REGIONAL TRANSIT ADVISORY COMMITTEE - AGENDA

1. Call Meeting to Order 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 January 10, 2018 meeting and receive the June 13, 2018 meeting notes (attached)

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

5. Action Item: Approval of the 2017-2018 CPT-HSTP Annual Summary

6. Discussion Item: Mobility Management Interest
   KDOT presentation from the October CTD meeting is attached as reference material.

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

8. Other Business/Updates

9. Next Meeting

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/title6 or call (785) 832-3150.
REGIONAL TRANSIT ADVISORY COMMITTEE
Minutes for Wednesday, January 10, 2018 Meeting

VOTING MEMBERS PRESENT:
Robert Nugent (Lawrence Transit)
Heather Thies (Cottonwood Inc.)
Tracy Kihm (Bert Nash Community Mental Health Center)
Heidi Briery (Senior Resource Center for Douglas County)
Christie Patrick (Assisted Living Centers Transit Provider)

STAFF PRESENT:
Jessica Mortinger (L-DC MPO Senior Transportation Planner)
Ashley Myers (L-DC MPO Transportation Planner)
Margaret Campbell (L-DC MPO Transportation Planning Intern)

1. Call Meeting to Order and Introductions
Tracy Kihm called the meeting to order at 2:02 PM.

2. Public Comment
No public comment.

3. Action Item: Approval of Minutes from the February 21, 2017 Meeting (attached)
Tracy Kihm asked if anyone had any changes to the minutes, no changes were requested. Heather Thies made a motion to approve the minutes, seconded by Heidi Briery; the motion passed unanimously, 5-0.

4. Action Item: Election of Chair and Vice Chair for 2018
Tracy Kihm asked if the committee was satisfied with keeping the Chair and Vice Chair positions. After discussion, Christie Patrick made a motion to keep Tracy Kihm as Chair and Heather Thies as Vice Chair, seconded by Ms. Briery; passed unanimously, 5-0.

5. Discussion Item: Transportation 2040 Update
Jessica Mortinger discussed the relevant sections of the plan update for transit providers. The plan update incorporates the planning work done already through various existing plans. The MPO has received permission from the Steering Committee to open the draft for a 30-day public comment period in February. Ashley Myers said all vehicle inventories and financial data received from the providers were included in the document. Ms. Mortinger said the Transit Asset Management (TAM) information is separated out in an appendix. Ms. Kihm asked how the update was different than the CPT-HSTP or one of the other transit specific plans. Ms. Mortinger said this plan included those plans and showed how transit fits into the big picture of transportation throughout the county in conjunction with other modes such as: auto, bicycling, pedestrians, etc. The plan update is also required to receive federal transportation funding. This plan is performance based and will annually track data for 26 performance measures. Ms. Myers said the plan was developed through a public engagement phase in the spring that gained 1,500+ survey responses and in the fall, which gained 88 survey responses. Ms. Mortinger said any comments about the document or areas that need changed need to be submitted by January 16th.

6. Discussion Item: Transit Asset Management (TAM) Performance Measures/ Target
Ashley Myers discussed the TAM plan. The providers need to weigh in on if the MPO should follow state TAM targets or to set MPO targets. Some of the providers use different ULBs, KU busses have a 15-year ULB instead of the average 14-year ULB KDOT vehicles use since KU vehicles only operate during school months. Tracy Kihm said that two of the vehicles listed as minivans were actually vans. Christie Patrick asked if it mattered if the vehicles are KDOT or non-KDOT vehicles; they included both in the data. There was a discussion about should Bob Nugent have to replace a non-revenue vehicle that is over its ULB but still runs well. These non-revenue vehicles are used as support vehicles for transit operations and save money. The
question was brought up, what is the purpose of the benchmarks? Currently, there is not enough funding to replace all of the vehicles over the ULB. Jessica Mortinger said the purpose of showing all vehicles not just KDOT ones, is to show the full picture of what it costs to operate services throughout Douglas County that paints the best representation of services that the community relies on. Mr. Nugent said it could be okay if the benchmarks are not met because it shows the full depreciation of vehicles. In the U.S. there is more money for capital investment than for maintenance. Ms. Mortinger said they would need to be able to justify why they did not meet the targets and if at a later date the targets are discovered to be unreasonable then they could shift them.

Heather Theis said KDOT no longer requests maintenance fees to be recorded by 5310s. Mr. Nugent said they should go with the KDOT targets to be close to the new T-WORKS. Ms. Patrick asked if they need to get any information from the other communities being serviced outside of Douglas County. Ms. Mortinger said staff would be unable to track down all the private services that are not state-funded or services outside of the MPO area. Ms. Mortinger indicated the MPO can adopt the state targets using the MPO data. MPO staff will collect the performance measure data annually and report it; this allows the community to see if by the next plan update, progress was made.

