

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 5th day of March, 2018, 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 2018 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, February 8, 2018, 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 11:00 a.m.

ROLL CALL:

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

The following items were presented and approved as written at the Transportation Commission meeting of March 5, 2018. 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 recognized Secretary Patterson for an announcement.

28. Approval of the Minutes of the Transportation Commission Meeting of February 12, 2018

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

CONSENT DOCKET TO BE PRESENTED BY COMMISSION CHAIRMAN

29. Land Sales – Mr. Phillips

- a) Comanche County – District VII – Land Sale – located in the Southeast quadrant of the intersection of NW Fort Sill Blvd. and US-62 in the City of Lawton - \$2,550.00
- b) Mayes County – District VIII – Land Sale – located approximately 1.00 mile South of Langley, OK on SH-82 - \$253,000.00

30. State Highway System Revisions – Mr. Swift

a) Logan County – District IV

This item is necessitated by an agreement between the State and the local jurisdiction regarding SH-74D east of the Town of Lovell in Logan County. Project Number STP-242C(059)SS; Job Piece Number 28312 (04).

Remove from the State Highway System, a three mile stretch of roadway, known as SH-74D, from Section 4 through Section 2, Township 18 North, Range 4 West, beginning at the town of Lovell and extending east to the junction of SH-74. This portion of SH-74D including right-of-way will be transferred to the appropriate local jurisdiction for further maintenance or abandonment. In accordance with state law, a Public Removal Hearing was held February 28th, 2018.

This revision will become effective upon approval by the State Transportation Commission and completion of certification by Division IV Engineer that the proposed removed roadways meet mandated criteria.

b) Carter County – District VII

This item is necessitated by the city's request for removal of SH-199 through the City of Ardmore in Carter County.

Remove from the State Highway System, a total of approximately 4.06 miles of SH-199, beginning at the east terminus of the I-35 ramps on West Broadway St. and includes all segments of SH-199 on W. Broadway St, E. Broadway St., Main St., N. Washington St., S. Washington St., and the segment of SH-199 on Sam Noble Parkway from N. Washington St. to the SH-142 junction. This portion of SH-199 including right-of-way will be transferred to the appropriate local jurisdiction for further maintenance or abandonment. In accordance with state law, a Public Removal Hearing was held October 27th, 2017.

This revision will become effective upon approval by the State Transportation Commission, completion of new construction and completion of certification by Division VII Engineer that the proposed removed roadways meet mandated criteria.

c) Mayes County – District VIII

This item is necessitated by the city's request for removal of SH-82A through the Town of Langley in Mayes County.

Remove from the State Highway System, a total of approximately 0.36 miles of SH-82A, between SH-82 and SH-28. This portion of SH-82A including right-of-way will be transferred to the appropriate local jurisdiction for further maintenance or abandonment.

This portion of SH-82A including right-of-way will be transferred to the appropriate local jurisdiction for further maintenance or abandonment. In accordance with state law, a Public Removal Hearing was held December 27th, 2017.

This revision will become effective upon approval by the State Transportation Commission, completion of new construction and completion of certification by Division VIII Engineer that the proposed removed roadways meet mandated criteria.

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

END OF CONSENT DOCKET

ITEMS TO BE PRESENTED BY DIRECTOR OF ENGINEERING – Mr. Tegeler

31. Programming Items

a) Oklahoma County – District IV

The Department requests approval to program a project to repair vehicle impact damage to eastbound NW 10th St over I-44 located 1.2 miles north of I-40 in Oklahoma County. The estimated cost of this project is \$75,000 using state-aid funds. This project can be ready for a July 2018 letting. The party responsible for the damage is unknown.

b) Love County – District VII

The Department requests approval to program a project to replace the west span as a result of vehicle impact damage to the Jacob's Road Bridge over I-35 located 1.6 miles north of Junction SH-32 in Love County. The estimated cost of this project is \$200,000 using state-aid funds. This project can be ready for a September 2018 letting. The party responsible for the damage is known.

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

32. Engineering Contract Supplements

a) Statewide – All Districts – On-Demand Engineering Services

EC-1416E Supplement 5 Poe and Associates, Inc.

The total aggregate increase for this contract supplement is \$250,000.00

b) Statewide – All Districts – On-Demand Traffic Engineering

EC-1851A Supplement 1 Lee Engineering
EC-1851B Supplement 1 Traffic Engineering Consultants, Inc.

