

REGULAR MEETING  
IDAHO TRANSPORTATION BOARD

December 13, 2023

The Idaho Transportation Board met at 8:30 AM on Wednesday, December 13, 2023, in Boise, Idaho. The following principals were present:

James R. Thompson – District 1  
Gary Osborn - District 2  
Julie DeLorenzo – Vice Chair, District 3  
Jim Kempton, Member – District 4  
John Bulger, Member – District 5  
Bob Hoff, Member – District 6  
Scott Stokes, Director  
Chief Deputy/Chief Operations Officer Dan McElhinney  
Lorraine Dennis, Executive Assistant to the Board  
Tim Thomas, Deputy Attorney General

Chairman William (Bill) H. Moad was absent. District 3 Vice Chair Julie DeLorenzo presided over the meeting.

Call Meeting to Order. Madame Chair called for a motion to amend the meeting agenda to remove the Subcommittee on State Highway System Adjustments Report and Executive Session items. The subcommittee meeting was not held and there were no executive items to discuss.

Member Bulger made a motion to remove those agenda items, seconded by Kempton, and the motion passed unanimously.

Safety Share. Public Information Officer Ellen Mattila reported the Office of Highway's 2023 Holiday Impaired Campaign. In partnership with the Idaho State Police, participants were given firsthand experience to test their impairment levels – many of whom underestimated how impaired they actually were. She shared an ITD produced video capturing their experience.

Board Minutes. Member Hoff made a motion to approve the minutes of November 15, 2023, seconded by Member Thompson, and the motion passed unanimously.

Board Meeting Dates. The next meeting is January 24, 2024 in Boise.

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

RES. NO. WHEREAS, consent calendar items are to be routine, non-controversial, self-  
ITB23-122 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 FY23 certification of receipts and disbursements, COMPASS local program additions, and contract award.

1) FY23 certification of receipts and disbursements. In accordance with Idaho Code Section 40-708, certification of receipts and disbursements must be approved by the Board, shown as Exhibit 563, which is made a part hereof with like effect. Financial Services requests approval to certify ITD's State Highway Fund cash balance of \$143,455,900 as of June 30, 2023.

2) COMPASS local program additions. The Community Planning Association of Southwest Idaho (COMPASS) requests to add three new projects to the approved FY23-29 and draft FY24-30 Statewide Transportation Improvement Program (STIP) using local funding. The projects are for an Interchange Justification Report (vicinity of I-84 and Ustick Road in Caldwell) - \$700,000; Fairview Avenue Bridge - \$8.6 million; and Emerald Street Bridge - \$16.5 million.

3) Contract to award. The low bid on the following project is more than ten percent over the engineer's estimate, requiring justification. KN#20207, Rapid Lightning Creek Bridge #5 project, LHTAC(1): contractor: N.A. Degerstrom for \$3,756,790.40.

#### Informational Items.

1) Contract awards and advertisements. There were five ITD and four Local contracts awarded that did not require Board approval for the month of November 2023. Year to date, from October 1, 2023 to November 30, 2023, 14 ITD and 10 Local contracts were bid, of which four ITD and four Local contracts requiring Board approval were awarded.

The list of projects currently under advertisement was provided.

2) Professional services agreements and term agreement work tasks report. From October 23, 2023 to November 19, 2023, 19 new professional services agreements and work tasks were processed, totaling \$6,408,168. Nine supplemental agreements to existing professional services agreements were processed during this period for \$2,263,711.

3) Non-construction professional services 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.' No agreements were executed during the previous month.

4) 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 1, 2022 to September 30, 2023, there were no appeals of

denied sign applications, 13 new sign applications were processed of which 10 were approved and three denied. There is a total of 1,213 signs statewide.

5) Monthly report of federal formula program funding through December 6. Idaho received \$184.2 million in obligation authority (OA) through January 19, 2024 via a continuing resolution. It includes \$35.2 million of Highway Infrastructure General Funds and \$45 million in Bridge Formula funds. FY24 OA through January 19<sup>th</sup> is 38.7% of apportionments. Allotted program funding through January 19<sup>th</sup> is \$167.2 million with \$233.8 million remaining as of December 6, 2023.

6) FY24 financial statements. Revenues to the State Highway Account from all state sources as of October 31 are ahead of forecast by 7.0% and revenues in the HDA are up 6.1%. State revenues to the State Aeronautics Fund are slightly below forecast by \$3.2%. The Department's expenditures were within planned budgets. Personnel costs savings of \$1.9 million is due to vacancies and timing. Contract construction cash expenditures in the SHA are \$272.1M for the first four months, and total construction expenditures from the five different funds sources total \$429.9M.

