

## OREGON TRANSPORTATION COMMISSION

### Minutes of the Regular Monthly Meeting January 19, 2011 Salem

On Wednesday, January 19, 2011, 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 the Small Hearing Room of the Public Utility Commission Building, 550 Capitol Street N.E., Salem, Oregon. The regular monthly meeting began at 9:00 a.m. in the Main Hearing 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:

Chair Gail Achterman  
Commissioner Mary Olson  
Commissioner Dave Lohman  
Commissioner Alan Brown  
Director Matthew Garrett  
Chief of Staff Joan Plank  
Interim Deputy Director Operations Jerri Bohard  
Communications Division Admin. Patrick Cooney

Highway Division Administrator Paul Mather  
Public Transit Division Administrator Michael Ward  
Technical Services Administrator Cathy Nelson  
Rail Division Administrator Kelly Taylor  
Interim Trans. Dev Administrator Barbara Fraser  
Commission Assistant Amy Merckling

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Chair Achterman called the meeting to order at 9:03 a.m.

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Director's Report highlights:

-- At the January 12, 2011, ACEC Engineering Excellence Award dinner, ODOT and its private sector partners received recognition for excellence on three projects:

- the Oneonta Gorge Tunnel Rehabilitation project, with David Evans and Associates, GRI Geotechnical and Environmental Consultants, and JAL Construction, received the Honor Award
- the Mount Hood Highway Road Safety Audit, with Kittleson and Associates, received the Honor Award
- the Interstate 5: Victory Boulevard to Lombard St. project, with David Evans and Associates, received the Grand Award for Transportation and the People's Choice Award

--Federal rule requires ODOT to solicit and invite feedback from non-metropolitan area local officials, every five years, regarding the effectiveness of ODOT's consultation process. The survey provides ODOT a measure of the perceived effectiveness of its consultation process. The 2010 survey was sent to 300 jurisdictions, and the overall

result showed ODOT was effective in involving non-metropolitan area local officials in planning and STIP development. The survey also points out areas in which consultation with local officials could be strengthened. One area noted was with the Area Commissions on Transportation. This is attributed to the turnover of local officials.

--Director Garrett commended the staff of ODOT Maintenance, and the ODOT Communications Team, for their efforts with the challenges faced over the Martin Luther King holiday, and the weekend storm that dumped significant rainfall in mountains throughout the state.

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Public comments - none

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Department of Environmental Quality Director Dick Peterson gave an update on the partnership between the Department of Environmental Quality and the Oregon Department of Transportation. (*Background materials in General Files, Salem*)

The Department of Environmental Quality (DEQ) and ODOT are collaborating on several projects around the state that are good examples of how two agencies can work together to mitigate potential environmental consequences through early, and frequent project communication and coordination.

DEQ Director Peterson thanked the Oregon Transportation Commission for the time and effort they dedicate as commission members, and for the responsibility they take on of making difficult and challenging decisions in moving Oregon forward. He also commended ODOT staff for its work building the relationship with DEQ. Staff efforts have helped the two agencies understand each other better, their missions, and when adjustments need to be made.

Three projects describe the partnership between DEQ and ODOT: 15 Mile Creek bridge; The Iowa Street project on I-5 in Portland; and the Pioneer Mountain/Eddyville project.

Communication between the agencies has grown immensely, and resulted in a memorandum of understanding between the two agencies. DEQ's commitment is to continue growing this partnership. To that end, ODOT Director Garrett will make a report similar to today's report, to the Environmental Quality Commission on February 18, 2011.

Commissioner Lohman applauded the progress between the two agencies, their mutual goal toward continuous improvement, and asked what specific areas or issues DEQ would target to take the next step forward. Director Peterson responded that storm water continues to be a challenge for both agencies.

Chair Achterman said streamlining the permit process is part of the important work DEQ and ODOT has done together.



The Commission received an update from Deputy Director of Central Services Clyde Saiki on the Oregon Department of Transportation's Key Performance Measures, and the development of a summary performance dashboard. (*Background materials in General Files, Salem*)

A proposed dashboard report for legislatively reported performance measures was discussed at the June 2010 OTC meeting. The Commission asked for updates on the performance measures twice per year.

