

MINUTES FOR THE TRANSPORTATION COMMISSION MEETING

TO BE HELD IN THE ODOT BUILDING COMMISSION MEETING ROOM OKLAHOMA CITY, OKLAHOMA

BE IT REMEMBERED that on Monday the 10th day of April, 2017, at the hour of 11:00 a.m., the Transportation Commission met in the Commission Meeting Room of the ODOT Building in Oklahoma City, Oklahoma.

NOTICE of the schedule of regular meetings of the Oklahoma Department of Transportation for the calendar year 2017 having been given in writing to the Oklahoma Secretary of State, and public notice and agenda having been posted in a prominent public view at or before 11:00 a.m. on Thursday, April 6, 2017, prior to the meeting, on the Atrium Informational Monitor in the ODOT building, and on the glass doors on the north side of the ODOT Building in accordance with Oklahoma Open Meeting Act, 25 O.S. Section 311.

ITEMS PRESENTED BY COMMISSION CHAIRMAN

CALL TO ORDER: Mr. David Burrage called the meeting to order at 11:06 a.m.

ROLL CALL:

Present:	John Fidler	Member
	David Burrage	Chairman
	Dan Overland	Member
	Greg Love	Member
	Todd Huckabay	Secretary
	Bobby Alexander	Member
	Brad Burgess	Vice-Chairman
	Pete Regan	Member

Absent: None

Presiding: David Burrage

The following items were presented and approved as written at the Transportation Commission meeting of April 10, 2017. For those items amended, deferred, or rejected, those notations were also made. Action taken by the Commission is noted here on these sheets.

Commissioner Burrage called the meeting to order and recognized Special Guests; Tim Gatz, Director of the Oklahoma Turnpike Authority; Paul Harris, Director of the Oklahoma Highway Safety Office and Basharat Siddiqi, Division Administrator for the Oklahoma Division Federal Highway Administration

Commissioner Burrage recognized Director, Mike Patterson for his announcements.

Director Patterson recognized Deputy Director, Russell Hulin who has an announcement.

Mr. Hulin announced that Jamie Bleeker has been selected as our Office Services Division Manager. Jamie began working with ODOT in 1997 as a contract employee and shortly became full time thereafter. In 2001, he moved into the Information Services Division, he worked for ODOT for 17 years before taking a position at the Office of Management Enterprise Services. So help me welcome him back to ODOT.

Director Patterson said a few months ago he had a conversation, with the Commissioner of the Department of Public Safety, Michael Thompson; and we were talking about things at the Capitol and how we get the message out. ODOT has been pretty good about getting the message to at least incoming freshmen and then that ongoing message with Legislators throughout their tenure at the legislature. Commissioner Thompson wanted to do something similar. As we went through the conversation, we realized how the Highway Patrol and the Department of Public Safety mission had changed significantly over the years. Then we got into the conversation about, "How are we going to get that message out".

Three of our guys in the back room right now, are the ones who ultimately produced a video for the Department of Public Safety to take that video and then to show it to Civic Organizations, legislators to educate the public about what the true mission today of the Highway Patrol and the Department of Public Safety is. So, if we could before I call the three guys up, I would like the commission to see this video. I will tell you that I was in the room when Commissioner Thompson saw it the first time, he asked for an immediate rerun. He thought it was an amazing effort, and I think you will share that same thing. So guys back there in the back room please roll the Video for us.

After the video was played, Director said that a couple of weeks ago at the Annual Trooper Awards luncheon, that is hosted by supporters of the Department of Public Safety; 3 of our guys, Josh, Dillon and Bart, please come up here I'd like to recognize you in front of the Commission and give you this award again; because the impact that you've made on the Department of Public Safety and the relationship between the Department and ODOT has just grown. Thank you very much.

NOTE: Commissioner Burrage said that the Announcements and Presentations will be done later in the Meeting, so move on to Item 42.

ANNOUNCEMENTS AND PRESENTATIONS

Presentation of the Governor's Proclamation declaring April 3 – May 3, 2017, as Work Zone Awareness Month in Oklahoma. – **Mr. Patterson**

ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION

42. Approval of the Minutes of the Transportation Commission Meeting of March 6, 2017

ACTION: Huckabay moved and Fidler seconded that the Minutes be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Overland, Love, Burrage, Huckabay, Alexander and Burgess
NAYES: None
ABSTAIN: Regan
ABSENT: None

CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

43. Programming of Federal Railroad Crossing Safety Funds–Section 130 Title 23 Funds – Mr. Moody

- a) Choctaw County – District II – a signal project which includes the installation of cantilever-mounted flashing light signals with gates and an 88' concrete crossing surface at US-271/Main Street in Hugo, with the Kiamichi Railroad - \$397,704.00
- b) Choctaw County - District II - a signal project which includes the installation of pedestal-mounted flashing light signals with gates at Yerby Street in Hugo, with the Kiamichi Railroad - \$277,273.00

- c) McCurtain County - District II - a signal project which includes the installation of pedestal-mounted flashing light signals with gates, a traffic signal to facilitate the necessary railroad preemption and a 40' concrete crossing surface at US-70 Bypass in Idabel, with the Kiamichi Railroad - \$539,152.00
- d) Logan County - District IV - a signal project which includes the installation of pedestal-mounted flashing light signals with gate arms at Seward Road near Guthrie, with the BNSF Railroad - \$420,084.00
- e) Oklahoma County - District IV - a signal project which includes the installation of cantilever-mounted flashing light signals with gate arms, a 64' concrete crossing surface a 72' concrete crossing surface and an 88' concrete crossing surface at SW 15th Street in Oklahoma City, with the Stillwater Central Railroad- \$492,829.00
- f) Ellis County - District VI - a signal project which includes the installation of pedestal-mounted flashing light signals with gate arms and a 24' concrete crossing surface at Ellis County Road N1910 near Fargo, with the BNSF Railroad - \$321,833.00
- g) Ottawa County - District VIII - a signal project which includes the installation of pedestal-mounted flashing light signals with gates at NE 1st Avenue in Miami, with the BNSF Railroad - \$315,400.00
- h) Pawnee County - District VIII - a signal project which includes the installation of pedestal-mounted flashing light signals with gate arms and a 24' concrete crossing surface at Pawnee County Road near Maramec, with the BNSF Railroad - \$287,749.00