The balance of the long-term investments was \$179.9M as of the end of October. These funds are obligated against construction projects and encumbrances. The cash balance is \$116.2M. Expenditures in the Strategic Initiatives Program Fund is \$60.1M. Deposits into the Transportation Expansion and Congestion Mitigation Fund is \$41.0M. The Federal CARES Act provided \$27.3M for public transportation. FY24 expenditures are \$0.4M. Expenditures for the TECM bond program during this period is \$76.3M and \$10.2M for GARVEE.

Subcommittee on State Highway System Adjustments Report. This item was removed via a motion by the board members because no subcommittee meeting was held.

Director's Monthly Report. Director Stokes reported on ITD's 2024 legislative preparation and proposals, their upcoming schedule and outreach with contractors. Some highlights included they conducted their annual statewide legislative outreach sessions with local legislators to learn priorities and answer questions. Some topics discussed focused on infrastructure investment and project delivery.

CD McElhinney reported on the contract information he shared during the legislative outreach sessions. Some highlights included from October 2022 to October 2023, 61 projects were bid totaling \$667 million and 11% under the engineer's estimate. Contractors have the capacity to take on these projects, and next year, ITD anticipates 75 projects totaling \$900 million. A great milestone was reaching teaming with the Associated General Contractors Peer Review Advisory Group, various asphalt companies and ITD staff, and the new 405 specifications for Superpave hot mix asphalt was implemented for use in all new contracts to be advertised this fall/winter. Development of a simpler specification ensures quality project delivery with less risk of delay during production.

Director Stokes continued with the legislative outreach sessions stating they reported on DMV's Skip the Trip and the net cost savings. Some other report highlights included information on ITD's three legislative proposals: CDL enhancements, preclearance at Port of Entry and license plate replacements. On February 8<sup>th</sup> ITD will present its budget to the Joint Finance and Appropriations Committee. ITD director, chief deputy and district engineers completed a second annual fall statewide tour with AGC to facilitate three construction partnering workshops with contractor executives. They exchanged industry ideas and confirmed project capacity through 2026 and beyond.

ETS Manager Bill Finke provided a report on ITD's State Street datacenter relocation. The datacenter was moved to co-locate with Information Technology Services (ITS) at the Idaho Chinden Campus. Some highlights included the move was based on the HQ State Street flood in January 2022. The Board approved funding in February 2022 (\$2.9 million) with the actual move taking place from March 2023 to November 2023. Actual costs totaled \$1.67 million. All but one system was moved - with the exception of support equipment for remaining staff. He stated the move underscored the great collaboration between the agencies and thanked the ITD and ITS staff who were involved.

ITS Chief Information Officer Alberto Gonzales expressed his appreciation and thanks for the great working relationship between their agencies – citing it as a model to be followed amongst all 48 state agencies. He thanked Director Stokes for his leadership.

Director Stokes concluded his report. On December 8, the governor signed into effect the formation of the new Magic Valley Metropolitan Planning Organization.

Dealer Advisory Board annual report. DAB Chairman Jim White provided an update on the DAB membership, activities for the year, and on the Idaho Consumer Asset Recovery (ICAR) program. Some highlights included the DAB is at full complement - comprised of 11 members representing new, used, and RV dealers. Two new members began - replacing retiring members, and two more will start in 2024 filling existing vacancies. New officers were elected. He thanked former DAB Chairman Grant Peterson for his long-standing service. Chairman White stated one of the DAB's greatest accomplishments this year was reestablishing the lines of communication with ITD staff, which was accomplished in a special workshop session. The ICAR fund totals \$2.2 million with one pending claim and no payouts for 2023. Based on feedback from DAB, ITD implemented the use of new title paper. In conclusion, the DAB stands ready to assist and support ITD.

Freight Advisory Committee annual report. FAC Chairman Winston Inouye reported on FAC personnel changes, the freight plan, a new 129,000-pound route and various engagement activities. Some highlights included they have a potential candidate to fill the District 5 vacancy. Some members were able to attend the Transportation Board's outreach workshops this summer and appreciated being included. New FAC member Scott Corbitt replaced Dave Doeringsfeld upon his retirement. The 2023 Idaho Strategic Freight Plan was approved that includes 19 projects programmed from 2023 to 2026 totaling \$42.7 million. The FAC received

one 129K route application in the Jerome Highway District, off SH-25, that ties into an existing 129K state route. They attended an open house at the Port of Lewiston, sent a letter of support for the Huetter POE relocation addressing increased truck parking, and anticipate the final truck parking study to be complete this month.

