
TECHNICAL 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 November 6 meeting (attached)

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

5. Action Item: Recommend Approval of the FFY19 TIP Amendment 1

<https://assets.lawrenceks.org/assets/mpo/tip/2019-2022TIPA1-Summary.pdf>

No public comments were received during the public comment period. Administrative Corrections -

<https://assets.lawrenceks.org/assets/mpo/tip/comments/TIPA1-AdminCorrection.pdf>

6. Action Item: Recommend Approval of the 2019 Safety Targets (attached)

7. Action Item: Recommend Rescission of previously established 2020 Safety Targets

8. Discussion Item: City of Lawrence Ethics Policy and Kansas Open Meetings Act Presentation (attached)

<https://assets.lawrenceks.org/documents/Resolutions/Resolutions-7200s/Res7269.pdf>

9. Quick Updates

a. Safety Videos

<https://lawrenceks.org/share-the-road>

b. 2017-2018 Biennial Summary of the Coordinated Public Transit –Human Services Transportation Plan (CPT-HSTP) Goals and Strategies

<https://assets.lawrenceks.org/assets/mpo/rtac/2017-2018GoalsandStrategiesSummary.pdf>

10. Other Business

11. Next Meeting: March 5, 2019 or another date set by the TAC

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.

Attendance:

VOTING MEMBERS PRESENT

<input checked="" type="checkbox"/>	Leslie Herring (V-Chair) (Alt)	City of Eudora
<input checked="" type="checkbox"/>	Keith Browning	Douglas County
<input checked="" type="checkbox"/>	Ed Courton (Chair) (Alt)	Baldwin City
<input checked="" type="checkbox"/>	David Cronin (Alt)	Lawrence PW
<input type="checkbox"/>	Scott McCullough	L-DC PDS
<input type="checkbox"/>	Robert Nugent	Lawrence Transit
<input type="checkbox"/>	Lynley Sanford	Lecompton
<input checked="" type="checkbox"/>	Allison Smith	KDOT
<input checked="" type="checkbox"/>	Aaron Quisenberry	KU on Wheels

NON-VOTING MEMBERS PRESENT

<input type="checkbox"/>	Paul Foundoukis	FHWA
<input type="checkbox"/>	Daniel Nguyen	FTA
<input type="checkbox"/>	Charlie Bryan	L-DC Health Dept.

STAFF PRESENT

<input checked="" type="checkbox"/>	Jessica Mortinger, AICP	L-DC MPO
<input checked="" type="checkbox"/>	Ashley Myers, AICP	L-DC MPO
<input type="checkbox"/>	Ryan Pearson	L-DC MPO

GUESTS PRESENT

<input checked="" type="checkbox"/>	Charles Fertig	Resident
<input checked="" type="checkbox"/>	Helen Schnoes	DG Co Sustainability

1. Call Meeting to Order, Welcome and Introductions

Ed Courton called the meeting to order at 1:32 PM. A quorum was present.

2. Public Comment

There were none.

3. Action Item: Approval of minutes from the October 2 meeting

Ed Courton asked if anyone had changes to the minutes. Keith Browning moved to approve the minutes; the motion was seconded by Leslie Herring and passed unanimously 6-0.

4. Action Item: Recommend Approval of the 2019 Unified Planning Work Program

<https://assets.lawrenceks.org/assets/mpo/upwp/2019-DRAFT.pdf>

Jessica Mortinger presented the 2019 UPWP going over the work planned including finishing the bike plan, processing TIP and UPWP amendments, completing the 23rd St (Lenard to eastern city limits) multi-modal corridor study, and coordinating with Lawrence, Eudora, and Baldwin City and their school districts to write Safe Routes to School Plans. The draft was available for public comment September 29 – October 29. No public comments were received. Motion by Keith Browning to recommend approval of the 2019 UPWP, seconded by Allison Smith, passed unanimously 6-0.