44. Transportation Safety Improvement Projects – Mr. Pendley

Kingfisher, Logan & Payne Counties - District IV – installation of pavement markings at the following locations:

- US-81: From W. Will Rogers Dr. extending north 1.81 mile to Harvey Ave., in the City of Kingfisher in Kingfisher County;
- SH-33: From Jct. US-81 east 0.41 mile to N. 2nd Street, in the City of Kingfisher, in Kingfisher County;
- US-77: From 300' south of Industrial Road, extending north 2.65 miles, in the City of Guthrie, in Logan County;
- SH-33: From Jct. US-77 (Division Street), extending east 0.66 mile to Drexel Street, in the City of Guthrie, in Logan County;
- SH-33: From Jct. SH-102 extending east 19.57 miles to the new asphalt section near Jct. US-177, in Logan and Payne Counties.

NOTE: Commissioner Overland said the last bullet on Item 44, there is a scrivener's error, should read SH-105, not SH-102

Project Total Estimated Cost is \$410,000.00

45. Speed Zone Revision – Mr. Pendley

Sequoyah County – District I – at location along SH-10A beginning at S. 4445 Road, extending east to the SH-100 Junction

46. Land Sales – Mr. Phillips

- a) Oklahoma County - District IV – Land Sale – West of the intersection of I-35 and Hefner Road along the South side of Hefner Road - \$26,500.00
- b) Cotton County - District VII - Land Sale - in the City of Walters at the Northeast corner of State Highway No. 5 (S. 7th St.) and W. Texas Avenue - \$56,500.00

47. Certification of County Road Mileages – Mr. Swift

Statewide – All Districts – Title 69, O.S. Section 316, requires that the Transportation Commission annually certify to the Tax Commission the county road mileage of each county in Oklahoma as it existed on the first day of January each year.

ACTION: Overland moved and Fidler seconded that the Consent Docket be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Overland, Love, Burrage, Huckabay, Alexander, Burgess and Regan
NAYES: None
ABSENT: None

END OF CONSENT DOCKET

ITEMS PRESENTED BY DIRECTOR OF ENGINEERING – Mr. Tegeler

48. Engineering Contracts

- a) Statewide – All Districts - to provide On-Demand Land Surveying

EC-1872A	Carroll Surveying Services
EC-1872B	Heartland Surveying and Mapping, PLLC
EC-1872C	Keystone Engineering and Land Surveying, Inc.
EC-1872D	White Hawk Engineering and Design, LLC

Aggregate Total for these four contracts is \$1,000,000.00

- b) Tulsa County - District VIII - to provide preliminary engineering and prepare construction plans for SH-11 and 86th Street North located 5.6 miles north of Gilcrease Expressway

EC-1870	Craig and Keithline, Inc.	\$308,265.00
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ACTION: Burgess moved and Regan seconded that the Items be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Overland, Love, Burrage, Huckabay, Alexander, Burgess and Regan
NAYES: None
ABSENT: None

49. Engineering Contract Supplement

Statewide – All Districts - to provide specialized structure services and complex analytical and structural engineering studies

EC-1512B	Supplement 2	Wiss, Janney, Elstner & Associates	\$12,400.00
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ACTION: Overland moved and Alexander seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Overland, Love, Burrage, Huckabay, Alexander, Burgess and Regan
NAYES: None
ABSENT: None

ITEMS PRESENTED BY THE PROGRAMS DIVISION MANAGER – Mr. Adkins

50. Lettings

- a) Final June 2017 Bid Opening
- b) Tentative July 2017 Bid Opening
- c) Tentative August 2017 Bid Opening

ACTION: Fidler moved and Huckabay seconded that the Items be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Overland, Love, Burrage, Huckabay, Alexander, Burgess and Regan
NAYES: None
ABSENT: None

