

OREGON TRANSPORTATION COMMISSION

**Minutes of the Regular Monthly Meeting
August 18-19, 2009
Klamath Falls, Oregon**

On Tuesday, August 18, 2009, at 3:00 p.m., the Oregon Transportation Commission (OTC) and Oregon Department of Transportation staff participated in a discussion with members of the South Central Oregon Area Commission on Transportation (SCOACT) in the Ponderosa Room of the Running Y Ranch, 5500 Running Y Road, Klamath Falls. That evening, a no-host social hour and dinner was held in the Mahogany Room.

On Wednesday, August 19, 2009, at 8:00 a.m., the OTC and ODOT staff held a briefing session and reviewed the agenda in the Mahogany Room at the Running Y Ranch. The Commission discussed communications received regarding the Columbia River Crossing and the Transportation Enhancement projects. Vice-Chair Nelson called TE Manager Pat Fisher to get clarification on the project selection process. The regular monthly meeting began at 9:30 a.m.

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
Vice-Chair Michael Nelson
Commissioner Wilson – by telephone (8/19 only)
Commissioner David Lohman
Commissioner Alan Brown
Director Matthew Garrett

Deputy Director for Highway Doug Tindall
Trans. Development Administrator Jerri Bohard
Communications Div. Admin. Patrick Cooney
Region 4 Manager Bob Bryant
Commission Assistant Amy Merckling



August 18, 2009

Chair Achterman called the meeting to order at 3:09 p.m.



The Commission participated in a discussion on working relationships and the challenges and opportunities of South Central Oregon with members of the South Central Oregon Area Commission on Transportation (SCOACT). It considered approval of the updated SCOACT charter and biennial report.

ODOT Area Manager Butch Hansen introduced the SCOACT members and ODOT staff participating in the discussion:

Chair Brad Winters, Lake County Commissioner
Vice-Chair Al Switzer, Klamath County Commissioner
Member Cheryl Hukill, Klamath County Commissioner
Bob Bryant, ODOT Region 4 Manager
Mike Stinson, ODOT District 11 Manager

The ConnectOregon II project in Lake County is moving forward and is vital to the community. The mineral company and sawmill that ship on the railway provide a good number of jobs in the area. There are 55 miles of county-owned rail line, with 14 miles in Oregon and 41 in California. Further development of the railroad and rehabilitation of the existing 55 miles is necessary, so steps were taken earlier to start the process of pursuing funds through a TIGER Grant. A consultant will be hired to help with the complexity of the grant application process and the short timeframe for submission of the application. SCOACT's goal is to continue to bridge the gap on the rail side.

The Klamath Northern rail line project fell just below the line of projects funded through ConnectOregon II. The line services one of the two sawmills left in Klamath. The Gilcrest sawmill has done \$42 million worth of upgrades and is the number one employer in that area, producing 140 separate products. The ConnectOregon II project would upgrade the rail, allowing use of heavier cars to get product to the main line. The ACT hopes future funding will be available for this project.

The expansion of Highway 97 is another goal the ACT is working on, and is not just a Klamath/Lake County issue. It's a statewide issue affecting economic development, truck volume/road usage, time and fuel savings, and increased safety on the roads. A suggestion was made to consider changing Division 51 requirements for rural versus metro areas and to look at the positives versus the negatives. One size does not fit all.

Director Matthew Garrett said ODOT is looking at the question of whether maximum flexibility is being used, and this is part of the OTC Work Plan.

The Commission received the SCOACT biennial report and charter for review and approval.

Commissioner Lohman moved to approve the charter and biennial report. The motion was unanimously approved.



Chair Achterman adjourned at 4:32 p.m.

August 19, 2009 Formal Commission Meeting

Chair Achterman called the meeting to order at 9:32 a.m.



