

**PROCEEDINGS OF THE EXECUTIVE POLICY BOARD  
OF THE GRAND FORKS/EAST GRAND FORKS  
METROPOLITAN PLANNING ORGANIZATION  
Wednesday, December 16<sup>th</sup>, 2020, - 12:00 Noon  
East Grand Forks City Hall Training Room/Zoom Meeting**

**CALL TO ORDER**

Clarence Vetter, Chairman, called the December 16, 2020, meeting of the MPO Executive Policy Board to order at 12:03 p.m.

**CALL OF ROLL**

On a Call of Roll the following members were present: Clarence Vetter, Bob Rost, Marc DeMers, Warren Strandell, Mike Powers, Al Grasser, Jeannie Mock, and Ken Vein (via Zoom).

Absent: None.

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

**DETERMINATION OF A QUORUM**

Vetter declared a quorum was present.

**MATTER OF APPROVAL OF THE NOVEMBER 18<sup>TH</sup>, 2020, MINUTES OF THE MPO EXECUTIVE POLICY BOARD**

***MOVED BY DEMERS, SECONDED BY ROST, TO APPROVE THE NOVEMBER 18<sup>TH</sup>, 2020, MINUTES OF THE MPO EXECUTIVE POLICY BOARD, AS PRESENTED.***

***MOTION CARRIED UNANIMOUSLY.***

**MATTER OF APPROVAL OF THE 2020 HOLIDAY HOURS**

Haugen reported that this is something that we do every year; we mirror the City of Grand Forks' Personnel Policy. He explained that they have been giving their employees four holiday hours each year, as has the MPO, but there is a slight difference this year as they are also closing City Hall four hours early on Christmas Eve day, so that would be an addition to this year's request, to grant the Holiday Hours plus close offices early on Christmas Eve.

***MOVED BY MOCK, SECONDED BY POWERS, TO APPROVE THE 2020 HOLIDAY HOURS AND CLOSURE OF MPO OFFICES AT NOON ON DECEMBER 24<sup>TH</sup>, AS PRESENTED.***

***Voting Aye: Vetter, Mock, Strandell, DeMers, Rost, Powers, Grasser and Vein (via Zoom).***  
***Voting Nay: None.***  
***Abstain: None.***  
***Absent: None.***

**MATTER OF APPROVAL OF EXECUTION OF CONTRACT WITH NDDOT**

Haugen reported that every two years we execute this contract with the North Dakota Department of Transportation; it is a contract that allows us to receive the federal planning dollars. He stated that it is a standard contract that we have with North Dakota, there have been no changes to the language from previous contracts. He said, however, that there was one minor exception; we are now switching what are known as the federal clauses from being supplied by Federal Transit, which were 15 pages in length to Federal Highway, which are 3 pages in length, so that is the only change to the contract, which is a contract that we need to have signed to allow us to receive the federal funds and it is a contract based on our Work Program that this body, and the DOT, have approved.

Haugen commented that on the Minnesota side we do an annual contract, but that is for Minnesota State dollars, but this one is every two years for the federal dollars from both sides of the river through North Dakota.

***MOVED BY ROST, SECONDED BY POWERS, TO APPROVE AUTHORIZING THE CHAIRMAN AND THE EXECUTIVE DIRECTOR TO EXECUTE THE NDDOT METROPOLITAN PLANNING ORGANIZATION AGREEMENT FOR FISCAL YEARS 2021-2022, AS PRESENTED.***

***Voting Aye: Vetter, Mock, Strandell, DeMers, Rost, Powers, Grasser and Vein (via Zoom).***  
***Voting Nay: None.***  
***Abstain: None.***  
***Absent: None.***

**MATTER OF APPROVAL OF EXECUTION OF CONTRACT FOR GRAND FORKS LAND USE PLAN UPDATE**

Haugen reported that the staff report identifies that we released the RFP in October, and that we had November 30<sup>th</sup> as the deadline for submittals and we did receive four. He said that there was a Selection Committee that was identified in the RFP, they met on December 11<sup>th</sup> and interviewed all four firms, and their top choice was SRF with Praxis.

Haugen commented that included in the packet was the proposed scope of work that was in the proposal selected by the Selection Committee, and the committee is proposing that we contract that scope of work.

Haugen stated that in the Staff Report we do identify the funding; it is budgeted at a total cost of \$135,000 for the consultant costs, but there is a nuance split; the first \$90,000 is split with the

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normal 80/10/10 split, and we did amend that from the original budget to include some additional work. He said that at that time Grand Forks agreed, since it was a benefit to only the City of Grand Forks that they would pay the entire local match for that additional cost, so the next \$35,000 will be split 80/20 Grand Forks local match; and then there were some items that we identified in the RFP that were not eligible for consolidated planning fund, so those will be paid 100% by the City, and that was budgeted at \$10,000.

