

**OREGON TRANSPORTATION COMMISSION**

**Minutes of the Regular Monthly Meeting  
May 13, 2010  
Wilsonville**

On Thursday, May 13, 2010, at 8:00 a.m., the Oregon Transportation Commission (OTC) and Oregon Department of Transportation (ODOT) staff held a briefing session and reviewed the agenda in Suite 300 of the Conference Center at Stafford Woods, 25030 SW Parkway Avenue, Wilsonville, Oregon. The regular monthly meeting began at 9:00 a.m.

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 David Lohman  
Commissioner Alan Brown  
Commissioner Mary Olson  
Director Matthew Garrett  
Chief of Staff Joan Plank  
Deputy Director for Highways Doug Tindall  
Communications Division Admin. Patrick Cooney  
Region 1 Manager Jason Tell

Region 2 Manager Jane Lee  
Region 4 Manager Bob Bryant  
Trans. Safety Administrator Troy Costales  
Trans. Development Administrator Jerri Bohard  
Maintenance & Operations Engineer Luci Moore  
Deputy Director for Central Services Clyde Saiki  
Commission Assistant Amy Merckling

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Chair Achterman called the meeting to order at 9:00 a.m.

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Clackamas County Commissioner, and the former Mayor of Wilsonville, Charlotte Lehan welcomed the OTC to Wilsonville.

Director's report highlights:

---Doug Tindall is retiring after 32 years of service to the state. His last day is June 4. Director Garrett shared a few thoughts, saying Doug is, and always will be, among the best he has had the privilege to serve with. Doug understands that public service is a noble cause, and his actions have modeled that behavior. Doug has a true understanding of how actions at ODOT affect the daily lives of Oregonians. You can't replace a Doug Tindall – Doug Tindall is unique. You cannot replace his experience, wisdom, intelligence, dedication, or passion. You can't replace his friendship. Director Garrett saluted Doug, and thanked him for all he has done for the State of Oregon and ODOT. He presented Doug a plaque. The Commission also acknowledged Doug's years of service, and thanked him for laying the foundation for the agency's future.

---To better align the agency with Oregon Transportation Plan policies, multimodal policies embedded in the JTA, with the policy swings likely to occur with federal reauthorization, and with the Deputy Director position opening up with Doug Tindall's retirement, Director Garrett said he would ask for the Commission's approval (Consent Item #7) to recraft two positions that would change the top level of the agency.

The first would be a Deputy Director of Operations position to oversee the operations of the transportation system; a Chief Operating Officer (COO). The new deputy director will supervise and integrate the operations of the Safety, Highway, Rail, Public Transit, and Transportation Development Divisions. The Office of Innovative Finance and Public Private Partnerships and the Transportation Program Office will also be under this umbrella. Transportation Development Administrator Jerri Bohard will fill the COO position on an interim basis.

There are no changes to the structure or reporting relationships of Central Services, Motor Carrier, Driver and Motor Vehicle Services, or the Communications Divisions. Region 3 Manager Paul Mather will fill in as the administrator for the Highway Division. These changes will become effective June 7.

---On March 1, Oregon will become the fourth state to implement online voter registration, (Arizona-2002, Washington-2007, and Kansas-2009), with three others scheduled to go online with their own systems later in 2010. This action was the result of HB 2386 (2009 Legislative Session), which gave the Secretary of State's Office the authority to register voters via the Internet.

Elections officials in these states have found that online registration saves money, improves efficiency, and increases registration numbers by making the process more accessible to military voters, the disabled, the housebound, and people who spend a great deal of their time online.

The DMV-related steps are seamless to applicants, but it does involve two invisible "touches" with DMV records. The system does an initial identity verification by confirming data provided by the applicant against DMV records. If confirmed, it then retrieves the person's digital signature stored in the DMV database to complete the voter registration process.

Secretary of State Brown led a demonstration for the media in late February, and then invited members of the project team to meet with her last month for an acknowledgment of her appreciation. Several ODOT IS and DMV employees were recognized for their good work on the project.

---ODOT is celebrating a milestone. This is the 10-year anniversary of TripCheck.com., ODOT's road condition and travel information site that provides valuable service to Oregonians. In addition, TripCheck now has a Twitter service that allows users to sign up for particular highways of interest. When there is an update on TripCheck.com for that road, the user will receive a text message to a phone or email. This recent update

also created an iPhone-friendly Web application providing easier navigation from an iPhone.

