

REGULAR MEETING AND DISTRICT SIX TOUR
OF THE IDAHO TRANSPORTATION BOARD

June 19-20, 2019

The Idaho Transportation Board met at 8:30 AM on Wednesday, June 19, 2019 in Salmon, Idaho. The following principals were present:

Jerry Whitehead, Chairman
Jim Kempton, Vice Chairman – District 4
James R. Thompson, Member – District 1
Janice B. Vassar, Member – District 2
Julie DeLorenzo, Member – District 3
Dwight Horsch, Member – District 5
Bob Hoff, Member – District 6
Scott Stokes, Chief Deputy
Sue S. Higgins, Executive Assistant and Secretary to the Board

Bill Moad, who was appointed to chair the Board effective July 2019, was also present.

District 6 Tour. The Board traveled SH-28 east. After touring QB Corporation, the tour continued east to view several bridge projects. The Board returned to Salmon on SH-28 west, traveled north on US-93 to North Fork and returned to Salmon via US-93 south.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting recessed at 3:15 PM.

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The Idaho Transportation Board convened at 8:25 AM on Thursday, June 20, 2019 in Salmon, Idaho. All members were present. Deputy Attorney General Renee Hollander-Vogelpohl was also in attendance.

Budget Briefing. Economist and Research Manager Bob Thompson summarized revenue trends and projections. He predicts minimal growth, between 1% and 2%, in the State Highway Account in FY20 and FY21, and between a 2% and 3% increase in revenue to the Transportation Expansion and Congestion Mitigation (TECM) fund. He expects volatile crude oil and motor fuel prices, continued growth in Idaho, sustained growth of the national economy, and a potential recession in late 2020 to impact revenue.

Financial Planning and Analysis Manager (FP&AM) Joel Drake reported on Senate Bill 1065, which provides a bonding mechanism for the TECM program. The funding sources are the sales tax and cigarette tax, with a guaranteed minimum funding level of \$15 million annually. The projects must address expansion and congestion mitigation needs and may be outside the GARVEE corridors. No further legislative action or authorization is required. Projects are to be selected and approved by the Board with the bonds issued by the Idaho Housing and Finance

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Association. The legislation also directs the Board to consider mitigating traffic congestion from the state campus site on US-20/26 (Chinden Boulevard) in Boise.

FP&AM Drake summarized the current TECM projects in the FY20-26 Idaho Transportation Improvement Program. Staff will continue to study and analyze TECM bonding options and will provide additional information later this year.

In response to Member DeLorenzo's question, FP&AM Drake concurred that the TECM Program does not have a sunset date, but a future legislature could eliminate the TECM funding.

Financial Manager Justin Collins presented the draft FY20 supplemental request totaling almost \$22.4 million, with the majority of the funds for construction. The draft FY21 appropriation request is \$762.3 million and 1,651 full-time positions. Federal funds are estimated at \$340.4 million, state revenues at \$370.7 million, and almost \$5 million from local and interagency receipts. Some of the budget highlights include \$29.7 million for replacement equipment, \$386.1 million for the construction program, and \$16.1 million for capital facilities. The capital facilities request includes \$12.5 million for a new District 4 office building. There are also 15 line items totaling \$26.4 million.

Vice Chairman Kempton elaborated on the history to replace the aging District 4 office building. He believes \$12.5 million is the maximum amount for this structure, as there may be opportunities to save money by constructing it at the current location in Shoshone or co-locating with other government agencies on property ITD owns near Twin Falls.

Draft FY20-26 Idaho Transportation Investment Program (ITIP). Senior Transportation Planner (STP) Nathan Hesterman presented the draft FY20-26 ITIP. A new Supporting Infrastructure Assets Program is being developed for assets other than pavement and bridges, like guardrail, traffic signals, fencing, and culverts. Highway funding is estimated at \$504 million annually (including GARVEE projects in FY20-21) or \$448 million annually (excluding GARVEE) over the seven-year Program. The document also includes other modes. STP Hesterman added that more aeronautics' projects will be added to the out years.

