

## REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

January 16, 2013

The Idaho Transportation Board met at 7:30 AM on Wednesday, January 16, 2013 at the Idaho Transportation Department, Boise, Idaho. The following principals were present:

Jerry Whitehead, Chairman  
Jim Coleman, Vice Chairman – District 1  
Jan Vassar, Member – District 2  
Julie DeLorenzo, Member – District 3  
Jim Kempton, Member – District 4  
Dwight Horsch, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Chief Deputy  
Larry Allen, Deputy Attorney General  
Sue S. Higgins, Executive Assistant and Secretary to the Board

Executive Session on Legal Issues. Member DeLorenzo made a motion to meet in executive session at 7:30 AM to discuss legal issues as authorized in Idaho Code Section 67-2345(f). Member Vassar seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on legal matters.

The Board came out of executive session at 8:20 AM. No final actions or decisions were made.

Board Minutes. Member Gagner made a motion to approve the minutes of the regular Board meeting held on December 12, 2012 as submitted. Member Vassar seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

February 20, 2013 – Boise  
March 19-20, 2013 – Boise  
April 9-10, 2013 – District 2

Consent Calendar. Chairman Whitehead noted the number of low bids that exceeded the engineer's estimate by more than ten percent. Chief Engineer Tom Cole responded that staff monitors and tracks that information. Generally, the remoteness or location

of the project, smaller quantities, and the number of bidders have the greatest influence on bids.

Vice Chairman Coleman made a motion, seconded by Member Gagner, and passed unopposed, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board

ITB13-01 approves the advancement of SH-81, 300 South Road to Satellite Port of Entry, District 4 to FY13 and the advancement of US-93, Salmon River Bridge, Near Carmen, District 6, to FY13 and has received and reviewed the contract award information, the professional services agreements and term agreement work task report, and the report of speed minute entry changes for December 2012.

1) Advance SH-81, 300 South Road to Satellite Port of Entry, Cassia County, District 4, to FY13 of the Idaho Transportation Improvement Program (ITIP). Staff requested advancing the SH-81, 300 South Road to Satellite Port of Entry project, key #13074, from FY14 to FY13. The project is part of a \$10 million pavement restoration initiative on SH-81 that was programmed in three stages. Advancing the requested project would allow the District to combine the first two stages for construction this summer, minimizing public inconvenience and realizing safety and mobility benefits earlier. The \$1 million project would be funded from savings on the first stage.

2) Advance US-93, Salmon River Bridge, Near Carmen, Lemhi County, District 6. Staff requested advancing this US-93, Salmon River Bridge rehabilitation project, key #8571, from FY14 to FY13. The project, estimated at \$570,000, would be funded through savings.

3) Contract Awards. Key #12298 – I-90, SH-3, FY13 District 1 Bridge Repair. Low bidder: West Company Inc. – \$806,320.

The low bid on key #11554 – US-95, Sand Creek Bridge, Sandpoint, District 1, was more than ten percent over the engineer's estimate, requiring justification. The major difference between the low bid and engineer's estimate were in the Concrete Bridge Deck Removal Class A and Class B, Special Bridge Deck Drain Extensions, Painting Steel Shell Piling, Painting Structural Steel, and Mobilization items. Staff believes the most significant differences were due to the overall increase in materials and mobilization costs. The multiple bids received at similar high costs validate the low bid. No evidence of bid manipulation was evident, nor does it appear that re-advertising the project would result in savings. Staff recommended awarding the project. Low bidder: N. A. Degerstrom, Inc. - \$812,950.

Key #6607 – SH-200, Trestle Creek Bridge, Bonner County, District 1. Low bidder: Apollo Inc. – \$3,435,277.

The low bid on key #9769 – SH-3, St. Maries River Bridge, Near Mashburn, District 1 was more than ten percent over the engineer's estimate, requiring justification. The main difference between the engineer's estimate and the low bid was in the Portable Traffic Signal System, Concrete Class 40-A Schedule No. 2, Concrete Parapet, Metal Reinforcement Schedule No. 2, Epoxy Coated Metal Reinforcement, Expansion Joint, and Mobilization items. Staff believes the major differences are due to the overall increase in materials and mobilization costs. Due to the consistency of all of the bids received, there was no evidence of bid manipulation. Staff does not believe savings would be realized if the project was modified and rebid, so recommended awarding the contract. Low bidder: C.L. Heilman Company Inc. - \$818,452.

Key #9462 – Burma Road; Gotham Bay Road to Junction SH-97, Kootenai County, District 1. Low bidder: Apollo Inc. - \$4,869,055.

Key #12997 – US-12, Milepost 81.6 to Syringa Creek, District 2. Low bidder: Poe Asphalt Paving, Inc. - \$2,247,635.

Key #12928 – US-95, Fish Hatchery, Old SH-7 and Division Street Turnbays, District 2. Low bidder: Cook and Sons Construction - \$811,037.

Key #13071 – SH-81, 700 South Road to 300 South Road, Cassia County, District 4. Low bidder: Western Construction, Inc. - \$1,693,453.

Key #12868 – SH-81, Southside Canal Bridge, Declo, District 4. Low bidder: Western Construction, Inc. - \$432,059.

The low bid on key #13091 – US-20, FY13 District 4 Guardrail Retrofit, was more than ten percent over the engineer's estimate, requiring justification. The greatest price variations were in the Borrow, Superpave HMA Paving Including Asphalt and Additive Class Special-2, Bridge Rail Retrofit, and Rock Armor items. The low bid was higher than the engineer's estimate due to source locations, short time frame, labor hours required, and material availability. The District does not believe re-advertising the project will result in better bids, so recommended awarding the project. Low bidder: WF Construction & Sales, LLC - \$520,250.

The low bid on key #11620 – Northside Main Canal Bridge, Jerome Highway District, District 4, was more than ten percent over the engineer's estimate, requiring

justification. The Local Highway Technical Assistance Council (LHTAC) recommended accepting the low bid because the additional funding has been identified; the second low bid was only 4% over the low bid price; the project is remote in nature; individual bid items do not seem to show excessive differences with the engineer's price except for three concrete-related items; and given the adequate participation of bidders, it is not anticipated that rebidding the project would produce lower bids. Low bidder: Cannon Builders, Inc. - \$377,420.

The low bid on key #12093 – I-86, Chubbuck Bridge Interchange #61, District 5, was more than ten percent over the engineer's estimate, requiring justification. The bid items that contributed the greatest variation were Traffic Signal Installation and Temporary Signals. The District believes the bids were higher than expected because of the compressed construction schedule. Also, staff did not have estimator items for the bid items and had to rely on previous projects that perhaps did not reflect the conditions encountered with this interchange project. The District does not believe re-advertising would be advantageous and recommended awarding the project. Low bidder: Ralph L. Wadsworth Construction Company, Inc. - \$10,783,601.

Key #12118 - US-20, I-15, FY13 District 6 Intersection Improvements. Low bidder: Ray's Heating, Plumbing, Electric Inc. - \$674,800.

Key #12466 – FY13 District 6 Pavement Crack Sealing. Low bidder: Kloepfer, Inc. - \$355,486.

The low bid on key #11678 – US-20B and US-26, FY13 District 6 Durable Pavement Markings, was more than ten percent over the engineer's estimate, requiring justification. The only item that accounted for the difference between the engineer's estimate and low bid was Recessed Pavement Markings. The District believes it underestimated this item. Additionally, the higher bid price may be due to previous projects where contractors had to return each year to warranty this pay item and fix any mistakes that occurred. The District recommended awarding this project. Low bidder: Specialized Pavement Marking Inc. - \$208,897.

Key #11680 – Hitt Road; US-26 to US-20, District 6. Low bidder: H-K Contractors, Inc. - \$692,689.

4) Professional Services Agreements and Term Agreement Work Task Report. From November 26 through December 28, 28 new professional services agreements and work tasks were issued, totaling \$7,642,500. Three supplemental agreements to existing agreements were processed in the amount of \$49,010 during this period.

5) Speed Minute Entry Changes for December 2012. The following speed minute entry changes were made in December in District 4:

<u>Route</u>	<u>Beginning</u>	<u>Ending</u>	<u>Speed Limit</u>	
	<u>Milepost</u>	<u>Milepost</u>	<u>Old</u>	<u>New</u>
US-20	189.490	195.400	55	65
SH-27	25.715	25.820	55	45
SH-27	25.908	26.431	45	35

Director's Report. Director Ness said he made a presentation at the Transportation Research Board meeting in Washington, D.C. on ITD's efficiencies and effectiveness, which are being touted as a national model. He mentioned various recognitions the Department received recently and upcoming legislative meetings. The annual joint germane presentation is scheduled for January 24 and the budget presentation to the Joint Finance and Appropriations Committee will be on February 11.

The Director's entire report can be viewed at <http://itd.idaho.gov/Board/report.htm>.

Chief Deputy Stokes provided an update on performance measures. He mentioned a recent Pacific Northwest Economic Region conference that included a presentation on ITD's freight study and discussions on oversized loads, especially the difficulties with neighboring jurisdictions not having uniform regulations. CD Stokes also noted the upcoming retirement of Idaho State Police Director Colonel Jerry Russell. He commended the excellent working relationship that was established with Colonel Russell, particularly the partnership to address highway safety.

Delegation – John Watts, WATCO. Mr. Watts emphasized the importance of short line railroads and the need for coordination and collaboration amongst various modes. He provided a history of efforts to improve this coordination. He commended the Board for approving Resolution #12-53, which encouraged partnerships that enhance safety, mobility, and economic opportunity, and approved the Freight Study that resulted in a consensus based vision for freight movement. Mr. Watts supports investing in freight system infrastructure and believes freight needs seamless connectivity and strong partnerships. In closing, he thanked the Board for its efforts to address freight issues and encouraged it to focus on collaboration.

Member Horsch believes the freight issues need to be producer driven. Due to the volatility of agriculture prices, time is of the essence in moving commodities. As a rule, it is more expedient to ship via truck than railroad. Mr. Watts acknowledged Member Horsch's concerns that it may not be prudent to use railroad at times. He said the focus needs to be on what can be improved and on enhancing partnerships.

Chairman Whitehead thanked Mr. Watts for his remarks.

Dealer Advisory Board (DAB) 2013 Draft Legislation. DAB Member Bobby Petersen presented the proposed Idaho Consumer Asset Recovery (ICAR) fund legislation. Currently, new and used vehicle dealers are required to keep a \$20,000 surety bond on file as part of the licensing process. This bond level has been in place for more than 15 years and has not kept up with the rising costs of vehicle sales. Increasing the bond amount much more would significantly increase costs to dealers and may put some dealers at risk of losing their license due to their inability to pay more for the bond.

The ICAR fund would replace the surety bond requirement. Dealers would contribute to this fund rather than carry a surety bond (with the exception of newly licensed dealers who will still be required to carry a bond the first three years and pay into the fund). The fund would allow reimbursement of a single claim up to \$50,000 and place a cap of \$120,000 on payouts for a single dealer. It also requires the revocation of a licensed dealer when a payout is made unless the dealer reimburses the fund and meets ITD's requirements. A board consisting of the DAB, the ITD director or designee, and a representative from the Attorney General's Office specializing in consumer protection would oversee the ICAR fund and the process to administer it. DAB Member Petersen said the DAB supports this proposal and requests the transportation board's support for this legislation.

Vice Chairman Coleman made a motion to support the proposed ICAR Fund legislation. Member Vassar seconded the motion.

It was noted that the proposed legislation was revised yesterday. The Board asked if the Legal Section reviewed the latest draft. Vehicle Services Manager Amy Smith responded that legal staff was involved in earlier drafts, but it had not seen the most recent version.

Vice Chairman Coleman amended his motion to support the ICAR fund legislation contingent on ITD Legal review to ensure the legislation is acceptable and conforms with Idaho Code. Member Vassar concurred to the amended motion and it passed unanimously.

Idaho Freight Advisory Committee (FAC). Maureen Gresham, Program Planning and Development Specialist (PPDS), said a discussion was held with the Trucking Advisory Council on establishing a FAC. Although two separate councils are recommended, the two groups would work together. The purpose of the FAC is to provide a forum for collaboration, partnership and communication, and to leverage federal funding. The expectations of the committee would be to identify freight

priority corridors, monitor freight study implementation and performance measures, and recommend project identification prioritization policies. The FAC would be comprised of representatives from owners/operators, the top four gross domestic product commodities, manufacturing/retail, carrier/shipper/warehousing, and freight logistics. Officials from public agencies would serve as ex-officio members.

PPDS Gresham proposed two-year terms for the members with a chairman and vice chairman being determined annually. ITD staff would provide support for the FAC and pay the members' travel expenses. The FAC would meet quarterly and report to the Board annually.

Some discussion followed on the two-year term proposal. The consensus of the Board was to establish three-year terms for FAC members, with staggered terms to ensure continuity.

Chairman Whitehead thanked PPDS Gresham for her efforts on establishing this important committee.

Idaho Scenic Byway Program Update and Peaks to Craters Scenic Byway Corridor Management Plan (CMP). PPDS Gresham said the Scenic Byway Program has evolved over time and is now focused on tourism market development and preservation. Also, due to recent changes in transportation funding policy, staff reviewed the Scenic Byway Program. It believes it may be beneficial to establish a partnership with the Departments of Parks and Recreation and Commerce to oversee this program. Some of the recommendations are to revise the process to designate scenic byways; transfer the administration of the program to the Department of Commerce; and dissolve the Scenic Byway Advisory Committee (SBAC). The federal Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) eliminated designated funding for the Scenic Byway Program, so the SBAC is no longer needed to prioritize projects for funding.

Member Vassar mentioned that the Board Subcommittee on Policies reviewed Board Policy B-09-11, Idaho Scenic Byways Program, and was informed of the proposed changes. Member Kempton noted the Subcommittee had some concerns with the proposal and requested full Board discussion.

Member Gagner expressed concern with dissolving the SBAC and asked how local communities would be impacted. PPDS Gresham replied that positive feedback was received on the dissolution proposal. The Department of Commerce has tools to promote commerce. It appears the SBAC is no longer needed due to the elimination of Scenic Byway funding in MAP-21. (See later minute entry.)

Monica Hampton, Lost Rivers Economic Development Tourism Associate, said a CMP has been developed for the Peaks to Craters Scenic Byway. The Plan was provided to the Board last month for review. She summarized the 140-mile byway along US-20 and US-93 and the various points of interest along the route.

Member Vassar made a motion, seconded by Member Gagner, and passed unopposed, to approve the following resolution:

RES. NO.       WHEREAS, the Idaho Transportation Board designated the Peaks to Craters  
ITB13-02       Scenic Byway in February 2009; and

WHEREAS, the Peaks to Craters Scenic Byway Committee completed a Corridor Management Plan in full compliance with nationally established Corridor Management Plan guidelines; and

WHEREAS, the Peaks to Craters Scenic Byway Committee is submitting the Corridor Management Plan to the Board for approval; and

WHEREAS, District 6 has been involved and is in full support of this plan.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the Peaks to Craters Scenic Byway Corridor Management Plan.

IPLAN Progress Update. Transportation Planner (TP) Maranda Obray said efforts are underway to migrate IPLAN to its new host. The information should be transferred next month. Work is underway to create maps for other ITD sections and on establishing the web page. Staff is also working with the Idaho Department of Fish and Game and Federal Highway Administration (FHWA) on data.

Chairman Whitehead thanked TP Obray for the update.

National Environmental Protection Act (NEPA) Fundamentals. Environmental Manager (EM) Sue Sullivan explained NEPA and elaborated on how it affects the way ITD does business. NEPA was passed to address growing environmental concerns. The crux is to require an informed and balanced decision-making process. It requires agencies to consider alternatives to any actions that impact the environment. NEPA must be used if federal funds, lands, or permits are involved in a project. Some of the things that need to be considered as part of NEPA are endangered species, water, historic integrity, noise, hazardous material, air quality, and land use.

EM Sullivan said efforts are underway to involve the Environmental Section earlier in scheduling projects because the environmental phase can be time-consuming. Staff is also looking at efficiencies and has established a pilot project to expedite approvals.

Chairman Whitehead thanked EM Sullivan for the informative presentation.

ITD Traveler Information System. Travel Services Coordinator (TSC) Tony Ernest provided a history of Idaho's traveler information system. It consists of a comprehensive web site and a 511 phone line. He demonstrated the 511 web page, highlighting the various data available, including transit information. He said the low bandwidth website is the most used option followed by the high bandwidth website, mobile website visits, and then phone calls.

TSC Ernest said efforts are underway to improve the system. The third generation of the high bandwidth website is being developed, which will make navigating the site easier. Merging the low bandwidth and mobile websites will provide a more responsive design. Intelligent 511 phone response is being developed for user customization. A tool to allow public reporting of winter road conditions is also being created.

Member Kempton commended staff for the excellent system it has developed. Chairman Whitehead thanked TSC Ernest for the presentation and his efforts on this important initiative.

National Weather Service (NWS) Presentation. Dean Hazen, Northwest Science and Operations Officer, emphasized the importance of the cooperation and collaboration that NWS has developed with ITD. Through the partnership, both entities are providing better service to their customers. He noted that the two entities have similar missions. NWS's mission is to protect life and property and enhance commerce. Although the agencies' main efforts have been on road conditions, collaboration is occurring to provide information at rest areas, utilize dynamic message signs for weather information, incorporate NWS information in the 511 traveler information system, and expand locations for Road Weather Information Systems.

Mr. Hazen explained the "Storm Ready" initiative that assists communities with preparing for weather-related disasters. The impetus was communication, as emergency responders needed information to help them prepare for emergencies. Mr. Hazen recognized District 4 employee Ron Robinson for his commendable efforts and partnership on Storm Ready.

Chairman Whitehead thanked Mr. Hazen for the informative presentation and congratulated Mr. Robinson for his outstanding efforts. He also expressed appreciation for the valuable partnership that NWS and ITD employees have developed.

Informal Luncheon with the Aeronautics Advisory Board (AAB). The two boards met informally during lunch.

Monthly Update on Garnet Project. 3M representative Mike Ristau said 3M received a letter regarding concerns with the Division of Motor Vehicles' (DMV) modernization project, or Garnet, on December 21, 2012. The letter required the first phase to go live in 30 days. Mr. Ristau said that schedule was not possible. He met with ITD staff yesterday and requested 30 days to develop and implement a new operation method that will improve the process and accelerate the schedule. Mr. Ristau said 3M is not happy with the status of Garnet, but is dedicated to the project and its success and will direct more resources to this project.

Member Gagner asked if a project manager will be located at ITD and if that person will have decision-making authority. Mr. Ristau replied that a project manager will be on-site and that position has a role in making decisions. Member Gagner asked if the plans for the next 30 days will be performance based. Mr. Ristau replied that there will be certain deliverables. There will be indicators that will allow for adjustments to be made as necessary.

Member DeLorenzo noted that the past deadlines were not met. She commented on the proposed changes to the operational process and asked if the deadlines for the next 30 days can be met. Mr. Ristau replied in the affirmative. He acknowledged the development group may not have understood some of the earlier issues, but he believes by housing all of the involved parties in the same location, communication will improve and the disconnect will be eliminated.

Chairman Whitehead thanked Mr. Ristau for the update.

Aeronautics' Annual Report. AAB Chairman Rodger Sorensen reported on enplanements at the state's seven commercial airports for the past three years. Overall, there was a decrease; however, the forecast for 2013 is a slight increase. Approximately 80% of the commercial air traffic occurs at the Boise Airport. The Idaho Falls Airport receives about 10% of the commercial air traffic and the other five airports account for the other 10%.

AAB Member Colleen Back said fuel sales increased in 2012, but have not returned to the pre-recession levels of 2006. In Boise, fuel sales to commercial airlines were down; however, sales to the military and for corporate aviation and firefighting efforts were higher. The opposite occurred in Idaho Falls, where corporate aviation was down, but consumption of fuel increased for commercial airlines.

Currently, agriculture aviation activity is very good, according to AAB Member Chip Kemper. He believes this trend will continue for some time. He added that meteorological towers, wind turbines, are a concern. Data on those towers is being collected.

AAB Member Mark Sweeney reported that the state generally saw an increase in corporate aviation last year. A slight increase is expected in 2013.

Aeronautics Administrator Mike Pape said one of the biggest changes at the Division of Aeronautics last year was his promotion to Aeronautics Administrator. Some of the other activities that occurred or are underway include a workshop conducted by the AAB to discuss revenue enhancements, the DMV modernization effort includes a component for aircraft and pilot registrations, rulemaking for House Bill 511 Hazards to Flight occurred, and Dan Etter was hired to fill the Safety/Education Coordinator position. Usage of the King Air decreased from 200.9 hours in FY11 to 156.2 in FY12. Usage of the other state planes increased.

Staff provided reports on the various programs. Funding for the Idaho Airport Aid Program is \$675,000 in FY13, but is expected to decrease to \$475,000 in FY14 due to declining revenue. Work is almost complete on a Project Prioritization and Selection Method system that will assist with selecting community airport projects for funding. Pavement condition inspections were conducted at 16 airports in 2012. A survey to rate airports was conducted at 85 facilities. On a scale of 1 to 5, with a score of 1 being very poor and 5 being very good, the average was 4.92. Airports that housed caretakers scored 4.98. The volunteer program continues to be a valuable asset, as 430 man hours provided assistance with activities such as mowing, painting, rodent control, and repairing fences at the 31 state-owned airports. Efforts are underway to update and enhance the volunteer network for search and rescue efforts. Last year, there were 39 aviation accidents with 5 fatalities in Idaho. There were 34 accidents with 14 fatalities in 2011.

Chairman Whitehead thanked the AAB members and ITD staff for the report.

Service Contracts issued by Business and Support Management (BSM). Gordon Wilmoth, Acting BSM Manager, said the BSM Section will provide monthly reports

on the professional service agreements processed during the previous month for contracts that are not secured through the qualification-based selection process. These contracts are generally for services, such as mowing, software, and training; not for commodities. The Consultant Administration Unit will continue to provide its monthly report on professional services used for ITIP projects.

In December, no new service related contracts were processed; however, five current contracts were modified, resulting in an overall \$75,000 decrease in contractual liability. The reduction reflects the actual service needed.

Chairman Whitehead thanked Acting BSM Manager Wilmoth for the report.

Monthly Financial Statements. Transportation Investments Manager (TIM) John Krause reported that net obligations were \$41,000,000 during December, resulting in total net cumulative obligations of \$152,200,000. Of the net obligations, \$162,200,000 were for current year projects. The remaining obligations are for adjustments for prior year projects coupled with advances of future year projects to FY13. The original budget amounts for obligated FY13 projects was \$156,300,000. Net cumulative obligations are above the historical trend of \$62,700,000 for December.

Controller Gordon Wilmoth said FHWA Indirect Cost Allocation revenue through November was \$14,173,000, which was above the projected amount of \$13,005,000. Miscellaneous state funded revenue of \$14,587,000 was \$1,620,000 above the forecast. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$77,924,000. The projected revenue was \$75,279,000. Revenue from the ethanol exemption elimination was \$7,143,000, which was 1.9% above the projected amount. Revenue to the State Aeronautics Fund from aviation fuels was \$922,000, resulting in a 20.5% positive variance.

Total expenditures in the American Recovery and Reinvestment Act Title XII Fund for highway projects were \$175,680,000, while \$178,800,000 had been appropriated. Expenditures for public transportation were \$8,865,000 of the \$9,200,000 available.

Senior Budget Analyst Joel Drake reported on changes to the FY14 budget request based on the Governor's budget. Personnel costs for a 1% change in employee compensation and adjustments for electricity and bandwidth costs were not allowed. The majority of those dollars were moved to contract construction, with some added to the cash balance.

Progress Report on Programming Policies. TIM Krause summarized discussions at the November 2012 workshop to address policy issues related to MAP-21. He provided a

status on efforts to revise the impacted programming policies. The Community Planning Association of Southwest Idaho (COMPASS), Kootenai Metropolitan Planning Organization, and LHTAC are providing assistance with B-11-04, Allocation of Surface Transportation Program Apportionments to Local Public Agencies and B-19-07, Highway Safety Funds. A presentation to the Board is planned for March, with action expected in April.

Efforts for B-11-03, Transportation Enhancement Program, and B-11-07, Safe Routes to School include COMPASS's identification of six candidate projects for funding with its portion of Transportation Alternatives Program (TAP) funding and the Idaho Department of Parks and Recreation's solicitation for FY13 Recreational Trails TAP funding. TIM Krause expects to seek Board approval next month to add COMPASS's projects to the ITIP. A presentation from Parks and Recreation on the Recreation Trails Program and ITD staff's presentation on options for TAP are expected in March, followed by Board action in April.

In response to Member Gagner's question on whether TAP funds can be used for Scenic Byway projects, TIM Krause replied that he believes some Scenic Byway activities may be eligible for funding; however, he will review the TAP requirements.

TIM Krause said the Department of Environmental Quality is scheduled to present the current state of Idaho's air quality in March. Programmatic discussions on Board Policy B-11-05, Congestion Mitigation and Air Quality Improvement Program are planned in April.

Policy Approval. Member Kempton made a motion to approve Board Policy 4001, Authority to Sign Contracts, Agreements, & Grants and Requirement to Report Certain Contracts (formerly B-01-09 and B-06-08); Board Policy 4007, Memorandum of Understanding (formerly B-01-10), and Board Policy 4008, Open Meeting Requirements (formerly B-01-16). Member Vassar seconded the motion and it passed unopposed.

The Board delayed action on Board Policy 4006, Political Activities (B-01-08). It requested revisions to the corresponding Administrative Policy as part of the review process.

Policy Introduction. DAG Allen presented three policies for review: B-01-15, Release and Restriction of Department Records; B-09-11, Idaho Scenic Byways Program; and B-30-02, Authority to Sign Agreements, Compacts, or Arrangements with other States on behalf of Idaho. Without objection, the Board concurred with the introduction of these policies for review. Additionally, revisions to Administrative Policy A-01-15,

Release and Restriction of Department Records were requested as part of the review process.

Executive Session on Personnel and Legal Issues. Member Vassar made a motion to meet in executive session at 3:55 PM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(b), (c), (d), and (f). Member Horsch seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on personnel and legal matters.

The Board came out of executive session at 4:50 PM. No final actions or decisions were made.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 4:50 PM.

signed

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JERRY WHITEHEAD, Chairman  
Idaho Transportation Board

Read and Approved  
February 20, 2013  
Boise, Idaho

## SPECIAL SESSION OF THE IDAHO TRANSPORTATION BOARD

January 18, 2013

Idaho Transportation Board Chairman Jerry Whitehead called a special session of the Idaho Transportation Board at 3:05 PM on Friday, January 18, 2013. The following principals were present at the Idaho Transportation Department in Boise, Idaho:

Jerry Whitehead, Chairman  
Julie DeLorenzo, Member – District 3  
Larry Allen, Deputy Attorney General  
Scott Stokes, Chief Deputy  
Sue S. Higgins, Executive Assistant and Secretary to the Board

The following participated via teleconference:

Jim Coleman, Vice Chairman – District 1  
Janice B. Vassar, Member – District 2  
Jim Kempton, Member – District 4  
Dwight Horsch, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director

Executive Session on Legal Issues. Member DeLorenzo made a motion to meet in executive session at 3:05 PM to discuss legal issues as authorized in Idaho Code Section 67-2345(f). Member Horsch seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on legal matters.

The Board came out of executive session at 4:00 PM. No final actions or decisions were made.

New Business. Member Gagner made a motion to recommend to the Department of Administration, Division of Purchasing, to terminate the contract with 3M for the Division of Motor Vehicles' modernization project. Member Vassar seconded the motion and it passed unanimously

WHEREUPON the special session of the Transportation Board adjourned at 4:05 PM.

signed

\_\_\_\_\_  
Jerry Whitehead, Chairman  
Idaho Transportation Board

Read and Approved  
February 20, 2013  
Boise, Idaho

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Chairman Whitehead welcomed Senator Bert Brackett and Governor Otter's Director of Communications Mark Warbis to the meeting.

Board Minutes. Member Gagner made a motion to approve the minutes of the regular Board meeting held on January 16, 2013 and the minutes of the special Board meeting held on January 18, 2013 as submitted. Member Vassar seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

March 19-20, 2013 – Boise  
April 9-10, 2013 – District 2  
May 22-23, 2013 – District 5

Consent Calendar. Chairman Whitehead pulled the request to add six projects to the initial Transportation Management Area – Transportation Alternatives Program. (See later minute entry.) Member Gagner asked for information on the service agreements for the Division of Motor Vehicles' (DMV) modernization project. Acting Business and Support Manager Gordon Wilmoth said those agreements are for ongoing efforts that are needed regardless of the status of the overall DMV modernization contract. Activities include reviewing every business process in DMV and issues related to change management. Vice Chairman Coleman noted the wide range of bids for the I-

84, Cotterrell Rest Area Reconstruction and Ramps project. He requested more information on that project. (See later minute entry.)

Member Vassar made a motion, seconded by Member DeLorenzo, and passed unopposed, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board

ITB13-03 approves the state institution road improvement project and has received and reviewed the service contracts issued by Business and Support Management, contract award information, the professional services agreements and term agreement work task report, the report of speed minute entry changes for January 2013, the annual report on status of state-owned dwellings, the administrative and legal settlements of right-of-way acquisitions, and the annual report on outdoor advertising sign status.

1) State Institution Road Improvement Project. In accordance with Idaho Code 40-310(14), Board Policy B-05-15, State Institution Road Improvement, provides \$30,000 for the construction, alteration or repair of roadways in, through, or around the grounds of state institutions. The Division of Public Works is requesting funds for a project at the Idaho State Department of Agriculture. The project will resurface parking areas at the headquarters building in Boise. It will also repair walkways and curbing and replace deteriorated brickwork at the building's front entryway. The estimate for the total project is \$165,000; however, the Permanent Building Funds will provide funding above the \$30,000 ITD grant. Governor Otter has approved this recommendation.

2) Service Contracts issued by Business and Support Management. From December 27, 2012 through January 25, 2013, the Business and Support Management Section processed six new service contracts for \$172,790 and four service contract modifications totaling \$161,120.

3) Contract Awards. Key #12017 – US-95, Little Salmon River Bridge Pier Repair, District 2. Low bidder: Braun-Jensen, Inc. – \$149,000.

The low bid on key #12328 – SH-11, Greer Bridge Paint Preservation, District 2, was more than ten percent over the engineer's estimate, requiring justification. The Special Bridge Painting Structural Steel item accounted for the majority of difference between the low bid and engineer's estimate. The estimate came from a range provided by the Department's chemist supervisor. The District recommended awarding the project

because the lowest bid is believed to be responsive and rejecting the bid would delay needed bridge maintenance work. Low bidder: Long Painting Company - \$320,000.

Key #11570 – FY13 District 3 Sign Upgrades. Low bidder: Pavement Markings Northwest, Inc. – \$907,472.

Key #12378 – SH-78, New Bridge at Scorpion Creek, Owyhee County, District 3. Low bidder: Knife River Corporation - Northwest - \$947,000.

Key #13365 – US-95, FY13 Microseals, Payette County, District 3. Low bidder: Intermountain Slurry Seal, Inc. - \$542,643.

The low bid on keys #13092 and #9627 – I-84, Cotterell Rest Area Ramps and Cotterell Rest Area Reconstruction, District 4 was more than ten percent over the engineer's estimate, requiring justification. The major differences between the low bid and engineer's estimate were in Superpave Hot Mix Asphalt Paving Including Asphalt and Additives Class Special 5; Concrete Pavement; Concrete Sidewalk; Combination Curb and Gutter Type A or C2; Illumination Type 2; Special Restroom Building; Special Sanitary Sewage System; and Special Water Supply System. The District believes the higher bids may be due to the advertising time, labor-intensive plant mix paving because of the numerous irregular sections, and the building's remote location. It does not believe re-advertising will result in better bids. The project needs to start soon so it can be completed in the 2013 construction season, so staff recommended accepting the low bid. Low bidder: Knife River Corporation - Northwest - \$5,587,700.

Key #11611 – I-84, Malad River Gorge Bridge, District 4. Low bidder: Cannon Builders, Inc. - \$499,765.

Key #12395 – US-93, South Rail Street East Railroad Crossing, Shoshone, District 4. Low bidder: Lakeside Industries Inc. DBA Valley Paving - \$387,813.

The low bid on key #12076 – FY13 District 4 Bridge Deck Preservation, was more than ten percent over the engineer's estimate, requiring justification. The greatest price variations were in the Superpave Hot Mix Asphalt Paving Including Asphalt and Additive Class Special 2, Cold Milling, Special Bridge Deck Crack Sealer, and Mobilization items. Staff believes the higher bids are partly due to the lack of sub-contractor pavement suppliers bidding. The District does not believe re-advertising the project will result in better bids, so recommended awarding the project. Low bidder: The Truesdell Corporation - \$318,318.

Key #11483 - US-89, North Beach Road to St. Charles Canyon Road, District 5. Low bidder: Staker & Parson Companies dba Jack B. Parson - \$4,490,369.

Keys #11668 and #11478 – US-20 and I-15B, Sunnyside Road to Lomax, Idaho Falls and Bellin Road to Yellowstone Highway, Idaho Falls, District 6. Low bidder: H-K Contractors, Inc. - \$3,677,589.

4) Professional Services Agreements and Term Agreement Work Task Report. From December 31, 2012 through January 31, 2013, 15 new professional services agreements and work tasks were issued, totaling \$10,619,265. Five supplemental agreements to existing agreements were processed in the amount of \$79,700 during this period.

5) Speed Minute Entry Changes for January 2013. The following District 1 speed minute entries were incorrectly reported in the November and December 2012 Board minutes and are hereby rescinded:

Route	Beginning Milepost	Ending Milepost	Speed Limit	
			Old	New
US-2	6.610	6.910	35	45
SH-57	1.000	1.400	35	40
US-95	477.720	478.420	45	55
US-95	395.230	396.120	25	35
SH-5	0.000	0.670	25	35
SH-5	11.660	12.030	35	45
SH-57	1.000	1.395	35	40
US-95	395.220	396.045	25	35
SH-5	0.000	0.650	25	35
SH-5	11.440	12.010	35	45

The corrected minute entries are:

US-2	6.975	7.290	60	45
SH-57	0.750	1.000	45	35
SH-57	1.000	1.395	45	40
SH-57	1.395	1.595	60	45
SH-5	0.300	0.626	45	35
SH-5	0.626	0.650	55	35
SH-5	11.660	12.010	35	45

6) Annual Report on Status of State-owned Dwellings. The report on the status of ITD-owned dwellings included the fair market rental value, rental status, and monthly rental amount. The Department owns 3 stick-framed houses, 11 manufactured homes,

6 manufactured bunkhouses, and 2 apartments at Johnson Creek and Cavanaugh Bay Air Strips, plus 25 trailer pads, of which 14 currently have employee-owned manufactured housing on them. ITD also owns 9 trailer pads and 3 houses at rest area locations around the state. Last year, two manufactured bunkhouse units were set up at Lowman. Current needs include one more manufactured bunkhouse for winter maintenance crews at Island Park.

7) Administrative and Legal Settlements of Right-of-Way Acquisitions. From July 1 through December 31, 2012, the Right-of-Way Section processed 63 parcels. There were 31 administrative settlements and 7 legal settlements during this time frame.

8) Annual Report on Outdoor Advertising Sign Status. At the close of federal FY12, 6 illegal and 189 non-conforming signs remained throughout the state. Illegal signs do not comply with state and federal law and are to be removed. Non-conforming signs are those that at one time complied with law but due to a change in conditions or rules, have lost their conforming status. Non-conforming signs are allowed to remain in place but cannot be improved.

Delegation – Jim Riley, Representing Idaho Forrest Group. Mr. Riley summarized Senate Bill 1066. The legislation makes the 129,000 pound pilot project routes permanent, plus it allows the higher weight limit on additional routes. The responsible jurisdiction would have authority to approve additional routes, contingent on ITD engineers ensuring the infrastructure can support weights of 129,000 pounds and that safety is not compromised. Permits would be issued on an annual basis for commercial vehicles to operate at this weight limit. He added that the proposal involves the Department of Commerce in assessing economic development opportunities. He believes the legislation will provide a competitive advantage to businesses, as a number of surrounding states allow higher weight limits.

Member Gagner asked for clarification on allowing 129,000 pound vehicles on local roads. Mr. Riley responded that SB1066 allows 129,000 pound trucks on all qualified routes. The roads would need to meet engineering standards. The jurisdiction responsible for the route would have authority to allow the higher weight limits on its roads. The transportation board would only approve 129,000 pound vehicles on qualifying state highways. Member Gagner expressed concern with the financial burden to improve roads to meet the requirements of 129,000 pounds.

Vice Chairman Coleman expressed support to authorize the responsible jurisdiction to determine if 129,000 pound vehicles would be allowed on its routes and for engineering experts to analyze safety impacts and verify that the infrastructure can handle the higher weight limits. Member Kempton concurred. He also noted a recent

letter from AAA Idaho opposing increasing gross vehicle weight limits. Member Vassar added her support for language authorizing local jurisdictions to determine if they will allow 129,000 pound vehicles on their roads.

In response to Chairman Whitehead's question on the industry's support for SB1066, Mr. Riley said there is growing support. He noted that the support is not unanimous, but there is a lot of interest in increasing weight limits.

Chairman Whitehead asked if staff has determined how the proposed legislation would be implemented. Motor Vehicles Administrator Alan Frew said some of the requirements are currently being met. ITD analyzes bridges on a regular basis and knows which structures could handle weights of 129,000 pounds. He believes routes that currently allow 105,500 pounds and off-tracking of 6.5 feet would be prime candidates for the higher weight limits. Routes that do not allow 105,500 pound vehicles would be analyzed on a case by case basis upon request.

Chairman Whitehead thanked Mr. Riley for the summary of SB1066. (Note: SB1066 was later withdrawn and replaced with SB1117.)

Delegation – Jane Wittmeyer, Representing Clearwater Paper Corporation. Ms. Wittmeyer relayed Clearwater Paper Corporation's support to increase vehicle weights on qualified roads in the state. It would like any legislative proposal increasing gross vehicle weights to provide a short-term process to bring all non-qualified roads that access milling operations up to specifications necessary to support 129,000 pounds within a five-year time frame. The legislation should also include an ITD process of prompt approval when engineers approve roads that reach readiness. Ms. Wittmeyer emphasized the efficiencies of operating at higher weight limits and believes many Idaho businesses would benefit from this proposal.

Member Vassar acknowledged that local roads are critical to mills and need to be included in proposals to increase the gross vehicle weight limit. Member Gagner asked about the financial commitment to bring roads up to acceptable standards to handle 129,000 pound vehicles. Ms. Wittmeyer believes working cooperatively with ITD, those improvements can be made. She added that transportation is so important to the state. Vice Chairman Coleman noted the state's limited resources. Road improvements can be expensive. He suggested it may be appropriate for the industry to provide assistance with those improvements. Ms. Wittmeyer agreed, and added that tools, such as the STARs legislation (Sales Tax Anticipated Revenue), are needed and innovative funding mechanisms should be explored.

Chairman Whitehead thanked Ms. Wittmeyer for her comments.

Director's Report. Director Ness congratulated Vice Chairman Coleman for his re-appointment to the Board. He announced the resignation of Chief Operations Officer (COO) Paul Steinman. COO Steinman has accepted a position with the Florida Department of Transportation. His responsibilities will be distributed amongst the other executive officers until the COO position is filled.

Director Ness believes both the recent joint germane committee and Joint Finance and Appropriations Committee presentations were well received. Some of the questions and comments focused on the need for additional revenue. Although the Department has no intention of seeking additional revenue this year, Director Ness believes it is important to start discussing that issue. He also believes it is imperative to ensure projects are ready to go in the event the Department receives more money, including from savings. He has requested that the FY15 program be submitted by January 2014.

Director Ness mentioned recent events, including the ground-breaking ceremony for Ada County Highway District's 30<sup>th</sup> Street extension project, which impacts the eastern end of the Headquarters' complex. He also noted numerous awards and recognitions the Department and employees received.

The Director's entire report can be viewed at <http://itd.idaho.gov/Board/report.htm>.

Chief Deputy (CD) Stokes provided a status on the District 3 GARVEE projects. The three new I-84 interchanges are being designed and the construction packages are expected in October. The final construction project for the extension of SH-16 is ahead of schedule and bids will be opened next month.

CD Stokes announced that Director Ness received the Transportation Leader of the Year award from the Women in Transportation Services. He also reported that Director Ness's presentation at the Transportation Research Board conference last month was highlighted by the American Association of State Highway and Transportation Officials.

Chairman Whitehead congratulated Director Ness for his efforts and recognitions.

Overview of Transportation Alternatives Program (TAP). Transportation Performance Administrator (TPA) Randy Kyrias summarized TAP, established in the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21); however, details are still being worked out. TAP provides funding for a variety of alternative transportation projects, including many that were previously eligible activities under other programs in the prior act. One of the major changes is that state transportation departments,

Metropolitan Planning Organizations, non-profit groups, and individuals cannot apply for funds; however, the state can determine priorities for funding. He provided a break-down of the \$5.4 million TAP apportionment. Recreational Trails will receive \$1.71 million to be used at the Governor's discretion; the Board has discretion on \$1.85 million; and the Sub-allocation distributes \$414,000 to the Transportation Management Area (TMA), \$820,000 to Urban areas, and \$622,000 to Rural areas.

The Federal Highway Administration (FHWA) has requested that ITD establish TAP guidelines before the end of this federal fiscal year. TPA Kyrias summarized several options for the Board's consideration. Staff is still developing a proposal and intends to provide a recommendation next month.

Member Vassar noted that changing the eligible applicants will have a significant impact on previous recipients of the Safe Routes to School and Scenic Byway Program funds. Member Gagner expressed concern with changes to the Scenic Byway Program, particularly the impacts to local communities. TPA Kyrias said some activities along byways are eligible for funding in TAP. He added that work is continuing on proposed changes to the Scenic Byway Program.

Chairman Whitehead referenced the request to add six projects to the initial Transportation Management Area (TMA) – TAP that was pulled from the Consent Calendar. He asked if TPA Kyrias could provide additional information, particularly on the Bike Share project.

Community Planning Association of Idaho (COMPASS) Planner Toni Tisdale said the TMA is to receive a portion of TAP funds. It solicited projects from its constituents and is requesting \$261,000 in federal aid for Phase 1 of the Boise Bike Share Program. Member Gagner asked about the Treasure Valley YMCA Safe Routes to School Coordinator project. Ms. Tisdale replied that the coordinator would work with all schools in Ada County. It would help identify where safe routes are needed and provide educational information.

In response to Member DeLorenzo's question on the Bike Share project, Ms. Tisdale said it is for hardware to improve technology for that program.

Chairman Whitehead requested additional information on COMPASS's proposed TAP projects at the March Board meeting.

He thanked Ms. Tisdale for the information she provided and TPA Kyrias for the overview on the Transportation Alternatives Program.

TAP Funding for Scenic Byway Activities. Transportation Investments Manager (TIM) John Krause reported that TAP allows funding along scenic byways for facilities for pedestrians and bicyclists, rest areas, turnouts, highway shoulder improvements, overlooks, and interpretive facilities. The other activities that had been allowed in the recently discontinued National Scenic Byway Program, such as development and implementation of a byway corridor management plan, improvements that will enhance access to an area for the purpose of recreation, and development of tourist information, are no longer eligible. He noted that some of those activities could be funded through the Surface Transportation Program. Additionally, state agencies, including departments of transportation; nonprofits other than institutions of higher education; and individuals are not eligible to apply for funding.

Chairman Whitehead thanked TIM Krause for the report.

