REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

January 22, 2009

The Idaho Transportation Board met at 8:00 AM, on Thursday, January 22, 2009, in Boise, Idaho. The following principals were present:

Darrell V Manning, Chairman
Monte C. McClure, Vice Chairman – District 3
Jim Coleman, Member – District 1
Neil Miller, Member – District 5
Lee Gagner, Member – District 6
Pamela Lowe, Director
Scott Stokes, Deputy Director
Karl Vogt, Deputy Attorney General

Sue S. Higgins, Secretary

Bruce Sweeney, Member – District 2, participated via video conference.

Executive Session on Personnel and Legal Issues, Section 67-2345(b), (f), Idaho Code. Member Gagner made a motion to meet in executive session at 8:00 AM to discuss personnel and legal issues. Member Coleman seconded the motion and it passed unanimously.

A discussion was held matters related to the I-84, Robinson Road and Black Cat Road structures; US-95, Sand Creek Byway project; compliance with the Americans with Disabilities Act; and the evaluation of public officers.

The Board came out of executive session at 8:35 AM. No decisions were made.

<u>Board Minutes</u>. Vice Chairman McClure made a motion to approve the minutes of the regular Board meeting held on December 10-11, 2008 as submitted. Member Miller seconded the motion and it passed unopposed.

Vice Chairman McClure made a motion to approve the minutes of the special Board meeting held on January 7, 2009 as revised. Member Gagner seconded the motion and it passed unanimously.

<u>Board Meeting Dates</u>. The following meeting dates and locations were scheduled:

February 18, 2009 – Boise March 18-19, 2009 – Boise April 15-16, 2009 – District 2

<u>Consent Calendar</u>. Member Gagner asked for clarification on the status of federal obligations, as provided in the program and district obligation graphs and tables, monthly status reports. Assistant Chief Engineer – Development Loren Thomas said \$44 million has been obligated for projects to date. Staff has made a concerted effort to get projects ready to obligate, resulting in more funds being obligated than what had been projected to date.

Vice Chairman McClure questioned the appraisal on the Kim and Marcie Andrus administrative settlement. Right-of-Way Manager Jesse Smith said the property owners started developing the land and included the value of the subdivision in its counteroffer. Member Gagner requested pulling the administrative settlement item from the consent calendar.

Member Sweeney made a motion, seconded by Member Coleman, to approve the following resolution:

RES. NO. ITB09-01

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the revisions to Board Policy B-07-01, Entering Private Property; and exempt status approval for rail crossing DOT #910825U; and has received and reviewed the contract award information; the professional services agreements and term agreement work task report; the administrative and legal settlements of right-of-way acquisitions; the Federal Highway Administration approval of 2008 Scenic Byway grants; the annual report on the status of state-owned dwellings; the program and district obligation graphs and tables, monthly status reports; and the July through November 2008 financial statement analysis.

- 1) Revisions to Board Policy B-07-01, Entering Private Property. This policy was last signed in 1999. It has been updated to remove the reference to Board Policy B-07-03, Tort Claim Action against Employees, which is no longer in effect.
- 2) Exempt Status Approval for Rail Crossing DOT #910825U. Exempt status of the US-95 railroad crossing in Craigmont, Idaho, DOT #910825U is being requested due to its limited use. To more efficiently accommodate highway traffic and eliminate unnecessary stopping of vehicles, ITD and BG & CM Railroad agree to the exempt designation. The BG & CM Railroad will stop and flag all railroad equipment across the highway when it uses the crossing.
- 3) Contract Awards. Key #9212 US-93, Perrine Bridge Joints, Twin Falls, District 4. Low bidder: Cannon Builders, Inc. \$208,010.

Key #9153 – D Street Pathway, Moscow, District 2. Low bidder: Atlas Sand & Rock, Inc. - \$699,444.

Key #8835 – US-95, A Street to Rodeo Drive, Moscow, District 2. Low bidder: M L Albright & Sons, Inc. - \$1,908,940.

Key #6990 – US-93, Jim Byrne Slough Bridge to Pagari, Lincoln County, District 4. Low bidder: Western Construction, Inc. - \$3,294,713.

Key #6961 – US-93, Falls Avenue to Pole Line Road, Twin Falls, District 4. Low bidder: Western Construction, Inc. - \$4,576,532.

Key #11522 – US-20, Middle Rexburg Interchange, Milepost 333, District 6. Low bidder: Skyview Electric, Inc. - \$132,492.

Key #9859 – SH-25, Birch Street to Junction US-93, Jerome, District 4. Low bidder: Staker & Parson Companies dba IS&G - \$1,028,941.

Key #7810 – Portneuf River Bridge, Bannock County, District 5. Low bidder: Ralph L Wadsworth Construction Company, Inc. - \$1,132,608.

Key #9162 – US-95, Milepost 430.8 to Milepost 436, District 1. Low bidder: Poe Asphalt Paving Inc. - \$4,494,914.

Key #7028 – US-20, Gannett Road to Silver Creek Bridge, Blaine County, District 4. Low bidder: Western Construction, Inc. - \$3,360,452.

Key #9979 – US-95, Midvale Rest Area Rehabilitation, District 3. Low bidder: W F Construction & Sales, LLC - \$1,436,640.

Key #9762 – US-30, Pedestrian Path Enhancement, New Plymouth, District 3. Low bidder: Diamond Contractors, LLC - \$256,759.

The low bid on key #10621 – SH-5, FY08 District 1 Durable Pavement Markings, was more than ten percent over the engineer's estimate. Staff rejected the bids.

- 4) Professional Services Agreements and Term Agreement Work Task Report. From November 29 through December 31, \$3,148,035 in new professional services agreements and work tasks were issued. The agreements were issued for local projects and because resources were not available in-house and special expertise was required. Eleven supplemental agreements to existing agreements were processed in the amount of \$429,068 during this period.
- 5) Administrative and Legal Settlements of Right-of-Way Acquisitions. From July 1, 2008 through December 31, 2008, the Right-of-Way Section processed 86 parcels. There were 19 administrative settlements and no legal settlements during this time frame.
- 6) Federal Highway Administration Approval of 2008 Scenic Byway Grants. In April 2008, four Board-approved scenic byway grants requesting \$1,505,864 in federal scenic byway discretionary funds were submitted to FHWA for FY08 funding. Idaho successfully obtained funding for all or a portion of three of these projects. The Statewide Interpretive Signage for 15 byways was fully funded at \$540,000. The International Selkirk Loop Corridor Management Implementation project received \$114,800 of the requested \$116,400. A total of \$18,000 of the requested \$30,000 was received for the Western Heritage Historic Byway Corridor Management Implementation project.
- 7) Annual Report on Status of State-owned Dwellings. The status of ITD-owned dwellings was presented, including information on the monthly rental fee, the fair rental amount, and rental status. The Department owns 5 houses, 3 bunkhouses, and an apartment at Johnson Creek Air Strip. There are also 30 trailer pads, five with housing, that are available to employees. ITD also owns 10 trailer pads and 3 houses at rest area locations around the state.
- 8) Program and District Obligation Graphs and Tables, Monthly Status Reports. As of December 31, \$58.4 million had been obligated for highway projects in the Statewide Transportation Improvement Program, or 17%. The total amount obligated for construction projects was \$44 million, excluding GARVEE projects. Obligation information by program and district and project status reports for 2009 projects were presented.

9) July through November 2008 Financial Statement Analysis. Federal aid reimbursement was \$33.5 million behind year-to-date projections. Revenue to the Highway Distribution Account was \$2.3 million behind the forecast. Expenditures for personnel costs were less than budgeted. Total non-construction year-to-date operating expenditures reflected a 1.7% positive variance. In contract construction, the federal and state programs were behind projections by \$21 million and \$3.1 million, respectively.

Federal aid revenue to the State Aeronautics Fund was \$370,000 below year-to-date projections. Aviation fuel tax revenue was \$90,000 below projections. Miscellaneous revenue was \$12,000 above the forecast. Excluding Trustee & Benefits, year-to-date expenditures were \$873,249 against an annual appropriation of \$2,215,400.

In the GARVEE Capital Projects Fund, \$173 million of the \$213 million, including interest earnings, from Bond Series 2006 and \$34.4 million of the \$179 million from Bond Series 2008 A have been expended. During November, \$207,806 was transferred to the GARVEE Debt Service Fund for the monthly state share.

Kim and Marcie Andrus Administrative Settlement. In March 2006, an appraisal and offer of \$114,750 was made to Kim and Marcie Andrus for their 19.05 acre parcel for the US-30, Topaz to Lava Hot Springs project, key #7749. A counter offer was made by the Andruses for \$750,000. A second appraisal was secured by ITD in May 2007, resulting in an offer of \$276,960. The Andruses countered with \$800,000. The second appraisal reflects higher land values than the original, but does not recognize the property as a subdivision, as claimed by the property owners. The rules of appraisal do not allow appraisers to value the property as subdivided ground unless all local ordinances and conditions are met, and the plat has been approved. The Andrus's plat for the subdivision was never approved by Bannock County. Negotiations continued and in November 2008 an acceptable settlement of \$600,000, including a \$323,040 administrative settlement, was reached. Staff requested approval of the \$323,040 administrative settlement.

Member Gagner expressed concern that approving this administrative settlement may set a precedent. The subdivision has not been approved. DAG Vogt said this is a unique situation. ITD has to make an offer based on the highest and best use value. The landowner started the subdivision process and it is reasonable to assume that the subdivision would have been approved. In response to Member Gagner's question on condemnation timeframes, DAG Vogt responded that ITD could assume possession of the property almost immediately upon condemnation.

In response to Vice Chairman McClure's question on the timing of the development, Senior Right-of-Way Agent, Acquisition Marv Brown responded that the subdivision has been in the process for several years. Kim and Marcie Andrus were seeking final approval, but Bannock County denied the approval due to ITD's project.

Chairman Manning asked if delaying this item one month would negatively impact the project schedule. Because there would be no delays to the construction of the US-30, Topaz to Lava Hot Springs project, the Board unanimously agreed to postpone this item one month. Staff is to provide more detailed information on the project and this administrative settlement request.

<u>Board Items</u>. Chairman Manning said he participated in all of the legislative outreach meetings last month and thought they were well attended and well received. The Office of Performance Evaluation's (OPE) performance audit of the Department was released earlier this week. It emphasizes that transportation is grossly underfunded in the state. Chairman Manning said that Vice Chairman McClure and he attended the audit presentation to the Joint Legislative Oversight Committee on January 19 and to the joint germane committee on the 20th. Vice Chairman McClure and he also participated in a tour of the I-84 GARVEE projects with some legislators late last month and he spoke at the Pocatello Rotary Club meeting last week.

<u>Director's Report</u>. Director Lowe distributed the recently-issued 2009 Facts and Figures brochure and also the draft Joint Finance and Appropriations Committee presentation.

Director Lowe provided an update on the proposed economic stimulus proposal, which is anticipated to be enacted by the middle of next month. It is expected to be funded at a higher dollar amount than staff presented to the Board at its January 7 meeting. No match is expected. The projects funded need to be included in the Statewide Transportation Improvement Program and metropolitan planning organizations' Transportation Improvement Plans. Public Transportation Administrator Randy Kyrias is working with Idaho's providers to identify potential public transit projects.

Director Lowe also shared two letters of appreciation that the Department received. District 5 was recognized for its efforts on SH-34 and District 4 for the assistance it provided in the search and rescue efforts of two children in Blaine County.

<u>Legislative Update</u>. Governmental Affairs Program Manager Mollie McCarty summarized ITD's proposal to increase various fees. The majority of fees has not been increased in 20 years and is not sufficient to cover the costs of administering the various programs. The additional money would be dedicated to upgrading the Division of Motor Vehicles' computer systems. The ITD Peer Review report is scheduled to be presented to the germane committees next week. She also provided information on other proposed presentations and the status of the Department's legislation and other transportation-related legislation.

Proposed FY09 Transportation Infrastructure Economic Stimulus. Since the special Board meeting on January 7, additional federal economic stimulus information has been released. Director Lowe believes ITD will receive more than \$100 million. She requested further guidance to prepare for this additional one-time funding. She also emphasized that the guidance is only to prepare projects for construction. Staff will seek Board approval on the final list of projects to be constructed with the economic stimulus funding once the legislation is passed and the final details are known.

Manager, Transportation Investments (MTI) Dave Amick summarized the criteria used to identify potential projects for funding: projects that can be awarded by June 1; projects that provide statewide economic benefits and long-term economic activity or benefits; and projects that involve multiple materials industries and trades. Staff recommends preparing additional expansion projects for contract award. Additionally, any stimulus funding in excess of the cost of awarding all of the unfunded expansion projects should be dedicated to preservation and restoration projects, with the funding directed to the Districts that receive the least funding for

unfunded expansion projects. He added that the intent is still to provide local entities with 12.6% of the funding unless the legislation specifically addresses funding for local jurisdictions.

In response to Member Coleman's question on the efforts needed to prepare the unfunded expansion projects for construction, Chief Engineer (CE) Tom Cole replied that some projects are ready right now. Others need minimal work that staff should be able to complete in-house.

Vice Chairman McClure made a motion, seconded by Member Miller, to approve the following resolution:

RES. NO. WHEREAS, the U.S. Congress and President Obama's Administration is proposing an urgent economic stimulus funding proposal that emphasizes the acceleration of transportation infrastructure projects across the nation; and

WHEREAS, the most recent U.S. Congressional proposals to date suggest possible nationwide federal funding for highways and bridges ranging in amounts from \$10 billion to more than \$30 billion; and

WHEREAS, Idaho's estimated share of such funding may range from \$75 million to more than \$200 million; and

WHEREAS, it is expected that projects eligible for economic stimulus funding may require as little as 90 to 120 days from funding availability to project contract award; and

WHEREAS, in Idaho, project awards must occur no later than June 1, 2009 to maximize the economic benefits of construction activity during the summer construction season; and

WHEREAS, it can be expected that new highway funding and projects will need to be added to the Idaho Statewide Transportation Improvement Program (STIP) in order to gain Federal Highway Administration approval of individual project authorization agreements in accordance with the provisions of USC Title 23; and

WHEREAS, the Idaho Transportation Board provided guidance to staff at a special January 7, 2009 Board meeting to prepare up to \$134 million in unfunded expansion projects from a list of \$182 million in ready unfunded expansion and safety projects most suitable for economic stimulus funding; and

WHEREAS, staff has clarified to the Board the stronger possibility of much more than \$100 million in possible economic stimulus funding; and

WHEREAS, the final selection of projects cannot be determined until the amount of funding and related eligibility and delivery requirements of any economic stimulus proposal are passed in law by the U.S Congress.

NOW THEREFORE BE IT RESOLVED, that an amount equal to 12.6 percent of the total stimulus funding received may be made available for requested local

projects based on project readiness unless any economic stimulus legislation should otherwise provide a requirement for the local public agency share; and

BE IT FURTHER RESOLVED, that, after making up to 12.6 percent of funding available for ready local public agency projects, the Board authorizes staff to prepare for possible economic stimulus funding, the entire \$182 million in unfunded state highway expansion projects suggested by staff at the January 7, 2009 special Board meeting, to include the following projects totaling \$182 million listed in highway route number order:

US-2, Dover Bridge, Bonner County (\$40 million estimated);

US-20, Henry's Lake Flat Passing Lanes (\$4 million estimated);

SH-48, Rigby High School to Yellowstone Highway (\$5 million estimated);

I-84, Vista Interchange, Boise (\$48 million estimated);

I-86, Chubbuck Interchange Bridge to Pocatello Creek Interchange (\$25 million estimated);

US-93, Twin Falls Alternate Route, Stage 2 (\$51 million estimated);

US-95, Moscow Mountain Passing Lanes (\$5 million estimated); and

US-95, Top of White Bird Grade to Chain-up Area (\$4 million estimated); and

BE IT FURTHER RESOLVED, that should eventual stimulus funding exceed the cost of awarding the above projects, staff is instructed to allocate the remaining funding to preservation and restoration projects focusing on the Districts receiving the least funding under the unfunded expansion projects emphasis area; and

BE IT FURTHER RESOLVED, that staff is authorized to amend the FY09-13 STIP as needed in accordance with USC Title 23 to include the above noted projects; and

BE IT FURTHER RESOLVED, that staff is authorized to take all necessary actions to conform to any other funding and project delivery requirements that may result from legislation implementing an economic stimulus package in FY09.

Member Gagner acknowledged that the majority of the expansion projects could not be constructed without special funding like the proposed economic stimulus plan. Although he recognizes the importance of these projects, he supports addressing the needs of the existing system by directing more of the money to preservation projects.

Vice Chairman McClure reiterated that the list of projects is not prioritized: the projects are listed in descending route number. The Board will approve the final list of projects for construction.

The motion passed 4-1 with Member Gagner dissenting.

Addition of I-84, 500 West Road Overpass, Near Burley, District 4, to the FY09 State Board Unallocated Program. MTI Amick reported that the I-84, 500 West Road Overpass was struck by an over-height load on January 9. The collision caused damage to the outside girders supporting the travel lanes of 500 West Road. Upon inspection, ITD personnel determined that the northbound lane of 500 West Road should be closed to restrict truck traffic on that lane. The

estimated cost to develop the construction plans and complete repairs for the structure is \$250,000. The insurance carrier of the vehicle is expected to reimburse these costs. MTI Amick requested FY09 State Board Unallocated Program funds to repair the damaged overpass.

Member Miller asked about the permit process and whether there are measures that can be taken to prevent vehicles from hitting overpasses. MTI Amick stated that detailed information on the process of permitting, seeking reimbursement from the insurance carrier, and establishing a revolving account to pay for these repairs will be presented next month. Motor Vehicles Administrator Alan Frew said the insurance requirements for truckers could be increased to ensure reimbursement will cover the cost of repairing damage to hit structures; however, he added that the vehicle that hit this I-84 overpass was not required to secure a permit.

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

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department to publish and accomplish a current, realistic, and fiscally constrained Capital Investment Program; and

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

WHEREAS, the I-84, 500 West Road Overpass, near Burley, was struck by an over-height truck on January 9, 2009; and

WHEREAS, the bridge is currently closed to traffic; and

WHEREAS, District Maintenance and ITD Bridge Inspection personnel estimate the cost of repair to be \$250,000; and

WHEREAS, the District has fully programmed all of its capital investment funds in FY09; and

WHEREAS, \$2,000,000 is set aside annually for use by the Board for such unforeseen events in the State Board Unallocated Program; and

WHEREAS, \$558,000 of funds in the FY09 Board Unallocated Program are available; and

WHEREAS, the Department anticipates reimbursement by the insurance carrier of the motorist who caused the damage to this structure.

NOW THEREFORE BE IT RESOLVED, that the Board authorizes the use of FY09 State Board Unallocated funds in the amount of \$250,000 to repair the I-84, 500 West Road Overpass, near Burley.

<u>Study of ITD's Maintenance Management and Pavement Management System Needs</u>. Research Program Manager (RPM) Ned Parrish presented the draft final report on the evaluation of ITD's needs for automated maintenance management and pavement management tools. The findings

include: since the implementation of the new Financial Management System in 2005, ITD has not had a functioning computerized maintenance management system to track maintenance activities; the method of entering maintenance activity information should be compatible with the new Financial Management System; previous work in defining Levels of Service can serve as the baseline for developing performance-based budgeting capabilities; because the Department's pavement management system does not fully address the needs of District personnel, one District has initiated a pilot project to demonstrate the capabilities of an alternate system; and pavement-related information is not easily accessible by personnel for use in selecting projects and designing treatments.

RPM Parrish summarized the study's recommendations. A new maintenance management software system should be implemented. It should have the basic functionality that was available in the previous system used with expanded capabilities for performance-based budgeting activities. The estimated cost is \$2.7 million plus annual maintenance costs of approximately \$300,000. Also, new pavement management software should be implemented to better analyze alternate treatment strategies. This system would cost about \$950,000 with annual licenses of approximately \$50,000.

Although these recommendations represent a significant investment, numerous benefits and savings can be expected, according to RPM Parrish. Some advantages would be more efficient use of available resources, the ability to justify and secure more funding for pavement maintenance and rehabilitation, more accurate and accessible information on the roadway system, and the ability to show the impact of funding decisions. Based on other studies on the return on investment, the recommended investment of \$3.65 million for the two systems could pay for themselves in three to five years.

CE Cole elaborated on the need for these systems and explained various scenarios that demonstrated the benefits of the system. He also emphasized that recent audits identified the need for these systems. He outlined the next steps: develop a request for proposal for the recommended systems and services, refine the estimated costs, identify funding sources, and seek Board approval before securing any systems.

Member Gagner asked for clarification on the cost of the proposed system, particularly because District 6 was able to implement a pilot project for significantly less money. CE Cole replied that the District's expenses were for some hardware and software. It was only for one District, not a statewide system. The estimated funding for a new maintenance management system includes statewide software license and implementation, financial management system interface development, hardware for all Districts, user interface customization, and training.

Member Coleman expressed appreciation for the presentation and believes securing these systems is imperative. He said the data needs to be understandable by non-transportation people, such as legislators and the Department's constituents. He also noted that the OPE audit estimated the costs of these systems at \$6 million. He asked why staff's estimate is \$2 million less and also if the systems could be implemented in phases. CE Cole replied that the OPE audit estimates included additional systems, such as project scheduling. He believes the systems could be phased, as there are a number of components, including purchasing the system, installation, and training. The request for proposal process would provide more information, such as time frames and options for proceeding.

Member Miller expressed concern with funding these systems, particularly because the Division of Motor Vehicles' systems need to be upgraded too. The general consensus was for staff to proceed with securing pavement management and maintenance management systems.

Comprehensive Analysis of Aircraft Operations. Aeronautics Administrator (AA) John DeThomas reported that a 2008 finding by the Legislative Support Office recommended that a comprehensive analysis be conducted on the state-owned aircraft operations. He presented the final draft on the fleet that consists of a 1979 King Air, a 1978 Cessna 206, and a 1972 Cessna 182. The highest priority for use of the aircraft is for law enforcement and emergency transportation in support of state interests.

The King Air, the only state plane with all-weather capability, can operate from approximately 60 airports in the state and can reach most places in the state within one hour. It is actually controlled by the Idaho State Police (ISP), as it was received from military surplus for the purpose of law enforcement and emergency transportation. ISP does not have an aviation division, so the aircraft was transferred to ITD via an agreement. The plane is also used to transport state employees when it is not needed by ISP.

AA DeThomas said the Cessna 206 and Cessna 182 are single engine piston-propeller aircraft that can carry 5 and 3 passengers, respectively. They are specially equipped with unique equipment to locate aircraft emergency locator transmitters. The first priority for these planes is to search for down or missing aircraft in support of the Divisions' search and rescue mission. Both are occasionally used to transport passengers. The 206 is also used to support the 30 state-operated airstrips, some of which have no road access. A lower priority use of the 182 is to perform airport inspections for the Federal Aviation Administration (FAA) under a reimbursement contract and to conduct special missions for other state agencies, such as aerial surveys for the Department of Fish and Game.

The report concluded that Idaho's small aircraft fleet is vital for the state's emergency use, according to AA DeThomas. Its use for other state transportation essentially covers the cost of maintaining this emergency capability and is in the best interest of Idaho citizens. The Division of Aeronautics can provide this service cheaper than a charter operator.

Several members emphasized the importance of the state aircraft pool. Vice Chairman McClure expressed appreciation for the comprehensive analysis.

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

RES. NO. WHEREAS, the Idaho State Legislature, Legislative Services Office recommended that the Idaho Transportation Department conduct a comprehensive analysis of state-owned aircraft operations; and

WHEREAS, the Department has agreed to provide such analysis; and

WHEREAS, such analysis of state-owned aircraft operations has been conducted by the Division of Aeronautics for the Department of Transportation; and WHEREAS, the Aeronautics Advisory Board has reviewed the draft analysis and its comments have been included in the latest revisions; and

WHEREAS, the draft analysis has been presented to the Idaho Transportation Board.

NOW THEREFORE BE IT RESOLVED, that the Board approves the Comprehensive Analysis of Aircraft Operations draft dated January 8, 2009; and

BE IT FURTHER RESOLVED, that the approved Comprehensive Analysis Report be provided to the Legislative Services Office of the Idaho State Legislature

<u>Annual Aeronautics Report</u>. Aeronautics Advisory Board (AAB) Chairman Rodger Sorensen reported on the state's primary airports. In 2008, the number of passengers traveling through the seven commercial airports decreased 6% from 2007, while aircraft operations declined 17%. He provided updates on issues the Sandpoint, Driggs-Reed Memorial, and Hailey airports are addressing.

AAB Member Bob Hoff provided statistics on aviation fuel and noted that consumption decreased last year, presumably due to the peak prices in July and the poor economic conditions. AAB Member Scott Patrick reported on safety statistics. In 2008, there were 34 aircraft accidents resulting in 5 fatalities. The average for the past ten years is 38.6 accidents with 11.3 fatalities.

Private flying and non-scheduled commercial flying were down from 2007 by approximately 35% and 50%, respectively, according to AAB Member Dan Scott. The forecast for 2009 is expected to be similar to last year for both categories. AAB Member Mark Sweeney said corporate air travel was also down. He mentioned several projects occurring at airports throughout the state, providing optimism for the future.

AA DeThomas said Congress is discussing airport economic stimulus programs; although all of the programming and funding will be done by the FAA. Efforts are continuing on state legislation to address comprehensive airport land use. The Division of Aeronautics staff reported on its various programs. Revenue is below projections by approximately 7%. Informal holdbacks have been identified. A number of projects were completed at state operated airstrips last year, including a restoration project at Cavanaugh Bay. A new shelter and chip seal test strip at the Stanley Airport are planned for the summer of 2009. Fifteen airports have been adopted in the Airport Adoption Program with 516 man hours donated in 2008. The courtesy car program generated \$7,375 while it had \$2,175 in expenses.

The FY09 Idaho Airport Aid Program contributed \$871,000 to general aviation airports and five community airports. The FY09 FAA grants are expected to update the state system plan and complete three airport layout plans. The aerial search program was updated and the Division's aviation safety program was formalized. The flight operations had more activity in 2008 than the previous year. Some of the other highlights included computerizing the flight administrative system, updating the flight operations manual, and installing an aircraft security system.

The Board expressed appreciation for the informative report. Chairman Manning also thanked the AAB members for their efforts and the important service they provide to ITD.

<u>New Business</u>. Chairman Manning believes it is imperative to pursue some of the recommendations in the OPE audit as soon as possible.

Member Coleman made a motion to authorize an amendment of ITD's FY10 budget request to reflect a spending authority request to fund a priority list of management systems as recommended in the Office of Performance Evaluation's audit report and a spending authority request to upgrade the Division of Motor Vehicle's computer systems. These amendments are to reflect the multi-year nature of each initiative. The forecast released this week lowers available revenue by \$3 million in FY09 and \$4 million in FY10, making funding these initiatives even more difficult solely from existing resources. Funding of these initiatives should be tied, conditionally, to the Governor's and ITD's proposed transportation legislation. It was also noted that the amendment will need approval from the Governor's Office. Member Gagner seconded the motion and it passed unopposed.

Although the Board meeting officially adjourned at 12:10 PM, the five members present attended the joint germane committee presentation at 1 PM.

Joint Senate Transportation and House Transportation and Defense Committee Presentation. Director Lowe highlighted the FY10 budget request, efficiencies, the peer review, and proposed legislation that has a fiscal impact. Deputy Director Stokes provided an update on the GARVEE Program and the division administrators summarized activities in their respective division.

signed

DARRELL V MANNING, Chairman
Idaho Transportation Board

Read and Approved February 18, 2009 Boise, Idaho

SPECIAL MEETING OF THE IDAHO TRANSPORTATION BOARD

January 7, 2009

Idaho Transportation Board Chairman Darrell V Manning called a special meeting of the Idaho Transportation Board at 2:05 PM on Wednesday, January 7, 2009. The following were present at the Idaho Transportation Department in Boise, Idaho:

Darrell V Manning, Chairman
Monte C. McClure, Vice Chairman – District 3
Gary Blick, Member – District 4
Pamela Lowe, Director
Scott Stokes, Deputy Director
Karl Vogt, Deputy Attorney General
Sue S. Higgins, Board Secretary

The following participated via videoconference or teleconference:

Jim Coleman, Member – District 1 Bruce Sweeney, Member – District 2 Neil Miller, Member – District 5 Lee Gagner, Member – District 6

Chairman Manning welcomed Senator Chuck Winder and Representative Phylis King to the meeting.

Proposed FY09 Transportation Infrastructure Economic Stimulus. Dave Amick, Manager, Transportation Investments (MTI), said Congress has been discussing an economic stimulus package targeted for infrastructure improvements. Although the dollar amount has not been finalized and there are other unknown factors, such as guidelines or requirements for spending the federal dollars, staff has been reviewing potential projects that could be ready for construction by June 1, 2009. Six emphasis areas to direct the additional one-time money, estimated at \$100 million for Idaho, were considered. No match is anticipated.

MTI Amick provided a list of local projects estimated at \$48 million. The intent is to provide 12.6% of the total stimulus funding for local projects. This would be consistent with ITD's longheld practice to proportionately share additional federal highway funding with local agencies in accordance with Board Policy B-11-04, Allocation of Surface Transportation Program Apportionments to Local Public Agencies. This proposal will be re-examined if the final economic stimulus legislation provides funding for local public agencies.

Chief Engineer Tom Cole elaborated on the other emphasis areas to fund: GARVEE projects; unfunded expansion projects; a combination of preservation, restoration, and expansion projects; pavement preservation; and bridges. Although no formal criteria has been established by which states should determine projects for economic stimulus funding, staff believes constructing unfunded expansion projects would provide the most economic stimulus and benefits to the state. He added that a combination of projects from different emphasis areas could be funded.

Member Gagner asked if consideration was given to how many jobs each emphasis area would create. MTI Amick responded no; staff did not specifically look at the number of jobs each emphasis area would generate. As a rule, for every \$1 million spent on transportation construction projects, 20 to 40 jobs are created. The number varies based on the type of project.

Member Sweeney expressed support to distribute the additional funding statewide. He does not favor funding GARVEE projects with this one-time additional money.

Member Blick believes expensive, unfunded projects should be the highest priority for the economic stimulus funding because it is difficult to fund those in the regular Program. He also believes the legislature needs to provide additional, on-going revenue to the Department to address the preservation needs.

Vice Chairman McClure concurred with the desire to expend the money statewide and to fund large, costly projects. Additionally, funding for GARVEE projects has been identified through bonding in the GARVEE Program, so he does not support funding those projects. He expressed concern with funding \$100 million in preservation projects, as he does not believe the state's contractors can handle a workload of that magnitude in addition to all of the other preservation projects currently scheduled in the Statewide Transportation Improvement Program. Although preserving the existing system is the Board's highest priority, Vice Chairman McClure believes the existing highway Program can address the preservation needs. He suggested funding the US-2, Dover Bridge and US-93, Twin Falls Alternate Route, Stage 2, because the Board has been struggling with identifying funds for those two important projects.

Member Sweeney expressed concern with funding only two projects with the anticipated \$100 million in additional money.

Member Gagner voiced support for the pavement preservation option. That would address concerns with the existing system and distribute the funding statewide.

Member Coleman supported distributing the funds statewide and also believes additional state funding should be provided to fund the preservation needs.

Although Member Miller supported funding the Dover Bridge and Twin Falls Alternate Route projects, he believes the money should be distributed throughout the state.

Vice Chairman McClure proposed funding a combination of projects on the unfunded expansion list. The projects, totaling approximately \$94 million, would be: US-93, Twin Falls Alternate Route, Stage 2; US-95, Moscow Mountain Passing Lanes; US-95, Top of White Bird Grade to Chainup Area; I-86, Chubbuck Interchange Bridge to Pocatello Creek Interchange; SH-48, Rigby High School to Yellowstone Highway; and US-20, Henry's Lake Flat Passing Lanes. He removed the Districts 1 and 3 projects, US-2, Dover Bridge and I-84, Vista Interchange, because those areas have GARVEE projects and the \$100 million Sand Creek Byway project.

Members Gagner and Sweeney expressed concern with not funding any preservation projects. Member Sweeney also questioned expending \$50 million for one project, the US-93, Twin Falls

Alternate Route. He suggested providing District 4 with some economic stimulus funding and having the District identify the additional money needed for the project. District 4 Engineer Devin Rigby reported that the additional funding for the US-93 project could be identified; however, other projects currently programmed in the Statewide Transportation Improvement Program would need to be delayed.

Vice Chairman McClure said the intent of the economic stimulus package needs to be considered. He believes expansion projects would provide the most economic benefits, particularly in the long term.

Member Blick made a motion to make the following unfunded expansion projects the highest priority for preparation for construction with anticipated federal economic stimulus funding: US-93, Twin Falls Alternate Route, Stage 2 (\$51 million); US-95, Moscow Mountain Passing Lanes (\$5 million); US-95, Top of White Bird Grade to Chainup Area (\$4 million); I-86, Chubbuck Interchange Bridge to Pocatello Creek Interchange (\$25 million); SH-48, Rigby High School to Yellowstone Highway (\$5 million); and US-20, Henry's Lake Flat Passing Lanes (\$4 million), totaling approximately \$94 million. Vice Chairman McClure seconded the motion.

Member Miller noted that the economic stimulus package has not been finalized. This is to provide guidance to staff to prepare for the final legislation. When the final package is available, the plan may need to be revisited.

The motion passed 4-2 with Members Sweeney and Gagner dissenting.

Director Lowe asked for additional guidance in the event that Idaho receives more than \$100 million in federal economic stimulus funding. Without objection, the US-2, Dover Bridge was added to the list of projects to get ready for construction if more money is received.

<u>Executive Session on Legal Issues, Section 67-2345(d), Idaho Code.</u> Member Blick made a motion to meet in executive session at 3:15 PM to discuss legal issues. Vice Chairman McClure seconded the motion and it passed unanimously.

A general discussion was held on the draft findings of the ITD performance audit, which has been embargoed until January 19, 2009.

The Board came out of executive session at 4:05 PM. No decisions were made.

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

____<u>signed</u>
DARRELL V MANNING, Chairman
Idaho Transportation Board

Read and Approved January 22, 2009 Boise, Idaho

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

February 18, 2009

The Idaho Transportation Board met at 8:30 AM, on Wednesday, February 18, 2009, in Boise, Idaho. The following principals were present:

Darrell V Manning, Chairman

Monte C. McClure, Vice Chairman – District 3

Bruce Sweeney, Member – District 2

Gary Blick, Member – District 4

Neil Miller, Member – District 5

Lee Gagner, Member – District 6

Pamela Lowe, Director

Scott Stokes, Deputy Director

Karl Vogt, Deputy Attorney General

Sue S. Higgins, Secretary

Jim Coleman, Member – District 1, participated via video conference.

<u>Election of Vice Chairman</u>. Member Miller nominated Bruce Sweeney to serve as vice chairman of the Board. Member Gagner seconded the motion and it passed unanimously.

The Board reviewed the subcommittee assignments. Member Coleman is serving on the Subcommittee on Audits. Vice Chairman Sweeney and Member Miller will continue serving on the Subcommittee on the Enhancement Program. Member Gagner will join Member Blick on the Subcommittee on Adjustments to the State Highway System, replacing Member McClure.

<u>Board Minutes</u>. Member Gagner made a motion to approve the minutes of the regular Board meeting held on January 22, 2009 as submitted. Member Miller seconded the motion and it passed unanimously.

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

March 18-19, 2009 – Boise April 15-16, 2009 – District 2

<u>Consent Calendar</u>. Member Gagner made a motion, seconded by Vice Chairman Sweeney, to approve the following resolution:

RES. NO. NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the revisions to Board Policy B-01-02, Budget Preparation; and the addition of Federal Transit Administration metropolitan planning funds to the FY09 Program; and has received and reviewed the program and district obligation graphs and tables, monthly status reports; contract award information; and professional services agreements.

- 1) Revisions to Board Policy B-01-02, Budget Preparation. This policy was last signed in 1999. The content is still relevant and current; only the signature line was updated.
- 2) Add Federal Transit Administration (FTA) Metropolitan Planning Funds to the FY09 Program. Federal metropolitan planning funds, apportioned within both the Transit and Highways sections of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, are allocated proportionately based upon urban populations in the 2000 Census. The transit funds were inadvertently omitted from the Statewide Transportation Improvement Program (STIP) during the FY09 Program Update. Staff requested approval to amend the STIP to add the FTA Section 5303 funds, estimated at \$374,000 annually.
- 3) Program and District Obligation Graphs and Tables, Monthly Status Reports. As of January 31, \$67.9 million had been obligated for highway projects in the STIP, or 20%. The total obligated for construction projects was \$60 million, excluding GARVEE projects. Obligation information by program and district and project status reports for 2009 projects were presented.
- 4) Contract Awards. Key #9503 FY09 Ada County Highway District Overlays, District 3. Low bidder: Nampa Paving & Asphalt Company \$498,606.

Key #11540 – I-84, Mountain Home Overpass Interchange #90, District 3. Low bidder: RSCI - \$53,738.

Keys #9342 and #9343 – SH-44, Chinden Boulevard to State Street, and Junction SH-55 to Glenwood, Garden City, District 3. Low bidder: Central Paving Company, Inc. - \$4,407,119.

Key #9436 – SH-21, King Road to Boise Basin Park, Idaho City, District 3. Low bidder: Granite Excavation, Inc. - \$95,109.

5) Professional Services Agreements and Term Agreement Work Task Report. From January 1 through January 30, \$1,538,500 in new professional services agreements and work tasks were issued. The 12 agreements were issued for local projects and because resources were not available in house and special expertise was required. Ten supplemental agreements to existing agreements were processed in the amount of \$506,810 during this period.

<u>Board Items</u>. The majority of Chairman Manning's recent activities have been related to the legislative session, including participation in the Department's budget presentation to the Joint Finance and Appropriations Committee.

<u>Director's Report</u>. The federal economic stimulus proposal has been approved, according to Director Lowe. Preliminary reviews indicate Idaho will receive approximately \$182 million for highways and bridges plus additional money for transit projects. Staff is still reviewing the details of the legislation.

Deputy Director Stokes reported on a recent trip to Washington, DC to meet with the U.S. Department of Transportation Secretary. He believes it was a beneficial meeting, with Secretary LaHood devoting time to listen to state representatives discuss their issues and concerns.

Director Lowe summarized recent directives from the Governor's Office regarding cost cutting measures. All state agencies are to institute a hiring freeze and eliminate overtime, although exceptions may be granted. Director Lowe is pursuing exceptions to the overtime measure to ensure maintenance activities such as snowplowing can continue without interruption. Additionally, travel is to be limited and purchases are to be closely scrutinized to ensure they are absolutely necessary.

<u>Legislative Update</u>. Governmental Affairs Program Manager (GAPM) Mollie McCarty provided a status of ITD's legislative proposals and other transportation-related legislation. Efforts are continuing on the proposals to increase various fees to upgrade the Division of Motor Vehicles' computer systems. The Transportation Access Plan did not receive a hearing. Staff will continue working on that proposal to address various concerns. The Governor's Office has introduced six revenue-enhancing bills. Additional revenue bills have since been proposed.

Member Gagner questioned alternatives to fund the management systems identified in the Office of Performance Evaluation (OPE) audit in case the legislature does not approve increasing fees to purchase those systems. GAPM McCarty acknowledged that funding those systems is a concern. Member Gagner supported drafting legislation as an alternate funding mechanism.

<u>December Financial Statement Analysis</u>. Controller Gordon Wilmoth said the federal aid for December was \$23.2 million behind projections. Revenue to the Highway Distribution Account was \$3.8 million below the forecast. To date, \$15.4 million in indirect cost recovery has been collected. He reported that FY09 expenditures for personnel were almost \$4 million less than budgeted. The non-construction operating expenditures were over expended by \$10,000. In contract construction, the federal and state programs were behind projections by \$19.1 million and \$3.9 million, respectively.

Controller Wilmoth said state revenue to the Aeronautics Fund was 8.8% below the forecast through December. Expenditures for personnel and operating were 15% below budget and Trustee and Benefit payouts 74% below budget.

In the GARVEE Capital Projects Fund, \$189 million of the \$213 million, including interest earnings, from Bond Series 2006 and \$38.2 million of the \$179 million from Bond Series 2008 A have been expended. During December, \$6.9 million was transferred to the GARVEE Debt Service Fund for the federal and state share of the interest and fees January debt service payments for both bond series.

Chairman Manning thanked Controller Wilmoth for the financial overview.

Wellness Program Annual Report. Wellness Coordinator Pauline Davis said the Wellness Program continues to provide a variety of preventive health care benefits to address employee needs. The statewide volunteer Wellness Coordinators promote preventive care and make health resources available, like monitoring equipment for blood pressure and weight and on-site health clinics with blood testing and cancer screening services. Some of the other activities conducted last year included an exercise challenge, with a record number of employees participating;

organized run/walk races; a screening clinic and on-site health fair with testing for vision, hearing, blood pressure, Glaucoma and Diabetes; an on-site mammography clinic and bone density testing; and flu shots.

Chairman Manning thanked Ms. Davis for the report.

Teton Scenic Byway Corridor Management Plan (CMP). Scenic Byways Program Manager Garry Young provided an overview on the Scenic Byway Program and stressed its importance to local communities, which provide the required match for the federally-funded program. Scenic Byways Advisory Committee Chairman (SBAC) Reid Rogers elaborated on the important program, which promotes local involvement and provides potential for economic development. He presented the proposed Teton Scenic Byway CMP and stressed the importance of the SH-33 corridor in eastern Idaho.

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

RES. NO.WHEREAS, the Idaho Transportation Board established the Scenic Byways Advisory Committee

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(SBAC) on June 21, 1996, to provide advice and recommendations concerning the Scenic Byway Program to the Board; and

WHEREAS, corridor management plans (CMPs) are 1) important for the protection and orderly development of scenic byways, 2) required for National Scenic Byway and All American Road designation, and 3) key to gaining priority for National Scenic Byway funding; and

WHEREAS, the Teton Scenic Byway Committee has completed a CMP for the Teton Scenic Byway, which traverses SH-31, SH-32, and SH-33; and

WHEREAS, District Six personnel participated in the development of the Teton Scenic Byway CMP; and

WHEREAS, all CMPs are to be submitted to the SBAC for review and consideration before Board action; and

WHEREAS, the SBAC recommends Board approval of this CMP.

NOW THEREFORE BE IT RESOLVED, that the Board approves the Teton Scenic Byway Corridor Management Plan.

<u>Peaks to Craters Scenic Byway Proposal</u>. The Lost Rivers Tourism Council is proposing a 140-mile scenic byway in central Idaho. SBAC Chair Rogers said the SBAC has approved this proposal, which would begin at the Timmerman Junction and travel easterly along US-20 to Carey, then northeasterly passed the Craters of the Moon National Monument to Arco along US-93, and then continue northwesterly to the junction of SH-75 south of Challis. The byway would be known as the Peaks to Craters Scenic Byway. Karen Ballard with the Department of

Commerce Tourism Administration believes scenic byways are an excellent tool to assist communities with economic opportunities. SBAC Member Tammy Stringham, Tourism Manager, Lost Rivers Tourism Council, emphasized the beauty of the Peaks to Craters area.

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

RES. NO.WHEREAS, the Idaho Transportation Board established the Scenic Byways Advisory ITB09-07 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 Lost Rivers Tourism Council submitted a request to designate a 140-mile scenic byway in central Idaho beginning at the Timmerman Junction and traversing a route easterly to Carey on US-20, then on US-93 to Arco and then northwesterly to a junction with SH-75 south of Challis; and

WHEREAS, Districts Four and Six are 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 Peaks to Craters Scenic Byway along the aforementioned route description; and

BE IT FURTHER RESOLVED, that the Peaks to Craters Scenic Byway shall be so designated on the Idaho Official State Highway Map and signed as such.

Climate Change and Transportation: Potential Impacts to ITD. Intermodal Planning Manager (IPM) Pat Raino said recent reports indicate that the global climate is becoming warmer, mainly due to increased carbon dioxide in the atmosphere. The increase is due in part to human activity with transportation and heating/cooling as the major contributors. The American Association of State Highway and Transportation Officials and the Federal Highway Administration indicate that the next highway act should address climate change. Efforts would include managing congestion and reducing vehicle miles traveled. Goals of a climate change policy are to stabilize global average temperatures and prepare for impacts of climate change.

Because transportation is a major contributor, IPM Raino said transportation agencies will have a role in reducing the carbon dioxide emissions. She reported on Governor Otter's identified actions to reduce emissions: state agencies are required to develop data-driven Green House Gas Action Plans and update them annually; an EcoDriving Campaign has been initiated; sustainability and efficiency initiatives have been identified; and modified work weeks and telecommuting are being encouraged. ITD developed a Green House Gas Action Plan, focusing

on its vehicular fleet, buildings, and employee work schedules. Other measures include participating in a study of the climate change impact to northwestern states and developing transportation development and local agency agreements to coordinate land use and control access and to minimize vehicle miles of travel.

