

OREGON TRANSPORTATION COMMISSION

**Minutes of the Regular Monthly Meeting
October 19-20, 2010
Bend, Oregon**

On Tuesday, October 19, 2010, at 1:30 p.m., the Oregon Transportation Commission (OTC) and Oregon Department of Transportation (ODOT) staff began the Annual OTC Workshop in the Deschutes C Room of the Riverhouse Hotel & Convention Center, 3075 North Business 97, Bend, Oregon. That evening, the OTC and ODOT staff had dinner in the Deschutes B Room.

On Wednesday, October 20, 2010, the OTC and ODOT staff continued the Annual Workshop beginning at 8:30 a.m., in the Deschutes C Room. At 11:30 a.m., a briefing session, agenda review, and lunch were held in the Deschutes B Room. The regular monthly meeting began at 1:00 p.m. in the Deschutes C 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:

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| Chair Gail Achterman | Highway Division Administrator Paul Mather |
| Vice-Chair Michael Nelson | Rail Division Administrator Kelly Taylor |
| Commissioner David Lohman | Transit Division Administrator Michael Ward |
| Commissioner Mary Olson | Region 1 Manager Jason Tell |
| Director Matthew Garrett | Region 4 Manager Bob Bryant |
| Chief of Staff Joan Plank | Commission Assistant Amy Merckling |
| Deputy Director of Operations Jerri Bohard | |
| Communications Division Admin. Patrick Cooney | |

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Chair Achterman called the meeting to order at 1:30 p.m.

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OTC Annual Workshop

#1 – What the Future Holds for ODOT – Futurist Garry Golden

Director of Foresight Strategy for Oliver Kaizen, futurist Garry Golden gave a presentation on trends that will influence transportation and transportation decision-making. The presentation covered:

- o Era-based transition
- o The global economy
- o The infrastructure experience of the future
- o Demographic transitions

#2 – Summary of Reset Cabinet Report - Chris Warner

Governor's Transportation Advisor Chris Warner gave an update on the Governor's Reset Cabinet. By Executive Order 09-13, Governor Kulongoski asked for a Reset Cabinet. The governor recognized that the current economic crisis exposed the unsustainability of the state budget and asked for the cabinet, a group of public and private individuals, to seek innovation and restructuring in four areas: education; human services; public safety; and revenue. The cabinet issued its report in June 2010, and created a menu of options for the next legislature and governor to consider in the 2011 legislative session. Highlights of the report:

- Core responsibilities of state government
- Deficits and unsustainable services
- Options for resetting state government
- Key program areas
- Statewide initiatives
- Reprioritization of General Funds and Lottery Funds
- Education
- Health care
- Public safety
- Labor costs
- Organization and efficiency savings
- State and local partnerships

#3 - Continuing Conversation about the Future - Panel

Katherine Hunter- Zaworski, Ph.D., P.E., from Oregon State University, gave a presentation titled, *Aging in Place: Life Transitions and Mobility Options for Oregonians*.

The Oregon Transportation Research and Education Collaborative chose three graduate students to participate in a panel discussion on that is happening in their area, academically, that is redefining transportation functions. The panel consisted of:

- Kristin Kelsey, University of Oregon – Architecture
- Mary Ann Trisha, Oregon State University – Engineer
- Joe Broach, Portland State University – Urban Studies

The students responded to three questions:

- What is currently going on in your area?
- What does the future look like?
- What keeps you up at night? The intent of this question is to get at a key concern or trend that panelists believe has consequences for the future.

Discussion followed with ODOT staff.

#4 - Strategic Highway Governance Changes - Paul Mather and Jason Tell

Highway Division Administrator Paul Mather and Region 1 Manager Jason Tell led a discussion on ideas on a different “business model” for the Highway Division. The discussion included ideas on how to bring a strategic focus to ODOT business that looks more to ODOT’s statewide role and the statewide function of its system. They gave a presentation on strategic highway governance. Highlights of the presentation:

- Basic business model
- A changing world
- A new business model and what it should include
- Region 1 case study
- Opportunities

Discussion followed.