Recreational Trails Program – Idaho Department of Parks and Recreation (IDPR). Kathy Muir, State and Federal Grant Manager with IDPR, provided a history of the Recreational Trails Program Act, introduced in Idaho in 1990. It is funded from users via the federal fuel tax. IDPR uses the money to groom snow mobile trails, maintain non-motorized trails, fund safety and education programs, encourage youth conservation and service corps that offer opportunities for economically or educationally disadvantaged people, and support unique projects like whitewater parks. Ms. Muir said the Recreational Trails Program funding is vital to IDPR, especially because it is the only funding source for non-motorized trails. The funds come from FHWA to ITD, which then forwards the money to IDPR. IDPR requires a 20% match; however, federal regulations state that 5% of the money must be from non-federal sources. She added that a committee with broad representation reviews projects and prioritizes them for funding.

Member DeLorenzo asked for clarification on spending authority, as TPA Kyrias said the Recreational Trails allocation is at the Governor's discretion. Ms. Muir replied that the Governor has delegated that authority to IDPR. She elaborated on the project selection process. The committee recommends projects to the Idaho Park and Recreation Board. FHWA has final approval on the projects.

Member Gagner commended the Recreational Trails Program and IDPR's efforts, noting the benefits they have provided to Idaho Falls. Chairman Whitehead concurred with the success of the program and thanked Ms. Muir for the overview.

Add Camas Prairie Oasis Partnership to FY13 of the Board Unallocated Program.

TIM Krause requested \$367,500 in Board Unallocated Account funds for the Camas

Prairie Oasis Partnership project. District 2 has been working with the Nez Perce Tribe to create an oasis rest area at the Camas Express convenience store along US-95 near Winchester. In 2010, the Board authorized District 2 to negotiate an agreement with the Nez Perce Tribe for an amount not to exceed \$350,000 plus 5% contingencies for the rest area partnership project.

Member Vassar expressed support for this partnership. She made a motion to approve the following resolution. Member Gagner seconded the motion.

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB13-04 to publish and accomplish a current, realistic, and fiscally constrained five-year Highway Development Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal, state, local, and private capital investment funding; and

WHEREAS, the Board authorized staff in April 2010 to negotiate with the Nez Perce Tribe to create a rest area partnership at Camas Express convenience and fuel supply store near Winchester, Idaho on US-95; and

WHEREAS, the Board set aside \$5 million of Board Unallocated funds in state FY13 to use at the Board's discretion, of which all is currently available; and

WHEREAS, District 2 staff is ready to execute the agreement for \$350,000 with another 5% requested for contingencies.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the addition of the Camas Prairie Oasis Partnership to FY13 of the Board Unallocated Program for a total cost of \$367,500.

Although Member Horsch supports partnerships and believes this is a good project, he expressed concern that this partnership project may negatively impact other convenience stores in the area. Member Gagner believes this project is beneficial and saves ITD money. Chairman Whitehead added that a rest area is needed in this vicinity and that a business's success should not depend on ITD's assistance.

COO Steinman elaborated on this project, which is similar to the oasis partnership with Flying J in McCammon. It is a one-time expenditure. The Nez Perce Tribe is required to maintain the rest room facilities. In response to Chairman Whitehead's

question on the cost to maintain rest area facilities, COO Steinman replied approximately \$100,000 annually. The Department should be able to recoup its investment in four years.

The motion passed unanimously.

Monthly Financial Statements. TIM Krause reported that net obligations were \$8,300,000 during January, resulting in total net cumulative obligations of \$160,500,000. Of the net obligations, \$171,900,000 were for current year projects. The remaining obligations are for adjustments for prior year projects coupled with advances of future year projects to FY13. The original budget amounts for obligated FY13 projects was \$165,900,000. Net cumulative obligations are above the historical trend of \$99,200,000 for January.

Controller Gordon Wilmoth said FHWA Indirect Cost Allocation revenue through December was \$15,650,000, which was above the projected amount of \$15,270,000. Miscellaneous state funded revenue of \$17,875,000 was \$1,625,000 above the forecast. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$91,644,000. The projected revenue was \$91,048,000. Revenue from the ethanol exemption elimination was \$8,213,000, which was 1% below the projected amount. Revenue to the State Aeronautics Fund from aviation fuels was \$1,071,000, resulting in a 20.1% positive variance.

Total expenditures in the American Recovery and Reinvestment Act Title XII Fund for highway projects were \$175,717,000, while \$178,800,000 had been appropriated. Expenditures for public transportation were \$8,944,000 of the \$9,200,000 available.

There were no changes to the FY14 budget request since the January Board meeting.

Annual Report on Human Resources (HR), Training, and Fair Employment Practices. HR Personnel Administrator Ken Angell reported that 24 disciplinary actions were reported in 2012. In 2011, there were 25. During the past 5 years, 44% of employee turnovers were due to retirements. Last year there were concerns with the high number of turnovers in the transportation technician category. Because one of the components of the compensation plan targeted increased wages for this series, there have been zero turnovers so far this year.

Diane Steiger, HR Manager, summarized some of the efforts to promote ITD and encourage interest in employment in the transportation industry. Because a high percentage of employees will be eligible for retirement in the next five years, a succession plan is being developed. Efforts are continuing with the Americans with

Disabilities Act transition plan. The Disadvantaged Business Enterprise Program continues to provide outreach and support. There are 206 businesses in the program. Some of the Title VI activities included reviewing 43 plans, reviewing 16 contractors, providing assistance to ensure compliance, and conducting training.

Training and Development Manager (T&DM) Tony Loomer summarized the training conducted last year. Some of the most popular classes related to safety, technology, and software. Due to the concern with the potential number of retirements in the near future, efforts are under-way to capture the knowledge and institutional history of these employees. Work is also underway on leadership development and competency based training, as promoting from within is beneficial.

In response to Member Gagner's question on the status of the leadership academy, T&DM Loomer replied that work is continuing to ensure the program meets the needs of the executive team. It should be ready later this year.

Safety Manager (SM) Vic Parrish said safety efforts included focused training on reducing injuries and meeting compliance, expanding the drug testing program, and changing the electrical procedures when working with voltages greater than 240. The office investigated 177 tort claims in FY12. ITD paid \$98,687 for 62 claims; 95 were denied; 15 are still open; and 1 is in litigation. A total of 101 work-related injuries occurred, resulting in 1,085 lost work days and \$377,240 in costs. He noted the significant decrease from FY11 when 94 injury accidents resulted in 2,278 days lost at a cost of \$939,253. There were 158 vehicular collisions reported in FY12, resulting in \$169,620 in damages, compared to 177 vehicle collisions in FY11 at a cost of \$336,187.

The Board commended SM Parrish for the safety improvements. Member Gagner asked if he can attribute that to anything specific. SM Parrish responded that it is difficult to determine what caused the reduction; however, he believes part of the success was due to a renewed interest in safety. He personally talked to a number of employees about safety, to identify their concerns and issues. Employees may have sensed a concerted interest and focus on safety.

Chairman Whitehead thanked the staff members for the informative report and expressed appreciation for their efforts.

Wellness Program Annual Report. Wellness Coordinator Pauline Davis said the Wellness Program continues to offer a variety of preventive health care benefits. It provides education, resources, and events to promote healthy lifestyle habits. Some of the activities conducted last year included on-site health clinics and fairs; the annual

fitness challenge and other organized exercise events; a weight-loss challenge; and on-site mammography clinics, bone density testing, hearing screenings, and skin cancer screenings.

Chairman Whitehead thanked Ms. Davis for the report and for her efforts on this important program.

Legislative Report. Government Affairs Manager (GAM) Mollie McCarty reported on the Senate confirmation of Jim Coleman to another 6-year term on the Idaho Transportation Board and Chip Kemper to another three-year term on the Aeronautics Advisory Board. With the exception of the proposal to increase the aviation fuel tax, ITD's legislative proposals are proceeding well.

Staff is monitoring and analyzing a number of non-ITD bills, including some related to 129,000 pound weight limits, safety restraints, and special license plates. GAM McCarty added that all of ITD's rules except one related to special license plates have been approved. She was pleased to report that House Concurrent Resolution 8 was drafted to recognize ITD's achievements. It commends the Department for the recent savings realized and improvements made, resulting in additional funding for roads.

Chairman Whitehead thanked GAM McCarty for the report. He commended staff for the changes that have been made, resulting in a more credible and respected agency.

Executive Session on Personnel and Legal Issues. Vice Chairman Coleman made a motion to meet in executive session at 11:35 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(b), (c), (d), and (f). Member Vassar seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on personnel and legal matters.

The Board came out of executive session at 2 PM. No final actions or decisions were made.

IPLAN Progress Update. Transportation Planner (TP) Maranda Obray reported on the IPLAN project. Some of the activities included a meeting with the Department of Fish and Game, integrating information, and creating maps. Western states are sharing more information, which will be beneficial as work occurs on specific corridors. An IPLAN data team is being created. One of the issues it needs to address is the sensitivity of information and what should be available to the public.

In response to Member Gagner's question on whether the project is on schedule, TP Obray replied that the project is ahead of schedule. It is proceeding well.

Contract Awards, Revisited. Vice Chairman Coleman noted the large variance between bids for the I-84, Cotterell Rest Area Reconstruction and Cotterell Rest Area Ramps project in District 4. The difference between the four bids was approximately \$500,000 each. In his experience, a deviation like that is usually due to plans that were not fully developed. Contractors are unsure of the expectations and build in contingencies.

Design/Materials/Construction Engineer (DMCE) Fran Hood replied that the bids were scrutinized. No issues raised concerns. She said it is not unusual for the Department to receive calls from prospective bidders asking for clarification or additional information on plans, but that did not happen on this project.

District 4 Engineer (DE) Devin Rigby added that the sewer system was the item with the greatest variance between the engineer's estimate and the low bid. That item had the most risk to the contractor. The building was also a major item; although that seemed to be bid fairly consistent amongst the four bidders. Member Gagner commented that road construction companies as a rule are not experienced with constructing buildings. He asked why the projects were combined. DE Rigby replied that there was more road work and staff preferred bidding the two projects as one.

Member Kempton asked for more information on the building component. DE Rigby replied that a new well is needed and the sewer system needs to be restored. Additionally, there is significant ramp, curb and gutter, and sidewalk work. There are a lot of activities not related to the rest area building.

Member Kempton made a motion to put the contract award for the I-84, Cotterell Rest Area Reconstruction and Cotterell Rest Area Ramps project in District 4 back on the Consent Calendar. Vice Chairman Coleman seconded the motion and it passed unopposed.

Vice Chairman Coleman expressed appreciation for the additional information on this project. He noted that ITD does not have a lot of rest areas, so this project is not typical. He suggested closer scrutiny on rest area projects to determine if savings could be realized. He knows it is expensive to construct rest areas, but believes value engineering could reduce costs.

Member Kempton asked DE Rigby to monitor the project and, upon its completion, report to the Board if the project was constructed on time and on budget.

Term Agreements Presentation. Chief Engineer Tom Cole provided background on the term agreement process. In an effort to streamline the federally-required qualifications based selection process for procurement of professional engineering and design services, term agreements were established. Consultants pre-qualify to perform specific work. They also specify where they are willing to work. Per Board policy, staff can authorize tasks up to \$500,000. A variety of activities are allowed via term agreements, including roadway and bridge design, architectural services, surveying and mapping, and planning. Potential time savings using the term agreement list versus the individual solicitation process is about 2.5 months.

Consultant Administration Unit Project Manager (CAUPM) Leo Hickman stressed that attempts are made to complete the work in-house first. If no ITD personnel is available or qualified to do the work, then a firm is selected from the term agreements list. The majority of services are for design work.

In response to Chairman Whitehead's question on reviewing the list of consultants on the term agreement list, CAUPM Hickman said the term agreement eligibility expires every two years. Companies must re-submit information to be re-approved to work under term agreements. He added that the overhead rates for all term agreement consultants must be submitted annually and reviewed by the Internal Review Office.

Chairman Whitehead thanked Messrs. Cole and Hickman for the informative presentation.

Policy Approval. Without objection, the Board approved revisions to Board Policy 4006, Political Activities (formerly B-01-08); Board Policy 4009, Release and Restriction of Department Records (formerly B-01-15); and Board Policy 4010, Authority to Sign Agreements, Compacts, or Arrangements with other States on behalf of Idaho (formerly B-30-02).

Policy Introduction. Member Kempton said some changes are being made to the policy process. DAG Allen will prepare a calendar to review policies for a year, including corresponding administrative policies, if appropriate. After policies are introduced to the Board, if staff proposes significant revisions to Board policies, the Board will have another 30 days to review the proposed changes.

DAG Allen presented four policies for review: B-01-21, Partnership Culture; B-04-02, Standard Specifications for Construction Projects; B-06-02, Department Correspondence; and B-06-07, Idaho Highway Map. He stated that the Board

Subcommittee on Policies recommends deleting B-01-21. The consensus of the Board was to rescind B-01-21.

Election of Vice Chairman and Review of Subcommittee Assignments. Without objection, Jim Coleman was asked to continue serving as Vice Chairman.

Chairman Whitehead reviewed the Board subcommittee assignments. No changes were made to the make-up of the subcommittees: Subcommittee on Audits - Member Kempton; Subcommittee on State Highway System Adjustments - Members Gagner and Horsch; Subcommittee on Board Policies - Members Kempton and Vassar; Subcommittee on Access Management - Vice Chairman Coleman and Members Gagner and DeLorenzo; and Subcommittee on the Freight Study - Chairman Whitehead and Members Horsch and Vassar. Chairman Whitehead said the Subcommittee on Access Management is essentially done with its assignment; however, there is interest in changing its charge to address right-of-way issues.

Old/New Business. Member Kempton referenced the earlier discussions related to increasing weight limits to 129,000 pounds. Vice Chairman Coleman made a motion, seconded by Member Vassar, and passed unanimously, to approve the following resolution:

RES. NO.        WHEREAS, in 2003, the Idaho Legislature authorized the 129,000  
pound Pilot  
ITB13-05        Project on specified routes; and

WHEREAS, Pilot Project vehicles have been operating on designated state routes by permit since July 2003; and

WHEREAS, Pilot Project vehicles have been operating on approved local routes by permit issued from the local authority having jurisdiction since July 2003; and

WHEREAS, the Idaho Transportation Department has made regular reports to the Legislature in 2007, 2010, and 2013; and

WHEREAS, Pilot Project reports evaluated all important impacts, including impacts to safety, bridges, pavements and the economy; and

WHEREAS, the final Pilot Project report concluded that no significant effects to safety, bridges, and pavements were observed as a result of pilot project vehicles; and

WHEREAS, the final Pilot Project report stated that participants benefitted from positive economic impacts due to reduced numbers of trips, fuel consumption, and personnel costs; and

WHEREAS, vehicle combinations with gross vehicle weights and axle configurations as Pilot Project vehicles have been in continuous commercial operation in the neighboring states of Nevada, Utah, Wyoming, and Montana for over 30 years; and

WHEREAS, the Idaho Transportation Board has reviewed and accepted the findings and conclusions of the Pilot Project report; and

WHEREAS, local highway jurisdictions will have routes included in the permitting process and are the most knowledgeable on their respective roads, and should have authority to allow higher gross vehicle weights if appropriate; and

WHEREAS, the Department's strategic plan includes the primary goals of committing to having the safest transportation system possible and providing a mobility-focused transportation system that drives economic opportunity.

*NOW THEREFORE BE IT RESOLVED*, that the Board finds that permitted 129,000 pound vehicles, operating on designated routes, enhance freight mobility and promote economic opportunity without compromising highway safety.

Member Kempton said he was contacted about a property trade in Twin Falls. He asked DE Rigby to summarize that issue. DE Rigby said to facilitate development, staff is in the process of transferring property to the City of Twin Falls. A public street is on ITD-owned land. The agreement stipulates that the road will remain open for transportation, as ITD uses the road to access its property.

Member Kempton referenced a recent audit finding by the Legislative Services Office (LSO). Controller Wilmoth said the finding was related to a reporting error. The Department has outlined corrective actions to address the finding. Member Kempton requested a future presentation from LSO on its responsibilities and relationship with ITD.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 3:30 PM.

signed

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JERRY WHITEHEAD, Chairman  
Idaho Transportation Board

Read and Approved  
March 19, 2013  
Boise, Idaho

## REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

March 19-20, 2013

The Idaho Transportation Board met at 8 AM on Tuesday, March 19, 2013 at the Idaho Transportation Department, Boise, Idaho. The following principals were present:

Jerry Whitehead, Chairman  
Jim Coleman, Vice Chairman – District 1  
Jan Vassar, Member – District 2  
Julie DeLorenzo, Member – District 3  
Jim Kempton, Member – District 4  
Dwight Horsch, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Chief Deputy  
Larry Allen, Deputy Attorney General  
Sue S. Higgins, Executive Assistant and Secretary to the Board

Board Minutes. Vice Chairman Coleman made a motion to approve the minutes of the regular Board meeting held on February 20, 2013 as revised. Member Vassar seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

April 9-10, 2013 – District 2  
May 22-23, 2013 – District 5  
June 18-19, 2013 – Boise

Consent Calendar. Member DeLorenzo referenced the justification for the low bid on key #11617, FY13 District 4 Districtwide Guardrail Upgrades. She asked for additional information on the contractor's minimal work experience. Chief Engineer (CE) Tom Cole responded that the low bidder has not done a lot of work on the bridge rail retrofit item. The Department is required to accept the lowest responsive bid.

Member Vassar made a motion, seconded by Member Horsch, and passed unopposed, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board  
ITB13-06 approves the Public Transportation Advisory Council appointment for District 2, the impacts and results of temporary waiver of IDAPA 39.03.17 for the Movement of Multiple Units, and the amendment to Idaho Transportation Board resolution 13-05, and has received and reviewed the service contracts issued by Business and Support Management, the contract award information, the professional services agreements and term agreement work task report, and the report of speed minute entry changes for February 2013.

1) Public Transportation Advisory Council (PTAC) Appointment for District 2. Because Carl Root's term on PTAC is ending, staff solicited applications to fill that vacancy. Staff recommends appointing Deb Smith to represent District 2. Her term will expire in June 2016.

2) The Impacts and Results of Temporary Waiver of IDAPA 39.03.17 for the Movement of Multiple Units. In March 2012, the Idaho Housing Alliance requested a permanent change to IDAPA Rule 39.03.17, to allow for the movement of more than one manufactured home, modular building, or park model on a single hauling unit. This request was due to economic hardship in the transportation costs of single units as opposed to multiple units on a single hauling unit. Because staff had some concerns with a permanent rule change, the Board approved a temporary waiver for one year. To date, there have been no requests by the industry to allow multiple loads on a single hauling unit. Also, since the initial request, Montana determined that it would not allow such movements, so the industry is unable to deliver these units to their destination in North Dakota. Therefore, staff recommends that the temporary waiver expire.

3) Amendment to ITB13-05. Last month, the Board approved Resolution #13-05 regarding 129,000 pound vehicles. The background information referenced weight limits of Idaho's surrounding states. The resolution said that vehicle combinations with gross vehicle weights and axle configurations as Pilot Project vehicles have been in continuous commercial operation in the neighboring states of Nevada, Utah, Wyoming, and Montana for over 30 years. This language was based on staff's recollection of previous research, but it was not able to verify the statement at the time the resolution was proposed. The 30-year time frame was questioned later, and, upon further research, staff was not able to confirm the statement. Staff verified that the higher gross vehicle weight limits have been allowed in the referenced states for over 20 years and recommends amending ITB13-05 to reflect that.

RES. NO.        WHEREAS, in 2003, the Idaho Legislature authorized the 129,000 pound Pilot  
ITB13-05        Project on specified routes; and  
Amended

WHEREAS, Pilot Project vehicles have been operating on designated state routes,  
by permit, since July 2003; and

WHEREAS, Pilot Project vehicles have been operating on approved local routes  
by permit issued from the local authority having jurisdiction since July 2003; and

WHEREAS, the Idaho Transportation Department has made regular reports to the  
Legislature in 2007, 2010, and 2013; and

WHEREAS, Pilot Project reports evaluated all important impacts, including  
impacts to safety, bridges, pavements, and the economy; and

WHEREAS, the final Pilot Project report concluded that no significant effects to  
safety, bridges, and pavements were observed as a result of pilot project vehicles;  
and

WHEREAS, the final Pilot Project report stated that participants benefitted from positive economic impacts due to reduced numbers of trips, fuel consumption, and personnel costs; and

WHEREAS, vehicle combinations with gross vehicle weights and axle configurations as Pilot Project vehicles have been in continuous commercial operation in the neighboring states of Nevada, Utah, Wyoming, and Montana for over 20 years; and

WHEREAS, the Idaho Transportation Board has reviewed and accepted the findings and conclusions of the Pilot Project report; and

WHEREAS, local highway jurisdictions will have routes included in the permitting process and are the most knowledgeable on their respective roads and should have authority to allow higher gross vehicle weights if appropriate; and

WHEREAS, the Department's strategic plan includes the primary goals of committing to having the safest transportation system possible and providing a mobility-focused transportation system that drives economic opportunity.

*NOW THEREFORE BE IT RESOLVED*, that the Board finds that permitted 129,000 pound vehicles, operating on designated routes, enhance freight mobility and promote economic opportunity without compromising highway safety.

4) Service Contracts issued by Business and Support Management. From January 26 through February 24, the Business and Support Management Section processed four new service contracts for \$179,541.

5) Contract Awards. Key #8773 – Deep Creek Bridge #2, Boundary County, District 1. Low bidder: Apollo Inc. – \$748,798.

Key #12966 – I-90, Elizabeth Park Road to Osburn, District 1. Low bidder: Knife River Corporation - Northwest – \$5,695,871.

Key #12297 – FY13 District 1 Bridge Deck Life Extension. Low bidder: The Truesdell Corporation - \$478,478.

Key #12047 – South Midland Boulevard; Ustick to US-20/26, District 3. Low bidder: Nampa Paving and Asphalt Company - \$731,992.

Keys #13031 and #12027 – US-95, Milepost 87.5 to Shoepeg Road and Cambridge to Alpine Store, District 3. Low bidder: Knife River Corporation – Northwest - \$6,070,611.

Key #8107 – I-84, Junction I-84/US-93 Interchange, Stage 2, District 4. Low bidder: Western Construction, Inc. - \$11,788,750.

The low bid on key #11619 – FY13 District 4 Sign Upgrades, was more than ten percent over the engineer’s estimate, requiring justification. The major differences between the low bid and engineer’s estimate were in the Breakaway Steel Sign Post Type A, Special Removal and Installation of Overhead Sign Lighter, and Installation of Step Down Transformer items. The low bidder said it was using sub-contractors and the prices used from the material suppliers influenced the higher cost for the bid items. The District does not believe re-advertising will result in better bids, so recommended accepting the low bid. Low bidder: Pavement Markings Northwest, Inc. - \$131,874.

The low bid on key #11617 – FY13 District 4 Districtwide Guardrail Upgrades, was more than ten percent over the engineer’s estimate, requiring justification. The major differences were in the Granular Borrow, Special Bridge Rail Retrofit Type 2, and Flagging items. It appears the granular borrow item was higher due to the small amounts needed in several locations. The cost of setting up, the tight schedule of working days, and the labor necessary to complete the work in the time given were factors. The bridge rail retrofit type 2 item was influenced by the contractor’s lack of work experience. The flagging subcontractor’s bid costs were used with a small increase added to cover the administration costs. Staff does not believe re-advertising will result in better bids. The project needs to start so it can be completed in the 2013 construction season, so staff recommended awarding the contract. Low bidder: WF Construction and Sales, LLC - \$659,550.

Key #11127 – US-91, Intersection Tyhee Road, Bannock County, District 5. Low bidder: Cannon Builders, Inc. - \$380,903.

Key #12473 – 17<sup>th</sup> Street; Pancheri Bridge to South Boulevard, Idaho Falls, District 6. Low bidder: H-K Contractors, Inc. - \$1,263,289.

6) Professional Services Agreements and Term Agreement Work Task Report. From February 1 through February 28, 24 new professional services agreements and work tasks were issued, totaling \$4,534,141. Five supplemental agreements to existing agreements were processed in the amount of \$43,726 during this period.

7) Speed Minute Entry Changes for February 2013. The following District 2 speed minute entry was approved in February:

<u>Route</u>	<u>Beginning</u>	<u>Ending</u>	<u>Speed Limit</u>	
	<u>Milepost</u>	<u>Milepost</u>	<u>Old</u>	<u>New</u>
US-95	361.300	362.237	45	50

Director’s Report. Director Ness reported on some recent activities. The Joint Finance and Appropriations Committee (JFAC) approved the FY14 appropriation. It eliminated 13.5 full-time equivalent positions and made other minor changes. (See later minute entry.) Director Ness attended a Western Association of State Highway and Transportation Officials’ Committee on Transport meeting. The committee’s goal is to make several inconsistent trucking laws that are a barrier to commerce uniform. The Design Conference will be held in Boise on April 2 and 3. Member Vassar will provide welcoming remarks.

Next fiscal year, ITD will begin saving \$43,000 annually by changing how the Idaho Tax Commission is paid for conducting fuel audits. Instead of providing \$100,000 in federal highway funds to pay for the audits, it will be funded through the Highway Distribution Account. The Department's financial system was successfully upgraded earlier this month, with no issues or delays in creating time sheets, paying contractors, or ordering supplies. This was the first major upgrade to the system in five years. Director Ness also reported on a number of recognitions and awards received.

The Director's entire report can be viewed at <http://itd.idaho.gov/Board/report.htm>.

Chief Deputy Stokes reported that year-to-date, there have been fewer fatalities on Idaho's highways than in 2012. The positive community norms pilot project will start next month in Lewiston, Blackfoot, and Twin Falls. He also reported that the continuing resolution for funding the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) expires on March 27.

Delegation – Legislative Office of Performance Evaluations (OPE). Rakesh Mohan, Director, OPE, said OPE is a nonpartisan, independent legislative office. It conducts independent evaluations of state agencies, programs, and policies. It provides tools for state agencies, makes recommendations to state agencies and the legislature, and follows up on progress in implementing the recommendations. The Joint Legislative Oversight Committee assigns projects. He noted a performance audit was conducted on ITD several years ago.

Chairman Whitehead thanked Mr. Rakesh for the informative overview on OPE.

Delegation – Legislative Services Office (LSO). LSO Legislative Audits Division Manager April Renfro summarized LSO's structure and responsibilities. She elaborated on the Office's charge to conduct legislative audits. The main financial or compliance audits and reviews include Statewide Comprehensive Annual Financial Report (CAFR), Statewide Single Audit Report, Management Reviews/Report, and Entity Financial Audits. Specific to ITD, the Department is considered a major fund and identified as a separate column in the state's basic financial statements, which fall under CAFR. For Single Audit, ITD's federal funds require inclusion in the statewide audit at least once every three years, and the management review is cyclical. This year the review will focus on areas not reviewed during CAFR and Single Audit work. The audit process includes fieldwork at the agency, then compiling the results. The reports are submitted to the JFAC co-chairs for approval and release.

Chairman Whitehead thanked Ms. Renfro for the thorough presentation.

Annual Report on Audits. Internal Review Manager (IRM) Carri Rosti and staff members presented the annual report on audits, including internal and external audits performed in 2012, work planned for 2013, and the status of audit resolution. Some of the activities conducted last year included an audit of Division of Motor Vehicles' Motor Carrier Services Section's internal controls and previous audit recommendations, a procurement performance audit in the Business and Support Management Office, consultant overhead rate reviews and pre-award reviews of consultant agreements, and employee training on internal controls.

Some of the work planned in 2013 includes additional internal control training, a follow up review of the audit conducted in 2009 on the Division of Aeronautics, and providing contract procurement guidance to employees for the procurement of service agreements.

Chairman Whitehead thanked IRM Rosti and staff for the informative report.

Legislative Report. Government Affairs Manager (GAM) Mollie McCarty reported on the status of ITD's legislation. Repealing language in Idaho Code regarding state designation of airports and repealing Idaho Code requiring that ITD review and approve local requests for federal grants have been signed into law. The proposals to repeal pilot registration requirements, increase aircraft registration fees, clean-up language related to relinquishing state routes to local agencies, stagger vehicle registrations year-to-year, and changes to the salvage titles issuance have been approved by both chambers.

Staff continues to monitor and analyze non-ITD bills, including some related to 129,000 pound weight limits and highway safety. Legislation to establish an Idaho Consumer Asset Recovery Fund requested by the Idaho Dealer Advisory Board has been approved by both chambers. The Transportation Economic Development Zone proposal failed in committee.

Chairman Whitehead thanked GAM McCarty for the report.

Employee Service Awards. The Board participated in the Employee Service Awards. Member Horsch provided remarks on behalf of the Board.

Overview of Transportation Alternatives Program (TAP). Transportation Performance Administrator (TPA) Randy Kyrias summarized TAP funding for FY14. Idaho's total apportionment is \$5.2 million; however, the Board has options for funding and obligation authority. He proposed establishing an "Idaho Streets" program to implement TAP. This new program would be an umbrella program for the various funding categories that the Division of Transportation Performance oversees, including TAP and transit. It would support defined priorities, such as system preservation, economic opportunity, safety, and mobility. Un-awarded funding could be directed to the Americans with Disabilities Act (ADA) Curb Ramp Program. TPA Kyrias believes the program would be beneficial to locals, as it would be less burdensome, provide stability, establish a one-stop-shop, and improve cross jurisdiction coordination and communication. Internal benefits would be the administration of only one program, simplified policies, synchronization of processes with ITD's partners, and it would be fully supported by the Division's grant administration system. A start-up committee will meet soon to continue the establishment of this proposed new program.

In response to Member Gagner's question, TPA Kyrias said that some funding is available for scenic byway activities. Efforts are still underway to determine if changes should be made to the Scenic Byway Program and Advisory Committee.

Member DeLorenzo asked for clarification on the "Anywhere" funding category. TPA Kyrias confirmed that those funds could be used for the ADA ramp program and projects could be funded in rural areas, urban areas, or in a transportation management area. Projects to decrease

wildlife-vehicle collisions or inventory outdoor advertising signs are some potential ITD activities that could be funded.

Member Gagner asked if the group created to develop the parameters and an implementation plan for the new program would be an on-going committee to oversee the program. TPA Kyrias responded that the initial focus of the group would be to help establish a program; however, one of its recommendations may be to create an on-going committee.

Member Kempton asked if this new program would oversee the Recreational Trails and TMA projects. TPA Kyrias replied that the program would be responsible for the Urban, Rural, and Anywhere sub-allocations. Member Kempton questioned the proposed “Idaho Streets” name, as streets conjure images of cities, and Idaho is a rural state. TPA Kyrias said the intent is to expand the program to transit projects; however, the name of the program can be revisited.

Discussion followed on the funding request. Two options were proposed. Both proposals included fully funding and providing obligation authority for appropriated amounts for the Recreational Trails program and the TMA. Option 1 would provide 92% funding and obligation authority for appropriated amounts for the Urban, Rural, and Anywhere allocations. Option 2 would provide 92% funding and obligation authority for appropriated amounts for the Urban and Rural allocations and a Board-determined percentage for the Anywhere allocation.

Member Gagner noted Option #2 provides more flexibility. He asked how much money would be available for that option. TPA Kyrias said the percentage would be up to the Board. He added that Option #1 would help support the ADA Ramp project. Member DeLorenzo requested confirmation that Option #1 states the percentage of funding; it does not dictate where the Anywherefunds would be directed. TPA Kyrias replied in the affirmative.

The consensus of the Board was to hold this item one month. Vice Chairman Coleman and Members DeLorenzo and Gagner will participate on the start-up committee to propose recommendations on the development and implementation of this program.

Freight Advisory Committee (FAC) Charter and Nominations. Program Planning and Development Specialist (PPDS) Maureen Gresham presented a draft charter for the FAC. The purpose of the Committee is to serve as a forum to discuss freight movement and infrastructure within Idaho; educate freight stakeholders regarding local, regional, and statewide transportation planning processes; provide access to improved freight data and a more consistent set of data; work with ITD to incorporate freight interests into transportation planning to improve freight infrastructure; and improve statewide understanding of the importance of freight transportation.

The recommendation is to appoint 13 members representing the rail industry, the highway/trucking industry, aeronautics, the port/barge industry, three from the agricultural industry, two from the natural resource industry, manufacturing/retail, carrier/shipping, freight logistics/warehousing, and a member at large. Representatives from federal and state governments and metropolitan planning organizations will be invited as ex-

officio members. Upon Board approval, potential committee members will be contacted and the final nominations will be presented to the Board for approval.

Member Vassar made a motion, seconded by Member Horsch, to approve the following resolution:

RES. NO. ITB13-07 WHEREAS, it is in the public's interest for the Idaho Transportation Department to facilitate the efficient and effective movement of freight; and

WHEREAS, it is the intent of the Idaho Transportation Board to encourage partnerships between various transportation stakeholders that further safety, mobility, and economic opportunity; and

WHEREAS, the Department initiated a statewide analysis of freight that included participation from a diverse range of stakeholders that culminated in a Freight Study with six key recommendations endorsed by the Board December in 2012; and

WHEREAS, the Freight Study recommended continued coordination, communication and partnerships through a statewide Freight Advisory Committee to serve as a forum for discussion regarding freight movement within Idaho, improve the understanding of freight planning processes and importance of freight transportation, and provide access to improved and more consistent freight data, and incorporate freight interests into transportation planning processes; and

WHEREAS, the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) recommends state departments of transportation convene a statewide Freight Advisory Committee that includes both private and public freight stakeholder interests to guide freight planning; and

WHEREAS, the Board has authority to establish internal structures deemed necessary for its duties.

*NOW THEREFORE BE IT RESOLVED* that the Board creates the statewide Freight Advisory Committee that complies with the charter, as shown as Exhibit 422, which is made a part hereof with like effect; and

*BE IT FURTHER RESOLVED*, that the Board directs staff to provide the necessary administrative support to the Freight Advisory Council for the efficient and timely disposition of its duties to the Board.

Member Gagner asked if there will be costs to ITD associated with the FAC. PP&DS Gresham said ITD will reimburse the members for their travel costs. With 13 members and presumably four meetings per year, the annual cost is expected to be between \$3,000 and \$6,000.

The motion passed 5-1, with Member Gagner dissenting. In explaining his vote, he said he supports the establishment of the FAC; however, he is concerned with the costs to ITD.

Executive Session on Personnel and Legal Issues. Vice Chairman Coleman made a motion to meet in executive session at 11:45 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(b), (c), (d), and (f). Member Horsch seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on personnel and legal matters.

The Board came out of executive session at 2 PM. No final actions or decisions were made.

Member DeLorenzo left the meeting at this time.

Add Six Projects to the Initial Transportation Management Area (TMA) – TAP. Toni Tisdale, Community Planning Association of Southwest Idaho (COMPASS) Principal Planner, provided information on six projects the TMA is requesting. MAP-21 consolidated previous programs such as Safe Routes to School (SR2S), Enhancement, and Recreational Trails into TAP. TAP includes sub-allocations based on population categories, including a mandatory obligation to TMAs. In anticipation of the implementation of MAP-21, COMPASS solicited applications from its constituents for TAP funds.

Ms. Tisdale elaborated on the SR2S Coordinator project. It would enable the Treasure Valley YMCA to continue its SR2S Program. The requested \$140,000 would pay for two full-time positions dedicated solely to the SR2S Program. A part-time/seasonal staff person is expected to be hired in FY13. The coordinators further policies that support the SR2S Program.

The Boise Bike Share Program, Phase 1 and 2, would implement a bike share program in downtown Boise. The project would include seven stations with 70 bicycles. Thorough research was conducted to determine the locations for the bike stations. This project is known as the “third generation” bike sharing system. It holds the rider accountable for use of the bike through a check-out and return system tied to the rider’s name and credit card information. Additionally, global positioning system units are located on each bicycle, tracking its location for security and usage patterns. Fees for using the bikes would be used for maintenance, redistribution of the bikes, promotion, and improvement or expansion of the system.

In response to Chairman Whitehead’s question on the cost to use a bike, Ms. Tisdale replied that the fee has not been determined yet. Member Horsch asked if helmets will be provided. Ms. Tisdale did not know.

Member Gagner commented that although he may not support some of the specific projects, he noted that the funding is dedicated to the TMA and selection of the projects should be a local decision.

Member Gagner made a motion, seconded by Member Vassar, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, it is in the public’s interest for the Idaho Transportation Department

ITB13-08 to publish and accomplish a current, realistic, and fiscally constrained five year Highway Development Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal, state, local, and private capital investment funding; and

WHEREAS, the President signed the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) transportation act into law in July 2012 with state implementation requirements for FY13 and 2014; and

WHEREAS, subsequent Federal Highway Administration rulemaking requires obligation of the Transportation Alternatives Program (TAP) sub-allocation to the Transportation Management Area (TMA; greater Boise area); and

WHEREAS, the Department currently has sufficient savings at award to meet this federal obligation for FY13; and

WHEREAS, in anticipation of the Idaho implementation of these provisions, the Community Planning Association of Southwest Idaho solicited this past fall and prioritized the following six applications to add to the Idaho Transportation Investment Program.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the addition of Treasure Valley YMCA Safe Routes to School Coordinator for \$140,000; Natures Wood Duck Island Trail, Near Barber Park for \$150,000; Union Pacific Railroad Rail with Trail Arterial Study, Meridian for \$85,000; Boise Bike Share Program, Phase 1 for \$287,000; Boise Bike Share Program, Phase 2 for \$53,000; and the Ada County Highway District Stormwater Design Guide for \$70,000 to the initial TAP-TMA Program.

Idaho Air Quality/Congestion Management Program. Mike Edwards, Air Quality Analyst, Idaho Department of Environmental Quality, provided background on air quality and the related transportation planning process. There are national standards for six common pollutants: particulate matter (PM), ozone, carbon monoxide, sulfur dioxide, nitrogen oxides, and lead. Franklin County and Pinehurst are areas of concern for PM 2.5. For ozone standards, Boise is close to the standard and the Craters of the Moon has elevated levels. Previously, issues with PM 10 were identified in Northern Ada County and Pocatello, plus Northern Ada County had issues with carbon monoxide.

If violations occur, a State Implementation Plan is required. The plan must provide for control measures that clean the air and achieve clean air by the attainment date. Transportation plans and projects must be consistent with the Air Quality Plan. If conformity lapses occur, highway sanctions may be implemented. The federal Congestion Mitigation/Air Quality Program provides funding to address air quality issues. Some previous projects included funding for flusher and sweeper trucks, Compressed Natural Gas buses, signalization, and vanpools.

Chairman Whitehead thanked Mr. Edwards for the educational presentation.

Monthly Financial Statements. Transportation Investments Manager John Krause said net obligations were \$4,400,000 during February, resulting in total net cumulative obligations of \$164,900,000. Of the net obligations, \$179,300,000 were for current year projects. The remaining obligations are for adjustments for prior year projects plus advances of future year projects to FY13. The original budget amount for obligated FY13 projects was \$173,400,000. Net cumulative obligations are above the historical trend of \$141,100,000 for February.

Senior Budget Analyst Joel Drake summarized JFAC's action on the Department's FY14 appropriation. It reduced 13.5 positions. The salaries associated with the positions were retained, but 5% of FY14 personnel benefit cost increases were not allowed. An increase of \$100,800 for additional Attorney General fees was included and an Idaho Power rate increase of \$6,400 was added. The Risk Management expenditure was reduced by \$115,300 for a total net reduction of \$87,300 in spending authority.

Controller Gordon Wilmoth said FHWA Indirect Cost Allocation revenue through January was \$16,592,000, which was above the projected amount of \$16,185,000. Miscellaneous state funded revenue of \$20,324,000 was \$1,594,000 above the forecast. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$109,758,000. The projected revenue was \$107,466,000. Revenue from the ethanol exemption elimination was \$9,427,000, which was .4% below the projected amount. Revenue to the State Aeronautics Fund from aviation fuels was \$1,198,000, resulting in a 19% positive variance. Miscellaneous revenue to this account was \$241,448, which was a 35% positive variance.

Total expenditures in the American Recovery and Reinvestment Act Title XII Fund for highway projects were \$175,753,000, while \$178,800,000 had been appropriated. Expenditures for public transportation were \$8,944,000 of the \$9,200,000 available.

Policy Approval. Member Kempton proposed eliminating the reference to aeronautics in the Standard Specifications for Construction Projects policies. The Board concurred.

Member Kempton made a motion to approve Board Policy 4013, Standard Specifications for Construction Projects (formerly B-04-02); 4014, Department Correspondence (formerly B-06-02); and 4015, Idaho Highway Map (formerly B-06-07). Member Vassar seconded the motion and it passed unanimously.

Policy Introduction. Highway Operations Engineer Greg Laragan presented four policies for review: B-05-05, Roadside Vegetation Program; B-05-06, Winter Maintenance Standards on State Highways; B-05-16, Maintenance of State Highways; and B-05-34, Closure or Restricted Use of State Highways. The intent is to consolidate the four policies into a new policy entitled Protecting and Maintaining State Highways. The only corresponding Administrative policy that would be retained is A-05-34, Closures or Restricted Use of State Highways. The content in the other administrative policies would be moved to the Maintenance Manual.

Tour of Area Highway Projects. The Board traveled to the SH-44 and Linder Road intersection to view the improvements underway at that location. The partnership project with

Ada County Highway District is the Department's first design-build project. The Board then visited the construction site of the extension of SH-16 to US-20/26.

WHEREUPON, the meeting recessed at 4:50 PM.

March 20, 2013

The Board reconvened at 8:00 AM on Wednesday, March 20, 2013, at the Idaho Transportation Department, Boise, Idaho. All members were present.

IPLAN Solution and Cost Assessment with Gap Analysis Executive Summary. Transportation Planner (TP) Maranda Obray said the IPLAN project is on schedule. Deliverables completed to date include the framework, stakeholder meetings, the vision document, the requirements document, the draft data standards document, and the solution document with architectural assessment and gap analysis. Additionally, datasets for inclusion have been requested. The study should be completed soon, and then the next step will be the configuration.

Bio-West consultant Andrea Moser elaborated on the benefits of the web-based portal, such as the ease to search for specific data, the ability to share content, and a mechanism to display planning scenarios to identify and track performance measures. A gap analysis was performed to estimate the remaining costs for Phase 1. To implement Phase 1 internally, an additional \$100,000 is needed for software, hardware, and licenses. There will be additional personnel costs, too; however, all of these additional expenses are planned within the Division of Highways' budget. A return on investment exercise applied to the last five years of the Idaho Transportation Investment Program resulted in potential tangible savings of \$2.2 million.

In response to Member Gagner's question on the time frame for Phases 2 and 3, Ms. Moser replied that no time frame has been determined. Phase 1 is expected to be completed by the end of this year. The next phases are optional. CE Cole added that the intent is to pursue the next phases. Other areas to address will be identified. This initial phase is building the foundation, and then a determination will be made on what additional components are desired.

Strategic Highway Safety Plan (SHSP). Highway Safety Manager (HSM) Brent Jennings presented the draft SHSP. It is a data-driven, comprehensive plan that includes a goal, emphasis areas, and strategies to reduce traffic deaths and serious injuries. It focuses resources on education, enforcement, engineering, and emergency response. The document is being updated to revise emphasis areas, incorporate new goals, include emphasis area teams to work on the specific contributors to traffic deaths and serious injuries, develop actions and track work done, build and empower partnerships, and require evaluations.

HSM Jennings said more than 100 highway safety partners were brought together in November to develop goals and strategies for the highway safety focus areas, resulting in the updated SHSP, which the Board will be asked to approve next month. Although the total number of traffic fatalities decreased by 20.1% in 2011 from 2010, HSM Jennings noted that a lot of work still needs to be done, as even one fatality is too many.

Chairman Whitehead thanked HSM Jennings for the presentation and for his efforts on this important program.

