

**PROCEEDINGS OF THE
EXECUTIVE POLICY BOARD OF THE
GRAND FORKS/EAST GRAND FORKS
METROPOLITAN PLANNING ORGANIZATION**

**Friday, January 14, 2005 – 12:00 Noon
Grand Forks City Hall Conference Room A-102**

CALL TO ORDER

Chairman Doug Christensen called the meeting to order at 12:05 p.m.

CALL OF ROLL

On a Call of Roll the following members were present: Chairman Doug Christensen, Dick Grassel, Gary Sanders, Warren Strandell, Dorette Kerian, Arvin Kvasager (proxy for Gary Malm); and Steve Gander.

Staff present were: Earl Haugen, GF/EGF MPO Executive Director; Ryan Brooks, GF/EGF MPO Planner, Senior; Lane Magnuson, GF/EGF MPO Planner, Senior; Mark Engel, GF/EGF MPO Intern; and Peggy McNelis, GF/EGF MPO Executive Assistant.

Guests present were: Cindy Voigt, GF Assistant City Engineer and Dennis Potter, GF City Planner.

DETERMINATION OF A QUORUM

Chairman Christensen declared a quorum was present.

- a. Selection Of The Secretary-Treasurer

Moved by Grassel, seconded by Sanders, to nominate Steve Gander for Secretary-Treasurer, to close the nominations, and to cast a unanimous ballot.

Voting Aye: Christensen, Sanders, Kvasager, Strandell, Grassel, and Kerian.

Voting Nay: None.

APPROVAL OF MINUTES

Haugen reported that a second mailing was sent out prior to today's meeting, which included an updated agenda, and corrected minutes. He explained that the corrections to the minutes were due to Mr. Christensen's name having been inadvertently left off of the voting results for several agenda items.

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Moved by Kerian, seconded by Kvasager, to approve the December 10th, 2004, minutes of the GF/EGF MPO Executive Policy Board, as corrected.

Voting Aye: Christensen, Sanders, Kvasager, Strandell, Grassel, and Kerian.

Voting Nay: None.

MATTER OF REMAINING PROJECTS FOR THE 2006-2008 T.I.P.

Haugen distributed copies of three different documents; one is labeled Va, and deals with transit on the North Dakota side, as well as changes made by the Technical Advisory Committee; the second is labeled Vb, and discusses the reauthorization of TEA-21; and the third is the East Grand Forks Transit table.

Haugen reported that in the packet he included information pertaining to their solicitation of projects on the Minnesota side, for which there are five different funding mechanisms, however no applications were submitted for any of them, so no action is required. He said that on both the Minnesota and North Dakota side they are dealing with transit projects, and that is what Agenda Item V-a discusses. He pointed out that the Technical Advisory Committee reviewed the staff report and the projects, and amended the wording of the staff report as shown.

Haugen stated that on the Minnesota transit tables, MNDOT and Mr. Brooks worked together to further tweak the dollars, with no impact to the total dollar amounts, just how they are shared amongst the Federal, State, and Local entities.

Haugen commented that agenda item Vb was received after the Technical Advisory Committee, and addresses issues that are the result of there being no reauthorization of TEA-21. He explained that two years ago we submitted projects for high priority consideration, and now, two years later they did not reauthorize TEA-21, so now they are soliciting projects for the new effort for reauthorization. He pointed out that on the Minnesota side we have received correspondence from Congressman Peterson indicating that they have a deadline of January 31st to resubmit the East Grand Forks project that was submitted two years ago. He explained that this project involves the extension of 13th Street across the Hartsville Coulee. He pointed out that it was included in the Conference Committee's report, or the House's report, that \$1.2 million dollars of federal funds was allocated for this project, however, we now have to resubmit it if that is what the City of East Grand Forks wishes to do. He added that the MPO will have to indicate in a report that this is consistent with it's plan, and that, should the funding be awarded for this project, that they will program it into the T.I.P., and this all has to be in by January, which is why he is seeking confirmation as to whether or not East Grand Forks wishes to resubmit this project.