The total aggregate increase for these contract supplements is \$500,000.00

c) Payne County – District IV - for additional engineering to develop final construction plans for SH-51 shoulder and resurface on westbound SH-51 from Junction I-35, east to Junction SH-86; eastbound from SH-86 east 4.5 miles and SH-51 shoulder and resurface eastbound from 8.0 miles east of I-35, extend east 5.50 miles.

EC-1825 Supplement 2 Tetra Tech, Inc. \$60,018.00

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

ITEMS TO BE PRESENTED BY THE COMPTROLLER DIVISION MANAGER – Ms. Hilmes

33. Lettings

- a) Final May 2018 Bid Opening
- b) Tentative June 2018 Bid Opening
- c) Tentative July 2018 Bid Opening

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

34. FY2018 Budget Revisions

Request to decrease the agency's budget for a further reduction of \$977,808 to the State Transportation Fund from HB1020XX recently passed during the Second Special Legislative Session. Reductions will be taken from the operations budget.

NOTE: *Commissioner Love commented, this is another million dollar reduction; so where does that leave us on a rolling basis for the 2018 budget.*

Ms. Hilmes said on the state side of the house of the funding pods, we have absorbed \$100 million reduction for the income tax. And in addition to that is that reductions to the state transportation fund in the amount of \$52 million. So this increases that approximately \$53 million. We were reduced to 155 and now we're being further reduced to 154. And the absorption will be in the administrative side of the house. Not project related.

Commissioner Love asked, "What does that mean".

Ms. Hilmes said, that is operations, salaries, any kind of internal agency costs, we would absorb that reduction.

Commissioner Love asked, "How much".

Ms. Hilmes said, \$977,808.

MR. LOVE: How do you eliminate 977,000 workers? I have a feeling we are not talking about headcount, are we?

MS. HILMES: Correct, it is just regular operations; we have a natural rate where we have people leaving the building. You know, retiring or seeking further employment elsewhere. There's a natural rate of reduction on a normal occurrence. In fact, you'll see that every year in a carryover.

Secretary Patterson said what Chelley is talking about when she said administration; she is referring to not only what we think of as administration, but also our operations. So that would be Darren's side of the house. It's got, maintenance, design; we are talking about our normal administrative costs. One of the things that we are experiencing, and I talked a little bit about this last month, was the fact that our turnover rate is high at the moment and we need to do something about that. But we are running with about 200 vacancies right now; so there's not any one area of this agency that's going to absorb the 977,000 which Chelley is referring to. We're going to spread it out and pick it up wherever we can. Her point is that we are not going to affect any of the ongoing lettings or projects that you are going to see in the upcoming months. We have been able to do that this time; in the past when you approved the 8 Year Plan last October, you will remember that because of the \$154 million that we had absorbed during the regular session, we had to make an impact to our 8 Year Plan. This one will not impact the 8 Year Plan.

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

ITEMS TO BE PRESENTED BY CONSTRUCTION DIVISION ENGINEER – Mr. Leonard

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

- a) Beckham County - Co. Rd. - SBR-4000(034)SB / 31775(04), \$63,310.75
- b) Canadian County - I-40 - NHPPI-4000-(058)3B / 33218(04), \$46,672.50
- c) Carter County - I-35 - SSP-210F(056)SS / 27019(04), \$5,085.50
- d) Choctaw County - Co. Rd. - CIRB-212D(036)RB / 29967(04), \$20,892.31
- e) Cleveland County - Ct. St. - STPG-114A(141)AG / STP-114E(299)EH / 28810(04) #1, \$2,305.80
- f) Cleveland County - Ct. St. - STPG-114A(141)AG / STP-114E(299)EH / 28810(04) #2, \$2,356.78
- g) Comanche County - Ct. St. - STP-116B(137)MS / 23410(04), \$39,340.51