5. Action Item: Recommend Approval of the Cooperative Agreement between the MPO, KDOT, and Lawrence Transit

Jessica Mortinger presented the proposed Cooperative Agreement developed in partnership with Lawrence Transit and KDOT staff. She noted it clarifies and defines the roles & responsibilities to conduct metropolitan transportation planning and establishes roles and responsibilities for the federally required performance based planning and decision making process for the MPO, KDOT and Lawrence Transit. The Policy Board will entertain approval at their November 15th meeting authorizing Scott McCullough to sign on behalf of the MPO. The Lawrence City Commission will consider approval at the November 20th meeting authorizing the City Manager to sign on behalf of Lawrence Transit. Then the agreement will go to KDOT for their signature.

Motion by Aaron Quisenberry to recommend approval of the Cooperative Agreement between the MPO, KDOT, and Lawrence Transit, seconded by Keith Browning, passed unanimously 6-0.

6. Quick Updates

Ashley Myers said the second bike plan survey was opened on October 15. The first survey focused on people's level of comfort on various facility types. This survey is focused on various programs we could do to make Lawrence more bicycle friendly and also has some draft bicycle networks for comment. We currently have 225 survey responses. We have tabled a couple of times and have a few more scheduled before the survey closes on December 1st. There will be a joint MPO BAC and Lawrence Transportation Commission on November 28th where we will talk about the preliminary survey results and various other bike plan elements under development potentially including the bikeway network, bikeway demand, and bikeway level of comfort.

Ms. Myers also spoke about the T2040 Administrative Revision 1 (<http://assets.lawrenceks.org/assets/mpo/T2040/T2040-AR1.pdf>). It was completed on October 22nd to address four issues. First, removal of the Urbanized Growth Area (UGA) around Baldwin City. It was determined the Baldwin City UGA was not established in accordance with Kansas statutes. But if it is legally established it can be added back to the plan's maps by a future administrative revision. The two transit related changes were adjusted to accurately include the FTA Operations funding, which were erroneously not included in the excel summation. Lastly, disclaimers were added to all of the maps stating the data "as is" and the City of Lawrence makes no warranties based on the use of the map.

7. Other Business

Allison Smith mentioned the Urban Mobility stakeholder meeting is on November 8th at the K-State Innovation Campus in Olathe at 8 am prior to the Join Legislative Vision Task Force. The Task Force is researching transportation needs across the state and will be submitting a report to the legislature in mid-January.

Leslie Herring asked if everyone had their TA site visits scheduled. David Cronin and Ed Courton said they did.

8. Next Meeting: December 4, 2018 or another date set by the TAC

The meeting adjourned at 1:55 PM.



Memo

To: Lawrence-Douglas County MPO Policy Board and Technical Advisory Committee

From: Jessica Mortinger - L-DC MPO Transportation Planning Manager

Ashley Myers - L-DC MPO Transportation Planner

Date: January 29, 2019

Re: Revised 2019 Federal Safety Performance Measures - L-DC MPO Targets

On January 16, 2019 KDOT informed staff MPOs are expected to report safety targets annually to KDOT by February 27, 2019. Therefore, MPO staff reviewed the 2017 crash data to realign 2019 targets. Staff recommends the targets listed below based on trend data.