Haugen stated that on the North Dakota side, the City of Grand Forks submitted 48th Street, in the industrial park, extending it down to 32nd Avenue. He added that what actually survived the House was a mega-sized project in the Bismarck/Mandan area, replacement of the Memorial Bridge, and it appears as if that is what the efforts will be focused on with this reauthorization as well, to give that project a large chunk of the money. He said that the question, then, is whether

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or not Grand Forks wants to go through the exercise of submitting that project again, or possibly submit a different project, what it is they want to do. He added that Mr. Pomeroy's office has not yet indicated if the State deadline applies, although it appears pretty clear that a February 7th deadline is required by the House.

Haugen stated that with the changes that the Technical Advisory Committee made to the wording of the staff report, the projects themselves, for Grand Forks, remain as they were presented by Roger Foster; and the East Grand Forks projects, submitted by Ryan Brooks, include the newly "tweaked" numbers, otherwise the projects are consistent with the plan and should be given high priority ranking. He said that we could also add the reaffirmation of our support to including the last two projects for this go-around of high priority nominations, and he would request that this be included in the motion.

Chairman Christensen asked what the City of East Grand Forks wishes to do about their project. Sanders responded that they want to re-submit their project.

Chairman Christensen asked if Mr. Haugen was suggesting that there isn't much of a chance of Grand Forks getting funds for the 48th Street extension project. He also asked how much work would be involved with resubmitting the project if that is the City's desire, would you basically be able to copy the original application, and change the date. Haugen responded that really is about all that is involved as it is the same project, although we may need to go before the City Council just to reaffirm that this is the project they want submitted. Chairman Christensen said that it couldn't hurt to resubmit the project. Haugen added that if there is another project that the City would like to submit in lieu of 48th Street, that would be a decision that would need to be pushed through in January, which would mean reconvening this board, unless the motion could address this in some manner.

Kerian asked if the City of Grand Forks could submit the 42nd Street project, or wouldn't it qualify for these funds. Haugen responded that this involves reauthorization funds, and while it isn't different money, the timing of those funds would be a little less likely to work for that project. He added that, annually, we go after appropriation earmarks, and he thinks that is the strategy that the City of Grand Forks has been going for, that he is aware of anyway. He reminded everyone that the reality is that the Bismarck/Mandan bridge project will be receiving the majority of those funds that would be available.

A motion was made by Kerian, seconded by Grassel, to approve the FY 2006-2008 Project Application (Transit & MN Programs) as being consistent with the Long Range Transportation Plan; to resubmit the East Grand Forks 13th Street Extension project and the Grand Forks 48th Street Extension project; to give them high priority ranking; and to authorize the City of Grand Forks be able to submit a different project if it chooses to.

Voting Aye: Christensen, Sanders, Kvasager, Strandell, Grassel, and Kerian.

Voting Nay: None.

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MATTER OF RFP FOR 42ND STREET TRAFFIC MANAGEMENT PLAN

Haugen reported that the City of Grand Forks requested that the MPO do this study. He explained that it consists of studying how traffic moves in and out of the Alerus Center during events, and includes plans for traffic management during two different time periods; during the construction of the hotel entertainment complex, and after the complex is constructed.

Haugen stated that this RFP has gone through the Technical Advisory Committee, through City Staff, and the MPO is recommending approval. He said that if it is approved today, it will go out today, and they hope to have a consultant on board by March to get this done.

Chairman Christensen asked what the costs of this study will be. Haugen responded that the MPO has budgeted \$40,000 for the study, and it is included in the MPO's AUWP.

Moved by Grassel, seconded by Sanders, to approve the Request for Proposals for the 42nd Street Traffic Management Plan Update.

Voting Aye: Christensen, Sanders, Kvasager, Strandell, Grassel, and Kerian.

Voting Nay: None.

MATTER OF RFP FOR GRAND FORKS EXTRATERRITORIAL LAND USE PLAN

Magnuson reported that he would like to give a brief power point presentation. He explained that the Grand Forks Land Use Plan Update is an item in the MPO's 2005 AUWP, and the first step is to develop a vision for the growth areas for Grand Forks. He said that, currently, the City of Grand Forks extends its land use control two-miles beyond its city limits, however North Dakota State Century Code allows them to extend that to four-miles if they wish. He stated that the purpose of this extraterritorial study is to determine where the growth corridors should be located, what areas should be preserved for future urban development and how to do that, and also to suggest design criteria for certain corridors, such as Gateway Drive or 32nd Avenue Corridors.

