

# 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 June, 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, June 1, 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 11:01 a.m.

**ROLL CALL:**

<b>Present:</b>	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 June 5, 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.

### ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION

#### **74. Approval of the Minutes of the Transportation Commission Meeting of May 1, 2017**

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

## **CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN**

### **75. Programming of Federal Railroad Crossing Safety Funds—Section 130 Title 23 Funds – Mr. Moody**

- a) Latimer County - District II - In Wilburton, Construction funding for a Signal project which includes the installation of pedestal-mounted flashing light signals with gate arms at SH-2 with the Arkansas-Oklahoma Railroad - \$282,083
- b) Okfuskee/Hughes Counties – District III - Various locations between Weleetka and Yeager, Funding for the installation of advanced warning signs and pavement markings in conjunction with an ongoing project for the installation of Stop/Yield signs at various county road locations with the BNSF Railway Company - \$22,379
- c) Lincoln County - District III - In Stroud, Construction funding for a rail safety corridor project which includes the installation of flashing light signals with gate arms at four locations, preemption circuit improvements at SH-99, surface improvements where necessary and the permanent closure of two grade crossings with the Stillwater Central Railroad - \$1,047,865
- d) Greer County – District V - Near Blair, Construction funding for a Signal project which includes the installation of train-activated advanced warning flashing lights and a 112' concrete crossing surface at US-283 with the Farmrail Corporation - \$231,994
- e) Ottawa County – District VIII - In Miami, Construction funding for a Signal project which includes the installation of pedestal-mounted flashing light signals with gate arms at NE 9th Avenue/BJ Tunnel Avenue with the BNSF Railway - \$509,273
- f) Ottawa County – District VIII - In Miami, Construction funding for a Surface project which includes the installation of a 32' concrete crossing surface in conjunction with the previously approved April commissioned project (\$315,400) for the installation of pedestal-mounted flashing light signals with gate arms at NE 1st Avenue with the BNSF Railway - \$50,590. This brings the total project cost to \$365,990.

### **76. Transportation Control Improvement Projects – Mr. Pendley**

- a) Choctaw & McCurtain Counties – District II – installation of guardrail at various locations along SH-93 in Choctaw County and along SH-3 in McCurtain County - \$2,000,000
- b) LeFlore & Pittsburg Counties - District II – installation of pavement markings at various locations along US-69 NB & SB in Pittsburg County, along US-59 Bypass in City of Poteau and US-59 in City of Panama - \$333,000
- c) Bryan County – District II – installation of a new traffic signal system with poles, mast arms and luminaires for the intersection of US-70 and Silo Road - \$230,000
- d) Bryan & Pittsburg Counties - District II – replacement of overhead and ground mounted signs along US-69 in Bryan County beginning at the Red River and extending north to the Atoka County line extending north to the McIntosh County line - \$1,300,000
- e) Pontotoc County – District III – installation of School Zone Advance Warning Signs with Flashing Beacons on SH-1 in the Town of Roff - \$22,500
- f) Canadian County – District IV – installation of a new video traffic-actuated signal control system with poles and mast arms at intersection of SW 44<sup>th</sup> Street and Mustang Road in the City of Oklahoma City - \$251,250
- g) Canadian & Oklahoma Counties – District IV – installation of pavement markings at various locations along I-40, I-235, I-240, US-77, SH-152, I-35/I-40/I-44 - \$710,000

- h) Beaver, Ellis & Woodward Counties – District VI – installation of pavement markings at various locations along US-83, US-270, US-283, US-183 and US-412 - \$354,000

**77. Speed Zone Revision – Mr. Pendley**

Comanche County – District VII – various locations along SH-17 in Elgin

**78. Land Sales – Mr. Phillips**

- a) Oklahoma County – District IV – Land Sale – at the NE corner of SW 5<sup>th</sup> Street and South Western Avenue North of the new I-40 in Oklahoma City - \$127,620.00
- b) Oklahoma County – District IV – Land Sale – at the SE corner of SW 5<sup>th</sup> Street and South Western Avenue North of the new I-40 in Oklahoma City - \$42,330.00
- c) Canadian County - District IV – Sale of Access Rights - the SE quadrant of the John Kilpatrick Turnpike and State Highway 66 in Oklahoma City - \$58,750.00

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**

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**ITEMS PRESENTED BY DIRECTOR OF ENGINEERING – Mr. Tegeler**

**79. Engineering Contracts**

- a) Statewide – All Districts – Standard Drawings for On-System Roadway Pre-Cast Storm Sewer Structures  

EC-1886	H.W. Lochner, Inc.	\$120,024.00
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- b) Statewide – All Districts – Overload Permit Studies.  

