

SECTION 305 FINANCE and ADMINISTRATIVE SUB COMMITTEE

MINUTES

OCTOBER 13,
2021

3:00PM EASTERN

WEBEX MEETING

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

Steve Hewitt called the roll and confirmed the presence of a quorum.

3.

Approval of Minutes from the 9-15-21 conference calls– Tim Ziethen, Amtrak:

On a motion by Ray Hessinger as proxy for Wisconsin DOT, and a second by Brian Beeler II, for Maine DOT, the minutes from 9-15-21 were approved as submitted.

4.

Treasurer's Update – Tim Ziethen:

Tim Ziethen provided the following Treasurer's update:

Balance and Spend Rate

Thru July 2021:

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

Amount Spent through June 2021: \$812,477.83

Balance remaining: \$ 437,522.17

Estimated spend at current rate for the remaining grant period (through 9-30-23): \$364,246.20

Current Spend Rate per month (as info and used in calculating): \$14,008.24

Estimated Balance at the end of the Extension Period (Contingency): \$73,307.97

Follow up Discussion regarding future funding options beyond 9-30-2023:

Mike Murray, FRA, had reported to the Executive Board on 10-5-21 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 some time. When he has more information, he will let the Board know. Ray Hessinger suggested, at that time, that this information be reported to the FASC on its next call (today) and that the FASC keep track of it.

On today's call, Mike Murray reiterated that it would take several months and that he does not feel it should be discussed on every call. It was agreed that once FRA has a response Mike Murray will report it to either the Executive Board or the FASC whichever meets first.

Tim Ziethen reported that he has reached out to Ken Altman, Amtrak Government Affairs, and Tim has confirmed that Amtrak is supportive of the work of the Committee (NGEC) and that funding through either Amtrak or FRA are the best

options, but other options could also be explored.

For now, this item will be carried as an open item to be tabled until such time as additional information is forthcoming.

**5.
Developing the 2022 NGEC two-pager/comments received - Tim/Steve:**

Steve Hewitt reported that he had received only a few comments (from Ray Hessinger and Jeff Gordon).

All suggested changes were sent within the email message yesterday (10-12-21) to the FASC members with no additional comments being received.

Changes:

On the front page:

Change the date to 2022

Update Timeline to include the TSSSA document released in September 2021 and update the DMU and Trainset Specs to Fall 2021 or a month if approved (likely December 2021).

Page two:

On the third set of Results change the first bullet to say:

Standardized specifications ensure rolling stock designs suited for use across North America.

Discussion:

Additional changes were recommended during today's discussion:

Add the number of units that have been entered into service since the first Charger was delivered (July 2017)

Add the number of coach cars entered into service since the first car was delivered in February 2020.

Steve Hewitt will reach out to IDOT and Caltrans to confirm these numbers.

Request the use of a picture of the VIA Rail Trainset that has just been delivered (VIA Rail used NGEC specs as the base spec)

Steve Hewitt will reach out to VIA Rail for permission to use a picture of their new Trainset and request that they provide the picture they would like used.

If approved by VIA Rail – the Trainset picture would be on the front page replacing the Charger which is also on page two.

Additionally, it was suggested that the NGEC website be added to the top of the front page in the green section. It currently is not included on the two-pager but should be.

On the next FASC call (11-10-21), this item will be on the agenda to follow-up on today's discussion and to obtain any additional suggestions for improvements to the document for 2022.

**6.
Developing a plan to increase NGEC awareness – Tim:**

Tim Ziethen noted that the reauthorization effort proved that the NGEC is a well-kept secret.

He asked the following questions:

What should we do?

Who should we call or contact?

What do we say?

Should we put together a plan?

Tim asked Steve Hewitt how the NGECC currently conducts outreach, and Steve reported that the NGECC uses its two-pager as its primary source of conveying the message and that it uses organizations such as SPRC to transmit it to congressional staff as a part of its outreach.

Steve also noted that it is transmitted to all 300+ NGECC members on the email list and to organizations such as TRB, SPRC and others, and is posted to the NGECC website by AASHTO.

