



Transportation Improvement Board
November 20-21, 2008 – Vancouver, Washington
Location: Vancouver Hilton
301 West 6th Street, Vancouver, WA 98660
(360) 993-4500

November 20, 2008
WORK SESSION AGENDA

WORK SESSION			Page
1:00 pm	A.	Discussion with Transportation Commission	Paul Parker/Steve Gorcester
2:00 pm	B.	Local Projects Panel Discussion	Dean Lookingbill
2:40 pm	C.	<i>Project Issues</i> 2009 Project Selection	Steve Gorcester & TIB Engineers 33
3:20 pm	D.	<i>Increase Request</i> City of South Bend: First Street	Greg Armstrong 35
3:45 pm	F.	<i>Sidewalk Deviation Request</i> City of Tacoma: South Tyler	Greg Armstrong 36
4:00 pm		<i>Board Event</i> Tour Port of Vancouver Projects	

Dinner on your own



Transportation Improvement Board
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Location: Vancouver Hilton
301 West 6th Street, Vancouver, WA 98660
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November 21, 2008 – 9:00 am
BOARD AGENDA

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1.	CALL TO ORDER	Chair Burbidge
2.	GENERAL MATTERS	
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	B. Communications	Steve Gorcester
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	2. Oakesdale dedicates near quarter-million sidewalk project – <i>The Boomerang</i>	7
	3. South King County's face-lift on Highway 99 – <i>The News Tribune</i>	8
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	6. What's driving up asphalt prices – <i>Associated Construction Publications</i>	14
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	C. E-Discovery Rule for Board Members	Rhonda Reinke 23
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	B. Increase Request: City of South Bend – First Street	Greg Armstrong 35
	C. Sidewalk Deviation Request: City of Tacoma – S. Tyler	Greg Armstrong 36
5.	FUTURE MEETINGS	
	Jan. 22-23, 2009 – Lacey (Lacey Community Center)	
	March 26-27 – Bellingham (Lakeway Inn & Convention Center)	
	June 25-26 – Spokane (Downtown Spokane Oxford Suites)	
	September 24-25 – Yakima (Red Lion Hotel & Conference Center)	
	November 19-20 – Bremerton (Kitsap Conference Center)	
6.	ADJOURNMENT	

Transportation Improvement Board
September 26, 2008
Best Western Lakeside Lodge
Chelan, Washington

MINUTES

TIB BOARD MEMBERS PRESENT

Councilmember Jeanne Burbidge, Chair
Commissioner Greg Partch, Vice Chair
Mr. Todd Coleman
Councilmember Sam Crawford
Ms. Kathleen Davis
Mr. Mark Freiberger
Mayor James Irish
Councilmember Neil McClure

Mr. Dick McKinley
Mr. Dave Nelson
Ms. Heidi Stamm
Mr. Steve Thomsen
Mr. John Vodopich
Mr. Ralph Wessels
Commissioner Mike Wilson

TIB STAFF

Steve Gorcester
Rhonda Reinke
Greg Armstrong
Theresa Anderson
Gloria Bennett
Eileen Bushman/recorder

TIB BOARD MEMBERS NOT PRESENT

Ms. Paula Hammond Mr. Harold Taniguchi
Ms. Doreen Marchione Mr. Jay Weber
Ms. Jill Satran

CALL TO ORDER

Chair Burbidge called the meeting to order at 9:04 AM. She welcomed new Board members La Center Mayor James Irish, Whatcom County Councilmember Sam Crawford, and Grays Harbor Commissioner Mike Wilson. She introduced City of Chelan Mayor Dwane VanEpps. He thanked the Board for the funding that TIB has provided to the city, noting the positive impact this investment has on the smaller cities.

PUBLIC HEARING

Chair Burbidge called the public hearing to order at 9:11 am to consider written and oral testimony on the proposed new rules for the Small City Pavement and Sidewalk Account - WAC Chapter 479-10. The hearing was held in accordance with Chapters 47.26 and 42.30 RCW, the Open Public Meetings Act. There was no written or oral testimony given during this hearing. The public hearing adjourned at 9:11 am.

MOTION: It was moved by Councilmember McClure with a second from Mr. Freiberger to adopt WAC Chapter 479-10 as presented. Motion carried unanimously.

GENERAL MATTERS

A. Approval of June 6, 2008 Minutes

MOTION: It was moved by Councilmember McClure with a second from Commissioner Partch to approve the minutes of the June 6, 2008 Board meeting as printed. Motion carried unanimously.

B. Communications – Steve Gorcester referred the Board to the newspaper articles and letters in the board packet. He specifically noted an article in the *Boomerang* which addressed all of the projects in Whitman County, and an article in the *Columbia Basin Herald* about the pavement project in Mattawa, one of the worst streets in the state. Finally, he referred the Board to a letter from Governor Gregoire commending the Board on the performance management awards from the Council of State Governments and from the Government Finance Officers Association.

NON-ACTION ITEMS

A. Chair's Report – Chair Burbidge mentioned that she spoke at the Des Moines 16th Avenue ribbon cutting in June. This was a very collaborative project and greatly improved safety for kids walking to school.

B. Executive Director's Report – Steve Gorcester reported on the following items:

Awards – TIB won the Government Finance Officers Association award in June and in July won the Council of State Governments (CSG) award. TIB will receive CSG's national award in Omaha in December. Both awards were in recognition of TIB's performance management dashboard.

Street Maintenance Scholarships – Through an interagency agreement, TIB is able to offer scholarships to small cities to cover the registration fee for sidewalk and pavement maintenance trainings. The training is offered through WSU and holds two sessions per year. The first session, held on the eastside, provided 20 scholarships. The second session will be held later in the year on the westside. Commissioner Partch thanked Greg Armstrong for the idea of sending small cities to this training and thanked Steve Gorcester for suggesting the scholarships.

Legislative – Steve met with Senator Haugen and Representative Clibborn, respective Chairs of the Transportation Committees, to discuss transportation issues in general. Both legislators expressed strong support of TIB.

Recent TIB Project Events

- City of Gig Harbor – 56th/Olympic Drive ribbon cutting
- City of Des Moines – 16th Avenue ribbon cutting
- City of Tacoma – D Street ribbon cutting
- City of Kenmore – SR-522 groundbreaking
- Town of Lamont – 8th/Spokane/4th Streets ribbon cutting
- City of Shelton – Northcliff Road ribbon cutting
- City of SeaTac – Military Road ribbon cutting
- City of Tieton – Naches Avenue ribbon cutting
- City of Quincy – Division Street ribbon cutting
- Town of Hartline – Chelan & Willard Streets ribbon cutting
- City of Palouse – Whitman Street ribbon cutting
- City of Everett – 112th Street Overcrossing ribbon cutting
- City of Wenatchee – Walnut Street ribbon cutting
- City of East Wenatchee – Rock Island Road ribbon cutting
- Town of Waterville – Monroe Street ribbon cutting

Upcoming TIB Ribbon Cuttings

- City of Chelan – Park Avenue (Sept. 26 – 11:30 am)
- Town of Oakesdale – First Street Walkway (Oct 2 – 1:00 pm)
- City of Colfax – Mill Street (Oct. 2 – 3:00 pm)
- City of Leavenworth – 9th Street and Commercial Street (Oct. 9 – 4:00 pm)

C. Financial Report

Theresa Anderson reported there is a total fund balance of \$15.4 million in all of the accounts. The account balance in UATA is under \$5.0 million because payments are high at this time, but the account balance will go up in November. Funds are not interchangeable, but projects are. If a project meets the criteria of either program (UCP or UAP), that project can be moved to help stabilize the fund balance. The September revenue forecast for the next biennium is down \$1.4 million.

D. Project Activity Report

Greg Armstrong provided a summary of project activity from June 1 – August 31, 2008. There were 52 projects in bid award and 28 projects had been closed out. Notable changes included increases for six agencies and one agency with a surplus.

There was a total of \$1,489,044 in increases and \$13,565 in surpluses, resulting in an increase in TIB obligations of \$1,475,479.

ACTION ITEMS

- A. City of Napavine: Second Avenue NE** – The city is requesting an increase of \$282,572. The city expected to receive additional funding through the Pedestrian Safety Near Schools Program, but was denied. Ms. Davis stated that H&LP could only fund about 20% of the applications this year. Suggestions from the Board to help reduce this increase by \$100,000 included eliminating landscaping and working with PUD to help defray lighting and utility costs. The Board asked staff to work with the city to determine what would be the most appropriate path to take to cut some of the costs without sacrificing safety or aesthetics.

MOTION: It was moved by Mr. McKinley with a second from Mr. Vodopich to approve a \$282,572 increase, bringing the total TIB cost to \$932,572. Motion carried unanimously.

This motion was made with the understanding that staff would work with the city to try to recover \$100,000 of the requested increase amount.

- B. Whatcom County: Yew Street Road.** – The county is requesting a scope change, reducing the length of the project from its original one mile stretch on Yew Street Road between Kingsmill Road and Samish Way to 0.28 miles on Yew Street Road between Kingsmill Road and Tacoma Avenue. This 2004 project is currently in a Stage 2 delay because of funding shortfalls based on increases in design and right-of-way costs, upsizing three culverts for fish passage, and significant rock excavation and blasting required to realign the road.