#5 – Toward a Multimodal Integrated Transportation System- Panel discussion

The panel participated in a discussion on how to become a more integrated multimodal transportation system. The following panel members participated:

- Paul Mather, ODOT Highway Division Administrator
- Michael Ward, ODOT Transit Division Administrator
- Kelly Taylor, ODOT Rail Division Administrator
- Susie Lahsene, Freight Advisory Committee Chair
- Alan Unger, Central Oregon ACT Member
- Mark Pangborn, Oregon Transit Association
- Bruce Carswell, General Manager, West Texas & Lubbock Railroad
- Lynn Schoessler, Deputy Director, Oregon Business Development Dept.
- Chris Corich, Oregon Aviation Board

Questions posed to panel members:

- How do we create an integrated multimodal transportation system?
- Where are we now? What is on the horizon for their individual modes.
- What are the barriers that prevent us from getting an integrated system?
- Is the allocation of funding prioritized to make the greatest benefit to the system?
- What changes in governance can reduce the cost of transportation while moving toward a more integrated transportation system?

Discussion followed.



REGULAR MONTHLY MEETING

Director's report highlights:

--The Center for Digital Government released an announcement of the Digital states evaluation of all 50 states. Oregon received a B+ grade. Only four states were graded higher. This is a major accomplishment for the State of Oregon. It recognizes the shared contribution and hard work of state agencies, the state government IT community, enterprise IT programs and partners over the past few years. This is the first time in over a decade of surveys that the Center for Digital Government has recognized Oregon's achievements. Special praise was given for ODOT, the Public Utility Commission, and the Department of Energy whose collective efforts resulted in first place in the Energy and Transportation Program category.

-- U.S. Department of Housing and Urban Development Director of Housing & Sustainable Communities Shelley Poticha and HUD Northwest Regional Administrator Mary E. McBride, U.S. Senator Ron Wyden and U.S. Senator Jeff Merkley announced the award of \$1,450,000 to the Lane Council of Governments in Eugene to support regional planning for more livable, prosperous and sustainable communities in Lane County. The award was made under HUD's new Sustainable Communities Regional Planning Grant program.

-- Oregon was highly successful in the recent round of TIGER II grants awarded by the U.S. Department of Transportation. Competition for the grants was intense, with nearly 1000 grant applications totaling more than \$19 billion competing for just \$600 million in funding. The State of Oregon received two construction grants, the Port of Coos Bay and ODOT's Electronic Vehicle Corridor Connectivity Charging Network project, which will deploy about two dozen electric vehicle 'fast charge' stations throughout northwest Oregon. The Aloha-Reedsville planning effort was awarded \$1.5 million to coordinate housing and land use and transportation.

-- Communications Divisions' Region 4 Public Information Officer Peter Murphy won a National Association of Government Communicators *Blue Pencil and Gold Screen Award* in a national competition. The award was in the category of News Program, and was titled "*Central Oregon Highways.*" Peter and John Kazmierski of the Audio/Video section produced the program. This is the third NAGC award for the Communications Division in the last three years. An excerpt from the video was played, and Director Garrett presented the award to Peter Murphy.



Public comments were received from:

-- Deschutes County Vegetation Manager Dan Sherwin expressed concerns about the proposal to reduce the weed and vegetation budget by 25%. He requested ODOT consider cutting other activities before cutting the weed/vegetation program, which is important to good visibility, prevention of fires/erosion/encroachment, control of vegetation and trees, and to providing weed control along state highways. All of which are safety concerns.

--Malcolm Graham spoke in favor of banning studded tires from roads.

--Philip Hetz requested the crosswalk on the Bend Parkway at Reed Lane be closed immediately to assess the crosswalk's safety. Closure of the crossing, before a hearing can be scheduled to assess the safety, would avoid continued exposure to drivers and pedestrians to an unsafe situation.

