

FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

MEETING MINUTES

September 16, 2022 • 8:00 a.m. – 1:00 p.m. • Spokane Valley, WA

TVW Recording

In Attendance

BOARD MEMBERS

| | | |
|--------------------|-------------------------------|---------------------------------|
| Dan Gatchet, Chair | Temple Lentz | <i>Not Present:</i> Erik Hansen |
| Leonard Barnes | John McCarthy | |
| Peter Bennett | Roger Millar | |
| Matt Ewers | Art Swannack | |
| Johan Hellman | Ben Wick | |
| | Ex officio Aaron Hunt-By Zoom | |

FMSIB STAFF

Brian Ziegler, Director
Sally A. See, Executive Assistant

GUEST PRESENTERS

Brandi Colyar, Spokane County
John Homan, City Manager and Adam Jackson, Sr Engineer, Spokane Valley
Andrew Johnsen and Daryl Ness of Columbia Strategic Consulting Group
Ron Pate, WSDOT
Representative Jake Fey

Meeting Convenes

Chair Gatchet requested that Board members introduce themselves, as well as FMSIB Staff. All guests were then asked to introduce themselves.

Chair Dan Gatchet convened the meeting at 8 a.m. and stated this board meeting is being conducted in accordance with state and local health guidelines regarding COVID-19 and public meetings. Some members of the public and some participants may choose not to participate in person, so the meeting is being conducted via Zoom teleconferencing software. The meeting is also live-streamed on TVW, and archives of the broadcast will be available shortly after today's meeting. This is an open public meeting and all provisions of the Open Public Meetings Act (OPMA) apply, as amended by recent orders of the Governor.

Public Comment

No one stepped forward.

Status of Chair Replacement

Chair Dan Gatchet announced that Governor Inslee had appointed Councilperson Temple Lentz as the new Chair to become affective at the November 18 Board meeting.

Motion Item: Motion made to amend the agenda to allow the Board to go into immediate Executive Session.

Chair Gatchet entertained a motion to amend the agenda for the FMSIB Board to go into Executive Session.
Mayor McEnerny-Ogle moved to amend the agenda. Councilmember Lentz seconded.

MOTION CARRIED

FMSIB Board was in Executive Session for 30 minutes. (8:06 – 8:36)

Director Transition Plan

Director's Transition Plan was not discussed

Approval of Minutes

Motion Item: Adoption of June 2022 Meeting Minutes

Chair Gatchet entertained a motion to adopt the June 2022 meeting minutes as presented.

Commissioner McCarthy moved to accept the minutes as amended. Mr. Ewers seconded.

MOTION CARRIED

Comments on Project Tour September 15th

All comments were positive and thanked Councilmember Wick and his staff for putting together a great tour. It was particularly helpful to see the projects in progress and hear about how much community support there has been. Commissioner Swannack mentioned issues he sees that may arise, e.g., the heightened road over the railroad tracks, as well as some potential environmental issues. Chair Gatchet worries about the smaller roundabouts as they were not truck friendly. He was happy about the majority of utility work being done ahead of time. Councilmember Wick spoke to the issues and benefits of the projects that were toured.

FMSIB Budgets and Director's Report

Please see the board meeting packet for the complete report on Director Ziegler's activities since the June 2022 Board meeting.

Key Topics:

Operating and Capital Budgets

Director Ziegler presented the latest budget standings in both Operating and Capital Budgets. Spreadsheets can be found in the board meeting packet.

Project Updates

In preparation for budget development, FMSIB staff contacted all active project sponsors in order to assess their planned delivery for the remainder of this biennium. Those revised expenditure forecasts show that most projects will be completed this biennium. Staff will provide an update on those few projects that are "carrying over" into next biennium.

Spokane County continues active delivery on three phases of the Bigelow Gulch Road corridor, specifically Phases 2, 3, and 6. The Sept. 15 bus tour itinerary included a review of this corridor to see phases that are complete, in progress, and scheduled to start. Representatives from Spokane County were at the Sept. 16

Board meeting in order to update the status of Phases 2 and 3, as well as request a reactivation of Phase 2. A separate briefing paper is provided in the packet on this topic.

The City of Spokane Valley continues active delivery on the Pines Road Crossing project. This project was a part of the Sept. 15 bus tour. The City is requesting FMSIB reactivate the project and provide “final dollars” so that the project can go to construction. A separate briefing paper is provided in the packet on this topic.