EC-1898	Grossman & Keith Engineering, Co.	\$500,000.00
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- c) Craig County – District VIII – to provide preliminary engineering and prepare construction plans for US-60 begin 3.03 miles East of Nowata C/L extend east 4.45 miles to Junction SH-66 and US-60 begin 7.48 miles East of Nowata C/L extend east 4.5 miles to Junction SH-66  

EC-1869	Tetra Tech, Inc.	\$1,772,640.00
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ACTION: Regan 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

## 80. Engineering Contract Supplements

- a) Sequoyah County – District I – additional engineering to develop final construction plans for I-40 Interchange at US-64 in Sallisaw (Bridge Rehabilitation at US-64 and Little Sallisaw Cr).

EC-1325            Supplement 3            Tetra Tech, Inc.            \$18,478.00

- b) Washington County – District VIII – additional engineering to develop final construction plans for SH-123: over Caney River, 1.7 miles north of SH-123/US-60 Jct.

EC-1360N          Supplement 2          Professional Engineering Consultants, P.A.    \$396,274.00

ACTION:            Overland moved and Burgess 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 PROGRAMS DIVISION MANAGER – Mr. Adkins

### 81. Lettings

- a) Final August 2017 Bid Opening  
b) Tentative September 2017 Bid Opening  
c) Tentative October 2017 Bid Opening

ACTION:            Fidler 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

## ITEMS PRESENTED BY CONSTRUCTION DIVISION ENGINEER – Mr. Leonard

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

- a) Alfalfa County - SH-8B - STP-202C(035)SS / 29442(04), \$47,845.98  
b) Beckham County - I-40 - ACSTP-205B(051)3P / 31111(04), \$53,683.00  
c) Caddo County - Co. Rd. - CIRB-108C(182)RB / 24802(04), \$13,610.40  
d) Canadian County - I-35 - STP-209F(047)SS / 24239(17), \$3,300.00  
e) Choctaw County - Co. Rd. - CIRB-212D(015)RB / 31226(04), \$17,422.00  
f) Cleveland County - Ct. St. - STP-214B(077)AG / 30501(04), \$26,022.40  
g) Cleveland County - SH-77H - HSIP-214C(065)TR / 32404(04), \$16,407.50  
h) Creek County - SH-16 - ACSTP-219C(050)SS / 28858(04), \$109,383.60  
Underrun  
i) Creek County - I-44 - SAP-219N(051) / 32657(04), \$195.00  
j) Dewey County - US-270 - NHPP-222N(023)SS / 17671(38), \$33,940.80  
k) Garvin County - SH-76 - ACSTP-125B(137)SS / 23264(04), \$2,821.50  
l) Garvin County - Co. Rd. - STP-225C(050)CI / 30298(04), \$3,000.00 Underrun  
m) Grant County - SH-11 - STP-127B(107)(108)(109)(110)SS / 24163(04), \$22,302.50  
n) Jefferson County - US-81 - NHPP-234N(015)SS / 28800(04), \$14,157.44  
o) Jefferson County - SH-89 - STP-234C(016)SS / 28801(04), \$172.48

