

**PROCEEDINGS OF THE
TECHNICAL ADVISORY COMMITTEE
Wednesday, October 9th, 2019
East Grand Forks City Hall Training Conference Room**

CALL TO ORDER

Earl Haugen, Chairman, called the October 9th, 2019, meeting of the MPO Technical Advisory Committee to order at 1:31 p.m.

CALL OF ROLL

On a Call of Roll the following members were present: Jane Williams, Grand Forks Engineering; Dale Bergman, Cities Area Transit; Stephanie Halford, Grand Forks Planning; Patrick Hopkins, MnDOT Planning Engineer; Ryan Riesinger, Airport Authority; Jason Peterson, NDDOT-Local District; Brad Bail, East Grand Forks Engineering; and Becky Hanson (via conference phone), NDDOT-Local Government.

Absent: Steve Emery, Jesse Kadrmas, Richard Audette, Darren Laesch, Dustin Lang, Ryan Brooks, Brad Gengler Ali Rood, Paul Konickson, Lane Magnuson, Mike Johnson, Mike Yavarow, Lars Christianson, and Rich Sanders.

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

DETERMINATION OF A QUORUM

Haugen declared a quorum was present.

MATTER OF APPROVAL OF THE SEPTEMBER 11TH, 2019, MINUTES OF THE TECHNICAL ADVISORY COMMITTEE

MOVED BY BERGMAN, SECONDED BY PETERSON, TO APPROVE THE SEPTEMBER 11TH, 2019, MINUTES OF THE TECHNICAL ADVISORY COMMITTEE, AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

MATTER OF APPROVAL OF FY2020 SAFETY TARGETS

Viafara reported that he has a presentation that will touch on three topics:

1. Proposed MPO's Safety Targets for CY2020
2. A presentation of a comparison between the targets set for CY2018 and the actual results.

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3. A response to a stakeholder's questions concerning a difference on why the rates for the millions of vehicle miles traveled differ.

Viafara stated that the number one point is for us to bear in mind that even though most of emphasis has been placed on the safety targets, it is also important to remember that there are other sets of targets that will come that have to do with transit asset management, system performance, bridge condition, pavement condition and transit safety, so we will be discussing those later.

Viafara said that what he would like to present today are the proposed MPO Safety Targets for FY2020. He pointed out that there is information in the packet that he would like to go over, including tables.

Viafara reported that Tables 1, 2, 3, and 4 show what the calculations are indicated and those are based on the 5-year rolling averages. He said that the ones highlighted in red are the proposed numbers for us to consider.

Viafara referred to Table 2 and explained that it shows that for the number of traffic fatalities the expectation is to have 1.8 or fewer for the rates of fatalities that means that 100 million vehicle miles traveled will be 0.57492; for the number of crashes these are related serious injuries we are expecting to have 16.56 or fewer, and the rate of those serious crashes will be 5.06422, and the number of non-motorized fatalities and non-motorized injuries will be 3 or fewer.

Viafara commented that the mechanics and the data that is supporting this measure, it is indicated and has been provided to you, so later we would like to request your cooperation in approving or accepting recommending these measures.

Viafara stated that the second point is the discussion concerning the targets for the year 2018. He said that if you look carefully at the table, at the rate of fatalities, we have number 0.673 and then for the rate of serious injuries we have 5.93; where do these numbers come from, these numbers come from the analysis using a 5-year rolling average; so in that case we have the 0.67, but when we have the serious injuries, remember that these were set prior to our engaging in an analysis. He said that it was decided to take the 5.9 to be the highest number at that particular moment as a possible target. He added that when we have the targets for the year 2018 set, and then when we compare with the actual results now we can see the trend lines in one particular direction, which is kind of declining; so for the number of fatalities we were expecting or were set to have 3 or fewer but in reality when we did the 5-year rolling average it was 1.8. He said that the rate of fatalities, 0.73, you will see we now have 0.55; the number of injuries we were expecting 18 or fewer but the actual number when we did the analysis came to be 13; and then for the rate of serious injuries we expected 5.933, but the actual number was 3.76. He added that we then have the number of non-motorized fatalities or non-motorized injuries, and we were expecting 3 but the real number was 2.