ITEMS PRESENTED BY CONSTRUCTION DIVISION ENGINEER – Mr. Leonard

51. Change Orders with Cumulative Total of \$75,000.00 or Less – Information Only

- a) Beckham County - SH-6 - STP-205B(005)3P / 29160(04), \$646.00
- b) Caddo County - Co. Rd. - CIRB-108C(182)RB / 24802(04), \$9,620.00
- c) Comanche County - SH-49 - STPY-216C(034)3B / 30952(05), \$2,591.11
- d) Creek County - SH-51 - ACSTP-219B(047)SS / 27071(04), \$1,375.00
- e) Delaware County - US-59 - STP-121E(155)EH / 28842(04), \$9,572.40
- f) Delaware County - SH-116 - SBR-221C(027)SB / 29827(04), \$52,888.00
- g) Garvin County - SH-76 - STP-225C(041)SS / 27997(04), \$45,416.69
- h) Garvin County - SH-19 - STP-225B(056)3P / 30557(04), \$4,533.42
- i) Grant County - SH-11 - STP-127B(107)(108)(109)(110)SS / 24163(04), \$10,370.44
- j) Greer County - Co. Rd. - STP-228C(005)CI / 30028(04), \$7,412.32 Underrun
- k) Kiowa County - SH-54 - STPY-138C(108)SS / 23244(04), \$15,000.00
- l) Leflore County - SH-112 - ACSTP-240C(046)SS / 31849(04), \$9,636.00
- m) Marshall County - Co. Rd. - CIRB-148C(065)RB / 25105(04), \$2,557.60 Underrun
- n) McCurtain County - Co. Rd. - CIRB-145C(173)RB / 25469(04), \$8,960.00
- o) McCurtain County - Co. Rd. - STP-245C(034)CI / 29909(06), \$3,371.75 Underrun
- p) Okfuskee County - Co. Rd. - CIRB-154C(120)RB / 25425(04), \$16,523.16
- q) Oklahoma County - I-35 - HSIPIG-255H(366)TR / 32384(04), \$4,573.93 Underrun
- r) Pawnee County - Co. Rd. - CIRB-259D(027)RB / 29928(04), \$3,348.94
- s) Rogers County - Ct. St. - STP-166B(164)IG / 22144(04), \$4,840.00
- t) Stephens County - US-81 - ACNHPP-011N(100)SS / 20316(04), \$1,332.00
- u) Tulsa County - I-44 - ACNHPP-4400-(438)SS / 21899(04)#1, \$29.62 Underrun
- v) Tulsa County - I-44 - ACNHPP-4400-(438)SS / 21899(04)#2, \$2,493.15
- w) Tulsa County - US-75 - ACNHPP-272N(148)SS / 28848(04), \$2,630.00 Underrun
- x) Tulsa County - Ct. St. - STP-272B(175)IG / 29323(04), \$49,987.64
- y) Tulsa County - SH-51 - ERSTP-272C(128)ER / 31735(04), \$26,209.40

52. Change Orders with Cumulative Total Greater than \$75,000.00

- a) Beckham County - Co. Rd. - CIRB-105C(158)RB / 24840(04), \$10,588.65
- b) Bryan County - SH-22 - SSP-207C(054)SS / 28829(04), \$54,449.50
- c) Cleveland County - Ct. St. - STP-214B(042)(063)AG / 29293(04), \$50,000.00
- d) Jackson County - US-283 - STP-133B(087)SS / 24379(07), \$25,064.00
- e) Kiowa County - Co. Rd. - CIRB-138D(149)RB / 25094(04), \$30,659.04
- f) Lincoln County - US-62 - ACSTP-141C(168)(171)(224)(232)SS / 24228(10), \$16,876.20 Underrun
- g) Mayes County - SH-28 - STPY-149C(076) / 21909(04), \$22,640.91
- h) Oklahoma County - I-40 - OKCY-XTWN(047)SS / 17428(59), \$10,000.00
- i) Oklahoma County - Co. Rd. - CIRB-155D(644)RB / 25442(04), \$64,863.80
- j) Oklahoma County - Ct. St. - SBR-255N(361)SB / SSP-255A(351)SS / 30424(04), \$85,000.00
- k) Pawnee County - SH-18 - STPY-159B(036) / 20895(04), \$5,389.91
- l) Tulsa County - SH-11 - STP-172B(368)SS / STP-272B(094)SS / 24365(07), \$40,000.00
- m) Tulsa County - I-244 - ACNHPPI-2440-(008)SS / 28861(09), \$10,167.39 Underrun

ACTION: Huckabay moved and Alexander seconded that the Items be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Overland, Love, Burrage, Huckabay, Alexander, Burgess and Regan
NAYES: None
ABSENT: None

ITEM PRESENTED BY THE OFFICE ENGINEER – Mr. Delce

53. Awards

March 16, 2017 – Regular Letting

ACTION: Fidler moved and Alexander seconded that the Items be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Overland, Love, Burrage, Huckabay, Alexander, Burgess and Regan
NAYES: None
ABSENT: None

ITEMS PRESENTED BY THE COMPTROLLER – Ms. Hilmes

54. Fiscal Year 2017 Budget Revisions

- a) Request to increase federal share of construction by \$20,000,000 for unbudgeted federal revenue.
- b) Request to increase third party share of CIRB by \$2,000,000 for project on MacArthur Blvd. from Edmond Road to south of Covell Road.
- c) Request to increase the third party share of Enhancement Projects by \$1,750,000 for Norman Downtown project.

- d) Request to increase the State Aid Projects by \$3,900,000 for cancelled prior year Engineering Contracts funded with ROADS.
- e) Request to increase the County Machinery and Equipment by \$500,000 for unbudgeted lease revenue.

ACTION: Overland moved and Regan seconded that the Items be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Overland, Love, Burrage, Huckabay, Alexander, Burgess and Regan
NAYES: None
ABSENT: None

ITEM PRESENTED BY THE DIRECTOR – Mr. Patterson

55. Declaration of Emergency

Bryan County – District II – Repair SH-78 Bridge over the Red River on the Oklahoma -Texas State Line, – 125,000.00

Director Patterson read the, “Declaration of Emergency” into the record.

NOTE: Commissioner Burrage commented that we had another bridge hit by a barge, please tell us what measures the Department is taking.

Director Patterson said that this morning a barge got away on the Arkansas River near State Highway 51 in eastern Oklahoma. The initial reports had the barge hitting the State Highway 51 Bridge but it did not, it actually hit the pier protection that was in place. Now this is pier protection that's been there for a number of years So ultimately we discovered that the barge hit the pier protection as it was supposed to, did not hit the bridge, but our ODOT forces have been out and done inspection. The bridge is good to go; the pier protection is rock solid and so it just bounced off and went on. So everything's back to normal but it is something that's very important to remember. After our bridge was knocked down on I-40, we set about in motion the opportunity to put pier protection even on the upriver side even to protect our bridges. I believe we put in something like 60 pier protection, or dolphins as I often refer to them, just for that protection. I want to really make note of the efficiency and assistance of the US Coast Guard and the Corps of Engineers and their help and certainly the ODOT team springing into action is we often do in the middle of the night to make sure everything's OK for the traveling public.

