

REGULAR MEETING
IDAHO TRANSPORTATION BOARD

June 14 - 15, 2023

The Idaho Transportation Board met at 9:00 AM on Wednesday, June 14, 2023, in Boise, Idaho. The following principals were present:

William (Bill) H. Moad, Chairman
Gary Osborn - District 2
Julie DeLorenzo, Vice Chair – District 3
Jim Kempton – District 4
John Bulger, Member – District 5
Bob Hoff, Member – District 6
Scott Stokes, Director
Dan McElhinney, Chief Deputy/Chief Operations Officer
Lorraine Dennis, Executive Assistant to the Board

District 1 Member Jim Thompson was not present.

District 3 Tour and Outreach Workshop. The Board drove through the recently paved I-84 Transportation Expansion & Congestion Mitigation (TECM) project in Nampa and Caldwell and the Caldwell maintenance residency renovation. ITD's Tony Pirc and John Hall led discussions on the scope of the maintenance renovation. The Board also toured the SH-16 south project with onsite stops. Following the tour, the Board convened at the Courtyard Marriot in Meridian for the Outreach Workshop with local transportation officials.

Chairman Moad and Vice Chair DeLorenzo welcomed participants of the Idaho Transportation Investment Program (ITIP) Outreach Workshop. Director Stokes gave opening remarks focusing on expectation for the afternoon, Idaho Transportation Department's (ITD) vision and what it means to invest with purpose for the ITIP \$612.8 million program. District 3 Engineer Caleb Lakey facilitated the workshop. Participants had time to review several project displays arranged around the room and interact with staff and the Board. They reconvened to hear presentations from ITD staff. Chief Deputy/Chief Operations Officer Dan McElhinney and DE-3 Lakey presented statewide construction industry progress, TECM projects and District 3 priority projects information. Motor Vehicle Administrator Lisa McClellan gave an update on DMV, Aeronautics Administrator Tom Mahoney presented information on aeronautics, and Public Transportation Manager Ron Duran provided an overview on Public Transportation. Chief Administrative Officer Dave Tolman presented an update on policy directives for Locals, and Local Highway Technical Assistance Council (LHTAC) Administrator Laila Kral reviewed funding opportunities for Locals. The Workshop concluded with an open form for local transportation officials to ask questions and share comments.

WHEREUPON, the Idaho Transportation Board's tour and workshop recessed at 4:10 PM.

June 15, 2023

The Idaho Transportation Board convened at 8:00 AM on Thursday, June 15, 2023, at the District 3 office in Garden City, Idaho. Members and principals from previous day were present with the exception of CD/COO McElhinney (at Governor's Capitol for a Day in St. Anthony). Lead Deputy Attorney General Tim Thomas joined and District 1 Member Jim Thompson participated remotely. Vice Chair DeLorenzo arrived after the safety share.

Workshop: Introduction. Controller Justin Collins provide an introduction reminding the Board of contingency funding that was included in the FY24 budget and of increased full-time positions they will learn more about supporting program delivery in FY25.

Trends and State Revenue. Economic and Research Manager Thompson presented potential impacts to revenue for ITD's draft FY25 appropriation request. Some highlights included a moderate to high risk of recession and continued inflationary pressures. Two legislative actions were taken, HB340 – requires ITD to issue no-fee ID cards to comply with voter registration and voting requirements, and HB354, authorizes General Fund transfers of \$35M to Aeronautics Fund, \$100M to Strategic Initiative (SI) Grant fund and \$514M to SI Program and distribution to local highway jurisdictions. As a result, changes were made to the FY23 forecast. Changes to the FY24 and FY25 forecasts included General Fund transfers to the SIP of \$182M and \$187M respectively and \$100M to the SI Grant Fund in FY24.

Based on the August 2022 forecast, projections for FY25 funding was \$479.3M – up \$6.9M from FY24. With the updated forecast through FY23 3rd quarter, projections increased for FY24 to \$595.4M and FY25 \$481.3M. Changes to the forecast are based on transfers to the Strategic Initiative Program. ERM Thompson concluded with summarizing the year-to-date revenue through May 2023 that show funds in the Highway Distribution Account, HB312 and Ethanol all below forecast.

Recap of FY24 Request and Supplemental. Financial Manager Chris Bray recapped the FY24 budget request. ITD has four FY23 supplementals - \$50,000 for ongoing jet fuel inflation, \$35M one-time General Fund transfer for airport improvements, \$9.3M for ongoing highway operations inflationary increases, and \$2.2M for ongoing state research and planning. FM Bray also recapped ITD's \$1.35B FY24 total appropriation that included \$124.3M for the Governor's Leading Idaho's Future initiative (60% of the \$136M Strategic Initiative Grant Fund). FY24 projected travel costs are \$2.6M. Actual travel costs for FY23 through mid-May is \$1.64M.

Draft FY25 Budget Request – Initial Look. Financial Manager Bray reported on the draft FY25 budget request that the Board will approve in August. He reviewed each division's budget request in comparison to FY24 detailing changes for base adjustments, increases for full-time positions (FTP), line items requests, and supplementals. Some division highlights included Administration – \$34.1M budget and 150 FTPs; Aeronautics - \$6.4M and 13 FTPs; Capital

Facilities - \$32.3M (plus \$38.5M FY24 supplemental for Chinden Campus renovations); Contract Construction & Right-of-Way - \$539.3M; DMV – \$42.4M and 239 FTPs; and Highway Operations – \$294.4M and 1243 FTPs (increase of 53). FY25 replacement equipment cost is estimated at \$51.3M. The draft FY25 total program funding is \$1.2B and 1645 FTPs.