A new elementary school opened fall 2008 within the project limits. The Bellingham School District chose this site with the understanding that there would be an urban roadway section terminating at the school's northern property line to Samish Way, providing a safe pedestrian route for students to walk to school. With the scope change request ending the project farther south, the school district has asked if additional funds could be made available to provide a 5-foot sidewalk on the west side of Yew Street Road from Kingsmill to Samish Way, offering a safe pedestrian route for a majority of the students. Regardless of the scope of the project, the school district strongly recommends that the project include an actuated crosswalk at the intersection of Kingsmill and Yew Street Road for students who live on the east side of Yew Street Road.

Several concerns addressed by the Board included:

- No plan or funding for the next phase of this project
- Lack of coordination between the county and the school district
- If the sidewalk does not continue past the school, it would be a sidewalk to nowhere
- The design speed may be higher than necessary, increasing costs
- This scope change does not provide the benefit seen in the original design and is still high cost

After a lengthy discussion on the above issues, it was agreed by most of the Board that this was not a perfect solution, but to deny the scope change would result in no improvements at the school. It was recommended that the county use federal funds first, followed by local dollars, and TIB funds put in last. It was the general consensus of the Board that TIB staff work with the county and the Bellingham School District regarding the need for a pedestrian signal at Kingsmill Street.

MOTION: It was moved by Mr. McKinley with a second from Mr. Thomsen to approve a scope change that shortens the project limits from Kingsmill Street to Tacoma Avenue, with the county constructing the sidewalk along **both** sides of Yew Street Road from Kingsmill Street to Tacoma Avenue. Motion carried with a 10 to 4 vote. Members opposed were Ms. Davis, Mr. Nelson, Ms. Stamm, and Mr. Wessels. Whatcom County Councilmember Crawford abstained.

- C. Douglas County: North Baker Avenue** – Douglas County is requesting a scope change, shortening the project from 1.5 miles long to approximately 0.5 miles on North Baker Avenue between 23rd Street NE and 27th Street NE. The original North Baker Avenue project went from 15th Street NE to 27th Street NE. The scope change leaves a one-mile gap in the improved section between 15th Street NE and 23rd Street NE. This 2002 project is currently in a Stage 3 delay due to funding shortfalls and unmet bid

award target dates. The scope change would allow the county to complete design and right of way acquisition for the original project limits and construct the section between 23rd Street NE and 27th Street NE with existing TIB funds.

MOTION: It was moved by Mr. Freiberger with a second from Councilmember McClure to approve a scope change that shortens the southern end of the project from 15th Street NE to 23rd Street NE with the caveat that the project must be under contract by the June 2009 Board meeting. Motion carried unanimously.

- D. Benton County: Intertie I-82 – Final Finding** – The Board released the preliminary finding on June 6, 2008 for public comment. No comments were received. Legislation requesting the jurisdictional transfer was sent to the Governor’s office for approval, but it was declined due to funding limitations. However, criteria used for review do not include funding considerations. Consequently, the bill to transfer Benton County I-82 Intertie to WSDOT will be put through to the Transportation Committee without the support of the Governor’s Office.

MOTION: It was moved by Mr. Nelson with a second from Councilmember McClure to adopt the final finding and recommend to the Joint Transportation Committee that the jurisdiction of CR 397 between SR 397 near Finley and I-82 be transferred from Benton County to WSDOT based on criteria in WAC 479-210-200, WAC 479-210-250, and RCW 47.17.001. Motion carried unanimously.

E. 2009 Meeting Schedule

DATE	CITY
January 22-23	Olympia
March 26-27	Bellingham
June 25-26 <i>(In conjunction with AWC conf.)</i>	Spokane
September 24-25	Yakima
November 19-20*	Bremerton

*Meeting date moved to THIRD Thursday & Friday of month due to Thanksgiving.

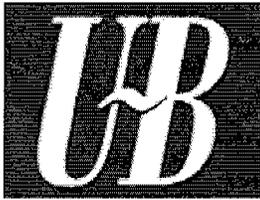
MOTION: It was moved by Mr. McKinley with a second from Ms. Davis to adopt the 2009 TIB meeting schedule as presented. Motion carried unanimously.

FUTURE MEETINGS

The next meeting is scheduled for November 20-21, 2008 in Vancouver. Meeting notices will be sent out on October 31, 2008.

ADJOURNMENT

The meeting adjourned at 10:44 am.



ROAD PROJECT UPDATE: Next turn in Myra work eyed

Walla Walla and College Place are trying to decide what to do about the road's intersection with Dalles Military Road/12th Street.

Updated: Tuesday, October 7, 2008 10:28 AM PDT

By Andy Porter of the Walla Walla Union-Bulletin

WALLA WALLA — As project to link Myra Road's north end to U.S. Highway 12 nears completion, attention Monday shifted to the road's southern end.

At a workshop at Walla Walla City Hall, Walla Walla and College Place city officials and others discussed what direction to take with the intersection of Myra Road-Dalles Military Road and 12th Street.

At issue is how to eliminate the uphill grade on Myra Road north of its junction with State Route 125 leading up to the intersection. Workshop participants agreed the best solution would be to lower Myra Road and build an overpass for 12th Street-Dalles Military road traffic. A traffic loop leading from Myra Road north of the overpass through the southwest corner of Fort Walla Walla Park would allow vehicles to transition between the two routes.

The major problem with that proposal, participants also agreed, is money.

As outlined by city of Walla Walla engineer Neal Chavre, although about \$1.8 million in grants and other funds have been secured for the project, that is only about half of what is needed, not counting what it would take to acquire the park property.

Two major pieces of funding are federal highway funds totaling just over \$1 million and a \$500,000 grant from the state Freight Mobility Strategic Investment Board. But construction must begin soon or the grant will revert to the state, Chavre said.

The city of Walla Walla has applied for another state grant from the Transportation Improvement Board, Chavre said. Although that would supply about 85 percent of the needed funds, because of the way TIB proposals are scored, the project is not a good candidate for funding, which would be approved by the 2009 state Legislature.

Another decision, Walla Walla Mayor Dan Johnson said, is whether to continue pursuing the project on a local level or seek to have the Legislature designate Myra Road as a state route, a move that would shift the funding initiative away from the cities.

Don Whitehouse, Washington state Department of Transportation south central region administrator, said that while he would support the intersection project, he didn't know if state legislators be willing to designate money for it.

"Our Legislature picks our projects for us," he said. "And would (Myra Road) become a

state road? I can't answer that for you."

However, he said that whatever way officials choose to go to solve problems with the intersection, they should not settle for halfway measures.

"Do it right when you do it," he said. "But it looks like you are going in the right direction."

As the workshop drew to a conclusion, participants agreed with Johnson's suggestion to take the matter back to their City Councils to decide how to proceed.

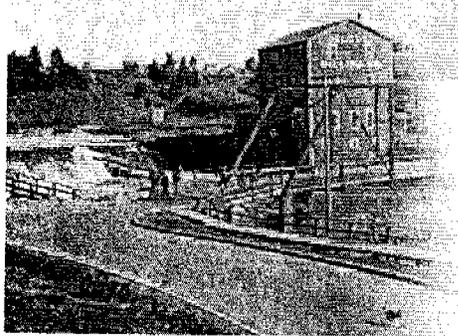
"The two pressing issues are the two funding issues now in place," said College Place City Administrator Pat Reay. "We need to let (other officials) know quickly so that they can decide what to do with the funds."

Andy Porter can be reached at andyporter@wwub.com or 525-3300, ext. 282.

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The Boomerang!

Award winning news about you since 1882

October 16, 2008
Edition (rss)

Oakesdale dedicates near quarter-million sidewalk project

[PRINT](#)

Five ribbons were cut to dedicate the new sidewalks at Oakesdale October 2. The project was a long time in coming as the project met several problems along the way. The Washington State Transportation Improvement board funded the nearly quarter-million dollar job.

Steve Gorcester, Executive Director of TIB, presented Oakesdale Mayor Russ Rickett with special recognition and a thank you plaque. He said the project cost about three times what TIB would normally spend on a sidewalk project but felt the cost was certainly justified in this case.

The high school jazz band opened the ceremony with patriotic and jazz tunes.

Ribbons were cut by the mayor, Linda Crooks who represented the school, Commissioner Greg Partch, Randy Noble who represented Thomas Dean and Hoskins engineering team and Jerod Wilson of Halme Construction.

Short speeches were given by several with Mayor Rickett acknowledging the participation of many groups and individuals involved to make this project successful.

This is part of the October 16, 2008 online edition of The Boomerang!.



Tacoma, WA - Monday, October 27, 2008

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South King County's face-lift on Highway 99

Overhaul helps traffic, encourages new commerce

JOHN GILLIE; john.gillie@thenewstribune.com

Last updated: October 20th, 2008 08:19 AM (PDT)

A decade ago, five South King County cities took a good look at themselves in the mirror, and they didn't like much what they saw.

The main artery that tied Federal Way, Des Moines, Kent, SeaTac and Tukwila together, Pacific Highway South, was ugly, overcrowded and unsafe.

But now, 10 years after those cities got together with the state to plan an overhaul of the neglected artery, much of that has changed, and that change is beginning to pay dividends for the cities involved.

But first, a little history.

DECLINING AFTER I-5

The highway, Washington 99, once had literally been the main street of the Puget Sound area, the principal vehicular and commercial link on which commerce flowed between Puget Sound's biggest cities.

After Interstate 5 supplanted 99 in the late '60s, the road began a decline that lasted almost uninterrupted for three decades. New hotels were built nearer the freeway, and some of the old ones along Pacific Highway turned to other customers, beds by the hour, cheap housing for the underemployed and drug dealers.

