

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

**Friday, January 12th, 2007 – 12:00 Noon
East Grand Forks City Hall Council Chambers**

CALL TO ORDER

Chairman Steve Gander called the January 12th, 2007, meeting of the MPO Executive Policy Board to order at 12:12 p.m.

CALL OF ROLL

On a Call of Roll the following members were present: Chairman Steve Gander, Doug Christensen, Punky Beauchamp, Dick Grassel, Gary Malm, Rob Kweit, and Warren Strandell.

Staff present were: Earl Haugen, GF/EGF MPO Executive Director; Nancy Ellis, GF/EGF MPO Senior Planner; David Hampsten, GF/EGF MPO Senior Planner; and Peggy McNelis, GF/EGF Executive Assistant.

Guests present were: John Thompson, GF City Traffic Engineer.

DETERMINATION OF A QUORUM

Chairman Gander declared a quorum was present.

ELECTION OF SECRETARY/TREASURER

Gander stated that he knows that by convention, one of our Grand Forks Delegates should be nominated, and voted into the Secretary/Treasurer position as they will become the next MPO Executive Policy Board Chairman.

MOVED BY GRASSEL, SECONDED BY KWEIT, TO NOMINATE GARY MALM FOR THE SECRETARY/TREASURER POSITION.

MOVED BY STRANDELL, SECONDED BY BEAUCHAMP, TO CEASE NOMINATIONS, AND TO CAST A UNANIMOUS BALLOT.

Voting Aye: Beauchamp, Grassel, Gander, Strandell, Kweit, and Christensen.

Voting Nay: None.

Abstaining: Malm.

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APPROVAL OF THE DECEMBER 15TH, 2006, MINUTES

MOVED BY KWEIT, SECONDED BY MALM, TO APPROVE THE DECEMBER 15TH, 2006, MINUTES OF THE MPO EXECUTIVE POLICY BOARD, AS SUBMITTED.

Voting Aye: Beauchamp, Grassel, Gander, Malm, Strandell, Kweit, and Christensen.

Voting Nay: None.

MATTER OF APPROVAL OF AMENDMENT #1 TO THE 2007-2008 UNIFIED PLANNING WORK PROGRAM TO INCLUDE COMPLETION OF THE GRAND FORKS LAND DEVELOPMENT CODE PROJECT

Haugen reported that we are not quite finished with the scope of services we contracted with URS Consulting to assist the City of Grand Forks in updating their Land Development Code as a result of the update done to their Land Use Plan last spring, therefore, we need to amend our 2007 Program to carry over that scope of work, and the funds that were not expended in 2006. He explained that the monies that are already programmed in our 2007 Plan do not consider any of this funding that is being brought in so we are not taking any project out, just bringing in some additional work and funds. He added that this project should be completed by the end of March.

MOVED BY CHRISTENSEN, SECONDED BY MALM, TO APPROVE AMENDMENT #1 TO THE 2007-2008 UNIFIED PLANNING WORK PROGRAM TO INCLUDE COMPLETION OF THE GRAND FORKS LAND DEVELOPMENT CODE PROJECT.

Voting Aye: Beauchamp, Grassel, Gander, Malm, Strandell, Kweit, and Christensen.

Voting Nay: None.

MATTER OF APPROVAL OF THE FY 208-2011 T.I.P. PROJECT APPLICATION AS BEING CONSISTENT WITH THE LONG RANGE TRANSPORTATION PLAN, AND TO GIVE IT A HIGH PRIORITY RANKING

Haugen commented that, as mentioned at the last MPO Executive Policy Board meeting, typically we would only be addressing the Minnesota projects this month, however, because of an extension granted to the City of Grand Forks, we will be addressing both North Dakota and Minnesota projects.

Haugen referred to the staff report, and explained that because of that delay, as well as some other issues, we have a bit of an atypical process this year. He stated that he would now like to go over the entire T.I.P. Program, as well as identify some of the funding programs we are now including in our T.I.P. Program, specifically which projects are being considered for each. He said that, in the end, this is what we are required to submit to the North Dakota Department of Transportation.

Haugen referred to a copy of a project summary list, included in the packets, and explained that he would now be distributing a revised list for review.

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Haugen reported that we have two basic responsibilities at this time. He said that when projects are submitted for consideration, we are obligated to determine whether or not they are consistent with our planning efforts, and then, also, if there are projects competing for funds in the same year, and in the same program, we need to prioritize those projects.

Haugen then gave a brief power point presentation (a copy of which is included in the file and available upon request).

Haugen explained that the T.I.P. process is really a 12-month process, beginning in August when we request projects, and ending in August when we approve a T.I.P. document. He pointed out that this means that as soon as one T.I.P. is approved, we are already soliciting for the next cycle. He stated that we usually only add one year to the approved T.I.P., and there isn't much adjusting needed.