- p) Kiowa County - SH-19 - ACSTP-138C(161)SS / ACSTP-238C(031)SS / 27021(04), \$68,481.02
- q) Latimer County - Co. Rd. - STP-239D(018)CI / 29982(04), \$5,843.10
- r) Lincoln County - SH-105 - ACSTP-241C(044)SS / 27060(04), \$18,856.42
- s) Lincoln County - US-177 - ACSTP-241B(043)SS / 28941(04)#2, \$14,980.00
- t) Lincoln County - US-177 - ACSTP-241B(043)SS / 28941(04)#3, \$1,894.00
- u) Lincoln County - SH-66 - SSR-241C(029)SR / 29802(04), \$13,154.37
- v) Logan County - SH-33 - ACSTP-242C(046)SS / 21860(04), \$16,065.00
- w) Logan County - Co. Rd. - ACERSTP-242C(056)ER / 32379(04), \$0.00
- x) Mayes County - SH-82 - STPY-149C(082)SS / 21911(04), \$144,245.60 Underrun
- y) McClain County - US-77 - SSP-244N(028)SS / 29565(04), \$2,100.00
- z) McIntosh County - I-40 - SBR-246N(002)SB / 28286(05), \$16,973.67
- aa) McIntosh County - US-69B - SBR-146N(135)SB / SBR-246N(020)SB / 28288(05), \$0.12
- bb) Muskogee County - US-69 - SBR-251N(028)SB / 29786(04), \$63,666.32
- cc) Nowata County - US-169 - ACNHPP-253N(036)(037)SS / 24750(04), \$27,095.64
- dd) Nowata County - Co. Rd. - CIRB-253C(031)RB / 27814(04), \$2,519.64
- ee) Oklahoma County - Ct. St. - STP-155A(878)AG / 17827(05), \$430.00 Underrun
- ff) Oklahoma County - I-40 - SSP-255N(373)SS / SBR-255N(362)SB / SBR-209N(037)SB / 29494(04), \$6,777.38
- gg) Oklahoma County - Ct. St. - STP-255B(337)AG / 31476(04), \$28,464.76
- hh) Osage County - SH-18 - ACSTP-257B(033)SS / 27086(04), \$36,900.00
- ii) Ottawa County - Co. Rd. - STP-258C(027)CI / 28596(04), \$931.50
- jj) Payne County - SH-51 - SSP-160B(190)SS / 26369(04), \$38,562.41
- kk) Payne County - SH-51 - STP-260B(022)(024)SS / 27932(04), \$45,182.00
- ll) Payne County - Ct. St. - STP-260B(027)MS / 31595(04), \$10,442.96
- mm) Pittsburg County - US-69 - ACNHPP-013N(017)SS / 14999(04), \$38,492.27
- nn) Pittsburg County - Ct. St. - PLHD-261N(013)DC / 28995(04), \$16,564.22
- oo) Pittsburg County - US-69 - ACNHPP-261N(057)SS / ACSTP-261B(055)3P / NHPP-261N(056)3P / 31063(04), \$15,000.00
- pp) Rogers County - Co. Rd. - CIRB-166C(212)RB / 25480(04), \$41,428.64
- qq) Seminole County - Co. Rd. - CIRB-267C(055)RB / 28495(04), \$3,570.00
- rr) Stephens County - SH-7 - SBR-269N(038)SB / 32402(04), \$4,048.00
- ss) Texas County - Co. Rd. - CIRB-270C(021)RB / 28465(06), \$880.00
- tt) Tulsa County - I-44 - ACNHPP-4400-(438)SS / 21899(04), \$14,300.00
- uu) Tulsa County - I-244 - ACNHPP-2440(010)SS / 28861(04), \$1,925.00
- vv) Tulsa County - Ct. St. - STP-272B(175)IG / 29323(04), \$11,169.00 Underrun
- ww) Wagoner County - Co. Rd. - CIRB-173C(146)RB / 25489(04), \$6,681.00
- xx) Wagoner County - Ct. St. - STPY-173C(177)MS / 28905(04), \$10,073.20
- yy) Washington County - US-75 - NHPP-274N(016)SS / 27077(04), \$3,960.00
- zz) Woodward County - SH-34 - ACSTP-277B(034)(035)SS / 28825(04), \$10,673.13