Haugen said that the Selection Committee did recommend approval of the scope of work as presented in the proposal; included in the packet is what was presented in the proposal, there is, to clarify, a new section, Section 9, that was added and that was to just separate out those 100% City costs, so those are totally separated out from the rest of the scope of work to note that it was things that the City wanted, such as working on the City Staff Report each month to the Planning Commission of trying to tie back better to what the Land Use Plan is saying for all of the applications that they are processing on the agenda that month, and the other was to review the Annexation Score System the City has in place and to make necessary changes to that, those are 100% City cost items.

***MOVED BY STRANDELL, SECONDED BY MOCK, TO APPROVE AUTHORIZING THE CHAIRMAN AND EXECUTIVE DIRECTOR EXECUTE A CONTRACT WITH SRF CONSULTING GROUP FOR THE GRAND FORKS LAND USE PLAN UPDATE AT A COST NOT TO EXCEED \$135,000.***

***Voting Aye: Vetter, Mock, Strandell, DeMers, Rost, Powers, Grasser, and Vein (via Zoom).***

***Voting Nay: None.***

***Abstain: None.***

***Absent: None.***

**MATTER OF APPROVAL OF PROPOSED 2021 SAFETY TARGETS**

Haugen reported that first he would like to share with the board that you were recognized nationally as a good example of how to address Safety Targets from an MPO perspective. He pointed out that he highlighted in the staff report the exact language from the national report, so congratulations on that recognition.

Haugen stated that there was discussion at the Technical Advisory Committee; and there is quite a difference between what the MPO staff recommended action and the Technical Advisory Committee recommended action.

Haugen commented that on the PM1, or the Safety Targets, we are required to address this every year, so we do have to adopt a resolution to identify what our Safety Targets are. He said that we technically have until February to make that decision, but in the past couple of years we have been adopting these as soon as the States have adopted their targets.

Haugen reported that the difference between what the staff was recommending and what the Technical Advisory Committee is recommending is; when we look at the crash data, and we go

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through the methodology that was used in the past and what both State DOTs use, we may come up with new numbers, the data is different therefore the numbers change, so we were recommending that we adopt what is in the red box, and you can see there is a positive trend on safety in that these are all going in the right direction and we are having less occurrences and our targets are showing a reduction.

Haugen said that the difference with the Technical Advisory Committee's recommendation is that they are recommending that the Board maintain the 2020 targets, which are shown in gray, instead of adopting the ones that are reflecting the most current data. He added that another difference is that the Technical Advisory Committee motion was to maintain those 2020 targets for the next two or three years before recommending a change to them.

Haugen stated that that is the difference between the two, but the end result today is that we do have to adopt a resolution identifying what the targets are for 2021; you have the option of going with the staff recommendation using the latest data, or with the Technical Advisory Committee recommendation to keep the 2020 targets, and keep them for a couple of years until you are advised by the Technical Advisory Committee to adjust them. He added that next year at this time you will have to either reaffirm that decision or make a change, so every year we have to do this for these safety targets.

Vetter asked what the Technical Advisory Committee's reasoning was for their recommendation versus Staff's recommendation. Haugen responded that, as best he can describe it, their reasoning is that there is no penalty applied at the MPO level, so by staying with the 2020 targets it gives some flexibility or leeway as to what targets we have to match, if we are continuing to lower targets down then we run the risk of not meeting those targets.

Grasser commented that he thinks that part of the other discussion is there have been a number of anomalies out there in the traffic world with the pandemic going on, there is less travel, there are a lot of things going on, even insurance companies are getting refunds and what not just based on the lower number of accidents that have been occurring. He said, then, even if there is a lower trend in there, how quickly do we want to jump on that and how long will that trend continue in the future, even if there aren't any immediate penalties, he thinks it is a question of do we want to lower these things, basically, to a failure level; and, again, some of these safety items are trends, so he thinks the other question is is just because you have data every year do you change them every year or do you base it on more of a three year rolling average type of thing. He agrees that we should look at it every year, but do we necessarily want to change it every year; he thinks that the feeling of the Technical Advisory Committee is that that was probably too often.

