BICYCLE ADVISORY COMMITTEE - Agenda

1. Call Meeting to Order, Welcome and Introductions

2. Public Comment
   The public is allowed to speak to any items or issues that are not scheduled on the agenda after first being recognized by the Chair. Each person will be limited to 5 minutes for public comment.

3. Action Item: Approval of minutes from the July 12, 2018 meeting and receive the meeting summary from the July 28th Work Session and the minutes from the November 28th joint Transportation Commission Study Session (attached)

4. Action Item: Election of Chair and Vice Chair for 2019

5. Discussion Item: Survey 2 Results (Phase 1 and Phase 2 engagement are combined in one pdf)
   https://assets.lawrenceks.org/assets/mpo/bicycle/Lawrence-Phase2.pdf

6. Action Item: Draft Bike Plan Goals (attached)
   Members will provide input on the draft plan goals based on the two phases of public engagement.

7. Action Item: Draft Performance Measures (attached)
   Members will provide input on the draft performance measures based on the survey 2 results.

8. Action Item: Prioritizing E’s within the Toolbox
   https://assets.lawrenceks.org/assets/mpo/bicycle/toolbox-draft.pdf
   Members will discuss the results of the MPO BAC member prioritization survey completed prior to the meeting and decide long and short term tools to include in the Action Plan.

9. Action Item: Priority and Secondary Funding Network Alignments (attached)
   Members will discuss the changes to the networks based on survey 2 input and staff review.

10. Discussion Item: Bike Level of Comfort
    Staff will discuss the need for more traffic counts to fully complete this analysis

11. Discussion Item: Bike Plan Update Timeline (attached)
    Members will discuss the current timeline to determine if it needs to be adjusted.

12. Discussion Item: City of Lawrence Ethics Policy & Kansas Open Meetings Act (attached)
    https://assets.lawrenceks.org/documents/Resolutions/Resolutions-7200s/Res7269.pdf

Special Accommodations: Please notify the Lawrence-Douglas County Metropolitan Planning Organization (L-DC MPO) at (785) 832-3150 at least 72 hours in advance if you require special accommodations to attend this meeting (i.e., qualified interpreter, large print, reader, hearing assistance). We will make every effort to meet reasonable requests.

The L-DC MPO programs do not discriminate against anyone on the basis of race, color, national origin, sex, age, or handicap/disability, according to Title VI of the Civil Rights Act of 1964. For more information or to obtain a Title VI Complaint Form, see www.lawrenceks.org/mpo/titlevi or call (785) 832-3150.
13. Quick Updates
   a. Safe Cycling: How Do Risk Perceptions Compare With Observed Risk?
      https://pdfs.semanticscholar.org/7c70/5aafe3a52f6f4f7127f9fa7f8785d105ba53.pdf

14. Other Business
   a. Bike Video Premiere Party, January 30, 6 – 7 pm, Lawrence Library Auditorium

15. Next Meeting: ?
1. **Call Meeting to Order, Welcome and Introductions**

David Hamby called the meeting to order at 5:33 PM. A quorum was present.

2. **Public Comments**

No public comment was made.

3. **Action Item: Approval of Minutes from April 16, 2018**

Bill Anderson motioned to approve the minutes from April 16th, Steve Hitchcock seconded. The motion was approved unanimously.

4. **Discussion Item: July 28th Working Meeting**

Jessica Mortinger said the working meeting is designed to guide a discussion about goals, visions, and what needs to be done moving forward, noting that it will be beneficial to have discussions that generate ideas and lead to involvement. Bill Anderson asked how many people are expected to attend the meeting. Ms. Mortinger said it will likely be the members of the MPO BAC and a few members of the public. David Hamby asked what the structure of the workshop will look like. Ms. Mortinger said preliminary material including existing conditions and best practices will be made available to get people thinking about different aspects of a bicycle friendly community. The discussion will be broken down into sections about the different E’s (education, equity, etc.) in order to hone in on the details of each essential element of a bicycle plan, which should help develop criteria to prioritize projects. She mentioned national guidance will determine much of the engineering decisions, so the discussion will start with the other E’s.