Robert Koeberlein, Mobility Services Engineer, said signal timing can help reduce carbon dioxide emissions. Benefits of signal timing are improved traffic movement, improved safety, reduced fuel consumption, reduced emissions, and improved air quality. It also provides an opportunity to respond to changes in traffic volumes. ITD is actively working on improved signal timing on SH-55/Eagle Road in the Treasure Valley and US-95 in the Coeur d'Alene area.

Chairman Manning thanked staff for the informative report.

Aeronautics' Division Action Items from Strategic Plan. Aeronautics Administrator (AA) John DeThomas summarized the Division's identified actions in support of the Department's Strategic Plan. Performance measures will include maintaining a passenger flight dispatch rate of 95% or better and an airport pavement condition index of 81 or more. To improve customer service, the Division will improve the Idaho Aeronautical Chart format and publish it every other year and make improvements to the pilot and aircraft registration systems. It will continue partnership efforts with the Idaho Airstrip Network project and volunteer maintenance for the state's airstrips. Additionally, it will work with its partners on airport compatible land use zoning issues. In efforts to invest in employees, AA DeThomas said cross-training will be implemented.

<u>Bridge Hits – Issues and Options</u>. Motor Vehicle Administrator (MVA) Alan Frew summarized the insurance requirements for commercial vehicles. The minimum amount for for-hire carriers not transporting hazardous material is \$750,000. ITD can require carriers to carry whatever amount of liability insurance is deemed appropriate. A customer is not required to show proof of insurance when obtaining an over-legal permit, but the customer is required to carry and show proof of insurance to enforcement officials when directed to do so. MVA Frew believes most carriers have adequate insurance coverage.

In response to Member Gagner's question, DAG Vogt replied that in the recent past, only one motorist that damaged ITD property did not have sufficient coverage. He believes the laws are adequate to address this issue.

Some discussion followed on increasing the insurance requirements or requiring affidavits that motorists have insurance. Concern was also expressed that it can be difficult to obtain insurance and the Department should not create hardships for trucking companies.

Chief Engineer (CE) Tom Cole explained the Department's process to bill motorists that damage ITD property and efforts to recover those costs. Although ITD usually receives reimbursement, it has to cover the initial costs of the repairs as they generally need to be done immediately. This can create a cash flow problem. CE Cole outlined some options to help prevent oversized loads from hitting structures, such as detection systems. Member Blick believes it would be beneficial to install overheight detectors at Ports of Entry. Member Gagner suggested conducting a cost-benefit analysis on overheight detection sensors.

Dave Amick, Manager, Transportation Investments, said the Board Unallocated Fund has been utilized recently to fund repairs caused by motorists hitting overpasses. Other options are to establish a revolving fund from within the Board Unallocated Program and address this damage internally within the Department's budget. Usually the damage needs to be repaired immediately, making it a higher priority than other projects. Staff could determine which project to delay until the Department is reimbursed from the motorist.

The general consensus of the Board was to fund roadway damage within existing construction program priorities. (See later minute entry.)

<u>US-95 Access Plan and Mobility Study</u>. District 1 Engineer (DE) Damon Allen provided an overview on the Kootenai Metropolitan Planning Organization's (KMPO) US-95 Access Plan and Mobility Study. It was initiated at the Board's request in 2006 to increase mobility on US-95 from I-90 to Wyoming Avenue in Coeur d'Alene. Although the intent was to maximize the efficiency of this major north-south corridor, DE Allen said that safety was the highest priority.

KMPO Transportation Planning Engineer Carole Richardson elaborated on the study's methodology, public outreach efforts, and recommendations. A system approach was utilized, as efficient operation of supporting local arterials and collectors is an important component. The study recommends four new signals at half-mile intervals; turn restrictions at eight intersections; new turn lanes; and the removal of the traffic signals at Bosanko and Canfield. Each project would cost between \$40,000 and \$500,000 with a total cost of approximately \$6.8 million. She noted that some projects could be done independently, while others should be grouped together. No funding has been identified for any of the projects.

Ms. Richardson summarized the benefits to the corridor: improved safety, reduced delays, no significant increase in travel time for motorists on US-95, decreased delays on the local system, and improved air quality. She acknowledged that there may be negative tradeoffs, as some access to US-95 would be reduced and right-of-way will be required for some of the turn lanes.

Member Gagner asked if the estimated cost includes right-of-way and environmental issues. Ms. Richardson responded that the proposed costs are for construction only.

Member Coleman acknowledged that due to ITD's dire financial situation, there are no plans to implement the recommendations at this time. He understands that there are some businesses with concerns, particularly with access, and that there may be opportunities to revise the study and address those concerns. He recognizes the importance of the businesses along the corridor and believes they may be able to help identify acceptable solutions. He also suggested that there may be technological solutions that have not been considered yet. Due to another commitment, he would have to leave the meeting soon.

Vice Chairman Sweeney asked about local north/south corridors that may alleviate traffic on US-95. DE Allen said that the locals have been improving other routes in the area. Those improvements will complement the US-95 plans. He believes these recommendations are the best way to optimize the corridor.

In response to Chairman Manning's question on the signal at Bosanko, DE Allen said that Fred Meyer was required to help pay for that signal about 12 years ago.

Member Coleman left the meeting at this time.

Two representatives from Fred Meyer, Pat Dobie and Don Forrest, testified that Fred Meyer did not participate in the study because they do not believe sufficient notification was given. As a result, impacts to the business were not considered. They are concerned with the proposal to remove the traffic signal at Bosanko, as they believe it will increase the severity of accidents at that location and will negatively impact businesses. The gentlemen encouraged the Board to consider the safety and economic issues of eliminating two traffic signals.

In response to Board inquires about the public outreach efforts, steering committee members elaborated on the three community meetings, two mailings to all of the addresses in the study area (approximately 3,000), information posted on the KMPO website, media events, interviews with business owners, communication with the Chamber of Commerce, and presentations to civic groups. It was also noted that by removing the traffic signal at Bosanko and installing turn restrictions, only 77 vehicles will be impacted. It is not a busy intersection.

Sheldon Jackson with Selkirk Real Estate also expressed concerns with the proposal to remove the traffic signal at Bosanko. He believes it will have negative financial implications to businesses, and that those impacts were not fully considered. He testified that he was not aware of the study until approximately two months ago and asked the Board to consider alternatives.

Member Miller noted that the Board is being asked to support the study's findings. Due to ITD's financial constraints, it will be difficult to fund these projects in the near future. He believes that if the Board supports the findings, there would be ample time to refine the study and address the businesses' concerns. Member Miller also stressed that the through traffic has to be considered. US-95 is a major route. The needs of motorists traveling through the area, including truckers, have to be a priority.

Vice Chairman Sweeney made a motion to accept the KMPO study and direct staff to continue to work with KMPO and other interested parties to attempt to mitigate some of the problems identified. He emphasized that this motion does not preclude efforts to look at alternatives and refine the study. Member Gagner seconded the motion and it passed unopposed.

Chairman Manning thanked the parties for presenting the study and their testimony.

Executive Session on Personnel and Legal Issues, Section 67-2345(b), (c), Idaho Code. Member McClure made a motion to meet in executive session at 12:40 PM to discuss personnel and legal issues. Member Blick seconded the motion and it passed unanimously by individual roll call vote.

A discussion was held on matters related to right-of-way acquisition for the US-30, Topaz to Lava Hot Springs corridor and the evaluation of public officers.

The Board came out of executive session at 1:45 PM. No decisions were made.

Presentation on Materials Project Development/Pavement Design Efficiency Team. Jeff Miles, State Materials Engineer, said a Materials Pavement Design/Project Development Team was created in 2008 to examine the Pavement Design and Project Development processes to encourage each solution to be "engineered" through simple economical solutions. He elaborated on the various solutions the team identified to either enhance procedures with practical design alternatives, simplify specifications, or charge other ongoing teams to correct deficiencies and assign research to difficult design tasks to ensure the most economical and practical "engineering" methods are available to the Districts.

Chairman Manning thanked Mr. Miles for the interesting report. Member Miller added his appreciation for the improvements being implemented.

<u>Kim and Marcie Andrus Administrative Settlement</u>. District 5 Engineer Ed Bala requested approval of an administrative settlement in the amount of \$323,040. The parcel, owned by Kim and Marcie Andrus, is needed for corridor improvements on US-30 from Topaz to Lava Hot Springs, key #7749.

Member McClure made a motion, seconded by Member Miller, to approve the following resolution:

RES. NO. WHEREAS, staff of the Idaho Transportation Department has been in negotiations with

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certain property owners for the acquisition of certain parcels of real property in connection with the US-30, McCammon to Lava Hot Springs project, Segment 3, in Bannock County; and

WHEREAS, as part of the negotiations with certain property owners, the staff of the Department has received an offer to settle the acquisition of parcel #107, a 19.05 acre parcel of property located in the City of Lava Hot Springs; and

WHEREAS, the offer received by the Department staff as compensation for the acquisition of parcel #107 is \$600,000 plus two remainder dwellings, which results in an administrative settlement of \$323,040.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board hereby approves the above administrative settlement for the acquisition of the real property for parcel #107 and directs Department staff to arrange for payment of same.

Member Gagner voiced concern that approving a large administrative settlement may be precedent setting.

The motion passed 4-1 with Member Gagner dissenting.

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 2008, work planned for 2009, and the status of audit resolution of audits and reviews on ITD operations. Some of the activities conducted last year included a follow-up to an Information Technology security review to determine the status of the security plan; a performance audit of the Aeronautics Division; and a review of the Connecting Idaho Partners' accounting.

IRM Rosti said the key focus areas for 2009 will be to provide assurance that ITD is meeting its financial management responsibilities in a cost effective manner, improve Internal Review's efficiency and effectiveness by using audit documentation software and performing more frequent audit follow-up reviews, and enhance consultant audit and oversight responsibilities. Some of the audits and reviews will be on the advantage financial system, Roadway Design functions, Division of Motor Vehicles' internal controls, and a public transportation sub-grantee.

Chairman Manning thanked MOIR Rosti for the report.

<u>Old Business</u>. Member McClure made a motion, seconded by Member Miller, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board has reviewed insurance requirements and casualty

ITB09-09 damage processes for reimbursing the state for repairing collision damage to the Idaho Transportation Department's highways and bridges; and

WHEREAS, the Board Unallocated Account, which has advance funded numerous casualty related collision repairs over the last three years, is needed to fund critical unanticipated funding needs for which no funding is available; and

WHEREAS, the cost of most collision damage has historically been reimbursed through insurance carriers or other sources; and

WHEREAS, urgent response is often needed to restore safety and traffic capacity immediately following collision damage to highways and bridges; and

WHEREAS, the Board believes the repair of collision damaged infrastructure to restore safety and traffic capacity is a top Department priority equal to or greater than operating and preserving the state highway system; and

WHEREAS, such repairs are made using either operating or state construction funding; and

WHEREAS, operating and state construction funded sources can often be temporarily reprioritized to fund the repair of collision damage in advance of insurance reimbursement without delaying the physical construction of existing projects.

NOW THEREFORE BE IT RESOLVED, that the Chief Engineer is authorized to take prompt action to add collision repair projects eligible for state construction funding to the Capital Investment Program as needed; and

BE IT FURTHER RESOLVED, that the Chief Engineer, in coordination with the District Engineer, shall redirect all uncommitted funding or delay lower project priorities as needed to temporarily fund the timely repair of collision damage to insure the earliest possible restoration of safety and traffic capacity; and

BE IT FURTHER RESOLVED, that insurance reimbursements for collision damage to highways and bridges are to be restored to the Department's operating or state construction budgets as appropriate so the Chief Engineer may compensate for any earlier budgetary changes made to temporarily fund collision damage.

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

<u>Work Session on OPE Audit</u>. Director Lowe summarized the Department's response to the recently-completed OPE Audit and the work plan. Staff summarized the estimated costs and time lines to implement the various management tools recommended in the audit.

signed

DARRELL V MANNING, Chairman
Idaho Transportation Board

Read and Approved March 18, 2009 Boise, Idaho

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

March 18-19, 2009

The Idaho Transportation Board met at 1:30 PM, on Wednesday, March 18, 2009, in Boise, Idaho. The following principals were present:

Darrell V Manning, Chairman
Jim Coleman, Member – District 1
Jerry Whitehead, Member – District 3
Gary Blick, Member – District 4
Neil Miller, Member – District 5
Lee Gagner, Member – District 6
Pamela Lowe, Director
Scott Stokes, Deputy Director
Karl Vogt, Deputy Attorney General
Sue S. Higgins, Secretary

Bruce Sweeney, Vice Chairman – District 2, participated via video conference.

Chairman Manning welcomed Member Whitehead to the Board.

<u>Board Minutes</u>. Member Blick made a motion to approve the minutes of the regular Board meeting held on February 18, 2009 as submitted. Member Miller seconded the motion and it passed unanimously. Member Gagner made a motion to approve the minutes of the special Board meeting held on March 3, 2009, as submitted. Member Blick seconded the motion and it passed unanimously.

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

April 15-16, 2009 – District 2 May 20-21, 2009 – District 5

<u>Consent Calendar</u>. Member Blick made a motion, seconded by Member Coleman, and passed unopposed, to approve the following resolution:

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

ITB09-13

appointment of Public Transportation Advisory Council member, District 5; the FY09 Federal Scenic Byway Discretionary funding request; revisions to Board Policy B-09-02, Functional Classification of State Highway and Street Systems; revisions to Board Policy B-09-03, Numbering of State Highways; revisions to Board Policy B-01-10, Memorandum of Understanding; revisions to Board Policy B-06-34, Employee Overtime and other Work Time Considerations; the removal of the Flusher/Deicer Truck, Central Highway District, from FY09 of the Congestion Mitigation Air Quality Program; and the addition of Highway Construction Career Fairs to FY09 through FY11 of the Capital Investment Program; and has received and reviewed the program and district obligation graphs and tables, monthly status reports; the contract award information; the

professional services agreements and term agreement work task reports; and the quarterly report on legal actions and contract claims.

- 1) Appointment of Public Transportation Advisory Council (PTAC) Member, District 5. Due to personal commitments, Steve Hadley has resigned from the PTAC. Staff recommends appointing Ken Bullock to fill this seat in District 5. Mr. Bullock is assisting in the Idaho Mobility and Access Pathway Initiative. His term would expire in June 2011.
- 2) FY09 Federal Scenic Byway Discretionary Funding Request. Funding is available on a nationally competitive basis for routes that have been designated as a state scenic, historic, or back country byway and All American Roads and National Scenic Byways. The Scenic Byways Advisory Committee submitted a list of prioritized projects for the Board's consideration. A match of 20% is required. Upon approval, the request will be transmitted to the Federal Highway Administration (FHWA). The projects and federal funding being requested, include:
 - Statewide Byway Videos \$81,200
 - Peaks to Craters Scenic Byway Corridor Management Plan \$49,600
 - Thousand Springs Scenic Byway Wildlife Viewing Area \$47,000
 - Western Heritage Historic Byway Interpretive Plan Implementation \$32,640
 - International Selkirk Loop Corridor Management Plan Implementation \$153,056
 - Oneida Stake Academy Pioneer Historic Byway Welcome Center \$450,000
 - Pioneer Historic Byway Marketing Plan \$31,800
- 3) Revisions to Board Policy B-09-02, Functional Classification of State and Local Highway and Street Systems. This policy was revised to more accurately present the current process of updating urban and rural functional classification systems. The primary change is to make interim updates optional. FHWA requires functional classification updates after each census and never required an interim update, which had been the policy. This change will reduce the workload for local and ITD personnel.
- 4) Revisions to Board Policy B-09-03, Numbering of State Highways. A minor formatting change is being proposed to this policy and the signature is being updated.
- 5) Revisions to Board Policy B-01-10, Memorandum of Understanding. The only change proposed to this policy is to update the signature line, as the policy was last reviewed and signed in 1999.
- 6) Revisions to Board Policy B-06-34, Employee Overtime and other Work Time Considerations. The only change proposed to this policy is to update the signature line. The policy was last reviewed in 1999.
- 7) Remove Flusher/Deicer Truck, Key #10468, Central Highway District, from FY09 of the Congestion Mitigation/Air Quality (CMAQ) Program. Central Highway District is requesting the removal of its project, Flusher/Deicer Truck, in the amount of \$276,100, from the FY09 CMAQ Program. The project was a cooperative effort with other local highway jurisdictions. Due to the difficult economic conditions, they are unable to provide the required match.

- 8) Add Highway Construction Career Fairs to FY09 through FY11 of the Capital Invest-ment Program. ITD, in conjunction with various partners, has applied for FHWA discretionary funding for On the Job Training/Supportive Services Program activities. The funding, \$45,000 in each of the next three years, would be used to organize and deliver five Highway Construction Career Fairs annually. The purpose of the fairs is to partner with industry, education, and government to promote career opportunities available in the highway construction industry. It is anticipated that successful receipt of \$45,000 of FY09 funds will occur this month. It is uncertain whether the next two rounds of funding will be successful. These funds are 100% federal aid.
- 9) Program and District Obligation Graphs and Tables, Monthly Status Reports. As of February 28, \$74.3 million had been obligated for highway projects in the STIP, or 22%. The total obligated for construction projects was \$65 million, excluding GARVEE projects. Obligation information by program and district and project status reports for 2009 projects were presented.
- 10) Contract Awards. Keys #11138 and #11139 I-15, Osgood Interchange to Roberts Interchange Southbound Lane and Sage Junction Interchange to Hamer Interchange Northbound Lane, District 6. Low bidder: H-K Contractors \$3,451,034.

Key #11145 – FY08 District 6 Districtwide Sealcoats. Low bidder: Kloepfer, Inc. - \$1,850,721.

Key #9897 – US-30, Topaz Bridge North/South, District 5. Low bidder: Idaho Construction Company, Inc. - \$18,104,658.

Key #11662 – FY09 District 6 Districtwide Sealcoats. Low bidder: H-K Contractors, Inc. - \$1,085,752.

Key #9817 – I-84, Orchard Street Interchange, Boise, District 3. Low bidder: McAlvain Construction, Inc. - \$15,076,456.

Key #9898 – US-30, Portneuf River Bridges, District 5. Low bidder: Scarsella Brothers, Inc. - \$21,258,858.

Key #8660- I-86, Seagull Bay Eastbound Off Ramp, District 5. Low bidder: King Excavation LLC - \$350,040.

Key #11082 - SH-75, FY08 District 4 Durable Pavement Markings. Low bidder: Apply-A-Line Inc. - \$144,395.

Key #7714 – SH-5, Cottonwood Creek Culvert, District 1. Low bidder: J Foote Excavation, Inc. - \$265,560.

11) Professional Services Agreements and Term Agreement Work Task Report. From February 2 through February 27, \$723,250 in new professional services agreements and work tasks were issued. The 12 agreements were issued for local projects and because resources were not available in house and special expertise was required. Four supplemental agreements to existing agreements were processed in the amount of \$520,900 during this period.

12) Quarterly Report on Legal Actions and Contract Claims. A summary of legal cases resolved by the Legal Section, a status of current legal cases, and a report on contract claims was presented.

<u>Board Items</u>. Chairman Manning said his recent activities have been related to the legislative session. He also served on the Governor's Economic Stimulus Panel to review proposed projects to be funded with the federal money.

<u>Director's Report</u>. Director Lowe provided an update on transportation issues at the national level. There continues to be concern with the Highway Trust Fund, as its revenue is insufficient to address the nation's transportation needs. There has been some interest expressed in pursuing a vehicle mile tax. At this time, there is not a lot of support to increase the fuel tax.

Director Lowe was pleased to report that a total of \$27 million for FY08 was saved through the Practical Design initiative. The original savings for 2008 were estimated at less than \$6 million. She commended Chief Engineer Tom Cole and the Division of Highways for identifying additional savings, which were used for seal coat projects.

Director Lowe reported that improvements will be made to the audio/visual system in the auditorium and another conference room.

Idaho has received a number of federal earmarks as part of the FY09 appropriation. Almost \$5 million was dedicated for transit projects. Highway projects that received funding include the City of Rocks backcountry byway; US-95, in the Sagle area; and I-84, Broadway to Gowen.

The American Recovery and Reinvestment Act (ARRA) of 2009. Pete Hartman, Division Administrator, FHWA, provided an overview on the ARRA, focusing on transportation. The main objectives of the Act are to preserve and create jobs, invest in the nation's infrastructure, promote energy efficiency and science, assist unemployed citizens, and help stabilize state and local budgets. The total investment is \$787 billion with \$48.1 billion dedicated to transportation. The Act calls for significant accountability, transparency, and reporting requirements.

A total of \$26.6 billion of the transportation funding will be apportioned to states for highway projects, based on the Surface Transportation Program (STP) and the same ratio as the obligation limitation distribution for FY08. Division Administrator Hartman said there is a 3% set-aside for Transportation Enhancements and 30% suballocation per STP requirements. Eligible uses for the funds are restoration, repair, construction, and other activities under the STP; and passenger and freight rail transportation and port infrastructure projects. The funds may not be used for conversion of advance construction on previously authorized federal-aid projects. There is no match required. Priority is to be given to projects that can be completed within three years and are in an economically distressed area. Fifty percent of the funds apportioned to the state, excluding the funds suballocated by population, must be obligated within 120 days or the remainder will be redistributed. After one year, all unobligated balances of apportioned funds, including funds suballocated, will be redistributed. He elaborated on the certification, Disadvantaged Business Enterprise, and reporting requirements.

Chairman Manning thanked Division Administrator Hartman for the presentation and for the excellent working relationship that FHWA and ITD have established.

Criteria for Sand Shed Locations and Spacing. Steve Spoor, Maintenance Services Manager (MSM), provided an overview on the history of establishing stockpile locations and the need for sand sheds. Most of the stockpile sites were acquired when right-of-way for that roadway was being purchased. Locations were determined to optimize efficiency and were based on the capacity and coverage of trucks. A single axle truck can cover 13 miles maximum, but 10 miles is the optimum. A tandem axle truck can cover a maximum of 20 miles, but 15 miles is the most advantageous.

MSM Spoor reviewed the sand shed locations along the I-84/I-86 corridor. Within an approximate 60-mile distance, there are 5 sites. Although this may seem excessive, it provides maximum efficiency and level of service.

Member Blick understands the rationale for placing maintenance facilities in close proximity, but cautioned that the public perception needs to be considered. Discussion followed on various anticing and de-icing materials. It was noted that the state is diverse and each district needs flexibility to utilize the best material for the conditions.

Chairman Manning thanked MSM Spoor for the informative report.

<u>Rural Intersections</u>. Highway Operations and Safety Engineer (HOSE) Brent Jennings said there were 133,947 reportable crashes, with 1,347 fatalities in Idaho from 2003 to 2007. Of those fatalities, 247 occurred at intersections. Currently, intersection safety projects are proposed by the District. Data is used as a starting point to investigate possible safety locations with a more detailed safety analysis to determine the extent of the problem and possible solutions.

HOSE Jennings said a target of 35% of safety funds has been established for intersection improvements. The intersection projects, however, will continue to compete with other safety projects such as run-off-the road, durable pavement markings, and retro reflective upgrades for signs. He noted that in 2007, run-off-the road crashes resulted in 158 fatalities, while 49 fatalities occurred at intersections.

Vice Chairman Sweeney believes round-abouts are an effective method to facilitate traffic movement and encouraged staff to consider constructing those. Member Blick said there had been a number of stop-sign-related crashes in the Magic Valley a few years ago. It appeared that some Hispanics did not understand the stop signs, partly due to their culture. He encouraged specific outreach to and education aimed at that population to address that behavior. Director Lowe concurred and stated that the Department has focused efforts on Spanish outreach.

Member Miller thanked HOSE Jennings for the report. He believes it is important to improve safety at intersections, particularly rural intersections.

<u>July 2008 through January 2009 Financial Statement Analysis</u>. Federal aid for January was \$29.6 million behind projections. Revenue to the Highway Distribution Account (HDA) was \$626,000 below the forecast; however, the HDA revenue forecast was revised downward by \$4.4 million in January. Expenditures for personnel were \$3.7 million less than budgeted. The non-construction year to date operating expenditures budget of \$37.7 million exceeds the year to date

actual expenditures of \$36.8 million. In contract construction, the federal and state programs were behind projections by \$24.7 million and \$5.6 million, respectively.

Aviation fuel tax revenue to the Aeronautics Fund was \$131,000 below the forecast through January. Miscellaneous revenue was \$85,000 above projections. Excluding Trustee and Benefits, Aeronautics has spent and encumbered \$1,192,969 against an annual appropriation of \$2,215,400.

In the GARVEE Capital Projects Fund, \$197.3 million of the \$213 million, including interest earnings, from Bond Series 2006 and \$39.5 million of the \$179 million from Bond Series 2008 A have been expended. During January, \$167,644 was transferred to the GARVEE Debt Service Fund to rectify an imbalance between the federal funds and state funds used to make the July 2008 debt service payment.

Member Gagner questioned the cash balance of approximately \$87 million. Dave Tolman, Administrator, Division of Administration, replied that the cash balance includes some liabilities. It is used to cover operating expenses, encumbrances, and deposits from local entities.

Member Gagner made a motion to accept the monthly financial statement. Member Miller seconded the motion and it passed unopposed.

Annual Report on Human Resources. Human Resources Manager (HRM) Mary Harker summarized the Human Resources activities from the past year. A new tool to identify costs related to employee conflicts is being implemented. The average total vacancy rate in FY07 and FY08 was 6%, while the FY09 rate to date is comparable at 5.4%. She noted that the total turnover rate for FY09 to date is 4.5%, which is down from the FY06-FY08 average of 9.7%. This is saving the Department money, as it costs between \$54,000 and \$130,000 to fill vacancies. HRM Harker said the aging workforce continues to be a concern, as 4.6% of employees have reached the Rule of 90 and are eligible to retire. An additional 20.7% will reach the Rule of 90 in the next six years. The recruitment program emphasizes marketing and outreach. She expressed appreciation to the volunteers that actively promote transportation careers by visiting schools.

HRM Harker said internal equal employment opportunity complaints increased last year, as did the internal investigations. The top five employment categories that are currently underutilized are female professionals, female technicians, minority male technicians, female skilled craft workers, and minority male skilled craft workers. There were 648 in-service classes provided with 7,344 employees attending and 155 out-service classes with 1,133 attendees.

Chairman Manning thanked HRM Harker for the annual report.

Annual Report on Equal Employment Opportunities (EEO) Office - External Programs Activity. EEO Manager (EEOM) Karen Sparkman highlighted the external EEO activities from October 1, 2007 through September 30, 2008. The five-year Title VI Plan was revised to include sections on Federal Transit Administration regulations and monitoring local public agencies. There were no Title VI complaints during the year. Work continued on the transition plan for pedestrian features as part of the Americans with Disabilities Act (ADA). There was no ADA compliance training and no ADA complaints during the year.

Disadvantaged Business Enterprises (DBE) were awarded 1% of the federal contracts as prime contractors, while the DBE subcontracts totaled 2.8%. There were 159 DBE firms at the end of the federal fiscal year, with 13 newly-certified businesses and 24 that lost certification. The EEO contract compliance activities included training, audits to determine compliance, and compliance reviews on contractors and consultants. All companies were found in compliance.

Chairman Manning thanked EEOM Sparkman for the presentation.

Cost Estimate to Install Weigh in Motion/Automatic Vehicle Identification (WIM/AVI) Technology at Sage Junction Port of Entry (POE). Commercial Vehicle Services Manager (CVSM) Reymundo Rodriguez reported that it would cost approximately \$675,000 to install WIM/AVI at each Sage Junction POE site. An additional \$250,000 may be needed at each location for 300 feet of concrete pavement to ensure the best results. Currently, there are two WIM/AVI sites in Idaho: East Boise POE and Lewiston POE. The systems are used as a sorting tool that allows those customers whose credentials and vehicle weights and measurements are legal to bypass the POEs at mainline speeds.

CVSM Rodriguez said a 2001 study quantified the benefits of WIM/AVI technology in Oregon, concluding that a commercial vehicle participating in a pre-clearance system saves approximately four minutes at every pre-clearance site. This results in reduced costs of fuel and time. A significant safety benefit also results from carriers with known history of good safety, weights, dimensions, and credentials compliance authorized to bypass the pre-clearance site. This allows enforcement personnel to concentrate on those carriers that are required to report to the weigh stations, which are more likely to need the time and attention of enforcement officers.

ITD had a plan to install WIM/AVI technology at its POEs, but due to lack of funding, the plan has been modified to repair and rehabilitate the two current systems, according to CVSM Rodriguez. Additionally, the Division of Motor Vehicles proposed funding the installation of WIM/AVI technology at POE locations based on priority of need as part of Idaho's stimulus package. The prioritized POE sites identified were Huetter, Lewiston Eastbound, Cotterel, Inkom, and Sage Junction. The total cost was approximately \$10.4 million. The proposal was not included in the Department's list of priority requests.

Member Blick expressed support to make the Sage Junction POE a higher priority for installing WIM/AVI if funds become available because of its location. Truckers have to leave the Interstate system and travel briefly on SH-33 to access the facility. Member Blick asked if POE personnel could be reduced if there were more WIM/AVI sites. CVSM Rodriguez believes the number of truckers utilizing this technology would have to increase significantly before the workload would be reduced enough to eliminate staffing positions.

Chairman Manning thanked CVSM Rodriguez for the presentation on WIM/AVI.

Administrative Fees Established in Code, Rule, Etc. Controller Gordon Wilmoth presented the list of all administrative fees and where they are identified. The majority of revenue sources is identified in code and cannot be changed by ITD. Other revenue sources are identified in rule to allow the Department to recover the labor, material, and administrative costs consumed in the production of goods and services. There are also a few fees and rates that are internally

controlled by ITD, such as the Materials Lab Inspection Fee. These fees and rates are set for the purpose of cost recovery.

Member Coleman asked if the fees are adequate to cover the Department's costs. Controller Wilmoth said that staff reviews the fees continuously, particularly fees that ITD has authority to increase. Motor Vehicles Administrator Alan Frew added that as a general rule, the fees cover the Division's costs. There are some programs, such as the handicap placards, for which the Department is not allowed to charge a fee.

WHEREUPON the meeting recessed at 4:35 PM.

March 19, 2009

The Board reconvened at 8:30 AM on Thursday, March 19, 2009, in Boise, Idaho. Chairman Manning and Members Coleman, Blick, Gagner, Miller, and Whitehead were present. Vice Chairman Sweeney participated via video conference.

Employee Safety and Risk Management Program. Safety and Risk Management Manager (SRMM) Cheryl Rost summarized activities during 2008. Preventing employee injuries and equipment damage was addressed by implementing the new Idaho Traffic Control Supervisor Course, various training opportunities, special speakers, and implementing an FHWA rule requiring Class 2 High Visibility outer garments. Hazardous work sites and practices were identified through a scheduled inspection program and hazard controls were developed. The public filed 303 tort claims in FY08, which was higher than the previous year, but below the 5-year average. A total of 122 industrial injuries or illnesses occurred during the year, resulting in 675 lost work days. The 5-year average of incidents is 113. There were 219 vehicular collisions reported in FY08, while the 5-year average is 155.

SRMM Rost said future activities include implementing crew action plans to reduce accidents; promoting security and emergency preparedness statewide, both at work and home; working with training groups to ensure all field training courses include loss control components; and obtaining commitments at all levels to promote employee ownership of the Safety and Risk Management Program.

Chairman Manning emphasized the importance of management's support of and involvement with safety and extended the Board's assistance with this effort. He thanked SRMM Rost for the annual report and for her efforts on this important program.

Transportation Planning Division Action Items from Strategic Plan. Transportation Planning Administrator (TPA) Matt Moore summarized examples of the Division's identified actions in support of the Strategic Plan. Performance measures will include developing a scope, timeline, and recommended reports and approach for the Statewide Transportation System Plan. The Division is working on providing tools so Districts can interface pavement information through a GIS application. To improve customer service, the Division will complete a new pavement management report for easy access to pavement history and current conditions and enhance the milepost system. In an effort to expand and enhance partnerships and information exchange, the Division will provide local governments and consultants with a web-based tool to access traffic

count information and make ITD's Research library information available to ITD staff via the web Activities to invest in employees include developing a performance awards program, personal development plans, and a succession strategy. Additionally, staff will be provided opportunities to attend classes for personal and professional development.

The Board viewed the newly-acquired data collection vehicle. It uses the latest technology to record data from Idaho's highways. The data collected can be used in a variety of ways, including making pavement management decisions, monitoring guardrails and signs, and determining allowable heights for commercial vehicles and over-legal permits.

<u>Employee Service Awards</u>. The Board participated in the Employee Service Awards. Vice Chairman Sweeney provided remarks on behalf of the Board.

<u>Legislative Update</u>. Governmental Affairs Program Manager Mollie McCarty provided a status of ITD's legislative proposals and other transportation-related legislation. All of the Department's eminent domain proposals failed. The proposal to eliminate child safety seat exemptions passed the Senate and is in the House Transportation Committee. The bill to increase certain motor vehicle fees passed the Senate Transportation Committee. The car rental tax legislation failed, but the proposal to eliminate the ethanol exemption has passed the House. Staff is monitoring proposals to allow for design-build contracts for highway projects.

Executive Session on Personnel and Legal Issues, Section 67-2345(b), (f), Idaho Code. Member Miller made a motion to meet in executive session at 11:00 AM to discuss personnel and legal issues. Member Blick seconded the motion and it passed unanimously by individual roll call vote.

A discussion was held on legal matters related to compliance with the Americans with Disabilities Act; the US-95, Sand Creek Byway project; and the I-84, Robinson Road and Black Cat Road structures; and on personnel issues related to the evaluation of a public officer.

The Board came out of executive session at 12:15 PM. No decisions were made.

<u>New Business</u>. Member Coleman believes the initial GARVEE Program should have included the US-95 segment from Wyoming Avenue to SH-53. If this 2.3 mile stretch is not improved, it would create congestion and safety concerns, as US-95 would be improved from I-90 north to Sandpoint except for this portion.

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

RES. NO. WHEREAS, the US-95 route, from Garwood to Sagle, is a legislatively approved and federally

ITB09-14 eligible corridor under the Idaho GARVEE bonding program; and

WHEREAS, the US-95 route from I-90 to Athol has been constructed or will be funded for construction to a 4-lane facility with increased capacity and safety

improvements, except for a 2-lane gap from Wyoming Avenue to the SH-53 junction near Garwood; and

WHEREAS, the unimproved 2.3 mile bottleneck from Wyoming Avenue to the SH-53 junction near Garwood greatly reduces the capacity and safety benefits to be realized with the completion of funded segments of the I-90 to Sagle corridor; and

WHEREAS, the Idaho Transportation Board expects project need and selection along a corridor to be based on traffic, safety, and other relevant roadway design criteria; and

WHEREAS, there is current funding of over \$3,000,000 in local and federal funds for this improvement that could be lost if the project is not completed in the near future; and

WHEREAS, it is appropriate for the Board to include the Wyoming Avenue to the SH-53 junction near Garwood location among other candidate locations for funding with future GARVEE program savings or other changes; and

WHEREAS, it is anticipated that the State FY2010 GARVEE bonding authorization legislation may again identify the Garwood to Sagle portion of US-95 as an eligible location for the use of GARVEE bonds.

NOW THEREFORE BE IT RESOLVED, that the Board requests the Idaho Legislature to include the adjacent location from Wyoming Avenue to the SH-53 junction near Garwood in the Garwood to Sagle GARVEE corridor.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 12:25 PM.

____<u>signed</u>
DARRELL V MANNING, Chairman
Idaho Transportation Board

Read and Approved April 16, 2009 Lewiston, Idaho

SPECIAL MEETING OF THE IDAHO TRANSPORTATION BOARD

March 3, 2009

Idaho Transportation Board Chairman Darrell V Manning called a special meeting of the Idaho Transportation Board at 12:50 PM on Tuesday, March 3, 2009. The following were present at the Idaho Transportation Department in Boise, Idaho:

Darrell V Manning, Chairman
Bruce Sweeney, Vice Chairman – District 2
Jim Coleman, Member – District 1
Monte C. McClure, Member – District 3
Gary Blick, Member – District 4
Neil Miller, Member – District 5
Pamela Lowe, Director
Scott Stokes, Deputy Director
Karl Vogt, Deputy Attorney General
Sue S. Higgins, Board Secretary

<u>Executive Session on Legal Issues, Section 67-2345(c), Idaho Code</u>. Member Coleman made a motion to meet in executive session at 12:50 PM to discuss legal issues. Member Blick seconded the motion and it passed unanimously.

Lee Gagner, Member – District 6 joined the meeting at this time via teleconference.

A discussion was held on matters related to right-of-way acquisition for the I-84, Franklin Interchange project in Caldwell.

The Board came out of executive session at 1:10 PM. No decisions were made.

Chairman Manning welcomed Representatives JoAn Wood and Leon Smith to the meeting.

Idaho Transportation Economic Stimulus Proposal. Dave Amick, Manager, Transportation Investments (MTI), said the American Recovery and Reinvestment Act (ARRA) of 2009 was enacted on February 17, 2009. He provided a summary of the law. It provides funding for aviation; however, the Federal Aviation Administration (FAA) will allocate the money. Some will be dedicated to purchase and install equipment owned and operated by the FAA. Other funds will be allocated based on the prioritized five-year capital improvement program plans from various NPIAS airports, along with discretionary projects that will be determined by the regional FAA airport manager. Two major types of rail grant programs are also included in ARRA. Amtrak is the only eligible recipient for one program and the other is for high-speed rail corridors. Idaho has no such federally-designated corridors.

MTI Amick summarized the criteria for the highways and transit portions, including the Governor's acceptance and certifications, reporting requirements, and eligible projects. Additionally, if states cannot obligate funds in a timely manner, they will lose that money and it will be redistributed to other states.

Budget Manager Joel Drake said Governor Otter has established an Economic Stimulus Review Committee to review stimulus funding proposals. Chairman Manning is a member of this panel. All proposals are due to the Division of Financial Management by noon on March 4 for the Committee's consideration. The Governor will review the Committee's recommendations and then provide a proposal to the Legislature.

Idaho could receive \$18 million in transit funds, according to Public Transportation Administrator (PTA) Randy Kyrias. Extensive guidelines have not been issued from the Federal Transit Administration yet; however, only capital and mobility management projects are eligible for funding, and 50% of the funds must be obligated in 180 days and the other 50% must be obligated in one year. The Rural 5311 Formula Program funds in the amount of \$8.7 million would come directly to ITD. PTA Kyrias summarized the outreach efforts to identify the Rural projects, with distribution of these funds based on population. Not all of the projects have been identified at this time. The Urban 5307 Formula Program funds in the amount of \$9.6 million would go directly to the Urban providers. He said Community Planning of Southwest Idaho has also submitted an application for Discretionary Program Funds in the amount of \$8.2 million specifically for the purchase of alternative fuel vehicles. The Discretionary Program is competitive; therefore it is unknown how much funding may come through this program so the resolution that the Board will be asked to consider does not include this request.

Vice Chairman Sweeney asked if the transit projects are "shovel ready". PTA Kyrias responded that ITD will work with locals and ensure the projects are ready. There is a backlog of transit needs throughout the state, so obligating the funds should not be a problem.

MTI Amick elaborated on the \$181,934,631 Idaho will be eligible to receive for highway and bridge projects. It was noted that there were three written comments submitted. One individual supported funding projects throughout the state. Both the City of Meridian and the Community Planning Association of Southwest Idaho expressed support to fund improvements to SH-55, Eagle Road.

Requirements of the ARRA include a 3% suballocation for Enhancement projects, 30% distributed based on population, and 67% to the state to use at its discretion. The estimated costs of the eight projects that the Board directed staff to prepare for construction in anticipation of the economic stimulus funding in January have been reduced. The projects are now expected to cost: US-2, Dover Bridge - \$36.8 million; US-20, Henry's Lake Flat Passing Lanes - \$3.5 million; SH-48, Rigby High School to Yellowstone Highway - \$5.4 million; I-84, Vista Avenue Interchange - \$43.3 million; I-86, Chubbuck Interchange to Pocatello Creek Interchange - \$11.3 million; US-93, Twin Falls Alternate Route - \$56 million; US-95, Moscow Mountain Passing Lane - \$3.9 million; and US-95 Top of White Bird Grade to Chain-up Area - \$5.2 million. The US-93, Twin Falls Alternate Route project has approximately \$16 million available in High Priority funding, so the total estimate for the projects utilizing stimulus funding is \$149.9 million.

Staff recommends funding the eight above projects and providing \$28 million to local public agencies. Additionally, ITD would use the \$5.4 million Enhancement money to fund the I-84, Ten Mile Interchange hardscaping. Staff is continuing to refine that project, so the costs may be

reduced. If there are additional Enhancement funds available, projects throughout the state will be considered, including rest area improvements. Although the list of recommended projects totals \$183 million and Idaho's allocation is \$181 million, staff is hopeful that lower bids will be submitted so that all of the projects can be funded.

MTI Amick provided a list of local projects being recommended for funding. The projects were identified by working with the Local Highway Technical Assistance Council and the metropolitan planning organizations.

Member Blick asked if the local projects are ready for construction. MTI Amick acknowledged that not every local project has been identified. It is acceptable to group projects as preservation and safety improvements. Also, the locals have one year to obligate their projects.

Chairman Manning noted that the funding distribution to the local entities is a departure from the existing Board Policy, which allocates 12.6% of formula funds to local jurisdictions. The ARRA is providing a special, one-time funding opportunity.

Member Miller made a motion, seconded by Member Coleman, to approve the following resolution:

RES. NO. WHEREAS, the American Recovery and Reinvestment Act (ARRA) of 2009 has provided Idaho

ITB09-10 \$181,934,631 in 100% federal funding for highway infrastructure projects; and

WHEREAS, such funding has been provided for the expeditious delivery of eligible highway infrastructure projects with priority for those which can be completed by February 17, 2012, are in economically distressed areas, and which maximize job creation and economic benefit; and

WHEREAS, Idaho has experienced throughout the state a reduction in economic activity resulting in significant job loss and hardship in both the public and private sectors of Idaho's economy; and

WHEREAS, the Idaho Transportation Management Area and Metropolitan Planning Organizations and the Local Highway Technical Assistance Council have identified \$28 million in local highway system projects, which add jobs and increase economic activity in Idaho as well as meet the criteria for ARRA funding; and

WHEREAS, such expeditiously delivered projects must be obligated in time to meet rigid deadlines established in the ARRA of up to one year from the apportionment of ARRA funding to Idaho; and

WHEREAS, funding which does not meet the deadlines established under the ARRA will be redistributed to other states; and

WHEREAS, the Idaho Transportation Board has been provided an overview of the purpose, provisions, and deadlines under the ARRA; and

WHEREAS, the ARRA funding must be included in the Idaho Transportation Department's budget during the Idaho 2009 Legislative Session; and

WHEREAS, the local highway system projects which can be expeditiously delivered in accordance with the provisions of the ARRA must be included in the Statewide Transportation Improvement Program (STIP) and approved by the Federal Highway Administration prior to being eligible for ARRA funding; and

WHEREAS, local highway projects must also be included in the Transportation Management Area and Metropolitan Planning Organization Transportation Improvement Programs to be eligible for ARRA funding.

NOW THEREFORE BE IT RESOLVED, that staff is authorized to amend the FY09-13 STIP in accordance with the provisions of the ARRA to include the local highway system projects shown in the table entitled "Highway Economic Stimulus Projects", as shown as Exhibit 368, which is made a part hereof with like effect, for a total of \$28 million; and

BE IT FURTHER RESOLVED, that the ARRA funding needed for the completion of the above projects is authorized to be requested through the Idaho Division of Financial Management for consideration by the Governor's Executive Stimulus Committee for approval and inclusion in the Department's 2009 Budget by the 2009 Idaho Legislature; and

BE IT FURTHER RESOLVED, that it must be understood that the obligation and completion of the above economic stimulus projects may not be possible due to circumstances beyond the Department's control such as an unfavorable bidding climate or changes that may occur during the legislative authorization of ARRA funding in 2009; and

BE IT FURTHER RESOLVED, that funding to local public agencies under this resolution has been provided only in support of the unique economic stimulus objectives and funding formulas made available under the ARRA, and in no way will such funding under this resolution change current local public agency funding formulas applicable under Board Policy B-11-04, "Allocation of Surface Transportation Program Apportionments to Local Public Agencies" when applied to existing and future federal highway formula funding.

Member McClure expressed concern with funding the I-84, Vista Interchange with the economic stimulus money because that project is in the GARVEE Program. Funding for that project has been identified. He does not want the stimulus funding to replace the GARVEE Program.

The motion passed unopposed.