TripCheck.com is undoubtedly one of ODOT's most praised services, having received thousands of positive comments over the years from Oregonians and travelers from all over the U.S. It takes a team effort to keep TripCheck up to date, from maintenance staff and incident responders in the field providing first-hand information about road conditions, to Operations Center staff getting the data in the system, to computer techs and managers making sure it runs smooth and fast.

Surveys over the years have shown that people change their travel behavior based on information they get from TripCheck, and that, ultimately, it is making our roads safer and even saving lives. Director Garrett congratulated the TripCheck.com team on its 10<sup>th</sup> anniversary, and applauded all of its incredible accomplishments. (To see a sampling of customer comments, view some interesting camera shots gathered over the years, and learn more about what TripCheck has accomplished, visit a new Web page, [www.oregon.gov/ODOT/COMM/tripcheck10year.shtml](http://www.oregon.gov/ODOT/COMM/tripcheck10year.shtml).)

The Commission watched a four-minute video on the history of TripCheck.



Public comments were received from:

--Elizabeth Sundeen requested ODOT's commitment to upgrade the sidewalks in the Highway 99W business district of Dundee. (Written comments provided.)

--Scott Wells requested a modification to ODOT's application to the Federal Rail Administration for state and rail planning funds. He asked that the application include the Eastern Oregon "Pioneer Route" Passenger Rail, and not be confined to rail in the Willamette Valley. (Written comments provided.)

--Jim Howell from the Association of Oregon Rail and Transit Advocates asked that the high-speed rail line from Vancouver to Eugene be studied. In particular, the bottleneck at the Columbia River. (Written comments provided.)

--Dan McFarling spoke in favor of multi-state FRA planning funds.

Additional written comments were received.



The Commission considered acceptance of the 2009 Traffic Safety Performance Plan Annual Report, and received an update on the 2009 Speed Task Force. (*Background materials in General Files, Salem*)

Safety Division Administrator Troy Costales introduced Oregon Transportation Safety Chair Mike Laverty, and Speed Task Force Chair Dr. John Tongue. Dr. Tongue highlighted some of the consequences to society of speeding, both in fatalities and socio-economic costs. He noted that reducing speeding is not just a matter of setting and enforcing speed limits; one of the biggest obstacles to educating drivers is overcoming long developed beliefs, attitudes, and behaviors.

The Speed Task Force presented the Commission its priority recommendations:

1. Establish a Governor's Advisory Committee on Speed and Aggressive Driving.
2. Raise the priority in public communications regarding the dangerous issues of speeding.
3. Amend the maximum speed statute to include all Oregon interstates, highways, and roadways.
4. Establish state-wide standards to enhance the availability and use of the current Web-based traffic reporting.
5. Incorporate speeding issues in all traffic safety training.
6. Perform an independent review of traffic violator Points System.
7. Expand state-wide use of photo radar.
8. Work with Oregon employers to elevate policies and education regarding speeding for all employees.

Troy Costales talked about Oregon's success in reducing fatalities the last year. For the first time ever, fatalities were below 400 in Oregon. He highlighted a few of the safety awards the Safety Division won last year.

Commissioner Brown moved to accept the 2009 Traffic Safety Performance Plan Annual Report. The Commission unanimously approved the motion.



The Commission received an update on the draft Metro 2035 Regional Transportation Plan (RTP) from Region 1 Manager Jason Tell, Metro Councilor and JPACT Chair Carlotta Colette, and Metro Planning and Development Coordinator Robin McArthur. *(Background materials in General Files, Salem)*

Jason Tell introduced Carlotta Colette, who outlined highlights of the RTP:

- Establishes an outcomes-based policy framework and performance measures for linking the region's transportation investments to reducing carbon footprints, creating jobs, protecting urban growth boundary and enhancing travel options.
- Reduces per-capita vehicle miles traveled and increases other modes like bicycling, transit, and walking.
- Makes strategic investments in freight networks.
- Includes a Climate Change Action Plan.
- Ties transportation investments to land use goals.

Metro Project Manager Kim Ellis discussed the desired outcomes and the plan's vision for management and operations, active transportation, freight, transit, and climate change.

Carlotta Colette said Metro will request state leadership and guidance developing strategy and targets for greenhouse gas reduction, developing least cost planning, practical design, and pricing models. In addition, the region would like to work with the OTC and the Land Conservation and Development Commission (LCDC) to conduct a comprehensive and coordinated review and update of state mobility policies.

