OREGON TRANSPORTATION COMMISSION

Minutes of the Regular Monthly Meeting
May 15-16, 2014
Astoria, Oregon

On Thursday, May 15, 2014, at 2:30 p.m., the Oregon Transportation Commission (OTC) and Oregon Department of Transportation (ODOT) staff met with members of the Northwest Area Commission on Transportation (NWACT) in the River View Rooms 1 and 2, at the Holiday Inn Express, 204 W. Marine Drive, Astoria, Oregon. That evening, the OTC and ODOT staff held a no-host dinner with NWACT members at the Bridgewater Bistro, 20 Basin Street, Astoria.

On Friday, May 16, 2014, at 8:30 a.m., the Oregon Transportation Commission (OTC) and Oregon Department of Transportation (ODOT) staff held a premeeting briefing session and agenda review in the River View Rooms 1 and 2, at the Holiday Inn Express, 204 W. Marine Drive, Astoria, Oregon.

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:

Acting Chair Dave Lohman
Commissioner Tammy Baney
Commissioner Susan Morgan
Director Matthew Garrett
Trans. Development Div. Admin. Jerri Bohard
Int. Communication Sect. Mgr. Dave Thompson
Highway Division Administrator Paul Mather
DMV Division Administrator Tom McClellan
Region 1 Manager Jason Tell
Region 2 Manager Sonny Chickering
Region 3 Manager Frank Reading
Region 4 Manager Bob Bryant
Region 5 Manager Monte Grove
Area Manager Larry Kinley
Commission Assistant Jacque Carlisle

Thursday, May 15

Acting Chair Lohman called the meeting to order at 2:35 p.m.

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Workshop Item #1
Welcome

City of Astoria Mayor Willis Van Duse welcomed the Commission to Astoria and introduced State Senator Betsy Johnson. Mayor Van Duse and several Astoria Community members took a few minutes to recognize Region 2 Area Manager Larry McKinley for the outstanding job he has done for ODOT and the community.

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Workshop Item #2
Panel Discussion with Northwest Area Commission on Transportation (NWACT)

The Commission participated in a panel discussion with members of the Northwest Area Commission on Transportation (NWACT) and considered approval of its updated bylaws and biennial report. ***(Background materials in Director/Commission/History Center File, Salem.)***

Background:
The Oregon Transportation Commission originally chartered NWACT in 1999. The biennial report describes NWACT's procedures and accomplishments over the past two years, and demonstrates how it meets the OTC's "Policy on the Formation and Operation of Area Commissions on Transportation (ACTs)" and the Highway Division directive that implements the policy.

In preparation for this meeting, the commission posed the following questions for the Area Commission on Transportation members to consider as part of the discussion.

1. *As the OTC, we struggle with the balance between maintaining the transportation assets we have and expanding the transportation system. What does this balance look like in the Northwest part of the state?*
2. *As we look to find new revenue for transportation, what are the key opportunities for transportation investments to help the economic situation here? What investments covered meet the statewide needs?*
3. *How do the roles of the ACTs and advisory committees change in view of Governor Kitzhaber's direction to the Commission? What do you see as some of the opportunities and some of the difficulties in changing the model?*

Governor Kitzhaber's six principles to OTC (from Governor Kitzhaber's address to the OTC in August 2011)

- *Do we have the right group of individuals at the table at the beginning of the process to define the problem and solution together?*
- *Should ODOT manage or own the facility or would it be better managed for a diverse set of outcomes, by another agency or jurisdiction?*
- *Are we creating programs that do not simply invest in the future of the transportation system but meet a multitude of community objectives?*
- *Does each decision move us closer to a sustainable, safe, low carbon, multimodal system?*
- *Does the decision maximize benefit for the least cost under the limited resources?*
- *Finally, does this decision or policy move us closer to finding a more rational transportation funding mechanism for the future?*
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Discussion:
Members of the Northwest Area Commission on Transportation participating in the panel discussion were:

~ Shirley Kalkoven – City of Nehalem Mayor, NWACT Chair
~ Russ Warr – Astoria City Councilor, NWACT Co-Vice-Chair

~ Brett Estes – Astoria Community Dev. Director/ Int. City Manager, NWACT Member
~ Kathy Kleczek – Sunset Empire Transportation District, NWACT Member
~ State Senator Betsy Johnson

Shirley Kalkoven started the discussion by highlighting a few points from NWACT's biennial report. She said she is very proud of the work done by the five transit districts involved in the North by Northwest Connector program, which has been very successful and nationally recognized. Another issue NWACT has been involved in was the flooding issue on Highway 101 south of Seaside, which was very successful without the highway being closed. Personally, she has been involved in the conversation to convert the Port of Tillamook railway into a Rails and Trails project, which would be a huge economic driver for the area.

Russ Warr participated in the *Connect*Oregon V project recommendation process and he hopes some of the really good projects that came out of that will get funded. There is a lot happening in NWACT, which has been a wonderful process for the Port of Astoria and City of Seaside, by giving them more of a say in the communities' destiny than in the past.

Brett Estes said that NWACT members work well together looking for what's best for transportation needs in that area. The recent ranking process was fair and equitable.

Kathy Kleczek feels the ACT is a very successful collaboration between the different areas, communities, and entities in the area. The number of successful projects mentioned in the biennial report gives a good picture of how the collaboration and cooperation between the communities results in really good projects that have had a definitive positive impact on the region. And an impact not just on tourism, but on the locals and their sense of safety and security in knowing that even when the water and tide is high, if you have an emergency, you're still going to be able to get to the hospital. Tourism is rising in the area, it's important to understand that impact on traffic. Those roads are not built to have safe bicycle trails on the side of the highway, and the more the area and alternative methods of transportation are promoted, the more those people are put at risk if proper safety measures aren't installed along the highways. NWACT has a close eye on the ball about this, and it's important that organizations on the outside also look at that bigger picture.

