

**PROCEEDINGS OF THE
TECHNICAL ADVISORY COMMITTEE
Wednesday, November 13th, 2019
East Grand Forks City Hall Training Conference Room**

CALL TO ORDER

Earl Haugen, Chairman, called the November 13th, 2019, meeting of the MPO Technical Advisory Committee to order at 1:34 p.m.

CALL OF ROLL

On a Call of Roll the following members were present: David Kuharenko, Grand Forks Engineering; Ali Rood, Cities Area Transit; Patrick Hopkins, MnDOT Planning Engineer; Ryan Riesinger, Airport Authority; Jason Peterson, NDDOT-Local District; Nancy Ellis, EGF Planning; and Michael Johnson (via conference phone), NDDOT-Local Government.

Absent: Steve Emery, Brad Bail, Jesse Kadrmas, Richard Audette, Darren Laesch, Dustin Lang, Ryan Brooks, Brad Gengler, Stephanie Halford, Dale Bergman, Paul Konickson, Lane Magnuson, Mike Yavarow, Lars Christianson, and Rich Sanders.

Staff: Earl Haugen, GF/EGF Executive Director; Teri Kouba, 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 OCTOBER 9TH, 2019, MINUTES OF THE TECHNICAL ADVISORY COMMITTEE

Kuharenko referred to Page 6 of the minutes and pointed out that the last sentence in the second paragraph has question marks, and he is wondering what should be placed there instead. Kouba responded that she doesn't remember exactly what she said. McNelis stated that she would go back and listen to the recording of the minutes with Ms. Kouba to try to determine what was said and make that correction.

MOVED BY ELLIS, SECONDED BY KUHARENKO, TO APPROVE THE OCTOBER 9TH, 2019, MINUTES OF THE TECHNICAL ADVISORY COMMITTEE, SUBJECT TO FIGURING OUT WHAT WAS SAID AND REPLACING THE QUESTION MARKS IN THE LAST SENTENCE OF THE SECOND PARAGRAPH ON PAGE 6.

Haugen asked if there might be consideration to just remove that portion of the sentence from the minutes. Kouba agreed.

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MOVED BY ELLIS, SECONDED BY KUHARENKO, TO APPROVE AMENDING THE MOTION TO APPROVE THE OCTOBER 9TH, 2019 MINUTES OF THE TECHNICAL ADVISORY COMMITTEE, SUBJECT TO REMOVAL OF THE CLAUSE CONTAINING THE QUESTION MARKS FROM THE SENTENCE IN THE SECOND PARAGRAPH ON PAGE 6 OF THE MINUTES.

MOTION, AS AMENDED, CARRIED UNANIMOUSLY.

MATTER OF FY2020-2023 T.I.P. AMENDMENTS

Haugen reported that as we discussed last month there are some differences between the S.T.I.P. on the North Dakota side, and our T.I.P., so today we are trying to address those differences, and amend the T.I.P. document.

Haugen commented that we did put out a notice that today is the opportunity for the public to attend the meeting or send written comments; however there is no one from the public here, and we also did not receive any written comments, or oral comments prior to today's meeting.

Haugen stated that the amendments cover Grand Forks projects and also one East Grand Forks project. He added that since we discussed many of them last meeting he won't focus on any of them unless someone has a question or concern regarding any of them.

Haugen said that there is one new project, that we didn't discuss last week, and that is a Transportation Alternative project that Grand Forks has going on on 17th Avenue South, so that is a project that is new to this package. He added that it is already awarded. Kuharenko said that he has a question on this project, and maybe Mr. Johnson can answer it. He asked that since it was bid in October is it actually a fiscal year 2019 project or would it be covered in 2020. Johnson responded that it depends on how it was authorized. He explained that he just went through and highlighted the projects that were in the 2020 to 2023 program so it depends on how it was actually authorized and he would have to go in and look at it to know for sure, but it was shown in North Dakota's S.T.I.P. as being in 2020.