Magnuson commented that this study also incorporates another item on the work plan, which is the 32nd Avenue Corridor Study, which will basically determine what future land uses should be for this corridor, and any specific design criteria might be necessary.

Gander reported present.

Magnuson reported that they have held several meetings with the Grand Forks Land Use Subcommittee in the development of this RFP. He referred to a map of the city, Appendix C, and went over it briefly, explaining that it drafts the different land use tiers, and the actual future land uses. He pointed out that there are three tiers: 1) Face of the City (shown with a green line on the map), which is where urban services are readily available, and which the City envisions developing first; 2) Future Urban Services (shown with a yellow line on the map), which is

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where the City envisions future urban services being located at some time; and 3) Four Mile Area (shown with a red line on the map), which includes rural residential development.

Magnuson commented that the idea of the Land Use Subcommittee, through this process, is to use the entire four-mile area, and leave it up to the consultant to remove those areas they feel will never have urban services.

Magnuson stated that he also designated future land uses for the entire area. He referred to the legend on the map and pointed out where some of the various uses were located, including commercial, residential, etc., and explained that this is basically a guide for the consultant to follow, and gives them an idea of what the Land Use Subcommittee is thinking. He stated that the map also shows the designated corridors, which are those corridors on which we may want to look at setting some specific design criteria, such as landscaping, access management, etc..

Magnuson reported that a complete timeframe for the study is included in the RFP. He pointed out that there has been a five-member committee, made up of City staff, Land Use Subcommittee members, and MPO staff, who will make a recommendation to the Executive Policy Board, based on the criteria in the RFP, as to which proposal should be chosen. Chairman Christensen asked who the members of the committee would actually be. Magnuson responded that it would include the City Planner, City Engineer, two Land Use Subcommittee members, and an MPO staff person. Chairman Christensen asked who the Land Use Subcommittee members would be that would be serving on the committee. Potter responded that the members are Rob Kweit and Gary Malm.

Chairman Christensen referred to the timeframe for the study, and asked why it will take 18-months to complete the study. Haugen responded that a lot of issues are going to be looked at with this study. Chairman Christensen stated that the reason he is asking is because they have people waiting to see what we are going to do on 32nd Avenue, so if there is anyway that we could get this done sooner, if we could shorten the timeframe from 18-months to 12-months, then he would like to see that done. Haugen responded that the last six months is the approval process, therefore, the study itself will have been completed in 12-months, so he would think that the City would be able to let those people know by then. Chairman Christensen stated that it is his experience that if you set a completion date of 18-months, the consultant will take 18-months; but if you set a completion date of 12-months, they will only take 12-months to get it done, so he would like to see it shortened if possible. Haugen responded that one impact that would occur with shortening this would be the consultant's fees would most likely be higher, but it may be something we could work with. Chairman Christensen asked what the budget is for this study. Haugen responded that they have \$125,000 budgeted for the study. Chairman Christensen stated that we do have the option of rejecting all bids if we wish. Kerian pointed out, however, that by rejecting all of the bids, we would be extending the bid process. Chairman Christensen asked how long the bid process takes. Haugen responded that they are currently looking at having a consultant on board by March, so the process takes about 45-days to complete.

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Kerian asked if the RFP gives any further delineation of the timeline of events for the 18-months. Haugen responded that it does not. Sanders suggested that if there are certain issues that Chairman Christensen would like to see done first, why not require that they are done first, as opposed to changing the entire study timeline.

Moved by Kerian, seconded by Sanders, to approve the Request for Proposals (RFP) for the solicitation of the 2035 Grand Forks Extraterritorial Land Use Plan Study, subject to the Selection Committee's prioritization of tasks.

Voting Aye: Christensen, Sanders, Kvasager, Strandell, Grassel, and Kerian.

Voting Nay: None.

Haugen stated that what they will do, then, is to send this RFP out today as submitted, however, if you look at page 5, you will find that there is a Clarification of Revision Clause, so they will meet with the appropriate people to identify priorities, and then send out the Clarification of Revision at that time. Christensen commented that the goal, however, is to get the entire study done in 12-months.