Member Blick made a motion, seconded by Vice Chairman Sweeney, to approve the following resolution:

RES. NO. WHEREAS, the American Recovery and Reinvestment Act (ARRA) of 2009 has provided Idaho

ITB09-11 \$181,934,631 in 100% federal funding for highway infrastructure projects; and

WHEREAS, the ARRA of 2009 has provided Idaho \$18,398,968 in 100% federal funding for public transit projects; and

WHEREAS, such funding has been provided for the expeditious delivery of eligible transit and highway infrastructure projects with priority for those which can be completed by February 17, 2012, are in economically distressed areas, and which maximize job creation and economic benefit; and

WHEREAS, Idaho has experienced throughout the state a reduction in economic activity resulting in significant job loss and hardship in both the public and private sectors of Idaho's economy; and

WHEREAS, the Idaho Transportation Department has identified \$174.3 million in state highway and public transit projects that add jobs and increase economic activity in Idaho as well as meet the criteria for ARRA funding; and

WHEREAS, such expeditiously delivered projects must be obligated in time to meet rigid deadlines established in the ARRA, ranging from 120 days to 1 year from the apportionment of ARRA funding to Idaho; and

WHEREAS, funding which does not meet the deadlines established under the ARRA will be redistributed to other states; and

WHEREAS, the Idaho Transportation Board has been provided an overview of the purpose, provisions, and deadlines under the ARRA; and

WHEREAS, the ARRA funding must be included in the Department's budget during the Idaho 2009 Legislative Session; and

WHEREAS, the highways and transit projects that can be expeditiously delivered in accordance with the provisions of the ARRA must be included in the Statewide Transportation Improvement Program (STIP) and approved by the Federal Highway Administration and the Federal Transit Administration prior to being eligible for ARRA funding; and

WHEREAS, projects must also be included in the Transportation Management Area and Metropolitan Planning Organization Transportation Improvement Programs to be eligible for ARRA funding.

NOW THEREFORE BE IT RESOLVED, that staff is authorized to amend the FY09-13 STIP in accordance with the provisions of the ARRA to include the state highway system projects shown in the table entitled "Highway Economic Stimulus Projects," as shown as Exhibit 368, which is made a part hereof with like effect, for a total of \$155.9 million and the public transit projects shown in the table entitled, "Idaho 2009 Rural and Urban Transit Stimulus Package," as shown as Exhibit 369, which is made a part hereof with like effect, for a total of \$18.4 million; and

BE IT FURTHER RESOLVED, that the ARRA funding needed for the completion of the above projects is authorized to be requested through the Idaho Division of Financial Management for consideration by the Governor's Executive Stimulus Committee for approval and inclusion in the Department's 2009 Budget by the 2009 Idaho Legislature; and

BE IT FURTHER RESOLVED, that it must be understood that the obligation and completion of the above economic stimulus projects may not be possible due to circumstances beyond the Department's control such as an unfavorable bidding climate or changes which may occur during the legislative authorization of ARRA funding in 2009.

If the I-84, Vista Interchange is funded with the economic stimulus money, Member McClure expressed support to fund the I-84, Meridian Interchange in the GARVEE Program. The Meridian Interchange is in the middle of the I-84 corridor and will be a choke point because it will have four lanes on each side of the interchange and only three under the bridge. Vice Chairman Sweeney asked if the local entities would be prepared for improvements to that structure. Member McClure responded that they are in the process of making improvements north of the Interstate. To the south is SH-69, which has been widened. Member Gagner asked about the priority of the Interchange. Although it may not be the highest priority, Member McClure believes it is an important project. There were insufficient funds to include it in the initial GARVEE Program. Director Lowe said that staff will bring a revised GARVEE Plan to the Board at its April meeting.

Chairman Manning reiterated that the economic stimulus projects need to be submitted to the Division of Financial Management tomorrow. There are still several steps in this process.

The motion passed unanimously.

<u>New Business</u>. Member Coleman made a motion, seconded by Member McClure and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the staff of the Idaho Transportation Department has received an offer to settle the

ITB09-12 case of *ITD v. De La Concepcion* for \$746,000 including attorney fees, interest and costs; and

WHEREAS, this total settlement in the amount of \$746,000 is just compensation for the property taken for right-of-way acquisition in the I-84, Franklin Interchange project in Canyon County, key #7795.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board hereby approves a settlement in the amount of \$746,000 as just compensation for acquisition of the real property taken in the case of *ITD*. *V. De La Concepcion*.

WHEREUPON the special session of the Transportation Board adjourned at 3:20 PM.

<u>signed</u>
DARRELL V MANNING, Chairman
Idaho Transportation Board

Read and Approved March 18, 2009 Boise, Idaho

REGULAR MEETING AND DISTRICT TWO TOUR OF THE IDAHO TRANSPORTATION BOARD

April 15-16, 2009

The Idaho Transportation Board met at 8:00 AM, on Wednesday, April 15, 2009, in Lewiston, Idaho. The following principals were present:

Darrell V Manning, Chairman
Jim Coleman, Member – District 1
Jerry Whitehead, Member – District 3
Gary Blick, Member – District 4
Neil Miller, Member – District 5
Lee Gagner, Member – District 6
Pamela Lowe, Director
Scott Stokes, Deputy Director
Karl Vogt, Deputy Attorney General
Sue S. Higgins, Secretary

Former Board Member Mike Mitchell participated on the tour at the request of Vice Chairman Bruce Sweeney who was unable to attend.

<u>District 2 Tour</u>. The Board departed Lewiston east on US-12 to Orofino. It met with City of Orofino officials and Orofino Airport representatives at the city airport. City Administrator Rick Lamm reported on the growth the facility is experiencing. Although physical constraints limit the airport's expansion, plans are underway to construct additional hangars and tie-downs. Another project is to update the airport's plan. Administrator Lamm thanked the Transportation Department staff, particularly the District 2 and Division of Aeronautics' staff, for the assistance it has provided with various transportation issues.

The Board traveled to the junction of US-12 and SH-7. Staff provided an overview on the construction project underway to widen the highway. The addition of a turn lane will enhance safety at the intersection. The tour continued east on US-12 approximately ten miles to view a recently-completed project by the maintenance crew. Over a number of years, the ITD-owned land was built up with waste material. The Department of Fish and Game partnered with ITD to make the site a recreational facility that the community has been enjoying.

The Board returned to Orofino, where it had lunch with the Orofino Maintenance Crew, and then to Lewiston via US-12 west. It visited the Lew-Clark State College training center. Motor Safety Center Coordinator Phil Liggins briefed the board on the class developed to teach motorists how to prevent skids and then how to recover from skids. He demonstrated the state of the art skid vehicles used for the training.

<u>Workshop on Accountability and Performance Measures</u>. Vice Chairman Sweeney participated in the workshop at the District 2 Office. Member Gagner led the discussion on becoming more accountable and transparent. He believes four steps are needed to establish an effective performance management system: identify performance measures, collect and organize

the data, report to upper management, and obtain feedback of the results and where improvements are needed. He reviewed the performance measures that were suggested at the December 2008 workshop and the reporting requirements that could be established for those, with an emphasis on budgets and schedules. Member Gagner believes evaluating performance is an important component of this effort and expressed support to use incentives and disincentives.

Member Gagner suggested establishing an Accountability Manager, an Accountability Subcommittee of the Board, and a team to continue related efforts. Some of the team's responsibilities would be to finalize the performance measures, develop reporting forms, and determine if the Department has the data needed to create financial and scheduling reports.

Manager, Transportation Investments (MTI) Dave Amick proposed establishing measures based on ITD's priorities of system operations, preservation, restoration, and expansion. Specific measures would focus on cost, schedule, quantity, innovation, and quality.

The general consensus of the Board was that the reports need to be simple and short. Transparency is also important, along with focusing on the positive. It is important to recognize the good things the Department is doing. One area of concern noted was operations. A large percentage of the Department's budget is dedicated to operations. Few people understand what operations encompass and its importance.

WHEREUPON the tour and work session recessed at 4:40 PM.

April 16, 2009

The Board reconvened at 8:30 AM on Thursday, April 16, 2009, at the Idaho Transportation Department District 2 Office in Lewiston, Idaho. All members were present except Vice Chairman Sweeney.

<u>Board Minutes</u>. Member Gagner made a motion to approve the minutes of the regular Board meeting held on March 18-19, 2009 as submitted. Member Miller seconded the motion and it passed unanimously.

By unanimous consent, the Board approved correcting the February 18, 2009 minutes to reflect that the consent calendar items were unanimously approved by the Board.

<u>Board Meeting Dates</u>. The Board has been invited to meet with the Washington Transportation Commission in Spokane, Washington, on June 16. Member Coleman believes it would be beneficial for some Board members to attend. There are a number of issues that are of mutual concern. Chairman Manning and Member Coleman will plan on participating in the meeting with the Washington Transportation Commission.

The following meeting dates and locations were scheduled: May 20-21, 2009 – District 5

June 17-19, 2009 – District 3 July 22-23, 2009 – District 1

<u>Consent Calendar</u>. Member Miller made a motion, seconded by Member Gagner, and passed unanimously, to approve the following resolution:

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

ITB09-14

key number request for American Recovery and Reinvestment Act (ARRA) transit stimulus project; detail ARRA transit stimulus projects for Districts 1 and 3; the Local Highway Technical Assistance Council Program changes; the District 2 Enhancement Program changes; advancing two bridge projects to FY09 of the Program with Special Bridge Obligation Authority; revisions to Board Policy B-05-05, Roadside Vegetation Program; deletion of Board Policy B-14-02, Roadway Widths; the state institution road improvement project; and the request for a supplemental agreement, Amity Road, District 3; and has received and reviewed the contract award information and the professional services agreements and term agreement work task reports.

- 1) Key Number Request for ARRA Transit Stimulus Project. At the March 3, 2009 meeting, the Board approved a list of transit projects to be funded with federal stimulus money. One of those transit projects, a maintenance facility in Worley, needs a documented categorical exclusion determination and must have a separate key number. Staff requested approval to establish a new key number for the transit maintenance facility in Worley in the amount of \$462,000 and also to reduce key #11909 by \$462,000.
- 2) Detail ARRA Stimulus Projects for Districts 1 and 3. When the Board approved transit projects to be funded with ARRA funding on March 3, 2009, neither District 1 nor District 3 had enough projects identified for the funds that they had available. Since then, over \$1.3 million in additional transit projects have been identified for inclusion in the Statewide Transportation Improvement Program to be funded with the one-time federal stimulus money. The Public Transportation Advisory Council and ITD staff recommends approval of the projects, which are shown as Exhibit 370, which is made a part hereof with like effect, and the inclusion of the projects in the Statewide Transportation Improvement Program (STIP) as key #11909.
- 3) Local Highway Technical Assistance Council (LHTAC) Program Changes. Three local bridges will not be ready for delivery this fiscal year. The environmental review process is delaying STC-5907, Deep Creek Bridges #2 and #4, keys #8773 and #8772, respectively. Shoshone County has environmental clearance for the STC-5750, West Fork Pine Creek Bridge, key #7216, but must pursue another option to avoid right-of-way condemnation. LHTAC and staff request the delay of keys #8772 and #7216 for approximately \$1.2 million from FY09 to FY10; the delay of key #8773 for \$373,000 from FY09 to FY11; and the advance of Knighton Lane Bridge, Butte County, key #9249 in the amount of \$1.4 million from FY10 to FY09 and the Local, Grangeville Truck Route Plan, key #11562, for \$195,000, from FY11 to FY09. Staff also requests approval to amend the STIP accordingly.

- 4) District 2 Enhancement Program Changes. The Snake River Avenue Corridor Enhancements project, key #9745, programmed for FY09 in the amount of \$442,182 will not be delivered as planned due to environmental issues. A companion project, West Lewiston Entrance Enhancement, key #10486, programmed for delivery in FY10 with \$291,892 of federal aid, can be made ready for delivery in FY09. Staff requests approval to switch the programmed years of the two projects and amend the STIP accordingly.
- 5) Advance Two Bridge Projects Using Special Bridge Obligation Authority. Presumably due to the I-35W Mississippi River Bridge collapse on August 1, 2007 in Minneapolis, Minnesota, Congress allocated additional obligation authority in the FY08 Appropriations Act to be obligated by FY10. This special bridge obligation authority is to be used exclusively for supplementing or accelerating bridge efforts already planned in the STIP. Idaho's allocation is just over \$4 million. The bridge deck on the US-12, Clearwater River Bridge, key #9799, is currently programmed for replacement in FY11 for \$2.2 million. The US-95, McKinzie Bridge, key #9473, is scheduled for rehabilitation in FY13 at an estimated cost of \$1.15 million. Staff has accelerated development of these two bridge projects and they are ready for advertising. The remaining funds, approximately \$800,000 will be used to advance an unidentified bridge project by the end of FY10. Staff requests approval to advance the two bridge projects, keys #9799 and #9473, to FY09 and amend the STIP accordingly.
- 6) Revisions to Board Policy B-05-05, Roadside Vegetation Program. This policy was revised to incorporate changes made by the pure seed and noxious weed laws.
- 7) Deletion of Board Policy B-14-02, Roadway Widths. B-14-02 refers to roadway width standards on state highway system routes. Language in this policy has been incorporated into manuals, the corridor planning process, and new policies relating to practical design solutions. The Statewide Transportation Plan will also help outline roadway widths. To avoid duplications and conflicts between current standards, the corridor planning process, and practical design solutions, staff recommends deleting Board Policy B-14-02, Roadway Widths.
- 8) State Institution Road Improvement. Board Policy B-05-15, State Institution Road Improvement, allocates up to \$30,000 annually for road improvements in, through, and around the grounds of state institutions. The Department of Administration, Division of Public Works, solicits projects and acquires the Governor's endorsement of projects prior to submitting the projects to the Board for consideration. The FY10 recommendation is to fund the Lewis-Clark State College project. The scope of work will overlay and sealcoat asphalt for a parking lot. Lewis-Clark State College will supplement the amount if the project exceeds \$30,000.
- 9) Request for Supplemental Agreement. The Amity Road; Chestnut to Robinson, Nampa project, key #10541, is a local project that was approved as a High Priority Project under the Safe, Accountable, Flexible, and Efficient Transportation Equity Act a Legacy for Users. H.W. Lochner, Inc. was retained to perform Phase 1 of the project, including an environmental scan, identifying the appropriate National Environmental Policy Act (NEPA) document, conducting a public meeting, preparing a conceptual design to establish the right-of-way needs and costs, identifying the logical termini, and determining the city's funding options for the required federal-aid match. The cost of this work, which has been completed, was \$173,300. The city

would like to proceed with Phase 2, consisting of preparing the appropriate NEPA document, additional public meetings, a Concept Report, Preliminary Design, a Design Study Report, the Material Phase Reports, Final Design, and a Plans, Specifications, and Estimate package. The cost of this work will exceed the limit set by Board policy by \$293,300. The funding will be provided from existing scheduled funds. No additional funding is required. Staff supports the City of Nampa's request for the supplemental agreement with H.W. Lochner, Inc.

10) Contract Awards. Key #11140 – SH-33, Sage Junction Interchange to Henry's Fork Bridge, Madison County, District 6. Low bidder: Legrand Johnson Construction Company - \$3,910,275.

Keys #9187 and #9188 – 11th Avenue/Indian Creek Bridge, Caldwell, and 21st Avenue/Indian Creek Bridge, Caldwell, District 3. Low bidder: Braun-Jensen, Inc. - \$2,278,000.

Key #11533 – I-86 and US-93, FY09 District 4 Districtwide Sealcoats. Low bidder: Emery Inc. - \$624,714.

Key #11018 – FY09 District 1 Districtwide Brooming. Low bidder: Aero Power-Vac, Inc. - \$206,978.

Key #9891 - US-30, 12^{th} Street to Crystal Springs, District 5. Low bidder: Legrand Johnson Construction Company - \$7,749,848.

Key #9750 – Heritage Parking and Bike/Pedestrian, Pinehurst, District 1. Low bidder: J Foote Excavation, Inc. - \$279,186.

Key #11547 – SH-200, Hope Retaining Wall, Bonner County, District 1. Low bidder: Mike Sackett Contracting & Excavating - \$299,837.

Key #9510 – Intersection Logan Street and 10th Avenue, Caldwell, District 3. Low bidder: W F Construction & Sales, LLC - \$284,001.

Key #9985 – UPRR 16th Avenue Bridge, Nampa, District 3. Low bidder: Idaho Construction Company, Inc. - \$1,049,780.

11) Professional Services Agreements and Term Agreement Work Task Report. From February 27 through March 27, \$1,555,000 in new professional services agreements and work tasks were processed. The 16 agreements were issued for local projects and because resources were not available in house and special expertise was required. Six supplemental agreements to existing agreements were processed in the amount of \$276,500 during this period.

<u>Board Items</u>. Chairman Manning attended a number of legislative-related meetings in the past month. He also attended the funeral service for former Board Member John X. Combo. Chairman Manning acknowledged Mr. Combo's extensive public service, including 18 years as a member of the Transportation Board.

<u>Director's Report.</u> Director Lowe reported on activities related to the Governor's Executive Order on improving the Department's accountability. A team has been established to secure a pavement management system. The project scheduling team has met twice, with some of the Districts pursuing implementing District 6's system. Progress has been made on efforts to identify and implement performance measures, as was discussed at yesterday's work session. Additionally, outreach to stakeholders, including legislators, has been initiated. The performance measures have been selected and staff has started tracking data with a goal to have that system in place by July 1. Performance measures training has been scheduled in early May. Efforts to develop a state transportation plan are continuing. She added that more information will be provided on the plan next month.

A press conference was held recently to promote the Donate Life campaign. Idaho is a leading state in organ donations, partly due to Drivers Services Manager (DSM) Ed Pemble's efforts. Director Lowe reported that there was good media coverage at the press conference and she recognized Public Information Officer (PIO) Jeff Stratten's coordination efforts on that.

The City of Boise sent ITD a letter of appreciation for the use of its facility recently, according to Director Lowe. Boise used ITD's parking lot as a site to collect old televisions, monitors, and related items.

Director Lowe reported on a legislative proposal to provide \$17 million in federal economic stimulus money to local highway districts based on a formula. Although the legislation was defeated, it may be revisited. There were some concerns with the proposal because the local entities would have to adhere to federal requirements, which can increase the cost of the project, and some entities would receive minimal funding, making it difficult to complete a project. Chairman Manning added that he encouraged legislators to give the money to LHTAC to administer.

The Department, in conjunction with the University of Idaho, was successful in securing a federal grant to encourage high school students to pursue careers in the transportation industry. Director Lowe commended Mary Harker and Michelle George for their efforts.

Director Lowe mentioned several federal appointments. John Porcari has been nominated Deputy Secretary of the Transportation Department. Victor Mendez and Peter Rogoff have been nominated to head the FHWA and Federal Transit Administration, respectively.

Director Lowe reported that a crane being used for the US-95, Weiser Bridge project tipped over. There were no injuries or fatalities. Three girders were damaged. An investigation is underway to determine what caused the accident.

Earlier, President Obama proposed changes to the budget structure, amending the appropriation process. This would have eliminated the appropriation projections for future years, which would make it difficult to plan, as states would not know how much funding they would be receiving in upcoming years. Director Lowe said Congress has rejected this measure.

Director Lowe reported that the Division of Motor Vehicles was successful in securing a federal grant in the amount of \$800,000 to add security measures to drivers' licenses and identification cards. She noted that this action is not related to the REAL ID Act.

In conclusion, Director Lowe mentioned that the recent AOPA Pilot publication included an article on Idaho's backcountry airstrips.

<u>Board Items, Continued.</u> Member Blick said a local highway district commissioner questioned LHTAC's purpose and believes the entity has become too bureaucratic. Member Blick suggested a future presentation on LHTAC's mission, possibly in District 4. The local officials could be invited to the meeting. Member Gagner believes an overview on LHTAC would be beneficial. Chairman Manning concurred to schedule LHTAC at a future meeting.

Member Blick said the City of Twin Falls is planning a magic festival later this year. It requested use of the Perrine Bridge for some of the activities, which would result in the closure of one lane of traffic. District 4 Engineer (DE) Devin Rigby denied the request. Although Member Blick expressed caution with approving this request, he believes it may have merit because it is the municipality requesting the special event on the highway. Chairman Manning asked staff to review the issue and provide a recommendation to the Board.

DAG Vogt said the Department's policy allows for an entity to appeal the denial of a special event to the Chief Engineer.

<u>Adopt-A-Highway</u>. Former Board Member Mike Mitchell recognized the Kelly Creek Flycasters for their participation in the Adopt-A-Highway Program. Chairman Manning also expressed appreciation for the group's valuable service to the state.

Vice Chairman Sweeney participated in the next item via teleconference.

<u>Delegation – Nez Perce Tribe</u>. Julia Davis, Nez Perce Tribal Executive Committee Vice Chair, thanked the Board for its time. She relayed Chairman Samuel Penney's regrets for not being present due to a prior commitment. She also expressed appreciation to DE Carpenter and his staff for the good working relationship the two entities have established.

Tribal Executive Committee Treasurer Joel Moffett reported on discussions the Tribe and District have had on a joint truck stop and rest area. The Tribe recently purchased a fuel station along US-95 near Winchester. It plans on expanding that facility. The Department's plans call for a rest area in that vicinity. Mr. Moffett believes it would be beneficial for both entities to partner on a facility. He referenced the Oasis Rest Area in McCammon that ITD and Flying J established and envisions a similar partnership at the Winchester truck stop. The Tribe is requesting financial assistance to expand the current facility to incorporate a rest area.

In response to Member Blick's question on the status of the project, Mr. Moffett replied that a request for proposal was recently issued. Plans are in the preliminary stages. Member Gagner asked for a cost estimate. Mr. Moffett replied that he did not have an estimate at this time, but thought the Department contributed about \$300,000 to the McCammon Oasis facility.

DE2 Jim Carpenter added that the Department has identified the Winchester area as a location where a rest area is needed. The District was pursuing a rest area site near the Tribe's property; however, those plans did not materialize.

Chairman Manning asked the Tribe and District to continue developing the rest area partnership proposal and, as plans are developed and cost estimates become available, to bring the information back to the Board for consideration.

Mr. Moffett thanked the Board for its time and for considering this proposal. He also mentioned the Cherry Lane Bridge project, which the Board saw on its tour yesterday and thanked the Department for the cooperative efforts on that project.

Vice Chairman Sweeney thanked Mr. Moffett for his presentation and the Tribe's efforts on the proposed rest area.

<u>Legislative Report</u>. Governmental Affairs Program Manager (GAPM) Mollie McCarty provided an update on legislative activities. Legislation extending the US-95, Garwood to Sagle corridor to Wyoming Avenue in the GARVEE Program, the FY10 appropriation, and \$182 million in additional GARVEE bonding authority have passed both houses. Amendments to the Sales Tax Anticipation Revenue legislation that would allow projects not along the interstate system also passed both chambers.

Chairman Manning thanked GAPM McCarty for the report.

<u>Strategic Focus Area Teams – Quarterly Update</u>. Transportation Planning Administrator (TPA) Matt Moore summarized efforts on the Strategic Action Plan since the December 2008 report to the Board. Gantt charts for each of the focus area teams have been created, the Strategic Plan Webpage was redeveloped, and an electronic tracking system was developed and implemented.

Investing in Our People team leader Mary Harker, Human Resources Manager, said the Department's values have been reassessed and an employee survey has been completed. Employee recruitment, retention, and recognition activities are being developed and a leadership training development program has been drafted.

Chief Engineer (CE) Tom Cole, Expanding and Enhancing Partnerships team leader, reported that an oversight group has been established, with plans to develop an action plan next week. An inventory has been completed on the existing partnerships and a satisfaction survey is being developed.

As a follow-up to yesterday's work session, Administrator, Division of Administration, Dave Tolman, Leading through Agency Performance team leader, said stakeholder input has been gathered to facilitate identifying performance measures. Efforts are continuing on establishing a performance management office. Member Gagner noted yesterday's discussion focused mainly on performance measures related to the Division of Highways, such as schedules and costs. He

asked about performance measures for other divisions. Director Lowe responded that most of the performance measures discussed yesterday can be applied to other divisions.

Motor Vehicles Administrator Alan Frew, team leader for Improving Our Customer Service Culture, said a Customer Service Council has been established. It is in the process of reviewing best practices from other states.

TPA Moore concluded with an overview on the reporting system that has been established on the Department's Intranet webpage.

Chairman Manning thanked staff for the update on this important project.

<u>District 2 Action Items from Strategic Plan.</u> DE Carpenter summarized the action items District 2 has identified in support of the Department's Strategic Plan. Several items are in conjunction with other Districts. Some of the actions include developing programmatic biological assessments for project environmental documents to improve project readiness, expanding the sharing of striping trucks and employees to ensure the earliest possible completion of statewide pavement markings, enhancing communications by providing fiber optic network connections for the Port of Entry on US-95, and working with county planning and zoning agencies to improve understanding of the highway right-of-way use permit process.

The Board expressed appreciation for the District's efforts.

Safety Rest Areas and Oasis Partnerships. Highway Operations and Safety Engineer (HOSE) Brent Jennings presented the annual update of the Safety Rest Area chart and map. One change has been proposed. The westbound I-84 Cotterrel Rest Area had previously been upgraded to a Deluxe facility. District 4 is requesting reverting it back to a Basic Plus facility. HOSE Jennings also reported on the Rest Area Team's last meeting. It is continuing work to establish standard designs for rest area structures and on the application of practical design initiatives.

Member Blick referenced the Nez Perce Tribe's proposal for a joint rest area. He asked if it could be funded through this program. HOSE Jennings said the federal Safety Rest Area Program may be a viable funding source; however, he is not familiar with the project scope. There are federal requirements that must be met in order to utilize those funds.

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

RES. NO. WHEREAS, Idaho Transportation Board Policy B-05-14, Safety Rest Areas requires the

ITB09-15 Chief Engineer, to prepare and submit annually an updated rest area planning map, along with a brief status report, to the Board for review and approval; and

WHEREAS, additional and more improved roadside rest areas are needed on the state highway system to provide motorists convenience and safety; and

WHEREAS, the cost of constructing and operating rest areas is significant while limited funding is available for new rest areas, considering the backlog of highway improvement and maintenance needs; and

WHEREAS, opportunities are arising for joint development and operation of rest areas with other agencies that could reduce the cost impact of new rest areas on highway funding; and

WHEREAS, tourist and traveler information is an integral function of the Idaho Transportation Department rest areas, in particular, those rest areas with staffed or unstaffed visitor information centers.

NOW THEREFORE BE IT RESOLVED, that the Board approves the updated rest area planning map dated February 2009 and the rest area status report, as shown as Exhibit 371, which is made a part hereof with like effect; and

BE IT FURTHER RESOLVED, that ITD staff should actively pursue partnering when opportunities allow with other agencies in the development and implementation of new rest areas identified on the rest area planning map with costs shared between all partners and that such partnering projects shall be presented to the Board annually for consideration along with proposals for all other capital improvement projects; and

BE IT FURTHER RESOLVED, that ITD staff is directed to work with federal, state, and local tourist and economic development agencies to provide information in ITD rest areas which will complement motorist services, conveniences, and safety.

July through February Financial Statement Analysis. Controller Gordon Wilmoth said the total federal aid reimbursement to the State Highway Fund was \$25.4 million behind the year-to-date projections. Highway Distribution Account year-to-date revenue was \$238,000 below the revised forecast. Expenditures for personnel were \$4 million less than budgeted through the month. The non-construction operating expenditures of \$41.1 million are below the year-to-date budget of \$42 million. In contract construction, the federal and state programs were behind projections by \$19 million and \$5.7 million, respectively.

Federal aid revenue to the State Aeronautics Fund of \$385,000 is 47% of the annual appropriation. Aviation fuel tax revenue received through February was \$151,000 below projections. Internal holdbacks have been made to offset this revenue shortfall. Miscellaneous revenue was \$60,000 above the year-to-date forecast. Excluding Trustee and Benefits, \$1,334,109 has been spent and encumbered against an annual appropriation of \$2,215,400.

In the GARVEE Capital Projects Fund, \$201.4 million of the \$213 million from Bond Series 2006 have been expended. The agreement for this bond series runs through May 15, 2009. The Bond Series should be completely drawn down by April 2009. For Bond Series 2008 A, \$41.7 million of the \$179 million has been expended, which is \$48.5 million behind the draw schedule.

On February 4, 2009, the bond proceeds of \$176 million for the Series 2009 A Construction Fund were deposited with Wells Fargo, the Trustee, bringing the cumulative total construction proceeds to \$568 million. No draws have been made against the latest Bond Series. During February, \$219,525 was transferred to the GARVEE Debt Service Fund for the monthly state match share of debt service.

<u>Program and District Obligation Graphs and Tables, Monthly Status Reports.</u> MTI Amick reported that \$104 million had been obligated for highway projects in the STIP as of March 31. This is 30.7% of the planned amount. The total amount obligated for construction projects was \$107.5 million. Obligation information by program and district and project status reports were also presented.

Reprogram High Priority Projects to Ensure FY09 Maintenance of Effort for American Recovery and Reinvestment Act (ARRA) Funding. The ARRA required the Governor to certify that Idaho will maintain the same level of state-funded highway infrastructure investments as programmed in the STIP as prior to the passage of the Act, according to MTI Amick. This certification ensures that ARRA funds will not supplant, but rather supplement existing efforts. The Governor certified that state funds for capital construction and state match of federal aid totaling \$36.2 million will be obligated in FY09. To comply with the state Maintenance of Effort, adjustments to the Program are needed. Staff is requesting delaying some High Priority projects because it is uncertain if they will be ready for obligation in FY09. The High Priority federal aid is available until spent on the specific projects; the funds carry over from year to year. The \$5 million of state match made available by this action will be used in state FY09 for resurfacing US-93, Jim Byrne Slough Bridge to Pagari, Lincoln County, key #6990 and FY09 Districtwide Seal Coats in District 6, key #11662.

Member 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 to publish and

ITB09-16 accomplish a current, realistic, and fiscally constrained Capital Investment Program; and

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

WHEREAS, the American Recovery and Reinvestment Act required (Idaho's Sec. 1201 Certification of State Maintenance of Effort) that the Governor certify that Idaho will maintain the same commitment of state funding to highway infrastructure as prior to passage of the act to avoid "supplanting" of funding; and

WHEREAS, failure to maintain the state Maintenance of Effort as presented in the Statewide Transportation Improvement Program would result in forfeiture of FY11 redistribution to Idaho of federal formula obligation authority not used by other states; and WHEREAS, High Priority funding can only be used to fund the specific projects as allocated by Congress and is available until spent; and

WHEREAS, several projects funded exclusively with High Priority Program funds are slated for delivery late this fiscal year; and

WHEREAS, inquiries with each District indicated that some of these projects should be delayed to mitigate the risk associated with failed delivery given Idaho's certification of state Maintenance of Effort; and

WHEREAS, the delay of these projects and the characteristics of funding associated with them result in no other changes to projects in the federal Formula Program nor to the distribution of formula funds between Districts or programs; and

WHEREAS, the approximately \$5 million of state match of federal aid freed by these delays can and will be obligated as state funds on pavement preservation projects as needed to meet the state Maintenance of Effort.

NOW THEREFORE BE IT RESOLVED, that the Board authorizes the delay of US-95, Top of Lewiston Hill to Genesee, key #7769; SH-75, Big Wood River Bridge to Elkhorn Road, Blaine County, key #11622; and SH-75, McKercher Boulevard to Alturas Drive South, Blaine County, key #11623, to FY11 of the High Priority Program and the delay of US-20, Menan-Lorenzo Interchange, Jefferson County, key #8132 and Cheyenne Overpass, Pocatello, key #7508 to FY10 of the High Priority Program.

<u>Project Delivery Team Report</u>. DDIR Stokes said CE Cole established a team to improve the project delivery schedule: to determine the best time to schedule and deliver projects. It will provide the Department with a long-range view and help with planning efforts.

Roadway Design Engineer Nestor Fernandez said the team's charge was to identify efficiencies in the design process that would establish on-time on-budget delivery. The goal is to deliver 100% of the programmed projects by the first of the applicable fiscal year. The major recommendations are to ensure early delivery of projects in the Program. Planning is an important part of this component, as projects will need to be integrated with appropriate resources, including coordination with outside agencies. The second recommendation is to rebaseline the STIP, which consists of reviewing all of the projects to ensure they are scheduled appropriately to be delivered on schedule. Third, proper tools, such as project management systems and pavement management systems, are needed to ensure the success of the project delivery goal. The last recommendation is to provide training and support.

CE Cole acknowledged that the recommendations will take some time to implement. In the interim, some measures like improved reporting and more accountability can be taken to improve project delivery.

Chairman Manning thanked staff for the presentation and for their efforts on this important initiative.

Industry Request to Modify Administrative Rule 39.03.17, Manufactured Homes, Modular Buildings. Reymundo Rodriguez, Commercial Vehicle Service Manager (CVSM), requested modifications to Rule 39.03.17. Sawtooth Homes, based in Pocatello, requested a permanent variance overlegal permit for the movement of manufactured homes that exceed allowed width dimensions as contained in the current rule. The rule limits transportation of these units to 16 feet wide at the base and a maximum overall width of 18 feet. The permanent variance would allow the movement of manufactured homes with a 20-foot base width and a maximum overall width of 23 feet. In the past, staff has authorized temporary movements of manufactured homes with these larger dimensions with additional restrictions.

CVSM Rodriguez relayed staff's concern with allowing movement of these larger homes on two-lane highways and believes manufactured homes in excess of 16-foot base and 18-foot overall width should be monitored on a case by case basis. A traffic control plan should be required, which would outline how these vehicles/loads will be safely moved; the time, day, and week of these movements; and identification of turnouts to relieve congestion. He added that the Division of Highways staff has been involved in these discussions and the recommendation.

In response to Member Blick's question on the issuance of permits, CVSM Rodriguez concurred that permits are now issued on a case by case basis for the movement of these loads. Member Miller questioned incorporating a sunset clause specifying a time certain to review this issue to determine what impacts this rule change had. Member Whitehead asked if the permits are route specific. CVSM Rodriguez replied that to ensure safety, the Department would retain authority as to which routes these loads would be allowed to travel.

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

RES. NO. WHEREAS, the Idaho Transportation Board has authority to approve requested changes to

ITB09-17 Idaho Transportation Department rules; and

WHEREAS, the Board finds the changes to IDAPA 39.03.17 necessary and of economic benefit to the Manufactured Housing Industry within Idaho.

NOW THEREFORE BE IT RESOLVED, that the Board approves the following rule to be submitted for change: Rule 39.03.17 – Rules Governing Manufactured Homes/Modular Building/Office Trailers to allow the movement of manufactured homes and modular buildings on a case by case basis and require an approved traffic control plan when exceeding the current 16-foot base and 18-foot overall width limitations; and

BE IT FURTHER RESOLVED, that the Board approves the request to submit the changes as listed above for Rule 39.03.17 and, subject to review and approval

through the required administrative process, to have it effective April 20th with temporary rule making and to also proceed with the regular rule making process.

<u>Central Issuance of Driver's Licenses</u>. DSM Pemble requested approval to implement a central issuance process for driver's licenses and identification cards. A central issuance service delivery method eliminates the laminators and printers at county driver licensing offices. The applicant receives a digital photo receipt that serves as a temporary paper license or identification card until the plastic license or card is received in the mail. The central issue production site is at the vendor's secure location in Washington, which is shared by a number of states.

The current licensing equipment is outdated and needs to be replaced, according to DSM Pemble. Now is an opportune time to determine if the Department should continue issuing licenses over the counter or move to a central issue process. Advantages of central issue include more card security features can be added without an increase in per card cost; laminators, printers, and cardstock are less subject to theft; applicants must provide a valid address to receive the license or card; and reduced costs, estimated at \$240,000 per year. He noted the disadvantages are customers are issued a temporary card or license; there is some loss of departmental control over formatting changes, with costs of up to \$120,000 per format change; and card reformatting could affect underlying security features, along with further cost implications. He added that it would take about one year to switch to the central issue, which would allow time for a public information campaign. Some outreach to sheriffs has been conducted and to date, there is general support to move to a central issue.

Chairman Manning asked if the federal REAL ID Act requires a central issue. DSM Pemble replied that central issue is better suited to comply with the REAL ID Act due to security issues. He added that Congress is considering modifications to the federal act.

Member Gagner asked why there would be opposition to the central issue process. DSM Pemble said that there is often resistance to change in general. Another concern may be that customers do not receive their driver's license or identification card immediately, but have to wait three or four days to receive it in the mail. He believes an effective educational campaign may alleviate some opposition.

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

RES. NO. WHEREAS, the Idaho Transportation Board recognizes the need for Idaho Transportation

ITB09-18 Department direction on the future service model to be used for issuance of driver licenses and identification (ID) cards; and

WHEREAS, a renewal contract was negotiated in 2006 with the driver's licenses and ID card vendor; and

WHEREAS, the 2006 renewal contract was entered into with the option that Idaho would migrate to a central issuance service delivery model for issuance of driver's licenses and ID cards; and

WHEREAS, central issuance of licenses and ID cards offers ongoing advantages of cost, greater security of card production equipment and materials, a delivery system less subject to equipment failure, and higher levels of card security features.

NOW THEREFORE BE IT RESOLVED, that the Board endorses the central issuance model for production of driver's licenses/ID cards.

Executive Session on Legal and Personnel Issues, Section 67-2345(b), and (f), Idaho Code. Member Gagner made a motion to meet in executive session at 12:20 PM to discuss legal and personnel issues. Member Miller seconded the motion and it passed 5-0 by individual roll call vote. Vice Chairman Sweeney joined the executive session via teleconference during discussion of the first item noted below.

A discussion was held on legal matters related to compliance with the Americans with Disabilities Act and access issues on US-20.

A discussion was held on personnel issues related to the conduct of public officers and the evaluation of public officers.

The Board came out of executive session at 2:00 PM. No final actions or decisions were made.

<u>Delegation – City of Moscow</u>. Moscow Public Works Director Les MacDonald thanked the Board members for their time. He also expressed appreciation for their service to the state and efforts to address transportation issues. He conveyed Mayor Nancy Chaney's greetings and regrets that she was unable to attend the meeting.

Mr. MacDonald said the City has been proactive with transportation issues and has emphasized a multi-modal system. Although he acknowledged the funding challenges that the Board is facing, he encouraged it to continue funding the Enhancement Program. It is an important Program to many communities. Trails are a popular feature and cities rely on this funding source to address this mode of transportation.

Additionally, Mr. MacDonald expressed support for transit. Moscow and Valley Transit have a partnership to provide public transportation. Although ridership has been increasing and the entities would like this growth to continue, it also brings challenges. A third route is needed; however, there are insufficient funds to expand and enhance these services.

Chairman Manning relayed the Board's support for public transportation and alternative modes of transportation. Idaho is one of few states that does not have a source of funding for public transportation. Most of ITD's state revenue is restricted to use on the highway system. Director Lowe commended the City of Moscow for its involvement in the Idaho Management and Access Pathway. This initiative to develop the state's public transportation vision is a necessary step before options to secure additional funding are explored.

Raymond Pankopf, Director, Architectural and Engineering Services, University of Idaho, provided an update on the proposed traffic signal at Peterson Drive and SH-8 in Moscow. The design package has been approved. The University's portion of this joint project with ITD and the City is being funded through the State Permanent Building Fund. The FY10 allocation, which includes the rest of the needed funds, has been approved by one legislative chamber. He emphasized the importance of this project to address pedestrian safety and improve traffic flow. He commended DE Carpenter and the ITD staff for their assistance.

Chairman Manning thanked the delegation for their comments and update on the traffic signal project.

<u>State Air Transportation Ride Share Program</u>. Mike Pape, Flight Operations Director, demonstrated an on-line system to allow any state agency access to the Division's flight schedule. This will allow state agencies to share flights to destinations, saving time and travel costs. He noted the confidentiality of the system, as no passenger names will be available on the web site. The system is now in beta test and will go live soon.

In response to Chairman Manning's question on marketing plans, Mr. Pape replied that he will visit each state agency to promote this ride share program. Chairman Manning thanked Mr. Pape for the demonstration and his efforts to create this system. Director Lowe mentioned that Member Miller was instrumental in developing this system, as he has been encouraging staff to pursue this for some time.

<u>Presentation: ITD's Accountability Web Page</u>. PIO Stratten emphasized the Department's commitment to transparency. Web Master Tony Garcia demonstrated the recent addition to the ITD web page that tracks progress on important programs like the practical design initiative and ARRA projects, and provides updates on initiatives such as the Governor's Executive Order and Office of Performance Evaluation's January 2009 Audit.

Chairman Manning thanked staff for the presentation and their efforts on this important initiative.

Chairman Manning also thanked District 2 staff for their efforts and the accommodations to host the Board.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 2:40 PM.

signed

DARRELL V MANNING, Chairman
Idaho Transportation Board

Read and Approved May 21, 2009 Pocatello, Idaho

REGULAR MEETING AND DISTRICT FIVE TOUR OF THE IDAHO TRANSPORTATION BOARD

May 20-21, 2009

The Idaho Transportation Board met at 10:30 AM, on Wednesday, May 20, 2009, in Pocatello, Idaho. The following principals were present:

Darrell V Manning, Chairman
Bruce Sweeney, Vice Chairman – District 2
Jim Coleman, Member – District 1
Jerry Whitehead, Member – District 3
Gary Blick, Member – District 4
Neil Miller, Member – District 5
Lee Gagner, Member – District 6
Pamela Lowe, Director
Scott Stokes, Deputy Director
Karl Vogt, Deputy Attorney General
Sue S. Higgins, Secretary

Representative Marc Gibbs participated on the tour.

<u>District 5 Tour</u>. Pocatello Airport Manager David Allen provided an overview on the regional facility. The terminal will be re-modeled and expanded soon. The next project will be to update the master plan. Some discussion was held on commercial air service, both at the Pocatello facility and other smaller airports throughout the state. Concern was expressed with the limited commercial service to these facilities.

The Board traveled I-86 east and I-15 south to McCammon. The tour continued east on US-30. Staff summarized the GARVEE projects along the corridor.

The Board returned to Pocatello via US-30 west and I-15 north.

WHEREUPON the tour recessed at 2:45 PM.

May 21, 2009

The Board reconvened at 8:30 AM on Thursday, May 21, 2009, at the Idaho Transportation Department District 5 Office in Pocatello, Idaho. All members were present.

<u>Board Minutes</u>. Member Miller made a motion to approve the minutes of the regular Board meeting held on April 15-16, 2009 as submitted. Member Blick seconded the motion and it passed unanimously.

<u>Board Meeting Dates</u>. The following meeting dates and locations were scheduled: June 17-19, 2009 – District 3 July 22-23, 2009 – District 1 August 19-20, 2009 – District 6

Consent Calendar. Vice Chairman Sweeney questioned the dollar amount of the consultant service agreement for the US-95, Midvale Hill Rest Area. Chief Engineer (CE) Tom Cole said the services are needed to perform inspection and quality control/quality assurance tasks of structures and electrical and mechanical systems. The oversight needed is extensive. Some discussion was held on the consultant's expertise and qualifications on buildings. Deputy Director Scott Stokes acknowledged his concern with this request and believes it may be worthy of a follow-up review.

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

RES. NO.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the revisions to Board Policy B-18-06, Employee Education and Training; the FY10 out-of-state travel; the addition of American Recovery and Reinvestment Act FY09 National Summer Transportation Institute Program; removals and advances to the District 4 State Highway Pavement Preservation and Restoration Programs; the addition of STC-2841, City of Rocks Back Country Byway Stage 4, Cassia County to FY09 of the Program; Local Highway Technical Assistance Council Program Changes; the request for consultant services, US-95, Midvale Hill Rest Area, District 3; and the request for consultant services, STC-3811, Pine Road Bridge, District 3; and has received and reviewed the contract award information and the professional services agreements and term agreement work task report.

- 1) Revisions to Board Policy B-18-06, Employee Education and Training. This policy was revised to include an Equal Employment Opportunity statement supporting access to training. The requirement to report annually to the Board was deleted because training activities are being reported as part of the annual Human Resources presentation.
- 2) FY10 Out-of-State Travel. The FY10 out-of-state travel request of \$249,800 is a reduction of \$131,100, or 34%, from the preliminary request presented to the Board last year. This reduction is a result of a strategic review to ensure that travel plans are restricted to mission critical needs. This is in line with other recent efforts and reflects the Department's commitment to maximizing efficiency.
- 3) Addition of American Recovery and Reinvestment Act (ARRA) FY09 National Summer Transportation Institute Program. ITD received a grant of \$58,988 for the summer 2009 University of Idaho Junior Engineering, Math and Science Program. This program is funded by the Federal Highway Administration Office of Civil Rights through the On-the-Job Training/Supportive Services under the ARRA of 2009. The workshop is designed to impact the way in which science, math and engineering are perceived by high school students, especially young women and students from under-represented groups. Staff requested approval to amend the Statewide Transportation Improvement Program (STIP) to include the FY09 National Summer Transportation Institute Program.

