

FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

MEETING MINUTES

September 6, 2024 • 9:00 am – 1:00 pm • Spokane, WA

<https://twv.org/watch/?eventID=2024091036>

TVW Recording

In Attendance

BOARD MEMBERS

Temple Lentz, Chair

Leonard Barnes

Peter Bennett

Marshall Elizer designee for

Secretary Millar

Matt Ewers

Al French

John McCarthy

Anne McEnerny-Ogle

Art Swannack

Phil Wallace

Ben Wick

Not Present:

Erik Hansen

Johan Hellman

Aaron Hunt Ex

officio

FMSIB STAFF

Kjris Lund, Executive Director

Sally See, Executive Assistant

GUEST PRESENTERS

Jay Drye, WSDOT Local Programs

Brian Murphy, BERK

Katherine Cortes, BERK

Erinn Ellig, Parametrix

Don Ludlow, CPCS

Jia Yuan, CPCS

John Eggers, COCS

Meeting Convenes

Chair Lentz convened the meeting at 9:00 am.

Chair Lentz requested that Board members, FMSIB staff, and guests introduce themselves.

Public Comment

Chair Lentz asked if anyone would like to share any public comment.

No one stepped forward.

Approval of Meeting Minutes

Commissioner Swannack moved to adopt May 31, 2024 Board Meeting Minutes. *Mayor McEnerny-Ogle* seconded.

MOTION CARRIED

Councilmember Wick moved to adopt August 12, 2024 Special Board Meeting minutes. *Mayor McEnerny-Ogle* seconded.

MOTION CARRIED

FMSIB Chair Report

Chair Lentz announced the hiring of FMSIB's new Executive Director Brandy DeLange. She will begin on September 16th and Director Lund will overlap her tenure with the new Director to ensure a smooth transition. Director Lund will be leaving FMSIB mid- to late- October. Ms. DeLange is coming from AWC and brings a lot of experience and energy. The Board expressed that they were very happy to have Brandy joining the team.

Chair Lentz noted that FMSIB has been honored to have Kjris Lund serve as Interim Executive Director. "Kjris has done a lot of important work to keep FMSIB moving forward, and we thank her for that." Mr. Ewers led a chorus of thank yous from the entire FMSIB Board.

Mr. Wallace has agreed to work with Executive Director Tracy Burrows of MRSC regarding the JTC study on streamlining the delivery of local transportation projects. Mr. Wallace noted that the study group's first meeting will be September 16th.

Chair Lentz presented gifts of appreciation to Kjris Lund and Matthew Ewers. Mr. Ewers term representing the Trucking Industry on the FMSIB Board has expired.

FMSIB Executive Director Report

Director Lund informed the Board about the Work Plan in their packet that will be shared with the new Executive Director to assist with the transition.

Lund referred to additional information in the Board packet outlining the Decision Packages that she proposes go to the Legislature and the Governor for the 2025 Legislative session. She hopes to get a vote from the Board for moving forward with the packages, although the language in the documents will be more precise when they are submitted. The attached documents were reviewed as to the basic requests that she proposes to make. Director Lund will be working with WSDOT Budget Doug Clouse, OFM, as well as Board member Erik Hansen and Director DeLange as to the specific needs of the Decision Packages. A final vote will be taken at the September 24th, 2024 Special Board meeting.

Chair Lentz opened the floor for a motion.

Board Member moved to approve the approach and direction that Director Lund is moving toward in the attached decision packages. Board Member seconded.

MOTION CARRIED

(See attachments: FMSIB Operating Budget Spreadsheet, Director's Workplan, and Proposed Decision Packages.)

FMSIB Capital Budget Report

Chair Lentz requested that Jay Drye, Director of Local Programs, WSDOT address the FMSIB Capital Budget.

Mr. Drye addressed the attached FMSIB Capital Budget Spreadsheet included in the Board packet.

