

## OREGON TRANSPORTATION COMMISSION

### Minutes of the Regular Monthly Meeting November 9, 2010 Keizer, OR

On Tuesday, November 9, 2010, at 8:00 a.m., the Oregon Transportation Commission (OTC) and Oregon Department of Transportation (ODOT) staff held a briefing session and reviewed the agenda in the Claggett Creek Room of the Keizer Community Center, 930 Chemawa Road N.E., Keizer, Oregon. At 8:30 a.m. the Commission met in Executive Session to consult with legal counsel on pending litigation pursuant to ORS 192.660 (2)(h). The regular monthly meeting began at 9:00 a.m. in the Iris A 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 Alan Brown  
Commissioner David Lohman  
Commissioner Mary Olson  
Director Matthew Garrett  
Chief of Staff Joan Plank  
Deputy Director for Operation Jerri Bohard

Communications Division Admin. Patrick Cooney  
DMV Administrator Tom McClellan  
Technical Services Administrator Cathy Nelson  
Int. Trans. Development Admin. Barbara Fraser  
Public Transit Administrator Michael Ward  
Commission Assistant Amy Merckling

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Chair Achterman called the meeting to order at 9:04 a.m.

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On behalf of Keizer Mayor Lore Christopher, Keizer City Councilor and Area Commission on Transportation member Cathy Clark welcomed the Oregon Transportation Commission to Keizer. She talked about the city's commitment to sustainability and current transportation enhancement projects.

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Director's report highlights:

--The Federal Transit Administration (FTA) awarded ODOT \$3 million in discretionary funds under the "State of Good Repair" program to purchase transit vehicles. The "State of Good Repair" program is designed to help transit providers deliver safer, more reliable rides, operate more efficiently and lower fuel costs. ODOT's Public Transit Division, which applied for the funding on behalf of rural transit providers, has announced it will allocate the money to 13 transit providers across the state to buy new and replacement vehicles as well as to purchase vehicles to provide accessible transportation for veterans. These federal resources will allow for the purchase of 33 vehicles, with priority given to larger

rural general public transit vehicles, as these vehicles are difficult to fund using other sources. The federal grant was also sufficient to provide resources for several essential smaller vehicles and buy accessible vans for veterans transportation.

-- FHWA Division Administrator Phillip Ditzler and FHWA Highway Administrator Michelle Eraut awarded Oregon Department of Transportation (ODOT) Archaeology Specialist Kurt Roedel and Siletz Tribe Representative Robert Kenta both the 2009 Exemplary Human Environment Initiatives Award and the Exemplary Ecosystem Initiatives Award for their work on a collaborative dogbane transplanting project. In the spring of 2009, the Confederated Tribes of Siletz Indians, the Oregon Department of Fish and Wildlife, and ODOT transplanted 150 dogbane plants from highway right-of-ways to E.E. Wilson Wildlife Area north of Corvallis, Oregon. Dogbane is a key component in the tribes' way of life and is used as cordage for fish nets, elk snares, and basketry. Joint cooperation led to the successful relocation of this culturally-significant natural resource from a precarious setting along OR99W, unsafe for harvest by tribal members and subject to yearly herbicide sprays, to an area easily accessible and free from traffic and harmful applications.

--Phillip Ditzler also presented ODOT Environmental Program Manager Mindy Trask and Oregon Department of Fish and Wildlife's (ODFW) Jim Brick the FHWA Wildlife Movement Strategy Award. The Oregon Department of Transportation (ODOT) and Oregon Department of Fish and Wildlife (ODFW) initiated a partnership in 2006, creating a Wildlife Movement Strategy to address animal-vehicle collisions and habitat connectivity in the state of Oregon. The Movement Strategy is a collaboration of major wildlife and land management agencies in Oregon, including Federal Highway Administration, U.S. Forest Service, the U.S. Fish and Wildlife Service, and the Bureau of Land Management.

--US DOT has awarded Oregon nearly \$9 million in funding under the Federal Railroad Administration's High Speed Intercity Passenger Rail (HSIPR) program to support three projects.