City of Mullan Sewer District. District 1 Engineer (DE) Damon Allen summarized a project to replace a 77-year-old bridge on the I-90 Business Route in Mullan. The project, to be constructed this summer, requires the relocation of a sanitary sewer line and manholes at an estimated cost of \$16,000. The City of Mullan Sewer does not have sufficient funds to relocate its utilities in the project impact area. Due to the hardship the project is creating, the City of Mullan Sewer is requesting financial assistance. DE Allen said federal funds could be used for this expense.

Member Gagner asked if the Board would set a precedent if it provides financial assistance. CE Cole responded that the Board has provided assistance to local communities in the past to relocate utilities.

Member Kempton empathized with small communities; however, utilities within ITD's right-of-way are their responsibility. He questioned the communities' ability to use emergency bonding authority to fund this.

Vice Chairman Coleman concurred that it is a difficult decision. ITD allowed the city to locate its utility within the Department's right-of-way, which was a convenience to the municipality. To some extent, it is a lack of planning that resulted in this situation now.

In response to Member Gagner's question on whether the Local Highway Technical Assistance Council (LHTAC) has been asked to help with funding, DE Allen said the project is ITD's, not LHTAC's. LHTAC Administrator Lance Holmstrom said no application has been received from the City of Mullan for this project. Member Gagner asked if LHTAC has emergency funds that may be available for this. LHTAC Administrator Holmstrom replied that relocating utilities would not qualify for emergency funds.

Vice Chairman Coleman believes there are two more local projects in District 1 where the cities do not have sufficient funds to relocate their utilities and will be requesting financial assistance. He suggested developing a policy to address this issue.

Member Vassar questioned delaying the request to provide assistance to the City of Mullan until a policy has been created. Member Gagner expressed concern with the timing, as the District was planning on constructing the project this summer. Although he is concerned with setting a precedent, he believes this issue needs to be addressed today.

Vice Chairman Coleman made a motion, seconded by Member Kempton, to approve the following resolution:

RES. NO.        WHEREAS, the I-90 Business, South Fork Coeur d'Alene River Bridge 7<sup>th</sup> Street,  
ITB13-09        Mullan, key #12874 project in District 1, is of significance to the mobility along I-  
                     90B in Mullan, that will improve economic opportunity; and

WHEREAS, this project will require the relocation of utility facilities owned by City of Mullan Sewer of a sanitary sewer line and adjusting three manholes located within the project right-of-way; and

WHEREAS, City of Mullan Sewer requested an Utility Hearing pursuant to Idaho Code 40-312(3), which was held on February 13, 2013, at the Idaho Transportation Department District 1 office in Coeur d'Alene, Idaho, where City of Mullan Sewer presented oral and written testimony in support of this project, recognized its obligation to relocate and adjust the utility facilities located within the project right-of-way at its expense, but that it does not have adequate funds to perform this work; and

WHEREAS, the City of Mullan Sewer does request financial assistance, estimated at \$16,000 from the Idaho Transportation Board for relocating and adjusting utility facilities within the project right-of-way; and

WHEREAS, the Board is allocated the power to order the relocation of utility facilities located within the limits of a federal-aid project by Idaho Code 40-312(3) and while Idaho Code stipulates the owner is responsible for the cost of relocating utility facilities located within the public right-of-way, it does not prohibit the Department from voluntarily participating in the cost of relocating utility facilities owned by another public entity if it is determined by the Board that it is in the public interest to do so; and

WHEREAS, Subsection 645.103(d) of Title 23 of the Code of Federal Regulations specifies that federal-aid participation for utility facility relocation be governed by State law.

*NOW THEREFORE BE IT RESOLVED*, that the Board does determine that it is in the public interest to grant financial assistance to City of Mullan Sewer for relocating a sanitary sewer line and adjusting three manholes; and

*BE IT FURTHER RESOLVED*, that the Board directs staff to prepare a utility agreement with City of Mullan Sewer for this project by which the Department will approve the District's recommendation of ITD participation in the utility relocation and adjustment within the project right-of-way at a cost not to exceed \$16,000.

Member Kempton asked staff to draft a policy to address providing financial assistance for relocating utilities when communities demonstrate a hardship. Member Horsch commented on the difficult decision. Although \$16,000 is not a lot of money in comparison to the total project, it is the city's responsibility to relocate its utilities. He questioned providing a percentage of the requested funding.

Member Gagner asked if the city could reimburse ITD in the future for these costs. DE Allen believes that may be an option.

The motion passed unanimously.

Executive Session on Personnel and Legal Issues. Member Gagner made a motion to meet in executive session at 9:15 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(b), (c), (d), and (f). Member DeLorenzo seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on personnel and legal matters.

The Board came out of executive session at 10:50 AM. No final actions or decisions were made.

Member Vassar left the meeting at this time.

Tour Western Aircraft. The Board toured Western Aircraft, which provides various aviation services such as maintenance, avionics sales and installation, aircraft parts sales, fixed-base operation services, airline fueling, and aircraft charters.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 2:30 PM.

Read and Approved  
April 10, 2013  
Lewiston, Idaho

signed  
\_\_\_\_\_  
JERRY WHITEHEAD, Chairman  
Idaho Transportation Board

REGULAR MEETING AND DISTRICT TWO TOUR  
OF THE IDAHO TRANSPORTATION BOARD

April 9-10, 2013

The Idaho Transportation Board met at 9:00 AM, on Tuesday, April 9, 2013, in Missoula, Montana. The following principals were present:

Jerry Whitehead, Chairman  
Jim Coleman, Vice Chairman – District 1  
Janice B. Vassar, Member – District 2  
Julie DeLorenzo, Member – District 3  
Jim Kempton, Member – District 4  
Dwight Horsch, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Chief Deputy  
Sue S. Higgins, Executive Assistant and Secretary to the Board

District 2 Tour. The Board met with Montana Transportation Commissioners Kevin Howlett and Rick Griffith and Montana Department of Transportation personnel. Discussion focused on Montana's revenue, its organizational structure, overlegal permits, how Montana prioritizes projects for funding, and its experience with 129,000 pound trucks.

The Board departed Missoula west on US-12. It stopped at the Lolo Pass Rest Area and at the Powell Maintenance Shed where staff provided an overview on maintenance operations at the remote facility. The group also stopped east of Orofino for a demonstration on surveying. Staff provided briefings on various topics as the Board traveled to Lewiston.

WHEREUPON the tour recessed at 5:30 PM.

April 10, 2013

The Board reconvened at 8 AM on Wednesday, April 10, 2013, at the Idaho Transportation Department District 2 Office in Lewiston, Idaho. All members were present. Deputy Attorney General Larry Allen was also in attendance.

Chairman Whitehead welcomed Representative John Rusche to the meeting.

Board Minutes. Member Vassar made a motion to approve the minutes of the regular Board meeting held on March 19-20, 2013. Vice Chairman Coleman seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

May 22-23, 2013 – District 5

June 18-19, 2013 – Boise

July 10-11, 2013 – District 6

Consent Calendar. Member Gagner made a motion, seconded by Member Vassar, and passed unopposed, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board

ITB13-10 approves the Strategic Highway Safety Plan; Local Highway Technical Assistance Council (LHTAC) Surface Transportation Program – Local Rural Program Changes to FY13-14; LHTAC Local Highway Safety Improvement Program – project removals in FY14; Statewide Safety Program changes to FY15; Safe Routes to School Program changes in FY13-14; Transit Program changes – add FY12 Tribal Transit Discretionary Awards to FY13; Transit Program changes requested by Valley Regional Transit and Community Planning Association of Southwest Idaho to FY13; and Scenic Byways project delay from FY13 to FY14; and has received and reviewed the service contracts issued by Business and Support Management, the contract award information, the professional services agreements and term agreement work task report, and the IPLAN project monthly status update.

1) Strategic Highway Safety Plan. Staff requested the acceptance of the April 2013 Strategic Highway Safety Plan, which is on file in the office of Highway Safety.

2) LHTAC Surface Transportation Program – Local Rural Program Changes to FY13-14. The Raft River Highway District requests advancing STC-2847, Old Highway 81 South, Cassia County, key #11991, for \$3,856,000 from FY14 to FY13. Nez Perce County requests delaying key #11228, STC-4759, Webb Road for \$4,717,000 from FY13 to FY14. The additional funding made available in FY13 will be used for the Off System Stone Bridge project in Fremont County. Staff requests approval to amend the FY13 Statewide Transportation Improvement Program (STIP) accordingly.

3) LHTAC Local Highway Safety Improvement Program (LHSIP) – Project Removals in FY14. Ada County Highway District requests the removal of the \$53,000 STP-7343, Fairview Road and State Street, Meridian project, key #13490, from FY14

of the LHSIP. The City of Nampa requests the removal of key #13501, STC-7879, Intersection Hawaii Avenue and Holly Street, Nampa, in FY14 for \$280,000. A portion of the funds available, \$240,000, will be used for cost increases on STP-8213, Intersection Middleton Road and Flamingo Avenue, Nampa. The remaining funds will be available for other needs that may arise. Staff requests approval to amend the FY13 STIP accordingly.

4) Statewide Safety Program Changes to FY15. District 5 requests the removal of the \$1.1 million South Broadway Street and Walker Street, Blackfoot project, key #12441, from the FY15 Safety Program. The District was able to make the improvements via a maintenance project. It requests adding a new project, District – Wide Turn Bay, to FY15 for \$1.1 million. Staff requests approval to amend the FY13 STIP accordingly.

5) Safe Routes to School (SR2S) Program Changes in FY13-14. The project sponsors request the removal of their respective projects from the FY13 and FY14 SR2S Program: key #12414, First Avenue Lighting, Ketchum/Mountain Rides Transit Authority for \$63,000; key #12988, Coeur d'Alene Tribe SR2S Education for \$2,000; and the infrastructure portion of key #13094, Main Street Sidewalk and SR2S Coordinator, Kimberly, for \$100,000. Staff requests approval to amend the FY13 STIP accordingly.

6) Transit Program Changes - Add FY12 Tribal Transit Discretionary Awards to FY13. Staff requests the addition of two new projects to the FY13 Transit Program and to amend the FY13 STIP accordingly. Last year the Federal Transit Administration solicited applications for \$15.5 million in Section 5311(c) discretionary funds for public transportation on Indian reservations. The Nez Perce Tribe and Shoshone-Bannock Tribe were awarded \$300,000 and \$200,000, respectively, for additional operations.

7) Transit Program Changes Requested by Valley Regional Transit and Community Planning Association of Southwest Idaho (COMPASS) to FY13. COMPASS requests 24 program changes for Valley Regional Transit. Six projects would be added to the FY13 Transit Program: Capital Lease or Purchase and Maintenance, Boise - \$312,000; Capital Purchase of Service, Boise - \$210,000; Operations Fixed Line and Demand Response - \$15,000; Technology Implementation, Valley Regional Transit - \$80,000; Capital Lease or Purchase and Maintenance, Nampa - \$22,000; and Capital Purchase of Service, Nampa - \$147,000. The additional changes, removed projects and cost increases and decreases, are shown as Exhibit 423, which is made a part hereof with like effect. Staff requests approval to modify the STIP to reflect these changes.

8) Scenic Byways Project Delay from FY13 to FY14. Staff requests delaying Swan Falls Road Shoulder Widening, Kuna project, key #13518 for \$613,000 in the Scenic Byway Program to FY14 and to amend the FY13 STIP accordingly.

9) Service Contracts issued by Business and Support Management. From February 25 through March 25, the Business and Support Management Section processed three new service contracts for \$312,370.

10) Contract Awards. Key #12916 – SH-16, Intersection SH-44, US-20, and local roads, District 3. Low bidder: Staker & Parson Companies dba Idaho Sand & Gravel Company - \$8,756,214.

Key #9846 – I-86, Salt Lake Interchange to Raft River Interchange, Westbound, District 4. Low bidder: Western Construction, Inc. – \$10,614,323.

Key #7836 – SH-75, Timber Way to Big Wood River Bridge, Blaine County, District 4. Low bidder: Staker & Parson Companies dba Idaho Sand & Gravel Company - \$9,436,213.

Key #10735 – Cheyenne Overpass Phase 1A, Pocatello, District 5. Low bidder: Legrand Johnson Construction Company - \$3,032,049.

The low bid on key #11660 – US-30, Bannock County Bridge Preservation, District 5, was more than ten percent over the engineer's estimate, requiring justification. The Mobilization and Superpave Hot Mix Asphalt Paving items had the greatest variance between the engineer's estimate and low bid. It appears materials have increased in cost and the long haul to the project site was a factor in the higher bids. The District did not believe re-advertising would be advantageous and recommended awarding the project. Low bidder: D L Beck Inc. – \$2,390,212.

Key #9389 – SH-33, Newdale East, District 6. Low bidder: M. A. Deatley Construction, Inc. - \$7,268,372.

The low bid on key #9571 – US-93, Salmon River Bridge, Near Carmen, District 6, was more than ten percent over the engineer's estimate, requiring justification. The main difference between the engineer's estimate and low bid were in the Concrete Overlay, Concrete Bridge Deck Removal Class A, A-Jacks Scour Protection, Elastomeric Concrete Header, and Header items. Staff does not believe the engineer's estimate considered the remoteness of the project, nor the standard construction

practice for the installation of the A-Jacks System. Staff recommended awarding the contract. Low bidder: Braun-Jensen, Inc. - \$675,000.

11) Professional Services Agreements and Term Agreement Work Task Report. From March 1 through March 22, 22 new professional services agreements and work tasks were processed for \$1,553,492. Three supplemental agreements to existing agreements were processed in the amount of \$237,300 during this period.

12) IPLAN Project – Monthly Status Update. The project is currently in the development/ configuration stage. Some of the deliverables completed during the past month include an introduction to IPLAN and presentation on its functionality to staff, coordination with Division of Motor Vehicles staff to align and clarify its needs for thematic maps, and submittal of an Eco-Logical grant application with the Idaho Department of Fish and Game.

Director's Report. Director Ness summarized various meetings and activities. Late last month, the legislature introduced several transportation revenue proposals. Although the legislature has adjourned for the year, the revenue proposals are available for review and discussion. He noted Member DeLorenzo's participation in last month's Capital for a Day in Emmett. The recent Design Conference was well attended with over 400 registrants. He thanked Member Vassar for providing comments at the conference. ITD is participating with the Associated General Contractors of Idaho in three forums throughout the state, starting next week. The American Association of State Highway and Transportation Officials Geographic Information Systems symposium will be held in Boise in May. Over 400 participants are expected at that event.

Director Ness reported on numerous awards and recognitions. In closing, he said the internal compensation plan was announced late last month.

Chief Deputy Stokes complimented District 3 personnel for their efforts to address issues related to fires along I-84. A concerted effort has been made to ensure fires outside of fire district boundaries are controlled. ITD will provide assistance with reclaiming expenses from the responsible motorists' insurance. He also said that test messages for the Positive Community Norms pilot project to improve highway safety will begin next month.

Member Gagner commended Chief Deputy Stokes for the improvements made to the Department's performance measures, particularly the "dashboard" reporting mechanism.

Several members also commended Director Ness's leadership that resulted in salary savings, enabling the Department to provide salary increases for employees.

The Director's entire report can be viewed at <http://itd.idaho.gov/Board/report.htm>.

Legislative Report. Government Affairs Manager (GAM) Mollie McCarty elaborated on the revenue proposals introduced late in the session. All seven of ITD's legislative proposals passed and have been signed into law. Other bills of interest that passed into law include making the 129,000 pound truck pilot project routes in southern Idaho permanent, allowing 129,000 pound vehicles on additional routes if authorized by the entity that has jurisdiction of the road, and the allowance of people applying for or renewing drivers' licenses or vehicle registrations to voluntarily contribute to the Organ Donation Contribution Fund. That Fund will be administered by the Department of Health and Welfare.

Chairman Whitehead thanked GAM McCarty for the report and for her efforts with legislation.

Technology Transfer (T2) Study. Lance Holmstrom, LHTAC Administrator, reported on the T2 study. The purpose of the study was to review policies and procedures of other states to identify best practices. It focused on funding, the consultant selection process, design standards for local roads, the project development process, right of way acquisition, and construction management procedures. The data has been compiled and a draft report is being reviewed. The next steps are to complete the report and determine which recommendations to implement.

Member Kempton said the Governor's Task Force on Modernizing Transportation Funding held discussions on local projects. It appeared the final project costs were generally more than estimated, and local agencies were encouraged to establish better cost estimates. He asked if improvements have been made with estimating project costs and about the relationship with ITD and its oversight. Administrator Holmstrom admitted the difficulties with estimating costs. He believes the new charter process will help. LHTAC is also working on streamlining its strategic plan with ITD's to focus more on safety, mobility, and economic opportunity.

Chairman Whitehead thanked Administrator Holmstrom for the report.

Adopt-A-Highway Presentation (AAH). Member Vassar thanked the Latah County Youth Services for its participation in the AAH Program. The group has been picking up litter for 18 years. It is currently responsible for two miles along SH-6 and two

miles along SH-9; however, it also picks up litter along one city street in Moscow and assists other groups with their litter pickups if need be.

Idaho Pathways Project Introduction. Gene Merrell, Associate Vice President of Economic Development, University of Idaho, reported on a collaborative effort to stimulate successful productivity and prosperity while positioning Idaho's economy to be more competitive and dynamic. The goals of the project are to update the comprehensive economic development strategies (CEDS) of the economic development districts, establish a statewide CEDS, and create an interactive website. Regional and statewide economic development teams will utilize secondary research, recent governor's summits on economic development and related topics, expertise at Idaho's institutions of higher education, and the expertise of the team members to create an economic development vision.

Mr. Merrell said the regional and statewide teams will employ the asset mapping and results of economic modeling in interactive workshop settings to explore alternatives as they update their regional CEDS and create a statewide CEDS. This data-driven process is expected to provide a structure and platform to encourage the development of realistic regional economic development visions, the creation of evidence-based and supported CEDS, provide diverse and engaged economic development teams with news to stay networked, and has the potential to align economic development opportunities across the state. Another output is a database that will be available to the general public, containing the asset mapping data.

Chairman Whitehead thanked Mr. Merrell for the presentation.

Public Transportation Advisory Council (PTAC) Update and I-way Leadership Award. District 2 PTAC Member Deb Smith said the area has experienced a lot of growth in public transportation. She emphasized the importance of providing citizens with transportation options.

Heather Wheeler, Community Transportation Association of Idaho Director, provided an overview on the statewide efforts to coordinate mobility. Local mobility management networks were created to identify the transportation needs unique to their region and to develop strategies to meet those needs. This information is provided to the District Coordination Councils where collaboration and coordination opportunities are identified. This group recommends funding projects to the PTAC, which is responsible for recommending funding requests to the Board for final decision. Last year's accomplishments include improved efficiencies, effectiveness, and transparency of services being provided; enhanced partnerships to leverage resources; and increased usage of public transportation to more than 4.2 million trips in the state.

Ms. Wheeler said District 2 saw a 5% increase in ridership during 2012. The region has six transportation providers. A concerted effort is being made to review the rural and urban systems. It is critical for the two systems to connect and to fill in gaps and reduce overlapping services to ensure that the system is efficient and effective. Other highlights from District 2 include the construction of a transit facility in Moscow, Appaloosa Express opened a new maintenance facility, and SMART was able to purchase a bus for a new route in the City of Moscow through a private/public partnership. She noted that ITD's new on-line grant administration software will be operational soon, which will improve grant administration, more timely reimbursements, and performance measurement tracking. In closing, she commented that funding continues to be a challenge. A dedicated state funding source for public transportation would be very beneficial, particularly to leverage federal funds.

Member Vassar believes addressing the state's public transportation needs will become more difficult as Idaho becomes more urbanized.

Ms. Wheeler and Member Vassar presented the I-Way Leadership Award to Bill Belknap and Alisa Stone with the City of Moscow. Their leadership and innovation was instrumental in constructing the intermodal transit center.

Chairman Whitehead thanked Ms. Smith and Ms. Wheeler for the information on public transportation and congratulated Mr. Belknap and Ms. Stone for their award.

Transit Mobility Management Systems Analysis. Randy Kyrias, Division of Transportation Performance Administrator (DTPA) summarized the Board's action in 2008 when it supported implementing a new system, structure, and concept for the delivery of rural public transportation throughout Idaho. Some of the founding principles included that mobility occurs at the local level, Urban and Rural systems must be integrated and coordinated, and workforce development and quality of life issues are high priorities.

DTPA Kyrias said a concerted effort has been underway to improve partnerships between Rural and Urban transit partners, Metropolitan Planning Organizations, Community Transportation Association of Idaho, human service organizations, local governmental agencies, elected officials, and ITD. Seven performance measures to track have been identified, which should enable tying funding to performance. The next steps include a comprehensive analysis for all Urban and Rural Mobility Management Systems. Both Urban and Rural transportation partners have initiated a project to conduct an analysis and develop a plan for creating and sustainably funding a comprehensive statewide mobility management system that recognizes the

importance of multimodal mobility coordination. The end result should be improved transportation and mobility for all residents in Idaho.

Member Vassar reiterated concerns with addressing and coordinating the Urban and Rural needs. Additionally, funding is an issue. She encouraged the Board to consider endorsing a state funding source for public transportation.

Chairman Whitehead thanked DTPA Kyrias for the presentation and for his efforts on this important issue.

Lower Payette River Heritage Byway. Transportation Planner (TP) Maureen Gresham and Emmett Mayor Bill Butticci requested the designation of a new scenic byway, the Lower Payette River Heritage Byway. The proposal is a 52-mile section along SH-52, from the City of Payette to the City of Horseshoe Bend. The mayor highlighted a number of special features along the route. He stressed that the designation will be beneficial for economic opportunities.

Member Gagner asked if the delegation understands that the national Scenic Byway Program has been discontinued in the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) federal surface transportation act and no funding is designated for scenic byways. TP Gresham answered in the affirmative. The group is aware that no funding is allocated to scenic byways.

Member DeLorenzo made a motion, seconded by Member Vassar, and passed unopposed, to approve the following resolution:

RES NO.       WHEREAS, the Idaho Transportation Board established the Scenic  
Byways  
ITB13-11       Advisory Committee (SBAC) on June 21, 1996; and

WHEREAS, among its purposes, the SBAC is to provide advice and recommendations concerning the Scenic Byway Program to the Board;  
and

WHEREAS, all local requests for Scenic Byway designation are to be submitted to the SBAC for review and consideration; and

WHEREAS, the City of Emmett submitted a request to designate a 52-mile scenic byway along SH- 52 from the City of Payette to the City of Horseshoe Bend; and

WHEREAS, District 3 is in full support of this designation; and

WHEREAS, the SBAC has found the request for this designation to comply with its established criteria and recommends Board approval.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the Lower Payette River Heritage Byway along the aforementioned route description; and

*BE IT FURTHER RESOLVED*, that the Lower Payette River Heritage Byway shall be so designated on the Idaho Official State Highway Map and signed as such.

Transportation Alternatives Program (TAP) and Strategic Implementation Program. TP Gresham said a number of stakeholders participated in discussions to develop the TAP since the March Board meeting. It recommends establishing Community Choices for Idaho to manage the program. The committee believes the program should maximize use of federal funds; streamline the funding process for local communities; enhance access to technical resources; align multiple goals, objectives, and stakeholders; and strengthen the relationship between ITD and local communities. The money should be used to fund communities' priorities, focus on project outcomes, encourage partnering with other agencies and organizations, and address multi-modal needs. The next steps will be to finalize the program details, solicit interest to serve on the Community Choices for Idaho Advisory Committee, and then call for projects.

Member Gagner asked for confirmation that the intent is to provide the statewide funding to local jurisdictions. TP Gresham replied yes, the TAP funds are to be distributed to locals.

Member Gagner made a motion, seconded by Vice Chairman Coleman, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, it is the Idaho Transportation Board's desire to support and authorize

ITB13-12 funding for the Transportation Alternatives Program as established through Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21); and

WHEREAS, the Transportation Alternatives Program supports a variety of local transportation projects by repackaging elements of the Safe Routes to School Program, Transportation Enhancements Program, Scenic Byways Program, and the Recreational Trails Program; and

WHEREAS, the Idaho Transportation Department created the Community Choices for Idaho management tool to assist local communities in applying for funds and to competitively select projects that will be submitted to the Board for approval; and

WHEREAS, the Board supports fully funding the Transportation Alternatives Program as outlined in MAP-21 and including the following allocations:

- Recreational Trails Allocation
- Population based Allocations
  - Transportation Management Area Allocation
  - Urban Population Sub-Allocation
  - Rural Population Sub-Allocation
- Statewide Allocation

*NOW THEREFORE BE IT RESOLVED*, that the Board authorizes funding and obligation authority for the Transportation Alternatives Program that complies with MAP-21 and uses the Community Choices for Idaho management tool.

Member Kempton suggested revising the proposed resolution to require staff to present the Community Choices management tool to the Board for review prior to implementation.

Member Kempton made a motion, seconded by Member Gagner, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, it is the Idaho Transportation Board's desire to continually improve

ITB13-13 both external and internal customer service, collaboration, and communications; and

WHEREAS, a strategic implementation program is established titled "Community Choices for Idaho" to act as a single customer touch point for local transportation funding programs providing a less administratively burdensome process for our external and internal partners; and

WHEREAS, the "Community Choices for Idaho" program will become a constant transportation implementation program adjusting to transportation funding authorizations, thus making application process changes more transparent to our customers; and

WHEREAS, the consolidated “Community Choices for Idaho” program will support better coordination, collaboration, and communications with our transportation partners; and

WHEREAS, the “Community Choices for Idaho” program will focus on supporting system preservation, economic opportunity, safety, and mobility; and

WHEREAS, “Community Choices for Idaho” is managed through an open and competitive process supporting both rural and urban projects.

*NOW THEREFORE BE IT RESOLVED*, that the Board directs staff to establish the “Community Choices for Idaho” program, including required policies, and directs the Transportation Alternatives Program to be the first funding mechanism managed through “Community Choices for Idaho”. Newly developed policies and procedures will be provided to the Board for review prior to implementation.

Chairman Whitehead thanked Vice Chairman Coleman, Members DeLorenzo and Gagner, and TP Gresham for their efforts to establish this program.

Chairman Whitehead welcomed Representative Thyra Stevenson to the meeting.

District 2 Report. District 2 Engineer (DE) Jim Carpenter reported on the District’s activities. A concerted effort has been made to prioritize and construct turn bays to improve safety. Three of the top ten rated projects are under construction, and three more should be ready for advertisement this year. The 2012 rock fall project on US-95 was selected for the 2013 Excellence in Transportation Awards, Design Small Project Category. The required clearances have been obtained to remove hazardous trees along US-95 to address safety concerns.

To address the potential retirement of the design team, DE Carpenter hired personnel in advance to provide an opportunity for training and obtaining design experience. This initiative was implemented three years ago. To date, three of the four hires have completed training and have been promoted. The staff has also been assisting District 3 with design work.

DE Carpenter reported on performance measures. All of the FY13 projects were delivered by October 1; 60% of FY14 projects have been delivered; 87% of the

pavement is in good condition; and the average storm index for the 2012-2013 winter was 0.13.

DE Carpenter and Idaho State Police (ISP) Captain Lonnie Richardson emphasized the good working relationship the two agencies have. They outlined road closure responsibilities. ITD has authority to close state highways to protect the public and/or prevent damage to the infrastructure. It communicates with ISP and other law enforcement personnel as necessary. Captain Richardson added that ISP informs ITD if it has concerns with traveling conditions and/or safety of the traveling public.

The Board commended DE Carpenter and Captain Richardson for the excellent partnership. It also thanked DE Carpenter for his leadership and accomplishments.

Executive Session on Personnel and Legal Issues. Member DeLorenzo made a motion to meet in executive session at 11:35 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(a), (b), (d), and (f). Member Vassar seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on legal and personnel matters.

The Board came out of executive session at 2:10 PM. No final actions or decisions were made.

Expansion Project Delay and GARVEE Program Adjustments to FY13-14. John Krause, Transportation Investments Manager (TIM), requested converting the US-2, Lake Street to Cedar Street, Sandpoint project, key #12284, from a federal project in FY13 to a State-funded project in FY14. This will result in expediting the project and enable federal aid to assist with GARVEE Program needs.

GARVEE Program Manager Amy Schroeder requested using \$4,469,000 from the referenced US-2 project to fund costs on the US-95, Granite Frontage Roads project. The project is behind schedule and is impacting the cash flow and drawdown of GARVEE bonds that have already been bonded. The other \$2,731,000 in formula funds would be used for right-of-way costs on the three interchange projects on I-84 in the greater Boise area. These additional projects have expedited delivery schedules in order to advertise the projects as quickly as possible to take advantage of current low interest rates on the next and final bond sale later this year. The aggressive delivery schedules resulted in higher design costs than initially estimated. The original formula funded right-of-way budgets were redistributed to cover the higher design costs.

Vice Chairman Coleman made a motion, seconded by Member Gagner, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB13-14 to publish and accomplish a current, realistic, and fiscally constrained five-year Idaho Transportation Investment Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal, state, local, and private transportation investment funding; and

WHEREAS, the US-2, Lake Street to Cedar Street, Sandpoint project, key #12284, cannot be delivered this fiscal year as planned; and

WHEREAS, the Board has previously approved the use of Formula funds on GARVEE projects; and

WHEREAS, the US-95, Garwood to Sagle Granite Frontage Roads project is behind its original schedule; and

WHEREAS, the timely expenditure of current bond proceeds could be negatively impacted by delays on the US-95, Garwood to Sagle Granite Frontage Roads project; and

WHEREAS, the design services budgets for the I-84, Meridian, Broadway, and Gowen Interchange projects are higher than originally estimated because of accelerated delivery; and

WHEREAS, the right-of-way impacts of the Meridian, Broadway, and Gowen Interchange projects have been minimized due to detailed engineering analysis and various design features; and

WHEREAS, a formula funded offset has been identified to come from the US-2, Lake Street to Cedar Street project.

*NOW THEREFORE BE IT RESOLVED*, to utilize \$7.2 million in Federal Formula funds from delaying the US-2, Lake Street to Cedar Street, Sandpoint project to FY14 to cover right-of-way costs on the Meridian and Gowen Interchanges (\$2.7 million) and right-of-way and construction costs on the US-95, Garwood to Sagle Granite Frontage Roads project (\$4.5 million); and

*BE IT FURTHER RESOLVED*, that staff is authorized to make any appropriate changes to the federal approved FY13-17 Statewide Transportation Improvement Program.

Highway Program Policy Discussion and Update: Board Policy B-11-04, Allocation of Surface Transportation Program Apportionments to Local Public Agencies. TIM Krause summarized MAP-21. Idaho's total funding is \$279 million in FY14. The six major programs are National Highway Performance Program, Congestion Management/Air Quality, Highway Safety Improvement Program, TAP, Surface Transportation Program (STP), and Metropolitan Planning and Research. MAP-21 defines sub-allocations for STP funds to areas based on aggregate population shares of the individual areas that make up each grouping: Transportation Management Areas (greater than 200,000 population), Urban (from 5,000 to 199,999 population), and Rural (fewer than 5,000 population). Half of the \$74.4 million STP funds are to be distributed to the three specified geographic areas of the state based on a formula, and the other \$37.2 million may be used anywhere. MAP-21 also defines project selection for all of the programs. It does not appropriate funds to jurisdictions.

TIM Krause said the current policy, B-11-04, directs 12.6% of STP funds to local public agencies, split evenly between Rural and Urban jurisdictions. He also summarized other funding available to local public agencies. Some of the additional federal funds provided to local jurisdictions via Board Policy include bridge and safety funds. Other local and state funding sources available to local public agencies include property taxes, special levies, general fund transfers, local impact fees, sales tax sharing, and industrial insurance refunds.

Chairman Whitehead thanked TIM Krause for the informative presentation.

Funding for FY14–18 Highway Investment Program Update. TIM Krause said staff is in the process of updating the Idaho Transportation Improvement Program (ITIP). MAP-21 appropriates about \$20 million less than staff had anticipated for FY13 and 14. It does not provide guidance on funding beyond FY14. Less state revenue is also projected for FY14-18. The Program guidelines are to implement the new MAP-21 programs, increase use of corridor planning tools, monitor and manage delivery milestones, target safety projects, and sustain and improve the efficient handling of freight. The intent is to review the draft FY14-18 ITIP with the Board in June, seek public comments in July, and request Board approval in September.

Chairman Whitehead left the meeting at this time. Vice Chairman Coleman presided.

Monthly Financial Statements. TIM Krause said net obligations were \$10,700,000 during March, resulting in total net cumulative obligations of \$175,600,000. Of the net obligations, \$184,500,000 were for current year projects. The remaining obligations are for adjustments for prior year projects plus advances of future year projects to FY13. The original budget amount for obligated FY13 projects was \$179,800,000. Net cumulative obligations are above the historical trend of \$151,800,000 for March.

Controller Gordon Wilmoth said Federal Highway Administration Indirect Cost Allocation revenue through February was \$17,055,000, which was above the projected amount of \$17,019,000. Miscellaneous state funded revenue of \$23,394,000 was \$2,092,000 above the forecast. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$123,868,000. The projected revenue was \$122,245,000. Revenue from the ethanol exemption elimination was \$10,653,000, which was .8% below the projected amount. Revenue to the State Aeronautics Fund from aviation fuels was \$1,331,000, resulting in an 18% positive variance. Miscellaneous revenue to this account was \$252,000, which was a 14% positive variance.

Total expenditures in the American Recovery and Reinvestment Act Title XII Fund for highway projects were \$175,797,000, while \$178,800,000 had been appropriated. Expenditures for public transportation were \$8,944,000 of the \$9,200,000 available.

Policy Review/Approval. Member Kempton made a motion to approve Board Policy 4012, Protecting and Maintaining State Highways, which combines former policies B-05-16, Maintenance of State Highways; B-05-05, Roadside Vegetation Program; B-05-06, Winter Maintenance Standards on State Highways; and B-05-34, Closure or Restricted Use of State Highways. Member Horsch seconded the motion and it passed unanimously.

Member Kempton made a motion to delete B-05-16, Maintenance of State Highways. Member Vassar seconded the motion and it passed unanimously.

Member Kempton made a motion to delete B-05-06, Winter Maintenance Standards on State Highways. Member Vassar seconded the motion and it passed unanimously.

Member Kempton made a motion to delete B-05-34, Closure or Restricted Use of State Highways. Member Gagner seconded the motion and it passed unanimously.

Member Kempton also noted that Administrative Policy A-05-34, Closures or Restricted Use of State Highways is being revised as Administrative Policy 5012,

Protecting and Maintaining State Highways to correspond with the revised Board Policy. Language in the other related Administrative Policies is being incorporated into manuals.

Policy Introduction. DE Carpenter introduced Board Policy 4016, Traffic Regulation for the Board's review. This policy combines B-12-03, Traffic Minute Entries and B-12-16, Traffic Control Devices. Staff is also recommending deleting B-12-06, Transportation Impact Studies due to earlier revisions made to the access policy and B-12-07, State Highway Speed Limits within City Jurisdictions due to legislation in 2012. DE2 Carpenter added that similar revisions are being proposed for the corresponding Administrative Policies.

Member Kempton made a motion to introduce the four referenced policies for the Board's review. Member Horsch seconded the motion and it passed unopposed.

Subcommittee on Audits. Subcommittee on Audits Member Kempton presented a revised charter for the Subcommittee on Audits. In addition to clean-up language, it clarifies responsibilities of the Subcommittee and ITD staff. A new Board Policy entitled Office of Internal Review has been drafted. Member Kempton asked the Board to review those documents.

Old/New Business. Member Kempton referenced last month's discussion on providing financial assistance to local jurisdictions to move utilities when an ITD project requires the relocation and it results in a hardship. He suggested that as staff drafts a policy on this issue, it research and consider the role of judicial confirmation. Locals have the ability to issue bonds for expenses like relocating utilities without a vote of the public, but with judicial approval.

Director Ness was pleased to announce the promotion of DE Carpenter to the Chief Operations Officer position. The Board congratulated DE Carpenter.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 3:40 PM.

signed

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JERRY WHITEHEAD, Chairman  
Idaho Transportation Board

Read and Approved  
May 23, 2013

Pocatello, Idaho

## SPECIAL SESSION OF THE IDAHO TRANSPORTATION BOARD

April 18, 2013

Idaho Transportation Board Chairman Jerry Whitehead called a special session of the Idaho Transportation Board at 9:10 AM on Thursday, April 18, 2013. The following principals were present at the Idaho Transportation Department in Boise, Idaho:

Jerry Whitehead, Chairman

Larry Allen, Deputy Attorney General

Sue S. Higgins, Executive Assistant and Secretary to the Board

The following participated via teleconference:

Jim Coleman, Vice Chairman – District 1

Jim Kempton, Member – District 4

Dwight Horsch, Member – District 5

Executive Session on Legal Issues. Vice Chairman Coleman made a motion to meet in executive session at 9:10 AM to discuss legal issues as authorized in Idaho Code Section 67-2345(f). Member Kempton seconded the motion and it passed 3-0 by individual roll call vote.

A discussion was held on legal matters.

Janice B. Vassar, Member – District 2, joined the meeting at 9:25 AM.

The Board came out of executive session at 9:50 AM. No final actions or decisions were made.

New Business. Due to recent legislation making the 129,000 pound pilot project permanent and allowing that weight limit on additional routes, with the assurance that the route is structurally sound and meets safety engineering standards, Chairman Whitehead believes it would be advantageous for 129,000 pound vehicles to operate on Idaho's Interstate system.

Member Kempton said he has been asked to join a delegation traveling to Washington, D.C. next week to meet with officials to encourage Congressional allowance of 129,000 pound weight limits on Idaho's Interstates.

Member Kempton made a motion, seconded by Member Vassar, and passed 4-0, to approve the following resolution:

RES. NO.        WHEREAS, in 2003, the Idaho Legislature authorized the 129,000 pound Pilot  
ITB13-15        Project on specified routes; and

WHEREAS, this Pilot Project was closely monitored; and

WHEREAS, the Idaho Transportation Department made regular reports to the Legislature in 2007, 2010, and 2013; and

WHEREAS, Pilot Project reports evaluated all important impacts, including impacts to safety, bridges, pavements and the economy; and

WHEREAS, the final Pilot Project report, entitled 129,000 Pound Pilot Project, Report to the 62<sup>nd</sup> Idaho Legislature, 2013, concluded that no significant effects to safety, bridges, and pavements were observed as a result of pilot project vehicles; and

WHEREAS, the 2013 Legislature approved legislation to not only make the Pilot Project routes permanent, but also allow 129,000 pound permitted vehicles on select routes as authorized by the jurisdiction that has authority on that route; and

WHEREAS, Congressional action is required to allow 129,000 pound vehicles on Idaho's Interstate system; and

WHEREAS, with the recent passage of Idaho's 129,000 pound vehicle legislation, allowing 129,000 pound vehicles on the state's Interstate system would provide economic benefits.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board supports Congressional authorization allowing 129,000 pound vehicles on Idaho's Interstates.

WHEREUPON the special session of the Transportation Board adjourned at 10:00 AM.

Read and Approved  
May 23, 2013  
Pocatello, Idaho

signed  
Jerry Whitehead, Chairman  
Idaho Transportation Board

REGULAR MEETING AND DISTRICT FIVE TOUR  
OF THE IDAHO TRANSPORTATION BOARD

May 22-23, 2013

The Idaho Transportation Board met at 8:30 AM, on Wednesday, May 22, 2013, in Pocatello, Idaho. The following principals were present:

Jerry Whitehead, Chairman  
Jim Coleman, Vice Chairman – District 1  
Janice B. Vassar, Member – District 2  
Julie DeLorenzo, Member – District 3  
Jim Kempton, Member – District 4  
Dwight Horsch, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Chief Deputy  
Sue S. Higgins, Executive Assistant and Secretary to the Board

Chairman Whitehead welcomed Representative Marc Gibbs and Aeronautics Advisory Board Chairman Rodger Sorensen to the tour.

District 5 Tour. The Board traveled I-15 south and US-91 south to Preston, where it met with local officials. Some of the concerns discussed included access along US-91 at the southern end of town, particularly at the school, and an intersection on SH-36 north of town. Officials believe entering SH-36 from Fairway Drive is dangerous due to a curve, limiting sight distance. They recommended either lowering the speed limit or constructing an acceleration lane.

The Board traveled north on SH-34, west on US-30, north on I-15, and west on I-86 to Chubbuck. Chubbuck Mayor Steve England expressed appreciation for the I-86, Chubbuck Interchange project under construction. District 5 Engineer (DE) Ed Bala elaborated on the divergent diamond design; the first one being constructed in Idaho. Mayor England also mentioned the need for an additional interchange at I-15 and Syphon Road. He believes it would promote economic opportunities for the Cities of Chubbuck and Pocatello and the region.

WHEREUPON the tour recessed at 4:35 PM in Pocatello.

May 23, 2013

The Board reconvened at 8 AM on Thursday, May 23, 2013, at Idaho State University, Pocatello, Idaho. All members were present. Deputy Attorney General Larry Allen was also in attendance.

Board Minutes. Member Vassar made a motion to approve the minutes of the regular Board meeting held on April 9-10, 2013 and the minutes of the special Board meeting held on April 18, 2013, as submitted. Member DeLorenzo seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

June 18-19, 2013 – Boise

July 10-11, 2013 – District 6

August 14-15, 2013 – District 4

Consent Calendar. Member Vassar made a motion, seconded by Member Gagner, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, consent calendar items are to be routine, non-controversial, self-

ITB13-16 explanatory items that can be approved in one motion, although the Idaho Transportation Board members have the prerogative to remove items from the consent calendar for questions or discussion.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the FY14 out-of-state travel; Local Highway Technical Assistance Council – Surface Transportation Program (STP) Local Urban Program changes in FY15; increase federal-aid limit on STP-Enhancement local project; delay West Pedestrian Bridge, Garden City from FY13 to FY14; add two National Summer Transportation Institute Discretionary Grants to FY13; remove/add High Priority SAFETEA-LU projects in FY14; and delay Cheney Drive, Washington Street to North College Road, College of Southern Idaho to FY14; and

*BE IT FURTHER RESOLVED*, that the Board has received and reviewed the State FY13 program adjustments to utilize the balance of State Funds, contract award information, professional services agreements and term agreement work task report, and IPLAN project monthly status update for informational purposes.

1) FY14 Out of State Travel. The FY14 out-of-state travel request is \$251,300. The budget includes \$205,500 in state funds and \$45,800 in federal funds.

2) Local Highway Technical Assistance Council (LHTAC) STP – Local Urban Program Changes in FY15. The City of Hayden Lake requests removal of the STC-7085, Miles Road; Strahorn Road to North Lakeview Drive project, key #12309. The \$344,000 project scheduled in FY15 was completed with local funds. The City also requests that ITD return the \$10,000 deposit, less administrative costs. Staff requests approval to amend the FY13 Statewide Transportation Improvement Program (STIP) accordingly.

3) Increase Federal-aid Limit on STP-Enhancement Local Project. The US-95, Bonners Ferry Pedestrian Underpass project, key #8710 was programmed in FY04 in the STP-Enhancement Program. The construction was completed in 2006. The District would like to close out and final voucher the project; however, the local's in-kind work was not recorded in the financial system. In order to give credit to the local entity, the federal-aid limit must be increased by \$28,848. Staff requests increasing the federal-aid limit on the US-95, Bonners Ferry Pedestrian Underpass, Boundary County project by \$28,848.

4) Delay West Pedestrian Bridge, Garden City from FY13 to FY14. The City of Garden City requests delaying the West Pedestrian Bridge project, key #13512, from FY13 to FY14 because the project oversight is being transferred to ITD District 3 and the state/local agreement has not been completed. The project is funded via Transportation, Community and System Preservation Program discretionary funds, so there are no fiscal implications to delaying the \$672,000 project. Staff also requests amending the FY13 STIP accordingly.