Director's report highlights:

- ARRA funded vehicles are starting to roll off the production line at the Supreme Northwest manufacturing plant in Woodburn, Oregon. The plant builds StarTrans brand buses, including two hybrid gas/electric models. The American Recovery and Reinvestment Act

provided approximately \$14.6 million in Federal Transit Administration's rural general public program funds for ODOT PTD to administer. A total of \$8.9 million was scheduled to fund 95 vehicle purchases. As of July 31, 2009, 81 ADA accessible transit vehicles totaling \$7,662,574 have been ordered. The General Manager of Supreme Northwest estimates approximately half of its complement of 43 employees and 5 at Miles Fiberglass in Oregon City are working on ARRA-funded vehicles. The plant opened in October of 2008 and would have shut down in December to wait out the economic downturn if it weren't for the influx of vehicle orders generated by the economic stimulus funding.

- ODOT's continued use of an environmentally sensitive approach in transportation projects has once again achieved national recognition. In August, the Federal Highway Administration announced the recipients of its 2009 Exemplary Human Environment Initiatives (EHEI) and its Exemplary Ecosystem Initiatives (EEI). For the second year, it also chose projects that achieved exemplary success in both areas, and that's where one of our programs — one of just six nationally — received an award: our "*Culturally-Sensitive Dogbane Transplanting and Inter- and Multi-Agency Collaboration.*" In this program, ODOT Archaeologist Kurt Roedel and Conservation Programs Coordinator Mindy Trask worked with Native American tribes, the Department of Fish and Wildlife and others to transplant a culturally significant natural resource, dogbane, from an ODOT right of way to an appropriate area. They will continue to work with these groups to restore dogbane as the need arises. In the EEI category, Trask received a second award, for "Oregon Wildlife Movement Strategy." This program identifies priorities for animal movement and provides tools for local governments to help preserve movement through a variety of voluntary approaches (conservation, project scoping, restoration, etc.)

- DMV services in three locations will move within the same cities during the next six months:

Corvallis

DMV must move out of its leased facility in Corvallis by September 30th. The current plan is to be out by Friday, September 18th to allow time to move equipment, furniture, and supplies out of the building. Negotiations with the existing landlord ended June 12th with a notice from DAS that the lease agreement would not be renewed. The landlord's final offer far exceeded market rates. A new location has not been selected, but negotiations are underway to relocate the office. A temporary closure of a few months is expected, which means Corvallis residents will travel to Albany or Junction City for DMV services.

Grants Pass

We have a similar situation in Grants Pass with the same building owner as in Corvallis. The landlord's final offer was twice the current market rate for the area. The lease expires October 31st, so DMV will move out Thursday, October 15th, and relocate to another site not yet determined. There are viable commercial sites in the area, but it will take some time to negotiate a lease agreement and retrofit a building to DMV specifications. Grants Pass residents will use the DMV office in Medford or Cave Junction.

North Salem

The DMV office in North Salem is located in the direct path of a planned extension of Pine Street to Silverton Road. Although the construction project is not imminent, DMV is planning to move because the lease expires on December 31st. A new site at Lancaster

Mall has been selected, and the building owner is preparing the site for occupancy. The move is expected to take place by November 30th, but can be extended to February 28th if necessary. The existing lease will be extended on a month-to-month basis, so no loss of service is anticipated.

- Deputy Director for Highways Doug Tindall gave a recap of ARRA funded projects. Of the \$234 million the OTC allocated, \$182 million has been obligated. Of the \$52 million left, the commission allocated \$37 million at the last meeting. Most construction companies say that without these funds, their employees would be out of work.



Public comments: None



The Commission considered approval of a request to submit joint grant applications to the USDOT for federal stimulus funds under the Transportation Investment Generating Economic Recovery Grant Program (TIGER). (*Background material in General Files, Salem*)

Deputy Director for Highways Doug Tindall presented a proposed list of project applications to be submitted to the U.S. Department of Transportation as candidates for TIGER grants. This is a federal stimulus program that stands for Transportation Investment Generating Economic Recovery. Projects will be judged on eight criteria: state of good repair (improving conditions), improving economic competitiveness, improving livability, improving sustainability, improving safety, creation of jobs and economic stimulus, fostering innovation, and demonstration of partnership.

ODOT staff recommends becoming co-applicants for projects that are on our system and that ODOT send letters noting that it has reviewed the applications and concurs that the projects can compete for TIGER grants.

