

**PROCEEDINGS OF THE EXECUTIVE POLICY BOARD
OF THE GRAND FORKS/EAST GRAND FORKS
METROPOLITAN PLANNING ORGANIZATION
Wednesday, October 17th, 2018 – 12:00 Noon
East Grand Forks City Hall Training Conference Room**

CALL TO ORDER

Ken Vein, Chairman, called the October 17th, 2018, meeting of the MPO Executive Policy Board to order at 12:02 p.m.

CALL OF ROLL

On a Call of Roll the following members were present: Clarence Vetter, Marc DeMers, Jeannie Mock, Mike Powers, Gary Malm, Warren Strandell, and Al Grasser.

Staff: Earl Haugen, GF/EGF MPO Executive Director; Jairo Viafara, GF/EGF MPO Senior Planner; Teri Kouba, GF/EGF MPO Senior Planner; and Peggy McNelis GF/EGF MPO Office Manager.

DETERMINATION OF A QUORUM

Vein declared a quorum was present.

MATTER OF APPROVAL OF THE SEPTEMBER 19TH, 2018, MINUTES OF THE MPO EXECUTIVE POLICY BOARD

MOVED BY DEMERS, SECONDED BY MALM, TO APPROVE THE SEPTEMBER 19TH, 2018, MINUTES OF THE MPO EXECUTIVE POLICY BOARD, AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

MATTER OF MPO OFFICE SPACE LEASE AGREEMENTS

Haugen reported that at the end of this year our current lease agreements with both Grand Forks and East Grand Forks City Halls expire. He stated that we have negotiated renewal of both for 2019; on the Grand Forks Side we are exercising an option to renew the existing lease with a small increase in the square foot cost, and on the East Grand Forks side we are adding another twelve months to the current document at the same per square foot cost we currently identify in our agreement with East Grand Forks.

Haugen said that, as the staff reports indicates, and as reported to you previously, there is still some discussion of the benefits of moving staff to the Herald Building. He explained that the Finance Committee discussed this option, but agreed that since it could still be some time before a final decision is made on the Herald Building, and also the fact that even if the decision is to move staff to the Herald Building it could take some time before the space is ready, it made sense to negotiate another year lease with both Cities for our current space, which is what staff has done. He added that both leases do have a termination clauses that can be exercised with prior notice.

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Grasser asked, if the Herald Building option comes about; and he knows that there would be an increase in the cost of space rental, how would we handle the financial side if that if we terminated these leases that we are talking about now, how would we make up that difference. Haugen responded that we would have to do an amendment to our Work Program if the cost increase is large enough, but right now we don't know the potential rental cost for the Herald will actually be, but he believes the Finance Committee has indicated that if the Planning and Community Development Departments move to the Herald Building, they felt that the MPO would lease some space there as well, however we aren't sure how much space at this time, but if all works out and we increase the space considerably, and don't reduce the space here in East Grand Forks, we would have to possibly do a Work Program amendment. Grasser said that that isn't too onerous of a process, so that is good.

Vein commented that Todd Feland, Grand Forks City Administrator, was present at the Finance Committee meeting and was part of that discussion and motion that came out of that meeting. He added that Mr. Feland is the person that has been the driving force in pushing and moving forward with the potential of moving to the Herald Building, beyond just the MPO, as well.

MOVED BY MOCK, SECONDED BY MALM, TO APPROVE EXECUTION OF THE 2019 LEASE AGREEMENTS WITH BOTH GRAND FORKS AND EAST GRAND FORKS, AS PRESENTED.

Voting Aye: DeMers, Vetter, Mock, Powers, Vein, Strandell, Malm, and Grasser.

Voting Nay: None.

Abstain: None.

Absent: None.

MATTER OF AMENDMENT TO THE TRANSIT DEVELOPMENT PLAN

Kouba reported that although we did approve the final Transit Development Plan Update in July 2017, a few changes have occurred that need to be addressed. She explained that the biggest change was that the Cities Area Transit received a Competitive Grant award to do an expansion and update to their bus facilities. She said that the difference between the amount we showed in our plan and the amount actually awarded has initiated this amendment, but with it there is also a need to include the performance based planning and programming that is now required as well, including safety and transit asset management.