Department Workforce Planning for FY24-25. District 1 Engineer Damon Allen provided an overview from the Board’s April workshop discussion on workforce planning. Some highlights included, since 2010, ITD reduced FTPs by 185 requiring ITD to leverage outsourcing to meet project delivery demands. The reduction also led to the consolidation of resources, reducing maintenance specialty crews and the need to reclassify positions to address needs. The following are recommendations from the workforce evaluation that identified three priority areas (includes number of FTPs and costs for operations and equipment): maintenance capacity, 65 FTPs and \$5.2M; project delivery, 73 FTPs and \$7.8M; and support services, 8 FTPs and \$0.8M for a total of 146 FTPs and \$14M per year. DE-1 Allen stated the department intends to pursue a phased approach with the first phase in FY25 requesting 53 FTPs representing 60% for frontline project delivery and 40% for operations. Total annual funding for FTPs is estimated at \$5.4M. If the legislature approves the plan next year, hiring can begin spring 2024.

In response to Chairman Moad’s question on strategies now to address a strained system, DE-1 Allen stated ITD will continue to outsource until they can bolster in-house operations, such as specialty crews for guardrails, striping and bridge maintenance.

In response to Member Kempton’s inquiry about the balance of the increased volume of consultant costs and personnel, Director Stokes replied they acknowledge the advantage of using contracts and this effort is not a cost savings of taking away opportunities from firms, but a mechanism to address the complexity of ITD project delivery. Oversight needs to help consultants and contractors. Contracts require staff oversight and management. This approach allows for quality and sustainability to meet workload demands across all districts.

Six-Year Capital Facilities Plan. Capital Facilities Manager Tony Pirc summarized projects for FY23 and outlined projects programed in the six-year plan. Some highlights included there were 251 new contracts in FY23 totaling \$24.5M. For FY24, \$10.2M is estimated for new projects plus costs for seven new houses. In the FY25 request, there is \$19.3M in deferred/replacement projects with \$2M for new projects. The remaining years from FY26 to FY30 includes \$16M for deferred projects costs and \$5M for new projects.

Director Stokes commented on Facilities’ program increase from \$3.5M to \$22M to expand their maintenance budget and ITD’s ability to keep pace that is resulting in safer workplaces for employees.

Draft FY24-30 Idaho Transportation Investment Program (ITIP). Program Control Manager Wonacott provided an overview of the draft FY24-30 ITIP and the timeline for its development. In July, the draft is available for public review and comment and is submitted to the Board in September for approval. The average program total per year is \$880.4M. Based on

highway funding, 39% state and 61% federal funds, funding estimates for FY24 is \$930.2M and then levels out to \$856.3M - \$871.9M range through FY30. Fourteen projects totaling \$18.9M are being removed because they did not undergo a cost analysis. Some program highlights included ITD's goal is to invest \$150M in pavement, \$100M in bridges, and \$80M in safety and capacity each year. The Supporting Infrastructure Assets Program (SIAP) includes \$12M for statewide damage support, bridge safety and roadside safety. A new set-aside program of \$6M annually is for planning, scoping and studies. Also included are holdbacks (\$20M) and set-asides (\$30M in FY24). FY24-FY30 funding includes \$1.05B for TECM corridor projects and \$1.45M in Early Development (unfunded). PCM Wonacott provided an update on the federal programs included in the Infrastructure Investment and Jobs Act (IIJA), which are Carbon Reduction, PROTECT, and the National Electric Vehicle Infrastructure Program (NEVI).

Public Outreach. Senior Public Information Officer Angie Heuring reviewed ITD's draft ITIP public involvement process for the July 1 – 31 public comment period. Print ads are published in local newspapers along with press releases, emails, and other efforts, such as social media posts and videos. To reach more people, additional online options and tools were created like the enhanced GIS map tool and comment portal, explainer tutorial and QR codes for print ads. Once the comment period closes, they are disseminated, reviewed and responded to by September 1.

Member Osborn requested that the Board receive comments for their respective districts.

Chairman Moad thanked staff for the workshop presentations.

Safety Share. Safety Compliance Officer Chris Larsen reported on efforts to improve employee protective equipment lighting for safety vests and headlamps. Examples included using daylight green and yellow during the day, dark orange or combination of dark green and yellow at night, and upgrading to headlamp bars.

Chairman Moad thanked SCO Larsen for implementing these safety innovations.

Board Minutes. Member Bulger made a motion to approve the minutes of May 17 -18, 2023, seconded by Member Hoff, and the motion passed unanimously.

Board Meeting Dates. The next meeting is July 19, 2023 in Boise.

Consent Items. Member Osborn made a motion, seconded by Member Kempton, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, consent calendar items are to be routine, non-controversial, self-
ITB23-55 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 FY24-27 DFM Strategic Plan Report, adjustments to Highway-Rail Crossing Program and Local Safety Program for the FY23-29 ITIP, the Safety Rest Areas update, State Highway System Functional Classification Map update, 2023 Children Pedestrian Safety Program, FY23 Freight Program update, GARVEE Program Annual Legislative Report, and contract award.