Chief Deputy Stokes emphasized that construction funds available from the Highway Distribution Account (HDA) are declining, and there are no HDA funds available in FY21 due to other commitments like the District 4 office building and increasing operational costs. Legislation increasing revenue to the dedicated fund in 2015 restricted the use of that money. He stressed the importance of having flexibility to address other needs, such as operations.

Public Involvement Coordinator Adam Rush said the public review and comment period on the draft ITIP is scheduled for July. He outlined the planned outreach efforts.

Chairman Whitehead thanked staff for the presentations.

Adopt-A-Highway Presentation. District 6 Staff Engineer Eli Robinson thanked the Salmon Rotary Club for participating in the Adopt-A-Highway program since 1990. The group picks up litter along a two-mile section of US-93 south of Salmon.

Highway Safety Plan. Highway Safety Manager (HSM) John Tomlinson presented the FY20 Highway Safety Plan. The document, required by the National Highway Traffic Safety Administration, was developed to reduce traffic crashes, deaths, and injuries. No significant changes were made to the draft Plan since it was presented last month.

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

RES. NO. WHEREAS, Idaho experienced 25,851 reportable traffic crashes, 245 traffic
ITB19-15 deaths, and 1,246 people seriously injured in 2017; and

WHEREAS, the economic cost of traffic crashes in Idaho for 2017 was more than \$4.1 billion; and

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

WHEREAS, the National Highway Traffic Safety Administration (NHTSA) may allocate about \$3.9 million in funding behavior safety programs for Idaho to reduce traffic deaths and serious injuries; and

WHEREAS, the Idaho Traffic Safety Commission and the Office of Highway Safety have developed the Highway Safety Plan for Federal Fiscal Year 2020 to work toward the elimination of Idaho traffic deaths, serious injuries, and economic losses; and

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

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board adopts the Highway Safety Plan for Federal Fiscal Year 2020, which is on file in the Office of Highway Safety.

Zero Fatalities Award. HSM Tomlinson commended Butte and Custer Counties for recording zero highway fatalities in 2018. He recognized the respective Sheriffs, County Commissioners, Idaho State Police, and ITD's maintenance staff for their partnership and exemplary service keeping the roads and traveling public safe.

Idaho State Police Lieutenant Chris Weadick emphasized the valuable partnership with ITD and other agencies to promote highway safety. He thanked the Board and Department for their support and collaboration.

Chairman Whitehead thanked HSM Tomlinson for the highway safety reports.

Safety Share. With a lot of construction occurring around the state, District 6 Engineer (DE) Jason Minzghor emphasized the importance of being extra vigilant when driving through

construction zones and also when maintenance crews are working on the highways. As a security precaution, he warned about loaning laptops to other people, even if you know them.

Chairman Whitehead thanked DE Minzghor for the important messages.

Board Minutes. Member Vassar made a motion to approve the minutes of the regular Board meeting held on May 15-16, 2019 as corrected. Member DeLorenzo seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:
July 17-18, 2019 – District 4
August 20-21, 2019 – District 1
September 11-12, 2019 – District 3

Consent Items. Some discussion was held on the Strategic Plan. Chairman Whitehead asked about the increasing costs for administration and planning. Chief Deputy Stokes replied that the increases are mainly due to personnel cost increases and technology expenses. Member DeLorenzo questioned the “political” heading under Key External Factors, as the information is related to funding. Chief Deputy Stokes said he will look into changing it.

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

RES. NO. WHEREAS, consent calendar items are to be routine, non-controversial, self-
ITB19-16 explanatory items that can be approved in one motion; and

WHEREAS, Idaho Transportation Board members have the prerogative to remove items from the consent calendar for questions or discussion.

NOW THEREFORE BE IT RESOLVED, that the Board approves the FY20-23 Strategic Plan for the Division of Financial Management; the removal of the Local, Advanced Signalization project from the Program; the advance of 12th Street/Idaho Canal Bridge, Idaho Falls; the removal of Bike Share, Valley Regional Transit; the addition of Emergency Relief projects on the Local Road System to FY19; the update of Safety Rest Areas and Oasis partnerships; consultant agreements; a contract for award; and contracts for rejection.

1) Strategic Plan for the Division of Financial Management. Idaho Code requires all state agencies to submit an annual Strategic Plan by July 1. The plan is to cover a minimum of four years forward and is to include the Department’s vision or mission statement, goals, objective, external factors, and performance measures and benchmarks.

