

**MINUTES OF THE REGULAR MEETING OF THE
WASHINGTON STATE TRANSPORTATION COMMISSION
February 13 & 14, 2007**

The regular meeting of the Washington State Transportation Commission was called to order at 9 A.M., on February 13, 2007, in Room 1D2 of the Transportation Building in Olympia, Washington.

Commissioners present at the meeting were: Chair Ford, Ed Barnes, Bob Distler, Elmira Forner, Carol Moser, Dan O'Neal and Dale Stedman.

MINUTES APPROVAL

It was moved by Commissioner Stedman and seconded by Commissioner O'Neal to approve the January 16 & 17, 2007 meeting minutes. The motion passed unanimously.

ATTORNEY GENERAL RELATIONSHIP: Chair Ford emphasized that when Commissioners address questions to Scott Lockwood, AAG, Commission Counsel, it should be remembered that counsel may need time to explore the question in order to respond accurately. He also noted that Commission/Counsel confidentiality must not be breached. There are situations where the Commission may need to go into executive session for questions and responses with counsel in order to not break confidentiality.

SECRETARY'S REPORT

Secretary MacDonald shared that the Governor's Office has requested that the Department provide a report to the ranking members of the Legislative Transportation Committees on the City of Seattle's "tunnel lite" proposal for the Alaskan Way Viaduct. He noted that the Commission will receive a copy of the report. He moved on to explain important issues that WSF has on the table at this time, primarily the Sydney B.C. route, ferry procurement, maintenance and operations and vessel employee wage rates (primarily overtime rates) and the collective bargaining agreement. He also commented briefly on employee and passenger injury claims noting that WSF has an outstanding safety education and enforcement program. In closing he shared that he recently accepted an invitation to participate in a blue ribbon panel discussion in Washington D.C., along with other transportation directors, on transportation finance and congestion.

Denny Jackson, WSDOT retiree, shared that he represents the National Partnership for Highway Quality. He explained that the group is comprised of transportation officials and industry leaders throughout the county who represent highway users. The group celebrates success by recognizing projects around the country. In 2006 WSDOT was presented awards for the Lewis and Clark Bridge, Hood Canal Bridge (organization of weekend closures) and the rehabilitation of Interstate 5 southbound (James to Olive Street/Seattle). He called forward WSDOT staff members to accept awards on behalf of the Department for the winning projects.

Commissioners held discussion regarding the WSF employee overtime and safety issues. Chair Ford expressed that these issues must be carefully examined by the Department. He indicated that perhaps the Department should provide the Commission with a presentation regarding WSF safety issues.

LEGISLATIVE UPDATE

Reema Griffith, Executive Director, WSTC, provided an overview of pending legislation HB 1773, HB 2041 and SB 5979. She emphasized that the Commission's Washington Transportation Plan and Tolling and Rail Studies were well received by the Senate and the House. The feedback on the studies has been very positive. The Tolling Study has resulted in legislation HB 1773 – "Relating to the imposition of tolls." It is uncertain if the Senate will amend HB 1773 or submit its own version. The Rail Study has created discussion in the Senate and there is a draft bill that has not yet been presented. This legislation would impact the Utilities and Transportation Commission's transportation functions. In essence the regulatory functions would possibly be transferred to the Commission with programmatic (safety functions) going to WSDOT. The Traffic Safety Commission, State Patrol and Department of Licensing would pick up some other functions. Hearings will probably occur within the next week or so. The Commission's Annual Report has also been distributed to the Legislature with positive comments. The Transportation Innovative Partnerships Report has been presented to the Senate full committee. She noted that the Department will be presenting to the Commission, possibly at the May 2007 meeting, how the consolidation of the Passenger and Freight Rail Programs will function. The Commission's facility naming bill is moving through the House Committee. Commissioner's Forner and Moser's gubernatorial appointments are also in process.