1) FY24-27 Division of Financial Management Strategic Plan. Idaho Code requires all state agencies to submit an annual Strategic Plan. The required elements are established in statute, with additional guidance from DFM, includes a vision and mission statement, goals and objectives, performance measures and benchmarks, and key external factors. There were no changes since the Board's review last month. The Plan is due to DFM on July 1.

2) Adjust Highway-Rail Crossing Program for the FY23-29 Idaho Transportation Investment Program (ITIP). Removal of three railroad crossing projects (KN20606, 20638, and 20158) and reallocate to KN2378, Cherry Lane. Also, adjust program to accommodate increases in project cost.

3) Adjustments to the Local Safety Program in the FY23-29 ITIP. Adjust projects in the Local Highway Safety Improvement Program. Delay KN22883 from FY23 to FY24 and increase FY23 construction costs for KN22876 and 22882, and increase design services for KN23285.

4) Update of Safety Rest Areas and Oasis Partnerships. Board Policy 4044 & 5044, requires annual updates to the safety rest areas chart and map. In 2023, "On The Run" was added to the Oasis Partnerships located at the Eisenman Interchange in Boise. The map, shown as Exhibit 556, and made a part hereof with like effect.

5) State Highway System Functional Classification Map Update. In accordance with Board Policy 4060, the Functional Classification Map, shown as Exhibit 557, which is made a part hereof with like effect, was reviewed by staff, and there were no changes to the State Highway System classification. Functional classification is the process by which streets and highway are grouped into classes, or systems, according to the character of service they are intended to provide.

6) 2023 Children Pedestrian Safety Program. House Bill 354, signed by Governor Little allocated \$10 million to the Children Pedestrian Safety Program administered by LHTAC. The LHTAC Council reviewed options on how to proceed with administering the additional funding. The Council chose to fund projects that were not funded from 2022 applications. This will fund \$7.5 million in projects, provide up to \$50,000 per applicant to account for recent higher bid prices on a first come, first serve basis, and then provide an opportunity for applications this fall with unspent funds.

7) FY23 Freight Program Projects. Pending the approval of the Board and the FY23 Freight Plan by FHWA, ITD needs to conditionally add and update projects to FY2023 of the FY23 – 29 ITIP to accurately reflect project funding. Approving the funding into for FY23 will add an additional \$10.6M in program funds. The Freight Advisory Committee reviewed and ranked the projects.

8) GARVEE Program Annual Legislative Report. Legislation requires that the Board submit an annual report by June 30th of each year. The Annual 2023 Report summarizes the amounts allocated to various GARVEE-approved corridors, summarizes the bond amounts, and graphically shows the location of projects included in the funding authorization.

9) Contract Award. The low bid on the following project is more than ten percent over the engineer's estimate, requiring justification. On key #24192, SH-75, Ohio Gulch Road intersection signal light, District 4, main difference between the low bid and engineer's estimate is the estimated unit cost for the signal installation. The Districts does not believe re-advertising the projects would result in lower bids, and recommends awarding the contract. Low bidder: Electric 1 West - \$724,531.70.

Informational Items.

1) Contract awards and advertisements. There were ten ITD and two Local contracts awarded that did not require Board approval from May 1 – 31, 2023. From October 1, 2022 to May 31, 2023, 63 ITD and 13 Local contracts were bid.

The list of projects currently under advertisement was provided.

2) Professional services agreements and term agreement work tasks report. From April 24, 2023 to May 21, 2023, 36 new professional services agreements and work tasks were processed, totaling \$18,086,509. Six supplemental agreements to existing professional services agreements were processed during this period for \$1,906,579.

3) Non-Construction professional service contracts. Board Policy 4001 states, 'Each month the Chief Administrative Officer shall report to the Board all non-construction professional service agreements entered into by the Department during the previous month.' No service agreements were executed.

4) Monthly report of federal formula program funding through May 31. Idaho received full-year FY23 obligation authority (OA) of \$394.2 million through September 30, 2023, via the consolidated appropriations act passed on December 29. OA includes \$9.3 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. Additional apportionments were allocated via the Appropriations Act. Idaho received apportionments of \$444.7 million. FY23 OA through September 30, 2023 is 88.7% of apportionments. Allotted program funding is \$426.5 million with \$124.8 million remaining.

5) FY23 financial statements. Revenues to the State Highway Account from all state sources as of April 30 is slightly below forecast by 4.8% and revenues in the HDA are down by 5.0%. State revenues to the State Aeronautics Fund were ahead of forecast by 44.7%, or \$850K. The Department's expenditures were within planned budgets. Personnel costs savings of \$6.5M is due to vacancies and timing. Contract construction cash expenditures in the SHA are \$652.6M for July – April, and total construction expenditures from the five different funds sources total \$600.4M.

The balance of the long-term investments was \$177.3M as of the end of April. These funds are obligated against construction projects and encumbrances. The cash balance is \$136.0M. Expenditures in the Strategic Initiatives Program Fund is \$49.4M. Deposits into the Transportation Expansion and Congestion Mitigation Fund hit the \$80M cap. Additional funds will go into the Local Distribution Account. Currently, ITD received \$3.3M from the Cigarette Tax revenue. The federal CARES Act provided \$27.3M for public transportation. FY23 expenditures are \$3.8M. Expenditures for the TECM bond program during this period is \$73.1M and \$69.8M for GARVEE.