2) Remove Local, Advanced Signalization Project. The Community Planning Association of Southwest Idaho (COMPASS) and Ada County Highway District request the removal of the Local, Advanced Signalization project, key #22100, from the ITIP. The removal of the \$1,790,000 project is due to the determination that faulty assumptions in the original concept and project application will not provide the safety and congestion relief benefits that are being

sought. No expenditures have occurred on this project, and the funds will be reprogrammed at a later date.

3) Advance 12th Street/Idaho Canal Bridge, Idaho Falls. The City of Idaho Falls and the Local Highway Technical Assistance Council (LHTAC) request advancing the 12th Street/Idaho Canal Bridge project, key #18995 from FY20 to FY19. Funding to advance the \$1.3 million project is made available through the Highway Infrastructure General Fund.

4) Remove Bike Share, Valley Regional Transit (VRT). COMPASS and VRT request the removal of the Bike Share, VRT project, key #20010 because it has been determined that current technology would be obsolete within two years. VRT is researching alternative methods to operate the bike share service. COMPASS also requests directing the \$182,000 from that project to key #20095, Boise State University Secure Bike Facilities - \$5,000; key #20141, Indian Creek Path Extension, Nampa - \$52,000; key #20275, State Street Lighting, 16th to 23rd, Ada County Highway District - \$77,000; key #20841, Bike/Pedestrian Bridge over Boise River, Eagle - \$13,383; and key #21913, Boise State University Covered Bike Facility – \$34,617.

5) Add Emergency Relief Projects on the Local Road System to FY19. In April, heavy rain fell in Adams and Idaho County, causing major flooding and road damage at eight locations. The Governor signed a proclamation declaring a state of disaster emergency in these two counties. Last month the Federal Highway Administration authorized \$500,000 for work associated with this disaster event. This is the initial payment being distributed to fund the most critical emergency repairs. Staff requests the addition of the following projects to the FY19-25 ITIP: key #22474, STC-4730, Clear Creek Road McConnell Property, Idaho County - \$672,514; key #22475, STC-4730, Clear Creek Road Ketelo Property, Idaho County - \$200,634; key #22476, STC-4730, Clear Creek Road Croker Property, Idaho County - \$292,132; key #22477, STC-4730, Clear Creek Road Elk Meadow above Property, Idaho County - \$397,439; key #22478, STC-4730, Clear Creek Road Elk Meadow, Idaho County - \$553,963; key #22479, STC-4730, Carrot Ridge Slide, Idaho County - \$1,057,283; key #22480, STC-4730, Glenwood Road Milepost 1.9 – 5.8, Idaho County - \$922,155; and key #22485, STC-4730, Glenwood Road Milepost 1.3 and Adams Grade, Idaho County, \$2,964,300.

6) Safety Rest Areas and Oasis Partnerships. The 2019 rest area chart was updated to reflect the current average daily traffic count data. The I-84 Jerome Rest Area was removed and replaced with three Oasis partnerships. The condition of the facilities was also provided; however, there is no funding dedicated for rest areas. The updated safety rest area chart and map are shown as Exhibit #508, which is made a part hereof with like effect.

7) Request to Approve Consultant Agreements. In accordance with Board Policy 4001 Authority to Sign Contracts, Agreements, and Grants and Requirement to Report Certain Contracts, staff requests approval to exceed the \$1,000,000 agreement limit for key #9070, Cherrylane Bridge, Nez Perce County, District 2 for remaining design services with Keller Associates for \$757,000 bringing the total to \$2.86 million; key #7827, SH-44 Corridor Study, Junction I-84 to Eagle, Ada and Canyon Counties, District 3 for services necessary for the completion of the environmental clearance process with AECOM for up to \$1.9 million; key #21906 Pear Lane to Middleton Road, Canyon County, District 3 for services necessary to

complete the environmental clearance process with Horrocks Engineers for \$2.66 million for a total of \$2.8 million; keys #20435, Buffalo River Bridge to Island Park Lodge, Fremont County, #20486, Pinehaven to Buffalo River Bridge, Fremont County, and #20581 Sheep Falls to Pinehaven Passing Lanes, Fremont County, District 6 for design services necessary for the completion of the preliminary design with J-U-B Engineers for \$2.96 million bringing the total to \$3.24 million; key #20442, SH-41 Interchange, Kootenai County, District 1 for remaining design services and engineer of record services with David Evans & Associates for \$5.6 million, bringing the total to \$6.6 million; and key #19883, US-95 North Corridor Access Improvements, District 1 for emergency signal design with Parametrix for up to \$200,700 bringing the total to \$1.2 million.