Commissioner Burrage said I understand that all states aren't in as good a shape as we are. I mean that that step that we've taken on the navigable river may have put us in better shape than most, kind of like our cable barriers.

Director Patterson said that's true, the Coast Guard told us that the Arkansas River and the bridges along the Arkansas River are better protected than any other river corridor or inland waterway in the country. You mentioned the cable barrier, it has saved untold lives. We can look back to a year in which on divided highways we had 39 crossover fatalities. In one 3 year period we had more than 100; and I think last year we had 6. So it's just that cable barrier has changed the way Oklahoma is noted across this country and a lot of states have replicated what we did with our cable barrier.

Commissioner Burrage commented that these cable barriers get hit constantly!

Director Patterson said, “Yes, they do”!

Information Only: No Commission action required.

***NOTE: The Meeting recessed at 11:49 p.m. to allow Governor Fallin to enter and take her seat.
The Meeting resumed at 11:51 p.m.***

Director Patterson welcomed the Governor and said that her timing was perfect, because we're going to talk about something you have a lot of knowledge about. Commissioners and Governor, Item 56 is the presentation and explanation about the Gilcrease expressway in Tulsa. As you noted earlier, Director Gatz is here, so Tim come up her and between the two of us we're going to tag team this. And what we're asking for today is the Commission's approval for the Turnpike Authority to move forward with the Gilcrease Expressway in Northwest and West Tulsa.

56. Initiative Presentation and Explanation of Proposed Design Route Alignments on the Oklahoma Turnpike Authority's "Driving Forward" Program

Director Patterson said to just summarize this item, many years ago being 1961, we had a set of conceptual plans that were signed by a gentleman by the name of Burt McCaleb, Neal McCaleb's father. And that was an effort at the time by the then, Department of Highways, to create this corridor on the west side of Tulsa. Over the years there's been a lot of financial challenges in the Department; never had the money put together to complete that corridor. So for the last 5-10 years, Secretary Ridley, through the Department of Transportation and the Turnpike Authority, has been working to put together an effort to complete this much needed corridor. Governor Fallin was part of what I would call the groundbreaking event in west Tulsa; and many times when you get into turnpike expansions, it's met with opposition. But I think the Governor would agree that there's not much opposition, if there is any opposition out there we couldn't find it; because it is a much needed corridor and there's a lot of public support.

As we go through this process, I will tell you that there are 6 public entities that are involved in this effort. That would be the Department of Transportation, the Turnpike Authority, the City of Tulsa, Tulsa County, INCOG, and the Federal Highway Administration. Our partners at the Federal Highway Administration have been supporting this effort for a number of years, and to the point that we've acquired right of way; and the City of Tulsa and the Department will be contributing right of way to this effort.

The project is a 5 mile long project and it's got 22 bridges. I'm going to let Director Gatz finish this conversation. Tim, tell us about the interchanges and what your timeline is for completion.

Director Gatz said the project will extend approximately from the intersection of 51st street and I-44 in Tulsa and extend north about 5 miles across the Arkansas River to connect ultimately with Edison, but there'll be an interchange at 51st street, 41st street, 21st street, and with Highway 412. The facility will serve an area of Tulsa that has long been underserved. It is a very important segment, and quite frankly we have to continue to work as transportation entities to find ways to expand our transportation network to meet the growing needs that we have out there on the transportation system; and this route really is representative of that growing need. And as Director Patterson pointed out, no individual entity that's in the group of 6 that are partners in this facility was able to reach this individually. Only with the power of the partnership that we've got, are we able to bring this project forward and make it happen. And we certainly appreciate the Commission's consideration and review of the proposed route. And with that, I'll be happy to answer any questions that the Commission might have.

Commissioner Burrage asked Secretary Ridley if he had any comments.

Secretary Ridley said, "As Director Patterson and Director Gatz pointed out, this has been a long overdue project"! It is certainly something that has been on our mind; and I'll tell you when it got on my mind, is about the time that Governor Fallin took office. She talked to me about, not only our bridge problem as all of you are aware of; but also is there anything that we can do on the Gilcrease to be able to enhance that project, and to be able to make it really happen. These 2 gentlemen here have certainly been working on that, and I have, along with a lot of other folks, including Rich Briere who's back in the audience. A lot of credit goes to Rich and his folks; but again it was a goal for the Governor to have this under construction before she leaves office; and Director Gatz I guess it's up to you to make that happen. Thank you, Governor.

Commissioner Burrage asked Governor Fallin if she had any comments.

Governor Fallin said, "Thank you Directors, thank you so much; and thank you to the Commission Members for your work on this very important project for Tulsa and Tulsa County in being able to help economic development job creation, and create better access to an area in Tulsa that's been very important to their overall vision and future". You mentioned about how this was part of their plan back in the 1960's, so it's taken us this long to get here. But it was fun to have the plan rolled out a couple of months ago for the Gilcrease expansion and it's a very important project for the state overall. So thank you, and Commissioners and I appreciate your support of this issue too.

Commissioner Burrage said, "Governor thank you, because it didn't happen until you became Governor".

Governor Fallin said, "I actually told Secretary Ridley when I came into office, that I want this issue resolved, it's been on the table too long, so he did it; thank you Secretary".