Strandell asked if the Merrifield Road shows up on the map, and is it being considered in this study as a possible bridge location. Magnuson responded that Merrifield Road is one of the designated corridors. He referred to the map and pointed out where it is located, citing that it is labeled as 12th Avenue. Haugen commented that Merrifield Corridor, also the Airport Road, and all the way down from Gateway to Merrifield is designated as a corridor concern.

Sanders pointed out that there doesn't seem to be much future commercial shown. Haugen responded that there is a lot of commercial in the grey area. Kerian asked if what is designated as future industrial, etc., came out of the past Land Use Plan. Magnuson responded that it did. Chairman Christensen commented that he agrees with Mr. Sanders, that there doesn't appear to be much commercial shown. Haugen referred to the map and pointed out where commercial is located. Sanders added that it seems to him that there should be more commercial east of I-29, and east of 32nd. Haugen referred to the map, and again went over the various areas where commercial is located.

Strandell asked if the dike line is indicated on the map. Haugen responded that Tier 1 basically follows the dike line.

Haugen reiterated that we are giving the consultants a draft of what we would like to see, and are asking them to give us a kind of "critique" of that information. He said that if they like it, fine, if they don't then they need to try to change our minds. He added that once we get past this, then we get into how we want the different corridors to look, and we try to design guidelines, design standards, etc., for how we want to implement our visions. He commented that within certain land uses, particularly in the Tier 1 area, we have some pilot nodes identified where we want to get into how a particular neighborhood should be designed, and the consultants will help develop some different design concepts for how this can be accomplished.

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MATTER OF APPROVING THE MERRIFIELD BRIDGE FEASIBILITY REPORT

Haugen reported that at the last MPO Executive Policy Board meeting, copies of the basic findings on the Merrifield Bridge were distributed. He stated that the Technical Advisory Committee reviewed the document, and their comments have been incorporated into the draft report (these comments are highlighted in the report), so the report is now in its final draft, therefore, the MPO is seeking approval of the final draft report.

Potter stated that he would like to request that the minutes reflect that the adoption of this report on the Merrifield Bridge does not in any way bind the City of Grand Forks to any intra-city bridge locations. He added that this report is specifically predicated on 32nd Avenue South being an intra-city bridge, and he believes it is important for the City of Grand Forks to have it show that your adoption does not require the City of Grand Forks to build an intra-city bridge at 32nd, or any other location, until the council takes specific action to select a site.

Chairman Christensen asked why this wasn't brought to their attention at the last meeting. Haugen responded that the feasibility report for Merrifield bridge did not predicate the construction of a 32nd Avenue bridge. He said that what Mr. Potter may be referring to, is that when the MPO does its traffic projections of what the Merrifield Bridge's benefits might be; we have to include, because this board has a 32nd Avenue Bridge included as a project, the impact of that bridge. He stated, then, that what the report states is that even with a 32nd Avenue Bridge in place, there would still be traffic benefits with a bridge at Merrifield Road, and we have to account for what those traffic impacts would be even with a 32nd Avenue bridge. Chairman Christensen commented, then, that it would stand to reason that without a 32nd Avenue Bridge, a bridge at Merrifield would be even more feasible, so we are all making a record for prosperity, and it doesn't really matter what this body says as far as citing or locating a bridge at 32nd Avenue, as that is a City of Grand Forks decision, and a City of Grand Forks funding decision. Gander added that the citing or location of a 32nd Avenue bridge would also be at the discretion of the City of East Grand Forks, and the townships around East Grand Forks, as well as the MPO.

Chairman Christensen stated, then, that he isn't sure that it would be necessary to include Mr. Potter's statement as part of the minutes, and asked how Mr. Gander felt about this. Gander responded that he would agree that just because you do a traffic projection, and one of your assumptions is that maybe someday there may be an intra-city bridge at some location, that that particular study would bind you to building that bridge, so he would think it would be unnecessary, though not offensive, to include that statement, as the report is in no way obligating the City of Grand Forks to place a bridge at 32nd Avenue South, or anywhere else. He added that he feels this is actually implied, even if it isn't stated, however if you feel better about having the statement in the minutes, he would be fine with that.

Moved by Sanders, seconded by Kerian, to approve the Final Draft of the Merrifield Feasibility Study.

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Voting Aye: Christensen, Sanders, Kvasager, Strandell, Grassel, and Kerian.

Voting Nay: None.

