

MEETING MINUTES

Kootenai Metropolitan Planning Organization
Policy Board Meeting
March 4, 2010
Post Falls City Council Chambers, City Hall, First Floor
Post Falls, Idaho

Board Members in Attendance:

Jimmie Dorsey, Chair	East Side Highway District
Clay Larkin, Vice Chair	City of Post Falls
Bob Miller (alternate)	Post Falls Highway District
Richard Panabaker	City of Hayden
Vic Holmes	City of Rathdrum
Al Hassell	City of Coeur d'Alene
James Mangan	Worley Highway District
Marv Lekstrum	Lakes Highway District
Todd Tondee	Kootenai County

Board Members Absent:

Lynn Humphreys	Post Falls Highway District
Damon Allen	Idaho Transportation Department
Norma Peone	Coeur d'Alene Tribe

Staff Present:

Glenn Miles, Executive Director
Ryan Stewart, Senior Transportation Planner
Donna Lively, Administrative Secretary

1. Call to Order.

The meeting of the Kootenai Metropolitan Planning Organization Policy Board was called to order by Chair, Jimmie Dorsey at 1:30 pm.

Mr. Clay Larkin noted the need to amend the prepared agenda.

Mr. Clay Larkin made a motion to amend the prepared agenda to include item (f), Mobility Manager's Report, under 'Public Transportation,' and item 10, an Executive Session pursuant to Idaho Code Section 67-2345(f) for the purpose of discussing legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Mr. Al Hassel seconded the motion, which was unanimously carried.

Mr. Vic Holmes noted that under the Idaho statute, good faith reasons for amending the agenda must be provided. It was noted that agenda item 6.(f), Mobility Manager's Report, has been added since the Mobility Manager, Clif Warren, was expected to be

providing a report to the Board and is now prepared to do so. And, agenda item 10, Executive Session, has been added since the information that warranted it was received just prior to the regularly scheduled Board meeting.

2. Approval of February Meeting Minutes.

Mr. Vic Holmes made a motion to approve the February 4, 2010 meeting minutes. Mr. Richard Panabaker seconded the motion, which was unanimously approved.

3. Public Comments

Mr. Glenn Miles read a letter from Mr. Bill Brannen from Northwestern Trailways who could not make today's meeting but requested KMPO's assistance in identifying a sales agent for Northwestern Trailways. The letter stated that inner city daily scheduled services through Coeur d'Alene, Idaho, are scheduled to commence April 1, 2010. North Idaho Community Express declined the offer to be Northwestern Trailways' sales agent. The Conoco station on Appleway may serve as the bus stop pending owner approval.

4. KCATT Recommendations.

Mr. Glenn Miles reported that there are no recommendations from KCATT this month.

5. Administrative Matters – Glenn Miles

a. KMPO General January 2010 Expenses & Financial Report

Mr. Miles briefed the Board on the expenses report.

Mr. Vic Holmes made a motion to approve the KMPO Vouchers payment for January 2010 in the amount of \$22,969.41. The motion was seconded by Mr. Marv Lekstrum and unanimously approved.

6. Public Transportation

a. Citylink Status Report – Alan Eirls

Mr. Alan Eirls reported that ridership was down compared to January, but up 5,000 over last February. Mr. Eirls briefed the Board on bus maintenance issues.

b. KATS Status Report – Helen Stephens

Ms. Helen Stephens reported that the numbers for February are up slightly. She noted that a serious accident occurred off Kathleen Avenue whereby a young man ran a stop sign and broadsided the bus. Vehicle damages are estimated at around \$9,000 and the

KATS driver is injured; however, no passengers were on the bus at the time of the collision, which occurred around 2:20 pm.

Ms. Stephens stated that at the pleasure of the Board she would be willing to respond to Northwestern Trailways' request. She added that their building housed Greyhound for approximately ten years until Greyhound was requested to leave due to related vandalism that required that a guard be on site continually.

c. ARRA Public Transportation Projects Update – John Austin

Mr. John Austin reported that the \$1.2 million grant was fully awarded yesterday. A procurement process is underway to obtain the vehicles.