- h) Comanche County - I-44 - SSP-4400(026)SS / 32503(04), \$21,315.51 Underrun
- i) Garvin County - Co. Rd. - CIRB-125D(165)RB / 25658(04), \$16,936.39
- j) Garvin County - SH-74 - STP-225C(063)SS / 28942(04), \$14,059.63
- k) Grady County - Co. Rd. - CIRB-126C(131)RB / 24945(04), \$37,514.11
- l) Hughes County - Co. Rd. - STP-232C(041)CI / 28575(04) #3, \$11,391.56
- m) Hughes County - Co. Rd. - STP-232C(041)CI / 28575(04) #4, \$0.00
- n) Jackson County - Ct. St. - STP-033B(157)SG / 17014(06), \$56,570.20
- o) Jefferson County - SH-79 - STP-234B(014)SS / 27977(04), \$7,725.00
- p) Kay County - Co. Rd. - STP-236C(039)CI / 28433(04), \$3,025.00
- q) McClain County - Ct. St. - STP-244E(054)UR / 3157004, \$46282.08
- r) Ottawa County - Co. Rd. - CIRB-258D(026)RB / 29894(04) #2, \$370.32
- s) Ottawa County - Co. Rd. - CIRB-258D(026)RB / 29894(04) #3, \$3,761.00
- t) Pittsburg County - US-69 - ACNHPP-013N(017)SS / 14999(04), \$2,750.00
- u) Pontotoc County - I-35 - SSP-262F(027)SS / 22973(13), \$18,014.88
- v) Pottawatomie County - SH-9A - STPY-263C(042)(043)3P / 29711(04), \$14,359.61
- w) Tulsa County - Ct. St. - ACNHPP-4440-(002)SS / NHPP-4440-(004)SS / ACNHPP-272N(149)SS / ACNHPP-4440-(003)SS / 28865(04), \$36,000.00
- x) Tulsa County - I-44 - ACNHPP-4400-(016)(14)(15)SS / 28872(04), \$40,000.00
- y) Tulsa County - I-244 - HSIPIG-0244-1(009)000TR / 29191(04), \$6,776.19
- z) Woodward County - SH-34 - ACSTP-277B(034)(035)SS / 28825(04), \$7,900.75

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

- a) Cherokee County - SH-82 - STPY-111C(093) / 23139(04), \$0.02 Underrun
- b) Cleveland County - I-35 - NHPP-0035-2(176)(304) / 09031(05), \$765,425.11
- c) Cleveland County - Ct. St. - STP-214B(042)(063)AG / 29293(04), \$19,970.00
- d) Comanche County - US-277 - STPY-116C(117)SS / 21717(04), \$34,913.72 Underrun
- e) Custer County - Ct. St. - ACSTP-220B(040)SS / 27911(06), \$161,452.80
- f) Delaware County - US-412 - NHPP-221N(020)SS / 26506(04), \$68,218.63
- g) Garvin County - SH-76 - ACSTP-125B(137)SS / 23264(04) #11, \$33,095.64
- h) Garvin County - SH-76 - ACSTP-125B(137)SS / 23264(04) #12, \$7,000.00
- i) Lincoln County - SH-18B - STP-241C(045)SS / 29570(04), \$1,251.57 Underrun
- j) Oklahoma County - I-235 - ACNHPP-2350-(004)(005)SS / 09033(16) #8, \$154,155.77
- k) Oklahoma County - I-235 - ACNHPP-2350-(004)(005)SS / 09033(16) #9, \$171,220.20
- l) Oklahoma County - I-235 - ACNHPP-2350-(004)(005)SS / 09033(16) #11, \$350,000.00
- m) Oklahoma County - I-35 - SSP-3500(049)SS / SSP-4000(042)SS / 31008(04), \$1,222,246.12
- n) Payne County - SH-51 - SSP-160B(190)SS / 26369(04) #10, \$238,678.24
- o) Payne County - SH-51 - SSP-160B(190)SS / 26369(04) #11, \$7,600.60
- p) Pottawatomie County - I-40 - NHPP-4000-(035)SS / 28928(04), \$720,000.00
- q) Rogers County - Ct. St. - STP-166B(164)IG / 22144(04) #3, \$267,197.41
- r) Rogers County - Ct. St. - STP-166B(164)IG / 22144(04) #4, \$25,636.26
- s) Rogers County - US-412 - ACNHPP-166N(207)SS / 24846(04), \$167,565.69
- t) Tulsa County - I-44 - ACNHPP-4400-(438)SS / 21899(04), \$48,803.44
- u) Tulsa County - I-244 - SSP-272F(067)SS / 23170(06), \$7,815.19
- v) Tulsa County - I-244 - ACNHPP-2440(010)SS / 28861(04), \$13,730.00
- w) Tulsa County - I-244 - SSP-272F(182)SS / 31943(04), \$76,959.44

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

ITEMS TO BE PRESENTED ON BEHALF OF THE DIRECTOR'S OFFICE – Mr. Surrett

37. Addition to the Industrial Access Road Program

Commission District IV – Kingfisher County

The Kingfisher County Commissioners are requesting approval for an industrial access project for the Solaris Kingfisher Rail Terminal. Solaris is investing more than \$30,000,000 to build the new facilities and creating more than 30 new full-time jobs.

