

#### **NOTICE OF MEETING**

# Des Moines Area Metropolitan Planning Organization (MPO) Executive Committee

11:30 a.m., July 12, 2023
Des Moines Area MPO Burnham Conference Room

## AMENDED

1.	Call To Order
2.	VOTE: Approval of Agenda
3.	VOTE: Approval of Meeting Minutes
	Approve the June 7, 2023, meeting minutes.
4.	CONSENT and VOTE: Approval of the June Financial Statement
	CONSENT and VOTE: Contracts and Expenses Page 7
	PUBLIC COMMENT on MPO Actions
7.	<ul> <li>REPORT and VOTE: Final FFY 2024-2027 Transportation Improvement Program</li></ul>
8.	• Report regarding the Comprehensive Safety Action Plan Consultant Approval
9.	<ul> <li>REPORT and VOTE: Water Trails BUILD Grant Payment Approval</li></ul>
10.	VOTE: Enter Closed Session Page 12
	<ul> <li>Section 21.5(c), Code of lowa allows a closed session to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Vote to go into closed session to discuss imminent litigation.</li> </ul>
11.	<ul> <li>OPTIONAL VOTE: Action in Public Session Related to Subject of Imminent Litigation Page 13</li> <li>Consider action, if any, related to the closed session discussion on matters of imminent litigation.</li> </ul>
12.	Review and discussion on updates recommended to the Employee Handbook.
13.	REPORT: Policies and Procedures Manual
14.	REPORT: MPO 2020 Urban Area Boundary
15. 16. 17. 18.	

The established protocol for minutes of this meeting will be to list all attendees, and with each item on which a vote is conducted in the ordinary course in order to take formal action, those voting nay or abstaining will be identified by name. Any member who is absent from the meeting for any period of time during which a vote of the body is taken, is expected to notify the recording secretary at the conclusion of the meeting so that the absence can be duly noted in the minutes. Roll Call votes will be taken as required by law or upon the request of any member that is approved by the chair, and the vote of each member for or against the proposition, or abstention, will be incorporated in the minutes or recorded on a separate sheet attached to the minutes.

## **ISSUE: Approval of Meeting Minutes**

VOTE: Consider approval of the June 7, 2023, MPO Executive Committee meeting minutes.

## **BACKGROUND:**

The minutes of the June 7, 2023, MPO Executive Committee meeting are included on the following pages.

#### **RECOMMENDATION:**

Approve the minutes of the June 7, 2023, MPO Executive Committee meeting.

#### **STAFF CONTACT:**

Tracey Deckard, <a href="mailto:tdeckard@dmampo.org">tdeckard@dmampo.org</a> (515) 334-0075

## **MEETING MINUTES**

## Des Moines Area Metropolitan Planning Organization (MPO)

## **EXECUTIVE COMMITTEE SPECIAL MEETING**

11:30 a.m., Wednesday, June 7, 2023
Des Moines Area MPO

The MPO Executive Committee held an Executive Committee meeting at 11:30 a.m. on June 7, 2023, at the Des Moines Area MPO office. MPO staff emailed agenda packets to the MPO Executive Committee members on May 31, 2023. In addition to these published tentative minutes, there also may be additional meeting notes on file with the MPO staff that are public records and available upon request as provided by law. These tentative minutes reflect all action taken at the meeting.

#### **Executive Members Present:**

Bob Andeweg | City of Urbandale
Stephanie Riva | City of Norwalk
Ted Weaver | City of Clive
Dean O'Connor | City of Altoona
Mark Holm | City of Ankeny
Joe Gatto | City of Des Moines
Frank Cownie | City of Des Moines
Len Murray | City of Pleasant Hill
Tom Hockensmith | Polk County

Matthew McKinney | City of West Des Moines

Executive Members Absent:

Jeff Walters | City of Polk City

Andy Loonan | Iowa DOT

#### **Staff Present:**

Zach Young | Planning Manager
Andrew Collings | Principal Planner
Allison van Pelt | Senior Planner
Zhi Chen | Senior Planner
Lucas Young | Senior Planner
Carl Saxon | Senior Planner
Gunnar Olson | Public Affairs Manager
Rhonda Miller | Accountant
Scott Brennan | MPO General Counsel

Tracey Deckard | Office Manager

#### **Others Present:**

Jackie Pullen | ICON Monica Converse | ICON Hannah Inman | ICON Adam Dutcher | ICON Chris Costa | Knapp Properties

#### 1. Call to Order

MPO Chair Bob Andeweg called the June 7, 2023, meeting to order at 11:31 a.m. A quorum was present.