8) Contract for Award. The low bid on key #20275 - NHS-7220, State Street Lighting: 16th Street to 23rd Street, Ada County Highway District (ACHD), was more than ten percent over the engineer's estimate, requiring justification. The Removal of Obstructions, Illumination Type 2, and Mobilization items accounted for the majority of difference between the low bid and engineer's estimate. The bid amounts for the Removal of Obstructions and Mobilization items reflect the current high demand for this type of specialty work. The bid amount for the Illumination Type 2 item reflects the higher material costs based on the current economy. ACHD secured the additional funds for the higher bid and recommends awarding the contract. Low bidder: Quality Electric Inc. - \$355,891.

9) Contracts for Rejection. The low bids on the following projects were more than ten percent over the engineer's estimate, requiring justification. In general, the bid prices were higher than expected across the board, but the Granular Subbase, Dewatering Foundation, and Temporary Shoring items were the significant contributors to the high bid on key #12049 - STC-8202, West 9th Street; Pioneer to West Indianhead Road, Weiser. The project was bid with a very tight construction schedule and at a time when several other large projects were being bid. LHTAC believes these constraints contributed to the higher bids. The sponsor, the City of Weiser, does not have the additional funds to cover the higher bid. LHTAC and the sponsor recommend rejecting the bid and repackaging it with a more flexible schedule and re-advertising in more favorable market conditions. Low bidder: Sunroc Corporation - \$2,799,007.

Clearing and Grubbing, Concrete Class 40A, Prestressed Slab, Steel H Pile, Survey, and Temporary Traffic Control accounted for most of the difference between the low bid and engineer's estimate on key #19673 – SH-3, North of Bovill, Potlatch River Bridge, District 2. The District believes the lateness in the year contributed to the higher bids, as contractors are already busy and added costs for risk due to conflicts with current scheduled work. Staff recommends rejecting the bids and re-advertising the project. This would also allow staff to clarify some specifications that may have been confusing, specifically the traffic control items. Low bidder: Braun-Jensen, Inc. - \$1,464,000.

Information Items. 1) Contract Awards and Advertisements. Key #18944 – SH-6 and SH-9, North and South SH-9 Turn Bays, District 2. Low bidder: Knife River Corporation – Mountain West - \$1,434,000.

Key #20794 – US-95, Junction SH-53 Interchange, Union Pacific Railroad Bridge, District 1. Low bidder: Scarsella Bros., Inc. - \$20,884,102.

Key #20312 – Local, Idahome Road and 2750 East Road, Raft River Highway District. Low bidder: Western Construction Inc. - \$3,189,418.

Key #19786 – STC-5711, St. Joe River Road Pavement Rehab. Low bidder: Interstate Concrete & Asphalt Co. - \$3,432,889.

Key #20020 – Main Street Pedestrian Improvements, Lewiston. Low bidder: Crea Construction Inc. - \$284,760.

The list of projects currently being advertised was provided.

2) Professional Services Agreements and Term Agreement Work Tasks Report. From April 26 through May 30, 44 new professional services agreements and work tasks were processed, totaling \$13,387,400. Fourteen supplemental agreements to existing professional services agreements were processed during this period in the amount of \$1,583,811.