The proposed project begins at US-81, on CR 860 and extends east approximately 3000 feet. Kingfisher County will be responsible for the initiation, construction and completion of all work associated with the project. The estimated cost of the entire project is \$1,530,000. Solaris has contributed \$167,000. The Department's participation shall not exceed **\$635,000**.

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

ITEM TO BE PRESENTED BY THE OFFICE ENGINEER – Mr. Delce

38. Awards

February 15, 2018 – Regular Letting

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

ITEM TO BE PRESENTED BY THE DIRECTOR – Mr. Patterson

39. Director's Report

Secretary Patterson said if you recall the last time we met, later that evening, the Legislature took a vote during a Special Session on the budget. They were hoping for a passage of additional revenue; that revenue failed and, consequently, we went through another round of budget cuts, and that's what Chelley just presented to you.

So the Department experienced another \$977,808 reduction. Not much, but added to the \$840 million since 2010, about \$600 million since 2015. So we continue to have to adjust for those things and we've always said that we will be able to adjust; and we will make whatever changes are necessary.

About 2 weeks ago the State of Oklahoma, and certainly the folks here at ODOT, went through the 4 seasons of Oklahoma all in the same week. If you recall on Monday and Tuesday, we had 70 and 80 degree weather, then we were fighting an ice storm and pushing a little bit of snow, and then there was flooding in southeast Oklahoma, so we had all this in 1 week. Well, what that does it really exacerbates our difficulty with our poor pavement that's in place now. We are already fighting bad pavement, and then you add the freeze thaw cycle that we experienced with the rain, and potholes start popping up. So the crews that were out fighting floods, snow and ice, are now fighting potholes and trying to keep our pavement bandaged up. And then Chelley presents us with another budget reduction!

So it's one of those things we are really pleased that we have been a part of a period of time when we have been receiving additional money and we have made great strides with our bridge program. You know we are getting close to being one of the top in the country; and we are going to make that by 2020 as we told you we would, but you know; apparently the fight is not over. We have a lot of work to do still; and so we are going to have to continue that. But kudos to the ODOT guys for taking care of us during bad weather and now having to clean up afterwards.

I was in Washington last week. It was one of those opportunities that I've had to sit down with other DOT heads and with Secretary Elaine Chao and talk about the Trump Administration proposal that they put forth. Now it's in the hands of the Legislators to both House and Senate of Congress to put together some legislation to see what they like about the proposal.

I don't know that I have anything to update you with other than to remind you the Trump Administration is looking to increase investment in all infrastructure not just transportation, but all infrastructure in the amount of \$1.5 Trillion Dollars. And to do that, they are going to have additional revenues from cities, counties, state, federal, private sector funding. So they are trying to collect all of this and make some things happen. I wish us all well in this endeavor; I don't know how this is going to eventually play out. There continues to be an underlying discussion about increasing fuel tax for transportation, so we'll see where that goes. But I'll keep you apprised of anything that I learn in that area because it will affect some of the conversation certainly that we are having as we begin to develop our 8 Year Plan.

At the December Commission Meeting, Commissioner Love asked me a question about county funding and was the Legislature aware of the impact they were making in reducing the county program. Well we are better prepared today to answer that question. I am going to ask our Deputy Director CFO, Russell Hulin, to come up; and we also have with us Gene Wallace, the Executive Director of the Association of County Commissioners here. I know Gene wants to say a couple words, but first we want to answer your questions and really dig into this a little bit, because it is this Commission that has the authority and responsibility over that program, as much as you do the highway program; and you really need to know more about that.

