

REGULAR MEETING
IDAHO TRANSPORTATION BOARD

December 15, 2022

The Idaho Transportation Board met at 8:30 AM on Thursday, December 15, 2022, in Boise, Idaho. The following principals were present:

James R. Thompson – District 1
Gary Osborn - District 2
Julie DeLorenzo, Member – District 3
Jim Kempton, Member – District 4
Dwight Horsch, Vice Chairman - District 5
Scott Stokes, Director Stokes
Dan McElhinney, Chief Deputy/Chief Operations Officer
Tim Thomas, Lead Deputy Attorney General
Lorraine Dennis, Executive Assistant to the Board

Vice Chairman Horsch presided over the meeting in Chairman Moad's absence. Bob Hoff, Member – District 6 participated remotely.

Security Share. Highway Safety Manager Josephine Middleton reported the Impaired Driving campaign kicks off January 3rd that will focus on young drivers to reduce risk and potential of driving under the influence. She showed a campaign video produced in-house.

Vice Chairman Horsch thanked HSM Middleton for the important message.

Board Minutes. Member Thompson made a motion to approve the minutes of the November 17, 2022, seconded by Member DeLorenzo, and the motion passed unanimously by roll call vote.

Board Meeting Dates. The following dates are scheduled for 2023: January 12, February 23, March 23, and the district board tour.

Consent Items. Member DeLorenzo made a motion and seconded by Member Kempton to approve the consent calendar resolution and it passed unanimously by roll call vote.

The motion to approve the following resolution passed unopposed:

RES. NO. WHEREAS, consent calendar items are to be routine, non-controversial, self-
ITB22-72 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 addition of City of Nampa RAISE Grant award project to the FY23-29 ITIP, adjustments to the Urban Program in the FY23-29 ITIP, consultant agreement, and contracts to award.

1) Add City of Nampa RAISE Grant award project to FY23-29 ITIP. The City of Nampa was awarded \$5 million for project Reconnecting, Accessibility and Improving Safety and Equity (RAISE) in Nampa to design local and regional connections to benefit residents in the northern part of Nampa. On October 17, the COMPASS Board approved adding it to the Transportation Improvement Plan (TIP). The total project cost is \$5 million and will be added to FY23 of the FY23-29 Idaho Transportation Investment Program (ITIP).

2) Adjustments to the Urban Program in the FY23-29 ITIP. On behalf of the City of Idaho Falls, LHTAC requests adjustments to the Urban Program for KN14024 INT E 17th and S. Woodruff Ave project located in Bonneville County. They also requested to delay Idaho Falls FY23 urban projects KN23023 Elm St; Yellowstone to South Blvd and KN23302 Woodruff Ave; US-26 to Lincoln PE. Delaying the scheduled preliminary engineering FY23 obligations of the two projects would make available an additional \$387,000 of urban funding to award the KN14024 S Woodruff Project for construction in 2023.

3) Request to Approve Consultant Agreement. In accordance with Board Policy 4001, staff requests approval to exceed the \$1 million agreement limit for key #19338 – I-84, South Jerome IC, Jerome County (District 4), for completion of design and engineer of record services of approximately \$3.4 million.

4) Contracts for Award. The low bids on the following project is more than ten percent over the engineer's estimate, requiring justification. On key #14024, Off SYS, Int. E. 17th St. & S. Woodruff Ave, Idaho Falls, LHTAC (3), some differences between the low bid and engineer's estimate are in excavation and SP water system; key #20215, Off SYS, Deep Creek Loop, Jct. US-95 to Lions Den, LHTAC (1), some differences between the low bid and engineer's estimate are in Superpave and cold milling; and key #23270/23455/23457, I-84 Galloway Rd. repair, I-84 Robinson & I-84 Orchard, District 3, some differences between the low bid and engineer's estimate are in bridge carbon fiber Rap repair and mobilization.

The engineer's estimate was developed using the average bid costs of previous projects in the area and assumed price increases. The District or LHTAC does not believe re-advertising the project would result in lower bids, and recommends awarding the contract. Low bidder, for key #14024: Knife River Corp. - \$5,525,590.55; key #20215: Interstate Concrete & Asphalt - \$1,797,738.36; and #23270/23455/23457: Concrete Placing Co. - \$993,418.36.

Informational Items.

1) Contract Awards and Advertisements.