#### 2. Approval of Agenda

**MOTION:** A motion was made by Cownie and seconded by Hockensmith to approve the June 7, 2023, Des

Moines Area Metropolitan Planning Organization Executive Committee meeting agenda.

**MOTION CARRIED** 

## 3. Approval of Meeting Minutes

Recommend approval of the May 17, 2023, meeting.

MOTION: A motion was made by Cownie and seconded by Murray to approve the May 17, 2023

meeting minutes

**MOTION CARRIED** 

#### 4. Approval of the May Financial Statement

MPO Treasurer/Finance Committee Chair, Ted Weaver presented. Advised that the Finance Committee had reviewed the May Financial Statements. Also discussed the role of the Finance Committee is to review and recommend and not approve the financial statements and documents. Recommend approval.

MOTION: A Motion was made by Gatto and seconded by Murray to approve the May Financial

Statement.

**MOTION CARRIED** 

#### 5. Contracts and Expenses

Planning Manager presented. Recommend approval of Dentons Davis Brown legal fees in the amount of \$9,051.00.

**MOTION**: A motion was made by Gatto and seconded by Weaver to approve payment of the invoice.

**MOTION CARRIED** 

## 6. Water Trails Line of Credit Agreement

Matt McKinney presented. Discussion regarding the Line of Credit boilerplate language and if it could affect any MPO assets other than the current bank account. Bankers Trust legal team and advised that no other asset of the MPO would be at risk. Inquiry if the LOC is just for the Scott project, ICON indicated this is a specific item for the Scott project. The BUILD grant is only for the Scott and Harriet projects. Other grant funding and funds will be used for the remainder of the project and the MPO involvement can potentially be reduced in the future. Murray read a statement into the record indicating he does not believe Bankers Trust and still has concerns about the LOC and legal; he further commented on how disappointed he was with the information provided.

MOTION:

A motion was made by Gatto and seconded by Hockensmith to approve the MPO signing the Line of Credit Agreement given legal counsel's review of the agreement with respect to the liability of granting Bankers Trust a security interest in collateral and finding it to not be problematic and approving amending sub-agreement #4 between the MPO and ICON to update and clarify the line of credit requirements.

**MOTION CARRIED** 

MURRAY VOTED NO.

## 7. MPO and CIRTPA Service Agreement

Planning Manager presented. Recommend the continuation of the MPO-CIRTPA service agreement and updating the reference to the federal transportation bill in Section V from the FAST Act to the Infrastructure Investment and Jobs Act.

MOTION:

A motion was made by Hockensmith and seconded by Gatto to approve the MPO-CIRTPA service agreement and updating the reference to the federal transportation bill in Section V from the FAST Act to the Infrastructure Investment and Jobs Act.

**MOTION CARRIED** 

## 8. Fiscal Year 2024 Investment Policy

MPO Treasurer/Finance Committee Chair presented. The Finance Committee reviewed the policy. Recommend approval of the Fiscal Year 2024 Investment Policy

**MOTION:** A motion was made by Gatto and seconded by Weaver to approve the Fiscal Year 2024 Investment Policy.

**MOTION CARRIED** 

## 9. Self-Certification

Planning Manager presented. Recommend approval of the MPO's self -certification of compliance with federal requirements.

**MOTION:** A motion was made by Gatto and seconded by Weaver to approve the MPO's self-certification of compliance with federal requirements.

**MOTION CARRIED** 

[Stephanie Riva arrives 12:00]

## 10. <u>Draft FFY 2024-2027 Transportation Improvement Program</u>

Planning Manger presented. Recommend approval of the draft Federal Fiscal Year 2024-2027 Transportation Improvement Program. Discussion ensued.