DeMers stated that he would tend to agree with Mr. Grasser; he knows we want to be as accurate as possible but he wonders if we want to make sure that there is some flexibility there to be able to adjust for error due to, as Mr. Grasser said, these are taking a snapshot in time and he would imagine that these are relatively small numbers that we are using compared to other Metropolitan Areas, so the effects of one issue, one instance for us has a greater impact than some others, so you can end up with a higher degree of error, so he would tend to agree that we should try to

have more flexibility. He stated that he doesn't have a problem going with the Technical Advisory Committee's recommendation, and he does think, for that same reason, we should, if we can, use a rolling average instead of just a point in time calculation. Haugen reported that these are using five sets of five-year rolling averages in this calculation already. He referred to a table and pointed out that all the data from here on down is from five sets of five-year averages, and all those five years are all then lumped into one five-year rolling average, so there is a smoothing of those anomalies built into the system, so there isn't just one year of data.

Grasser stated that he kind of used the term three year rolling average, which he doesn't think came up at the Technical Advisory Committee meeting, but he thinks their suggestion was based more on how often we do this. He added that some of the targets that we have, and he thinks that Mr. DeMers' comments express this, they aren't really large numbers so the numerical values can still change, so it is good that we have a five-year way of smoothing that, they will catch that, but he thinks that the Technical Advisory Committee is our technical experts on this, and he thinks especially given the fact that we had such an anomalous year, 2020, it is just not the right time to be changing numbers based on that particular data, and that is why he thinks the Technical Advisory Committee is suggesting that if the numbers grow relatively uniformly, it is just a matter of rendering a judgement on it, as opposed to doing it by rote.

***MOVED BY GRASSER, SECONDED BY DEMERS, TO APPROVE THE TECHNICAL ADVISORY COMMITTEES RECOMMENDATION TO KEEP THE 2020 SAFETY TARGETS FOR 2021, REVIEW THEM ANNUALLY, BUT REVISE THEM EVERY TWO TO THREE YEARS.***

***Voting Aye: Vetter, Mock, Strandell, DeMers, Rost, Powers, Grasser, and Vein (via Zoom).***

***Voting Nay: None.***

***Abstain: None.***

***Absent: None.***

**MATTER OF APPROVAL OF PROPOSED 2021 T.I.P. AMENDMENT – NORTH DAKOTA SIDE**

Haugen reported that we received a request from the City of Grand Forks to amend the North 3<sup>rd</sup> Street Reconstruction Project due to a cost increase. He said that from the estimate that was in the T.I.P. to the Bid Award, the cost increased about \$1.2 million dollars, and that was significant enough that it triggered an amendment requirement for the T.I.P.

Haugen stated that we did advertise for, and did hold a public hearing at the Technical Advisory Committee meeting last Wednesday, and received no comments, so both MPO Staff and the Technical Advisory Committee are recommending approval of the proposed T.I.P. amendment to increase the cost estimate on the North 3<sup>rd</sup> Street Project; knowing that it doesn't increase or affect the federal amount, it is 100% absorbed by City funds.

***MOVED BY ROST, SECONDED BY STRANDELL, TO APPROVE THE FY2021 T.I.P. AMENDMENT, AS PRESENTED.***

***Voting Aye:*** *Vetter, Mock, Strandell, DeMers, Rost, Powers, Grasser, and Vein (via Zoom).*

***Voting Nay:*** *None.*

***Abstain:*** *None.*

***Absent:*** *None.*

**MATTER OF APPROVAL OF 2022-2025 NORTH DAKOTA SIDE T.I.P. CANDIDATE PROJECTS**

Haugen reported that there are quite a few programs that have had projects submitted for them. He said that he has a couple of things to highlight before we begin going over them; North Dakota and Minnesota both just released their S.T.I.P. documents, and as unfortunately happens, there are going to be differences between what our current T.I.P. document is and what the State S.T.I.P.s are, so for Year 2021, which is part of the agenda items we are talking about from this point forward, we are alerting you of the fact that in the near future we will have some changes to our Year 2021, based on reconciliation between the T.I.P. and S.T.I.P. documents. He added that this time next month they hope to have some Minnesota projects to present as well.

Haugen gave a recap on what it is that we are asked to do every year when we do the T.I.P., and that is to look at the current T.I.P. to see if there are any changes required, and then for the 2025 year to look at new projects. He added that we are tasked, essentially, to make sure that they are consistent with our plans, that they are still fiscally constrained, and that we prioritize them to the program that is there.

Haugen stated that we are not only looking at projects inside the Cities of Grand Forks and East Grand Forks; but also have areas outside of both Cities that, if there are federally funded projects in the light brown area on the map, they should be coming through the MPO process.

Haugen said that it is a continuous 12-month cycle, we are almost continuously working on T.I.P.s, finishing one and starting the next.