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

- a) Alfalfa County - US-64 - ACSTP-202C(003)SS / 27006(04), \$74,121.36
- b) Beckham County - I-40 - ACNHPP-4000(028)(022)SS / 24354(04), \$420,714.47
- c) Beckham County - Co. Rd. - CIRB-105C(158)RB / 24840(04), \$72,549.40 Underrun
- d) Blaine County - SH-51 - SSR-106C(122)SR / 28139(04), \$3,101.36
- e) Dewey County - US-270 - NHPP-222N(023)SS / 17671(38), \$72,468.94
- f) Grady County - US-62 - SBR-226N(030)SB / 30384(04), \$134,608.46

- g) Kiowa County - SH-19 - ACSTP-138C(161)SS / ACSTP-238C(031)SS / 27021(04), \$29,303.50
- h) Love County - I-35 - SAP-243N(009)(008)FM / 25909(26), \$60,420.96
- i) Major County - US-412 - NHPPY-247N(002)SS / 10067(08), \$18,203.86 Underrun
- j) McClain County - SH-76 - ACSTP-244C(047)3P / 30565(04), \$109,587.87
- k) Noble County - SH-86 - STP-152B(172)SS / 26421(04), \$196,402.37
- l) Oklahoma County - Ct. St. - OKC-XTWN(006)(048)SS / 17428(60), \$312,190.71
- m) Oklahoma County - I-44 - NHPPIY-0044-1(130) / 30423(04), \$39,415.25
- n) Oklahoma County - Ct. St. - SBR-255N(361)SB / SSP-255A(351)SS / 30424(04), \$100,000.00
- o) Ottawa County - SH-10 - ACSTP-258C(023)SS / 27074(04), \$150,850.00
- p) Payne County - Ct. St. - STP-260B(027)MS / 31595(04), \$216,309.17
- q) Pottawatomie County - Ct. St. - STPY-163A(356)SG / 22908(05), \$267,253.96
- r) Tulsa County - US-64 - SSP-272N(137)SS / 31939(04), \$110,605.00
- s) Woods County - US-64 - STP-176B(163)SS / 26495(04), \$73,647.75

ACTION: Huckabay 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 ON BEHALF OF THE DIRECTOR'S OFFICE – Mr. Surrent**

**84. Addition to the Industrial Access Road Program**

**Commission District III - Pottawatomie County**

The City of Tecumseh is requesting approval for an industrial access project for the Tecumseh Industrial Park. Logic Aviation, Acord Truck Equipment, Goodyear Tire, Yearwood Design Works and Browns Warehouse are investing more than \$2,500,000 for new facilities and creating 40 new full time jobs.

The proposed project has three parts. Part 1 begins at US-77, approximately 3000 feet south of Benson Park Road, just east of US-177 and extends eastward for approximately 850 feet. Part 2 begins approximately 3000 feet south of Benson Park Road, just east of US-177 and extends southward for approximately 730 feet. Part 3 begins at Benson Park Road, approximately 920 feet east of US-177 and extends southward for approximately 2310 feet. The City of Tecumseh will be responsible for the initiation, construction and completion of all work associated with the project. The estimated cost of the entire project is \$592,500. The Department's participation shall not exceed **\$357,000.**

ACTION: Overland moved and Huckabay 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

**ITEM PRESENTED BY THE OFFICE ENGINEER – Mr. Delce**

**85. Awards**

- a) Deferrals from April 20, 2017 Regular Bid Opening
- b) May 18, 2017 – Regular Letting

ACTION: Fidler 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 COMPTROLLER – Ms. Hilmes**

##### **86. Fiscal Year 2018 Budget Work Program**

The Department is required to submit a Budget Work Program to the Office of Management and Enterprise Services in June of each year which will provide budget authority for the upcoming fiscal year. In keeping with that process, the Department is submitting for Commission approval the Fiscal Year 2018 Budget Work Program in the amount of \$1,582,742,693.

ACTION: Burgess moved and Huckabay 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

##### **87. Fiscal Year 2017 Budget Revisions**

- a) Request to increase federal share of Right-of-Way by \$3,100,000 for unbudgeted federal revenue.
- b) Request to increase federal share of Engineering Contracts by \$8,000,000 for unbudgeted federal revenue.
- c) Request to increase County Machinery and Equipment by \$40,000 for unbudgeted lease revenue.