5. **Discussion Item: Preliminary Survey Results and Existing Conditions**

Jessica Mortinger presented the preliminary survey results and asked the committee whether there are any demographics in the community that do not appear to be involved. Bill Anderson asked about scheduling a meeting with a local parent teacher organization. Ms. Mortinger said that PTO’s are often extremely busy at the beginning of the school year and may already be booked during this round of engagement, but agreed it would be helpful to see what can be done to reach them. Jacki Becker asked whether there would be a tabling event at the upcoming Douglas County Fair in the beginning of August. Ms. Mortinger said that in the past the fair has not provided much participation. Ms. Becker also asked if there is any way to reach...
more people from Haskell University. Ms. Mortinger said that the MPO has historically had a difficult time
getting participation from Haskell, but that staff will continue to explore options to engage them and follow up. Mr. Anderson said that the online survey process could be made easier if you didn’t have to verify that
you are not a robot, as it was the trickiest part of the process. Ashley Myers said that it is a technical issue
that is being worked on.

Ms. Mortinger asked whether there are any observations about the preliminary results or whether the data
could be analyzed in more insightful ways. Marianne Melling said it would be interesting to see if there are
any trends in combining the results of various questions and the conclusions that this leads to. (Ex: is there
a correlation between the comfort levels and whether someone is a recreational rider or commuter).

Steve Hitchcock asked whether there is any data that indicates how many KU students bring their bikes to
college. Mr. Anderson said that in his experience the amount of bikes that go unclaimed outside of the
dorms at the end of the year is enormous, saying that it appears that many students expectations about
riding in college go unfulfilled. Mr. Anderson mentioned that the KU campus policy of not allowing bikes in
any building is a major hurdle to ridership as it limits ownership and confidence. Mr. Hitchcock agreed that
college students can be a very difficult demographic to understand, though essential nonetheless.

Mr. Anderson asked how the role of this committee differs from the Pedestrian Bicycle Issues Task Force.
Ms. Mortinger said that the MPO BAC is supposed to think more about specific implementation strategies
and broaden the geographic scope of the plan. Ms. Mortinger continued to say that we know what resources
are available and there needs to be a serious discussion about priorities and who should be responsible for
implementation and maintenance. We need to address gaps in the community which prevent bicycle riding
and develop the best and most realistic strategies to fill them. Mr. Hitchcock noted it seems this is the right
step towards bringing calculated rationale to the decision making process so that projects don’t just sit on
a list.

Ms. Becker asked if there is anything from existing plans that is relevant to this planning process. Ms.
Mortinger said this process hopes to draw relevant material from each of the existing plans in a way that
leads to their implementation and creates the most effective bicycle plan possible.

Ms. Mortinger mentioned that an important goal is to make sure everyone involved is on the same page
and aware what we need moving forward. Mr. Anderson agreed this is very important. He continued to
note people just don’t spend as much time outside anymore and brought up how important it is to make
room for leadership throughout the community that helps build a bike culture. He mentioned as a cyclist
he watched figures like Lance Armstrong generate a ton of enthusiasm around cycling, and said that it is
essential to support local leaders who want to establish and guide different aspects of a bicycle culture.

Mr. Hitchcock agreed, saying all the engineering and infrastructure improvements will be useless without a
significant bike culture. Mr. Hamby said there’s always an excuse not to ride, so it will be essential to figure
out what those excuses are and how to specifically target them.

6. Quick Updates
There were no updates.

7. Other Business

8. Next Meeting: July 28, 2018 – East Lawrence Rec Center from 12 pm – 4 pm –
Meeting adjourned at 5:22 PM.

Lawrence-Douglas County Metropolitan Planning Organization (MPO) Bicycle Advisory Committee -
https://lawrenceks.org/boards/mpo-bicycle-advisory-committee
1) **Potluck Lunch**  
The meeting began with a potluck lunch at Noon.