Commissioner Regan said before I make a motion, I'd just like to thank the Governor again for this project. It's so collaborative in nature, The City of Tulsa, Mayor Bynum, we've had multiple meetings going back, geez, Bynum, Bartlett, Taylor, LaFortune, so it's a really big project. We appreciate you coming to the dedication and Bip of INCOG I want to give you a shout out too and I don't see Paul Zachary with the City of Tulsa, but I know he worked on it extremely hard as well, thank you. I would like make a motion to approve.

ACTION: Regan moved and Fidler seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Overland, Love, Burrage, Huckabay, Alexander, Burgess and Regan
NAYES: None
ABSENT: None

NOTE: Commissioner Burrage said that the Announcements and Presentations will now be heard and asked Secretary Ridley to introduce Governor Fallin.

Secretary Ridley said, the Governor of the State of Oklahoma, the lady that I've known for nearly 20 years; her focus on transportation has been unique; whether it was as a Legislator here at the Capitol, as the Lieutenant Governor for 12 years, her 4 years in Congress, and certainly the last 6 years and few months as the Governor of the State. One of her focuses is that she recognized a long time ago that if you're going to have a strong State, both one for economic development as well as quality of life, that there are 4 major things that have to be done, that the State is responsible to do. Certainly one of those is health care to ensure that citizens have access to good quality health care. The second is that we need to have safety and security so that we can protect the citizens from itself at times. Third, a focus on education, because she realizes the key to economic development in all cases starts with a well-educated workforce. Starts with having a State that has the opportunity to be able to advance themselves into the job market. As she attracts

businesses to come here that we have the well educated workforce to be able to handle that. Fourth, the one that we're always interested in is in our transportation; to be able to get raw products and finished products out; to be able to have that quality of life so that you can get to work, to school, to play or whatever. But with that problem as you know was the problem with our bridges. That was the key to a lot of things as Director Patterson has talked about many times; "You can have a bad road and still get over it, you got a bad bridge, and you're pretty well going to stay on one side". She recognized that back when she was Lieutenant Governor when the bridge went down at Webber Falls and the problem we had with the detours. She recognized that when she was on the T&I Committee in Congress, and was part of the re-authorization efforts, and certainly as a Governor. She asked us to put a plan together that we would have the structurally deficient bridges down as low as possible by the time she left office. And at the time she had 706 bridges when she took office as well as having bridges that would come on as structurally deficient during that time; and I think Director Patterson has got a the number of how many we have left. I've kind of been in this business for a while and I've known what other states do, and there's no doubt in my mind that no one, in their Administration in Oklahoma will have overseen and been focused on replacing and rehabilitating bridges; no one in the history of the State of Oklahoma has built as many bridges, when she leaves office, than she has! No one, I believe, across the United States in an 8 year period will have a DOT as well as local unit of governments built as many bridges as she has during her administration. She will be the bridge-building- est governor in the country before she leaves office. And with that Governor, we'll turn it over to you, but I think Mike may want to give you the number of bridges we have left first.

Director Patterson said, "Yes I do want to give you a number, and the number that we initially gave you for your State of the State was 270, because we're kind of conservative around here and we want to make sure that we're right". So the official number as published by the Federal Highway Administration is 251; we went from 321 to 251. So Governor you know, and you've heard me say this before, but structurally deficient bridges is our number one performance measure at the agency. We are still focused, even with the budget concerns that we've had in the last 5 or 6 years, on being at less than 1% but by the end of the decade. So please know that we're still focused on that number 1 performance measure.

Governor Fallin said, "Great job"!

Director Patterson said, "Let's talk work zone safety"! Governor we so appreciate you being here with us today. I know for a fact, been here long enough, and the folks behind me have heard this before, but for years we've had work zone safety awareness week; and then we went to a month. Last year we decided to change this a little bit. Even though we still celebrate and get our Governor's Proclamation we really appreciate this. But we changed our focus to just Work Zone Safety, we are 24/7, 365. It is something that we have focused on for this last year, and we will continue to focus on. You've seen our big over the road DMS signs that talk about Work Zone Wednesdays and we've got a Facebook page. We're going to listen to our updated PSA's in just a few minutes, but Governor would you please provide us with your Proclamation.

Governor Fallin said, "First of all, thank you Director for having me over today, and Commissioners it's always a pleasure to be with you; and Secretary Ridley thank you for your kind comments". I want to thank you all for your work, we have made great progress. It's been thrilling to see the work and the commitment that we have made towards our roads and bridges across the State of Oklahoma. Certainly work force and safety zone safety is very important for our State; but let me just say a couple of things. Thank you for approving the Gilcrease, very important project for the State; and I don't want to forget to say that it was a tremendous partnership between many different entities that stepped forward. Whether it was the County, the City, the State, the Federal, the Turnpike, different organizations, thank you for all the great public-private partnerships that we have put together to make that Gilcrease possible. It will be a great addition to our system!