Mr. Hulin said, "Commissioners in front of you I put a 2-page informational sheet on the CIRB Fund for your viewing." I will go over that sheet and hopefully provide you more detailed information on that program in general. So the County Improvements for Road and Bridges (CIRB) Fund was created during the 2006 Special Legislative Session, and became effective on July 1, 2007. The fund, using state revenues, was established to provide a means for counties to construct significant, high priority projects on the County Road System. The CIRB funding is also used to match \$26 million in Federal Transportation Funds made available annually to the counties. The funding that they receive in general for maintenance comes from the Motor Fuel, Motor Vehicle, Gross Production Tax, and those funds are used primarily for the maintenance of the highways. So this program allowed the counties to make significant investments for new construction and bridges. The counties have over 83,000 miles of roadway and over 13,500 bridges. So they actually have 75% of the transportation infrastructure in the state. So they have a lot of needs and there are a lot of structurally deficient bridges as well. The Director has mentioned many times that the Department Bridges on the State System has gotten additional funding and that the progress is going very well. The counties have approximately 20% of their bridges currently as structurally deficient, so they have a long ways to go. This program is important for those efforts for sure. The original 5 Year Plan that was established for this program back in 2008 was approved by the Commission and it has continued to be approved annually; with the most recent one approved this past November for Fiscal Years 2018-2022. Projects in the plan are selected by the County Commissioners and coordination with their Circuit Engineering Districts, so it starts at the county level. Since the beginning of the program through December, 2017, 496 bridges and 662 miles have been awarded for reconstruction resurfacing. These projects total over \$876 million in Construction Contracts. As has been previously mentioned, since 2015 the funds have been transferred out of the fund totaling \$230 million to be repurposed for other areas of state government. So that program has taken significant hits.

The second page of your handout shows the history of the fund. The fund currently has just over \$115 million in cash and that supports current obligations of about \$181 million. So currently, we have more obligations than we have cash in the fund by about \$66 million. So with that, I'll be happy to answer any further questions that you may have.

Commissioner Burrage asked how this shortfall amount compares to how we are operating.

Mr. Hulin said our obligations on the state side are about \$1.5 billion typically and our cash balance is about \$170 million. So we are actually in a worse shape as far as that goes; but this will be the first time that the CIRB fund has been in the negative.

Commissioner Burrage commented that their projects are typically shorter in length or time, so their funding urgency would be different than ours. "Is that a fair statement"?

Mr. Hulin stated, well, I would think on the significant projects it's about the same, but they have a lot of smaller projects as well that might be a little shorter.

Commissioner Burrage recognized Gene Wallace from ACCO to come and say a few words.

Mr. Wallace thanked the Commissioners for the courtesy to allow us to appear before you this morning. Also would like to thank the Commission Members, Secretary of Transportation and his staff; you all know that we have to adjust as professionals, as we work through the appropriation process for the last few years. I can't tell you how many past and present Commissioners have called with questions about specific areas in their Districts, offer encouragement, and the assistance has been provided to us through the Staff of the Oklahoma Department of Transportation. I think that, without a doubt, when we look at Commission Members across the State, the commitment that this Commission has presented through their calls and encouragement is exemplary. I know that you take your areas very, very serious. I know we get a tremendous amount of feedback from our members. So for the 77 different counties in the State of Oklahoma, we appreciate your diligence and we certainly appreciate your commitment to transportation needs within the State of Oklahoma.

You know, I think that if you're in transportation, you have to remain an eternal optimist, because it is an ebb and flow and it has a high and a low when it comes to dealing with projects. Mr. Chairman, you made mention about the time frames that occurred within the galleys on many projects. I, personally, can tell you as serving as Commissioner out of Muskogee County; I had the pleasure and honor of building a bridge 710 foot long that actually replaced a bridge that was built in 1919. It took almost 8 years from the time that we actually programmed that bridge until it got to fruition; but it is now a structure that will serve the public for the next 75 to 100 years just like the old one did.

You know, I think that when we look at what the Department of Transportation and the Counties have looked at over the last few years, we have actually seen well over a billion dollars that has been taken out of infrastructural planning. Now, as Professionals, we all have to adjust to that; but we can't ignore the fact that in the State of Oklahoma, we are still number 3 in the nation on deficient bridges. And unfortunately, 85% of that for us is on the county highway system; so we have got a tremendous amount of work to do.

