OPEN MEETING NOTICE

KANSAS STP PRIORITIES COMMITTEE

November 14, 2019
9:30 AM
Broadway Room, 1st Floor MARC Offices
600 Broadway, Suite 200, Kansas City, Missouri 64105

AGENDA

1. Welcome and Introductions
2. Approve the August 8, 2019 Meeting Summary*
3. Status of the Current Program/KDOT Updates*
   • Highway Infrastructure Program funding
4. ConnectedKC Long-Range Plan Development Update
5. Operation Greenlight Budget Update
6. 2019 Ozone Season Update
7. MARC Conflict of Interest and Whistleblower Policies
8. Other Business
9. Adjournment

* Action Items

Next Scheduled Meeting: February 13, 2020 at 9:30 am

Getting to MARC: Information on transportation options to the MARC offices, including directions, parking, transit, carpooling, and bicycling, can be found online. If driving, visitors and guests should enter the Rivergate Center parking lot from Broadway and park on the upper level of the garage. An entrance directly into the conference area is available from this level.

Parking: Free parking is available when visiting MARC. Visitors and guests should park on the upper level of the garage. To enter this level from Broadway, turn west into the Rivergate Center parking lot. Please use any of the available spaces on the upper level at the top of the ramp.

Special Accommodations: Please notify MARC at (816) 474-4240 at least 48 hours in advance if you require special accommodations to attend this meeting (i.e., qualified interpreter, large print, reader, hearing assistance). MARC programs are non-discriminatory as stated by Title VI of the Civil Rights Act of 1964. For more information or to obtain a Title VI Complaint Form, call 816-474-4240 or visit our webpage.
Members Present
J.R. McMahon, Miami County, Chair
Vernon Fields, Basehor, Vice Chair
Nate Baldwin, Olathe
Troy Shaw, UG, Kansas City rep.
Michael McDonald, Leavenworth
Tim Green, Lenexa
David Ley, Leawood
Celia Duran, Mission
Jim MacDonald, Merriam
Mike Spickelmier, Lansing
Paul Lindstrom, Shawnee
Allison Smith, KDOT
Greg Ruether, Bicycle/Pedestrian Committee
Lauren Anderson, Leavenworth County

MARC Staff Present
Marc Hansen
Terry Anderson
Ray Webb
Beth Dawson
Martin Rivarola
Amanda Horner

Other Attendees:
Leslee Rivarola, Basehor
Mark Lee, Basehor
Kip Strauss, HNTB
David Nolte, BHC Rhodes
Jean Carder, Louisburg
Kate Pfefferkorn, Pfefferkorn Engineering & Environ.
Bryan Blizzard, GBA
Bob Miller, TranSystems
Art Gough
Scott Crain, Affinis Corp.
Carl Reed, Alfred Benesch & Co

1. Welcome and Introductions
Chair J.R. McMahon welcomed the attendees and opened the meeting with self-introductions.

2. Approval of August 8 Meeting Summary
MOTION: Nate Baldwin moved and Tim Green seconded to accept the August 8, 2019 meeting summary as printed; the motion passed unanimously.

An updated project tracking sheet for KS STP and CMAQ Traffic flow projects programmed through FFY 2022 was provided as a handout. Marc Hansen reviewed:
- End of FY2019 balance: A few years ago, the Transportation Alternatives program assisted STP with funds when STP was over programmed and this year the opposite occurred with STP giving TA funds. Both instances were around $430,000. Staff is working with KDOT to determine the accounting process. With this action, the STP FY2019 ended with a zero balance as requested by KDOT.
- FY2020 is over programmed by $1,423,544; however, the program should be fine since the obligation authority is a little higher than last year by around $500,000; both Kansas and Missouri have higher OA. There are options to balance the program if needed.
- By 2022, we will be over programmed by $5M so the committee will need to look at options. One option is the following item.