Haugen commented that some of the things shown in green are just modifications identifying a correction to the program or the dollar amounts that didn't change the federal amount.

Haugen stated that the projects that we will spend some time and, and the were previously listed as illustrative projects. He explained that these are projects that North Dakota is identifying as "pending" in their S.T.I.P. list. He added that North Dakota has adopted a new philosophy or procedure for how pending projects are being handled in the urban area, the Urban Program. He explained that previously they were identified as "pending" and if they didn't get funded in the year shown they were not guaranteed funding in any subsequent year, they would have to go through the process again, but this year North Dakota is changing that and are indicating that if a pending project isn't funded in the year they are identified in the S.T.I.P., they will be funded the following year, so in trying to convey that message in our T.I.P. document, he put them in the year they are pending in the S.T.I.P. and then in the remark section he identified that if they

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aren't funded in 2022 they will be funded in 2023. Kuharenko commented that on the regional side he thought that the project was pending in 2023, otherwise in 2024 for the regional, based off a document he has. Haugen responded that he knows that something newer was sent out so he will make any necessary changes.

Haugen pointed out that both traffic signal projects were updated, and there was also a small chip seal project on U.S. Business 2, or North 5th Street as well. Kuharenko commented that just as a point of clarification; pending 2023, otherwise 2024 that was all for the Regional, and he thinks that the Urban is still 2022, with 2023 if not funded in 2022.

Haugen reported that there is one East Grand Forks project, which is the 2019 Fixed Route Operation Project listing that wasn't awarded in FY 2019 so we are amending it into FY 2020, and is showing just the federal amount.

Haugen explained that since these were previously illustrative projects the T.I.P. document is being amended to show that the three projects are being programmed. He added that the end result of this is that we no longer have illustrative projects in our T.I.P. document, they are all now programmed, they are the various years of pending funding for that year, if they don't get funded in the year listed they will be programmed to be funded the following year.

MOVED BY ROOD, SECONDED BY ELLIS, TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY APPROVE THE FY2020-2023 T.I.P. AMENDMENTS SUBJECT TO CLARIFICATION ON THE REGIONAL TRAFFIC PROGRAM PROJECTS.

Voting Aye: Riesinger, Rood, Johnson, Kuharenko, Peterson, Hopkins, and Ellis.

Voting Nay: None.

Abstain: None.

Absent: Kadrmaz, Bergman, Bail, Emery, Gengler, Brooks, Halford, Audette, Hanson, Laesch, West, Magnuson, Sanders, and Christianson.

MATTER OF CAT/UND MERGER STUDY

Kouba reported that this is the final document. She stated that one of the biggest reason for the delay was due to the fact that it took some time to determine whether or not this was a feasible idea or not; and it was final approved.

Kouba said that, as you can see, they have a final budget, and the two biggest negotiating points were the cost of service and the cost of vehicles. She explained that the City, CAT and UND came to an agreement that the City would be covering an additional \$114,500 for the operating costs, which would reduce the amount UND would have to pay; and then CAT agreed to purchase the three buses needed for the UND Shuttle Routes up front and then an annual reimbursement plan would be put into place for the local costs by UND so this cost will be added to their quarterly billing.

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Kouba commented that the document also stated that there may be a possibility that we could receive some additional funding with the additional routes, but after an analysis was completed it was determined that the routes were too short in length and time and we wouldn't be getting enough ridership to be able to get any additional federal funding.

Rood stated that, just as a point of clarification, adding the new UND service will actually not increase any costs to either the City of Grand Forks or the City of East Grand Forks. She said that when Ms. Kouba mentioned the \$114,500 being picked up by the City of Grand Forks, that is just part of UND's allocation based on a cost allocation model, so we agreed to absorb some of the administrative costs that were allocated to UND because we weren't actually hiring additional administrative staff or expanding our facilities or anything like that based on this expansion, so it is not a cost increase to either City.