3) Speed Minute Entry Changes for June 2019. The following speed minute entry changes were processed in Districts 3 and 4 in June:

<u>Route</u>	<u>Beginning</u>	<u>Ending</u>	<u>Speed Limit</u>	
	<u>Milepost</u>	<u>Milepost</u>	<u>Old</u>	<u>New</u>
US-95	39.500	39.700	65	55
US-93	53.287	53.770	45	55

4) State FY19 Financial Statements. Revenues to the State Highway Account from all state sources were ahead of projections by 4% at the end of April. Receipts from the Highway Distribution Account were 3% or \$5.5 million more than forecast. State revenues to the State Aeronautics Fund were ahead of projections by 22%, or \$513,000. Expenditures were within planned budgets. Personnel costs had savings of \$10.3 million or 9.8% due to reserves for horizontal career path increases, vacancies, and timing between a position becoming vacant and being filled. Contract construction cash expenditures of \$369.4 million through April exceeded any from the past three years.

The balance of the long term investments was \$137.2 million at the end of April. These funds are obligated against construction projects and encumbrances. The long term investments plus the cash balance of \$74.8 million totals \$212 million. Expenditures in the Strategic Initiatives Program Fund through April were \$17.7 million. Deposits into the Transportation Expansion and Congestion Mitigation Fund were \$14.1 million year-to-date.

5) Monthly Reporting of Federal Formula Program Funding through May. Idaho received obligation authority of \$309.4 million, which corresponds to \$308.4 million with match after a reduction for prorated indirect costs. Notice of the receipt of \$19.9 million of FY19 Highway Infrastructure General Funds was received on March 18. Idaho has received apportionments via notices through March 18, 2019 of \$341.2 million, including Redistribution of Certain

Authorized Funds and Highway Infrastructure General Funds carried over from last year. Obligation authority is 90.7% of apportionments. Of the \$308.4 million allotted, \$53.5 million remains.

6) Non-Construction Professional Service Contracts Issued by Business and Support Management (BSM). The BSM Section executed one professional service agreement in the previous month for an amount as needed.

Review of Draft FY20-26 ITIP. FP&AM Drake presented the draft FY20-26 ITIP and requested proceeding to the public comment period.

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

RES. NO. ITB19-17 WHEREAS, it is in the public's interest for the Idaho Transportation Department to publish and accomplish a current, realistic, and fiscally constrained seven-year Idaho Transportation Investment Program (ITIP); and

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

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

WHEREAS, the Board has reviewed the list of projects and analysis for the Draft FY20 - 26 ITIP; and

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

WHEREAS, public involvement and input from stakeholders and interested citizens allows the Board to better understand Idaho's various transportation needs; and

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

NOW THEREFORE BE IT RESOLVED, that the Board will commence public involvement in July with project and program information incorporated from the publication entitled *Draft FY 2020 - 2026 ITIP, June Board Meeting*.

Relinquishment of a Portion of I-84 Business in Caldwell. Caleb Lakey, District 3 Engineering Manager (EM), summarized efforts to relinquish the I-84 Business route to the Cities of Nampa and Caldwell. The City of Caldwell is receptive to assuming jurisdiction of the portion of highway within its city limits, 20 lane miles. The route no longer functions as a state highway and is maintained as a local road. Future expenses on the route are estimated at \$1.8

million. The City is also requesting funding for future maintenance improvements, such as striping, replacing signs, and Americans with Disabilities Act improvements, for a total of \$2.3 million. Funding is available from statewide balancing. EM Lakey added that the Subcommittee on State Highway System Adjustments supports this relinquishment.

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

RES. NO. WHEREAS, the Idaho Transportation Department and City of Caldwell staff have
ITB19-18 drafted and signed a Road Closure and Maintenance Agreement to transfer a portion of the I-84 Business Route in Caldwell, from SH-19 to Homedale Road, to the City of Caldwell; and

WHEREAS, the City of Caldwell passed and signed a resolution (#136-19) on May 20, 2019 to enter into said Road Closure and Maintenance Agreement with the Department; and

WHEREAS, Department staff and Caldwell city staff have negotiated a one-time cash payment of \$2,339,744 from the Department to the City to offset the initial cost of maintenance on the roadway; and

WHEREAS, Department staff has met with the Board Subcommittee on State Highway System Adjustments and that subcommittee passed a motion to present this state highway system adjustment to the Board with a recommendation to approve it.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the Road Closure and Maintenance Agreement between the Department and the City of Caldwell; and

BE IT FURTHER RESOLVED, that the Board authorizes the expenditure of \$2,339,744 from fiscal year 2019 statewide balancing; and

BE IT FURTHER RESOLVED, that the Board approves the official minute, as shown as Exhibit #509, which is made a part hereof with like effect, to relinquish the roadway as described in the Road Closure and Maintenance Agreement to the City of Caldwell.