Key #20182, SH-30, Old Hwy. 3, Old Oregon Trail Rd to E. 54th S. St., LHTAC(3). Low bidder: Knife River Corp. - \$1,353,000.00.

Key #20415, FY23 Bingham County pavement preservation, US-91, I-15 & SH-39, District 5. Low bidder: Intermountain Slurry Seal – \$3,697,775.10.

Key #23556, US-95, SH-1 to Canadian border sealcoat, District 1. Low bidder: Knife River Corp. - \$1,472,000.00.

Key #20486/20435, US-20, Pinehaven Dr. to Buffalo River Bridge, District 6. Low bidder: Western Construction – \$9,577,275.00.

Key #13864, Off SYS, Int. Meyer Rd. & Boekel Rd., LHTAC(1). Low bidder: LaRiviere Inc. – \$1,999,999.00.

Key #22405, Off SYS, Ditto Creek & Reservoir, Mountain Home Hwy. District, LHTAC (3). Low bidder: Summit Construction – \$1,139,030.23.

The list of projects currently being advertised was provided.

2) Professional Services Agreements and Term Agreement Work Tasks Report. From October 24, 2022 to November 20, 2022, 22 new professional services agreements and work tasks were processed, totaling \$4,336,383. Ten supplemental agreements to existing professional services agreements were processed during this period for \$2,726,713.

3) Annual Outdoor Advertising Report. The ITD Outdoor Advertising Program is charged with monitoring, controlling, or causing to be controlled, advertising signs in areas adjacent to the Interstate System, Primary Highways, and the NHS (National Highway System) roads within the State of Idaho. From October 2, 2021 to September 30, 2022, there were no appeals of denied sign applications, eight new sign applications were processed of which six were approved and two denied. There is a total of 1,203 signs statewide.

4) Rail-Highway Crossing Program annual report. In accordance with Board Policy 4085, a report is made to the Board annually on the status of the State Railroad Grade Crossing Protection Fund (Fund), which receives an annual allotment of \$250,000. This Fund provides money and match for projects in the Rail-Highway Crossing Program and are incorporated into the ITIP. The goal of the program is to reduce the number and severity of vehicle-train collisions at public rail-highway crossings by providing the safest transportation system possible through reductions in serious injuries and fatalities. The Fund also provides \$25,000 to support public education and safety programs that promote awareness of public safety at railroad grade crossings.

5) Monthly Reporting of Federal Formula Program Funding through December 1. Idaho received obligation authority of \$128.9 million through December 16, 2022 via a continuing resolution passed on September 30. It includes \$9.0 million of Highway Infrastructure General Funds carried over from FY20 and FY21 and \$45 million of Infrastructure Investment and Jobs Act (IIJA) Bridge Formula funds. The IIJA was signed on November 15, 2021. Additional apportionments were allocated via the Appropriations Act. Idaho will receive apportionments of \$441.4 million. FY23 obligation authority through December 16 is 29.2% of apportionments. As of December 1, 2022, \$138.6 million was allocated with \$128.06 million remaining.

6) FY23 Financial statements. Revenues to the State Highway Account from all state sources as of October 31 are behind forecast by -0.3%. State revenues to the State Aeronautics Fund were ahead of forecast by 46.7%, or \$500,000. The Department's expenditures were within

planned budgets. Personnel costs savings of \$2.87 million is due to vacancies and timing. Contract construction cash expenditures in the SHA are \$196.7 million for July – Oct., and total construction expenditures from the five different funds sources total \$334.6 million.

The balance of the long-term investments was \$175 million as of the end of October. These funds are obligated against construction projects and encumbrances. The cash balance is \$125.7 million. Expenditures in the Strategic Initiatives Program Fund for first four months were \$32.9 million. Deposits into the Transportation Expansion and Congestion Mitigation Fund were \$41.5 million for the first four months of the sales tax. Funds are from the 4.5% of Sales Tax authorized by the Legislature. Initial receipts of \$13.1 million is committed to debt service. Expenditures in this fund for construction expenses were \$26.6 million. The federal CARES Act provided \$27 million for public transportation. Expenditures totaled of \$2.2 million for July – Oct. Expenditures for the TECM bond program during this period is \$40.6 million and \$40 million for GARVEE.