Chair Achterman said the 'score' column should be removed from the proposal list so there is no misunderstanding by anyone viewing the list. The department has not made an attempt to evaluate or rate the proposals because there has not been time to do a disciplined process.

Michael Montero from the City of Medford talked about the South Stage Road Overpass proposal. This application identifies manifold values that can be served or advanced by single investments. The application demonstrates its ability to create jobs, support transit, and supports the Rogue Valley's ten-year commitment to looking at the development community as an environmental asset. This is a critical project that supports not just a transportation investment, but supports an economic development project. In addition, it supports the strategic transit plan for Rogue Valley Transit District, provides the necessary infrastructure to meet the Transportation Planning Rule requirements, and will provide the critical infrastructure component for an urban trail system that will connect varied urban recreational assets.

Chair Achterman noted that grant applications for federal funds often prepare the submitter to be a very effective applicant through the normal ODOT process. However, there are no guarantees that the applicant will be awarded state funds in the future through the STIP process, or any other program, just because the application for federal funds is supported by the OTC.

Greg Jones from the City of Portland Office of Transportation participated by telephone to answer any questions about the Portland Innovation Quadrant Infrastructure and the Port of Portland Terminal 4 applications. He noted that TriMet supports the Innovation project, which is a City of Portland application, but will not submit a TIGER grant application of its own.

Chair Achterman noted there may be other local applications we have not received because this has moved so fast, so there may be additional local government requests.

Commissioner Lohman declared a potential conflict of interest in the City of Medford project (South Stage Road Overpass).

Commissioner Lohman moved to approve the ODOT applications and co-applications listed in Agenda Item C, and authorize the director to sign on as co-applicant on any future co-application requests received before the federal filing deadline if, in the director's judgment, the federal criteria are met. And, that the Commission agrees to send endorsement letters on non-ODOT applications as long as the department has concluded they meet the basic eligibility requirements of the TIGER Program, subject to Commission review of the final text of the form endorsement letter. The Commission unanimously approved the motion.



The Commission considered authorization of an appeal to the Oregon Land Use Board of Appeals (LUBA) of an annexation and zone change land use action by the City of Philomath on U.S. 20/Oregon 34 at the west end of Philomath couplet. (*Background material in General Files, Salem*)

Deputy Director for Highways Doug Tindall explained that the City of Philomath had not adequately noted the requirements to go through the Transportation Planning Rule in the development of rezoning the land. The city will make the adjustments, but there is not another commission meeting before the LUBA appeal deadline. In the event this does not work out, ODOT needs the Commission's approval to make the appeal.

Commissioner Brown moved to approve the motion. The motion passed unanimously.



The Commission considered approval of allocation of funds for the Columbia River Crossing project. (*Background material in General Files, Salem*)

Deputy Director for Highways Doug Tindall brought forward a request to approve allocation of \$30 million from the Transportation Project Account established in House Bill 2001 to the

Columbia River Crossing (CRC) project. This allocation helps Oregon meet its commitment to share costs equally with the State of Washington for the \$4 billion bridge and interchanges project to improve safety, livability, and the flow of commerce across the Columbia River.

Several written public comments were received in opposition to the CRC project. Chair Achterman has read the comments and shared them with the other OTC members. She noted that most of the comments voiced support for transit, but opposition to additional automobile lanes. It's important to understand that transit funding cannot proceed until our obligations to the State of Washington to wrap-up the federally required decision making process have been met. This planning effort is for all modes of transportation, and to finish the public conversation about outstanding issues. Without approving this funding, there will not be an opportunity to move forward on any modes of transportation.

Vice-Chair Nelson moved to approve the motion to allocate funds to the Columbia River Project. The Commission unanimously approved the motion.



The Commission considered approval of an amendment to the 2008-2011 Statewide Transportation Improvement Program (STIP), to include 11 Transportation Enhancement Projects and place six additional projects on a "Reserve List." In addition, grant delegation authority to the Deputy Director for Highways to advance the projects on the "Reserve List" to the STIP if funds become available in 2009 or 2010. (*Background material in General Files, Salem*)

Deputy Director for Highways Doug Tindall said ODOT staff will come back to the OTC to move projects from the reserved list once issues on the projects have been resolved.