- \$4.2 million in HSIPR resources will match \$5.8 million in state funds to complete an environmental impact statement (EIS) for the Portland to Eugene portion of the Northwest's passenger rail corridor, which runs from Eugene to Vancouver, British Columbia. FRA requires that this environmental work be complete before investing substantial resources in a passenger rail line. This process will analyze potential passenger rail alignments, including how each alignment performs on goals determined in consultation with stakeholders as well as impacts on the natural and human environment. This environmental process will officially kick off early next year. Significant stakeholder involvement will be a key part of the process, which is expected to take about two years.
- \$800,000 in HSIPR funds, matched by \$200,000 in state funds, will be used to update the Oregon Rail Plan, which was last updated in 2001. The Oregon Rail Plan is a statewide modal policy plan that defines the state's visions, goals and objectives for the rail system-- including both passenger and freight rail. It includes an inventory of assets, identifies issues and opportunities, and develops a project

evaluation approach as well as a funding and implementation plan. This update of the Oregon Rail Plan will build on the rail study published recently by ODOT's Rail Division. The Rail Plan update will proceed on approximately the same timeframe as the corridor environmental analysis.

- Nearly \$4 million in HSIPR funds will pay for preliminary engineering for renovating Portland's Union Station. This will complement funding provided under the Recovery Act to preserve Union Station, which was built during the late 1800s and needs significant upgrades. The City of Portland is undertaking this project and providing the 20 percent matching funds.



Public comments were received from:

--Joe Mansfield spoke in opposition to the proposed location of the Bend DMV office. He represents a group called *stopthedmv.org*, which has collected more than 900 signatures from the community in opposition to the new DMV location.



The Commission considered approval of the proposed Charter (Bylaws) for a Lane Area Commission on Transportation. (*Background materials in General Files, Salem*)

ODOT Region 2 Manager Jane Lee introduced ODOT Area Manager Sonny Chickering and Lane County Commissioner Faye Stewart.

Commissioner Stewart presented the proposed charter and highlighted the changes made after discussion at the last OTC meeting. He said there was unanimous support for these changes from all who participated in the creation of the bylaws.

- Language on the number of citizen appointees to the act now states that a minimum of eight members, up to a maximum of ten members.
- Language was added to encourage ACT members to reach the ten citizen-member participants.
- Additional language that four of those members would come with a specific interest background, with one each from trucking, rail, environmental land use, and bicycle and pedestrian.
- The appointment process was amended so that ACT members will make those appointments, after the Board of Commissioners has appointed its designee to work with the members, to appoint the first four designated citizen members. Once those four are appointed, those four will work with the ACT body to appoint the remaining four-to-six members.

Commission Brown moved to approve the charter for the Lane Area Commission on Transportation. Commission members unanimously approved the motion.

Chair Achterman asked Region 1 Manager Jason Tell to give a brief update on the Portland Metro ACT.



The Commission received an informational update on the status of the Oregon Department of Transportation's bond program. (*Background materials in General Files, Salem*)

Chief Financial Officer Les Brodie and ODOT Debt Investment Manager Lee Helgerson gave a PowerPoint presentation on the bond program. The presentation concentrated on the Highway User Tax Revenue Bonds. Highlights of the presentation:

- ODOT's bonding program
- principles for bonding
- key factors determining when and why ODOT sells bonds
- debt and bonding program
- variable interest rate bonds
- issued and planned bonds
- bond comparisons

Chair Achterman noted the comment made that Washington State's bond program was very different from Oregon's. As the financing plan for Columbia River Crossing moves ahead, and decisions are made about who will issue bonds on the bi-state project, ODOT needs to have a very good understanding, and be able to explain to the legislature and governor, what the difference is between Washington issuing the bonds or Oregon issuing the bonds and what the implications of those choices are for the lifelong cost of the project.



The Commission received an informational overview of the Office of Civil Rights and the Oregon Department of Transportation's related programs, activities, and performance from the Office of Civil Rights Manager Michael Cobb. (*Background materials in General Files, Salem*)

The Office of Civil Rights (OCR) has three main programs: workforce development; small business programs; and compliance programs.