Kouba stated that with this we have updated the plan to include these changes, and made sure to highlight what was changed in addition to the bus facilities such as some of the additional candidate projects that were moved from being candidate projects to having been funded, as well as a few new candidate projects. She said that there were also some operational funding changes because of the new bus routes that have been implemented as well.

Kouba said that a public hearing was scheduled for today's meeting.

Vein opened the public hearing.

There was no one present for discussion.

Vein closed the public hearing.

MOVED BY GRASSER, SECONDED BY DEMERS, TO APPROVE THE AMENDMENT TO THE TRANSIT DEVELOPMENT PLAN FINANCIAL CHAPTER, AS PRESENTED.

Voting Aye: DeMers, Vetter, Mock, Powers, Vein, Strandell, Malm, and Grasser.

Voting Nay: None.

Abstain: None.

Absent: None.

MATTER OF AMENDMENT TO THE 2019-2022 T.I.P.

Haugen reported that, again, because of the Nationwide Competitive Award of the 5339 Grant of \$3.6 million dollars to the Cities Area Transit we have to amend it into our T.I.P. document so this action will be that formal process.

Haugen referred to the packet and pointed out that it included the project listing detailing the amended amount into the T.I.P. He explained that because of performance based planning and programming, after October 1st we had to address how our T.I.P. is including it so you have a very similar write-up in our T.I.P. document that followed the framework we did for the Safety Performance Measures.

Haugen commented that we also advertised today's meeting as a public hearing. He said that they did ask that any verbal or written comments be submitted prior to this meeting and received none, so both the Technical Advisory Committee and Staff are recommending approval of the amendment.

Vein opened the public hearing.

There was no one present for discussion.

Vein closed the public hearing.

MOVED BY MALM, SECONDED BY GRASSER, TO APPROVE THE FY2019 T.I.P. AMENDMENT, AS PRESENTED.

Voting Aye: DeMers, Vetter, Mock, Powers, Vein, Strandell, Malm, and Grasser.

Voting Nay: None.

Abstain: None.

Absent: None.

MATTER OF CANDIDATE PROJECTS FOR FTA 5339 GRANT SOLICITATION

Kouba reported that this is a grant that is a yearly grant, but in August they reopened it for project solicitation and the deadline is October 19th and Cities Area Transit has several projects that they have submitted for consideration and the Grand Forks City Council did approve them in the priority order

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shown in the staff report; however a change to that order was requested by Cities Area Transit to bring the heavy duty buses up to priority #5 and moving the other projects down one number. She pointed out that the requested change is shown in red, and was approved by the Technical Advisory Committee subject to the City Council being notified of the change request.

Vein stated that a question that comes to his mind is, obviously there are ten items on this list, what is the likelihood of any of them getting funded, and how far down that list would that go. Kouba responded that it depends upon; generally when we look at it we look at the top three or four projects as having a higher likelihood of being funded, but it also depends upon how many other entities submit projects, and whether or not there is local match available, so they are looking at our urban properties so Fargo and Bismarck could also have projects that they are putting in for as well.

Vein asked what the reason for moving the heavy duty buses up was. Kouba responded that possible contracts with UND, as UND would then be covering the local match for those buses, but there are still discussions going on as to whether or not the Cities Area Transit will be taking on the UND Shuttle service. Vein said that this would get us in position to do that but doesn't guarantee it because it is far enough down the list that it may not be funded. Kouba responded that that is correct.

MOVED BY POWERS, SECONDED BY MOCK, TO APPROVE CITIES AREA TRANSIT 5339 GRANT APPLICATION IN THE PRIORITY ORDER GIVEN.

Voting Aye: DeMers, Vetter, Mock, Powers, Vein, Strandell, Malm, and Grasser.

Voting Nay: None.

Abstain: None.

Absent: None.