You, as Commission Members, and we, as Professionals, I think we have to continue to beat the drum and sell the prospect that of all the dollars that are spent in the State of Oklahoma; and I know that everybody is looking for fraud, waste, and abuse; but when you have plans that are re-certified by several different levels of Government, in your case, 8 Year Plans, in our case, 5 and 8 Year Plans, you know, we are one of the few efforts in the State of Oklahoma that can stand up and say that we actually have plans that we spend those dollars for, which I know that you are very, very aware of.

So I think that when we look at the trend for the State of Oklahoma, and I think all of us have tried to do that; you know, the census first counts that we are looking at out there is very encouraging. We are now ranked 25th in the nation in growth and in migration of new residents within the State of Oklahoma. You know, we're now looking at almost having 4 million residential populations in the State of Oklahoma that should have a positive effect on the revenue that comes into our state.

We're looking at reapportionment in 2020, which I think gives us great hope that we may gain another congressional seat as far as representation on a national level. So I think you need to be optimistic; and I think we all need to understand that we do adjust. I've never thought about being in bankrupt position until Chairman Burrage pointed that out just now; but we will recover, and we will continue to build, and we will certainly work hand-in-hand with ODOT. I think that's one of the privileges that we have as far as being engaged in transportation in our state.

I'd like to take one moment of personal privilege. And that is I've got several friends here from Muskogee County today and they have a very legitimate concern about the economic impact it may occur on our community. I know they're going to present, I assume today, a Petition; and although I know they're not on the Agenda, in devoting the majority of my life to that area, I can assure you the growth that we've seen will certainly be impacted by any drastic change. And it's my hope and I think that there are some provisions where mitigation might occur within that community. So with that, again, we're extremely grateful to have the opportunity to address you today and I stand and await any questions that you may have.

Commissioner Burrage thanked Mr. Wallace for his words today. He commented, Mr. Director correct me if I'm wrong, but I believe you know, that everybody needs to be aware and on point, that the County CIRB Fund doesn't need any further reductions and that the program is working well. Unlike our 8 Year Plan, they haven't had to my knowledge, to pass or move any projects out of their Construction Plan. We've moved projects out of ours because of the budget crisis, and we don't want that to happen to them. So we would stand by those guys and hope that that doesn't happen to them; that they would suffer the same fate that we've suffered in actually having to change our Construction Plan.

Secretary Patterson said that is correct; and one of the things that we, throughout this \$230 million reduction, is we've held force that we didn't want to take projects out of the plan, in an effort to spend the money that's there. The fact that they have a negative balance situation, that works well with the way that we operate here at the Department because we are betting on the come; and we know we have federal funds coming in.

Commissioner Burrage said it is the nature of how it works.

Secretary Patterson said it is managing cash flow.

Commissioner Burrage said, but the distinction is that we have had to take projects out.

Secretary Patterson said, yes we have had to and we don't want that to happen to them.

Commissioner Burrage said he is still receiving calls because one of their projects we took out, was a significant project in Madill; and you know that Community has been waiting many years for this project. I am glad that the county projects have not suffered the same fate; because we can tell you Gene that it is not fun and I'm glad that all your projects have been funded.

Secretary Patterson said, yes we are in a better position with the CIRB, than we are with the highway program. And to your point, as we talked to the Legislature this year, any additional reductions from year-to-year are going to force us to slide projects again. And we've been doing that for several years, it is just unfortunate this year that some of those projects slid out of your plan.

Commissioner Burrage said we do have some people that aren't here every time, but everybody needs to remember, "We can be whatever the Legislature wants us to be; I just hope we don't go back to what we were". You were talking earlier about reducing funding on the administration side, you know, we have got some good people here; but when we are afraid to hire them or they are afraid to stay here, that effects the quality of our work and that's kind of where we are now. Some of you guys have been here a long time, started out in an inadequately funded department, and we got in better shape. I know the Legislature will work hard to try to keep us there; but the progress in Oklahoma doesn't continue when you quit fixing your roads or building the ones that you need.

Secretary Patterson said I have 2 other items; first I just wanted to update you about this last weekend. I appreciate the patience of the folks regionally here in Oklahoma City, because we closed down I-235 again and got it back open by 6:00 this morning. We talked about doing it again this coming weekend, but latest news says we may have to push that. Some coordination with the railroad is causing us a little bit of concern. I'm not sure what it is that they yet need to do, but we might have to delay that. So we'll have a further update later in the week.