New Omnibus/Highway Infrastructure Program (HIP) suballocated funds of about $3.3M are available for the committee to program. We received $2.3M in 2018 that the committee approved for Olathe’s Lone Elm project. Olathe returned their equivalent amount of STP funds and the committee reprogrammed those dollars which resulted in over programming. The current HIP funds must be obligated by the end of fiscal year 2022, September 30th. To eliminate the chance of the region losing the funds, MARC staff recommends identifying one or two FY 2020 or 2021 programmed project(s) that can take the full amount, returning their STP funds to the general STP pot of funds since we are over programmed through 2022. HIP funds are very
much like STP funds. Eligible projects must be road and bridge focused but other multi modal components within the project are fine.

Allison Smith shared that the HIP funds were a nice surprise; 2020 allocations are unknown but will inform the committee as KDOT learns of new funds. KDOT would prefer the funds be given to one project.

Two sponsors indicated interest in swapping STP for HIP funds:
- Lenexa, $3,200,000 programmed for FY2021, 87th St and I-435 Interchange Improvements project
- Unified Government, $6,565,000 programmed for FY2020, Leavenworth Road Improvements, 78th to 63rd

**MOTION:** Troy Shaw moved and Celia Duran seconded to approve moving the $3.3M of HIP funds to the FY2020 Unified Government’s Leavenworth Road Improvements 78th to 63rd project. With no further discussion, the motion passed unanimously.

KDOT Report on two statewide processes: local consult and cost share program.
- Allison Smith thanked those who attended the local consult meeting the previous week. The process is half way through the second round of local consults. The Local Consult meetings will inform the state’s next Long-Range Transportation Plan, the planning document that will guide investments from 2020 to 2045. That document will shape the state’s next transportation program, known as FORWARD. Actions to be included in the Forward program will include process improvements, gaps and needs and funding adjustments. They did an exercise based on if additional funds were to become available. Project lists are presented at each local consult meeting to get input on regional importance and any suggested additional projects. Projects will be evaluated and ranked soon. The Forward program will be formulated and presented to the Legislature in January. More details on the meetings are available here: [http://www.ksdot.org/LocalConsult/LocalConsult.asp](http://www.ksdot.org/LocalConsult/LocalConsult.asp).
- Cost Share program: KDOT selected 22 projects out of almost 100 applications received from across the State. The selected projects were announced recently. Awarded $39M in State funds, $74M in transportation improvements over all between State and Local. Another selection planned for the spring of 2020 will be made from the remaining applications. Project sponsors may submit supplemental materials showing community support, how the project promotes safety, improves access, or provides economic development for your community. Submit the materials by March 1st to Michelle Needham, Cost Share Program Coordinator, [michelle.d.needham@ks.gov](mailto:michelle.d.needham@ks.gov). An updated FAQ will be available on KDOT’s main webpage.
- KDOT is moving forward with their long-range planning process in conjunction with these actions.

Q: Are MoDOT and KDOT Cost Share programs similar?
A: Almost and KDOT is reviewing expanding to additional funds, possibly would fit with TA funds.

### 4. 2019 Congestion Management Report


Suggested uses of this source: you can click on segments of the map to see travel times for planning purposes and for land use information.
5. ConnectedKC Long-Range Plan Development Update
The Regional Transportation Plan (RTP 2050) has been rebranded to be called, ConnectedKC 2050 Regional Transportation Plan. Many committee members have been involved in the Plan’s process. Martin Rivarola provided an update; several key points are as follows.

- The Plan provides guidance to all the planning and programming work as an MPO. It is a required document that must be updated every ten years.
- The Plan will impact the STP programming with some process changes: the January Call for Projects is being delayed to June 2020, following the adoption of the Plan, and secondly, we plan to institute an early prequalification process through the planning and policy committees.
- Policy goals and outcomes we hope to achieve: access to opportunity, transportation choices, economic vitality, healthy environment, and public health and safety. These policy goals make up the bulk of the scoring criteria used during programming processes.
- Looking at new sources of funding the transportation system, especially if we are looking to move away from the current fossil fuel-based system.
- Since the process will have new efficiencies, the programming recommendations will be ready to go to the TTPC in December, only one month later than previous rounds.
- A planning committee workshop was held last month to help prioritize the projects.
- Currently ranking the 419 applications as high, medium, or low. About 56% are roadway projects.
- Please take the public survey and encourage your networks to take the survey found at www.marc.org/2050.
- There are three public meetings remaining, with the final one at MARC on November 19th.
- The process change/schedule recommendations will be taken to the TTPC next week.
- Sponsors were asked to be prepared to submit a letter of intent before July 2020.