5) Add Two National Summer Transportation Institute (NSTI) Discretionary Grants to FY13. The Federal Highway Administration (FHWA) awarded \$91,000 of FY13 NSTI funds to Idaho. Idaho State University (ISU) in Pocatello received \$64,000 to target students from the Bannock-Shoshone Tribe and minority, female and disadvantaged students for summer camp programs emphasizing Science, Technology, Engineering, and Math. Northwest Nazarene University (NNU) in Nampa received \$27,000 for its summer camp. To expedite the receipt of funding in regard to the timing of the camps, staff proceeded with the addition of the FY13 NSTI Program – ISU June 2013 project, key #13833 for \$64,000 and the FY13 NSTI Program – NNU June 2013 project, key #13834 for \$27,000 to the program and amended the FY13 STIP. It requests Board ratification for the addition of these projects to the FY13 STIP.

6) Remove/Add High Priority Safe, Affordable, Flexible, Efficient Transportation Equity Act – A Legacy for Users Projects in FY14. District 4 requests removal of SH-75, Timmerman Junction to Ketchum Wetland Mitigation, key #11624 for

\$4,247,000. The wetland mitigation has been completed. Additionally, staff requests adding SH-75, Big Wood River Bridge to Elkhorn Road, key #11622 for \$4,247,000 to FY14 and to amend the FY13 STIP accordingly.

7) Delay Cheney Drive, Washington Street to North College Road, College of Southern Idaho to FY14. The City of Twin Falls requests delaying the Off-System, Cheney Drive; Washington Street to North College Road, College of Southern Idaho project, key #11495 from FY13 to FY14. The environmental process is causing delays to the \$442,000 project. Staff requests approval to delay the project and amend the FY13 STIP accordingly.

8) State FY13 Program Adjustments to Utilize State Funds. In accordance with Board Resolution #05-47, staff advanced the following projects in the Pavement and Bridge Preservation Programs to allow immediate obligation while minimizing possible last-minute risks to fully utilize the FY13 State Funds by June 30: SH-6, Palouse River Road to Meadow Creek Road, key #12324 - \$1,237,000; US-95, Milepost 251-261 Concrete Slab Repair, key #12993 - \$1,645,000; FY14 District 4 Districtwide Sealcoat, key #13063 - \$883,000; US-26, Snake River Bridge to Swan Valley, key #11667 - \$779,000; and FY13 District 6 Districtwide Bridge Preservation, key #11684 - \$779,000.

9) Contract Awards. Key #9029 – Intersection Snake River Avenue/Southway Avenue, Lewiston, District 2. Low bidder: Poe Asphalt Paving, Inc. - \$2,042,391.

Key #13359 – I-84 Business, Junction I-84 to 10<sup>th</sup> Avenue, Caldwell, District 3. Low bidder: C & A Paving Company, Inc. – \$1,233,157.

Key #9986 – South Fork Payette River Bridge, Boise County, District 3. Low bidder: Ralph L. Wadsworth Construction Company, LLC - \$2,303,182.

Key #13365 – US-95 and US-30, FY13 Microseals, Payette County, District 3. Low bidder: VSS International Inc. - \$554,416.

Key #12869 – SH-81, Marsh Creek Canal Bridge, Declo, District 4. Low bidder: Knife River Corporation – Northwest - \$868,451.

Key #13074 – SH-81, 300 South Road to Satellite Port of Entry, Cassia County, District 4. Low bidder: Western Construction, Inc. - \$1,001,563.

Keys #9855, #12403, and #11076 – US-30, Malad River Bridge Painting; FY13 District 4 Bridge Deck Life Extension; and Malad River Bridge, Wendell. Low bidder: J M Concrete - \$945,914.

Key #9895 – Ferry Butte Road to Tilden Bridge, Bingham County, District 5. Low bidder: Mickelson Construction Company, Inc. - \$990,066.

Key #10610 – Stone Bridge, Fremont County, District 6. Low bidder: Cannon Builders, Inc. - \$2,846,611.

10) Professional Services Agreements and Term Agreement Work Task Report. From March 25 through April 30, 30 new professional services agreements and work tasks were processed for \$2,553,796. Seven supplemental agreements to existing agreements were processed in the amount of \$907,479 during this period.

11) IPLAN Project – Monthly Status Update. The project is currently in the development/ configuration stage. Some of the activities during the past month included discussions regarding the data standards document and workflows of data standards; presentations at the Project Development Conference and GIS-T Conference; and establishment of the IPLAN Data Team.

Director's Report. Director Ness summarized various meetings and activities, including three ITD/Associated General Contractors (AGC) of Idaho forums held throughout the state, the American Association of State Highway and Transportation Officials Geographic Information Systems symposium in Boise, and a Boise Chamber of Commerce Transportation meeting. The next Capital for a Day will be in Rexburg early next month. He also reported on numerous awards, recognitions, and efficiencies.

The Director's entire report can be viewed at <http://itd.idaho.gov/Board/report.htm>.

Chief Deputy Stokes added that the AGC is pleased with the Department's new electronic bidding system. He was pleased with the participation at the recent annual Traffic Safety Summit and commended ITD's partnerships to address safety. The Internal Review Office is undergoing a peer review this week. In closing, he said a Mineta Transportation Institute representative visited ITD to learn more about the emergency management efforts.

Adopt-A-Highway Presentation (AAH). Member Horsch thanked the J.R. Simplot Company employees for participating in the AAH Program.

Public Transportation Advisory Council (PTAC) Update and I-Way Leadership Award. District 5 PTAC Member Kathy Ray presented the I-Way Leadership Award to Dave Hunt with Pocatello Regional Transit. Mr. Hunt has been instrumental in providing coordinated public transportation services, promoting alternative transportation, and developing partnerships.

Ms. Ray summarized the transit services available in the region. Some of the coordination efforts include educational and awareness campaigns; presentations and meetings with senior centers, disability organizations and management; and the formation of partnerships. Plans are continuing on the construction of an intermodal transit facility for Pocatello Regional Transit. Issues that need addressing are land use planning, expanding partnerships, enhancing pedestrian and bicycle infrastructure, and limited state funding.

Chairman Whitehead thanked Ms. Ray for the information on public transportation and congratulated Mr. Hunt for the I-Way Leadership award.

Freight Advisory Committee Nominations. Maureen Gresham, Program Planning and Development Specialist (PPDS), presented the nominations for the Freight Advisory Committee.

Vice Chairman Coleman made a motion, seconded by Member Vassar, and passed unopposed, to approve the following resolution:

RES. NO.       WHEREAS, it is in the public's interest for the Idaho Transportation Department  
ITB13-17       to facilitate the efficient and effective movement of freight; and

WHEREAS, it is the intent of the Idaho Transportation Board to encourage partnerships between various transportation stakeholders that further safety, mobility, and economic opportunity; and

WHEREAS, the Board has authority to establish internal structures deemed necessary for its duties; and

WHEREAS, the Freight Advisory Committee charter recognizes that key stakeholder interests will be represented on the committee; and

WHEREAS, the Freight Coordinator, in consultation with the freight industry, members of the Freight Study Steering Committee, the Idaho Trucking Advisory Council, and the Idaho Aeronautics Advisory Board recommends the following persons as representatives of their respective

industry to terms as members of the Freight Advisory Committee as follows:

31, 2014	John Brown	Rail	May 2013-December
31, 2014	Clay Handy	Trucking	May 2013-December
31, 2014	David Doeringsfeld	Port/Barge	May 2013-December
31, 2014	Rebecca Huff	Air Freight	May 2013-December
31, 2014	Rick Naerebout	Agricultural	May 2013-December
31, 2014	Britany Hurst	Agricultural	May 2013-December
31, 2014	Bryan Wada	Agricultural	May 2013-December
December 31, 2013	Scott Atkinson	Natural Resources	May 2013-
31, 2013	Kent Watson	Natural Resources	May 2013-December
31, 2013	Bob Earp	Manufacturing/Retail	May 2013-December
31, 2013	Todd Strayer	Carrier/Shipping	May 2013-December
31, 2013	Winston Inouye	Logistics/Warehouse	May 2013-December
31, 2013	Bryan Whipple	Member-at-Large	May 2013-December

*NOW THEREFORE BE IT RESOLVED*, that the Board accepts the recommendations of the Freight Coordinator Administrator and appoints the recommended persons to positions and terms of service on the Freight Advisory Committee.

Statewide Scenic Byway Advisory Committee (SBAC) Update. PPDS Gresham reported on continuing discussions related to the SBAC. It believes the statewide committee has value. No funding is available for the Scenic Byway Program; however, funding may be available through travel scholarships for members to attend meetings. There may be an opportunity to use the ITD Districts more or partner with other state agencies. Staff will continue to explore options, including potential funding sources.

Statewide Freight and Passenger Rail Plan. PPDS Gresham presented the draft Freight and Passenger Rail Plan. It includes both 5-year and 20-year investment plans. Some activities in the 5-year plan include constructing a Treasure Valley freight multi-modal transload center, establishing a railroad crossing safety program, and creating a rail trespassing deterrence program. Some of the long-term investments include freight multi-modal rail yard improvements, a Pocatello dry port, preserving commuter rail corridors, and a Treasure Valley high capacity transit project. The next steps are a public review and comment period on the Plan followed by the Federal Railroad Administration's review. Staff anticipates seeking Board approval for the Statewide Freight and Passenger Rail Plan at the July meeting.

FY14-17 Strategic Plan for the Division of Financial Management. Ted Venegas, Senior Transportation Planner (STP), presented the draft Strategic Plan for review. Idaho Code requires state agencies to submit the document covering a minimum of four years to the Division of Financial Management by July 1. The Plan includes the Department's vision and/or mission statement, goals, objectives, performance measures and benchmarks, and external factors.

Community Choices for Idaho/Transportation Alternatives Program (TAP). STP Venegas provided draft guidelines and a suggested administrative policy to implement the Community Choices Program. A number of stakeholders were involved in the process. Community Choices for Idaho is an umbrella program for various local funding sources. It currently includes the TAP, but is expected to expand to include the Americans with Disabilities Act curb ramp program and the Congestion Mitigation/Air Quality Program. A Community Choices Advisory Committee will be established to review and prioritize projects for funding. It will provide recommendations to the Board. The Committee will be comprised of approximately 13 members representing specific interests such as bicycle/pedestrian, economic development, transit, education, and law enforcement. Between 70% and 90% of total program funds will be targeted for infrastructure projects and 10% to 30% to non-infrastructure projects. A Board policy will be developed.

Member DeLorenzo commended PPDS Gresham and STP Venegas for their efforts. She believes a good process was used to develop the Community Choices for Idaho Program and a number of stakeholders were involved.

Alternative Project Delivery Presentation. Amy Schroeder, Innovative Contracting Manager (ICM), summarized Idaho Code authorizing up to 20%, or approximately \$60 million, of ITD's annual highway program for design-build and/or construction manager/general contractor projects. It also identifies project selection factors. Efforts

are continuing to develop procurement documents, manuals, and guidelines. Training is also being provided.

A number of potential alternative contracting projects were submitted by the Districts. ICM Schroeder recommended approving two FY15 projects so that work can begin immediately. The Commercial Weight and Safety Compliance Station in District 6 is a \$1 million project to upgrade inspection sites on US-20. Improvements include illumination and stormwater collection and disposal, changeable message boards, scales, and a warming operations shelter. It is a good candidate for design-build because of opportunities for innovation due to specialty items. The District 3 SH-55, North Fork of the Payette River Bridge project is a desirable design-build project because it has a well-defined scope and also because of opportunities for innovation with maintenance of traffic and right-of-way constraints. The \$3.2 million project will reconstruct the structure on the same basic alignment.

Member Gagner made a motion, seconded by Member DeLorenzo, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board is charged with determining the ITB13-18 timeframe and scope of improvements for the State Transportation System; and

WHEREAS, Idaho Code § 40-904 and § 40-905 allow the use of alternative contracting methods to advertise and award projects on the state highway system; and

WHEREAS, Idaho Code § 40-904 and § 40-905 delegate authority to the Board to review and approve the projects that will utilize the design-build and construction manager/general contractor methods; and

WHEREAS, the project selection criteria include project suitability, industry resources and capability, Idaho Transportation Department resources and capability, and other relevant factors; and

WHEREAS, Idaho Code § 40-904 and § 40-905 limit the use of alternative delivery methods to no more than 20% of the Department's annual highway construction budget for the state transportation improvement program; and

WHEREAS, the Board has reviewed the nominated projects and merits of utilizing the design-build and construction manager/general contractor methods on the projects.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the use of the design-build on the following projects:

Key #13573, Commercial Weight and Safety Station, Phase 3, and  
Key #13392, SH-55, North Fork of the Payette River Bridge.

Highway Safety Performance Plan for FY14. Highway Safety Manager Brent Jennings presented the draft Highway Safety Performance Plan. The document, required by the National Highway Traffic Safety Administration, outlines the behavior highway safety program for the year. The Board will be asked to approve the Plan next month.

Forest Highways Program vs. Federal Lands Access Program (FLAP). Chief Engineer (CE) Tom Cole reported on changes to the Forest Highways Program due to the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21). Now called FLAP, it is still a discretionary program. The funds are to be used on roads that provide access to federal lands, not just Forest Service roads, and a match is required. Local public agencies are now eligible to receive funding. FHWA Direct Federal, ITD, and LHTAC provide oversight. The projects selected by the Tri-Agency have to be mirrored in Idaho's STIP.

Timeline Delivery of Projects and Advancing Projects. CE Cole summarized investment tools for managing projects and cash flow. The intent is to start the bidding process nine months sooner to allow for earlier contractor payments. Currently, it takes approximately 160 days to issue the first check to a contractor after the Plans, Specifications, and Estimates process. Projects may be funded via advance construct, whereby state funds are used prior to the beginning of a new federal fiscal year when the project would then be eligible for federal reimbursement. CE Cole also outlined the cash flow process, which would enable ITD to take advantage of the construction season when money is available. More details will be provided at the workshop next month.

Advance I-84, Eisenman Interchange #60 to Milepost 70 Eastbound and Westbound Restoration Projects from State FY14/15 to Federal FY13. DE3 Dave Jones said the I-84, Eisenman Interchange #60 to Milepost 70, Eastbound, key #12352, and Westbound, key #12353, projects were initially programmed in FY14 and FY15, respectively. Since the projects were programmed, the I-84, Broadway Avenue Interchange, I-84, Gowen Road Interchange, and widening I-84 between the two

interchanges have been added to the STIP for construction in 2014. To avoid public inconvenience of all of these projects under construction simultaneously, DE Jones requested advancing the restoration projects to FY13. The roadway in this section is deteriorating and postponing the improvements may cause the road to deteriorate to a point that would require full reconstruction. Advancing the restoration projects could be offset by delaying the I-84, Meridian Interchange to Five Mile Road restoration project, key #13057.

Vice Chairman Coleman made a motion, seconded by Member Gagner, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB13-19 to publish and accomplish a current, realistic, and fiscally constrained five year Idaho Transportation Investment Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal, state, local, and private capital investment funding; and

WHEREAS, District 3 requests that these two projects be advanced to FY13 to prevent public inconvenience; and

WHEREAS, the roadway sections of the two projects will deteriorate to a point that may require full reconstruction, therefore it is a financial benefit to advance these now; and

WHEREAS, the GARVEE interchange construction projects scheduled in FY14 will not be impeded by the two interstate restoration projects.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the advancement of both I-84, Eisenman Interchange #60 to Milepost 70, Eastbound and Westbound, Near Boise, keys #12352 and #12353 to FY13 at \$15 million and the delay of I-84, Meridian Interchange to Five Mile Road, key #13057 to FY14 at \$19 million; and

*BE IT FURTHER RESOLVED*, that staff is authorized to amend the FY13-17 Statewide Transportation Improvement Program accordingly.

Add US-95, Anderson Corner Improvements to State FY13 of the Board Unallocated Program. DE3 Jones said Nunhems USA is interested in expanding its seed production facility near Parma; however, it has safety concerns with access to its

parking lot. It approached the Department of Commerce for assistance. Although the proposed project to add a right-turn bay and extend the southbound merge lane at the junction of US-95 and US-20 (also known as Anderson Corner) is not at the top of the list for intersection improvement projects, DE3 Jones believes the project would improve safety. The economic benefits and the partnership also warrant funding the project.

Vice Chairman Coleman made a motion, seconded by Member Gagner, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB13-20 to publish and accomplish a current, realistic, and fiscally constrained five year Idaho Transportation Investment Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal, state, local, and private capital investment funding; and

WHEREAS, the Board has set aside \$5 million of Board Unallocated funds in state FY13 to use at the Board's discretion, of which approximately \$377,000 is currently available; and

WHEREAS, Nunhems USA agreed to participate in costs up to \$75,000 and Payette County has agreed to participate up to \$75,000 in the project; and

WHEREAS, District 3 requests \$350,000 in Board Unallocated funds to cover the ITD portion of this project; and

WHEREAS, District 3 has designed the project and is ready to put it out for bid this summer in accordance with the three-party agreement with Nunhems and Payette County.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the addition of the US-95, Anderson Corner Intersection Improvements to State FY13 of the Board Unallocated Program for a total cost not to exceed \$350,000; and

*BE IT FURTHER RESOLVED*, that staff is authorized to amend the FY13-17 Statewide Transportation Improvement Program accordingly.

Add US-91, Shelley North City Limits to York Road to the Early Development Program. DE5 Bala requested funding for the US-91, Shelley North City Limits to York Road project, key #9225. The major widening project will address capacity and traffic operations problems. Headquarters withdrew the \$15 million project from federal participation in March 2013. District 5 had intended to buy two right-of-way parcels; however, the project removal occurred prior to the purchase. The right-of-way costs are estimated at \$383,000 and the District has identified the funding to offset that cost. The Early Development Program policy requires Board approval for right-of-way acquisition.

Member DeLorenzo made a motion, seconded by Member Gagner, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB13-21 to publish and accomplish a current, realistic, and fiscally constrained five year Idaho Transportation Investment Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal, state, local, and private capital investment funding; and

WHEREAS, District 5 requests that this project be placed back in the Statewide Transportation Improvement Program in the Early Development Program; and

WHEREAS, the right-of-way cost is \$383,000 and the District has identified the funding to offset that cost; and

WHEREAS, the right-of-way purchase was imminent and relates to Parcel 4 and Parcel 4.1 (one owner).

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the addition of US-91, Shelley North City Limits to York Road to FY13 of the Early Development Program at a cost of \$383,000; and

*BE IT FURTHER RESOLVED*, that staff is authorized to amend the FY13-17 Statewide Transportation Improvement Program accordingly.

District 5 Report. DE5 Bala reported on the District's activities. Data, such as capacity analyses, predictive risk models, and the storm index, are being used to make informed decisions for planning, safety, engineering, and operations. Staff delivered

92% of the FY13 projects on time, which was below the goal of 100%. The storm index for the winter mobility goal was .3 or less, while the District achieved .07. The goal to bring 75% of guardrails into compliance with the standards was almost met, as 74% were brought into compliance. There were three suspense items, exceeding the public relations goal to not have more than four suspense items.

DE5 Bala elaborated on partnerships. The District provided assistance to the City of American Falls with its Transportation Investments Generating Economic Recovery grant. It worked with the U.S. Forest Service on fish passage structures, the City of Pocatello on a traffic center, and the Idaho Department of Fish and Game on signing. Staff also assisted other Districts with design work. Efforts are continuing to improve winter applications. Plans are to construct turn bays throughout the District and center medians in Pocatello and improve striping to address safety. Mobility efforts will continue focusing on intelligent winter material application and a Transportation Asset Management Systems winter mobility study. The construction of the Cheyenne Underpass and shorter project durations should improve mobility. Efforts will also continue to focus on developing employees and improving the culture.

Member Horsch expressed appreciation to DE5 Bala for his efforts.

American Road and Transportation Builders Association (ARTBA) Presentation. Connecting Idaho Partners Dave Butzier and Dick Jacobsen presented an ARTBA award to District 5 for its efforts on the US-30, McCammon to Lava Hot Springs project.

Executive Session on Personnel and Legal Issues. Member DeLorenzo made a motion to meet in executive session at 12:30 PM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(a), (b), (d), and (f). Member Vassar seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on legal and personnel matters.

The Board came out of executive session at 2:40 PM. No final actions or decisions were made.

Federal Formula Highway Funding to Locals/Programmatic Investment Policy. Transportation Investments Manager (TIM) John Krause reviewed MAP-21 requirements regarding distribution of federal formula funds. He presented three options to update Board Policy B-11-04, Allocation of Surface Transportation Program Apportionments to Local Public Agencies. The first option would maintain the allocations per the current policy: 12.6% of STP funds to local

public agencies, split evenly between Rural and Urban jurisdictions. The second option would distribute funds based on population per the 2010 census, which indicates urban areas have 66.5% of the population and rural areas have 33.5%. The last option deducts the federal Off-System Bridge and the Board-directed Local Highway Safety Improvement Program funds from the equation and distributes the remaining money based on the 2010 census.

In response to Member Gagner's question on the basis of the current 50-50 distribution, TIM Krause responded that he believes that was established based on population. Member Gagner asked if there are other mechanisms to develop the distribution formula. TIM Krause said lane miles or traffic counts could be considered.

Vice Chairman Coleman asked if local public agencies provided comments on the distribution formula. TIM Krause responded that some local officials submitted comments.

Member Kempton suggested incorporating lane miles and traffic volumes into the distribution proposals.

Monthly Financial Statements. TIM Krause said net obligations were \$17,700,000 during April, resulting in total net cumulative obligations of \$193,300,000. Of the net obligations, \$199,200,000 were for current year projects. The remaining obligations are for adjustments for prior year projects plus advances of future year projects to FY13. The original budget amount for obligated FY13 projects was \$190,200,000. Net cumulative obligations are above the historical trend of \$194,000,000 for April.

Controller Gordon Wilmoth said FHWA Indirect Cost Allocation revenue through March was \$17,545,000, which was below the projected amount of \$18,006,000. Miscellaneous state funded revenue of \$26,200,000 was \$1,638,000 above the forecast. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$139,045,000. The projected revenue was \$137,053,000. Revenue from the ethanol exemption elimination was \$11,855,000, which was .07% below the projected amount. Revenue to the State Aeronautics Fund from aviation fuels was \$1,460,000, resulting in an 18% positive variance. Miscellaneous revenue to this account was \$271,000, which was a 14% positive variance.

Total expenditures in the American Recovery and Reinvestment Act Title XII Fund for highway projects were \$175,852,000, while \$178,800,000 had been appropriated. Expenditures for public transportation were \$8,946,000 of the \$9,200,000 available.

Service Contracts issued by Business and Support Management. Controller/Acting Business and Support Manager Wilmoth reported that the Business and Support Management Section processed four new service contracts for \$185,856 from March 26 through April 25. Sixteen service contract modifications were also processed, totaling \$4,142,762. Eleven of those modifications were related to the Division of Motor Vehicles' Modernization project.

Enterprise Technology Services (ETS) – Services and Innovations. Information Technology Administrator (ITA) Shannon Barnes elaborated on the changing technology. Technology provides opportunities for ITD to improve its transparency, compile better information for decision making, develop new skills for staff, increase productivity, and provide new and improved services for customers. There are also challenges, such as security, staffing changes, data quality, and costs.

ITA Barnes summarized the ETS Plan. It will focus on ETS's role of the foundational infrastructure, security, application development services, project management, service desk, and enterprise architecture. Some of the strategies to obtain the goals of safety, mobility, developing employees, and implementing innovative business practices are partnerships, efficient and effective operations, enabling informed decisions, and providing a secure environment.

Chairman Whitehead thanked ITA Barnes for the informative presentation.

Administrative Rule Options – 129,000 Pound Trucks/Routes. Governmental Affairs Management Assistant (GAMA) Linda Emry summarized options to develop administrative rules for recent legislation making the 35 129,000 pound pilot project routes permanent and authorizing responsible jurisdictions to approve additional routes for the increased gross vehicle weights. Negotiated rule-making involves working with the industry and interested parties on the proposed rules. Temporary and proposed rule-making allows rule changes to become effective immediately and, upon legislative approval, the changes become permanent.

Chairman Whitehead thanked GAMA Emry for the overview on the rule-making process. He also congratulated her on her upcoming retirement.

New Business. Chairman Whitehead requested establishing a Board Subcommittee on 129,000 Pound Truck Routes to implement Senate Bills 1064 and 1117 and the trailer bill House Bill 322. Member Kempton said some work has occurred to start the process, including the development of a draft charter.

Vice Chairman Coleman made a motion to establish a Board Subcommittee on 129,000 Pound Truck Routes in accordance with the draft charter, as shown as Exhibit 424, which is made a part hereof with like effect. Member DeLorenzo seconded the motion and it passed unopposed.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 4:20 PM.

signed

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JERRY WHITEHEAD, Chairman  
Idaho Transportation Board

Read and Approved  
June 19, 2013  
Boise, Idaho

## SPECIAL SESSION OF THE IDAHO TRANSPORTATION BOARD

May 31, 2013

Idaho Transportation Board Chairman Jerry Whitehead called a special session of the Idaho Transportation Board at 10:00 AM on Friday, May 31, 2013. The following principals were present at the Idaho Transportation Department in Boise, Idaho:

Jerry Whitehead, Chairman  
Julie DeLorenzo, Member – District 3  
Larry Allen, Deputy Attorney General  
Brian W. Ness, Director  
Scott Stokes, Chief Deputy  
Sue S. Higgins, Executive Assistant and Secretary to the Board

The following participated via teleconference:

Janice B. Vassar, Member – District 2  
Jim Kempton, Member – District 4  
Dwight Horsch, Member – District 5  
Lee Gagner, Member – District 6

Executive Session on Legal Issues. Member DeLorenzo made a motion to meet in executive session at 10:00 AM to discuss legal issues as authorized in Idaho Code Section 67-2345(f). Member Vassar seconded the motion and it passed 5-0 by individual roll call vote.

A discussion was held on legal matters.

The Board came out of executive session at 10:45 AM. No final actions or decisions were made.

WHEREUPON the special session of the Transportation Board adjourned at 10:45 AM.

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signed

Jerry Whitehead, Chairman  
Idaho Transportation Board

Read and Approved  
June 19, 2013  
Boise, Idaho

WORKSHOP AND REGULAR MEETING  
OF THE IDAHO TRANSPORTATION BOARD

June 18-19, 2013

The Idaho Transportation Board met at 8:30 AM, on Tuesday, June 18, 2013, in Boise, Idaho. The following principals were present:

Jerry Whitehead, Chairman  
Jim Coleman, Vice Chairman – District 1  
Janice B. Vassar, Member – District 2  
Julie DeLorenzo, Member – District 3  
Jim Kempton, Member – District 4  
Dwight Horsch, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Chief Deputy  
Larry Allen, Lead Deputy Attorney General  
Sue S. Higgins, Executive Assistant and Secretary to the Board

Investment Approach Recommendations. Staff summarized various investment methods, including using data for a performance-based approach and a formula-driven approach. The Department's funding priorities continue to be on operations, preservation, rehabilitation, and expansion. In 2012, 86% of the state's pavements were in good condition and 73% of the bridges were sufficient. Some of the tools currently used to make decisions are the highway safety corridor analysis system, bridge condition data, and data from the Transportation Asset Management System. Some Districts rely on performance measures to identify projects for funding and public involvement. Staff also summarized the Early Development Program.

Revenue and Budget. Staff provided historical information on the Department's revenue and projected revenue through FY18. Minimal revenue growth is expected. Current and projected federal funding issues were also provided. Congress is working on the FY14 transportation appropriations, which may result in a slight decrease of funding for Idaho.

The state revenue forecast for FY15 is \$245.5 million, with total available funds estimated at \$569.6 million. Some of the items included in the proposed FY15 budget include \$58.8 million for GARVEE bond payments, \$324.7 million for contract construction, \$30.4 million for replacement equipment, and 1,814 full-time equivalent positions.

Idaho Transportation Investment Program (ITIP) Development. The process to develop the ITIP and the planned public outreach activities were reviewed.

Program Framework. The draft FY14-18 ITIP was presented. It includes \$2.1 billion in projects with the majority, 82%, for highway projects, including GARVEE. Aeronautics' projects comprise 13% of the Program, public transportation 4%, and local participation 1%. Discussion followed on the statewide data-driven approach to fund projects versus the target to provide funding to Districts based on lane miles, vehicle miles traveled, and deficient lane miles.



Several members expressed interest in comparing a statewide data-driven approach to the draft ITIP. It was noted that District Engineers need discretion to schedule projects when using the data-driven approach. Consideration needs to be given to factors like safety and public involvement.

The Divisions of Transportation Performance and Aeronautics summarized their funding and process to program projects for transit and aviation, respectively.

Discussion followed on developing a plan to replace the state aircraft. The consensus of the Board was to have staff prepare a proposal.

Implementation of Investment Recommendations. Chief Engineer (CE) Tom Cole elaborated on last month's presentation to award projects earlier using the advance construct method. He acknowledged a potential risk may be that federal funds don't materialize to reimburse state funds; however, the Department would have the ability to stop the project. Staff would monitor activities, including at the federal level, and could delay bidding projects if concerns are identified. One example is if a federal surface transportation act is close to expiring, the Department may not want to advance construct projects until a new transportation act has been approved. ITD has the ability to include language in contracts to lessen its risks. It also has flexibility in identifying projects to advance construct. Consideration would be given to the type of work, the location, and the estimated cost.

Controller Wilmoth addressed the cash flow component. The Department may lose approximately \$1.5 million annually from interest with the advance construct method. He added that regardless, the cash balance is projected to decrease.

The Board requested a step-by-step outline of the cash flow process for the advance construct proposal.

WHEREUPON the workshop recessed at 4:40 PM.

June 19, 2013

The Board reconvened at 8:30 AM on Wednesday, June 19, 2013, at the Transportation Department in Boise, Idaho. All members were present.

Board Minutes. Vice Chairman Coleman made a motion to approve the minutes of the regular Board meeting held on May 22-23, 2013 and the minutes of the special Board meeting held on May 31, 2013, as submitted. Member Vassar seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

July 10-11, 2013 – District 6

August 14-15, 2013 – District 4

September 18-19, 2013 – District 1

Consent Calendar. CE Cole elaborated on the contract with Delcan Corporation for mobile data collection installation and implementation. The technology will be installed in snowplows to assist with winter maintenance efforts, such as dispensing applications. Data will also be collected from the vehicle. The previous contract was terminated so the work planned could be expanded and new technology incorporated through a new contract.

Several Board members questioned other professional service agreements, including one for fiber optic conduits mapping and one related to the Division of Motor Vehicles' (DMV) modernization project. There was also some discussion on the professional service agreements staff is authorized to approve. (See later minute entry.)

Member Gagner made a motion, seconded by Member Vassar, and passed unopposed, to approve the following resolution:

RES. NO. ITB13-22 WHEREAS, consent calendar items are to be routine, non-controversial, self-explanatory items that can be approved in one motion, although the Idaho Transportation Board members have the prerogative to remove items from the consent calendar for questions or discussion.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the FY14-17 Strategic Plan for the Division of Financial Management; advancing Off System, Kooskia Sidewalk and Safe Routes to School Coordinator from FY14 to FY13; advancing Off System, Willow Creek Ferguson Lane Bridge, Bonneville County from FY16 to FY13; and the annual update of safety rest areas and oasis partnerships; and

*BE IT FURTHER RESOLVED*, that the Board has received and reviewed the contract award information, the professional services agreements and term agreement work task report, the IPLAN project monthly status update, alternative project delivery nomination clarification, and non-construction service contracts issued by Business and Support Management for informational purposes.

1) FY14-17 Strategic Plan for the Division of Financial Management. Idaho Code requires all state agencies to submit a Strategic Plan covering a minimum of four years to the Division of Financial Management by July 1. The Plan includes the Department's vision and/or mission statement, goals, objectives, performance measures and benchmarks, and external factors. Staff requested approval of the FY14-17 Strategic Plan.

2) Advance Offsystem, Kooskia Sidewalk and Safe Routes to School Coordinator from FY14 to FY13. The City of Kooskia requests advancing its sidewalk project, key #13017, to FY13. The Safe Routes to School Program has an adequate balance to cover the \$99,000 project in FY13. Staff also requests approval to amend the FY13 Statewide Transportation Improvement Program (STIP) accordingly.

3) Advance Offsystem, Willow Creek Ferguson Lane Bridge, Bonneville County from FY16 to FY13. Bonneville County requests advancing the Willow Creek Ferguson Lane Bridge, key #10608 to FY13 because it is ready for construction. The Local Highway Technical Assistance

Council has available funds from cost savings to advance the \$592,000 project. Staff also requests approval to amend the FY13 STIP accordingly.

4) Annual Update of Safety Rest Areas and Oasis Partnerships. The 2013 summary reflects work underway to improve the I-84, Cotterell rest area and construction of the US-95, Camas Prairie partnership facility. The I-15, Sage Junction Rest Area project has been removed because of the completion of the Dubois Gateway Rest Area. Due to limited funding, no new projects are planned. The 2013 Safety Rest Areas and Oasis Partnerships Planning Map is shown as Exhibit 425 and made a part hereof with like effect.

5) Contract Awards. Keys #12963, #11552, and #11984 – SH-3, Robinson and Canary Creek Culverts, Kootenai County; Willow Creek and Swan Creek Bridges; and Swan Creek to Coeur d'Alene River Bridge, Kootenai County, District 1. Low bidder: Apollo Inc. - \$6,268,553.

Key #12943 – Offsystem, Dent Bridge Road Milepost 13, Clearwater County, District 2. Low bidder: Debco Construction – \$1,289,429.

6) Professional Services Agreements and Term Agreement Work Task Report. From May 1 through May 31, 38 new professional services agreements and work tasks were processed for \$3,711,905. Five supplemental agreements to existing agreements were processed in the amount of \$1,972,822 during this period.

7) IPLAN Project – Monthly Status Update. The project is currently in the development/configuration stage. Some of the activities during the past month included drafting the data standards and processes documents, coordination with the Environmental Section on supporting its efforts, and creation of proposed maps.

8) Last month, staff presented a list of design-build and construction manager/general contractor projects. Upon further review, it has been determined that the appropriate delivery methods are construction manager/general contractor for the SH-97, I-90 Overpass project and design-build for the SH-3, St. Joe River and St. Maries Railroad bridge project.

9) Service Contracts issued by Business and Support Management. From April 27 through May 27, the Business and Support Management Section processed 17 new service contracts for \$1,945,703 and 6 service contract modifications for a net decrease of \$939,306.

Director's Report. Director Ness summarized various meetings and activities, including the June 13 ceremony naming the ITD Headquarters' Building the Philip E. Batt Building. He also reported on numerous awards, recognitions, and efficiencies.

The Director's entire report can be viewed at <http://itd.idaho.gov/Board/report.htm>.

Chief Deputy Stokes mentioned the Office of Highway Safety's efforts to address aggressive driving. He complimented the Department's partners on their assistance on this campaign. He also expressed appreciation to the District 3 staff for its efforts to improve safety on SH-16 and for its response to a recent landslides on SH-52.

Director Ness reported on succession planning efforts. With half of ITD employees eligible to retire in the next five years, a concerted effort is underway to address this challenge. The components include workforce planning, compensation and classification, training and mentoring, and recruitment and retention.

Delegation – Idaho Trucking Advisory Council (TAC). TAC Chairman Bill Moad said the TAC does not have any legislative proposals for 2014. He expressed appreciation for the 129,000 pound truck route legislation and looks forward to participating in that process. He outlined a draft proposal to increase transportation revenue as a citizen, not as the TAC Chairman. Some of the components of the plan include additional truck registration brackets and increasing truck registration fees; increasing the diesel fuel tax; and diverting some sales tax revenue on transportation-related items to the Highway Distribution Account. He will present his proposal to the trucking industry and intends to garner broad support for the plan.

The Board commended Mr. Moad for his initiative to address the revenue shortfall and plans to work with the trucking industry. Chairman Whitehead thanked him for his presentation.

2014 Proposed Legislative Ideas. Government Affairs Manager Mollie McCarty presented six legislative ideas. The vehicle title and registration clean up proposal includes items related to the DMV modernization project and would improve efficiencies and customer service. To address safety, ITD's maintenance vehicles would be included as an authorized and emergency vehicle, requiring drivers to slow down and move over when they come upon such a vehicle displaying flashing lights. Other ideas are mandatory criminal background checks for new employees who have access to DMV systems; make the driver license or identification card the recognizable document for proof of a person's full legal name; implement new commercial driver's license testing and commercial learner's permit standards to comply with federal regulations; and amend ignition interlock language to comply with federal regulations.

The Board had a number of questions on the vehicle title and registration clean up, the maintenance vehicles included with authorized and emergency vehicles, and ignition interlock ideas. It requested additional information related to costs and monitoring for the last item.

Highway Safety Performance Plan. Highway Safety Manager (HSM) Brent Jennings said the National Highway Traffic Safety Administration requires a Highway Safety Performance Plan that outlines the behavior highway safety program for the year. The goal of the program is to eliminate highway fatalities and injuries. It was developed with highway safety data in collaboration with ITD's partners. It is performance based, multidisciplinary, and supports ITD's strategic plan. In 2012, 184 people were killed in traffic crashes in Idaho. Although 64% of all crashes occurred in urban areas, 81% of fatal crashes happened in rural areas. Aggressive driving was a factor in 54% of all crashes and impairment was a factor in 40% of fatal crashes. The economic cost of all crashes was \$2,319,689,659.

CD Stokes noted that Idaho's fatality rate was lower than the national rate. Member Vassar thanked HSM Jennings, ITD staff, and their partners for their efforts to address highway safety. Chairman Whitehead also commended HSM Jennings.

Member Gagner made a motion, seconded by Member Horsch, and passed unanimously, to approve the following resolution:

RES. NO. ITB13-23 WHEREAS, Idaho experienced 21,402 reportable traffic crashes, 184 traffic deaths, and 10,866 people injured in 2012; and

WHEREAS, the economic cost of traffic crashes in Idaho for 2012 was just over \$2.3 billion; and

WHEREAS, the Idaho Transportation Department's goal is to have zero traffic deaths; and

WHEREAS, the National Highway Traffic Safety Administration (NHTSA) may allocate about \$7.8 million in funding behavior safety programs for Idaho to reduce traffic deaths and serious injuries; and

WHEREAS, the Federal Highway Administration may allocate about \$1 million from the Highway Safety Improvement Program for behavior type projects; and

WHEREAS, the Idaho Traffic Safety Commission and the Office of Highway Safety have developed the Highway Safety Performance Plan for Federal Fiscal Year 2014 to work towards the elimination of Idaho traffic deaths, serious injuries, and economic losses; and

WHEREAS, the Highway Safety Performance Plan is required by NHTSA in order to receive funding from NHTSA.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board adopts the Highway Safety Performance Plan for Federal Fiscal Year 2014, which is on file in the Office of Highway Safety.

Privatization of Logos and Tourist Oriented Directional Sign (TODS) Programs. CE Cole summarized the logos and TODS programs, which provide roadside services information. Logo signing is for highways with fully-controlled access and TODS are for all other state highways. Staff has investigated the feasibility of privatizing management of the logo sign program. The vendor would assume operational responsibility for the signs, such as installation and maintenance. ITD would review and approve sign locations, site layouts, traffic control plans, marketing, materials, manufacturing, installation, and maintenance. Staff would perform periodic audits and field reviews to ensure the contractor is operating in accordance with the contract.

The vendor would guarantee ITD a fixed annual income in exchange for the vendor's authority to market the program and charge businesses a fee for each logo installation that is commensurate with the market conditions at each location. In addition to potential revenue of \$150,000 annually, ITD would avoid costs associated with managing the logo program. These savings are estimated between \$50,000 and \$150,000. The fees ITD charges for logo installations

are prescribed in Administrative Rule 39.03.62. The rule would need to be amended or rescinded to allow for the privatization of the program.

With the understanding that proceeding with rule-making does not approve privatization of the program, Member Vassar made a motion, seconded by Member DeLorenzo, and passed unanimously, to approve the following resolution:

RES. NO. ITB13-24 WHEREAS, Idaho Code 40-313 gives the Idaho Transportation Board the authority to erect signs to guide traffic; and

WHEREAS, Idaho Code 40-312 gives the Board the authority to prescribe rules and regulations affecting state highways; and

WHEREAS, Administrative Rule IDAPA 39.03.62 and its incorporated reference prescribe the Standards and Procedures for Specific Service Signs on the Interstate and Other Fully Controlled Access Highways (Logo Signs); and

WHEREAS, Administrative Rule IDAPA 39.03.64 and its incorporated reference prescribe the Standards and procedures for Tourist Oriented Directional Signs (TODS) for Motorist Service Facilities along the State Highway System Except Fully Controlled Access Highways; and

WHEREAS, the Board has an interest in reducing costs and increasing revenue; and

WHEREAS, there may be a possibility to reduce costs and increase revenue through privatizing one or both of the logo and TODS programs; and

WHEREAS, changes to Administrative Rule IDAPA 39.03.62 are required to allow for privatization of the logo program and changes to Administrative Rule IDAPA 39.03.64 are required to allow for privatization of the TODS program.

*NOW THEREFORE BE IT RESOLVED*, that the Board directs staff to proceed with rulemaking to amend Administrative Rules IDAPA 39.03.62 and IDAPA 39.03.64 to allow for privatization of the logo and TODS programs.

Sponsorship of ITD Incident Response Program. Highway Operations Engineer (HOE) Greg Laragan said the District 3 Incident Response vehicles patrol the interstates and some state highways in the greater Boise area on a regular basis during the work week. The three vehicles travel over 150,000 miles and respond to about 5,200 incidents annually. Staff investigated the feasibility of procuring a sponsor for the program to defray some operating costs. The Federal Highway Administration (FHWA) supports the concept of sponsorship if it is in accordance with a state's written policy. ITD currently expends about \$172,000 annually to operate its Incident Response Program. The value of the sponsorship is estimated at \$20,000 per vehicle or a total of about \$60,000 annually. HOE Laragan said if the Board concurs to develop a policy for this sponsorship, a request for proposals would be issued to determine interest.

Vice Chairman Coleman asked if the program would be expanded to other areas, such as Coeur d'Alene. HOE Laragan replied that the request for proposals would address expansion. He would like the proposal to have flexibility.

Via general concurrence, the Board directed staff to draft a policy to address sponsorship of ITD's incident response program.

Remove US-2, Lake Street to Cedar Street, Sandpoint from FY13. District 1 Engineer Damon Allen requested the removal of the US-2, Lake Street to Cedar Street project, key #12284, from the ITIP. The intent of the project, also known as the "Curve" project, was to shift traffic from US-2 and US-95 onto the ITD-owned abandoned railroad right-of-way. Several alternatives were considered; however, the City of Sandpoint approved the "no build" option and decided not to enter into a memorandum of understanding with ITD for the construction of the preferred alternative.

If the project is removed from the ITIP, the funds would be used to obligate the following FY14 projects with state funds: Pinehurst Road Grade Separation, key #8916 - \$3,871,000; South Fork Coeur d'Alene River Bridge, key #12874 - \$1,685,000; Milepost 23.739 to 26.97 Grade, Lewis County, key #12320 - \$409,000; District 4 Guardrail Upgrades, key #13087 - \$223,000; District 4 Signal Upgrades, key #13519 - \$283,000; and 3400 East Road Turn Lane, Twin Falls, key #12400 - \$272,000; and FY16 District 6 Sign Upgrades, key #12462 - \$190,000.

Vice Chairman Coleman said improvements will be needed in the future to address the US-2 traffic and to relinquish state highways in downtown Sandpoint to the city.