Commissioner Forner asked the Department for clarification of the purchase of the rights of way and rail for the Palouse River and Coulee City Railroad - essentially how this public private partnership would work.

EXTENDING BOND TERMS

It was moved by Commissioner Stedman and seconded by Commissioner Forner to emphasize the significance of extending transportation bonds 30 to 40 years for selected projects. Even though it is referenced in the Transportation Innovative Partnerships Report it should be emphasized as a reasonable approach. Chair Ford recommended that a letter be drafted indicating this support. The motion was approved unanimously.

Paul Parker, Senior Policy Analyst, WSTC, distributed a handout outlining legislation that would possibly interest Commissioners. He provided a brief overview of each of the bills that are currently being considered. Of special interest is draft legislation that creates the Utilities Commission and reassigns regulatory roles and responsibilities. By rewriting Title 81 RCW, removing all transportation functions from the Utilities and Transportation Commission, except for the Grade Crossing Program, railroad safety and economic regulatory functions are transferred to the Transportation Commission; all railroad safety inspection programs and enforcement is transferred to WSDOT; "Operation Lifesaver" is transferred to the Washington Traffic Safety Commission.

OVERVIEW OF THE DEPARTMENT OF TRANSPORTATION'S LEGISLATIVE PACKAGE

Steve Reinmuth, Director, Government Relations Director, WSDOT, distributed a handout of agency request legislation and provided an overview of each of the Senate and House bills:

SB 5083 & HB 1710 – Traffic Safety Cameras in work Zones.

HB 1694 – Reauthorization of the Agency Council on Coordinated Transportation.

SB 5084 & HB 1643 – Compliance with the FTA requirements.

SB 5208 & HB 1957 – Surety Bonds changes (mega projects).

SB 5082 & HB 1693 – Modifying time periods for collective bargaining for WSF employees.

SB 5798 & HB 1849- Design-Build (sunset removal).

Chair Ford expressed his support of traffic safety cameras in work zones. Commissioner's Stedman and Barnes expressed interest in ACCT's membership-suggesting that the Commission should be actively involved. Commissioner Moser asked if SB 5084 includes Sound Transit. Mr. Reinmuth responded that it does. He explained that SB 5798 is a housekeeping bill to extend the Design-Build process. Commissioner Distler noted that SB 5082 and HB 1693 is critical legislation. He suggested that the Commission draft a letter to the Transportation Committees expressing its support of the legislation.

It was moved by Commissioner Distler and seconded by Commissioner Forner that the Commission draft a letter to the Transportation Committees supporting SB 5082 and HB 1693, because they significantly contribute to the Commission's ability to set ferry fares. The motion passed unanimously.

Chair Ford announced that WSDOT is *not* recommending "tunnel lite" as a feasible alternative for the Alaskan Way Viaduct replacement.

TACOMA NARROWS BRIDGE – TOLL SETTING DISCUSSION

David Pope, Tacoma Narrows Bridge Toll Systems Manager and Greg Selstad, Director of Tolling Operations, WSDOT, presented various tolling scenarios and operation costs of the TNB. Mr. Pope explained that today's presentation will provide an overview of toll rate scenarios to aide in future toll rate setting by the Commission.

The Department with the assistance of Wilbur Smith Associates has developed analysis that reflects alternative forecasts for three bridge opening dates (August thru October) and three levels of Electronic Toll Collection (ETC) participation. The analysis, using variables, has resulted in a toll rate recommendation for Commission consideration. Based on the analysis, the Department recommends an ETC, *Good To Go!* rate of \$2 and cash toll rate of \$3. With the given assumptions of this analysis, the Department believes the feasibility of this rate applies through June 2008. He explained that the difference between the 5/15 and 30 percent reductions shown in the materials is -15 percent was the original estimate of what the total reduction in traffic would be based on just tolling the bridge. Others feel that there may be a larger traffic reduction based on several conditions.