Marc Hansen added there likely will be minor changes to the scoring criteria. There will be a preapplication workshop.

J.R. McMahon shared a desire to move forward and put value on the scores. He proposed value on city center jobs within each community – can a city have its own region and have value to that region? As we go forward, we need a better definition of regionalism? Individual cities are constrained within their region and the scores reflect that. There needs to be some value to a community that wants to have their own jobs. The long-range plan is very important committee work that is done only every ten years. He suggested meeting monthly through July. It is important for us to help MARC staff move forward with this work.

6. Operation Greenlight Budget Report
Ray Webb, MARC’s traffic operations manager, reported. The committee asked for annual reports of the Operation Greenlight activities since OGL receives STP funds off the top of each funding round for operations; the Kansas STP portion was $210K each for their 2019 and 2020 budget. Currently there are 15 partners (cities/counties) on the Kansas side, 10 partners on the Missouri side, plus KDOT and MoDOT with a total of 749 signals and host 140 cameras in the region. They would be happy to add all the metro area signals on their GIS map; partnership not required. If interested, please send the coordinates of your signals. If your city would like to partner, the process is very simple to connect to the system, at $600 per signal. The system lets us know if a signal has an issue. We are busy making changes all day long due to crashes, work zones closures, and construction. In 2019 they responded to 752 incidents.

OGL staff have been using TranSuite software since 2005. They are in the process of selecting a new software system, held interviews and are evaluating the top three and hope to make a choice by the end of December.

Ray shared the emerging technologies – select cars have an Intersection Assistant. Contact Ray with any questions at rwebb@marc.org.
7. 2019 Ozone Season Report
Doug Norsby, MARC’s Air Quality Planner III, presented a report on the 2019 ozone season provided from Weather or Not, forecasters who monitor the air quality. This is of interest to the committee since ozone relates to the CMAQ projects the committee prioritizes. The ozone season is from March to October and ozone is determined by temperature and moisture. The last few years there has been concern that the region might exceed the standards since we hit the design value of 70 one year, but the last five years have been good. This year the higher amount of rainfall kept us to zero exceedances and no ozone alerts; the lowest since 2015/16. A review by the State and EPA determines the degree of violation(s) of the air quality standard. Design values are calculated on a three-year rolling average so this year’s zero exceedances will be helpful if next year has less rain with high temperatures.

8. MARC Conflict of Interest and Whistleblower Policies
MARC staff highlights these two policies every year with committees that are charged with decision-making:
• Conflict of Interest: for committees that make decisions regarding federal, state and local government funds and private contributions.
• Whistleblower: explains the process to report a concern or possible wrongdoing of someone employed by MARC.

9. Other Business
The Chair recommended that at the February meeting, the committee discuss considering monthly meetings until July.

10. Adjournment
With no further business, the meeting adjourned at 11:02 a.m.

Next Meeting:
The next regular quarterly meeting will be held at 9:30 a.m., February 13, 2020.
Mid-America Regional Council
Conflict of Interest Policy
Governing all Boards, Commissions, Committees and Subcommittees

The Mid-America Regional Council (MARC) is dedicated to building a stronger metropolitan region by promoting regional cooperation and developing innovative solutions to regional challenges. MARC strives to operate in an open and transparent way that inspires confidence that the organization is an effective steward of public resources. The purpose of this conflict of interest policy is to ensure that participants on the MARC board and committees have clear guidance when a participant in any MARC decision-making process could have a conflict of interest and what the appropriate action would be in those circumstances.