State Senator Betsy Johnson said NWACT is made up of four counties, each having its own unique characteristics and needs. She is impressed with the collaboration and cooperation, and how ACT members work together to advance projects. The clearest point she has noticed is how different Washington County is from the other counties, being challenged with explosive growth and the need to plan to accommodate Intel and other such entities that have come along. NWACT faces significant issues, such as ground level problems with much of Astoria built on fill, which present unique problems in terms of project delivery and in terms of prognosticating what addition traffic will do to the substructure. NWACT is extremely well governed. It has a great Chair, is collaborative, and members get along and don't fight, in part because members have the all the right information from their staff person Mary McArthur. The ACT concept is excellent. It informs on the ground and helps work out regional differences before things are brought to the OTC.

State Senator Johnson wanted to emphasize the fact that everyone attending, to give the earlier salute to Larry McKinley, was displaying authentic appreciation for Larry and his ability to see the big picture, and get-to-yes attitude. She expressed concerns that, as the needs have explosively expanded in different areas, we go back to the get-to-yes guys over and over again. We have to collectively guard, as we try to deliver the Governor's agenda, against over extending these individuals and recognize that agency directors are being asked to give staff out to other projects, in addition to their own portfolios of responsibilities, and you can only run a horse so long before it falls over. She said that as much as they appreciate the resources made available from the agencies, we have to be mindful there is a burn-out factor, and you can't ask a handful of people to keep delivering day after day after day.

Senator Johnson said some interesting issues arose as the last round of *Connect*Oregon projects were prioritized. One is that we are going to run out of money. The $40 million given by the Legislature won't go very far in the multibillion dollar sea of need. So the question is, once this very elaborate prioritization process is complete, if projects above the line fall out, what happens to the money? Does it go to the OTC for reallocation, or will the line drop down to the next project on the list? Another issue is how project sponsors have performed on previous *Connect*Oregon projects. Are there folks in the queue a second or a third time that have insubstantially delivered on previous projects? This is a legitimate criteria, and she has asked to have this list of sponsors made available. The last issue that should be revisited is the geographic set-aside. Senator Johnson admits to being the first to scream about assuring there is always geographical equity, but ODOT and the OTC also need to assure that best projects come to the surface, and not just projects that are funded in the name of geographical equity.

Senator Johnson concluded by acknowledging Director Garrett and ODOT staff. The folks staffing the *Connect*Oregon exercise have done an exceedingly good job; they have been patient and great kudos are deserved for the work that has occurred. Senator Johnson also noted Director Garrett's attentiveness and availability, saying you would be hard pressed to find a more responsive director. She also commended Sonny Chickering and Larry McKinley for their graceful and sensitive handling of questions at a very emotionally charged meeting in Washington County after the tragic death of two young women at a dangerous intersection.

Commissioner Morgan asked what the one piece of advice NWACT would give to an ACT that hasn't reached the sophistication and understanding that are part of NWACT's success. Larry McKinley responded that NWACT has equal representation across all four counties, and the meeting is moved every month to different locations to showcase communities as part of the ACT. This creates ownership and a sense of understanding of how the ACT operates.

Shirley Kalkoven said the expectations for ACT members are high. Membership must have a majority of elected people, who at the same time must think strategically, regionally, and not be parochial. This is a hard concept for elected officials to begin with, and an ACT with no institutional memory to guide it because its leaders change often, is at a loss with the huge learning curve and will have a difficult time.

Acting Chair Lohman said the premises of working from the bottom up on transportation issues, and asking the ACTs to put aside parochial interests, is the proper way to get to good

projects. Senator Johnson agreed, and said that if there were break away ACTs that come to the legislature and ask for some accommodation, be it fiscal or organizational, she hopes the OTC would empower the agency to oppose that legislation. If the door is opened to begin breaking apart the organizational structure of the ACTs, that penalizes the ACTs that have performed, and it awards bad behavior. She hopes the Commission would take a very aggressive view against that kind of legislation.

Russ Warr said the fundamental issue to realize is that transportation funding not just in our regions or our state, but all over the nation has been an absolute challenge. We can be mad about it, but have to work with what we have.

Brett Estes said a change in mindset is required. People must be flexible enough to work through these fund-driven changes in processes or policies to look for the bigger need.

Kathy Kleczek said one of the difficulties Sunset Empire Transportation District had with the new process was that suddenly there isn't funding, and no direct means to get assistance or funding for transportation needs for things that are not roads or structures, like buses. The transportation is not just the movement of freight and people; it's the livability and how livable the community is based on how we get around. Right now, what looks like a tourism-focused look at bike-pedestrian issues, can actually be more of a transportation-focused means of how to make a community more livable. Things are shifting to accommodate a how we get around now process versus a how are we going to structure things to get around in the future process. The way the STIP is set up is a big challenge right now because everything is coming out of one pot, and maybe it should be split up into transportation modes versus durable projects. It's the bigger picture we don't have the structure for yet, to even look at whether it's going to be usable over the long run for livability and general transportation.

Commissioner Baney commented that her region has experienced a change in economy. The mills are gone, to be replaced by the new industry, tourism. The region has reached a nexus of what is the role of those modes and how do we pay for those modes. There is an economy there, and it's a shifting economy for the entire state. There's a balance we need to be looking at as to the benefit, the cost benefit, and then the return on that investment as we move forward. This may be an opportunity to look at holistic funding a little differently.

Commissioner Morgan said the issues around bike/ped and the issues around transit vary greatly regionally across the state. Southwest Oregon has small, isolated communities that have a lot of trouble with transit linkage because of the distance between communities and lack of funding. These communities have struggled mightily the last few years to try and link the systems together so people can go from one point to another to get medical care and things like that. The linkages are exciting and innovative, but it's the day-to-day expenses of operating the system that they struggle with to keep the doors open.

Director Garrett said that, fundamental to these conversations, is the mentoring and education the ACTs bring to the table. It is equally important for the ACTs to share that message with Senator Johnson's colleagues in the Legislature. He asked the ACT and the Regional Solution Team if we are maximizing that relationship. Is there a better way to integrate that

conversation to ensure the proper disciplines play out at the ACTs and then at Regional Solutions meetings, or vice versa. Legislation passed requiring a focus on regional priorities and consideration for regional solutions. These discussions probably create a lot of opportunities, but are we disciplined enough to ensure those priorities are in sync? We can better align and integrate, to influence the direction of investments for the State of Oregon, by integrating these forums to maximize the intellect that comes to the table and make sure the same message is carried to all the forums.