Commissioner Lohman moved to approve the motion to approve addition of 11 projects to the STIP and adding six projects to the reserve list. The Commission unanimously approved the motion. The motion did not include delegation of authority to advance projects to the Deputy Director for Highways.



The Commission considered approval of the 2010 Oregon Traffic Safety Performance Plan, and authorization of the Transportation Safety Division Administrator to sign necessary agreements to carry out projects in the safety program. (*Background material in General Files, Salem*)

Transportation Safety Administrator Troy Costales and Oregon Transportation Safety Committee Vice-Chair Marian Owens presented the 2010 Oregon Traffic Safety Performance Plan. Marian Owens gave a brief history and overview of the plan. She said Oregon's Safety Belt Program is rated number three in the nation, with a 98-99 percent seat belt usage rate. The Oregon Transportation Safety Committee feels the biggest reason for the ODOT Safety Division's success is the leadership of Troy Costales, Administrator of TSD, whose leadership the last 12 years has resulted in the lowest number of traffic fatalities and injuries

since 1958. The number of individuals injured in traffic crashes has declined by more than 30 percent.

The Oregon Transportation Safety Committee recommends two subjects in the Oregon Transportation Safety Performance Plan be raised to high priority projects, speed reduction and motorcycle safety. Additional areas of safety concerns include foliage obstruction of view/roads and the absence of addresses on residences and businesses.

The Commission thanked Troy Costales and his division for its efforts toward the continuing trend in fatality reduction on Oregon's highways.

Commissioner Lohman moved to approve the 2010 Oregon Traffic Safety Performance Plan and to give authorization to the Transportation Safety Division Administrator to sign necessary agreements to carry out projects in the safety program. The Commission unanimously approved the motion.



The Commission considered approval of items on the Consent Calendar.

1. Approve the minutes of the July 23, 2009, Commission meeting in Forest Grove.
2. Confirm the next two Commission meeting dates.
 - Tuesday and Wednesday, September 15 and 16, 2009, in Eugene.
 - Tuesday and Wednesday, October 20 and 21, 2009, annual workshop and meeting in Gleneden Beach.
3. Adopt a resolution for authority to acquire real property by purchase, condemnation, agreement or donation.
4. Approve the following Oregon Administrative Rules:
 - a) Temporary amendment of 732-005-0000 through 0081 and the temporary adoption of 732-030-0005 through 0035 relating to the Special Transportation Operating Program.
 - b) Amendment of 735-022-0090 relating to compliance with federal standards for vehicle safety and emissions.
 - c) Temporary amendment of 735-046-0010 and 0050; relating to consular corps registration plates; temporary amendment to 735-040-0097 and temporary adoption of 735-040-0098 relating to group registration plates.
 - d) Amendment of 735-050-0000 relating to determination of vehicle ownership for financial responsibility purposes.
5. Approve an amendment to the 2008-2011 Statewide Transportation Improvement Program to add a construction phase to the U.S. 30 Milepost 46.5 Slide Repair Project in Columbia County. The total estimated project cost is \$1,120,000.
6. Approve an amendment to the 2008-2011 Statewide Transportation Improvement Program to change the scope of the Oregon 34: Lint Creek Bridge Project in Waldport. The current budget for the project is \$9,780,000. The total estimated project cost for the new scope is \$1,517,000. The savings will be applied to the 2010-2013 Bridge Program.

Commissioner Lohman moved to approve the Consent Calendar, with the exception of Consent Item #3. He noted a possible conflict of interest on Consent Calendar Item 3, I-5: N Ashland Interchange – Greensprings – Bridge #08693. The motion was unanimously approved.

Commissioner Brown moved to approve Consent Calendar Item #3. Commission Lohman abstained; the motion was unanimously approved by the remaining four commissioners.

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Public comments continued. None.

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Chair Achterman adjourned the meeting at 11:24 AM.

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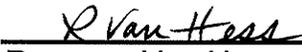

Gail Achterman, Chair


Michael Nelson, Vice Chair


Janice Wilson, Member


Alan Brown, Member


David Lohman, Member


Roxanne Van Hess, Commission Support