

SPECIAL SESSION OF THE IDAHO TRANSPORTATION BOARD

September 7, 2016

Idaho Transportation Board Chairman Jerry Whitehead called a special session of the Idaho Transportation Board at 1:30 PM on Wednesday, September 7, 2016. The following principals were present at the Idaho Transportation Department in Boise, Idaho:

Julie DeLorenzo, Member – District 3

Brian W. Ness, Director

Larry Allen, Lead Deputy Attorney General

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

The following participated via teleconference:

Jerry Whitehead, Chairman

Lee Gagner, Vice Chairman – District 6

Jim Coleman, Member– District 1

Janice B. Vassar, Member – District 2

Jim Kempton, Member – District 4

Dwight Horsch, Member – District 5

Because Chairman Whitehead was out of state and did not have easy access to the documents that were provided electronically for the special session, he asked Vice Chairman Gagner to preside.

Reconsider Revisions to IDAPA 39.03.15, Rules Governing Excess Weight Permits for Reducible Loads. Governmental Affairs Program Specialist (GAPS) Ramon Hobdey-Sanchez summarized the three options that were presented to the Board at the July meeting for IDAPA 39.03.15. Due to concerns from local highway jurisdictions (LHJs) with the proposal for locals to opt-out of a statewide permitting system, the Board established a Subcommittee to revisit the proposed rule. The Subcommittee met last week and the consensus was to support the opt-in proposal.

Jeff Miles, Local Highway Technical Assistance Council (LHTAC) Administrator, said local public agencies support a statewide permitting system. He presented a draft joint powers agreement that could be used as a template for LHJs to opt-in to the statewide permitting system. The template was developed via a collaborative effort between ITD and the locals. LHTAC will provide assistance to LHJs with the agreement. Education will be important. This topic will be covered at upcoming associations' conferences and special workshops.

Member Vassar made a motion to approve revisions to IDAPA 39.03.15, Rules Governing Excess Weight Permits for Reducible Loads, with the opt-in language for local highway jurisdictions to participate in a statewide permitting system. Member DeLorenzo seconded the motion.

In response to Member Horsch's question, DAG Allen concurred that action is needed to rescind the July 28, 2016 Board motion approving option 1 for IDAPA 39.03.15 with the opt-out language.

Member Vassar made a motion to rescind the July 28, 2016 action of the Board, approving option 1 for IDAPA 39.03.15 with the opt-out language. Member Coleman seconded the motion and it passed unopposed.

The motion on the table to approve revisions to IDAPA 39.03.15 with the opt-in language passed unanimously.

Some discussion was held on the draft joint powers agreement. LHTAC Administrator Miles emphasized that the document is a draft. It is to be used as a template, with LHJs modifying it to meet their needs. Modifications to Idaho Code or IDAPA rules are not necessary.

Redistribution of FY16 Federal Highway Administration Obligation Authority. Chief Operations Officer (COO) Jim Carpenter said Idaho received \$21,747,998 in redistributed obligation authority for FY16. This brings Idaho's total obligation authority to \$297.1 million, or 102.2% of FY16 formula apportionments. Following Board Policy 4028 Allocation of Federal Formula Highway Apportionments to Local Public Agencies, which limits redistribution to LHJs to 100% federal aid, would redistribute \$15.3 million to all programs, leaving \$6.42 million in available funds. COO Carpenter recommends using the one-time funds for safety projects for all modes on both the state and local system.

Member DeLorenzo thanked staff for the proposal, particularly the emphasis on safety and funding for the Transportation Alternatives Program.

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

RES. NO. WHEREAS, it is the intent of the Idaho Transportation Board to effectively
ITB16-38 utilize all available federal funding; and

WHEREAS, safety of the travelling public is of primary concern and a core mission of the Board; and

WHEREAS, serious injury and fatal crashes increased dramatically during calendar year 2015 nationwide, regionally, and within Idaho; and

WHEREAS, the State was notified on August 31, 2016 of \$21,748,000 additional Federal Highway Administration (FHWA) FY16 obligation authority (OA) provided through redistribution.

NOW THEREFORE BE IT RESOLVED, that \$15,324,000 of the \$21,748,000 FY16 August Redistribution required to fully fund Idaho's \$290,669,000 FY16 formula apportionment be allotted among Idaho's transportation programs as prescribed by Board policies and federal regulations; and

BE IT FURTHER RESOLVED, that \$6,424,000 of the total \$21,748,000 FY16 August Redistribution, which provides OA in excess of Idaho's FY16 formula apportionment, be targeted at programs that enhance safety of the travelling public across surface modes, specifically;

- \$2,500,000 federal OA to the Strategic Initiatives Program
- \$2,500,000 federal OA to the Local Highway Safety Improvement Program
- \$1,424,000 federal OA to the Transportation Alternatives Program; and

BE IT FURTHER RESOLVED, that alignment of this targeted funding be accomplished through;

- Obligation of \$6,424,000 FY16 FHWA OA during FY16 by the Idaho Transportation Department in state highway system programs, and
- Allotment of FY17 FHWA OA to realign OA on a one time basis among the following programs during FY17;
 - \$-6,424,000 reduction in federal OA to core state highway system programs
 - \$2,500,000 increase in federal OA to the Strategic Initiatives Program
 - \$2,500,000 increase in federal OA to the Local Highway Safety Improvement Program
 - \$1,424,000 increase in federal OA to the Transportation Alternatives Program; and
- FY17 OA allotments to the Transportation Management Area are to reflect a collective increase of \$211,000 (combined federal OA, with match) above standard OA allotments, through these one-time FY17 OA realignments; and

BE IT FURTHER RESOLVED, that the FY17 one-time increase in OA to the Transportation Alternatives Program be targeted for use on projects aimed at reducing serious injury accidents and fatalities of cyclists and pedestrians per criteria used in the Highway Safety Improvement Program; and

BE IT FURTHER RESOLVED, that the FY17 one-time increase in OA to the Strategic Initiatives Program, the Local Highway Safety Improvement Program, and the Transportation Alternatives Program be obligated on or before August 1, 2017. Failure to obligate the additional one-time FY17 OA within these programs by August 1, 2017 will result in the unobligated balance being transferred for use in state highway programs during FY17; and

BE IT FURTHER RESOLVED, that these decisions are to be incorporated within the FY17 – FY21 Idaho Transportation Investment Program as projects are identified.

Executive Session on Personnel Issues. Member Horsch made a motion to meet in executive session at 2:10 PM to discuss personnel issues as authorized in Idaho Code Section 74-206 (a). Member Kempton seconded the motion and it passed 6-0 by individual roll call vote.

Discussions were held on a personnel matter.

The Board came out of executive session at 2:15 PM.

WHEREUPON the special session of the Transportation Board adjourned at 2:15 PM.

signed

Jerry Whitehead, Chairman
Idaho Transportation Board

Read and Approved
September 22, 2016
Shoshone, Idaho