Ray Hessinger suggested that since the "stuff we do is inside baseball and we may well be the best kept secret in all of transportation", the NGECC needs to find a way to be more of a "public face" when it takes an action such as the release of the Recommended Practices document or the TSSSA primer. Currently, only those who are involved with the NGECC are made aware of what the NGECC produces. Ray went on to suggest that it may well be that the NGECC should develop a one page "presser" when a new document is approved that would be transmitted along with the two-pager to industry publications such as Railway Age.

Tim Ziethen asked "are we allowed to publish or advertise?" Ray responded that he was not suggesting the NGECC advertise; he was suggesting it report news of the NGECC activities in the form of a press release.

Steve Hewitt added that it would have to be determined how the presser would be sent out. Would it be transmitted from the Chair or who/how?

Tim Ziethen asked would a legal opinion be required and, if so, who. Steve Hewitt responded that in the past it was always Amtrak Legal that provided opinions on such matters. Ray Hessinger agreed and noted that Amtrak is the grantee so it would have to come from Amtrak's legal department.

Steve Hewitt suggested that this discussion would need to be elevated to the Executive Board for its input and direction.

Ultimately, it was agreed that Tim Ziethen would report out on this discussion to the Executive Board on its next call as a part of his FASC update. Ray Hessinger would support the discussion by elaborating on his suggestion of doing "pressers".

6.

Status: NGECC By-Laws Annual Review – Steve:

Steve Hewitt reported that he and John Oimoen, IDOT, and Jeff Gordon, FRA, conducted a review of the NGECC By-Laws (an exercise required annually under the current grant agreement) and have recommended a few benign edits, more in line with word smithing and consistency.

Steve Hewitt walked through the document and highlighted all of the proposed changes.

Only one change was of substance and that was a recommendation by Steve Hewitt to revise the wording for what constitutes a quorum for the Executive Board using the same language that is currently in the Technical subcommittee and the Finance and Administrative subcommittee's (FASC) section of the By-Laws. This would be a change that would simply make sense and create consistency across the document.

After much discussion, it was agreed that the requirements for the Executive Board and the Technical subcommittee and the FASC should be the same across the board. It was also agreed that the language used in the Technical subcommittee and the FASC requirements which call for a majority of state members plus one Amtrak and one FRA representative is the preferred language and, for the sake of consistency and because it simply makes sense – that language is what should be used.

Tim Ziethen called for a motion to approve the changes as suggested with the caveat that Steve Hewitt will make those changes to the Executive Board Quorum requirements consistent with the wording of the two subcommittees.

On a motion by Brian Beeler II, for Maine DOT and a second by Jeff Gordon, FRA the proposed changes be approved with the caveat that Steve Hewitt make the changes to the Quorum requirements so that they are the same across the board and that the language is to be that currently used in the Technical subcommittee and the FASC requirements.

With no further discussion and no objections, Tim Ziethen determined that consensus was achieved, and the motion is approved.

Steve Hewitt is directed to make the changes as noted and provide the Executive Board members with a redline version showing the changes. The Board must have the proposed changes to the By-laws in writing for thirty (30) days before they can be brought forward for a vote by the Executive Board members.

Adjourn:

With no other business forthcoming, Chairman Ziethen adjourned the call at 4:00pm Eastern.

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

by phone: 1-415-655-0001

Access code: 126-073-1531

Next call – 11-10-21

Decisions - Action Items**Treasurer's Report – 10-13-21:**

Balance and Spend Rate

Thru July 2021:

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

Amount Spent through June 2021: \$812,477.83

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Follow up Discussion regarding future funding options beyond 9-30-2023:

The FRA is looking at options and briefing leadership in the Office of Railroad Policy and Development. This will take a couple of months.

Amtrak is supportive of the work of the Committee (NGEC) and that funding through either Amtrak or FRA are the best options, but other options could also be explored.

Decision/action

This item will be carried as an open item to be tabled until such time as additional information is forthcoming. Mike Murray, FRA, will report any additional information to either the Executive Board or the FASC whichever meets first.