2) **Discussion of the Es of bicycle planning**

   a) **Evaluation**  
   Discussed potential evaluation methods and data which could be used in evaluations along with the Bicycle Friendly Communities rating, the Places for Bikes City Rating, and the STAR Community Rating.

   b) **Education**  
   Discussed the Bike Friendly Driver course, driver’s education, how bike education could reduce insurance expenses, the Bicycle Lessons and Safety Training (BLAST) and Safe Routes to School (SRTS), and how encouragement, education, and enforcement are tied together.

   c) **Enforcement**  
   Discussed ways people could report unsafe driving behaviors (near bicycle riders), fear which can be classified as safety vs. the perception of safety, and speed.

   d) **Encouragement**  
   Discussed how other communities have citywide clean up days and how perhaps the Big Event at KU could be used to help clean the trails/streets. Other ideas such as having a car free day was discussed.

   e) **Equity**  
   Discussed having outreach to stakeholders who do typically have access to our process. Also discussed having a joint session with the Lawrence Transportation Commission.
f) **Engineering**

The group completed a mapping exercise to discuss if the draft priority network is sufficient. It was decided there should be a secondary network and people should have access to the priority or secondary network with a 1/3 - 3/4 of a mile. The main goal is to complete the priority network. It was decided a bike route with a sign is not enough of a bikeway.

3) **Next steps**

a) **Phase 2 engagement**

A second survey was discussed which will prioritize the education, enforcement, engineering elements.

b) **Do we need further work sessions?**

It was decided at least another meeting will need to be held before the plan is finished.

c) **Plan Details**

It was discussed it would make sense to split the bike plan into two plans: Lawrence specific and a Eudora/Baldwin City/Lecompton/Douglas County plan. This is because the different entities are in such different places as far as implementation. Lawrence now has the dedicated bike/pedestrian funding. Additionally, the MPO is going to start Safe Routes to School (SRTS) planning in Eudora and Baldwin City in 2019. It makes sense to coordinate the bicycle plan with planning for safe routes because we will achieve the most momentum if we frame the conversation around kids getting to school safely.

Michael Almon provided the attached handout and talked about visibility as an issue and protected bike lanes are necessary.

The meeting ended near 4 pm.
Four Types of Transportation Cyclists
Roger Geller, Bicycle Coordinator, Portland OR Office of Transportation

“Survey after survey and poll after poll has found again and again that the number one reason people do not ride bicycles is because they are afraid to be in the roadway on a bicycle. They are generally not afraid of other cyclists, or pedestrians, or of injuring themselves in a bicycle-only crash. When they say they are “afraid” it is a fear of people driving automobiles. This has been documented and reported in transportation literature from studies, surveys and conversations across the US, Canada, and Europe.”

https://www.portlandoregon.gov/transportation/article/158497

https://usa.streetsblog.org/2014/06/05/protected-bike-lanes-make-the-interested-but-concerned-feel-safer-biking/

Bicycles Separated from Motor Vehicles and Pedestrians
Stuart Boley - 1 May 2018
City Commission meeting - time stamp 4:48:25
https://www.youtube.com/watch?v=Zkn0GnHAIH0

“Let me express my interest in separating bicycles from motor vehicles and pedestrians. I don’t want pedestrians to be worried they’ll be run down by bicycles any more than I want bicyclists worried they’ll be run down by motor vehicles. If we never do this separation because we only do a half mile at a time, we’re never going to get separation. I’m really interested in options for separating bicycles from motor vehicles. I want to say that flat out, unapologetically.”
WHY BUILD PROTECTED BIKE LANEs?

WHAT ARE THEY?
Protected bike lanes put a barrier between drivers and bike riders. The barrier can be parked cars, plastic posts, or planters. They are popular in cities with high amounts of bike riders for everyday use.