Ms. Theis said when the funds are lean vehicles have to stay on the road a few more years. Ms. Myers asked if they want to include all non-revenue vehicles that support transit operations. Mr. Nugent said they should include all non-revenue vehicles that support transit because they are required to support transit operations. Ms. Theis said they have over 40 vehicles that are used to support transit, such as caseworkers driving clients to the hospital. It was decided to include agency vehicles that support transit, but not personal staff cars. Mr. Nugent said they have support staff driving older vehicles to save money since the vehicle is in good repair and the cost to replace would exceed the cost required to maintain the vehicle outside of the ULB. Ms. Mortinger said according to the ULB for KDOT, cars only have an 8-year ULB. Mr. Nugent said the ULB does not track the difference between hours of driving and miles. By recording both, the true picture of transit operations is shown.

Ms. Theis will be sending inventory tables for the transit providers to fill out. Ms. Theis and Mr. Nugent said that age and miles both need to be included because they paint different pictures. Even if a vehicle does not have too many miles it can still degrade due to age. The data included will show end of the year data. Ms. Mortinger asked if any historical data is being included; Ms. Myers said no.

7. **Discussion Item: Emergency Planning**

Bob Nugent said Douglas County is working to develop additional emergency planning preparedness through planning exercises. This year Lawrence Transit will be participating in an internal emergency planning exercise. Mr. Nugent hopes to be able to conduct a table-top exercise with RTAC members. KU conducted an emergency scenario with transit. This showed there was a lack of communication. Mr. Nugent said that they need to plan what to do if there is an emergency that knocks out communications with drivers and vehicles. Christie Patrick asked who to contact about taking part in this planning. Mr. Nugent said that they should contact Jillian Rodriguez with Douglas County Emergency Management. RTAC members agreed that it would be helpful to do a table-top exercise at a future RTAC meeting and asked Mr. Nugent to set up a scenario.

8. **Discussion Item: Eudora and Baldwin City Transit Strategies from Community Transportation Association of America (CTAA)**

Jessica Mortinger said that RTAC needs to give feedback on the CTAA document by Chris Zeilinger. Mr. Zeilinger calculated transit demand for Baldwin City internally, Baldwin City to Lawrence, Eudora internally, and Eudora to Lawrence. According to the calculations there could be demand in Baldwin City for a van pool service to Lawrence but not enough demand for fixed-route. Eudora could maybe support a Lawrence connection, possibly by Independence, Inc. Another option would be to extend a Lawrence Transit route to Eudora. This comes with administrative issues surrounding Lawrence Transit coverage. The final option listed was adding one or more Eudora stops to the K-10 Connector. This would require the K-10 Connector to do complimentary para-transit, which can be very expensive. This fact wasn’t noted in Mr. Zeilinger’s
recommendations. Ms. Mortinger noted that the investigation done by CTAA provides a picture of what options might be available to pursue but all were dependent upon generating additional revenue to support the proposed services. Ms. Mortinger said that comments and suggestions for the document should be sent to Ashley Myers. She will collect the comments and send them to Mr. Zeilinger. After the changes are made then RTAC can consider accepting the CTAA document and it can be shared.

9. Other Business/Updates
No other business or updates.

10. Next Meeting
The next meeting will take place in March or April. The January RTAC meeting adjourned at 3:21 pm.
Regional Transit Advisory Committee Meeting Notes
Wednesday, June 13, 2018
Lawrence Development Services Conference Room
1 Riverfront Plaza, Suite 110

Attendance:

<table>
<thead>
<tr>
<th>VOTING MEMBERS PRESENT</th>
<th>NON-VOTING MEMBERS</th>
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<tbody>
<tr>
<td>X Bob Nugent</td>
<td>Lawrence Transit System</td>
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<tr>
<td>Heather Odell</td>
<td>Lawrence-Douglas County Housing Authority</td>
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<tr>
<td>Aaron Quisenberry</td>
<td>University of Kansas</td>
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<tr>
<td>LaNeece Jardon</td>
<td>Independence Inc.</td>
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<tr>
<td>X Heather Thies (Vice-Chair)</td>
<td>Cottonwood Inc.</td>
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<tr>
<td>X Heidi Briery</td>
<td>Senior Resource Center for Douglas County</td>
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<tr>
<td>X Tracy Kihm (Chair)</td>
<td>Bert Nash Community Mental Health Center</td>
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1. **Call Meeting to Order and Introductions**
Tracy Kihm called the meeting to order at 1:34pm. There was no quorum. Ms. Kihm announced she will be leaving Bert Nash and will step down as Chair after this meeting. Heather Thies, vice-chair, will assume chair for the rest of the year.

2. **Public Comment**
There was no public comment.

3. **Action Item: Approval of Minutes from the January 10, 2018 Meeting**
There was no quorum so the committee will wait to approve meeting minutes at the next meeting.

4. **Receive the Community Transportation Association of America (CTAA) report about transit strategies in Eudora and Baldwin City**
Ashley Myers presented the CTAA report with the changes made based on RTAC comments. Heidi Briery asked how staff planned to present this to Eudora and Baldwin City. Jessica Mortinger said it will be given to the Baldwin City and Eudora city representatives on the Technical Advisory Committee. Heather Thies asked if the cities had expectations for the report. Ms. Mortinger said the cities were excited to have the conversation but may not be ready to make financial investments yet. Tracy Kihm asked if Baldwin City or Eudora could use this as a basis for a grant. Bob Nugent said there are grant opportunities available for upfront capital but not as often for continuing operations. Tracy Kihm said the committee receives the CTAA report.