Haugen commented that he did present this report to the Grand Forks County Board, at their December 21st, 2004, meeting, and he believes that he will be presenting back to them soon. He added that the next stage is finding a lead agency, and at this body's last meeting, you indicated that, with Mr. Malm's leadership, we should look at Grand Forks County to perhaps fill that role. Kvasager stated that the County Board has taken no formal action on this, there is no formal commitment on this from the Grand Forks County because they aren't going to commit their entire county levy for one project. Chairman Christensen asked if we were asking the County to commit their levy for a project, or are we just asking them to provide the labor to implement the study. Kvasager interjected that we need funding for the EIS, which will run about \$1,000,000, or \$1,500,000. Haugen responded that they are proposing a two tier process so that they don't have to do a full EIS at one time. He explained that tier one would involve the location EIS process, for the alignment, which would be done at a more reduced cost than a full EIS; and tier two would be the more costly one as it is the one in which we would get into design impacts. He added, however, that to get to this stage we need someone to be the lead agency, which is why he presented this to the Grand Forks County Board. He stated that he believes that Mr. Malm is going to ask Grand Forks County to become the lead agency in order to get us to tier one. Kerian asked, then, does this mean that being the lead agency does not necessarily mean being the lead in funding. Haugen responded that this is correct, that it wouldn't require that they commit their entire levy for the bridge.

Chairman Christensen asked how much the first tier of the EIS will cost. Haugen responded that he is still trying to get that information from both State DOTs.

Chairman Christensen stated that what this means, then, is that if the Grand Forks County agrees to be the lead agency, it will help get us to the point where an EIS can be done, but it doesn't actually help us do the EIS until there is funding available to do it. Kvasager responded that that decision will require dialogue occur within the board. Chairman Christensen added that should the Grand Forks County Board determine that they cannot take on the position of lead agency, we will then have to turn to East Grand Forks, Polk County, and/or the townships for assistance.

Chairman Christensen asked where the funding might come from. Haugen responded that there could be an earmark for funding. Kerian added, however, that in order to get to the point of funding being necessary, we still need to get a lead agency in place. Haugen responded that that would be correct.

MATTER OF ADOPTING THE 2030 TRANSPORTATION PLAN AND ALTERNATIVE TRANSPORTATION MODES PLAN

Haugen reported that this is the Alternative Transportation Modes Plan, which includes the Transit and Bike and Ped Plans, and the adoption of our Street and Highway Section to 2030 so that all of our four transportation modes have the same planning horizon. He said that this was

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presented to the Planning Commissions and City Councils on both sides, and is now before this board for final approval.

Moved by Kerian, seconded by Grassel, to approve the Resolution adopting the 2030 Long Range Transportation Plan, including the Alternative Transportation Modes Element.

Voting Aye: Christensen, Sanders, Kvasager, Strandell, Grassel, and Kerian.

Voting Nay: None.

MATTER OF AUTHORIZATION OF MPO CHAIRPERSON AND EXECUTIVE DIRECTOR TO SIGN MNDOT GRANT AGREEMENT FOR CY 2005

Haugen reported that annually the State of Minnesota provides us with \$11,500 to be used to match the federal funds we receive. He added that MNDOT requires that this Board adopts a resolution authorizing the Chairman and himself to execute the contract, which is what we are seeking today. He pointed out that this is a standard contract, which the MPO has entered into for many years.

Moved by Sanders, seconded by Kerian, to approve authorizing the MPO Chairperson and Executive Director to sign MNDOT Grant Agreement for CY 2005.

Voting Aye: Christensen, Sanders, Kvasager, Strandell, Grassel, and Kerian.

Voting Nay: None.

OTHER BUSINESS

1. Next MPO Executive Policy Board Meeting

Haugen commented that there will not be a need for meeting in February, but that the Board will need to meet in March. After some discussion it was determined that the meeting would be held on Friday, March 11th, at 12:00 noon. Sanders reported that he would not be in town from February through April, and that Punky Beauchamp would be his proxy.

ADJOURNMENT

Moved by Sanders, seconded by Grassel, to adjourn the January 14th, 2005, meeting of the MPO Executive Policy Board.

Voting Aye: Christensen, Sanders, Kvasager, Strandell, Grassel, and Kerian.

Voting Nay: None.

Respectfully submitted by,

Peggy McNelis, Executive Assistant