Vice Chairman Coleman made a motion, seconded by Member Gagner, and passed unopposed, to approve the following resolution:

RES. NO. ITB13-25 WHEREAS, it is in the public's interest for the Idaho Transportation Department to publish and accomplish a current, realistic, and fiscally constrained five-year Highway Development Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal, state, local, and private capital investment funding; and

WHEREAS, a preferred project alternative was developed to connect US-2 and US-95 on Department right-of-way along the abandoned railroad alignment known as the "Curve"; and

WHEREAS, the Department was interested in constructing the "Curve" project so that pass-through traffic could be shifted off of the city streets; and

WHEREAS, the City of Sandpoint was interested in obtaining jurisdictional control of these streets through building this project and through a memorandum of understanding (MOU); and

WHEREAS, the City could not support the preferred alternative and voted for a “No Build” option and voted to not enter into an MOU with the Department for construction of the project nor jurisdictional transfer of the city streets.

*NOW THEREFORE BE IT RESOLVED*, that the Board removes US-2, Lake Street to Cedar Street, Sandpoint from FY13 of the Idaho Transportation Improvement Program; and

*BE IT FURTHER RESOLVED*, that the Board understands that District staff will continue to work with the City of Sandpoint to find low cost operational changes that might be made in downtown Sandpoint to allow traffic to shift off of Pine, First, and Cedar Streets.

Federal Formula Highway Funding to Locals. Transportation Investments Manager (TIM) John Krause presented options for the distribution of federal formula funds to local highway jurisdictions. He summarized outreach efforts, additional funding available to local entities, and funding allocations per centerline mile. He confirmed that Alternative A complies with MAP-21.

The consensus of the Board was that Alternative A, continuing the current calculation method, was a good compromise when comparing population and lane miles. Member DeLorenzo expressed appreciation for the comments she received on this issue.

Member Gagner made a motion, seconded by Member Kempton, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board has historically provided funding in  
ITB13-26 support of Rural and Urban federal-aid highways under the jurisdiction of Local Public Agencies (LPAs) through Board established programs; and

WHEREAS, the LPAs continue to have jurisdiction over federal-aid highways in need of improvement; and

WHEREAS, the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21) was signed into law on July 6, 2012; and

WHEREAS, MAP-21 identifies and sets several mandatory apportionments, such as Surface Transportation Program-Transportation Management Areas (\$8.3 million in FY14) and Off-System Bridge (\$3.7 million in FY14); and

WHEREAS, the Board has directed sub-allocation of funding for a Local Highway Safety Improvement Program (\$3.7 million in FY14); and allocations for High Priority Projects specified under the Safe, Affordable, Flexible, Efficient Transportation Equity Act - A Legacy for Users can only be used on these projects and are not available for distribution to other state or local jurisdictions; and

WHEREAS, performance programs previously funded, such as the Local Bridge Program, are no longer separately funded under MAP-21; and

WHEREAS, the Board has carefully reviewed the merits of each of the alternative calculation methods contained in the proposals for continued sub-allocation of federal-aid highway funding to LPAs responsible for improvements to eligible highways.

*NOW THEREFORE BE IT RESOLVED*, that the Board adopts Alternative A, as shown as Exhibit 426, which is made a part hereof with like effect, to replace Option D under Board Policy B-11-04 effective on and after October 1, 2014 as the method used to allocate the annual funding level for the Rural and Urban Federal-aid Programs.

Chairman Whitehead thanked TIM Krause for his efforts on this important issue.

Proceed with Public Involvement for the Draft FY14-18 ITIP. TIM Krause requested approval to proceed with public involvement for the draft FY14-18 ITIP. The public review and comment period is proposed for July 1 through July 31.

Vice Chairman Coleman made a motion, seconded by Member Kempton, and passed unopposed, to approve the following resolution:

RES. NO. ITB13-27 WHEREAS, it is in the public's interest for the Idaho Transportation Department to publish and accomplish a current, realistic, and fiscally constrained five-year Idaho Transportation Investment Program (ITIP); and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal, state, local, and private capital investment funding; and

WHEREAS, the program update cycle requires cooperation with partner agencies in its calendar of activities; and

WHEREAS, the Board reviewed the draft FY14-18 ITIP at the Program Workshop on June 18, 2013; and

WHEREAS, the next activity in the program update cycle is public review and comment per 23 CFR 450.210; and

WHEREAS, project selection and program approval is scheduled for the Board's September meeting after incorporating public comment.

*NOW THEREFORE BE IT RESOLVED*, that the Board will commence public involvement in July with project and program information incorporated from the publication entitled Draft FY14-18 ITIP, June Board Meeting.

Monthly Financial Statements. TIM Krause said net obligations were \$72,400,000 during May, resulting in total net cumulative obligations of \$271,300,000. Of the net obligations, \$257,200,000 were for current year projects. The remaining obligations are for adjustments for prior year projects plus advances of future year projects to FY13. The original budget amount for obligated FY13 projects was \$249,500,000. Net cumulative obligations are above the historical trend of \$231,600,000 for May.

Controller Gordon Wilmoth said FHWA Indirect Cost Allocation revenue through April was \$19,527,500, which was above the projected amount of \$18,842,800. Miscellaneous state funded revenue of \$28,467,000 was \$1,090,000 above the forecast. Revenue from the Equipment Buy Back Program was \$7,280,330, which was the projected revenue. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$152,892,000. The projected revenue was \$151,012,000. Revenue from the ethanol exemption elimination was \$12,907,000, which was .7% below the projected amount. Revenue to the State Aeronautics Fund from aviation fuels was \$1,588,000, resulting in a 17% positive variance. Miscellaneous revenue to this account was \$282,000, which was a .7% negative variance.

Total expenditures in the American Recovery and Reinvestment Act Title XII Fund for highway projects were \$176,556,000, while \$178,800,000 had been appropriated. Expenditures for public transportation were \$8,972,000 of the \$9,200,000 available.

Controller Wilmoth provided additional information on the cash flow situation. The May balance is close to \$145 million; however, the Department's cash balance is typically the highest in May. The cash-flow projections indicate a declining balance in future fiscal years.

Executive Session on Personnel and Legal Issues. Member Vassar made a motion to meet in executive session at 12 noon to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(b) and (f). Member Kempton seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on legal and personnel matters.

The Board came out of executive session at 2:05 PM.

2012 Discretionary Project Progress Report. GARVEE Program Manager (GPM) Amy Schroeder summarized the 2012 discretionary projects. The projects were funded through a reduction in inflation from 5% to 2% and the amount set aside for GARVEE debt service payments, as that amount was reduced to more accurately reflect the actual and anticipated interest rates.

The three new I-84 interchanges in the Treasure Valley at Gowen Road, Meridian Road, and Broadway Avenue are on target for delivery of Plans, Specifications, and Estimates (PS&E) in October. The US-95, Sandpoint to Kootenai Cutoff project is on schedule and should be completed by October. The US-95, Sandpoint North and South; the US-2, Dover Bridge; and the SH-21, Warm Springs Creek Bridge projects have been completed. The draft Final Environmental Impact Statement for the US-95, Thorn Creek Road to Moscow project will be

reviewed this fall and then submitted to FHWA. The I-84, Meridian Interchange to Five Mile Road project should be ready for PS&E in August. The contract has been awarded for the I-84, Junction US-93, Stage 2 project. The US-2, Lake Street to Cedar Street project has been removed from the Program. Preliminary design review is underway for the US-20, Thornton Interchange project, and the SH-39, Thomas Road Turn Lane is on target for September PS&E delivery.

Chairman Whitehead thanked GPM Schroeder for the presentation and commended staff's efforts on the progress of those projects.

Community Choices for Idaho Policy. Senior Transportation Planner (STP) Ted Vanegas presented a proposed Board policy for the Community Choices for Idaho Program.

Member DeLorenzo made a motion, seconded by Member Vassar, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board supports an efficient mechanism to  
ITB13-28 manage funding programs administered and managed through the Idaho  
Transportation Department's Division of Transportation Performance; and

WHEREAS, the Board approved a resolution creating the Community Choices for Idaho management tool to assist local communities in applying for funds and to establish a competitive project selection process resulting in projects submitted to the Board for approval; and

WHEREAS, it is the Board's desire to provide a transparent and structured policy for local communities that apply for funds through the Department.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves Board Policy 4023, Community Choices for Idaho.

Chairman Whitehead thanked STP Vanegas for his work on the policy.

Changes to Administrative Rules 39.03.15, 39.03.22, and 39.03.23. Vehicle Size and Weight Specialist (VS&WS) Reggie Phipps summarized proposed revisions to administrative rules to comply with recent legislation related to 129,000 pound vehicles. Member Kempton added that the Board Subcommittee on 129,000 Pound Truck Routes reviewed and supports the proposed changes.

Member Gagner made a motion, seconded by Member Horsch, and passed unopposed, to approve the following resolution:

RES.NO. WHEREAS, the Idaho Transportation Board has authority to approve requested  
ITB13-29 changes to Idaho Transportation Department rules; and

WHEREAS, the Board finds the changes to I.D.A.P.A 39-03-15 necessary due to legislative changes and for continuity of motor carrier operations within Idaho.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the following administrative rules to be submitted for change:

Modify Administrative Rule 39-03-15 – Rules Governing Excess Weight Permits for Reducible Loads.

Add travel requirements for excess weight permits on non-interstate highways. This will harmonize the requirements for both interstate and non-interstate routes.

Clarify that excess weight permit requirements apply to reducible loads.

Clarify the allowable weight limits on each highway.

Clarify the permit types required for travel on each highway; and

*BE IT FURTHER RESOLVED*, that the Board approves the request to submit the changes as listed above for Administrative Rule 39-03-15 and directs staff to promulgate a temporary rule effective July 1, 2013 and concurrently proceed with the regular rule making process.

Member Kempton made a motion, seconded by Member Horsch, and passed unopposed, to approve the following resolution:

RES. NO.       WHEREAS, the Idaho Transportation Board has authority to approve requested  
ITB13-30       changes to Idaho Transportation Department rules; and

WHEREAS, the Board finds the changes to I.D.A.P.A 39-03-22 necessary due to legislative changes and for continuity of motor carrier operations within Idaho.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the following administrative rules to be submitted for change:

Modify Administrative Rule 39-03-22 – Rules Governing Overlegal Permits for Extra Length, Excess Weight and Up to 129,000 Pound Vehicle Combinations.

Clarify the vehicle combinations that are governed under this rule.

Clarify that non-interstate routes only will allow weights above 105,500 pounds up to 129,000 pounds.

Specify the operating requirements on designated routes authorized up to 129,000 pounds.

Modify the order of the information in the rule for better flow and understanding of requirements; and

*BE IT FURTHER RESOLVED*, that the Board approves the request to submit the changes as listed above for Administrative Rule 39-03-22 and directs staff to promulgate a temporary rule effective July 1, 2013 and concurrently proceed with the regular rule making process.

VS&WS Phipps noted that the comment period will be extended from 21 days to 35 days for revisions to Administrative Rule 39-03-22-13-02.

Member Vassar made a motion, seconded by Member Horsch, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board has authority to approve requested  
ITB13-31 changes to Idaho Transportation Department rules; and

WHEREAS, the Board finds the changes to I.D.A.P.A 39-03-22-13-02 necessary due to legislative changes and for continuity of motor carrier operations within Idaho.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the following administrative rules to be submitted for change:

Modify Administrative Rule 39-03-22-13-02 – Rules Governing Overlegal Permits for Extra Length, Excess Weight and Up to 129,000 Pound Vehicle Combinations.

Add process for adding additional route to operate at 129,000 pounds.  
Add process for request review/analysis and determination; and

*BE IT FURTHER RESOLVED*, that the Board approves the request to submit the changes as listed above for Administrative Rule 39-03-22-13-02 and directs staff to promulgate and proceed with the regular rule making process for Rule 39-03-22-13-02 effective April 1, 2014.

Member Kempton made a motion, seconded by Member Gagner, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board has authority to approve requested  
ITB13-32 changes to Idaho Transportation Department rules; and

WHEREAS, the Board finds the changes to I.D.A.P.A 39-03-23 necessary due to legislative changes and for continuity of motor carrier operations within Idaho.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the following administrative rules to be submitted for change:

Modify Administrative Rule 39-03-23 - Rules Governing Revocation of Overlegal Permits.

Specify permit violations that will result in the revocation of an overlegal permit and the revocation process.  
Other non-substantive changes; and

*BE IT FURTHER RESOLVED*, that the Board approves the request to submit the changes as listed above for Administrative Rule 39-03-23 and directs staff to promulgate a temporary rule effective July 1, 2013 and concurrently proceed with the regular rule making process.

Chairman Whitehead thanked VS&WS Phipps for summarizing the changes and the Board Subcommittee on 129,000 Pound Truck Routes for its efforts on the rule revisions.

IDAPA 39.02.71, Rules Governing Driver's License Violation Point System. Drivers Services Manager (DSM) Ed Pemble said efforts are underway to revise IDAPA 39.02.71, Rules Governing Driver's License Violation Point System due to recent legislation. House Bill 274, effective January 1, 2014, provides a new avenue for points to be removed from a driving record based on a driver's successful completion of a traffic safety education program, as long as the driver was qualified and has met all of the requirements for point reduction. Other changes proposed by staff include minor clean up and correcting inconsistencies. Additionally, Idaho State Police identified some changes it would like to incorporate. Staff will coordinate the proposed revisions and present them to the Board for approval next month.

Chairman Whitehead thanked DSM Pemble for the information.

Briefing on Public Involvement Process in Guidebook to Public Involvement. Public Involvement Coordinator (PIC) Adam Rush outlined the public involvement process, including public hearings. He also outlined some options to address the requirement for public hearings when new 129,000 pound routes are considered.

Policy Introduction. PIC Rush presented Board Policy 4024, Public Hearings. The policy combines former policies B-20-03, Public Hearings and B-13-02, Public Involvement for Location and Design Determinations.

DAG Allen introduced Board Policy 4025, Appealing Department Actions and Orders. The policy (formerly B-07-02) was revised to clarify the public's right to appeal an action or order of the Department.

CE Cole recommended removing some language in Board Policy 4026, Environmental Stewardship (formerly B-13-03) that is more appropriate to include in a manual. Other than adding a purpose statement and legal authority, no changes are proposed for Board Policy 4027, Landscaping (formerly B-14-07).

Corresponding Administrative Policies were also introduced, if applicable.

Policy Approval. Member Vassar made a motion to approve Board Policy 4016, Traffic Regulation, which combines former policies B-12-03, Traffic Minute Entries and B-12-16, Traffic Control Devices; and to delete B-12-06, Transportation Impact Studies due to earlier revisions made to the access policy and B-12-07, State Highway Speed Limits within City Jurisdictions due to legislation in 2012. Vice Chairman Coleman seconded the motion and it passed unanimously.

Member Vassar made a motion to approve revisions to Board Policy 4018, Personnel Actions (formerly B-18-02); 4020, Employee Education and Training (formerly B-18-06); 4021, Ethics, Conflict of Interest, and Personal Conduct (formerly B-18-03); and 4022, Workplace Investigations. Vice Chairman Coleman seconded the motion and it passed unanimously.

The Board also reviewed proposed changes to Administrative Policy 5505, Operating State-owned Vehicles (formerly A-06-05) and concurred with the revisions.

Board Subcommittee on Audits. Member Kempton presented a revised charter for the Subcommittee on Audits and a new proposed Board Policy, 4017, Office of Internal Review. Minor changes have been proposed for the corresponding administrative policy.

Member DeLorenzo made a motion to approve the revised Idaho Transportation Board Subcommittee on Audits Charter, as shown as Exhibit 427, which is made a part hereof with like effect. Vice Chairman Coleman seconded the motion and it passed unanimously.

Member Horsch made a motion to approve Board Policy 4017, Office of Internal Review. Member Vassar seconded the motion and it passed unopposed.

Old Business. Vice Chairman Coleman revisited staff's authority to approve professional service agreements exceeding \$1 million. Highway Program Oversight Engineer Loren Thomas summarized Board Policy 4001, whereby staff is authorized to approve routine engineering agreements that do not exceed, nor are expected to exceed, the total amount identified in the ITIP for professional services. Chief Operations Officer Jim Carpenter added that information can be included in future agenda items to identify STIP projects and clarify staff's authority to approve various professional agreements.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 3:30 PM; however, on June 20, Vice Chairman Coleman, and Members DeLorenzo, Gagner, and Vassar participated in a tour of the Zions Bank building under construction in downtown Boise and attended the Association of Idaho Cities' conference for the discussion on transportation revenue.

signed

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JERRY WHITEHEAD, Chairman  
Idaho Transportation Board

Read and Approved  
July 10, 2013  
Rigby, Idaho

## SPECIAL SESSION OF THE IDAHO TRANSPORTATION BOARD

June 14, 2013

Idaho Transportation Board Chairman Jerry Whitehead called a special session of the Idaho Transportation Board at 9:05 AM on Friday, June 14, 2013. The following principals were present at the Idaho Transportation Department in Boise, Idaho:

Julie DeLorenzo, Member – District 3  
Deputy Attorney General Chris Kronberg  
Sue S. Higgins, Executive Assistant and Secretary to the Board

The following participated via teleconference:

Jerry Whitehead, Chairman  
Jim Coleman, Vice Chairman – District 1  
Janice B. Vassar, Member – District 2  
Dwight Horsch, Member – District 5  
Lee Gagner, Member – District 6

Executive Session on Legal Issues. Member Gagner made a motion to meet in executive session at 9:05 AM to discuss legal issues as authorized in Idaho Code Section 67-2345(f). Member Vassar seconded the motion and it passed 5-0 by individual roll call vote.

A discussion was held on legal matters. Member Jim Kempton, District 4, joined the meeting via teleconference during the discussion on legal matters.

The Board came out of executive session at 9:55 AM.

WHEREUPON the special session of the Transportation Board adjourned at 9:55 AM.

signed

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Jerry Whitehead, Chairman  
Idaho Transportation Board

Read and Approved  
July 10, 2013  
Rigby, Idaho

REGULAR MEETING AND DISTRICT SIX TOUR  
OF THE IDAHO TRANSPORTATION BOARD

July 10-11, 2013

The Idaho Transportation Board met at 9:30 AM, on Wednesday, July 10, 2013, in Rigby, Idaho. The following principals were present:

Jim Coleman, Vice Chairman – District 1  
Janice B. Vassar, Member – District 2  
Julie DeLorenzo, Member – District 3  
Jim Kempton, Member – District 4  
Dwight Horsch, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Chief Deputy  
Larry Allen, Lead Deputy Attorney General  
Sue S. Higgins, Executive Assistant and Secretary to the Board

Vice Chairman Coleman presided.

Board Minutes. Member Vassar made a motion to approve the minutes of the special Board meeting held on June 14, 2013 and the minutes of the regular Board meeting held on June 18-19, 2013 as submitted. Member Gagner seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

August 14-15, 2013 – District 4  
September 18-19, 2013 – District 1  
October 22-23, 2013 – District 3

Consent and Review Calendar. Member Gagner made a motion, seconded by Member Horsch, and passed unopposed, to approve the following resolution:

RES. NO. ITB13-33 WHEREAS, consent calendar items are to be routine, non-controversial, self-explanatory items that can be approved in one motion, although the Idaho Transportation Board members have the prerogative to remove items from the consent calendar for questions or discussion.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the removal of the STP-7720, State Street, Pedestrian Improvements project from FY17; and

*BE IT FURTHER RESOLVED*, that the Board has received and reviewed for informational purposes the FY13 annual report of activities to the Board of Examiners, the contract award information, the professional services agreements and term agreement work task report, the IPLAN project monthly status update, and the report of speed minute entry changes for May and June 2013.

1) Remove STP-7220, State Street, Pedestrian Improvements from FY17. Ada County Highway District requests the removal of the \$2.5 million State Street sidewalk improvement project, key #13044, from FY17. Staff also requests approval to amend the FY13 Statewide Transportation Improvement Program (STIP) accordingly.

2) FY13 Annual Report of Activities to the Board of Examiners. No items were submitted to the Board of Examiners in FY13.

3) Contract Awards. Key #12324 – SH-6, Palouse River Road to Meadow Creek Road, Latah County, District 2. Low bidder: Debcos Construction - \$1,044,444.

Key #12993 – US-95, Milepost 251-261 Concrete Slab Repair, Idaho County, District 2. Low bidder: Interstate Improvement Inc. – \$1,428,000.

Key #13029 – SH-52 and SH-16, FY13 Payette and Gem County Overlay, District 3. Low bidder: Staker & Parson Companies dba Idaho Sand & Gravel Company - \$4,188,312.

Key #13352 – SH-21, Idaho City North City Limits to Mores Creek Summit, District 3. Low bidder: Knife River Corporation - Northwest - \$1,573,764.

Key #13364 – US-20, FY13 Microseals, Ada County, District 3. Low bidder: Intermountain Slurry Seal, Inc. - \$1,101,138.

Key #13063 – US-93, FY14 District 4 Districtwide Sealcoat. Low bidder: Emery, Inc. - \$781,327.

Key #13367 – American Falls Downtown Streets, District 5. Low bidder: Depatco, Inc. - \$3,968,860.

Key #11684 – US-20, FY13 District 6 Districtwide Bridge Preservation. Low bidder: Cannon Builders, Inc. - \$698,934.

Key #11667 – US-26, Snake River Bridge to Swan Valley, District 6. Low bidder: H-K Contractors, Inc. - \$626,889.

4) Professional Services Agreements and Term Agreement Work Task Report. From June 1 through June 21, 23 new professional services agreements and work tasks were processed for \$1,480,984. Five supplemental agreements to existing agreements were processed in the amount of \$344,454 during this period.

5) IPLAN Project – Monthly Status Update. The project is currently in the development/configuration stage. Some of the activities during the past month include access was provided to all Districts; the IPLAN Data Standards and Processes document was distributed to the IPLAN Data Team for review; the proposed thematic maps were reviewed and are being prepared for publication; the proposed Internal/Public thumbnails were reviewed and determined to be sufficient; and a meeting was held with the Highway Safety Office to discuss the progress of the WebCARS data and how the analysis data can be incorporated into IPLAN.

6) Speed Minute Entry Changes for May and June 2013. The following speed minute entries were processed during May and June in Districts 3 and 6:

<u>Route</u>	<u>Beginning</u>	<u>Ending</u>	<u>Speed Limit</u>	
	<u>Milepost</u>	<u>Milepost</u>	<u>Old</u>	<u>New</u>
SH-16	0.000	3.610	65	55
US-20B	322.100	322.544	45	35
US-43	2.870	3.070	55	45
US-43	3.070	3.422	55	35

Director's Report. Director Ness said Anthony Foxx has been unanimously confirmed as Secretary of the U.S. Department of Transportation. Safety will be Secretary Foxx's highest priority. Some recent ITD activities include Director Ness's participation on a transportation needs and revenue panel at the Association of Idaho Cities' annual conference; the statewide rodeo; and the Aviation Career Academy. Michelle Doane, an auditor in the Internal Review Section, has been promoted to Business and Support Management Manager. The Department was recognized for its customer service by the public and the Federal Highway Administration (FHWA) Idaho Division Administrator.

The Director's entire report can be viewed at <http://itd.idaho.gov/Board/report.htm>.

Chief Deputy (CD) Stokes summarized a national survey on transportation funding. One of the findings is that there is more support to raise taxes if it is tied to safety, maintenance, or environmental benefits. He also said staff is monitoring the federal bond situation, as the last GARVEE bonds are expected to be issued towards the end of this year or early next year.

Chief Operations Officer (COO) Jim Carpenter followed up on some issues from last month's workshop and meeting. Regarding professional service agreements, several of the June contracts related to wetland delineation. ITD does not have employees skilled in that particular field, so consultants were used. When the Board approves the STIP later this year, staff will highlight the projects that will use consultants for preliminary engineering services and those dollar amounts. Board Policy 4001 authorizes staff to proceed with those agreements unless the dollar amount exceeds the programmed amount in the STIP.

The extended public comment period for the US-95, Thorn Creek to Moscow project has closed, according to COO Carpenter. He said 82 comments were received during that additional time frame. The comments have been submitted to Headquarters. Staff plans to submit them to FHWA next month and the legal sufficiency review should be completed the end of December. After a public review and comment period on the Final Environmental Impact Statement, a Record of Decision will be issued, tentatively in spring 2014.

Director Ness said all employees' performance evaluations and plans have been successfully transitioned to coincide with the fiscal year. This will better enable employees' plans to align with the Strategic Plan. The Executive Officers reported on Strategic Plan efforts.

CD Stokes said the safety team had nine action items. He reported on three. The seatbelt project, positive community norms, and the corridor health initiative are all proceeding well.

Some of the projects to address economic opportunity are partnering with the Department of Commerce to bring new businesses to Idaho and completing construction projects faster to improve mobility, according to COO Carpenter. Goals for FY14 include implementing an economic mobility model and improving the reliability of the transportation system.

Chief Human Resources Officer Mary Harker reported that strategic efforts resulted in pay increases for employees the past two years. ITD is slowly making progress on competitive wages and the efforts are resulting in lower turnover, especially in targeted classes. Customer service training has been implemented. Work is continuing on the leadership development program, recommendations from the classification study, and succession planning. The Department also needs to continue focusing on being a competitive employer.

Chief Administrative Officer Mike Golden said the best business practices have focused on systems and improving operations. The asset management system is beneficial in helping identify the right assets and in managing them. A concerted effort to close out projects was successful. The FY14 priority will be technology, including the development of a three-year technology plan, and continuing work on cash management.

The Board expressed appreciation to staff for the reports and for its efforts on these important initiatives.

Adopt-A-Highway Presentation (AAH). Member Gagner thanked the Eastern Idaho Regional Medical Center Department of Surgery for participating in the AAH Program. The group picks up litter along I-15 from milepost 120.5 to 122.

Public Transportation Advisory Council (PTAC) Update. District 6 PTAC Member JoAnn Wolters summarized the transit services available in the region. Efforts to provide service to the Thompson Creek Mine in Custer County have been successful and ridership, based on percentage of employees, has increased. The City of Driggs is piloting a program to provide service to the ski resort. The intent is to address parking issues and help the economy. Ms. Wolters said one of the challenges is Rexburg's demand response service. It is not very efficient. Efforts are underway to change that to a fixed route service. Targhee Regional Public Transit Authority has similar issues and is experiencing a decrease in ridership. She added her appreciation for the development of performance measures and believes those will be helpful in addressing the state's transit issues.

Vice Chairman Coleman thanked Ms. Wolters for the informative presentation.

IDAPA 39.02.71, Rules Governing Driver's License Violation Point System. Driver Services Manager (DSM) Ed Pemble summarized the proposed rule changes to IDAPA 39.02.71, which were presented last month.

The Board asked for clarification on some of the moving traffic convictions and violations point count.

Member Vassar made a motion, seconded by Member Gagner, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, IDAPA 39.02.71 provides the system for assigning points to driver  
ITB13-34 records based on convictions of various traffic violations and infractions occurring within the state of Idaho or outside the state of Idaho for moving violations and infractions; and

WHEREAS, House Bill 274 was passed by the Idaho legislature and will be effective on January 1, 2014; and

WHEREAS, House Bill 274 provides for driver record violation point count reduction through city administered traffic safety education programs; and

WHEREAS, IDAPA 39.02.71 should include information on how violation points may be removed from a driver record when a driver has successfully completed a city administered traffic safety education program; and

WHEREAS, IDAPA 39.02.71 should be revised to recognize the points exemption provided in statute for safety restraint use violations; and

WHEREAS, IDAPA 39.02.71 should be revised to correct an inconsistency within the rule pertaining to work zone speed limits; and

WHEREAS, Idaho State Police has identified moving violations that should be added to the violation point count list.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board endorses the revisions to IDAPA 39.02.71 and directs staff to proceed with rulemaking and presentation of the proposed changes to the 2014 legislature.

Commercial Driver License (CDL) Information System (CDLIS) Modernization Project. DSM Pemble said the CDLIS modernization project is underway to comply with national standards for data collection and state-to-state transmission of data. The intent is to ensure that each commercial driver has only one driver's license and one complete driver record. The project is mainly funded with a Federal Motor Carrier Safety Administration grant. Idaho's compliance with the regulations is needed to preserve federal highway funding and retain CDL program certification.

DSM Pemble said the project affects approximately 85,000 Idaho CDL holders. Extensive outreach is being conducted to inform impacted parties, including the medical community, as medical certifications are involved.

Vice Chairman Coleman thanked DSM Pemble for the update on this important project.

Modifications to Administrative Rule 39.03.12. Vehicle Size and Weight Specialist Reggie Phipps requested revisions to IDAPA 39.03.12, Rules Governing Safety Requirements of Overlegal Permits. The industry would like flashing lights on rear overhangs as an option to the currently required steady burning lights. Other minor changes are also being proposed.

Member DeLorenzo made a motion, seconded by Member Horsch, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board has authority to approve requested  
ITB13-35 changes to Idaho Transportation Department rules; and

WHEREAS, the Board finds the changes to IDAPA 39.03.12 for the industry within Idaho.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the following administrative rules to be submitted for change:

Modify Administrative Rule 39.03.12 – Rules Governing Safety Requirements of Overlegal Permits

Modify lighting requirements to allow for flashing as well as steady burning lights on rear overhang.

Clarify that the lights are required on the oversized vehicle or load and not on legal vehicle or load.

Clarify that oversize signs for vehicles/loads can be a minimum of five feet wide twelve inches high with eight inch high letters.

Clarify that a rear pilot shall be required when drivers cannot see 200 feet behind them as per Idaho Code 49-940.

Clarify when convoy of oversize loads are allowed and at what dimensions.

Miscellaneous non-substantive changes; and

*BE IT FURTHER RESOLVED*, that the Board approves the request to submit the changes as listed above for Administrative Rule 39.03.12 and directs staff to promulgate a temporary rule effective August 1, 2013 and concurrently proceed with the regular rule making process.

Proposed Rules Governing Marking of Hazards to Air Flight – IDAPA 39.04.02. Bill Statham, Project Manager (PM), proposed revisions to IDAPA 39.04.02 to comply with Idaho Code. The 2013 legislature enacted House Bill 216 exempting power marketing firms from lighting and marking guyed towers and Senate Bill 1065 exempting “Ham” and “CB” radio towers and guyed towers from the lighting and marking requirements. He intends to seek approval of the changes next month.

Proposed Rules Governing Idaho Airport Aid Program – IDAPA 39.04.04. PM Statham said the Aeronautics Advisory Board approved new procedures for the administration of the Idaho Airport Aid Program. The Airport Project Prioritization and Annual Program

Allocation establishes uniform project prioritization and annual grant program funding allocation methodologies. Certain formulas, priorities, percentages, and procedures of the program changed, requiring revisions to IDAPA 39.04.04, Rules Governing Idaho Airport Aid Program. He summarized the revisions and said he will request approval of the changes next month.

Vice Chairman Coleman suggested adding the definition of adjusted service area to the rule. He thanked PM Statham for summarizing the proposed revisions.

Executive Session on Personnel and Legal Issues. Member Gagner made a motion to meet in executive session at 12:15 PM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(b) and (f). Member Vassar seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on legal and personnel matters.

The Board came out of executive session at 2:15 PM.

District 6 Report. District 6 Engineer (DE) Blake Rindlisbacher reported on the District's activities. The Salmon maintenance crew is now making its salt brine mixture instead of hauling it from District 5, improving efficiency and reducing costs. Staff is working closer with the National Oceanic and Atmospheric Administration to improve winter maintenance efforts. Better communication is improving both agencies' performance. To address mobility, the District is shortening construction periods. It also utilized rolling lane closures on an I-15 construction project to reduce impacts to the traveling public. Staff is developing a work zone mobility index to quantify the effectiveness of traffic control plans and reduce impacts to motorists. Some of the components are shorter work zones, not decreasing speed limits significantly, keeping travel lanes open, and shorter work windows.

Vice Chairman Coleman thanked DE Rindlisbacher for the presentation and his efforts.

Logo Standards and Procedures Require Revision Effecting IDAPA Rule 39.03.62, Logo Signs. Highway Operations Engineer (HOE) Greg Laragan summarized last month's discussion to pursue privatizing the logo program. This has the potential to increase service to businesses and the traveling public and to free up resources within the Department to allow more focus on obtaining strategic goals. He reviewed the proposed changes to the "Standards and Procedures for Specific Service Signs on the Interstate and Other Fully Controlled Access Highways" manual and IDAPA 39.03.62, Rules Governing Logo Signs. Staff intends to hold a public meeting on the proposed rule revisions prior to the August Board meeting, when presumably the Board will be asked to approve the rule changes.

Tourist Oriented Directional Signs Standards and Procedures Require Revision Effecting IDAPA Rule 39.03.64, Tourist Oriented Directional Signs (TODS). HOE Laragan summarized last month's discussion to pursue privatizing the TODS program. This has the potential to increase service to businesses and the traveling public and to free up resources within the Department to allow more focus on obtaining strategic goals. Amendments would be required to the "Standards and Procedures for Tourist Oriented Directional Signs" document and IDAPA 39.03.64, Rules

Governing Tourist Oriented Directional Signs. He intends to seek Board approval of the rule revisions next month, after a public meeting to gather comments.

Vice Chairman Coleman thanked HOE for the overview on the two rule revisions.

Rules Governing Safety Rest Areas – IDAPA 39.03.50. Steve Spoor, Maintenance Services Manager (MSM), said IDAPA 39.03.50, Rules Governing Safety Rest Areas prohibits the discharge of firearms at Safety Rest Areas. This conflicts with Idaho Code. The legislature pre-empted the field of firearm regulation and prohibited state agencies from regulating firearms because it interfered with second amendment rights. Counties and cities may regulate the discharge of firearms within their boundaries; however, state agencies, with the exception of universities and the Department of Fish and Game, do not have that authority. In addition to this change, other minor rule revisions will be requested next month.

Vice Chairman Coleman thanked MSM Spoor for the information.

2014 Proposed Legislative Ideas. Government Affairs Manager (GAM) Mollie McCarty reviewed the six legislative ideas presented at the June meeting. The concepts must be submitted to the Division of Financial Management by August 1. Although staff presented an idea last month to include ITD's maintenance vehicles as authorized and emergency vehicles, staff requested additional time to pursue the concept. It would like to discuss the idea further with Idaho State Police.

GAM McCarty said the cost of an ignition interlock device is determined through competition between the interlock companies certified to provide service in Idaho. The average cost of installation is \$100 with a monthly fee of \$60. The Probation Department is responsible to monitor drivers' compliance.

Member Vassar made a motion, seconded by Member Gagner, and passed unanimously to approve the following resolution:

RES. NO.        WHEREAS, the Idaho Governor's Office has requested that state agencies submit  
ITB13-36        legislative ideas to the Division of Financial Management (DFM) for review and  
                         approval; and

WHEREAS, the Idaho Transportation Board has requested that staff prepare and submit legislative ideas that will serve to advise the Governor and DFM of agency issues with legislative solutions.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves submittal of legislative ideas for Vehicle Title and Registration Clean-up Bill; Background Check for Access to Division of Motor Vehicle Systems, Audit Requirements; Make the Driver License or Identification Card the Recognizable Document for Proof of Full Legal Name; Commercial Drivers' License Federal Program Requirements; and Amend Ignition Interlock Information in Title 18, Idaho Code to DFM, and, upon approval, the development of draft legislation by Idaho Transportation Department staff for subsequent review and approval.

Monthly Financial Statements. Controller Gordon Wilmoth said net obligations were \$1,500,000 during June, resulting in total net cumulative obligations of \$272,800,000. Of the net obligations, \$259,000,000 were for current year projects. The remaining obligations are for adjustments for prior year projects plus advances of future year projects to FY13. The original budget amount for obligated FY13 projects was \$250,800,000. Net cumulative obligations are above the historical trend of \$255,200,000 for June.

Controller Wilmoth said FHWA Indirect Cost Allocation revenue through May was \$20,980,000, which was above the projected amount of \$20,120,000. Miscellaneous state funded

revenue of \$31,210,000 was \$1,130,000 above the forecast. Revenue from the Equipment Buy Back Program was \$12,535,900, which was the projected revenue. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$166,530,000. The projected revenue was \$165,060,000. Revenue from the ethanol exemption elimination was \$14,121,000, which was 1% below the projected amount. Revenue to the State Aeronautics Fund from aviation fuels was \$1,755,000, resulting in a 19% positive variance. Miscellaneous revenue to this account was \$304,000, which was a 1% negative variance.

Total expenditures in the American Recovery and Reinvestment Act Title XII Fund for highway projects were \$176,556,000, while \$178,800,000 had been appropriated. Expenditures for public transportation were \$8,990,000 of the \$9,200,000 available.

Service Contracts issued by Business and Support Management. Controller/Acting Business and Support Manager Wilmoth reported that the Business and Support Management Section processed 12 new service contracts for \$1,673,448 from May 28 through June 20. Seven service contract modifications were also processed, totaling \$987,769.

Policy Approval. Member Vassar made a motion to approve Board Policy 4024, Public Hearings, which combines former policies B-20-03, Public Hearings and B-13-02, Public Involvement for Location and Design Determinations; Board Policy 4025, Appealing Department Actions and Orders, formerly B-07-02; Board Policy 4026, Environmental Stewardship, formerly B-13-03; and Board Policy 4027, Landscaping, formerly B-14-07. Member DeLorenzo seconded the motion and it passed unopposed.

Board Policy 4001, Authority to Sign Contracts, Agreements, and Grants and Requirement to Report Certain Contracts. COO Carpenter proposed revisions to Board Policy 4001 to clarify language related to the director's authority to approve professional service agreements. He will also update the corresponding administrative policies A-01-09, Authority to Sign Contracts, Agreements, or Grants and their Registration; A-06-08, Professional Service Agreements; and A-14-06, Approval of Plans/Specifications/Estimates and the Award of Construction Projects to align with 4001.

Some discussion was held on staff's authority to award or reject contracts exceeding 10% of the engineer's estimate. The Board expressed support to revert that authority to the Board; however, it questioned the 10% threshold and asked staff to propose a different percentage and also a dollar amount.

WHEREUPON the meeting recessed at 4:00 PM.

July 11, 2013

The Board reconvened at 8 AM on Thursday, July 11, 2013, in Idaho Falls. All members were present except Chairman Jerry Whitehead. Representative Doug Hancey was in attendance.

District 6 Tour. The Board visited the Idaho National Laboratory (INL) Research and Education Campus. It heard about INL's mission and activities. Its focus is research, development, and education. Some of its programs include research on biomass, alternative fuels, batteries, and hybrid and electric vehicles.

The Board traveled US-20 west to the INL desert site. It visited the Advanced Test Reactor Laboratory where they research and develop nuclear reactor technologies and the facility where they test and certify space batteries for NASA.

The Board traveled US-20 east to Idaho Falls.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 4:40 PM.

Read and Approved  
August 15, 2013  
Burley, Idaho

signed  
\_\_\_\_\_  
JERRY WHITEHEAD, Chairman  
Idaho Transportation Board

## SPECIAL SESSION OF THE IDAHO TRANSPORTATION BOARD

July 29, 2013

Idaho Transportation Board Chairman Jerry Whitehead called a special session of the Idaho Transportation Board at 2:30 PM on Monday, July 29, 2013. The following principals were present at the Idaho Transportation Department in Boise, Idaho:

Jerry Whitehead, Chairman  
Julie DeLorenzo, Member – District 3  
Brian W. Ness, Director  
Deputy Attorney General Larry Allen

The following participated via teleconference:

Jim Coleman, Vice Chairman – District 1  
Janice B. Vassar, Member – District 2  
Jim Kempton, Member – District 4  
Dwight Horsch, Member – District 5

Executive Session on Legal Issues. Member DeLorenzo made a motion to meet in executive session at 2:30 PM to discuss legal issues as authorized in Idaho Code Section 67-2345(f). Member Kempton seconded the motion and it passed 5-0 by individual roll call vote.

A discussion was held on legal matters.

The Board came out of executive session at 3:50 PM.

WHEREUPON the special session of the Transportation Board adjourned at 3:50 PM.

signed

Jerry Whitehead, Chairman  
Idaho Transportation Board

Read and Approved  
August 15, 2013  
Burley, Idaho

DISTRICT 4 TOUR AND REGULAR MEETING  
OF THE IDAHO TRANSPORTATION BOARD

August 14-15, 2013

The Idaho Transportation Board met at 8:30 AM, on Wednesday, August 14, 2013, in Burley, Idaho. The following principals were present:

Jerry Whitehead, Chairman  
Jim Coleman, Vice Chairman – District 1  
Jan Vassar, Member – District 2  
Julie DeLorenzo, Member – District 3  
Jim Kempton, Member – District 4  
Dwight Horsch, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Chief Deputy  
Sue S. Higgins, Executive Assistant and Secretary to the Board

District 4 Tour. The Board traveled I-84 east. It stopped at the Cotterell Rest Area under construction and traveled local and state highways to the City of Rocks National Reserve and then to Elba. LINC representative Melva Heinrich explained the new voucher program being established in the Burley-Rupert area to provide transportation to seniors and citizens with disabilities. She believes the public-private partnership is providing a valuable service.

The Board returned to Burley via SH-77 north and US-30 west. It toured Kodiak America, which manufactures snow removal equipment. The Board met with Kevin Iverson with Transystems. Mr. Iverson reported on the company's involvement in the 129,000 pound pilot project. He believes it was beneficial, as it improved efficiency and safety and resulted in economic advantages.

WHEREUPON the tour recessed at 4:15 PM.

August 15, 2013

The Board reconvened at 8:30 AM on Thursday, August 15, 2013, in Burley, Idaho. All members were present. Larry Allen, Deputy Attorney General, was also present.

Board Minutes. Member DeLorenzo made a motion to approve the minutes of the regular Board meeting held on July 10-11, 2013 as submitted and the minutes of the special Board meeting held on July 29, 2013 as submitted. Vice Chairman Coleman seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

September 18-19, 2013 – District 1

October 23-24, 2013 – District 3

November 20-21, 2013 – Boise

Consent Calendar. Member Vassar made a motion, seconded by Member Gagner, and passed unopposed, to approve the following resolution:

RES. NO.      WHEREAS, consent calendar items are to be routine, non-controversial, self-

ITB13-37      explanatory items that can be approved in one motion, although the Idaho Transportation Board members have the prerogative to remove items from the consent calendar for questions or discussion.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the FY13 account write off; the addition of Eco-Logical Connectivity to FY13 of

the State Planning and Research Program; adjustments to the approved FY13-17 Public Transit Program; the Community Choices for Idaho Advisory Committee members; the FY13 Performance Measurement Report for the Division of Financial Management and Legislative Services Office; and the addition of SH-52, Emmett Irrigation District Landslide Repair to State FY14 of the Board Unallocated Program.

1) FY13 Account Write Off. ITD policy requires that all uncollectible accounts exceeding \$1,000 be reviewed and approved for write off by the Board. The Director or a designee reviews and approves for write off all accounts less than \$1,000. For FY13, staff requests Board approval to write off 13 accounts totaling \$35,027.98, as shown as Exhibit 428, which is made a part hereof with like effect. Forty-five accounts in amounts less than \$1,000 have been determined as uncollectible, totaling \$13,400.22. The outstanding receivables are more than three years delinquent. Customers are not allowed to do business with ITD until their deficiencies are paid or the statute of limitations is reached.

2) Add Eco-Logical Connectivity to FY13 of the State Planning and Research Program. ITD received two Strategic Highway Research Program 2 grants totaling \$275,000 for the Eco-Logical Connectivity project. It will be used to enter into policy level discussions and create the data interface with the Idaho Department of Fish and Game for the purpose of sharing Crucial Habitat Assessment Tool and other data with ITD's IPLAN web application. The project will accelerate the completion date for some IPLAN goals. Staff requested the addition of the Eco-Logical Connectivity project to FY13 of the State Planning and Research Program for \$275,000.