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

#### **ITEM PRESENTED BY THE DIRECTOR – Mr. Patterson**

##### **88. Director's Report**

Director Patterson said this is a different Director's Report than we heard last month. It's a report that, while there are impacts to the 8 Year Plan; we will get into that in just a moment. But if you'll recall, the last time I was at this podium in this room talking about budgets, Legislation and impacts financially, we were looking at a piece of Legislation that was decreasing our next year's funding by \$251 million dollars. That impact, as you recall, would have stopped, suspended construction activities on several on-going projects. Fortunately, we don't find ourselves in that position. I will tell you how much I appreciate this Agency stepping up and putting a plan together of how to suspend those activities. Special accolades to the Division Engineers and their Staff for doing that. It was painful because it's something you don't want to do; it's that assignment that you don't want to do; it's the thing this Agency would never want to do, is to stop a project; especially for a financial reason! But that's where we found ourselves; and our Division Engineers did a great job putting together a plan and identifying those projects that would have most likely been the ones to suspend. But as I

said earlier, we are fortunate; we don't have to do that. The budget impact based on what the Legislature did and the budget bill is \$156 million dollars. When Chelley was up here, she talked about there was \$73 million that got taken away last year that didn't get taken away this year. So last year, if you'll recall, the impact was \$367 million. So these are not compared one year to the next, it's not like we are better off than we were last year. These are cumulative, and you know this, but we build our 8 Year Plan based on what's in the Statute. So 8, 6, 4 years ago, we thought we were going to have a certain level of funding; and we put projects in that plan based on that level of funding. Now that funding level left last year in excess of \$300 million, and this year it's leaving about \$156 million leaving out of the 8 Year Plan. So we have to adjust for that, and adjust we will, because that's the way we do it.

Throughout the Legislative process, I would be asked, and I know Secretary Ridley was asked the same question, and perhaps you were as well as Commissioners. Well, if we take \$100 million, would that affect the 8 Year Plan? Yes, every dollar taken from this Agency affects the 8 Year Plan! So if it's a \$1 or \$100 million, it affects the 8 Year Plan. If it's \$156 million, it affects the 8 Year Plan; and that's how much the 8 Year Plan will be affected. The difference between what we were talking about last month and the difference we're talking about now is \$100 million. That \$100 million was the difference in shutting down projects this year on-going projects and affecting the 8 Year Plan. That \$100 million was the difference; I can't tell you exactly where or how tight that would have been; that's what we were looking at, as the Legislature was closing out their activities.

*Commissioner Burrage said, so the cash flow and budget and stopping the projects; and that \$100 million was the difference; that's all we got in our hands right now.*

Director Patterson said, "That's right, because it is a situation of cash flow; because they would have had to take more of the money that we have on hand to make it work".

*Commissioner Burrage stated, "I think that's something that we all understand, but maybe some others didn't; and I wanted to make sure that we pointed that out".*

Director Patterson said, so as we proceed, we will be looking at the 8 Year Plan; and I've already spoken to a couple of you about the future of the 8 Year Plan; and I will talk to you guys individually about that, and what we want to do in that regard. But as we start this year, there were a couple of other nuances that occurred during the final days of the budget, which was a typical year; it's hurry up, and things are going to happen quickly. When we woke up, that last Thursday morning, there was 1 million dollars taken out of Passenger Rail; 1 million dollars taken out of Transit; and about a million dollars taken out of the Weigh Station Revolving. We were able to change that and have all \$3 million taken out of the Weigh Station Revolving; taking that million dollars out of the Heartland Flyer subsidy would have changed the Heartland Flyer maybe forever; but definitely it would not have been able to continue on our current frequency of trips. We've already downsized that train because of federal budget concerns. And last year, there was money taken out of passenger rail; and taking an additional million this year would have rendered it where we would not been able to make daily trips on the Heartland Flyer. So I didn't want that to happen; and I was able to visit with the Legislature, and they took care of that. The other one was the Public Transit, that million dollars helps our rural public transit operators match federal funds; and I didn't want any federal funds to be lost. So I appreciate the Legislature changing that in the final hour so that we could preserve those 2 programs going forward.