Clyde Saiki introduced Performance Measurement Coordinator Scott Bassett to give the update. Highlights of the presentation were:

- 25 key performance measures are reported as part of the agency budget document. The dashboard report includes a summary of those measures, and provides links to the Annual Performance Progress Report, which discusses the measures in more thorough detail.
- A one-page status overview, which summarizes the 25 key measurements, is organized by five key ODOT goals: safety; stewardship; preservation; mobility/economic vitality; and environmental sustainability.
- Twenty-two of the 25 measures are at, or within, five percent of the target.
- Rail safety/derailment incidents is one of 11 measures that had significant performance improvements.
- Impaired driving is one of three measures that are low, but within 15 percent of the target.
- Wait time in DMV field offices is an example of nine measures that have future targets that are more ambitious.

Performance measures will be brought to the Commission for review again in July. Chair Achterman noted the value of the information, but asked if the measures give agency staff the tools needed to serve the public better. Is this tool useful in terms of day-to-day management? The Commission asked that examples of when and how the performance measures are being used be brought to the June meeting.



The Commission received an update in projected funding levels, and the corresponding condition of the highway system, from Highway Division Administrator Paul Mather. (*Background materials in General Files, Salem*)

Paul Mather gave a presentation on projected funding levels in each of the major systems, and the projected condition of these systems. Bridge and pavement represent

the majority of the investments made in the system. Highlights of the presentation were:

- projected ODOT program size through 2015
- bridge and pavement conditions and funding
  - conditions will deteriorate significantly over the next several decades
  - the state bridge program historically has been funded below the level needed to maintain current conditions, resulting in bond funding - OTIA
  - declining federal revenue has reduced funding, and inflation has further reduced purchasing power
- bridge preservation strategies
  - protect high-value coastal, historical, major river crossing, and border structures by acting before cost become prohibitive
  - use *practical design methods*, and fund only basic bridge rehabilitation and rare replacements with bridge funds
  - give priority to maintaining the highest priority freight corridors to ensure efficient freight movement
  - develop a bridge preventive maintenance program
  - continue to raise awareness of the lack of seismic preparation
  - bring the 68 structurally deficient, low-volume structures currently in Poor Condition, to Fair Condition
  - use various methods to anticipate future bridge conditions better
- pavement preservation strategies
  - re-evaluate budget split between interstate and non-interstate systems
  - look at adding highways under 5,000 ADT to low-volume program
  - consider more partial pavement restorations
  - pursue a multilift pavement 1R program with FHWA
  - implement more low-cost 1R and chip seal treatments
  - focus pavement dollars on pavement only
  - leverage other programs
- other highway issues
  - 31 percent of assessed culverts were in poor or critical condition
  - the annual gap between needs and funding is \$77 million
  - managing unstable slopes (e.g. culverts, slides)
- ODOT's asset management efforts

Paul summarized that the system is in decline, and ODOT faces reduced funding. The more deteriorated the system becomes, the more expensive it is to maintain or repair. Investing funds in new strategies will reduce the decline in the short term, and provide other benefits as well.



The Commission received an update on the Oregon Department of Transportation's efforts to address climate change adaptation issues, and received reports on the Oregon Climate Change Assessment and the Oregon Climate Change Adaptation Framework. (*Background materials in General Files, Salem*)

Sustainability Program Manager Margi Bradway, and Sustainability Planner Liz Hormann gave a report on the impacts and risks of climate change in Oregon.

Highlights of the report were:

- related efforts regarding adaptation in Oregon: Oregon Climate Assessment Report (OCAR); Oregon Climate Change adaptation framework; and ODOT's adaptation efforts
- climate change *mitigation* is any action taken to eliminate or reduce the long-term risk and hazards of climate change
- climate change *adaptation* is adjustment in natural or human systems to a new or changing environment caused by climate change
- the Oregon Climate Assessment Report (OCAR), was produced by the Oregon Climate Change Research Institute in response to a 2007 Oregon legislative requirement
- impacts to transportation infrastructure and operations on coastal roads, bridges/culverts, and infrastructure in flood plains
- ODOT's efforts on adaptation: research, strategy, and planning
- population movement based on climate change



The Commission considered approval of an increase in project authorization, in the amount of \$10,500,000, on the Interstate 84: Sandy River – Jordan Road – Bundle 210 project. This changes the project authorization from \$63,171,582 to \$73,671,582. (*Background materials in General Files, Salem*)

Major Projects Branch Manager Tom Lauer introduced Bridge Delivery Unit Manager Ray Mabey, manager of the OTIA III bridge program. Mr. Mabey gave a presentation on the Interstate 84: Sandy River – Jordan Road – Bundle 210 project. Highlights of the presentation were:

- Sandy River project vicinity
- original contractor plan
- river analysis zone areas
- revised contractor plan 2010-2011
- revised eastbound bridge work
- revised method

The Major Projects Branch is planning for a potential high-water event, and considered a number of alternatives to reduce the flooding effects of the construction project. One alternative offers the best combination of reduced flood risk with minimal schedule change. The alternative revises the construction method to a “top-down” approach, which reduces the number of temporary bridge piers and pilings in the river, but increases the project schedule by approximately one year. It is necessary to increase the project authorization now to allow expedited processing of contract change orders, and give ODOT the ability to work cooperatively with the construction contractor to minimize delays to the project.