Senator Johnson responded that we are in unchartered waters, and this is something the Executive Department is going to have to address. The 2014 session brought in a discussion for funding for the Regional Solutions Teams when the Teams were not yet imbedded in statute. This will cause angst as money becomes institutionalized and we ask what those priority projects are. Is Director Garrett supposed to queue-jump to satisfy Regional Solutions when the STIP process has already been completed and a lot of people have invested a lot of time and energy to get there? Regional Solutions should not usurp the prerogatives of local governments. The priorities should not just lob in from outer space and get agency prioritization. In a universe where there is never enough money, many have concerns that a Regional Solutions project can come out of left field, queue-jump over legislatively approved budgets or interior agency work plans, demanding people and resources that the agency doesn't have to spare. That conversation needs to happen at the executive level.

There is going to be an invitation to a considerably greater amount of public scrutiny when we begin to set priorities for the Regional Solutions Team. Some people believe Regional Solutions priorities have the potential to negate local planning and permitting. Senator Johnson said that is absolutely not the case. Regional Solutions projects are subject to all the state and federal permitting requirements. There is a messaging issue here and there is an executive agency coordination issue. Regional Solutions come to the party as the new kid and the discipline needs to be enforced on them to coordinate with ongoing processes and citizen and local government expectations of how agencies are going to deliver.

Director Garrett said Senator Johnson was spot on.

Action:
Commissioner Morgan moved to approve the NWACT updated bylaws and biennial report. Commission members unanimously approved the motion.

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Workshop Item #3
Update on the North Coast Regional Solutions Team

The Commission received an informational update about the work of the North Coast Regional Solutions Team from members of the Regional Solution Team. ***(Background materials in Director/Commission/History Center File, Salem.)***

Background:
Regional Solutions Centers (RSCs) are places for state agencies to collaborate with each other, local governments, and with other public, private, and civic interests to solve problems and seize opportunities. Regional Advisory Committees, made up of Oregonians appointed by the governor from business, civic organizations, government, foundations, and higher education, identify priorities to guide the work in each of the ten regions. The committees also help connect resources from the community to expand the state's collective capacity to solve problems and seize opportunities. Initially, RSCs focus on completing priority projects to bring new jobs or retain existing ones.

Governor Kitzhaber believes that to rebuild Oregon's economy, all of us—public, private, and civic partners—must work together. The state can no longer afford single objective investing. The RSCs allow regional leaders and citizens to leverage all available funding to complete the highest priority projects. The Regional Solutions Centers are located at the universities in Bend, Medford, Eugene, Portland, Tillamook, and La Grande. Satellite offices will be in Salem, The Dalles, Klamath Falls, and Coos Bay.

The Regional Solutions Centers are staffed by Regional Solutions Teams composed of a representative from five state agencies: the Department of Environmental Quality (DEQ), the Department of Land Conservation and Development (DLCD), the Oregon Department of Transportation (ODOT), the Department of Housing and Community Services (OHCS), and the Business Development Department (OBDD). Other state agencies are added to the teams as needed for regional priorities. The teams are led by a Regional Coordinator who represents the governor as a catalyst for action in each region. State agency directors meet regularly with the governor to review and evaluate the RSCs' work based on the number of projects completed.

RSCs complete projects addressing the priorities identified by the Regional Solutions Committees. Team members collaborate with each other, local officials, private citizens, and with other organizations to effectively complete projects. RSCs are also part of the Oregon Solutions Network which links them with the State's dispute resolution program, Oregon Consensus, and the state's collaborative implementation program, Oregon Solutions. For each regional priority, the coordinator develops a work plan including objectives, expected outcomes, agency involvement, targets, and milestones. Through collaboration, efficient communication, and strategic action, the RSCs work to achieve Oregon's most important economic and community objectives.

The following RST members provided updates:

- *State Senator Betsy Johnson – Governor's Convener North Coast Regional Advisory Committee*

- *Mark Ellsworth - North Coast Regional Solution Team Coordinator*
- *Mary McArthur - Executive Director NWACT and Col Pac EDC*
- *Jennifer Purcell – Department of Environmental Quality*
- *Larry McKinley – Oregon Department of Transportation*
- *Dennie Houle – Oregon Business Development Department*

Discussion:
Mark Ellsworth started the discussion by discussing some of the work done in the North Coast region, how State Senator Betsy Johnson has significantly aided that work, and some of the successes of the Act. Highlights of his presentation were:

- Regional Solutions Team mission
- regional priorities
- current projects
- challenges of the area
- safety issues

State Senator Betsy Johnson shared one of the dilemmas the area faces, the Rainier "A" Street Rail Safety Improvement Project. The Rainier project is a cobbled together mosaic of funding that has finished lower than some of the bike/ped projects. The irony is that above this fix on the prioritization list, are two projects that will increase the amount of rail by rehabbing an old dock that oil trains will run on. Doing the top tier projects will increase the demand on the track, while not fixing the safety issues at Rainier. It's like being "sort of" pregnant. That's where the irony of some of this prioritization comes from.

Jennifer Purcell highlighted a few things from the Work Plan that are being done on the North Coast such as the Clatsop Plains sub-area planning effort and Shoreline Sanitary District work. Another example of the diversity of work is all the work done in the City of Tillamook who capitalized on the Highway 101 and Highway 6 project.

Senator Johnson noted that the end of the NWACT Work Plan includes some projects the ACT intends to work on with other Regional Solutions groups, such as resilience planning for natural disasters along the coast, coastal dredging, jetty maintenance and rehabilitation, recertification of dikes and levees, etc.

Director Garrett closed this discussion by saying it is clear we have an Oregon Transportation Policy Plan. What we've started to identify is the lack of an Oregon Infrastructure Policy Plan. He agrees we have been opportunistic in identifying mini revenue streams to bring people together at the right time. We have been opportunistic to the extent that we had motivated people, but we also had people that didn't miss a phone call. They were there and they answered the call, which is a good strategy. He asked if that was the best we could do? Can we be much more strategic as we engage this conversation, and how much time do we need to transition to something more holistic than the parochial transportation plan we have, to one that brings in the infrastructure conversation? Today's conversation has shown where the dots don't connect so we can start that conversation.