Given this conclusion the 30 percent traffic reduction was chosen. Amy Arnis, Deputy Director, Strategic Planning and Programming, explained that the Department has prepared a monthly financial plan that assumes the expected revenues to be collected, expenses and disposition of the account. There is also a set of treasury laws that allow at any moment, if there is an approved allotment plan through the Office of Financial Management, to have moments of what is called “temporary cash deficit” as long as there is a plan to bring that account into a positive balance before the close of a biennium. This is not the best plan to have-deficits are to be avoided it is far better to maintain a positive balance. The current plan assumes a minimum operating balance of \$5 million at the end of the biennium.

Ms. Arnis emphasized that the plan demonstrates that the expenses and debt service would be covered in every annual period. Because of the supplemental budget expense for Program B for this biennium the Department has requested to have state funds appropriated to cover all of the operational expenses for this biennium and the Governor’s budget has planned \$10 million for transfer into the TNB account to provide an initial tolls subsidy. The unknown at this time is the supplemental budget request and the 2007-2009 Budget as far as providing the toll subsidy.

Commissioner Distler inquired if the 2007-2009 Budget includes funds to reflect the delayed opening other than the \$10 million buy down. Ms. Arnis responded that the plan that was submitted did not include a delayed opening of the TNB, the Department has been answering questions to OFM and legislative staff similar to the Commission’s concerns. The Department’s current assumption is based on the bridge opening in August 2008 for both expenses and revenue, the question is on the revenue side what should the baseline assumptions be, not knowing the outcome of all of the budget decisions. The first two months of the biennium, July and August assumptions are built into the 2007-2009 budget request which could create a temporary cash deficit. Once tolling commences the plan is to pull positive. Once the bond proceeds are delivered the TNB account would be reimbursed.

Mr. Pope explained that the three scenarios presented today outline the proposed level of ETC participation. The \$2 (ETC) toll rate could change depending on several variables that include users and the \$10 million set aside in the Governor’s budget. He moved on to outline the TNB operations management for fiscal year 2008-2009 for WSDOT oversight staff and direct costs, explaining that the total budget is \$7.7 million for the biennium. Staffing management costs break out to three major categories:

Staff Summary total cost \$3.6 million

- Toll operations (roadway - in-lane toll collection and violation enforcement. Includes manual toll collection management, roadway, enforcement and incident response oversight and photo enforcement work with WSP.
- Customer Service Marketing – WSDOT customer interface and communications. Includes all public communication, marketing messages and campaigns and *Good To Go!* presentations.
- Business Management and Auditing – Includes all cash/credit reconciliation and reporting, TRAINS interface, OST and OFM interfaces and third party audit.
- Management and Support staff.

Goods and Services and Travel Summary total cost \$3.1 million

- Credit card fees and postage – Expected revenue is \$45–60 million per year; about half will be paid by credit card. Base credit card rate averages 2.5 percent. Postage is based on mailing 120,000 estimated photo violations and statements per year.
- Rent and Utilities - TNB tolls staff will be located in a rented facility in the Tacoma area.
- Other-includes miscellaneous expenses and travel.

Personal Services Contracts total cost \$1 million

- Traffic and revenue forecasts up dates and toll scenario support.
- Internal and external audit support.
- *Good To Go!* marketing.

Enforcement and Incident Response costs \$1.6 million (biennium)

Includes photo enforcement using four WSP cadets and one sergeant and WSDOT/WSP Incident Response. This also includes DOL lookup costs. Incident response will include an increased level of service from current levels, with the intention to provide better service to toll paying customers using the bridge.

WSDOT maintenance of the new bridge and surrounding roadway total costs \$1.5 million (Biennium)

These costs are for roadway maintenance and operation, storm drain maintenance, roadside landscape and litter pickup, bridge deck repair and painting, snow and ice control, traffic control and pavement markings and third party damage repairs.