GOOD FOR SAFETY
89% fewer injuries among bike riders on streets with protected bike lanes.5
Bike- and pedestrian-friendly street design leads to less collisions, even when there are more people out!6
DRIVERS don’t have to worry about unexpected bike maneuvers.
PEDESTRIANS don’t have to worry about bike riders on the sidewalks.

GOOD FOR BUSINESS
9th Ave in New York City saw a 49% increase in business after protected bike lanes were installed.1 Nearby streets only saw a 3% increase.
More bike traffic on Kinzie St in Chicago after a protected bike lane was installed.2

A Portland study found bike riders will go out of their way to a street with good bike infrastructure. That’s more business exposure.3

GOOD FOR LAWFULNESS
In Chicago, protected bike lanes have resulted in a 161% increase in the number of bike riders obeying the stoplight.4

GOOD FOR EVERYONE
71% of Americans have expressed interest in riding a bike more often, but find it unsafe.5
Are you one of them?

LESS
Each bike on the road is one less car in traffic, causes less pollution, less wear on the road (and therefore less taxpayer-funded maintenance), and creates a healthier population.

LIKE PROTECTED BIKE LANEs?
TELL YOUR LOCAL ELECTED OFFICIALS!

Pedestrians and bike riders in Toronto spent the most money and visited stores more often. Maybe because it costs less to walk or bike?


a policy brief from
Sustainability Action Network
Local Solutions for Transition to a Sustainable Economy

Transitized.com
Protected bicycle lane delineators
28" tall, spring mounted, reflective
City of Lawrence
Transportation Commission Study Session
November 28, 2018 Minutes

MEMBERS PRESENT: Charlie Bryan, Mark Hurt, Donna Hultine, Steve Evans, Erin Paden, Kathryn Schartz

MEMBERS ABSENT: Michele Dillon, John Ziegelmeyer, Ron May,

STAFF PRESENT: David Cronin, MSO Department, Jon Marburger, MSO Department Jessica Mortinger, Planning Department

PUBLIC PRESENT: N/A

A complete video recording of the meeting is available on the City’s website at https://lawrenceks.org/boards/transportation-commission/

1. Bikeway Plan Update
   A. What we heard?
   B. Education, Encouragement, Enforcement Policies and Programs Toolbox Draft
   C. Progress to Date
   D. Evaluation
   E. Next Steps and Timeline
   F. Comments
   G. Adjourn
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<td>Jessica Mortinger</td>
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<td>Helen Schnoes</td>
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<td>Michael Atmon</td>
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Lawrence Bikeway Plan Update - 2018

Please include the following in the descriptive planning language of the Lawrence Bikeway Plan Update (acknowledge reality, and don’t ignore or gloss over the Pedalplan):

Planning Context
Planning for bikeways in Lawrence and Douglas County is not a new concept. The first Lawrence bicycle plan was the Pedalplan for Lawrence, completed in 1976. The first countywide bicycle plan was developed in 2004.

Please incorporate the following as recommendations in the Lawrence Bikeway Plan Update.

Code provisions:
It is recommended to use these two principal design features that make bikeways safe:
1) Visibility of the bicyclists, using devices such as green pavement marking, lane delineaters, and protected intersection design.
2) Separation of bicycle lanes from motor vehicle lanes by a 3-foot buffer in mid-block, and immediately adjacent at intersection approaches.

Within the Lawrence Development Code, Chapter 20 Article 8, Subdivision Regulations,
1) By Ordinance, adopt protected bikeways (protected lanes, cycle tracks) as the default design along Arterial and Collector Streets.
2) Create sub-sections in the Code 20-8, that require, in all new subdivisions, separated and protected bikeways along Collector streets and Arterial streets, and mid-speed connector bikeways tying into the separated bikeways.
3) Include a sub-section that establishes the responsibility for paving said bikeways as being with the developer, and constructed concurrent with the paving of the most adjacent roadway.