Haugen commented that we are, as he mentioned earlier, trying to bring more projects into the MPO process than we previously have so you will see some different programming of projects than you saw in the past.

Haugen reported that, again, we did have a somewhat atypical process, primarily due to staffing shortages on the North Dakota side. He explained that what happened was that the coordination started a little late in the process, and wasn't finalized until after the Grand Forks City Council adopted a list of projects and priorities. He stated that the District Office wasn't quite willing to commit to that list, and wanted to make some adjustments, so after working with staff we are presenting today a revision to that list. He pointed out that it isn't projects that are being changed, it's just the year those projects are being financed.

Haugen then went over the various programs available for funding:

Federal Programs – Minnesota and North Dakota

1. Transportation Enhancement Program
2. Highway Safety Program
3. Safe Routes To School Program

Minnesota Programs

1. City Subtarget Program (East Grand Forks is eligible for this program in 2010)
2. Partnership or District Wide Program - 80/20 split for District Wide Projects

North Dakota Programs

1. Urban Roads Program – 80/20 split
2. Regional Program – Split into two programs: Regional Primary – 80/20

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3. split; and Regional Secondary – 80/10/10 split
Interstate Maintenance Program – new program

FY2008 Projects:

Minnesota:

No changes

North Dakota:

Interstate Program – no changes – they will be doing a reconstruction of both the north- and south-bound lanes between the Thompson Interchange and 47th Avenue South. Preliminary engineering is programmed for 2008, as is installation of the cross-overs.

Two new projects being proposed in 2008 – both right-of-way acquisition projects:

- 1) Grade Separation Project at 42nd Street – still a Project Concept Report or Project Development Document that needs clearance, but are trying to obtain \$400,000 federal monies, for a total project cost of \$500,000 so that whatever design is approved, the right-of-way can be purchased. There are no construction dollars being proposed for this in this T.I.P. cycle at all.
- 2) 48th Street Extension from 17th Avenue South to 32nd Avenue South – trying to purchase right-of-way to complete this extension.

Haugen reported that in North Dakota it is a little tougher to get these funds, however, because of some development pressure taking place at both these sites, we are being pushed to get the right-of-way purchased ahead of the game. He stated that this is also impacting the need for other changes to the regional system as well, which he will point out later.

Beauchamp asked, when you talk about development pressure, with the purchase of this right-of-way, will you purchasing any existing buildings located on this property as well, or is it all open land. Christensen responded that 48th is a quarter-line and 42nd requires we purchase some property from the University and/or the railroad. Haugen added, however, that the University does have some desire for development occurring at 42nd, and we have already purchased, on the west side of the 42nd and DeMers intersection, most of the property between the Amoco Station and 42nd Street, and with the 42nd Street Project Concept Report still not finalized, we aren't sure exactly how much property we will need to purchase, but we are trying to program the funds so they are available when that is determined.

Christensen asked, if this gets programmed in 2008, and everything falls apart, can we move the money fast. Haugen responded we could, unless the State is saying that they are only

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programming these monies for this project only, then we wouldn't have that flexibility, but, typically, because this is the Urban Road Program, once funds are programmed, and captured by the City of Grand Forks, and through agreement with the MPO and the City, you have the flexibility of moving the funds around. Christensen stated that, so everyone understands, that overpass will cost \$15,000,000.00, and that price isn't going down, so, although the City of Grand Forks might want it, they don't have the financial ability to pay for it without a whole bunch of help.

Gander asked where the priorities identified came from. Haugen responded that they are generated through the local agencies process, so for the City of Grand Forks it came through their staff, through their committees, through their city council, and finally to the MPO. Gander asked what the Technical Advisory Committee' role is in this. Haugen responded that the Technical Advisory Committee is made up of staff people from various agencies. He added that they met on Wednesday, and are recommending this body approve this list.

Malm asked if there wasn't already right-of-way designated along 42nd Street. Christensen responded there wasn't. Haugen explained that on the southwest quadrant of the 42nd Street/DeMers Avenue intersection, the City and State have owned two lots for at least ten years now, and on the northwest quadrant, when the plat went through for the Hilton Garden Hotel, there was a statement that indicated a future interchange, but it didn't actually capture that property. He added that what he understood was that if the grade separation was constructed first, then it would make it easier to purchase that property, but if the University had development pressure at that location, the City would then have to purchase the property at that time.

Christensen commented that, ultimately, the plan we have shows an underpass at 42nd, and, as he remembers, we selected a plan that has a depression, and the City Engineer didn't like that plan because he thought we would have snow problems, but if we take that plan we wouldn't need to spend the \$500,000, so he is curious because, in the business world we are getting pushed back now on what we told our staff to do because now they want to take some of that money, and he he doesn't know why they are doing that because we didn't need it, but we will find out.