--Joe Mansfield, Alice Shipps, Cricket Kadoch, Steve Pistole, Robert Tyler, and Bill Binion spoke in opposition to the proposed site for the new DMV office at the Brookwood Meadow Plaza. In response to these comments, the Commission asked Director Garrett to work with the Department of Motor Vehicles to take a hard look at every aspect of the situation and review all the options available, working closely with legal council, to understand what alternatives might exist and how we can address the operational needs of the community. Director Garrett will engage the issues and report back at the November OTC meeting.



The Commission received an informational update on the proposed Juniper Ridge zone change in Bend from Region 4 Manager Bob Bryant and Bend City Manager Eric King. *(Background material in General Files, Salem)*

Bend City Council member Mark Capell gave a brief overview of the Juniper Ridge project, and introduced Juniper Ridge Project Executive David Ditz who gave a PowerPoint presentation about the project. Highlights of the presentation:

- Synopsis of December 2009 status
- Summary of progress since December 2009
- Description of Inter-Governmental Agreement (IGA)
- Mitigation Improvement Table
- Cooley/97 performance measures
- Challenges and opportunities
- Next steps

Public comment was received from:

-- Lowe's HIW, Inc. and Newman Development Group representative Seth King spoke on both agenda items C and D. Lowe's and Newman Development Group support the

development of Juniper Ridge and commend the City of Bend and ODOT for the cooperation outlined in the IGA. The development of Juniper Ridge is a good economic development engine for Central Oregon and can help provide phased traffic mitigation improvements that are important for the corridor. Lowe's and Newman want to note that they will be impacted by the implementation of the IGA, and it's important that the improvements be implemented in a way that maintains existing access and visibility to those retail sites.

-- Central Oregon Landwatch representative Paul Dewey spoke on the need to monitor the actual traffic resulting from the agreement. As exceptions to the OHP standards are granted, it's critical for there to be effective monitoring of the consequences.

-- Scott Siewert expressed strong opposition to the Juniper Ridge project.

-- ODOT Citizen Advisory Committee Chair Michel Bayard noted that the committee received the IGA only yesterday, and requested that no action be taken on the IGA for 30 days to give the committee the opportunity to provide its input.

Chair Achterman summarized that with the revised schedule, the City of Bend approval of the Trip Cap Ordinance, with the public involvement in conjunction with that, and the approval of the IGA by the city council would occur before Bob Bryant would exercise his authority as region manager to make a "Reasonably likely" determination that within the timeframe of the 20-year agreement, adequate funds would be available to cover the state portion of the anticipated improvements. It's important to assure throughout this process that notice goes to property owners who may be affected by the decision, so deals aren't negotiated without the public having opportunity to comment and be engaged. In addition, as we move into the implementation phase, the Commission will want to know how monitoring and accounting will be conducted to track the transportation improvement track with real estate development.



The Commission received an informational update on the U.S. 97 Bend North Corridor Project that looks at future improvements for the same segment of Highway 97.
(Background material in General Files, Salem)

Region 4 Manager Bob Bryant introduced Central Oregon Area Manager Gary Farnsworth (Interim Region 4 Manager), and Region 4 Tech Center Manager John Heacock who gave a PowerPoint presentation update on the project. Highlights of the presentation:

- Project overview
- Alternative development
- Down-scaling and the results
- Current status
- OTC guidance



Bob Bryant gave an informational update on the status of the Access Management Stakeholder Committee required by Senate Bill 1024, passed during the 2010 Special Legislative Session. *(Background material in General Files, Salem)*

Senate Bill 1024 directs how ODOT manages access to the state highway system. Specifically, the bill directs ODOT to engage with a stakeholder group through a process to develop a highway access management system based on objective standards. ODOT brought together as a group of external, interested parties and stakeholders on this topic to help work through the provisions of SB 1024.

One provision was how ODOT would address change-in-use of properties, and the thresholds that are triggered in doing so that would require reapplying for an access permit. The stakeholder group wants revised standards to increase the amount of redevelopment that could occur as part of a change-in-use before the landowner or developer had to reapply for a specific permit.