Director and Secretary, as far as our work on our roads and bridges, I think finally Oklahoma has done what it needed to do for many, many decades. That has put substantial money towards our roads and bridges and our infrastructure across the State of Oklahoma; and we appreciate all the tremendous work that this Commission has done to develop a plan of action. The 8 Year Plan which we've had, but to also prioritize the most important roads and bridges in our state that would make a difference whether it's related to safety,

congestion, economic development, ease of getting around. And every time I go in a different area of Oklahoma City, maybe it's going down to Norman down I-35 or going up Broadway Extension, or maybe it is the Belle Isle Bridge, or going into Tulsa around the different areas, every time I see that construction and my car is slowed down or people complain to me, I just say that's progress! We're making great progress in our state and to go, as you said, from 706 bridges back in January, 2011 to 270 in January of this year, now down to 251! That's a good jump just from January to now! It just shows that when you set your mind towards something, you make it a priority, you make it a goal, and you want to have safe roads, safe bridges; and we have seen bridges that are not safe in our State, we've all experienced those times. We've made that commitment to fund them, to develop a plan, to earn the taxpayers' respect and trust, that we would prioritize things that would make the most difference to our State. So congratulations to the Commission for all your tremendous work, your long hours that you put in to make Oklahoma a better place. It is important for, as I mentioned, congestion as our cities grow. It's important for safety in our communities with traffic flow. It's also important for economic development. And as we try to recruit new companies to our State and create more jobs, having good roads and bridges is certainly very important to our citizens. And so I appreciate all the work that you have done. But we're here today to talk also about the safety of our Department of Transportation tremendous workers that are out on our roads, and our highways, and our bridges every day. We see you out there working. We know how important our job is and we know it's a dangerous job at times. And that's why today's Commission recognition and the State's recognition of Safety Zone Improvement are very important. And your theme, Your Life Matters, Drive Like It, your campaign to once again emphasizes that those are Moms and Dads out there working on the roads and the bridges, controlling the traffic, putting up the barriers, doing the construction work itself. That's somebody's Mom, and Dad, Brother; Sister, Son or Daughter that's out there working, and we want them to be safe while they're working. And many times as a traveling public, we want to get around, we want to get there quickly and it may be a little annoying to have the traffic backed up or maybe a lane blocked off somewhere, but it's all for the sake of progress in our State. As I mentioned those other factors that it addresses; but we also have to recognize those are real people out there doing that job.

But the other side of that coin is that, besides all the safety concerns of our wonderful Department of Transportation Employees; unfortunately we've lost 4 people over the last couple of years, we've also lost 85 citizens total between the DOT workers and citizens who come up on a construction zone. Maybe you aren't paying attention, maybe get impatient, maybe just something happens, but we've lost citizens in our State. And that's why it's important that we have this campaign called Your Life Matters, Drive Like It. Drive like it basically; just drive like it; take your time, slowdown pay attention to what's going on. I appreciate you guys highlighting this, because we all have choices in how we drive, how we control ourselves if we run across a situation, but lives matter. So, Director I know that you have several campaign themes, PSA's that you're going to be putting out to emphasize the importance of being safe when we're in those construction zones and wearing orange and yellow today which I appreciate. But I also have a very Special Proclamation to declare April and May as Work Zone Awareness Months in our State. And so if you don't mind I have this Special Proclamation and I will give you a quick synopsis of it.

Governor Fallin read the Governor's Proclamation declaring April 3 – May 3, 2017, as Work Zone Awareness Months in Oklahoma; and then presented it to Director Patterson.

Commissioner Burrage thanked the Governor for coming today and then asked Director Patterson for his Director's Report.

57. Director's Report

Director Patterson said I have some more comments on the Work Zone Safety subject; because this is something I'm very passionate about. Governor thank you for bringing out the point that in the last 5 years, 85 people have died in work zones; 4 of them resemble the people in the orange vest sitting back here that represent all of our ODOT employees. Could you guys stand, i just want the Governor to see who works for her.

So in the last 5 years 4 of us have passed away, died in the line of duty. But more importantly 81 people have died in work zones that don't work for the Department; they are people traveling through the work zones. An example would be Bobbi White last year; and ironically Bobbi, a schoolteacher from Owasso, died in a work zone on US-169 near Owasso during our campaign. That whole family has been rocked; the school system in Owasso has been rocked, and her 2 children are left without a mother. At that same time, we lost one of our own, Jerrell Gray from Delaware County died; and he was off the road, but a distracted driver left the roadway and hit Jarrell! So it's something we're very passionate about. You will see a lot of these pins, Governor, or an orange ribbon because that's what we do. And Governor, if I might, I'd like to present you with one; so if you find it appropriate to wear it we would love that. Over the coming weeks we have 2 radio PSA's and 2 television PSA's. So if the guys in a back room could run the radio PSA's first I would appreciate it, and then we'll run the television PSA's so everyone can see what we're going to be looking at.

Director Patterson said, "I want you to know we produced those in-house". You're familiar with our Video Branch, and you have on occasion used them. But we produced these in-house, and some of the stars of the shows are sitting right here in the orange vests. So it is something we're very passionate about and try to save money while we're doing it. But it's something that we wanted to get out, and we couldn't do it without the help of the Oklahoma Highway Safety Office and the Turnpike Authority along with ODOT. If I could have you 2 stand up and receive acknowledgement. Thank you very much.

We also have a very important Memorial Event that's going to take place; and 1 of our companies, Midstate Traffic Control from Oklahoma City is sponsoring that. Midstate and their ownership are very passionate about work zone safety. They're the guys that typically provide the barrels and signs on our projects. They are very passionate about this and have been very supportive of us over the years on work zone safety. On April 18th, Skydance Bridge in downtown Oklahoma City is going to be glowing in orange. Then on May 1st, we're going to have a Memorial Event, and we would ask anyone and everyone to come. It will be held along I-235 and 36th street. It will be an opportunity to remember those 85 who died in the last 5 years.