Executive Session on Personnel and Legal Issues. Member Vassar made a motion to meet in executive session at 12:30 PM to discuss personnel and legal issues as authorized in Idaho Code Section 74-206(a), (b), (c) and (f). Vice Chairman Kempton seconded the motion and it passed 6-0 by individual roll call vote.

The discussions on personnel matters related to the filling of a position and the performance of employees. The discussions on legal matters related to operations.

The Board came out of executive session at 2:10 PM.

Update on SH-16, I-84 to SH-44 Corridor. Transportation Program Manager (TPM) Amy Schroeder said the SH-16 corridor was reviewed, and through value engineering and alternatives analysis efforts, right-of-way and cost savings have been identified. The corridor refinements include SH-16 going over versus under local roads and other east-west routes; reducing the right-of-way footprint throughout the corridor; interchange type analysis and configuration verification; and additional system interchange alternatives.

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

RES. NO. ITB19-19 WHEREAS, the Idaho Transportation Board is charged with determining the timeframe and scope of improvements for the State Transportation System; and

WHEREAS, Idaho Code § 40-310 directs the Board to plan, design and develop statewide transportation systems when determined to be in the public interest; and

WHEREAS, Idaho Code § 40-315 directs the Board to consider the cost of the projects and whether or not the project could be funded without GARVEE bonding, and to balance and coordinate the use of bonding with the use of highways construction funding; and

WHEREAS, the Board allocated \$7.8 million for preliminary engineering and \$90.4 million for right-of-way preservation, which is a combination of GARVEE funding authorization from 2017, federal aid, and traditional state funds; and

WHEREAS, design refinements are being proposed to reduce right-of-way impacts and corridor cost, and to address phasing and forward compatibility; and

WHEREAS, the project team will continue to develop the design refinements presented in this Board Item in order to present them to stakeholders, the public, and property owners in the corridor; and

WHEREAS, these design refinements will be documented and included in the re-evaluation to the original Environmental Impact Statement approved in 2011, which will allow ITD to proceed with right-of-way acquisition in the corridor.

NOW THEREFORE BE IT RESOLVED, that the Board approves the design refinements for the ID-16, I-84 to ID-44 corridor and directs staff to proceed with stakeholder, property owner, and public outreach.

GARVEE Program Annual Legislative Report. TPM Schroeder said Senate Bill 1206 authorized an additional \$300 million in GARVEE bonds and requires an annual report on the GARVEE Program. The report summarizes the planned GARVEE projects, projects under construction, and the debt service amounts. All of the projects are on schedule and are tracking well against their budgets.

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

RES. NO. ITB19-20 WHEREAS, the Idaho Transportation Board is charged with determining the timeframe and scope of improvements for the State Transportation System; and

WHEREAS, Idaho Code § 40-315 and Senate Bill 1206 includes a legislative reporting requirement wherein the GARVEE Transportation Program submits an annual update on the status of highway transportation projects being constructed with bond financing.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the 2019 GARVEE Transportation Program Annual Report, and in turn directs staff to publish and submit the report to the legislature.

Chairman Whitehead thanked TPM Schroeder for the presentations.

Member Vassar left the meeting at this time.

District 6 Report. DE Minzghor commended staff for its exemplary service during the challenging 2018-2019 winter and thanked other Districts and agencies for providing assistance. He reported on the 654 Design Build bridge projects and congratulated staff for the successful project, which has won awards. Planning efforts are continuing on the I-15 and US-20 interchange in Idaho Falls and with local agencies on another river crossing in Salmon.

Chairman Whitehead thanked DE Minzghor for the report and for his hospitality. Member Horsch also expressed appreciation to DE Minzghor for his valuable service.