Commissioner Lohman asked if the flood potential was something we could have recognized at the onset as a potential problem, or that the contractor could have recognized as the job started. Tom Lauer responded that this is the first time the agency has had to purchase FEMA flood insurance as a result of a project, and it is a learning experience.

Commissioner Olson moved to increase the project authorization. Commission members unanimously approved the motion.



State Maintenance and Operations Engineer Luci Moore gave an update from the Baldock Restoration Group on the final results of the homeless project conducted at the Baldock rest area. (*Background materials in General Files, Salem*)

Luci Moore introduced Oregon Travel Information Council (OTIC) Director Cheryl Gribskov, and Community Processor for the Clackamas County District Attorney's Office Bill Stewart.

Mr. Stewart discussed the homeless population that frequents the Baldock rest area, and the three-pronged plan developed by OTIC, the District Attorney's office, and ODOT to move people out of the rest area. The first part was close management of the rest area by OTIC and ODOT staff. The second part came through the Social Services Team, and a faith-based group that provided opportunities for resettlement to long-term or provisional housing. The third part consisted of law enforcement and criminal justice, as of May 1, 2010, that closely enforced towing, fines, and violation authority to clear the area.

The result was that 32 of the 37 permanent residents at the Baldock rest area have been resettled, or have engaged in transitional housing. The nightly count of approximately 100 people is now below 25. Reports of disruption in the rest area have significantly reduced, and there has also been a 55 percent reduction in calls to law enforcement requiring response to the rest area. The District Attorney's office has prosecuted zero cases related to the Baldock renovation. This effort was a major success because of the many partnerships formed.

Cheryl Gribskov said OTIC now has five maintenance and landscape people who work daily at the rest area, some of whom used to be residents when OTIC took over management of the area last January. Facility windows have been opened to serve free coffee at night, which makes people using the rest area feel safer. The group that spearheaded the Baldock renovation will remain as an advisory group to OTIC to monitor issues that might arise at other rest areas.

Luci Moore said that as ODOT opens up the rule regarding behaviors allowed in rest areas, we will draft language and bring it back to the Commission for approval.

Chair Achterman said it will be our goal to identify other areas for which ODOT properties are being used by homeless people, and where we can take this constructive approach to helping them.



The Commission received an annual report from DMV Administrator Tom McClellan on the effects of implementing the 2008 driver license and identification card issuance as required by the Oregon Legislature. (*Background materials in General Files, Salem*)

The bill had three high-level phases. The first phase, in July 2008, was documentation requirements that all applicants for driver licenses or ID cards provide proof of legal status, proof that they are in the country legally. The second phase, in January 2009, required that immigration documents be verified electronically with the Department of Homeland Security. The last phase, in January 2010, was the issuance of limited term cards for individuals in the country for a limited time period. The bill also required review of the rate of unlicensed/uninsured drivers, and incidences of crashes in Oregon.

The methodology used to collect this information was data from accident reports filed by individuals, and crash reports filed by law enforcement. July 2007 was selected as a baseline comparison date for the July 2008 implementation.

The findings of this comparison showed no change in the number of unlicensed drivers in crashes, but a slightly higher rate of uninsured, *licensed* drivers. There were fewer reported accidents/crashes, and a 7 percent reduction in the number of crashes reported in the year from July 2007 to July 2008. Additional impacts of the bill are expected to be gradual as 8-year driver licenses and ID cards come up for renewal.

The cost of implementation of the bill was \$840,000.

There has been discussion about a decrease in driver license transactions affecting the income on driver license revenue. The July 2008 implementation of Senate Bill 1080 allowed for a \$4.50 increase in driver license fees, which partially offset the drop in volume of transactions.

Net revenue from the issuance of ID cards goes toward senior and disabled transit programs, and has not changed significantly except for a spike that occurred just before implementation of the bill.