An effective bicycle transportation network consists of three-tiers:
1) High-speed (20-25mph) through-corridors of protected lanes, bicycle tracks, and/or bicycle boulevards
2) Low-speed (5-10mph) nodes/sectors such as neighborhoods or activity centers (shopping, recreation, government offices, schools, transit)
3) Mid-speed (10-20mph) connector bikeways that link the nodes with the through corridors
**Actionable Ordinance items:**
By Home Rule Ordinance, adopt 15 mph as the default residential street speed limit (KSA 8-1560 allows localities to lower it to 20 mph; KSA 8-1560a allows Wabaunsee County to lower it even more; Lawrence could request the same).

By Ordinance, designate bicycle boulevards as “traffic management devices”, with speed limits set at 15mph. (this would override the 70% approval requirement for traffic calming)

By Ordinance, adopt complete street design as the default.

By Ordinance, amend Lawrence City Code Sec. 20-810(h)(4)(ii) to require a walkway and bikeway easement at the terminus of each Cul-de-sac.

By Ordinance, adopt the National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide - [https://nacto.org/publication/urban-bikeway-design-guide/](https://nacto.org/publication/urban-bikeway-design-guide/)

By Ordinance, adopt the National Association of City Transportation Officials (NACTO) Urban Street Design Guide – [https://nacto.org/publication/urban-street-design-guide/](https://nacto.org/publication/urban-street-design-guide/)

**Operational provisions:**
Hire a Bicycle-Pedestrian Coordinator/Engineer.

In the Public Works Street Detail Design Sheets, indicate the minimum cross section, back-of-curb to back-of-curb to be for:
Local Street: 20 feet, no parking; 27 feet with parking one side.
Collector Street: 40 feet (two 11-foot motor vehicle lanes; two 5-foot bicycle lanes; two 3-foot buffers; two curbs)
Minor Arterial Street: 52 feet (two 11-foot motor vehicle lanes; one 12-foot center turn lane; two 5-foot bicycle lanes; two 3-foot buffers; two curbs)
Major Arterial Street: 71 feet (four 11-foot motor vehicle lanes; one 12-foot center turn lane; one 10-foot 2-way cycle track; one 3-foot buffer; two curbs).

Purchase a street sweeper with a 6 foot sweeper path (such as the Sentinel), and dedicate it to clearing bicycle lanes, particularly protected lanes and tracks, of debris and obstacles.

Strictly enforce the requirement that bicyclists display a front white light and a rear red light between dusk and dawn, that are visible for a minimum of 500 feet away.
Conduct an origin-destination study (O.D.S.), to identify Lawrence's main originators of bicycle transportation users, the multiple destinations traveled to, the existing number of cyclists traveling, and the level of cyclists latent demand if a safe and convenient bicycle lane-track-path were to be installed in any given corridor.
Vision and Goals

Lawrence Bicycling Vision: A bikeway network that supports safe and comfortable riding for all.

The vision is supported by 5 goals:

1. **Improve Safety**
   a. City of Lawrence continue zero bicycle riders fatalities & serious injuries thru 2025.
      i. Current bicycle riders fatalities & serious injuries are:

      | Year | Fatalities | Serious Injuries | Total |
      |------|------------|------------------|-------|
      | 2011 | 0          | 1                | 1     |
      | 2012 | 0          | 2                | 2     |
      | 2013 | 0          | 1                | 1     |
      | 2014 | 0          | 2                | 2     |
      | 2015 | 0          | 1                | 1     |
      | 2016 | 0          | 0                | 0     |
      | 2017 | 0          | 0                | 0     |

      Source: KDOT (2018)

2. **Increase Ridership**
   a. City of Lawrence increase bicycle mode choice to 3% by 2025.
      i. Current mode choice is:

      | Year | Bicycle Rider Mode Choice |
      |------|---------------------------|
      | 2013 | 1.6%                      |
      | 2014 | 1.3%                      |
      | 2015 | 1.0%                      |
      | 2016 | 0.9%                      |
      | 2017 | 1.0%                      |