- 4) Removals and Advances to the District 4 State Highway Pavement Preservation and Restoration Programs. The US-20, Gannett Road to Silver Creek Bridge, Blaine County, key #7028, and the US-20, North Picabo Road to Silver Creek Road, Blaine County, key #11613 projects were advanced and obligated very late in FY08, but were not removed in time for the September Board item requesting approval of the FY09-13 STIP. The removal of these projects from the STIP is being requested. Additionally, staff requested advancing the FY11 US-93, 100 North Road to Newman's Corner, Jerome County, key #9213 and the FY13, SH-24, Milner Gooding Canal to Shoshone High School, key #11606, projects to FY09 to utilize the funding made available through the removal of the other two projects.
- 5) Addition of STC-2841, City of Rocks Back Country Byway Stage 4, Cassia County to FY09 of the Program. Staff requested adding the City of Rocks Back Country Byway Stage 4, project to FY09 of the Public Lands Highway Discretionary Program and to amend the STIP accordingly. An earmark of \$1.96 million was allocated to the City of Rocks Back Country Byway in the FY09 Appropriations Act. This congressional earmark will be used to partially fund Stage 4, reconstructing a 1 mile segment to complete the multi-stage reconstruction of the Byway. It also includes seal coating and striping the entire 16.7 mile route. Stage 4 is designed and the Plans, Specifications, and Engineering package is complete. The cost of this stage is \$3.2 million with construction engineering and contingencies. Stage 3 will be awarded in May and the bid savings of approximately \$2.8 million will be used to fund the remainder of Stage 4.
- 6) Local Highway Technical Assistance Council (LHTAC) Program Changes. STC-5808, Moyie Highway, Boundary County, key #9263 and STC-3837, Strike Dam Cutoff Road, Elmore County, key #9982 are scheduled in FY10. These two projects can be delivered in FY09 and the sponsors are able to provide the required match. The City of Plummer requests removal of Local, Pavement Management, Plummer, key #11224 from FY09 because the work has been completed. There is a balance of \$3.7 million in FY09 of the Local Rural Program. LHTAC requested advancing keys #9263 and #9982 to FY09 and amending the STIP accordingly.
- 7) Consultant Services. The Midvale Hill Rest Area Rehabilitation, Washington County, key #9979 project was awarded in December 2008 to WF Construction & Sales, LLC in the amount of \$1.4 million. Construction is in progress and estimated for completion in November 2009. Staff is requesting additional consultant construction support by the designer, Forsgren Associates, Inc. The services are needed to perform inspection and Quality Control/Quality Assurance tasks of structures and electrical and mechanical systems and provide design support through the construction phase. The estimated cost is \$125,200, bringing the total term agreement amount to \$351,200. This amount exceeds the policy limit of \$250,000. There are sufficient obligated project funds for the requested work task agreement.
- 8) Consultant Services. STC-3811, Pine Road Bridge, Mountain Home, Bridge #19885, key #10550, was originally programmed as a bridge rehabilitation project to repair abutments and piers that had been damaged by scour. T-O Engineering, Inc. was selected from the Term Agreement List to develop the project for construction in FY10. When the Concept Report was developed, the damage was revealed to be more extensive than anticipated. A subsequent bridge evaluation resulted in a lower sufficiency rating. The consensus was that replacing the bridge

would be a better value than repairing the structure. LHTAC plans to reschedule the bridge replacement project to Preliminary Development until a concept report is approved. The project sponsor, Mountain Home Highway District, would like to continue using T-O Engineering to develop the replacement project. Design costs are estimated at \$350,000. LHTAC requested authorization to continue using the engineering services of T-O Engineering for the Pine Road Bridge project, with the design costs exceeding the \$250,000 limit set by policy.

9) Contract Awards. Key #11901 – I-84, Dynamic Message Sign Relocation, District 3. Low bidder: Quality Electric, Inc. - \$311,848.

Key #9345 – SH-55, Smiths Ferry to Round Valley, District 3. Low bidder: Staker & Parson Companies dba IS&G - \$1,494,141.

Keys #8619 and #8620 – US-30, Lund to Hegstrom Road and Hegstrom Road to East of SH-34 Junction, District 5. Low bidder: Staker & Parson Companies dba JBP - \$15,231,027.

Key #8389 – US-95, Lincoln Way Interchange #12, District 1. Low bidder: N A Degerstrom, Inc. - \$1,183,199.

Key #11093 – US-30, Pegram Road to Alton Road, Bear Lake County, District 5. Low bidder: - Staker & Parson Companies dba JBP \$1,594,150.

Key #10451 – City of Rocks Back Country Byway, Stage 3, District 4. Low bidder: Staker & Parson Companies dba JBP - \$2,578,325.

Key #9728 – Kootenai Street Paving, District 1. Low bidder: Interstate Concrete & Asphalt Company - \$293,521.

Key #11892 – US-95, FY10 District 2 Sealcoats. Low bidder: Poe Asphalt Paving, Inc. - \$317,985.

The low bid on key #11479 – SH-28, Baker to Salmon, District 6, was more than ten percent over the engineer's estimate, requiring justification. The majority of the difference was in the PG 58-34 Asphalt Cement for Superpave and CMS-2S Dil Emul Asphalt for Recycled Pavement items. The District believes these items were bid higher than the engineer's estimate because the price of asphalt has remained high. When the engineer's estimate was compiled, asphalt prices were somewhat lower than they currently are and staff anticipated seeing some modest relief in the price of asphalt. Given the current shortage in asphalt supply, it is unlikely that lower asphalt prices will be seen in the near future. The District has identified funds from another project that can be shifted to this project to fund it completely, so recommends awarding this project. Low bidder: H-K Contractors, Inc. - \$2,277,145.

Key #9848 – Airport Road, Twin Falls, Stage 2, District 4. Low bidder: Hap Taylor & Sons, Inc. dba Knife River - \$2,425,316.

Key #9751 – SH-5, Fairgrounds to 20th Street, St. Maries, District 1. Low bidder: Safco, Inc. - \$207.963.

Key #9876 – South 5th Interchange to Chubbuck Road, Phase 2, Pocatello, District 5. Low bidder: Intermountain Slurry Seal, Inc. - \$589,589.

The low bid on key #9386 – SH-34, 5th North to Soda Springs North City Limits, District 5, was more than ten percent over the engineer's estimate, requiring justification. The variance between the Engineer's Estimate and the low bid was in the Pavement Reinforcement Geosynthetic item. The Engineer's Estimate Unit Price for this item was significantly lower than prices obtained from vendors; however, it was not increased to reflect the vendor quotes. The District has identified funding for the higher bid and recommends awarding the contract. Low bidder: Johnson Excavation - \$482,276.

10) Professional Services Agreements and Term Agreement Work Task Report. From March 28 through April 28, \$916,495 in new professional services agreements and work tasks were processed. The 10 agreements were issued for local projects and because resources were not available in house and special expertise was required. Three supplemental agreements to existing agreements were processed in the amount of \$3,030,000 during this period.

<u>Board Items</u>. Chairman Manning said the Western Association of State Highway and Transportation Officials (WASHTO) annual meeting will be held in Seattle, Washington in July. Due to the financial situation, he suggested only one Board member attend the conference this year. Member Coleman said he would like to attend.

As a follow-up to last month's work session and Member Gagner's suggestion to establish a Board Subcommittee on Accountability, Chairman Manning said Director Lowe has established an internal team, the Performance Management Team. Its charge is to oversee performance measures. Chairman Manning asked if a Board member would be willing to serve on this team to provide guidance and be a Board liaison. Without objection, Member Gagner will join this team, with Member Whitehead serving as alternate.

Chairman Manning summarized the Department's revenue enhancing legislation. The additional revenue in FY10 is estimated at \$25 million. In FY11 the revenue is expected to provide an additional \$45 million to \$50 million. Chairman Manning noted the revenue is not sufficient to address the Department's funding needs. It is important to be fiscally conservative and review all expenditures. Some measures to consider are to focus on preserving the existing system and limiting expansion projects; review maintenance priorities and consider reducing some of those activities; and review all of the Department's fees and increase those to ensure they cover the costs of the services being provided. He encouraged the Board to think of other ways to address the revenue shortfall. Member Gagner believes development fees are a viable option. He suggested creating a task force to pursue development agreements.

Chairman Manning said he and Member Whitehead met with Mark Bowen, representing the CEO Transportation Coalition. Chairman Manning suggested the group participate in the legislative-authorized task force on transportation funding. He elaborated on the task force,

which is to make its recommendations to the legislature in 2011. He noted the additional work the task force will require of staff.

<u>Director's Report</u>. Director Lowe reported on activities related to the Governor's Executive Order on improving the Department's accountability. A number of vendors demonstrated pavement maintenance systems. Staff is reviewing the capabilities of those systems and anticipates finalizing the acquisition of a pavement management system next month. She will provide a CPM on a project schedule system next month. A baseline schedule for establishing the statewide transportation plan has been developed. Staff will begin collecting performance measures data on July 1, with the first report due in October.

Director Lowe provided an update on activities at the federal level. Congress is revisiting the REAL ID Act and is considering making the requirements less stringent. The Environmental Protection Agency is proposing planning requirements that may conflict with the current Federal Highway Administration (FHWA) requirements. Staff will continue monitoring those activities. There continues to be concern with insufficient funding for the Highway Trust Fund. Additionally, the administration is considering eliminating contract authority, which would make it more difficult to plan projects, as the funding apportionments would not be known in advance. Discussions on reauthorization of the transportation bill include an emphasis on intermodalism, a national strategic plan, and national performance measures.

Director Lowe was pleased to report that Idaho is one of the top 5 states in the nation for obligating its ARRA funds for highway projects. Seven of the eight projects on the state highway system have been advertised. Staff will continue working with LHTAC to obligate funds for the local projects. There may be opportunities to streamline that process, as the majority of projects are seal coats. Chairman Manning expressed appreciation to Pete Hartman, FHWA Division Administrator, and his staff for the assistance they have provided with this effort.

The out-of-state travel budget for FY10 was reduced by \$150,000, according to Director Lowe. Only travel that is critical to the Department's mission is being authorized and the number of staff members attending annual meetings such as WASHTO is being reduced.

Director Lowe reported that Mary Hunter, Manager, Office of Highway Safety, has been appointed to the American Association of State Highway and Transportation Officials' Subcommittee on Traffic Safety. Equal Employment Opportunity Manager Karen Sparkman has been selected vice president of the WASHTO Civil Rights Subcommittee.

In conclusion, Director Lowe said two statewide employee meetings were held recently to announce the organizational values and performance management plans. Workshops related to the values will be conducted this summer.

Adopt-A-Highway (AAH) Presentation. District AAH coordinator Sharon Short recognized school bus drivers Judy Smith and Carole Hymas for adopting US-89 from milepost 11 to 13 in 2004. She also acknowledged the Pebble Creek Ski Patrol for its AAH efforts. The group has been picking up litter along I-15, milepost 59-61, since 2002. She thanked both groups for their valuable contributions.

<u>Legislative Report</u>. Governmental Affairs Program Manager (GAPM) Mollie McCarty provided a summary of the 2009 legislative session. ITD will receive additional revenue through several measures: increased Division of Motor Vehicle fees; removing Idaho State Police from the Highway Distribution Account distribution formula; the establishment of a national trailer plate and registration fee; and the repeal of the ethanol exemption. The design-build proposal did not pass. Legislation to extend the US-95, Garwood to Sagle corridor to include the Wyoming Avenue to SH-53 portion to the south also failed.

GAPM mentioned the legislative task force established to review transportation funding. The group will consist of 15 members, including Chairman Manning and another Board member. It is to consider revenue sources for maintenance and preservation of highways and bridges. The Task Force is to provide findings and recommendations to the Governor by December 1, 2010 and present draft legislation during the 2011 session.

Chairman Manning thanked GAPM McCarty for the report.

Annual Public Transportation Advisory Council (PTAC) Report. PTAC Chairman Joe Herring said the Council worked in collaboration with ITD and the Interagency Working Group to redefine the roles and responsibilities of the various leadership groups working to improve mobility within Idaho. Emphasis was placed on efficiencies, partnerships, and collaboration. Efforts are continuing on Idaho's Mobility and Access Pathway. All seventeen Local Mobility Management Networks were established, providing the initial entry point for all communities to define mobility needs, strategies, and priorities. All developed local coordination plans. Six District Coordination Councils were established, improving the focus on district and local network coordination, partnerships, and collaboration. Efforts are currently underway to incorporate the various private sector groups.

PTAC Chair Herring said ARRA funding was pursued. ITD staff considered performance management metrics for sub-grantees. The license for "Rideshareonline.com" was purchased for the entire state, providing every community use of the ridematching software free of charge.

Public Transportation Administrator Randy Kyrias commented on the numerous initiatives underway. Additionally, the Division is assuming responsibility for the Enhancement Program.

Chairman Manning thanked Messrs. Herring and Kyrias for the report and for their efforts on public transportation.

Monthly Financial Statement Analysis Program and District Obligation Graphs. Controller Gordon Wilmoth said the Highway Distribution Account year-to-date revenue was \$45,000 below the revised forecast. Expenditures for personnel were \$4.35 million less than budgeted through the month. In contract construction, the federal and state programs were behind projections by \$18 million and \$5.7 million, respectively.

Aviation fuel tax revenue received through March was \$171,000 below projections. Internal holdbacks have been made to offset this revenue shortfall.

In the GARVEE Capital Projects Fund, \$212.4 million of the \$213 million from Bond Series 2006 have been expended. The agreement for this bond series runs through May 15, 2009. For Bond Series 2008 A, \$41.7 million of the \$179 million has been expended. On February 4, 2009, the bond proceeds of \$176 million for the Series 2009 A Construction Fund were deposited with Wells Fargo, the Trustee. No draws have been made against the latest Bond Series. During March, \$219,525 was transferred to the GARVEE Debt Service Fund for the monthly state match share of debt service.

MTI Amick reported that \$132.2 million had been obligated for highway projects in the STIP as of April 30. This is 39% of the planned amount. The total amount obligated for construction projects was \$137 million. Obligation information by program and district and project status reports were also presented.

Idaho Transportation Economic Stimulus – State Highway System Enhancement Projects. MTI Amick said the ARRA of 2009 provided Idaho with \$182 million in highway funding, with a requirement that 3% be dedicated to Enhancement projects. At a special meeting in March, eight specific projects on the state highway system were approved, along with over \$5 million for Enhancements projects, and approximately \$28 million for projects on the local system. Staff proposed funding Enhancement projects based on the following emphasis areas: focus on the eight state highway infrastructure projects funded under ARRA; address environmental and wildlife collision mitigation commitments; and accelerate improvements on state routes and rest areas to accommodate persons with disabilities in accordance with the American Disabilities Act.

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

RES. NO. WHEREAS, the American Recovery and Reinvestment Act (ARRA) of 2009 ITB09-20 has provided Idaho \$181,934,631 in 100% federal funding highway infrastructure projects; and

WHEREAS, such funding has been provided for the expeditious delivery of eligible highway infrastructure projects with priority for those which can be completed by February 17, 2012, are in economically distressed areas, and which maximize job creation and economic benefit; and

WHEREAS, Idaho has experienced throughout the state a reduction in economic activity resulting in significant job loss and hardship in both the public and private sectors of Idaho's economy; and

WHEREAS, the Idaho Transportation Department has identified state highway system projects to use \$5.5 million set aside under the ARRA for surface transportation enhancement activities identified in U.S.C. 23 101(a)(35); and

WHEREAS, such expeditiously delivered projects must be obligated in time to meet rigid deadlines established in the ARRA, ranging from 120 days to one year from the apportionment of ARRA funding to Idaho; and

WHEREAS, funding which does not meet the deadlines established under the ARRA will be redistributed to other states; and

WHEREAS, the Idaho Transportation Board has been provided an overview of the purpose, provisions, and deadlines under the ARRA; and

WHEREAS, the Department's FY10 budget, which includes \$182 million in ARRA funding, was approved during the Idaho 2009 Legislative Session and signed into law by Idaho Governor Otter on May 1, 2009; and

WHEREAS, the proposed state highway transportation enhancement projects can be expeditiously delivered in accordance with the provisions of the ARRA and must be included in the Statewide Transportation Improvement Program and be approved by the Federal Highway Administration and Federal Transit Administration prior to being eligible for ARRA funding; and

WHEREAS, certain projects must also be included in the Transportation Management Area and Metropolitan Planning Organization Transportation Improvement Programs to be eligible for ARRA funding.

NOW THEREFORE BE IT RESOLVED, that staff is authorized to amend the FY09-13 STIP in accordance with the provisions of the ARRA to include the state highway system transportation enhancement projects shown in the table entitled "Stimulus Transportation Enhancement Projects", as shown as Exhibit 372, which is made a part hereof with like effect, for a total of \$5.5 million.

District 5 Action Items from Strategic Plan. Assistant District 5 Engineer Brian Poole said the District is overseeing \$112 million in construction activity this year, which is a record amount. He summarized the action items District 5 has identified in support of the Department's Strategic Plan. Some of the leading through agency performance measures include installing idle limiters in trucks, maintaining a pavement deficiency level of 10% or less, and limiting change orders to 5% or less. Improving customer service efforts include coordinating statewide pavement striping with other districts and scheduling intersection improvement projects. Expanding partnerships is being completed through environmental coordination and participation in coalition meetings. Action items related to investing in our people include establishing flexible work schedules and publishing a quarterly employee newsletter.

Chairman Manning thanked ADE Poole for the informative report.

<u>Draft Board Policy B-01-21</u>, <u>Partnership Culture</u>. Aeronautics Administrator John DeThomas reported on the Partnership Work Group's efforts to expand and enhance partnerships within ITD. The group wanted to emphasize the importance of this effort via a top level guiding

directive. It drafted a Board policy, Partnership Culture. The committee will continue developing a draft administrative policy, developing a steering committee and policy rules, and conducting a survey of best partnership practices.

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

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department to work collaboratively with outside agencies and groups in order to maximize the use of scarce resources; and

WHEREAS, it is the intent of the Idaho Transportation Board to encourage the enhancement and expansion of partnerships; and

WHEREAS, a Department work group has developed a plan for expanding and enhancing partnerships; and

WHEREAS, the partnership work group has drafted a proposed Board policy to institutionalize a partnership culture within the Department.

NOW THEREFORE BE IT RESOLVED, that the Board approves the establishment of Board Policy B-01-21, Partnership Culture.

<u>Delegation – Albion Highway District</u>. District 4 Engineer (DE) Devin Rigby said the Albion Highway District was initially on the agenda to request funding to purchase de-icer chemical. This resulted in a miscommunication from a previous Congestion Mitigation/Air Quality project to purchase not only a de-icer unit, but also the necessary chemical. Due to a misunderstanding, the project was closed out before \$13,794 was used to purchase the product. Staff believes funding is available in the Local Program and will propose funding the project next month. Some members expressed concern with utilizing capital funds for ongoing operating expenses. The eligibility of these funds for this purchase was also questioned. Staff will review the criteria and ensure purchasing chemical de-icer is a valid use of these federal funds.

Special Events on State Highways. CE Cole summarized Administrative Policy A-12-01, Special Events on State Highways. When an individual or group would like to hold an event within the right of way of the state highway system, it must apply for and obtain an approved special event agreement. If the request is denied, it can be appealed to the respective District Engineer. If the appeal is upheld at the district level, the applicant has the right to a final appeal to the Chief Engineer.

DE Rigby reported on special events on the US-93, Perrine Bridge and the recent request to utilize the structure for an event associated with the upcoming Magic Fest. As a general rule, special events on the Perrine Bridge have been denied due to the critical nature of the structure. US-93 is basically the only entrance to Twin Falls. If it is closed, it results in an approximate 30-mile out of distance travel detour, which can be critical to law enforcement and emergency responders. Congestion and safety are also concerns.

The consensus of the Board was to retain the existing policy.

Executive Session on Legal and Personnel Issues, Section 67-2345(b), and (f), Idaho Code. Vice Chairman Sweeney made a motion to meet in executive session at 11:30 AM to discuss legal and personnel issues. Member Miller seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on legal matters related to the US-95, Sand Creek Byway project.

A discussion was held on personnel issues related to the conduct of public officers and the evaluation of public officers.

The Board came out of executive session at 1 PM. No final actions or decisions were made.

New Business. Member Coleman referenced the legislative proposal to add US-95, Wyoming Avenue to SH-53 to the Garwood to Sagle GARVEE corridor. The legislation had overwhelming support before amendments resulted in the bill's defeat. He believes it is imperative to proceed with this project. This two-mile segment is two lanes. To the south, the highway is four lanes. Upon completion of the GARVEE projects to the north, US-95 will be four lanes. This two-lane stretch will decrease safety and increase congestion. He said the project is included in the categorical exclusion of the GARVEE corridor, so the environmental process has been completed. Additionally, approximately \$330,000 in federal earmarks and local funding is available for right-of-way acquisition.

Member Coleman made a motion to direct staff to include the US-95, Wyoming Avenue to SH-53 right-of-way acquisition project in the Statewide Transportation Improvement Program in the amount of \$330,000. He emphasized that no GARVEE funds are being used for this right-of-way acquisition project and that construction funds have not been secured. Member Blick seconded the motion.

Member Gagner asked for confirmation that this motion does not contradict current GARVEE legislation. DAG Vogt responded that the motion is acceptable. It does not conflict with the law.

The motion passed unopposed.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 1:05 PM.

signed

DARRELL V MANNING, Chairman
Idaho Transportation Board

Read and Approved June 18, 2009 Boise, Idaho

SPECIAL MEETING OF THE IDAHO TRANSPORTATION BOARD

May 29, 2009

Idaho Transportation Board Chairman Manning called a special meeting of the Idaho Transportation Board at 10:10 AM on Friday, May 29, 2009. The following were present at the Idaho Transportation Department in Boise, Idaho:

Darrell V Manning, Chairman Jerry Whitehead, Member – District 3 Sue S. Higgins, Board Secretary Karl Vogt, Deputy Attorney General

The following participated in the meeting via teleconference or video conference:

Jim Coleman, Member – District 1 Gary Blick, Member – District 4 Neil Miller, Member – District 5 Lee Gagner, Member – District 6

Executive Session, Section 67-2345(b), Idaho Code. Member Blick made a motion to meet in executive session at 10:10 AM to discuss personnel matters. Member Coleman seconded the motion and it passed 5-0 by individual roll call vote. Vice Chairman Bruce Sweeney, District 2, participated in the meeting via teleconference shortly after the motion passed.

A discussion was held on personnel issues related to the evaluation of a public officer.

The Board came out of executive session at 10:40 AM. No decisions were made.

WHEREUPON the special session of the Transportation Board adjourned at 10:40 AM.

signed

DARRELL V MANNING, Chairman
Idaho Transportation Board

Read and Approved June 18, 2009 Boise, Idaho

WORK SESSION, REGULAR MEETING AND DISTRICT THREE TOUR OF THE IDAHO TRANSPORTATION BOARD

June 17-19, 2009

The Idaho Transportation Board met at 9:00 AM, on Wednesday, June 17, 2009, in Boise, Idaho. The following principals were present:

Darrell V Manning, Chairman
Jim Coleman, Member – District 1
Jerry Whitehead, Member – District 3
Neil Miller, Member – District 5
Lee Gagner, Member – District 6
Pamela Lowe, Director
Scott Stokes, Deputy Director
Karl Vogt, Deputy Attorney General
Sue S. Higgins, Secretary

Vice Chairman Bruce Sweeney, District 2, participated via video conference.

FY10 Budget Update. Senior Budget Analyst (SBA) Joel Drake summarized changes to the FY10 budget. Some of the impacts include a 3% personnel cost reduction, carryover authority for the \$208 million FY09 American Recovery and Reinvestment Act (ARRA) funds, GARVEE bonding authority in the amount of \$82 million, and a GARVEE debt service amount of \$28.7 million. Additionally, administrative costs were reduced 10% and out-of-state travel was reduced 33%. The total FY10 budget is \$649.4 million.

<u>Federal Reauthorization</u>. Transportation Legislation Policy Specialist Tim Greeley said the current federal surface transportation act will expire on September 30, 2009. Efforts are underway on the next act, with some Congressional discussion on a six-year highway-transit-safety-freight program in the amount of \$450 billion. The current revenue to the Highway Trust Fund, which is approximately \$38 to \$40 billion annually, will not support this proposed program without an increase in the federal gas tax or another revenue source. The Highway Trust Fund is projected to have a deficit in August, 2009.

Revenue Forecast. Economics and Research Manager Doug Benzon provided historical information on ITD's revenue. He outlined the department's revenue forecast for FY11. State revenue is expected to increase slightly, partly due to legislation approved in 2009. The main revenue increase will come from the removal of the ethanol exemption and eliminating Idaho State Police and the Department of Parks and Recreation from the Highway Distribution Account distribution formula. Due to the poor economy and lingering effects of high fuel prices last year, revenue from aviation fuel has been less than projected. General economic conditions show a very slow recovery in airline travel.

<u>Draft FY11 Budget</u>. SBA Drake presented the proposed FY11 budget. Available funds are estimated at \$565.3 million, including \$50.9 million for GARVEE bond payments, \$22.2 million for equipment, and \$4.9 million for line items. Some of the line items include updating the

telephone system at Headquarters, updating the Highway Cost Allocation Study, a new financial planning system, and continuing the Division of Motor Vehicles' Information Technology modernization.

The maintenance budget has increased 6% in the past 10 years; however, maintenance expenditures have increased 19.6% between FY00 and FY08, according to Assistant Chief Engineer – Operations Greg Laragan. Between 25% and 30% of the maintenance budget is dedicated to winter maintenance. He summarized the anti-icing materials ITD uses and provided historical cost comparisons on the materials. The cost of anti-icing materials is increasing, resulting in less money for other maintenance activities, such as bridge deck maintenance, guiderail upgrades, and safety enhancements. The proposed FY11 budget includes a \$2.5 million case load increase for anti-icing material costs.

Maintenance Services Manager Steve Spoor said ITD's fleet replacement value is over \$186 million. The FY11 budget request of \$11,237,500 would replace 4% of the road equipment. This consists of 102 units with an estimated buy-back boot of \$4,072 and buy-back proceeds of \$11,233,428. He elaborated on the buy-back program, where equipment is purchased by bid with a guaranteed buy-back from the vendor at a pre-determined amount after a stated period of time. ITD has the option to sell to the vendor or retain ownership. Benefits of the buy-back program are higher operator morale, reduced operating cost, reduced ownership cost, reduced downtime, and increased maintenance crew efficiency.

SBA Drake concluded the FY11 budget presentation. He noted that there are several items pending, including the amount of non-standard adjustments and the GARVEE bonding authorization request. He also provided funding and cost projections through FY16, which indicate a deficit of \$126.5 million by FY16.

Executive Session on Personnel Issues, Section 67-2345(b), Idaho Code. Member Coleman made a motion to meet in executive session at 12 noon to discuss personnel issues. Member Gagner seconded the motion and it passed 4-0 by individual roll call vote. Vice Chairman Sweeney was not present for the vote; however, he joined the executive session via video conference shortly thereafter.

A discussion was held on personnel issues related to the evaluation of a public officer.

The Board came out of executive session at 1 PM. No final actions or decisions were made.

Transportation Investment Program Update. Dave Amick, Manager, Transportation Investments (MTI), provided historical data on federal apportionments and projected apportionments through FY14. To address the estimated \$41 million shortfall, three options were considered, with emphasis on operating and preserving the current transportation system. Option A uses new state funding for road and bridge preservation with no further program reductions below the FY09 Program. Option B eliminates expansion projects not yet under contract to increase road and bridge preservation. The last option eliminates the shared local federal funding and projects to increase state highway and bridge preservation. Other options could be explored,

such as prioritizing maintenance and operating activities or prioritizing system condition levels. The draft FY10-13 Statewide Transportation Improvement Program will be presented next month with limited changes.

Assistant Chief Engineer – Development Loren Thomas said continuing inflation in construction materials is impacting the department's ability to preserve and restore the infrastructure. Although material costs have increased, he noted that recently the number of bidders has also increased. The competition has reduced bid prices. The 2008 program goals included preserving and restoring 600 lane miles annually at an estimated cost of \$135 million. In 2009 dollars, preserving and restoring 600 lane miles would cost \$185 million. Additionally, bridge preservation and restoration costs in 2008 were \$23 million. Today ITD's basic bridge preservation and restoration strategy costs \$57 million.

ARRA Stimulus Funds. MTI Amick summarized the certification and reporting requirements of ARRA funds and the timelines for awarding the money. Seven of ITD's eight projects on the state highway system have been advertised, while \$142 million, or 78% of the highway funds have been obligated. No transit funds have been obligated to date.

WHEREUPON the work session recessed at 3:05 PM.

June 18, 2009

The Board reconvened at 8:30 AM on Thursday, June 18, 2009, at the Idaho Transportation Department District 3 Office in Boise, Idaho. Chairman Manning and Members Coleman, Whitehead, Miller, Gagner, and Gary Blick, District 4, were present. Vice Chairman Sweeney participated via video conference.

<u>Board Minutes</u>. Member Gagner made a motion to approve the minutes of the regular Board meeting held on May 20-21, 2009 and the minutes of the special Board meeting held on May 29, 2009 as submitted. Member Coleman seconded the motion and it passed unopposed.

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

July 22-23, 2009 – District 1 August 19-20, 2009 – District 6 September 16-17, 2009 – District 4

<u>Consent Calendar</u>. Member Miller made a motion, seconded by Member Whitehead, and passed unanimously, to approve the following resolution:

RES. NO.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the reappointment of Public Transportation Advisory Council Members for District 1 and District 4; revisions to Board Policy B-28-01, Public Transportation Program; revisions to Board Policy B-28-02, Public Transportation Advisory Council; deletion of Board Policy B-01-17, Internship Program; relinquishment of Pahsimeroi Highway rights of way to Lemhi County; 2015 Statewide Rural Functional Classification update; and 2010 Division of

Financial Management Strategic Plan; and has received and reviewed the CARS 511/Web (Traveler Services System Advisory Council), the contract award information, the professional services agreements and term agreement work task report, and the quarterly report on legal actions and contract claims.

- 1) Reappointment of Public Transportation Advisory Council (PTAC) Members. The PTAC and Division of Public Transportation request the reappointment of Jim Diffenbaugh and Joe Herring to serve as PTAC members representing Districts 1 and 4, respectively. During their past terms, both individuals have dedicated significant time and energy to Idaho's Mobility and Access Pathway initiative, leading to its success and improving mobility options in the state. Their new terms will expire in June 2012.
- 2) Revisions to Board Policy B-28-01, Public Transportation Program. This policy was revised to include the support of the performance management initiative and generating efficiencies. Minor wording changes and grammatical corrections were also made.
- 3) Revisions to Board Policy B-28-02, Public Transportation Advisory Council. Minor wording changes and grammatical corrections were made to this policy.
- 4) Deletion of Board Policy B-01-17, Internship Program. This policy was initially developed to ensure that contracting for interns was centralized and budgeted for in a coordinated effort. Because the corresponding Administrative Policy clearly outlines the requirements associated with the internship program, staff recommends deleting B-01-17.
- 5) Relinquishment of Pahsimeroi Highway Rights of Way to Lemhi County. Rights-of-way were purchased in the mid 1940s along the Pahsimeroi Highway in Lemhi County. The highway begins at the intersection of U-93 at the Ellis Post Office and travels approximately 28 miles southeast to the Lemhi/Custer County Line. ITD does not recognize this route as a state highway, nor is it on the list of future potential state highways. Approximately 14 miles of right-of-way were purchased in separate sections from residents of Lemhi County. Staff recommends relinquishing these portions of highway right-of-way to Lemhi County, as outlined on the official minute, as shown as Exhibit 373, which is made a part hereof with like effect.
- 6) 2015 Statewide Functional Classification Update. The rural functional classification map of the state highway system was updated. Each District reviewed its highways to determine if functional classification changes are necessary. District 3 recommends upgrading a 5.02 mile section of SH-45 from minor arterial to principal arterial. The statewide rural functional classification map is shown as Exhibit 374, which is made a part hereof with like effect.
- 7) 2010 Division of Financial Management Strategic Plan. Staff recommends submitting the 2010 Strategic Plan to the Division of Financial Management. The document outlines the intraagency teams' action plans for the focus areas: leading through agency performance, expanding and enhancing partnerships, improving customer service, and investing in our people. Additionally, each Section developed action items that will support the focus areas.

- 8) CARS 511/Web (Traveler Services Advisory Council). At a recent meeting, the Council members were updated on system activity and marketing. Some of the other agenda items included a discussion of ITD's Continuity of Operations Plan and an overview on the status of 511 enhancements. The Council plans to re-write the software for the low bandwidth website, which was originally developed in 1999 and launched in 2005. Currently, 75% of Idaho 511 website customers use the low bandwidth website. Consideration was given to eventually displaying the travel speed data to be used for Planning's congestion tracking model on the 511 website. If the information proves accurate and reliable, the Council may pursue adding this information.
- 9) Contract Awards. Key #9338 SH-162, Oak Street, Nez Perce, District 2. Low bidder: Crea Construction, Inc. \$1,735,432.

Key #9529 – I-84, King Hill Interchange to West Bliss Interchange, District 4. Low bidder: Western Construction, Inc. - \$9,163,623.

Key #11864 – SH-55, FY09 District 3 Region 4 Sealcoats. Low bidder: Snake River Construction, Inc. - \$337,590.

Key #8813 – SH-55, Main Street, Donnelly, District 3. Low bidder: Valley Paving & Asphalt, Inc. - \$975,116.

Key #10590 – SH-33, 800 East Road to Junction SH-28, District 6. Low bidder: Johnson Excavation, Inc. - \$2,057,561.

Keys #11521 and #11523 – US-20, South Rexburg Interchange, Milepost 322 and North Rexburg Interchange, Milepost 337, District 6. Low bidder: Wheeler Electric, Inc. - \$306,170.

10) Professional Services Agreements and Term Agreement Work Task Report. From April 28 through May 28, \$1,007,795 in new professional services agreements and work tasks were processed. The 13 agreements were issued for local projects and because resources were not available in house and special expertise was required. One supplemental agreement to an existing agreement was processed in the amount of \$41,000 during this period.

<u>Board Items</u>. Chairman Manning said he attended several organizational meetings for the task force on transportation. He also attended a meeting with the Washington Transportation Commission earlier this week with Vice Chairman Sweeney, Member Coleman, and several staff members. One of the main topics of discussion was the new I-90 interchange to be constructed in Post Falls.

Member Miller commented on press releases stating that ITD is targeting aggressive driving or other safety-related driving habits. He noted that ITD has no enforcement authority; the department only provides funding for these highway safety campaigns. Public Information Officer Jeff Stratten elaborated on the highway safety campaigns conducted through the Office of Highway Safety. He said future press releases will downplay ITD's role in these enforcement efforts.

<u>Director's Report</u>. Director Lowe reported that reauthorization of the federal transportation bill, due to expire on September 30, may be delayed. She elaborated on the administration's proposal and noted that funding continues to be a concern.

Director Lowe mentioned the Department of Agriculture's recent communication thanking ITD for assistance with boat inspections. This is related to recent legislation to prevent out-of-state vessels from bringing aquatic nuisance species into Idaho's waterways.

The Idaho Sheriff's Association has submitted a letter in support of central issuance of drivers' licenses, according to Director Lowe.

In conclusion, Director Lowe provided a list of confirmed and tentative ground-breaking and ribbon-cutting ceremonies through September.

Main Oregon Trail Back Country Byway Proposal. Garry Young, Scenic Byways Program Manager, presented a proposal to add a backcountry byway in southwestern Idaho. The 102-mile route begins at Three Island Crossing State Park in Glenns Ferry and travels northwesterly along a route paralleling the Old Oregon Trail north of I-84 to Blacks Creek Interchange east of Boise. Numerous entities, including Districts 3 and 4, support the byway proposal. The Scenic Byways Advisory Committee reviewed the proposal and recommends Board approval.

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

RES. NO. WHEREAS, the Idaho Transportation Board established the Scenic Byways ITB09-23 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 Idaho Chapter of the Oregon-California Trails Association submitted a request to designate a 102-mile back country byway in southwest Idaho beginning in the city of Glenns Ferry and traversing a route as follows: from Exit 121 on I-84 easterly along Frontage Road/Pasadena Valley Road, southerly along Rosevear Road, westerly and northerly along Slick Ranch Road, easterly along Old US-30/1st Avenue, southerly along Commerce Street, westerly along Madison Avenue to Three Island State Park. Then a route north along Bannock Avenue to the Old Oregon Trail Road, then northwesterly paralleling the Old Oregon Trail north of I-84 along Old Oregon Trail Road, Ryegrass Road, Ross Road, Wilson Road, Teapot Road, then southerly along US- 20 to Mountain Home Reservoir Road, then 27th Street North, 18th East, 39th North to Canyon Creek Road, then northerly along Canyon Creek Road to Mayfield Road/

Cemetery Road northwesterly to Blacks Creek Road and on Blacks Creek Road to the Blacks Creek Interchange east of Boise; and

WHEREAS, Districts 3 and 4 are in support of this designation; and

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

NOW THEREFORE BE IT RESOLVED, that the Board approves the Main Oregon Trail Back Country Byway along the aforementioned route description; and

BE IT FURTHER RESOLVED, that the Main Oregon Trail Back Country Byway shall be so designated on the Idaho Official State Highway Map and signed as such.

Funding Eligibility of De-Icer Chemicals in Congestion Mitigation/Air Quality (CMAQ) Improvement Program. Transportation Planning Administrator (TPA) Matt Moore confirmed that purchasing chemical de-icer is a valid use of federal CMAQ funds. This purchase was questioned last month when the Board was informed that the Albion Highway District had requested CMAQ funds to purchase de-icer chemicals. (See later minute entry.) ITD's CMAQ Program guidelines were designed to prevent and reduce existing and potential air quality nonattainment concerns. Program funding eligibility includes the purchase and use of chemical de-icers and related equipment to reduce sanding-related particulate matter generation and for stabilizing dirt and gravel roads as a palliative. ITD has routinely funded purchase of chemical de-icers, storage, and sweeper/flusher trucks for both ITD and local highway jurisdictions using CMAQ and other state and federal funds for projects and operations. Additional information was provided on ITD's use of magnesium chloride for dust control and stabilization.

Chairman Manning thanked TPA Moore for the report.

Add Albion Highway District De-icer Purchase to the Statewide Transportation Improvement Program (STIP). Administrator, Division of Administration (ADA), Dave Tolman said the Albion Highway District purchased a de-icer truck in FY06 via the CMAQ Program. The project, De-icer Truck/Chemicals, Albion Highway District, key #9422, was for a total of \$189,000. Due to a misunderstanding, a final voucher was created prior to the purchase of the chemical. Because the project was closed out, it cannot be reopened to purchase the chemicals. ADA Tolman recommends adding a new project in the amount of \$13,794 to the FY09 CMAQ Program to correct the earlier miscommunication with the Albion Highway District.

Member Blick made a motion, seconded by Member Miller, to approve the following resolution: RES. NO.

WHEREAS, it is in the public interest for the Idaho Transportation Department to accomplish a current, realistic, and fiscally constrained Highway Capital 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) requires that a priority list of projects covering a four-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, \$507,000 in Congestion Mitigation/Air Quality (CMAQ) program funds and obligation authority have been released due to de-obligated apportionments on completed projects; and

WHEREAS, the Albion Highway District wishes to use an amount of \$13,794 in funding never used in the FY06 CMAQ project, key #9422, De-icer Truck/ Chemicals, Albion Highway District, to purchase the de-icer chemicals; and

WHEREAS, the FY06 CMAQ project, key #9422, De-icer Truck/Chemicals, Albion Highway District was prematurely closed with a final voucher approved by FHWA in November 2007, prior to the purchase of de-icer chemicals originally planned for the project in FY06; and

WHEREAS, a federally funded project may not be charged for federal reimbursement after FHWA approval of the final voucher.

NOW THEREFORE BE IT RESOLVED, that Board authorizes staff to add a new project called Albion Highway District De-icer Purchase to FY09 of the CMAQ program for an amount not to exceed \$13,794; and

BE IT FURTHER RESOLVED, that staff is authorized to make the appropriate changes to the FY09-13 STIP in accordance with the provisions of SAFETEA-LU.

Member Coleman suggested clarifying the policy. He would like assurance that local entities are financially responsible and are capable of purchasing chemicals and/or operating the equipment on an ongoing basis after the initial purchase with federal funds. Chairman Manning concurred that local public agencies need to be able to take care of their system on an ongoing basis and not rely on federal funds for ongoing operating expenditures.

The motion passed unopposed.

Monthly Financial Statements and Highway Program Obligations. ADA Tolman reported that over \$158 million had been obligated for projects in the STIP by the end of May. This is 47% of the planned amount. At the same time last year, nearly \$155 million had been obligated.

Controller Gordon Wilmoth said the revenue to the State Highway Fund was \$360,995,854, which is 7% below the forecast. Total expenditures of \$329,012,356 were below projections,

partly because both federal and state funded construction expenditures are lagging. Revenue to the State Aeronautics Fund of \$2,340,877 was \$374,248 below projections. There is not a significant expenditure variance in this fund.

Member Gagner asked why the actual GARVEE expenditures were approximately \$75 million less than the forecasted amount. Deputy Director Stokes responded that a couple of projects were delayed last fall due to economic conditions. Additionally, substantial cost savings have been realized, so less money has been expended.

Member Coleman suggested including a line item on the buy-back program.

Adopt-A-Highway (AAH) Presentation. Member Whitehead recognized Elkhorn Bed and Breakfast for its efforts in the Adopt-A-Highway Program. In 2005 the group adopted two sections of US-95, mileposts 125 to 127 and 129 to 131. He thanked Debra Buckner for her valuable contributions to the state.

<u>SH-8</u>. Chief Engineer Tom Cole reported that the University of Idaho has secured \$1.5 million through the Idaho Permanent Building Fund to construct a new access to the campus from SH-8. The existing access point at Rayburn Street and SH-8 will be closed upon completion of this new intersection. The configuration will warrant a traffic signal and provide a stopped condition for pedestrian crossings at a high volume pedestrian location. ITD is responsible for approximately 60% of the cost of the signal installation or \$200,000.

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

RES. NO. WHEREAS, the University of Idaho has secured funds through the Idaho ITB09-25 Permanent Building Fund for \$1,565,000 to construct a new main access to the campus from SH-8; and

WHEREAS, the existing access at Rayburn Street and SH-8 will be closed as a result of the new access; and

WHEREAS, the new access will warrant a traffic signal and provide a stopped condition for a pedestrian crossing at SH-8; and

WHEREAS, the Idaho Transportation Department would be responsible for approximately 60% of the signal installation or \$200,000.

NOW THEREFORE BE IT RESOLVED, that District 2 requests the use of Board Unallocated funds for FY10 to cover ITD's share of the project, \$200,000, and that the funds be transferred to the Division of Public Works who is administering the project.

Member Coleman noted that District 1 had a recent partnership project on a traffic signal in Coeur d'Alene; however, District 1 utilized operating funds for that project. CE Cole responded that Districts can budget for projects if staff knows in advance. In this case, District 2 did not

know when the University of Idaho would secure the funds for the traffic signal, so it could not budget accordingly.

The motion passed unopposed.

<u>District 3 Action Items from Strategic Plan</u>. District 3 Engineer Dave Jones said some of the District's partnering efforts have focused on access management and zoning issues. To improve customer service, an office was established to address permit requests, in essence, establishing a one-stop-shop for development issues. That has resulted in a streamlined, more efficient process. Action items related to investing in our people include establishing focus groups to improve communication and allow employees to be heard and spending more time in the field with employees. Some of the leading through agency performance efforts have focused on project scheduling, as timing of projects can be critical, particularly if there are issues such as canals that can impact schedules.

Chairman Manning thanked DE Jones for the informative report.

Statewide Avalanche Program Update. Resident Engineer (RE) Tom Points said the goal of the avalanche program is to minimize risks to the traveling public and ITD maintenance employees. The objective is to keep state highways open during the winter months as long as there are resources to remove snow and the risk of avalanches are low. Four primary avalanche areas are monitored across the state during the winter by the avalanche technicians: SH-21, Canyon Creek; US-12, Lochsa; SH-75, Galena Summit; and US-89, Montpelier. During the 2008-2009 season, SH-21 was closed 21 days, US-12, 3 and SH-75, 1. Nine out of ten road avalanches in Idaho occur in one narrow stretch of SH-21.

RE Points said advantages to controlling avalanches and then removing snow on SH-21 are decreased user costs and economic impacts. Allowing the road to close at the onset of avalanche dangers and then removing all of the snow at the end of the season has the potential to be more disadvantageous. The drawbacks could be the potential road closure from December 1 until Memorial Day; large, consolidated, deep slides; rocks, trees and debris, which could have adverse environmental impacts; and it could take approximately three weeks to remove the debris, requiring more equipment and twice as many employees. He said the direct costs to ITD to keep the road open as much as possible through avalanche control efforts versus allowing SH-21 to close at the first threat of an avalanche and re-open it at the end of the winter season are very comparable. There are other indirect costs to users and communities that result when the road is closed for an extended period; however, there are also additional costs related to forecasting efforts with the current practice of keeping the road open as safety allows.