Revised 2019 Targets Based on 2017 Crash Data

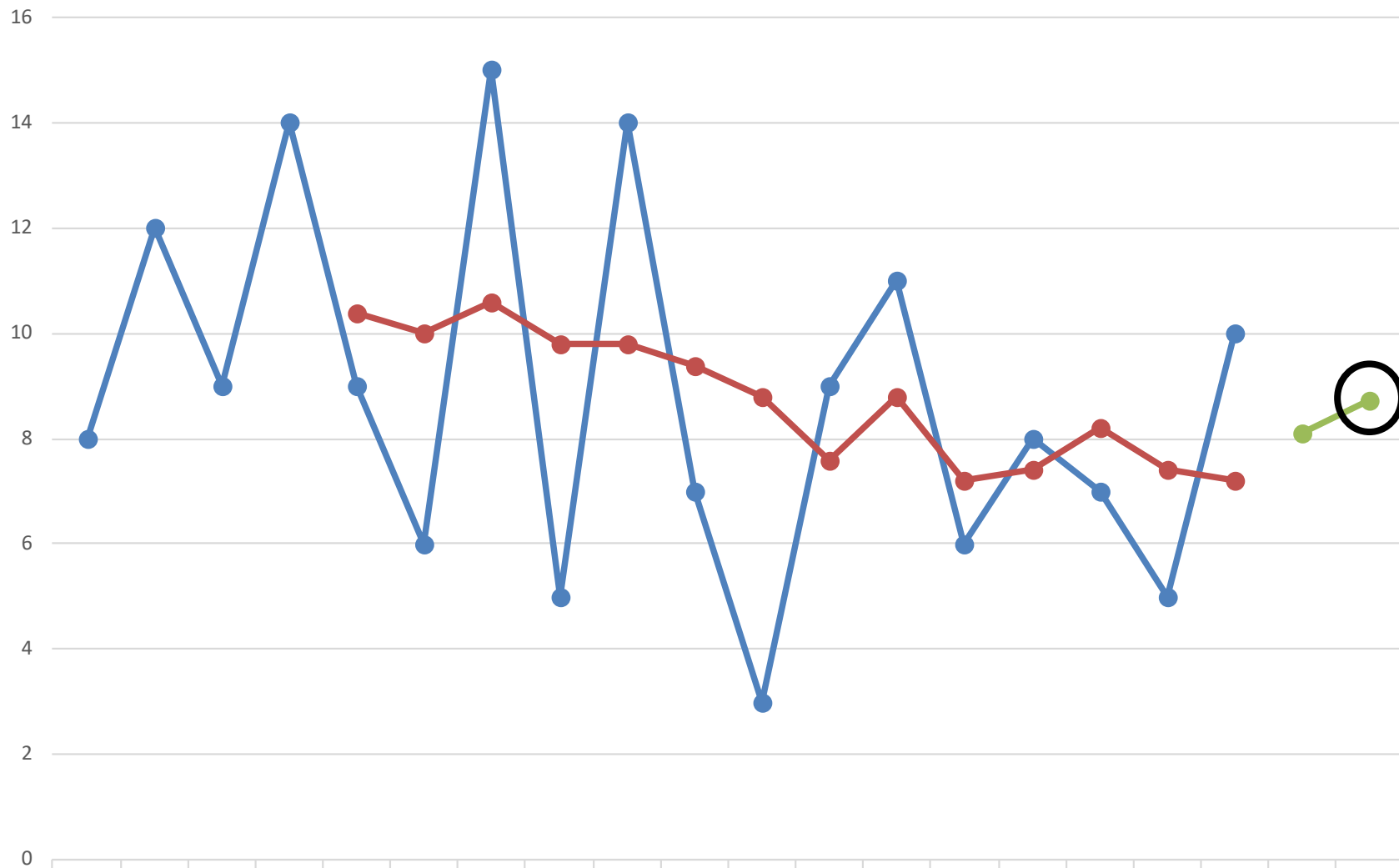
Performance Measure	5-Yr Rolling Avg Targets 2019
9) Number of fatalities	8.7
10) Rate of fatalities per 100 million VMT	0.8
11) Number of serious injuries	29.2
12) Rate of serious injuries per 100 million VMT	2.7
13) Number of non-motorized fatalities & serious injuries	8.7