Haugen commented that there are some unknowns when we adopt this; the first, and most important one is that the FAST-ACT has only been continued one more year, and it is now ten months, so at some point reauthorization has to occur and it is likely that with the reauthorization there will be changes to the structure pinned to the program, so what we might finance or program, in this document we may have to change because of the change with the reauthorization.

Haugen stated that there could also be funding level changes, we may not get appropriated as much as is authorized, so we would have less funding and would have to start reprioritizing projects, pushing projects out. He added that, also, with performance based programming, we are, with the exception of Transit Safety, all the rest of the performance measures and targets are set and so all of these projects are going, in some ways, towards our performance targets that we have, so anything we approve is subject to change.

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Haugen commented that to start out this process the NDDOT asked the MPOs to use a checklist to ensure that we are getting complete project applications vetting through us, so the MPO added a couple of items about our scoring system and our consistency with our plan, but the bulk of it came from the NDDOT. He stated that one of the things that was being requested was that we were only getting projects for the 2025 year, or if there were changes to existing programmed projects, to identify what those changes are. He explained that the reason for that is fiscal constraint; the 2022 projects have been sitting in the cue several years now, so the fiscal constraint has already been identified for a period of time, plus each year that we do a new T.I.P. those project constraints are carrying through and North Dakota does what they term “pending”, but you can think of it as overprogramming, so if they have a project identified as “pending” and more federal funds come in than what they anticipate, those projects are then in the cue in line to get those additional funds, so the fiscal constraint is well set for 2022, 2023 and 2024, and that is why we were asked to only solicit for year 2025.

a. Regional Roads

Haugen reported that these are projects on the North Dakota State Highway System. He pointed out that during 2022 through 2024 there is one project that was identified as needing a change due to a scope change, and, in this case a cost estimate change; that is the Regional Traffic Signal Upgrade Project, which is one of the pending programs in 2024. He explained that what is happening is that when it was originally scoped a few years ago, the 32<sup>nd</sup> Avenue H.S.I.P. project was not identified or scoped out well, so the regional project added the signal on 32<sup>nd</sup>, but now we have an H.S.I.P. project in place so those signals can be extracted out of the scope which changes the cost estimate. He said, however, that we have been requesting this project for a couple of years, and it has been pushed out a couple of years, but the cost estimate never reflected the year of expenditure or cost inflation, so in the end we have less traffic signals included in the project, but the cost of the project increased; going from \$6.2 million to \$6.7 million, and the federal amount is just over \$5.3 million. He said that, again, it is a pending project at the end of the current T.I.P. so it might be a 2025 project if it doesn't get funded in 2024 so fiscal constraint is kind of maintained because it is at that 2024 year at a pending status.

Haugen reported that there were three new projects submitted for 2022, 2023, and 2024, but staff is saying that because of fiscal constraint, and we don't have these in our planning documents, therefore they are not consistent with our planning documents. He said that the projects are:

- 1) FY2023 – 32<sup>nd</sup> Avenue South between I-29 and South Washington Street – concrete panel replacement and micro-seal at an estimated cost of \$3.4 million with a federal cost of \$2.68 million.
- 2) FY2024 – New Interchange on I-29, likely at 47<sup>th</sup> Avenue South at an estimated cost of \$50.7 million with a federal cost of \$40.5 million.
- 3) FY2024 – South Washington Street between Hammerling and DeMer Avenue – reconstruction of the roadway with an estimated cost of \$6.4 million with a

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federal cost of \$5.1 million. This project was submitted last year as the candidate project for 2024 but was not programmed for that year.

Haugen stated that an e-mail was received this morning requesting a fourth project be added, however he isn't sure that a year has been identified for it yet. Grasser responded that he believes it is for 2023. He added that this is the result of some fairly recent set of developments. He explained that as they were looking at the City of Grand Forks' priorities for the Legislative Council, there seems to be an intent or desire for the State to maybe come in and provide some additional funding for larger projects, and he thinks to that end the City was asked to help support that by identifying some large projects, and they essentially identified the 42<sup>nd</sup> Grade Separated Crossing, the 47<sup>th</sup> Interchange, and an Inner-City Bridge, but when they looked at what the timing might be on the three projects the 42<sup>nd</sup> Grade Separated Crossing was the one where the environmental and such have been carried the farthest, so it seemed like it was ahead of everything else relative to the process of getting funding, so that was identified to the City Council. He added that they never had a really specific discussion about the 42<sup>nd</sup> Grade Separated Crossing, relative to cost and cost sharing, or Federal or State, so that is why it didn't get into the federal cue before that. He said that they really didn't have, he didn't feel, a really direct link to the City Council that says "here's the project, here's the dollars", they didn't have the detail, but as we are going through the S.T.I.P. process, there is more of a realization that if don't get something into the paperwork at this point in time, we may not be able to get it in.