Chairman Manning thanked RE Points for the informative update. He also welcomed former Board Member Monte McClure to the meeting.

<u>Delegation – City of Meridian</u>. Meridian Mayor Tammy de Weerd recognized former Member McClure for his service and support to Meridian and acknowledged Representative Marv Hagedorn, in the audience, for his support. She thanked the Board for the recent projects it has funded in the Treasure Valley, noting the various improvements to the I-84 corridor. Mayor de

Weerd expressed concerns with the I-84, Meridian Road Interchange. She believes reconstructing the interchange would improve safety, reduce congestion, replace a structurally deficient bridge, foster economic development, and alleviate a chokepoint on I-84. She encouraged the Board to rebuild the structure with savings from GARVEE projects. The environmental process has been completed and there is minimal right-of-way needed.

Mayor de Weerd elaborated on partnering efforts. Improvements are being made to the local road system north of the Meridian Road interchange, property owners are being approached about potential partnerships, and the city is interested in maintaining the landscaping at the interchange. She also believes relocating ITD's maintenance facility near the interchange would be advantageous for both the department and municipality. Mayor de Weerd thanked the Board for its partnership on the new I-84, Ten Mile Interchange, which will be under construction soon. In conclusion, she stated that she will continue to support ITD's efforts on important issues such as additional funding and Transportation Access Plan legislation.

Member Coleman acknowledged the need to replace the Meridian Road Interchange. He believes there may be some funding options through GARVEE or stimulus savings; however, he also emphasized that there are numerous transportation needs throughout the state that may compete for these funds. Member Blick concurred with the importance of the project, but reiterated Member Coleman's comments that all of the states' needs will have to be considered if additional money is available due to savings from other projects.

Chairman Manning thanked Mayor de Weerd for her comments and also for her support on transportation issues. He noted the importance of the Meridian Road Interchange and that it is a vital component of the I-84 corridor.

Governor's Executive Order – Draft Quarterly Report. Deputy Director (DDIR) Stokes said the Governor's Executive Order 2009-08 requires quarterly updates to the Governor and chairs of the Senate and House transportation committees on the progress of implementing the findings of the Office of Performance Evaluation (OPE) audit and the American Society of Civil Engineers Peer Review. An annual report is also due no later than January 1.

DDIR Stokes presented the first quarterly report. The strategic action plans established to address the OPE audit are on schedule. These include developing a statewide transportation systems plan; implementing performance management; and implementing Maintenance Management, Pavement Management, Project Scheduling, and Financial Planning Systems. The majority of action items from the Peer Review are on schedule, including improving team building; aligning the strategic planning process with the four focus areas; enhancing professional development opportunities; increasing the focus on proactive highway and bridge maintenance; improving communications; communicating the plans and policies regarding practical design; and encouraging and rewarding employee innovation. Efforts to encourage employee innovation while also providing guidance to ensure consistent, high-quality output for functions that are decentralized is in danger of not meeting the schedule, while no progress has been made on improving staff resources by addressing salary compression and job-classification issues due to the statewide personnel holdbacks.

Discussion followed on the draft report. Some of the suggestions were to include an executive summary, note that referenced material is available upon request, and seek feedback on the report.

IDAPA 39.03.17 Manufactured Homes, Modular Buildings and 39.03.18 Relocation of Houses. Regina Phipps, Vehicle Size and Weight Specialist said the Board approved modifications to Rule 39.03.17, Permits for Manufactured Homes, Modular Buildings, and Office Trailers, at its April 2009 meeting. The revisions allowed the safe and efficient movement of manufactured homes, modular buildings and office trailers exceeding 16 feet wide at the base and a maximum overall width of 18 feet on a case by case basis. The modifications stipulated that there must be a written request for the movement as well as a traffic control plan if requested by the department to ensure the safety of the traveling public. She said that modifications to Rule 39.03.18, Overlegal Permits for Relocation of Buildings or Houses, are needed to coincide with the changes to Rule 39.03.17.

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

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

WHEREAS, the Board finds the changes to IDAPA 39.03.17 and IDAPA 39.03.18 necessary and an economic benefit to the Manufactured Housing Industry within Idaho.

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

Modify Rule 39.03.17 – Rules Governing Manufactured Homes/Modular Buildings/Office Trailers to allow the movement of manufactured homes and modular buildings on a case by case basis and require an approved traffic control plan when exceeding the current 16-foot base and 18-foot overall width limitations.

Modify Rule 39.03.18 – Rules Governing Overlegal Permits for Relocation of Buildings and Houses to ensure that this rule is not in conflict with the proposed change in Rule 39.03.17 that will allow manufactured homes to be wider than 16 feet at the base on a case by case basis; and

BE IT FURTHER RESOLVED, that the Board approves the request to submit the changes as listed above for Rule 39.03.17 and Rule 39.03.18 and will proceed with the regular rule making process.

Executive Session on Legal and Personnel Issues, Section 67-2345(b), (d), and (f), Idaho Code. Member Gagner made a motion to meet in executive session at 11:25 AM to discuss legal and personnel issues. Vice Chairman Sweeney seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on legal matters related to the US-95, Mica Bay project, access issues on US-20, and records exempt from public disclosure.

A discussion was held on personnel issues related to the evaluation of a public officer.

The Board came out of executive session at 1 PM. No final actions or decisions were made.

Old Business. Member Coleman has had additional correspondence on extending the US-95, Garwood to Sagle GARVEE corridor south to include the Wyoming Avenue to SH-53 portion since the last meeting. Upon request, Chairman Manning received an attorney general opinion on the Board's eligibility to extend the GARVEE corridor. Chairman Manning reported that the Board does not have this authority. The Board reiterated its support to extend the US-95 Garwood to Sagle GARVEE corridor south to include the Wyoming Avenue to SH-53 portion.

WHEREUPON the business session recessed at 1:25 PM.

June 19, 2009

The Board reconvened at 7:50 AM on Friday, June 19, 2009, in Boise, Idaho. All members were present except Vice Chairman Sweeney. Representative Darrell Bolz was present.

<u>District 3 Tour</u>. An Ada County Highway District representative and a number of local officials from Canyon County joined the Board as it traveled Bowmont Road and other local roads in response to a local initiative to develop a southern arterial to address increasing development south of Boise.

The Board toured the Caldwell Airport. Airport Manager Curt Hawkins summarized the various activities at the state's second busiest airport, including recently-constructed hangars, a new terminal under construction, and plans to lengthen the runway and construct more hangars.

After an employee appreciation lunch at the Caldwell Maintenance facility, the Board traveled I-84 east to the Gowen Interchange. DE Jones explained the various projects along the GARVEE corridor. The Board toured Western Trailers, owned by Member Whitehead.

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

signed

DARRELL V MANNING, Chairman
Idaho Transportation Board

Read and Approved July 23, 2009 Coeur d'Alene, Idaho

REGULAR MEETING AND DISTRICT ONE TOUR OF THE IDAHO TRANSPORTATION BOARD

July 22-23, 2009

The Idaho Transportation Board met at 8:15 AM, on Wednesday, July 22, 2009, in Coeur d'Alene, Idaho. The following principals were present:

Darrell V Manning, Chairman
Bruce Sweeney, Vice Chairman – District 2
Jim Coleman, Member – District 1
Jerry Whitehead, Member – District 3
Gary Blick, Member – District 4
Neil Miller, Member – District 5
Lee Gagner, Member – District 6
Scott Stokes, Acting Director
Karl Vogt, Deputy Attorney General
Sue S. Higgins, Secretary

Representative Phil Hart was also in attendance.

<u>District 1 Tour</u>. The Board departed north on US-95. Staff summarized the various projects along the Garwood to Sagle GARVEE corridor.

Sandpoint Airport Manager Dave Schuck welcomed the group to Sandpoint. It toured Quest Aviation, where Kodiak airplanes are manufactured.

The group traveled US-2 west to Dover. After participating in a ground-breaking ceremony with Governor Otter for the US-2, Dover Bridge, it returned to Sandpoint. During lunch with various dignitaries, staff provided an overview on the US-95, Sand Creek Byway project.

The Board and local officials toured the Sand Creek Byway project. The Board returned to Coeur d'Alene via US-95 south.

WHEREUPON the tour recessed at 3:30 PM.

July 23, 2009

The Board reconvened at 8:30 AM on Thursday, July 23, 2009, at the Idaho Transportation Department District 1 Office in Coeur d'Alene. All members were present.

<u>Board Minutes</u>. Member Miller made a motion to approve the minutes of the regular Board meeting held on June 17-19, 2009 and the minutes of the special Board meeting held on July 16, 2009 as submitted. Vice Chairman Sweeney seconded the motion and it passed unopposed.

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

August 19-20, 2009 – District 6 September 16-17, 2009 – District 4 October 14-15, 2009 – Boise

<u>Consent Calendar</u>. Member Blick made a motion, seconded by Member Gagner, and passed unanimously, to approve the following resolution:

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

ITB09-27

FY09 Statewide Transportation Improvement Program (STIP) amendment for Public Transportation; FY09 STIP administrative modification; FY10/State FY11 Public Transportation grant funding; removal of Rexburg City Streets Sealcoats project from the American Recovery and Reinvestment Act Highway Infrastructure Program; the advance of the Amity Road, Chestnut to Robinson Road, Nampa project; the addition of two new I-84 projects to the Interstate Maintenance Discretionary Program; rule change, IDAPA 39.04.05, Rules Governing Aircraft Registration; revisions to Board Policy, B-27-01, Charter or Rented Aircraft and Pilot's Requirements; Revisions to Board Policy, B-27-10, Assistance to Idaho's Airports; revisions to Board Policy B-11-02, Highway Development Program; and revisions to Board Policy B-06-42, Bidding and Contracting Rental Equipment; and has received and reviewed the contract award information; the professional services agreements and term agreement work task report; the administrative and legal settlements of right of way acquisitions; the FY09 annual report of activities to the Board of Examiners; and a status report on the Highway Development Program update.

- 1) FY09 STIP Amendment for Public Transportation. This request is to increase the amount programmed based on un-programmed FY08, Section 5310 funds and also the increase in the amount of the final FY09 federal apportionments. Kootenai Metropolitan Planning Organization and the Lewis Clark Valley Metropolitan Organization request increasing the amounts programmed from un-programmed Section 5307 funds. The Bannock Transportation Planning Organization's (BTPO) request is to balance the Section 5307 funds to the amount available and to increase the operations funding by reducing capital cost. The Community Planning Association of Southwest Idaho (COMPASS) requests increasing the amounts programmed from the un-programmed Section 5307 funds from FY08 and adjustments to the FY09 projects to take advantage of the availability of Federal Transit Administration (FTA) operating funds. COMPASS also requests moving the Small Urban transit program funds from the FY08 STIP to the FY09 STIP as an amendment. The program funds were inadvertently left out of the FY09 STIP and were not identified until FTA notified COMPASS and Valley Regional Transit that those funds would be lost as of September 24, 2009. The changes are shown as Exhibit 375, which is made a part hereof with like effect.
- 2) FY09 STIP Administrative Modification. In 2008, the Idaho Transit Coalition requested a \$4,592,569 5309 Congressional Earmark for Transit Capital Projects. All projects were added to the FY09-13 STIP. The final appropriation was \$4,845,000. Staff requests amending the STIP to increase key #11790, Sun Valley/Ketchum, Mountain Rides to \$802,000; key #11780, Coeur d'Alene Tribe to \$1,055,000; key #11781, City of Moscow, to \$207,000; key #11791, Pocatello

Regional Transit to \$906,000; key #11788, Boise, Valley Regional Transit to \$491,000; and key #11787, Ada County Highway District to \$1,385,000.

Additionally, operating expenses not to exceed 10% of appropriations became allowable program costs under the Supplemental Appropriations Act of June 2009, American Recovery and Reinvestment Act (ARRA). BTPO requests an FY09 STIP modification for key #11913 to reduce capital projects from \$1,160,000 to \$1,045,000 and the addition of an operating project for \$115,000.

- 3) Federal FY10/State FY11 Public Transportation Grant Funding. Staff completed the application review process for the remaining eligible FY09 funds and the FY10 FTA Section 5310 Elderly and Persons with Disability Program, Section 5311 Rural Program, Section 5316 Job Access/Reverse Commute, Section 5317 New Freedom Program, the state FY11 Vehicle Investment Program, and the FHWA Rideshare program funds. The Program, as shown as Exhibit 376, which is made a part hereof with like effect, was reviewed and approved by the Public Transportation Advisory Council.
- 4) Remove Rexburg City Street Sealcoats from the ARRA Highway Infrastructure Program. The City of Rexburg requests the removal of the Rexburg City Street Sealcoats project, key #11921, from consideration for construction with ARRA Title XII Highway Infrastructure funds. The City intends to reapply for the AARA Title XIV Education funds because of the increased flexibility those funds appear to provide. The \$160,000 of ARRA funds freed by this action will be applied toward STC-8001, Main Street, Boise Avenue to Washington, Emmett, key #9192. The request also includes approval to amend the STIP accordingly.
- 5) Advance Amity Road, Chestnut to Robinson Road, Nampa. In FY06, Congress earmarked \$8.6 million of Idaho's federal formula apportionments for the Amity Road, Chestnut to Robinson Road, key #10541 project. The City of Nampa has accelerated development of the project. Right-of-way acquisition is planned for FY10 and construction in FY11. The City of Nampa requests advancing the project from preliminary development into FY11 of the Highway Priority Program and to amend the STIP accordingly.
- 6) Add Two New I-84 Projects to the Interstate Maintenance Discretionary Program. ITD received two Interstate Maintenance Discretionary earmarks within the FY09 Appropriations Act. A \$475,000 allocation must be spent on I-84 between Broadway Avenue and Gowen Road. The earmark will be used for pavement work in FY09 on the ramps via the proposed project, I-84, Broadway Interchange Ramps, which will be companioned with the US-20, Ridenbaugh Canal to Junction I-84, key #9480 project, which is ready to advance from FY11 to FY09.

Additionally, a \$1,425,000 allocation must be spent on I-84 between Caldwell and Nampa. Staff proposes constructing a slip lane at I-84, 10th Street Interchange to Franklin Road Interchange, Caldwell in FY11 to aid traffic in safe and efficient merging at these exits. Staff requests adding these two projects to the STIP and amending it accordingly.

7) Rule Change, IDAPA 39.04.05, Rules Governing Aircraft Registration. Rule 39.04.05 cited Idaho Statute 63-1203, which has been repealed by the legislature and replaced by Idaho Statute

- 63-301 with equivalent wording. Rule 39.04.05 is being amended to correct the code reference. Minor wording changes were also included to clarify the intent of the rule.
- 8) Revisions to Board Policy B-27-01, Charter or Rented Aircraft and Pilot's Requirements. This policy was revised to correct a typo and clarify the intent of the wording. No substantive changes were made.
- 9) Revisions to Board Policy B-27-10, Assistance to Idaho's Airports. This policy was revised to incorporate the Aeronautics Program into the STIP. No substantive changes to the current practice are involved.
- 10) Revisions to Board Policy B-11-02, Highway Development Program. This policy was revised to include the Administrator, Division of Administration, along with the Chief Engineer, as having responsibility of establishing and maintaining the Highway Development Program.
- 11) Revisions to Board Policy B-06-42, Bidding and Contracting Rental Equipment. Minor, non-substantive revisions were made to bring this policy up-to-date.
- 12) Contract Awards. Keys #8808 and #8110 US-30, Twin Falls Main Canal Bridge #2 and Twin Falls Main Canal Bridge, Outlet, District 4. Low bidder: Cannon Builders, Inc. \$1,599,926.

Key #10584 – I-86, I-15, Chubbuck Interchange to Pocatello Creek Interchange, District 5. Low bidder: Hap Taylor & Sons, Inc. dba Knife River - \$8,077,399.

Key #9387 – SH-48, Rigby High School to Yellowstone Highway, District 6. Low bidder: H-K Contractors, Inc. - \$2,930,969.

Key #11142 – US-26, Lincoln Road to Junction SH-43, Idaho Falls, District 6. Low bidder: H-K Contractors, Inc. - \$2,132,458.

Key #557 – SH-97, Beauty Creek Bridge, District 1. Low bidder: Harcon Incorporated - \$1,356,605.

Key #11525 – FY09 District 3 Region 1 and 3 Sealcoats. Low bidder: Snake River Construction, Inc. - \$1,402,968.

Key #11865 – US-20 and SH-67, FY09 District 3 Region 2 Sealcoats. Low bidder: Kloepfer, Inc. - \$604,620.

Key #9818 – I-84, Vista Avenue Interchange, Boise, District 3. Low bidder: Central Paving Company, Inc. - \$17,786,796.

Key #1222 – US-2, Dover Bridge, Bonner County, District 1. Low bidder: Sletten Construction Company - \$21,563,793.

Key #11044 – SH-78, Junction SH-45 to Murphy, District 3. Low bidder: Central Paving Company, Inc. - \$1,847,776.

Key #9815 – I-84, Ten Mile Road Interchange, District 3. Low bidder: Staker & Parson Companies dba IS&G - \$33,798,013.

Key #8624 – US-20, Henry's Lake Flat Passing Lanes, District 6. Low bidder: Gale Lim Construction LLC - \$2,225,641.

Key #8073 – US-95, Top of Whitebird Grade to Chainup Area, District 2. Low bidder: Hap Taylor & Sons, Inc. dba Knife River - \$3,318,095.

Key #11900 – I-84, 500 West Road Overpass, Near Burley, District 4. Low bidder: Cannon Builders, Inc. - \$112,264.

Key #11084 – I-86, FY09 District 4 Sign Upgrades. Low bidder: Wheeler Electric, Inc. - \$130,195.

Key #11031 - US-95, Moscow Mountain Passing Lane, District 2. Low bidder: Debco Construction – \$2,728,813.

Keys #10532 and #10531 – SH-21, Diversion Dam to Sandy Point, Ada County, and Junction I-84 to Federal Way, Boise, District 3. Low bidder: Staker & Parson Companies dba IS&G - \$1,098,140.

Key #9572 – Packsaddle Road, Teton County, District 6. Low bidder: Hap Taylor & Sons, Inc. dba Knife River - \$1,027,045.

Key #9493 – I-84, Five Mile Underpass, Boise, District 3. Low bidder: Trinity Construction, Inc. - \$275,380.

- 13) Professional Services Agreements and Term Agreement Work Task Report. From May 29 through June 30, \$5,747,150 in new professional services agreements and work tasks were processed. Of the 38 agreements issued, 27 were for local projects. The majority of ITD's agreements were issued because resources were not available in house. Six supplemental agreements to existing agreements were processed in the amount of \$181,000 during this period.
- 14) Administrative and Legal Settlements of Right-of-Way Acquisitions. From January 1, 2009 through June 30, 2009, the Right-of-Way Section processed 61 parcels. There were 29 administrative settlements and no legal settlements during this time frame.
- 15) FY09 Annual Report of Activities to the Board of Examiners. During FY09, ITD requested a waiver on behalf of a newly-hired staff engineer. The request, which was approved, was to reimburse an employee \$378 for moving expenses. A request was also made to pay \$21,539 for comp time balances in excess of 240 hours for four FLSA non-covered employees to begin FY10 with all employees at or below the new caps established by the legislature. These employees

made a good faith effort to reduce the comp time balances form last year's request of \$71,052. The State Board of Examiners did not approve this request.

16) Revised FY10-13 STIP Update Schedule. The update schedule for the FY10-13 STIP has been revised to provide the Board the opportunity to consider GARVEE program changes in July and allow time to incorporate them in the draft STIP prior to proceeding with public involvement; enable more timely coordination of proposed STIP changes; and allow more time to analyze and review proposed STIP changes prior to the Board meeting. The update will be presented to the Board next month, followed by the public involvement period. The STIP will be presented to the Board for approval in November and then submitted to FHWA.

<u>Board Items</u>. Chairman Manning said he participated in a recent ground-breaking ceremony for the I-84, Ten Mile Interchange. He has also been involved in meetings related to the American Recovery and Reinvestment Act.

Member Coleman attended the Western Association of State Highway and Transportation Officials' annual meeting last week. The main topic was revenue. Concern was expressed that the fuel tax is not reliable. Re-authorization of the federal transportation act was also discussed. Officials are optimistic that federal funding will be increased.

<u>Director's Report</u>. Acting Director Stokes summarized the Department's efforts to address the Governor's Executive Order. The first quarterly report was released at the beginning of July. Outreach to employees is being planned, particularly meetings with mid managers, as a key to a successful performance management program is buy-in at that level.

Acting Director Stokes mentioned that the Leadership Team met earlier this week. It remains committed and dedicated to the Board and Department. Additionally, planning is underway on employee outreach efforts. More information will be provided later.

<u>Adopt-A-Highway (AAH) Presentation</u>. Member Coleman thanked the East Side Fire District for its participation in the Adopt-A-Highway Program. The group adopted SH-97, approximately 26 miles, in 2003. He recognized the valuable service the group is providing.

<u>Delegation – City of Post Falls</u>. City of Post Falls Mayor Clay Larkin thanked the Board for its time. He summarized efforts to date on the proposed I-90, Greensferry project. Due to the City's partnership, particularly its financial contribution, the environmental process has almost been completed. The Urban Renewal District Agency is willing to commit \$1.2 million to complete the preliminary and final design of the project; however, there is a timeframe that has to be met. Mayor Larkin is concerned that the addendum to the memorandum of understanding, which is in the District Office for review, may not be finalized in time. He asked the Board to support the City's efforts so the design work can be completed. He also expressed appreciation to District Engineer (DE) Damon Allen and his staff for its assistance.

DE Allen said that work on the addendum is progressing and if the Board endorses the proposal, it should be finalized soon.

Member Coleman expressed support for the partnership and for proceeding with the design. In response to his question on the timeframe, Mayor Larkin responded that he has to address the Urban Renewal District Agency next month.

Vice Chairman Sweeney asked if the right-of-way can be secured for the project. Mayor Larkin replied that there are some issues to address on the right-of-way acquisition; however, the right-of-way plans will not be finalized until the design work is completed.

Vice Chairman Sweeney expressed concern with proceeding with the design before construction funds are identified. Member Blick supports the project, but is also concerned with the lack of funds for construction. He commended the City for its partnership and proactive approach to address transportation needs, but cautioned that no construction money is available for the project at this time.

Member Coleman made a motion to direct staff to finalize the addendum to the memorandum of understanding with the City of Post Falls to proceed with the preliminary and final design for the I-90, Greensferry project, funded through the City and its Urban Renewal District Agency, with the document subject to legal review. Member Gagner seconded the motion and it passed unopposed.

Mayor Larkin thanked the Board for its support.

<u>Delegation – City of Sandpoint</u>. City of Sandpoint Mayor Gretchen Hellar commented on the numerous state highways in and around the City of Sandpoint. The City has virtually no control on these roads. The City is planning improvements to its streets; however, its transportation system is impacted by US-95. She asked for a decision on the plans for US-95 in Sandpoint upon completion of the Sand Creek Byway. She added that the City's next priority is the US-2 through Sandpoint project.

Member Coleman responded that the intent is to relinquish as much as US-95 as possible to the City. He acknowledged that some issues related to the US-2 connection still need to be addressed. He encouraged Mayor Hellar to work with DE Allen. ITD staff should be able to provide some guidance with the City's planning efforts.

Mayor Hellar thanked the Board for its time.

<u>Delegation – Bonner County Area Transportation Team.</u> Bonner County Commissioner Lewis Rich thanked the Board for its time. He expressed concern with a turn lane that was to be constructed on SH-41. Due to development in the vicinity, the developer was to provide part of the funding for the project. The agreement, however, contained a clause that if the project was not constructed by a time certain, the developer would not be liable for the funding. Commissioner Rich believes the project is needed, as it would alleviate safety concerns, but he is doubtful the project will be constructed. Other issues he mentioned were efforts with legislators to allow local option tax, concerns with the relationship between the Local Highway Technical Assistance Council and ITD, and concerns with the increased ITD administrative fees. In

conclusion, Commissioner Rich thanked the Board for projects underway in the County, including the US-2, Dover Bridge and SH-200, Lightning Creek Bridge.

DE Allen acknowledged the requirement of the turn lane due to the development. He added, however, that the District has other, higher priorities. The SH-41 turn lane is not in the STIP and will not be constructed this year.

<u>Delegation – City of Ponderay</u>. Carol Kunzeman, Mayor, City of Ponderay, thanked the Board for the various projects underway in the Ponderay area, specifically the US-2, Dover Bridge and US-95, Sand Creek Byway. She appreciated the opportunity to tour the Byway construction site yesterday, and believes it will be a valuable addition to the area's transportation system. Mayor Kunzeman also praised the District staff for its assistance and support. The City's next priority is the US-95, Sandpoint to Kootenai Cutoff project.

<u>Delegation – City of Priest River</u>. City of Priest River Mayor James Martin expressed appreciation to Member Coleman for attending a recent meeting to discuss transportation issues, particularly funding. He noted the importance of increasing transportation revenue, not only for ITD, but for local highway jurisdictions. He believes it is imperative for the state and locals to work cooperatively on this issue and he supports ITD's efforts.

Chairman Manning mentioned the establishment of the Governor's Transportation Funding Task Force. Senator Shawn Keough is a member of that Task Force. He encouraged Mayor Martin to continue working with area legislators. Member Coleman acknowledged Mayor Martin's efforts on funding and noted that the legislators in northern Idaho generally are supportive of transportation funding. He does not anticipate additional funding before the Task Force issues its report in December 2010.

Because of the general support of northern Idaho legislators, Member Miller encouraged Mayor Martin to broaden his efforts. It would be advantageous to have the support of local associations, particularly the Association of Idaho Cities. Member Blick also expressed appreciation for Mayor Martin's efforts. He acknowledged the extensive needs on the local system and the insufficient funding. He believes, too, that the state and locals need to unite on this important issue.

In conclusion, Mayor Martin thanked District staff for the improvements to SH-57 and for its assistance.

<u>Delegation – Idaho's Mobility and Access Pathway (IMAP) District 1A Coordinator, Clif</u>

<u>Warren.</u> Mr. Warren thanked the Board for the IMAP initiative. He believes it is very beneficial and will help address the mobility needs of the citizens of Idaho. He is concerned that funding is insufficient for public transportation and encouraged the Board to increase funding for transit. Mr. Warren also expressed appreciation to the Division of Public Transportation staff for its assistance and support.

Chairman Manning thanked Mr. Warren for his comments and for his participation in the important IMAP initiative.

Presentation – Community Transportation Enhancement Program. Dave Stephenson, Project Coordinator, Department of Lands, thanked the Board for funding the Community Transportation Enhancement program through the Enhancement Program. He emphasized the importance of this Program, funded through ITD and administered by the Department of Lands, whereby funding for trees and shrubs are provided to communities. The plants have a traffic calming effect. Other benefits include reduced air particulates, reduced erosion, and energy savings. He summarized projects funded through the Program. Mr. Stephenson expressed concern with the Board's decision to suspend funding to the Enhancement Program because it is a valuable program to communities.

Member Blick asked if communities, particularly smaller communities, have difficulty maintaining these projects and taking care of the trees and shrubs. Mr. Stephenson responded that funding is a concern when on-going costs are involved. As part of the Program, assistance is provided to communities for three years to ensure adequate maintenance is being done.

Chairman Manning thanked Mr. Stephenson for the report and for his efforts on this project.

<u>2010 Legislative Idea Review</u>. Governmental Affairs Program Manager (GAPM) Mollie McCarty presented the legislative concepts for the 2010 session. Upon approval, the ideas will be submitted to the Division of Financial Management (DFM). Upon approval from DFM, draft legislation for the concepts will be prepared and presented to the Board.

She summarized the nine ideas being considered. The topics include issuing a driver training instruction permit to any person 14 ½ years of age or older; restricting the release of personal identity information of individuals involved in crashes; strengthening the safety restraint requirement, however, discussions with lawmakers will determine the actual proposal; adding court costs to adult safety restraint violations; allowing the "IdaShield" railroad crossing markers; correcting the commercial drivers' license program to comply with the Federal Motor Carrier Safety Administration; designating ITD maintenance vehicles as authorized emergency vehicles; allowing both the application for a duplicate title and the transfer to a new owner in a single transaction for vehicles that are either at least 10 years old, over 16,000 pounds gross vehicle weight, or have no odometer device, and for all vessels; and requiring land-use authorities who are responsible for land surrounding public airports to develop compatible airport land-use planning.

Member Gagner suggested contacting other states to determine the effect of stronger seatbelt legislation. It may be helpful if ITD can project how many lives may be saved if changes to Idaho's seatbelt laws are enacted. On the IdaShield legislation, Chairman Manning suggested it may be beneficial to seek information through the American Association of State Highway and Transportation Officials. Member Miller also suggested contacting other states to determine if they have a similar program and how it is being implemented, particularly Ohio, which he believes initiated the program. Vice Chairman Sweeney asked if there is a problem with ITD's maintenance vehicles. He believes staff has to justify this request and provide information on the concerns that precipitated the proposal to authorize the vehicles as emergency vehicles.

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

RES. NO. WHEREAS, the Idaho Governor's Office has requested that state agencies submit proposed 2010

ITB09-28 legislation to the Division of Financial Management for review and approval; and

WHEREAS, the Idaho Transportation Department Executive Team has approved the "Legislative IDEA Submittal Forms" and has submitted them to the Idaho Transportation Board for review and approval prior to submission to the Division of Financial Management.

NOW THEREFORE BE IT RESOLVED, that the Board approves submittal of the "Legislative IDEA Submittal Forms", as shown as Exhibit 377, which is made a part hereof with like effect, to the Division of Financial Management, and, upon approval, the development by ITD staff of draft legislation to be included as part of the Governor's 2010 legislative package, dependent upon subsequent review and approval by the Board and the Division of Financial Management.

Proposed Changes to IDAPA 39.02.41, Rules Governing Special Provisions Applicable to Fees for Services. Alan Frew, Motor Vehicle Administrator (MVA), said IDAPA 39.02.41 is being modified to prepare for implementation of House Bill 334 passed by the 2009 legislature, and also to update language to allow for current technology available for electronic transmission of data. Language changes will rely more on statute, and when House Bill 334 is implemented on January 1, 2010, the proposed rule language will facilitate a slight increase in the charge to provide imaged records based on a per hour rate of \$18. Based on an average 24 minutes for processing, the new charge to research and provide imaged motor vehicle records will be \$7 in addition to the base driver/vehicle record charge. The change is part of a package that will allow the Department to recover its Division of Motor Vehicles' administrative costs.

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

RES. NO. WHEREAS, House Bill 334 was enacted by the 2009 legislature and will be effective

ITB09-29 January 1, 2010; and

WHEREAS, House Bill 334 included a change to the hourly rate found in 49-202(2)(h); and

WHEREAS, IDAPA 39.02.41 includes a fixed fee based on 49-202(2)(h) that will be incorrectly calculated on January 1, 2010 if the rule is not changed; and

WHEREAS, the proposed revisions will rely more on statute instead of citing a fixed fee for research; and

WHEREAS, the proposed revisions can be implemented prior to January 1, 2010 without any conflicts with statutory language or timing of dates of legislation enactment; and

WHEREAS, IDAPA 39.02.41 includes outdated language that should be changed to reflect current terminology and technologies available for data transmission.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board endorses the changes to IDAPA 39.02.41 as a temporary and proposed rule.

Revisions to IDAPA 39.03.12, Rules Governing Safety Requirements of Overlegal Permits. MVA Frew requested revisions to IDAPA 39.03.12 to conform to the Federal Motor Carrier Safety Regulations (FMCSR). The rule currently requires warning flags on oversize vehicles and/or loads to be 12 inches by 12 inches. FMCSR 393.87 now requires the minimum size of warning flags to be 18 inches by 18 inches.

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

RES. NO. WHEREAS, the Idaho Transportation Board has authority to approve requested changes to

ITB09-30 Idaho Transportation Department rules; and

WHEREAS, the Board finds the changes to IDAPA 39.03.12 necessary and is a safety requirement of Federal Motor Carrier Safety Regulations for the safe movement of oversize vehicles and/or loads within Idaho.

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

Modify Rule 39.03.12 – Rules Governing Safety Requirements of Overlegal Permits to state the required minimum size of warning flags for oversize vehicles and/or loads be eighteen (18) inches by eighteen (18) inches; and

BE IT FURTHER RESOLVED, that the Board approves the request to submit the changes as listed above for Rule 39.03.12 and directs staff to proceed with the administrative rule making process.

Revisions to IDAPA 39.03.16, Rules Governing Oversize Permits for Non-Reducible Vehicles and/or Loads. MVA Frew said IDAPA 39.03.16 specifies that oversize vehicles operating under authority of an overlegal permit and exceeding four feet of front overhang on any vehicle in the combination are restricted to daylight travel only on two-lane two-way highways. This restriction applies to loads exceeding four feet overhang in front of flatbed trailers, between the trailer and the tractor of the vehicle combination. ITD has had several requests by the industry to allow vehicles to operate with greater front overhang before being restricted to daylight only travel on two-lane, two-way highways. Industry has requested to increase the front overhang from four feet to seven feet.

MVA Frew said that staff surveyed surrounding states' front overhang travel requirements and determined that the majority of surrounding states have less restrictive requirements than Idaho. Staff partnered with the industry to research and determine that seven feet of front trailer overhang can be safely accommodated for night operations.

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

RES. NO. WHEREAS, the Idaho Transportation Board has authority to approve requested changes to

ITB09-31 Idaho Transportation Department rules; and

WHEREAS, the Board finds the changes to IDAPA 39.03.16 necessary for the efficient movement of oversize vehicles and/or loads within Idaho.

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

Modify Rule 39.03.16 – Rules Governing Oversize Permits for Non-Reducible Vehicles and/or Loads to state front overhang of any vehicle in a combination is restricted to seven (7) feet before being restricted to daylight travel only on two (2) lane, two (2) way highways; and

BE IT FURTHER RESOLVED, that the Board approves the request to submit the changes as listed above for Rule 39.03.16 and directs staff to proceed with the administrative rule making process.

ITD/Department of Environmental Quality (DEQ) Cooperative Agreement Extension: Stage 1 Vapor Recovery Retrofit Project. Transportation Planning Administrator (TPA) Matt Moore summarized the September 2008 Board approval of the DEQ Stage 1 Vapor Recovery Retrofit Project. The Congestion Mitigation and Air Quality Improvement Program funding of up to \$500,000 was to help retrofit Treasure Valley area gasoline storage tanks with vapor recovery technology to reduce emissions of volatile organic chemicals that contribute to the creation of ground-level ozone.

TPA Moore reported that the project is behind schedule and DEQ has requested an extension to the cooperative agreement. As of July 1, 2009, approximately \$11,300 from this cooperative agreement has been used to completely retrofit 15 tanks. Another 40 tanks are registered and in varying stages of the program and an additional 94 tanks are eligible, for a total of approximately 150 tanks.

Originally, DEQ expected that 410 tanks would be eligible under this program, according to TPA Moore. Subsequent federal regulations for larger-scale delivery and storage operations indicate that approximately 150 tanks are eligible. Further, cost estimates for retrofitting tanks were \$5,000 per tank while the actual cost has been \$1,500, with federal aid reimbursing up to 50% of that amount. Between the federal regulatory requirements and this project, all 410 tanks will be retrofitted, thereby assuring the desired air quality improvements needed to reduce the chances of the Treasure Valley becoming an ozone nonattainment area.

TPA Moore stated that the cooperative agreement with DEQ will be extended until May 1, 2010 to complete retrofitting all of the eligible tanks. Additionally, DEQ is requesting the total project be reduced to \$130,000 in federal aid.

<u>ITD Strategic Plan Quarterly Update</u>. TPA Moore reported that an electronic tracking system has been implemented to report and track the action items that support the four identified Department focus areas. All documentation and related information on ITD's strategic planning activities can be found on the intranet.

Investing in Our People team leader Mary Harker, Human Resources Manager, reported that the employee survey meetings have been conducted. Part of the survey was an assessment of employees' awareness of the values identified earlier this year. Additionally, follow-up supervisory workshops have been conducted and the performance evaluation system has been revised to include values behaviors and supervisory behaviors. A team has also been created to develop a new employee orientation program. The rewards and recognition team has met three times. Both teams are on target to complete their work. Member Gagner commented that it would be important to have a person assigned to tracking and monitoring performance measures attached to the performance evaluation system.

MVA Frew, team leader for Improving Customer Service, said a Customer Service Council has been established. ITD's products/services and customers have been identified. Efforts are underway to conduct a survey of the general public relating to ITD products and services. The final report is expected by the end of January 2010. The team is also identifying customer service best practices and conducting a gap analysis. A draft report is anticipated before the end of this year.

Administrator, Division of Administration (ADA), Dave Tolman, Leading through Agency Performance team leader, reported that training sessions were held in May. The team continues to reach out to various legislators, industry partners, and other governmental entities, and has held statewide meetings for ITD staff to communicate the implementation of Performance Management. Additionally, 15 performance measures have been selected and data collection started on July 1. ADA Tolman said the team's work is essentially complete, as a Performance Management Review Team will provide oversight now.

TPA Moore reported on the efforts of the Expanding and Enhancing Partnerships Team. A Partnership Steering Committee has been formed. It has developed a partnership satisfaction survey that will identify ITD's current partners and evaluate existing strengths and weaknesses. The survey is to be completed by October 9.

Chairman Manning thanked staff for the update and the continued efforts on this important initiative.

<u>District 1 Action Items from Strategic Plan</u>. DE Allen said the District's partnering efforts include creating transportation development agreements within all of the counties in the District. Additionally, the District is responsible for structural fabrication inspection for the state for

products that come out of Spokane, Washington. To improve customer service, the District established a suspense log to track issues. It also developed an access/permit database and is transitioning to a GIS-supported system. Action items related to investing in our people include the creation of a construction inspector guide for the residency personnel and on-site visits with all employees. Some of the leading through agency performance efforts are a review of the winter levels of service to correspond with the annual allocations and continuing use of the solid salt/brine de-icer program.

Chairman Manning thanked DE Allen for the report.

Executive Session on Personnel and Legal Issues. Vice Chairman Sweeney made a motion to meet in executive session at 12:20 PM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(a), (b), (d), and (f). Member Miller seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on legal matters related to access issues on US-20 and records exempt from public disclosure.

A discussion was held on personnel issues related to the conduct of public officers and the filling of a public office.

The Board came out of executive session at 1:30 PM. No final actions or decisions were made.

Outdoor Advertising. Janice Strough, Senior Right of Way Agent, summarized the outdoor advertising program. Types of signs the Department regulate are off-premise and billboards; on-premise; and miscellaneous, such as directional, religious, community, and for sale. Per federal law, states must provide continuing control of outdoor advertising signs or be subject to a loss of 10% of their federal-aid highway funds. The Headquarters Right-of-Way Section has one full-time position devoted to this program. Each District has one part-time sign agent. Currently, there is a \$10 per sign application and permit fee, a \$3 per annual sign permit renewal fee, and \$50 for an outdoor advertising business license. The fees, which have not been increased since 1975, generate close to \$6,000 annually; however, the costs to ITD to administer the program are around \$187,000.

The consensus of the Board was to pursue increasing the outdoor advertising sign fees.

Highway Safety Performance Plan FY10. Mary Hunter, Highway Safety Manager, elaborated on the federally-funded Highway Safety Grant Program. The goal is to reduce deaths, injuries, and economic losses resulting from traffic crashes by implementing programs to address driver behaviors. The program provides grant funding at the state and community level for highway safety programs that address Idaho's unique circumstances and particular highway safety needs. She presented the FY10 Highway Safety Performance Plan, as approved by the Traffic Safety Commission. The National Highway Traffic Safety Administration Section 402 grants total \$2,734,900. Based on Idaho's highway safety needs some of the focus areas are impaired driving, occupant protection, police traffic services, community traffic safety projects, and paid

advertising. The other grant categories included in the Plan, totaling over \$3.3 million, are data records, alcohol impaired, racial profiling, and motorcycle safety.

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

RES. NO. WHEREAS, Idaho experienced 25,002 reportable traffic crashes, 232 traffic deaths.

ITB09-32 and 11,995 people injured in 2008; and

WHEREAS, the economic cost of traffic crashes in Idaho for 2008 was nearly \$2.6 billion; and

WHEREAS, Idaho's fatality rate for 2008 was 1.52 fatalities per 100 million annual vehicle miles traveled, which is higher than the estimated national rate of 1.27 fatalities per 100 million annual vehicle miles traveled; 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 \$6 million in funding for Idaho to reduce traffic deaths and serious injuries; and

WHEREAS, the Idaho Traffic Safety Commission and the Office of Highway Operations and Safety have developed the Highway Safety Performance Plan for federal FY10 to reduce Idaho traffic deaths, injuries, and economic losses; and

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

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board adopts the Highway Safety Performance Plan, which is on file in the Office of Highway Operations and Safety, for federal FY10.

Review of Local Stimulus Projects which Utilize ARRA State Stabilization (Education) Funds. Local Highway Technical Assistance Council (LHTAC) Administrator Lance Holmstrom reported that Idaho received approximately \$29 million through Title XIV of the ARRA of 2009 for use at the Governor's discretion. The legislature appropriated \$17.5 million to LHTAC to fund highway projects on local roads with the advice and consent of the Board. He presented LHTAC's recommended list of projects to fund.

In response to Member Blick's question on whether the projects are shovel-ready, LHTAC Administrator Holmstrom replied that shovel-ready is not a requirement of these Education funds. Chairman Manning asked if there are reporting requirements. LHTAC Administrator Holmstrom replied yes; however, he is not certain as to what the reporting requirements are for projects funded through Education.

In response to Member Coleman's question on how the projects were selected, LHTAC Administrator Holmstrom explained the process, including that projects must comply with FHWA regulations and must be eligible under the current Surface Transportation Program. The Council rated projects on factors such as if the entity is currently using a pavement management or asset management program, if the project is included in the local public agency's five-year Transportation Capital Improvement Plan, if the county poverty rate is above the state poverty average, and if the average daily traffic volume on the roadway is over 400 vehicles per day.

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

RES. NO. WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all

ITB09-33 available federal-aid highway funding; and

WHEREAS, the American Recovery and Reinvestment Act (ARRA) of FY09 allocated \$29 million to Idaho for use at the Governor's discretion; and

WHEREAS, Idaho Senate Bill 1227 appropriated \$17.5 million of the above funds to the Local Highway Technical Assistance Council (LHTAC) to fund grants for local highway infrastructure projects; and

WHEREAS, the LHTAC solicited for highway infrastructure projects from Idaho local highway jurisdictions; and

WHEREAS, the projects were evaluated and selected using criteria in accordance with ARRA Title XIV and Idaho Senate Bill 1227; and

WHEREAS, the LHTAC desires the advice and consent of the Board regarding the projects proposed for Title XIV funds.

NOW THEREFORE BE IT RESOLVED, that the Board authorizes the LHTAC to proceed with execution of such grants as necessary to accomplish the highway infrastructure projects as shown as Exhibit 378, which is made a part hereof with like effect; and

BE IT FURTHER RESOLVED, that the LHTAC will present project status reports twice annually to the Board until all projects have been completed.

State Highway System Economic Stimulus Savings Proposal. Dave Amick, Manager, Transportation Investments (MTI), reported that seven of the eight projects on the state highway system funded in March 2009 through ARRA have been awarded. Savings realized on these projects is around \$33 million to date. The bid openings for the US-93, Twin Falls Alternate Route project are scheduled next week. At this time, staff is recommending funding the US-95, Wyoming Avenue to SH-53 project in the amount of \$15.8 million with these savings. A complete proposal of projects that may use the remaining state system savings will be provided

after the US-93, Twin Falls Alternate Route project is bid. Reasons for funding the US-95, Wyoming Avenue to SH-53 project are: it is the District's top priority unfunded project in the Near Horizon's portion of the Long Range Capital Improvement Plan; the project is sufficiently ready for obligation to meet ARRA federal obligation requirements; the project is a system expansion effort with long-term economic and multi-trade economic benefits consistent with the economic stimulus criteria; the project has safety benefits; immediate funding is needed to complete the purchase of right-of-way to meet the September 2009 obligation date; and the project is in an economically distressed area.

Member Blick acknowledged the need to fund this US-95 project; however, he believes it should be included in the GARVEE Program. He supports using ARRA funds throughout the state and for projects that the Department is having difficulty funding. He believes GARVEE is a feasible funding source for this project. Vice Chairman Sweeney concurred with Member Blick. Additionally, he understands that this project is not shovel-ready. Although the project is worthy, he believes it should be funded in the GARVEE Program and stimulus savings should be used elsewhere in the state.

Member Coleman understands the frustration with the exclusion of the Wyoming Avenue to SH-53 portion in the GARVEE Corridor; however, he believes the project meets the ARRA criteria and is needed to address safety and congestion concerns. This portion of US-95 is not in the GARVEE Program now, but the Board has an opportunity to fund this high priority project.