Lawrence-Douglas County MPO Proposed 2019 Safety Performance Measures

Update Based on 2017 Crash Data

February 2019

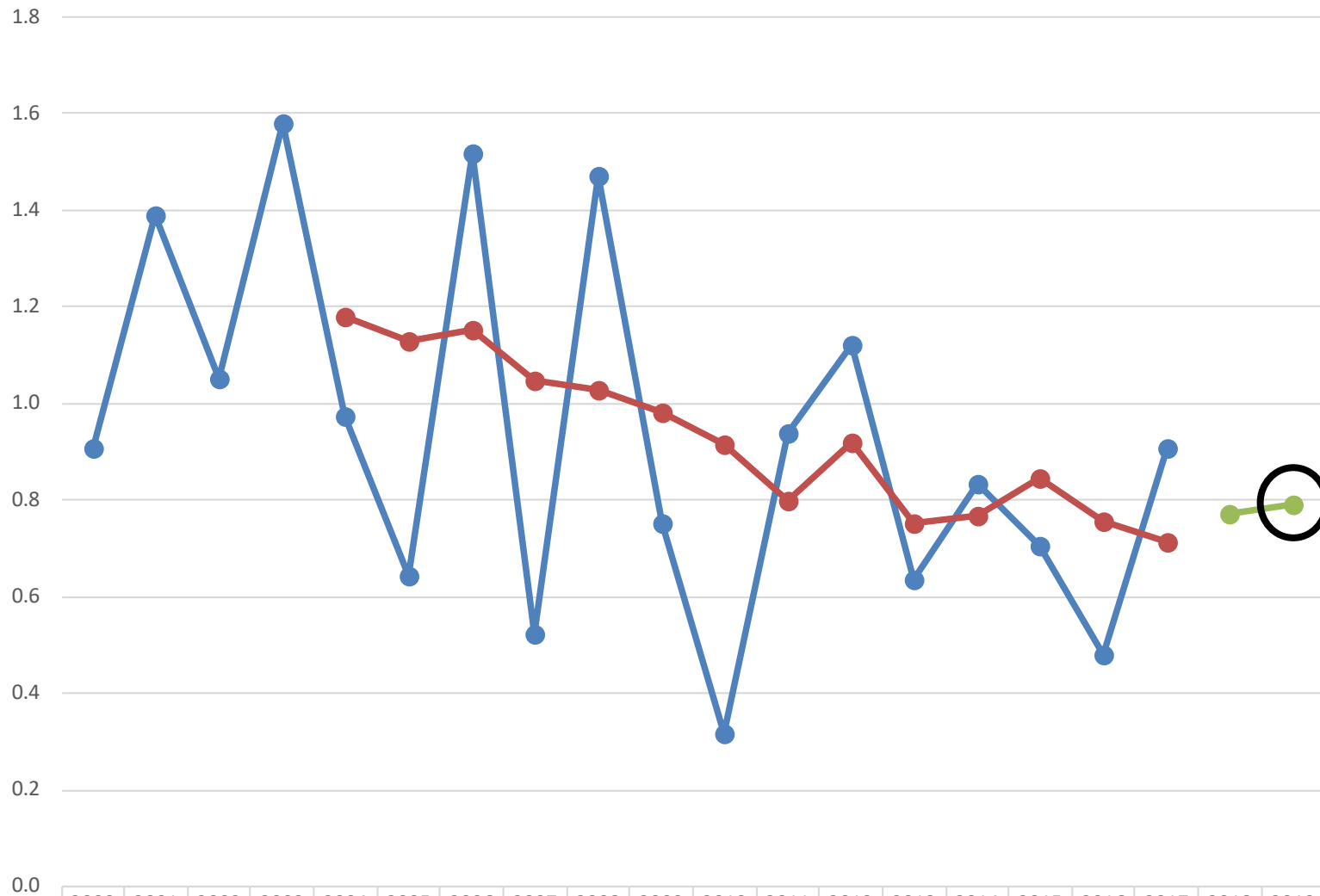
**Number of Fatalities
(Includes Vehicles, Bicyclists, & Pedestrians)
PM 9**