Viafara said that overall we can see a declining trend concerning the comparison between the targets and the actual numbers that are happening.

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Viafara commented that the final point is the response to the Technical Advisory Committee's question that came to the MPO Staff's attention. He stated that on the draft submitted last month the FY2020 rates he made a mistake. He explained that the mistake was that he used one 5-year rolling analysis rather than using 5 sets of rolling averages, that was the reason the numbers were rather low, but when they compare now the 5 sets of 5-year rolling averages we get the correct numbers, so he is asking the committee to please consider these targets set as the numbers that are the real ones, and they are following what was provided by the feds.

Williams asked if this is something that we have to do every year. Haugen responded it is. Williams said, though, that we don't have to make any adjustments to the numbers, we just need to look at them and decide whether we are going to change the target or not, correct. Haugen responded that really one of our basic decisions would be whether we want to carry through on some decimal points versus full numbers. He said that you will notice that both States, now, on some of these numbers you have a decimal point, that is following truly the federal method, but we have in the past thought it made little sense to talk about a portion of a fatality, or a portion of a person injured, but we are presenting you what the federal methodology is to the "t" and we've done the 5 sets of 5-year rolling average, with the exception of the very first time that we did this, to set the 2018 target where we, instead of using the 5 sets of these 5-year rolling averages we determined to the highest of the 5 sets as a starting point. He added, though, that that was in 2018 but in 2019 we used the average of the 5-sets, and maybe last month we received the 5-year rolling averages of the most recent set, and now we are presenting you with the average of 5 sets.

Peterson referred to the table and commented that the column there is the targets that we would be recommending be approved for 2020. Haugen responded that that is correct. Peterson said that that takes into account the comment that Mr. Kuharenko had, that was listed in the packet. Viafara responded that it does. Haugen explained that they noticed that in 2019 the serious injury rate was 5.2 something, and last month we had presented 3.97, and that was based on just one set so now that we've done the 5 sets it is 5.06. Peterson said that it should be a more representative set. Haugen responded that that is correct. He added that when we would start analyzing the performance, that is why we look at just the most recent 5-years, and the growing average that comes out of those 5-years, not 5 sets of 5-year rolling averages.

Bergman asked what happens when you go to say 1.8 or 1.9, will it be fluctuating every year. Haugen responded that it likely will be fluctuating every year, or at least until you reach zero fatalities it will fluctuate every year, some years you will have less fatalities some you will have more fatalities, so until you have 5 years of continuous zero fatalities you will have fluctuation. Haugen added that it will be a state of circumstances if it happens to be the same number of fatalities for many years in a row, then there wouldn't be any fluctuation, but that would be atypical. Bergman asked, so if you do go to like 1.9, do they want you to fix something or is it just a keep an eye on it and then the next year it goes back to 1.9, you need to readjust it then and say it's good. Haugen responded that from the MPOs targets there is no federal penalty if we meet or don't meet, however we are trying to help the State meet it's targets by having our targets set, so if we have a target at 1.8 and go to 1.9, first year it probably isn't that big of a deal but if we see the trend line going up instead of going down then we probably will have to do some rethinking of how we are programming projects for safety.

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Peterson asked if this methodology with the decimal point, is that what is recommended by the feds or are they actually mandating that we do that. Haugen responded that it is a recommendation; you can see both States do this, but we don't have to if we were to decide to go whole number, that is within our ability, but we couldn't go to a much more radical whole number, but one that is reasonable, so if you want to go from 1.88 to 1.9 or to 2 whole people you could.