Chairman Moad moved up the Director's report so recipients of the Adopt-A-Highway award could have more time to assemble.

Director's Monthly Report. Director Stokes introduced new ITD staff - Aeronautics Administrator Tom Mahoney and Internal Review Manager Jolene Crumley sharing their background and responsibilities. The Division of Human Resources modernization that centralizes the State of Idaho's HR functions is in effect as of June 12, 2023. The modernization will create consistency and efficiency and provide better governance and oversight. ITD will continue to have HR staff onsite dedicated to the agency. Another change included the Information Technology Services (ITS) consolidation that is being phased in statewide. All affected services, including 36 ITD positions who are no longer onsite, were transitioned from ITD to ITS on June 12, 2023. The transition required pivoting infrastructure to support the shift, such as data center migration and technology conversions. ITD ETS Manager Bill Finke is leading the effort.

Chairman Moad thanked Director Stokes for his report.

Adopt-A-Highway. Director Stokes presented the AAH award to Ada County Sheriff's "Inmate" Labor Detail Program Stephanie Brastrup and team. The inmate program adopted Interstate 84 from Milepost 40 – 72.6, as well as I-184 from Milepost 0 – 4. The SLD Program allows people the opportunity to repay the community and helps to reduce jail population and costs. The Ada County Sheriff's team thanked ITD and the Board for the award.

Chairman Moad thanked the Ada County Sheriff's staff for their dedication.

District Engineer Report: District 3 Engineer Lakey presented his annual district update focusing on partnerships. Some highlights included showcasing staff, local officials and agency

partners on various events, such as the new pedestrian bridge in Eagle, ITD and Idaho State Police (ISP) training exchange, the Idaho Army Guard, Bosslift event at Gowen Field, and the SH-52 bridge repaving with Payette County. Several new staff members were highlighted from foreman to engineers and administrative to communication roles. District 3 responded to various flooding events like SH-71 Brownlee Creek in Cambridge, and was instrumental in assisting with a propane truck crash on US-95 in New Meadows that created a 6-hour detour, multi-day cleanup effort. DE-3 Lakey recapped the various awards achieved, and provided a status on five projects from FY21 – FY23 that are being completed with board unallocated funds.

Vice Chair DeLorenzo commented on the Outreach Workshop from the previous day stating there were tough comments expressed, but also many officials who recognized DE-3 Lakey and staff for doing a great job. She thanked District 3 and other partners for participating.

Board Unallocated Funding for SH-55 Horseshoe Bend Project. District 3 Engineer Lakey outlined ITD’s partnership with the City of Horseshoe Bend leading the effort to build a sidewalk on SH-55. The project is in supplement to a \$250,000 LHTAC grant the City received. The project is for full curb, gutter and a sidewalk section on SH-55 in front of the school. ITD augmented the design to address drainage, ensure maintainability and enhance safety. The project costs are estimated at \$500,000 and plan to be completed before school starts with the city administering the work.

Vice Chair DeLorenzo expressed support for the project.

Vice Chair DeLorenzo made a motion, seconded by Member Hoff, 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
ITB23-56 accomplish a current, realistic, and fiscally constrained five 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 staff has assisted the City of Horseshoe Bend with an enhanced design for curb, gutter, sidewalk and storm sewer; and

WHEREAS, The City of Horseshoe Bend already has been awarded a \$250,000 Children and Pedestrian Safety Grant from LHTAC; and

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

NOW THEREFORE BE IT RESOLVED, that the Board approves the SH-55, Horseshoe Bend sidewalk project be added to the FY23-29 ITIP at a cost of approximately \$500,000 using FY24 ITD Board Unallocated Funds.

BE IT FURTHER RESOLVED, that the Board approves staff to adjust the program and amend the approved FY23 - 29 ITIP accordingly.

Review of the Draft FY24-30 ITIP. Program Control Manager Colleen Wonacott reviewed the draft ITIP that was presented in the workshop. Staff seeks approval to proceed with public comment, July 1 through 31. Projects are approved at the September board meeting.

Member Kempton made a motion, seconded by Member Osborn, 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
ITB23-57 accomplish a current, realistic, and fiscally constrained seven year Idaho
Transportation Investment Program (ITIP); and

WHEREAS, it is the intent of the 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 Transportation Board has reviewed the list of projects and analysis for the Draft FY 2024 - 2030 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 Transportation Board to better understand Idaho's various transportation needs; and

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

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board will commence public involvement in July with project and program information incorporated from the publication entitled Draft FY 2024 - 2030 ITIP, June Board Meeting.

Agreement Authority Exceed \$1M for FY24 Roadway and ADA Improvements, Ada County. State Design Engineer Monica Crider presented the request to exceed professional

services agreement authority for the FY24 roadway and ADA improvements by Six Mile Engineering. The scope is to provide pavement rehabilitation and pedestrian improvements on six roadway segments by resurfacing existing pavement and upgrading pedestrian ramps to meet current ADA compliance. The agreement authority is up to \$1,185,288.

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

RES. NO. WHEREAS, Board Policy 4001 requires the Transportation Board to approve
ITB23-58 professional services agreements that exceed \$1 million; and

WHEREAS, Ada County Highway District (ACHD) will administer this project; and

WHEREAS, funding has been identified and is obligated for this agreement.