3) Adjustments to the Approved FY13-17 Public Transit Program. Four projects were inadvertently excluded from the Public Transit Program that was approved by the Board in September 2012. On behalf of Pocatello Regional Transit, the Bannock Transportation Planning Organization requested the addition of the following projects to the Public Transit Program: FY13 Capital Facility, Pocatello Urbanized

Area for \$470,000 of 5307 Small Urban funds; FY14 Capital Bus Shelter, for \$100,000 of 5310 Transportation for Elderly and Disabled funds; and FY14 Capital Facility, Pocatello Urbanized Area for \$400,000 of 5339 State of Good Repair funds. Additionally, ITD staff requested the addition of FY13 Statewide Planning for \$110,000 of 5304 Statewide Planning funds.

4) Community Choices for Idaho Advisory Committee. The following individuals and the stakeholder group they represent were submitted for approval as members of the Community Choices for Idaho Advisory Committee: Timothy O’Meara – business owner; Mike Edwards – environmental; Erik Kingston – housing; Heather Wheeler – transit; Hilary Anderson – economic development; Cynthia Gibson – bicycle and pedestrian; Kendra Witt-Doyle – health; Jen Johnson - Americans with Disabilities Act; Dave Saindon – law enforcement; April Hoy – schools; Brian Billingsley – planner; and Rick Just – scenic byways.

5) FY13 Performance Measurement Report for Division of Financial Management and Legislative Services Office. Per Idaho Code, each state agency is to submit an updated Performance Measurement Report by September 1. Staff requested approval of the report, which includes agency profile, core functions/Idaho Code, revenues and expenditures, profile of cases managed and/or key services provided, performance highlights or awards, performance measures and benchmarks, contact information, and agency director attestation.

6) Add SH-52, Emmett Irrigation District Landslide Repair to State FY14 of the Board Unallocated Program. Landslides in June forced the closure of SH-52 between mileposts 37 and 45. Since then, concrete rail was set on the centerline and the highway opened to one-lane traffic controlled by temporary traffic signals. The cause of the slide was a leak in a concrete lined irrigation channel above the highway, off the right-of-way. The Emmett Irrigation District requested financial assistance to repair the slope. The total cost of the repair is \$130,000. Staff requested the addition

of a \$65,000 Board Unallocated project, SH-52, Emmett Irrigation District Landslide, in state FY14, to assist the Emmett Irrigation District with repairing the slope.

Informational Items. 1) Return Check Report for FY13. During FY13, \$34,948,622 in checks were received, while 67 checks, or .55%, totaling \$191,525 were returned. Collection of returned checks equaled \$188,193 for an annual collection rate of 98.26%.

2) Summary of FY13 Budget vs. Actual Out-of-State Travel. FY13 out-of-state travel expenditures totaled \$205,715. The budgeted amount was \$251,300. In comparison, \$187,847 was spent on out-of-state travel in FY12. In FY13, \$1,097,313 was expended on in-state travel, compared to \$1,065,358 in FY12.

3) Non-Construction Service Contracts Issued by Business and Support Management. From June 21 through July 26, the Business and Support Management Section processed three new service contracts totaling \$240,673 and three service contract modifications in the amount of \$895,925.

4) Contract Awards. Keys #12353 and #12352 – I-84, Eisenman Interchange #60 to Milepost 70 Westbound, Near Boise and Eisenman Interchange #60 to Milepost 70 Eastbound, Near Boise, District 3. Low bidder: Central Paving Company, Inc. – \$7,263,471.

Key #12400 – US-30, 3400 East Road Turn Lane, Twin Falls County, District 4. Low bidder: Kloepfer, Inc. - \$246,855.

Key #13519 – US-30, etc., FY14 District 4 Districtwide Signal Upgrades. Low bidder: Balanced Rock Electric, Inc. - \$263,487.

5) Professional Services Agreements and Term Agreement Work Task Report. From June 24 through July 26, 22 new professional services agreements and work tasks were processed, totaling \$2,309,165. Six supplemental agreements to existing agreements were processed in the amount of \$326,600 during this period.

6) Administrative and Legal Settlements of Right of Way Acquisitions. From January 1 through June 30, 2013, the Right of Way Section processed 36 parcels. There were 11 administrative settlements and 3 legal settlements during this time frame.

7) IPLAN Monthly Status Update. IPLAN continues to proceed on time and within budget. The development/configuration stage is still underway. Some of the activities that occurred since the last report include communication with District staff to identify best practices and provide assistance until the training is completed; additional changes were made to the thematic maps prior to publication; and the construction phase of new architecture of servers and databases is still underway, however, data is being prioritized and populated in the necessary databases to ensure IPLAN's use. It was noted that discussions on training manuals, webinars and workshops have not taken place. This phase will be delayed until after the IPLAN Acceptance Testing is complete.

8) Speed Minute Entry Changes for July 2013. The following speed minute entry changes were made in July in Districts 4 and 6, respectively:

	Beginning	Ending	Speed Limit	
<u>Route</u>	<u>Milepost</u>	<u>Milepost</u>	<u>Old</u>	<u>New</u>
SH-75	117.476	119.800	55	45 Night

US-20/26

248.855

249.237

55

35

9) Annual Report on State Railroad Grade Crossing Protection Fund. The State Railroad Grade Crossing Protection Fund receives \$250,000 annually per Idaho Code. The goal of the program is to reduce the number and severity of vehicle-train collisions at public railroad-road crossings. During calendar year 2012, there were eight vehicle-train collisions at public rail-highway crossings, resulting in two fatalities, four injuries, and two property damage incidents.

Director's Report. Director Ness reported on various activities and meetings from the past month, including a presentation at the Pacific Northwest Economic Region Summit focusing on the importance of its mission and goals to the region's economy and to explain how Idaho's approach to improving economic opportunity could serve as a model for the entire Pacific Northwest; a meeting on increasing transportation revenue hosted by the Association of Idaho Highway Districts and the Associated General Contractors; Capital for a Day in Grace; and the Western Association of State Highway and Transportation Officials' meeting.

He recognized staff for identifying efficiencies and costs savings with a contract for network connections, special efforts by maintenance personnel, and customer service commendations. He also reported that the US-95, Sand Creek Byway project received the America's Transportation Award.

The Director's entire report can be viewed at <http://itd.idaho.gov/Board/report.htm>.

Chief Deputy (CD) Stokes elaborated on partnership efforts to improve highway safety. Idaho received a grant from State Farm to target parents with teenage drivers.

CD Stokes also mentioned that he participated on two panels on increasing transportation revenue. One was sponsored by the Farm Bureau and the other discussion was at the Idaho Trucking Association's annual conference.

Public Transportation Update. District 4 Public Transportation Advisory Council Member John Hathaway and out-going District 4 Mobility Manager Vanessa Fry reported on the public transportation services in the District. The region had eight providers in 2012, resulting in almost 650,000 boardings. LINC's voucher program continues to grow, with 15-30 new applicants each month. Mountain Rides expanded its vanpool program to 13 vans. The District has numerous unmet needs due to the limited funding available.

Chairman Whitehead thanked Mr. Hathaway and Ms. Fry for the informative report.

Adopt-A-Highway Presentation (AAH). Member Kempton recognized the Burley First Federal employees for their participation in the AAH Program. The group adopted four miles along SH-81. He commended the group for the valuable service it provides.

Idaho Statewide Rail Plan. Rail Plan Update Project Manager (RPUPM) Maureen Gresham presented the final draft Statewide Rail Plan. ITD initiated the update to the Plan in concurrence with the Idaho Freight Study. The Federal Railroad Administration approved the document on July 29, 2013.

Member Gagner made a motion, seconded by Member Vassar, and passed unopposed, to approve the following resolution:

RES. NO.      WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB13-38 to facilitate the efficient and effective movement of freight and passengers on rail; and

WHEREAS, the Moving Ahead for Progress in the 21<sup>st</sup> Century recommends state departments of transportation plan for and facilitate the movement of freight; and

WHEREAS, it is the intent of the Idaho Transportation Board to encourage partnerships between various transportation stakeholders that further safety, mobility, and economic opportunity; and

WHEREAS, the Department initiated a statewide analysis of freight that included participation from a diverse range of stakeholders; and

WHEREAS, the Freight Study culminated in the development of a consensus based vision for freight movement in, out and through Idaho and identified the need for a statewide rail plan; and

WHEREAS, the Statewide Rail Plan update meets all state and federal requirements for a statewide rail plan.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the Idaho Statewide Rail Plan Update.

The Board commended RPUPM Gresham for her efforts on this Plan.

Administrative Rule 39.02.60 Amendments. CD Stokes requested revisions to IDAPA 39.02.60, Rules Governing License Plate Provisions. The 2012 legislature passed Senate Bill 1243 creating requirements to be met by the requester of a special license plate. Problems with the rule were discovered in 2013 and House Bill 169 was passed, clarifying the requirements. Other rule changes include redefining temporary registration and revising the guidelines for personalized plate messages to prohibit certain terms.

Vice Chairman Coleman made a motion, seconded by Member Gagner, and passed unopposed to approve the following resolution:

RES. NO.        WHEREAS, the Idaho Transportation Board has the authority to approve  
ITB13-39        requested changes to Administrative Rules; and

WHEREAS, the Board finds the requested changes to the Administrative Rule provides clarification and updated procedures to the Rules Governing License Plate Provisions.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the recommended changes to Administrative Rule:

IDAPA 39.02.60 – Rules Governing License Plate Provisions, which defines requirements for the processes and procedures to be utilized for the creation of specialty license plate programs in accordance with legislation that passed in 2012 and amended in 2013. Amendments also clean up language regarding the term for receipt of registration fees versus temporary registration, and adds prohibited personalized plate messages from referring to criminal gangs, clubs, and memberships and allows the Department to enlist the help of law enforcement for clarification; and

*BE IT FURTHER RESOLVED*, that the Board directs staff to promulgate temporary rulemaking effective September 1, 2013 and proceed with regular rulemaking at the same time for the changes as listed above for Administrative Rule.

Clarifying Terminology Regarding Program Publications. Transportation Investment Manager (TIM) John Krause explained the various Program-related documents: the Idaho Transportation Investment Program (ITIP), Statewide Transportation Improvement Program (STIP), and the Metropolitan Planning Organizations' Transportation Improvement Programs (TIP). Project information is used by a variety of stakeholders. Some of the purposes are to keep interested parties informed of work being planned in their area; as a work plan for project development activities; for management of resources and assets; and as a baseline for performance measures related to on-time and on-budget delivery. The ITIP is ITD's name for its program. It is a database for all of the project information. It is a flexible reporting mechanism for multiple purposes in various formats.

The STIP is the federal name for the statewide program. The format is optimized for federal approval of the program by the Federal Highway Administration (FHWA) and Federal Transit Administration. The document is based on federal regulations and includes metropolitan planning organizations' TIPs, which are documents identifying their planned projects.

The Board thanked TIM Krause for clarifying the various documents and terminology.

Approval of Policies for Allocation of Federal Formula Highway Apportionments to Local Public Agencies. TIM Krause presented Board Policy 4028, formerly B-11-04, Allocation of Federal Formula Highway Apportionments to Local Public Agencies. Because the Board selected the status quo option for the distribution of federal formula funds to local agencies in June, minimal revisions were made to the policy.

Member Gagner made a motion, seconded by Member Vassar, and passed unanimously, to approve the following resolution:

RES. NO.      WHEREAS, policies B-11-04, B-11-04S, and A-11-04, Allocation of Surface

ITB13-40      Transportation Program Apportionments to Local Public Agencies were introduced to the Idaho Transportation Board this past October during discussion of implementation of the new transportation act called Moving Ahead for Progress in the 21<sup>st</sup> Century; and

WHEREAS, subsequent explanation and discussion of these policies culminated in the decision at the June workshop to maintain the status quo; and

WHEREAS, the only changes made to the replacement policies 4028, 4028S and 5028, Allocation of Federal Formula Highway Apportionments to Local Public Agencies were to ensure the usefulness of the policies without requiring changes under future acts.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves policies 4028 and 4028S, Allocation of Federal Formula Highway Apportionments to Local Public Agencies as replacements for B-11-04 and B-11-04S, respectively.

End of FY13 Adjustments to the Federal-Aid Formula Highway Program. TIM Krause requested approval to modify the FY13 Federal-Aid Formula Highway Program based upon project readiness and available funds. A total of \$286.8 million of federal obligation authority plus matching funds is available in FY13. As of July 31, \$270.7

million had been committed. Projects totaling \$.5 million are expected to delay or be removed from the program. Staff is requesting \$2 million for cost increases for FY13 projects and \$14.7 million to advance or schedule new projects. TIM Krause summarized the program adjustments, anticipated project removals and delays, and list of additional project requests. He added that \$39.1 million has been requested through the FHWA national redistribution of obligation authority.

Member Gagner made a motion, seconded by Member Horsch, and passed unopposed, to approve the following resolution:

RES. NO.      WHEREAS, it is in the public interest for the Idaho Transportation Department

ITB13-41      to accomplish a current, realistic, and fiscally constrained Highway Transportation Investment Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal-aid highway funding; and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) require that a priority list of projects covering a minimum four year period be provided in a federally approved Statewide Transportation Improvement Program (STIP); and

WHEREAS, \$286.8 million of federal obligation authority (plus matching funds) are available for obligation to projects in FY13; and

WHEREAS, as of July 31, 2013, there are \$270.7 million of commitments against these funds; and

WHEREAS, as of July 31, 2013, there is an estimated uncommitted balance of \$16.1 million; and

WHEREAS, projects anticipated for delay and removal totaling \$0.5 million have been identified and will be removed from FY13 planning; and

WHEREAS, projects have been identified requiring cost increases to existing projects of \$2 million; and

WHEREAS, projects have been identified to advance to fully utilize available funds of \$14.7 million; and

WHEREAS, a prioritized list of projects has been identified that are ready should additional funding become available; and

WHEREAS, the result of these identified project delays and removals, cost increases, and project advances will fully utilize the FY13 federal highway funding of \$286.8 million.

*NOW THEREFORE BE IT RESOLVED*, that the Board authorizes staff to delay and remove projects in the list entitled "Anticipated Delays & Requested Removals" and advance projects in the list entitled "Ready Projects for End of Year Funding Balance and Redistribution", as shown

as Exhibit 429, which is made a part hereof with like effect, in priority order as projects are delivered and as funding becomes available; and

*BE IT FURTHER RESOLVED*, that staff is authorized to make the appropriate changes to the federally approved FY13-17 STIP in accordance with the provisions of SAFETEA-LU and MAP-21.

Monthly Financial Statements. Controller Gordon Wilmoth summarized the year-end highlights. FY13 Highway Distribution Account (HDA) revenue was .37% or \$715,000 above the forecast. Miscellaneous and FHWA Indirect Cost Allocation revenue was 1.6% or \$915,000 below the forecast. The cash balance in the HDA account was \$21.3 million, which is a 13.2% decrease. Both the Highways and Public Transportation American Recovery and Reinvestment Act Title XII funds are virtually paid out. He noted that the expiration date for these funds has been changed from September 2015 to September 2013. Revenue to the State Aeronautics Fund from aviation fuels was \$284,000, an 18% positive variance.

In July, \$22,300,000 was obligated and \$11,100,000 de-obligated, resulting in net obligations of \$11,200,000. Net cumulative obligations were \$284,000,000 as of July 31, of which \$268,000,000 were for current year projects. The original budget amount for obligated FY13 projects is \$260,100,000. Net cumulative obligations are slightly below the historical trend of \$287,300,000.

August 2013 Revenue Forecast and FY15 Proposed Budget Request. Economist Bob Thompson presented the revised revenue forecast. The projected revenue to ITD in FY15 from all funding sources is \$566,160,000.

Senior Budget Analyst (SBA) Joel Drake summarized the proposed FY15 budget request. Some highlights include 1,810 full-time positions; \$29.9 million for

equipment replacement; a capital facilities program of \$3.3 million; \$259.4 million for contract construction; and \$58.8 million for debt service. The request includes six line items totaling \$24.4 million for items such as restoring spending authority for the Division of Motor Vehicles' (DMV) modernization project, acquisition of automated spreader controllers for snowplow trucks, costs of interfacing Site Manager with the Department's accounting system, and cost impacts of proposed legislation. SBA Drake added that additional adjustments may be needed to address the Division of Aeronautics' revenue concerns, the Cost Allocation Study update, and the Information Technology Resource Management Council's statewide technology project.

Member Vassar made a motion, seconded by Member DeLorenzo, and passed unanimously, to approve the following resolution:

RES. NO.      WHEREAS, the FY15 Idaho Transportation Department budget request will be

ITB13-42      prepared in accordance with instructions in the Division of Financial Management's (DFM) Budget Development Manual; and

WHEREAS, the Idaho Transportation Board has reviewed the proposed FY15 budget request summary.

*NOW THEREFORE BE IT RESOLVED*, that the Board has reviewed the budget request estimates reflected in the Department Summary and Certification, submitted for approval August 15, 2013, as shown as Exhibit 430, which is made a part hereof with like effect, and authorizes the estimates and guidance provided to serve as the basis for the FY15 budget request submitted to DFM and Legislative Services Office.

Chairman Whitehead thanked Messrs. Thompson and Drake for their work on the budget.

Draft Legislation. Government Affairs Manager (GAM) Mollie McCarty presented the draft legislation for the five ideas approved by the Board last month: vehicle title and registration clean-up; background checks for access to DMV systems, audit requirements; making the driver license or identification card the recognizable document for proof of full legal names; commercial driver's license (CDL) federal program requirements; and amending ignition interlock information.

Discussion followed on the new federal CDL requirements. The Board expressed concern with the medical certification requirements because of the limited number of doctors in Idaho who are qualified to provide those certifications, although that is a separate issue than the proposed legislation. Staff was asked to inform legislators of this concern.

GAM McCarty also reported that negotiated rule-making will be occurring on IDAPA 39.03.62 and 39.03.64, Rules Governing Logo Signs and Tourist Oriented Directional Signs, respectively, to allow for privatization of those programs. Due to the timelines for that process, staff intends to propose those rule revisions in 2015.

Chairman Whitehead thanked GAM McCarty for the presentation.

Expressway Designation. District 3 Engineer (DE) Dave Jones said IDAPA 39.03.42 gives the Board authority to designate a highway as an expressway for the purpose of access control. An expressway is defined as a segment of highway for use as a through highway with partially controlled access, accessible only at locations specified by the Department. He requested designating three routes as expressways: US-95, Council Alternate Route, planned for construction in 2016; SH-16, Junction SH-44 to US-20/26, which is currently under construction; and SH-44, Eagle Alternate Route, which was constructed in the 1990s.

Vice Chairman Coleman made a motion and seconded by Member Gagner to approve the following resolution:

RES. NO.        WHEREAS, by virtue of IDAPA 39.03.42, the Idaho Transportation  
ITB13-43        Department is charged with administration of highway rights-of-way  
and encroachments on state rights-of-way; and

WHEREAS, it is the purpose of this rule to establish standards and guidelines for encroachments on state highway rights-of-way; and

WHEREAS, in order to maintain system capacity, safety, and efficiency; maximize signal progression; and minimize delays to the traveling public, all approaches and signals shall be spaced in accordance with the standards noted; and

WHEREAS, an Expressway is a segment of a highway designated by the Idaho Transportation Board for use as a through highway, with partially controlled access, accessible only at locations specified by the Department, and characterized by medians, limited at-grade intersections, and high speeds; and

WHEREAS, an existing segment of state highway may only be designated as an Expressway if payment is made to adjacent property owners for the restriction of existing access rights; and

WHEREAS, the following road segments comply with the qualifications and necessity to be designated as Expressways:

Description	Route	Location	
		From	To
(GARVEE)	SH-16	Highway 16 Extension	
	97.90	100.00	
Route	SH-44	Eagle Alternate	
		16.18	19.17
Route	US-95	Council Alternate	
		135.09	135.81

and;

WHEREAS, the Board wishes to protect and preserve these road segments in accordance with the rule.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the designation of the above road segments as Expressways.

The motion passed 5-1 with Member Horsch dissenting.

District 4 Report. DE4 Devin Rigby reported on the project delivery performance measure. All 17 of the FY14 projects were delivered. The District has \$72 million worth of projects under construction this year, plus a \$13 million project that started last year. To address a safety concern with wildlife and vehicle collisions on SH-75, a committee was established. One of the outcomes was the reduction of the speed limit to 45 miles per hour at night. Thirty-two of the 60 crashes that occurred in the Hailey to Ketchum stretch last year involved animals and of those 32 incidents, 23, or 72% occurred at night.

DE4 Rigby reported on an economic opportunity project. Improvements were made to a railroad crossing in Shoshone. As part of that project, Americans with Disabilities Act deficiencies were also corrected at nearby intersections.

Chairman Whitehead thanked DE4 Rigby for the report and for the District's hospitality.

Executive Session on Personnel and Legal Issues. Member Gagner made a motion to meet in executive session at 11:35 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(a), (b), and (f). Vice Chairman Coleman seconded the motion and it passed 6-0 by individual roll call vote.

Discussions were held on personnel and legal matters.

The Board came out of executive session at 3:45 PM.

Proposed Rules Governing Marking of Hazards to Air Flight – IDAPA 39.04.02. CD Stokes requested revisions to IDAPA 39.04.02 due to 2013 legislation that exempted power marketing firms from lighting and marking guyed towers and exempting "ham" and "CB" radio towers from the requirement to light and mark their guyed towers.

Vice Chairman Coleman made a motion, seconded by Member Vassar, and passed unopposed, to approve the following resolution:

RES. NO.      WHEREAS, the Idaho Transportation Board has authority to approve requested

ITB13-44 changes to Idaho Transportation Department rules; and

WHEREAS, the Board finds the changes to IDAPA 39.04.02 necessary due to legislative changes and for continuity and safety of aircraft operations within Idaho; and

WHEREAS, the Aeronautics Advisory Board has concurred with these recommendations.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the following administrative rule to be submitted for change:

Modify Administrative Rule 39.04.02 – Rules Governing Marking of Hazards to Air Flight.

Clarify that power marketing firms are exempt from lighting and marking guyed towers.

Clarify that “ham” and “CB” radio towers are exempt from lighting and marking guyed towers; and

*BE IT FURTHER RESOLVED*, that the Board approves the request to submit the changes as listed above for Administrative Rule 39.04.02 and directs staff to promulgate and proceed with the regular rulemaking process for Rule 39.04.02 effective July 1, 2014.

Proposed Rules Governing Idaho Airport Aid Program – IDAPA 39.04.04. CD Stokes requested revisions to IDAPA 39.04.04. ITD, the Division of Aeronautics, and the Aeronautics Advisory Board approved new procedures for the administration of the Idaho Airport Aid Program, establishing uniform project prioritization and annual

grant program funding allocation methodologies. Certain formulas, priorities, percentages, terms, and procedures of the program changed, requiring amendments to IDAPA 39.04.04. Additionally, changes to Idaho Code from the 2005 legislature require modifications to this rule.

Member Vassar made a motion, seconded by Member Horsch, and passed unopposed, to approve the following resolution:

RES. NO.      WHEREAS, the Idaho Transportation Board has authority to approve requested  
ITB13-45      changes to Idaho Transportation Department rules; and

WHEREAS, the Board finds the changes to IDAPA 39.04.04 necessary due to legislative changes and for continuity of airport funding within Idaho; and

WHEREAS, the Aeronautics Advisory Board has concurred with these recommendations.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the following administrative rule to be submitted for change:

Modify Administrative Rule 39.04.04 – Rules Governing Idaho Airport Aid Program.

Define terms that are important to understanding rule implementation.

Modify the order of the information in the rule for better flow and understanding of requirements.

Specify the funding alternatives that no longer reflect the policy and capabilities of the Idaho Airport Aid Program.

Specify the critical data needed to determine the percent of cost for Idaho Airport Aid Program matching grants.

Clarify the type of data needed and level of detail requirement to demonstrate that public funds are expended on viable and long term projects that protect the public investment; and

*BE IT FURTHER RESOLVED*, that the Board approves the request to submit the changes as listed above for Administrative Rule 39.04.04 and directs staff to promulgate and proceed with the regular rulemaking process for Rule 39.04.04 effective July 1, 2014.

Rules Governing Safety Rest Areas – IDAPA 39.03.50. Chief Engineer (CE) Tom Cole said the 2008 legislature pre-empted the field of firearm regulation and prohibited state agencies from regulating firearms because it interfered with second amendment rights; however, universities and the Idaho Department of Fish and Game were exempted from this law. As a result, IDAPA 39.03.50, Rules Governing Safety Rest Areas must be revised because the rule currently prohibits the discharge of firearms at these facilities. He added that Idaho Code allows counties and cities to regulate the discharge of firearms within its boundaries.

In response to Member Kempton's question, CE Cole said there would be no impact to individuals with a concealed weapon permit. Hunters would not be affected either, unless the local public agency has prohibitions.

Member Gagner made a motion, seconded by Member Vassar, and passed unopposed, to approve the following resolution:

RES. NO        WHEREAS, the Idaho Transportation Board has the authority to approve  
ITB13-46        requested changes to Administrative Rules; and

WHEREAS, the Board finds the requested changes to the Rules Governing Safety Rest Areas are necessary to comply with changes made to Idaho Code and to clarify prohibited acts.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the recommended changes to IDAPA 39.03.50, Rules Governing Safety Rest Areas; and

*BE IT FURTHER RESOLVED*, that the Board directs staff to proceed with rulemaking on IDAPA 39.03.50.

New Business. Motor Vehicles Administrator (MVA) Alan Frew said the Department received a letter from the Idaho Housing Alliance (IHA) requesting a Board exemption from the reducible load rule requirement. The manufacturer of manufactured homes, park models, and modular structures would like the Board to allow two park models on one 80' chassis. The Board can grant a waiver due to emergencies. MVA Frew reminded the Board that the IHA had requested a similar waiver in March 2012, which was granted by the Board. That waiver was rescinded in March 2013 after no activity regarding its use was reported.

Member Vassar asked about IHA's description of the economic hardship provided for in the Department's administrative rules. MVA Frew said the hardship described in the letter is the company's inability to bid competitively on a project. It would be an economic advantage to transport two park models on one chassis. The consensus of

the Board was this request does not constitute an emergency and it denied the request.

Due to time constraints, Chairman Whitehead delayed the scheduled policy introductions.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 3:55 PM.

signed

JERRY WHITEHEAD, Chairman

Idaho Transportation Board

Read and Approved

September 19, 2013

Coeur d'Alene, Idaho

## SPECIAL SESSION OF THE IDAHO TRANSPORTATION BOARD

August 27, 2013

Idaho Transportation Board Chairman Jerry Whitehead called a special session of the Idaho Transportation Board at 4:00 PM on Tuesday, August 27, 2013. The following principals were present at the Idaho Transportation Department in Boise, Idaho:

Jerry Whitehead, Chairman  
Julie DeLorenzo, Member – District 3  
Brian W. Ness, Director  
Deputy Attorney General Larry Allen  
Sue S. Higgins, Executive Assistant and Secretary to the Board

The following participated via teleconference:

Jim Coleman, Vice Chairman – District 1  
Janice B. Vassar, Member – District 2  
Jim Kempton, Member – District 4  
Dwight Horsch, Member – District 5  
Lee Gagner, Member – District 6

Executive Session on Legal Issues. Member DeLorenzo made a motion to meet in executive session at 4:00 PM to discuss legal issues as authorized in Idaho Code Section 67-2345(f). Member Vassar seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on legal matters.

The Board came out of executive session at 4:50 PM.

WHEREUPON the special session of the Transportation Board adjourned at 4:50 PM.

signed

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Jerry Whitehead, Chairman  
Idaho Transportation Board

Read and Approved  
September 19, 2013  
Coeur d'Alene Idaho

DISTRICT 1 TOUR AND REGULAR MEETING  
OF THE IDAHO TRANSPORTATION BOARD

September 18-19, 2013

The Idaho Transportation Board met at 8:15 AM, on Wednesday, September 18, 2013, in Coeur d'Alene, Idaho. The following principals were present:

Jerry Whitehead, Chairman

Jim Coleman, Vice Chairman – District 1

Jan Vassar, Member – District 2

Julie DeLorenzo, Member – District 3

Jim Kempton, Member – District 4

Dwight Horsch, Member – District 5

Lee Gagner, Member – District 6

Brian W. Ness, Director

Scott Stokes, Chief Deputy

Larry Allen, Deputy Attorney General

Sue S. Higgins, Executive Assistant and Secretary to the Board

District 1 Tour. The Board traveled US-95 north. An update on the GARVEE projects in the corridor was provided. It traveled the recently-completed US-95, Sand Creek Byway project in Sandpoint. At the Bonner County Airport, the Board viewed the runway reconstruction project underway and learned about various activities at the facility.

The tour continued on SH-200 east to view the Trestle Creek Bridge project. The Board traveled SH-200 west to Ponderay where it had lunch with state and local officials. Various officials thanked the Board for recent improvements to northern Idaho's transportation system. Director Ness provided comments on the organizational changes and efficiencies implemented at ITD. He referenced the Governor's Task Force on Modernizing Transportation Funding, which concluded an additional \$262 million in transportation revenue is needed to preserve the existing system. He believes it is imperative to address the funding shortfall. Dave Butzier with Connecting Idaho Partners presented America's Transportation Award to Resident Engineer Ken Sorensen and staff for the US-95, Sand Creek Byway project.

The Board traveled US-2 west to view the recently reconstructed Dover Bridge. It returned to Coeur d'Alene via US-2 east and US-95 south.

WHEREUPON the tour recessed at 3:15 PM.

September 19, 2013

The Board reconvened at 9 AM on Thursday, September 19, 2013, in Coeur d'Alene, Idaho. All members were present.

Board Minutes. Member Gagner made a motion to approve the minutes of the regular Board meeting held on August 14-15, 2013 as submitted and the minutes of the special Board meeting held on August 27, 2013 as submitted. Member Vassar seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

October 23-24, 2013 – District 3

November 20-21, 2013 – Boise

December 11-12, 2013 – Boise

Informational Items. 1) Annual Update on Public Involvement Activities. From October 2012 through August 2013, 21 public meetings were held for highway projects. Meetings were also held with each of the four Tribes in Idaho to discuss the Idaho Transportation Investment Program (ITIP). Some of the other public involvement activities during this time frame included distributing press releases relating to the public meetings; responding to 746 e-mail messages; and updating project webpages to ensure the project information is up-to-date and accurate.

2) Monthly Financial Statements. In August, \$60,600,000 was obligated and \$7,800,000 de-obligated, resulting in net obligations of \$52,800,000. Net cumulative obligations were \$336,700,000, of which \$291,300,000 were for current year projects. The original budget amount for obligated FY13 projects is \$280,200,000. Net cumulative obligations exceeded the historical trend of \$325,800,000.

Federal Highway Administration (FHWA) Indirect Cost Allocation revenue was \$3,969,000 in July. This exceeded the projected revenue by 67%. Miscellaneous revenue was \$2,617,000, which was an 8.7% negative variance. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$14,323,000, or 1.5% above the forecast. Revenue from the ethanol exemption elimination was \$1,360,000, which was 7.6% over the projected amount.

Revenue to the State Aeronautics Fund from aviation fuels was \$180,000, resulting in a 51% positive variance. Miscellaneous revenue to this account was \$50,000, which was a 257% positive variance.

3) Non-Construction Service Contracts Issued by Business and Support Management. From July 27 through August 28, the Business and Support Management Section processed four new service contracts totaling \$403,696.

4) Contract Awards. The low bid on keys #12873 and #12874 – I-90B, South Fork Coeur d’Alene River Bridge 3<sup>rd</sup> Street, Mullan and South Fork Coeur d’Alene River Bridge 7<sup>th</sup> Street, Mullan, District 1, was more than ten percent over the engineer’s estimate, requiring justification. The major differences between the low bid and the Engineer’s Estimate are in the Special Bridge Drilled Piles and Special Large Riprap items. Staff believes this is due to insufficient price history for the two items. It does not believe a benefit would be realized if the project is readvertised, so recommended awarding the bid. Low bidder: C. L. Heilman Company, Inc. – \$2,841,784.

The low bid on key #12320 – SH-64, Milepost 23.739 to 26.970 Grade, Lewis County, District 2, was more than ten percent over the engineer’s estimate, requiring justification. The primary difference between the engineer’s estimate and the apparent low bid was in the excavation pay item. The price for excavation was based on the District’s experience with other projects and the low bid average report; however, the unit cost is difficult to estimate because the unit cost varies widely from project to project. Staff believes the low bid is responsive and recommended awarding the project. Low bidder: Cook and Sons Construction - \$428,098.

Key #11581 – FY13 Ada County Highway District Overlays, District 3. Low bidder: Staker & Parson Companies dba Idaho Sand & Gravel Company - \$2,824,281.

Key #13836 – US-95, Anderson Corner Road Improvements, District 3. Low bidder: Staker & Parson Companies dba Idaho Sand & Gravel Company - \$239,416.

Key #13087 – SH-81 and SH-77, FY14 District 4 Districtwide Guard Rail Upgrade. Low bidder: Railco-LLC - \$146,423.

Key #9913 – North 1000 East Road Bridge, Madison County, District 6. Low bidder: D L Beck Inc. - \$732,450.

Key #12462 – I-15 and US-20, FY14 District 6 Sign Upgrades. Low bidder: Beco Construction Company, Inc. - \$134,997.

The low bid on key #12271 – Trail Creek Highway, Custer County, Stage 1, District 6, was more than ten percent over the engineer’s estimate, requiring justification. The major difference in the prices was the cost per square foot of the soldier pile retaining wall. The Local Highway Technical Assistance Council does not believe there is a

potential for savings if the project is rebid, so recommended awarding the project.  
Low bidder: Knife River Corporation – Northwest - \$4,047,753.

5) Professional Services Agreements and Term Agreement Work Task Report. From July 29 through August 30, 35 new professional services agreements and work tasks were processed, totaling \$3,805,005. One supplemental agreement to an existing agreement was processed in the amount of \$94,100 during this period.

6) IPLAN Monthly Status Update. IPLAN continues to proceed on time and within budget. Some of the activities that occurred last month include thematic maps were reviewed and finalized for publication; additional logins were provided to staff; communication continued with District staff to identify best practices and provide assistance until the training is completed; collaboration on the Wildlife Vehicle Collision Research project continued; and the 129,000 pound designated routes map was created.

7) Speed Minute Entry Changes for August 2013. The following speed minute entry changes were processed during August for Districts 2 and 3, respectively:

<u>Route</u>	<u>Beginning</u>	<u>Ending</u>	<u>Speed Limit</u>	
	<u>Milepost</u>	<u>Milepost</u>	<u>Old</u>	<u>New</u>
US-95	.184	.634	45	55
SH-55	17.688	18.004	45	40

It was also noted that a speed study was conducted on US-20, milepost 43.890 to 47.250. The result confirmed that the 35 mile per hour speed limit established via a Garden City ordinance is appropriate and will be retained.

Adopt-A-Highway Presentation (AAH). Vice Chairman Coleman thanked the Kootenai Cancer Center employees for their participation in the AAH Program. The group adopted a section of I-90 in 1993. He commended the group for the valuable service it provides.

Delegation – City of Bonners Ferry. Bonners Ferry Mayor David Anderson thanked the Board for the various projects on US-95 over the years; however, he expressed concern that no improvements have been made to the major north/south highway in Bonners Ferry. Some of the City’s concerns include truck traffic, congestion, the lack of or insufficient sidewalks or bicycle/pedestrian paths, and limited visibility at some intersections.

Chairman Whitehead thanked Mayor Anderson for his comments, which the Board took under advisement.

Delegation – City of Priest River. Priest River Mayor James Martin expressed appreciation for the partnership with ITD and District 1 staffs' responsiveness. The City is working with the District on access management, particularly the numerous accesses that do not have permits. Traffic in Priest River is expected to increase. Mayor Martin expressed concern with the limited turning radius at the US-2 and SH-57 intersection. He noted that ITD purchased a portion of the needed right-of-way and encouraged the Board to fund the intersection project.

Vice Chairman Coleman acknowledged the need to improve that intersection. Although he supports the project, due to the Department's limited funding, he does not know when the project may be funded. Chairman Whitehead concurred on the importance of improving that intersection. He thanked Mayor Martin for his remarks.

Delegation – City of Sandpoint. Sandpoint City Council Member Carri Logan relayed the mayor's and community's appreciation for the Sand Creek Byway project. It reduced the amount of traffic in downtown Sandpoint and the bicycle/pedestrian trail is very popular. She commended ITD for the extensive communication it provided during the planning and construction of the project.

Council Member Logan requested operational changes to address the US-2 traffic in downtown. The proposal is to remove the one-way couplets and convert 5<sup>th</sup> Street from Cedar to Pine to two-way traffic. She believes some access issues need to be addressed, some right-of-way would be needed to widen the street, and a traffic signal would be required.

In response to Member Gagner's question on the cost of this operational change, Council Member Logan said she does not have a cost estimate. The proposal is too preliminary.

Vice Chairman Coleman commended the City for its efforts to address the US-2 traffic and its partnership to identify a solution. He reiterated ITD's desire to relinquish the state highways in downtown Sandpoint to the City. Chairman Whitehead thanked Council Member Logan for the presentation and encouraged the City to continue working closely with the District.

Delegation – Bonner County Area Transportation Team (BCATT). BCATT Chairman Glen Bailey thanked the Board for the various projects in the area. He expressed concern with US-95 south of Sandpoint. Upon completion of the current GARVEE projects, US-95 will be a four-lane highway from Coeur d'Alene to Granite Hill; not all of the way to Sandpoint. BCATT Chairman Bailey is concerned with safety in that

two-lane stretch, as drivers get impatient and pass when they shouldn't. He also talked about concerns with the saline solution District 1 uses. Its side effects include corrosion and the salt attracts wildlife, resulting in more wildlife and vehicle collisions.

Vice Chairman Coleman said the Department's limited funding is a concern. He encouraged BCATT Chairman Bailey to get involved in efforts to increase revenue. He also mentioned that District 1 is conducting a study on the deicer used in Bonner County.

Delegation – City of Post Falls. Post Falls Mayor Clay Larkin thanked the Board for its service to the state and for the numerous improvements made to the transportation infrastructure in northern Idaho. He also commended the District 1 staff for its responsiveness and partnership. The new I-90, Beck Road Interchange has been very beneficial. The City's next project is the I-90, Greensferry Overpass, which will be constructed with urban renewal funds.

The Board commended Mayor Larkin for his work to improve the City's transportation infrastructure and thanked him for his partnership.

Delegation – North Idaho Centennial Trail Foundation. Foundation Chairman John Bruning said surveys indicate people want bicycle/pedestrian trails. In the Coeur d'Alene area, they have safety concerns with bicycle traffic on US-95 and would like a bike path parallel to the highway. There is a trail along a portion of the highway, but most of that is in disrepair. He emphasized the importance of bicycle/pedestrian trails to improve safety, promote healthier lifestyles, and promote tourism, resulting in economic opportunities. He asked the Board to reconstruct the existing portion that is in disrepair and complete the trail north to Sandpoint.

Vice Chairman Coleman noted the poor condition of the existing trail. He worked with the District, but no funding source could be identified. In response to Member Gagner's question, Foundation Chairman Bruning said the Foundation does not have any money. It could explore grants to use as match. Member DeLorenzo suggested the new Community Choices for Idaho Program may be a funding source. Member Vassar asked if there is a cost estimate to reconstruct the existing trail. District 1 Engineering Manager (EM) Marvin Fenn said the rough estimate to reconstruct the trail and extend it to Granite Hill is \$2 million.

Chairman Whitehead thanked Foundation Chairman Bruning for his remarks.

Presentation – Sand Creek Byway. Connecting Idaho Partners representative Dave Butzier presented District 1 with the America’s Transportation Award for the US-95, Sand Creek Byway project. He commended the Department for its accomplishments. EM Fenn acknowledged the numerous partnerships that were vital to the project’s success.

Chairman Whitehead congratulated the District and all of the parties involved in the project. He believes it will be a valuable asset to the community, as well as the traveling public.

Delegation – Idaho Association of Highway Districts (IAHD). IAHD Executive Director Stuart Davis said he and Wayne Hammon with the Associated General Contractors of Idaho have established the Idaho Transportation Coalition to raise awareness of the need for long-term sustainable funding for Idaho’s transportation system. The Coalition established subcommittees to look at specific revenue options and is conducting an economic impact study. After that work is done, the Coalition will meet with legislators, the governor’s office, and other stakeholders. He emphasized the importance of a grass roots effort to increase transportation revenue.

The Board members were appreciative of the Coalition’s efforts and commended Executive Director Davis for his initiative to address this important issue.

Public Transportation Update. District 1 Public Transportation Advisory Council Member Gretchen Hellar and District 1 Mobility Manager Susan Kiebert reported on the importance of public transportation. It enables citizens without private transportation to get to work and stay in their homes longer, and it improves the quality of life. They are concerned with funding, and noted the state does not provide any General Fund money for public transportation.

Chairman Whitehead thanked the ladies for their comments.

GARVEE Program Update. GARVEE Program Manager (GPM) Amy Schroeder provided an update on the GARVEE Program. To date, \$775.5 million has been bonded for 59 projects in 6 corridors. Forty-six of those projects have been completed. The projects added last year, replacing the I-84 Interchanges at Meridian Road, Broadway Avenue, and Gowen Road, and widening I-84 from the Gowen Road Interchange to the Broadway Avenue Interchange, should be advertised late this year or early next year. The FY14 Working Plan includes fully utilizing the remaining bonds, returning any bid savings to the Federal Formula Program, and disposing surplus property.

Member Gagner made a motion and seconded by Member Vassar to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board is charged with determining the ITB13-47 timeframe and scope of improvements for the State Transportation System; and

WHEREAS, Idaho Code § 40-315 directs the Board to consider the cost of the projects and whether or not the project could be funded without GARVEE bonding; and

WHEREAS, Idaho Code § 40-315 directs the Board to balance and coordinate the use of bonding with the use of highways construction funding; and

WHEREAS, Idaho Code § 40-315 authorizes federal-aid debt financing through the issuance of Grant Anticipation Revenue Vehicle (GARVEE) bonds by the Idaho Housing and Finance Association for highway transportation projects; and

WHEREAS, legislative appropriations enacted in 2006, 2007, 2008, 2009, 2010, and 2011 authorized the issuance of GARVEE bonds; and

WHEREAS, the Board is granted the statutory responsibility and duty to allocate GARVEE bond proceeds among legislatively authorized projects, including:

US-95, Garwood to Sagle

US-95, Worley to Setters

SH-16 Ext, I-84 to South Emmett

I-84, Caldwell to Meridian

I-84, Orchard to Isaacs Canyon

US-30, McCammon to Soda Springs; and

WHEREAS, \$81 million Federal-aid formula funds have been included in and administered by the GARVEE Transportation Program; and

WHEREAS, all remaining right-of-way budgets will be funded with Federal-aid formula funds to reduce risk of long payouts on GARVEE bonds and improve efficient cash flow.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the GARVEE Program FY14 Working Plan Summary, as shown as Exhibit

431, which is made a part hereof with like effect, a copy of which has been provided to the Board.

Vice Chairman Coleman expressed support for the plan, particularly the intent to move savings to the Federal Formula Program. Member Vassar concurred, and added appreciation for the plans to dispose of surplus property. Member Horsch believes that SH-16 will be extended to I-84 some day, although funding has not been secured for the extension from US-20/26 to I-84. He suggested using revenue from the sale of surplus property to start acquiring right-of-way for that project.

The motion passed unanimously.

Controller Dave Tolman summarized the bond authorization. Of the \$840 million authorized by the legislature, \$82 million remains. The weighted average interest rate to date is 4.47%. The bonding philosophy is to ensure there is a minimum of 9 months cash flow requirements on hand; award construction contracts in advance of securing bonds; when the cumulative contracts exceed \$25 million, bonds must be sold within 90 days; and issue bonds based on the ability to meet the Internal Revenue Services' spend-down requirements. The plans are to sell the remaining bonds in January 2014.