      Source: ACS 5-year estimates (S0801)

   b. Lawrence Public Schools increase Walk/Bike to School percentage to 25% by 2025.
      i. Current Walk/Bike to School numbers are:

      | Year | Walk/Bike Trips | % of Total |
      |------|-----------------|------------|
      | Fall 2014 | 2,980          | 18%        |
      | Fall 2015 | 3,618          | 22%        |
      | Fall 2016 | 4,199          | 25%        |
      | Fall 2017 | 4,628          | 21%        |
      | Fall 2018 | 4,133          | 17%        |

      Source: Lawrence Public Schools

(We are looking into the possibility of isolating bike trips)
3. Increase Access
   a. City of Lawrence increase percentage of population within ¼ mile of the bikeway network (major, minor, shared) to 75% by 2025.
      i. Current access is:
         1. 2019 – 70% (1/4 mile buffer shown in purple below)

4. Create a Network of Low-Stress Bikeways
   a. City of Lawrence increase the mileage of low-stress bikeways to XX by 2025.
      i. Mileage of low-stress (level of comfort of 3 or less)

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<th>Priority/Secondary Network</th>
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<td>(Can’t currently conduct this analysis because we need traffic counts to complete the level of comfort analysis)</td>
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5. Achieve League of American Bicyclists Silver level Bicycle Friendly Community or higher by 2025.
   a. Bronze Bicycle Friendly Community (BFC) recognition since 2004
There’s no single route to becoming a Bicycle Friendly Community. In fact, the beauty of the BFC program is the recognition that no two communities are the same and each can capitalize on its own unique strengths to make biking better. But, over the past decade, we’ve pored through nearly 600 applications and identified the key benchmarks that define the BFC award levels. Here’s a glimpse at the average performance of the BFCs in important categories, like ridership, safety and education.
Performance Measures

Existing T2040 Measures

- Percentage of people who have access within a ¼ mile to the bikeway network (per facility type)
- Percentage of public streets with bikeway network (per facility type)
- Number of non-fatalities & serious injuries (*bike only for the bike plan)
- Percentage of mode choice (*bike only for the bike plan)

Potential Additional Measures from Bike Friendly Community or Places for bikes

- Percentage of high speed (> 35 mph) roads with bike facilities (per facility type – centerline miles)
- Percentage of transportation budget spent on bicycling**
- Miles per facility type per year (have 2017 and 2018 data)**
- Number of public bike parking spaces per year (have 2017 and 2018 data)**

Other Measures to Consider from Survey 2

- Bike share usage
- Mileage of low-stress bikeway
- Bicycle and pedestrian counts at specific locations (count yearly)
- Bike to school numbers
- Percentage completed of priority bike network