NOW THEREFORE BE IT RESOLVED, that the Board approves Project No. A020(674), FY24 Roadway and ADA Improvements, Boise to exceed the \$1 million agreement authorization for consultant services up to \$1,185,288.

Agreement Authority Exceed \$1M for FY25 Roadway and ADA Improvements, Ada County. State Design Engineer Crider presented the request to exceed professional services agreement authority for the FY25 roadway and ADA improvements by Six Mile Engineering. The scope is to provide pavement rehabilitation and pedestrian improvements on two roadway segments by resurfacing existing pavement and upgrading pedestrian facilities. It includes five signalized intersections on Overland Rd. The agreement authority is up to \$1,122,760.

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

RES. NO. WHEREAS, Board Policy 4001 requires the Transportation Board to approve
ITB23-59 professional services agreements that exceed \$1 million; and

WHEREAS, Ada County Highway District (ACHD) will administer this project; and

WHEREAS, funding has been identified and obligated for this agreement.

NOW THEREFORE BE IT RESOLVED, that the Board approves Project No. A021(896), FY25 Roadway and ADA Improvements to exceed the \$1 million agreement authorization for consultant services up to \$1,122,760.

Agreement Authority to Exceed \$1M for SH-16, SH-44 to Junction SH-52 Environmental Re-evaluation. State Design Engineer Crider presented the request to exceed professional services agreement authority for the SH-16, SH-44 to Junction SH-52 environmental re-evaluation by Horrocks Engineers. The scope of this project is to update the design of State Highway 16 and associated construction projects to address needs through the year 2050. The agreement authority is up to \$2,950,000.

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

RES. NO. WHEREAS, Board Policy 4001 requires the Transportation Board to approve
ITB23-60 professional services agreements that exceed \$1 million; and

WHEREAS, District 3 will administer this project; and

WHEREAS, funding has been identified and is scheduled for this agreement.

NOW THEREFORE BE IT RESOLVED, that the Board approves Project No. A023(175), SH-16, SH-44 to Junction SH-52 environmental re-evaluation, Emmett, to exceed the \$1 million agreement authorization for consultant services up to \$2,950,000.

Agreement Authority to Exceed \$1M for Franklin Blvd. & 3rd N. Freight Improvement, Nampa. State Design Engineer Crider presented the request to exceed professional services agreement authority for Franklin Blvd. & 3rd N freight improvements by Parametrix. Phase 1 was for preliminary design services, \$168,481. Phase 2 will complete PS&E level design, \$1,230,000. With engineer of record services, \$150,000, the total project is estimated at \$1,550,000.

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

RES. NO. WHEREAS, Board Policy 4001 requires the Transportation Board to approve
ITB23-61 professional services agreements that exceed \$1 million; and

WHEREAS, Local Highway Technical Assistance Council (LHTAC) will administer this project; and

WHEREAS, the agreement will not be written until the funding has been scheduled and obligated.

NOW THEREFORE BE IT RESOLVED, that the Board approves Project No. A022(103), Franklin Blvd. & 3rd N Freight Improvement project, City of Nampa to exceed the \$1 million agreement authorization for consultant services up to \$1,550,000.

Agreement Authority to Exceed \$1M for Five Mile Road Overpass and Widening, Boise. State Design Engineer Crider presented the request to exceed professional services agreement authority for Five Mile Road overpass and widening by HDR Engineering. The scope is to expand Five Mile Rd. to five lanes between Overland Rd. and Franklin Rd. and replace the existing bridge overpass with a four-lane structure. The total agreement authority up to \$2,520,037.

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

RES. NO. WHEREAS, Board Policy 4001 requires the Transportation Board to approve
ITB23-62 professional services agreements that exceed \$1 million; and

WHEREAS, Ada County Highway District (ACHD) will administer this project; and

WHEREAS, the agreement will not be written until the funding has been scheduled and obligated.

NOW THEREFORE BE IT RESOLVED, that the Board approves Project No. 023(095) Five Mile Road Overpass and Widening (NEPA) project, Boise to exceed the \$1 million agreement authorization for consultant services up to \$2,520,037.

Agreement Authority to Exceed \$1M for US-20 Chester to Ashton, Fremont Co. State Design Engineer Crider presented the request to exceed professional services agreement authority on the Lakeshore Connection project by Welch Comer. The purpose of this project is to improve safety on US-20, Chester to Ashton by upgrading the current two-lane highway into a four-lane divided highway. Two new interchanges are planned. The Board previously approved authorization up to \$2,000,000. This request brings the total agreement authority up to \$2,030,000 for right-of-way services for over 100 parcels.

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

RES. NO. WHEREAS, Board Policy 4001 requires the Transportation Board to approve
ITB23-63 professional services agreements that exceed \$1 million; and

WHEREAS, District 6 will administer this project; and

WHEREAS, the Board has approved agreement authorization up to \$2,000,000 at the February 2023 Board meeting; and

WHEREAS, funding has been identified and is obligated for this agreement.

NOW THEREFORE BE IT RESOLVED, that the Board approves Project No. A020(053) & A022(163), Chester to Ashton, Fremont County, Land Acquisition to exceed the \$1 million agreement authorization for consultant services up to \$2,030,000.

Add US-95, Schoolhouse Road Turn Bays, Boundary Co. to Early Development Program. District 1 Engineer Damon Allen outlined a project in Naples, located halfway between Sandpoint and Bonners Ferry at US-95 and Schoolhouse Road. The project will replace two box culverts and add right and left turn bays to address safety and mobility. This will align with road

improvements being designed by Boundary County Highway District for Schoolhouse Rd. This stretch of highway has many logging trucks that provide timber to the mill in Naples.