Chair Achterman clarified that, procedurally, once the Metro Council adopts the RTP at its June 10<sup>th</sup> meeting, local cities and counties will have to update their Transportation System Plans (TSP) to be in compliance with the RTP. If there are plan amendments that occur in conjunction with land use, ODOT's role is to assure standards are met regarding reasonable expectation of being able to fund the transportation infrastructure to support the related land use. If the OTC feels the RTP is not consistent with the Oregon Transportation Plan, it would raise any comments or concerns to LCDC before it adopts the RTP this fall.

Commissioner Lohman noted the importance of Metro's accountability and involvement in discussions with local jurisdictions on issues of the transportation system being able to support proposed land use action. Chair Achterman agreed on the importance of OTC weighing in at JPACT, and with Metro Council meetings, in terms of its concerns. Jason Tell will develop key points for the council's consideration before its next meeting:

- What research, monitoring, and evaluation process is in place for Metro's plan.
- How are the performance measures and/or the alternative mobility standards going to tie to the research, monitoring and evaluation process to assure the plan is on track? (And, this should be done sooner than in the proposed five years.)
- What research has been done to support the underlying structure of Metro's plan?
- How will the plan tie to the prioritization of project implementation and funding?

Moving forward, the OTC will look at a prioritization function built into the plan that is based on what Metro sees in its performance measures, with an obvious correlation between performance measures and investment strategies.



The Commission received an update on the Oregon Department of Transportation U.S. 101 No-Spray Pilot Project from ODOT Maintenance and Operations Engineer Luci Moore. (*Background materials in General Files, Salem*)

ODOT has an integrated approach to vegetation management and established a pilot project in 2007 to reduce herbicide spray on noxious and invasive weeds. ODOT established a tracking system to monitor costs, maintenance activities and other

impacts of the change in established practices. The pilot project has been extended until July 2011. Will Lackey, ODOT Vegetation Management Coordinator talked about the annual vegetation management cost increase of just over \$1 million to continue the no-spray pilot. ODOT will continue to observe and monitor the pilot, while staying current on technological advances that allow herbicide reductions.

Public Comment was received from:

-- Oregon Invasive Species Council Coordinator Lisa DeBruyckere spoke in favor of maintaining use of pesticides as a tool to combat invasive weeds.

--John Sundquist spoke in opposition to use of herbicides in Lane County (written comments provided.) (Mr. Sundquist read a letter from Lynn Bowers who was not present.)

--Steve Northway spoke against the use of non-native vegetation and called for development of a cost accounting system that accounts for environmental and health costs.

-- Oregon Toxics Alliance Executive Director Lisa Arkin spoke on the low amount of pesticide used in Washington versus Oregon.

Written comments were received from the Concerned Citizens for Clean Air, Maxine Centala, and Lincoln County Commissioner Bill Hall, who were not present.

Luci Moore said the department presented a Policy Option Package to the legislature last fall for a no-spray pilot in Lane County. The legislature did not approve funding for that package.

Chair Achterman noted we need to take an approach with the Vegetation Management Program similar to the one taken for ODOT's Safety Plan; setting a much more aggressive programmatic plan for ways of reducing the amount of herbicides used.



The Commission considered approval of the formation, and proposed membership, of a policy committee for the Statewide Transportation Strategy on Reducing Greenhouse Gas Emissions in accordance with Senate Bill 1059. (*Background materials in General Files, Salem*)

Transportation Development Administrator Jerri Bohard talked about the effort taken in preparation to move forward formation of the committee; membership, creation of a policy committee, and a technical advisory committee.

Commissioner Olson moved to approve formation of, and the proposed membership of, the Policy Committee for the Statewide Transportation Strategy on Reducing Greenhouse Gas Emissions. The Commission unanimously approved the motion.



Transportation Development Administrator Jerri Bohard requested the Commission consider approval of the 2012-2015 Statewide Transportation Improvement Program (STIP) Eligibility Criteria and Prioritization Factors. (*Background materials in General Files, Salem*)

The STIP Stakeholder Committee developed the criteria, which were presented to the Commission at its March meeting. Recommendations were made at the April meeting. Jerri Bohard discussed the few changes to the criteria being presented for approval. Most were of a grammatical nature. Jerri took a moment to acknowledge the committee's hard work preparing the criteria.

Commissioner Olson moved to approve the 2012-2015 Statewide Transportation Improvement Program Eligibility Criteria and Prioritization Factors. The Commission unanimously approved the motion.



The Commission considered approval of Program Funding Levels for the 2012-2015 Statewide Transportation Improvement Program, and 2010-2011 Flexible Funds. (*Background materials in General Files, Salem*)

Deputy Director for Highways Doug Tindall and Transportation Development Administrator Jerri Bohard discussed program funding levels in follow-up to the presentation made at the April OTC meeting. Today's discussion was on the flex fund process, flex fund levels, and STIP program levels.