MOVED BY KUHARENKO, SECONDED BY HOPKINS, TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY APPROVE THE FINAL CAT/UND MERGER STUDY, AS PRESENTED.

Voting Aye: Riesinger, Rood, Johnson, Kuharenko, Peterson, Hopkins, and Ellis.

Voting Nay: None.

Abstain: None.

Absent: Kadrmas, Bergman, Bail, Emery, Gengler, Brooks, Halford, Audette, Hanson, Laesch, West, Magnuson, Sanders, and Christianson.

MATTER OF UPDATE ON FAMILY OF PUBLIC PARTICIPATION PLANS

Haugen reported that we are proceeding forward with the next couple of documents. He stated that the first agenda item covers our Limited English Proficiency and Private Sector Participation documents, which are part of our requirements for our federal funding; in particular to engage all and any interested parties, and then there are things we have to identify for particular populations, and Limited English Proficiency is one of those.

LIMITED ENGLISH PROFICIENCY

Kouba stated that we were looking at the high concentration of Limited English Proficiency and decided to have that meaningfully greater be basically the same across all of these documents, of it is either 50% of the census block group or it is 2 times the total percent of the population average.

Kouba said that they brought this forward into the Limited English Proficiency document and it works out that there is not a lot of Limited English Proficiency areas but there are areas within each City. She added that they also divided that into each City as well, so we have areas to be considered within each City.

Kouba commented that there is the statement of how often we will be updating the information in the document, and that will be every four years.

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Haugen said that we don't have a strong Limited English Proficiency language yet, but we are generating some concentrations that might mean we will have to face with future efforts. He added that the other thing is that we are relying on the census, and they group a lot of other languages together so we still don't get a good sense of what the strong other languages are; Spanish is one that they include, however we identify that it is our largest language, so we can't really focus on just specific languages that are spread fairly well out and they aren't specific to us.

Rood commented, then, that the high concentration areas of 4% and 6%, that was just defined locally, it isn't a national standard of high concentration. Haugen responded that that is correct.

Williams asked if this is the same as the Environmental Justice map, or is it different. Kouba responded that it is different because it isn't based on the environmental justice, which is minorities and low income, this is based on the ability to speak English. Williams asked what is located north of Gateway, is there residential there. Kouba responded that there isn't a whole lot. Haugen commented that because there is such a large census tract, it doesn't take much for a small population to show up in the statistical analysis. Ellis added that it is kind of like East Grand Forks, a majority of it is Crystal Sugar.

***MOVED BY KUHARENKO, SECONDED BY PETERSON, TO APPROVE FORWARDING
A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY
APPROVE THE LIMITED ENGLISH PROFICIENCY DOCUMENT, AS PRESENTED.***

Voting Aye: Riesinger, Rood, Johnson, Kuharenko, Peterson, Hopkins, and Ellis.

Voting Nay: None.

Abstain: None.

***Absent: Kadrmas, Bergman, Bail, Emery, Gengler, Brooks, Halford, Audette, Hanson,
Laesch, West, Magnuson, Sanders, and Christianson.***

PRIVATE SECTOR PARTICIPATION

Haugen referred to the packet and explained that a couple pages of this agenda item covers our Private Sector Participation document. He stated that it is specific to our FTA funds, however it covers planning activities and program activities that we have to give this population some attention when we try to get public participation on our documents.

Haugen said that there are no real population percentages or other analyses, it is straight forward verbiage on what FTA expects us to do to make sure that the private sector still has the ability to participate in public transportation opportunities.

Haugen reported that this document, again, is a requirement of FTA; particularly, as was already mentioned, why it is there, it is just a little thing and it does clearly state that when the transit agency is supposed to do a program of projects, they are utilizing the MPO's T.I.P. process for

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that purpose, so it states that, and, again, it is part of our family of public participation plans, and this way the transit operators don't have to produce their own process for public engagement.