Vice Chairman Coleman made a motion, seconded by Member DeLorenzo, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Department (ITD) strives to make available

ITB13-48 to the citizens of Idaho the finest transportation system via new construction projects and management of statewide assets and has authorized the use of a Grant Anticipation Revenue Vehicle (GARVEE) bonded program; and

WHEREAS, the use of future federal funds today will save the state money in the future; and

WHEREAS, Title 40, Chapter 3 and Title 67, Chapter 62 of the Idaho Code, as amended (the "Act"), authorizes the Idaho Housing and Finance Association (IHFA), to issue bonds for the purpose of funding a highway capital improvement program (the "GARVEE Program") for financing all aspects of the construction of highway projects eligible for federal reimbursement as recommended and approved by the Idaho Transportation Board (ITB); and

WHEREAS, the ITD, the ITB, and the IHFA have entered into a Master Financing Agreement with respect to the bonds; and

WHEREAS, issuing such bonds promotes the purposes of the GARVEE Program; is in the public interest; serves a public purpose; increases commerce; promotes the health, welfare and safety of the people of the State of Idaho; and constitutes a proper exercise of the authority particularly set forth in the Act; and

WHEREAS, the 2011 Idaho Legislature has passed and the Governor signed House Bill 285 GARVEE Bonding Authorization authorizing ITB's request for bonding authority under Idaho Code Section 40-315(4) up to \$162,000,000; and IHFA intends to issue certain tax exempt bonds, Federal Highway Trust Fund Series, during state fiscal year 2014 in an amount not to exceed \$82,000,000 comprising the remaining bond authorization from House Bill 285; this resolution shall serve as evidence of the Board's intention to proceed with issue of the Bonds up to the amount stated and to reimburse its expenditures for the I-84 Caldwell to Meridian and I-84 Orchard to Isaacs Canyon Projects from the proceeds of the Bonds; and

WHEREAS, a Preliminary Official Statement relating to each series of the bonds and the distribution thereof to potential bond purchasers and the distribution to all actual purchasers of the bonds of a final Official Statement will thereafter be carried out; and

WHEREAS, other bonding documents will also be needed to be executed setting forth the applicable series of bonds.

*NOW THEREFORE BE IT RESOLVED*, by the Board as follows:

1. Pursuant to the Act, the Board approves the I-84 Caldwell to Meridian and I-84 Orchard to Isaacs Canyon Projects and recommends to IHFA the financing thereof through the issuance of the Bonds in an aggregate principal amount not to exceed \$82,000,000 comprising of: \$82,000,000 from the bonding authority approved by House Bill 285 in the 2011 legislative session; provided that: (a) the ITD and the ITB have entered into a supplement to the Master Financial Agreement relating to the Bonds and previously executed; and (b) the ITD has provided to the IHFA all of the certificates, documents, and information required under Idaho Code Section 67-6210(k).

2. The Chairman and/or Director is hereby authorized and directed, for and in the name and on behalf of the ITB to execute the following bonding documents and any other documents required for the closing of the bonds setting forth the terms of the applicable series of bonds together with such additions or changes in the form thereof as may deem necessary or advisable, such approval to be conclusively evidenced by the execution of said bonding documents as so added to or changed.

Final Official Statement  
Supplemental to Master Financial Agreement  
Master Trust Indenture  
Series Trust Indenture

3. Further, the Board and ITD will keep books and records of all expenditures and will make a reimbursement allocation, which is a written allocation that evidences the use of proceeds of the Bonds for Project expenditures no later than 18 months after the later of the date on which the expenditure is paid or the related Project is placed in service or abandoned, but in no event more than three years after the date on which the expenditure is paid. Finally, that this resolution evidences the Board's intent and reasonable expectation under Treas. Reg. Section 1.150-2 (d) (1) to use the proceeds of the Bonds to pay certain costs of the Projects and to reimburse the Board and ITD for expenditures for the costs of the Projects paid prior to the issuance of the Bonds to the extent permitted by federal tax regulations.

GPM Schroeder presented the annual GARVEE Report, as required by Idaho Code. It includes a program update, program history, authorization and bonding chart, corridor summaries and maps, and list of services providers.

Member Gagner made a motion, seconded by Member DeLorenzo, and passed unanimously, to approve the following resolution:

RES. NO.       WHEREAS, the Idaho Transportation Board is charged with determining the  
ITB13-49       timeframe and scope of improvements for the State Transportation System; and

WHEREAS, Idaho Code § 40-315 includes a legislative reporting requirement wherein the GARVEE Transportation Program submits an

annual update on the status of highway transportation projects being constructed with bond financing.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the 2013 GARVEE Transportation Program Annual Report, which is on file in the GARVEE Program Office, and in turn directs staff to publish and submit the report to the legislature.

Chairman Whitehead thanked staff for the presentation and its efforts on this important Program.

Executive Session on Personnel and Legal Issues. Vice Chairman Coleman made a motion to meet in executive session at 11:40 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(a), (b), and (f). Member Horsch seconded the motion and it passed 6-0 by individual roll call vote.

Discussions were held on personnel and legal matters.

The Board came out of executive session at 1:35 PM.

Director's Report. Director Ness reported on various activities and meetings from the past month, including Capital for a Day in Fairfield and a presentation at the southwest Idaho legislative summit. The second annual Leadership Summit will be held on October 1, with approximately 200 employees. He also mentioned awards for the US-95, Sand Creek Byway project, the winter maintenance performance measures initiative, and the emergency management program and accolades for customer service that the Department received.

The Director's entire report can be viewed at <http://itd.idaho.gov/Board/report.htm>.

Chief Deputy (CD) Stokes said the Division of Motor Vehicles' (DMV) was having difficulty meeting its performance measure for processing titles. A concerted effort was made to address the backlog and determine the cause of delays. He complimented staff for identifying a system change that should prevent backlogs in the future and ensure the performance goal is met.

CD Stokes mentioned September 30 is the end of the federal fiscal year. No appropriations bill has been passed yet, so the government will presumably operate under a continuing resolution. Staff will continue to monitor Congressional activities. He also announced that ITD received \$12.4 million in redistribution of obligation authority. The total available nationwide was \$25 million.

Proposed Legislation – 2014 Session. Government Affairs Manager (GAM) Mollie McCarty presented draft legislation for the ideas approved by the Board last month: vehicle title and registration clean-up; background checks for access to DMV systems, audit requirements; make the driver's license or identification card the recognizable document for proof of full legal names; commercial driver's license federal program requirements; and amend ignition interlock information.

In response to Chairman Whitehead's question, Program Specialist Barry Takeuchi clarified when salvage titles need to be issued. Member Gagner questioned the fiscal impact for the ignition interlock proposal. Program Specialist Amy Kearns replied that the cost for the device varies, but the average is about \$120. There is also a monthly fee of about \$60 for motorists required to install the device.

Member Vassar made a motion, seconded by Vice Chairman Coleman, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Office of the Governor of Idaho has requested that state agencies

ITB13-50 submit proposed 2014 legislation to the Division of Financial Management (DFM) for review and approval; and

WHEREAS, the Idaho Transportation Board, at the July and August 2013 meetings, reviewed and approved legislative ideas for submission to DFM; and

WHEREAS, DFM approved all five legislative ideas submitted, authorizing the development of legislative proposals.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves five of the five draft legislation proposals, listed individually below, for submittal to DFM for its consideration:

- Vehicle Title and Registration Clean Up Bill
- Background Check for Access to Division of Motor Vehicle Systems, Audit Requirements
- Make the Drivers License or Identification Card the recognizable document for proof of full legal name
- Commercial Drivers License Federal Program Requirements
- Amend Ignition Interlock Information in Title 18, Idaho Code

Chairman Whitehead thanked GAM McCarty for the presentation.

District 1 Report. EM Fenn reported on the project delivery performance measure. Eighteen of the initial 20 FY13 projects plus two projects that were advanced to FY13 were delivered by the target date. The District had 61% of its construction projects under 105% of the original bid amount and 39% of projects were over 105% of the original bid amount. The District's 83.7% of pavement in good condition exceeded the goal of 82%; however, 70% of its bridges were in good condition, which was below the goal of 80%.

Some of the business and operations initiatives were an adaptive signal project on US-95 in Coeur d'Alene that improved mobility and an LED light conversion project that is projected to save \$77,000 annually and improve safety. A winter operations study is underway to determine the cost benefit of deicers, the impact of using salt, and best practices to obtain information to establish maintenance service levels. In conclusion, EM Fenn reported on some of the District's partnerships, including the construction of the I-90, Beck Road Interchange and developing the I-90, Greensferry Overpass in Post Falls and the US-2 connection study in Sandpoint.

Chairman Whitehead thanked EM Fenn for the presentation and for the District's efforts.

US-95, Round Prairie to Canada Scope Increase. EM Fenn requested approval to increase the scope of the US-95, Round Prairie to Canada project to replace the Round Prairie Creek Bridge. Staff discovered approximately \$688,000 in discretionary funds that would expire if not obligated by the end of this fiscal year. Directing that money to the bridge project is in the limits of the funding area, thus, an eligible activity. The original bridge was constructed in 1933 and has a sufficiency rating of 68.9.

Vice Chairman Coleman made a motion, seconded by Member Gagner, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB13-51 to publish and accomplish a current, realistic, and fiscally constrained five-year Idaho Transportation Investment Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal, state, local, and private capital investment funding; and

WHEREAS, \$688,272 of Border Infrastructure discretionary funds remain from past efforts to improve US-95 from Copeland to the Canadian border; and

WHEREAS, these funds will lapse if not programmed by September 30, 2013; and

WHEREAS, the replacement of the Round Prairie Creek Bridge at milepost 532 (NBI# 18790) is an acceptable use of these funds per discussion with the Federal Highway Administration Idaho Division; and

WHEREAS, the pavement preservation project at US-95, Round Prairie Creek to Canada, key #13407 overlaps the location of this bridge and is currently programmed in FY17.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the scope increase of the pavement preservation project US-95, Round Prairie Creek to Canada project from \$3.2 million to \$3.9 million to also include replacement of the Round Prairie Creek Bridge; and

*BE IT FURTHER RESOLVED*, that staff is authorized to amend the FY13-17 Statewide Transportation Improvement Program accordingly.

Sponsorship of ITD Programs. Highways Operations Engineer (HOE) Greg Laragan summarized earlier discussions to pursue sponsorship of the Department's incident response program. He presented a draft policy; however, he noted that there are other ITD programs that could potentially benefit from sponsorships, so the policy is generic. It does not specifically address sponsorship of the incident response program.

The Board concurred with the draft policy, which is expected to be presented for approval next month. Chairman Whitehead thanked HOE Laragan for his work on the policy.

Addition of On-the-Job-Training/Supportive Services Work to FY13. Nathan Hesterman, Senior Planner – Programming, requested the addition of an On-the-Job-Training/Supportive Services project to FY13. FHWA recently awarded \$60,000 in discretionary funds to Idaho for this program. The funds must be obligated by September 20. Staff proposes funding a National Association of Women in Construction and Tribal Training Assessment project.

Member DeLorenzo made a motion, seconded by Member Horsch, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB13-52 to publish and accomplish a current, realistic, and fiscally constrained five-year Idaho Transportation Investment Program (ITIP); and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal, state, local, and private capital investment funding; and

WHEREAS, \$59,658 of FY13 On-the-Job-Training/Supportive Services discretionary funds were awarded to Idaho on September 6<sup>th</sup>; and

WHEREAS, these funds must be obligated by September 20, 2013.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the addition of the project called National Association of Women in Construction and Tribal Training Assessment to FY13 of the ITIP for \$60,000 federal aid.

Recommended FY14-18 ITIP. John Krause, Transportation Investments Manager (TIM), presented the recommended FY14-18 ITIP. He noted changes to the Program since the draft was presented in June. Some of those include adding 29 local safety projects; advancing and delaying projects as a result of delivery during the end-of-year review; and advancing projects from FY15 to FY14 based upon readiness to utilize funding that became available from advancing other projects into FY13. The Federal Lands Access Program has not been submitted and the Transportation Alternatives Program projects have not been identified. Those projects will be presented at a future meeting. He also noted that Idaho will receive \$12.4 million in redistribution of obligation authority not used by other states.

TIM Krause summarized the public involvement process. During the July 1 through August 1 comment period, eight comments were received. Three of the comments supported improvements to SH-55 in McCall and three comments related to reducing wildlife collisions on US-20 in District 6. Upon approval of the ITIP, staff will ensure that the metropolitan planning organizations' Transportation Improvement Programs are mirrored in the document and will then submit it to FHWA, Federal Transit Administration, and the Environmental Protection Agency for approval.

In response to an earlier discussion on the use of consultants, COO Carpenter highlighted the projects in the recommended ITIP that will require consultant services exceeding \$500,000.

Member Vassar made a motion, seconded by Member Horsch, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department  
ITB13-53 to publish and accomplish a current, realistic, and fiscally constrained Idaho Transportation Investment Program (ITIP); and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal, state, local, and private capital investment funding; and

WHEREAS, the 2013 Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) transportation act requires that a fiscally constrained list of projects covering a four-year minimum be provided in a statewide transportation improvement program; and

WHEREAS, the Divisions of Highways, Transportation Performance, and Aeronautics have recommended new projects and updated the costs and schedules for projects in the Recommended FY14-18 ITIP; and

WHEREAS, the Recommended FY14-18 ITIP was developed in accordance with all applicable federal, state, and policy requirements including adequate opportunity for public involvement and comment; and

WHEREAS, the Recommended FY14-18 ITIP incorporated public involvement and comment whenever appropriate while maintaining a fiscally constrained Program; and

WHEREAS, it is understood that continued development and construction of improvements are entirely dependent upon the availability of future federal and state capital investment funding in comparison to the scope and costs of needed improvements.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the Recommended FY14-18 ITIP, which is on file in the Office of Transportation Investments; and

*BE IT FURTHER RESOLVED*, that staff is authorized to submit the federal format of the Recommended FY14-18 ITIP for federal approval in accordance with the provisions of MAP-21.

COO Carpenter requested advancing four FY14 projects to FY13. Staff completed the end-of-the-year plan presented last month; however, additional funding is available, partly due to the \$12.4 million received in the redistribution of obligation authority.

Member Gagner made a motion, seconded by Member Vassar, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department  
ITB13-54 to publish and accomplish a current, realistic, and fiscally constrained Idaho Transportation Investment Program (ITIP); and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal, state, local, and private capital investment funding; and

WHEREAS, Idaho received Redistribution of Obligation Authority (OA) Not Used by Other States of \$12.4 million; and

WHEREAS, American Recovery and Reinvestment Act (ARRA) end-of-year conversion frees \$2.3 million federal formula OA; and

WHEREAS, redistribution ARRA, remaining formula OA, plus match total approximately \$17.8 million; and

WHEREAS, these funds will lapse if not obligated by the end of the federal fiscal year; and

WHEREAS, projects in addition to those identified in the FY13 End-of-Year Plan have been delivered to utilize these funds now.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the advance from FY14 to FY13 of:

US-95, Plummer Creek Bridge, Milepost 394, key #12304, for \$646,000;  
US-95, Plummer Creek Bridge, Milepost 395, key #12305, for \$619,000;  
FY15, District 6 Guardrail Upgrades, key #12454, for \$555,000; and  
FY15 District 6 Sign Upgrades, key #12463, for \$295,000.

Policy Introduction and Approval. TIM Krause proposed combining Board Policy B-11-01, Statewide Transportation Improvement Program and B-11-02, Highway Development Program. The new policy, #4011, Idaho Transportation Investment

Program, includes all of ITD's funding, not just highways. The corresponding administrative policy was also reviewed.

Member Kempton made a motion to approve Board Policy 4011, Idaho Transportation Investment Program. Member Horsch seconded the motion and it passed unopposed.

TIM Krause proposed minor revisions to Board Policy 4030, Surface Transportation Program Rural (STPR) Exchange Program, formerly B-11-06. The corresponding administrative policy was also reviewed.

Member Kempton made a motion to approve Board Policy 4030, Surface Transportation Program Rural (STPR) Exchange Program. Member Gagner seconded the motion and it passed unopposed.

Changes to Board Policy 4031, Early Development Program, formerly B-11-08, include the addition of a purpose statement and legal authority, according to TIM Krause. Member Gagner asked for clarification on the process for projects in the Early Development Program. COO Carpenter said the intent is to move projects from the Early Development Program into the STIP as construction funds become available. Vice Chairman Coleman clarified that the \$120 million limit for construction costs of projects in the program may be exceeded with Board approval. Chairman Whitehead expressed concern with not having sufficient projects designed, ready to go. COO Carpenter replied that the Department currently has \$50 million in projects on the shelf, ready to be advertised when funding becomes available.

Member Kempton made a motion to approved Board Policy 4031, Early Development Program. Member Vassar seconded the motion and it passed unanimously.

TIM Krause said the only changes to Board Policy 4032, Local Bridge Inspection Funds, formerly B-19-08, were the inclusion of a purpose statement and legal authority.

Vice Chairman Coleman made a motion to approve Board Policy 4032, Local Bridge Inspection Funds. Member Gagner seconded the motion and it passed unopposed.

COO Carpenter proposed combining Board Policies B-19-01, Construction of State Highways in Cities and B-14-08, Movement of Utilities. The new policy, 4029, Cooperative Agreement for Construction of State Highways, better defines responsibilities when construction projects impact utilities. The corresponding

administrative policy provides guidance when projects involve utilities and when utility work creates a hardship.

Member Kempton made a motion to approve Board Policy 4029, Cooperative Agreement for Construction of State Highways. Member Vassar seconded the motion and it passed unopposed.

Aeronautics Administrator (AA) Mike Pape presented Board Policy 4034, Charter or Rented Aircraft and Pilot's Requirements, formerly B-27-01. The only changes were the addition of the purpose statement and legal authority. Changes to the corresponding administrative policy were reviewed.

Member Kempton made a motion to approve Board Policy 4034, Charter or Rented Aircraft and Pilot's Requirements. Member Gagner seconded the motion and it passed unanimously.

AA Pape summarized minor revisions to Board Policy 4035, Coordination with Aeronautics Advisory Board, formerly B-27-02. The corresponding administrative policy was also reviewed.

Vice Chairman Coleman made a motion to approve Board Policy 4035, Coordination with Aeronautics Advisory Board. Member Kempton seconded the motion and it passed unopposed.

AA Pape proposed changes to Board Policy 4036, State Aircraft Operation, formerly B-27-06.

Member Gagner made a motion to approve Board Policy 4036, State Aircraft Operation. Vice Chairman Coleman seconded the motion and it passed unopposed.

AA Pape presented revisions to Board Policy 4037, Aeronautical Activities, formerly B-27-07. Some members expressed concern with language in the Board and corresponding administrative policies related to providing assistance with land use issues and also on the definition of terms such as airport, airstrip, and airfield. The policy was held for further review.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 4:00 PM.

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signed

JERRY WHITEHEAD, Chairman  
Idaho Transportation Board

Read and Approved  
October 24, 2013  
Boise, Idaho

**SPECIAL SESSION OF THE IDAHO TRANSPORTATION BOARD**

September 9, 2013

Idaho Transportation Board Chairman Jerry Whitehead called a special session of the Idaho Transportation Board at 9:05 AM on Monday, September 9, 2013. The following principals were present at the Idaho Transportation Department in Boise, Idaho:

Jerry Whitehead, Chairman  
Julie DeLorenzo, Member – District 3  
Brian W. Ness, Director  
Deputy Attorney General Larry Allen  
Sue S. Higgins, Executive Assistant and Secretary to the Board

The following participated via teleconference:

Jim Coleman, Vice Chairman – District 1  
Janice B. Vassar, Member – District 2  
Jim Kempton, Member – District 4  
Dwight Horsch, Member – District 5  
Lee Gagner, Member – District 6

Executive Session on Legal Issues. Member Vassar made a motion to meet in executive session at 9:05 AM to discuss legal issues as authorized in Idaho Code Section 67-2345(f). Member Horsch seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on legal matters.

The Board came out of executive session at 9:35 AM.

WHEREUPON the special session of the Transportation Board adjourned at 9:35 AM.

signed

\_\_\_\_\_  
Jerry Whitehead, Chairman  
Idaho Transportation Board

Read and Approved  
October 24, 2013

Boise, Idaho

DISTRICT 3 TOUR AND REGULAR MEETING  
OF THE IDAHO TRANSPORTATION BOARD

October 23-24, 2013

The Idaho Transportation Board met at 8:00 AM, on Wednesday, October 23, 2013, in Boise, Idaho. The following principals were present:

Jerry Whitehead, Chairman  
Jim Coleman, Vice Chairman – District 1  
Janice B. Vassar, Member – District 2  
Julie DeLorenzo, Member – District 3  
Jim Kempton, Member – District 4  
Dwight Horsch, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Chief Deputy  
Sue S. Higgins, Executive Assistant and Secretary to the Board

District 3 Tour. The Board traveled I-84 west, SH-55 north, and SH-44 west. Staff provided an overview on the Department's first design-build project, SH-44 and Linder Road intersection. The Board viewed the SH-16, SH-44 to US-20/26 project under construction and then traveled north on SH-16.

The tour continued east on SH-52, with a briefing on a slide that closed the highway this past summer, and north on SH-55. At the Cascade Airport, the runway reconstruction project was viewed. Staff demonstrated the roving port of entry operation at the Cascade Maintenance Shed. In McCall, Midas Gold provided an overview on its operation. It is still in the exploratory and development phase at the Stibnite site east of McCall where gold and antimony will be mined. After a brief presentation on activities at the McCall Airport by Aeronautics Advisory Board Chairman Rodger Sorensen and Member Dan Scott, the tour officially ended. The majority of Board members returned to Boise via the state plane.

WHEREUPON the tour recessed at 3:00 PM.

October 24, 2013

The Board reconvened at 8:30 AM on Thursday, October 24, 2013, in Boise, Idaho. All members were present. Lead Deputy Attorney General Larry Allen was also present.

Board Minutes. Member Vassar made a motion to approve the minutes of the special Board meeting held on September 9, 2013 and the minutes of the regular Board meeting held on September 18-19, 2013 as submitted. Vice Chairman Coleman seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:  
November 20-21, 2013 – Boise  
December 11-12, 2013 – Boise  
January 15-16, 2014 – Boise

The Board also scheduled the District 6 Board tour and meeting on September 17 and 18, 2014. This will enable staff to work on logistics, as the plans include visiting Harriman State Park.

Consent Calendar. Member DeLorenzo made a motion, seconded by Member Vassar, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, consent calendar items are to be routine, non-controversial, self-

ITB13-56 explanatory items that can be approved in one motion, although the Idaho Transportation Board members have the prerogative to remove items from the consent calendar for questions or discussion.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the adjustment to the FY14-18 Idaho Transportation Investment Program to accommodate FY13 end-of-year redistribution; Board Policy 4041, Sponsorship of Department Programs; proposed legislation for the 2014 session (D-14-005 – Commercial Drivers License Federal Program Requirements); and proposed legislation for the 2014 session (D-14-001 – Vehicle Title and Registration Clean Up Bill).

1) Adjust FY14-18 Idaho Transportation Investment Program (ITIP) to Accommodate FY13 End-of-Year Redistribution. Staff requested the advance of I-90, Mullan to Montana State Line Westbound, key #12967 from FY15 to FY14; US-95, Lewiston Hill Southbound Lanes, key #12991 from FY16 to FY15; and US-95, Lewiston Hill Northbound Lanes, Nez Perce County, key #13435 from FY17 to FY15. This request is due to the advance of approximately \$17 million of projects while closing out FY13.

2) Sponsorship of ITD Programs. Board Policy 4041, Sponsorship of Department Programs was presented for approval. The draft policy was submitted last month for

review. It is generic in nature: encouraging seeking sponsorships of programs as appropriate.

3) Proposed Legislation – 2014 Session. Due to a change in the federal register, a revision to the definition for tank vehicle is being requested in proposed legislation for the 2014 session: D-14-005-Commercial Drivers License Federal Program Requirements, which was approved by the Board in September.

4) Proposed Legislation – 2014 Session. Staff determined additional changes were needed to make D-14-001-Vehicle Title and Registration Clean Up Bill accurate. The legislation was approved by the Board last month.

Informational Items. 1) ITD Annual Report. The draft Annual Report was submitted for review and comment. It needs to be submitted to the governor by December 1, or at such time as the governor requires. The document is to report on the condition, management, and financial transactions of the Department.

2) Annual Report on Performance Statistics on Contracts and Procurements. The Business and Support Management office issued 22,826 purchase orders in the amount of \$85,277,470 in FY13. This was an increase from the previous year when 20,028 purchase orders totaled \$50,166,840. A total of 216 informal bids and requests for quotation and 56 requests for proposal and invitation to bid were received in FY13 compared to 105 and 112, respectively in FY12. Fifty-four professional services agreements were processed for \$1,687,913. This was about a 2% decrease in the number of agreements from the previous year; however, it was almost a 40% increase in dollar value. There were also 96 contracts in the amount of \$10,340,230 in FY13 compared to 101 contracts for \$8,554,500 in FY12. Eighty master agreements were issued in FY13 versus 66 the previous year. It was noted that ITD's delegated authority for procurements was increased in the middle of FY12, which presumably resulted in anomalies.

3) Contract Awards. Key #12970 – I-90, etc., FY14 District 1 Districtwide Brooming. Low bidder: Aero Power-Vac Inc. – \$200,063.

Key #8916 – I-90, Pinehurst Road Grade Separation, District 1. Low bidder: Wadsworth Brothers Construction Company, Inc. - \$10,533,783.

Key #12933 – West Side Road/Lions Den, District 1. Low bidder: C. E. Kramer Crane and Contracting, Inc. - \$160,701.

The low bid on key #12932 – Old US-2/Deep Creek Loop, District 1, was more than ten percent over the engineer’s estimate, requirement justification. The Local Highway Technical Assistance Council (LHTAC) believes the lack of local bidders may have adversely impacted the bids. The major difference between the engineer’s estimate and the low bid was in the Removal of Bituminous Surface, Superpave Hot Mix Asphalt Paving including Asphalt and Additives, 18” Pipe Culvert, Manhole Type A, 4” Trench Drain, and Mobilization items. Small quantities may have contributed to higher bids, along with the unique geographic and complex nature of the project. Because it is a federal Emergency Relief project, resulting in some urgency, and LHTAC did not identify any discrepancies or irregularities in the bid, it recommended awarding the project. Low bidder: West Company Inc. - \$316,464.

Keys #12867 and #12866 – I-84, Northside Boulevard Overpass Interchange #35, Nampa and Union Pacific Railroad East Lateral Canal Bridge, Nampa, District 3. Low bidder: Granite Construction Company - \$4,051,979.

Key #12051 – Ola Highway; Brush Creek to Power Line Crossing, Gem County, District 3. Low bidder: Staker & Parson Companies dba Idaho Sand & Gravel Company - \$1,528,293.

Key #12354 – SH-21, Lucky Peak High Bridge to Robie Creek Road, District 3. Low bidder: Staker & Parson Companies dba Idaho Sand & Gravel Company - \$1,833,484.

Keys #9542 and #8700 – B Canal Bridge, Rupert and A Street; 9<sup>th</sup> Street to 100 North Rupert, District 4. Low bidder: Granite Excavation, Inc. - \$4,569,915.

Key #11991 – Old Highway 81, South, Raft River Highway District, District 4. Low bidder: Knife River Corporation – Northwest - \$2,530,375.

Key #10608 – Willow Creek Ferguson Lane Bridge, Bonneville County, District 6. Low bidder: Cannon Builders, Inc. - \$475,212.

The low bid on key #12472 – Pancheri Bridge Over East Lateral Canal, Idaho Falls, District 6, was more than ten percent over the engineer’s estimate, requiring justification. The major differences in the prices were Concrete Class 40-A Schedule #1 and #2, Prestress Slab, and Mobilization items. The concrete items were presumably bid higher due to increased demand along with the small quantities required. Mobilization may have been higher due to the nature of the staged construction, the project duration, and small quantities. Staff recommended awarding the project. Low bidder: Cannon Builders, Inc. – \$649,371.

4) Professional Services Agreements and Term Agreement Work Task Report. From September 2 through September 30, 15 new professional services agreements and work tasks were processed, totaling \$713,783. There were no supplemental agreements to existing agreements during this period.

Director's Report. Director Ness informed the Board that the federal government reopened on October 17 after a 16-day partial shutdown. The Department will not need to implement the plan that the Board approved on October 15.

Director Ness announced the appointments of Char McArthur as the Department's Chief Administrative Officer and Brenda Williams as the Chief Human Resource Officer. He also reported on various activities and meetings from the past month, including the second Leadership Summit that focused on customer service and the Department's culture and the annual American Association of State Highway and Transportation Officials (AASHTO) conference. ITD received four awards at AASHTO for the development of the airport iPad application; the US-95, Sand Creek Byway project; the successful realignment of the Department; and the winter performance measuring system. He also mentioned other awards and recognitions the Department and employees received.

The Director's entire report can be viewed at <http://itd.idaho.gov/Board/report.htm>.

Adopt-A-Highway Presentation (AAH). Member DeLorenzo presented awards to the Emmett Lions Club and Canyon County Sheriff Inmate Labor Detail for their participation in the AAH Program. The groups have been participating in the program for 22 and 15 years, respectively. She commended them for their valuable service and efforts to keep Idaho litter free.

Delegation – Valley Regional Transit (VRT). Kelli Fairless, VRT Executive Director, said part of VRT's mission is to coordinate public transportation in Ada and Canyon Counties and leverage resources. Ridership increased this past year by approximately 5%. A number of capital improvements were made, such as bus shelters and park and ride sites. She stressed the importance of partnerships. One of those efforts is sharing vehicles. Some of the focus areas have been on serving veterans and providing children transportation to the Canyon County YMCA after school.

Member DeLorenzo and Chairman Whitehead commended Ms. Fairless for the improvements made to public transportation service in the area.

Public Transportation Update and I-way Leadership Award. District 3 Public Transportation Advisory Council (PTAC) Member Kathleen Simko also reported that

transit ridership increased in District 3. Efforts are underway to identify each community's unique needs, such as a bus or bicycle path, and how to meet those needs. Partnerships are vital to address mobility. She suggested there may be opportunities to partner with ITD to identify and develop sites for park and ride lots. She thanked the Board for its service and for its support of public transportation, noting that she will step down from PTAC when her term expires next year, after nine years of service.

Member Vassar and Chairman Whitehead thanked Ms. Simko for her service to the state and commended her for her leadership to address public transportation issues.

Ms. Simko presented the I-way Leadership Award to Michelle Groenevelt from the City of McCall. Ms. Simko commended Ms. Groenevelt's leadership, communication, and efforts on the City's comprehensive system of pathways.

Community Choices for Idaho Program Update. Ted Vanegas, Senior Transportation Planner (STP), reported on the Community Choices for Idaho Program. The Department received 89 initial applications for funding. After reviewing those, staff determined 64 met the requirements. The federal aid requested totaled over \$14 million, while only \$3.4 million is available. The majority of requests were to fund bicycle and pedestrian infrastructure. The Community Choices Committee reviewed and scored the applications. Staff intends to present the recommended projects for review and information next month and then seek Board approval in December. STP Vanegas commended the Committee for its efforts.

Chairman Whitehead thanked STP Vanegas for the presentation.

IPLAN Project – Phase One Completion. Program and Project Management Manager (2PMM) Erika Bowen and District 2 Traffic Engineer Jared Hopkins demonstrated IPLAN. They navigated through various features within some of the maps and illustrated layers of data available. 2PMM Bowen said the Districts have been involved in the development of IPLAN and with assuring the accuracy of the data.

Member Kempton believes IPLAN will be a valuable tool when the Board Subcommittee on 129,000 Pound Truck Routes considers routes. Chairman Whitehead thanked staff for the presentation and commended it for the progress that has been made on IPLAN.

Project Acceleration. Chief Engineer (CE) Tom Cole provided an update on efforts to accelerate projects. He noted that advance construction is one tool available to expedite project construction. Staff will consider construction issues such as limited

opportunities to work in or near waterways when determining if a project should be accelerated and when it should be advertised for bid. The intent is to start advertising federally funded projects three to five months prior to the start of the fiscal year because it takes about 160 days after the project is bid before the first payment is made.

Some of the steps to accelerate projects are to ensure projects are ready and timing the advertisement appropriately. The intent is to have all of the projects ready for advertising in January prior to the start of the fiscal year and to have the Program fully awarded by the middle of that fiscal year. Projects would be advertised on a staggered basis. In response to Member Gagner's question, CE Cole responded that there may be an opportunity to save money through better bids. The proposal would result in contractors being able to perform some activities in winter, reducing down time.

Chairman Whitehead left the meeting at this time. Vice Chairman Coleman presided.

Controller Tolman elaborated on the fiscal aspects. Federal projects advertised in advance of the fiscal year will use advance construction, which requires Federal Highway Administration (FHWA) approval. The advance of state funded projects will be based on the state approved appropriation. No federal contract awards will be made in advance when there is no federal highway act authorizing program funding. Federal projects awarded before the beginning of the fiscal year will be within Board limitation and based on the cash requirements from the project scheduling system and the impact of current cash requirements. Staff will report to the Board monthly on all projects that have contract awards based on advance construction prior to the start of the federal fiscal year. Staff will also monitor the daily cash flow and report to the Board on the cash flow plan versus the actual cash on hand.

Highway Safety Update. Highway Safety Manager (HSM) Brent Jennings said the purpose of the Positive Community Norms pilot project is to eliminate impaired driving by fostering bystander engagement. The project is being conducted in Blackfoot, Lewiston, and Twin Falls, with the rest of the state a comparison group. If the project is successful, it will be expanded statewide. Numerous communication tools are being utilized. Surveys were conducted before the pilot project began and will be completed at the end of the project to determine changes in the public's awareness and beliefs related to impaired driving. Changes in the number of citizens reporting impaired driving are also being tracked. HSM Jennings commended the Department's partners with this effort, especially Idaho State Police.

Program Manager Lisa Losness summarized the Idaho Highway Safety Coalition's efforts to achieve the goal of zero deaths. Coalition members will deliver highway safety presentations to various groups. Training for the members has been developed. Toolkits targeting specific audiences will be provided. The next step is for coalition members to develop their own presentation. The Office of Highway Safety will provide support.

Vice Chairman Coleman thanked staff for the presentation and for their efforts on this important issue.

Monthly Financial Statements. Transportation Investments Manager John Krause said the funding level for FY13 was \$354,300,000. The total includes an additional \$12,400,000 in redistribution of federal funds offset by a reduction of \$15,700,000 to adjust for overestimates made at the beginning of the year regarding state forces, High Priority funds, and indirect costs. With \$21,600,000 obligated and \$4,800,000 de-obligated during September, net obligations for the month totaled \$16,800,000. Net cumulative obligations year-to-date through September totaled \$353,500,000.

FHWA Indirect Cost Allocation revenue was \$6,603,473 in August. This exceeded the projected revenue by 21%. Miscellaneous revenue was \$5,708,227, which was a 10.4% negative variance. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$29,052,028, or 2.9% below the forecast. Revenue from the ethanol exemption elimination was \$2,688,446, which was 0.5% over the projected amount.

Revenue to the State Aeronautics Fund from aviation fuels was \$350,142, resulting in a 35% positive variance. Miscellaneous revenue to this account was \$87,190, which was a 31% positive variance.

Fiber Management Program. Information Technology Administrator Shannon Barnes said ITD has an extensive broadband network throughout the state: not only at Headquarters and the 6 district offices, but also at 91 maintenance sheds, 105 county Division of Motor Vehicles offices, ports of entry, and 230 intelligent transportation devices like cameras and messaging signs. The Department has agreements with private and public partners, with varying services, costs, and responsibilities. Efforts are underway to leverage ITD's right-of-way and construction projects to reduce communications costs, prepare to meet future business needs, and support economic development through the expansion of broadband in the state. Consideration will be given to placing conduit during construction of highway projects.

Jake Duplessie, Enterprise Technology Services Project Manager, elaborated on some of the projects. Collaboration with the Nez Perce Tribe in District 2 resulted in 16 miles of ITD fiber along US-95. The shared infrastructure helped both entities expand service. Along with constructing a new interchange on US-20 in District 6, there is an opportunity to establish 10 miles of communications infrastructure that can be leveraged for an additional 20 miles. This public-private partnership supports economic development by expanding broadband availability and increasing business opportunities with no maintenance or operations costs to ITD.

Vice Chairman Coleman believes the fiber management program may be a potential revenue source. He also suggested there may be an opportunity to partner with the Department of Education on its initiative to place computers in every school. He thanked staff for the information.

Chairman Whitehead returned to the meeting at this time.

Delegation – City of Caldwell. Caldwell Mayor Garrett Nancolas said US-20/26 was widened near the airport recently at City expense. The project was undertaken to enhance economic opportunities in the area. It also resulted in improved safety. Mayor Nancolas believes widening the highway east to Middleton Road would provide additional economic opportunities. The City of Caldwell is willing to fund the project initially if the Department would pay back the City for those expenditures. In addition to enhancing economic development, he believes safety would also be improved.

District 3 Engineer (DE) Dave Jones said the Department is aware of the desire to widen US-20/26. The Board Subcommittee on State Highway System Adjustments has discussed this issue, as there may be an opportunity to relinquish mileage to the City of Caldwell in conjunction with a project on US-20/26. The project is in Early Development with an estimated construction cost of \$12 million.

Mayor Nancolas concurred that the City is receptive to assuming jurisdiction of the I-84 Business route if ITD would widen US-20/26.

The consensus of the Board was to pursue this proposal. It expressed appreciation for the City of Caldwell's partnership and initiative to improve the transportation system. There was also a suggestion to explore Sales Tax Anticipated Revenue (STARS) as a funding mechanism.

District 3 Report. DE Jones reported on various activities in the District. Some of the safety accomplishments included slope improvements on I-84 to expand the recovery

zone and safety audits on SH-16 and SH-51 to identify improvements to enhance safety on those routes. The avalanche program on SH-21 improves mobility by reducing road closures. Another mobility project widened two shoulders on US-95 to accommodate longer trucks. A living snow fence along US-20 was a result of a partnership and staff's innovation. DE Jones also recognized Richard Peryer and Ken Couch for obtaining the highest winter maintenance index at ITD.

Member DeLorenzo commended DE Jones for his leadership. Chairman Whitehead thanked DE Jones for the report and for his service.

Policy Review. Project Manager Bill Statham summarized Board Policy 4037, Aeronautical Activities, formerly B-27-07. Language to provide assistance with land use issues was added due to requirements of Idaho Code relating to hazards. The Federal Aviation Administration also requires protection of airports for NPIAS airports. The intent is for staff to provide assistance and education with land use planning issues.

Member Kempton proposed minor revisions to 4037 and then made a motion to approve Board Policy 4037, Aeronautical Activities. Member Vassar seconded the motion and it passed unopposed.

Policy Introduction. Transportation Performance Administrator Randy Kyrias proposed changes to Board Policy 4038, Public Transportation Program, formerly B-28-01 and Board Policy 4039, Public Transportation Advisory Council, formerly B-28-02.

Member Kempton reported that minor, non-substantive changes were made to Board Policy 4040, Dealer Advisory Board Activities, formerly B-30-01.

Member DeLorenzo made a motion to approve Board Policy 4040, Dealer Advisory Board Activities. Member Gagner seconded the motion and it passed unopposed.

Member Kempton said the only change to Board Policy 4042, Trucking Advisory Council, formerly B-30-04, was the inclusion of a purpose statement and the legal authority.

Member Vassar made a motion to approve Board Policy 4042, Trucking Advisory Council. Member Horsch seconded the motion and it passed unopposed.

Member Kempton summarized the minor revisions to Board Policy 4043, Coordination with the Idaho Traffic Safety Commission, formerly B-38-01.

Vice Chairman Coleman made a motion to approve Board Policy 4043, Coordination with the Idaho Traffic Safety Commission. Member Vassar seconded the motion and it passed unopposed.

Some discussion was held on revisions to stand-alone administrative policies. The consensus was to present those policies to the Board for its review and information.

Executive Session on Personnel and Legal Issues. Member Gagner made a motion to meet in executive session at 2:45 PM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(a), (b), and (f). Member Vassar seconded the motion and it passed 6-0 by individual roll call vote.

Discussions were held on personnel and legal matters.

The Board came out of executive session at 4:45 PM.

New Business. The Board recognized Highways Operations Engineer Greg Laragan for his extensive service to ITD and congratulated him on his upcoming retirement.

Government Affairs Manager Mollie McCarty said the Board-approved draft legislation for the 2014 session was submitted to the Division of Financial Management. Minor revisions have been recommended to the commercial driver's license and ignition interlock system proposals.

Member Vassar made a motion, seconded by Member Gagner, and passed unopposed, to approve the following resolution:

RES. NO.       WHEREAS, the Office of the Governor of Idaho has requested that state

ITB13-57       agencies submit proposed 2014 legislation to the Idaho Division of Financial Management for review and approval; and

WHEREAS, the Idaho Transportation Board, at the September 2013 meeting, reviewed and approved draft legislation; and

WHEREAS, the Idaho Division of Financial Management approved draft legislation submitted; and

WHEREAS, the Office of the Governor of Idaho has requested the separation of one legislation proposal for Commercial Driver's License

into two draft legislation proposals: one identifying state requirements; and one identifying federal requirements; and

WHEREAS, the Office of the Governor of Idaho has requested additional language be added to the Statement of Purpose on Ignition Interlock requirements.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves revisions to the following legislative proposals for submittal to the Idaho Division of Financial Management for its consideration.

- Commercial Driver's License State Program Requirements
- Commercial Driver's License Federal Program Requirements
- Amend Ignition Interlock Information in Title 18, Idaho Code

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 5:00 PM.

signed

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JERRY WHITEHEAD, Chairman  
Idaho Transportation Board

Read and Approved  
November 20, 2013  
Boise, Idaho

## SPECIAL SESSION OF THE IDAHO TRANSPORTATION BOARD

October 15, 2013

Idaho Transportation Board Chairman Jerry Whitehead called a special session of the Idaho Transportation Board at 10:35 AM on Tuesday, October 15, 2013. The following principals were present at the Idaho Transportation Department in Boise, Idaho:

Jerry Whitehead, Chairman

Julie DeLorenzo, Member – District 3

Brian W. Ness, Director

Larry Allen, Lead Deputy Attorney General

Sue S. Higgins, Executive Assistant and Secretary to the Board

The following participated via teleconference:

Janice B. Vassar, Member – District 2

Dwight Horsch, Member – District 5

Lee Gagner, Member – District 6

Executive Session on Personnel and Legal Issues. Member Gagner made a motion to meet in executive session at 10:35 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(a) and (f). Member DeLorenzo seconded the motion and it passed 4-0 by individual roll call vote.

A discussion was held on personnel and legal matters. Vice Chairman Jim Coleman, District 1, joined the meeting during the discussion on the personnel issue.

The Board came out of executive session at 11:05 AM.

New Business. Controller Dave Tolman reported that the federal government was shut down on October 1 due to the lack of appropriations bills. Congress must also address the debt limit, which the federal government is expected to reach on October 17. He summarized the impacts these federal issues are having on ITD. The Division of Financial Management has requested a contingency plan to address the federal debt limit.

Controller Tolman said the Department has numerous agreements with various parties regarding the payment of federal funds for services provided and with federal agencies for ITD to be reimbursed. The Department has sufficient funds available to continue making payments on these commitments in the near future, with the expectation that the federal government will reimburse ITD. He noted it may be detrimental to the economy and citizens if services are temporarily discontinued and

construction projects shutdown immediately. Staff's recommendation is to continue operations as normal.

