

# SECTION 305 FINANCE and ADMINISTRATIVE SUB COMMITTEE

MINUTES

FEBRUARY 2, 2022 3:00PM EASTERN

WEBEX MEETING

<b>FACILITATOR</b>	<i>Tim Ziethen, Chair of the S305 Finance and Administrative Subcommittee (FASC)</i>
<b>ATTENDEES</b>	<i>Tim Ziethen, Jeff Gordon, Brian Beeler II, John Oimoen, Amanda Martin , Amanda Martin also as proxy for Ray Hessinger, Troy Hughes, Arun Rao, Shayne Gill, Strat Cavros, Steve Hewitt</i>
<b>ABSENTEES</b>	<i>Jason Biggs, Ray Hessinger, Rebecca Anger, Larry Salci, Mike Murray</i>

## DECISIONS MADE

### 1. Welcome and Open Meeting – Tim Ziethen, Amtrak:

Subcommittee Chair, Tim Ziethen, Amtrak, opened the conference call meeting and asked Steve Hewitt to call the roll.

### 2. Roll Call – Steve Hewitt:

After calling the roll, Steve Hewitt confirmed the presence of a quorum.

### 3.

#### Approval of Minutes from the 1-5-22 conference call– Tim Ziethen, Amtrak:

On a motion by John Oimoen, IDOT, and seconds by Troy Hughes, MODOT, and Brian Beeler II for Maine DOT, the minutes from 1-5-22 were approved as submitted.

The approved minutes will be distributed to all FASC members and to AASHTO for posting.

#### Venture Cars Announcement – John Oimoen, IDOT:

John Oimoen, IDOT announced that Venture cars have been placed into revenue service as of yesterday (2-1-22). John noted that it was a success story thanks to the combined efforts of those on today's call, and the NGECC, in general, as well as many others including; FRA, Amtrak and stakeholders. It was a long road, but through persistent efforts, the inaugural run took place yesterday and was a success.

This is great news – something that all NGECC members should be pleased with.

### 4.

#### Treasurer's Update – Tim Ziethen:

Tim Ziethen provided the following Treasurer's update:

Balance/ Spend Rate:

Total Initial Grant Amount: \$1,250,000.

Amount Spent through November: \$865,727.22

Balance remaining: \$ 384,272.78

Estimated spend at current rate for the remaining grant period (through 9-30-23): \$307,193.53

Current Spend Rate per month (as info and used in calculating): \$13,963.34

Estimated Balance at the end of the Extension Period (Contingency): \$77,079.25 (this would carry the NGECC about 5 months beyond the end of the grant period)

### 5.

#### Follow ups on developing a plan to increase NGECC awareness – Tim:

Tim Ziethen reported that he has had another follow-up conversations with Michael Alexis, Amtrak Deputy General

Counsel, who is now assigned to the NGEC for any legal questions that may come up

Michael provided Tim Ziethen with guidance on issues related to the NGEC's ability to take steps to increase awareness of the Committee and the work that it does.

In general, the guidance is that posting factual information on the website is permitted providing that the Committee follows Amtrak contractor promotion policies which the Committee has been following. For posting on social media, again, the NGEC would be permitted to do it as long as it follows the Amtrak policies. This is not new, as the NGEC has always lived up to these policies. As information, and for his files, Tim Ziethen will provide the Amtrak policy to Steve Hewitt.

Issuing Press releases would also be permissible as long as it transmits simple factual information.

Using paid advertising or attending trade shows would require By-Law changes and there would be an issue of spending funds for these activities as they would need to be paid outside the grant.

As noted previously, the NGEC should not proactively communicate with Congress due to "lobbying" issues but can respond with factual information in compliance with Amtrak contractor promotion policy upon request.

Overall, any of the activities that the NGEC plans to do that it has not been done previously, even issuing press releases, should be added to the By-Laws as permissible activities. Mike Alexis noted Part D, Sections 3 and 4 as areas within the By-Laws that delineate activities.

Tim Ziethen will provide Steve Hewitt with a summary of the guidance that Michael Alexis provided to him so that it can be entered into the record.

As action, it was determined that Steve Hewitt and Tim Ziethen will discuss possible language to add to the By-Laws sometime in March 2022, and run it by John Oimoen, as NGEC Secretary and FASC Vice chair for Administrative activities, for his input before presenting it to the full FASC. After that, it would follow the regular NGEC procedures for revising the By-Laws.

**6.  
Review Final DRAFT FASC and Treasurer's Report – Annual Meeting – Tim:**

Tim Ziethen reported that he had sent the latest/final draft of the Treasurer's Report and FASC Annual meeting presentation to Steve Hewitt for distribution to FASC members. All previously recommended changes have been made. Rather than walk through the presentation today, Tim suggested that all members review it and send any changes to Tim and Steve Hewitt by COB 2-11-22.

**7.  
Quarterly Report – 1st Quarter FFY2022 – due to FRA 1-31-22 – Tim Ziethen:**

Tim Ziethen reported that the NGEC quarterly progress report to the FRA was submitted on time on 1-31-22.