Williams asked how these goals compare to what the State goals are. Haugen referred to both Minnesota's and North Dakota's goals and stated that you can see that both States, for the most part, are targeting fewer. He said that on the Minnesota side there is the issue of in 2016 they changed the definition of some of their crash reports, so they had a big spike in their serious injuries in particular, and that data set is still in there.

Peterson commented that he thinks that what we have before us is actually a much more accurate representation, but, to Mr. Kuharenko's point, he thinks it would make sense that if it is actually 1.88 that we call it 1.9 or 2 to try to not set ourselves up for an unrealistic goal, so that would be his recommendation.

MOVED BY PETERSON, SECONDED BY BERGMAN, TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY APPROVE THE FY2020 SAFETY TARGETS AS PRESENTED SUBJECT TO ROUNDING THE FATALITIES UP ONE DECIMAL POINT TO 1.9.

Bergman asked for clarification that there is no penalty if we don't meet these goals. Haugen responded that at the MPO level there are no penalty. Williams asked if our goals work in both States. Haugen responded that they do as we are a much smaller geography and a much smaller population. Williams said, though, that it is all based on miles traveled. Haugen responded that it is based on our 327 million miles traveled in the metro area.

Voting Aye: Riesinger, Bergman, Hanson, Williams, Peterson, Halford, Hopkins, and Bail.

Voting Nay: None.

Abstain: None.

Absent: Kadrmas, Ellis, Emery, Gengler, Brooks, Audette, Laesch, Konickson, Johnson, Kuharenko, Rood, West, Magnuson, Sanders, and Christianson.

Haugen reported that we have to update the Safety Targets every year; transit asset is updated every year; system performance, bridge condition and pavement condition are all updated every four years, however each State has the ability to adjust theirs after two years if they wish, so there might be something coming on these in the next six months should North Dakota or Minnesota adjust theirs. He added that he isn't sure if transit safety will be updated every year, but it isn't due until next July so we'll find out more then.

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**MATTER OF APPROVAL OF THE PLANNED FUNCTIONAL CLASSIFICATION
MAP**

Haugen reported that we took action on the existing functional classification to update it, but the MPO Executive Policy Board did not have a quorum at their September meeting so you will see it on their October agenda as well.

Kouba commented that these existing and future functional classification maps were requested by the Technical Advisory Committee in order to be able to show future road classifications.

Kouba referred to the Grand Forks map and stated that she did put in the various areas that were discussed last month, mostly those areas south of 62nd. She said that there were a few more connections added within the Tier 1 Growth Area as well, which is the reason why these maps now have the Tier 1 Growth Area included on them.

Kouba referred to the East Grand Forks map and stated that it is new to everyone, so the discussion for that is pretty wide open. She said that once again they reviewed the growth area between 2015 and 2045 to make sure that the network is extended into those areas.

Kouba commented that she is asking for any additional changes or additions anyone may have for either map.

Williams referred to the Grand Forks map and asked if it can be noted that the bridge location is still under study. Haugen responded that that is the designated spot. Williams said, though, that it is being studied for possible change. Haugen responded that yes there are additional studies being done, but whether there will be a change or not we don't know yet. Williams said that this is her point. Haugen asked why would you confuse the map. He added that by this time next year there will probably be different Tier 1 Growth areas as well, so we are reflecting what is current in the plan.

Haugen stated that, as noted, these maps are not forwarded to the State or Feds for their formal consideration or approval. He added that if at some time in the future we decide that locations are different as part of the adoption of the amended transportation plan we would also be amending the future classification maps as well.

***MOVED BY BAIL, SECONDED BY BERGMAN, TO APPROVE FORWARDING A
RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY
APPROVE THE EXISTING AND FUTURE FUNCTIONAL CLASSIFICATION MAPS
FOR GRAND FORKS AND EAST GRAND FORKS, AS SUBMITTED.***

***Voting Aye: Riesinger, Bergman, Hanson, Williams, Peterson, Halford, Hopkins,
and Bail.***

Voting Nay: None.

Abstain: None.