A Portland State University study conducted on the socio-economic impacts of the bill showed an economic impact on the undocumented labor force. The impact was heaviest on particular industries and occupations like agriculture, food production, and the hospitality industry. A majority of undocumented individuals are of Mexican decent, which caused a great deal of distress and uncertainty in the Latino community because

of the social impacts to driving habits, daily routines, access to services, the ability to cash checks, open a bank account, etc.



The Commission received a presentation on the status of the Least Cost Planning Methodology Development Project. (*Background materials in General Files, Salem*)

Deputy Director for Operations Jerri Bohard introduced Sam Seskin of CH2M Hill, and Chair of the STIP Stakeholder Committee, Dr. Scott Ashford of Oregon State University.

Dr. Ashford said the STIP Stakeholder Committee finished its work on the current STIP last spring, and has been working with ODOT and its consultants on the implementation of least cost planning.

Sam Seskin gave a presentation on the status of least cost planning for transportation in Oregon. Highlights of the presentation were:

- least cost planning was developed by the northwest electric utility industry to consider a broader set of choices for meeting service requirements. The key characteristics of least cost planning are evaluation of a wide variety of options, including demand management, and consideration of environmental and social costs of service
- least cost planning measures the costs and benefits of investments and actions, uses quantitative and qualitative evidence, accounts for environmental, social and economic effects, measures value, and accounts for risk and uncertainty
- the objective is to develop a methodology for least cost planning in Oregon to assist ODOT in making transportation decisions in a way that is transparent and accountable to the public, and makes the best use of public funds to achieve long-term goals
- least cost planning has a three-stage timeline, (define, identify, and implement) to be completed by 2013 if authorized

The STIP Stakeholder Committee agreed on several key areas. First, least cost planning should initially be “plan based” (portfolios of actions) and should be designed for use at a state or regional scale first. Second, specific environmental, economic and social performance categories were defined. These include mobility, accessibility, economic and environmental sustainability, safety, finance, land use and growth management, quality of life and livability, and equity. And lastly, least cost planning should consider monetized, quantitative, and qualitative indicators.

The next step is outreach to stakeholders though ODOT’s website, fact sheets, staff interviews, and outreach to agency partners. Working group meetings will establish general indicators to be addressed by least cost planning.



The Commission received a presentation on the Flexible Funds Program project selection process, and considered a list of project recommendations. (*Background materials in General Files, Salem*)

Public Transit Division Administrator Michael Ward talked about the Flexible Funds Program application process, which generated 115 requests for funding for transit, Transportation Demand Management (TDM), and bicycle and pedestrian projects. Over \$83 million in requests were received for the \$21 million available.

Planning Section Manager Erik Havig discussed the application and selection process. Applications were divided into two categories, bicycle/pedestrian type projects, or transit TDM projects. The two categories then went to internal review teams who scored the projects against the criteria and placed the projects in tiers of high, medium, or low. A cross-modal review was done on the top tier projects, resulting in 50 projects moving forward to a second round review. Second round projects were categorized into three tiers, which resulted in the recommended list of projects being submitted for approval.

Chair Achterman asked that the Advisory Committee consider the procedure to substitute projects in situations in which the project can't use the funds within the specified time period, and therefore, drops off the list. What is the criteria/process for reallocation?

Public testimony was received from:

- Susan Duncan, City of Bend Accessibility Manager, spoke in support of the S. 3<sup>rd</sup> Street Ped Access Improvements project, Bend.
- Dan Schwanz, from the Hood River County Transportation District, spoke in support of the Park and Ride Facility project, Hood River.
- Ray Delchanty from Multnomah County spoke in support of the 223<sup>rd</sup> Bike and Ped Facility Design project, Multnomah County.
- Mark White, Powellhurst-Gilbert Neighborhood Association President, spoke in support of the SE 122<sup>nd</sup> Ave. Complete and Green project, Portland.
- Willis VanDusen, City of Astoria Mayor, spoke in support of the Streetscape & Transit System Improvements project, Astoria.
- Shirley Kalkhoven, City of Nehalem Mayor, spoke in support of the 3<sup>rd</sup> Street Enhancement project, Tillamook.
- Mark Labhart, Tillamook County Commissioner, spoke in support of the 3<sup>rd</sup> Street Enhancement project, Tillamook.
- Suzanne Webber, City of Tillamook Mayor, spoke in support of the 3<sup>rd</sup> Street Enhancement project, Tillamook.
- Don Herndon, Tillamook Urban Renewal, spoke in support of the 3<sup>rd</sup> Street Enhancement project, Tillamook.
- Bob Keefer, Willamalane Parks and Recreation District Superintendent, spoke in support of the Middle Fork Willamette River Path Ph 2a project, Willamalane.