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Acting Chair Lohman adjourned the meeting at 4:47 p.m.

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That evening, the Oregon Transportation Commission and ODOT staff held a no-host dinner with NWACT members at the Bridgewater Bistro, 20 Basin Street, Astoria.

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Friday, May 16

On Friday, May 16, 2014, at 8:30 a.m., the Oregon Transportation Commission (OTC) and Oregon Department of Transportation (ODOT) staff held a premeeting briefing session and agenda review in the River View Rooms 1 and 2, at the Holiday Inn Express, 204 W. Marine Drive, Astoria, Oregon. Highlights of the briefing session were:

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Matt Garrett reviewed the agenda.

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Matt Garrett spoke briefly about a letter received from FHWA on the Federal Highway Trust Fund.

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Acting Chair Lohman called the formal meeting to order at 10:00 a.m.

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Director's Report

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Work Zone Safety Video

Governor Kitzhaber has declared May 2014 to be Transportation Safety Awareness Month and Director Garrett said he is taking advantage of this proclamation to continue the conversation related to transportation safety, this time from the voices of the individuals on the front lines and the challenges they face, how dangerous the job is, and how our men and women are exposed to those dangers. The Commission viewed the ten minute video.

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Employer of the Year for ODOT Right of Way

Director Garrett was pleased to announce that ODOT Right of Way was the recipient of the International Right of Way Association's (IRWA) 2014 Employer of the Year Award. The International Right of Way Association is a not-for-profit association established in 1934, focused on efforts to assist its members toward professional development, strong ethics, and improved service to employees and the public. ODOT is a member of the Chapter 3 branch of the IRWA and has created a strong partnership in developing ODOT's right of way disciplines and professionals to meet the highest standard. This award recognizes ODOT not only for its outstanding partnership, but also for its excellence as an employer.

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Freight Policy Roundtable Washington, DC

Two weeks ago, Director Garrett had the opportunity to travel to Washington, DC to speak before a Freight Policy Roundtable in the United States Senate. It was a bipartisan group convened by two different Senate committees that are working to come up with a multimodal approach to planning and funding freight projects. They had heard about the great work being done in Oregon, particularly around *Connect*Oregon, and wanted to learn more about our successes in improving the movement of freight across all modes of transportation. His talk emphasized how the transportation system is the backbone of the nation's economy, and focused on how Oregon's investments and policies have led to growth and economic opportunities. It was an excellent opportunity to engage with key national officials, and Director Garrett was able to convey the importance of federal engagement in this area.

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2014 Summer Construction Map

Director Garrett said the 2014 Summer Construction Map is out. The map, showing the various bridge and highway construction projects that will probably have some impact on traffic through the summer, is distributed to dozens of locations throughout the state. Not only does the map articulate the location of these projects, but also helps communities understand there may be a pinch for a time as construction crews work to improve a transportation problem in their area. The map identifies 86 projects across the state.

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Commissioner Mary Olson

Director Garrett announced that Mary Olson passed away peacefully on Saturday, May 10. She began her term as an OTC Commissioner on March 1, 2010, and resigned on December 2, 2013, due to health reasons. Mary will be laid to rest on Monday, May 16, 2014, at St. John the Apostle Catholic Church in Lake Oswego.

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Public Comments

Written and verbal public comments were received from Matt McGrath from the Port of Astoria. He spoke of the positive economic impact the port has on the area's economy, and requested ODOT assistance with needed rehabilitation and improvements to the Port of Astoria's infrastructure.

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Draft Oregon State Rail Plan

The Commission conducted a public hearing on the Draft Oregon State Rail Plan currently available for public review. ***(Background materials in Director/Commission/History Center File, Salem.)***

Background:
The Oregon Transportation Commission (OTC) reviewed the Draft Oregon State Rail Plan at the Commission's April 18, 2014 meeting, and released the Draft Plan for public review and comment. As part of this public review period, Oregon Department of Transportation (ODOT) Staff is consulting with Area Commissions on Transportation (ACTs) and interested stakeholder groups through meetings, presentations and notification of public review information. Staff has also submitted the Draft Plan to the Federal Railroad Administration (FRA) for review and comment. This public hearing will provide an additional opportunity for interested stakeholders to submit comments and the opportunity to testify directly with the Commission. ODOT staff will provide a brief overview of comments received to date prior to public testimony.

The public comment period will close at 5:00 p.m. on June 20, 2014. ODOT staff will compile comments and share the input and recommendations at a final State Rail Plan Steering Committee meeting that is anticipated in July 2014. Following final edits to the Draft Plan, staff will present the document and the Draft "Findings of Compliance with Statewide Planning Goals" to the Commission and request review and potential adoption. This action is anticipated at the September 2014 Commission meeting.

Pending OTC adoption, ODOT will submit the plan to FRA for formal "acceptance," which confirms that Oregon meets specific eligibility requirements for FRA funding through the Passenger Rail Investment and Improvement Act of 2008 (PRIIA). The FRA Grant Agreement funding much of the State Rail Plan work will expire at the end of 2014, putting a formal bookend to the overall project.

A copy of the Draft Oregon State Rail Plan can be accessed by visiting the project Website at: http://www.oregon.gov/ODOT/TD/TP/Pages/railplan.aspx.

Discussion:
ODOT Rail and Public Transit Division Administrator Hal Gard introduced ODOT Senior Planner and State Rail Plan Project Manager Michael Rock who highlighted some of the outreach efforts used to get the word out on the State Rail Plan to stakeholders, local governments, other agencies and the public. He also provided some of the feedback received to date, much of which underscored the importance of passenger rail.

Hal Gard provided much of the outreach to the Area Commissions on Transportation (ACTs) and said some of the main themes that came out of those discussions were the need for passenger rail, rail and community safety, using public/private partnerships to leverage investments for public rail, and the fact that inadequate funding sources means money is being left on the table because of the inability to match funds.