MOVED BY ROOD, SECONDED BY ELLIS, TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY APPROVE THE PRIVATE SECTOR PARTICIPATION DOCUMENT, AS PRESENTED.

Voting Aye: Riesinger, Rood, Johnson, Kuharenko, Peterson, Hopkins, and Ellis.

Voting Nay: None.

Abstain: None.

Absent: Kadrmas, Bergman, Bail, Emery, Gengler, Brooks, Halford, Audette, Hanson, Laesch, West, Magnuson, Sanders, and Christianson.

PUBLIC PARTICIPATION PLAN

Haugen said that before we get to the Public Participation Plan he will note that Civil Rights Title VI is an ADA requirement. He stated that the NDDOT just published a new Title VI document, and they are our lead agency so we are reviewing their document with our Title VI document to make sure that they mesh, so that we aren't adopting something and then find out later that we have to change it because we aren't meshing with their Title VI document, so we are hoping to have the update to the Title VI document next month.

Haugen commented that initially when we started this process we didn't think it would be a major update for those documents because North Dakota, as part of their review and oversight, they have to pick an FTA Sub-Recipient every year to do an audit of their Title VI ADA program, and we were recently successful on two of those audits so we thought we were pretty good but we found out late that North Dakota DOT updated their documents, which will cause us to update our documents, so with that we have covered all the rest of the documents, and now we will discuss the Public Participation Plan document itself in our family of plans.

Haugen stated that with this update there were several things that we decided to suggest doing; the first one was to delete all of the recitation of federal law in the document, to trim it down, and if people are interested in that information it is readily available elsewhere, and so the document is half the size it used to be. He said that the other thing that they did was to update our study area and our organizational charts, then before we get into the participation goals and objectives and standards changes, also shortened were specific things that we had to the Metropolitan Transportation Plan and the T.I.P., we do have separate documents that outline how we prepare those documents and amend those documents, so in this participation plan, instead of reciting them we are more focusing on just generically what those two things are, the processes, and referring people to those other manuals.

Haugen commented that the only other real substantial change that we made deals with standards on notices and public hearing notices. He explained that we used to have a standard of everything needing to have a ten day prior notification timeline, but we separated that out for the

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public hearings to continue to have a ten day prior notification timeline but for public notices, etc., we will now have a five day prior notification timeline, so we modified this in the plan.

Kuharenko referred to Page 4 of the document and said that it indicates that the MTP is comprised of the Street and Highway Plan, Transit Development Plan, and the Bike/Ped Plan; is the Land Use Plan not considered a part of it as well. Haugen responded that it is not.

Kuharenko referred to Page 3 of the document, and pointed out that he may want to look at updating the map because there are a lot more streets in Grand Forks than is shown here. Haugen responded that they will look at updating that map.

Haugen stated that one thing that will be happening with this, and also attached, are all the rest of the documents that we have been talking about, is that Federal Law requires that this document actually be out in the public for a 45-day comment review period, so what we action we take today is to get it to submit to the public comment period, the 45-day public comment period; and then because these are family plan documents, all those other documents are subject to that 45-day review and comment period as well.

Williams referred to Page 1 of the document and asked where it says "...define principles and strategies for public involvement throughout the transportation planning process", that is throughout the MPO transportation planning process or does this cover things that the City might do. Haugen responded that this is an MPO document, so it is covering the MPO and whatever MPO assisted activities we do for either City, so we are talking about doing the Land Use Plans next year, and when we start doing land use plans there are City processes and procedures that have to be followed, but with this MPO assistance come out public participation plan. Williams said, though, that if the MPO isn't involved in something that the City is doing it wouldn't apply. Rood responded that we are required, the City as an FTA recipient, for example, to have a Public Participation Plan, so what we do is we have an MOU with the MPO certifying that we will follow their plan instead of having our own, so that might be something to look into. Haugen added that that is an FTA allowance into the process because of the POP requirement we talked about earlier.