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Absent: Kadrmias, Ellis, Emery, Gengler, Brooks, Audette, Laesch, Konickson, Johnson, Kuharenko, Rood, West, Magnuson, Sanders, and Christianson.

MATTER OF APPROVAL OF THE ENVIRONMENTAL JUSTICE MANUAL

Haugen reported that as our work program for 2019 indicates we are updating the Public Participation Plan, and today we are discussing the Environmental Justice Manual. He pointed out that included in the packet were suggested changes.

Kouba commented that most of the changes were due to additional data; we updated the years that we used the data, the ACS data, from 2013 to 2017, and the most significant change is how we look at the meaningfully greater, otherwise if we didn't change some things we would have ended up without very much on the ground truth, basically. She stated that we can go into certain areas and we can see whether it is a high minority or a high low income area, so we changed that from three times to two time the total percent of population within the MPO boundary, and the wording in the document itself was changed to represent that as well.

Haugen stated that they already kind split both sides of the river. Kouba added that they did change it to, also just looking at East Grand Forks and Grand Forks because otherwise East Grand Forks gets overshadowed and areas that would be considered and EJ area wouldn't be seen in East Grand Forks.

Haugen commented that one other thing that they kept constant is the switch from three times to two times, that was a change, but if it is 50% or larger that is maintained and that really affects the low-income, there is no minority population that is 50% or larger, but when you look at the low-income calculations there are, in Grand Forks, some census block groups that are 50% or larger; otherwise the body of the document, the essence has not been changed too much.

Haugen stated that comments are welcome. He added that as the months proceed, before the end of the year, you will notice some updates on Limited English Proficiency, updates in Title VI, plus the actual Participation Planning document itself. He explained that because there are quite a few parts to the Public Participation Plan they thought that instead of hitting you with five to six different things at once it would be better to give you pieces as we progress and the first one was the Environmental Justice Manual. He added that, as Ms. Kouba explained, as we compared it to our current Environmental Justice Manual, and what has happened with the ACS data is that we've become a more diverse metro area, so we have more minority populations, so that three times threshold became, would zero everything out, so we felt that that would be too obvious of us trying to eliminate populations, further consideration, not following the intent Environmental Justice, so we went to two times and we came up with some geographies that made sense to us, but we still had the Minnesota side overshadowed by North Dakota so we separated out the two sides of the river to get specifics on their characteristics of their populations.

Peterson asked when the final document is due. Haugen responded that it is due by the end of the year.

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Haugen commented that he would also note that our local transit operations rely on this public participation process as their required public participation process.

MOVED BY BERGMAN, SECONDED BY BAIL, TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY APPROVE ENVIRONMENTAL JUSTICE MANUAL UPDATE, AS PRESENTED.

Voting Aye: Riesinger, Bergman, Hanson, Williams, Peterson, Halford, Hopkins, and Bail.

Voting Nay: None.

Abstain: None.

Absent: Kadrmas, Ellis, Emery, Gengler, Brooks, Audette, Laesch, Konickson, Johnson, Kuharenko, Rood, West, Magnuson, Sanders, and Christianson.

MATTER OF ANNOUNCEMENT OF SOLICITATION OF CANDIDATE T.I.P. PROJECTS

Haugen commented that it is that time of year, on our annual cycle of T.I.P. updating, when we announce the solicitation of projects.

Haugen stated that on the Minnesota side they are only announcing one open solicitation, and that is for their Transportation Alternatives program. He added that on the Minnesota side this program includes a State program for Safe Routes To School. He said that there is a two step process on the Minnesota side; first is a letter of intent, then that letter of intent gets vetted to make sure it is for an eligible project before it goes through the full application process, so the letter of intents are due at the end of October, and as noted we typically announce the solicitation for the other programs at the end of November/December.

Haugen said that on the North Dakota side we have distributed letters of solicitation to our local partners. He added that North Dakota also has their Transportation Alternative program open for solicitation; the Highway Safety Improvement, the Highway Safety Improvement subset of railroad crossings. He stated that all of those are due December 4 to the MPO.