129,000 Pound Truck Route Requests – District 3. Public Transportation Manager (PTM) Jeff Marker presented five requests for 129,000 pound truck routes in District 3: case #201712 US-30, Milepost (MP) 21.53 to MP 27.94; case #201711 SH-72, MP 0.0 to MP 1.99; case #201710 SH-52, MP 14.4 to MP 28.4; case #201705 SH-52, MP 28.4 to MP 30.42; and case #201704 SH-16, MP 100.0 to MP 113.9. Staffs' evaluations determined that all of the bridges, pavements, and highways' geometry can support 129,000 pound vehicle operations. The Office of Highway Safety's five-year accident data evaluation showed no safety issues.

PTM Marker said two public hearings for the requested routes were initially noticed and conducted in Emmett and Fruitland in December 2018. A second hearing was held in Emmett in April. Member DeLorenzo presided and received written and verbal testimony. A number of comments were received, with the majority expressing concern with traffic on the SH-16 Freeze Out hill. Based on analyses, the Chief Engineer recommends approving these requests, and the Board Subcommittee on 129,000 Pound Truck Routes concurred at its meeting last month.

Member DeLorenzo acknowledged the public interest in these route requests. She believes the Department followed its process for the public hearings. She added that it did additional outreach in Gem County. Member DeLorenzo also believes staffs' analyses was conducted properly and the data is sound.

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

RES. NO. WHEREAS, Senate Bill 1117 was enacted in 2013 allowing the Idaho
ITB19-21 Transportation Board to designate state highways for permitted vehicle
 combinations up to 129,000 pounds upon request; and

WHEREAS, the Board established a Subcommittee on 129,000 Pound Truck Routes to implement provisions of the legislation; and

WHEREAS, the Idaho Transportation Department has received five requests for 129,000 pound trucking routes in District 3; and

WHEREAS, the Chief Engineer and ITD staff received the applications and reviewed the proposed routes by conducting an engineering and safety analysis of each route; and

WHEREAS, upon completion of the engineering and safety analyses, 30-day public comment periods were held, including opportunities for verbal testimony, with 53 total comments, 17 favoring approval and 41 opposing; and

WHEREAS, the Chief Engineer's representative presented the Chief Engineer's analyses to the Board Subcommittee on 129,000 Pound Truck Routes at its meeting on May 23, 2019 with a recommendation to approve all requested routes; and

WHEREAS, after the Board Subcommittee reviewed the Chief Engineer's analyses and public comments, it passed motions to recommend approval of each of the route requests; and

WHEREAS, the Chief Engineer and the Board Subcommittee presented their analyses and recommendations to the full Board at the regularly scheduled Board meeting of June 20, 2019.

NOW THEREFORE BE IT RESOLVED, that the Board accepts the Chief Engineer's analyses and recommendations on:

- the US-30 route, milepost (MP) 21.53 to MP 27.94;
- the SH-72 route, MP 0.0 to MP 1.99;
- the SH-52 route, MP 14.4 to MP 28.4
- the SH-52 route, MP 28.4 to MP 30.42
- the SH-16 route, MP 100.0 to MP 113.9
- and the recommendations of approval from the Board Subcommittee; and

BE IT FURTHER RESOLVED, that the Board directs the Chief Engineer to issue Letters of Determination that approve the referenced route requests in District 3.

Member Horsch concurred with Member DeLorenzo's comments and also believes staff did its due diligence on the route requests. Although he generally does not like to go against local communities' wishes, he supports these route requests. He added that 105,500-pound vehicle combinations currently operate on these highways.

Vice Chairman Kempton also believes the Board Subcommittee on 129,000 Pound Truck Routes, Chief Engineer, and staff followed the statutes and administrative rules. After the letters of determination are issued, adverse parties may contest the action and request a hearing.

The motion passed 5-0.

Chairman Whitehead thanked PTM Marker for the presentation.

2019-2020 Administrative Rulemaking. Ramón Hobdey-Sánchez, Governmental Affairs Program Specialist (GAPS) said the 2019 legislature did not reauthorize the Idaho Administrative Procedure Act. Without efforts by the Governor's Office, all administrative rules are set to expire on June 30. He outlined the Department's intent regarding its rules. Six are being proposed to sunset; the majority of rules will be going through the negotiated rulemaking process; and three rules are being presented as proposed and/or temporary. He also mentioned efforts to consolidate rules.