In response to Member Kempton's question regarding the engineering study requirement for 129K routes and communication amongst the highway jurisdictions, FAC Chairman Inouye stated he has received feedback concerning a lack of uniformity. He recognizes the need for a communication plan to approach the legislature on implementing changes.

CE Retirement. Madame Chair recognized Chief Engineer Blake Rindlisbacher, who has 32 years of service with ITD, on his upcoming retirement. Board members and staff thanked him for his service. CE Rindlisbacher reciprocated and expressed his appreciation and gratitude.

Strategic Initiatives Program Local Transportation Grant Program (LTGP). CD/COO McElhinney stated the Board had an opportunity to review the recommended LTGP projects last month, to which no changes were made. Staff has worked closely with the MPOs. He also pointed out the list of projects not recommended for award that are ready to go should future funding become available.

Planning Manager Scott Luekenga reviewed next steps for the LTGP. Steps include notifying all applicants, executing MOUs with the grant awardees, initiating funding distribution, and preparing for construction. Tracking and monitoring progress will take place from February through November 2024. Staff will provide a status update to the Board in November.

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

RES. NO.        WHEREAS, the legislature amended, and the governor approved changes to IC  
ITB23-123        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 strategic initiatives program which 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, fifty percent (50%) of the funds appropriated to the strategic grant program shall be awarded to large urban areas that have a population greater than fifty thousand (50,000), and fifty percent (50%) of such funds shall be awarded to rural areas or to small urban areas with a population that is less than fifty thousand (50,000); and

WHEREAS, the Idaho Transportation Department has established the Local Transportation Grant Program (LTGP) for the identification and selection of projects in large urban, small urban and rural areas; and

WHEREAS, ITD, in collaboration with Idaho’s Metropolitan Planning Organizations (MPOs), have selected projects for recommendation of grant awards to the Idaho Transportation Board in large urban and small urban and rural areas; and

WHEREAS, the ITD and the selected grant recipients will execute a Memorandum of Understanding (MOU) for the transfer of Local Transportation Grant Program funding.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the recommendations of the LTGP applications identified in Table A - SIP Local Transportation Grant Program (Projects Recommended) list as submitted in this Board item, shown as Exhibit 564, which is made a part hereof with like effect, as the recipients of the identified Local Transportation Grant Program funding.

*BE IT FURTHER RESOLVED*, that the Board authorizes the Director to finalize and sign the MOUs between ITD and the LTGP awardees on behalf of the Idaho Transportation Department.

Board Unallocated Funds for Highway Historical Markers. Environmental Manager Wendy Terlizzi reviewed the history, and original and proposed phases for the Highway Historical Markers (HHM) replacement projects that were presented to the Board last month. The proposal is to replace all 270 HHM in addition to 100 new HHM. The project funding is programmed over a 3-year period. The first phase increases FY24 funding for signs in Districts 1 and 2 totaling \$324,066.

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

RES. NO. ITB23-124      WHEREAS, the Idaho Transportation Board approved \$672,100 to be used in the update and replacement of Highway Historical Markers in the poorest condition; and

WHEREAS, the Highway Historical Markers is a cooperative program between the Idaho State Historic Society and Idaho Transportation Department; and

WHEREAS, the Idaho State Historic Society has statutory authority over the topics and verbiage on the markers and the Idaho Transportation Department has authority of maintenance and replacement of the markers; and

WHEREAS, 270 existing markers will be updated and replaced, and 100 new markers will be developed and installed, and no markers will be permanently removed; and

WHEREAS, the replacement of the Highway Historical Markers will be completed in time for the Sestercentennial (250 year) celebration of the United States in 2026; and

WHEREAS, it is in the public's interest for ITD to improve and replace all the Historical Highway Markers statewide; and

WHEREAS, District 1's project KN 23100, shall be increased by \$118,233 and District 2's project KN23101 shall be increased by \$205,833; and

WHEREAS, staff is directed in the next program update, to increase the amounts for:

District 3 (KN 23102) by \$161,733

District 4 (KN 23103) by \$ 129,933

District 5 (KN 23104) by \$181,633

District 6 (KN 23105) by \$129,133

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the Historical Highway Markers projects in Districts 1 and 2 be funded with \$324,066 of FY2024 Board Unallocated Funds.

In response to Madame Chair's question regarding the sign's durability, EM Terlizzi replied the new signs are made from aluminum versus plywood and have been improved.