Commissioners on your desk in front of you; Governor each month we give an update, you'll recall our Rail Crossing Safety Program that you initiated 18 months ago. At the time, we were talking about it was going to be a 3 year plan to put this together; and it was going to be a \$100 million effort to provide rail crossing safety. Last legislative session \$26 million was part of the budget compromise; and so we're down \$26 million out of the \$100 million but we remain diligent in what we did. On your desk you see a summary, and I'm not going to read that to you. But one of the points that we made at the time was that we were going to put most of these projects not on the highway system, but on city streets and county roads; and that's really where the challenges were. That third line from the bottom you can see that 89% of the projects are on local roads; and that's really where a lot of the fatalities were occurring. You can see a fairly even divide between Class I, the Major Railroads and Class III, the Short-Line Operators; because the Short Line Operators are really those who needed the financial assistance to get the safety in place. So Governor if you would just take that with you; I think that's very informative and if you're ever asked about, what did we ever do with the money; this is what we've done with the money. I will tell you that the \$74 million is almost spent; we've got it committed to projects. So with the cooperation of the railroads and the railroads all stepped in and brought crews from outside the State to get this effort done, and I can't acknowledge that enough, the importance of doing that.

Commissioner Love said to be clear Director, the money that you're referring to are the proceeds from the sale of the Sooner Sub?

Director Patterson said, "That's correct". We sold the Sooner Sub for \$75 million and we turned around and put that money into the Rail Maintenance Revolving Fund and needed to spend it on the system; and the Governor thought this was a good idea.

Commissioners, just a quick update on the Legislative Process. We continue to work with the Legislature. Governor Fallin had put together an idea to generate additional revenue. I believe she quotes the year of 1933 as the revenue model that we continue to operate under. Part of her budget, and I mentioned to the Commissioners I think in the last 2 meetings, was to increase motor fuel tax from our current level of \$0.14

cent diesel tax and \$0.17 cent gasoline tax up to \$0.24 cents on both. But her intention, and the reason I keep mentioning this, was because her intention was not necessarily to for ODOT to have additional money but it was to generate money for the revenue for the entire state. And we would offset that by giving up our allocation of income tax and so we're all about that.

Governor I will tell you we've made thus far 40 presentations around the State to different civic organizations on this very subject matter. Updating the public about projects in their area, but really focusing on what's going on in the Capitol and the budget discussion. Additionally, we've had numerous what have become weekly conversations with the House A&B Committees because they want to roll each one of the subcommittees in front of the major core functions as the Secretary talked about. So every Thursday morning, we get a new subcommittee coming through and we visit with them each week. So there's a lot of discussion going on about how to fund transportation, what's the proper way to fund transportation, and ultimately I know the Governor would hope that something could be done on the statewide revenue situation. So we continue that discussion Mr. Chairman, and I know that's something we've talked about in the past.

Secretary Ridley said that there are quite a few businesses in the area that have written letters to the Editor and have contacted their Legislators and even writing a personal letter from both the construction industry as well as from the engineering companies. If you wouldn't mind Director, could we have all those companies stand that have supported your position on how to ensure that we're moving into the 21st century on how we generate revenue.

Director Patterson had the construction and engineering guys stand up to be recognized.

Commissioner Burrage said that he appreciated all the comments and we really appreciate those people standing behind you, whether they're our industry partners or our staff here, and being willing to take the steps that are necessary regarding workplace safety. He thanked everyone for their leadership and especially the Governor; you've been such a great leader for transportation in so many ways. It's radically changed what we've been able to do. So we appreciate that, and I see Director that you have another comment to make.

Director Patterson commented that you said something earlier about economic development, and I know the Governor was very involved with bringing the Steel Plant to southern Oklahoma. And, as we noted on several occasions, the Management of the Steel Plant said the reason they relocated there was because the new highway in Durant. I know the Governor had some and has some comments about that she'd like to make regarding the revenues being brought forth to fund transportation.

Commissioner Burrage said she made it happen and I have something Governor that you may want to hear. I was talking to some realtors and they said if you've got a house in the Durant area that is under \$200,000 it sells in 24 hours. If it's above \$200,000 it takes about a month to sell. So things are rocking down there, but all the work you did on that just wouldn't have happened. So we certainly appreciate it. You stack that up against and along with the Grant we received here at ODOT for Highway 69, it's made a major difference in the economic development engine.

Director Patterson asked the Governor if she had any more comments.

Governor Fallin thanked Commissioner Burrage and said that she does hear good things about Durant; and it's an exciting time in different areas of our state. Even though it may be challenging for the State of Oklahoma with the structure of our budget, which has been my point of discussion with the Legislature for the last couple of years; is that we've got to fix the basic foundation of our budget, because it's no longer working; and fix the structural issues, and quit borrowing from Peter to pay Paul, which transportation gets a lot of as you know. But I've been challenging the Legislators to try to find a way to have a more steady stream of funding and not have the uncertainty, and the ups and downs which is not good for our State Agencies and our State employees and is certainly not good for the economy. And for rating agencies when Standard and Poor's lowers our rating as they did a couple of months ago and may still do.

So I appreciate the business community that has been out there trying to talk about the importance of finding structural changes to our budget that makes more sense as far as funding our priorities which are education, health care, public safety, and transportation as Secretary Ridley just mentioned. I appreciate all the presentations that various people have done; I know Secretary Ridley has really been out there pounding the pavement on the challenges within the budget itself. But transportation is one of those issues that had been left largely unfunded for many, many years, for decades even back to the time I was Lieutenant Governor and before. We basically patched holes in our roads but we didn't really fix any of our bridges. So when I had the opportunity to be selected to be on the Transportation Committee in the United States Congress, it was very frequently that we would look at the different top states with the worst bridges in the nation and Oklahoma was always on that chart, and I hated that! Secretary Ridley would come up and talk to the United States Congress about funding for our roads and bridges and having stable revenue streams; and there are all kinds of challenges with that with more fuel efficient cars as we know, and now you've got hybrid cars and you have electric cars and other things like that, that takes away from the revenue streams that go towards funding our roads and bridges in our state.