Member DeLorenzo made a motion, seconded by Member Horsch, and passed 5-0 to approve the following resolution:

RES. NO. WHEREAS, Idaho Transportation Department staff has proposed changes
ITB19-22 to three administrative rules:

- 39.02.03, Rules Governing Vehicle Dealer's Principal Place of Business;
- 39.03.06, Rules Governing Special Permits for Extra-Length/Excess Weight Up to 129,000 Pound Vehicle Combinations; and
- 39.03.49, Rules Governing Ignition Interlock Breath Alcohol Devices; and

WHEREAS, the changes being made to 39.02.03 - Rules Governing Vehicle Dealer's Principal Place of Business are needed to clarify the appropriate procedures for the Idaho Consumer Asset Recovery Board and ITD staff when tasked with determining the outcome of claims (court judgments) brought forth for payout; and

WHEREAS, the changes being made to 39.03.06 - Rules Governing Special Permits for Extra-Length/Excess Weight Up to 129,000 Pound Vehicle Combinations are being made based on feedback from industry customers and to address Division of Motor Vehicles' efficiencies; and

WHEREAS, the changes being made to 39.03.49 - Rules Governing Ignition Interlock Breath Alcohol Devices are a direct result of the 2019 1st Regular Session of the 65th Idaho Legislature passing House Bill 78aa,aaS; and

WHEREAS, these administrative rule changes were approved by the Division of Financial Management, within the Idaho Governor's Office, on June 4, 2019; and

WHEREAS, IDAPA 39.02.03 and 39.03.06 will have a temporary effective date of June 20, 2019.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves that these three administrative rules be published in the July 3rd edition of the Idaho Administrative Bulletin as proposed and/or temporary.

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

RES. NO. ITB19-23 WHEREAS, the 2019 1st Regular Session of the 65th Idaho Legislature did not reauthorize the Idaho Administrative Procedure Act (IDAPA); and

WHEREAS, without this legislative reauthorization, all of IDAPA will expire at midnight on June 30, 2019; and

WHEREAS, the Governor's Office is dedicated to ensuring the safety, health and confidence of Idaho citizens, so has published a Special Edition of the Idaho Administrative Bulletin on June 19, 2019, making all of IDAPA temporary; and

WHEREAS, in working to support the Governor's initiatives to decrease rules and regulations, ITD staff has identified six rules to sunset at the end of June; and

WHEREAS, those six rules are as follows:

- 1) 39.01.02 - Rules Governing Petition for Adoption, Amendment, or Repeal of Administrative Rules
- 2) 39.02.06 - Vehicle Dealership's Trade Names
- 3) 39.02.08 - Vehicle Identification Number (VIN) Inspections
- 4) 39.02.10 - Rules Governing Sales of Abandoned Vehicles
- 5) 39.02.13 - Rules Governing Waiver of Titling Requirements
- 6) 39.03.45 - Rules Governing Sale of No Longer Useful or Usable Real Property; and

WHEREAS, the Division of Financial Management, within the Idaho Governor's Office, supports and approves of these rules sun-setting.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves that these six administrative rules be allowed to sunset at midnight on June 30, 2019.

Chairman Whitehead thanked GAPS Hobdey-Sánchez for presenting the rules.

2020 Potential Legislative Ideas. Governmental Affairs Manager (GAM) Mollie McCarty proposed six legislative ideas for the 2020 session: utilities in highway rights of way, local

June 20, 2019

bridge inspection program cost recovery, remove minimum sales requirement from dealer and salesman license renewal, elimination of validation decals for commercial motor vehicles, commercial driver license reinstatement of lifetime disqualification, and align driver license/ identification card fees with administrative process. Legislative ideas must be submitted to the Division of Financial Management by July 12. Upon Division of Financial Management approval, staff will draft legislation for the Board to review and approve.

Member DeLorenzo thanked GAM McCarty and staff for the work on these ideas. She believes the distracted driving proposal discussed last month is important and expressed disappointment that the Governor's Office disallowed it.

Chairman Whitehead thanked GAM for the update on legislative ideas.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting and tour of District 6 adjourned at 3:30 PM.

signed

BILL MOAD, Chairman
Idaho Transportation Board

Read and Approved
July 18, 2019
Shoshone, Idaho

June 20, 2019