Hal Gard spoke briefly about a vision committee composed of members of the steering committee for the Rail Plan as well as members for the Passenger Rail Corridor Improvement Plan and environmental impact statement (EIS) to bridge the two and discuss long-term passenger rail topics like high speed rail. Commissioner Morgan said she appreciates high speed rail getting a place at the table to introduce that concept into the plan, but cautioned that the regular passenger rail portion is going to take some time to get implemented, and with funding being one of the biggest obstacles, the high speed rail will be even further down the road. She suggested this conversation be kept at a very visionary level so the plan is not inadvertently locked into something that twenty years from now is not relevant to the discussion.

Action:
Public Hearing *(Note: Public comments will be limited to no more than three minutes each. Individuals providing similar testimony on the same topic are requested to appoint a spokesperson. The commission has allocated 30 minutes for this item, but will hear all those who wish to testify.)*

Acting Chair Lohman called the Public Hearing to order at 10:30 a.m.

No public comments were received.

Acting Chair Lohman adjourned the Public Hearing at 10:31 a.m.

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Oregon Department of Transportation's Research Projects

The Commission received an informational presentation about the Oregon Department of Transportation's research projects, and the benefits of coordinating through universities. ODOT Research Section Manager Michael Bufalino and Oregon State University's Dr. Christopher Bell and Dr. Haizhong Wang presented the information. ***(Background materials in Director/Commission/History Center File, Salem.)***

Background:
Provide the Oregon Transportation Commission with examples of ODOT coordination with research efforts and universities. Three activities highlighted include the Oregon State University Cascadia Lifelines Program, the "Future Changes" analysis partnership, and the Federal University Transportation Consortium program. The presentation focused on the benefits of partnering with universities. The ODOT Research Section Annual Report summarizes additional research efforts.

Presentation:
Michael Bufalino introduced Dr. Wang and Dr. Bell who talked about the research program ODOT runs and its partnerships with the universities and others who help engage in the study

and identification of transportation problems. He said the research section oversees federally funded research and development programs which focus on direct solutions to identified problems, solutions that will be implemented once the work is completed. The research section manages about 45 projects in a given year, with 10-12 new projects being selected and about the same number being completed each year. A project typically runs an average of three years. He discussed some of the current projects being worked and highlighted some of the many benefits of the program.

Dr. Christopher Bell spoke about OSU's collaborations and contributions with ODOT. Highlights of the presentation were:

- OSU has a long history of working with ODOT: state planning and research program, demonstration projects, strategic needs, and workforce development
- OSU provides faculty and students from multiple programs: civil and construction engineering, industrial, chemical and environmental, and economics
- Examples of subject matter includes recycling bridge decks, bridge rehabilitation, work zone safety, cost responsibility, fleet management, seismic activity and landslides, vehicle miles traveled program
- The Cascadia Lifeline Program is a research consortium developing cost effective solutions to mitigate risk from the Cascadia Subduction Zone. Five projects (industry driven, common problems) are funded through the program:
    1. behavior of Willamette silt
    2. seismic performance of "Legacy" systems
    3. performance of deteriorated structures
    4. post-earthquake transportation network
    5. tools for assessing earthquake hazards
- The Pacific NW Transportation Consortium (PacTrans) is led by the University of Washington and includes OSU, Washington State University, the University of Idaho, and the University of Alaska at Fairbanks. Completed projects include post seismic operation of lifeline corridors, reducing cracking risk, soil-structure interaction effects, education project, and a distracted driving outreach program.

Dr. Haizhong Wang talked about the research collaboration between OSU and ODOT through on-going projects and potential future work.

Projects active at this time include:

- Potential Changes to Future Travel Behavior/Patterns in the Next 20-40 Years – Phase I and II
- Preparing a Possible Oregon Road Map for Connected Vehicle/Cooperative Systems Deployment Scenarios
- Lifeline Network Resiliency and Recovery for Emergency Response

Upcoming projects include:

- Geo-Spatial Analysis of Bicycle Crashes and Bicycle Level of Traffic Stress
- Road User Charge Economic Analysis
- Risk Factors for Pedestrian and Bicycle Crashes

Discussion:
Director Garrett said there was a shift with the University Transportation Center, to where there are now two, which is a unique opportunity to leverage that knowledge base. He asked what themes OTREC is engaged in versus the themes that are the disciplines at PacTrans. Dr. Bell said, simply put, the PacTrans theme is related to regional and more rural issues, while the OTREC Center at Portland State has a much more urban theme related to livable communities. Director Garrett said this split, and the collective wisdom that comes with it, will just continue to enhance and compliment the efforts we engage in with regard to research.

Commissioner Baney asked how the decision is made on what will be researched, and are we looking at the new airplane vehicles which can travel on the roads and also fly? Dr. Wang said a solicitation is run for research problem statements, ideas we could be looking at. The solicitation is open to the entire ODOT workforce, the public, local government, and partner agencies. Some direction is given that it needs to be a transportation problem, original work, and a new idea that hasn't been solved yet. Typically, about 100 problem statements are received per year, which are reviewed and screened by topic-specific, expert task groups, with about 20 moving on to the ODOT Research Advisory Committee for selection. He said there is not a current project on airplane vehicles.

Commissioner Morgan thanked Dr. Bell and Dr. Wang for taking the time to help us understand the dynamics of this powerful program that stretches across a lot of different areas while also looking at what the transportation system of the future could be and the ramifications of moving in different directions. Not only is it a pragmatic, positive impact on what ODOT does, it also informs the kinds of policy decisions needed in a rational way.

Acting Chair Lohman asked to get a copy of the list of projects being performed. Michael Bufalino said he would provide it.

Director Garrett concluded by saying this partnership has pioneered good things in Oregon, things that have spread across the nation. There is an opportunity here to attract future engineers and transportation leaders by exposing them to the ability to take the technical and translate it into the understandable, engaging both the academic side and the practical side.

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The OTC broke for lunch at 11:35 a.m. Sonny Chickering and Troy Costales talked about safety corridors, and Paul Mather and Jerri Bohard gave a 2018-2021 STIP update and timeline.