** Also suggested by survey respondents
Changes to the bikeway map based on survey comments as of 1-8-19

<table>
<thead>
<tr>
<th>Segment</th>
<th>End Points</th>
<th>Was</th>
<th>Changed to</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lake Estates Dr</td>
<td>George William Way</td>
<td>SLT SUP</td>
<td>Nothing</td>
</tr>
<tr>
<td>George Williams Way</td>
<td>Bob Billings Pkwy</td>
<td>Clinton Pky</td>
<td>Nothing</td>
</tr>
<tr>
<td>Crossgate Dr extension</td>
<td>W 27th St</td>
<td>SLT Path</td>
<td>Nothing</td>
</tr>
<tr>
<td>Lawrence Ave extension</td>
<td>W 31 St</td>
<td>Path crossing K10</td>
<td>Nothing</td>
</tr>
<tr>
<td>Connection between Michigan St and Maine St (behind the hospital)</td>
<td>Maine and 2nd St</td>
<td>Michigan St and 2nd St</td>
<td>Nothing</td>
</tr>
<tr>
<td>Massachusetts St</td>
<td>11th St</td>
<td>14th St</td>
<td>Bike Route</td>
</tr>
<tr>
<td>Kasold Dr – east side</td>
<td>Bob Billings Pkwy</td>
<td>6th St</td>
<td>Future</td>
</tr>
<tr>
<td>Oushdal Rd</td>
<td>21st St</td>
<td>19th St</td>
<td>Bikeway</td>
</tr>
<tr>
<td>19th St</td>
<td>Oushdal Rd</td>
<td>Ellis St</td>
<td>Bikeway</td>
</tr>
<tr>
<td>Lawrence Ave</td>
<td>27th St</td>
<td>31st St</td>
<td>Bikeway</td>
</tr>
<tr>
<td>31st St</td>
<td>Lawrence Ave</td>
<td>Kasold SUP</td>
<td>Nothing</td>
</tr>
<tr>
<td>31st St SUP</td>
<td>Haskell Ave</td>
<td>E 1600 Rd/O’Connell Rd</td>
<td>Secondary Network</td>
</tr>
<tr>
<td>E 1600 Rd/O’Connell Rd</td>
<td>31st St</td>
<td>19th St</td>
<td>Secondary Network</td>
</tr>
<tr>
<td>19th St</td>
<td>O’Connell Rd</td>
<td>Burroughs Creek Trail</td>
<td>Secondary Network</td>
</tr>
</tbody>
</table>
DISCLAIMER NOTICE
The map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The City of Lawrence makes no warranties, express or implied, as to the use of the map. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the map, including the fact that the map is dynamic and is in a constant state of maintenance, correction and update.

Date: 1/17/2019
Proposed Priority Bike Network
Proposed Secondary Bike Network
Existing & Planned Bikeway Network

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Date: 1/17/2019
### Bikeway Plan Update Timeline

<table>
<thead>
<tr>
<th>Task 1: Public Engagement</th>
<th>2018</th>
<th>2019</th>
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<tbody>
<tr>
<td>MPO BAC</td>
<td></td>
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<tr>
<td>Stakeholder Meetings with Baldwin City &amp; Eudora Staff</td>
<td></td>
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<tr>
<td>Open House/Survey 1</td>
<td></td>
<td></td>
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<tr>
<td>Investigational Bicycle Rides</td>
<td></td>
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<tr>
<td>Open House/Survey 2</td>
<td></td>
<td></td>
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<tr>
<td>Final Plan Tour</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Task 2: Draft Existing Conditions Memo</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reviewed by MPO BAC</td>
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<tr>
<td><strong>Task 3: Draft Recommendations Memo</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reviewed by MPO BAC</td>
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<tr>
<td><strong>Task 4: Final Approved Report</strong></td>
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<td></td>
</tr>
<tr>
<td>Draft Final Report</td>
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<td></td>
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<tr>
<td>MPO BAC Recommend Approval</td>
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<tr>
<td>TAC Recommend Approval</td>
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<tr>
<td>MPO Policy Board Approval</td>
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<tr>
<td>Presentation to Lawrence Transportation Commission, City of Eudora, City of Baldwin City, City of Lecompton</td>
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<tr>
<td>Open House &amp; Bicycle Rides to Celebrate the New Plan</td>
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</tbody>
</table>

*Staff workgroups (TAC and Lawrence Multimodal team) will meet as needed.

As of 4.9.18
Kansas Open Meetings Act

K.S.A. 75-4317 et seq.
Open Meetings Principle

- The open meetings principle is based on the belief that the people have a right to know the public business; and
- Information is essential to the effective functioning of our democratic process.
Purpose of KOMA

“In recognition of the fact that a representative government is dependent upon an informed electorate, it is declared to be the policy of this state that meetings for the conduct of governmental affairs and the transaction of governmental business be open to the public.”