Highlights of the discussion:

- Available Federal "Flexible" Funds
- Outcomes of current allocations
- Outcomes of allocations
- Proposed process for allocation of flexible funds
- Proposed committee guidance
- Proposed committee membership
- Proposed committee timelines
- Program funding levels

The Commission again stressed the importance of looking at the effectiveness of the programs, and the strategic alignment of all of the programs with the Oregon Transportation Plan and the overall mission of the agency.

Commissioner Lohman talked about committee guidance, and acknowledged the amount of time committee members contribute and the challenge of continued committee membership. Chair Achterman agreed, but noted that given the burden we are putting on people, we need to be respectful of the fact that we are not locked into particular people or organizations, but rather it's the perspective that is needed.

Chair Achterman said the purpose of proposed minimum/maximum project size was to give a signal to applicants on the size and kinds of projects sought. To learn from this program, the projects must be of some size and import, and not funds dissipated in numerous small projects.

Doug Tindall discussed the \$14.2 million remaining unallocated for 2010-15, and options for their use:

- Maintain the system - spread to the Preservation, Bridge, or Safety Programs.
- Improve system operations – allocate to the Operations Program.
- Use these dollars to continue STP funding agreements with locals. This would free up \$3.5 million annually from 2012-15 to be added to the flex fund allocation.

Public Comments were received from:

--Art Schlack of the Association of Oregon Counties recommended allocation to existing programs, specifically, transportation growth management, transportation enhancement, greenhouse gas implementation, and elderly and disabled transportation.

--Craig Honeyman from the League of Oregon Cities expressed his appreciation for funding for greenhouse gas emissions. The league appreciates the opportunity to participate in the flex funds task force and will provide a list of candidates.

--Dennis Mulvihill from Washington County questioned the suspension of the Drive Less, Save More Program, and wanted to give his support of the program. Director Garrett stated that the program has not been suspended, but rather placed on hold while the whole picture is reviewed.

--Kelsey Wilson of the Oregon Transit Association expressed concern that the amount of funds dedicated by HB 2001 to elderly and disabled transportation has gone from 10% of the total flexible funds, to a figure of \$10 million even. She supports an initiative to take a step back and review allocation of the flexible funds. *Doug Tindall later clarified that there was not clear direction from the legislature regarding the 10% for transit, so ODOT took the legislative direction from the 09-11 budget, which was \$10 million.*

--Olivia Clark from TriMet reiterated her earlier comments to 'focus the flex' to a short list of goals: flex fund investments that show measurable reduction in vehicle miles traveled, and investments that provide real transportation choices beyond the single occupancy vehicle.

--Patty Fink, representing the Public Transit Rideshare Committee, spoke on behalf of the statewide Rideshare Program and its belief that ODOT bureaucracy is holding the program back.

--Chris Hagerbaumer, with the Oregon Environmental Council, recommended the proposed Flexible Funds Advisory Committee be a standing committee. In developing the criteria, she suggested a variety of modes be funded because a system is most efficient and robust when there is diversity. She also supported use of the flex funds to continue STP funding agreements with locals, which would free up \$3.5 million annually from 2012-15 to be added to the flex fund allocation.

--David Barenberg from the Portland Transportation Bureau, Government Relations, also supported use of the flex funds to continue STP funding agreements with locals, which would free up \$3.5 million annually from 2012-15 to be added to the flex fund allocation.

--Paul Smith, Planning Director of the Portland Transportation Bureau, recommended adding performance outcomes to the committee guidance. He also recommended removing the restriction of allocations to government entities. Much of the success in Portland area has come from the efforts of large employers who have worked hard with city government to reduce trips. He suggested adding private employers to the committee membership.

Commissioner Lohman moved to approve the formation of a Flexible Funds Advisory Committee composed of the members listed on Page 8 of the Program Funding Levels report, and, a member from Transportation Safety. The Commission unanimously approved the motion.

Commissioner Lohman moved to accept the guidance points list on Page 7 of the Program Funding Levels report, as the charge of the committee, and to add:

- 1) Develop a competitive process to allocate federal flexible funds that assures geographic equity, strategic investment, and then develop criteria for applicants for the projects.
- 2) Once the competitive process is done for this biennium, the committee will review performance of all the existing non-highway flexible fund programs in terms of their effectiveness and strategic alignment with the Oregon Transportation Plan.