Director's Annual Report. Director Stokes acknowledged Vice Chairman Horsch for his 12-years of service to the Transportation Board. Chief Deputy/Chief of Operations Dan McElhinney also thanked Vice Chairman Horsch for his contribution to the Board, and with District 5 Engineer Todd Hubbard expressed the department's appreciation and presented him with an ITD service certificate and retirement buckle.

Director Stokes reported it was an incredible year for transportation in Idaho. He recalled a recent event where an employee helped dig out a stranded couple with a Cat loader after they had been snowed in off SH-21. The story is a great example of "This is Who We Are" that benefits and enhances the lives of Idahoans. In FY22, ITD delivered 64 state infrastructure projects and 5 TECM projects. The total value for all projects expended was \$571 million. They delivered the bonding package on time and on budget. He reported there were over 200 meetings held with communities as part of the department's commitment to outreach. Employees received raises across the board and some received rate increases to address pay inequities. All of ITD's teams have been challenged this year starting with the headquarters' building flood to multiple division modernization initiatives, all of which has led to resiliency and spurred innovation. In spite of an 18% turnover rate, ITD continues to deliver projects. Innovation has resulted in \$40.8 million in savings since 2014. The DMV's Skip the Trip that provides more online options, and includes an employee driven QR code idea, had over 70,000 transactions in October. He underscored the work the department is doing every day is enhancing quality of life.

Director Stokes concluded by showing a video highlighting accomplishments. He stated how proud he is of employees and their dedication citing a recent account of a snowplow operator who pulled over to investigate tracks leading off the road to discover an occupied vehicle. The employee went above the call of duty that could have been a lifesaving moment.

Members DeLorenzo thanked Director Stokes for his leadership, and both Member DeLorenzo and Kempton, expressed their appreciation of having worked with Vice Chairman Horsch.

Vice Chairman Horsch thanked the Board and Director Stokes.

ITD/AGC Excellence in Construction Partnering Awards recognition. Chief Deputy/Chief Operations Officer Dan McElhinney reported there were 22 award applications with six from local road projects. Staff has held several meetings with contractors across the state monthly furthering their commitment to strengthening the benefits of construction partnering for improved job site safety, solutions, communications, and efficiencies.

Idaho Associated General Contractor CEO Wayne Hammon shared the partnership has been a great opportunity to train contractors, be proactive in problem solving, and provided a new focus on partnership that is not adversarial in nature.

CD/COO McElhinney presented awards for the top gold award winner and eight gold award winners. Awards were made in four categories: State highway projects greater than \$10 million, \$5 to \$10 million, \$1 to \$5 million, and local highway projects. Josh Smith VP of Knife River Corporation accepted two Gold Construction Partnering awards starting with District 1 for the complex light weight foam SH-3 Goosehaven Road to Round Lake Road project, and with District 3 for the on time under budget SH-44/55 Eagle Road Intersection widening success. Representatives from Knife River, AGC, Districts 1 and 3, and FHWA Administrator Pete Hartman accepted the award.

District Engineers from Districts 3 and 4 were present to accept gold awards for various Excellence in Construction Partnering awards in their districts thanking the respective contractors and staff.

CD/COO McElhinney thanked the judges including ACHD and LHTAC. A testimonial video produced in-house highlighting the gold award winners was shown.

CD/COO McElhinney, Director Stokes and Chief Engineer Rindlisbacher presented retiring FHWA Deputy Administrator Gus Shanine a certificate for his 35-years of service.

Vice Chairman Horsch congratulated staff and thanked contractors for their partnering efforts.

Policy Revision to Board Policy 4028 Allocation of Federal Formula Highway Apportionments to Local Public Agencies. Chief Administrative Officer Dave Tolman provided the background for Board Policy 4028 recapping the timeline from when the Board directed ITD's review in June 2021 to staff's recommendations that were made to the Board's Policy Subcommittee in June 2022. In follow-up to last month's meeting, he reviewed the FHWA suballocation area categories that are based on population – Urban, Rural and Other. Staff's proposal uses 2010 certified census data to determine the distribution percentage to the Urban Local Public Agencies share, which includes an annual urban adjustment for the Large and Small Urban LPA. The policy revision would take effect December 15, 2022 and ITD would notify stakeholders to begin implementation.

Member Hoff recognized the policy review process has been challenging, but stated the recommendations based on populations are a logical approach, and as chairman of the board's policy subcommittee, he supports the proposed recommendations.