Commissioner Burrage said, a lot of people that don't come up here all the time, may not know that those railroad bridges that were put in place so skillfully the other day, are now being used by the railroad and we are off the old bridges.

Secretary Patterson, yes they did a great job, and still now, it is an amazing engineering feat! I had some people in Washington just this last week that were talking about what we did. It is always so gratifying when you know that your team is doing well.

The last thing I have, I would like to encourage everyone to wear something orange at the next Commission Meeting to commemorate April as the Work Zone Safety Awareness Month.

Commissioner Love said I have a question going back to the Federal Infrastructure Plan discussion. I want to be a little clearer; the Trump plan is dedicating \$200 billion; and they are trying to get to \$1.5 trillion?

Secretary Patterson said yes that's correct.

Commissioner Love asked, realistically thinking; where are they going to be able to find \$1.5 trillion dollars.

Secretary Patterson said in previous visits with White House staff, dating back to last summer. They feel like they want to take a subordinate role in transportation funding. That was the word that somebody in the room used, so I'm comfortable in using that. And so when you look at the State of Utah as an example; they have a 5 Year Construction Plan and it's supported with 80% state and 20% federal. We in Oklahoma, if you recall back at the turn of the century, to late 1999-2000, we were 100% federal; and now our 8 Year Plan is about 50-50. Well it's really the Trump Administration's Proposal that they're going to add the additional money and they want to be kind of the last money in. So that's why you see the discussion about a Grant Program; something that once you get all your money together, your additional State, County and City Money, then they will come in and fund that last piece of the grant. That's really kind of what they're driving to; that's how they get from \$200 billion to \$1.5 trillion. There is even a "Look-Back Provision" that says, if your State has not been aggressive in increasing Transportation Funding that will have an impact on the review of the Grant Application. So here in Oklahoma we have been fortunate; we have been adding additional income tax allocations; so I'm hoping that plays well for us. There are some states who, and I can think of 1 that in 2010-2011 they really added some additional money to their DOT budget. But they haven't done anything since then and they are afraid that's going to look negative upon them; because 23 states in the last 2 years have increased their fuel tax, and that's a good thing when looking at Grant Applications.

Commissioner Burrage commented, "But not us".

Direction Patterson said it might not be us; we may not look good in a Grant Application.

Commissioner Burrage said, well we have taken advantage of additional reallocating funds every year, and that was seen as a positive thing by different administrations. But when you're 100% federally funded like we were for many years that could flip and be seen as negative.

Secretary Patterson said potentially, it could, because your 4th quarter redistribution is going to reduce your state portion of your overall funding percentage wise. I don't know how that looks like on a graph; but anyway we discussed that with Secretary Chao and she said that she would look into it. So I'm not sure how that's all going to play out.

Commissioner Love said this sounds like something that you ought to be educating our Legislature about. It's not a thing today, but it may be coming.

Secretary Patterson said, I agree and that's a great point. We do need to get with our State Legislature so that they know the impact of the decisions they are making today will have, 3-4 years from now, as we get into this new way of doing business at the federal level.

Commissioner Burrage said think of how our agency operating plan has been heralded as groundbreaking; I think that will help us. I think if we have some state funds involved that will help us; and I think taking advantage of the reallocated funds will help us if our percentage looks well. I think we are in good shape to get whatever is there; but not if we continue to go backwards, though.

Secretary Patterson said yes that is a great point. And it's kind of, what have you done for me lately mentality, as well. I have had a little bit of concern, and I've mentioned this publicly before, the notion that states haven't stepped up. The statistics will tell you that all states, if you aggregate everybody together, state and local funding has gone up appreciably in the last decade in transportation.

Commissioner Burrage said I think you guys have done a good job. You are staying involved in what's happening on the national scene. We have done well in recent grant applications as evidenced by the one on Highway 69. So we are held in high regard and we just got to stay there.

Secretary Patterson said and that's where we want to be.

Information Only: No Commission action required.

ITEM TO BE PRESENTED BY COMMISSION CHAIRMAN

40. Adjournment Motion

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

Meeting adjourned at 11:44 a.m.

Approval of the Minutes of the Transportation Commission Meeting March 5, 2018.

David Burrage - Chairman

Dan Overland - Member