Member Jim Kempton, District 4, joined the meeting during Controller Tolman's presentation.

Member Gagner made a motion, seconded by Member Vassar, and passed 6-0 to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board is charged with overseeing the Idaho  
ITB13-55 Transportation Department and its ongoing operations; and

WHEREAS, the Department has entered into agreements, contracts, and grant awards with various federal transportation agencies to provide reimbursement on federally eligible programs and projects; and

WHEREAS, some federal transportation agencies are unable to process reimbursements on federally contracted and eligible projects due to the current federal government shutdown; and

WHEREAS, the Department has sufficient resources to continue funding current operations until federal reimbursements resume.

*NOW THEREFORE BE IT RESOLVED*, that the Board directs the Department to continue current operations including making payments to contractors, consultants, providers, and recipients of approved federal programs; and

*BE IT FURTHER RESOLVED*, that the Director is hereby directed to submit the Board plan of operations under the current federal shutdown to the Division of Financial Management; and

*BE IT FURTHER RESOLVED*, that the Board will review monthly any updates to the current federal government shutdown and make adjustments to the plan as conditions warrant.

WHEREUPON the special session of the Transportation Board adjourned at 11:20 AM.

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signed  
Jerry Whitehead, Chairman

Read and Approved  
November 20, 2013  
Boise, Idaho

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

November 20, 2013

The Idaho Transportation Board met at 8:30 AM, on Wednesday, November 20, 2013, at the Idaho Transportation Department in Boise, Idaho. The following principals were present:

Jerry Whitehead, Chairman  
Jim Coleman, Vice Chairman – District 1  
Janice B. Vassar, Member – District 2  
Julie DeLorenzo, Member – District 3  
Jim Kempton, Member – District 4  
Dwight Horsch, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Chief Deputy  
Larry Allen, Lead Deputy Attorney General  
Sue S. Higgins, Executive Assistant and Secretary to the Board

Board Minutes. Member DeLorenzo made a motion to approve the minutes of the special Board meeting held on October 15, 2013 and the minutes of the regular Board meeting held on October 23-24, 2013 as submitted. Vice Chairman Coleman seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

December 11-12, 2013 – Boise  
January 15-16, 2014 – Boise  
February 19-20, 2014 – Boise

Consent Calendar. Member Gagner made a motion, seconded by Member Vassar, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, consent calendar items are to be routine, non-controversial, self-

ITB13-58 explanatory items that can be approved in one motion, although the Idaho Transportation Board members have the prerogative to remove items from the consent calendar for questions or discussion.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves certification of receipts and disbursements; the removal of Broadford Road, Bellevue from the Local Urban Program; FY14 Public Transit Program adjustments; and the Idaho Transportation Department annual report.

1) Certification of Receipts and Disbursements. The FY13 certification of receipts and disbursements cash basis, as shown as Exhibit #432, which is made a part hereof with like effect, was submitted for Board approval in conformance with the requirements of Section 40-708, Idaho Code. Total receipts were \$577,504,300, disbursements were \$576,708,700, and the cash balance as of June 30, 2013 was \$50,232,100.

2) Remove Broadford Road, Bellevue from the Local Urban Program. The City of Bellevue requests the removal of its \$1.2 million project, Broadford Road, Bellevue, key #13089, from Preliminary Development of the Local Urban Program. The road is within a flood plain and meeting the federal standards for construction became cost prohibitive.

3) FY14 Public Transit Program Adjustments. The Community Planning Association of Southwest Idaho requests the delay of 23 projects that were not obligated in FY13 to FY14. The Lewis-Clark Valley Metropolitan Planning Organization and the Bonneville Metropolitan Planning Organization request the addition of two and four projects, respectively within their Transportation Improvement Program. The list of projects, as shown as Exhibit #433, is made a part hereof with like effect.

4) ITD Annual Report. The Annual Report is to be submitted to the governor by December 1, or at such time as the governor requires. The document reports on the condition, management, and financial transactions of the Department.

Informational Items. 1) Monthly Financial Statements. Net obligations through October totaled \$95.4 million. Of those obligations, \$90.6 million were for activities programmed for 2014; although the Program estimated those activities at \$87.9 million. October's obligations exceeded the three-year average for the same period. During the month, obligations included 19 projects totaling over \$73 million and an early debt service payment of \$13.9 million.

Federal aid to the State Highway Fund totals \$110.2 million year-to-date. Revenue from the Highway Distribution Account is 1.1% below projections. Staff will monitor the revenue to determine if a trend is developing that will require adjustments. Miscellaneous revenue and transfers in from the elimination of the ethanol exemption is \$.53 million over the estimate. Expenditures for personnel costs are 4.2% less than

budgeted through September. This is due to a continued effort to evaluate the workforce. Total expenditures, including encumbrances, for operating expenditures reflect a 1% negative variance; however, that is a timing issue. Capital equipment has a 5% negative variance, which is also a timing difference in allotments. Contract construction spending is ahead of projections by 10%.

Aviation fuel tax revenue through September is 25% over projections. Staff does not believe the trend will continue; however, the forecast for the year was increased 1.5%. Miscellaneous revenue to the State Aeronautics Fund is 42% higher than projected because rates for using the state plane increased in July. The forecast for this category was increased 28%. Overall expenditures are less than budgeted.

2) Non-Construction Service Contracts Issued by Business and Support Management (BSM). From October 1 through October 31, the BSM Section processed three new professional service contracts for \$283,671 and modified one service contract totaling \$275,000.

3) Contract Awards. Keys #12322 and #12929 – US-95, Moscow Mountain Overlay, Latah County, and Lewis Road Left Turnbay, Latah County, District 2. Low bidder: Motley-Motley Inc. – \$1,405,184.

Key #12331 – US-12, Crooked Fork Creek Bridge, District 2. Low bidder: Braun-Jensen, Inc. - \$117,000.

Key #11582 – Five Mile Road; Franklin to Fairview Avenue, Boise, District 3. Low bidder: Staker & Parson Companies dba Idaho Sand & Gravel Company - \$5,285,126.

4) Professional Services Agreements and Term Agreement Work Task Report. From October 1 through October 31, 19 new professional services agreements and work tasks were processed, totaling \$1,794,710. Four supplemental agreements to existing agreements were processed during this period in the amount of \$168,850.

5) Speed Minute Entry Changes for October 2013. The following speed minute entry changes were processed in October in District 4:

<u>Route</u>	<u>Beginning</u>	<u>Ending</u>	<u>Speed Limit</u>	
	<u>Milepost</u>	<u>Milepost</u>	<u>Old</u>	<u>New</u>
SH-24	66.760	66.960	65	55
SH-24	66.960	67.533	65	35
SH-25	45.312	46.539	35	35
SH-27	0.370	1.500	65	55
SH-46	100.000	100.500	35	35

SH-46	100.500	101.050	25	25
SH-46	101.050	101.301	35	35
SH-46	101.301	101.445	45	45
SH-46	101.445	110.530	65	65
SH-46	110.530	110.730	65	55
SH-46	110.730	110.970	45	35
SH-46	110.970	111.200	35	35
SH-46	111.200	111.730	35	25
SH-46	111.730	112.530	25	25
SH-46	112.530	112.590	35	25
SH-46	112.590	112.735	35	35
SH-46	112.735	112.764	35	55
SH-46	112.764	117.100	55	55
SH-46	117.100	117.116	55	65
SH-46	117.116	120.000	65	65
SH-46	120.000	134.250	55	65
SH-46	134.250	136.000	55	55
SH-46	136.000	142.470	55	65
SH-50	0.000	0.308	65	50
SH-75	73.659	74.080	25	25
SH-75	74.080	74.470	45	45
SH-75	126.817	127.660	45	35
SH-75	128.020	128.819	25	25
SH-75	129.775	137.474	65	55
SH-75	189.199	189.690	45	35
SH-75 Spur	0.300	3.599	35	35
US-30	180.070	180.130	60	45
US-30	180.270	180.617	45	25
US-30	180.617	181.270	35	25
US-30	181.270	181.306	35	45
US-30	200.884	201.460	35	25
US-30	202.020	202.425	35	25
US-30	223.263	223.545	60	50
US-30	223.545	223.910	55	45
US-30	223.910	224.000	35	45
US-30	224.570	224.655	45	35
US-30	225.040	225.055	60	45
US-30	225.055	227.180	60	55
US-30	227.180	227.294	45	35
US-30	228.000	236.880	65	55
US-30	236.950	237.250	55	45

US-30	237.250	237.720	65	45
US-30	237.720	238.500	65	55
US-30	252.000	254.200	65	55
US-30	256.300	256.650	55	45

Changes processed in District 6 included:

US-20B	346.565	347.151	30	35
US-20B	347.151	347.260	45	35
US-20B	347.260	347.351	45	55

A number of the speed minute entries reaffirmed existing speed limits previously set by city ordinance.

Director's Report. Director Ness said four legislative outreach meetings have been conducted. Overall, he believes the meetings have been successful, and he thanked the Board members for their involvement. Improvements are being made to ITD's nationally-recognized 511 traveler information system, resulting in the posted information being more current. He recognized several employees for their exceptional customer service.

In closing, Director Ness informed the Board that Chief Engineer (CE) Tom Cole will be retiring at the end of the month. He thanked CE Cole for his extensive, dedicated service to ITD. Chief Operations Officer (COO) Jim Carpenter elaborated on a number of CE Cole's accomplishments and thanked him for his service. The Board also praised CE Cole for his valuable contributions to the Department and wished him well in his upcoming retirement.

Chief Deputy Stokes mentioned the recent Idaho Association of Highway Districts' (IAHD) conference. The main focus was on partnerships. He commended IAHD Executive Director Stuart Davis's efforts to develop and enhance partnerships and also for his work on increasing transportation revenue.

The Director's entire report can be viewed at <http://itd.idaho.gov/Board/report.htm>.

Modifications to Proposed Idaho Administrative Rule 39.03.22-1302. Motor Carrier Services Manager (MCSM) Reymundo Rodriguez summarized 2013 legislation authorizing weight limits up to 129,000 pounds. Several rules are being modified to accommodate these changes. He said the rule revision process included a public review and comment period. Additionally, hearings were held in each District to provide an opportunity for the public to learn more about the rules and testify orally. A total of 92 people attended the hearings and almost 100 individuals submitted

testimony. Most of the comments were positive. A lot of the remarks were directed at the legislation rather than the proposed rules. MCSM Rodriguez requested some additional changes to the Rules Governing Overlegal Permits for Extra-Length, Excess Weight, and Up to 129,000 Pound Vehicle Combinations to address the testimony received. The modifications mainly relate to the process to designate routes.

Motor Vehicle Administrator (MVA) Alan Frew added that a comment related to an agricultural exemption was also submitted. Currently, drivers do not need a commercial driver's license (CDL) to operate farm vehicles within a 50-mile radius. Because of concerns with inexperienced drivers operating vehicle combinations weighing up to 129,000 pounds, it was suggested that only CDL holders may operate these heavier vehicles. Because that exemption is specified in Idaho Code, MVA Frew said the Department cannot address that issue via rule.

Member Vassar made a motion, seconded by Member Kempton, and passed unopposed to approve the following resolution:

RES. NO.       WHEREAS, the Idaho Transportation Board has the authority to approve  
ITB13-59       requested changes to Idaho Transportation Department rules; and

WHEREAS, the Board finds changes to proposed IDAPA 39.03.22-1302 necessary due to legislative changes and testimony derived from public hearings and electronic/written comments.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the following Administrative rule to be submitted for change:  
Modify proposed Administrative Rule 39.03.22-1302 – Rules Governing Overlegal Permits for Extra-Length, Excess Weight, and Up to 129,000 Pound Vehicle Combinations, which address the recommendations received by the Department.

Instruct the requestor that they must forward the request form to adjacent local jurisdictions of requested state routes.

Define the engineering and safety criteria utilized by the Department in review of requested routes.

Identify the possible actions (proceed to hearing, reject, or request additional information) by the Board Subcommittee on 129,000 Pound Truck Routes after reviewing the report from the Chief Engineer.

Include verbiage that the hearings will be conducted pursuant to the Idaho Administrative Procedures Act; and

*BE IT FURTHER RESOLVED*, that that Board approves the request to submit the changes as listed above for proposed Administrative Rule 39.03.22-1302 and directs staff to proceed with the regular rule making process.

Chairman Whitehead thanked the Board members for their participation in this process as hearing officers. He also acknowledged staff's extensive efforts on this important issue.

Community Choices for Idaho Program Update. Ted Vanegas, Senior Transportation Planner (STP), reported on the Community Choices for Idaho Program. The Department received 89 applications for funding; however, only 64 met the requirements. The Community Choices Committee reviewed and scored the applications. It recommends funding 23 projects, including 18 infrastructure projects. STP Vanegas presented the list of recommended projects for informational purposes. Staff plans to request approval of the projects next month.

Chairman Whitehead thanked STP Vanegas for the presentation.

New Business. Vice Chairman Coleman reported that District 1 received a request for a special permit to close Lake Coeur d'Alene Drive for a three-day event next year. He noted the Diamond Cup has potential for significant economic benefit to the area.

DAG Allen said Idaho Code authorizes the Board to close highways to protect the public or the infrastructure.

Vice Chairman Coleman said the event attracts a lot of spectators. The safety of pedestrians is a concern. He also noted that the Department of Parks and Recreation will need to be involved in this discussion because of its jurisdiction of the Centennial Trail.

Policy Review. Member Kempton questioned proposed language in Board Policy 4039, Public Transportation Advisory Council (PTAC) related to reducing reliance on federal funding. He suggested discussing this policy with PTAC.

Member Kempton made a motion to hold Board Policy 4039 and to invite the PTAC members to discuss the policy with the Board. Member Vassar seconded the motion.

Member DeLorenzo also questioned the proposed policy changes and believes PTAC has concerns with it.

The motion passed unopposed.

Employee Service Awards. The Board participated in the Employee Service Awards. Member Kempton provided remarks on behalf of the Board.

Status of FY15 Appropriation Request. Financial Manager – Budget (FMB) Joel Drake reported on revisions to the FY15 appropriation request since it was submitted to the Division of Financial Management and Legislative Services Office in September. The overall spending authority request decreased by about \$500,000 to \$577.1 million. The main change reduces Operations expenditures by \$6.2 million from the Division of Motor Vehicles’ (DMV) modernization project and moves the funds to Contract Construction. Other changes are due to the PERSI Board’s withdrawal of a rate increase and minor FY14 revenue forecast increases in Aeronautics funding. Additionally, the Full Time Position count is being reduced by 4 to 1,810.

Chairman Whitehead thanked FMB Drake for the update.

GARVEE Program Update. Controller Dave Tolman said the process to sell the last authorized GARVEE bonds in January has started. ITD’s bond rating has not changed. There is a balance of \$23.6 million from Series 2011. Those funds must be fully liquidated by July 2014. Approximately \$10 million is committed to the US-95, Garwood to Sagle project. Based on the cash flow forecast and an analysis of a drawdown of existing bond series, Controller Tolman recommended using GARVEE funds for the I-84 Interchange projects in Ada County instead of formula funds and using some formula funds for the US-95 project.

Vice Chairman Coleman made a motion, seconded by Member Gagner, and passed unanimously, to approve the following resolution:

RES. NO.       WHEREAS, the Idaho Transportation Board is charged with determining the  
ITB13-60       timeframe and scope of improvements for the State Transportation System; and

WHEREAS, Idaho Code § 40-315 directs the Board to consider the cost of the projects and whether or not the project could be funded without Grant Anticipation Revenue Vehicle (GARVEE) bonding; and

WHEREAS, Idaho Code § 40-315 directs the Board to balance and coordinate the use of bonding with the use of highway construction funding; and

WHEREAS, Idaho Code § 40-315 authorizes federal-aid debt financing through the issuance of GARVEE bonds by the Idaho Housing and Finance Association for highway transportation projects; and

WHEREAS, legislative appropriations enacted in 2006, 2007, 2008, 2009, 2010, and 2011 authorized the issuance of GARVEE bonds; and

WHEREAS, the Board is granted the statutory responsibility and duty to allocate GARVEE bond proceeds among legislatively authorized projects, including:

US-95, Garwood to Sagle

US-95, Worley to Setters

SH-16 Extension, I-84 to South Emmett

I-84, Caldwell to Meridian

I-84, Orchard to Isaacs Canyon

US-30, McCammon to Soda Springs; and

WHEREAS, transferring eligible development and right of way costs from the I-84 Meridian, Broadway and Gowen Interchanges and their companioned projects to GARVEE bonds and offsetting the formula funds to US-95, Garwood to Sagle projects will optimize the cash flow for the 2011 A Series Bonds; and

WHEREAS, construction related expenditures for the I-84 Meridian, Broadway and Gowen Interchanges and their companioned projects will be funded primarily with GARVEE bonds to ensure timely drawdown on the 2014 A Series Bonds.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the Revised GARVEE Program Fiscal Year 2014 Working Plan Summary, as shown as Exhibit 434, which is made a part hereof with like effect, a copy of which has been provided to the Board.

Alternative Project Delivery Program. Innovative Contracting Manager (ICM) Amy Schroeder provided an update on the design-build (DB) and construction manager/general contractor (CMGC) alternative project delivery methods. She believes the first DB project, SH-44, Linder to Ballantyne was successful, partly due to the collaborative approach and excellent communication. Because this delivery method was used, the project was under construction approximately one year sooner than if it would have been constructed using the traditional method. The contractor

accelerated the construction time, reduced impacts to the public, and implemented fewer traffic switches.

No responsive proposals were received on the FY15 District 6 US-20, Commercial Weight and Safety Compliance Stations DB project. ICM Schroder believes that may have been due to the project not being well defined. Work is proceeding on District 3's FY15 SH-55, North Fork Payette River project. The Request for Qualifications was issued earlier this month and to date, the Department has received a good response. She added that work will start soon on one DB and two CMGC projects programmed in FY17.

Regarding the overall alternative project delivery program, ICM Schroeder said outreach and training are continuing. The DB manual is almost complete and the CMGC manual is still being drafted. The procurement documents for DB have been completed, but not for CMGC.

Chairman Whitehead thanked ICM Schroder for the update on this program.

Executive Session on Personnel and Legal Issues. Member Gagner made a motion to meet in executive session at 11:50 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(b) and (f). Member DeLorenzo seconded the motion and it passed 6-0 by individual roll call vote.

Discussions were held on personnel and legal matters.

The Board came out of executive session at 3:10 PM.

Annual Update on Research Program. Ned Parrish, Research Program Manager (RPM), reported on the Research Program. The budget for FY14 is \$1.4 million, with 12% from state sources. Federal statutes require that 2% of funding for roads and bridges be used for planning and research, with some state match required. He summarized some of the FY13 research projects. Assistance is being provided for leadership development, including training, leadership assessments, mentoring efforts, and communication strategies. Three projects are underway on the use of salt brine. The safety benefits of "Idashield" signs at railroad crossings are being evaluated, low cost methods to improve passing lane safety are being studied, and a methodology for prioritizing locations for wildlife and vehicle mitigation methods is being developed.

RPM Parrish reported on projects planned in FY14. Some of the research projects include studying multi-modal freight movement on the US-95 corridor, studying the

economic cost of vehicle crashes in Idaho, evaluating fiber-reinforced asphalt, and evaluating traffic signal detection system performance.

Chairman Whitehead thanked RPM for the informative report and for his efforts on this important program.

National Safety Issues Update. CE Cole said ITD is involved in a number of national transportation issues. He elaborated on the Strategic Highway Research Program's Naturalistic Driving Study. Because drivers cause or contribute to over 90% of vehicle crashes, the study's goal is to improve traffic safety by obtaining objective information on driver behavior and driver interaction with the vehicle and roadway. Volunteers are allowing cameras to be placed inside their vehicle to observe their actions while driving. This will provide volumes of data collected at highway speeds on driver behavior, including what drivers were doing just before a crash and actions taken to avoid collisions. Plans are to finish data collection by the end of this month, complete data files by March 2014, and complete all data file enhancements by December 2014. CE Cole emphasized that it is a big, time-consuming, expensive project. There is a lot of interest in the project from other entities, such as insurance companies. In conclusion, CE Cole thanked the Board for its support over the years.

The Board thanked CE Cole for the presentation and again expressed appreciation for his dedicated service and contributions to ITD.

Policy Review. Member Vassar made a motion to approve revisions to Board Policy 4038, Public Transportation Program, formerly B-28-01, which was introduced last month. Member DeLorenzo seconded the motion and it passed unanimously.

Policy Introduction. COO Carpenter outlined minor, non-substantive changes to Board Policy 4044, Safety Rest Areas and Oasis Partnerships, formerly B-05-14.

Member DeLorenzo made a motion to approve Board Policy 4044, Safety Rest Areas and Oasis Partnerships and to recommend director approval of the corresponding administrative policy. Vice Chairman Coleman seconded the motion and it passed unopposed.

COO Carpenter said the only change to Board Policy 4045, State Institution Road Improvement, formerly B-05-15, was the inclusion of a purpose statement and legal authority.

Vice Chairman Coleman made a motion to approve Board Policy 4045, State Institution Road Improvement and to recommend director approval of the

corresponding administrative policy. Member DeLorenzo seconded the motion and it passed unopposed.

COO Carpenter summarized the minor revisions to Board Policy 4046, Right-of-Way Fencing, formerly B-05-19; however, he noted more substantive changes are being proposed to the corresponding administrative policy.

Member DeLorenzo made a motion to approve Board Policy 4046, Right-of-Way Fencing. Member Horsch seconded the motion and it passed unopposed. Due to the substantive changes to the corresponding administrative policy, the Board requested additional time to review those revisions.

Member Vassar noted that the only changes to Board Policy 4047, Entering Private Property, formerly B-07-01, are the inclusion of the legal authority and purpose statement. She made a motion to approve Board Policy 4047, Entering Private Property. Vice Chairman Coleman seconded the motion and it passed unopposed. Member DeLorenzo made a motion, seconded by Vice Chairman Coleman, and passed unopposed, to recommend director approval of the corresponding administrative policy, #5047.

Administrative Policy Review. COO Carpenter summarized changes to Administrative Policy 5507, Road Equipment Management, formerly A-05-40. The revisions update the policy to align with the Transportation Asset Management System. There is no corresponding Board Policy.

Member Kempton made a motion to recommend director approval of Administrative Policy 5507, Road Equipment Management. Vice Chairman Coleman seconded the motion and it passed unopposed.

New Business. Government Affairs Manager Mollie McCarty said additional changes are being proposed to the draft legislation for the 2014 session. The two proposals related to background checks for access to DMV systems and making the drivers' license or identification card the recognizable document for proof of a legal name, are being pulled. Work is continuing on the ignition interlock proposal and revisions may be presented for Board consideration later.

Chairman Whitehead thanked GAM McCarty for the update.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 4:10 PM.

signed

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JERRY WHITEHEAD, Chairman  
Idaho Transportation Board

Read and Approved  
December 11, 2013  
Boise, Idaho

## REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

December 11, 2013

The Idaho Transportation Board met at 8 AM, on Wednesday, December 11, 2013, at the Idaho Transportation Department in Boise, Idaho. The following principals were present:

Jerry Whitehead, Chairman  
Jim Coleman, Vice Chairman – District 1  
Janice B. Vassar, Member – District 2  
Julie DeLorenzo, Member – District 3  
Jim Kempton, Member – District 4  
Dwight Horsch, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Chief Deputy  
Larry Allen, Lead Deputy Attorney General  
Sue S. Higgins, Executive Assistant and Secretary to the Board

Board Minutes. Vice Chairman Coleman made a motion to approve the minutes of the regular Board meeting held on November 20, 2013 as submitted. Member Gagner seconded the motion and it passed unopposed.

Informational Items. 1) Monthly Financial Statements. Net obligations through November totaled \$103.9 million. Of those obligations, \$97.3 million were for activities programmed for 2014; although the Program estimated those activities at \$99.2 million. November's obligations exceeded the three-year average of \$5.8 million for the same period.

Through October, federal aid to the State Highway Fund totaled \$141.1 million year-to-date, or about 4% more than the same time period last year. Revenue from the Highway Distribution Account was 1.6% below projections. Staff will monitor the revenue to determine if a trend is developing that will require adjustments. Miscellaneous revenue and transfers in from the elimination of the ethanol exemption was \$.4 million over the estimate. Expenditures for personnel costs were 4.2% less than budgeted through October. This is due to a continued effort to evaluate the workforce. Total expenditures, including encumbrances, for operating expenditures reflected a 9% positive variance. Capital equipment had a 2.5% negative variance, which is a timing difference in allotments versus contracts issued. Contract construction spending was ahead of projections by 3%.

Aviation fuel tax revenue through October was 32% over projections. Staff does not believe the trend will continue. Miscellaneous revenue to the State Aeronautics Fund was 42% higher than projected. Overall expenditures were less than budgeted.

2) Non-Construction Professional Service Contracts Issued by Business and Support Management (BSM). From November 1 to November 22, the BSM Section processed four new professional service agreements for \$222,200.

3) Contract Awards. Key #12968 – SH-200, Kootenai to Delta View Road, Bonner County, District 1. Low bidder: Interstate Concrete & Asphalt Company - \$3,219,999.

Key #12292 – I-90, Pleasant View and Spokane Street; Overpass Signal Upgrade, District 1. Low bidder: Thorco, Inc. - \$837,322.

Key #13413 – I-90 Business, Northwest Boulevard Signal Upgrades, Coeur d’Alene, District 1. Low bidder: Thorco, Inc. - \$537,819.

Key #8768 – Old County Road Bridge, Benewah County, District 1. Low bidder: Sletten Construction Company - \$2,758,778.

Key #13011 – FY15 District 2 Districtwide Sealcoat. Low bidder: Knife River Corporation – Northwest - \$1,568,000.

Keys #13434 and #12321 – SH-8, Osterberg Road to Junction SH-3, Latah County, and Troy to Osterberg Road, Latah County, District 2. Low bidder: Valley Paving & Asphalt, Inc. - \$1,870,787.

Key #12884 – US-95, Creek Bridge, Washington County, District 3. Low bidder: Knife River Corporation – Northwest - \$349,763.

The low bid on key #13845 – I-84, Ten Mile Creek Bridge to Meridian Interchange, District 3, was more than ten percent over the engineer’s estimate, requiring justification. The engineer’s estimate was predicated upon the average bid costs of previous GARVEE projects in District 3. The items with the largest variance were Concrete Class 40-A, Bridge Shoring, and Temporary Shoring. The small quantity for concrete and the required cold weather concreting presumably resulted in higher bid prices for that item. It appears the value for Bridge Shoring, which is impacted by the salvage value and potential reuse, was underestimated, partly because limited information was available for cost comparisons with similar projects. The engineer’s estimate did not consider the confined site and utilities in the area for the Temporary Shoring item. Because of the urgency of the project and the justification for the items

exceeding the engineer's estimate, staff recommended awarding the project. Low bidder: Granite Excavation, Inc. - \$1,104,423.

Key #11605 – US-30, 4<sup>th</sup> Street to 3850 East Road, Hansen, District 4. Low bidder: Staker & Parson Companies dba Idaho Sand & Gravel Company - \$1,121,611.

Key #12393 – US-26, Bliss to Malad River Bridge, Gooding County, District 4. Low bidder: Western Construction, Inc. - \$2,183,093.

Keys #12389 and #12391 – I-84, Interchange #245 to Sweetzer Interchange #254 Eastbound, Cassia County and Interchange #245 to Sweetzer Interchange #254 Westbound, Cassia County, District 4. Low bidder: Knife River Corporation – Northwest - \$3,472,868.

Key #12390 – I-84, Junction SH-81 Interchange #228 to Interchange #245 Westbound, Cassia County, District 4. Low bidder: Western Construction, Inc. - \$3,514,195.

Keys #12426 and #12418 – I-15 Business and US-91, Ferry Butte Road to Junction 1-15, Bingham County, and South of Blackfoot Interchange #89 to Fort Hall Boundary, District 5. Low bidder: Geneva Rock Products, Inc. - \$414,396.

Keys #12424 and #12422 – SH-39 and I-86 Business, Junction I-86 Interchange #36 to Idaho Street, American Falls and Sheep Trail Road to Riverside West City Limits, Bingham County, District 5. Low bidder: Intermountain Slurry Seal, Inc. - \$496,000.

The low bid on keys #12423 and #12095 – US-30 and SH-61, Wyoming State Line to Junction US-89, Bear Lake County and Banks Valley Road to Pegram Road, Bear Lake County, District 5, was more than ten percent over the engineer's estimate, requiring justification. The main variances between the engineer's estimate and low bid were in three Superpave Hot Mix Asphalt-related items, Special Traffic Control Operations, and Special Pulverize Existing Surface items. The engineer's estimate assumed the Hot Mix Asphalt items were three separate items and treated them as such, whereas the bidders combined them into one item. The engineer's estimate used historical data from past projects; however, bid prices fluctuate depending on oil prices and location of projects. The variance in the Special Traffic Control Operations is most likely due to the fact that this is a new item for the District. There was limited historical data available. The engineer's estimate presumably did not consider that the Special Pulverize Existing Surface item is labor intensive. Additionally, the contractor is required to have the roadway open to the public at the end of each work day, creating time constraints and liability concerns. The District does not believe any

benefit would be realized from re-bidding the project, so recommended awarding the project. Low bidder: Staker & Parson Companies dba Jack B. Parson Companies - \$3,198,859.

Key #11672 – US-20, Dumpground Road to Sheep Falls Road, Fremont County, District 6. Low bidder: H-K Contractors, Inc. - \$6,459,942.

Key #13133 – Citywide Americans with Disabilities Act and Concrete Sidewalk Improvements, District 6. Low bidder: J M Concrete - \$186,000.

4) Professional Services Agreements and Term Agreement Work Task Report. From November 1 through November 22, 19 new professional services agreements and work tasks were processed, totaling \$1,688,508. Three supplemental agreements to existing agreements were processed during this period in the amount of \$43,494.

Director's Report. Director Ness summarized the Department's accomplishments during 2013. Some of those highlights include improved relationships with the legislature as evidenced by the concurrent resolution acknowledging ITD's realignment, leadership, strategic plan, and outside recognition of its accomplishments; significant progress on the strategic plan to provide the safest transportation system possible, provide a mobility-focused transportation system that drives economic opportunity, and become the best organization; numerous state and national awards received; and the executive team's transition with three new members.

Director Ness said the Department will focus on four initiatives in 2014: an expanded culture survey, developing a horizontal career ladder, continued development on the leadership program, and improved cash flow management and project funding. In conclusion, he thanked the Board for its support and leadership and the employees for their efforts.

The Director's entire report can be viewed at <http://itd.idaho.gov/Board/report.htm>.

Chairman Whitehead thanked Director Ness for the report and for his leadership.

Annual Local Rural Highway Investment Program Report. Local Highway Technical Assistance Council Program Manager Laila Kral reported on the 2013 Local Rural Highway Investment Program. There were 91 applications for funding, while only 37 projects were funded. Excluding emergency projects, \$2.5 million were awarded. Funds are available for construction projects, transportation plans, signs, and

emergency projects. She summarized a number of projects that were completed this past year and projects planned for 2014.

Chairman Whitehead thanked Program Manager Kral for the report.

Delegation – Mr. Skip Smyser. Mr. Smyser presented draft legislation on the Idaho 24/7 Sobriety and Drug Monitoring Program Act. The legislation would provide another tool to reduce the number of repeat offenders for certain offenses in which the abuse of alcohol or dangerous drugs was a contributing factor in the commission of a crime. The offender would be ordered to be tested twice a day to ensure there is no alcohol or dangerous drugs in his system. ITD would be responsible for the sobriety and drug monitoring program. Mr. Smyser added that some counties are involved in this proposal and are interested in piloting the system. He requested the Board's support for the legislative proposal.

Member Gagner questioned housing the program at ITD. Mr. Smyser responded that initially Idaho State Police was receptive to overseeing the program. Although the agency is still supportive of the program, due to the transition of a new director, discussions on housing the program there have stalled. He added that federal highway safety funds and/or federal regulations may be involved. In response to Member Gagner's question on the fiscal impact, Mr. Smyser replied that the cost is approximately \$2 per test. States vary on the responsible party. Idaho's program would be self-funded.

Member Vassar asked about the timeline to proceed. Mr. Smyser said Canyon and Elmore Counties are initiating pilot projects. He added that there is broad support for the proposal. He emphasized that the program would be voluntary. In response to Member Vassar's question on prescription drugs, Jaycee Luther responded that she does not believe the system can identify prescription drugs in someone's system. The individual would need to provide proof of the prescribed medication.

Overall, Member Kempton believes it is a good proposal; however, he has some concerns with the legislation, including housing the program at ITD. He questioned the fiscal impact. Mr. Smyser said Montana houses its program in the department of transportation. There was no fiscal impact to that agency. It was able to absorb the program with existing personnel.

Member Horsch commended Mr. Smyser's efforts to address impaired driving.

The consensus of the Board was to have staff review the proposal and report on its analysis next month.

Chairman Whitehead thanked Mr. Smyser for the presentation.

Annual Report of the Dealer Advisory Board (DAB). DAB Member Bobby Petersen reported on the activities of the DAB. The 2013 legislature passed the Idaho Consumer Asset Recovery Fund. It also approved amendments to Idaho Code to require pre-licensing and continuing education for all wholesale vehicle dealers. Curbstoning continues to be an issue of concern. Curbstoners are unlicensed dealers or licensed dealers who operate away from their licensed locations. The DAB is working on legislative proposals to eliminate this activity.

Chairman Whitehead thanked DAB Member Petersen for the report and for the DAB's assistance on motor vehicle issues.

Executive Session on Personnel and Legal Issues. Member Vassar made a motion to meet in executive session at 10 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(b), (c), and (f). Member Horsch seconded the motion and it passed 6-0 by individual roll call vote.

Discussions were held on personnel and legal matters.

The Board came out of executive session at 3:15 PM.

Annual Report of the Trucking Advisory Council (TAC). TAC Chairman Bill Moad expressed appreciation to the Division of Motor Vehicles' (DMV) staff for its assistance. This past year, the TAC discussed concerns with de-icing in District 1, federal hours of service rule, agriculture exemptions in the state, and medical requirements for commercial drivers' license holders. The council also reviewed legislative changes related to 129,000 pound vehicle weights and talked about the lack of education on the state's transportation needs and funding.

Vice Chairman Coleman mentioned the de-icer study underway in District 1. He believes valuable data is being collected. Chairman Whitehead added that staff can provide that information to the TAC.

Chairman Whitehead thanked TAC Chairman Moad for the report and expressed appreciation for the TAC's efforts.

Public Transportation Advisory Council (PTAC) Appointment for District 1. Due to the recent vacancy of the District 1 PTAC seat, Transportation Performance Administrator Randy Kyrias requested appointing Representative George Eskridge to

fulfill the remaining term, set to expire on May 31, 2015. He said the normal process was followed to fill the vacancy.

Member Vassar made a motion, seconded by Vice Chairman Coleman, and passed unopposed, to approve the following resolution:

RES. NO.       WHEREAS, the Idaho Transportation Board established the Public  
ITB13-61       Transportation Advisory Council in accordance with Idaho Code 40-  
514; and

WHEREAS, the Board appoints one Public Transportation Advisory Council member for each of the Idaho Transportation Department Districts; and

WHEREAS, member appointment recommendations originate from the District Coordination Council, through the Public Transportation Advisory Council, and then presented to the Board; and

WHEREAS, the District 1 Coordination Council and Public Transportation Advisory Council recommend Representative George Eskridge for the District 1 Public Transportation Advisory Council appointment.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the appointment of Representative George Eskridge to fill the District 1 Public Transportation Advisory Council vacancy with a term to expire May 31, 2015.

Community Choices for Idaho Program. Ted Vanegas, Senior Transportation Planner, presented the recommended Community Choices for Idaho projects to fund. Because Moving Ahead for Progress in the 21<sup>st</sup> Century expires in October 2014 and the future of the program's funding is uncertain, staff recommends that a portion of the FY13 and FY14 allocation be held to ensure that projects will be funded even if a new federal transportation bill does not include a funding mechanism for the Community Choices for Idaho Program.

Vice Chairman Coleman made a motion, seconded by Member Vassar, and passed unopposed, to approve the following resolution:

RES. NO.       WHEREAS, the Idaho Transportation Board adopted Board Policy  
4023,  
ITB13-62       Community Choices for Idaho, to establish the Community Choices for  
Idaho Program for the State of Idaho and the Transportation Alternatives

Program (TAP) as established through Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21); and

WHEREAS, TAP supports a variety of local transportation projects by repackaging elements of the Safe Routes to School Program, Transportation Enhancement Program, Scenic Byways Program, and the Recreational Trails Program; and

WHEREAS, the Board approved a resolution to create the Community Choices for Idaho management tool to assist local communities in applying for funds and to competitively select projects that will be submitted to the Board for approval; and

WHEREAS, Community Choices for Idaho funding supports: 1) infrastructure, and 2) non-infrastructure projects to support local community goals; and

WHEREAS, Board Policy 4023 required establishment of a Community Choices for Idaho Advisory Committee comprised of volunteer representatives from state agencies and private organizations with expertise and knowledge in the various fields of eligibility under the Community Choices for Idaho program; and

WHEREAS, the Idaho Transportation Department advertised and accepted applications eligible for Community Choices for Idaho funding for infrastructure and non-infrastructure projects through a competitive statewide process; and

WHEREAS, the Community Choices for Idaho Advisory Committee has reviewed and prioritized the list of projects deemed eligible for Community Choices for Idaho federal-aid funding.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the Community Choices for Idaho federal-aid funding for the list of prioritized projects, as shown as Exhibit 435, which is made a part hereof with like effect, in the amount of \$1,148,967 for FY14, \$4,025,151 for FY15, and \$401,000 for FY16 as recommended by the Community Choices for Idaho Advisory Committee; and

*BE IT FURTHER RESOLVED*, that staff is authorized to include the approved projects in the Statewide Transportation Improvement Program in accordance with the provisions of MAP-21.

Policy Review. Vice Chairman Coleman made a motion to recommend director approval of 5046 Right-of-Way Fencing. Member Horsch seconded the motion and it passed unopposed.

Policy Introduction. Chief Operations Officer Jim Carpenter said the only change to Board Policy 4049 State-Owned Dwellings, formerly B-03-06, was the inclusion of a purpose statement and legal authority. Language referencing the heating cost allowance in the corresponding administrative policy is being removed. Today's state-owned dwellings are more energy efficient and the heating cost allowance has not been issued in at least ten years.

Member Vassar made a motion to approve Board Policy 4049 State-Owned Dwellings and to recommend director approval of 5059. Member Kempton seconded the motion and it passed unopposed.

BSM Manager Michelle Doane summarized minor revisions to Board Policy 4051 Use of Department Facilities and Equipment, formerly B-06-13, and the corresponding administrative policy, 5051. Member Kempton requested holding the policy for review due to concerns with allowable expenditures for transportation funds as outlined in the constitution and Idaho Code. The Board concurred with holding the policy.

Controller Dave Tolman said no changes, other than the inclusion of a purpose statement and legal authority, are proposed for Board Policy 4052 Official Travel by Department Personnel, formerly B-06-11. Minor changes are being proposed to the corresponding administrative policy.

Member Vassar made a motion to approve Board Policy 4052 Official Travel by Department Personnel and to recommend director approval of the corresponding administrative policy. Member Kempton seconded the motion and it passed unopposed.

The only changes proposed for Board Policy 4053 Employee Overtime and Other Time Considerations are the addition of a purpose statement and legal authority, according to Controller Tolman. Minor changes are recommended to the corresponding administrative policy.

Member Gagner made a motion to approve Board Policy 4053 Employee Overtime and Other Time Considerations and to recommend director approval of 5053. Member Vassar seconded the motion and it passed unopposed.

Controller Tolman proposed minor revisions to Board Policy 4054 Department Payment of Professional Organization Dues, formerly B-06-46, and the corresponding administrative policy.

Member Vassar made a motion to approve Board Policy 4054 Department Payment of Professional Organization Dues and to recommend director approval of 5054. Member DeLorenzo seconded the motion and it passed unopposed.

Administrative Policy Review. Enterprise Technology Services Planning and Governance Manager Tyler Zundel summarized changes to six stand-alone Administrative Policies: 5510 Computer, E-mail, and Internet Usage; 5511 Management of Computer Use; 5512 ITD Network Management and Authority; 5513 Remote Access to ITD Information Resources; 5517 ITD System and Information Security; and 5518 System and Application Management. The revisions are mainly to update the policies and modernize the language.

The Board had a number of questions on 5517 ITD System and Information Security, mainly related to the impact or involvement of other state agencies and the protection of data, particularly personal information. The consensus of the Board was to develop a corresponding Board Policy.

New Business. Government Affairs Manager Mollie McCarty said additional changes are being proposed to the draft legislation on ignition interlock requirements.

Vice Chairman Coleman made a motion, seconded by Member Gagner, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Office of the Governor of Idaho has requested that state agencies

ITB13-63 submit proposed 2014 legislation to the Idaho Division of Financial Management for review and approval; and

WHEREAS, the Idaho Transportation Board, at the September 2013 meeting, reviewed and approved draft legislation; and

WHEREAS, the Idaho Division of Financial Management approved draft legislation submitted; and

WHEREAS, the Office of the Governor of Idaho has requested additional language be added to the proposal and Statement of Purpose on Ignition Interlock requirements;

*NOW THEREFORE BE IT RESOLVED*, that the Board approves revisions to the following legislative proposal and statement of purpose for submittal to the Idaho Division of Financial Management for its consideration:

- Amend Ignition Interlock Information in Title 18, Idaho Code.

Motor Vehicles Administrator (MVA) Alan Frew expressed concern with other entities using DMV as their collection agent. In October, the Department received a legislative proposal to expand DMV donation programs for two charitable organizations. Although the organizations provide valuable services, MVA Frew is concerned with the extra time and resources to fund programs that are not directly affiliated with transportation safety, maintenance, or operations. Additionally, some of the recent proposals detract from Idaho's ability to convince the public to eventually support a revenue increase for roads and bridges, may present opportunities for internal fraud, and can be challenging to implement.

Member Gagner made a motion, seconded by Member Vassar, and passed unanimously, to approve the following resolution:

RES. NO.       WHEREAS, the Idaho Transportation Board is deeply concerned about ongoing  
ITB13-64       funding needs for the Idaho Transportation Department; and

WHEREAS, the Board recognizes a proliferation in the number of non-governmental requests to help fund charitable causes through donations at and through Division of Motor Vehicle county partner offices; and

WHEREAS, the Idaho Constitution specifies that "the proceeds from the imposition of any tax on gasoline and like motor vehicle fuels sold or used to propel motor vehicles upon the highways of this state and from any tax or fee for the registration of motor vehicles, in excess of the necessary costs of collection and administration and refund or credits authorized by law, shall be used exclusively for the construction, repair, maintenance and traffic supervision of the public highways of this state and the payment of the interest and principle of obligations incurred for said purposes; and no part of such revenues shall, by transfer of funds or otherwise, be diverted to any other purposes whatsoever"; and

WHEREAS, Section 40-707, Idaho Code, provides the Department's statutory authority relating to appropriations made to the state highway account; and

WHEREAS, Section 40-708, Idaho Code, provides the Department's statutory authority relating to expenditures from the state highway account; and

WHEREAS, Governor Otter has expressed concern about new programs "linking fees beyond those for transportation-related purposes to driver license and vehicle registration transactions".

*NOW THEREFORE BE IT RESOLVED*, that it be the policy of the Idaho Transportation Board to lend no formal support to legislative proposals except as they directly support strategic goals related to highway maintenance, operations, and safety.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 4:20 PM.

signed

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JERRY WHITEHEAD, Chairman  
Idaho Transportation Board

Read and Approved  
January 16, 2014  
Boise, Idaho