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The Commission reconvened in formal session in the River View room at 12:35 p.m.

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All Road Safety Program

The Commission received an informational presentation on the All Road Safety program from ODOT Traffic Services Engineer Doug Bish. ***(Background materials in Director/Commission/History Center File, Salem.)***

Background:
Safety projects are included in ***Fix-It*** *funding in the Oregon Department of Transportation's (ODOT) Statewide Transportation Improvement Program (STIP). Traditionally these federal funds were separated into limited funding for local projects and ODOT projects. With the passage of Moving Ahead for Progress in the 21st Century Act (MAP-21), there is an expectation that federal funds are focused on the entire system, to reduce fatal and serious crashes based on specific cost/benefit data. ODOT staff is currently developing a new process to select safety projects based on this direction.*

The All Roads Transportation Safety program is a jurisdictionally blind safety program to address safety needs on all public roads in Oregon. By working collaboratively with local road jurisdictions (cities, counties, Metropolitan Planning Organizations and tribes), ODOT can expect to increase awareness of safety on all roads, promote best practices for infrastructure safety, complement behavioral safety efforts, and focus limited resources to reduce fatal and serious injury crashes in the state of Oregon.

Implementing an All Roads program takes careful planning and work to determine the process. To maintain commitments in the current STIP, a reasonable expectation is that the All Roads Program will begin in 2017. In the meantime, ODOT implemented a Transition Plan for 2013-2016, funding local road safety by focusing on systemic, low-cost fixes that can be implemented in a short timeframe.

For more information about the program see:
http://www.oregon.gov/ODOT/HWY/TRAFFIC-ROADWAY/Pages/Blind-Safety.aspx

Presentation:
ODOT Traffic Services Engineer Doug Bish gave the presentation on the All Roads Transportation Safety (ARTS) project. Highlights of the presentation were:

- 1700 fatalities and serious injuries occur in Oregon per year
- the traditional safety program, funded through the ***Fix-It*** program, focused on "hot spots"
- agreements with the Association of Oregon Counties and the League of Oregon Cities divide safety funds between state/county/city
- ARTS, primarily funded from federal Highway Safety Improvement Program (HSIP) funds, launches in 2017 and includes all public roads, with a goal to develop a fair and unbiased selection process with a mix of both systemic and "hot spot" funding
- proposed ARTS funding for roadway departure, intersections, and pedestrian/bicycle
- shift from traditional to systemic comparison
- comprehensive programs: enforcement grants and education efforts

- ARTS program summary:
  - fair and unbiased process for local roads as well as state highways
  - data-driven process
  - targeted to reducing fatal and serious injury crashes
  - tied to the Strategic Highway Safety Plan (SHSP)
- new selection process:
  - look at what other States are doing
  - HSIP application process for local agencies
  - stakeholder meetings to gather input
  - draft recommendations based on input
  - form a statewide technical committee
  - seek buy-in and agreement
  - develop recommendations by Fall 2014
- what does the process look like:
  - each ODOT Region gets a share of the funds based on fatal and serious injury crashes on all public roads
  - each agency will submit applications
  - projects judged on Benefit/cost (B/C) ratio
  - a competitive process within the region
  - technical committee of stakeholders to judge applications (with local representation)
- criteria and technical assistance:
  - ODOT will provide technical assistance to local agencies that ask
  - ODOT will provide clear criteria on the new program
  - a lot of details of the process yet to be worked out
  - could change with more input

Discussion:
Paul Mather said one of the changes that will be seen at the county level is that federal safety funds previously given direct to the counties will be pulled back into this process. That amount, $2-3 million statewide for all counties, will be compiled with the thought that more could be done to create something of substance.

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Amendment to the 2012-2015 Statewide Transportation Improvement Program

The Commission considered a request to amend the 2012-2015 Statewide Transportation Improvement Program to add the preliminary engineering phase of a safety improvement project located on Oregon 47 at Verboort and Purdin Roads in Washington County, Region 2. Funding for the design will come from savings in the Region 2 Financial Plan. The amount of funding needed and the source of the funding for the right-of-way and the construction phases dollars have yet to be identified. ODOT Region 2 Manager Sonny Chickering presented the amendment request. ***(Background materials in Director/Commission/History Center File, Salem.)***

Background:
The proposed project will fund the design of a roundabout in the vicinity of the current intersection, which will slow down traffic and greatly reduce the potential for high speed serious injury accidents. Approval of this request will enable Region 2 to start the design process to prepare for construction during the summer of 2015.

This project will make needed safety and operational improvements on Oregon 47 approximately one mile north of Forest Grove. This intersection is a top 5 percent Safety Priority Index Site (SPIS) that has had ten serious injury accidents since 2004, and two fatal accidents with the most recent being a double fatality on April 7, 2014.

Previous incremental safety improvements made in this area since 2005 include:

- *Construction of right and left turn lanes on Oregon 47.*
- *Construction of right turn lanes on Purdin and Verboort Roads.*
- *Shoulders widened, with transverse rumble strips and oversized STOP and STOP AHEAD signs installed on Purdin and Verboort Roads.*
- *Speed limit reduction from 55 mph to 50 mph on Oregon 47 through the intersection.*
- *Installation of "Intersection Ahead" warning signs with amber flashing beacons in advance of the intersection on Oregon 47.*
- *Installation of "Cross Traffic Does Not Stop" signs under the existing oversized stop signs on Verboort and Purdin Roads.*
- *Installation of raised pavement markers on the Oregon 47 right turn deceleration lanes.*
- *Installation of illumination (six new luminaire poles) to address night time crashes.*

Project Name:	***Oregon 47 at Verboort and Purdin Roads***	
PHASE	***YEAR***	***COST***
Preliminary Engineering	*2014*	*$750,000*
Right of Way	*N/A*	*$0*
Utility Relocation	*N/A*	*$0*
Construction	*N/A*	*$0*
TOTAL		***$750,000***

Discussion:
Sonny Chickering introduced the amendment to the STIP. The project has been in ODOT's Safety Priority Index System and has been waiting for funding since 2007, but because of the benefit to cost ratio compared to other locations across the state, had not made it to the top of the list. Intermediate mitigation measures made at the intersection in an attempt to improve safety have only had moderate success. The amendment proposes moving forward with preliminary engineering work for design of the roundabout.