Grasser said that one of the reasons to push this, if you read the e-mail he sent out this morning, and he apologizes, it was as much to their internal people as to validate with his City Council folks that in fact he wasn't taking too big of a stretch, because what we are doing here is, he is using the fact that they approved the legislative priorities as his trigger, and he still has his City Engineer hat on, his trigger to say that he has the authority to go in and ask the MPO to put this on the S.T.I.P., and that was a bit of a stretch, so, again, he is kind of looking for validation from the City Council folks that it wasn't too much of a stretch; otherwise we are missing an opportunity to get it into this request today, so again you can follow all those anomalies; we are looking at this point in time, the most likely way that we would see the money flow in would be if it were strictly a locally funded project, so we aren't asking for any federal dollars to upset the fiscal constraint component of the process, but we think it is important to at least get a request on the list to the State because we don't want to run into what happened last time where they had an environmental adopted and ready to be delivered and approved but it couldn't be approved because it wasn't in the S.T.I.P., and it wasn't in the S.T.I.P. because it can't meet financial constraints, so you can understand the Catch-22 that goes on through this process; so, again, we want to at least attempt to get it into our T.I.P. for consideration into the S.T.I.P., so that we can hopefully avoid that particular contingency, and hopefully this will have helped; again, without the need for federal funding we will be able to move this forward, and that is why it was submitted at the last minute.

Haugen said, then, that this project will be added in 2023, and the split you have identified is State and City funding. Grasser responded that that is correct, adding that it is explicitly pointing out that he expects those number to probably change as it goes through the legislative process, but they needed a starting point.



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Haugen reported that during the Technical Advisory Committee discussion these were all being requested to be funded at the dollar value shown; during that discussion on fiscal constraint, the end result was that the Technical Advisory Committee recommends that they are consistent, but are contingent on discussion by the North Dakota District Office; a subsequent letter was received from the District.

Haugen stated that, 2024, if this project were submitted again for 2025, we wouldn't need to discuss it too much, however with insistence on it being submitted for 2024, that was one of the years there is no money; and it was submitted last year for that consideration and was not programmed.

Haugen said that in 2025 there was a project on Gateway Drive, and the way our plan has this project that was submitted listed is we have different segments, and the request was to combine it into one project that is basically doing concrete panel repairs from I-29 to the Red River, so that created some discussion about what is going on there. He added that there is a difference in the dollar value between what is in our plan and what was being proposed, the difference is considerable, almost triple the cost.

Haugen commented that, just for conceptual purposes North Dakota asked for one year beyond the T.I.P., in this case it is 2026, so that we get an idea of what might be down the road, and that would be North Washington Street reconstruction between 1<sup>st</sup> and 8<sup>th</sup> Avenue North.

Haugen said that, again, North Dakota District sent the letter, a copy is in the packet, providing their thoughts. He stated that they are still asking that we consider recommending a new project in 2023 that will have federal funds attached to it, even though instructions were to not do that. He pointed out that in their opening paragraph the kind of indicate that because they are NDDOT they are kind of outside of that process, yet it was NDDOT that instructed us not to submit new projects.

Haugen stated that in 2024, the interchange, they decided to request it be identified as an illustrative project instead being programmed for funds, and then they still want to maintain the 2024 South Washington Reconstruction Project, so for each one of these they have some information to indicate why they are maintaining their stance. He said that the last paragraph they suggest that our transportation plan has a need for an update; one of the reasons they identified why is that our pavement data was using 2014 data, and our Transportation Plan didn't use the 2014 Pavement Data, it was using the most current up-to-date data that our member jurisdictions had to work with, but there is still likely a need to make some amendments as you can see with some of the other projects coming down there are a lot of changes between priorities than what is in our MTP and our other programs.

Haugen summarized that that is kind of the difference between the Technical Advisory Committee and the Staff; Staff is saying there isn't any money for 2022 through 2024 so projects submitted for those years are not consistent because our plan has to be fiscally constrained; the Technical Advisory Committee let it up to the District to further discuss and the District is asking

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to keep the 2023 32<sup>nd</sup> Avenue Project in and the 2024 South Washington Street Project in, but to have the Interchange Project listed as an Illustrative Project, and he guesses the 2023 Grade Separation would be listed as not likely having federal funds.

Vetter asked what the motion you would be looking for would be what, because there is a lot of information there. Haugen responded that the motion would be either to say that the four (4) projects are outside our fiscally constrained transportation plan; we can move all four (4) as Illustrative Projects, and then approve the 2025 Gateway Drive Project, that is one option; the other option would be to approve three (3) of the four projects that are in the current T.I.P. years, have them fiscally constrained, and have the Interchange Project as and Illustrative Project and also the 2025 Gateway Drive Project as being consistent with our MTP.

