

## OTC Minutes: March 2003

### Minutes of the meeting

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### Minutes of the Regular Monthly Meeting March 19, 2003 Salem, Oregon

On Wednesday, March 19, the Oregon Transportation Commission (OTC) and Oregon Department of Transportation (ODOT) staff held a briefing session and reviewed the OTC agenda at 8:00 a.m., and the regular monthly meeting began at 9:45 a.m. Notice of these meetings had been made by press release of local and general circulation throughout the state. Those attending included:

Chair Steven Corey	Trans. Develop. Div. Administrator Craig Greenleaf
Commissioner Stuart Foster	Region 2 Manager Jeff Scheick
Commissioner Gail Achterman	Region 3 Manager Paul Mather
Commissioner Randy Papé	Region 4 Manager Bob Bryant
Commissioner John Russell	Region 5 Manager Tom Schuft
Director Bruce Warner	Public Transit Div. Administrator Martin Loring
Deputy Director for Highways John Rosenberger	Chief of Staff Matthew Garrett
Deputy Director for Central Services Mike Marsh	Commission Secretary Karen Elliott
Communications Div. Administrator Patrick Cooney	Commission Support Katie Thiel



Bruce Warner delivered the Director's Report. Highlights included:

- Director Warner gave an update on the future bond sales plans for the Oregon Transportation Investment Act (OTIA). ODOT has withdrawn plans to issue bonds in May 2003. The current cash balance of the highway fund will enable ODOT to defer issuing additional bonds until fall or winter 2003.
- He also noted that Senate Bill 862 was recently signed into law. The bill embargoes \$1.8 million from the Special Transportation Fund which currently provides mobility needs for elderly and disabled Oregonians. If the May 15, 2003 revenue forecast shows a decrease of more than \$150 million, the funds will go directly to the state general fund. This is not good news for our elderly and disabled customers in Oregon.
- The American Association of State Highway and Transportation Officials (AASHTO) Standing Committee on Highway Traffic Safety is meeting in Portland on April 6-8, 2003 for the first time in the committee's history. Director Warner is chair of the committee. The group will be preparing for a National Safety Summit on June 2 in Kentucky.
- ODOT has established a Local Program Oversight Committee, and the group held its first meeting on March 5. The purpose of the committee is to improve the process in delivery of Local Federal Aid projects. The committee is made up of representatives from ODOT, the Federal Highway Administration (FHWA), League of Oregon Cities (LOC) and the Association of Oregon Counties (AOC).
- Director Warner acknowledged work by Pat Cooney and his staff for coordinating a tour for Governor Kulongoski to look at cracked bridges in the Eugene area. The tour also included Commissioner Randy Papé and Bruce Warner. Also in Eugene, the Governor held a press conference where he announced his desire to have the vehicle registration fee increased by \$15 per year and vehicle title fees increased by \$30. Mr. Warner also acknowledged the Governor for taking the time to drive the truck detour route in this area. ODOT's Public Affairs has done a great job of communicating with the public on these issues.



Commission Member Reports:

- Commissioner Papé reported the visit with the Governor was excellent. The visit helped increase the awareness of Oregon's bridge problem, especially in the local area. Commissioner Papé met recently with the Lane County Commission, the Lane Council of Governments (LCOG), and the Cascades West Area Commission on Transportation (ACT). They discussed 42<sup>nd</sup> Street and Jasper Road, and the safety issues surrounding the area. He added it was helpful to have received Troy Costales' report in January about safety.

Papé share with the group that ODOT is concerned about safety, but doesn't always have the resources to immediately fix problems. The Cascades West ACT wanted to compliment Jeff Scheick and staff from Region 2 for their work in trying to resolve these safety concerns. He noted the message about funding needs is getting out. Commissioner Papé also has heard that the ACTs are configured in a way to be better able to deal with local issues, but not statewide issues.

- Commissioner Achterman reported a constructive meeting on the Newberg-Dundee project. She spent the first week of March in Washington D.C. with Jason Tell and representatives from Portland's J-PACT to meet with Members of Congress about reauthorization. She noted trying to find funds for transportation will be difficult in the current budget environment. However, Oregon's delegation is very supportive. The J-PACT group was disappointed that the OTC didn't include Phase 2 of Sunrise Corridor in the earmark request to Congress. Congressman Wu expressed concern that the OTC did not include the Newberg-Dundee project in its earmark request. Commissioner Achterman has also been working with the city of Redmond on an issue related to the Redmond reroute. Former Mayor Friedman of Bend assured Commissioner Achterman that the MPO in Bend is up and running and he appreciated the cooperation from ODOT staff.
- Commissioner Foster met with the STIP stakeholder process committee on March 6. The committee unanimously recommended forwarding the ACT proposal to the OTC. There are some issues yet to be resolved, but committee members were comfortable forwarding the recommendation. Commissioner Foster gave credit to Craig Greenleaf, Jerri Bohard, Linda Willnow and other members of the Transportation Development Division for their work. The document will continue to evolve as we implement and learn better how the ACTs operate. He is very proud of both ODOT staff and committee members for the work.