K.S.A. 2014 Supp. 75-4317(a)
KOMA Applies When

- The body involved is a covered entity; and
- There is a “meeting.”
Bodies Subject to the Act

- Applies to all legislative and administrative bodies, state agencies and political and taxing subdivisions; (including city advisory boards)
- Which receive or expend and are supported in whole or in part by public funds.
Meeting

3 conditions must be met for a “meeting” to occur. All 3 must be present:

1. A gathering of a majority of the members of the body;
2. Interactive communication – in person, by telephone or any other medium; and
3. Discussion of the business or affairs of the body.
1. Majority of Membership

For the 7-member Lawrence-Douglas County MPO Bicycle Advisory Committee, a majority of the membership of the body is 4.
2. Interactive Communication

Act applies when there is “interactive communication…”

- clearly applies when members are in physical presence of one another;
- telephone calls, including conference calls;
- work sessions, staff briefings, video conferencing, online communications (when there is the opportunity for contemporaneous interaction)
3. Discussing the Business of the Body

- **Discussion** of public business is what triggers the application of KOMA (a vote or binding action is not necessary for KOMA to apply).

  - **Social gatherings** are not subject to KOMA if there is no discussion of the business of the body;

  - **Conferences** may be attended by Board members where items of general interest are discussed as long as specific business of the body is not discussed by a majority of the Lawrence-Douglas County MPO Bicycle Advisory Committee.
Electronic Communications

• The Attorney General has indicated that the mere fact that a communication is electronic does not raise a KOMA issue.

• If a majority of the body uses an electronic communication to engage in “interactive discussions” such contact may raise a KOMA issue.

• A single email sent to other members would likely not be considered a violation, but participation in an online chat room or instant messaging may be considered a violation of KOMA because of its interactive nature.
E-mails

• Avoid initiating an on-line discussion with fellow advisory board members through email.

• You may receive emails about a city matter in which other advisory board members are also sent or copied on the email.

• Avoid the “REPLY ALL” function.
Serial Meetings

A series of interactive communications of less than a majority is not permitted under KOMA.

A violation of KOMA may occur if the communications:

1) Collectively involve a majority of the membership of the body;
2) Share a common topic of discussion concerning business or affairs of the body; and
3) Are intended by any or all of the participants to reach agreement on a matter that would require binding action to be taken by the body or agency.
Review: KOMA Applies When...

• The body involved is a covered entity and

• There is a “meeting”
  ✓ Majority of the membership of the body; and
  ✓ Interactive communication; and
  ✓ Members discuss the business of the body.
KOMA Requirements

• All meetings of entities covered by KOMA must be open to the public and proper notice must be given.
Meetings Open to the Public

• Meetings must be held in places accessible to the general public.

• Meetings must be conducted so the public may observe or listen to the proceedings.
Notice

Notice of the date, time and place of any regular or special meeting must be given to any person requesting such notice.

- KOMA does not require notice to be given within any particular time frame.
- Notice must first be requested before a body is required to provide it.
Agendas

• KOMA does not require an agenda be created.
  – If a body creates one, it should include the topics planned for discussion.
  – Agendas can be amended.
  – If agendas exist, copies must be available to those who request them.
Executive Sessions

- Meetings closed to the public (executive sessions) are permitted in limited circumstances.
- City advisory boards should not have an executive session without the prior approval of the City Attorney’s Office.
- Certain procedures must be followed, and only certain topics may be discussed.
Possible ramifications for violation of KOMA requirements

• The Attorney General or the District Attorney investigates potential KOMA violations.
• The Attorney General has stated that his office seeks compliance with the Act and his office wants to assure future violations do not occur. They may require the body to receive additional KOMA training.
• 2015 changes to the act provide the Attorney General with new enforcement authority and creates an Open Government Fund. The AG can determine by a “preponderance of the evidence” KOMA violations. If violations are found, the AG can enter into a consent order with public agencies and may apply to district court to enforce a consent order.
The consent order may:

- Impose civil penalties up to $250 / violation
- Require training
- District court action may impose court costs, investigative and attorney fees if the AG must enforce compliance through district court
- The AG may also enter into a consent judgment with a violator which may contain any remedy available to the court
- Invalidation of actions
- Removal from office (ouster or recall)
Questions?

- Contact your staff liaison.
- You may also contact the City Attorney’s Office at 832-3475.

Thank you for your attention to this important law!