Grasser referred to the letter from the District DOT, and said that in reading it they are suggesting a path forward on the fiscal constraint issue, recognizing that there is \$17 million budgeted for the BNSF Underpass but the current document recommends a rehab at \$11 million rather than a reconstruction project there, thereby freeing up \$6 million dollars, and City Council, at least at the Committee of the Whole, recommended a rehab option on that underpass, would that help alleviate some of the concerns with financial constraint. Haugen responded that it doesn't harm it, but the complication with that particular funding is that not all of it is on the Urban side, they are borrowing from the Rural side to finance the original \$17 million, so if the actual cost estimate when down to \$11 million the expectation is that the Rural program will take their contribution back, so it isn't really a \$ for \$ switch, so we might not see a savings, so it is a little premature at this time to count on that actually being a \$ for \$ switch; so it doesn't hurt it but it doesn't really solve anything either.

Vein asked about the second option, where we have the interchange as an Illustrative Project, at first blush that seems to be an appropriate answer because we have all of the projects, we approved three (3) before it and have that included, and especially since we aren't looking for federal funds, potentially; would that accomplish what we are trying to succeed at here. Grasser responded that he isn't positive that he has an answer; it would probably help alleviate some of the questions about the financial constraint component; it might be a way of handling that particular item. Vein said that it just appears to him that we would be able to keep our projects on as we requested, and that was an add-on project that we know is terribly expensive, don't know when or how, and he did raise at City Council a concern about the cost of that project, and availability of funding both federally and locally, but we did, as a City Council, did approve that, especially if we are dealing with our legislators at this upcoming session, but it would seem that identifying that as an Illustrative Project might be the solution to having it in there and keeping it fiscally compliant. Grasser responded that as he reads the District DOT letter he thinks they are suggesting that, again as a possible solution, so between that and maybe freeing up the money on the Underpass; and in meeting the intent of the City Council and what we need to do at the MPO level he is trying to determine how the motion should read. Vein stated that he doesn't know exactly how you word it, but it appears to be a way forward without making it over complicated; it is such a large project, and having that much money available is a long shot, but we certainly hope for it.

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Grasser stated that, again, we are continuing in the Catch-22, because with financial constraints we will never be able to move a large project forward and having funding, so he thinks the Illustrative Project option might be a way of at least getting it to the State. He thinks that as a Board, maybe his broader question to the Board is how aggressive do we want to be in pushing the DOT; when Mr. Haugen identified the fact that we are sometimes getting some mixed messages from the DOT depending upon who at the DOT is speaking, and from his perspective he thinks that we have to be aggressive at the Board in making requests, and that might push the boundaries beyond where staff might feel that they want to recommend, but if we don't ask we'll never get it and we are almost at a point of negotiating against ourselves, we are finding ways not to ask for the money, and push for the money; other communities in the State may be pushing harder for those things, and some of those communities have MPOs and some don't, and he appreciates where the Staff has responsibility to do certain things, but he thinks as a Board we have to think about if we want to put ourselves outside the box and push this, and from his perspective he thinks the answer is yes, and that is the broader question, again, at a Board level. Vetter commented that he tends to agree with Mr. Grasser on that, especially when it comes to a Southend Bridge; they keep saying that we don't have any money for it so we can't get it on the plan, but if we don't get it on the plan we aren't ever going to find the money for it, so he kind of agrees on that.

Mock asked for clarification; if we have a project identified in our plan, and it meets the fiscal constraint, does that mean if federal funding and state funding all came together we can move forward with that project, and if it is listed as an Illustrative Project that means it is identified but we recognize we don't have the funding programmed for a certain year but should the State Legislature find some pool of funds that project could be moved forward. Haugen responded that you are giving it a little favorable review, it is something that we would strongly consider amending it into our plan, and then amend it into the T.I.P. if funds should become available; if you didn't have it identified as an Illustrative Project then there is a question as to what action the MPO would ever take on it, so by having it listed as an Illustrative Project you have taken at least a step, however small or large it is, to identify that it is something that is a priority.

DeMers asked, if it has an Illustrative designation does that allow you to proceed with the various impact studies, if you want to self-fund those types of things; it doesn't preclude you from doing any of that or does it actually allow you to do that with any additional funding. Haugen responded that it allows you to do that, but you can't finish that until it is inside a fiscally constrained T.I.P., so, 42<sup>nd</sup> Street is the classic example, the City did pursue the NEPA document as far as it could go until it was fiscally constrained and included in a T.I.P.