Developing a plan to increase NGEC awareness:

It was suggested that the NGEC could increase awareness by developing a "presser" when releasing a new document to be transmitted to industry publications such as Railway Age and others.

Decision/Action:

After some discussion on the whether or not the NGEC was legally ok to develop the proposed press releases (pressers) and who would transmit them etc. It was agreed to take this suggestion forward to the Executive Board on the next call (10-19-21). Tim Ziethen will report out on this discussion to the Executive Board as a part of his FASC update. Ray Hessinger would support the discussion by elaborating on his suggestion of doing "pressers".

2021 NGEC two-page handout:

2021 NGEC two-page educational document:

615 of these documents have been distributed electronically.

Developing the 2022 NGEC two-pager/comments received:

The subcommittee discussed changes that should be made to update the 2021 two-pager for the 2022 version. Many had been discussed on the last call. Today (10-13-21) additional suggestions were brought forth:

Under Timelines – page one (1):

- Add the number of units that have been entered into service since the first Charger was delivered (July 2017)
- Add the number of coach cars entered into service since the first car was delivered in February 2020.

Action:

Steve Hewitt will reach out to IDOT and Caltrans to confirm these numbers.

- Request the use of a picture of the VIA Rail Trainset that has just been delivered (VIA Rail used NGEC specs as the base spec)

Action:

Steve Hewitt will reach out to VIA Rail for permission to use a picture of their new Trainset and request that they provide the picture they would like used.

If approved by VIA Rail – the Trainset picture would be on the front page replacing the Charger which is also on page two.

- Additionally, it was suggested that the NGEC website be added to the top of the front page in the green section.

On the next FASC call (11-10-21), there will be a follow-up discussion on these action items and to obtain any additional suggestions for improvements to the document for 2022.

Quarterly Grant Progress Report to FRA:

The Quarterly Report for the period ending 7-30-21 was submitted on time and was distributed to all Board members on 8-10-21 by Steve Hewitt.

The next Quarterly Report to FRA for the period ending 9-30-21 will be due to FRA on 10-31-21.

Annual By-Laws Review:

Annual By-Laws review:

Several “benign” edits/wordsmithing changes were presented after the initial review by Steve Hewitt, Jeff Gordon and John Oimoen and on proposed change of substance which was to make the wording for quorum requirements the same “across the board”. Currently the Executive Board requirements are slightly different than those of the Technical subcommittee and the FASC. It was agreed that the language used for the Technical subcommittee and FASC be used for the Executive Board for simplicity and consistency.

Action/Decision:

On a motion by Brian Beeler II, for Maine DOT and a second by Jeff Gordon, FRA, the proposed changes be approved with the caveat that Steve Hewitt make the changes to the Quorum requirements to be the same across the board and that the language be the same as that currently used by the Technical subcommittee and the FASC.

With no further discussion and no objections, Tim Ziethen determined that consensus was achieved, and the motion is approved.

Steve Hewitt is directed to make the changes as noted and provide the Executive Board members with a redline version showing the changes. The Board must have the proposed changes to the By-laws in writing for thirty (30) days before they can be brought forward for a vote by the Executive Board members.

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Next Call -11-10-21

ATTACHMENTS



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

SECTION 305 NGEC 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

10-13-21

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| 1. Welcome/Open | Tim Ziethen |
| 2. Roll Call | Steve Hewitt |
| 3. Approval of the Minutes from 9-15-21 | Tim Ziethen |
| 4. Treasurer's Update | Tim Ziethen |
| a. Balance-Spend Rate | |
| b. Follow up on discussion regarding future funding options beyond 9-30-2023 | |
| 5. Developing the 2022 NGEC two-pager – comments received | Steve/Tim |
| 6. Developing a plan to increase NGEC awareness | Tim/Steve |
| 7. Status: NGEC Annual By-Laws Review | John Oimoen/Steve |
| 8. Other Issues/questions | All |

Next Call 11-10-21