MATTER OF PRELIMINARY APPROVAL OF THE 2045 STREET/HIGHWAY DRAFT PLAN

Haugen reported that included in the staff report was the section of our By-Laws that indicate that in order to meet our end of December timeline we need to allow both Cities and others to consider and give feedback on a preliminary document, and in order to do that today would be the day that we would need to seek that preliminary approval from the board.

Haugen stated that he does have a power point, as well as some new information that was received since the packet was sent out that he did distribute. He said that he won't be going through everything that you have seen before, but just to give you some updates.

Haugen commented that he thinks this is important because it is a five-year cycle, and as we finish this five-year cycle, and have action later on in December, it isn't too much further down the road that we will start up the whole cycle again.

Presentation (a copy of which is included in the file and available upon request) ensued.

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Haugen stated that our investment direction, taking on from federal law, we emphasis preservation, we emphasis facilities serving national and regional transportation. The next slide presented information about erosion of purchasing power. He stated that, we have shown this in previous adoptions of plans, but this tells us that as projects get pushed out further purchasing power erodes and our rate of inflation of the expenditures rises faster than our revenue growth. He said, though, not to paint such a bleak picture, this planning document has significant more revenue in it than our 2040 planning document does, so that gap is lessened a bit because of that. He added that one of the major reasons on the Minnesota side is the City Sub-target that East Grand Forks gets every fourth year has substantially increased since our 2040 document, and also MnDOT itself has seen a need to do investments in our region that our 2040 plan did not contain, and the third major increase was the City of Grand Forks' additional sales tax, so we do have some additional revenue but there still is that erosion of purchasing power as things get moved down the road.

Vein commented that, we don't know what is going to happen, but the legislature has proposed additional funding for infrastructure projects, and that can go a number of different directions, but he would think that there would probably be some that will be geared toward street and highway systems too; and even though we don't know what that is now, six to eight months from now, after the session, we should have some idea and we might have to come back and make some adjustment, is that correct. Haugen responded that we identified that either State Legislature might give us more revenue to work with, Congress itself might give us more revenue, the FAST-ACT expires in 2020, so even our T.I.P. document goes out to 2022 with the potential to having to change the fiscal constraint, so there are a lot of different reasons we would have to reopen this than our typical five-year process.

Haugen commented that for our investment scenarios he will just focus on those projects that we know to-date.

Presentation continued.

Haugen reported that at the Technical Advisory Committee meeting staff provided a list of projects, and the Committee recommended some modifications be made to that list. He referred to a slide showing a map of the North Dakota Urban Local Roads Program for City Streets in Grand Forks that are on the federal aid system, and went over it briefly. He pointed out that all of the green are roadways that are covered by this, and then the two NHS segments are also covered by this program, the first one is the stretch of Columbia Road and the other is the small stretch of South Washington Street, otherwise this Urban Road Program is meant to have funds focused on the green roadways identified on the North Dakota side of this map.

Haugen referred to the project list and pointed out that you can see that the Technical Advisory Committee action is noted, and it shows that at that time there was roughly \$10 million dollars unidentified in the mid-term, and \$6 million dollars in the long-term. He then referred to the project list he distributed and went over the changes that Grand Forks City Staff submitted for consideration.

Haugen commented that another thing that they received after the Technical Advisory Committee meeting is a request from the NDDOT District Office to consider changing a stretch of Gateway Drive.

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He explained that previously this stretch of Gateway Drive is under the NDDOT's system described as being out at by the Air Force Base to essentially 55th Street in Grand Forks, and they describe it as two miles west of Columbia Road, which is 55th Street out to the Air Force Base and they now want us to consider for a mile between 55th and 69th, a roughly \$10 million dollar reconstruction to urbanize that mile stretch. He said that they have some other savings, or project scoping going on with other projects, and they are still working with NDDOT on identifying, because of the fiscal constraint issue, where that \$10 million dollars can be freed up for replacement projects, or how we are going to treat this.