Member Obsorn acknowledged the efforts and time the policy subcommittee has taken to review the policy. He stated it may not be perfect, but thought it fair due to complexities of the state.

Member DeLorenzo stated she is in favor of the recommendations and thanked staff for helping to take a step in the right direction. She asked CAO Tolman if he could speak to the recent letter from the MPO's that suggested a different approach to updating the policy. CAO Tolman responded he appreciated the MPO's comments and engagement. He stated ITD is in compliance with federal guidance and that they will continue to work with local partners towards advancements benefiting the state system.

Member Kempton stated, since the original highway act from the 1990s, ITD has continued to support a 50/50 split between the urban and rural entities. He maintained it is difficult to find other ways to share the money – in light of revenue coming into highway jurisdictions from state taxes, but said it was a good compromise.

Member Hoff made a motion, seconded by Member Thompson, and passed unopposed by roll call vote to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board is charged with setting policies for ITB22-73 the Idaho Transportation Department; and

 WHEREAS, Board Policy 4028 – Allocation of Federal Formula Highway Apportionments to Local Public Agencies and Board Policy 4028S - Local Public Agency Share of Federal Highway Funding was developed to establish the sharing of formula apportionments with Local Public Agencies; and

 WHEREAS, Board Policy 4028 - Allocation of Federal Formula Highway Apportionments to Local Public Agencies and Board Policy 4028S - Local Public Agency Share of Federal Highway Funding, has modifications to update the Urban half of the Local Public Agency Share of Federal Formula Funds to include the latest U.S. Census data to be used as the allocation amount in the Transportation Management Area (TMA), Large Urban, and Small Urban, and add an Annual Urban Adjustment (AUA) if the Federal Highways Administration (FHWA) requires an annual amount to be distributed to the TMA; and

 WHEREAS, the Board Subcommittee on Policy reviewed staff recommendations at the June 2022 Workshop and voted to recommend the changes to the full board.

NOW THEREFORE BE IT RESOLVED, that the Board approves the changes to Board Policy 4028, Allocation of Federal Formula Highway Apportionments to Local Public Agencies and Board Policy 4028S, Local Public Agency Share of Federal Highway Funding effectively immediately.

Board Unallocated funds for SH-3 & 5 project, City of St. Maries. District 1 Engineer Damon Allen reported the City of St. Maries received grant funding and is in the process of designing a section of water and sewer line improvements along and under State Highway 3 and 5 that will be constructed by next summer. ITD would fund the roadway portion and the City all costs associated with the water and sewer improvements. ITD and the City would enter into an agreement with the City performing all the work under one contract.

Member Thompson stated he supports the project.

Member Thompson made a motion, seconded by Member DeLorenzo, and passed unopposed by roll call vote to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board is authorized to expend funds
ITB22-74 appropriated for construction, maintenance and improvement of state highways;
and

WHEREAS, the Board is charged with considering the safety and convenience of the highway users; and

NOW THEREFORE BE IT RESOLVED, that ITD will enter into a state/local agreement to share project costs with the City of St. Maries for the roadwork portion of the project; and

BE IT FURTHER RESOLVED, that the Board approves \$1 million funding for the ITD portion of the project from the FY23 Board Unallocated Fund; and

BE IT FURTHER RESOLVED, that the Board authorizes staff to add a project to FY23 of the FY23-29 ITIP to fund the project.

BE IT FURTHER RESOLVED, that the Board authorizes staff to enter into an agreement with City of St. Maries for the completion of the SH-3 & 5 St. Maries project.

Board Unallocated funds for SH-44 (Glenwood) Corridor Plan. District 3 Engineer Caleb Lakey reported staff has been working with Garden City and ACHD on its future development plans for the SH-44 (Glenwood ST.) corridor. Senior Planner Cecilia Arritola provided growth and traffic volume data on the 1.8-mile project that is connected by two state highways. The planning began in March 2020 and has been a multi-agency coordination effort. Based on modeling coordination with COMPASS, staff has three scenarios – mid-growth, high growth and high growth with Glenwood widened that includes a conceptual bridge reconfiguration. The funding request is for engineering concept drawings to inform future land use decision making. Once the alternatives are complete, staff will coordinate further with Garden City.

Member DeLorenzo expressed her support for the corridor plan.