Freight Policy Advisory Committee (FPAC)

This FMSIB Committee was formed to develop recommendations to the Board regarding the provisos in FMSIB’s 2021-23 Budget. The Committee members include Committee Chair Ben Wick, Leonard Barnes, Matt Ewers, Anne McEnery-Ogle, and Temple Lentz. FMSIB Chair Dan Gatchet has been attending meetings, as well as Ron Pate and Jason Beloso from WSDOT.

Leading up to the June Board Workshop, FPAC discussions focused on Truck Parking (April 25), Inland Intermodal Facilities (May 9), and Zero Emissions (May 23). The June Workshop focused on these same topics and discussed how FMSIB’s budget proposal (due Sept. 20) might reflect these topical areas and other project investments.

The FPAC has met eight times since the June Board meeting and as of the Sept. Board meeting. Their focus has been to review the 160+ projects submitted by MPOs, RTPOs, and ports. The committee has also continued to evaluate statewide proposals and discuss whether budget decision packages are appropriate for any projects.

Budget Development

FMSIB staff have been meeting with project sponsors, budget staff, legislative and OFM staff, and FPAC members to develop a comprehensive list of budget options to consider. At today’s meeting, two project sponsors will be presenting their case for increased funding on their projects. All the options and budget decisions that affect the 2023-35 biennial budget will need to be finalized at today’s meeting since those decisions are due to the Governor on Sept. 20. We have a little more time to assemble the 2023 supplemental budget decision packages since those are not due until Oct. 4.

Board Member Reports

Commissioner Swannack – Took part in a presentation to Whitman County in regard to CRAB and FMSIB funding.

Mr. Hellman – Reported on being able to assist in averting an impending railroad strike. A tentative agreement has been reached after a three-year process. President Biden’s leadership led to the breakthrough that enabled this agreement to move forward. Salmon Bay Bridge received a \$25M grant. This is an important piece of infrastructure. Thanks to WSDOT, Senator Cantwell, and all those involved in making it happen.

Commissioner McCarthy – ILWU contract expired and they’ve been in negotiation. There are two problematic areas: Terminal 5 in Seattle and automation. Everyone is working well together. Negotiation includes wage increases and making them retroactive. Chair Gatchet commented on how much more money the steamships are making in cargo charges, so they seem to have the money to negotiate in good faith. Jurisdictional areas are also a part of the negotiations. Mr. Bennett commented that the wage v earnings issue is being discussed as well.

Mayor McEnerney-Ogle – Washington State Transportation Commission was in Vancouver, so the Mayor met with them. They discussed the I-5 Bridge, transit, freight, and the Port of Vancouver.

Councilmember Wick – UTC decision is going to be one to watch. It concerns maintenance of rail crossing projects. The question before the Commission is “Who is responsible for paying for it?” It could have some large implications.

Secretary Millar – Working with Washington Asphalt Association., AGC, Washington Building and Trades Council, and the State Senate on a Work Zone safety initiative. There’s been a significant uptick in incidents in construction and maintenance work zones. WSDOT is working to take a fresh look at work zone safety. One thing they’re doing is working more in the daylight hours, completing jobs to finish instead of starting and stopping. He also spoke to things that are happening in the passes and the highways that have had to be shut down for fires, floods, and landslides. He’s going to attend an ITS conference. In October he’s going to the AASHTO annual meeting and believes that he will be voted as the President of AASHTO.

Mr. Ewers – Trucking Association wants to participate in a carbon-free environment. It’s going to take a multi-jurisdictional approach. Some thoughts are smaller trucks or go electric. Would like to do this quickly, but there are some environmental and safety issues involved in moving too quickly. Also discussing hydrogen on a more regional level because it takes a lot of infrastructure to put that into place. Working to put together a long-term plan knowing diesel is going to be around for a long time. Would like to implement multi-power options. Trucking is trying to be part of the solution. Commissioner Swannack brought up the work that’s being done on full electric engines for long-haul trucks. It’s just going to take a lot of time to implement all the updates/changes.

Budget Decisions Today – Overview

Director Ziegler referred members to the FMSIB 2023-25 Budget Options and Decisions spreadsheet in Board packet. FMSIB’s budget package is due to the Governor next Tuesday (Sept. 20). Secretary Gatchet briefly went over the decisions that need to be made during this Board meeting. These are outlined below.