Member Gagner referenced yesterday's tour through this corridor. He recognizes the safety concerns and supports funding the project.

Member Coleman made a motion, seconded by Member Gagner, to approve the following resolution:

RES. NO. WHEREAS, the American Recovery and Reinvestment Act (ARRA) of 2009 has provided Idaho

ITB09-34 \$181,934,631 in 100% federal funding highway infrastructure projects; and

WHEREAS, such funding has been provided for the expeditious delivery of eligible highway infrastructure projects with priority for those which can be completed by February 17, 2012, are in economically distressed areas, and which maximize job creation and economic benefit; and

WHEREAS, Idaho has experienced throughout the state a reduction in economic activity resulting in significant job loss and hardship in both the public and private sectors of Idaho's economy; and

WHEREAS, the Idaho Transportation Department has set aside \$148.6 million under the ARRA for state highway system projects; and

WHEREAS, such expeditiously delivered projects must be obligated in time to meet rigid deadlines established in the ARRA, ranging from 120 days to 1 year from the apportionment of ARRA funding to Idaho; and

WHEREAS, funding which does not meet the deadlines established under the ARRA will be redistributed to other states; and

WHEREAS, the Idaho Transportation Board has been provided an overview of the purpose, provisions, and deadlines under the ARRA; and

WHEREAS, the Department's FY10 budget, which includes \$182 million in ARRA funding, was approved during the Idaho 2009 Legislative Session and signed into law by Idaho Governor Otter on May 1, 2009; and

WHEREAS, state highway system projects have been identified that can be expeditiously delivered in accordance with the provisions of the ARRA and must be included in the Statewide Transportation Improvement Program (STIP) and approved by the Federal Highway Administration and the Federal Transit Administration prior to being eligible for ARRA funding; and

WHEREAS, the Department has identified \$33.2 million in state highway system ARRA project savings due to favorable bids for seven of the eight projects advertized to date; and

WHEREAS, the US-95, Wyoming Ave to SH-53, Hayden project meets the economic stimulus and project readiness criteria of the ARRA.

NOW THEREFORE BE IT RESOLVED, that staff is authorized to amend the FY09-13 STIP in accordance with the provisions of the ARRA to include the US-95, Wyoming Avenue to SH-53, Hayden project in FY09 under the ARRA program.

Member Whitehead said he drove this route shortly after his appointment to the Board. He is concerned with safety on this highway and supports funding the project, particularly because there are no guarantees that it will be included in the GARVEE Program or even that the GARVEE Program will receive additional bonding authorization.

The motion passed 4-2 by individual roll call vote with Vice Chairman Sweeney and Member Blick dissenting.

Member Coleman made a motion to authorize the use of savings from the ARRA Program to fund the US-95, Wyoming Avenue to SH-53 project. Member Gagner seconded the motion. It passed 5-1 by individual roll call vote with Member Blick opposing.

Monthly Financial Statements and Highway Program Obligations. MTI Amick reported that over \$176 million had been obligated for projects in the STIP by the end of June. This is 52% of the planned amount. At the same time last year, \$224 million, or approximately 59%, had been obligated.

Controller Gordon Wilmoth said the revenue to the State Highway Fund through May was \$394,511,245, which is 6.2% below the forecast. Total expenditures of \$368,017,481 were below projections because both federal and state funded construction expenditures are lagging. Revenue to the State Aeronautics Fund of \$2,455,892 was \$478,000 below projections. There is not a significant expenditure variance in this fund.

Highway Cost Allocation Funding Request. ADA Tolman reported that a Highway Cost Allocation Study was completed in December 2007. Due to funding limitations and time constraints, the study relied on cost allocation factors from prior studies and the scope of the study was limited to a one-year revenue and expenditure cycle. There is a critical need to accurately evaluate the source of highway funding and the expenditures of those revenues by highway system both state and local. The study needs to be updated and expanded to use the most current allocation factors (what vehicle types are using which highway system) and the cost of construction and maintaining those systems over four to seven years to more accurately represent an average pattern of highway spending.

ADA Tolman believes there are critical decisions that need to be made on how revenue sources are allocated to highway users, particularly with the use of GARVEE bonds and stimulus funds from FHWA. Funding for this study could be a combination of federal and state sources. The study would be essential for use by the Governor's Transportation Funding Taskforce and would be expected to be completed six to nine months after a contract is signed.

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

RES. NO. WHEREAS, it is in the public interest for the Idaho Transportation Department to accomplish a

ITB09-35 current, realistic, and fiscally constrained Highway Capital Investment Program; and

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

WHEREAS, the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act – a Legacy for Users (SAFETEA-LU) requires that a priority list of projects covering a four-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, a comprehensive Highway Cost Allocation Study is critical to accurately evaluate the source of revenue and the expenditures of those revenues by highway system; and

WHEREAS, the Highway Cost Allocation Study completed in 2007 was of limited scope and relied on cost allocation factors from previous studies; and

WHEREAS, a current, more complete study will be essential for use by the Governor's Transportation Funding Taskforce; and

WHEREAS, a cost allocation study is eligible for federal highway funds within the Department's statewide planning program; and

WHEREAS, the Department has estimated that the cost of a professional services contract to accomplish a comprehensive highway cost allocation study may be as much as \$200,000; and

WHEREAS, the Department has identified project savings in an FY09 federal project sufficient to fund the cost allocation study.

NOW THEREFORE BE IT RESOLVED, that staff is authorized to add a Highway Cost Allocation Study project not to exceed \$200,000 to FY09 of the statewide planning program in the FY09-13 Capital Investment Program; and

BE IT FURTHER RESOLVED, that the FY09-13 STIP be amended as necessary to implement the above changes in accordance with the provisions of the SAFETEA-LU.

GARVEE Financing Authorization. ADA Tolman said earlier the Board approved authorizing the financing of \$250 million in bonds approved by the 2007 legislature, of which \$211.2 million in bonds were issued. This consisted of \$179 million from Series 2008A and \$32.2 million from Series 2009A. The 2009 legislature passed Senate Bill 1186 authorizing the Board to finance up to \$82 million in project costs. ADA Tolman requested approval to combine the balance of authorization from the 2007 legislation, in the amount of \$38.8 million, and the new authorization provided by Senate Bill 1186 and to approve the issuance of bonds in a principal amount not to exceed \$120.8 million. He added that this approval is necessary due to legal requirements to keep the expenditures on current projects tax exempt. Additionally, the Idaho Housing and Finance Association must pass a resolution to issue bonds within 60 days of expenditures actually occurring on projects to be financed by the bonds. The timing of the sale of these bonds will be determined at a later date to meet contracting requirements.

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

RES. NO. WHEREAS, the Idaho Transportation Department (ITD) strives to make available to the citizens

ITB09-36

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 2007 Idaho legislature has passed and the Governor has signed House Bill 336 authorizing ITD's 2007 request for bonding authority under Idaho Code Section 40-315(4) up to \$250,000,000 of bonding authority of which \$211,245,000 has been issued by IHFA leaving \$38,755,000 not issued to date, and the 2009 Idaho Legislature has passed and the Governor signed Senate Bill 1186 GARVEE Bonding Authorization authorizing ITB's request for bonding authority under Idaho Code Section 40-315(4) up to \$82,000,000 (collectively, the "Legislative Authorizations") and IHFA intends to issue certain tax exempt bonds, Federal Highway Trust Fund Series, during state fiscal year 2010 in an amount not to exceed \$120,755,000, comprising the \$38,755,000 remaining from the authorization under House Bill 336 and \$82,000,000 from the authorization under Senate Bill 1186 (the "Bonds"), in order to provide funds to finance the GARVEE Program for those projects (the "Projects") referenced in the Legislative Authorizations and other related legislation and 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 Projects from the proceeds of the Bonds; and

WHEREAS, there has been prepared 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 Projects and recommends to IHFA the financing thereof through the issuance of the Bonds in an aggregate principal amount not to exceed \$120,755,000, \$38,755,000 from the bonding authority approved by House Bill 336 and \$82,000,000 from the bonding authority approved by Senate Bill 1186; 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.

GARVEE Program Allocation of Savings and FY10 Program Update. GARVEE Program Engineer (GPE) Amy Schroeder provided highlights of the GARVEE Program. In response to the focus on improving customer service, extensive efforts are underway to inform the public of the I-84, Vista Interchange replacement project. She elaborated on the Single Point Urban Interchange design for the structure. GPE Schroeder reported that \$490 million has been contracted through June, with \$310 million expended. There are 23 construction contracts, 6 supply contracts, and 60 consultant agreements.

In response to Member Gagner's question on the feasibility of utilizing some of the Connecting Idaho Partners' (CIP) software programs, such as project scheduling, Chief Engineer Tom Cole replied that staff's intent is to utilize some of the programs. Staff is reviewing various programs and will incorporate a number of CIP's philosophies, either in whole or parts that would be applicable to ITD.

GPE Schroeder summarized the savings to date due to lower than anticipated bids and additional funds available due to the construction of the I-84, Vista Avenue Interchange with federal stimulus funds. Approximately \$43 million in savings has been realized.

GARVEE Program Administrator Jason Brinkman presented the revised FY10 Working Plan that incorporates the recommendations to utilize \$43.7 million in savings and the allocation plan for the \$82 million bonding authority that the legislature approved for FY10. The recommendation is based on the original program scope of the program, project readiness, and smart management of bonds, including using the savings first, complying with the new legislative intent language, and postponing the next bond sale until it is needed.

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

RES. NO. WHEREAS, the Idaho Transportation Board is charged with determining the timeframe

ITB09-37 and scope of improvements for the State Transportation System; 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, and 2009 authorized the issuance of GARVEE bonds to finance a total of \$681 million in projects; and

WHEREAS, the Board is granted the statutory responsibility and duty to allocate GARVEE bond proceeds among legislatively authorized projects, including the following:

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, substantial savings from low construction bids on prior authorization projects are available from the US-30, McCammon to Soda Springs project and I-84, Orchard to Isaacs Canyon project; and

WHEREAS, the Legislature has expressed intent that any savings realized from lower than expected cost estimates or other efficiencies shall be applied to existing projects as soon as is practicable per 2009 Session Law Chapter 203, Section 6 (Senate Bill No. 1186); and

WHEREAS, a revised bonding philosophy has been presented to the Board to ensure the ongoing conservative and advantageous use of bond funds.

NOW THEREFORE BE IT RESOLVED, that the Board approves the reallocation of savings from fiscal year 2008 and 2009 legislative appropriations to fund the I-84, Cole Road to Orchard Street, Orchard Street to Vista Avenue, and Vista Avenue to Broadway Avenue, Boise construction contract (keys #09819, #09820, and #09823), known informally as the I-84, Cole to Broadway reconstruction, within the I-84, Orchard to Isaacs Canyon project; and

BE IT FURTHER RESOLVED, that the Board approves the GARVEE FY10 Working Plan, which is on file in the GARVEE Program Office, a summary of which has been provided to the Board.

<u>Old Business</u>. Member Gagner believes it is imperative to continue efforts on the performance management program. It is a complex initiative. For ease of discussion, he believes it should have a name that describes what the Department is accomplishing.

Member Gagner made a motion to use the acronym TRIP, which stands for Transportation Results, Improvements, and Performance, to describe the Department's performance management program, contingent on the acronym not having been copyrighted. Member Miller seconded the motion and it passed unopposed.

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

signed

DARRELL V MANNING, Chairman
Idaho Transportation Board

Read and Approved August 20, 2009 Rigby, Idaho

SPECIAL MEETING OF THE IDAHO TRANSPORTATION BOARD

July 16, 2009

Idaho Transportation Board Chairman Darrell Manning called a special meeting of the Idaho Transportation Board at 2:00 PM on Thursday, July 16, 2009. The following were present at the Idaho Transportation Department in Boise, Idaho:

Darrell V Manning, Chairman Jerry Whitehead, Member – District 3 Sue S. Higgins, Board Secretary Karl Vogt, Deputy Attorney General

The following participated in the meeting via teleconference:

Jim Coleman, Member – District 1 Bruce Sweeney, Vice Chairman – District 2 Gary Blick, Member – District 4 Neil Miller, Member – District 5 Lee Gagner, Member – District 6

Executive Session, Member Whitehead made a motion to meet in executive session at 2:00 PM to discuss personnel matters as authorized in Section 67-2345(a) and (b), Idaho Code. Member Blick seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on personnel issues related to the evaluation of a public officer.

The Board came out of executive session at 3:05 PM. No decisions were made.

New Business. Member Whitehead made a motion that, in accordance with Idaho Code Title 40, Section 314 and Title 40, Section 503, the Idaho Transportation Board dismiss Pam Lowe as Director of the Idaho Transportation Department for the reasons and rationale discussed with the Director at the May 2009 Board meeting and the discussion in Executive Session held this date as memorialized in the Board's confidential memorandum. Member Whitehead further moved that the dismissal be effective July 31, 2009 and that the Director be placed on paid administrative leave until that date, and further, that the Director be compensated for leave balances in accordance with state policy.

Member Blick seconded the motion and it passed unanimously,

WHEREUPON the special session of the Transportation Board adjourned at 3:10 PM.

signed

DARRELL V MANNING, Chairman
Idaho Transportation Board

Read and Approved July 23, 2009 Coeur d'Alene, Idaho

REGULAR MEETING AND DISTRICT SIX TOUR OF THE IDAHO TRANSPORTATION BOARD

August 19-20, 2009

The Idaho Transportation Board met at 8:45 AM, on Wednesday, August 19, 2009, in Rexburg, Idaho. The following principals were present:

Darrell V Manning, Chairman
Jim Coleman, Member – District 1
Jerry Whitehead, Member – District 3
Gary Blick, Member – District 4
Neil Miller, Member – District 5
Lee Gagner, Member – District 6
Scott Stokes, Acting Director
Sue S. Higgins, Secretary

Representatives Marc Gibbs and Jeff Thompson were also in attendance.

<u>District 6 Tour</u>. The Board traveled east on US-20, north on SH-47, and east on SH-32. It stopped at Conant Creek to view the railroad trestle, which has been retrofitted as part of the Ashton to Tetonia Rail Trail project.

The tour continued east on SH-32 and south on SH-33. The Board met with various officials at Driggs City Hall. Driggs Mayor Louis Christensen requested that the speed limit be lowered on SH-33 at the southern end of Driggs. He is concerned with safety due to the bicycle/ pedestrian path that crosses the highway and a curve in the roadway in that vicinity. He elaborated on the area's GeoTourism efforts and believes multi-modalism, particularly transit, is crucial. Mayor Christensen also expressed concern with the insufficient revenue to maintain and improve the city's streets.

Victor Mayor Scott Fitzgerald thanked the Board for funding the Victor Main Street resurfacing project. He elaborated on the city's initiative to implement diagonal parking as part of the resurfacing project. The increasing number of bicyclists is resulting in concerns with safety and connectivity, as there are bike paths in Victor, but not on Main Street where the majority of businesses are located. He expressed support for a multi-modal system and emphasized the importance of providing transportation options; although he noted the insufficient funding to address transportation needs.

Representative Gibbs questioned the funding source for the transportation system, particularly bike paths, and specifically asked if he supports licensing bicycles. Mayor Fitzgerald responded that he does not support licensing bicycles. He believes alternative modes of transportation like bicycles should be encouraged and a license would deter bicycle use. In addition to vehicle registration fees and fuel taxes, local residents help fund the transportation system through property taxes. Visitors contribute through the local option sales tax.

Roger Reid, Teton Valley Chamber of Commerce, elaborated on the area's efforts to promote recreation and tourism. Establishing partnerships are critical to address the growing transportation needs, as revenue is insufficient to take care of and expand the current system. He complimented the state's Scenic Byway Program and believes it is a valuable program that is promoting economic development. He provided an overview on the Teton Scenic Byway.

Teton County Commissioner Larry Young thanked the Board and legislators for visiting the Teton Valley. He expressed appreciation for District 6's assistance. He emphasized the importance of a good transportation system. Teton County has been one of the fastest-growing counties in the country. The county is having difficulty addressing the demands related to the growth. Most of its transportation revenue comes from the state, which is barely sufficient to maintain the existing system, let alone improve and expand it. Commissioner Young said he was an advocate of the Governor's and ITD's proposal to increase transportation revenue. He would like more funding options available, especially for small jurisdictions.

Chairman Manning thanked the officials for meeting with the Board members. He said they appreciate hearing about communities' transportation issues.

The Board toured the Driggs Airport. The reconstruction project, currently underway, will widen the runway, increase the clear zone, and improve safety. The majority of the funding is from Federal Aviation Administration discretionary funds and stimulus funds.

After visiting Huntsman Springs development, which is emphasizing preserving nature and the quality of life in the area, the tour continued south on SH-33 to Victor.

WHEREUPON the tour recessed at 4:05 PM.

August 20, 2009

The Board reconvened at 8:00 AM on Thursday, August 20, 2009. It traveled to the Idaho Transportation Department District 6 Office in Rigby. All members that participated on the August 19 tour were present. Karl Vogt, Deputy Attorney General, was also present.

Chairman Manning welcomed Senator Dean Mortimer to the meeting.

Chairman Manning reported that Vice Chairman Bruce Sweeney passed away earlier in the week. He noted Vice Chairman Sweeney's commendable public service and dedication to the state of Idaho. The Board observed a moment of silence for Vice Chairman Sweeney.

<u>Board Minutes</u>. Member Coleman made a motion to approve the minutes of the regular Board meeting held on July 22-23, 2009 as revised. Member Whitehead seconded the motion and it passed unopposed.

<u>Board Meeting Dates</u>. The following meeting dates and locations were scheduled:

September 16-17, 2009 – District 4 October 14-15, 2009 – Boise November 18-19, 2009 – Boise

<u>Consent Calendar</u>. Member Blick made a motion, seconded by Member Gagner, and passed unanimously, to approve the following resolution:

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

ITB09-38

revisions to Board Policy, B-18-09, Equal Employment Opportunity/Affirmative Action; revisions to Board Policy, B-14-07, Landscaping; revisions to Board Policy B-14-09, Irregularities on Contract Bids; revisions to IDAPA 39.03.41, Rules Governing Traffic Control Devices; speed minute entry changes for I-15, mileposts 118 and 119 in Idaho Falls area, District 6; the addition of SH-33, Rexburg Signals to state FY10 Capital Investment Program; the FY08-13 Forest Highway Program changes; and the FY09 account write off; and has received and reviewed the summary of FY09 actual versus budgeted out-of-state trips and cost; the return check report for FY09; the revised six year Capital Facilities Program; the contract award information; and the professional services agreements and term agreement work task report.

- 1) Revisions to Board Policy B-18-09, Equal Employment Opportunity/Affirmative Action. This policy was revised to update the signature and date. No other changes were made.
- 2) Revisions to Board Policy B-14-07, Landscaping. This policy was revised to update the signature and date. No other changes were made.
- 3) Revisions to Board Policy B-14-09, Irregularities on Contract Bids. This policy was revised to update the signature and date. No other changes were made.
- 4) Revisions to IDAPA 39.03.41, Rules Governing Traffic Control Devices. The Manual on Uniform Traffic Control Devices (MUTCD) for Streets and Highways is published by the Federal Highway Administration. Revisions to IDAPA 39.03.41 are being requested to incorporate revision #2 of the MUTCD. The main change is the requirement for minimum retroreflectivity of sign sheeting and a time table for adopting a method of sign inspection and sign sheeting replacement for all signs on the state highway system that do not meet the minimum sign retroreflectivity standards. Adopting this revision will allow Idaho to meet the new standards for sign retroreflectivity which is aimed at improving driving conditions for the older driver and reducing accidents on highways through improved sign visibility. An additional benefit is the new sheeting will have a longer service life, which will reduce sign replacement labor and improve ITD sign crew safety.

Additionally, IDAPA 39.03.41 is being revised to allow the optional use of the IdaShield object markers for additional delineation of non-signalized at-grade railroad road crossings of public roads. Because it is not certain that the IdaShield will be accepted for inclusion into the MUTCD, staff is also pursuing this issue via rule revision and a legislative change.

- 5) Speed Minute Entry Changes for I-15 at Milepost (MP) 118 and MP 119 Interchanges in the Idaho Falls Area, District 6. The Idaho State Police and ITD have become aware of several safety and operational concerns surrounding MP 118 and 119 interchanges along I-15 in the Idaho Falls area. The concerns were investigated and an engineering speed zone study was completed. The study confirmed the safety and operational concerns. Staff requested reducing the speed limit on I-15, MP 117.757 to 119.69 from 75 miles per hour to 65 miles per hour.
- 6) Add SH-33, Rexburg Signals to State FY10 of the Capital Investment Program. Staff requested the addition of the SH-33, Rexburg Signals project to the Capital Investment Program. The project is a partnership with the City of Rexburg to upgrade signalized intersections along SH-33 within the city limits. It was recently programmed with \$500,000 of state funds in FY10 of the draft FY10-13 Capital Investment Program. The City is prepared to begin construction and State FY10 funds are now available, so staff requests adding the project to the FY09 Statewide Transportation Improvement Program (STIP) now rather than waiting for the FY10 STIP approval in October.
- 7) FY08-13 Forest Highway Program Changes. The Tri-Agency Group, consisting of ITD, U.S. Forest Service, and Western Federal Lands Highway Division of FHWA, met earlier this year to update the Forest Highway Program. The average annual funding is \$15.2 million with a 100% federal share. The American Recovery and Reinvestment Act of 2009 provided an additional \$5.5 million. Proposed project changes include delaying SH-75/Forest Highway (FH) 26, Warm Springs Realignment from FY11 to FY12/13; advancing FH-88 Yankee Fork Road and FH-50, Gold Creek Road from FY12 to FY11; advancing FH-60, Manning Crevice Bridge, from a future year to FY13; adding FH-24, Banks-Lowman guardrail and Davies Bridge to FY09/10; and advancing FH-76, Grangemont Road from a future year to FY09. A request for new projects is not expected immediately. New projects may be considered in the spring of 2010 depending on the possibility of additional funding in the next highway act. The Program is shown as Exhibit 379, which is made a part hereof with like effect.
- 8) FY09 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 FY09, staff determined 41 accounts totaling approximately \$23,000 to be uncollectible. It requested Board approval to write off 8 accounts totaling \$16,684.41, as shown as Exhibit 380, which is made a part hereof with like effect. A total of 33 accounts in amounts less than \$1,000 have been determined as uncollectible. The total of these accounts is \$6,350. 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.
- 9) Summary of FY09 Actual vs. Budgeted Out-of-State Trips and Cost. In FY09, 154 out-of-state trips were taken. Expenditures totaled \$201,118. The budgeted amount was \$437,700. There were 22 direct reimbursement trips, although those expenses are not reflected in the total expenditures or budgeted amount.

- 10) Return Check Report for FY09. During FY09, \$38,875,028 in checks were received, while 135 checks, or 0.48%, totaling \$187,123 were returned. Collection of returned checks equaled \$209,366 for an annual collection rate of 112%.
- 11) Revised Six Year Capital Facilities Program. The overall goal of the Building Program is to achieve a sustainable design that maintains and extends the useful life of the Department's buildings. The program allocations for alterations, repairs, and statewide preventive maintenance allow the Districts to modernize higher maintenance or inefficient facility components or make safety improvements. While sand sheds continue to be a priority in the program, environmental regulations for waste water disposal from winter truck washing has become an area of concern. The need for covered truck washing facilities has increased and such projects have been added to the FY11-16 Capital Facilities Program, as shown as Exhibit 381, which is made a part hereof with like effect.
- 12) Contract Awards. Key #11068 I-184, FY09 District 3 Durable Pavement Markings. Low bidder: 3M Company \$385,256.

Keys #9455 and #10634 – FY09 District 1 Durable Striping and FY09 District 1 Sign Upgrades. Low bidder: 3M Company - \$670,920.

Key #11594 – US-93, Milepost 180 to Jim Byrne Slough Bridge, Richfield, District 4. Low bidder: Gordon Paving Company, Inc. - \$560,171.

Keys #11141 and #11481 – US-20, St. Anthony City Streets and Ashton City Streets, District 6. Low bidder: Hap Taylor & Sons, Inc. dba Knife River - \$1,953,401.

Key #10621 – FY08 District 1 Durable Pavement Markings. Low bidder: Specialized Pavement Marking, Inc. - \$496,893.

Key #11891 – FY10 District 1 Districtwide Sealcoats. Low bidder: Intermountain Slurry Seal, Inc. - \$1,600,600.

Key #11131 – FY09 District 5 Sign Upgrades. Low bidder: Pavement Markings Northwest, Inc. - \$120,595.

Keys #10570 and #10571 – US-30 and SH-36, Soda Springs East City Limits to Nounan Road and Junction SH-34 to Milepost 5 Franklin County, District 5. Low bidder: Staker & Parson Companies, dba JBP - \$1,011,126.

Keys #9819, #9820, and #9823 – I-84, Cole Road to Orchard Street, Orchard Street to Vista Avenue, and Vista Avenue to Broadway Avenue, District 3. Low bidder: Concrete Placing Company, Inc. - \$35,902,942.

13) Professional Services Agreements and Term Agreement Work Task Report. From July 1 through July 31, \$6,111,200 in new professional services agreements and work tasks were processed. Of the 19 agreements issued, the majority were issued because resources were not

available in house or special expertise was required. Nine supplemental agreements to existing agreements were processed in the amount of \$2,392,150 during this period.

Chairman Manning welcomed Representative Russ Matthews to the meeting.

Board Items. Chairman Manning said he participated in preparatory meetings for the Governor's Task Force on Modernizing Transportation Funding in Idaho. He and Member Whitehead attended the first Task Force meeting earlier this month. He attended ground-breaking ceremonies for the I-84, Vista Avenue Interchange; SH-48, Rigby High School to Yellowstone Highway; and I-86, Chubbuck Interchange to Pocatello Creek Interchange projects. He met with Fred Mayer representatives to discuss access issues on US-20/26, with Division of Human Resources staff to discuss pay issues, with railroad officials to talk about updating the state railroad plan, and with Senator Crapo's staff to discuss reauthorization of the federal transportation act.

While traveling through Utah recently, Member Miller noted its experimental project. The speed limit has been increased to 80 miles per hour on certain segments of I-15 and to 70 miles per hour on some state highways. He believes increasing the speed limit on some of Idaho's highways should be considered.

Acting Director's Report. Chairman Manning noted that Acting Director Stokes was not at the Board meeting because he was participating in the Governor's Capital for a Day in Ririe. Chief Engineer (CE) Tom Cole summarized the federal Transportation Investment Generating Economic Recovery (TIGER) program and the process to apply for the discretionary grants. The U.S. Department of Transportation will award the \$1.5 billion program. Applications need to be submitted by September 15, 2009. Although the program is designed for projects in the \$20 to \$100 million range, smaller projects will be considered for funding. The projects do not have to be shovel-ready at this time; however, they have to be completed by February 2012. Some of the projects the Department is considering applying for are I-84, Meridian Interchange, the second phase of the US-93/I-84 interchange, and a partnership project with the Lewiston Port.

CE Cole elaborated on the Governor's Task Force on Transportation Funding meeting. The 15-member panel discussed its expectations, and ITD gave an overview on the Department and presentations on the current funding structure and on cost allocation. The next meeting will be on October 8. The Task Force is to submit its report by December 2011.

The Department is monitoring and tracking 374 activities related to the Governor's Executive Order on improving the Department's accountability. CE Cole distributed a report on the activities and schedule, highlighting some of the actions.

Administrator, Division of Administration (ADA) Dave Tolman reported on the recent SAFETEA-LU rescission. ITD's FY09 apportionments plus carryover authority is \$390 million; however, the total obligation authority is \$251 million. The recent rescission is estimated at \$65 million for ITD.

Adopt-A-Highway (AAH) Presentation. Member Gagner recognized the employees of the South Fork Lodge for their participation in the Adopt-A-Highway Program. The group adopted approximately 2.5 miles of US-26 in 2000. He thanked the group for the valuable service it is providing.

<u>Draft Linear Reference System Research Report</u>. Geographic Information Systems (GIS) Manager Brian Emmen said the linear reference system research study was undertaken to assure success of the new pavement management; maintenance management; and sign, signal, and illumination systems. The current system cannot be accessed by today's management system software. Linear referencing identifies locations on a road network or specific link in that network by specifying a start position, direction, and distance. A linear referencing system is a set of procedures for linear referencing, including both the location reference method and the procedures for storing, maintaining, and retrieving location information about points and segments on a network.

Benefits of a linear referencing system are integration of data from diverse users to share data, select needed data, and allow data to be mapped and analyzed together; it allows for cross-discipline analysis; and can realize cost savings from data integration, data sharing, and reduction in data redundancy. GIS Manager Emmen said the research consisted of identifying current ITD uses and needs; researching other states' systems and solutions; researching commercially available software solutions; and providing recommendations on costs, return on investment, and interim solutions. The next steps are to develop a more precise estimate of system acquisition and implementation costs, identify possible methods and sources of funding, develop a request for proposal for the needed systems and service, and acquire the system.

<u>Preview of Highway Information Web Site</u>. GIS Manager Emmen demonstrated the Department's updated web page that will provide enhanced highway information. The detailed information, such as the cracking index, average daily traffic, and accidents, will be available on segments of highways. This project collected statistics from various locations and compiled it in one location. It is part of ITD's commitment to be transparent, share information, increase efficiencies, and reduce costs.

The Board expressed appreciation to GIS Manager Emmen for his efforts on these two important initiatives.

Performance Measurement Report due to Division of Financial Management (DFM). Sonna Lynn Fernandez, Intermodal Planning Manager (IPM), summarized the Performance Measurement report, which is due to DFM in September. The document provides an overview on ITD, including its revenue and expenditures, cases managed, and performance highlights, and reports on performance measures. She noted the Department's move from performance measures to performance management. A new suite of performance measures have been developed and staff will begin to report on those in September. The current measures in all strategic planning documentation will be replaced by the new measures.

CE Cole expanded on the efforts to implement performance management. Meetings are being held in each District and with each Headquarters' Section. He emphasized that the performance management process is still evolving.

Chairman Manning thanked IPM Fernandez for the report.

Member Gagner believes it is important to communicate the status of the performance management efforts with the Governor's Office, legislators, and other interested stakeholders. He proposed distributing a letter and reports as a communication tool. The document would also relay the Board's commitment to this important initiative.

Proposed Changes to IDAPA 39.02.22, Rules Governing Registration and Permit Fee Administration. Alan Frew, Motor Vehicle Administrator (MVA), said IDAPA 39.02.22 provides criteria for registration fee installment payment plans. Currently, cancellation of future installment payment plan privileges occurs if a customer's account is suspended two or more times in one installment plan year for non-payment of installment fees due. Last year staff proposed changes to the rule to allow permanent cancellation of installment payment plan privileges after one occurrence of suspension of an account for non-payment of installment fees. Several legislative committee members, however, thought the proposal was too harsh and recommended alternatives.

MVA Frew said IDAPA 39.02.22 is being modified now to allow cancellation of future installment payment plan privileges after two or more suspensions, whether the suspensions are in the same year or in different years; allow reinstatement of installment payment plan privileges after 12 consecutive months of no suspensions of any type on the account; and allow for collection of a \$50 installment plan fee for each installment plan that is set up. This fee would cover the costs of administering the plan. Additionally, some language was re-written to make it concise and more understandable. He added that some outreach on this proposal has been initiated with the industry, such as the Idaho Trucking Association. To date, no opposition has been encountered.

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

RES. NO. WHEREAS, the Idaho Transportation Board has authority to approve requested changes to

ITB09-39 Idaho Transportation Department rules; and

WHEREAS, the Board finds the changes to IDAPA 39.02.22 necessary for the efficient administration of registration fee installment payment plans.

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

Modify Rule IDAPA 39.02.22 – Rules Governing Registration and Permit Fee Administration to state:

Accounts of registrants that have been suspended twice or more shall not be allowed to participate in future installment payment plans; and

After twelve consecutive months of no suspensions, customers may request in writing to participate in future installment payment plans and shall be allowed to do so; and

An installment plan fee of fifty dollars (\$50.00) shall be paid for each installment plan created; and

BE IT FURTHER RESOLVED, that the Board approves the request to submit the changes as listed above for Rule 39.02.22 and directs staff to proceed with the administrative rule making process.

Revisions to IDAPA 39.02.60, Rules Governing License Plate Provisions. MVA Frew requested revisions to IDAPA 39.02.60 to include provisions for issuing restricted vehicle plates to Idaho licensed dealers who sell off-highway vehicles. Two bills passed in 2008 and 2009 that neglected to amend dealer plate issues. The rule also contains amendments to comply with Senate Bill 1183 to provide for issuance of a wrecker plate, allowing this plate to be displayed on registered vehicles that are being towed due to being inoperable, and can be moved from towed vehicle to towed vehicle by the towing business.

An amendment to clarify unacceptable personalized plate messages to include prohibiting acts of violence, drug references, sexual preference or orientation is included. Additionally, due to House Bill 226, a section was added to clarify and set a process for the creation of a business logo trailer plate. Staff recommends establishing a non-refundable fee of \$2,000 for contract programming costs and Department resources for initial set up in the automated system and for integrating the specialty plate into the automated license plate ordering system. The fee is not to exceed the actual costs. The legislation also allows non-Idaho residents to apply for and receive the North America permanent trailer plates and retain such upon periodic validation by ITD that the owner still possesses the trailer. The periodic validation for non-resident owners will occur every three years.

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

RES. NO. WHEREAS, the Idaho Transportation Board has authority to approve requested changes to

ITB09-40 Idaho Transportation Department 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 issuance of Idaho Restricted Vehicle dealer license plates, creates the process for issuance of wrecker license plates, clarifies periodic validation of North America permanent trailer plates for non-resident owners, and creates the process for business logo permanent trailer plates, and to clarify and improve the process to define acceptability on personalized plate messages; and

BE IT FURTHER RESOLVED, that the Board directs staff to promulgate temporary rule making it effective July 1, 2009 and proceed with regular rule making at the same time for the changes as listed above for administrative rule; and

BE IT FURTHER RESOLVED, that the Board sets the non-refundable business logo plate programming fee at \$2,000. Such fee shall cover initial costs for ITD resources and contract programming and shall not exceed actual costs.

<u>Update – Division of Motor Vehicles (DMV) Modernization</u>. MVA Frew provided an overview on DMV's antiquated computer system and background on the modernization initiative. He mentioned the 2009 legislative action authorizing expenditures for this project.

PMO Manager Shannon Barnes summarized efforts to date on the modernization project, which started in 2006. Because it is a high-risk project, efforts have been undertaken to mitigate those risks, including identifying an executive sponsor for the project; ensuring that skilled, qualified people are involved; and establishing internal controls and processes. Phase 1 has been completed and was within the budget. Some of those components included upgrading the county equipment, automating the driver's license test, replacing the license plate system, increasing online services, and converting to print-on-demand decals.

PMO Manager Barnes elaborated on Phase 2: implement core services for Driver's Services and Revenue Operations. A request for proposal will be released soon to hire a contractor to build the new system. This phase is to be completed by the end of 2012. Phases 3 and 4 are to implement core services for Vehicle Services and for Commercial Vehicles and the Ports of Entry, respectively. The total cost for the DMV system is estimated at \$28.7 million, with funding distributed through five fiscal years, ending in FY14.

Chairman Manning thanked PMO Barnes for the update.

<u>Idaho Traffic Crashes 2008 Report.</u> Mary Hunter, Highway Safety Manager (HSM), said the traffic crashes report provides data and analysis of the state's traffic crash problem areas and illustrates progress made. It is a reference document, along with other tools, to support the selection of project types and locations to address highway safety on a statewide and local basis.

In 2008, there were 232 fatalities and 11,995 injuries as a result of traffic crashes in Idaho. The state's fatality rate was 1.52 while the national average was 1.28. Following are some notable statistics from the 2008 report. The cost of a fatality was almost \$6 million. The primary contributing factors to traffic deaths were unbelted occupants, alcohol, and aggressive driving.

Youthful drivers, 15 to 19 years of age, comprised 6% of drivers, but that age group represented 14% of drivers involved in fatal and serious injury crashes. Of the motorcycle fatalities, 48% were single vehicle crashes. Eleven pedestrians and two bicyclists were killed.

Chairman Manning thanked HSM Hunter for the informative report and for her efforts to address and improve safety on the state's highways.

<u>District 6 Strategic Activities</u>. District 6 Engineer Blake Rindlisbacher said the Districts' striping partnership has been beneficial. Not only is the striping initiative resulting in improved service for the traveling public, but ITD personnel have an opportunity to learn from each other and improve their skills and processes. The striping in District 6 was completed early, which will allow for District 5 to return for touch-up striping before winter. DE Rindlisbacher also elaborated on the bridge deck sealing initiative, resulting in improved customer service. The goal is to seal ten bridges each year. The seal extends the life of the bridge deck.

Some of District 6's other partnering efforts include participating in transportation committees, funding overtime for Idaho State Police to patrol in speed zones, a memorandum of understanding with the Forest Service to allow maintenance activities with less consultation, and working with the Department of Fish and Game to improve fish passage at Little Spring Creek. To improve customer service, the District is also cross-training maintenance and construction personnel and it participated in a public/private project for turn bays. Action items related to investing in our people include providing a construction refresher course in conjunction with District 5 and rotating through Project Development, which cross trains staff for professional development. Some of the leading through agency performance efforts are completion of a minimum test requirement and intersection management.

Chairman Manning thanked DE Rindlisbacher for the report.

Executive Session on Personnel and Legal Issues. Member Gagner made a motion to meet in executive session at 12:10 PM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(a), (b), (d), and (f). Member Whitehead seconded the motion and it passed 5-0 by individual roll call vote.

A discussion was held on legal matters related to records exempt from public disclosure and potential litigation against the Department on employment-related matters.

A discussion was held on personnel issues related to the filling of a public office.

The Board came out of executive session at 1:25 PM. No final actions or decisions were made.

Monthly Financial Statements and Highway Program Obligations. Manager, Transportation Investments (MTI), Dave Amick reported that over \$201 million had been obligated for projects in the STIP by the end of July, or approximately 60% of the planned amount. At the same time last year, \$246.5 million, or about 65%, had been obligated.

Controller Gordon Wilmoth said the revenue to the State Highway Fund through June, the end of FY09, was \$450,238,335, which was below the projected revenue of \$527,022,208. The variance was due to FHWA reimbursements. Total expenditures of \$484,673,822 were below the projected expenditures of \$588,744,784. The variance was due to federal- and state-funded construction. Revenue to the State Aeronautics Fund of \$2,638,399 was below the projected revenue of \$3,230,000. There was not a significant expenditure variance in this fund. Controller Wilmoth noted that the monthly report now includes expenditures on the state highway stimulus funds, a summary of the GARVEE Program, and updates on investments.

<u>FY11 Proposed Budget Request</u>. Economics and Research Manager Doug Benzon presented the revised revenue forecast. The projected revenue to ITD from all sources of funding in FY11 is \$568,700,000.

Senior Budget Analyst (SBA) Joel Drake summarized the proposed FY11 budget request. Some of the highlights include 1833.5 full-time positions; a \$900,000, or 1%, increase for change in employee compensation; a \$1.9 million increase for employee benefits; \$22.2 million for replacement equipment; and \$291.3 million for construction. The request includes nine line items totaling \$5.7 million. SBA Drake said the list of GARVEE projects proposed for bonding authority in FY11 is still under development and will be added to the budget request later.

Member Coleman questioned the \$100,000 North American Trailer Plate Advertising Campaign line item. ADA Tolman said the intent is to market this plate. It is anticipated that the extensive outreach will increase sales of the plate, generating additional revenue for ITD. Member Coleman also asked for the costs of the Department's software licensing fees. ADA Tolman said the costs for the financial system alone are over \$500,000. He did not have all of the costs for the various software fees, so will provide that in the near future.

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

RES. NO. WHEREAS, the FY11 Idaho Transportation Department budget request will be prepared in

ITB09-41 accordance with instructions in the Division of Financial Management's Budget Development Manual; and

WHEREAS, the Idaho Transportation Board has reviewed the FY11 budget request summary.

NOW THEREFORE BE IT RESOLVED, that the Board agrees with the budget request estimates and guidance provided as presented in the Department Summary and Certification, submitted for approval August 20, 2009, as shown in Exhibit 382, which is made a part hereof with like effect, and authorizes the estimates and guidance provided to serve as the basis for the budget request to be submitted to the Division of Financial Management and Legislative Services Office on or before September 1, 2009.

End of FY09 Adjustments to the Federal-aid Formula Highway Program. MTI Amick requested approval to modify the FY09 Federal-Aid Formula Highway Program based upon project readiness and available funds. As of August 3, there are \$188.8 million of commitments against the \$244.3 million of obligation authority. Based on project readiness, \$25.4 million of projects are expected to delay. Staff is requesting \$8.5 million for cost increases for FY09 projects; \$30.9 million for additional preservation, safety, and bridge commitments; and \$17.1 million to convert advanced construction earlier than programmed. Additionally, \$28.6 million has been requested in redistribution of obligation authority. MTI Amick summarized the program adjustments, anticipated project removals and delays, and list of additional project requests.

Member Miller left the meeting at this time.

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

RES. NO. WHEREAS, it is in the public interest for the Idaho Transportation Department to accomplish

ITB09-42 a current, realistic, and fiscally constrained Highway Capital 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) requires that a priority list of projects covering a four-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, as of August 3, 2009, the balance of available funds is \$55.5 million; and

WHEREAS, projects have been identified that will delay or be removed from FY09 totaling \$25.4 million; and

WHEREAS, projects have been identified requiring cost increases of \$8.5 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 proposed delays, cost increases, and advances will fully utilize estimated FY09 federal-aid highway formula obligation authority and equity bonus funds of \$251.2 million; and

WHEREAS, the Department requested \$28.6 million in redistributed FY09 formula obligation authority from other states.

NOW THEREFORE BE IT RESOLVED, that the Board authorizes staff to delay or remove projects in the list entitled "Anticipated Removals and Delays" and advance projects in the list entitled "Additional Requests", as shown as Exhibit 383, which is made a part hereof with like effect, in priority order as projects are delivered and as funding becomes available through Redistribution of Federal Formula Obligation Authority; and

BE IT FURTHER RESOLVED, that staff is authorized to make the appropriate changes to the FY09-13 STIP in accordance with the provisions of SAFETEA-LU.

State Highway System Economic Stimulus – Balance of American Recovery and Reinvestment Act (ARRA) Savings Proposal. MTI Amick reported that bid savings of \$20 million occurred on the US-93, Twin Falls Alternate Route, Stage 2 project. After funding the US-95, Wyoming Avenue to SH-53, Hayden project last month, the remaining bid savings on all eight initial state highway system projects funded through ARRA totals \$35.4 million. MTI Amick presented a list of projects recommended for funding with these savings. All of the projects except one can be obligated for advertisement as soon as they are added to the STIP. The I-84, Black Canyon to Sand Hollow project will be ready to obligate in late August to use either the balance of state highway system bid savings or savings from the entire ARRA program after October 19, 2009.

MTI Amick said the criteria used in the selection of the projects were project readiness, statewide economic benefits, long term economic activity or benefits, and multiple trades' impacts. He added that another \$43.5 million in state highway system projects that can be ready to use additional savings that may result from the entire ARRA program have been identified.

Member Blick requested postponing this item until Old/New Business. He believes the delegation scheduled later on the agenda will propose a project for funding that he would like to consider. Without objection, the Board concurred to postpone this item. (See later minute entry.)

Review of Draft FY10-13 Capital Investment Program Prior to Draft STIP Public Involvement. MTI Amick presented the draft FY10-13 Capital Investment Program. The draft Program will be available for public review and comment in September. Staff will finalize the draft, including incorporating the FY09 end-of-the year advances and delays, and present the final document to the Board for approval in October.

<u>Delegation</u> – Greater Twin Falls Area Transportation Committee (GTFATC). Gerald Tewes provided background on the US-93, Twin Falls Alternate Route project. Due to funding constraints, the project was eventually split into three phases. Stage 1 has been completed and Stage 2 is under construction. He emphasized the need to construct Stage 3, which would be a flyover, as it would greatly enhance safety. The GTFATC would like the Board to fund the project and suggested that ARRA savings may be a funding source.

District 4 Engineer Devin Rigby said Stage 2 includes a signalized intersection at Pole Line Road and 2400 East. Stage 3 would eliminate that intersection by constructing a flyover. He acknowledged that safety would be enhanced with the structure and added that projected traffic

counts warrant it. The environmental work has been completed and the majority of the design work has been completed. DE Rigby believes the project could be ready to advertise in six months. The construction costs are estimated at \$3.5 to \$4 million.

Member Blick expressed support to fund Stage 3 and stressed the safety aspects. He commented that the low bid for Stage 2 was below the engineer's estimate and suggested ARRA savings or a TIGER grant may be appropriate funding sources.

