

NOTICE OF SPECIAL MEETING

**Des Moines Area Metropolitan Planning Organization (MPO)
Policy Committee**

—

4:00 p.m., December 14, 2023

Des Moines Area MPO Burnham Conference Room

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TENTATIVE AGENDA

- 1. Call To Order**
- 2. VOTE: Approval of Agenda**
- 3. PUBLIC COMMENT on MPO Actions Page 2**
- 4. REPORT and VOTE: Executive Director Search Consultants Contract Page 3**
 - Consider approval of a contract with *The Top* to manage the search and hiring process for a new MPO Executive Director.
- 5. REPORT and VOTE: Search Committee Decision-Making Authorities Page 4**
 - Consider approval of the proposed decision-making authorities of the Search Committee in the hiring process of a new MPO Executive Director.
- 6. REPORT and VOTE: Employee Remote Work Arrangement Update..... Page 6**
 - Discuss feedback from the Iowa Department of Transportation and U.S. Department of Transportation regarding the board’s direction to convert the Planning Manager to a contract employee and options for moving forward, including a possible Unified Work Program and budget amendment. Consider approval.
- 7. Other Non-Action Items of Interest to the Committee**
- 8. Next Meeting Date – January 18, 2024, at 4:00 p.m.**
- 9. Adjournment**

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.

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December 2023
Item No. 3

ISSUE: Public Comment of MPO Actions

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

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

December 2023
Item No. 4

ISSUE: Executive Director Search Consultants Contract

REPORT and VOTE: Consider approval of a contract with *2 The Top* to manage the search and hiring process for a new MPO Executive Director.

BACKGROUND:

The Policy Committee in November voted to engage a search consultant to manage the process of hiring a new MPO Executive Director. The Search Committee has recommended *2 The Top*, in partnership with *Deibler & Company*.

The proposal from *2 The Top* and *Deibler & Company* was the highest scoring among the responses to a request for proposals. The Search Committee met on Nov. 29 with Cassandra Halls (*2 The Top*) and Diana Deibler (*Deibler & Company*) to review their proposal and discuss the process and timeline. Policy Committee members were invited to participate, and three Policy representatives attended.

Satisfied with the discussion, the Search Committee elected to immediately move ahead with the first steps of the search process, starting with a survey of MPO committee representatives.

The Policy Committee is now presented with a contract for the balance of the steps in the search process for its consideration.

[Click here for a copy of the proposed contract.](#)

A full update on the search process will be provided at the special December Policy Committee meeting.

RECOMMENDATIONS:

The Search Committee has recommended this firm and reviewed the proposed scope of services. The draft contract was received Dec. 8 and is being reviewed by legal counsel. The Executive Committee will review the contract at its Dec. 13 meeting.

STAFF CONTACT:

Tracey Deckard, tdeckard@dmampo.org;
(515) 334-0075.

December 2023
Item No. 5

ISSUE: Search Committee Decision-Making Authorities

REPORT and VOTE: Consider approval of the proposed decision-making authorities of the Search Committee in the hiring process of a new MPO Executive Director.

BACKGROUND:

The Policy Committee will decide at the Special December meeting whether to proceed with a search process that is aggressive in timeline, as recommended by the Search Committee.

If approved, the Policy Committee may elect to authorize the Search Committee with certain decision-making authorities that will enable the process to be completed on the recommended timeline.

The search consultants advised the Search Committee that a search for an executive-level position can take 3-6 months. They further advised that a shorter process would be possible, but that it would require the Policy Committee to authorize the Search Committee with certain authorities to keep the process moving between the monthly Policy Committee meetings.

The table on the following page shows the key decision points in the recommended search process, as well as the MPO committee that would have authority to make those decisions, if granted by the Policy Committee.

RECOMMENDATIONS:

The Search Committee recommends approval. The Executive Committee will review this proposal at its Dec. 13 meeting.

CONSULTANT CONTACT:

Cass Halls, c.halls@2ttop.com;
(515) 473-4980.

	Search Committee	Policy Committee
Approval of updated job description.	X	
Approval of posted salary range.	X	
Approval of job posting.	X	
Approval of interview process / questions.	X	
Selection of finalists for interviews.	X	
Recommendation of finalist.	X	
Approval of finalist and preliminary offer.		X
Contract negotiations within the authorized range of compensation as established in the MPO Policies and Procedures Manual.	X	
Acceptance of contract with finalist.		X

December 2023
Item No. 6

ISSUE: Employee Remote Work Arrangement Update

REPORT and VOTE: Report on feedback from the Iowa Department of Transportation and the U.S. Department of Transportation regarding the board's direction to convert the Planning Manager to a contract employee, as well as discuss options for moving forward, including a possible Unified Work Program and budget amendment.

BACKGROUND:

The MPO's Planning Manager has worked remotely full time since February 2022 after entering into an agreement with the former Executive Director allowing this work arrangement. The agreement originally permitted this work arrangement through the end of 2022, and it was later extended through 2023.

In November 2023, the MPO discussed options for the Planning Manager's ongoing involvement in MPO projects. The Policy Committee voted to approve moving forward with developing a consultant contract with the MPO's Planning Manager that would start January 1, 2024.

Following the MPO meeting, staff contacted the Iowa Department of Transportation (Iowa DOT), the Federal Highway Administration (FHWA), and the Federal Transit Authority (FTA) to determine whether a UPWP and budget amendment is necessary. The Iowa DOT, FHWA, and FTA indicated that it is necessary, as the UPWP must identify consultant services in both the description of UPWP work elements and budget. Furthermore, Federal approval is required if there is a transfer of substantive programmatic work to a third-party consultant. However, FHWA and FTA also expressed concerns with the proposed contract as it did not follow a procurement process that adheres to FHWA and FTA requirements.

To move toward a resolution, staff has outlined a few options for how the MPO could proceed:

Option 1 – Continue with the Policy Committee's original plan to retain the Planning Manager as a contractor at the end of December 2023, but do so only using local funds. Doing so would alleviate the need to adhere to requirements of the Iowa DOT, FHWA, and FTA, but would require using MPO reserve funds.

Option 2 – Keep the Planning Manager as a salaried employee by approving an extension of the current remote work agreement through the end of 2024. This would require an exemption to the remote work policy in the MPO's Employee Handbook.

Option 3 – Solicit bids for consultant services through a formal Request for Proposal process. This would require an amendment to the FY 2023 Unified Planning Work Program (UPWP) and budget prior to the MPO selecting a contractor. [A draft UPWP amendment adding consultant services is available here](#) should this option be selected. As this solicitation takes place, the MPO could either retain the Planning Manager as a contractor paid with only local

funds, per Option 1, or keep as an employee with a temporary extension to the remote work agreement, per Option 2.

RECOMMENDATION:

Recommend moving forward with one of the outlined options.

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