Commissioner Baney noted this was not new money coming in; the funds are from savings created by the good work going on in the region that garnered savings from past projects.

Action:
Commissioner Morgan moved to approve amendment of the 2012-2015 STIP. Commission members unanimously approved the motion.

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Office of Innovation Partnership Negotiation

The Commission considered a request for authority for the Office of Innovation Partnership program to enter into negotiations with Oregon Sports Associates, LLC for a potential property exchange in Milwaukie. Any final agreement will return to the Oregon Transportation Commission for approval. ODOT Region 1 Manager Jason Tell and ODOT Office of Innovative Partnerships Senior Project Executive Art James presented the request. ***(Background materials in Director/Commission/History Center File, Salem.)***

Background:
In January 2005, the Oregon Transportation Commission made a determination under OAR 731-070-00270, which gave ODOT authority through the Oregon Innovative Partnerships Program (OIPP) to solicit proposals for property exchanges for certain Maintenance Facilities that had reached functional obsolescence. This determination found that such transactions had potential to accelerate cost-effective delivery and/or promote innovative approaches to replacing outdated maintenance stations and improving operations. That same year ODOT introduced statutory language which passed the 2005 legislature to allow exchange of real property for services to implement this program (ORS 366.395(3)).

ODOT owns a number of facilities that were established many years ago outside developed areas, but now are in the middle of prime, developable properties. Maintenance activities that take place at these sites are not always conducive to being next to residential or other commercial establishments. Because the "highest and best use" of these properties may be privately developed endeavors, opportunities may exist to exchange the ODOT-owned property for "turn-key" replacement facilities that will better meet ODOT's needs.

The Office of Innovative Partnerships investigated several of these types of property exchanges in various locations around the state. ODOT issued two separate "Solicitation of Interest" (SOI) documents for properties that appeared to have a high potential for this program and entered into serious discussions on a handful of them, but has not been able to close any of these deals to date.

In late 2013, the Office of Innovative Partnerships was approached by a private consortium called Oregon Sports Associates that was interested in the Milwaukie Maintenance Station. After discussions between OIPP, ODOT Facilities, Region 1, and Technical Services/Right of Way, it was agreed that another Solicitation of Interest (SOI) would be issued. SOI #00079 closed on 3/27/14 and a single proposal was received from Oregon Sports Associates, LLC.

A review panel representing the appropriate ODOT units met in early April and arrived at a consensus that there was sufficient merit to the proposal to take it before the OTC to request

authority to enter into negotiations with Oregon Sports Associates, LLC. The purpose of these negotiations is to enter into a preliminary agreement on the project, allowing Oregon Sports Associates to proceed with their feasibility study and due diligence, while tying up an option on the property for certain negotiated remuneration. Any final agreements regarding the exchange of property and services will also come before the OTC for approval.

Presentation:
Art James gave a brief background on the Office of Innovative Partnership Program (OIPP), which was passed by the 2003 Legislature and give ODOT the authority to enter into public/private partnerships. Some of the creative things done through OIPP include the Solar Highway program, the statewide electric vehicle charging network, and several projects enrolled into the program in 2005 including the ability to do property exchanges.

ODOT was approached last fall by a group called the Oregon Sports Authority expressing an interest in ODOT's maintenance property in Milwaukie for possible redevelopment to a large sports venue. A solicitation of interest went out last November to see if there were other parties interested in the property. No other parties responded to that solicitation. An internal review committee reviewed the merits of the proposal, and unanimously agreed the proposal merited going forward.

Oregon Sports Authority believes it has the means to design, finance, and construct the replacement facility to ODOT's specific requirements itemized within the solicitation. A requirement of the Office of Innovative Partnership rules is for the Commission to authorize moving forward with any negotiations. The negotiation team is ready to proceed, and asks the Commission for this approval. Any final agreement issued will have to be approved by the Department of Justice and will be brought back to the OTC for final approval.

Discussion:
Commissioner Morgan said this is worth moving forward. There is enough high level detail to impress that the individuals have enough gravitas to enter into a meaningful discussion and agreement.

Commissioner Baney and Acting Chair Lohman agreed that the public process has made this as transparent as possible and can find no plausible argument against moving forward.

Action:
Commissioner Baney moved to approve the request to grant OIPP authority to enter into negotiations. Commission members unanimously approved the motion.

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The Access Management Oversight Task Force

The Commission received an informational update about the work of the Access Management Oversight Task Force, and implementation of the 2013 Legislation, from ODOT Area Manager Larry McKinley, ***(Background materials in Director/Commission/History Center File, Salem.)***

Background:
Senate Bill (SB) 264, passed by the 2011 Legislative Assembly, established an Access Management Oversight Task Force to oversee and monitor the department's implementation of SB 264, and to propose additional legislation as necessary. SB 264 also required the task force to report its findings and recommendations annually to the interim legislative committees on transportation.

SB 408 introduced by Senator Betsy Johnson (a member of the Access Management Oversight Task Force) established new laws in three areas of access management that were priorities for the Task Force:

- *Existing approaches without written permission from ODOT*
- *Access management in facility planning*
- *Access management in project delivery*

SB 408 implementation time line:

- *Bill went into effect January 1, 2014*
- *OTC adopted temporary rules in December, 2013*
- *Task Force has approved a draft of permanent rules to replace temporary rules*
- *Permanent rules opened for public review and comment beginning May 1*
- *Permanent rules are scheduled for adoption by the OTC at the June 20, 2014, OTC meeting*

SB 408 implementation work under way:

- *Staff training*
- *Communication and outreach to local governments*
- *Revisions to ODOT guidelines, manuals and policy documents affected by SB 408*
- *Computer programming updates*

At the request of the task force, ODOT will schedule a performance review of the new rules implemented under SB 408 for mid-2015.