Member DeLorenzo made a motion, seconded by Member Kempton, and passed unopposed by roll call vote to approve the following resolution:

RES. NO. ITB22-75 WHEREAS, it is in the public's interest for the Department to publish and accomplish a current, realistic, and fiscally constrained seven year Idaho Transportation Investment Program (ITIP); and

WHEREAS, the Idaho Transportation Board is charged with considering the safety and convenience of the highway users; and

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

WHEREAS, ITD is prepared to incorporate this project into the approved ITIP; and

WHEREAS, ITD will coordinate with the COMPASS staff to amend the regional Transportation Improvement Plan.

NOW THEREFORE BE IT RESOLVED, that the Board approve \$100,000 of FY23 Board Unallocated Funds for the corridor planning project for State Highway 44 (Glenwood Street).

BE IT FURTHER RESOLVED, that the Board authorize staff to add the project to FY23 of the approved FY 2023 – 2029 ITIP accordingly.

Freight Advisory Committee annual report. FAC Chairman Winston Inouye reported the FAC recently restructured its membership format moving to district representation. Currently, they have one vacancy in District 5. They held meetings in April and July this year. He reported 259 rural miles have been designated out of the 300 critical freight corridor miles authorized, and designated 85 out of the 150 miles for urban. Funding for the Freight Formula projects, per the Bipartisan Infrastructure Law, authorizes \$50.5 million over five years. Staff has identified projects statewide. A process improvement for the 129,000-Pound Truck Routes reduced processing time from 313 days to 66 days. In addition, 115 lane miles were added. The Local Authority Technical Analysis Fund balance is \$288,437.23. The grant funded Magic Valley Rail Safety & Capacity Expansion project was completed last month. FAC Chairman Inouye concluded by outlining events for 2023 such as conducting a truck parking study, updating the State Rail Plan and scheduling three regional freight summits statewide.

In response to Member Thompson's inquiry about interest in truck weights exceeding 129,000 pounds, FAC Chairman Inouye stated he has hear some comments, but none supported from other industry partners.

Vice Chairman Horsch thanked FAC Chairman Inouye for his report.

Dealer Advisory Board annual report. DAB Chairman Grant Petersen reported the DAB has two vacancies; however, they expect to have them filled for 2023. Although inventories and supplies are coming up, he reported vehicle revenues for 2022 decreased from last year. Dealers anticipate a challenging winter and spring season. The third party providers pilot that allows certain dealerships to complete customer vehicle registration and title transactions onsite after the purchase of a vehicle, experienced some technical glitches, but has been positive. The DAB is working with staff to establish bylaws to formalize the nominations and election process, which they hope will help with the challenge of recruiting and retaining DAB board members. The Idaho Consumer Asset Recovery (ICAR) fund provides consumer's protection from dealer related violations. The fund balance is \$2.3 million and is managed by the State Controller's Office. Enforcement with dealers has been difficult and implementing legislation even more so. Historically, there has been minimal ICAR use; however, with declining dealer revenue, they anticipate more of a need.

DAB Chairman Petersen reported concerns about a lack of communication between the DAB board and ITD staff stating potential contributing reasons such as employee turnover and the GEM implementation project. There has been frustration amongst their board with staff and he stated they wanted to work towards improving relationships and getting back on track. The DAB values its relationship with ITD and the Board, and he added they have accomplished many projects in the face of these challenges.

Member Kempton questioned under current agreement with the Board what expectations are sought of the Board. He stated it was the first time of hearing about a lack of communication. DAB Chairman Petersen suggested holding an executive session to discuss further. He commended ITD staff; however, expressed additional reasons such as loss of knowledge due to turnover, relocation to a new building and technology as to why the communication has faltered. He stated he has tried to help write legislation and lobbied for it but to no avail. Member Kempton reiterated that he has not heard anything from the DAB Chairman or the DAB about concerns or problems. In regards to legislation, those options are limited; however, in terms of communication, the Board needs to know what the DAB's specific concerns are so they may be addressed. As the first step of recourse, Member Kempton suggested DAB Chairman Petersen contact Board Chairman Moad to schedule a meeting. Member Kempton said he respects DAB Chairman's Petersen position, but welcomes hearing concerns as they arise. DAB Chairman Petersen expressed interest in working with ITD and added it was not personal. He would like to make their industry better, and although they have had difficulties, they have had unprecedented accomplishments.

Member DeLorenzo stated she was not aware of any issues with the DAB and understood the challenges of retaining board members. She appreciated it being brought to their attention.