Gander asked for Mr. Haugen's response to what Mr. Christensen just said. Haugen responded that, again, the Project Concept Report has not been finalized, so until the City Council finalizes that Project Concept Report, and the North Dakota Department of Transportation and Federal Highway signs off on that report, there are still at least two options in play, and one is to depress both DeMers and 42nd down and allow for the underpass to go underneath; and the other is what is in our Street and Highway Plan document whereby 42nd shifts over to the west, going underneath both DeMers and the railroad track, then shifting back to it's original alignment, along with a small connecting roadway that gets you back to at-grade with DeMers Avenue where 42nd currently is.

Christensen commented that the latter plan was basically abandoned because we would have to move the entrance to the hotel, because we would have access problems to the hotel if it was

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done that way. He added that if we do the other plan we will have problems as well with the proposed tech park, and the cost of the property will be much higher than the current half-million estimate, which is why he wants to know if we can move the monies around quickly, because he doesn't think this project will happen. Haugen stated, however, that we first need to get the money. Christensen said that he understands that, but his concern is that if once you start doing these kinds of things, then you start planning because it's there, and it gets a life of it's own. Haugen asked if Mr. Thompson had any further information concerning these two options. Christensen stated that he doesn't know what's going on, but before this goes back before the City Council he will.

Malm asked if anyone had seen the plan for the new lab the University is proposing, specifically where it will sit, because that could mess everything up over there. Christensen responded that he thinks it is located to the west, along the Interstate. Gander asked if Mr. Haugen could get confirmation on where that lab will be located. Malm stated that the reason he asked that is because, as everyone knows, if the University decides to do something, there isn't anything we can do to stop them.

Haugen said that, if you will recall, last fall we got the report back from Federal Highway with a critical review of our planning process, and how we cycle things, and one of their recommendations to us was that not only should we do things at the front end of a project, but we should also be asking, once the Project Concept Report is completed, if the project is still consistent with our documents, and whether we still prioritize that project. He stated, then, that in this instance, once the Project Concept Report is completed, if there is a disagreement, and you feel that the City, the State, or whoever is pursuing the wrong project, and it isn't consistent with what you believe is our planning document, you have the right to question it at that time, where now we really only question things at the front, not the back end of the process. Christensen commented, however, that the problem with waiting to question things at the back end of the process is that everyone starts planning and spending money, doing studies, and all of a sudden we have so much into the deal that you feel you can't stop it.

FY2008 Projects Continued:

Highway Safety Improvements Program – a new program. Both States are still struggling with this SAFETEA-LU program - which took monies that were previously in a program that we were used to working with, and put it into this program, which has some specific requirements. On the Minnesota side, because they aren't as flexible with how they program their funds, they have the onerous task of having to move projects that have already been programmed and bring into play some Highway Safety Improvement eligible projects. On the North Dakota side, since they have a little more flexibility, is to put aside some pots of money in the out-years of their S.T.I.P. document, so they don't really have a program in place, but we decided to try to get ahead of the program by identifying the following safety related projects:

- 1) Turning radius at the Industrial Park – 48th Street and DeMers Avenue
- 2) New traffic signal and entrance at the Alerus/Canad complex

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- 3) 32nd Avenue/38th Street Intersection Improvements

FY 2009 Projects:

Minnesota:

No changes

North Dakota:

- 1) Urban Program – no changes – current projects include I-29 Reconstruction of north-bound lane; delay of Gateway Drive project to a later date to move DeMers Avenue Skyway Bridge Rehabilitation Project, which needs to be done in 2009 in order to help maintain the bridge.

Gander asked for a description on what is being planned with the Skyway Bridge Rehabilitation Project. Haugen responded that the proposed project will involve rehabbing the bridge with attention given to replacing the expansion joints. Grassel asked if the bridge would be closed during this rehab project. Haugen responded that he thinks they will try to maintain traffic as best they can, but he can't guarantee that.

FY 2010 Projects:

Minnesota:

- 1) Minnesota Sub-Target Program – 5th Avenue N.W./U.S. #2 Intersection Construction. East Grand Forks City Engineering Staff and MNDOT are still reviewing the Project Concept and Cost Estimate for this project to make sure they are comfortable with the proposed project.