Member Thompson made a motion, seconded by Vice Chair 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
ITB23-64 accomplish a current, realistic, and fiscally constrained Idaho Transportation
Investment Program (ITIP); and

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

WHEREAS, the Board has authority to select projects for the State using additional Leading Idaho funds and staff has delivered a plan for the use of these funds; and

WHEREAS, it is expected that these funds are to be ongoing.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves adding US-95, Schoolhouse Road turn bays, Boundary County project into the draft FY24-30 ITIP in the Early Development Program.

BE IT FURTHER RESOLVED, the Board approves funding for engineering in FY24 in the amount of \$550,000 to prepare engineering plans. At this time construction funds are not going to be added to the program for this project.

Executive Session on Legal and Personnel Issues. Vice Chair DeLorenzo made a motion to meet in executive session at 11:42 AM to discuss issues as authorized in Idaho Code Section 74-206 (b) and in Idaho Code Section 74-206 (f). Member Kempton 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 ended executive session at 12:35 PM.

Administrative Settlement Over \$200,000. Right of Way Manager Justin Pond presented an administrative settlement for KN9294, Project No. DHP-NH-4110(156), US-95, Thorn Creek Road to Moscow, parcels 23 and 24.

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

RES. NO. WHEREAS, the Idaho Transportation Department is acquiring right-of-way

ITB23-65 for the US-95, Thorn Creek Rd. to Moscow, for Project No. DHP-NH-4110(156); 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 for parcels 23 and 24.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves an Administrative Settlement over \$200,000.00.

Administrative Settlement Over \$200,000. Right of Way Manager Justin Pond presented an administrative settlement for KN20788, Project No. A020(788) SH-16, I-84 to US 20/26 & SH-44 IC, Ada & Canyon Counties, parcel 50.

Vice Chair 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-of-way
ITB23-66 for the 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 for parcel 50.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves an Administrative Settlement over \$200,000.00.

Administrative Settlement Over \$200,000. Right of Way Manager Justin Pond presented an administrative settlement for KN20788, Project No. A020(788) SH-16, I-84 to US 20/26 & SH-44 IC, Ada & Canyon Counties, parcel 80.

Vice Chair 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-of-way
ITB23-67 for the 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 for parcel 80.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves an Administrative Settlement over \$200,000.00.

FFY 2024-26 Highway Safety Plan. Highway Safety Manager Josephine Middleton presented the Triennial FFY24-26 Highway Safety Plan (3HSP), and the changes as a result of new Federal legislative rules that were released in February 2023. The 3HSP replaces the annual report, expands requirements for public and community participation in funding decisions and includes a significant increase in funding available to states under the National Highway Traffic Safety Administration (NHTSA) traffic safety grants. There is also a new application structure for Section 402 and 405 projects. HSM Middleton reviewed the 3HSP's executive summary, primary targets and performance plan, program areas and projects – focus on teen traffic safety, and bolstered engagement. The Idaho Traffic Safety Commission approved the Plan at their June meeting. The Plan is due to NHTSA by July 1. The annual grant application project's total budget is \$10 million per year.

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

RES. NO. WHEREAS, Idaho experienced 27,661 reportable traffic crashes, 215 traffic
ITB23-68 deaths, and 1,336 people seriously injured in 2022; and

WHEREAS, the economic cost of traffic crashes in Idaho for 2022 was more than \$4.7 billion; and

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

WHEREAS, the National Highway Traffic Safety Administration (NHTSA) may allocate nearly \$6 million in funding behavior safety programs for Idaho to help eliminate traffic deaths and serious injuries; and

WHEREAS, the Office of Highway Safety and the Idaho Traffic Safety Commission has developed the Triennial Highway Safety Plan for Federal Fiscal Year 2024-2026 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 Triennial Highway Safety Plan for Federal Fiscal Year 2024-2026, which is on file in the Office of Highway Safety.

Strategic Initiatives Local Grant Program - ITD/Ada County Highway District (ACHD) MOU. Chief Administrative Officer Dave Tolman reported on the how the Strategic Initiatives Local Grant Program was established, funding for it, and ITD's Memorandum of Understanding (MOU) with ACHD. Some highlights included the Program was established through legislation to assist local units of government to mitigate impact of state highway projects on local roads or for economically significant local projects that require the assistance of ITD. The one-time total FY24 program funding is \$136 million with \$36 million, per legislation, to ACHD and the remaining funds shared 50/50 with local jurisdictions (\$50M to population over 50,000 and \$50M populations less than 50,000). The \$36 million from the Strategic Initiatives Program Fund are available July 1 and required to be dispersed to ACHD by July 31. CAO Tolman outlined ITD's and ACHD's responsibilities, and the projects' description parameters (projects adjacent to and within three miles of SH-16) per the draft MOU. He indicated ACHD's leadership has reviewed and signed the MOU.

In response to Member Kempton's question regarding legislative intent for the \$36 million use on SH-16, CAO Tolman stated it is to mitigate impacts of projects connecting to the interstate. He also clarified the language was very specific that it is intended for single highway county districts for which there is only one.