Haugen reported that there was a meeting in Bismarck on Monday, and we are not ready to announce the formal solicitation for the Urban Grant; the Urban Roads or Regional Roads, but it is coming soon. He said that the expectation is that if it does come out soon that December 4th will be the same timeline for submittal.

Haugen commented that the only other piece of information he can share is that the State is revamping their forms, so anticipate having to answer more questions than in the past.

Haugen stated that the last thing to note is that North Dakota will be releasing their Recreational Trails. He explained that they had a switch over in staff so he isn't sure if they are ready to do it this December or January, but keep an eye out for that as well

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Information only.

MATTER OF DIFFERENCE BETWEEN NORTH DAKOTA S.T.I.P./T.I.P.

Haugen reported that although the NDDOT has not formally released their final Statewide Transportation Improvement Program, they have released a document they term “Final Urban Program” which impacts the Urban Roads and the Urban Regional Roads Program; and when he compared what that list was to what was just in our approved T.I.P. there were some changes. He stated that he did have a chance to visit with Stacey Hanson with the NDDOT, to somehow improve our process so that we aren’t approving a document that then gets changed when they approve their document.

Haugen commented that there are five projects, the first two are something that you are aware of that are coming down the pike, and we mentioned that as we approved the T.I.P. we would have to visit an amendment for those projects. He stated that the next two are projects that were originally programmed to be done in 2019, and for a variety of reasons the State has decided to use 2020 funds and timeline for them, and there has also been some cost increase for the projects as well. He said that the fifth one was a project that was programmed in our T.I.P. in FY2023, but is now being considered programmed in 2020.

Haugen stated that part of what we are discussing with Ms. Hanson is to improve when they are considering changes, but he would ask our local partners, as you are discussing changes in your projects and costs and scopes, that you communicate with the MPO early so that we have some sense how that would impact our documents and when we should be processing changes.

Haugen commented that, again, at the meeting on Monday; and he isn’t sure of the outcome yet, but as noted in this agenda item, more paperwork; there was a considerable amount of discussion on project creep, so whereas the last three or four years the examples used were mostly on the State Highway side regional projects, where some scopes have doubled or tripled in cost from the programming stage to the contract award stage, and how there is only an “x” amount of federal dollars and if your project goes up double or triple in cost, that means a project has to go down, so there are more checks and balances that are being established in the system to somewhat wrangle that in on the North Dakota side, so that will be part of the things that are happening from these results that haven’t taken place in the past.

Haugen said that maybe in December you will be receiving amendments to process to reconcile the North Dakota side S.T.I.P. and T.I.P.

Information only.

OTHER BUSINESS

- a. 2019 Annual Work Program Project Update

Haugen reported that attached is the monthly update to the work activities.

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Viafara commented that for your information you may be seeing posted an updated version of this report, that will include the final dates for the completed projects and also the projected completion dates for a couple of projects in response to the stakeholders insights and review, and therefore we have heeded their advice and produced a new revised version.

Information only.

b. TAC Agenda/Packet Notification Issue

Williams asked if, when the packet is posted on a Friday and it isn't always complete, is there any way that they can get an e-mail to let us know when additional information has been updated instead of having to just keep going on the website and looking and looking. Haugen responded that there is a way to do that; whether there is staffing available and knowledge to do that is the issue. He explained that this past Friday in particular we had to post what we had available as staff was going to be out of the office, so the remaining staff did the best they could to get additional information posted, so we promise to do our best.

ADJOURNMENT

MOVED BY BERGMAN, SECONDED BY HALFORD, TO ADJOURN THE OCTOBER 9TH, 2019 TECHNICAL ADVISORY COMMITTEE MEETING AT 2:15 P.M.

MOTION CARRIED UNANIMOUSLY.

Respectfully submitted by,

Peggy McNelis,
Office Manager