Some of the businesses, no longer on the preferred path between Seattle and Tacoma, saw their business fall away. Cheap rents drew weak merchants.

And the highway itself, built in a different era, wasn't doing a good job of moving cars along safely, said Brian Roberts, street systems engineer in Federal Way.

Turning cars blocked lanes meant for through travel, and cars often collided head-on as they moved toward the center of the highway preparing to turn into businesses on the opposite sides of the road, said Roberts.

The highway was a pedestrian's nightmare. Few spots had sidewalks or defined entrances to roadside businesses. Above street level, a rat's nest of utility lines, power, cable and phone, crisscrossed the highway in a helter-skelter fashion.

Public safety was a major concern. The highway was the Green River Killer's favorite stalking ground. It was there he hooked up with the prostitutes whom he later murdered and left near his namesake river.

The highway between Federal Way and Tukwila was, with few exceptions, a 14-mile example of neglect and decay.

Yet it remained an important commercial artery with a major cluster of hotels, a busy airport, the headquarters of two

airlines and a major shopping mall on its edges.

“Unfortunately, there are still people of think of Pacific Highway as a street that was full of hookers,” said ScaTac Mayor Ralph Shape. “That’s not the way it is anymore, though.”

REDEVELOPMENT PLAN

Concerned with the highway’s neglect, the cities and the state Department of Transportation got together in the late ’90s to draft a plan that would increase the road’s capacity and improve its safety.

Barbara Briggs, traffic engineer with the state Department of Transportation, said the principal motivation for upgrading the highway from the state’s point of view was to make it safer. In the process, though, the road overhaul would improve aesthetics and foster the attraction of new businesses.

That plan called for a phased redevelopment of the road as money became available. Now, nearly 10 years later, about 80 percent of the highway has been overhauled, and plans are in the works to complete the rest of the project within the next two or three years.

What a difference 10 years can make. If you’ve bypassed Pacific Highway lately, you could be surprised by what diligent improvement and a quarter-billion dollars in local, state and federal money did to overhaul Pacific Highway’s image, improve its functionality and attract new businesses.

Near the airport, the highway is so changed that the City of SeaTac renamed it International Boulevard, and in Kent, the highway strip has attracted two major new anchor tenants, Fred Meyer and Lowe’s, that have built new stores along the tree-lined highway.

“The improvements to the highway have certainly provided an incentive for new businesses,” said Larry Blanchard, Kent’s public works director. “We’ve seen quite a bit of new development in the last two or three years.”

Safeway has built two new stores along the strip, and office buildings, new franchises and hotels are sprouting.

The highway is no Champs Elysees, but its appearance has improved dramatically.

And so has its functionality.

BETTER TRAFFIC FLOW

In Federal Way, engineer Roberts said the improvements have greatly improved traffic flow.

The improvement projects added a third lane to each side of the road for high-occupancy vehicles. In some places, a seventh lane provides a turn bay for vehicles. A landscaped median divides the highway in most places, and utility lines have been buried except for high-voltage transmission lines.

Sidewalks line both sides of the highway, and the highway now has curbs and gutters that define entry driveways to businesses.

“We had some grumbling from some merchants to begin with, but those largely have disappeared,” said Shape, SeaTac’s mayor.

The medians have eliminated many of the cross-highway turns into businesses. Instead, the new road allows motorists to change directions at midblock u-turn bays and at intersections where they’re also allowed to make u-turns.

Kent's Blanchard says the new divided boulevard has cut accident rates.

State Department of Transportation statistics show that accidents are down 34 percent in the SeaTac segment and 28 percent in the Federal Way segment of Pacific Highway South between a 24-month period in 2001-02 and 24 months in 2005-07. In the Des Moines portion of the highway, the accident rate is the same, but the severity of injuries has declined.

And while the highway projects alone haven't reduced criminal activity on the highway, the demolition and shutdown of some of the cheap hotels and porn shops has changed the highway's nighttime profile.

"International Boulevard is a whole different place these days," said Shape. "The police have been working hard. And while I can't say that there is absolutely no crime, the decrease has been dramatic."

The highway's new ambiance has helped attract new businesses, a major shopping center at South 348th Street, a new development at Kent-Des Moines Road and a plethora of projects on smaller parcels along the length of the highway.

MAJOR DEVELOPMENT

In SeaTac, perhaps the biggest project yet is in the planning stage across the highway from Sea-Tac Airport, said Jeff Robinson, SeaTac's economic development director.

That's where a pedestrian bridge will pass over the highway to allow commuters to use the new Sound Transit light rail system to connect to downtown Seattle. The city plans to create a city center development on some of the vast airport surface parking lots that occupy the lots between the major hotels and office buildings. That 82-acre city center development will stretch from South 170th Street on the north to about South 176th Street.

The city hopes to enlist landowners' cooperation in developing a retail and entertainment center that will serve commuters, local residents and airport hotel patrons. The city's plan envisions theaters, retail shops, restaurants, office buildings and a hotel on the underused ground within three to seven years.

Already, the owners of the three black office towers near the city center site are planning to remodel parts of those buildings. And the city hopes to build a multilevel parking garage to serve commuters in the daytime and shop patrons at night much in the same way that the Sound Transit garage near the Sounder rail station serves both commuters and customers at Kent Station.

At the far north end of International Boulevard near the 518 freeway, the Port of Seattle plans to build a \$382.5 million new rental car terminal that will consolidate rental car activity in a single place outside the airport terminal complex.

The five-story terminal and garage facility will contain 2.1 million square feet of space. The new rental terminal and garage is due to open in 2011. The port plans to build new access from the freeway to the rental car facility and improve International Boulevard adjacent to the terminal, said airport spokesman Perry Cooper.

"It always amazes even us how far we've come," said SeaTac mayor Shape. "I think the future, even with the current economic situation, is looking even better."

John Gillie: 253-597-8663

blogs.thenewstribune.com/business

Originally published: October 19th, 2008 12:55 AM (PDT)

**Office of Governor Chris Gregoire
FOR IMMEDIATE RELEASE - October 21, 2008**

Contact: Governor's Communications Office, 360-902-4136

**Council of State Governments awards 2 Washington state agencies
highest honors**

OLYMPIA – Gov. Chris Gregoire today announced The Council of State Governments awards to Washington's Government Management Accountability and Performance program and the Transportation Improvement Board.

"Washington state is being recognized again for our transparency, innovation and responsiveness to citizens. This is the result of holding ourselves accountable for delivering real results for Washington's families," Gregoire said.

The Council of State Government recognized GMAP with the inaugural Governance Transformation Award. Dedicated to the memory of Dr. Keon Chi, the award is given to a state program that comprehensively enhances a state's capacity to govern effectively in the 21st century.

Gregoire established and uses GMAP to get better results from state programs through a rigorous, disciplined focus on performance.

Results include:

-Washington's children are safer because of major improvements to social worker response to reports of abuse. Social workers now respond to reports of child abuse within 24 hours 96.5 percent of the time, up from 65 percent in 2004. As a result, repeat instances of child abuse have declined by a third.

-The state's effort to contain costs for prescription drugs has saved more than \$85 million since 2005. We've also contained growth in state health care costs, coming in well below national benchmarks for both the private and public sector, saving millions more for taxpayers.

-Our state highways are safer than they've ever been despite more people driving. In 2007, fatalities per vehicle mile traveled were at an all-time low of 1 per 100 million.

The Council awarded TIB with the prestigious 2008 Innovations Award for its performance management dashboard. Capturing the spirit of transparency, the online dashboard gives the public and decision makers real-time information about the state's investment in high-quality street and sidewalk projects in 320 cities and counties statewide. The board recently received the Award for Excellence in Government Finance in 2008, the highest honor of the Government Finance Officers Association of the United States and Canada.

The Council helps states increase efficiency by identifying the best new and creative approaches to significant state problems. Both programs will receive the award at a ceremony scheduled for Dec. 6 in Omaha, Neb.

Oakes Avenue improvements celebrate ribbon cutting



JOINING CITY COUNCILMAN JIM EIDEMILLER (center with scissors) for the Oakes Avenue ribbon cutting ceremony were (L-R) Jeff Louman-City Engineer, Stevan Gorcester-TIB Executive Director, Matt Morton-City Community Development Director, Jim Leonhard-Public Works Director, Arthur Scott-City Councilman, and Gregg Hall-City Administrator. Not present: Mayor Charlie Glondo, who was out of town. Jim Fossett photo

by Jim Fossett | jim@nkctribune.com

CLE ELUM – It was the day to celebrate a new gateway into the City. Friday, Oct. 17, dignitaries gathered at the railroad tracks on Oakes Avenue in Cle Elum for a ribbon cutting to commemorate the completion of the Oakes Avenue reconstruction and re-paving project.

“As the result of a partnership with the Washington State Transportation Improvement Board (TIB), the City of Cle Elum, and Clark Family Funding, our com-

munity has acquired an attractive and valuable gateway into the center of town,” said Cle Elum City Councilman Jim Eidemiller.

Also present was City engineer Jeff Louman. Here’s what he had to say. “This is something the City’s wanted to do for years. MRM Construction, the contractor for the job, finished on time and within budget – with few complaints from the public.”

In company with Louman were office mates Steve Sziebert, Oakes Avenue Project Construction Man-

ager, and Terry Alapeteri, Design and Project Engineer.

TIB Executive Director Stevan Gorcester made a special appearance to present a ‘project completion’ plaque to the City. “TIB,” he said, “was pleased to bring \$500,000 dollars back to your town for this project.” Gorcester said Small City Reconstruction, the TIB department funding small city paving projects since 2006, would be taking cuts, in the face of evolving economic downturns.