Many of the FMSIB requested projects are now under agreement and momentum is moving forward on next steps. There are a number of projects going to ad now and moving forward with Right-of-Way (ROW). He did bring attention to Spokane Valley's South Barker Rd project which had been granted Construction funds. Spokane Valley is now asking for those funds to be used instead for

ROW as a phase adjustment. This will be reviewed by the FPAC Committee for approval. A second project asking for scope approval is the Port of Kalama Industrial Rail project. They have asked that the ROW funds include Engineering as a phase update. This too will be considered by the FPAC Committee at their October 3rd meeting. If decided by FPAC, the two project updates could go in front of the Board for a vote on October 10th.

Commissioner Swannack asked about the Port of Kalama project. FMSIB voted not to move forward on that project but the Legislature put it back into the Transportation Budget. Mr. Drye confirmed that the Legislature did approve the project be included in the Supplemental Budget.

Director Lund asked about the reporting that Local Programs provides to the Legislature. Mr. Drye stated that they provide the Legislature with a list of the continuing projects and if, in their opinion, there will be funding items that will need to be addressed as the biennium moves forward. Local Programs receives project reports from the local agencies twice each year. The information that is then provided to the Legislature is based on that reporting.

Mr. Ewers asked about the City of Fife's Port of Tacoma Road project, stating that FMSIB provided funding 15 years ago. He asked for an update on that project. Mr. Drye reminded the Board that this project hit some pretty significant stormwater issues. Local Programs worked with the City through a streamlined evaluation of the NEPA criteria. There have been new permits requested from the Department of Fish and Wildlife, so the hope is that these will be approved in the near future. This would enable the City to begin Construction the Spring of 2025. This is a critical project affecting the Gateway effort in that area.

Director Lund pointed out to the Board that the issue of stormwater is starting to affect every project under construction nationwide. Mr. Drye revealed that WSDOT has a programmatic approach to stormwater for WSDOT projects throughout the state. The approach dictates that everything possible must be done to eliminate any stormwater concerns. Local Programs is working to put together a programmatic approach for local projects as well.

Commissioner Swannack asked if it is anticipated that there may be Legislative delays on any of the current projects going into the next biennium. Mr. Drye stated that it doesn't appear that there will be any delays and these projects are reasonably secure, although one cannot say what the Legislature may do during the upcoming legislative session.

(See attachment: Capital Budget Spreadsheet.)

Truck Parking Implementation Report Update

Chair Lentz introduced Donald Ludlow, Vice President of CPCS.

Mr. Ludlow introduced colleagues John Egger and Jia Yuan, who will be assisting in the presentation today. The three addressed the attached PowerPoint presentation.

Commissioner Swannack asked if the TPIMS system will need to be operated by the State, or if the data coming from that will feed into public access so that it's available to whomever wants to access it? Mr. Beloso answered that the hope is that eventually the data will be able to be accessed by the public. It will be WSDOT's responsibility to make that information available. Mr. Biggs added that WSDOT obtains the data, disseminates it, and distributes it for public access. Commissioner Swannack added that it's going to be an uphill job to get cities and counties to relinquish control of local information to

the public. To have it done right, intense discussion will need to occur with cities and counties on how we can make this system work for everyone.

Mr. Ewers noted that there is a limited amount of funding available across the board. Washington State is losing truck parking that's already out there due to wear and tear on existing facilities. During the times of day that truck parking is needed, there is another truck waiting to immediately pull into the vacated spot. There's CB radio conversation already happening that informs trucks on the road if there are any or no spots available at any location. The system will let truckers know that there is parking available during the day when it's not needed. Also, if Washington is losing actual truck parking because there isn't the funding to maintain the facility, it is *Mr. Ewers* opinion that FMSIB obligate the unused funding of \$4.9M into facility maintenance. *Mr. Biggs* pointed out that when there is an issue with facilities such as restroom plumbing, etc. WSDOT does everything they can to keep the rest areas open to truck parking.

Mr. Biggs reminded the Board that FMSIB will be working with WSDOT to make a recommendation to the Legislature on the \$4.9M unspent funds.

Chair Lentz asked Director Lund to let the Board know what decisions will need to be made by the Board today. Director Lund noted that a decision will need to be made on the Six-Year Program as this needs to be sent to Eric Hansen immediately following the Special Board meeting on September 24th. After today's discussion, the hope is to put together what the Board suggests, have the Board review the new package that Director Lund will send them the week of September 16th, and be able to vote on September 24th to whether or not to send the project list within the Six-Year Program to the Legislature on December 1, 2024. She noted that there will not be a lot of time to discuss the list on September 24th, so asks that members review the material that will be sent next week and come ready to consider the Board vote for the final report.