Paula Hammond, Chief of Staff, WSDOT, explained that costs covered in today’s presentation do not include all of the costs, such as HOT lanes and SR 167 office functions.

Chair Ford emphasized that these assumptions are a “*work in progress*” and may or may not change based on Legislative action.

Commissioner Distler questioned the purpose of 22 FTE’s. Ms. Hammond responded that more detailed information can be provided to substantiate the FTE’s before the Commission makes a final decision.

Mr. Pope moved on to recommend-based on the August 1, 2007 implementation date of the *Good To Go!* (ETC) rate based on the medium/high assumptions provided (15 percent traffic reduction) a *Good To Go!* toll of \$2 and a cash toll of \$3 will support both the cost and debt as well as the \$5 million operating balance.

Commissioner O’Neal noted there are several interdependent variables, some of which are currently unknown, which will be factors in determining toll levels. They include: start up delay, extent to which the legislature will subsidize start up tolls, percent of ETC use, basic toll, ETC toll, potential reduction in bridge use (i.e. toll level elasticity), and additional debt service levels to name a few. At least some of those variables need to be quantified before the Citizen Advisory Committee or the Commission can determine appropriate toll levels.

Chair Ford emphasized that today's presentation is informational only and no action will be taken by the Commission.

Commissioner Distler questioned Ms. Arnis if she is comfortable with the coverage percentages. He noted that the numbers are very low, and that there could be significant but unknown deviations from anticipated revenue numbers. Ms. Arnis responded that if the forecasts are not accurate the Commission would need to step in.

Chair Ford questioned if there is a penalty for late payment on the bonds and if so what it might be. Ms. Arnis responded that with a minimum operating balance the Commission would have time to react to a deficit in the account.

Commissioner's O'Neal and Forner noted that the Commission has not taken action to approve the Citizen Advisory Committee's recommendation. The CAC should be given an opportunity to review the new facts as they become known and adjust its proposal, if it desires. When and if the Commission acts, Mr. Pope noted that the Commission must give the CAC twenty days to respond to any suggested changes.

Chair Ford noted that with the delay of the bridge opening, it would allow the Commission to wait until the Legislature adjourns.

At that time the Commission would know what additional funding, if any, would come from the Legislature. The proposed toll schedule would be presented to the Commission at its April 2007 meeting with a June 2007 public hearing. He requested that Ms. Griffith converse with counsel to make certain that the CAC window for response is accurate, CR filings, public hearings and adoption dates are accurate. It was determined that the Department should meet with the CAC and review the information that has been presented to the Commission today and then follow up with the Commission for consideration and possible recommendation.

PUBLIC COMMENT PERIOD

Randy Boss, citizen of Gig Harbor, expressed his concerns regarding the accuracy of the TNB traffic counts provided by the Department. He pointed out that there are unknowns and tolls may have to be adjusted. He suggested that the Commission flat rate the toll at \$3 as expected by the users from Gig Harbor.

Paul Locke, citizen, explained that the 40-year debt service and the continued increase in program costs is a concern.

Jeff Munsen, Inter-Governmental Policy Manager, County Road Administration Board (CRAB), noted that CRAB is supportive of the Commission's high-level focus on the Washington Transportation Plan. The focus on the system and system performance is critical. CRAB is looking forward to partnering with the Commission to maintain this focus.

UPDATE ON FEDERAL ACTIVITIES

Larry Ehl, Federal Liaison, WSDOT, highlighted that Washington State's congressional delegation now ranks 15th in the country. This is resulting from the number of Democrats and senior members. Senator Patty Murray is now ranking fourth and chairs the Senate Transportation Appropriations Committee. Members Baird, Larsen and Riechert remain on the House Transportation Committee. He provided an overview of congressional activities noting that congress is starting to look at the 2008 budget. He highlighted the support for the Corridors of the Future and Urban Partnerships Programs.

It was moved by Commissioner Barnes and seconded by Commissioner Moser to send a letter to the U.S. Dot supporting the Corridors of the Future Program. The motion passed unanimously.