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

RES. NO. WHEREAS, the legislature amended and the governor approved changes to IC
ITB23-69 Section 40-719 (HB132 & SB 1189) to establish a Strategic Initiatives Grant
Program for local units of government; and

WHEREAS, the legislature has appropriated, for FY 2024 only, the first \$36 million appropriated to the strategic initiatives program shall be used by the Idaho Transportation Department (ITD) on local roads to mitigate the impact of adding new connections of state highways to interstate highways; and

WHEREAS, the Idaho Transportation Department (ITD) is expanding SH-16 and is adding a new connection to I-84; and

WHEREAS, roads under the jurisdiction of the Ada County Highway District (ACHD) and will be directly impacted by the expansion of SH-16; and

WHEREAS, ITD and ACHD have identified a list of transportation projects that will be affected by the expansion of SH-16; and

WHEREAS, the ITD and ACHD have drafted a Memorandum of Understanding (MOU) for the transfer FY 2024 Strategic Initiative Program Grant fund along with a list of approved transportation projects.

NOW THEREFORE BE IT RESOLVED, that the Board approves the selection of ACHD as the recipient of the identified FY 2024 Strategic Initiatives Grant Program funds in the amount of \$36 million for use on local roads impacted by the expansion of SH-16.

BE IT FURTHER RESOLVED, that the Board authorizes the Director to finalize and sign the MOU between ITD and ACHD on behalf of the Idaho Transportation Department and transfer \$36 million to the ACHD.

Strategic Initiative Grant Program – Local Transportation Grant application and process.

Chief Engineer Blake Rindlisbacher provided an update on the Strategic Initiative “Local Transportation” Grant Program. He reviewed changes to the application since last month. Maps from each large urban area, based on 2020 U.S. census data, were added. The maps depict boundaries for urban and rural areas to help determine project category eligibility. Category 1 - \$50 million is available for projects within a MPO area (limited to \$10 million), and Category 2 - \$50 million for projects outside a MPO area (limited to \$2 million). New language was added to Category 1 asking MPO representatives to submit a joint prioritization project list. Also, the application submittal time frame was extended to two months (July 1 – Sept. 1). The scored and ranked project list will be approved by the Board at its October 2023 meeting.

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

RES. NO. WHEREAS, the legislature amended and the governor approved changes to IC
ITB23-70 Section 40-719 (HB132 & SB 1189) to establish a Strategic Initiatives Grant
Program for local units of government; and

WHEREAS, the legislature has appropriated \$100 million to the Idaho Transportation Department (ITD) for the period of July 1, 2023 through June 20, 2024 for the purpose of funding the Strategic Initiative Grant Program and identified; and

WHEREAS, staff has drafted Strategic Initiatives Grant Program FY 2024 Local Transportation Grant Program application, evaluation and selection guidelines; and

WHEREAS, at the conclusion of the application, evaluation and project ranking process, staff will present a list of projects to the Board for final approval.

NOW THEREFORE BE IT RESOLVED, that the Board approves FY 2024 Local Transportation Grant Program details and authorizes staff to proceed with the call for local project nominations.

Add Beacon Light Road to Brookside Lane project to the Early Development Program.

District 3 Planning Manager Aaron Bauges reported the District requests adding the Beacon Light Road to Brookside Lane project to the Early Development Program in FY24. Developer Hunter Homes is contributing approx. \$3 million to widen SH-55 to a five-lane section with additional improvements estimated at \$10.7 million. ITD has an agreement with Hunter Homes, but these improvements fall outside the limits of their development and require right-of-way.

Vice Chair 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 Board supports the Idaho Transportation
ITB23-71 Department’s mission of safety, mobility, and economic opportunity; and

WHEREAS, Board Policy 4031 allows, upon request, the addition of projects into the Early Development Program of the Idaho Transportation Investment Program (ITIP); and

WHEREAS, the Idaho Transportation Department has recognized a need for coordination, plans, specifications and estimate development, environmental analysis and public outreach; and

WHEREAS, having a project in the ITIP provides maximum flexibility to work with the adjoining Developers in the area and reduces the schedule and timing risks associated with complex projects; and

WHEREAS, having a completed design and environmental clearance allows for right-of-way acquisition and the construction the project.

NOW THEREFORE BE IT RESOLVED, that the Board approves the inclusion of the Beacon Light Rd. to Brookside Ln., Boise project to the FY2023-2029 ITIP, Early Development Program with \$25,000.00 in FY24 preliminary engineering and \$250,000.00 in FY24 preliminary engineering by consultant funding for design.

Add Linder Road, Overland Road to Franklin Road, project to the Early Program.

District 3 Planning Manager Bauges stated the City of Meridian approached ITD last year regarding partnering with them and ACHD on the Linder Overpass and roadway project estimated at \$17.5 million. The project will build a new Interstate overpass – extending the road to four lanes with a separate pathway. ACHD plans to widen S. Linder Road from Franklin Rd. to Overland Rd. to five lanes with pathways, and it includes two pedestrian hybrid beacons and two bridge replacements. They have committed \$5.5 million and the City of Meridian \$2.5

million. Based on feedback received from District 3, 69.3% support the project. ACHD has also engaged in community meetings. Final design is anticipated by February 2024.

Vice Chair DeLorenzo stated she spoke to the City of Meridian's mayor, along with ACHD and COMPASS, all of whom support the project.