Vice Chairman Horsch requested DAB Chairman Petersen to communicate with Board Chairman Moad and to include Director Stokes.

Director Stokes thanked DAB Chairman Petersen for his service. He stated he has attended the DAB's last two meetings, and is committed to continual participation to learn about concerns and make any adjustments.

DAB Chairman Petersen shared his goal is to bring everyone together. He values the relationship with the Board and means no disrespect to ITD staff.

Member Hoff expressed his appreciation, but also stated this is the first time hearing concerns. He encouraged DAB Chairman Petersen to reach out to the Board as issues arise.

Vice Chairman Horsch thanked DAB Chairman Petersen for his report and comments.

Public Transportation Advisory Council and Public Transportation Office annual report. Public Transportation Manager Ron Duran reported PTAC activities on behalf of the PTAC Chairman. The PTAC Chairman will provide a mid-year report next spring. PTM Duran reviewed the PTAC membership and 2022 – 2025 goals. The top goal for each of the three goal categories include Safety – statewide continuation of human trafficking awareness and outreach, Mobility – identify and assist with service-to-service connectivity, and Economic Opportunity – continually solicit and gather feedback from providers within their district to advise the PT office on funding allocation. All PTAC recommendations are framed through their goals. Other highlights included an in person PT summit held in October, PTAC supports the pilot project in Twin Falls, and staff is working with the Aeronautics and Civil Rights divisions on new grant software that will net in time savings for providers. In addition, staff continues to establish a relationship with many of the new Federal Transit Authority staff members.

In response to Member DeLorenzo’s question about communication with PTAC, PTM Duran replied it is very good. PTAC appreciates the efforts made by Director Stokes and the executive staff in attending meetings and other interactions.

Vice Chairman Horsch thanked PTM Duran for his presentation.

State Planning and Research Program annual update. Research Program Manager Ned Parrish provided a program overview on the Statewide Planning and Research (SPR) program and program budget. Highlights include at least 25% of SPR Funds must be used for research, development and technology transfer. The FY23 program budget is \$2.35 million, of which 40.7% is for research projects. ITD’s Research Advisory Council reviews project requests and sets funding priorities.

Research Analyst Amanda Laib reported on recently completed projects. Some highlights include the motor vehicle’s service delivery analysis of Idaho’s model and policy alternatives, and long-term performance of high early strength concrete for accelerated bridge construction applications. Staff has six active research projects and nine new FFY23 projects. RPM Parrish reported on the National Cooperative Highway Research Program (NCHRP) that is managed by the Transportation Research Board, AASHTO’s program support, and program management activities. This year, 14 ITD staff served on NCHRP project oversight panels, contributed \$300,000 for a multi-state AASHTO bridge software project, and posted two study requests for truck parking and bicycle and pedestrian crash analysis.

Member DeLorenzo stated she has received a lot of feedback on truck parking and would like to hear about the results once the truck parking study is complete.

Vice Chairman Horsch thanked staff for the update.

Add PROTECT planning and development project to FY23-29 ITIP. Planning Services Manager Scott Luekenga reported the Bipartisan Infrastructure Law (BIL) established the Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) formula program to help make surface transportation more resilient to natural hazards. Idaho will receive about \$10.3 million per year for five years, for an approximate total of \$51.5 million. Idaho is required to spend 2% on planning activities. ITD will draft a Resiliency Improvement Plan that will develop the recommended criteria for future project selections.

In response to Member Hoff's question about available staff, PSM Luekenga stated they have a planner in highways who will lead the effort, and they will hire a consultant to form a steering committee who will provide input and help draft the resiliency plan.

Member DeLorenzo made a motion, seconded by Member Kempton, and passed unopposed by roll call vote to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Department to publish and
ITB22-76 accomplish a current, realistic, and fiscally constrained seven year Idaho
Transportation Investment Program (ITIP); and

WHEREAS, The Bipartisan Infrastructure Law (BIL) establishes the Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Formula Program to help make surface transportation more resilient to natural hazards, including climate change, sea level rise, flooding, extreme weather events, and other natural disasters through support of planning activities, resilience improvements, community resilience and evacuation routes, and at-risk coastal infrastructure; and

WHEREAS, the Idaho Transportation Board is charged with considering the safety and convenience of the highway users; and

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

WHEREAS, ITD is prepared to incorporate this project into the approved ITIP.