Transportation Expansion & Congestion Mitigation (TECM) bond drawdown summary. TECM Engineering Manager Shawna King presented milestones, a summary of the current bonds, and a summary drawdown as of the end of November 2023. Some highlights included the 2022A Series TECM bonds (T22A) totaling \$216.0 million closed in April 12, 2022 and the 2023A Series (T23A) totaling \$398.6 million closed in April 27, 2023. EM King reviewed the TECM Drawdown Report, shown as Exhibit 565, which is made a part hereof with like effect. The report lists the projects by corridor, project, category of work, and funding balances. Both T22A and T23A met the required 5% drawdown requirements within the first six months. Projections for meeting the T22A and T23A 85% drawdown requirement within 36 months are August 2024 (due April 2025) and April 2025 (due April 2026) respectively. Bond payouts for each series were also depicted graphically.

TECM 2024 Spring Bond Sale. TECM Engineering Manager Shawna King reviewed the 12 proposed projects for inclusion in the spring 2024 bond sale that was presented to the Board last month. Some highlights included there are six new construction projects totaling \$378 million (represents 70% of the construction costs). The I-84 Burley (now under contract) and

Heyburn (bid December 12, 2023) Interchanges projects will utilize State pay-as-you go funds until the bond sale. The three already bonded design and right-of-way category projects total \$14 million, and the three new development category projects total \$8 million. The grand total for the proposed bond amount is up to \$400 million.

Controller Justin Collins reviewed the bond sale schedule. Some highlights included the Idaho Housing and Finance Association (IHFA) is anticipated to give approval at its December 15 meeting. By next week, draft documents will be submitted to the rating agencies with final ratings received the week of January 8, 2024. Pricing is scheduled to occur the last week of January or first week of February, with closing approximately 45 days later.

CD/COO McElhinney reiterated depending on bond market advisors and market rates, they may consider splitting the \$400 million bond amount in half.

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

RES. NO.        WHEREAS, the Idaho Transportation Board (Board) is charged with determining  
ITB23-125        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 § 40-720 established the Transportation Expansion and Congestion Mitigation (TECM) Fund and ability to use the funds for bond debt service, and House Bill 362 (FY21) increased the sales tax distribution annually and sustainably for large infrastructure projects on the state highway system;  
and

WHEREAS, the Board has approved a list of eligible Corridors to define the focus of the TECM expansion program and the advantages of this approach; and

WHEREAS, the Idaho Legislature, through Title 40, Chapter 7 of the Idaho Code, as amended, authorizes the Board to request the Idaho Housing and Finance Association (IHFA) to issue bonds for financing all aspects of highway projects eligible for TECM funding as recommended and approved by the Board; and

WHEREAS, there will be prepared a Preliminary Official Statement and related bond documents relating to each series of the bonds and the distribution thereof to potential bond purchasers and the distribution to all actual purchasers of the bonds of a final Official Statement relating to the bonds to be authorized; and



WHEREAS, other bonding documents will also need to be executed setting forth the applicable series of bonds.

*NOW THEREFORE BE IT RESOLVED*, by the Board as follows:

1. Pursuant to Idaho Code 40-720, the Board approves the Projects referenced and defined below and recommends to IHFA the financing thereof through the issuance of the bonds to fund \$400,000,000 for the project costs listed below that are approximately:

- I-90, SH-41 to Coeur d'Alene in the amount of \$61,000,000;
- US-95, Spalding Bridge & US-12, Arrow Bridge in the amount of \$4,000,000;
- SH-16, SH-44 Interchange in the amount of \$46,000,000;
- I-84, SH-44 Interchange (exit 25) in the amount of \$2,000,000;
- SH-55, Farmway to Middleton in the amount of \$8,000,000;
- I-84, Burley and Heyburn Interchanges in the amount of \$130,000,000;
- I-15, Pocatello to Blackfoot in the amount of \$149,000,000

provided that if savings are determined on one or more projects, such savings may be allocated to any other projects listed above. Further, the said funds are necessary to meet program obligation requirements and are to be used and disbursed in accordance with US Treasury regulations for tax-exempt bonds. In addition, otherwise unobligated moneys are expected to be received and held in the TECM Fund as needed and subject to continuing appropriation to meet the bond debt service obligations. The bonds are to be issued at prevailing market rates of interest.

2. The Chairman and/or Director is hereby authorized and directed, for and in the name and on behalf of the Board to execute the following bonding documents and any other documents required for the closing of the bonds setting forth the terms of the applicable series of bonds together with such additions or changes in the form thereof as may deem necessary or advisable, such approval to be conclusively evidenced by the execution of said bonding documents as so added to or changed.