**MOTION**: A motion was made by Weaver and seconded by Gatto to approve the grant agreement.

**MOTION CARRIED** 

## 11. Charging and Fueling Infrastructure Discretionary Grant Program

Staff presented. Recommend approval of submitting a Charging & Refueling Infrastructure (CFI) grant application to the US DOT. Discussion ensued.

**MOTION:** A motion was made by Gatto and seconded by Hockensmith to approve submitting a CFI grant application to the US DOT.

**MOTION CARRIED** 

## 12. Water Trails BUILD Grant Payment Approval

Planning Manager presented. Consider approval of the Application for Partial Payment No 6 for the Water Trails BUILD Grant project.

**MOTION**: A motion was made by Hockensmith and seconded by Gatto to approve Partial Payment No.

6 for the Water Trails BUILD Grant project subject to satisfactory review by Polk County and

Snyder & Associates.

**MOTION CARRIED** 

## 13. 2023 Pavement Condition Report

Staff presented. Report on draft 2023 Pavement Condition Report Online Dashboard Report and discussion only.

## 14. Comprehensive Safety Action Plan RFP Update

Planning Manager presented. Update regarding the RFP proposals received for the Comprehensive Safety Action Plan and next steps in the consultant selection process.

Report and discussion only.

## 15. **Upcoming Events**

Information only.

## 16. Approval of the MPO Policy Committee Agenda

**Мотюн**: A motion was made by Gatto and seconded by Hockensmith to approve the Policy Agenda.

MOTION CARRIED

## 17. Non-Action Items

Chair advised that there will be a meeting of the Executive Director search committee.

## 18. **Next Meeting Date**

July 12, 2023, beginning at 11:30 a.m.

## 19. Adjournment

Hearing no objection to the contrary, the Chair adjourned the Executive Committee meeting at 12:20 p.m.

## **ISSUE: Approval of Financial Statement**

VOTE: Consider approval of the June 2023 MPO Financial Statement.

#### **BACKGROUND:**

The June Financial Statement consists of documents available at the following links:

- Statement of Financial Position
- Budget vs. Actuals
- Transaction List by Vendor
- Water Trails Account Balance Detail
- Water Trails DOT Grant Fund Balance

Note that the financial statement will go before the MPO Finance Subcommittee for that committee's review and consent on July 10, 2023.

## **RECOMMENDATION:**

Committee Action: The Finance Subcommittee will take action to receive and file the June Financial Statement at its July 10, 2023, meeting.

MPO staff recommends approval of the June Financial Statement.

## **STAFF CONTACT:**

Rhonda Miller, <a href="mailto:rmiller@dmampo.org">rmiller@dmampo.org</a> (515) 334-0075

## **ISSUE: Contracts and Expenses**

CONSENT and VOTE: Consider approval of the following expenses in accordance with the MPO's proposed policies and procedures regarding contracts and expenses.

## **BACKGROUND:**

Below is an expense that exceeds the limits set by the MPO's policy and procedures regarding expenditures.

VENDOR	PURPOSE	NOTES/INFORMATION	AMOUNT REQUESTED
Iowa State University	Development of a Trail Management Program	Payment 3 of 4. Project included in FY 2024 UPWP and budget.	\$15,000.00

## **RECOMMENDATION:**

MPO staff recommends approval of the above expense.

Committee Action: The Executive Committee voted to approve the above expense at its June 7, 2023, meeting.

## **STAFF CONTACT:**

## **ISSUE: Public Comment of MPO Actions**

PUBLIC COMMENT: Opportunity for public comment on actions taken by the MPO board.

## **BACKGROUND:**

The MPO's *Public Participation Plan* provides an opportunity for the public to comment on items on the agenda.

## **RECOMMENDATION:**

None. Public comment only.

#### **STAFF CONTACTS:**

Dylan Mullenix, dmullenix@dmampo.org (515) 334-0075

## ISSUE: Final FFY 2024-2027 Transportation Improvement Program

REPORT and VOTE: Consider approval of the final Federal Fiscal Year 2024-2027 Transportation Improvement Program

#### **BACKGROUND:**

The MPO staff is required to develop a four-year Transportation Improvement Program (TIP) by updating the current TIP for the MPO. The purpose of the TIP is to list all projects in the MPO planning area proposed to receive federal funding and scheduled to begin within the next four federal fiscal years.