Chair Ford noted that he recently attended a ferry tariff public meeting. He explained that the public must understand that additional revenue for the ferry system must come from the Legislature.

GRAY NOTEBOOK QUARTERLY UPDATE

The Gray Notebook for the quarter ending December 31, 2006 can be found at:
<http://www.wsdot.wa.gov/accountability/GrayNotebook.pdf>.

Worker Safety

Clint McCarthy, Performance Measurement and Assessment Manager, opened the presentation with an overview of the agenda for the Gray Notebook for the quarter ending December 31, 2006.

Chris Christopher, Co-Director Maintenance Operations and State Maintenance Engineer, WSDOT, provided an update on worker safety. Three of the reporting measures are; annualized recordable injury rates, number of recordable injuries by region and quarterly recordable injury rates. Each of these measurements aims to keep managing reducing injury rates. In July 2006 the Department held an agency wide "safety-stand down" and rolled out *Safety Is My Job* to all employees. The purpose was to highlight new safety expectations, better safety planning, and heightened safety accountability within the Department. The new executive order established a goal to reduce all OSHA-recordable injuries and illnesses 30 percent by the end of fiscal year 2007. He emphasized that the use of personal protective equipment is mandatory and disciplinary action can take place for failure to comply. The newly developed Safety Recognition Program pays individuals or groups up to \$100 if the program or region meets its goal.

Highway Maintenance

Chris Christopher, Co-Director Maintenance Operations and State Maintenance Engineer, WSDOT, provided an overview of winter maintenance on I-90 Snoqualmie Pass noting that every attempt is being made to keep the pass open and operating smoothly. He moved on to share biennial maintenance targets. The Maintenance Accountability Process (MAP) targets and measures the performance of 33 separate highway maintenance activities.

Washington's infrastructure is evaluated for MAP through site evaluations, selected by random sampling, twice a year. These evaluations allow the Department to determine the Level of Service achieved for each of the 33 MAP targets. Targets are set for each year once an appropriation is approved. During 2006 the Department achieved 30 of the 33 targets.

He provided an overview of Integrated Vegetation Management (IVM). He explained that the Department's herbicide use decreased by 42 percent in 2005. The majority of the reduction is a result of the Department's efforts in eastern Washington to minimize the amount of vegetation-free ground along the edge of pavement. In 2006 the Department adopted restrictions above and beyond existing federal and state legal mandates for herbicide use. The policy and practice is continuing to be refined for the implementation of IVM through an ongoing research project with the University of Washington.

Pavement Annual Update

Clinton McCarthy, Performance Measurement and Assessment Manager, WSDOT, explained that the Department performs an annual pavement condition rating. The goal is to have all pavements in a condition of or 90 percent, good or fair with 10 percent poor. According to the 2005 pavement condition survey, the percentage of all pavements in the good category increased from 89.9 percent in 2004 to 93.5 percent in 2005, an overall increase of 3.6 percent. He provided a brief overview of the Department's annual pavement assessment and highway damage resulting from studded tires on Portland Concrete Cement.

Environmental Programs Annual Update

Patty Lynch, Compliance Branch Manager, Environmental Services, WSDOT, explained that the Department's Construction Compliance Program is set for evaluation in 2007. This evaluation will aid in determining how the plan is working and what improvements can be made. It has been two years since the statewide implementation of the Regional Environmental Compliance Plan. The Department has prepared contract language to meet environmental requirements that incorporates environmental permits and processes in its highway delivery programs. The challenge for 2007 and beyond is to ensure that the federal and state permitting authorities provide the Department with the most clear and concise permit requirements incorporated into documents. This provides the contractors' with clear requirements and allows them to budget for the work. The risk of noncompliance is reduced through clarity and understanding of responsibilities once construction begins.