It is in the best interest of the MARC Board of Directors, Mid-America Head Start and all other boards, commissions, committees and subcommittees to be aware of and properly manage all conflicts of interest and any appearances of conflicts of interest. This conflict of interest policy is designed to help directors, officers, employees and volunteers identify conflicts of interest and disclose them to the appropriate authority. It is also designed to provide a procedure to appropriately manage conflicts in accordance with legal requirements and the goals of accountability and transparency in all MARC operations.

The MARC Board, and boards that work through MARC such as the Mid-America Solid Waste Management District, make decisions in a number of program areas that impact the availability of federal, state and local government funds and private contributions. This conflict of interest policy is intended to support those decision-making processes.

This policy is intended to supplement but not replace any state or federal laws that govern conflicts of interest in public, non-profit, and charitable organizations.

1. Interested Person

Any member of a MARC board, commission, committee or subcommittee charged with decision-making or making recommendations for funding, who has a direct or indirect financial interest, as defined below, is an interested person.

2. Financial Interest Defined

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

a. An ownership or investment interest in any entity with which MARC has a transaction or other financial arrangement,

b. A compensation arrangement with MARC or with any entity or individual with which MARC has a transaction or arrangement, or

c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which MARC is negotiating a transaction or arrangement.
For purposes of this policy, “family members” includes spouses, parents, children, and siblings (including those related by marriage), as well as significant others and any other person who resides with the committee/board member.

3. Procedure

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the conflict of interest to members of the committee considering the proposed action or recommendation.

A person who has a conflict of interest in a certain matter shall not participate in the discussion of that matter except to disclose material facts and to respond to questions. Such person shall not attempt to exert his or her personal influence with respect to the matter, either at or outside the meeting.

The interested person shall abstain from any votes on funding recommendations, contracts or transactions in which there is an interest as defined above, and shall abstain from any votes for all meeting minutes or other records of the meeting.

4. Gifts, Gratuities and Entertainment

MARC committee members and directors shall avoid accepting, directly or indirectly, any rebate, gift, money or anything of monetary value from an organization or vendor that could benefit from a MARC committee action regarding funding recommendations, vendor selection or other transactions. From time to time, vendors may pay for meals apart from a bid process.

5. Committee Representation

MARC makes decisions on federal and state funding that benefits local communities within the Kansas City region. The MARC Board and many of its committees are composed of local officials representing the communities that may benefit from MARC Board decisions. It is not a conflict of interest for a board member or a committee member, who are also elected officials or local government staff members, to advocate for or vote on issues that will affect their jurisdiction. If an elected official serves on another public board by virtue of their elected office, it is not a conflict of interest for that elected official to participate in discussions and vote on matters affecting that other public body.

In the past, smaller communities have at times been represented by consulting engineers on committees which rely on both technical and community considerations to make funding recommendations. Private consultants or other private parties shall abstain from any discussion or vote on all matters before the committee that might pose a conflict of interest due to a relationship between the project applicant and the private consultant. The private consultant or party should limit any participation in discussion to answering questions asked by other committee members. Individual committees may adopt specific procedural requirements for participation by members and others present at meetings.
6. Disclosure, Notification, and Review Policy

Each director, officer, and committee member shall disclose any relationships, positions or circumstances in which he or she is involved that he or she believes could contribute to a conflict of interest when and if such situations arise.

If a board member or committee member is unsure as to whether or not a conflict of interest exists, it is their responsibility to consult a MARC staff member associated with that committee to make a determination. If after such consultation, the individual is still unsure, then a determination will be made by the executive director of MARC.

If the board of directors, the Head Start Policy Council or other commission or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, that body shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

This policy shall be distributed annually to all decision-making bodies associated with the Mid-America Regional Council, including but not limited to the Mid-America Head Start, for their review.

*Adopted by the MARC Board of Directors, August 25, 2009 (Updated September 26, 2013)*
Mid-America Regional Council
Whistleblower Policy

Policy Objective:
MARC is committed to lawful and ethical behavior in all of its activities and requires all staff to act in accordance with all applicable laws, regulations and policies and to observe high standards of business and personal ethics in the conduct of their duties and responsibilities.