The OCR manages the state mandated Emerging Small Business (ESB) program, which provides opportunities to emerging small firms regardless of race or gender, and also manages programs at the federal level:

- Disadvantaged Business Enterprise, which includes small business that are at least 51% owned by women or minorities.
- Equal Employment Opportunity

- Title VI/Environmental Justice prohibits discrimination in agency programs, activities and services, and ensures all workers receive the appropriate prevailing wage rate.
- Workforce Development Program
- Labor Compliance Program

The OCR is continuing its agency-wide integration efforts, monitoring use of apprentices, and continuing to explore new and innovative ways to grow small business firms in Oregon.



ODOT Chief of Staff Joan Plank and Michael Cobb presented the Commission a request for approval to re-establish the Emerging Small Business Advisory Committee. *(Background materials in General Files, Salem)*

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



Region 1 Manager Jason Tell and Dave Williams presented an update on House Bill 2001, Section 3 Congestion Pricing Pilot. *(Background materials in General Files, Salem)*

Section 3 of House Bill 2001 requires ODOT to work with Metro, the City of Portland, and the three metropolitan counties to develop and implement one or more congestion pricing pilot programs in the Portland area. The goal is to study the effects of reducing traffic congestion through pricing. The programs must be implemented by September 2012. The Congestion Pricing Advisory Committee, made up of members from the different jurisdictions, was created for this purpose. Three areas were picked from a long list of projects: Cornelius Pass Road; Highway 217 Ramp; and parking pricing strategies in the City of Portland. Portland's parking pricing strategies are still being worked.

Dave Williams discussed analysis of the two road pricing proposals. The analysis was based on research of European projects and from around the world. Highlights:

- Analysis consisted of modeling traffic impacts, system effects, potential revenue generation, and polling and focus groups to gauge public response.
- Analytical components consisted of degree of public support, identification of affected areas, direct effects, and social benefits/costs.

Jason Tell summarized that while the committee is getting a better understanding of congestion pricing, there are some points that need further analysis. Cost versus benefit is one because it can take from 5 to 25 years to pay off the capital system, reducing the amount of money that can be put into the system. Diversion and equity are others. While local systems appear to be able to carry diversion, more detailed evaluation of intersections is required.

The committee will meet again in February once the outstanding analysis is done and will make a decision on which highway project will go forward and review the City of Portland's parking analysis proposal if completed.

Chair Achterman said that the way the Jobs and Transportation Act reads, the pilot project had to be completed in a specific period of time. Going into the 2011 legislature, we need to consider reviewing the legislative mandates. It won't serve the greater cause of sifting off the gas tax into other revenue systems if there are other constraints that set back the broader revenue concept.



The Commission's briefing on the final report on Practical Design was deferred to the December OTC meeting.



The Commission received an informational report on the Public Transit Division's Intercity Bus Program, current activities, and recent accomplishments. (*Background materials in General Files, Salem*)

Public Transit Administrator Michael Ward, and Program Manager Matthew Barnes gave a PowerPoint presentation on the Intercity Bus Program. Highlights of the presentation were:

- background/history
- contract Bus Services
- POINT service
- grant program
- intercity service enhancements
- additional resources, services and programs

Chair Achterman noted the need to break out of funding silos to allow more flexibility in funding and leveraging of funds.



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

Public comment was received from Lane County Commissioner Faye Stewart, who spoke in favor of Consent Item #6, an amendment to the 2008-2011 Statewide Transportation Improvement Program to add the Oregon 126: Veneta – Eugene Facility Plan project in Region 2.