Wetlands Mitigation

Bob Thomas, Wetlands Program Manager, WSDOT, explained that a wetland is an area that is transitional between aquatic and terrestrial ecosystems and is covered with water for at least part of the year. When a Departmental project has an unavoidable impact on wetland resources the Department is required to provide mitigation as part of a national standard and the Governor's no net loss of wetlands policies. Replacement wetlands that are generated through this process represent a long-term environmental commitment to the agency. WSDOT has adopted new measures that will provide more meaningful reporting criteria. Historically, federal and state permitting agencies did not have a defined process to bring closure to successful wetland mitigation. Recently, the U.S. Army Corp of Engineers (USACE) and the Department worked together to identify the necessary elements for closing out a mitigation site. Elements include providing required documentation, statement of site conditions, acreage achieved and an analysis of mitigation functional replacement.

The Department's measure for site close outs is based on the number of close-out reports that have been submitted to the USACE and the number that have received acceptance letters from the USACE. In 2006, the first year that the system was in place, of the 16 sites for close-out 14 sites were approved, indicating an 88 percent acceptance. The Department is optimistic that this trend will continue.

Highway Safety Annual Update

Dick Albin, Assistant State Design Engineer, Olympic Region WSDOT, provided an update on the performance of cable median barriers. Since last year's update the Department has installed 63 additional miles of cable barrier and analyzed the collision history for 2005. He explained that the primary purpose of cable median barrier is to reduce the frequency and severity of median cross-over collisions. Although the frequency of collisions has increased substantially, overall injuries sustained from these collisions has declined. Cable median barriers demonstrate a reduced potential for injuries compared to concrete median barrier and beam guardrail. The installation of cable median barriers in the Marysville area has reduced the frequency of median cross over collisions, but has not reduced the overall severity of the collisions, unlike installations elsewhere in the state. An engineering analysis of the cable barrier in the Marysville area revealed that the placement of the cable resulted in the potential for vehicles to pass under the bottom cable, lifting the cables over the top of the vehicles allowing them to pass under the bottom cable. This issue has been addressed by placing a second run of cable barrier on the other side of the median to intercept the vehicles before they hit the low point in the median. Because of the unusual situation the nine miles of cable median installed in the Marysville area is not included in the statewide evaluation of cable barrier performance. For further information you may visit the Gray Notebook at: <http://www.wsdot.wa.gov/accountability/GrayNotebook.pdf>

Project Delivery Update (Beige Pages)

Laura Aradanas, Project Control and Reporting, WSDOT, provided an overview of the Gray Notebook *Beige Pages*. She explained that the *Beige Pages* outline the three capital delivery mandates, the 2003-05 Transportation Funding Package Project Delivery, financial information, special project updates and cross-cutting management issues. She introduced Dan Sunde, Delivery Manager, North Central, South Central and Olympic Regions and John Jeffries, Delivery Manager, Northwest and Eastern Regions, WSDOT. Ms. Aradanas referenced the executive summary noting that it provides a detailed update on the delivery of the highway capital programs. This report is used as a vehicle to provided the current status of the Capital Improvement and Preservation Programs - major Pre-Existing Fund (PEF) projects, the projects funded by the 2003-05 5-cent gas tax (Nickel), and the 2005 9.5 cent gas tax (Transportation Partnership Account). Mr. Sunde provided an update regarding the status of the SR 16 HOV lanes and SR 16 cable median barrier projects. Mr. Jeffries provided an update on the status of the SR 31 Metalline Falls to Canadian border project. For further information on the Capital Project Delivery Program please visit the Gray Notebook *Beige Pages*: <http://www.wsdot.wa.gov/accountability/GrayNotebook.pdf>