North Dakota:

- 1) Delay 2nd half of Gateway Drive Project – delay is to help assist Grand Forks in having some money to do the 48th Street study. Again, there is already a programmed project to happen on Gateway Drive, with the first half of the project involving the area between I-29 to Columbia Road, and the second half involving the area between Columbia Road and the Red River. These projects are being delayed a couple of years so the DeMers Avenue Skyway Bridge project can be moved up, and also to free up some monies in our area so that if Grand Forks needs to build 48th Street, they have the assurance that in 2010 there are funds available to do so. Gander asked if this was the priority of the Grand Forks City Council. Haugen responded it was.
- 2) New Program – what happened was, as noted in staff report, back when the 42nd Street Underpass Project was actually programmed as a project,

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and designated an x amount of federal funds, when the decision was made not to program it, we didn't back-fill projects to capture those monies, so it was spread across the State of North Dakota, and now, in 2010 we will have our first real year of access to a built-up pot of \$12,500,000.00.

FY 2011 Projects:

Minnesota:

- 1) T.E. Application - to connect the underpass by the Sherlock Pool to the Trailhead at River Heights Park. Part of this connecting trail will be built over the area where the west bound off ramp is located, which will be removed as part of the 5th Avenue N.W. intersection project. Beauchamp asked if there would be any possibility that that ramp could serve as the new bikeway, without tearing it up. Haugen responded that, if we are awarded money for this T.E. Project, it will probably be merged in with the intersection project in 2010, but right now we know we have the 2010 money to do the 2010 project, we had to scope it out as if that ramp was removed and replaced with a path, but as soon as we are awarded the 2011 money, we can go forward and try to connect those two projects at one time, and thus accomplishing the entire project at a cheaper cost.

North Dakota:

- 1) Regional Highway Program – 1) Gateway Drive Maintenance Project from I-29 to Columbia Road, which was delayed from 2009. 2) Intersection improvement project at the intersection of Columbia Road and Gateway Drive – PCR was done a couple of years ago.

Haugen reported that there are some other T.I.P. items that the Board should be aware of include: 1) February meeting – we will need to process some amendments to our FY 2007 project list, even though we just adopted it, there are some projects that have come up that we weren't aware of, so some changes will need to be made to the T.I.P. to include them; 2) Funding Programs – there are some funding programs out there that we are trying to get better wrapped into the MPO process, but currently we haven't been able to do that.

Beauchamp asked what the term "JARC" stands for. Haugen responded it is a transit program that can be used to help the disabled and elderly. He added that "JARC" stands for Job Access Reverse Commute, and that JARC and New Freedom are programs into which Congress has placed the bulk of the increase in federal funds to enhance or improve transit services.

Grassel asked what improvements are going to be made to Columbia Road. Haugen responded that there is a PCR document that shows what improvements are being proposed, which he can distribute, but generally they will be aligning Columbia Road for better traffic flow, closing off the frontage road on the north side of Gateway – west side of Columbia Road so that we don't

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have another intersection conflict. He added that he also believes there is a right-turn slip ramp west of Columbia Road, off of Gateway Drive into the commercial/retail area there.

MOVED BY KWEIT, SECONDED BY GRASSEL, TO APPROVE THE FY2008-2011 T.I.P. PROJECT APPLICATION AS BEING CONSISTENT WITH THE LONG RANGE TRANSPORTATION PLAN, AND GIVE IT A HIGH PRIORITY RANKING.

Voting Aye: Beauchamp, Grassel, Gander, Malm, Strandell, Kweit, and Christensen.

Voting Nay: None.

MATTER OF APPROVAL TO AUTHORIZE THE MPO EXECUTIVE POLICY BOARD CHAIRMAN, AND THE EXECUTIVE DIRECTOR TO EXECUTE THE ANNUAL CONSOLIDATED PLANNING GRANT CONTRACT WITH MNDOT

MOVED BY BEAUCHAMP, SECONDED BY MALM, TO APPROVE AUTHORIZATION OF THE MPO EXECUTIVE POLICY BOARD CHAIRMAN, AND THE EXECUTIVE DIRECTOR TO EXECUTE THE ANNUAL CONSOLIDATED PLANNING GRANT CONTRACT WITH MNDOT.

Voting Aye: Beauchamp, Grassel, Gander, Malm, Strandell, Kweit, and Christensen.

Voting Nay: None.

OTHER BUSINESS

1. Tentative 2007 Executive Policy Board Meeting Schedule

Haugen distributed copies of a tentative meeting schedule for the 2007 Executive Policy Board.

ADJOURNMENT

MOVED BY MALM, SECONDED BY BEAUCHAMP, TO ADJOURN THE JANUARY 12TH, 2007, MEETING OF THE MPO EXECUTIVE POLICY BOARD AT 12:56 P.M..

Voting Aye: Beauchamp, Grassel, Gander, Malm, Strandell, Kweit, and Christensen.

Voting Nay: None.

Respectfully submitted by,

Peggy McNelis
Executive Assistant