The Commission unanimously approved the motion.

Commissioner Brown moved to approve using these funds to continue STP funding agreements with locals. This would "free up" \$3.5 million per year from 2012-2015 to be added to the flex fund allocation. The Commission unanimously approved the motion.

Commissioner Olson moved to approve the STIP Program Funding Levels on Page 12 of the Program Funding Levels report. The Commission unanimously approved the motion.

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Deputy Director for Central Services Clyde Saiki, ODOT Budget Officer Darryl Ficker, and ODOT Chief Financial Officer Les Brodie presented a draft of the Oregon Department of Transportation's 2011-2013 Agency Request Budget for the Commission's review. (*Background materials in General Files, Salem*)

Clyde Saiki discussed the three budget cycles, and gave a few highlights of the budget process. The department will bring the final budget to the OTC in June for approval.

Les Brodie talked about the status of bonding and debt service for the next biennium.

Darryl Ficker reviewed the 2011-13 Agency Request Budget and discussed each division's request. Highlights:

- Personal Services are up \$87.5 million -- increased medical insurance and PERS rate.
- Services and Supplies are down \$304.3 million – changes in project payout schedule and one-time Tri-Met expenditure not carried forward.
- Decrease in Capital Outlay of \$64 million for T-Building renovation.
- Reduction in Special Payments for changes to the Oregon Wireless Interoperability Network (OWIN.)
- Debt Service increase of \$45 million is largely for the Jobs and Transportation Act (JTA.)

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The Commission considered approval of a request submitted by Region 1 Manager Jason Tell to adopt the Sellwood Bridge Interchange Area Management Plan (IAMP) in Multnomah County. This IAMP is consistent with the requirements of the Department's Access Management Rule (OAR 731-015-0155(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 Region 1 Planner Lainie Smith, who took a moment to introduce and thank Region 1 Planner Talia Jacobson for all her hard work putting the IAMP together. She also and acknowledged the efforts of Andy Johnson, who was not present. She presented the Sellwood Bridge IAMP. Highlights:

- Background and study area
- Interchange design
- Plan designations and overlay zones
- Local circulation and access management challenges
- IAMP process
- Next steps

John Gilliam from the City of Portland, and Ian Cannon from Multnomah County participated in the discussion.

Chair Achterman expressed hope to build on the work already done on the IAMP to start a more robust discussion about a jurisdictional transfer.

Commissioner Lohman moved to adopt the Sellwood Bridge IAMP. The Commission unanimously approved the motion.



The Commission considered approval of items on the Consent Calendar.

1. Not available at this time.
2. Confirm the next two Commission meeting dates:
  - Wednesday and Thursday, June 9-10, 2010, in Jacksonville
  - Wednesday, July 21, 2010, in Portland
3. Adopt a resolution for authority to acquire real property by purchase, condemnation, agreement or donation.
4. Approve the following Oregon Administrative Rules:
  - a. Amendment of 731, divisions 5, 7, 146 through 149 relating to procurement.
  - b. Adoption of 734-020-0148 relating to hearings that result from the towing of abandoned or hazard vehicles.
  - c. Amendment of 735-001-0050 relating to DMV administrative review.
5. Approve a request to amend the 2008-2011 Statewide Transportation Improvement Program to add the U.S. 97: Spanish Hollow Creek Bridges Deck Rehabilitation Project in Sherman County. This project will be funded by the State Bridge Program with a portion of the savings from recent favorable bids. The total estimated project cost is \$611,000.
6. Approve a request to amend the 2008-2011 Statewide Transportation Improvement Program to add the Oregon 230 Bridge Rail Replacement project in Jackson and Douglas Counties. This project will be funded by the State Bridge Program. The total estimated project cost is \$750,000.
7. Request Commission approval of Department Executive Level Reorganization per Oregon Revised Statute 184.615 (2), and Oregon Revised Statute 184.633.

Commissioner Brown moved to approve the Consent Calendar. The Commission unanimously approved the motion.



Public comments continued. None.



Chair Achterman adjourned the meeting at 4:01 pm.



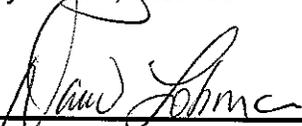
  
Gail Achterman, Chairman

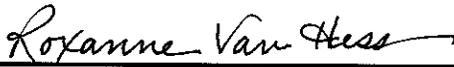
Not Present

Michael Nelson, Vice Chair

  
Mary Olson, Member

  
Alan Brown, Member

  
David Lohman, Member

  
Roxanne Van Hess, Commission Support