Commissioner Foster met last Friday with the South Central Oregon ACT executive committee in Klamath Falls. Mike Stinson, ODOT Area Manager, is doing an excellent job, and the meeting was very positive. ODOT is making significant progress developing a collaborative relationship with the local governments in the area.

- Chair Corey attended a productive meeting of the Northeast Oregon ACT. This is the most recent ACT to have formed. He has continued to meet with legislators, and spoke yesterday at the AAA Board meeting. Chair Corey and other commissioners have maintained an active front with the legislature, and stakeholder groups. Chair Corey thanked Commissioner Achterman for taking the time to travel to Washington D.C. to represent the Commission and ODOT.



Public testimony was received from the following: *(All written public testimony received is located in General Files, Salem.)*

- Bart Vanderzanden provided testimony related to the Jackson School Road Project on U.S. 26. He expressed appreciation for the work of John Rosenberger and ODOT staff. He feels his concerns have been heard, and now ODOT has a better, smaller project for Jackson School Road, resulting in a loss of less farm land. Mr. Vanderzanden requested the OTC direct staff to change the design alternative to lower speeds and install a signal to allow farm vehicles to enter the highway.
- Dick Vanderzanden provided testimony related to the Jackson School Road Project on U.S. 26. Without traffic signals, it will impede the farmers' ability to do business. Slow moving vehicles won't be able to enter into traffic during peak times. He brought two letters and petitions signed by 16 farmers in the area. The project needs signals at the interchange, to allow farm vehicles to get into the flow of traffic safely.

Commissioner Achterman noted that information from staff shows that installing a signal wouldn't necessarily create gaps in the flow of traffic. ODOT should address the issue about how we could create gaps in the traffic to allow for farm vehicles before going through the land use process.

- Art Schlack, Association of Oregon Counties (AOC), offered comments about the bypass policy. AOC generally supports the text with one exception. He feels the language related to transportation system plans should be stronger. He also recommended the OTC not include existing facilities within the bypass policy where there isn't support from local government for the facility.
- Andrea Fogue, League of Oregon Cities (LOC), concurs with the statements by Art Schlack. Ms. Fogue suggested the OTC take the time to make sure local governments are on board with existing bypasses. She recommends the Commission approve the policy as it relates to new facilities, but continue discussions with local governments about existing facilities.

On another matter, Ms. Fogue noted that today the Commission will be asked to go out for public process to initiate rulemaking for Access Management Administrative Rules. She thanked staff for including local governments in those discussions.



Craig Greenleaf, Transportation Development Division Administrator and Carolyn Gassaway, Oregon Highway Plan Manager, requested Commission adoption of the Bypass Policy. Discussions about this project began in October 2001. ODOT had numerous meetings with partners, stakeholders to ensure there was adequate public comment opportunity. Mr. Greenleaf noted that the action taken needs to be supported by findings in concert with the State Agency Coordination Rule. Due to

an oversight, the findings are not before the OTC today. Mr. Greenleaf asked that the Commission adopt the Bypass Policy today, subject to staff bringing the findings back to the Commission for approval on next month's consent calendar.

*(Background material in General Files, Salem.)*

Commissioner Achterman clarified that the policy wouldn't be effective until the Commission adopts the findings.

Carolyn Gassaway explained the changes marked in the draft Bypass Policy.

Commissioner Foster addressed the issue raised by LOC/AOC relating to how the policy is implemented as it relates to existing bypasses. He is interpreting the policy that if we include existing bypasses, any changes would be as a result of a collaborative process with local government to try to resolve any issues. The policy is flexible and may be implemented differently depending on the bypass.

Commissioner Papé asked for more information about the importance of having existing bypasses included in the policy.

Commissioner Achterman appreciates Commissioner Papé's concerns, but noted the new language in the policy is flexible enough to adjust to fit the facility. Even though the policy won't be in effect until findings are adopted, the agency shouldn't reopen the record.

Commissioner Achterman made a motion to adopt a bypass policy subject to adoption of the findings at the next meeting, and subject to the following language changes as suggested by staff:

- Page 5, Action 1H.1, c., add "a refinement plan and/or" before the words, "the NEPA process"
- Page 4, same change as page 5
- Page 3, delete the words, "performs more of" and insert "provides"
- Page 2, add a sentence to the second paragraph under Land Use and Transportation Compatibility, reading, "Local governments and ODOT must agree on the amendment to the TSP or local transportation plan which incorporates the bypass."

Commissioner Papé noted that from the discussion, he better understands the public process involved and wants to see policy move forward.

The motion carried unanimously; Commissioner Russell was absent.



Craig Greenleaf and Del Huntington, ODOT's Access Management Program Manager, presented information and asked for approval for the Department to initiate rulemaking proceedings for Access Management Administrative Rules,

Chapter 734, Division 51. (*Background material in General Files, Salem.*)

ODOT staff highlighted the proposed revisions and discussed the lessons learned since the rule has been in place. A number of the changes will help clarify the areas of difficulty. This request is not to adopt the revised rules, but to initiate the rulemaking proceedings to engage in a public process. The letter to the Commission summarizes the goals of the revisions. Staff plans to seek Commission approval in September or October, following the public hearing process.