This policy is intended to:
- Encourage individuals to bring ethical or legal violations to the attention of an internal or external authority so that action can be taken to resolve the problem.
- Establish guidance and procedures for staff (paid and volunteer) or others to report illegal, unethical or inappropriate behaviors or practices, in good faith, without fear of retribution.
- To provide a constructive process for individuals to report issues of concern.
- Emphasize the importance of adherence to MARC’s standards of conduct.

Overview:
A whistleblower is a person (often an employee) who raises a concern about serious wrongdoing occurring in an organization. Examples of misconduct that might lead to whistleblowing include the violation of laws, rules or regulations; fraud, mismanagement or corruption; or direct threats to the public interest, such as health or safety violations.

In general, whistleblowing refers to reporting misconduct outside the normal chain of command. Most workplace issues are, and to the extent possible, should be resolved by working with direct supervisors and department directors as described in the Issues Resolution policy. However, if an individual, acting in good faith, has reasonable grounds for believing that serious wrongdoing is taking place that has not been addressed or cannot be addressed through normal channels, he or she has the option of “whistleblowing” without fear of retribution.

Examples of the types of situations a whistleblower might report may include, but are not limited, to the following:
- A violation of law.
- Questionable accounting or monitoring practices.
- Discrimination based on protected classes.
- Fraud, waste or mismanagement.

Examples of problems that can be addressed through normal issues resolution procedures may include, but are not limited, to the following:
- Disagreements or misunderstandings between employees.
- Issues related to employment or working conditions.
- Personality conflicts.
- Working relationships between employees or employees and supervisors.

See the Issues Resolution policy for more information.

Reporting Procedures
Individuals may report misconduct, without fear of retribution, through the following procedures:
- For internal employee relations issues, seek assistance from supervisors, department directors or Human Resources staff as described in the Issues Resolution policy.
For issues related to harassment, immediately report to a supervisor, department director, executive director or Human Resources as described in the Harassment-Free workplace policy.

For all other issues related to suspected fraud, theft, harassment or other illegal activity, contact a supervisor, department director, executive director or call the “WeTip” hotline at 1-800-782-7463 or go online to www.wetip.com.

For issues related to suspected mismanagement or waste of American Recovery and Reinvestment Act (ARRA) funds, call 1-877-392-3375 or go online to www.recovery.gov.

After the Report:
Response procedures for whistleblower reports will vary according to how the report was made.

- Reports related to ARRA funding will be addressed by the U.S. Recovery Accountability and Transparency Board.
- Reports to the “WeTip” hotline are forwarded to designated members of MARC’s management team (i.e., the Executive Director, Finance and Administration Department Director, Human Resources Manager, and MARC Board Chair) for review and resolution.

All reports will be acknowledged promptly and handled with due care and diligence. Those who receive the reports have the full authority to investigate all concerns raised, and may use other resources such as legal counsel, accountants, private investigators or others as reasonably necessary to conduct a full and complete investigation. Reports and concerns will be kept confidential to the extent possible.

If a report is found to be of merit or is substantiated, MARC management will take appropriate steps and will adhere to the federal rules for that grant, if applicable. No employee who, in good faith, makes a whistleblowing report will be threatened, discriminated against or otherwise subject to any retaliation or adverse employment consequences. Any staff member who attempts to retaliate against someone who reported a concern in good faith may be subject to discipline.

Allegations that prove to have been made maliciously, recklessly, with gross negligence, or with the foreknowledge that the allegations are false, will be viewed as a serious offense and may result in disciplinary action against the reporting employee.

Any situation involving an issue relating to harassment should be reported immediately to the employee’s supervisor, department director, executive director or Human Resources. Specific information relating to MARC’s policy regarding a harassment-free workplace can be found on the MARC intranet under Policies. Complaints of this nature are taken very seriously and will be fully investigated.