Mr. Austin noted that until further action from Congress occurs current funding is cut off and the new grant may be at risk. Fortunately, approximately \$600,000 in funds are left over from 2009/2010. The April 1, 2010 grant will fund operations for most of the year, with the exception of preventative maintenance and funding of capital replacement.

d. Financial Report – John Austin

This item was detail in line item c. above.

e. RPTA Subcommittee Report – Ryan Stewart

Mr. Ryan Stewart briefed the Board on the Regional Public Transportation Authority (RPTA) subcommittee's findings regarding the establishment of a RPTA in Kootenai County. The subcommittee agreed that such an entity would provide for more efficient coordination of public transportation throughout the county by creating a single, consolidated face for public transit, providing equitable representation throughout the region, and establishing a separate and distinct audit trail for Federal Transit Administration (FTA) funding as well as other federal, state and local sources.

Funding for the RPTA would be through FTA Section 5307 funds and voluntary contributions from the jurisdictions within the RPTA. Other funding sources could be pursued to maintain and enhance fixed route bus, paratransit, vanpool and other public transportation services. The State of Idaho RPTA Act (Title 40, Chapter 21 of the Idaho Code) does not allow for local taxation authority to fund public transit service. Therefore, the formation of a RPTA would not result in any increased taxation to the residents of Kootenai County.

In order to take the vote on a RPTA to the public, the KMPO Board must recommend that the Kootenai County Board of Commissioners adopt a resolution calling for a ballot question regarding the formation of a countywide RPTA. Staff requests that the KMPO Board consider the RPTA recommendation to the Kootenai County Board of Commissioners as presented.

Mr. Richard Panabaker inquired as to where Section 5307 funds are derived. Mr. Stewart responded that 5307 funds are the largest source of funds for capital, preventive maintenance and some operations of public transportation services from the Federal Transit Administration. These funds were included in the budget provided to the Board at last month's meeting and require a 20% match.

Mr. James Mangan asked whether public transportation matters would be removed from the KMPO if a RPTA were formed. Mr. Stewart responded that it would not; KMPO would still have an oversight role for federal funding coming to the transit authority. Often, the funds are prioritized in cooperation with the MPO so that regional transportation planning oversight is maintained. Mr. Mangan expressed concern regarding overlap between the two entities. Mr. Miles responded that the distinction is that the responsibility of the MPO is to provide for the long range planning aspects of public transportation and the programming of the federal aid funds. The RPTA's function is the operational planning and management of public transportation. The RPTA must request KMPO approval to program the funds in order to obtain the grants.

Mr. Stewart provided a comparison between the existing public transportation funding structure (via Kootenai County) and a RPTA. An Authority allows for the sole concentration on public transportation matters. Mr. Todd Tondee stated that this was misleading since the RPTA could contract with the Panhandle Area Council to carry out its functions. He expressed concern that the established partnerships that currently exist to carry out these functions could be lost under a RPTA arrangement. Mr. Stewart responded that the RPTA Board would need to ensure that these relationships remain intact and would probably serve to strengthen the relationships.

It was explained that each jurisdiction within the County will maintain their current representation in the RPTA having at least one seat on the RPTA Board. The RPTA Act under Idaho State Law allows for two different types of RPTAs: regional or county-wide. The original recommendation was for a county-wide RPTA whereby the County Commissioners would need to pass a resolution to put it out for public vote. A regional RPTA, however, would encompass parts of or the entire County or several Counties. All the communities within the boundary would then need to pass a resolution supporting the RPTA or choose to opt out of the RPTA.

Mr. Mangan stated that it would be a hard case to make to tax payers that funds would be used outside their district given the fact that jurisdictions have significant funding shortfalls to deal with necessary capital improvements due to growth. Mr. Stewart responded that there would be regional benefits due to commute trips made throughout the County.

Mr. Dorsey noted that a local match requirement is already part of the current system and that the focus is the only thing that changes, not the funding. Mr. Miles stated that currently, KMPO does not have a voice in Citylink's operations. An RPTA would: 1) involve jurisdictions in the public transportation decision process, 2) centralize assets (benches, park/ride lots, transit center, etc.) into one organization, and 3) ensure liability

to a single, stand-alone entity. He added that discretionary grants consisting of 90% federal funds would also be sought after.