Operating Budget Decision Packages

Director Ziegler presented the three Supplemental Operating Budget decisions that need to be made. See FMSIB Operating expenses spreadsheet in Board packet.

Motion Item: Approve Supplemental Operating Budget request for \$21,000 to complete ongoing SAO Audit.

Chair Gatchet entertained a motion to submit Supplemental Operating Budget request for ongoing audit.

Secretary Millar moved to approve request for funding. Mr. Ewers seconded.

MOTION CARRIED

Motion Item: Approve Supplemental Operating Budget request for \$31,000 for Director Ziegler’s separation buyout.

Chair Gatchet entertained a motion to submit Supplemental Operating Budget request for buyout funding.

Secretary Millar moved to approve the buyout funding. Mr. Barnes seconded.

MOTION CARRIED

Motion Item: Approve Supplemental Operating Budget request for \$36,000 to fund new Director’s transition.

Chair Gatchet entertained a motion to submit Supplemental Operating Budget request for transition funding. Mr. Ewers moved to approve the transition funding. Mayor McEnerny-Ogle seconded.

MOTION CARRIED

Capital Budget Decision Packages

Director Ziegler presented the two Capital Budget decisions that need to be made. See FMSIB Operating expenses spreadsheet in Board packet.

WPPA Marine Cargo Forecast Policy Decision

Motion Item: Include FMSIB WPPA 2023 Marine Cargo Forecast study request in the FPAC Report.

Chair Gatchet entertained a motion to include Marine Cargo Forecast study in FPAC Report.

Secretary Millar moved to include request for study funds in the FPAC Report to the Governor. Mr. Ewers seconded.

MOTION CARRIED

FMSIB/WSDOT 2023 Inland Intermodal Facility Feasibility Policy Decision

Director Ziegler presented an opportunity to submit a Decision Package asking for \$200-\$300K to conduct a study on Inland Intermodal Facilities Feasibility in the FMSIB budget request due to the Governor by September 20.

Instead of a Decision Package, the subject will be included in the FPAC Report for Legislative approval.

Motion Item: Approve submittal of FMSIB/WSDOT 2023 Inland Intermodal Facility Feasibility study in the FPAC Report

Chair Gatchet entertained a motion to submit 2023 Inland Intermodal Facility Feasibility study in FPAC request and include it with the FPAC Report to the Governor.

Secretary Millar moved to include request for study funds in the FPAC Report to the Governor. Mr. Ewers seconded.

MOTION CARRIED

Project Updates/Requests

Spokane County's, Bigelow Gulch, Phase 3 to Phase 2 Transfer Request

Presentation was made by Brandi Colyar of Spokane County. Spokane County is requesting Reactivation of the Bigelow Gulch Phase 2 project with a funding allocation and transfer total of \$2.29M. (Presentation and briefing paper are included in the Board packet.)

Motion Item: Approve to reactivate project, \$1.69M from the Legislature, and transfer of the unexpended Phase 3 funding (\$600,000) for Bigelow Gulch Phase 3 to Phase 2.

Chair Gatchet entertained a motion to reactivate project, \$1.69M from the Legislature, and transfer of the unexpended Phase 3 funding (\$600,000) for Bigelow Gulch Phase 3 to Phase 2.

Mr. Bennett moved to approve the motion. Mr. Barnes seconded. Councilmember Wick recused.

MOTION CARRIED

City of Spokane Valley, Request for Pines Road be Reactivated

Chair Gatchet introduced the proposal and Director Ziegler gave a brief re-cap. Presentation was made by Spokane Valley's John Homan, City Manager and Adam Jackson, Sr. Engineer. Spokane Valley requesting that the Pines Road project be Reactivated. (Presentation is include in the Board packet.) Andrew Johnson of the Columbia Strategic Consulting Group provided some follow-up on this project.

Motion Item: Spokane Valley's Pines Road be Re-Activated.

Chair Gatchet entertained a motion to Reactivate Pines Road project.

Mayor McEnerny-Ogle moved to Reactive Pines Road project. Secretary Millar seconded. Councilmember Wick recused.

Motion amended: Recommend up to \$5M FMSIB funding be allocated, contingent on whether WSDOT and TIB award funding will share in the project's cost, thereby reducing FMSIB's share.

Chair Gatchet entertained a motion to amend previous motion.

Secretary Millar moved to amend previous motion. Mr. Ewers seconded. Councilmember Wick recused.

