 3. Funding is proposed to come from savings on another Region 3 ARRA project.

Commissioner Brown moved to approve all items on the Consent Calendar, with the exception of Consent Item #3. Commissioner Lohman abstained from voting on Consent Item #3 because of a possible conflict of interest. The four remaining members of the Commission approved Consent Item #3.

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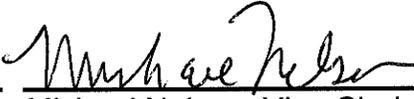
Public comments continued. None

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Chair Achterman adjourned the meeting at 3:12 PM.

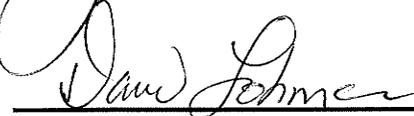
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Gail Achterman, Chair


Michael Nelson, Vice Chair


Janice Wilson, Member


Alan Brown, Member


David Lohman, Member


Roxanne Van Hess, Commission Support