5. **Discussion Item: Emergency Planning Table-Top Exercise**
Bob Nugent explained the emergency planning table-top exercise. There was discussion of the postponed Douglas County Emergency Management exercise that was planned for July and what the expectations for transit operators would be in the event. Mr. Nugent then asked how the different transit operators would communicate in the case of an emergency situation that disables power. Lewis Lowry said KCATA/Johnson County Transit is currently having conversations about what to do in different situations. Mr. Nugent said each entity needs to think about how they will communicate internally and between organizations if there was no power or limited communication ability. Lawrence Transit has set up contact points if a situation exists, which could be replicated by other transit operations. Heather Thies asked what Mr. Nugent needs for his records. Ms. Thies indicated Bert Nash will share their Continuity of Operations Plan and would be willing to discuss what assets they have.

Mr. Nugent discussed daily practices, which can be put in place to prepare for emergencies, like filling up the gas on every vehicle every night. Then Mr. Nugent asked what concerns people had. Heidi Briery discussed
the issue of vehicle storage during inclement weather. There was a discussion about how parking garages could be used by different agencies during inclement weather. There will need to be further discussion between agencies on how they can make arrangements to work together and share resources when needed. Mr. Nugent said everyone would need to know what resources exist and how they can be used in an emergency in a timely and effective measure. There also will need to be mutual understandings of what is expected in an emergency. Ms. Briery asked if they know the process for working with the National Guard in an emergency. Mr. Nugent said this would be under the Governor’s jurisdiction and would be contacted by the county.

Mr. Nugent said the committee would need to have a follow-up with the different entities to understand their roles and plans for emergencies. Mr. Lowry said they would like to have Mr. Nugent to meet with KCATA/Johnson County Transit to discuss cooperation between counties in an emergency.

6. Other Business/Updates
No other business.

7. Next Meeting
The meeting was adjourned at 2:51pm.
MOBILITY MANAGER: 
HOW A MM CAN BENEFIT YOUR PROGRAM 
AND THE PEOPLE OF KANSAS

Mike Spadafore
Public Transportation Manager
October, 2018

Kansas
Department of Transportation
What does public transit mean to riders in Kansas?

- Access
- Independence
- Employment
- Education
- Opportunity
- Healthcare
- Social connectivity
- Hope
Mobility Managers support other economic generators in Kansas

- New development amenities
- Access to jobs and job centers
- Youth mobility
- Aging in place
- Better healthcare outcomes, lower medical costs
- Increased access for people of all ages and abilities
Regional, state, and national networking

- Promotes collaboration within your CTD and region
- Active outreach to users and agencies that rely on public transit
- Travel training for new riders
- Direct assistance to people trying to make travel plans across systems
- Spokesperson for public transit
Funding breakdown for new MMs

Year 1  KDOT pays 100%
Year 2  KDOT pays 100%
Year 3+  KDOT 90%/local match 10%

Example:  $100,000/year for all MM expenses
          (because I don’t like hard math)

Overall, KDOT pays $290,000, locals pay $10,000 for the first three years of a full-time mobility manager. Local dollars can be from multiple sources.
Hiring process for new MMs

• Workgroup (agencies providing local match, host agency, and KDOT) work to develop a scope of work, job description, and annual budget (KDOT provides examples of all of this – not from scratch)

• Workgroup reviews and gives preliminary ranking of applications

• Workgroup interviews top 2-3 applicants in person

• Host agency sends formal job offer and starts applicable paperwork
Billing process for new MMs

• MM compiles all receipts, etc. for submission on monthly basis
• Host agency processes/pays all bills, payroll, etc.
• Host agency sends me pay request on the form provided by KDOT
• KDOT reviews, approves, and processes payment to host agency

NOTE: MM cannot be a work-from-home position.
MM needs – from the host agency

- Fiscal agent
- A desk/office space
- Computer, telephone, xerox access
- Accounting assistance (for monthly billing)
- HR (an employee of host on paper)
- Benefits, insurance, etc.

All of these costs are eligible expenses for reimbursement.
MM needs – from the transit agencies in the CTD

• Guidance, advice, and needs assessments from all CTD agencies – tell the MM what your agency in particular needs
• Assistance in developing MM’s scope of work each year (representatives of agencies funding the MM’s local match dollars)
• Presence at CTD meetings
Success story: North central Kansas (CTD #7)

• T-Works dollars used to fund vehicle purchase and first year of operations
• Mobility Manager key to success
• Local match dollars secured from private foundation
• Upgraded technology at work
Current state of Mobility Management
Potential future state of Mobility Management
Kansas Open Meetings Act

K.S.A. 75-4317 et seq.

City of Lawrence
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 9-member Lawrence-Douglas County MPO Regional Transit Advisory Committee, a majority of the membership of the body is 5.
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 Regional Transit 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!