MOTION CARRIED

WSDOT Truck Parking Report

Secretary Millar introduced the subject and briefed the Board that the Governor has requested a report in regard to Truck Parking. The report will be delivered to the Governor in October of 2022. Mr. Ron Pate of WSDOT presented a brief of what the Truck Parking Report will consist of. A report will be presented to FMSIB at the November Board meeting.

Phase 2 Proviso Report – FPAC Report

FPAC Chair Commissioner Ben Wick and Councilmember Temple Lentz spoke to the submittal of a proposed project list from MPOs, RTPOs, and ports to the Legislature within the FPAC Report due December 1. The process of reviewing the applications submitted will be cumbersome, given the many factors involved in each. (See FMSIB Phase 2 Proviso Report of Submittals in Board packet.)

FPAC Phase 2 proviso project recommendations will need to be validated in order to narrow down the list of 166 projects submitted by MPOs, RTPOs, and ports. The need for consulting services to assist with project validation requires funding by the Legislature. This funding request will be included in the FPAC Report to the Legislature, as well as an Executive Summary to the Governor.

FPAC Committee workplan during the next five meetings before the November Board meeting:

- a. Initial Prioritized list (2023, 2024)
- b. Final Prioritized Lists (by Freight Target Area)
- c. Draft Report
- d. Present proposed report at the November Board Meeting

Status Report on SAO Audit

Chair Gatchet noted that the audit is straight forward and he sees no issues moving forward. There is a briefing paper in the Board packet for review. This will be discussed at the November Board meeting.

"Day on the Hill" – January 19, 2023

The need for a "Day on the Hill" was discussed. Subjects of discussion with Legislators should include: FPAC list of project applications, future freight needs, FMSIB accomplishments, and the future of FMSIB. Mayor McEnerny-Ogle suggested that we invite legislative members to the FMSIB Board meetings as well.

Board members agreed that the "Day on the Hill" for January 19, 2023 should move forward.

2022 FMSIB Annual Report

Consultant Kjrjs Lund continues to follow through with layout and content of the FMSIB Annual Report. More information will be provided at the November Board meeting.

The Future of FMSIB

Representative Jake Fey presented information on the future of FMSIB and potential legislation he and staff are considering. Here are the points he discussed:

- a. FMSIB will remain an independent agency.
- b. Board membership changes to be requested. (One additional Truck Representative, and two new areas for possible consideration.)
- c. FMSIB selects priority freight projects, but focus on strategic needs statewide, but not on Calls for Projects.
- d. "Lock-box" for funding FMSIB-selected projects.
- e. WSDOT will possibly "manage" projects for FMSIB.

Next Meeting

Board Action Item: Consideration to hold the November 18, 2022, FMSIB Board meeting in Tukwila/Southcenter, WA.

Chair Gatchet entertained a motion to hold the next Board meeting on November 18th in Tukwila, WA.

Commissioner Swannack moved to hold the next FMSIB meeting on November 18 in Tukwila, WA. Mr. Barnes seconded.

MOTION CARRIED

Meeting Adjourned

Chair Gatchet adjourned the meeting at 1 p.m.

Summary of Board Motions:

- 1) Motion for Executive Session. Held 8:06-8:36 a.m. (page 1)
- 2) Adoption of June 3, 2022, Board Meeting Minutes. (page 2)
- 3) Approve Operating Budget request for \$21,000 to complete ongoing SAO Audit. (page 4)
- 4) Approve Operating Budget request for \$31,000 for Director Ziegler's separation buyout. (page 4)
- 5) Approve Operating budget request for \$36,000 for to fund new Director's transition. (page 4)
- 6) Approve submittal of WPPA 2023 Marine Cargo Forecast study. NOT approved. (page 5)
- 7) Approve submittal of FMSIB/WSDOT 2023 Inland Intermodal Facility Feasibility study. Not approved. (page 5)
- 8) Approve Spokane County, Bigelow Gulch Phase 3 to Phase 2 Transfer Request. (page 5)
- 9) Approve City of Spokane Valley, Pines Road Re-Activation. (page 6)
- 10) Approve January 2023 Board's "Day on the Hill". (page 7)
- 11) Adoption to hold the November 18, 2022 FMSIB Board meeting in Tukwila/Southcenter, WA. (page 7)

Summary of Future Agenda Items:

- 1) Truck Parking
- 2) SAO Audit
- 3) FMSIB Annual Report



Dan Gatchet
Chair



Attest: Brian Ziegler
Director