So in light of the challenges that we've had with the energy sector going down and the loss of sales tax revenue from shopping online, which has affected our budget anywhere from an estimated \$200 to \$300 million, because we don't know how much people shop out of state; and we lose that revenue. We estimate that between the energy sector and the online shopping and just the natural trickle-down effect of those industries on our state budget and our corporate tax collections, that it has really impacted our budget the last 3 years. Now we're into this third year of a revenue shortfall. So I did lay forth ideas for the Legislature to consider in my State of the State speech in February that included a lot of things: where it was looking at our sales tax incentives, looking at our sales tax exemptions, the 150 different items that are exempt. Looking at our tax code that was put in place in 1933, back a long time ago and how much our goods versus services economy has totally changed. We are now more service driven, than we are goods driven, manufacturing driven as a nation and certainly as a state. And then I propose that we should look at our gasoline tax on our diesel tax which hasn't been changed since 1987; 30 years! Now we are ranked 48th in gas and 49th in diesel in the nation as far as taxes applied towards those 2 categories; and we're the lowest in our region of all 7 different states, including us in our region, on gasoline and diesel taxes, and way below the national average. And of course, we've told the public, politically for decades, and decades, upon decades, for a long, long time that if you tax your gasoline and your diesel it would go towards roads and bridges. But the fact of the matter is, it gets diverted to lots of other different things. So one of my proposals, Director and Chairman, was that we take the gas and diesel tax, increase it to at least meet the regional average, below the national average, but meet the regional average, dedicate that funding stream towards our roads and bridges; and take the allocation money of general revenue, which goes towards that now, pull it back out, to put towards education, public safety, health care, whatever it might be, but have that funding stream. As we tell the public, if you pay for your gasoline and your diesel, it's going to go to roads and bridges but it's really not 100%. So anyway I'd suggest that we look at those funding streams so I appreciate those of you that have been sending letters and advocating on behalf of a certainty within our funding for our roads, and bridges, and our infrastructure in our state, it's very important; and very important for economic development as you just mentioned.

Director Patterson said, "Governor, I really we really appreciate what you're trying to do because without that, we're fairly confident that we're going to take another big hit at the Department". And if it happens it's something that we are going to have to make some adjustments. One of the things that I was asked last summer was, can you do it again' and I said, not and keep the 8 year plan whole. We will begin to remove projects out of the 8 year plan, just because we can't fund it; we can't pay for it! I don't want to go backwards; I don't want another chunk of a bridge fall off and hit a car like it happened to Ivana Osborne some years ago; she was a fatality because a football sized chunk of concrete fell off a bridge. That's just not right, and it's not good for economic development to have chicken wire underneath our bridges!

Governor Fallin asked, "Didn't you have a chunk a bridge fall out couple of weeks ago?"

Director Patterson said, yes we did in the east part of Oklahoma City on the I-40 corridor in Del City and Midwest City where we routinely, and on Friday afternoons typically, we get holes in the bridges.

Governor Fallin said, "Director we talk about your 8 year plan, which is wonderful, because back in the old days, at the Capitol, the way I understood it, is it wasn't always prioritizing the most need, and the most traffic, and the most congestion; it sometimes was done another way, politically; but we switched that a long time ago".

Director Patterson said, "Yes, that's right".

Governor Fallin said, so we prioritize the most important needs of our state where it makes the most sense. But I think what the public has to understand is that 8 year plan doesn't include all the needs of the state; it includes your most pressing needs that we can get done with the limited amount of funds that we have now and that we prioritize for the future. So you could add a lot more other projects to that plan, if you had the money. So when we talk about cutting transportation funding, you're not talking about just cutting out some excess stuff that would be nice. You're talking about the bare minimum priorities for the state that need to be funded and all the other things you're still waiting to get in line to be funded sometime in the future in that 8 year plan. And we had a lot of discussion recently about the shortfall revenue failure that we just had back in March and all the agencies had to take 0.7% cut, just right under 1% cut. And then we had some discussion recently about the revenue streams coming in under their projected amount of money monthly in our state and the budget office had to take money out of the rainy day fund; which thank God we had rainy day money! Because when I came into office, we didn't have any rainy day money at all; we had \$2.00 in our rainy day account! But where the Legislature has gone in the past years to get that money has been to your revolving funds of your transportation funds. But even you, who have had so much money taken out over the past several years that now we bond transportation. So you can't go back and take the money out, because it's not there anymore. So thus they went to the rainy day fund.

Director Patterson said, "That's right".

Governor Fallin said, "Not as easy as it seems".

Director Patterson said, "No, a lot of moving parts".

Commissioner Burrage said, "We are not excited about another bond"! Well, Governor we thank you for your bold leadership and making suggestions to the Legislature. We thank you for continuing to lead boldly, so we get to the finish line. People need to come up with solutions. Criticism is great, but I think we're more interested in solutions. That's what we try to do at ODOT, and 1 thing we say here is, "That the truth will set you free, and we want to make sure everybody knows the truth"!

Information Only: No Commission action required.

ITEM PRESENTED BY COMMISSION CHAIRMAN

58. Adjournment Motion

ACTION: Burgess moved and Regan seconded that the Meeting be adjourned.
MOTION: Carried by the following vote:
AYES: Fidler, Overland, Love, Burrage, Huckabay, Alexander, Burgess and Regan
NAYES: None
ABSENT: None

Meeting adjourned at 12:36 p.m.

Approval of the Minutes of the Transportation Commission Meeting of April 10, 2017.

David Burrage – Chairman

Brad Burgess – Vice Chairman