Presentation:
ODOT Area Manager Larry McKinley gave the presentation on Senate Bill 408, Access Management Implementation. Highlights of the presentation were:

- Access Management Oversight Task Force priorities
  1. existing approaches without ODOT's written permission- *"Presumption" of ODOT's written permission*

- highway project documents that show ODOT built/rebuilt approach or intended to issue permit; or documentation in any form that shows the approach existed before July 16, 1949, existed before April 1, 2000 and before ODOT accepted jurisdiction of highway, or existed before April 1, 2000, and was built/rebuilt with ODOT's knowledge or permission
- presumption is only valid if property has a right of access, for use of the approach that existed on Jan. 1, 2014, or if ODOT does not rebut the presumption
- presumption provides greater certainty to property owners that ODOT will manage their driveway as though it is legal (permitted)

2. new requirements for facility plans include, but not limited to:
   - interchange area management plans, corridor plans, refinement plans, and access management plans
   - key principles that evaluate how properties retain/obtain access during and after plan implementation
   - a methodology that balances economic development objectives and safety/access management objectives and are consistent with local transportation system plans and comprehensive plans
   - a timeline for implementation of future actions that affect access
   - a property owner review and dispute process that provides notice and opportunity for review of key principles and methodology - two options for property owner review: 1) collaborative discussion, or 2) access management dispute review board
   - SB 408 reinforces collaboration with local governments: local road and street locations must be determined by collaboration and agreement with cities and counties; plans must document those agreements; and requires adoption of key principles *"in agreement with the affected cities and counties"*
3. new requirements for project delivery (highway improvement and modernization projects)
   - collaboration: work with cities, counties, highway users and property owners to identify highway deficiencies within project limits; establish long term vision for highway segments impacted by project to guide scope and design of improvements; develop access management strategy; determine location of private approaches
   - access management strategy required for modernization/highway improvement projects ("Highway improvement project" defined as a project in the STIP that proposes to modify, relocate, or remove existing public or private connections.)
   - strategy requirements must be developed in collaboration with cities, counties and property owners abutting state highway, must include methodology by which accesses will be considered for modification, relocation or closure, and must identify location and type of public and private approaches and other necessary improvements
   - review/dispute processes where a property owner may request review of access management methodology via a collaborative discussion or an access management dispute review board

SB 408 implementation includes staff training, communication/outreach to local governments, revising ODOT guidelines, manuals, policy documents, and computer program changes to document "presumption of written permission". The Access Management Task Force twilights in January 2016, and will come back to the Commission in 2015 to give an implementation update and review how successful the changes and adjustments have impacted the service to stakeholders and communities.

Discussion:
Commissioner Baney said she will be monitoring the balance between the safety aspects and economic development, and the unintended consequences of what some of that could mean. She encouraged a continuation of dialogue as this rolls out, to make sure we stay ahead of some of the considerations we may not know about right now.

Acting Chair Lohman remembers a time before the rule when communities wanting economic development would yield to economic pressure to just go ahead and access a location where there was no way for the state to protect the integrity of the highway system. One result of this was the community coming back to the state 20 years later with a $200 million project need caused by the problems that resulted from not regulating all these accesses. There will always be friction as the state obligation to protect the highway system meets community obligations to build economies. This is a real effort to meaningfully wrestle with that issue, but he worries about the unintended consequences of letting the pendulum swing too far toward allowing incursions into the state highway system.

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Transportation of Crude Oil by Rail in Oregon

The Commission received an update on notifications about the transportation of crude oil by rail in Oregon from ODOT Rail and Public Transit Division Administrator Hal Gard and ODOT Rail Safety Manager John Johnson. ***(Background materials in Director/Commission/History Center File, Salem.)***

Background:
The increase in the number of rail cars carrying oil through Oregon, and public concern about the safety of these shipments, continues to be a state and national concern. The Oregon Department of Transportation Rail and Public Transit Division discussed how the agency is addressing this serious issue.

Discussion:
No one was signed up for public comment on this agenda item.

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Consent Calendar

The Commission considered approval of the Consent Calendar. ***(Background materials in Director/Commission/History Center File, Salem.)***

1. Approve the minutes of the April 17-18, 2014, Commission meeting in Roseburg.
2. Confirm the next two Commission meeting dates:
   - Thursday and Friday, June 19-20, 2014, meeting in Bend
   - Thursday, July 17, 2014, meeting in Salem
3. Request approval to adopt a resolution for authority to acquire real property by purchase, condemnation, agreement or donation.
4. Request approval of the following Oregon Administrative Rules:
   a) Amendment of 735-020-0010, 735-022-0000, 735-022-0030, 735-022-0050, 735-022-0060, 735-022-0090, 735-046-0000, 735-150-0140 and repeal of 735-022-0010 relating to the update of various DMV vehicle rules.
   b) Temporary amendment of 735-150-0037, relating to vehicle dealer records.
5. Request approval of the reappointments of Mr. David Forkner and Mr. Ken Roadman, and appoint Mr. Peter Johnson to the Winter Recreation Advisory Committee. Mr. Forkner and Mr. Roadman are active Winter Recreation Advisory Committee members and are willing to serve for an additional term. Mr. Johnson is a new appointment to the Winter Recreation Advisory Committee. The terms for all three appointments will expire in June 2018.
6. Request permission to appear before the Emergency Board to request a $332,391 increase to the Oregon Department of Transportation's Capital Construction expenditure limitation to renovate an ODOT-owned facility for the Bend Driver and Motor Vehicle Services office in Bend.
7. Request approval to transfer $57,000 from the Transportation Enhancement Discretionary Account to the McKee Covered Bridge project in Jackson County in Region 3. The additional funds will allow urgent needed preservation and rehabilitation work to proceed. The total cost of this project is $605,000.

Action:
Commissioner Baney moved to approve the Consent Calendar. Commission members unanimously approved the motion.

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Acting Chair Lohman adjourned the meeting at 2:05 p.m.

David Lohman, Acting Chair	Tammy Baney, Member
Susan Morgan, Member	Not present Mark Frohnmayer, Member
	Roxanne Van Hess, Commission Support