1. Minutes not available.
2. Confirm the next two Commission meeting dates:

- Wednesday, December 15, 2010, in Salem.
  - Wednesday, January 19, 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. Amendment of 735-060-0000 and 0120, 735-062-0002, 0070 and 0200 relating to basic control skills test and other CDL testing.
    - b. Adoption of 735-176-0023 and amendment of 735-176-0000, 0010, 0017, 0021, 0022, 0030, 0040 and 0045 relating to bulk use fuel sales reporting and remittance of tax.
  5. Approve a request to adopt the U.S. 26: Staley's Junction Interchange Area Management Plan which implements Policy 3C of the Oregon Highway Plan and is consistent with the Interchange Area Management Plan requirements of the department's Access Management Rule (OAR 734-051-0155). Adoption of the Interchange Area Management Plan will constitute an amendment to the 1999 Oregon Highway Plan.
  6. Approve a request to amend the 2008-2011 Statewide Transportation Improvement Program to add the Oregon 126: Veneta – Eugene Facility Plan project in Region 2. The total estimated project cost is \$750,000.
  7. Approve a request for the Oregon Department of Transportation, Driver and Motor Vehicle Services Division to appear at the December 2010 meeting of the Legislative Emergency Board to seek approval to apply for a \$1,500,000 Federal Motor Carrier Safety Administration grant.
  8. Approve a request for the Oregon Department of Transportation, Highway Division to appear at the December 2010 meeting of the Legislative Emergency Board to request the following limitation changes: increase the modernization limitation by \$25,000,000; and increase the special programs limitation by \$26,000,000.
  9. Approve a request for the Oregon Department of Transportation, Public Transit Division, to appear at the December 2010 Emergency Board to seek approval to submit a request to rebalance the federal funds expenditure limitation for the current biennium. The adjustment would decrease the other funds limitation by \$14,500,000 and increase the federal funds limitation by \$14,500,000.
  10. Item removed.



The Commission received a presentation on the seismic hazard vulnerability of the transportation system and actions planned to address the risk. (*Background materials in General Files, Salem*)

Deputy Director of Operations Jerri Bohard introduced the participants: ODOT Bridge Section Manager Bruce Johnson; ODOT Maintenance and Operations Engineer Luci Moore; DOGAMI Regional Coastal Geologist Rob Witter; and Oregon State University School of Civil and Construction Engineering Head Professor Dr. Scott Ashford. Department of Geology and Mineral Industries (DOGAMI) Director Vicki McConnell

introduced DOGAMI Board members Chair Larry Givens; Co-Chair Steve Macnab; Portland area member Douglas MacDougal; and Corvallis area member Charles Vars.

Bruce Johnson talked about ODOT's concerns with state highway bridges in regard to seismic hazard vulnerability, and presented the results of a recent study on seismic risk assessment of Oregon highway bridges. Highlights of the presentation were:

- three main types of seismic events in Oregon: crustal; intraplate; and interplate or subduction zone.
- a history of seismic events in Oregon
- seismic bridge design in Oregon
- retrofitting critical bridges to reduce major mobility risk
- replacing aging bridges
- preparing for recovery from damage and loss of mobility
- retrofitting methods
- earthquake simulation study
- continuing research activities
- next steps – rational prioritization

Interim recommendations on actions that could be done within the existing budget include refining the Oregon State Highway Bridge Seismic Vulnerability and Mitigation Strategy, broadly distribute the findings of potential losses, and continue Phase 1 retrofit only on strengthening projects.

Luci Moore gave a high level overview of the ODOT Emergency Preparedness and Response Operations Plan.

Dr. Scott Ashford was part of a National Science Foundation Team that went to Chile after the February 2010 earthquake. He has participated in about 15 post-earthquake investigations. He shared some of the team's findings, saying that Chile's investigation was the most disturbing because of the area's close resemblance to the Pacific Northwest, geographically. The earthquake was essentially our earthquake.

Vicki McConnell talked about the three primary hazards to infrastructure from earthquakes, (direct damage from shaking, landslides and debris flow damage, damage caused by tsunamis), and what DOGAMI is doing to identify, characterize, and mitigate hazards.

Rob Witter shared his findings after visiting the Chile earthquake site. Much has been learned from the geology of Chile which is so similar to Oregon.

Jerri Bohard said ODOT is beginning to prioritize the 200 bridges that need to be analyzed, and hopes to bring a report back to the Commission in about a year.



Public comments were received from James Bela who suggested ODOT's Phase 1 and Phase 2 methodology needs to be re-examined.

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Chair Achterman adjourned the meeting at 4:08 p.m.

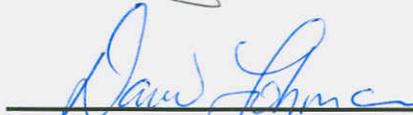
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Gail Achterman, Chairman

Not present  
Michael Nelson, Vice Chair

  
Mary Olson, Member

  
Alan Brown, Member

  
David Lohman, Member

  
Roxanne Van Hess, Commission Support