See OAKES AVE., page A6

OAKES AVENUE...

CONTINUED FROM PAGE A1

"This will be the last year," he said, "small cities will see the level of funding they've had in past years."

"This year and last year we set aside \$10 million dollars for the program, but we had to cut other programs to do that."

Gorcester explained TIB funding for the department's small city paving projects comes via a statute passed in 2006 - that nets TIB three-cents per gallon of gas tax.

"That money," he said, "can't be touched or re-appropriated during hard times, because the funds are protected by statute."

"Conceivably, the statute could be changed," he added, "so the program needs support from local legislators. Overall, lots of factors dictate how much the fund accrues over a period of time."

Gorcester cited fewer people driving, fewer trucks on the road fulfilling fewer factory orders, and unemployment -

as factors reducing TIB's ability to fund the department's small cities program.

"Statewide," he said, "TIB came up short \$17 million dollars this year. Over the last five years or so, we're behind several more million."

As Gorcester explained, TIB projects revenue forecasts on a quarterly basis, and then adjusts funding for its programs accordingly.

"Obviously, lately," he said, "the economy has gone down, down, down every quarter. If it keeps dropping rather than leveling out, then we will have to keep reducing."

Gorcester said TIB funded First and Second Street's sidewalks in Cle Elum, "other paving in town," paving in South Cle Elum last year, and

seasonal road and street repairs in Roslyn this summer.

"The program is still working for you, and getting funding back to your communities," he said, directing his comments to the dozen or so gathered for the ribbon cutting, "and that's what we like to see."

Accomplished This Year

Jim Leonhard, Cle Elum Public Works Director, sum-

marized the projects completed in the City this season.

The City Hall building on First Street was repaired and painted.

The City maintenance building on First Street was painted.

Along with Oakes Avenue, Pine and Davis streets were paved, and Third Street was repaired.

Alongside eight 40-foot City wells near the river-

bank, an electrical building controlling pumps for the City's drinking water was finished off.

"We'll test the pumps," Leonhard said, "probably in the next couple of weeks."

When asked if the City's snow removal and plowing budget was intact and adequate for this winter, Leonhard smiled, "Everything's a go. Everything's looking good. Maybe it won't snow."



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What's Driving Up Asphalt Prices

Plant upgrades yield more gasoline and diesel and less asphalt per barrel, impacting supplies and costs of a key pavement ingredient.

By Paul Fournier -- Associated Construction Publications, 10/1/2008

While motorists and truckers are reeling from the shock of skyrocketing gas and diesel fuel prices, others are deeply concerned over the cost of a related commodity – asphalt, the residue of crude oil distillation and the glue that binds together the road surfaces that vehicles ride on.

Contractors, public works officials and others who build and maintain the nation's highways and streets are struggling with the steepest price rise in memory for this key pavement ingredient.

As an illustration, the price for performance-graded PG64-28 asphalt binder on the East Coast market climbed from \$180 per ton in April 2004 to \$422 per ton in April 2008, according to the Asphalt Weekly Monitor produced by Poten Partners Inc.

And this was the price at the terminal. Customers such as hot mix asphalt (HMA) suppliers must pay additional costs to have the material delivered to their facilities, and are forced to charge more for the mix they supply to paving contractors and highway officials for road construction and maintenance projects.

Record Asphalt Prices Across U.S.

Jim Reger, president of P.J. Keating Company, a Lunenburg, MA-based construction materials company, blames the high price of asphalt on the soaring cost of crude oil and the fact they have just one supplier in his area.

Keating, a subsidiary of Oldcastle Inc., operates aggregate quarrying, crushing and HMA facilities in Massachusetts and Rhode Island, as well as a paving division. In May, the company was obtaining its asphalt at a barge terminal in Newington, NH, paying roughly \$425 per ton. An additional delivery cost of \$45 per ton brought the total to approximately \$470.

This is in line with costs reported by John Johnson, liquid asphalt sales manager for Aggregate Industries' Northeast U.S. Region's Massachusetts HMA plants.

Keating's Reger also said he believes the price of delivered asphalt for his area could conceivably ratchet up to between \$500 and \$600 per ton in the not-too-distant future.

Elsewhere in the U.S., asphalt prices are lower but still high historically.

For example, Ergon Asphalt & Emulsions Inc., a unit of Jackson, MS-based Ergon Inc., is seeing record prices for asphalt supplied to its three emulsion plants in Texas. According to David Stroud, Ergon's regional sales manager, the company was expecting to pay about \$415 per ton delivered for its next major purchase. This compares to the company's previous delivery purchase price of \$365 per ton. With millions of gallons of emulsion produced each year at the company's three Texas plants, this is a substantial price hike.

On the West Coast, prices at the Portland, OR, terminal in late spring for Performance-Graded PG64-22 asphalt binder were running between \$310 and \$320 per ton according to the state's Department of Transportation. And in the Southeast, Panama City, FL's NEWS 13, reporting on the mounting cost of gasoline, also informed viewers of the related surge of asphalt prices to \$375 per ton, almost double that of five years ago.

Refineries Making Less Asphalt

Booming asphalt prices are due to several factors, chief among them the unprecedented cost of crude oil. As a case in point, during the same four-year period that the price of a ton of East Coast binder went from \$180 to \$422, the spot price for benchmark West Texas Intermediate crude oil spiraled upward from \$37 per barrel to \$120 according to the U.S. Energy Information Agency.

But the high cost of asphalt these days cannot be attributed solely to the cost of crude. New processing technologies are affecting the amount of asphalt being produced at the refineries.

While asphalt does occur naturally, as in some lake deposits in Trinidad and Venezuela, most of the world's supply comes from the fractional distillation of crude oil. A series of processes at the refinery separate raw petroleum into its various components, from lighter hydrocarbons such as naphtha, gasoline and diesel fuel to heavier fractions including asphalt. There has not been a new refinery built in the U.S. since the late 1970s, but there have been expansions and upgrades at existing refineries. However, due to the growing demand for gasoline and diesel, much of the upgrades, such as adding "cokers" to the refining process, are designed to yield more of the lighter, pricier distillates from each barrel of crude.

This means less asphalt is produced from that same barrel of crude, which is not great news for the highway construction industry.

Less Asphalt, Less Road Work

"When a coker is added to the refining process, more light fuels can be processed from the lower, heavier, asphalt ends," said James Andrews, one of the asphalt experts at BASF Corporation. "And that has a negative impact on the asphalt market by reducing supply, which ultimately raises prices."

Adding cokers makes good economic sense to refiners, he said, citing a report by Argus Media, independent energy news and price reporting agency, that estimates a return on investment for a \$1-billion coker is just over four years.

Eventually asphalt supply and demand will equalize and prices will level off, he said. But until that happens, as long as asphalt prices are still rising and without significant increases in highway funding, fewer lane miles will be constructed or reconstructed. In light of this, there will be a call for ways to protect the nation's huge investment in its highways, roads and streets while stretching available dollars.

Prices Still Climbing

Since data was collected in May 2008 for this article, crude oil prices have continued to surge. On July 14, the spot price for West Texas Intermediate peaked at \$145.16 before retreating slightly for the rest of the month.

Prices for performance-graded asphalt rose even more precipitously. BASF Corporation's Jim Andrews provided the following price-per-ton ranges for PG 64-22 asphalt at different locations on August 1 (prices within each region can vary by plus or minus \$25 per ton):

- Northeast \$725
- Southwest \$675
- Northwest \$775
- Southeast \$700

Conserving Asphalt: Pavement Preservation

One way to accomplish this is by using maintenance applications including micro surfacing, chip seal, slurry seal, and thin lift overlays that employ asphalt emulsions fortified with polymers, said Andrews. Such polymers improve resistance to rutting and thermal cracking and protect asphalt from oxidation. This extends pavement life, thereby reducing asphalt binder consumption and hence saving money.

"These and other pavement preservation techniques are the key to managing reduced asphalt supply and increasing costs," he concluded.

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Steptoe Street project concludes at Colton

BY JANA MATHIA

Gazette Reporter

The last concrete street in Colton has been replaced with asphalt with the completion of the Steptoe Street project funded by the Transportation Improvement Board (TIB).

"It's been on our six year street plan for 20 years," said Colton Mayor Jerry Weber at the Colton City Council meeting Monday night.

The street project wrapped up last week. Bill Frye, utility maintenance man, noted the timeline of the project grew with unexpected changes required for water, sewer and gas lines.

Atlas Sand and Rock, Lewiston, started work on the one block section of Steptoe Street the second week of September. Weber noted the street had to be completely redone with new road base, curbs and storm drains. The new storm drains continued down to include another block of the street.

Art Schultheis, Colton citizen present at the meeting, said that when the company started to tear up the old concrete road surface, they found there was no road base.

The concrete had originally been poured directly on dirt.

With engineering and construction the project cost \$220,000 which was below the budget approved by TIB, but still six percent over the anticipated price.

The only complaint the town received during construction came from the post office where a blocked entrance forced mail trucks to pull up on the curb.

The construction work included unexpected improvements. Grass was put in next to the post office to replace a dirt and gravel weed patch, and some sidewalks by the Catholic church were replaced along with the storm drain work.

Weber felt the work on the road was well done and noted at the end the city wound up with more crosswalks and striping than originally anticipated.

The town is already working on a TIB application for the next block of Steptoe Street. Weber noted TIB applications for the next few years will follow the street to the edge of town and include work on a bridge.