Steve Hewitt will distribute the submitted version to FASC and Executive Board Members.

The next report for the 2nd quarter FFY2022 will be due to FRA on 4-30-22.

**Adjourn:**

With no other business forthcoming, Chairman Ziethen adjourned the call at around 3:25pm Eastern.

By Computer: <https://stephenhewitthewittconsulting.my.webex.com/meet/shewitt109>

by phone: 1-415-655-0001

Access code: 126-073-1531

**Next call – 2-25-22 NGEC Annual Meeting**

## Decisions - Action Items

### **Treasurer's Report – 2-2-22:**

Balance/ Spend Rate:

Total Initial Grant Amount: \$1,250,000.

Amount Spent through November 2021: \$865,727.22

Balance remaining: \$ 384,272.78

Estimated spend at current rate for the remaining grant period (through 9-30-23): \$307,193.53

Current Spend Rate per month (as info and used in calculating): \$13,963.34

Estimated Balance at the end of the Extension Period (Contingency): \$77,079.25 (this would carry the NGEC about 5 months beyond the end of the grant period)

### **Exploring/confirming funding options beyond 9-30-2023: (From the Executive Board call of 10-5-21)**

On 10-5-21, Mike Murray, FRA, reported that the FRA is looking at options and briefing leadership in the Office of Railroad Policy and Development. This will take a couple of months and Mike suggested that the Board not carry this as an agenda item for the bi-weekly meetings as it will take time. When he has more information, he will let the Board know.

Tim Ziethen reported that he has reached out to Ken Altman, Amtrak Government Affairs to follow-up with him on previous discussions that an option could be Amtrak funding the NGEC through its grant. It was the general thinking that this would be a possibility as the NGEC was included as a potential type of recipient in the overall Amtrak grant request. Tim will report back once he hears from Ken Altman.

#### **Decisions/Actions:**

Ray Hessinger suggested that the FASC follow these issues and keep this on their monthly agenda, and report back to the NGEC Executive Board as more information is forthcoming.

The NGEC will explore potential grant opportunities and potential appropriations requests for funding beyond 2023.

#### **Status:**

No answer yet from FRA, but Mike Murray informed Steve Hewitt that he hopes to have an answer by the NGEC Annual Meeting.

### **Developing a plan to increase NGEC awareness as of 2-222:**

#### **Decisions/Actions – as of 2-2-22**

Tim Ziethen will provide Steve Hewitt with a summary of the guidance that Michael Alexis provided to him so that it can be entered into the record.

As action, it was determined that Steve Hewitt and Tim Ziethen will discuss possible language to add to the By-Laws sometime in March 2022, and run it by John Oimoen, as NGEC Secretary and FASC Vice chair for Administrative activities, for his input before presenting it to the full FASC. After that, it would follow the regular NGEC procedures for revising the By-Laws.

(see full summary in the minutes)

#### **NGEC 2022 Two-Page Educational Document:**

The document has been completed and approved by the Executive Board. It was sent to all NGEC participants in electronic version in January and has been printed by MODOT. Hard copies are available by request sent to Steve Hewitt. Hard copies will also be brought to the Annual meeting and included in all attendees' handout packets.

### **Quarterly Grant Progress Report to FRA:**

The Quarterly Report for the period ending 12-31-21 was submitted on time on 1-31-22 to FRA and was distributed to

all Board members by Steve Hewitt.

The next Quarterly Report to FRA for the period ending 3-31-22 will be due to FRA on 4-1-22.

**Preparing the FASC presentation for the 2022 NGEN Annual meeting:**

On 2-2-22, the Final DRAFT presentation was distributed to FASC members. All comments or suggested edits should be sent to Steve Hewitt and Tim Ziethen by 2-11-22.

By Computer: <https://stephenhewitthewittconsulting.my.webex.com/meet/shewitt109>

by phone: 1-415-655-0001

Access code: 126-073-1531

**Next Call 2-25-22 NGEN Annual Meeting**

**ATTACHMENTS**



*Our Vision: The NGEN will provide national leadership in standardization, acquisition, and management of passenger rail equipment.*

**SECTION 305 NGEN Finance and Administrative Subcommittee (FASC)**

**Web Ex video/audio information:**

By Computer: <https://stephenhewitthewittconsulting.my.webex.com/meet/shewitt109>

by phone: 1-415-655-0001

Access code: 126-073-1531

**AGENDA**

**2-2-22**

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|--|--------------|
| 1. Welcome/Open  | Tim Ziethen  |
| 2. Roll Call   | Steve Hewitt |
| 3. Approval of the Minutes from 1-5-22                                   | Tim Ziethen  |
| 4. Treasurer's Update  | Tim Ziethen  |
| a. Balance-Spend Rate  |              |
| 5. Follow-ups on developing a plan to increase NGEN awareness/next steps | Tim          |
| 6. Review: Final DRAFT FASC Annual Meeting presentation                  | Tim          |

7. Quarterly Report 4<sup>th</sup> Quarter – ending 2-31-21

Tim

8. Other Issues/questions

All

**Next Call 2-25-22 NGEC Annual Meeting**