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

RES. NO. WHEREAS, the Idaho Transportation Board supports the Idaho Transportation
ITB23-72 Department's mission of safety, mobility, and economic opportunity; and
 WHEREAS, Board Policy 4031 allows, upon request, the addition of projects into
 the Early Development Program of the Idaho Transportation Investment
 Program (ITIP); and

WHEREAS, the Idaho Transportation Department has recognized a need for agency coordination, concept, plans, specifications and estimate development, environmental analysis, and public outreach; and

WHEREAS, having a project in the ITIP provides maximum flexibility to work with partner agencies as funding is secured and reduces the schedule and timing risks associated with complex projects; and

WHEREAS, having a completed design and environmental clearance allows for right-of-way acquisition and the construction (currently unfunded) of the project.

NOW THEREFORE BE IT RESOLVED, that the Board approves the inclusion of the I-84, Linder Rd. Overpass; Overland to Franklin project to the draft FY2024-2030 ITIP, Early Development Program with \$10,000.00 FY24 preliminary engineering funding for design.

State Highway Mitigation Avimor Agreement. Planning & Development Manager Vince Trimboli provided an update on the State Highway Mitigation Agreement with the Avimor Development. He reviewed the voluntary Avimor agreement and addressed concerns previously raised by the Board. Some highlights included Avimor will pay \$5,000 per residential unit, which is projected at \$48.5 million through 2055. Funds are for projects on SH-55 between SH-44 and Pearl Road. Changes to the agreement include reviewing the mitigation funds every 10 years, and the City of Eagle serving as the third party to collect and hold the mitigation funds – via a separate agreement between ITD and the City.

Avimor Legal Council Jeff Bower reviewed SH-55 Avimor's (Developer) and ITD's projects outlined in the agreement. There are five projects estimated at \$150 million Avimor agreed to construct at their cost. Projects include new interchanges at McLeod Way and Avimor Dr. ITD can widen SH-55 from Brookside Lane through the first canyon to Avimor Way using mitigation

funds or other locations along SH-55. Based on the estimated 300 units developed per year the annual mitigation fund is \$1.5 million. Avimor plans on building 9,700 home on 18,000 acres over the 32-year period.

In response to Member Kempton’s question regarding the criteria both parties will use to come to agreement on any “reasonable calculations” for mitigation fees (Proportionate Share Fee) adjustments, Avimor Legal Council Bower cited steps outlined in the agreement. He stated Avimor is committed; however, ITD can terminate if so desired. He clarified, as plats are designed and submitted to the City of Eagle, ITD is included in that approval process. P&DM Trimboli stated ITD’s staff analysis of the mitigation fee determined ITD would be even or a little bit ahead over the life of the agreement.

In response to Member Hoff’s inquire about what would happen if Avimor sold the property, P&DM Trimboli stated the purchasing entity would have to honor the agreement. Member Bulger also commented the agreement states it is recorded against the property.

Member’s Thompson, Osborn and Vice Chair DeLorenzo expressed support of the agreement.

Deputy Attorney Thomas clarified, that this is really a three party agreement also subject to the City of Eagle because of the annexation of Avimor. (ITD has a separate agreement with the City addressing mitigation funds.)

Member Kempton 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 Board is charged with considering the safety
ITB23-73 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, the Idaho Transportation Department and the City of Eagle have agreed to enter into an Intergovernmental Agreement whereby the City of Eagle will accept and hold funding provided by Avimor for subsequent use by ITD as highway mitigation funding; and

WHEREAS; the Avimor development is about 20,000 acres of mixed use development bisected by SH-55; and

WHEREAS; Avimor Development LLC has proposed a State Highway Mitigation Agreement in lieu of future traffic impact studies to determine future highway improvements; and

WHEREAS; ITD District 3 staff finds the agreement mutually beneficial.

NOW THEREFORE BE IT RESOLVED, that the Board approves staff to enter into a State Highway Mitigation Agreement with Avimor Development to help fund future highway improvements along State Highway 55 from SH-44 in Eagle to Pearl Road.

2024 ITD draft agency legislation. Government Affairs Manager Colby Cameron presented ITD's draft 2024 ITD legislation. To meet DFM's submittal date in August, staff will seek Board approval at the July board meeting.

1. Remove requirement to replace license plates every 10 years. Offset increasing program costs due to material cost escalation. Plates would remain in service as long as they are legible. Idaho State Police (ISP) is in support of this change.
2. Extend CDL credentials to 8 years – currently, only 4-year renewals are available. Will include online discount of \$5. Renewal fees are set in statute. Federal compliance needed by November 18, 2024, requiring drug and alcohol clearinghouse checks for CDL licenses. Not currently in Idaho Code.
3. Authorization for preclearance of commercial vehicles at Ports of Entry – ITD can remotely monitor and allow certain trucks to bypass the ports due to advancement of technology.

In response to Member Bulger's concerns regarding law enforcement's potential to leverage license plate legibility as probable cause, GAM Colby stated ISP and those involved would provide their best level of governance. Director Stokes added this legislation acknowledges efficiency, includes involvement from various advisory boards, and has been drafted with the best interest in terms of economic opportunity for citizens.

WHEREUPON, the Idaho Transportation Board adjourned its regular monthly meeting at 2:00 p.m.

Signed

WILLIAM H. MOAD, CHAIRMAN
Idaho Transportation Board

Read and Approved
July 19, 2023
Boise, Idaho