2019
5-Year Rolling
Average Target
8.7

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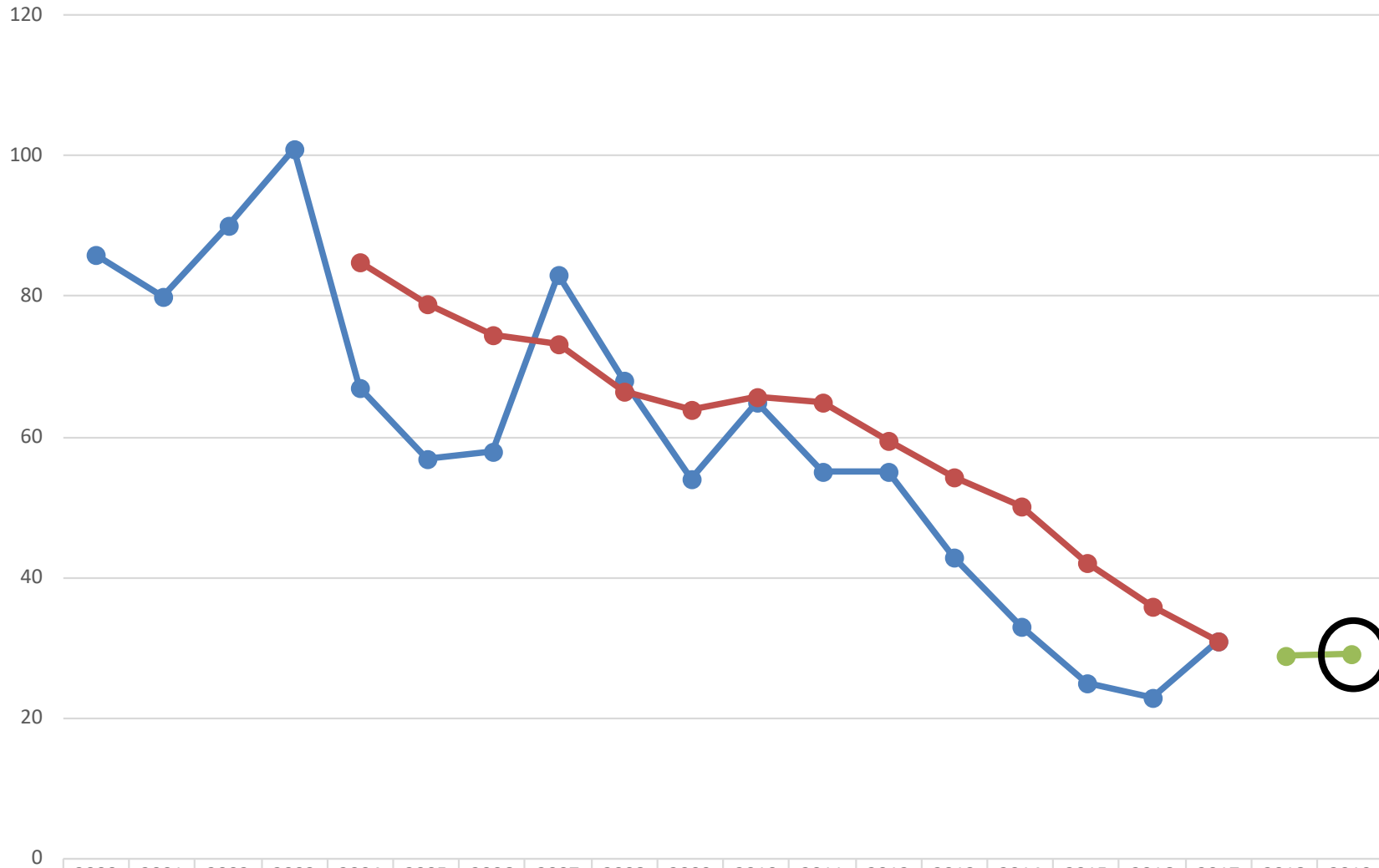
**Rate of Fatalities Per 100 Million VMT
(Includes Vehicles, Bicyclists, & Pedestrians)
PM 10**



2019
5-Year Rolling
Average Target
0.8

[illegible]