The MPO staff requested that MPO member governments and participating agencies review and report any project changes, new projects, or "roll-over" projects programmed in Federal Fiscal Year (FFY) 2023, 2024, 2025, 2026, and/or 2027. Staff developed the project listing for the FFY 2023-2026 TIP with the information provided by the member governments.

The MPO staff submitted the draft FFY 2024-2027 TIP to the Iowa Department of Transportation (DOT), Federal Highway Administration (FHWA), and Federal Transit Authority (FTA) for review and comment on June 15, 2023. Staff will incorporate any comments received into the final draft.

The MPO's Public Participation Plan requires the FFY 2024-2027 TIP to undergo a 30-day comment period and have a public input meeting. Staff hosted a public input meeting at 5:00 p.m. on Thursday, June 23, 2022. The final FFY 2023-2026 TIP is due to the Iowa DOT by July 15, 2023.

The final FFY 2024-2027 TIP is available on the MPO website (click to access).

#### **RECOMMENDATIONS:**

Committee Action: The Transportation Technical Committee voted to recommend approval of the final *Federal Fiscal Years* 2024-2027 *Transportation Improvement Program* at its July 6, 2023, meeting.

MPO staff also recommends approval of the final *Federal Fiscal Years* 2024-2027 *Transportation Improvement Program* and forward to the Iowa DOT for final submittal.

#### **STAFF CONTACT:**

Zach Young, <a href="mailto:zyoung@dmampo.org">zyoung@dmampo.org</a>; (515) 334-0075.

## **ISSUE: Comprehensive Safety Action Plan Consultant Approval**

REPORT and VOTE: Consider approval of the Comprehensive Safety Action Plan (CSAP) Selection Committee's recommendation on preferred consultant team.

#### **BACKGROUND:**

The CSAP Selection Committee conducted interviews with the three consultant teams on June 28, 2023. The consultant teams interviewed included the following:

- Felsburg, Holt & Ullevig (FHU) Fehr & Peers and Group Creative Services
- SRF Alta Planning + Design and Snyder & Associates
- Toole Design HR Green, Confluence, and HDR Engineering

The Selection Committee scored each team based on the team's written proposal and interview. Toole Design received the highest combined score.

Upon the Executive Committee's approval, MPO staff would enter contract negotiations with the selected team and bring a contract back to the Executive Committee and Policy Committee for approval in August.

## **RECOMMENDATIONS:**

Committee Actions:

- The CSAP Selection Committee recommends that the MPO enter contract negotiations with Toole Design.
- The Transportation Technical Committee voted at its July 6, 2023, meeting to recommend approval in staff proceeding with entering contract negotiations with Toole Design.

MPO staff also recommends approval of the recommendation to enter contract negotiations with Toole Design.

#### **STAFF CONTACT:**

Zach Young, <a href="mailto:zyoung@dmampo.org">zyoung@dmampo.org</a>; (515) 334-0075.

## **ISSUE: Water Trails BUILD Grant Payment Approval**

REPORT and VOTE: Consider approval of the *Application for Partial Payment No. 7* for the Water Trails BUILD grant project.

#### **BACKGROUND:**

Snyder & Associates is working on the Application for Partial Payment No. 7. The payment application is being reviewed by Polk County and Snyder and will be made available once they forward it to the MPO staff for review.

The Application for Partial Payment No. 7 and supplemental memo are available on the MPO website (click to access).

#### **RECOMMENDATION:**

MPO staff recommends approval of the *Application for Partial Payment No. 7* following satisfactory review by Polk County and Snyder & Associates.

#### **STAFF CONTACT:**

Zach Young, <a href="mailto:zyoung@dmampo.org">zyoung@dmampo.org</a>; (515) 334-0075.

#### **ISSUE: Enter Closed Session**

VOTE: Approve entering closed session to discuss matters of imminent litigation.

#### **BACKGROUND:**

Section 21.5(c), Code of Iowa allows a closed session to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

MPO staff will provide Executive Committee members with additional information related to this item prior to the meeting.

#### **RECOMMENDATION:**

MPO staff and legal counsel recommend voting to go into closed session to discuss imminent litigation per Section 21.5(c) of the Code of Iowa.