Grasser stated that, again, he thinks that part of what we are dealing with here is the fact that financial situations change regularly, and what these requests are is an approach to the State to fund a lot more dollars; and, again, we need to make sure that we can track these things through the process as best we can as we go after State money, and as those things move annually and bi-annually, and it is hard to track and we can't reasonably identify those in the long range plan, but we can identify something, but it can change so what we are talking about here is to try to politically get a push to put these projects in those years, and he thinks an Illustrative, if that helps solve some of the problems, he thinks that if the Council members concur that would be a

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good way forward. He asked Mr. Haugen if we would amend the Burlington Northern to a smaller number would that help, should that be part of the discussion and maybe motions.

Haugen asked what Mr. Grasser was requesting. Grasser responded that he hasn't had a chance to do all the math, but what we have in here is the Washington Street, we have the 32<sup>nd</sup> Avenue South which he thinks is probably one of the biggest ones that wasn't in the plan whatsoever, and that is \$3.3 million dollars of federal funding if we bring down the BNSF from \$17 down to \$11 or \$12 million, so we would be freeing up around \$5 million which would more than cover 32<sup>nd</sup>. He said that if they are borrowing money, or doing whatever they needed to do for the bridge maybe they can do that same type of magic on 32<sup>nd</sup>, but in his mathematics on the fly it seems like that would help address 32<sup>nd</sup>; if the interchange goes in as an Illustrative Project, that would take the financial constraint issue out of that, and then you've got the Hammerling Project, and he doesn't know if that is an issue that at the Staff level or not. Haugen responded that the objective for Hammerling to DeMers is to identify a 2025 project. Grasser asked if that was talked about at the Technical Advisory Committee meeting. Haugen responded that it was, but the answer was that it is up to you if you want the project, that is what the District's response was. He added that if you did that then you would have to prioritize South Washington versus Gateway Drive, which project is priority one, if you move it to 2025.

Vetter asked how soon does this have to acted on. Haugen responded that these have to be submitted to the State by the end of the month.

Vein commented that he thinks that we should confirm, for sure that we want to take the interchange and make it an Illustrative Project so that we get it included in here. He said that he was thinking that we keep as much of the rest of the projects in-tact, and not change that; now Mr. Grasser he doesn't know if there are a couple changes that you just identified that are better than what we have, but are we making it more complex than we need if the major issue is just getting the interchange in there so it is available when we take it to the legislature and the City. Vetter asked if Mr. Vein was talking about 42<sup>nd</sup>. Vein responded that he was. He asked Mr. Haugen if we wanted to come back, even a month from now, and asked to revise this is that something we can do. Haugen responded that the short answer is yes, but what effect or impact it might have he doesn't have the answer for. Vein said that it seems like, the question was do we have to make this decision now, and we do have to have something by the end of the year so would it just make sense to add the 42<sup>nd</sup> Interchange as the Illustrative Project and then the other project adjustments that we would have some time between now and our January meeting to come up with a recommendation if we want to change those, is that a reasonable way to move forward for now. Haugen responded that he isn't quite sure what the request is doing, are you submitting the two 2023 projects, which are the 32<sup>nd</sup> Avenue and the Grade Separation, and you are including the 2024 project as an Illustrative Project, and the other 2024, South Washington, as a regular project, so three of the four are within your fiscal constraint and one is the Illustrative Project, that likely being the 42<sup>nd</sup> Avenue Interchange. Vein responded that that is what he is suggesting, and he thinks that is in line with what he think you originally talked about as one of the possible actions we could take. He added that through the discussion he heard there might be some additional tweaking we would need to do, but he isn't sure we are ready maybe

do that tweaking, but at least to get this project moving for now, that we follow through with three of the four with the 42<sup>nd</sup> Interchange as Illustrative.

***MOVED BY VEIN, SECONDED BY MOCK, TO APPROVE THE URBAN REGIONAL ROADS CANDIDATE PROJECTS FOR THE 2022 TO 2025 T.I.P. AS FOLLOWS: 2023 PROJECT(S) - 32<sup>ND</sup> AVENUE BETWEEN I-29 AND SOUTH WASHINGTON AND 42<sup>ND</sup> GRADE SEPARATION PROJECT AS AN ILLUSTRATIVE PROJECT; 2024 PROJECT(S) – 47<sup>TH</sup> AVENUE INTERCHANGE PROJECT AS AN ILLUSTRATIVE PROJECT; 2025 PROJECT(S) – WASHINGTON STREET BETWEEN HAMMERLING AND DEMERS.***

***Voting Aye: Vetter, Mock, Strandell, DeMers, Rost, Powers, Grasser and Vein (via Zoom).  
Voting Nay: None.  
Abstain: None.  
Absent: None.***

Vetter commented that we now need to take action on amending the Traffic Signal Rehabilitation Project and to prioritize our 2025 projects. He added that the 2025 projects include the South Washington Street and Gateway Drive Projects.