Mr. Greenleaf clarified that the language on page 5 of the draft revisions to Oregon Administrative Rule 734-051-0045 applies to private approaches, not public approaches.

Commissioner Achterman clarified that in terms of the adoption timeline, the Commission should adopt the streamlining policy on STA (Special Transportation Areas) and UBA (Urban Business Areas) before we adopt the access management rule.

Commissioner Papé moved to approve and motion carried unanimously. Commissioner Russell was absent.



Martin Loring provided the Commission a status report on the InterCity Grant Program. The program invests federal funds in ground transportation, coordination and information to enhance and develop Oregon's network of intercity services. The goal of the program is to provide access to "round-trip in a day" service to the next larger community, for 90% of those communities over 2500 in population. Projects for the program were selected through a statewide advisory committee.

Commissioner Achterman asked Mr. Loring to briefly describe the TravelSmart program. He said that TravelSmart is the application of "individualized marketing" to travel choices. TravelSmart has been used successfully in Europe and Australia to move people from "drive alone" trips to more environmentally beneficial choices like transit, bicycling and walking. Portland is first city in the United States to test this concept with a pilot project in a small (600 household) neighborhood. Results from the evaluation of this pilot project should be available in May.

Marketing has been targeted to people interested in making more use of alternative transportation to increase their knowledge of, and motivation to use, environmentally friendly options for at least two more trips a week. ODOT staff is working with the city of Portland to find funding for a larger scale pilot project in the Interstate-MAX corridor to take place about the time the new light rail service begins.

Martin Loring answered a question from Chair Corey about how much money Senate Bill 180 allots to the Tribes.



Bob Bryant briefed the Commission on managing US 97 in a rapidly developing area. *(Background material in General Files, Salem.)*

Mr. Bryant covered the development issues affecting US 97 from the north end of the Bend Parkway to the city of Bend’s northern Urban Growth Boundary. He talked about some recent commercial developments and some proposed developments, and how these affect planning for future transportation facilities.

Commissioner Russell noted he served on a group that proposed a state system development charge. Commissioner Russell suggested the department look into purchasing right of way in this area, before much more development occurs.

Director Warner agreed to work with ODOT staff to put together a strategic program to make advance purchases of right of way, then report back to the Commission in a couple of months. Mr. Warner suggested to make the program work, the Commission should set aside specific dollars to make advance acquisitions.

Commissioner Foster added the need for the agency to be aggressive in seeking financial commitments from the private sector and local governments to partner in these transportation projects.



The Commission confirmed the next two Commission meeting dates as:

- Wednesday, April 16, 2003, in Salem.
- Wednesday, May 14, 2003, in Salem.



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

1. Minutes of the February 12, 2003 Commission meeting in Salem.
2. Resolution for authority to acquire real property by purchase, condemnation, agreement or donation.
3. Oregon Administrative Rule (OAR) actions:

a.	Amendment of OAR 731-010-0030 relating to architectural, engineering and related-services contracting.
b.	Temporary amendment of OAC 735-062-0060 relating to periodic check of drivers' eyesight.
c.	Repeal of OAR 741-500-0010 through 0050 relating to overdimensional rail loads.

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4. Amendments to the 2002 – 2005 STIP as follows:

- a. Add three additional structures to the US 20: Central Oregon Highway Bridges project.

Section	Key #	\$ Amount as Approved	\$ Amount with 3 New Structures
US 20: Central Oregon Highway Bridges	10474	\$16,211,000	\$19,211,000

- b. Delete the Vandine Culvert Bridge and add the Little North Fork Santiam Bridge and the Partial Viaduct Projects.

Bridge Deleted	Hwy.	M.P.	Reg.	Total Project Cost
Vandine Culvert Bridge #07899 (Key #11819)	1 – 5	110.31	3	\$226,000
Bridges Added	Hwy.	M.P.	Reg.	Total Project Cost
Little North Fork Santiam # 07347	OR 22	23.28	2	\$250,000
Partial Viaduct # 07964	OR 22	40.33	2	\$750,000

*\* Conceptual estimates, preliminary scoping data is still being gathered.*

- c. Cancel construction of OR 140 North Little Fork Butte Creek Bridge to Grizzly Road, advancing US 97 Spring Creek Hill Rock Fall and adding US 26 Warm Springs Highway Passing Lanes.

Section	Key Number	Amount
N. Little Fork Butte Creek – Grizzly Road	10582	\$1,633,000
US 97 Spring Creek Hill Rock Fall	12565	\$690,000

US 26 Warm Springs Highway Passing Lanes	N/A	\$663,000
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5. Increase the current project authorization for Contract No. 12617, Cannon Beach N. Entrance Section project on the Oregon Coast Highway in Clatsop County, by \$1,434,985.33 or 23.65%. This will bring the total contract amount to \$7,502,131.97. Project work is 50% complete.

Commissioner Achterman moved for approval of the Consent Calendar and the motion passed unanimously. Chair Corey was absent.



Commissioner Foster adjourned the formal meeting at 12:18 p.m.

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355 Capitol St. NE

Salem OR 97301-3871

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