Master Financing Agreement  
Final Official Statement  
Supplemental to Master Financing Agreement  
Master Trust Indenture  
Series Trust Indenture

3. Further, the Board and ITD will keep books and records of all expenditures and will make a reimbursement allocation, which is a written allocation that evidences the use of proceeds of the bonds for Project expenditures no later than 18 months after the later of the date on which the expenditure is paid or the related Project is placed in service or abandoned, but in no event more than three years after the date on which the expenditure is paid. Finally, that this resolution evidences the Board's intent and reasonable expectation under Treas. Reg. Section 1.150-2 (d)(1) to use the proceeds of the bonds to pay certain costs of the Projects and to

reimburse the Board and ITD for expenditures for the costs of the Projects paid prior to the issuance of the bonds to the extent permitted by federal tax regulations.

Public Transportation Advisory Council annual report. PTAC Chairman Ryan Luttmann reported on PTAC's 2022 – 2025 goals, successes, concerns from providers, initiatives, and recommendations. Some highlights included PTAC continues its statewide efforts on human trafficking awareness, supporting providers in education and implementation of electric vehicles, and soliciting feedback to advise ITD on funding allocations. Some successes reported statewide included an integrated mobility innovation application, free bus fare for kids in Lewiston, and Twin Falls Transit, Mountain Rides operating its first month fully electric. Providers have expressed concern on limited sources of funding, lack of engagement, and inflation. Some PTAC initiatives are to expand provider-to-provider connectivity, reinstate public transportation in District 4 and serve as ambassadors. Chairman Luttmann stated PTAC recommends expansion of eligibility parameters for in-state training on the Rural Transportation Assistance Program, continued support on reviewing funding award applications, and input on CARES funding use.

In response to Member Hoff's question regarding ridership, PTAC Chairman Luttmann replied there is an increase in northern Idaho primarily due to housing and rental pricing. Many people are moving to rural areas where transit is not available, so they are looking at solutions.

Public Transportation Office annual report. Public Transportation Manager Ron Duran reported on PT's projects, successes, and initiatives. Some highlights included over 1.95 million statewide trips are taken per year, which is more than 7.7 million annual miles. PTM Duran highlighted seven statewide projects from electric buses and charging stations and replacement service vehicles to ADA sidewalk improvements and microtransit operations. Microtransit is tech-enabled shared transportation that is between fixed routes providing on-demand, door-to-door service. The PT office is managing 90 capital and operating projects. In 2022, the Greater Idaho Falls Transit (GIFT) won a city achievement award for serving 5,000 passengers in a month. PT is working with the Communication's Office to feature new PT providers in ITD's Transporter Newsletter, forming a Micro-Transit Alliance with Idaho Falls and Twin Falls, planning its 2024 summit, and engaged in outreach and stakeholder connections.

Division of Human Resources annual report. Human Resources Officer Haley Westenskow provided an update on DHR's modernization that was effective June 2023. ITD has 14 DHR staff members providing direct support – that does not include training staff. In June, all DHR staff attended an onboarding summit. HRO Westenskow reported on DHR's learning and development model, LUMA, and HR activities. Some highlights included the new statewide tiered approach to learning opportunities is underway such as the creation of the employee and management academies. The LUMA implementation, which is the state's new reporting system, is ongoing. ITD's total turnover rate from FY19 (10.1%) to FY23 (17.3%) is up 7.2%. As of December 11<sup>th</sup>, there were 39 vacancies of the 1592 budgeted full-time positions. In FY23 ITD had 261 new hires – up by 10 from FY22, and 273 separations down by 11 from FY22.

Employees in specific technical classifications either received a retention or sign-on bonus, and the staff in Horizontal Career Paths received increases from step pay rate adjustments. DHR is stepping up their recruitments efforts by doing more job fairs, broader job postings and allowing all candidates to be referred on the hiring list.

District 2 and 3 Zero Fatalities Award. Chief External Affairs Officer Mollie McCarty presented awards recognizing ITD maintenance staff from sheds in Latah, Clearwater and Adams Counties for their contribution in keeping the roads clear and crash-free in 2022. Previously this year, six other counties were recognized. CEO McCarty noted fatalities are typically higher during the summer months. To-date, fatalities are higher than ITD would like. Data is tracked annually.

Employees who were honored were not present; however, they will receive a certificate and safety coin.

Executive Session on Legal and Personnel Issues. This item was removed because there were no issues to discuss.

WHEREUPON, the Idaho Transportation Board adjourned its regular monthly meeting at 11:19 a.m.

Lunch with the Local Technical Assistance Council (LHTAC). The Board had an informal joint lunch session with LHTAC.

Signed

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JULIE DELORENZO, VICE CHAIR (Presiding Chair)  
Idaho Transportation Board

Read and Approved  
January 24, 2024  
Boise, Idaho