

**OREGON TRANSPORTATION COMMISSION**

**Minutes of the Special OTC Meeting  
May 7, 2009  
Salem, Oregon**

On Thursday, May 7, 2009, at 11:00 a.m., the Oregon Transportation Commission and Oregon Department of Transportation staff held a Special Meeting in Room 122 of the Transportation Building, 355 Capitol Street NE, Salem.

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 meetings included:

Chair Gail Achterman  
Vice-Chair Michael Nelson  
Commissioner Janice Wilson  
Commissioner David Lohman  
Director Matt Garrett  
Chief of Staff Joan Plank  
Deputy Director for Highway Doug Tindall

Deputy Director Central Services Lorna Youngs  
Trans. Development Administrator Jerri Bohard  
Communications Div. Admin. Patrick Cooney  
Technical Services Admin. Cathy Nelson  
Public Transit Administrator Michael Ward  
Governor's Sr. Trans. Advisor Chris Warner

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Chair Achterman called the meeting to order at 11:10 a.m.

Vice-Chair Michael Nelson, Commissioner Janice Wilson, and Commissioner David Lohman participated via phone.

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The Commission reviewed and considered approval of a list of highway projects that improve freight mobility, reduce traffic congestion, enhance safety, and promote economic development. (*Background material in General Files, Salem*)

Chair Achterman said the meeting is in response to a request from Governor Kulongoski to use the Commission's and ODOT's expertise to assist the legislature in developing a list of strategic investments in the state highway system for the next few years. The governor asked the Commission to provide the legislature a list of highway projects for its review that improve freight mobility, reduce traffic congestion, enhance safety, and promote economic development. He noted that as it is past the mid-point of the legislative session, time is of the essence.

Deputy Legislative Director to the Governor Hans Bernard thanked the Commission, on the Governor's behalf, for arranging the meeting under such a short timeframe. The legislature is moving very quickly to approve a bill that will provide a substantial increase in funding for the transportation system statewide. From the list provided today, the legislature will select a series of projects that will represent the modernization bonded portion of that bill. This one

component is part of a broader picture of the transportation package that will go to the Governor in the coming weeks.

Components of that package include:

- Increased dollars for maintenance and preservation of the state transportation system
- Increased revenue to allow the Commission to fill gaps left by flexing federal funds to non-highway parts of the transportation system
- *ConnectOregon* III programs
- Increases to revenue for bicycle and pedestrian facilities statewide
- On-going dollars for modernization projects throughout the state

Deputy Director for Highways Doug Tindall talked about how the list was developed. Senate Bill 566 came out of the 2007 legislature and directed the Commission to put together a list of projects that addressed freight bottlenecks, reduced congestion, and improved safety. In response, ODOT regions worked with the Area Commissions on Transportation (ACTs) and Metropolitan Planning Organizations (MPOs) to incorporate this into State Transportation Improvement Program (STIP) discussions. What developed was a merger of projects identified by SB 566 and the 2010-2013 STIP, with some carry-over projects from the 2008-2011 STIP. The only exception is the US26/Shute Road project that opens access to a certified industrial site.

The Commission asked if this list has been totally and completely compared with the list of projects funded with stimulus funds. Doug Tindall answered that the US97 Lava Butte Project is the only project he has not verified that all phases of the project have been completed with the infusion of stimulus dollars.

Chair Achterman said she opposes using bond proceeds to fund planning. Bond proceeds should fund capital construction projects. The list has a number of projects with no project delivery date. Given the need for jobs for Oregonians, as well as the needs of the transportation system in Oregon, we need to make a clearer differentiation within this list between projects with delivery dates, and those without. She suggested the transmittal letter accompanying the list to be sent to the governor, House Speaker, and Senate President, state that point and clearly define which projects can be delivered, versus ones where some of the money goes to planning. There was discussion about taking projects in the planning stage off the list. Doug Tindall explained the danger of taking projects off the list hastily, given the legislative situation. Rather, it would be prudent to include the projects and address the Commission's concerns in the cover letter to the governor.

The cover letter should state the importance the Commission places on delivering finished products to improve the transportation system and creating jobs for Oregonians.

The Commission asked to have the list updated with the county and city (if relevant) location for each project for clarification purposes.

Commissioner Lohman suggested the letter sent to the governor should urge the legislature to consider strongly the decisions made by the Area Commissions on Transportation, and that it place priority on projects that increase safety as well as provide jobs.

Vice-Chair Nelson moved to approve the list to transmit to the Senate President, Speaker of the House, and Governor Kulongoski, with a cover letter with the specific language noted above. The motion passed unanimously.



The Commission received public comments:

--Clackamas County Commissioner Lynn Peterson suggested using projects that have the ability to move forward into construction as soon as possible. The purpose stated in the document should be the same as the purpose stated in the Regional Transportation Plan in each region, or the Transportation System Plan in each jurisdiction. Also, projects should be in the financially constrained list at the regional level and need to be able to deliver so we are not bonding money for planning. Commissioner Peterson recommended that all projects that don't have a construction start day have a lower priority on the list.

--Mid-Willamette Valley Area Commission member and Yamhill County Commissioner Leslie Lewis spoke about Phase 1 of the Newberg/Dundee project. She asked why project objectives were not stated on the list because this project meets all the criteria of the governor's directive. Local officials have made a commitment to contribute \$20 million to the project if funding is approved for Phase 1.

--Metro Legislative Affairs Manager Randy Tucker provided a draft of the May 4, 2009, ODOT project list for Portland Metro Region. The list shows which Metro projects are financially constrained in the Region Transportation Plan, and which are not. Director Garrett noted that the Shute Road project is financially constrained on Metro's RTP, answering some earlier questions about this project's suitability for the list.



Chair Achterman adjourned the meeting at 4:50 p.m.

Gail Achterman, Chairman

Michael Nelson, Vice Chair

Janice Wilson, Member

Alan Brown, Member

David Lohman, Member

Roxanne Van Hess, Commission Support