Seattle Post-Intelligencer

http://seattlepi.nwsourc.com/local/6420ap_asphalt_shortage.html

Last updated November 9, 2008 11:31 a.m. PT

Asphalt shortage delays road repairs nationwide

By MANUEL VALDES
ASSOCIATED PRESS WRITER

SEATTLE -- Expect a bumpier drive. An asphalt shortage is delaying road maintenance projects in communities nationwide.

Asphalt is becoming scarce as U.S. refiners overhaul their equipment to maximize output of highly profitable fuels such as diesel and gasoline, using inexpensive - and hard to process - crude oil.

To make things worse, refiners are also cutting back on the production of a petrochemical that many states mix into asphalt to make roads more durable.

Dozens of road repairs were delayed last summer and municipalities around the country may face another shortfall next summer. Road-maintenance projects that have gone forward cost significantly more as the price of asphalt nearly tripled over the past year.

The dearth of asphalt compounds the challenges states, counties and cities already face in fixing bridges, highways, local streets and other critical infrastructure at a time when budgets are squeezed by falling income, sales and real-estate tax revenues - not to mention higher costs for fuel, steel and other raw materials.

In Utah, as many as 50 road maintenance projects were delayed this summer by the shortage of asphalt - including one for a highway that leads to one of the state's top tourist spots, Park City and its skiing resorts. Those delays add millions of dollars of extra costs, including labor.

"It strains an already strained budget," said Jim McMinimee, director of project development for the Utah Department of Transportation.

Municipalities in Alaska, New York, Colorado, Oklahoma, Idaho, Wyoming, Arizona, Nevada and Washington state also blamed road work delays on asphalt shortages.

In the past, about 40 percent of an oil barrel would be turned into asphalt products and now it's around 10 percent, McMinimee said.

In all, thousands of miles of highways, city streets and small country roads are being affected, state and industry officials say.

Some states, including Colorado, have responded to the problem by reducing the amount of asphalt required to be poured on a street. Others have changed the chemical requirements of the asphalt they use.

Usually, these methods lead to a shorter life-span for the roads, said Ben Teplitz, an asphalt expert for Platts, a trade publication.

Other municipalities are taking a second look at concrete, which for years was more expensive.

The U.S. is currently undersupplied by about 24,000 barrels of asphalt a day, or 5 percent of daily demand, and that number is expected to jump to 257,000 barrels a day by 2012, according to San Antonio-based NuStar Energy L.P., a

producer of asphalt.

On average, about 5,500 barrels of liquid asphalt are needed per mile of paving, said Adan Carrillo, spokesman for the Utah Department of Transportation.

Teplitz said he couldn't quantify the shortfall of asphalt, but that the entire industry is foreseeing the availability of asphalt to shrink.

The shift in refinery technology that led to the decline in asphalt production was spurred by increased oil prices.

Oil refineries around the country are installing billion-dollar machines called "cokers" that are able to refine the chunkiest, low-grade and least expensive crude oil into highly profitable fuels, such as gasoline and diesel.

Contributing to the woes of those in need of asphalt is the lack of a chemical - also derived from oil - that is used to mix asphalt. Colorado's road-maintenance delays, for example, were directly related to the dearth of styrene-butadiene-styrene (SBS) polymer.

"The consequence of using less polymer asphalt is that roads won't last as long. That is, durability is being sacrificed for affordability and getting the job done," said Teplitz.

"The installation of cokers is pretty much a permanent change for refiners," said Ken Simonson, an economist for the Associated General Contractors of America. "More of them are likely to be out of the asphalt business and that will keep up the pressure on asphalt for some time."

Big companies that run a number of refineries around country have installed the cokers, including Tesoro Corp., Valero Energy Corp. and Marathon Oil Corp.

At the beginning of the year, a ton of asphalt - or 5.5 barrels - was selling for about \$300. At one point the price rose above \$800 per ton, said NuStar vice president Mike Stone.

Refiner Alon USA Energy Inc. said its net income nearly tripled in the third quarter to \$37 million in part because asphalt prices surged 80 percent from a year earlier to \$614 per ton.

In Colorado, more than 20 road projects have been delayed. In Washington state, at least three counties have announced delays as well. In Seattle, one local asphalt supplier was directly affected by the cutbacks at refineries, and that left two counties short of asphalt.

More cokers are scheduled to come online between 2010 and 2011, meaning the dearth of asphalt is only likely to become magnified, said Greg Matula, a spokesman for NuStar Energy. The company estimates that the nation needs about 500,000 barrels daily to keep demand.

There are signs, however, that falling oil prices will prompt some refiners to reconsider building new cokers as a way to rein in spending. For example, Valero executives told investors during a conference call last month that the company would scrap plans for a new coker at its refinery in Port Arthur, Texas.

NuStar, though, is banking on increasingly thin supplies of asphalt, and it has bought asphalt refineries in New Jersey and Georgia to benefit.

The skyrocketing price of asphalt has had at least one positive effect - on the concrete industry, as its product becomes more attractive to city engineers.

But John V. Arroyo, Executive Director of Northwest Cement Producers Group, said it will take another eight to 12 months to know if the concrete industry will get more contracts, and that a broader economic slowdown will make an

impact as well - not just asphalt prices.

"There's been so much more awareness among public work staff because of high oil prices this year, just now they're starting to look elsewhere and look at other options," Arroyo said.

Scaled-back roadwork may benefit farmer

Owner of Joe's Place Farms takes wait-and-see approach

By Jeffrey Mize

Columbian staff writer

A shortage of cash is forcing Vancouver to scale back plans to widen 18th Street east of Interstate 205.

The city decided last week to improve a much smaller segment, from west of Northeast 112th Avenue to east of Four Seasons Lane.

That's about one-fifth as long as the project the city had hoped to build in 2010. It would have widened the arterial to four lanes to 138th Avenue.

Thayer Rorabaugh, Vancouver's transportation manager, said the city decided on the shorter segment because it does not have enough money to build the entire \$23 million project and complete another improvement: Northeast 137th-138th Avenue, between 28th and 49th streets.

The smaller project should reduce the effect on Joe's Place Farms, an iconic network of U-pick fields, orchards and other agrarian attractions in east Vancouver.

Joe Beaudoin, believed to be one of the last full-time farmers inside the city limits, said Tuesday that he learned of the city's decision only a few days ago and doesn't know what effect it will have on his operations.

"There's a lot of ideas flying 'round right now," he said. "The city council, from what I understand, is going to have a workshop. So maybe by the end of the week, we might know a little more."

Beaudoin has about 85 acres in a patchwork of fields south of 18th Street and east of 112th Avenue. He owns only a portion of that land, but he leases or has agriculture easements for the rest.

Beaudoin grows a variety of crops, including apples, peaches, strawberries, tomatoes and pumpkins. He fears the city's plans to widen 18th Street and build a trail south of the road will take too much of his most-valuable land and put him out of business.

The city's current plan calls for improving the intersection of 18th Street and Four Seasons Lane. Beaudoin said that is the entrance to his peach orchards.

"I don't know enough to say anything for positive," he said. "I would rather wait until I really see a design."

Rorabaugh said the city will push ahead with improving the shorter stretch of 18th Street in 2010, along with completing designs for the entire segment of 18th Street. The city intends to put a \$3.7 million Washington State Transportation Improvement Board grant for that segment "on hold" while it focuses on the smaller project, he said.

Vancouver still has plans for a bigger 18th Street project, widening and improving the road from 87th Avenue east to 192nd Avenue, as a way to ease congestion on Mill Plain Boulevard. But after 2010, the city doesn't expect to have any money for road construction and will struggle just to maintain the current system.

The city's focus is on improving a small stretch of 18th Street east of I-205 because the state plans to build a split-diamond interchange on the freeway, using 18th Street and Mill Plain Boulevard, in 2014.

Jeffrey Mize: 360-735-4542 or jeff.mize@columbian.com.

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October 24, 2008

The Honorable Jeanne Burbidge, Chair
Transportation Improvement Board
Post Office Box 40901
Olympia, WA 98504

Dear Jeanne

I was delighted to learn that Washington has won the Council of State Governments' 2008 Innovations Award for the Transportation Improvement Board (TIB) Performance Dashboard. This is truly an exciting honor – congratulations!

As you know, our state continues to be a leader in innovative approaches to performance management, and I applaud the TIB for its ongoing commitment to accountability and excellence. You and your fellow board members provide an important service to our communities, and, with the help of TIB's Performance Dashboard, our grant projects are handled efficiently and our citizens can be assured that their tax dollars are allocated responsibly.

Again, congratulations! Thank you for your hard work and dedication, and please accept my best wishes for continued success.

Sincerely,

Handwritten signature of Christine O. Gregoire.

Christine O. Gregoire
Governor

Large handwritten word "Congratulations!" in cursive.





Electronic Discovery and Preservation of Potential Evidence
(E-Discovery)
November 21, 2008

BACKGROUND

With recent court cases and findings in favor of plaintiffs when electronic records were not available or cataloged into a usable format, the Attorney General's office has worked with TIB staff on a policy and procedures in anticipation of potential litigation where E-Discovery could be significant.

STATUS

The E-Discovery policy and procedures are separate and distinct from normal retention of public records schedule. Also, the policy and procedures do not affect the Public Disclosure Process, but may have an indirect tie to the process under 479-02 WAC Public Access to Information and Records. The E-Discovery policy and procedures are in effect at this time and are incorporated into the employee policies that are currently under revision.