As we continue on with the 8 Year Plan, you know, Commissioners that we are going to do everything to meet our goal with our structurally deficient bridges. The last official number that we have as of April was 251. We are down from 1,168 to 251; so about 3 ½ % of our bridges are structurally deficient. At one time there was 17%, so we're down to 3 ½ and on our way to less than 1%. We're going to stay focused on that goal as best we can.

The big project that has had I-235 closed since last Friday night; and 2 of the prime movers are sitting to my right back here, Jeff Allen and Damon Markwell. They have been working 24/7 since last Friday night at 8:00 p.m. and I've heard that perhaps they are going to get it open a little bit earlier than originally scheduled.



But I just wanted to take a moment and show the Department's appreciation, for the patience of this City, and a special appreciation to the Media for their constant reminders before the closure and during the closure that this is going on. Once this is opened, it's not complete; this was just to get some things done that we needed to get done with nobody around. There is still construction going on, and will be for several more months. The lanes are even going to get tighter in the next few weeks and few months. So I still caution people going through there, if you have to go through there, know that it's a big construction zone; be careful! If you don't have to go through there, don't go through there; please find an alternative route!

The last thing I want to mention, just a quick update on our Rail Crossing Program. You just approved some more crossings; that takes us up to 227 locations around the State; 89% of those are on local roads. We have a few of them on the highway system, but 89% of them are on local roads involving both Class I and Class III Railroads. I know you have heard me say this before, but I really appreciate the railroad's involvement in stepping up to make this happen. We had an opportunity; but without the railroads helping us with this effort, it could not be done.

**Information Only:** No Commission action required.

Commissioner Burrage recognized Secretary Ridley for a few comments.

Secretary Ridley said, Director I kind of digress a little bit. You talked about the \$151 million that was taken out of your budget. Help us out a little bit, we were sitting here with a \$900 million shortfall into the budget year; and that was established by a group called the Equalization Board. They're the ones that determine how much money it will take to operate the State at its current level and what they anticipate the receipts will be for the upcoming year. Director Patterson you sit in on those meetings, so refresh my memory a little bit, you have 2 accounts that are certified by the Equalization Board. Do you not?

Director Patterson answered, Yes sir, there are 2 that we primarily use, and that's the Income Tax is certified obviously by the Board of Equalization so they can tell the Legislature what the estimated revenues are; and we get a portion of that. Then the Motor Fuel Tax is also certified by the Board of Equalization.

Secretary Ridley said, correct me if I'm wrong, but the Income Tax, which goes to the Roads Fund, which really is what helps you fund your 8 Year Construction Work Program. As I recall, that number that was certified was \$571 or something thereabout. Is that correct?

Director Patterson said, yes, the total Income Tax was much larger than that; but they did set aside \$571 that was supposed to go to the Roads Fund.

Secretary Ridley said, okay, so that was a certified account?

Director Patterson said, yes.

Secretary Ridley stated the Gas and Diesel Tax is another certified budget that goes to the Department, was the number on it, \$205?

Director Patterson said, this was certified this year with a slight increase from the previous year at \$208 for this upcoming year.

Secretary Ridley said, okay \$208. So what made up the \$900 million shortfall; and was the \$571 and the \$208 that should have come to the agency by statute included in that shortfall amount? But, again, correct me if I'm wrong; some \$50 million or so was taken out of the Gas and Diesel, and \$100 or so was taken out of the Roads Fund for that \$150 million. So that is \$150 million. Is that correct?

Director Patterson said it was \$153. So it was \$53 out of Gas and Diesel Tax and \$100 out of Income Tax.

Secretary Ridley said so that meant that the actual deficit of the State that they were dealing with was not \$900 million, it was some \$747. Is that correct?

Director Patterson said that was right.

Secretary Ridley said the \$153 million off the top that was taken from the Agency. So the balance that they were balancing to for all other parts of Government was some \$747 or thereabouts.

Director Patterson said yes.