Director Lund addressed the \$4.9M pot of money that is a unique consideration. Currently the funds are located in WSDOT Ports & Rail improvement budget. Obligation of those funds need to be considered by this Board in coordination with Ports & Rail.

In regard to the Six-Year Investment Program, the question in front of members is: should FMSIB stay within the usual allotment of \$30M per biennium, or should they recommend projects over and above that amount for each biennium. The Legislature may only award funding up to the \$30M amount, but the Board can include additional truck parking project recommendations as "unfunded".

Director Lund clarified that during the 2024 session, FMSIB recommended funding for Ft. Lewis truck parking, as well as a site off of I-90 near the pass. Of the money awarded by the Legislature, there is \$4.9M left over. Discussion around this money has included using the \$4.9M for truck parking at the Ft. Lewis site for Design work. Councilmember Wick suggested to the Board that the \$4.9M be rolled into the Six-Year Investment Program. FMSIB didn't receive any truck parking funding applications that can be moved forward on, so his recommendation is spending this on other truck parking needs within the Six-Year Program. He also recommends advocacy by the Board for WSDOT to request funding for truck parking projects.

Chair Lentz asked *Mr. Biggs* if WSDOT needs a recommendation today for how the Board would like to see the \$4.9M spent. *Mr. Biggs* stated that it would be nice to have that vote, but WSDOT still has a process that they need to go through for their budget submittal. Since the \$4.9M is housed in the "I"

budget (Ports & Rail), they are the ones that will need to address recommendations for those funds. The hope is to have that recommendation from FMSIB by the end of September.

Commissioner Swannack pointed out that in order to use the \$4.9M as matching for a federal grant, there is a cutoff at the end of September for that recommendation to be made.

Chair Lentz offered the opportunity to discuss the additional truck parking during that part of our Board meeting and to possibly take a Board vote on the \$4.95M.

Commissioner Swannack moved to support the recommendation of \$4.95M be allocated to the TPIMS as recommended by WSDOT. *Councilmember Wick* seconded.

MOTION CARRIED

(See attachment: Truck Parking Implementation Plan PowerPoint.)

FMSIB Six-Year Investment Program Update

Chair Lentz spoke to the FMSIB by-laws and the need to recuse themselves from voting and discussion about projects in which a member has an interest.

Chair Lentz reviewed these Draft Talking Points from AG:

In RCW 47.06A the Legislature has tasked FMSIB with recommending a six-year program of the highest priority freight mobility projects for the state across modes, jurisdictions, and the regions of the state.

This is an opportunity for FMSIB to demonstrate that we have heard the Legislature's message about being strategic and following guidance they outlined in the law.

It is important that each Board member engage in the development of this investment program since it is our first time creating a multi-year package.

We've attempted to keep all of you informed of each step in process and provided you access to all information submitted by applicants. FPAC presented a preliminary package to you on August 12 and staff followed-up by providing you information about each project.

The feedback I've received from members is that we need to take a step back and take more time to walk the full board through the process for scoring, ranking, and prioritizing projects for inclusion in the program.

I've asked Director Lund and Erinn Ellig from Parametrix to present project scoring and ranking information to the Board for discussion on September 6. I've also asked them to recommend some criteria for prioritizing the projects from the scored and ranked list, also for discussion on September 6.

We will follow-up with a Special Board meeting to prioritize the projects for inclusion in a package to allow sufficient time for members to consider the information presented and our discussion.

It is also important that we follow the board's by-laws section on ethics:

Members of the Board shall uphold a high standard of ethics. Members of the Board shall avoid conflicts of interest or even the appearance of conflicts of interest and are subject to the Ethics in Public Service Act codified in chapter 42.52 RCW.

Board members shall declare their relationship to a project, if any, prior to expressing official statements dealing with projects before the Board directly related to their jurisdiction and/or affiliation. A Board member shall recuse themselves from voting on a project or funding that will be awarded to their jurisdiction. A Board member shall not be the spokesperson for presenting a

project proposal to the Board from their jurisdiction. The Chairperson may request a member to testify on any project issue before the Board directly dealing with that member's own jurisdiction and/or affiliation.