SIGNIFICANCE

The E-Discovery policy and procedures applies to Board Members as you may be the recipient of a statement of claim or potential lawsuit. Another scenario would be if a complaint or claim is filed against a board member acting in the capacity of representing TIB. Any of the scenarios would begin a Litigation Hold of electronic documents. Electronic documents are any computer data or electronic recorded media that is stored in a digital medium. This is especially important if the Board Member uses their personal equipment (e.g. laptop, computer, blackberry, thumb drives, etc.) for TIB work as the digital information could become part of the Litigation Hold Notice.

It is very important that if a Board Member receives notice of a potential lawsuit that they begin preserving any electronically stored information as stated in the procedures.

RECOMMENDATION

No board action is needed.

I. Policy

This document provides the Transportation Improvement Board (TIB) employees and board members with procedures to be followed to preserve documents and other potential evidence, including Electronically Stored Information (ESI), in anticipation of, and during litigation.

This procedure is distinct and separate from TIB policies on retention of public records and procedures on receipt of Public Disclosure Requests.

TIB is committed to establishing simple, consistent procedures to ensure we are good stewards of the information entrusted to us by the public we serve. These rules and procedures apply to all potential evidence, in all formats. The term *E-Discovery* is widely used to convey that much of our documentation is now in an electronic format.

II. Procedure

A. When to preserve information as potential evidence

1. When a TIB employee or board member learns of an incident or activity that might result in a claim, or lawsuit being filed against TIB, the law requires that TIB preserve all evidence that may be relevant to the case.
2. The preservation process, called a "litigation hold," supersedes all regular document retention rules and requires that all documents, in whatever format, whether electronically stored or paper, both copy and original be preserved until the litigation hold is lifted.
3. The need to preserve evidence might arise when:
 - a. An incident or activity by a TIB employee or board member results in significant damage or distress;
 - b. A TIB employee or board member makes a statement regarding a claim or lawsuit;
 - c. An incident of potential damage, negligence or wrongdoing by a TIB representative is reported in the media;
 - d. A similar incident or activity led to litigation or claims in the past;
 - e. A complaint or claim is filed against TIB by an employee, board member or member of the public including with TIB or with an external agency such as the Department of Labor and Industries, Equal Opportunity Commission, Human Rights Commission;
 - f. A public disclosure or discovery request filed indicates a potential claim;

4. If you are unsure about whether litigation is reasonably foreseeable, contact the proper channels to discuss the matter with the Assistant Attorney General (AAG) assigned to advise your office.

B. How to preserve evidence –

Step 1 – Notify Supervisor and Executive Director

When an employee or board member becomes aware of activities or incidents that can reasonably be expected to result in a claim or legal action involving TIB, he or she must immediately:

- a. Take preliminary steps to preserve all evidence that may be relevant to the case.
- b. Notify the supervisor and Executive Director of the potential claim and assist as needed in preparing the litigation hold;

Step 2 – Litigation Hold -- Identify Information and Key Participants

The Executive Director will review the facts surrounding the incident or action and work with the AAG and TIB personnel to create the Litigation Hold. The Litigation Hold will consist of a written plan which describes:

- a. reasonable scope for the litigation hold notice;
- b. types, categories and locations of the information to be preserved;
- c. key participants to notify which may include
 - i. Supervisor
 - ii. Personnel potentially responsible for the information
 - iii. Executive Assistant to the Director – Public Information Officer
 - iv. Assigned Attorney General's Office representative
 - v. Information Technology Systems Manager
 - vi. Any others that are related to the process

Step 3 – Exchange of Information with Key Participants

Executive Director provides key participants with information, which includes:

- a. Identification of both the subject matter and the data types (word documents, spreadsheets, image files) that require preservation of potential evidence.
- b. A Survey Checklist asking key participants to identify and provide the type, category, and location of potential evidence to the manager including the native format of the evidence and any non-network evidence such as might be contained on board members or employees personal computers.

- c. Who the Key Participant can contact for more information, questions, or assistance with preservation.
- d. Written notice that there is no longer a need to preserve information as potential evidence.

Step 4. Follow up with IT – Systems Manager

Information Technology Systems Manager takes the following steps when receiving the information from the Executive Director on the need to preserve information:

1. Contact each Key Participant and verify locations of electronic information.
2. Ensure that the electronic information is preserved and accessible.
3. Establish a unique Work Order to track the costs incurred as a result of the preservation activity.

C. When to End Preservation of Potential Evidence

1. The Executive Director will notify key participants writing to stop preserving the identified information.
2. Upon receiving notice that the Litigation Hold is lifted, the Public Records Officer will resume ordinary records retention policy on deletion or destruction of documents.

III. Definitions

Definitions of commonly used terms related to preserving evidence follow.

Discovery: The formal pre-trial process used by parties in a court or an administrative proceeding to find out information about the issues from the other side.

Discovery Request: A request from the Attorney Generals Office (AGO) or a third party or client's attorney for any records or documents pertaining to a named individual or individuals or issues in litigation. Discovery requests may include interrogatories, requests for production, depositions, and subpoenas.

**TIB -- Risk Management
Preservation of Potential Evidence
Draft**

Document: Is defined in the court rules as including “writings, drawings, graphs, charts, photographs, phonorecords, and other data compilations from which information can be obtained[.]” This definition includes a wide range of items from Franklin® planners (calendars), computer disks and e-mails to Post-It® notes and drafts. It includes existing documents and documents created in the future. It includes originals and copies. It also includes tangible objects like models, samples, or parts. If questions exist about the relevancy of a document, you should err on the side of preserving the potential evidence.

Electronic Discovery: Discovery of Electronically Stored Information.

Electronically Stored Information (ESI): Computer data or electronic recorded media of any kind that is stored in a digital medium from which it can be retrieved and examined. ESI may include information and/or documentation stored in various software programs such as: Email, Outlook, Word, Excel, Access, Publisher, PowerPoint, Adobe Acrobat, SQL databases, or any other software or electronic communication programs or databases that you use. ESI may be located on network servers, backup tapes, Blackberrys, thumb drives, CDs, DVDs, floppy disks, work computers, cell phones, laptops or any other electronic device that you use to do your state work (including any personal devices you may use or have at home).

Key Participant: Any person (TIB employee, board member, contractor, or agent) identified as likely to have knowledge or custody of potential evidence.

Litigation: To subject to or engage in legal proceedings. Litigation includes proceedings in state and federal courts, administrative contested cases, and arbitrations.

Litigation Hold: The requirement issued by TIB or the AGO to preserve potential evidence related to anticipated or ongoing litigation.

Litigation Hold Notice (LHN): The document that is sent out to TIB employees or board members that gives notice that there is a potential for a lawsuit involving TIB and/or one or more TIB employees or board members. Receipt of the LHN requires the individual to begin retention actions for all potential evidence in their possession.

Potential Evidence: Documents, ESI and other information regarding any matter that is relevant to any claim or defense of any party in litigation, including the existence, description, nature, and location of documents, ESI or other tangible things, and the identity of persons with knowledge about such matters.



Washington State Transportation Improvement Board Project Activity Report

Reporting Period
From 09/01/2008 to 10/31/2008

Project ID	Agency	Project Description	Current Phase	Phases	Total TIB Funds	Change in TIB Funds	Approval
RTP Program							
7-5-188(008)-1	KELSO	Coweeaman River Bridge	Design	DE	72,000	0	Director
Total RTP Change						0	
SCAP Program							
6-P-808(008)-1	BUCKLEY	Main Street	Audit	FV AD	782,682	0	Director
6-P-808(009)-1	BUCKLEY	Ryan Road	Audit	FV AD	787,020	0	Director
6-E-901(003)-1	CHEWELAH	Main St (Flowery Trail)	Audit	CC FV AD	444,000	0	Director
6-E-924(004)-1	DAYTON	S Third Street	Audit	FV AD	588,981	0	Director
6-P-811(005)-1	EATONVILLE	Carter Street	Audit	CC FV AD	541,237	0	Director
6-E-940(003)-1	GRANGER	East E Street	Audit	FV AD	457,257	0	Director
6-P-820(002)-1	GRANITE FALLS	Stanley Street	Audit	CC FV AD	310,646	-25,890	Director
6-P-820(003)-1	GRANITE FALLS	South Granite Avenue	Audit	CC FV AD	588,017	4,662	Director
6-E-871(N08)-2	HARRINGTON	WSDOT Eastern Region Chip Seal	Contract Completion	CC	39,037	-16,913	Director
6-E-903(I01)-1	KETTLE FALLS	Meyers Street	Bid Award	BA	21,971	5,703	Director
6-W-834(004)-1	LA CONNER	Washington Street/2nd Street	Construction	DE	381,000	0	Board
6-W-963(006)-1	NAPAVINE	Second Avenue NE	Bid Award	BA	932,572	282,572	Director
6-W-963(I04)-1	NAPAVINE	Washington Street & 2nd //S	Audit	CC FV AD	36,153	-614	Director
6-E-874(N02)-2	SPRAGUE	WSDOT Eastern Region Chip Seal	Contract Completion	CC	28,622	-17,578	Director
6-E-875(N05)-2	WILBUR	WSDOT Eastern Region Chip Seal	Contract Completion	CC	84,817	11,842	Director
Total SCAP Change						243,784	