## **STAFF CONTACT:**

## ISSUE: Action in Public Session Related to Subject of Imminent Litigation

OPTIONAL VOTE: Consider action, if any, related to the closed session discussion on matters of imminent litigation.

## **BACKGROUND:**

Section 21.5(c), Code of Iowa allows a closed session to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

## **STAFF CONTACT:**

## **ISSUE: Employee Handbook**

REPORT: Review and discussion on recommended updates to the Employee Handbook.

#### **BACKGROUND:**

The MPO's Employee Handbook was last approved by the Policy Committee in July 2012. MPO staff undertook an update to the handbook in early 2023. A staff-updated handbook was included on the March 2023 Executive Committee agenda. At that meeting, the MPO Chair directed staff to have MPO legal counsel review the document. The Chair also appointed a Handbook Review Subcommittee to provide additional guidance and review. The subcommittee included the following members:

- David Jones, City of Ankeny (Chair)
- Dean O'Connor, City of Altoona
- Joe Gatto, City of Des Moines
- Len Murray, City of Pleasant Hill
- Mike Jones, City of Windsor Heights

The subcommittee met twice to review the handbook and suggest updates. <u>The recommended</u> update to the Employee Handbook is available on the MPO website (click to access).

The following provides an overview of significant changes made to the document by the subcommittee:

- Minor formatting, editing, and general clarifications throughout.
- Chapter 1 Introduction:
  - o Clarified that changes to the handbook are the purview of the Policy Committee.
  - Added language that the handbook should be reviewed periodically.
- Chapter 2 General Policies:
  - Updated and further defined the Drug and Alcohol Policy.
- Chapter 3 Employment Policies:
  - Updated the initial employment/probation period from 3 to 12 months.
- Chapter 4 Attendance and Leave Policies:
  - o Placed a maximum accrual of sick time of 1200 hours.
  - Added language that up to 240 hours of accrued vacation time may be carried over to the next fiscal year (a max of 40 hours may be cashed out); if time carried over is not used, it is lost.
    - Subcommittee recommends any employees currently over this limit be given a one-time exception to cash out their accrued vacation over this limit.
  - Increased the vacation allowance from 80 hours to 120 hours for employees with less than 5 years of service.

- Clarified time allowed for bereavement leave depending on the employee's relationship to the deceased.
- Updated the military leave policy to comply with state and federal laws.
- Chapter 5 Compensation:
  - Added language to be consistent with the salary schedule and compensation adjustment matrix previously approved by the MPO.
  - Increased the longevity bonuses offered to employees from \$600 increments to \$750 increments.
- Chapter 6 Employee Benefits:
  - o Clarified language regarding coverage during military leave.
- Appendix A Remote Work Policy
  - o Clarified remote work is available for up to two days per week.
  - Reviewed/updated workplace safety/liability section.
- Appendix B Drug and Alcohol Policy and Testing Program
  - New section added to support policies identified in Chapter 2.

#### **RECOMMENDATION:**

None. Report and discussion only. Pending support expressed at the July meeting, the handbook will be placed on the August agenda for approval.

#### **STAFF CONTACT:**

#### **ISSUE: Policies and Procedures Manual**

REPORT: Review and discussion on a Policies and Procedure Manual that catalogs the MPO's various operations policies and procedures.

#### **BACKGROUND:**

In early 2023 staff pulled together the MPO's various policies and procedures into one Policies and Procedures Manual. The intent of the Policies and Procedures Manual is to collect all the policies in one convenient location that could be easily shared with board members and staff. While some of these policies have been approved by the Policy Committee in recent years, other policies/procedures are staff derived and/or predate existing staff.

Staff included an item on the March 2023 Executive Committee agenda to discuss the manual with the committee. The committee instructed staff to provide the document to legal counsel for their review. MPO legal counsel provided their review to MPO staff in June 2023; these comments were primarily minor clarifications and edits. Because many of the policies and procedures are related to financial operations, the MPO Finance Subcommittee will review the manual at its July  $10^{th}$  meeting.

Throughout the review and assembly process, and in undergoing the recent Executive Director transition, staff identified additional policies and procedures not already in place and recommends they be added to the manual. These new policies would provide additional transparency and oversight of financial activities.