I will be asking each board member who has projects under consideration in the investment program to declare their relationship to a project and to recuse themselves from voting on a project or funding for their jurisdiction. I also ask that Board members not present information about their jurisdiction's project(s).

There will be a Special Board meeting on September 24th to vote on the Six-Year Investment Program. Director Lund will begin discussion for the Six-Year Investment Program update. Parametrix consultant Erinn Ellig will also present. This discussion should focus on how the board wants to prioritize regional distribution of funds, truck parking recommendations, and overburdened communities.

Mr. Barnes asked if an issue had been raised in regard to the voting process, although he does appreciate her recapping the by-laws for the Board today. Chair Lentz noted that the clarification of the by-laws was due to this being a new and improved process on producing a Six-Year Program and that there are new members and staff that may not be familiar with them.

Director Lund noted that since the project straw proposal that was introduced by FPAC, she'd gone back and looked at the legislation surrounding the request by the Legislature, particularly regarding ranking and prioritization, as well as eligibility of the projects. Erinn Ellig of Parametrix will walk the Board through the projects with this in mind. FPAC also worked very closely with Mr. Beloso and his team regarding how these projects fit in with what WSDOT is doing and any crossover there may be. She also noted that in the past there was a consideration to split the project awards evenly among the regions of the state: Western Washington, Eastern Washington, and Puget Sound. After a change in the legislation, this is no longer a requirement. Legislation notes that the projects should be the most strategic for the entire state.

Ms. Ellig introduced herself and went through the attached Parametrix PowerPoint presentation for the Board.

Commissioner McCarthy expressed his thoughts regarding the point system for project ranking and prioritization. Director Lund addressed the concern by stating that after she had gone back through the directions given by the Legislature, ranking and prioritization points were added to project consideration. As a "Lessons Learned", this will be clearer for upcoming project selections so that the Board will have an opportunity to be aware of this at the beginning of the next selection process.

Ms. Ellig reviewed the project tables that have come out of the selection process. She spoke to the projects that are different from the straw proposal. The tables are attached to these minutes.

Councilmember Wick asked about those projects that FMSIB had already provided funding for. It had been his understanding that if FMSIB provided funds for a particular phase of a project, the local agency couldn't then ask for more money for the same work. Director Lund offered that it's possible to view each project on its own merits and make that decision on a case-by-case basis. Commissioner Swannack noted that if the request is for a different phase, possible funding should be allowed.

Director Lund noted that she'd spoken to the City of Fife regarding the projects that they've requested. One consideration that the Board needs more information on is the access to I-5 approval that must come from FHWA. Some of the projects are within the Gateway project, but some are not, although they are not the same projects as the Gateway project.

Mayor McEnerny-Ogle asked if the MPO had reviewed and approved the project applications for Fife? Ms. Ellig stated that if a project is moved forward by FMSIB to the Legislature and they are not on the Regional STIP or TIP, the agency would need to advocate to their MPO to have it included on those lists. As a follow up, Ms. Ellig checked the applications and Fife project requests are in PSRC's STIP.

Mr. Ewers pointed out that in the past FMSIB only funded construction. Now that FMSIB is open to other phases of a project, there is a great deal more to consider.

Ms. Ellig led the Board through discussion on project specifics listed in the tables.

The issue arose regarding how FMSIB would like to handle Preservation projects. Should Preservation projects be included just so that there is equal regional distribution? Chair Lentz asked the question that had come up at FPAC meetings: who is responsible for preservation of local roads vs. state highways. Answer is that local agencies/jurisdictions are responsible for preservation of local roads, even if used by trucks. Mayor McEnerny-Ogle noted that there are other sources of funding to take care of local roads. Responsibility of preservation on state highways falls under WSDOT. FMSIB road preservation dollars must be used for a T1 or T2 road.