Washington State Transportation Improvement Board Project Activity Report

Reporting Period
From 09/01/2008 to 10/31/2008

Project ID	Agency	Project Description	Current Phase	Phases	Total TIB Funds	Change in TIB Funds	Approval
SCPP Program							
2-E-868(001)-1	ALMIRA	FY 2009 Seal Coat Project	Audit	CC FV AD	22,096	-5,034	Director
2-P-800(001)-1	BLACK DIAMOND	FY 2009 Overlay Project	Audit	FV AD	94,856	0	Director
2-P-808(002)-1	BUCKLEY	FY 2009 Overlay Project	Audit	CC FV AD	100,000	1	Director
2-E-847(001)-1	CASHMERE	FY 2009 Overlay Project	Bid Award	BA	105,605	36,719	Director
2-E-878(002)-1	COULLEE DAM	2009 WSDOT Chip Seal	Construction	DE CN	70,000	0	Director
2-E-894(001)-1	DEER PARK	FY 2009 Overlay Project	Audit	FV AD	67,350	0	Director
2-E-857(002)-1	ELECTRIC CITY	FY 2009 Seal Coat Project	Contract Completion	CC	11,838	-572	Director
2-E-879(001)-1	ELMER CITY	2009 WSDOT Chip Seal	Construction	CN	30,000	0	Director
2-E-911(003)-1	GARFIELD	FY 2009 Overlay Project	Audit	CC FV AD	40,880	-1,346	Director
2-E-941(001)-1	HARRAH	E Pioneer St	Contract Completion	CC	14,913	0	Director
2-E-860(002)-1	HARTLINE	FY 2009 Sidewalk Maintenance Project	Audit	FV AD	36,500	0	Director
2-E-889(001)-1	IONE	Eighth Avenue Overlay	Contract Completion	CC FV AD	139,375	-5,505	Director
2-E-942(001)-1	MABTON	FY 2009 Overlay Project	Bid Award	CN BA	91,968	39,838	Director
2-E-891(001)-1	METALINE FALLS	5th Avenue Overlay	Audit	CC FV AD	165,318	-12,274	Director
2-E-943(002)-1	MOXEE	FY 2009 Sidewalk Maintenance Project	Construction	DE CN	7,712	-7,712	Director
2-E-880(002)-1	NESPELEM	2009 WSDOT Chip Seal	Construction	CN	95,000	0	Director
2-E-872(001)-1	ODESSA	FY 2009 Seal Coat Project	Audit	CC FV AD	27,940	-22,336	Director
2-E-882(001)-1	OROVILLE	FY 2009 Overlay Project	Contract Completion	CC FV AD	130,359	9,455	Director
2-E-883(002)-1	PATEROS	FY 2009 Overlay Project	Audit	CC FV AD	44,054	1,360	Director
2-E-873(001)-1	REARDAN	FY 2009 Sidewalk Maintenance Project	Bid Award	BA	27,660	11,360	Director
2-W-972(002)-1	SOUTH BEND	FY 2009 Seal Coat Project	Contract Completion	BA CC FV AD	26,775	-21,493	Director
2-P-815(001)-1	SOUTH PRAIRIE	FY 2009 Sidewalk Maintenance Project	Audit	FV AD	64,113	0	Director
2-P-824(001)-1	SULTAN	FY 2009 Sidewalk Maintenance Project	Withdrawn	WD	0	-12,271	Director



Washington State Transportation Improvement Board Project Activity Report

Reporting Period
From 09/01/2008 to 10/31/2008

Project ID	Agency	Project Description	Current Phase	Phases	Total TIB Funds	Change in TIB Funds	Approval
2-E-885(002)-1	TONASKET	FY 2009 Overlay Project	Bid Award	BA	102,170	28,645	Director
Total SCPP Change						38,835	
SP Program							
P-E-009(P02)-1	DOUGLAS COUNTY	Rock Island Road	Bid Award	BA	79,607	-3,440	Director
P-P-811(P01)-1	EATONVILLE	Rainier Avenue	Audit	CC FV AD	128,463	-16,537	Director
P-E-860(P01)-1	HARTLINE	Chelan Street and Willard Street	Audit	CC FV AD	236,034	-9,466	Director
P-W-961(P04)-1	MORTON	Second Street (SR 7)	Bid Award	BA	116,895	-45,905	Director
P-W-840(P02)-1	NOOKSACK	W 2nd Street/ W Madison Street	Audit	FV AD	117,500	0	Director
P-W-973(P06)-1	NORTH BONNEVILLE	Cascade Drive	Bid Award	BA	106,958	-12,462	Director
P-E-167(P04)-1	PULLMAN	Bishop Boulevard	Audit	CC FV AD	21,750	-2,550	Director
P-E-171(P05)-1	RICHLAND	Aaron Drive	Bid Award	BA	110,950	0	Director
P-W-950(P01)-1	RIDGEFIELD	Division Street	Bid Award	BA	66,215	-37,910	Director
P-E-853(P01)-1	ROCK ISLAND	Saunders Avenue	Bid Award	BA	160,423	19,173	Director
P-E-918(P01)-1	ST. JOHN	Bartholow, Front, Park & Nob Hill Streets	Audit	CC FV AD	181,697	-6,387	Director
Total SP Change						-115,484	
UAP Program							
8-4-002(005)-1	ASOTIN COUNTY	Highland Avenue	Bid Award	CN BA	1,053,877	106,877	Director
8-1-118(001)-1	LAKE FOREST PARK	Bothell Way (SR 522)	Contract Completion	CC	896,476	0	Director
8-2-155(015)-1	MOUNT VERNON	College Way (SR 538)	Bid Award	BA	1,866,689	-143,561	Director
8-1-027(057)-3	PIERCE COUNTY	Canyon Road East	Audit	CC FV AD	1,519,602	-190,443	Director
8-1-027(059)-1	PIERCE COUNTY	112th Street East	Audit	CC FV AD	3,453,000	0	Director



Washington State Transportation Improvement Board Project Activity Report

Reporting Period
From 09/01/2008 to 10/31/2008

Project ID	Agency	Project Description	Current Phase	Phases	Total TIB Funds	Change in TIB Funds	Approval
8-1-027(060)-1	PIERCE COUNTY	South Prairie Rd E	Audit	CC FV AD	2,024,000	0	Director
8-1-027(064)-1	PIERCE COUNTY	176th Street East	Contract Completion	CC	1,044,668	-7,358	Director
8-4-171(008)-1	RICHLAND	Leslie Road	Construction	CN	1,470,000	0	Director
8-5-034(014)-1	THURSTON COUNTY	Duterrow Road SE	Audit	CC FV AD	481,609	10,409	Director
Total UAP Change						-224,076	
UCP Program							
9-E-177(002)-1	COLLEGE PLACE	Whitman Drive	Audit	CC FV AD	1,006,161	16,161	Director
9-P-802(002)-1	DUVALL	Main Street (SR 203)	Bid Award	BA	2,937,720	-97,280	Director
9-P-027(003)-1	FIFE	Valley Avenue East	Audit	CC FV AD	1,425,140	0	Director
9-E-171(003)-1	KENNEWICK	Gage Blvd/Center Parkway	Audit	CC FV AD	1,027,108	10,428	Director
9-W-018(002)-1	KITSAP COUNTY	Bremerton Tunnel	Bid Award	BA	5,900,000	0	Director
9-P-027(014)-1	PIERCE COUNTY	Lake Tapps Pkwy	Audit	CC FV AD	1,129,300	0	Director
9-P-128(017)-1	TACOMA	D Street Overpass	Audit	CC FV AD	5,934,200	750,000	Director
9-P-116(010)-1	TUKWILA	International Blvd (SR-99)	Construction	CN	4,200,000	0	Director
Total UCP Change						679,309	



Washington State Transportation Improvement Board
Project Activity Report

Reporting Period
 From 09/01/2008 to 10/31/2008

Project ID	Agency	Project Description	Current Phase	Phases	Total TIB Funds	Change in TIB Funds	Approval
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Total Change 622,368

- PND - Pending
- PD - Pre-design
- DE - Design
- CN - Construction
- BA - Bid Award
- CC - Contract Completion
- FV - Final Voucher
- AD - Audit
- WD - Withdrawn



Fiscal Year 2010 Project Selection Summary

November 21, 2008

BACKGROUND

The preliminary target size for the Fiscal Year 2010 project selections was set at the June 2008 Board meeting with a deadline for application submission of August 29, 2008. After the board meeting, TIB engineers conducted 23 funding workshops across the state. The TIB received 301 applications requesting \$468 million, fewer than in recent funding cycles.

SUMMARY OF APPLICATIONS RECEIVED

Program	Applications	Funds Requested
UAP	94	\$222 million
UCP	67	\$188 million
SCAP	74	\$41 million
USP & SCSP	66	\$17 million
TOTALS	301	\$468 million

TIMELINE

During the months of September and October, TIB engineers made site visits to all projects in order to review the submitted data and validate the desk ratings applied to the applications.

At the end of October, the TIB engineers met with the Executive Director to discuss the ratings and propose a preliminary list of projects for approval at the November Board Meeting.

JUSTIFICATION FOR CALL SIZE

As of September 2008, the revenue forecast has taken a downturn, and therefore, the future call for projects was reduced for the UAP program. The UCP program was already fiscally constrained.

The next revenue forecast is published in November, but the downturn is expected to be consistent. In order to respond to the expected reduction, an incremental decrease in the funding call is necessary. There were many factors included in the reduction including the outstanding demand for funds and bond debt allowance.