Haugen said that these are the changes that have happened since the Technical Advisory Committee meeting; and they still need to work with staff on these two main issues on the document itself. He stated that, back to Mr. Vein's earlier point about the additional money that came in; right now these are the ones that rose to the top of our prioritization tool that we used to prioritize that universe list of projects. He said that the exception, as he described last time you saw this, and that is still the same are river crossings, which were not prioritized in that tool; they are just showing from the current 2040 plan in two locations.

Haugen reported that just to update you on the river crossings the five sites are 17th Avenue South, Elks Drive, 32nd Avenue South, 47th Avenue South, and Merrifield. He reminded everyone that the last information we discussed was the benefit/cost ratios, and since then there have been some meetings with various bodies and groups, and these handouts illustrate those discussions. He added that staff met with both City Planning Commissions but did not ask them to take any action, but did inform them that we hope to be asking them to take action in November. He stated that as part of that presentation they did receive some feedback from the Planning Commissioners. He added that they also went to two different meetings with the Grand Forks Wards, the first one was Ward 5, which is the south side from 28th Avenue southward. He said that they met on October 10th and almost all those attending were from the 47th Avenue area so the feedback they got was what is shown on the slide; and then on October 15th they met with Wards 3 and 4 and had a mixture of people from the Minnesota 4th area and some representing the Historical Society property, and again they voiced support but no formal action was taken at any of these meetings; and so they just heard what they heard.

Vetter commented that the thing that he thought was interesting was that no one there opposed the 32nd Avenue crossing.

Powers asked how well advertised these meetings were. Haugen responded that the ward meetings themselves they utilized the City's Public Info Center and so he knows they went on a media blitz including social media, newspaper print, radio, commentary, WDAZ, etc. He said that for the Planning and Zoning Commission meetings were advertised using their standard public notification process, and on the North Dakota side it is televised, but not on the East Grand Forks side, that is the one meeting that isn't televised.

Haugen reported that a lot of those meetings started out with a history of what was done; and just highlighting that and as we've discussed, at some point out draft needs to either change what the current documents have been stating for the last three iterations, or just continue on with what they say; but the

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question is we've gone through a lot of analysis, does that really change what the current document is saying. He added that as staff, he doesn't see where there has been any new information that would dramatically change the support for 32nd and Merrifield.

Haugen commented that the last few slides were in the packet already and just give a month by month what meeting is scheduled when, and what type of action is necessary. He added that in the middle of November they are scheduled to give presentations to the upper management for both DOTs, so they will get a full briefing of the whole planning process at that time. Vein asked where this will take place at. Haugen responded that the Minnesota one will be taking place in Baxter, MN on November 14th, which is also the day of our Technical Advisory Committee meeting so we will actually be video conferencing in to their scheduled meeting; the NDDOT meeting will be in Bismarck but it is yet to be scheduled. He added that they are working with all the different calendars to try to find a date, but we are asking them to consider it in the middle of November so that we have feedback from both State DOTs before December ends.

Haugen stated that we are seeking preliminary approval for the draft plan so that we can formally start that review process. He said that they will work with the two remaining issues that are still out there; and figure out with the Urban Road Program and switching the projects and then with the regional program whether or not we can take in that \$9 or \$10 million dollar project, what projects can get shuffled somewhere else.

Vein asked, if we have approval to move that on do we have to have some decision, or at least preliminary approval of those to move them forward. Haugen responded that that would be the board's discretion; his opinion is it is a couple of projects here or there and he doesn't know if we will be able to shake all those out now with giving time for staff to react to them, but the dollar numbers are what they are so that is the constraint that is really there.

Grasser commented that his opinion is, they ran it through the Technical Advisory Committee and there were a number of changes and things, and he would move it ahead with the Technical Advisory Committee's recommendation because they knew that there needed documents but it was a way of moving the process through without delay. He explained that Michael Johnson, NDDOT, expressed concern about meeting deadlines, and with the schedule we can't let too much slip so he thinks it is something that we can work on between now and the next cycle of Technical Advisory Committee and MPO Board meetings. He added that we had preliminary approval at the October 10th Technical Advisory Committee, but the schedule shows that the November meeting will be an informational meeting, so he is wondering if the Technical Advisory Committee would be making a recommendation for final approval of the plan in November or December. Haugen responded that final approval would be requested in December. He added that in October we are hoping that we get all of the technical review by the 23rd, which would mean that by October 23rd we resolve these two outstanding issues; what the Urban Road list will look like and what the Regional Road list will look like so that when we present to the Planning and Zoning Commission ten days prior to their meeting we can say that this is the document that we are asking them to adopt. He added that, again, preliminary approval in November so that there are modifications that still take place, iterations that will still take place, and hopefully we aren't completely off and have to do a widespread changes, that there is more finetuning, and then in December we will grand final approval of the document.