Mr. Clay Larkin emphasized that approval of a county-wide RPTA is not up to the Board, but rather the public. The only Board action would be to recommend that the County take it to the next level.

Mr. Clay Larkin made a motion recommending that the Kootenai County Board of Commissioners adopt a resolution calling for a ballot question regarding the formation of a county-wide RPTA, pursuant to Idaho State Code 40-2105. CREATION OF AUTHORITY (1) (a) County-wide authorities. Mr. Richard Panabaker seconded the motion.

Mr. Todd Tondee asked who would be responsible for RPTA public education. Mr. Dorsey stated that it would be a joint effort. Mr. Miles added that KMPO could provide educational materials; however, independently generated grass roots efforts promoting a RPTA would be needed.

Mr. John Austin stated that the Coeur d'Alene Tribe is in favor of a RPTA, but would like it to include both Kootenai and Benewah Counties. Mr. Miles stated that while there is nothing preventing two County RPTAs from consolidating nor Citylink from operating on their own authority in another County under their rural grant program, the concern becomes rural vs. urban programs under the contract administration require more ITD Public Transportation Office involvement.

There being no further discussion, the KMPO Board voted on the motion on the floor with seven (7) members voting aye and two (2) members, Mr. Al Hassell and Mr. Todd Tondee, voting nay.

f. Mobility Manager's Report – Clif Warren

Mr. Clif Warren reported that with regard to the Northwestern Trailways' sales agent request, he has contacted 3 locations and is waiting to hear back from them. Also, the Community Transportation Association of Idaho (CTAI) is hosting a workshop April 27-28, 2010 to determine policies and processes for planning and developing local transportation plans throughout the state. Mr. Miles noted that Mr. Ryan Stewart would be attending this workshop on behalf of KMPO staff. A KMPO Board representative is also expected to attend, which will be determined at the April Board meeting.

He noted that additional Mobility Managers are being sought for four other Idaho Districts, which will be funded by ITD, and a CTAI I-WAY webinar is scheduled for March 16, 2010 from 2:30 to 3:30 pm. The application process for Section 5311 funding closed last Friday and final decisions are expected by mid-April.

7. Director's Report – Glenn Miles

Mr. Glenn Miles reported that the following KMPO-approved stimulus projects were submitted to ITD in anticipation of the JOBS Bill: Lakes Highway District's Lancaster Road overlay, City of Coeur d'Alene's Atlas Bike Path, which is bid ready, and the Transit Center, should funds become available.

Staff has been working with KCATT on the development of Surface Transportation Program applications and criteria for future call for projects in order to load up on preliminary development to get projects ready for funding.

An Urban Balancing Committee meeting is scheduled for March 22, 2010 in Boise. Also, staff hosted a workshop for jurisdictions to review the uses of the KMPO Travel Demand Model.

8. Other Business

a. Jobs Bill Update – Jeff Selle

Mr. Glenn Miles clarified that no JOBS Bill is available to date. Federal Transit was shut down for three few days due to a lapse in authorization; a continuing resolution through the end of March has been passed and it is anticipated that a resolution to continue the authorization through the end of the year is forthcoming. It is evident that terms such as livability, sustainability, smart growth and public transportation will play an important role in the next reauthorization bill.

b. DEQ Update – Mark Boyle

Mr. Mark Boyle reported that there is interest in restarting the Kootenai Clean Air Advisory Committee, which began in the early 1990's. Also, no changes to the Inspection and Maintenance legislation are anticipated. The Environmental Protection Agency's (EPA) final determination on the ozone standard is not expected before August.

9. Board Member Items

No Board Member items were provided.

10. Executive Session.

At 2:38 pm, Mr. Clay Larkin made a motion that the Board retire to Executive Session under Idaho Code §§ 67-2345 (f) for no longer than 5 minutes for the purpose of discussing the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

At 2:45 pm the Executive Session adjourned and the Regular Meeting reconvened.

11. Adjournment.

There being no further business before the Kootenai Metropolitan Planning Organization Policy Board, the regular meeting was adjourned at 2:45 pm.

Donna Lively
Recording Secretary