Secretary Ridley said, I think that that's the impact that I think that everyone needs to kind of understand, that the Legislature, in order to balance the budget, use the numbers that were given to them by the Equalization Board, and the additional revenue that they were able to secure. And then the rest of the Agencies had to absorb some of those losses; but you heard some numbers like 4 ½ %, 6 ½ %. I think if you take the \$153 off of the \$775, I think it'll be a double digit percent reduction in the Agency. So that's the numbers that Director Patterson has to deal with because when you develop your 8 Year Program and you sit down with these businessmen and women to make those decisions as to how to spend that money, you're basing it on existing statutes.

Director Patterson said that's correct.

Secretary Ridley said that which would have been the 571 and the 208, based on those numbers. Now you'll have to go back and alter that and reduce that somewhere around \$153 million somehow.

Director Patterson said that is correct.

Secretary Ridley said and that's what he's talking about the impact to the budget. Director Patterson and I were over at the Capitol quite a bit and some of the Commissioners and we'd talk about various things that the Governor had put in her State of the State Address, as to how we could maybe change how we fund State Government and how things could be done. And I think there were some positive things that came out of the Legislative Session, but certainly there were missed opportunities. And we don't think sometimes, that things like the Criminal Justice Reforms that were being discussed that were never passed; that, oh by the way, you voted on last year; but the laws were never passed this year; affect transportation. Sometimes we don't think that the Health Care in our State, the money that is needed to help our most vulnerable people, the young, the elderly and the poor, we don't think that that affects our budget in transportation. We don't think that educating our young people, our kids, whether it's Common Ed or Higher Ed, we don't think sometimes that that has any effect on our Transportation Budget or our system. Safety and security, the fact that the prisons are at their peak level ever of incarceration, or that the Highway Patrol is unable to really monitor the traffic volumes that are on our highways that protect our citizens. Sometimes we don't think any of those things affect our Transportation Budget. But I think that Director Patterson can tell you without any hesitation that all of those things affect our Transportation Budget, do they not, Director?

Director Patterson said, yes, sir, they do!

Secretary Ridley said if you look at the difference between Oklahoma and a Third World Country, the difference is those 4 items that I mentioned. The health system of our citizens, the access to health care, the ensuring that people can not only secure health care, but that we can also take care of the health, again, of the most vulnerable. That we have safety and security that protect our citizens against our citizens. That we have an education system that ensures that our young people will not only prosper more than what we have, but that they will be able to attract business to the State because we have a well-educated workforce.

And education, quite frankly, is a key to a lot of things, both in safety and security and incarceration rates, as well as health care. Education is a key to a lot of that; and then, of course, the infrastructure system. Those 4 things, to my way of thinking, are the things that compare us to a Third World Country. And if you don't fund those, then you become that Third World Country; and the reason that the Third World Country is where they are at is because they do not. We had some disappointments and things that weren't accomplished this year that we wish they would have. Certainly the Governor laid out a plan that I would have hoped that more would have recognized the importance of it. But I know that the Director will do his best to ensure that the projects in the program are the most critical, and that you will ensure that you'll do the very best with the monies that you've received. And for that, all the work that you've done over there at the Capitol, not only this year, but for many, many years, I want to say thanks. Sometimes you don't get people to listen; you say the right words, but sometimes it's difficult for them to hear. But again, I just wanted to tell the Director, thanks for the work they did. Thank you for going over to the Capitol and any of you others that have done that work. But it was disappointing, to say the least!

*Commissioner Burrage said, "There's always next year, and I would just hope that we learn something from this session; and I don't mean anybody individually; but it seems like we had a perfect opportunity and many opportunities to do something different; we just didn't quite get there". "But I know everybody will work hard next year, our Governor, our Legislatures, and all the Agencies; and I look forward to that, as I know you do, and I know the Commission does, as well as everybody in the audience".*

#### **ITEM PRESENTED BY COMMISSION CHAIRMAN**

#### **89. 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 11:38 a.m.**

Approval of the Minutes of the Transportation Commission Meeting of June 5, 2017.

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David Burrage – Chairman

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Brad Burgess – Vice Chairman