In response to Chairman Manning's question on the timing to utilize ARRA funds, MTI Amick stated that the schedule is a concern. ARRA funds have to be completely obligated by March 2010. He is not sure Stage 3 can meet that deadline. He added that there are other projects that are currently ready to obligate. CE Cole said the TIGER applications are due by September 15. Because of the requirements and competitiveness of the program, he believes ITD's chances of securing TIGER funds are slim.

DE Rigby said if the Board indicates it would like to fund Stage 3, he would work with the contractor on the Stage 2 project. Adjustments related to the signalized intersection could be made to the contract at this time, saving money on Stage 2.

In the ensuing discussion, the Board expressed a desire to fund Stage 3; however, no funding source was identified. MTI Amick suggested that formula funding may be available in the STIP. A number of projects are being advanced due to ARRA savings and end-of-the year changes. He believes there may be an opportunity to fund Stage 3 in the STIP. The consensus of the Board was that it would be beneficial to have the project designed, ready to go. Then, if funding options become available, the project could be considered for funding.

Member Coleman made a motion authorizing staff to complete the final design of the US-93, Twin Falls Alternate Route Stage 3 project. Member Gagner seconded the motion and it passed unopposed.

<u>Old/New Business</u>. Member Gagner made a motion, seconded by Member Coleman, to approve the following resolution:

RES. NO. WHEREAS, the American Recovery and Reinvestment Act (ARRA) of 2009 has provided Idaho

ITB09-43 \$181,934,631 in 100% federal funding highway infrastructure projects; and

WHEREAS, such funding has been provided for the expeditious delivery of eligible highway infrastructure projects with priority for those which can be completed by February 17, 2012, are in economically distressed areas, and which maximize job creation and economic benefit; and

WHEREAS, Idaho has experienced throughout the state a reduction in economic activity resulting in significant job loss and hardship in both the public and private sectors of Idaho's economy; and

WHEREAS, the Idaho Transportation Department has set aside \$148.6 million under the ARRA for state highway system projects; and

WHEREAS, such expeditiously delivered projects must be obligated in time to meet rigid deadlines established in the ARRA, ranging from 120 days to 1 year from the apportionment of ARRA funding to Idaho; and

WHEREAS, funding which does not meet the deadlines established under the ARRA will be redistributed to other states; and

WHEREAS, the Idaho Transportation Board has been provided an overview of the purpose, provisions, and deadlines under the ARRA; and

WHEREAS, the Department's FY10 budget, which includes \$182 million in ARRA funding, was approved during the Idaho 2009 Legislative Session and signed into law by Idaho Governor Otter on May 1, 2009; and

WHEREAS, state highway system projects identified for delivery in accordance with the provisions of the ARRA must be included in the Statewide Transportation Improvement Program (STIP) and approved by the Federal Highway Administration and the Federal Transit Administration prior to being eligible for ARRA funding; and

WHEREAS, the Department has identified a remaining balance of \$35.4 million in state highway system ARRA project savings due to favorable bids on eight projects advertized to date; and

WHEREAS, additional projects that meet the economic stimulus and project readiness criteria of the ARRA have been identified to use the above state highway system savings as well as other potential state or local savings, insuring 100% obligation of ARRA funding; and

WHEREAS, 100% obligation of ARRA funding by March 1, 2010 will prevent the loss of ARRA funding to other states and qualify Idaho to use redistributed ARRA funding not used by other states.

NOW THEREFORE BE IT RESOLVED, that staff is authorized to amend the FY09-13 STIP in accordance with the provisions of the ARRA to include the projects listed in the "Additional State Highway System Projects for ARRA Savings or Additional Funding", as shown in Exhibit 384, which is made a part hereof with like effect, in FY09 of the ARRA state highway system program; and

BE IT FURTHER RESOLVED, that staff is authorized to obligate ARRA funding to the projects in Exhibit 384 based on project readiness as funding comes available through savings within the state highway system programs or after October 19, 2009, within the statewide ARRA programs.

Due to the recent passing of the Board's friend and colleague Bruce Sweeney, Member Blick made a motion to nominate Member Miller as Vice Chairman of the Board. Member Whitehead seconded the motion and it passed unanimously.

Member Coleman referenced last month's meeting where the City of Post Falls asked for approval to fund the design of the Greensferry project. He understands that ITD needs to establish an internal account so staff can be reimbursed for its expenses related to the project. Member Coleman made a motion to add the I-90, Greensferry project to the STIP for design only in the amount of \$120,000. Member Whitehead seconded the motion and it passed unopposed.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 4:10 PM.

signed

DARRELL V MANNING, Chairman
Idaho Transportation Board

Read and Approved September 17, 2009 Shoshone, Idaho

REGULAR MEETING AND DISTRICT FOUR TOUR OF THE IDAHO TRANSPORTATION BOARD

September 16-18, 2009

The Idaho Transportation Board met at 8:30 AM, on Wednesday, September 16, 2009, in Shoshone, Idaho. The following principals were present:

Darrell V Manning, Chairman
Neil Miller, Vice Chairman – District 5
Jim Coleman, Member – District 1
Jerry Whitehead, Member – District 3
Lee Gagner, Member – District 6
Scott Stokes, Acting Director
Karl Vogt, Deputy Attorney General
Sue S. Higgins, Secretary

<u>District 4 Tour</u>. The Board traveled north on SH-75 to the Timmerman Rest Area. Board Member Gary Blick, District 4, joined the group at the rest area, as staff provided an overview on the improvements planned at the facility.

Friedman Memorial Airport Manager Rick Baird provided an update on the efforts to relocate the airport. The relocation sites have been narrowed to three, with a preferred location identified. The draft Environmental Impact Statement should be released around June 2010.

The tour continued north on SH-75. In Bellevue, local officials and Mountain Rides Transportation Authority Manager Jason Miller summarized the transit services in the area. Efforts are underway to enhance and expand those services. District 4 Engineer (DE) Devin Rigby reported on a property trade proposal with the City of Bellevue. ITD is considering trading property in Bellevue for the city to use for transit services. The property that would be acquired from the city would be needed for future widening of SH-75.

In Hailey, staff and local officials elaborated on the SH-75 corridor plans. The environmental process has been completed and a record of decision issued. Design work and wetlands mitigation efforts are underway.

The Board traveled north on SH-75 through Ketchum and then returned to Shoshone via SH-75 south.

WHEREUPON the tour recessed at 4:10 PM.

September 17, 2009

The Board reconvened at 8:00 AM on Thursday, September 17, 2009 at the Idaho Transportation Department District 4 Office in Shoshone. All members were present.

<u>Board Minutes</u>. Member Blick made a motion to approve the minutes of the regular Board meeting held on August 19-20, 2009 as submitted. Member Coleman seconded the motion and it passed unopposed.

<u>Board Meeting Dates</u>. The following meeting dates and locations were scheduled:

October 14-15, 2009 – Boise November 18-19, 2009 – Boise December 17-18, 2009 – Boise

<u>Consent Calendar</u>. Member Gagner made a motion, seconded by Member Blick and passed unanimously, to approve the following resolution:

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

ITB09-44 revisions to Board Policy, B-07-02, Appealing Department Actions and Orders; and has received and reviewed the quarterly report on legal actions and contract claims; the update on the rest area partnership with Nez Perce Tribe; the contract award information; the professional services agreements and term agreement work task report; the annual report on the Railroad Grade Crossing Program; and the annual report on contracts and procurements.

- 1) Revisions to Board Policy B-07-02, Appealing Department Actions and Orders. This policy was revised to clarify language and add a reference to recommended orders.
- 2) Quarterly Report on Legal Actions and Contract Claims. A summary of legal cases resolved by the Legal Section, a status of current legal cases, and a report on contract claims was presented.
- 3) Rest Area Partnership with Nez Perce Tribe. District 2 has been working with the Nez Perce Tribe on a rest area partnership project to service US-95 in the Winchester area. A request for proposal for a site plan study has been issued and a contract was to be awarded earlier this month. The study results are scheduled to be completed by the end of the year.
- 4) Contract Awards. Keys #11484 and #11482 SH-33 and US-20, Salem Road to East of Sugar City and Madison County Line to East Bound Off Ramp, North Bound Lane, District 6. Low bidder: H-K Contractors, Inc. \$2,251,549.

Key #11962 – City of Rocks Back Country Byway, Stage 4, District 4. Low bidder: Western Construction, Inc. - \$1,435,408.

Key #11920 – Idaho Falls Citywide Sealcoats, District 6. Low bidder: H-K Contractors, Inc. - \$627,369.

Key #11868 – US-93, Newman's Corner to Shoshone, District 4. Low bidder: Staker & Parson Companies dba IS&G - \$1,437,995.

Key #11934 – SH-55, Junction SH-44 to Overhead Message Board, District 3. Low bidder: Hap Taylor & Sons, Inc. dba Knife River - \$1,416,461.

Key #11933 – FY09 Dynamic Message Signs, Districts 3-6. Low bidder: Wheeler Electric Inc. - \$1,862,167.

Key #9344 – US-30, New Plymouth West City Limits to Junction SH-72, District 3. Low bidder: Nampa Paving & Asphalt Company - \$716,137.

Keys #10572 and #10579 – US-91 and SH-34, 1st East to 800 North Preston and Junction US-91 to Riverdale Road, District 5. Low bidder: Staker & Parson Companies dba JBP - \$324,426.

Key #10917 – US-93, Twin Falls Alternate Route, Stage 2, District 4. Low bidder: W W Clyde & Company - \$26,624,770.

- 5) Professional Services Agreements and Term Agreement Work Task Report. From August 1 through August 28, \$2,680,600 in new professional services agreements and work tasks were processed. Of the 12 agreements issued, the majority were issued because resources were not available in house or special expertise was required. Two supplemental agreements to existing agreements were processed in the amount of \$48,600 during this period.
- 6) Annual Report on Railroad Grade Crossing Program. All six of the 2009 federal rail program projects were delivered on time. The projects funded were: Beck Road, Kootenai County; Stroebel Road, South Cloverdale Road, and South Locust Grove Road, all near Kuna; Ivins Road near Soda Springs; and Operation Lifesaver, totaling approximately \$1.76 million. There are a total of 2,643 active railroad grade crossings in the state. During calendar year 2008, there were 20 rail-highway collisions that resulted in two fatalities, four injuries, and sixteen property damage incidents.
- 7) Annual Report on Contracts and Procurements. A summary of the procurement and contract services for FY09 was provided. A total of 23,905 purchase orders were processed in the amount of \$73,251,553. A total of 30 professional services agreements in the amount of \$650,602 and 82 contracts in the amount of \$6,147,445 were processed. Additionally, 336 informal bids, 75 requests for proposals, and 198 master agreements were issued.

<u>Board Items</u>. Chairman Manning summarized his recent activities, including the ground-breaking ceremony for the US-93, Twin Falls Alternate Route Stage 2 project, which Member Blick also attended; a meeting with Fred Meyer representatives on an access issue; and a meeting with the Governor's Office to discuss national transportation issues.

Member Blick said he received two phone calls recently related to Port of Entry issues. One of the concerns was insufficient storage at the I-84, Cotterel Port. The facility does not have adequate storage capacity, so trucks occasionally back up on the interstate, creating safety concerns. The other caller discussed PrePass, a transponder for weigh-in-motion operations.

Member Miller referenced a system in California whereby sensors detect when trucks start backing up at ports of entry and automatically close the facility. Acting Director Stokes said staff will look into the concerns at Cotterel Port of Entry.

Member Coleman questioned the Department's policy regarding public records requests. He believes the policy should be applied uniformly throughout the Department. Deputy Attorney General Vogt acknowledged the large volume of requests the Department receives. Although the current policy is based on law, he will review it.

Acting Director's Report. Acting Director Stokes said the Department's revenue is below the forecast. Revenue from the recently implemented national trailer plates has not materialized as anticipated, contributing to the revenue shortfall. Holdbacks of approximately \$8.6 million are being implemented to address the funding concerns.

Acting Director Stokes believes performance measures will be a major part of the federal transportation reauthorization act. He and Administrator, Division of Administration (ADA) Dave Tolman are participating on an American Association of State Highway and Transportation Officials Subcommittee on performance measures.

Staff started tracking performance measures on July 1, according to Acting Director Stokes. The intent is to revisit those activities by January 1 and make changes accordingly. He reported that the meetings throughout the state with mid managers are continuing and have been well received to date. District 2 Engineer Jim Carpenter is leading efforts to establish maintenance measures. Additionally, the Statewide Transportation Plan task force has met several times and its efforts are on schedule.

Acting Director Stokes reported that the next Governor's Task Force on Transportation Funding meeting will be held on October 8. Staff is preparing a presentation on the Department's transportation needs. The Subcommittee on Cost Allocation met and modified the request for proposals.

Acting Director Stokes said the U.S. Senate passed a transportation appropriations bill in the amount of approximately \$40 billion. The bill will now go to a conference committee.

In conclusion, Acting Director Stokes said the Office of Highway Safety was successful in securing almost \$1 million in safety grants, mainly for enforcement activities.

Member Gagner asked about the communication strategy to keep legislators and other interested stakeholders informed of the performance management initiative. Acting Director Stokes replied that a number of informal conversations have been held. Efforts are continuing on defining the performance measures and identifying maintenance measures. After more progress has been made, formal communication will be initiated. Member Gagner emphasized the importance of communicating the Department's efforts.

In response to Member Coleman's question on the involvement of external stakeholders in the Statewide Transportation Plan process, Acting Director Stokes replied that yes, the process includes a public participation component.

<u>Increased Speed Limits</u>. Highway Operations and Safety Engineer (HOSE) Brent Jennings reported that the states of Utah and Texas currently allow an 80 mile per hour (MPH) speed limit on portions of the interstate system. Texas also allows a maximum speed limit of 75 MPH on select two-way, two-lane highways. The Utah Legislature authorized increased speed limits on an experimental basis. The Utah Department of Transportation is required to perform engineering studies regarding the impacts of the new 80 MPH speed zones and must report its findings back to the Legislature. Road geometry and population density were key factors in determining the two test locations.

HOSE Jennings said Idaho Code 49-654 would need to be revised to increase speed limits in Idaho. He added that if the Department pursues this, it should be done through a structured program using engineering studies and judgment to select routes and location limits. Highway geometry, crash history, and population density should be some of the criteria. It should also be done in partnership with law enforcement and the Districts.

Vice Chairman Miller expressed appreciation for the report. He suggested it may be appropriate to consider increasing speed limits in the future.

<u>District 4 Strategic Activities</u>. DE Rigby said one of the activities to Expand and Enhance Partnerships was a cooperative project with the City of Hansen and Twin Falls Highway District on the US-30, Rock Creek Road intersection. Improving Customer Service and Leading Through Agency Performance activities include participating in the four local area transportation committees. Member Blick added that he usually attends the local committee meetings. He believes they are valuable to both the communities and ITD.

Chairman Manning thanked DE Rigby for the report.

Adopt-A-Highway (AAH) Presentation. Member Blick thanked the Jerome County Sheriffs Program participants for their involvement in the Adopt-A-Highway Program the past ten years. The group adopted about 2 miles of US-93. He thanked the group for the valuable service it is providing.

<u>Delegation – Buhl and Wendell Highway Districts</u>. Greater Twin Falls Area Transportation Committee Chairman Aaron Wert summarized ITD's and the local highway jurisdictions' efforts to add the Buhl to Wendell route to the state highway system. A memorandum of understanding was signed in the mid 1990s that outlined each entity's responsibilities and the procedures to transfer jurisdiction of the route. The Buhl and Wendell Highway Districts have completed the right-of-way acquisition process and are ready to relinquish the route.

Member Blick added that this proposal has been discussed since the mid 1940s. Although he believes the route should be a state highway, he expressed concern with the Department's financial situation.

The fiscal impacts to the Department are not known at this time, according to DE Rigby. An analysis would be required to determine annual routine maintenance costs and future facilities maintenance costs. Additionally, the route does not meet current standards, so improvements would be required over time.

Chairman Manning deferred this issue to the Board Subcommittee on State Highway System Adjustments.

<u>Delegation – Mini-Cassia Transportation Committee (MCTC)</u>. Milo Ross, MCTC Chairman, thanked the Department for the assistance it provided in securing federal funding to reconstruct the City of Rocks Back Country Byway. The last phase to improve this 16-mile route is under construction. He noted that staff indicated it would recommend to the Board that the route be added to the state highway system after it has been reconstructed. He mentioned that as the popularity of the City of Rocks National Reserve continues to grow, traffic is increasing on this route, and he believes it should be on the state highway system.

DE Rigby said the fiscal impacts to maintain this route have not been determined. Chairman Manning expressed concern with the Department's insufficient resources to maintain the road. He asked the Board Subcommittee on State Highway System Adjustments to consider this proposal.

Chairman Manning welcomed Representative Stephen Hartgen to the meeting.

Presentation – Local Highway Technical Assistance Council (LHTAC). Jerry Flatz, LHTAC Federal Aid Manager, said LHTAC was created by the Idaho Legislature in 1994 to assist local highway jurisdictions with utilizing the available resources for maintenance and construction of Idaho's local highway system. Some of the authority given to LHTAC in Idaho Code includes representing its member jurisdictions in conferences, meetings, and hearings; developing uniform standards and procedures; making recommendations to the Transportation Board on the distribution and prioritization of the federal funds for local highway projects; assisting the legislature with research and data; and acting for local jurisdictions through joint exercise of powers agreements with any other local jurisdiction, state, or federal agencies.

Mr. Flatz elaborated on the various funding programs, noting that the revenue is not sufficient to meet the needs of the local transportation system. In 2007, there were 34,000 local highway miles. He also reported on LHTAC's relationship with ITD. The two entities work together on various initiatives, such as inventorying the local system and streamlining the process to award projects through the American Recovery and Reinvestment Act (ARRA). He expressed appreciation for the Department's cooperation on federal aid projects.

In response to Chairman Manning's question on the reporting requirements related to ARRA, Mr. Flatz said LHTAC understands the requirements and will be following them. Member Coleman complimented LHTAC for its ARRA efforts. A substantial increase in funding was provided to the local entities and LHTAC has been managing that without additional staff.

Chairman Manning thanked Mr. Flatz for the informative report and also expressed appreciation to Mr. Flatz and LHTAC for the assistance they are providing to the local entities.

<u>Draft Legislation for 2010</u>. At its July 2009 meeting, the Board approved nine legislative concepts for the 2010 session. An additional legislative idea was added to increase the outdoor advertising fee. Governmental Affairs Program Manager Mollie McCarty reported that the Governor's Office has approved eight ideas to date; however, staff has since withdrawn four ideas. Draft legislation for the four remaining proposals was presented: driver training instruction permit, safety restraint violation court costs, commercial driver's license audit compliance, and duplicate title issuance.

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

RES. NO. WHEREAS, the Idaho Governor's Office has requested that state agencies submit proposed 2010

ITB09-45 legislation to the Division of Financial Management for review and approval; and

WHEREAS, the Idaho Transportation Board at the July 22-23, 2009 meeting reviewed and approved legislative ideas for submission to the Division of Financial Management; and

WHEREAS, the Board at the July 22-23, 2009 meeting also authorized Idaho Transportation Department staff to develop draft legislation for review and approval, prior to submission to the Division of Financial Management; and

WHEREAS, the Division of Financial Management approved legislative ideas for submittal as legislative proposals; and

WHEREAS, Department staff has recommended that the legislative proposals on Personal Identity Protection and Outdoor Advertising Fees (#2 and #6) be withdrawn to allow for more comprehensive research and development.

NOW THEREFORE BE IT RESOLVED, that the Board approves submittal of the remaining proposed draft legislation, as shown as Exhibit 385, which is made a part hereof with like effect (#1, #3, #4, and #5), to the Division of Financial Management.

Local Programs Economic Stimulus – ARRA Completion Proposal. Manager, Transportation Investments (MTI) Dave Amick summarized the March 2009 Board action dedicating \$28 million in ARRA funds to local highway jurisdictions. In conjunction with local entities, staff recommends the addition to the STIP of \$14 million in new projects or increased funding to existing projects. These projects may be used to offset possible project delays, use statewide savings, or take advantage of additional funding during the March 2010 ARRA funding redistribution among the states. Staff will meet with local program representatives on October 9 to assess local and state project delivery status and to prioritize ready projects for obligation beginning October 19 for the full use of ARRA funding by March 1, 2010.

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

RES. NO. WHEREAS, the American Recovery and Reinvestment Act (ARRA) of 2009 has provided Idaho

ITB09-46 \$181,934,631 in 100% federal funding highway infrastructure projects; and

WHEREAS, such funding has been provided for the expeditious delivery of eligible highway infrastructure projects with priority for those which can be completed by February 17, 2012, are in economically distressed areas, and which maximize job creation and economic benefit; and

WHEREAS, Idaho has experienced throughout the state a reduction in economic activity resulting in significant job loss and hardship in both the public and private sectors of Idaho's economy; and

WHEREAS, the Idaho Transportation Department has set aside \$27.8 million under the ARRA for local projects; and

WHEREAS, such expeditiously delivered projects must be obligated in time to meet rigid deadlines established in the ARRA, ranging from 120 days to 1 year from the apportionment of ARRA funding to Idaho; and

WHEREAS, funding which does not meet the deadlines established under the ARRA will be redistributed to other states; and

WHEREAS, the Idaho Transportation Board has been provided an overview of the purpose, provisions, and deadlines under the ARRA; and

WHEREAS, the Department's FY10 budget, which includes \$182 million in ARRA funding, was approved during the Idaho 2009 Legislative Session and signed into law by Idaho Governor Otter on May 1, 2009; and

WHEREAS, projects identified for delivery in accordance with the provisions of the ARRA must be included in the Statewide Transportation Improvement Program (STIP) and approved by the Federal Highway Administration and the Federal Transit Administration prior to being eligible for ARRA funding; and

WHEREAS, the Department has already identified in August 2009 state highway system ARRA projects to use potential state or local savings or additional funding through the completion of ARRA: and

WHEREAS, the Community Planning Association of Southwest Idaho, the Surface Transportation Program Urban Committee, and the Local Highway Technical Assistance Council have identified additional local ARRA projects or increased funding to existing projects to use potential state or local savings or additional funding through the completion of ARRA; and

WHEREAS, 100% obligation of ARRA funding by March 1, 2010 will prevent the loss of ARRA funding to other states and qualify Idaho to use redistributed ARRA funding not used by other states.

NOW THEREFORE BE IT RESOLVED, that staff is authorized to amend the FY09-13 STIP in accordance with the provisions of the ARRA to include the projects listed in "Idaho Highways Economic Stimulus: Local Recommended Priorities for ARRA Savings or Additional Funding", as shown in Exhibit 386, which is made a part hereof with like effect, in FY09 of the ARRA local infrastructure programs; and

BE IT FURTHER RESOLVED, that staff is authorized to obligate ARRA funding to the projects in Exhibit 386 based on project readiness as funding comes available through savings within the local programs or after October 19, 2009, within the statewide ARRA programs.

Monthly Financial Statements and Highway Program Obligations. MTI Amick reported that over \$300 million had been obligated for projects in the STIP by the end of August, or approximately 89% of the planned amount. At the same time last year, \$310 million, or about 82%, had been obligated.

Controller Gordon Wilmoth said the revenue to the Highway Distribution Account through July was \$15,334,882, which was above the projected revenue of \$15,116,000. Total expenditures in the ARRA Title XII Fund were \$594,947. Revenue to the State Aeronautics Fund from aviation fuels of \$128,163 was below the projected revenue of \$149,182.

GARVEE Update and Annual Funding Authorization. Amy Schroeder, Program Engineer (PE), summarized the construction progress of the GARVEE Transportation Program. To date, \$681 million in bonds have been authorized, while \$573 million have been sold. Through August, \$534 million has been contracted and \$350 million expended through 23 construction contracts, 7 supply contracts, 110 design and construction services agreements, and 61 individual consulting firms. She also reported on the projects that have been completed to date and the status of projects underway.

Member Gagner requested a summary of the Program's successes to date and the lessons learned. PE Schroeder said there have been a number of innovative features, particularly with design and construction. She will provide a report in the near future.

ADA Tolman reported on the national Highway Trust Fund. The Safe, Accountable, Flexible, Efficient Transportation Equity Act – a Legacy for Users will expire on September 30, 2009. Options being considered are extending the act for 18 months at the current funding level, developing a new highway act now, and implementing a continuing resolution for approximately 9 months at the current funding level. Funding at the current level continues to be a concern, as

revenue forecasts are insufficient to maintain that amount. ADA Tolman also reported on the current bond market. To date, the Department has issued three bond series for a weighted interest rate of 4.61%.

GARVEE Program Manager (GPM) Jason Brinkman presented two options for the FY11 funding authorization. The recommendation was based on the original objectives of the program, bid savings opportunities, environmental progress being made in two corridors, and concerns with the federal revenue projections. Savings of \$30 million are available to apply to projects. Both options fund construction of the I-84, Franklin to Garrity project, estimated at \$49 million. With the \$30 million in savings available, the funding authorization request for Option A would be \$19 million. The second option also includes \$11 million for right-of-way in the SH-16 extension corridor and four miles of US-95 in the Chilco area, including frontage roads, at \$15 million. The second option, which staff recommends, requests \$45 million in additional bonding authorization. Both authorization amounts being considered are within the current legislative authorization and Highway Trust Fund projections.

Some discussion was held on the economic situation. With holdbacks being implanted at ITD as well as in general fund agencies, some members expressed a desire to take a conservative approach with the GARVEE Program. Other comments reflected concerns with purchasing right-of-way in the SH-16 corridor without guarantees that funding for construction will be secured and uncertainty with the schedule to complete the environmental process on the US-95 project.

Representative Hartgen expressed concern with the debt service. Although he believes the projects are worthwhile and are needed, due to the poor economic conditions, he is not sure additional debt should be acquired.

Member Gagner requested a future presentation on the entire GARVEE Program, including the initial concept, the projects that have been completed to date, projects planned, and what projects will not be funded.

Without objection the Board postponed the GARVEE bonding authorization request until the October meeting.

Representative Hartgen thanked the Board for its service and for its sensitivity to the legislature. He recognizes the vast transportation needs throughout the state. He attends the regional transportation committee meetings and appreciates Member Blick's and DE Rigby's efforts.

<u>FY10-13 STIP</u>. Intermodal Planning Manager (IPM) Sonna Lynn Fernandez said Idaho's STIP, which is developed annually, represents a fiscally constrained multi-year, multi-modal program that shows planned highway, transit, aeronautics, and highway safety projects. Per federal requirements, it was developed with public involvement and in collaboration with LHTAC and the six Metropolitan Planning Organizations.

The draft FY10-13 STIP will be available for public review and comment from September 20 through October 21, according to IPM Fernandez. This year, instead of sending CDs and books, postcards were sent indicating where people could access a copy of the draft STIP via the web.

More than 1,500 postcards have been sent to federal, state and local agencies, local highway jurisdictions, Tribal Nations, Universities, and interested parties. Comments gathered during the open public comment period will be submitted to the Board in November. At that time the Board will be asked to approve the STIP and then it will be submitted to the Federal Highway Administration and Federal Transit Administration for approval.

Chairman Manning thanked IPM Fernandez for the report.

Executive Session on Personnel and Legal Issues. Member Blick 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), (d), and (f). Vice Chairman Miller seconded the motion and it passed 5-0 by individual roll call vote.

A discussion was held on legal matters related to records exempt from public disclosure and a contract dispute.

A discussion was held on personnel issues related to the conduct of public officers and the filling of a public office.

The executive session recessed at 1:20 PM. No final actions or decisions were made.

<u>Delegation – Jerome Highway District</u>. Jerome Highway District Commissioner Dennis Kulhanek said the local highway jurisdiction has been working cooperatively with District 4 on a traffic signal at US-93 and Golf Course Road. The project also includes a north-bound turn lane and south-bound acceleration lane. Per ITD policy, the local highway jurisdiction is fiscally responsible for a portion of the project; however, Commissioner Kulhanek said he does not know how much of the estimated \$1,089,000 cost is their responsibility.

District 4 Traffic Engineer Bruce Christensen elaborated on the project at this high accident location. The local's share is 25%. He added that the project is in the environmental phase, so design has not started.

Commissioner Kulhanek expressed concern with the cost and said the highway district cannot afford a \$250,000 project. He asked if work-in-kind may be an acceptable option.

The Board was receptive to the work-in-kind proposal for the traffic signal project and asked ITD and the local highway district to pursue this option.

Commissioner Kulhanek thanked the Board for its time and for its consideration to work with the local entity on this project.

<u>Executive Session on Personnel Issues</u>. Member Coleman made a motion to continue the executive session at 1:35 PM through September 18 to continue discussions on personnel issues as authorized in Idaho Code Section 67-2345(a). Vice Chairman Miller seconded the motion and it passed 5-0 by individual roll call vote.

A discussion was held on personnel issues related to the filling of a public office.

The Board recessed at 5 PM.

September 18, 2009

The Board reconvened at 8:00 AM on Friday, September 18, 2009 at the Idaho Transportation Department in Boise. All members were present.

<u>Executive Session on Personnel Issues</u>. The Board continued its executive session from September 17 with discussions on personnel issues related to the filling of a public office.

The Board came out of executive session at 5:00 PM. No final actions or decisions were made.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 5:00 PM.

signed

DARRELL V MANNING, Chairman
Idaho Transportation Board

Read and Approved October 15, 2009 Boise, Idaho

WORK SESSION AND REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

October 13-15, 2009

The Idaho Transportation Board met at 10:00 AM, on Tuesday, October 13, 2009, at the Idaho Transportation Department District 3 Office in Boise, Idaho. The following principals were present:

Darrell V Manning, Chairman
Neil Miller, Vice Chairman – District 5
Jim Coleman, Member – District 1
Lee Gagner, Member – District 6
Scott Stokes, Acting Director
Karl Vogt, Deputy Attorney General
Sue S. Higgins, Secretary

<u>Performance Management</u>. Acting Director (ADIR) Stokes said the Department is tracking 17 performance measures. The goals are to assess performance, find improvements, encourage innovation, communicate the level of ITD's performance, and acknowledge the employees' and Department's efforts. The Transportation Results by Improved Performance (TRIP) accomplishments were presented. The responsible party to track and monitor each of the performance measures summarized the activity and results from the first tracking period, July through September. Plans for the second reporting period to show improvement or, if appropriate, maintain the current level, were also discussed.

District 2 Engineer Jim Carpenter summarized the efforts to identify maintenance measures. The goals were to take a comprehensive look at operations beyond response time; the data collected needs to have minimal effect on staff and needs to be easily understood; and measurements are to have statistical validity. The data reporting will begin in January. After the maintenance management system is implemented, additional activities will likely be added.

Chief Engineer (CE) Tom Cole reported on the Division of Highways' efforts to develop business plans. The intent is to provide each District and Section with a viable resource to guide decision-making; inform and support collaboration and understanding between and within Districts, Sections, and Headquarters; and improve accountability and resource management.

Communication. Motor Vehicles Administrator (MVA) Alan Frew summarized the preliminary results of a recent customer survey. The questions focused on highway maintenance; highway construction; Division of Motor Vehicle licensing, titling and registration, and online services; alternative modes of transportation; public involvement in planning; communications; and customer service. Overall, the ratings were favorable. MVA Frew said the final report will be released in January. ADIR Stokes added that the survey will be conducted on a regular basis in the future.

<u>Executive Order on Accountability</u>. Intermodal Planning Manager Sonna Lynn Fernandez provided an update on developing the Statewide Systems Transportation Plan. The

Plan is to provide guidance on taking care of the existing system, identify ways to make the system work better, and help ITD work better. The Team is on track and anticipates meeting the January 2011 deadline to complete the statewide plan, report on all strategic performance measures, and design and implement management systems.

CE Cole said the pavement and maintenance management systems should be under contract by the end of the year. The pavement management system will provide an on-going assessment of the roadway, according to Jeff Miles, Materials Engineer. It will provide cost effective methods to take care of the system and help staff make better decisions. Steve Spoor, Maintenance Services Manager, said similarly, the maintenance management system will provide guidance on allocating resources in the maintenance arena. It also includes an asset management component for features like signs, traffic signals, culverts, and guardrail.

Administrator, Division of Administration (ADA) Dave Tolman, said the next accountability report is due to the Governor's Office on November 1. Not all of the data from the first tracking period has been collected and analyzed. Staff will continue working on this effort.

The Board thanked staff for the informative presentations and its efforts on the numerous initiatives. It emphasized the need to communicate the Department's various accomplishments and to keep reports short and easy to understand.

WHEREUPON the work session recessed at 4:35 PM.

October 14, 2009

The Board reconvened at 8:15 AM on Wednesday, October 14, 2009 at the Idaho Transportation Department in Boise. In addition to the members present on October 13, Members Jerry Whitehead, District 3, and Gary Blick, District 4, were present.

<u>Executive Session on Personnel Issues</u>. Member Blick made a motion to meet in executive session at 8:15 AM to discuss personnel issues as authorized in Idaho Code Section 67-2345(a). Member Gagner seconded the motion and it passed 5-0 by individual roll call vote.

A discussion was held on personnel issues related to the filling of a public office.

The Board came out of executive session at 4:05 PM. No final actions or decisions were made.

WHEREUPON the meeting recessed at 4:05 PM.

October 15, 2009

The Board reconvened at 8:30 AM on Thursday, October 15, 2009 at the Idaho Transportation Department in Boise. All members were present.

<u>Board Minutes</u>. Member Blick made a motion to approve the minutes of the regular Board meeting held on September 16-18, 2009 as submitted. Member Gagner seconded the motion and it passed unopposed.

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

November 18-19, 2009 – Boise December 17-18, 2009 – Boise

<u>Consent Calendar</u>. Member Gagner made a motion, seconded by Vice Chairman Miller, and passed unanimously, to approve the following resolution:

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

addition of Cheney Drive, Washington Street to North College Road, College of Southern Idaho to FY12 of the Statewide Transportation Improvement Program; and revisions to Board Policy, B-12-03, Traffic Minute Entries; and has received and reviewed the annual report on speed zone changes by city ordinance; the contract award information; and the professional services agreements and term agreement work task report.

- 1) Add Cheney Drive, Washington Street to North College Road, College of Southern Idaho (CSI) to FY12 of the Statewide Transportation Improvement Program. Idaho received Congressional earmarks of \$750,000 in the FY06 Appropriations Act and \$480,000 in the FY08 Appropriations Act for the CSI Student Safety Initiative. Safety improvements were constructed at the campus intersection with Falls Avenue in FY08, utilizing \$500,000 of the earmarked funds. The College would like to develop Cheney Drive, Washington Street to North College Road, in FY10 with construction estimated at \$1.8 million in FY12. Approximately \$713,000 is remaining from the Congressional earmarks to fund this project. Local funds of approximately \$1.7 million will be used for the remaining development and construction costs.
- 2) Revisions to Board Policy B-12-03, Traffic Minute Entries. This policy was revised to delete the distinction of "routine" and "non-routine" traffic minute entries and gives the authority for approval of all traffic minute entries to the Director or delegate. This will streamline and expedite the Traffic Minute Entry process.
- 3) Annual Report on Speed Zone Changes by City Ordinance. Throughout the state, there are 63 locations in 33 cities where cities have imposed speed limit changes that have gone against the recommendations of the Department since legislation was enacted in 1997 allowing incorporated cities to establish speed limits within their jurisdiction on sections of the State Highway System. Authority to establish speed limits within highway sections with access control Types 4 and 5 is retained by ITD. The results from studies done since implementation of city-imposed speed limits through 2009 suggest drivers are more inclined to disobey city-imposed speed reductions. No definite conclusions can be made on collisions due to limited information available; however, preliminary observations show crash rates in speed zones established by city action have not changed when comparing pre-speed zone reduction data with post-speed zone reduction data.

4) Contract Awards. Key #11955 – Teton Highway, Fremont County, District 6. Low bidder: H-K Contractors, Inc. - \$209,487.

Key #9473 – US-95, McKinzie Bridge, Idaho County, District 2. Low bidder: Harcon Incorporated - \$824,086.

Key #11149 – I-15 and US-20, FY09 District 6 Sign Upgrades. Low bidder: Eagle Rock Blasting, Inc. - \$88,625.

Key #9799 – US-12, Clearwater River Bridge, Nezperce County, District 2. Low bidder: McAlvain Civil Constructors, Inc. - \$1,213,203.

Key #9233 – US-91, Intersection Reservation Road, Bannock County, District 5. Low bidder: Gale Lim Construction LLC - \$629,561.

Key #11037 – US-95 and US-12, FY09 District 2 Sign Upgrades. Low bidder: Specialty Construction Supply, LLC - \$104,576.

Key #11928 – SH-51, Nevada/Idaho State Line to Sheep Creek Road, Owyhee County, District 3. Low bidder: Valley Paving & Asphalt, Inc. - \$1,921,993.

Key #11546 – SH-58, Washington State Line to Junction US-95, Kootenai County, District 1. Low bidder: Hap Taylor & Sons, Inc. dba Knife River - \$557,809.

Key #11606 – SH-24, Milner Gooding Canal to Shoshone High School, District 4. Low bidder: Kloepfer, Inc. - \$381,174.

Keys #9219 and #8890 – I-84, Burley to Declo and Heyburn Interchange Overpass, District 4. Low bidder: Hap Taylor & Sons, Inc. dba Knife River - \$12,781,463.

5) Professional Services Agreements and Term Agreement Work Task Report. From August 31 through September 28, \$2,964,800 in new professional services agreements and work tasks were issued. Eight supplemental agreements to existing agreements were processed in the amount of \$587,520 during this period.

<u>Board Items</u>. Chairman Manning summarized his recent activities, including continuing efforts to fill the Director position, participating in the second Governor's Task Force on Modernizing Transportation Funding meeting, and meetings with the Governor's Office to discuss the GARVEE Program.

<u>Acting Director's Report.</u> ADIR Stokes elaborated on the recent Task Force meeting, which focused on the needs of the system. No expansion projects were included in the overview; however, the Task Force members requested a future discussion on the expansion needs to address growth. Some discussion followed on the definition of expansion and, particularly, on the issue of adding mileage to the state highway system.

<u>Presentation – Technology Transfer (T2) Center.</u> Bruce Drewes, T2 Center Manager, said the Center serves as Idaho's Local Technical Assistance Program. It is an educational and information clearinghouse for the local highway jurisdictions. The T2 Center was established in 1986 within ITD. From 1996 to early 2009 it was housed at the University of Idaho and was then moved to the Local Highway Technical Assistance Council. The Center plays a critical role in advancing the local surface transportation system and is a partner for training and technical assistance throughout the local transportation community. Its focus areas are safety, infrastructure management, professional development, and continuous improvement.

Mr. Drewes said one of the T2 Center's successes is the Idaho Road Scholar Program. This program is a way for local road professionals to be recognized for successfully completing a series of training courses. The curriculum is designed to provide participants with the fundamentals of safety, management, and advanced technologies, plus a wide variety of other topics relevant to the transportation industry.

Mr. Drewes was pleased to recognize ITD employee Carl Vaughn for his recent completion of the Road Scholar Program. Mr. Vaughn works in the Hammett Maintenance Shed.

Chairman Manning thanked Mr. Drewes for the informative presentation and congratulated Mr. Vaughn for completing the Road Scholar Program.

Annual Update on ITD's Research Program. Research Program Manager (RPM) Ned Parrish said the budget for research activities in FY10 is \$1.4 million. The Research Advisory Council identified seven new projects for FY10. The projects are in accordance with the Department's strategic goals and initiatives: customer service, partnerships, accountability reporting, practical design, and safety. Some of the projects currently underway include a partnership survey, studying customer service best practices, and evaluating the feasibility of using concrete sealers to extend pavement life. Some of the projects to be completed or initiated in FY10 include reviewing chip seal practices, examining crash reduction benefits of selected safety improvements, studying winter maintenance practices, and comparing ITD pavement design with pavement design specifications in other states.

RPM Parrish also demonstrated the recently-developed website that provides information about current research projects, online access to completed research reports, and search tools. Other program activities included assisting with the transfer of the T2 Center from the University of Idaho to LHTAC, responding to information requests, and collaborating with national and regional groups.

Chairman Manning thanked RPM Parrish for the presentation.

ITD Strategic Plan Quarterly Update. Aeronautics Administrator John DeThomas, Expanding and Enhancing Partnerships Team Leader, reported on the team's efforts. Internal and external surveys were completed. Focus groups will be established to compare the survey results.

Investing in Our People Team Leader Mary Harker, Human Resources Manager, reported that the employee performance plan has been revised. The Department's values have been identified,

communicated to employees, and incorporated into the performance system. Work is continuing on employee recognition and the new employee orientation.

MVA Frew, Team Leader for Improving Customer Service, said a Customer Service Council has been established. All Divisions are represented on the Council. He referenced the preliminary results of the customer survey, which were reported to the Board at the work session earlier this week. A survey of best practices in other states will be completed by January.

Chairman Manning thanked staff for the update and the continued efforts on this important initiative.

Division of Administration Strategic Plan Action Items. ADA Tolman said CobiT implementation is one of the Division's activities for the Leading Through Agency Performance focus areas. CobiT provided the framework to restructure and reorganize the Enterprise Technology Services Section in order to meet its objectives, including improving accountability, customer service, quality, and project delivery. Another initiative is the data warehouse project. Reports will integrate financial data and performance measurement data from the pavement management, maintenance management, project scheduling, and Division of Motor Vehicles' (DMV) systems. It will also link input resources with output achievements when all management systems are integrated. It will facilitate improved decision-making at the Department.

ADA Tolman elaborated on some of the Expanding and Enhancing Partnerships activities. Through a joint effort with DMV and Idaho State Police, wireless networking was installed at Port of Entry sites and other designated areas across the state. Another activity was the establishment of a Department-wide continuity of operations plan. One of the Improving Customer Service actions is a recently-implemented customer service survey to identify ways the Enterprise Technology Services Section can improve communications, meet the needs of its customers, and ensure the support service staff has the resources and ability to adequately address customer issues providing adequate response time and high quality results. The survey data from the first 90 days will provide the baseline for performance measures.

Chairman Manning thanked ADA Tolman for the report.

Monthly Financial Statements and Highway Program Obligations. Dave Amick, Manager, Transportation Investments, reported that approximately \$336 million had been obligated for projects in the STIP by the end of September, or approximately 99% of the project costs. At the same time last year, \$340 million, or about 90%, had been obligated. He mentioned that the federal transportation bill expired on September 30. Because a new act has not been enacted, a 30-day extension was implemented. It provides ITD less than 1/12th of Idaho's FY09 appropriations and provides little flexibility with spending authority.

Controller Gordon Wilmoth said FHWA Indirect Cost Allocation revenue was \$8,261,424 through August, which exceeded the projected amount of \$5,450,000. Miscellaneous revenue to the State Highway Fund of \$4,336,548 was almost \$500,000 below the forecast. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$28,606,479. The projected revenue was \$28,875,700. Total expenditures in the American Recovery and

Reinvestment Act (ARRA) Title XII Fund were \$5,800,320. Expenditures in the LHTAC-administered ARRA Title XIV account were zero.

Controller Wilmoth reported that revenue to the State Aeronautics Fund from aviation fuels of \$282,396 was above the projected revenue of \$249,128. He noted that although the variance was positive in August, it was negative in July and September. It is not known if the negative variance is a trend or if it is a reporting issue; however, earlier in the week the Aeronautics Advisory Board approved holdbacks to prepare for a revenue deficit. Staff will continue to monitor the budget and take additional action as needed.

Over Height Detection of Trucks. Highway Operations and Safety Engineer (HOSE) Brent Jennings said over time, ITD roadway structures have experienced several collisions and resultant damages from commercial vehicles. Most of these incidents occurred on the Interstate system. Although the collisions are not officially tracked, it was determined that there have been 69 instances of vehicular bridge impacts on state highways since 1990. The hits have been random and sporadic. Staff believes tracking the information, including the cost of structure repair and economic loss resulting from road closures and detours, would be useful.

HOSE Jennings stated that the permitting system is supposed to prevent these collisions. Other measures that could be implemented include increased signage of vertical height, hanging chains, and active over-height detection systems. He elaborated on the latter approach, whereby warning devices alert derivers if their vehicles are over the height limitations for an upcoming structure. Data from other states on the effectiveness of this system is inconclusive. A pilot project for the I-90 corridor in the Coeur d'Alene area is being considered because there are four bridges within a one-mile stretch that have all been hit by over-height vehicles. Estimated costs for the detection and warning system are \$300,000. If a pilot project is implemented, HOSE Jennings recommends evaluating the data after two years to determine the benefits of the detection and warning system. If the results are positive, over-height detection systems could be installed at other locations throughout the state that are susceptible to these bridge hits.

Chairman Manning thanked HOSE Jennings for the report.

GARVEE Funding Authorization. GARVEE Program Manager Jason Brinkman presented two options for the FY11 funding authorization. Both options fund construction of the I-84, Franklin to Garrity project, estimated at \$48 million plus \$1 million for program management, and utilize \$30 million in savings. Option B also includes \$11 million for SH-16 right-of-way; US-95, Chilco Mainline and Frontage Roads; and another \$1 million for program management. Chairman Manning added that another option is to not request any bonding authority in FY11.