The draft manual of existing policies as well as draft language for newly recommended policies can be found at the links below. Staff will provide additional information at the July meeting.

- Policies and Procedures Manual
- Recommended Policies
  - Credit Card Policy
  - o Public Purpose Policy
  - Financial Roles and Responsibilities
  - o <u>Employee Expense Authorization Procedures</u>

#### **RECOMMENDATION:**

None. Report and discussion only. Pending support expressed at the July meeting, the manual will be placed on the August agenda for approval.

## **STAFF CONTACT:**

## ISSUE: MPO 2020 Urban Area Boundary

REPORT: Report regarding the process to update the MPO's Urban Area Boundary.

## **BACKGROUND:**

Following each Decennial census, Federal law requires cooperation between the State and MPO to update the Urban Area Boundary (UAB). The US Census Bureau defines urban areas as any densely settled areas consisting of 2,000 or more housing units or 5,000 or more people. All other areas are considered rural. Prior to 2020, the Census Bureau relied solely upon population density and defined areas of 2,500 people or more as urban.

MPO's are required to represent localities in all urban areas with populations over 50,000. The MPO will partner with the lowa DOT to conduct a review, facilitate adjustments, and adopt the adjusted UAB. The MPO is required to appoint a person from the MPO Policy Board to represent and sign-off on the final adjusted boundary on behalf of the governmental body.

In January the Federal Highway Administration (FHWA) published geographic shapefiles for the 2020 urban areas with population and housing unit data. Over the Summer and Fall, the Iowa DOT and the MPO will work together to create the final adjusted UAB. Adjustments to UABs should be approved by the Iowa DOT and FHWA Division Office by December 29, 2023.

Click here for a copy of the 2020 UAB Local Agency Memo and Map from the Iowa DOT.

MPO staff will provide additional information about the UAB and its relationship to the Census urban area, the MPO's Planning Area Boundary, and MPO funding at the July meeting.

#### **RECOMMENDATIONS:**

None. Report and discussion only.

#### **STAFF CONTACT:**

Andrew Collings, <u>acollings@dmampo.org</u>; (515) 334-0075.

**ISSUE: Upcoming Events** 

REPORT: Report on upcoming events of regional interest.

#### **BACKGROUND:**

Staff will highlight upcoming events, trainings and other opportunities of interest to representatives of MPO member governments.

#### **Events**

- Association of Transportation Safety Information Professionals (ATSIP) July 9-12 Nashville, TN
- Transportation and Green Infrastructure Solutions: Tools for Addressing Climate Change July 11
   1-2:30 PM CST Online
- <u>Iowa County Engineers Association (ICEA) Mid-Year Conference</u> July 13<sup>th</sup> Ames
- <u>Transportation Research Board (TRB) International Conference on Low Volume Roads</u> July 23<sup>rd</sup>
   26<sup>th</sup> Cedar Rapids
- <u>Safe Kids Worldwide's Childhood Injury Prevention Convention</u> July 23-26 National Harbor,
   MD
- Governor's Highway Safety Association (GHSA) 2023 Annual Meeting August 12-16 New York
- 2023 Joint Institute of Transportation Engineers (ITE) International Annual Meeting and <u>Exhibition</u> – August 13-16 – Portland, OR
- 2023 Missouri, Iowa, Nebraska, Kansas (MINK) Local Roads Meeting September 13-14 St. Joseph, MO
- APA Upper Midwest Annual Conference October 11-13 Cedar Falls
- Safe Routes to School Summit 2023 October 24-26 Online
- <u>Iowa State University (ISU) Institute for Transportation (InTrans) Traffic and Safety Forum</u> -November 8 – Ames
- ISU InTrans Municipal Streets Seminar November 14 Ames
- TRB Transportation Resilience 2023 International Conference on Extreme Weather & Climate Change Challenges – November 13-15<sup>th</sup> – Washington, D.C.

## Recordings

MPO EV Series: Electric Vehicles in Emergency Management

#### **RECOMMENDATION:**

None. Report and discussion only.

#### **STAFF CONTACT:**

Zhi Chen, zchen@dmampo.org; (515) 334-0075