Director Lund offered to prepare a straw proposal 2.0 to provide to the Board for consideration based on the feedback that was provided at this meeting. She will email that updated list to members so that they would have a chance to review and submit questions before the September 24 Special Board meeting. Board will also need to decide if the projects need to be regionally distributed evenly or not. There is no legal guidance on distribution across the State. Commissioner Swannack pointed out that in order to get Legislative support even distribution across the state should be considered.

(See attachment: Parametrix PowerPoint Presentation and Project Tables.)

County Freight Study Proposal

Chair Lentz introduced Jane Wall, Executive Director for CRAB.

Ms. Wall addressed the attached County Freight Study Proposal. CRAB would like to request a partnership with FMSIB and their support for the study. They are not asking FMSIB for funding. They will be asking the Legislature for a budget proviso.

Mr. Ewers moved to provide FMSIB support of the County Freight Study Proposal to be done by CRAB. Mayor McEnerny-Ogle seconded.

MOTION CARRIED

(See attachments: Freight Study Summary and Weigh in Motion Strip Sensors.)

FMSIB Overburdened Communities Best Practices Implementation Report Update

Chair Lentz introduced Brian Murphy, Principal of BERK Consultant Services.

Mr. Murphy addressed the Board regarding the attached PowerPoint. Ms. Cortes also contributed to the presentation. Mr. Murphy made a point to thank Director Lund regarding all the help that she has been in putting together the Overburdened Communities Best Practices Study.

Once the presentation was completed, Chair Lentz asked how the Board should communicate with BERK for questions or suggestions on the report. Director Lund offered to gather input from the Board and work with BERK to include in their report if needed. Commissioner French is the Chair of the New Directions committee, so Board members can also send their input to him.

(Director Lund will later resend the Executive Summary of the report, the report itself, and the case studies and ask for input be sent to her and Commissioner French by September 20th for the Board's vote consideration at the November 22nd Board meeting.)

(See attachments: Overburdened Communities Best Practices Study presentation.)

Washington Public Ports Association Update

Chair Lentz introduced Eric Ffitch, Executive Director of WPPA.

Mr. Ffitch noted his experience and people that he's partnered with. He noted that the Marine Cargo Forecast Study that WPPA is working on as an important tool for Washington's freight movement as transportation partners work together to enhance freight movement.

Mr. Ffitch encouraged members to attend the Legislative Days in January. SB 6302 is a legislative bill that WPPA is attempting to move forward regarding creating a Washington state supply chain competitiveness infrastructure program. This is SB 6302 which was introduced last year and passed the senate. He noted that FMSIB and WPPS can coordinate on the efforts by WPPA to introduce the bill again this coming session. They are also working on a Rail Improvement tax bill, as well as an Electrification of Rail to help in speeding up freight and making it greener. WPPA is looking forward to seeing what the Transportation Budget has to offer FMSIB and WPPA.

Mr. Ffitch will be joining the Board in November at their Board meeting in Anacortes.

Board Member Reports

Chair Lentz asked Board members to share what they have been involved with since the last FMSIB Board meeting.

There were no offers of information at this time.

Next Board Meeting

Mayor McEnerny-Ogle moved to Affirm that the next Workshop will be held on November 21st and Board meeting will be held on November 22nd in Anacortes, WA. *Mr. Bennett* seconded.

(Board members Wallace and McCarthy were not available to participate in this vote.)

MOTION AFFIRMED

Meeting Adjourned

Chair Lentz adjourned the meeting at 1:01 pm.

Summary of Board Motions:

- 1) Adoption of May 31, 2024 Board Meeting Minutes and August 12, 2024 Special Board meeting minutes. Motions Carried (Page 1)
- 2) Motion to approve the approach and direction that Director Lund is moving toward in the attached Decision Packages. Motion Carried (Page 2)
- 3) Motion to support the recommendation of \$4.95M to be allocated to the TPIMS as recommended by WSDOT. Motion Carried (Page 5)
- 4) Motion to provide FMSIB support of the County Freight Study Proposal to be done by CRAB. Motion Carried (Page 7)
- 5) Affirmation of next Workshop on November 21, 2024 and Board meeting November 22, 2024, in Anacortes, WA. Motion Carried. (Page 8)



Temple Lentz
Board Chair



Attest: Kjristine Lund
Executive Director