Member Coleman expressed support for Option B. Although he questioned purchasing right-of-way for the SH-16 corridor without confirmation that construction will be funded, he acknowledged the importance of acquiring right-of-way for the project. Member Blick also questioned purchasing right-of-way before construction funds are secured. ADIR Stokes stated that the GARVEE Program was initiated without guarantees that the projects would be constructed, as several projects needed environmental clearance and right-of-way acquisition.

The assumption was that bonding authorization would be approved on an on-going basis until the projects were constructed.

Member Whitehead commented on the growth in the Treasure Valley. If the right-of-way for the SH-16 extension is not secured at this time, he is concerned that the cost will increase significantly in the future. He believes it is important to plan for the future and acquire the property at this time.

Although Member Gagner understands the need to plan for the future, he does not believe acquiring the right-of-way at this time is prudent. He is concerned that there would be an expectation to construct the SH-16 extension, but funding has not been secured for that. He expressed support for Option A.

Chairman Manning noted that there are several steps before construction on a project can begin. The environmental process needs to be completed, design completed, and the right-way obtained.

Member Coleman made a motion to approve the following resolution. Member Whitehead seconded the motion.

Vice Chairman Miller expressed concern with the Department's revenue and with the poor economic situation. He requested the inclusion of language in the resolution stating that the Board is to review the GARVEE expenditures periodically. Without objection that wording was added to the resolution.

RES. NO. WHEREAS, the Idaho Transportation Board is charged with determining the timeframe and

ITB09-48 scope of improvements for the state transportation system; 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, and 2009 authorized the issuance of GARVEE bonds to finance a total of \$681 million in projects; and

WHEREAS, the Board is granted the statutory responsibility and duty to allocate GARVEE bond proceeds among legislatively authorized projects, including the following:

- 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, additional funding will be required to complete the projects listed above, except US-95, Worley to Setters; I-84, Orchard to Isaacs Canyon; and US-30, McCammon to Lava Hot Springs; and

WHEREAS, the continuation of GARVEE funding authorizations advances the progress in each of the remaining GARVEE corridors.

NOW THEREFORE BE IT RESOLVED, that the Board approves the Draft GARVEE FY11 Working Plan, which is on file in the GARVEE Program Office, a summary of which has been provided to the Board; and

BE IT FURTHER RESOLVED, that the Board requests legislative bonding authority for FY11 in the principle amount of \$45 million, which shall be submitted as a separate item in the annual budget request from the Idaho Transportation Department for consideration during the 2010 legislative session; and

BE IT FURTHER RESOLVED, that the expenditures shall be periodically reviewed by the Board.

Member Blick suggested incorporating explicit language that the construction funds for the SH-16 extension have not been secured. Member Whitehead referenced other projects where the right-of-way was acquired years in advance of the construction. Sometimes it is imperative to obtain right-of-way in advance, before construction funds have been identified. He believes now is an opportune time to purchase the right-of-way for the SH-16 extension.

The motion passed 3-2. With Members Coleman and Whitehead voting in the affirmative, Vice Chairman Miller and Member Gagner voting nay, and Member Blick abstaining, Chairman Manning broke the tie with an affirmative vote.

Executive Session on Personnel and Legal Issues. Member Blick made a motion to meet in executive session at 11:10 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(a) and (f). Member Gagner seconded the motion and it passed 5-0 by individual roll call vote.

A discussion was held on legal matters related to the US-95, Sandpoint North and South project.

A discussion was held on personnel issues related to the filling of a public office.

The Board came out of executive session at 12:15 PM. No final actions or decisions were made.

<u>Old Business</u>. Member Coleman referenced the July 2009 Board meeting. The City of Post Falls requested approval to proceed with the design of the I-90, Greensferry project, with the locals providing over \$1 million for the design costs. The Board approved that request and approved adding the project to the STIP for design only. Member Coleman understands that ITD staff

cannot work on this project due to paperwork concerns. A mechanism has not been implemented whereby the Department can be reimbursed by the City.

ADIR Stokes said he is aware of the situation and will have it resolved soon. He will provide an update on this issue at the next Board meeting.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 12:30 PM.

signed

DARRELL V MANNING, Chairman
Idaho Transportation Board

Read and Approved November 18, 2009 Boise, Idaho

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

November 18-19, 2009

The Idaho Transportation Board met at 11:30 AM, on Wednesday, November 18, 2009, at the Idaho Transportation Department in Boise, Idaho. The following principals were present:

Darrell V Manning, Chairman
Neil Miller, Vice Chairman – District 5
Jim Coleman, Member – District 1
Jerry Whitehead, Member – District 3
Gary Blick, Member – District 4
Lee Gagner, Member – District 6
Scott Stokes, Acting Director
Karl Vogt, Deputy Attorney General
Sue S. Higgins, Secretary

<u>Board Minutes</u>. Vice Chairman Miller made a motion to approve the minutes of the regular Board meeting held on October 13-15, 2009 as submitted and the minutes of the special Board meeting held on November 4, 2009 as submitted. Member Blick seconded the motion and it passed unopposed.

<u>Board Meeting Dates</u>. The following meeting dates and locations were scheduled:

December 17-18, 2009 – Boise January 20-21, 2010 – Boise February 17-18, 2010 – Boise

<u>Consent Calendar</u>. Member Blick made a motion, seconded by Member Gagner, and passed unanimously, to approve the following resolution:

RES. NO. NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the certification of receipts and disbursements and the Public Transportation FY09-FY13 Statewide Transportation Improvement Program administrative modification: add operations to Rural American Recovery and Reinvestment Act grant; and has received and reviewed the Jerome Highway District in-kind payment for an intersection project, contract award information, and the professional services agreements and term agreement work task report.

- 1) Certification of Receipts and Disbursements. The certification of receipts and disbursements cash basis, as shown as Exhibit #387, 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. The Department's cash balance as of June 30, 2009 was \$24,148,000.
- 2) Public Transportation FY09-FY13 Statewide Transportation Improvement Program (STIP) Administrative Modification. Staff requested modifications to the FY09-FY13 STIP to utilize up to 10% of Idaho's Rural American Recovery and Reinvestment Act (ARRA) appropriations for transit operations. The changes include: moving the City of Dover's park-n-ride and transit waiting facility remodel totaling \$87,000 to provide new rural operations; moving the City of Moscow's \$4,082 from savings on an ARRA vanpool vehicle to administration to support

managing the \$360,000 ARRA transit infrastructure improvements; moving Treasure Valley Transit's \$92,000 of preventive maintenance funds to create a new service between Council, New Meadows, McCall and Lake Fork; transferring \$93,750 from the City of Riggins' facility renovation, mobility management, capital equipment project to Treasure Valley Transit to operate a transit service connecting the City of Riggins to McCall and Grangeville; and transferring Teton Area Rapid Transit's 3-year parking facility lease for \$75,000 to the City of Victor's transit facility construction project.

- 3) Jerome Highway District In-kind Payment for Intersection Project. At the September Board meeting, the Jerome Highway District expressed concern with its responsibility for the US-93 and Golf Course Road intersection project. The project consists of a traffic signal, a north-bound turn lane, and south-bound acceleration lane. Per ITD policy, the local highway jurisdiction is fiscally responsible for a portion of the project. The commissioners said it cannot afford a \$250,000 project and asked if work-in-kind may be an option. Staff reported that an acceptable agreement has been reached. The Jerome Highway District will construct the new lane and merge taper on Golf Course Road. This work will be sufficient to meet the Department's policy requirements.
- 4) Contract Awards. Key #11593 US-30, County Road 4825 East to 750 West, District 4. Low bidder: Kloepfer, Inc. \$1,401,008.

Key #9526 – I-84, West Jerome Interchange Bridge, District 4. Low bidder: Cannon Builders, Inc. - \$218,697.

Key #9618 – US-20 and SH-75, Timmerman Rest Area Reconstruction, District 4. Low bidder: Barry Hayes Construction LLC - \$1,989,210.

Key #11902 – I-84, Garrity Interchange to Meridian Interchange Stormwater Ponds, District 3. Low bidder: Staker & Parson Companies dba IS&G - \$1,048,244.

Key #11612 – Washington Street and Orchard Drive, Twin Falls, District 4. Low bidder: Kloepfer, Inc. - \$225,382.

Key #10619 – I-90, Intelligent Transportation Systems Implementation, District 1. Low bidder: Thorco, Inc. - \$834,589.

5) Professional Services Agreements and Term Agreement Work Task Report. From September 29 through October 30, \$5,166,600 in new professional services agreements and work tasks were issued. Four supplemental agreements to existing agreements were processed in the amount of \$233,700 during this period.

<u>Board Items</u>. Chairman Manning summarized his recent activities, which focused on preparations for the upcoming legislative outreach meetings. He also attended a meeting to discuss access and mentioned the next Governor's Task Force on Transportation Funding meeting scheduled for December 2.

Acting Director's Report. ADIR Stokes reported that the Governor's Executive Order on Accountability recommendation to establish an office of performance management is behind schedule. The draft TRIP (Transportation Results through Improved Performance) report was distributed. Administrator, Division of Administration Dave Tolman summarized the first quarterly performance measure report.

At the federal level, ADIR Stokes said little progress has been made on the reauthorization of the surface transportation act. The Federal Highway Administration is continuing to operate under a continuing resolution.

ADIR Stokes announced that construction estimates for GARVEE projects have been reevaluated, resulting in lower estimates. The I-84, Franklin to Garrity project may be funded with the potential savings from lower construction costs. Staff will continue working with the Connecting Idaho Partners and may propose modifications to the Program.

Next year the Capital Investment Program and Statewide Transportation Improvement Program (STIP) will be combined, according to ADIR Stokes. He asked staff to consolidate the documents, which should result in a more efficient process.

In conclusion, ADIR Stokes commended staff for its efforts on implementing ARRA. In addition to obligating funds on the state highway system, staff has been providing assistance to the local entities on their projects.

Executive Session on Personnel and Legal Issues. Member Gagner 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), (d), and (f). Member Coleman seconded the motion and it passed 5-0 by individual roll call vote.

A discussion was held on legal matters related to access, records exempt from public disclosure, and litigation against the Department on employment-related matters.

A discussion was held on personnel issues related to the conduct of public officers.

The Board came out of executive session at 1:00 PM. No final actions or decisions were made.

Cotterel Port of Entry (POE) Commercial Vehicle Ramp Capacity Issue. Occasionally, the Cotterel POE along I-84 has insufficient commercial vehicle capacity at the ramps, causing trucks to back up onto the Interstate, according to Port of Entry Manager (POEM) Pat Carr. The Department has been aware of this problem for some time, but lacked funds to implement a long-term solution. Last year, the Department obtained federal funding to install ramp monitoring systems for not only Cotterel, but also Inkom and Huetter POEs. The system's radar detection unit will monitor speeds within a detection zone on the ramp. When a back-up begins to occur and conditions on the ramp surpass predefined thresholds, the system will sound an audible alert at the POE computer. Port personnel will then be able to view the camera image on the computer to verify the current ramp conditions and if a queue is developing that could back onto the interstate traffic lanes, temporarily close the port by changing the existing sign. This process will also be available to inspectors in an automatic mode if they are busy with customers.

POEM Car said the bid for this project has recently been awarded. Staff is developing an installation plan with the successful vendor. A pilot system will first be installed at the westbound Cotterel POE and upon successful operation, additional systems will be installed at the other identified locations. The total cost for systems at the three identified POEs is \$450,000.

Member Blick expressed support for installing this system. He believes the insufficient ramp storage can be a liability and the Department needs to address that.

Vice Chairman Miller questioned the pilot system. California has been using a detection system for approximately 15 years. He asked why ITD is using a new system. POEM Carr explained the difference between California's system, which uses a laser, and the Idaho system, which will use radar to detect vehicles. The radar system requires less maintenance, is less expensive, and is less susceptible to false readings from severe weather.

Chairman Manning thanked POEM Carr for the report.

Monthly Financial Statements and Highway Program Obligations. Controller Gordon Wilmoth said FHWA Indirect Cost Allocation revenue was \$11,159,211 through September, which exceeded the projected amount of \$8,325,000. Miscellaneous revenue to the State Highway Fund of \$6,417,477 was almost \$705,000 below the forecast. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$43,602,960. The projected revenue was \$43,417,200. Revenue from the ethanol exemption elimination was \$3,888,119, which was a \$94,848 negative variance from the projected revenue. Total expenditures in the ARRA Title XII Fund were \$9,819,436. Expenditures in the LHTAC-administered ARRA Title XIV account were \$218.

Controller Wilmoth reported that revenue to the State Aeronautics Fund from aviation fuels of \$422,126 was below the projected revenue of \$502,945. He noted that the negative revenue trend is continuing. The Aeronautics Advisory Board will be meeting in January to discuss the budget further.

Dave Amick, Manager, Transportation Investments (MTI), reported that approximately \$55 million had been obligated for projects in the STIP by the end of October, or approximately 13% of the FY10 project costs. At the same time last year, \$55 million, or about 16%, had been obligated. He elaborated on the new obligations targets by month for each District and for the local system.

Member Blick left the meeting at this time.

Recommended FY10-13 Capital Investment Program. MTI Amick summarized the recommended FY10-13 Capital Investment Program, including the highways, public transportation, and aeronautics programs. Public comments and requests were considered and incorporated into the Recommended Program when appropriate. Other changes to the Program since the draft was presented in September include the advance and delay of projects as a result of delivery during the end-of-year review, results of a statewide balancing meeting, reprogramming of projects with federal stimulus funds, reprogramming of unutilized High

Priority and Appropriation earmarks from FY09, numerous GARVEE bond series balancing changes, and, at the request of Community Planning of Southwest Idaho, programming of the FY14 Transportation Management Area Program. He noted the inclusion of the I-90 Access, Greensferry project in the updated STIP. This inclusion will allow District staff to review the design of the project being funded by the City of Post Falls.

MTI Amick also requested amendments to the FY09-13 STIP so that project development can begin prior to the expected January approval of the FY10-13 document by the federal agencies.

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

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

ITB09-50 and accomplish a current, realistic, and fiscally constrained Capital Investment Program (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 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU) requires that a priority list of projects covering a four-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, the Divisions of Highways, Public Transportation, and Aeronautics have recommended new projects and updated the costs and schedules for projects in the FY10-13 Recommended Program; and

WHEREAS, the FY10-13 Recommended Program was developed in accordance with all applicable federal, state, and policy requirements, including adequate opportunity for public involvement and comment; and

WHEREAS, the FY10-13 Recommended Program incorporated public involvement and comment whenever appropriate while maintaining a fiscally constrained Program; and

WHEREAS, several projects within the FY10-13 Recommended Program are under strict development schedules so cannot await federal approval of the FY10-13 STIP and still be delivered on time; 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 FY10-13 Capital Investment Program, which is on file in the Office of Transportation Investments; and

BE IT FURTHER RESOLVED, that staff is authorized to include approved projects in the FY10-13 STIP in accordance with the provisions of SAFETEA-LU; and

BE IT FURTHER RESOLVED, that staff is authorized to amend the FY09-13 STIP to include SH-16, Willow Creek Bridge, Ada County, key #H307 for \$2.3 million in FY11; US-12, Lenore Turnbay, Nez Perce County, key #H207 for \$430,000 in FY10; US-12, 18th Street to Clearwater River Bridge, Lewiston, key #H210 for \$3.2 million in FY13; SH-128, 18th Street to Junction US-12, Lewiston, key #H211 for \$2.6 million in FY13; and US-93, Twin Falls Alternate Route Flyover, key #H426 for \$4 million in FY10 in order to begin development as soon as possible.

<u>FY10-13 STIP</u>. Intermodal Planning Manager Sonna Lynn Fernandez summarized the federal requirements for the STIP and ITD's process to update the document, which includes opportunities for public involvement throughout the year. The 34 comments submitted during the comment period from September 20 through October 21 were provided to the Board.

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

RES. NO. WHEREAS, the Idaho Transportation Department is required by 23 U.S.C. 134, ITB09-51 23 CFR, Part 450 and 49 CFR, Part 613 and the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) to develop a Statewide Transportation Improvement Program (STIP); and

WHEREAS, the Program contains a list of priority transportation projects to be carried out for the first four years of the STIP and is in conformance with the first four years of each Metropolitan Planning Organization's Transportation Improvement Program; and

WHEREAS, the STIP is consistent with "Idaho's Transportation Future: getting there together," the Department's long-range vision/planning document adopted by the Idaho Transportation Board in July 2004; and

WHEREAS, the STIP, in nonattainment and maintenance areas, contains only transportation projects found to conform, or from programs that conform, to the requirements contained in 40 CFR Parts 51 and 93, and the Idaho Administrative Procedures Act, specifically the "Rules of the Department of Environmental Quality" found in Idaho Code 39-6701; and

WHEREAS, the STIP is financially constrained by year and includes sufficient financial information to demonstrate which projects are to be implemented using current revenues and which projects are to be implemented using proposed

revenue sources while the transportation system as a whole is being adequately operated and maintained; and

WHEREAS, the STIP contains all capital and non-capital transportation projects proposed for funding under the Federal Transit Act; and

WHEREAS, the STIP contains all regionally significant projects requiring an action by the Federal Highway Administration (FHWA) or Federal Transit Administration (FTA); and

WHEREAS, the STIP, in the first year, includes only those projects that have been selected in accordance with federal project selection requirements for nonmetropolitan areas; and

WHEREAS, the STIP contains modal projects in aeronautics, bicycle/pedestrian, highways, public transportation, and rail as well as highway safety; and

WHEREAS, the STIP was developed in accordance with all applicable federal requirements, including adequate opportunity for public involvement and comment.

NOW THEREFORE BE IT RESOLVED, that the Board approves the FY10-13 STIP with any changes approved by the Board to be included in the recommended STIP, which is on file in the Intermodal Planning Office; and

BE IT FURTHER RESOLVED, that the Board approves the transmittal of the recommended FY10-13 STIP to FHWA and FTA for their review and approval.

<u>Employee Service Awards</u>. The Board participated in the Employee Service Awards. Vice Chairman Miller provided remarks on behalf of the Board.

<u>Executive Session on Personnel and Legal Issues</u>. Vice Chairman Miller made a motion to meet in executive session at 2:55 PM to discuss legal and personnel issues as authorized in Idaho Code Section 67-2345(b) and (f). Member Gagner seconded the motion and it passed 4-0 by individual roll call vote.

A discussion was held on litigation against the Department on employment-related matters.

The Board came out of executive session at 3:30 PM. No final actions or decisions were made.

North Kootenai Water District Request for Financial Assistance. District 1 Engineer (DE) Damon Allen reported that North Kootenai Water District is required to relocate its water mains to accommodate the US-95, Garwood to Sagle, Chilco, key #9789, project. The water main is located in the right of way by permit. The estimated cost of relocating the facility is \$304,000. The Department has the authority, per Idaho Code, to require the utility company to relocate its utilities at its expense unless ITD agrees in advance to pay or share in the cost of the relocation.

DE Allen said the North Kootenai Water District appealed paying for the relocation. It requested a hearing and presented documentation demonstrating severe financial hardship to relocate its water main. The Water District is impacted by two other current projects, US-95, Wyoming to SH-53 and US-95, SH-53 to Ohio Match Road. DE Allen said matching federal aid funds are eligible to be used for the relocation if the Board decides to participate in the costs. The District recognizes the financial hardship the US-95 construction projects are causing and recommends providing assistance to relocate the utilities.

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

RES. NO. WHEREAS, the Idaho Transportation Board recognizes the need to relocate the ITB09-52 North Kootenai Water District utilities on US-95 right of way, Garwood to Sagle, Chilco segment in Kootenai County, key #9870; and

WHEREAS, the Board recognizes the need for flexibility and funding partnerships for projects; and

WHEREAS, the North Kootenai Water District requested a hardship hearing, which was held on June 24, 2009 in the District 1 office, and District 1 agreed a financial hardship existed; and

WHEREAS, it is the responsibility of the North Kootenai Water District to relocate the utilities, but Idaho Code 40-312 gives authority to the Idaho Transportation Department to share in the relocation expense; and

WHEREAS, the consulting engineer relocation estimate is \$304,000.

NOW THEREFORE BE IT RESOLVED, that the Board approves staff's recommendation of ITD participation in utility relocation at 50%, not to exceed \$152,000.

Strategic Highway Safety Plan (SHSP). Highway Safety Manager (HSM) Mary Hunter said the SHSP is a data-driven, comprehensive plan that establishes statewide goals, objectives, and key highway safety emphasis areas. It integrates engineering, education, enforcement, and crash response (or emergency medical services). The Plan allows the scheduling and implementation of safety improvement programs, comprehensive initiatives, and projects to be coordinated throughout the state. More specifically, it establishes common safety goals and priorities, strengthens existing partnerships, avoids redundant activities, and incorporates behavioral and infrastructure strategies and countermeasures to have a greater impact on reducing highway fatalities and serious injuries.

HSM Hunter said the Plan was developed in October of 2005 as part of the Governor's Highway Safety Summit. A workshop was held recently with ITD's partners in an effort to update the Plan. Some of the emphasis areas will be to promote a culture change that traffic-related deaths are not acceptable, a commitment to save lives, and a continued effort to partner on this important issue. The Plan's theme is: Toward Zero Deaths, Every Life Counts. The goal is: fewer than 200 annual traffic deaths by 2012. ADIR Stokes added that highway safety is the

Department's number one priority. Safety is the first performance measure listed in the TRIP Report.

Member Coleman questioned focusing on the infrastructure, as some projects could potentially reduce crashes or their severity. ADIR Stokes responded that one of the emphasis areas is behavior. Money has been received from the National Highway Traffic Safety Administration to help change the culture to reduce behaviors such as aggressive driving and inattentive driving and to increase utilization of safety restraints. HSM Hunter added that the majority of crashes are due to motorists making poor choices.

In response to Member Whitehead's question on seat belt-related funding, HSM Hunter replied that she did not have the exact figures with her, but believes if Idaho would have a primary seat belt law, it would be eligible for about \$3.5 million in additional federal funding annually.

Chairman Manning thanked HSM Hunter for the report and for her efforts in highway safety.

<u>Division of Motor Vehicles' (DMV) Strategic Plan Action Items</u>. Ed Pemble, Driver Services Manager (DSM), said a focus of the Division's Expanding and Enhancing Partnerships activities has been training. The training has focused on port of entry issues and judicial issues. Another activity has been to loan portable axle scales to other entities.

Commercial Vehicle Services Manager Reymundo Rodriguez reported that kiosks are being installed in several locations to Improve Customer Service. The kiosks provide on-line services for transactions such as registering vehicles and reinstating driver's licenses. They also provide access to 511 and various information. Another activity was an on-line customer survey. Overall, the survey responses indicated satisfaction with the on-line services provided.

Motor Vehicles Administrator (MVA) Alan Frew said Investing in Our People activities include visiting with employees about ITD on topics such as career paths, training opportunities, and potential streamlining measures. He also meets with employees leaving ITD to learn what improvements could be implemented. Video conferencing is also being utilized to allow low-cost training by eliminating travel expenses.

The Leading Through Agency Performance activities include transitioning to a central issue of drivers' licenses, according to POEM Carr. This process will result in a more secure and reliable process. Vice Chairman Miller asked about security when information needs to be provided to non-ITD personnel and about a financial trail. DSM Pemble responded that a secure method to transfer information to ITD's partners, such as the courts and law enforcement, has been established. The information cannot be intercepted. MVA Frew stated that internal controls are being developed to ensure the financial integrity of DMV transactions.

Chairman Manning thanked staff for the report.

The Board toured the Division of Motor Vehicles to meet with employees and learn more about the Division's activities and responsibilities.

WHEREUPON the meeting recessed at 5:05 PM.

November 19, 2009

The Board reconvened at 8:00 AM on Thursday, November 19, 2009 at the Idaho Transportation Department in Boise. All members were present.

<u>Executive Session on Personnel Issues</u>. Vice Chairman Miller made a motion to meet in executive session at 8:00 AM to discuss personnel issues as authorized in Idaho Code Section 67-2345(a). Member Gagner seconded the motion and it passed 5-0 by individual roll call vote.

A discussion was held on personnel issues related to the filling of a public office.

The Board came out of executive session at 8:30 AM. No final actions or decisions were made.

<u>New Business</u>. Vice Chairman Miller made a motion to appoint Brian W. Ness to the position of director of the Idaho Transportation Department as of January 11, 2010. Member Gagner seconded the motion and it passed unanimously.

Chairman Manning provided background on Mr. Ness. He has almost 30-years' experience with the Michigan Department of Transportation. Mr. Ness holds a bachelor's of science degree in engineering and a master's degree in public administration.

Chairman Manning thanked ADIR Stokes for his leadership and his service as acting director. He said the Board is grateful to ADIR Stokes for managing the department's day-to-day activities during the search for a director.

Mr. Ness thanked the Board for the opportunity to lead ITD. In his research, he noted a number of positive initiatives underway and an excellent staff. He is looking forward to his new position at ITD.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 8:40 AM.

signed

DARRELL V MANNING, Chairman
Idaho Transportation Board

Read and Approved December 17, 2009 Boise, Idaho

SPECIAL MEETING OF THE IDAHO TRANSPORTATION BOARD

November 4, 2009

Idaho Transportation Board Chairman Darrell Manning called a special meeting of the Idaho Transportation Board at 12:25 PM on Wednesday, November 4, 2009. The following were present at the Idaho Transportation Department in Boise, Idaho:

Darrell V Manning, Chairman Neil Miller, Vice Chairman – District 5 Jim Coleman, Member – District 1 Gary Blick, Member – District 4 Lee Gagner, Member – District 6 Sue S. Higgins, Board Secretary Karl Vogt, Deputy Attorney General

Executive Session, Vice Chairman Miller made a motion to meet in executive session at 12:25 PM to discuss personnel matters as authorized in Section 67-2345(a), Idaho Code. Member Gagner seconded the motion and it passed 4-0 by individual roll call vote.

Member Jerry Whitehead, District 3, joined the meeting at this time.

A discussion was held on personnel issues related to the hiring of a public officer.

The Board came out of executive session at 3:35 PM. No decisions were made.

WHEREUPON the special session of the Transportation Board adjourned at 3:35 PM.

signed

DARRELL V MANNING, Chairman
Idaho Transportation Board

Read and Approved November 18, 2009 Boise, Idaho

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

December 17, 2009

The Idaho Transportation Board met at 12:25 PM, on Thursday, December 17, 2009, at the Idaho Transportation Department in Boise, Idaho. The following principals were present:

Darrell V Manning, Chairman
Neil Miller, Vice Chairman – District 5
Jim Coleman, Member – District 1
Janice B. Vassar, Member – District 2
Jerry Whitehead, Member – District 3
Scott Stokes, Acting Director
Karl Vogt, Deputy Attorney General
Sue S. Higgins, Secretary

Lee Gagner, Member, District 6, participated via video conference.

Chairman Manning welcomed Member Vassar to the Board. He noted that her experience as Lewiston's City Manager and member of the Public Transportation Advisory Council will be valuable. He also thanked her for her willingness to serve on the Board. Member Vassar said she is looking forward to the appointment.

Executive Session on Personnel and Legal Issues. Member Coleman made a motion to meet in executive session at 12:25 PM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(b), (d), and (f). Vice Chairman Miller seconded the motion and it passed 5-0 by individual roll call vote.

A discussion was held on legal matters related to access; the US-95, Sandpoint North and South project; an inverse condemnation case; eminent domain issues; records exempt from public disclosure; and litigation against the Department on employment-related matters.

A discussion was held on personnel issues related to the conduct of public officers.

The Board came out of executive session at 1:15 PM. No final actions or decisions were made.

<u>Board Minutes</u>. Vice Chairman Miller made a motion to approve the minutes of the regular Board meeting held on November 18-19, 2009 as submitted. Member Coleman seconded the motion and it passed unopposed.

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

January 20-21, 2010 – Boise February 17-18, 2010 – Boise March 17-18, 2010 – Boise

<u>Consent Calendar</u>. Member Coleman made a motion, seconded by Member Whitehead, and passed unanimously, to approve the following resolution:

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

- ITB09-53 approves the updates to Board Policy B-18-07, Code of Fair Employment Practices, updates to Board Policy B-18-10, Harassment in the Workplace; and additional Community Planning of Southwest Idaho projects to be included in the American Recovery and Reinvestment Act completion proposal; and has received and reviewed the contract award information, the professional services agreements and term agreement work task report, the annual report on outdoor advertising sign status, the speed minute entry changes for July 2008 November 2009, and the quarterly report on legal actions and contract claims.
- 1) Update Board Policy B-18-07, Code of Fair Employment Practices. Because this policy was last signed in 2001, it was reviewed to ensure it is still relevant. No changes were recommended to the policy other than updating the signature and date.
- 2) Update Board Policy B-18-10, Harassment in the Workplace. This policy was last signed in 2002. It is still applicable. The only change is to update the signature and date.
- 3) Additional Community Planning of Southwest Idaho Projects to be included in the American Recovery and Reinvestment Act (ARRA) Completion Proposal. In September, the Board approved including a list of local projects in the STIP to be funded with ARRA savings or additional funding. Ada County Highway District (ACHD) contacted the Department because three projects were omitted from that list. Staff recommends amending the Local Recommended Priorities for ARRA Savings or Additional Funding, as shown as Exhibit 386A, which is made a part hereof with like effect, to include Curtis Road Signal System Upgrade \$280,000; Ustick Road Signal System Upgrade \$260,000; and Intelligent Transportation Systems Communication Upgrade, ACHD \$203,000.
- 4) Contract Awards. Key #7225 East Darlington Bridge, Custer County, District 6. Low bidder: Cannon Builders, Inc. \$604,823.

Key #9522 – Bishop Road Bridge, Farmers Co-op Canal, Gem County, District 3. Low bidder: Staker & Parson Companies dba IS&G - \$622,000.

Key #10489 – 8th Street School Sidewalks, Meridian, District 3. Low bidder: WF Construction & Sales LLC - \$128,082.

Key #6558 – Washington Street North, Twin Falls, District 4. Low bidder: Gordon Paving Company, Inc. - \$1,642,963.

Key #9899 – US-30, McCammon to 12th Street, District 5. Low bidder: LeGrand Johnson Construction Company - \$3,997,623.

Keys #10915 and #11974 – I-84, Garrity Boulevard Interchange Bridge, Nampa and 11th Avenue to Garrity Boulevard, Nampa, District 3. Low bidder: Concrete Placing Company, Inc. - \$14,979,188.

Key #11069 – I-84, FY09 District 3 Sign Upgrades. Low bidder: Pavements Markings Northwest, Inc. - \$78,749.

Key #9265 – Bob Barton Road, Jerome County, District 4. Low bidder: Western Construction, Inc. - \$2,753,389.

Key #7770 – US-26, Idaho Falls to Ririe, District 6. Low bidder: Hap Taylor & Sons, Inc. dba Knife River - \$13,257,511.

Key #11866 – Hanley Avenue, Davenport to 15th Street, Stage 2, District 1. Low bidder: Interstate Concrete & Asphalt Company – \$411,725.

Key #9249 – Knighton Lane Bridge, Butte County, District 6. Low bidder: Cannon Builders, Inc. - \$1,322,463.

Key #9217 – I-84, South Jerome Interchange Underpass, District 4. Low bidder: Kloepfer, Inc. - \$265,466.

Key #9528 – I-84, Declo Interchange to Salt Lake Interchange, Cassia County, District 4. Low bidder: Ralph L Wadsworth Construction Company, Inc. - \$9,274,775.

Key #8707 – Dent Bridge, Clearwater County, District 2. Low bidder: RSCI - \$191,540.

Key #7238 – Intersection Five Mile Road and Fairview Avenue, Boise, District 3. Low bidder: WF Construction & Sales LLC - \$2,349,980.

- 5) Professional Services Agreements and Term Agreement Work Task Report. From November 1 through November 30, \$1,815,374 in new professional services agreements and work tasks were issued. No supplemental agreements to existing agreements were processed during this period.
- 6) Annual Report on Outdoor Advertising Sign Status. At the close of federal FY09, 13 illegal and 178 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.
- 7) Speed Minute Entry Changes for July 2008 November 2009. The following routes in District 1 were changed from 60 miles per hour (MPH) to 45 MPH: SH-1, milepost (MP) 521.76 to 522.929, and 0.0 to 0.4 and on US-95, from MP 402.48 to 406.6. In District 3, the speed limit on SH-44 was changed from 45 MPH to 55 MPH from MP 9.98 to 10.05, from 45 MPH to 35 from MP 10.05 to 10.18 and MP 11.12 to 11.32, and from 55 MPH to 35 from MP 11.32 to 11.556; and on SH-78, from 65 MPH to 45 MPH from MP 59.38 to 59.54 and from 45 MPH to 35 MPH from MP 59.54 to 61.128. The SH-75 Spur in District 4 was changed from 45 MPH to 35 from MP 1.83 to 3.599; SH-75 was changed from 35 MPH to 25 from MP 128.53 to 128.819; and speed limits of 15 MPH were added to the I-84 Port of Entry Ramps from MP 10.0 to 10.42 and from 10.0 to 10.4. In District 5, the speed limit on SH-39 was decreased from 55 MPH to 45 from MP 46.95 to 47.637. SH-33 in District 6 was changed from 55 MPH to 45 from MP 76.637 to 76.915.

8) Quarterly Report on Legal Actions and Contract Claims. A summary of legal cases resolved by the Legal Section, a status of current legal cases, and a report on contract claims was presented.

<u>Board Items</u>. Chairman Manning attended all six legislative outreach meetings. He believes they were successful and he extended appreciation to the staff members for their efforts coordinating those meetings. He participated in the Governor's Task Force on Transportation Funding meeting earlier this month, along with Members Coleman and Whitehead. The next meeting will be on February 18, focusing on funding. Chairman Manning said he also attended a Community Planning of Southwest Idaho meeting.

<u>Acting Director's Report</u>. ADIR Stokes also commended staff for the time it devoted preparing for the legislative outreach meetings. He reported on the attendance, noting that 51 legislators participated.

ADIR Stokes noted that the Governor's Executive Order on Accountability requires an annual accountability report to be published by January 1. He distributed the draft report and summarized its content. The report is to include the amount of increased revenue generated under any legislation dealing with the motor fuel tax or vehicle registration fees as passed by the Idaho Legislature in 2009 or thereafter. In FY10, \$27.7 million was appropriated; however, ITD's current forecast is only \$21.3 million. Projects to be funded with this revenue include the first phase of the Division of Motor Vehicles' modernization at \$5.5 million and three highway construction projects for \$17.5 million. Other highlights include the development of a project tracking system; the development of an internal project delivery and scheduling system that will be used until the complete project scheduling system is implemented; and the selection of a vendor for the pavement management, maintenance management, and project scheduling systems. The first TRIP (Transportation Results through Improved Performance) report has been delayed. Staff anticipates releasing it in conjunction with the annual report.

At the federal level, ADIR Stokes said approximately \$40 billion has been approved for transportation appropriations; although the Highway Trust Fund is not expected to have sufficient revenue to fund this level. He added that it appears a two-year extension of the current surface transportation act is imminent.

Annual Report on the Local Rural Highway Investment Program (LRHIP). Local Highway Technical Assistance Council (LHTAC) Administrator Lance Holmstrom thanked the Board for the Local Rural Highway Investment Program. He also expressed appreciation to ITD staff for its assistance, particularly with ARRA projects. He believes some of the streamlining procedures used for those projects may be applicable for other federal-aid projects.

Asset Manager Jim Zier reported on the 2009 LRHIP, which funds three types of projects: construction, signs, and transportation plans. He noted that at its meeting earlier this month, the Council added another type of project eligible for funding: federal aid match. There were 96 project applications for funding this past year, totaling over \$27 million. There were 33 projects funded: 15 construction, 7 transportation plans, 9 sign projects, and 2 emergency projects. He summarized a number of projects that were completed and projects planned next year. Mr. Zier

commented that the transportation needs exceed the available funding. He expressed appreciation for the Board's support of the program.

Dan Coonce, Deputy Federal Aid Manager, provided an update on the local ARRA projects. All 25 projects have been submitted to ITD for plans, specifications and estimates. Sixteen projects have been obligated or are in the process of being obligated. Mr. Coonce also thanked ITD staff for its assistance, particularly with environmental clearances and technical reviews. Administrator Holmstrom added that the Council attempted to distribute the ARRA funding throughout the state and it has been a rewarding program.

Chairman Manning thanked the LHTAC staff for the reports. He also acknowledged Administrator Holmstrom's contributions on the Transportation Funding Task Force.

Commercial Vehicle Services Proposed Rule Change, 39.03.22, Overlegal Permits for Extra Length Vehicle Combinations. Commercial Vehicle Services Manager (CVSM) Reymundo Rodriguez requested amending Administrative Rule 39.03.22, Permits for Extra Length Vehicle Combinations, to allow permitted longer combination vehicles to operate on blue routes of the extra length map. Currently, the overall length limit on these routes is 90 feet. Increasing the length to 95 feet would allow the industry to more effectively and efficiently utilize its equipment when operating on the blue routes of the extra length map. The Division of Highways reviewed this proposal to ensure safety would not be compromised.

Member Whitehead 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 requested

ITB09-54 changes to Administrative Rules; and

WHEREAS, the Board finds the requested change to the Administrative Rule provides the ability for carriers to more effectively and efficiently utilize their permitted longer combination vehicles on blue coded routes of the extra length map.

NOW THEREFORE BE IT RESOLVED, that the Board approves the recommended change to Administrative Rule: IDAPA 39.03.22 – Extra Length Vehicle Combinations, clarifying that permitted longer combination vehicles operating on blue routes of the extra length map will be allowed an overall length of 95 feet; and

BE IT FURTHER RESOLVED, that the Board directs staff to promulgate temporary rule making effective December 1, 2009 and proceed with regular rule making.

Annual Report from the Dealer Advisory Board (DAB). DAB Member Grant Petersen Jr. reported on the activities of the DAB during FY09. It concurred with the Department's recommendation for denial of a dealer license in Hayden. It considered claims against the cash bond posted with the Department by multiple claimants against a dealer and approved a

recommendation to pay the two judgments received by the Department from the dealer's cash bond deposited with ITD.

The DAB received a request from a licensed dealer regarding dealer and loaner plates on power units held in the dealership inventory and used to tow trailers that were laden with inventory vehicles. This resulted in draft legislation that is to be presented in 2010, carried by the industry. Other proposed legislation it considered was to change the membership of the DAB from 8 to 10 by increasing the representation of used vehicle dealerships by 2. It also suggested adding a motorcycle dealer as a non-voting, ex-officio member until motorcycle dealers form their own association and then formally add an additional member to the DAB. Additionally, a legislative proposal was considered to replace the current required open book test with an 8-hour prelicensing class. The DAB was generally in favor of this change, but ITD staff indicated it would like to further review and discust he roles and responsibilities under the proposal.

DAB Member Petersen commented that this past year has been very challenging for the industry due to the poor economy. Due to the bankruptcies of General Motors and Chrysler, Idaho lost several dealerships. He expressed appreciation to staff for its efforts and valuable contributions, particularly its scrutiny of the fiscal impacts various proposals may have.

Chairman Manning thanked DAB Chairman Petersen for the informative report and for the DAB's important service to the state.

Monthly Financial Statements and Highway Program Obligations. Dave Amick, Manager, Transportation Investments (MTI), reported that approximately \$65.5 million had been obligated for projects in the STIP by the end of November, or approximately 15% of the FY10 project costs. At the same time last year, almost \$56 million, or about 16%, had been obligated.

Controller Gordon Wilmoth said FHWA Indirect Cost Allocation revenue was \$13,834,152 through October, which exceeded the projected amount of \$10,875,000. Miscellaneous revenue to the State Highway Fund of \$8,572,892 was almost \$800,000 below the forecast. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$58,549,867. The projected revenue was \$59,466,500. Revenue from the ethanol exemption elimination was \$5,276,757, which was a \$253,329 negative variance from the projected amount. Total expenditures in the ARRA Title XII Fund were \$16,539,969. Expenditures in the LHTAC-administered ARRA Title XIV account were \$218.

Controller Wilmoth reported that revenue to the State Aeronautics Fund from aviation fuels was \$107,816 below projections. He noted that this trend is a concern. An additional \$300,000 in hold backs may need to be identified and the FY11 budget may need to be revised.

GARVEE Program Revised FY11 Funding Authorization Request. GARVEE Program Manager (GPM) Jason Brinkman summarized developments since the FY11 GARVEE working plan and FY11 funding request of \$45 million were approved in October. Bid savings were realized on three GARVEE projects and the engineer's estimate for the I-84, Franklin to Garrity project was reduced. He said there continues to be unprecedented bidder competition and extremely competitive bid prices. With the revised estimate of the I-84, Franklin to Garrity project of \$32

million, there is enough prior authorization money available to fund this project. Staff recommends that the Board reallocate the savings to advance the I-84 project.

GPM Manager Brinkman continued that the Board could revisit the FY11 budget request of \$45 million, which included the I-84, Franklin to Garrity project; right-of-way for the SH-16 extension; the US-95, Chilco Mainline and Frontage Roads project; and program management. He summarized three options: request \$26 million, which is the Board-approved plan from October minus the I-84, Garrity to Franklin project; request no additional GARVEE bonding authorization; or request the total funding needed to complete the entire scope of the GARVEE program, estimated at \$200 million. He noted that the risk of requesting zero funding is the potential delay to projects, including missing a construction season on the US-95 project. Risks of the \$200 million proposal are the significant legislative workload associated with this option and that the idea was not presented at the recent legislative outreach meetings.

Member Coleman noted approximately \$26 million has been budgeted for the SH-16 right-of-way; however, there are a number of legal actions related to the right-of-way acquisition that have not been resolved. He asked if the right-of-way estimate is sufficient. GPM Brinkman believes enough money has been budgeted; however, staff is monitoring this issue closely.

Member Coleman expressed concern that if additional funding is not requested in the FY11 budget, that may cause delays to the SH-16 and US-95 projects. He noted that there is a GARVEE plan, a schedule for each of the projects, and believes the Board should proceed with the Program. The legislature can then act on the Board's request.

Member Whitehead questioned the impacts of holding this item until January. Member Coleman noted that the current budget includes the \$45 million request. If no action is taken, no changes will be made to the budget request. He expressed support to take no action at this time.

Member Miller said he is reluctant to proceed with the \$45 million request and expressed support to not request additional funding at this time.

Member Vassar believes the zero request may negatively impact the future of the program, as it may be difficult to secure funding to complete the other projects later. She believes the legislature should have the opportunity to act on the Program.

Member Coleman said the timing is very good to proceed now. There is a lot of competition and prices are very good. Proceeding with the GARVEE projects would also help stimulate the economy. He believes the facts should be presented to the legislature and it can decide what action to take.

Member Gagner indicated support to take no action, leaving the request as is.

Chairman Manning thanked GPM Brinkman for the information.

<u>Division of Public Transportation's Strategic Plan Action Items</u>. Randy Kyrias, Public Transportation Administrator (PTA), said an employee survey was conducted almost one year ago. In conjunction with the Investing in Our People initiative, the Division has focused on the

issues the employees identified in that survey. Another activity has been to improve the working environment. The Division is housed in an auxiliary trailer and some improvements have been made to the facility. Leading Through Agency Performance activities included building and maintaining processes and building a coordinated system across the state, which has resulted in sharing information and improved transparency.

Program Manager John Krause elaborated on the Expanding and Enhancing Partnerships focus area. A collaborative effort with the Community Transit Association of Idaho resulted in a single voice across the state for mobility and transit. The Division has also been involved with vehicle inspections to ensure safety standards are met for the providers. Improving Customer Service has focused on more communication and technology, not only to the public transit providers, but also the users of the public transportation systems. Transit information has been included in the 511 system. Mr. Krause added that customer service needs to be addressed at the lowest level possible, or at the local level. Efforts are being made to ensure the local mobility managers have the resources to provide high-quality service.

In response to Member Gagner's question related to performance measures and productivity, Mr. Krause responded that focus is being made on major corridors, like US-95. These corridors have been identified in local mobility plans. Efforts are underway to bring the outlying areas to these corridors, or collection points. Mobility managers review the resources available and help align the users with the resources. Regarding performance measures, PTA Kyrias stated that the issue of considering costs per mile vs. per trip has not been decided.

Member Gagner asked what criteria will be used to determine if this is successful. PTA Kyrias said it will be successful if every area of the state has a mobility plan. Mr. Krause added that the customers' satisfaction will also be an indication: how satisfied are citizens with the transportation options available to them?

As a Public Transportation Advisory Council member for the past two years, Member Vassar noted the efforts to push the planning down to the grass roots; the users need to be part of the planning efforts. She also commended PTA Kyrias for his leadership and the accomplishments that have been made in the public transportation arena the past several years.

Chairman Manning thanked staff for the report.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 3:15 PM.

signed

DARRELL V MANNING, Chairman
Idaho Transportation Board

Read and Approved January 21, 2010 Boise, Idaho