MOVED BY GRASSER, SECONDED BY MOCK, TO GRANT PRELIMINARY APPROVAL OF THE 2045 STREET/HIGHWAY DRAFT PLAN, AS PRESENTED.

Grasser stated that one key thought, from his perspective, is that he thinks that with the action of the Technical Advisory Committee and with his interpretation of some of the language in the documents it does preserve the ability for the local governments to determine projects and prioritizations for 100% local dollar projects, and he thinks that is important. He added that at this point in time he thinks it does, and maybe he should have asked this question before he made the motion, but does it carry all the bridges or only the 32nd and Merrifield bridges. Haugen responded that the way the draft is written now it would only include the 32nd and Merrifield bridges because those are what are in the current plan. He added that the only slight alteration on the 100% local projects, if there is federal action that is needed on those 100% local projects, they will need to show up in the Plan as well, there is still that caveat to that.

Powers asked again if it is just 32nd and Merrifield that are being continued in the plan. Haugen responded that from their perspective there wasn't anything that really substantially created new information to cause a change to those two. Vein added that he thinks we did due diligence, we went and restudied all the options, looked at the cost/benefit ratios, and the Technical Advisory Committee recommended keeping it at 32nd and Merrifield and that is what is before us for consideration today, so if we are going to recommend any change to that we would need to have that discussion or we need to support the motion as it stands.

Strandell commented that when the subject of a high bridge comes up, to him it would make more sense to build two low bridges than one high bridge; for the cost of a high bridge you can get two low bridges, and for a flood that will upset things for a week or ten days every ten to twenty years does it make sense to build a high bridge. Powers stated that, and correct him if he is wrong, but the meeting that Mr. Strandell was unable to attend he made a motion that we consider only low bridges.

Voting Aye: DeMers, Vetter, Mock, Powers, Vein, Strandell, Malm, and Grasser.

Voting Nay: None.

Abstain: None.

Absent: None.

OTHER BUSINESS

- a. 2018 Annual Work Program Project Update

Haugen reported that the 2018 Annual Work Program Project Update is included for review.

- b. Solicitation Of Transportation Alternative Projects For Both States And SR2S In Minnesota

Haugen reported that solicitation is open for Transportation Alternative Projects for both States. He added that solicitation is also open for SR2S projects in Minnesota as well.

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- c. MnDOT CAV Workshop October 22nd At 5:00 P.M.

Haugen reported that next Monday, here, MnDOT is holding a Connected Automated Vehicle Workshop so if you have the ability Monday night to spend some time please consider registering for that.

- d. Bill Listing For The 9/15/18 to 10/12/18 Period

Haugen reported that the list of bills for the September 15th, 2018 to October 12th, 2018 period was included in the packet for your review.

- e. Kennedy Bridge Status

Strandell asked what the status is on the Kennedy Bridge completion. Grasser responded that they are running three crews on there now to do the painting, but it is going to be weather dependent on whether or not they finish this year or not; it is possible we can finish this year, but in any event by mid-November or so, certainly before Thanksgiving is what he is hearing, they will take down the barriers and stuff and open it up so it will be a full four-lane bridge this winter whether it is finished or not, so the question will be whether they have to come back in the spring and finish up the painting.

ADJOURNMENT

MOVED BY MALM, SECONDED BY DEMERS, TO ADJOURN THE OCTOBER 17TH, 2018, MEETING OF THE MPO EXECUTIVE POLICY BOARD AT 12:39 P.M.

MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Peggy McNelis,
Office Manager