2007 DRAFT COMMISSION OUTREACH PLAN AND REGIONAL FORUM PROPOSAL

Commissioner Moser distributed the Commission's 2007 *draft* Outreach Plan. She noted that the Outreach Plan is derived from the Commission's Strategic Plan that was approved at the May 2006 meeting. She explained that the current Outreach Plan did not reflect public and local official's expectations, so adjustments have been made to reflect expectations and emphasize that the Commission will allow for input and discussion into the development of the Commission's transportation plans, policies and financing decisions. This will allow for the Commission to participate more actively in terms of public outreach. She explained that the language did not emphasize how active of a role the Commission plays. Commissioner's discussed their role as they see it within their communities. Essentially to what degree should Commissioner's approach their local transportation community? This question is specific to each individual Commissioner's schedule and to what degree they should invest their time on Commission related activities. In closing, Chair Ford advised proceeding with caution. He expressed that Commissioners could let it be known that they are available to participate locally, and the amount of participation would be their personal choice.

Paul Parker, Senior Policy Analyst, Transportation Commission, distributed the updated *draft* Outreach Plan. He commented that there is some ambivalence about the Commission's current participation in local groups. Essentially the Outreach Plan emphasizes that it is up to the individual Commissioner to determine where and what functions they would participate in. Commission staff would provide a standard letter for Commissioners to use to notify organizations of their availability to speak. The expectation is that each Commissioner would attend six or seven functions per year.

Commissioner's Distler and O'Neal expressed concern with locking Commissioners into a specific number of meetings.

Ms. Griffith explained that it's entirely up to the individual Commissioner what and how many meetings they attend. The staff is available to provide assistance with material preparation for meetings.

Commissioner Moser requested that Commissioners provide feedback on Regional Transportation Forum opportunities. The cost and location and how many forums per year were discussed.

It was moved by Commissioner Forner and seconded by Commissioner O'Neal to approve the draft Public Outreach Plan with suggested changes (adding union identification, system-wide language and removing reference to the number of functions per year Commissioners should attend). The motion passed unanimously.

DISCUSSION ON THE ABILITY OF STATE AGENCIES TO SPONSOR A BLOG (WEB LOG)

Scott Lockwood, Assistant Attorney General, briefed the Commission regarding the legalities of BLOGs. He explained that government sponsored blogs are rare.

An identified issue is the potential of defamation and liability on the publisher of the blog. Commissioner Distler explained that his proposal is for the blog to be for Commissioners and staff to contribute, but would allow others to browse only.

Mr. Lockwood commented that this would be considered as a meeting, need an agenda and would require statutory notice under the Public Meetings Act. He explained that a meeting occurs when there is a quorum, discussing or debating a matter that may come before the Commission. Essentially the blog would be an electronic meeting and would still require proper notice and an agenda. Essentially it would be a special meeting and still must meet the guidelines of the Public Meetings Act. Ultimately discussion of Commission business is considered as taking action. Action can only be taken at a regular or special meeting with proper notification. The key is to satisfy all of the requirements of calling a special meeting - then internet technology may be used as the medium as long as all of the requirements are met.

COMMISSIONER REPORTS

Commissioner O'Neal reported that he is pursuing an understanding and hopefully a resolution to a letter of citizen concern recently received regarding the Belfair bypass.

Commissioner Moser announced that the Port of Walla Walla has been named port of the year by the Washington Public Ports Association for the Rail-ex project.

Leo Bowman, Chair PAC, presented the Commission with a picture from the group tour that the Commission took during its May 24, 2006, Richland meeting.

The Commission meeting adjourned at 4:30 p.m., on February 14, 2007.

WASHINGTON STATE TRANSPORTATION COMMISSION

DICK FORD, Chair

ELMIRA FORNER, Vice-Chair

EDWARD BARNES, Member

CAROL MOSER, Member

DAN O'NEAL, Member

ROBERT S. DISTLER, Member

DALE STEDMAN, Member

DOUGLAS MACDONALD, Ex-Officio Member
Secretary of Transportation

JENNIFER ZIEGLER, Governor's Office

ATTEST:

REEMA GRIFFITH, Executive Director

DATE OF APPROVAL