Due to legislative action in the 2007 session, unexpended City Hardship Assistance Programs funds that are deposited into the Small City Preservation Program allow TIB to take advantage of unique opportunities to partner with WSDOT, the operating engineer's training school, and improve street condition in Red Towns. No funding program was recommended to the Board in June 2008 for the Small City Preservation Program (SCPP). However, these unexpended funds now make it possible to provide some small cities SCPP assistance.

SUMMARY OF RECOMMENDED FUNDING

Program	# of Recommended Projects	Target Funding Level (in millions)	Recommended TIB Funds	Total Project Cost
UAP	11	\$ 25	\$25,739,410	\$64,618,816
UCP	9	\$ 25	\$27,276,992	\$114,227,338
SCAP	17	\$ 10	\$10,356,859	\$16,272,819
SP & SCSP	18	\$ 3	\$3,292,483	\$6,570,958
Subtotal		\$ 63.0 million	\$66,665,744	\$201,689,931
SCPP	14	--*	\$1,352,000	\$1,352,000
TOTALS	69	\$ 64.5	\$68,017,744	\$203,041,931

* SCPP was not calculated until after the June Board Meeting therefore was not included in the target level approved.

BOARD ACTION

TIB staff recommend that the Board adopt the project selection as presented.

City of South Bend

First Street - Kendrick St to Jefferson St

Requested Increase

\$227,206

Increase Staff Review
 FY 2008 Small City Arterial Program (SCAP)
 TIB Project 6-W-972(005)-1

Board Meeting Date: November 21, 2008
 Bid Authorization Target Date: May 2009

Project Information

Existing Conditions

The existing roadway is 16 feet wide with on-street parking along the gravel shoulder; there is an inadequate storm drainage system and no sidewalks. This road provides access to the school complex, which is located at the east end of the project, and is an important walking and school bus route.

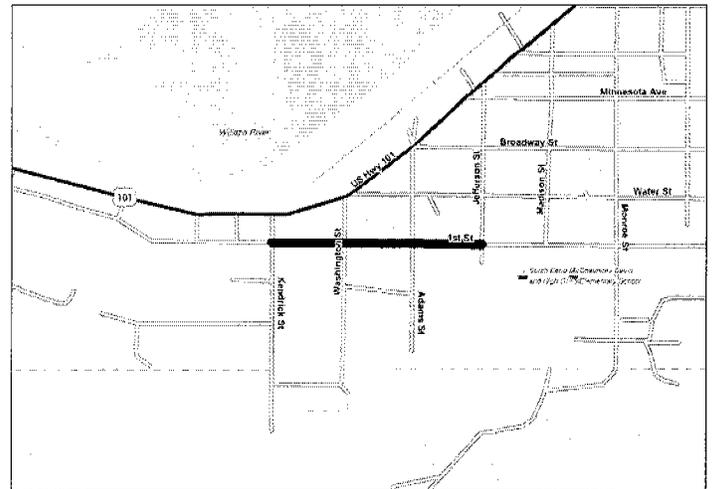
Proposed Improvements

The project widens the roadway to provide 12-foot lanes, a rolled curb, 6-foot gravel shoulders, a sidewalk along the south side, and drainage swales along both sides of the roadway.

Funding Summary

	Original	Increase	New Total
TIB Funding	\$308,024	\$227,206	\$535,230
Lead Agency Funding	20,000	14,770	34,770
Public Funding	0	0	0
Private Funding	0	0	0
Totals	\$328,024	\$241,976	\$570,000

Discussion



The city has requested an increase in TIB funds of \$227,206. This request is being made for the following reasons:

- The original design assumed that a crack and seat process could be used to break existing concrete panels and then the roadway could be overlaid. During a constructability review, it was determined that the crack and seat process was not suitable for this section of roadway because the road was built on material dredged from the river and supported on piles.
- In the summer of 2008 prior to starting the construction contract, the city utility department replaced the water line and service connections along the western two blocks of First Street. During the installation, a large number of utility cuts were made across the existing roadway. This has led to unsuitable and differential settlement in the concrete panels due to loss of structural integrity.
- After an extensive geotechnical analysis it was determined that the most cost effective solution was to remove the concrete panels and use a cement treated base to provide a stable new roadway surface.
- To reconstruct the original proposed three-block project using cement treated base results in a total project cost of \$725,000 and a potential TIB increase of \$372,000. After review by TIB staff, it was determined that one block was suitable for an overlay, but it is critical that the other two blocks be reconstructed before this important route becomes impassable. The cost to reconstruct two blocks and overlaying the other block would result in a total project cost of \$570,000 a potential increase in TIB funds of 227,206.

Recommendation

Staff recommends an increase of \$227,206, bringing the total amount of TIB funds for this project to \$535,230.

City of Tacoma

South Tyler Street - S 38th St to S 56th St

Requested Increase

\$0

Sidewalk Deviation Staff Review
 FY 2006 Urban Arterial Program (UAP)
 TIB Project 8-1-128(089)-1

Board Meeting Date: November 21, 2008
 Bid Authorization Target Date: Apr 2009

Project Information

Existing Conditions

The existing two-lane road is narrow and in poor condition. The drainage system is inadequate and there are no pedestrian or bicycle facilities.

Proposed Improvements

This project widens the roadway to full arterial street standards, which include two-lanes, left turn pockets at intersections, bike lanes, street lighting, and sidewalks. In addition, a new storm drainage system will be added to collect, treat, and control runoff.

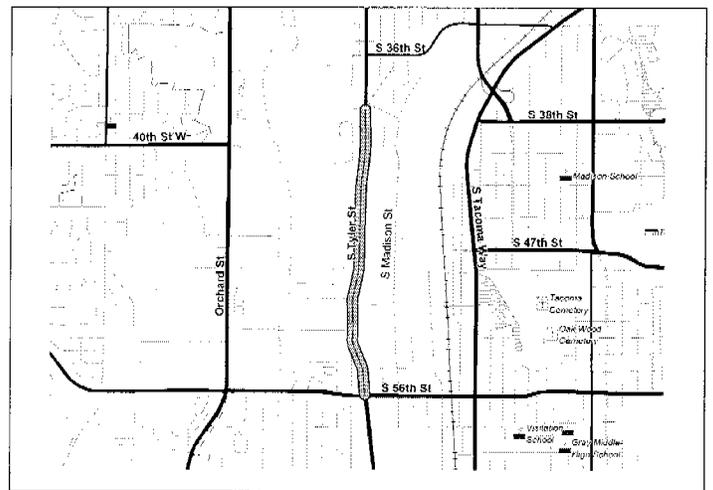
Funding Summary

	Original	Increase	New Total
TIB Funding	\$2,707,200	\$0	\$2,707,200
Lead Agency Funding	349,468	0	349,468
Public Funding	1,455,332	0	1,455,332
Private Funding	0	0	0
Totals	\$4,512,000	\$0	\$4,512,000

Discussion

The City of Tacoma is requesting a sidewalk deviation to eliminate the sidewalk on the east side of the roadway from South 52nd Street to South 40th Street, due to the lack of pedestrian generators within this section. There is a lumberyard on the east side of the road between South 49th Street and South 52nd Street, which is served off Tyler Street at South 52nd. Except for the lumberyard, the area along the east side of the road is undeveloped and due to the steep slopes and is unlikely to be developed. If future development does occur, the city will require the developers to install a sidewalk. Safe pedestrian crossings will be added at South 40th and South 52nd Streets.

The VE study that was conducted Summer 2008 recommended eliminating the sidewalk along this section. It was conservatively estimated to save \$351,000. However, because this sidewalk elimination allows the alignment to be shifted 10 feet to the east, additional costs savings will be realized due to reduced earthworks.



Recommendation

Staff recommends approval of the sidewalk deviation along the east side of the Tyler Street between South 52nd Street and South 40th Street.



City of Tacoma
Public Works Department

October 31, 2008

Mr. Scott Smith, PE. Project Engineer
Transportation Improvement Board
505 Union Avenue SE, Suite 350
P.O. Box 40901
Olympia, WA. 98504-0901

RECEIVED
NOV 07 2008
TIB

SUBJECT: Sidewalk Deviation; TIB (AIP) Project Number: 8-1-128(089)-1, South Tyler Street
from South 38th Street to South 56th Street.

Dear Mr. Smith,

The City of Tacoma is requesting a sidewalk deviation to eliminate the east sidewalk along Tyler Street from 49th Street to 40th Street, providing crossings at these locations. There are no pedestrian generators along the east side of this section, and due to the steep topography it is not likely to be developed. If it is ever developed, we will require a developer to install sidewalk along the frontage of the property.

One of the VE recommendations was to eliminate the sidewalk on the east side of the roadway in this area. The cost savings was estimated at \$351,000. The actual cost savings will be larger as the elimination of this section of sidewalk allows us to move the road alignment 10 feet east, away from a proposed cut-slope. Therefore, further cost savings will be realized in reduced earth works.

In addition we request the optional elimination of the east sidewalk from 52nd Street to 49th Street. This sidewalk runs entirely along the frontage of a commercial lumber storage yard and a construction company yard. These properties do not generate any pedestrian traffic. A crossing will be provided at South 52nd Street to connect the existing sidewalk to the west sidewalk. This is, however, still under consideration and the City wants to have the option to either construct this section of sidewalk or eliminate it. Talks with the community and property owners regarding this question are still underway.

We appreciate your consideration. Contact Raymond van der Roest, project engineer, with any questions regarding this deviation request at (253) 591-5945 or Rvanderroest@cityoftacoma.org.

Sincerely,

Kurtis D. Kingsolver, P.E.
Engineering Division Manager

Cc. Greg Armstrong, TIB Chief Engineer