MOVED BY KUHARENKO, SECONDED BY ROOD, TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY APPROVE THE PUBLIC PARTICIPATION PLAN DOCUMENT, AS PRESENTED.

Voting Aye: Riesinger, Rood, Johnson, Kuharenko, Peterson, Hopkins, and Ellis.

Voting Nay: None.

Abstain: None.

Absent: Kadrmas, Bergman, Bail, Emery, Gengler, Brooks, Halford, Audette, Hanson, Laesch, West, Magnuson, Sanders, and Christianson.

Haugen stated that provided the MPO Executive Policy Board approves this next week that will open up the 45-day comment and review period for all of the documents.

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MATTER OF ANNOUNCEMENT OF CANDIDATE PROJECT SOLICITATION

Haugen commented that this item is announcing the remaining solicitation of projects for the next T.I.P. cycle.

Haugen stated that on the Minnesota side we did have the Transportation Alternatives program open, they closed on October 31st, and there were no projects submitted in our study area so we are done with Transportation Alternatives and Safe Routes to School programs.

Haugen commented that now on the Minnesota side there is an HSIP process that is open until the 17th of November.

Haugen reported that we are opening the rest of the solicitation because the City of East Grand Forks gets funding every four years, and we have 2022 already programmed, so 2024 isn't eligible. He said that we aren't opening up the City Sub-target, but we are seeing if either the County of the State has projects that they are going to give us for either 2023 or 2024, and the deadline for those is December 27th.

Haugen stated that on the North Dakota side the final three programs are open for solicitation and the notifications have been sent out to the appropriate staff.

Haugen said that the Urban Program, which, again is the Main Street Program, on the North Dakota side; Urban Roads covers the local roads and the Urban Regional roads, and included in that pack of information with the solicitation there are specific instructions for the Urban Roads and Urban Regional Program, that they really only want the worksheets filled out for 2024 projects, that you would be submitting to us. He said that he is assuming, that although it doesn't say that we are still asking for the Regional System, the plus one year. Johnson responded that that is correct. Haugen said, then, that you need to focus on 2024, and on the Regional side the 2025 possibilities. He added that the deadline for those is December 20th, and because of the lateness of the solicitation they have been moved back to allow a reactive time to the local partners on nominating those projects.

Haugen reported that not yet identified is the North Dakota Recreational Trails solicitation, and when that starts. He said that it will be vetted through the Parks and Rec Department.

Kuharenko said that, just to give you a heads up, the Committee of the Whole met last night and they ended up seeing the item for the Transportation Alternatives and the HSIP requests, so provided they are approved by the City Council next week you should be seeing those sometime next week. Haugen asked if there was anything regarding railroad crossings. Kuharenko responded that he isn't aware of anything on railroad crossings at this time.

Information only.

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OTHER BUSINESS

a. 2019 Annual Work Program Project Update

Haugen reported that attached is his first attempt at doing the monthly update to the work activities.

Information only.

b. Skewed Intersection Steering Committee Meeting November 25th

Kouba reported that the Steering Committee is meeting on November 25th to look at the final document for the Skewed Intersection. Haugen asked if the draft document was on the website. Kouba responded that it isn't but that she will get it on there.

Information only.

c. Downtown Parking Study Presentation To City Council December 2nd

Haugen commented that the Downtown Grand Forks Parking Study recommendations, a presentation is set to be given on December 2nd, but it isn't much of a presentation of the parking study. Williams asked if that was online. Haugen responded that the study is online.

Information only.

ADJOURNMENT

***MOVED BY ELLIS, SECONDED BY KUHARENKO, TO ADJOURN THE NOVEMBER
13TH, 2019 TECHNICAL ADVISORY COMMITTEE MEETING AT 2:08 P.M.***

MOTION CARRIED UNANIMOUSLY.

Respectfully submitted by,

Peggy McNelis,
Office Manager