The group directs ODOT to develop a less stringent set of standards for highways that have less than 5000 average daily trips. The group developed language to achieve that goal.

ODOT's goal is to have access management proposals in place by the end of the year to meet the provisions of SB 1024.



The Commission considered approval of the Oregon Transportation Commission Delegation Order effective December 1, 2010. *(Background material in General Files, Salem)*

ODOT Chief of Staff Joan Plank, ODOT Maintenance Office representative Karen Morrison and Assistant Attorney General Dale Hormann asked for approval of the revised delegation order from the OTC to Director Garrett, effective December 1, 2010.

Commissioner Lohman noted that the delegation order was not proposing any change in relations or activities, but was clarifying for the OTC, and for the future, who has delegated authority and who has responsibility for exercising them. Joan Plank confirmed this, adding that it is also ties authority to statutes and clarifies some authorities that seem to be given to the Commission and the department at the same time.

Commissioner Olson moved to adopt the OTC delegation order. Commission members unanimously approved the motion.



The Commission considered approval of a request for a two-step contract for a maintenance pilot project on Oregon 219, and designation of the Highway Division Administrator to execute the contract under the authority of Oregon Administrative Rule 731-070-0240 to outsource maintenance on Oregon 219 from mile point 10.05 to mile point 36.52 (excluding MP 20.16 to 20.59) when the details of the contract have been finalized. The second step of this process will be to execute the operating contract for the actual maintenance and operations contractor using the plans developed under the first-step of the contract. *(Background material in General Files, Salem)*

Highway Division Administrator Paul Mather presented the request.

Commissioner Olson moved to approve the second step of the contract. Commission member unanimously approved the motion.



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

1. Not available at this time.
2. Confirm the next two Commission meeting dates:
 - Tuesday, November 9, 2010 in Keizer.
 - Wednesday, December 15, 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 Rule (OAR) actions:
 - a. Amendment of 734-020-0045 relating to bicycle and pedestrian prohibition on urban freeways.
 - b. Amendment of 734-059-0100 relating to sign program permit fee increases.
 - c. Adoption of 735-062-0012 and amendment of 735-062-0110 relating to veteran designation and proof of veteran status.
 - d. Amendment of 740-040-0010, 0060 and 0070, and repeal of 740-040-0050 relating to bond and insurance requirements for motor carriers.
 - e. Amendment of 741-060-0010 to 0110 relating to rail safety standards.
5. Approve a request to submit the proposed proclamation to Governor Kulongoski for his signature designating December as "Drinking and Drugged Driving Awareness Month" in Oregon.
6. Approve a summary of financial charges incurred by the department's director for the Fiscal Year that ended June 30, 2010.
7. Approve a request to adopt an amendment to the Oregon Highway Plan that designates a Special Transportation Area (STA) on Oregon 99E in the City of Canby. The city Transportation System Plan updates includes a recommendation for Oregon Highway Plan designation of an STA for the half-

- mile section of Oregon 99E that bisects downtown and is subject to the city's downtown development standards.
8. Approve a request to amend the 2008-2011 Statewide Transportation Improvement Program to include a Transportation Enhancement project for the City of Newberg. The total estimated project cost is \$454,000.00.

Commissioner Lohman abstained from voting and declared a possible conflict of interest on Consent Item #3. Commissioner Olson moved to approve the Consent Calendar. The remaining Commission members unanimously approved the motion.

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Public comments: none

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Vice-Chair Nelson said that last night, Chair Gail Achterman was given an award for ten years of volunteer, public service on the Oregon Transportation Commission.

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Vice-Chair Nelson adjourned the meeting at 3:56 p.m.

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 Gail Achterman, Chairman

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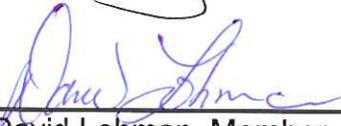
 Michael Nelson, Vice Chair



 Mary Olson, Member

Not present

 Alan Brown, Member



 David Lohman, Member

Roxanne Van Hess

 Roxanne Van Hess, Commission Support