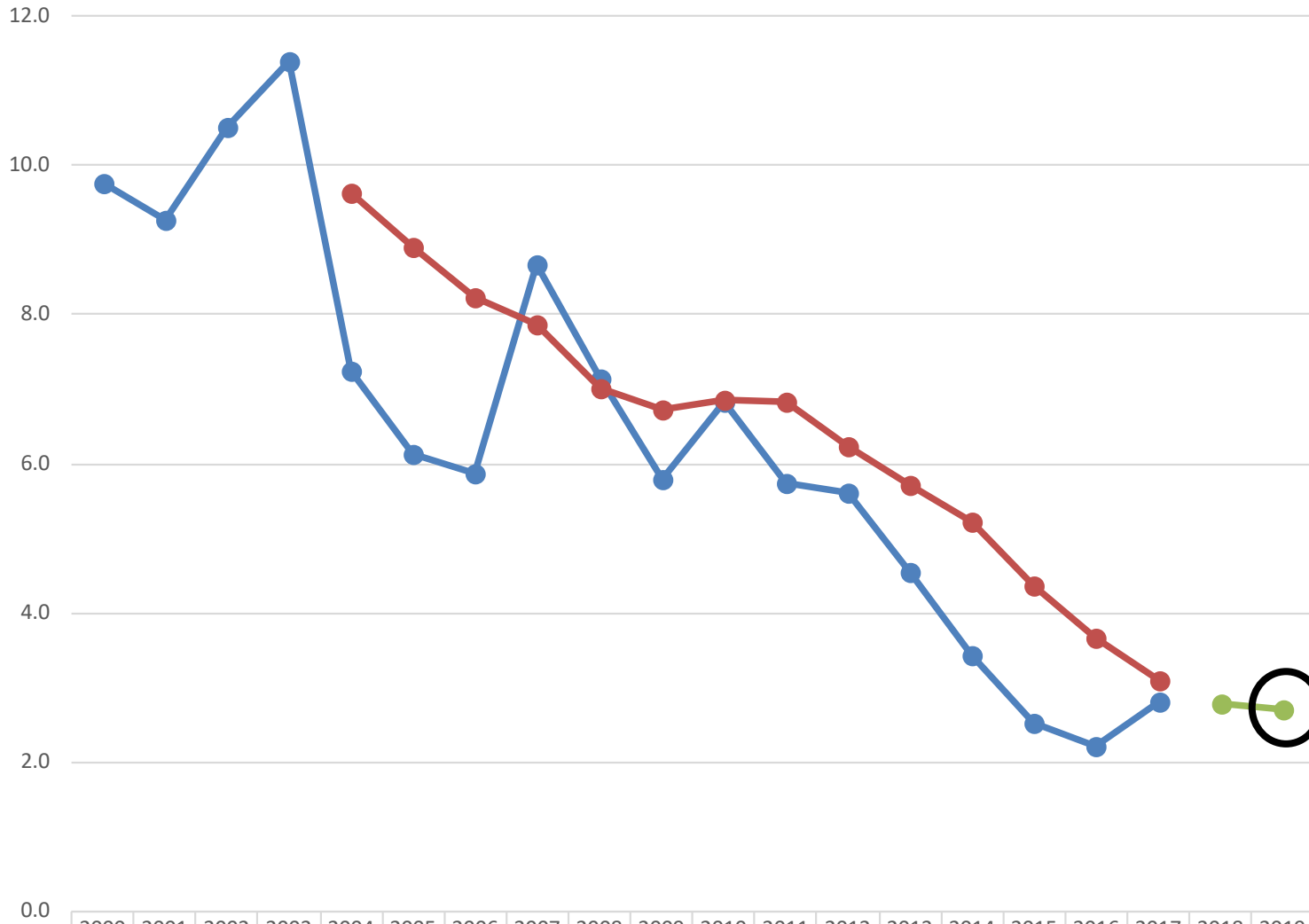
**Number of Serious Injuries
(Includes Vehicles, Bicyclists, & Pedestrians)
PM 11**



2019
5-Year Rolling
Average Target
29.2

[illegible]

Rate of Serious Injuries Per 100 Million VMT (Includes Vehicles, Bicyclists, & Pedestrians) PM 12



2019
5-Year Rolling
Average Target
2.7

[illegible]

PM 13



- Annual Non-Motorized Fatalities & Serious Injuries
- 5-Yr Avg
- 5-Yr Avg Projection

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 10-member Lawrence-Douglas County MPO Technical Advisory Committee, a majority of the membership of the body is 6.



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 Technical 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

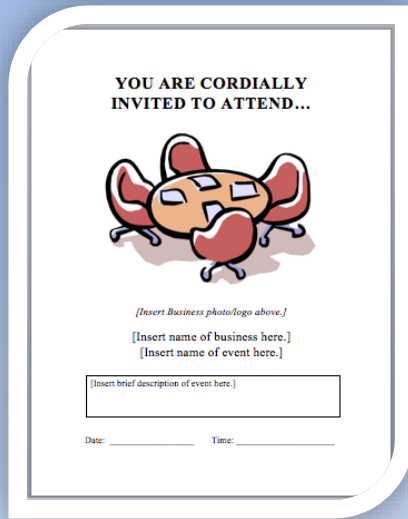
- All meetings of entities covered by KOMA must be open to the public and proper notice must be given.



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!