- Gary Brannan, a private citizen, spoke in support of the Historic Columbia River Highway State Trail project that did not make the list. He stressed the importance of preserving the heritage of Oregon.
- Ginger Griffiths, Scio City Manager, spoke in support of the Thomas Creek Bike/Ped Bridge project, Scio.
- Chuck Knoll, Linn County Road Department Engineer, spoke in support of the Thomas Creek Bike/Ped Bridge project, Scio.
- Jenna Sparks, Jackson County Special Projects Manager, spoke in support of the Bear Creek Greenway Reconstruction project, Jackson County.
- Nancy Kraushar, Oregon City Connectivity Project, spoke in support of the Downtown Connective Corridor project, Oregon City.
- Lloyd Purdy, Oregon City Downtown Non-profit Organization Program representative, spoke in support of the Downtown Connective Corridor project, Oregon City.
- Olivia Clark, TriMet, spoke in support of the Portland – Milwaukie Light Rail project, TriMet.
- Dan Blocher, TriMet, spoke in support of the Portland – Milwaukie Light Rail project, TriMet.
- Lindsay Desrochers, Portland State University, spoke in support of the Portland – Milwaukie Light Rail project, TriMet.
- Paul Carlson, Senior V.P., OMSI, spoke in support of the Portland – Milwaukie Light Rail project, TriMet.
- Maurice Rahming, National Association of Minority Contractors (NAMC) President, and President of O'Neill Electric, spoke in support of the Portland – Milwaukie Light Rail project, TriMet.
- Faye Burch, NAMC member and small business owner, spoke in support of the Portland – Milwaukie Light Rail project, TriMet.
- Joe Bowers, President of Salem Building and Construction Council, spoke in support of the Portland – Milwaukie Light Rail project, TriMet.

The Commission submitted a list of questions, for staff to take to the Flex Funds Committee about the current, and future, process:

1. Should the 10 percent maximum limit be revisited?
2. Are there issues with the length of the multi year commitments? If we are comfortable with the length of commitment, what's the nature of the inter-governmental agreement that we enter into to reflect that kind of commitment?
3. What's the procedure for project substitution?
4. The regional equity issue – related to long-range commitments.
5. Should projects that didn't make the first round be rolled into the second round?
6. If a project is so critical to a city or region, why can't the city or region shoulder the whole funding responsibility for the project?
7. Questions about criteria:
  - a. Should safety get bonus points?
  - b. Should the impact to the local economy, apart from construction jobs, get bonus points for the economic development aspect of the project?

- c. Should providing mobility for seniors, disabled people, and low-income employees be given greater weight than providing a community enhancement?

Chair Achterman gave a reminder to take statutory mandates, (as in restoration of the Columbia River Highway), into consideration when making determinations.

The recommended project list will be brought back to the February OTC meeting.



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

1. Approve minutes from the December 15, 2010, meeting in Salem.
2. Confirm the next two Commission meeting dates:
  - Wednesday, February 16, 2011, in Salem
  - Wednesday, March 16, 2011, in Salem
3. Adopt a resolution for authority to acquire real property by purchase, condemnation, agreement or donation.
4. Approve the following Oregon Administrative Rules:
  - a. Adoption of 734-070-0017 relating to exceptions to maximum weight limitation.
  - b. Amendment of 735-040-0098 relating to DMV's non-profit group plate surcharge.
  - c. Amendment of 735-072-0020 relating to the Driver Improvement Program.
  - d. Amendment of 737-010-0020 relating to minimum safety standards for medium-speed electric vehicles.
5. Approve a request to amend the 2010-2013 Statewide Transportation Improvement Program to include all phases for the Interstate 5: Bridge Vertical Clearance Improvements project for the following three bridges:
  - Oregon 225 (30<sup>th</sup> Avenue) over Interstate 5 northbound MP 189.87
  - Oregon 126 eastbound over Interstate 5 northbound and connections at Interstate 5 MP 193.94
  - U.S. 20 over Interstate 5 southbound at MP 233.23

Commissioner Olson moved to approve the Consent Calendar. Commission members unanimously approved the motion.



Public comments. None.



Chair Achterman adjourned the meeting at 3:50 p.m.



*Gail Achterman*  
Gail Achterman, Chairman

Not present  
Michael Nelson, Vice Chair

*Mary Olson*  
Mary Olson, Member

Not present  
Alan Brown, Member

*David Lohman*  
David Lohman, Member

*Roxanne Van Hess*  
Roxanne Van Hess, Commission Support