NOW THEREFORE BE IT RESOLVED, that the Board approves \$300,000.00 of FY23 PROTECT for the establishment of a PROTECT Program Planning and Development project; and

BE IT FURTHER RESOLVED, that the Board authorizes staff to add the project to FY23 of the approved FY 2023 – 2029 ITIP accordingly.

Add the Carbon Reduction Program planning and development project to FY23-29 ITIP. Planning Services Manager Scott Luekenga reported the Bipartisan Infrastructure Law (BIL) established the Carbon Reduction Program (CRP) to reduce transportation emissions through development of State carbon reduction strategies and by funding projects designed to reduce transportation emissions. Idaho’s annual appropriation is approximately \$9.0 million, of which 65% of CRP funds must be used in specific population areas and coordinated with MPOs. States are required to develop a Carbon Reduction Strategy by November 15, 2023. The CRP Planning and Development project will pay consultant’s services to assist ITD in developing a strategy. Staff will work in coordination with MPOs, LHTAC and Division of Environmental Quality.

Member Kempton made a motion, seconded by Member DeLorenzo, and passed unopposed by roll call vote to approve the following resolution:

RES. NO. WHEREAS, it is in the public’s interest for the Department to publish and
ITB22-77 accomplish a current, realistic, and fiscally constrained seven year Idaho
 Transportation Investment Program (ITIP); and

WHEREAS, The Bipartisan Infrastructure Law (BIL) established the Carbon Reduction Program (CRP) to reduce transportation emissions through development of State carbon reduction strategies and by funding projects designed to reduce transportation emissions; and

WHEREAS, the Idaho Transportation Board is charged with considering the safety and convenience of the highway users; and

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

WHEREAS, ITD is prepared to incorporate this project into the approved ITIP.

NOW THEREFORE BE IT RESOLVED, that the Board approve \$300,000.00 of FY23 Carbon Reduction Program for the establishment of a CRP Planning and Development project.

BE IT FURTHER RESOLVED, that the Board authorize staff to add the project to FY23 of the approved FY 2023 – 2029 ITIP accordingly.

The Board recessed at 11:55 a.m. to have lunch with the Local Highway Technical Assistance Council. Vice Chairman Horsch reconvened the meeting at 1:25 p.m.

Executive Session on Legal and Personnel Issues. Member Osborn made a motion to meet in executive session at 1:30 PM to discuss issues as authorized in Idaho Code Section 74-

206 (b) and in Idaho Code Section 74-206 (f). Member Thompson seconded the motion and it passed unanimously by roll call vote.

The executive session discussion on legal matters related to highway and department operations and personnel matters.

The Board came out of executive session at 3:20 PM.

Administrative Settlement over \$200,000. Right of Way Manager Justin Pond presented an administrative settlement for KN 20788, Project No. A020(788) SH-16, I-84 to US 20/26 & SH 44 IC, Ada & Canyon Counties.

Member DeLorenzo made a motion, seconded by Member Hoff, and passed unopposed by roll call vote, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Department is acquiring right-
ITB22-78 of-way for SH 16, I-84 to US 20/26 & SH 44 IC, Ada & Canyon
Counties, for Project No. A020(788); and

WHEREAS, the Idaho Transportation Department and the property owner have engaged in good faith negotiations; and

WHEREAS, both parties agree that additional payment is justified in order for the Idaho Transportation Department to fairly compensate the property owner.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approve an administrative settlement in the amount of \$396,993.00.

Administrative Settlement over \$200,000. Right of Way Manager Justin Pond presented an administrative settlement for KN 20442, Project No. A020(442) SH-41 Interchange, Kootenai County.

Member Thompson made a motion, seconded by Member Osborn, and passed unopposed by roll call vote, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Department is acquiring right-
ITB22-79 of-way for SH-41 Interchange, Kootenai County, for Project No. A020(442); and

WHEREAS, the Idaho Transportation Department and the property owner have engaged in good faith negotiations; and

WHEREAS, both parties agree that additional payment is justified in order for the Idaho Transportation Department to fairly compensate the property owner.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approve an administrative settlement in the amount of \$1,062,652.00.

Vice Chairman Horsch thanked RWM Pond for his presentations.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting adjourned at 3:28 PM.

Signed

WILLIAM H. MOAD, Chairman
Idaho Transportation Board

Read and Approved
January 12, 2023
Boise, Idaho