Vein asked what the Gateway Drive Project consists of. Haugen responded that it is basically a replacing concrete panels from I-29 to the Red River in both directions. He said that the project scope presented to us in our plan shows it as four separate projects. Grasser he would suggest that we should probably prioritize the Gateway Drive Project as number one. He explained that he says this due to the large amount of traffic, the importance of that corridor and how it ties into the Highway 2 complex, it is so significant that he thinks we have to do everything we can to keep that one in as good of shape as we can. He added that, as we have been talking, he can see now why he thinks the DOT wanted to keep the other Washington project at 2024 because if we do a major project on 32<sup>nd</sup> and a major project on Gateway Drive the same year, traffic wise that would be a big problem, but it may also be that construction doesn't necessarily match the fiscal year either, but he can see why the DOT might have been pretty insistent on that as a 2024 project, having said that he will just let the DOT work that out.

***MOVED BY VEIN, SECONDED BY GRASSER, TO APPROVE THE TRAFFIC SIGNAL REHABILITATION PROJECT SCOPE OF WORK AND COST ESTIMATE AS BEING CONSISTENT WITH THE METROPOLITAN TRANSPORTATION PLAN; AND PRIORITIZING THE 2025 PROJECTS AS FOLLOWS: 1) GATEWAY DRIVE BETWEEN I-29 AND THE RED RIVER AND 2) SOUTH WASHINGTON STREET BETWEEN HAMMERLING AND DEMERS.***

***Voting Aye: Vetter, Mock, Strandell, DeMers, Rost, Powers, Grasser and Vein (via Zoom).  
Voting Nay: None.  
Abstain: None.  
Absent: None.***

b. Urban Roads

Haugen reported that these are the functionally classified roadways, other than Principle Arterials on the Grand Forks side.

Haugen stated that there were no new projects, but for the current T.I.P. year there was one revision. He explained that, just as the Regional Traffic Signals had a scope change and cost change, the traffic signal we have on the local system also has a scope and cost change. He added that in the end the dollar values are not as significant, perhaps what is more significant is a request to shift that project from its current programmed year to 2023 so that hopefully the pending 2024 project still actually gets done in 2024, so they are trying to make the traffic signal projects as close together, sequentially from year to year.

Haugen reiterated that there were no new projects during the T.I.P. year, just an update to the current one. He said, however, that there was a projected submitted for the new T.I.P. year. He explained that the difference between the Technical Advisory Committee and Staff is that our plan identified these segments differently then how it was presented in the Candidate Project application, and then there is a slight difference in the cost estimates and how it affects fiscal constraint, so the Technical Advisory Committee is saying that both the updated Traffic Signal Project and the North Columbia Road switch are still consistent with the plan and to give it priority ranking.

***MOVED BY ROST, SECONDED BY POWERS, TO APPROVE THE URBAN ROADS CANDIDATE PROJECTS FOR THE 2022-2025 T.I.P. ARE CONSISTENT WITH THE METROPOLITAN TRANSPORTATION PLAN AND TO GIVE THEM PRIORITY RANKING, AS PRESENTED.***

***Voting Aye: Vetter, Mock, Strandell, DeMers, Rost, Powers, Grasser, and Vein (via Zoom).***

***Voting Nay: None.***

***Abstain: None.***

***Absent: None.***

c. Urban Grant

Haugen reported that this is the program that is trying to revitalize and bring more multimodalism to the downtowns in North Dakota. He said that we do have this in our Metropolitan Transportation Plan however at the time we adopted the MTP it was so new that we really didn't have a good grasp of where we were going with it and what projects were available. He stated that on the positive side, in our MTP we have this list of projects, most of them, well all of North 3<sup>rd</sup> Street is now under 2021 reconstruction, a portion of North 4<sup>th</sup> Street is programmed for reconstruction, so we have several of these already programmed. He added that the North 4<sup>th</sup> Street project is actually is a mid-range one that we received funding for.

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Haugen commented that the one candidate project submitted to us was to do mill and overlays of a lot of the street network throughout the eligible downtown area in Grand Forks. He referred to a map and pointed out that it shows all of the area this program can apply in yellow, and said that all of the streets, essentially 3<sup>rd</sup>, 4<sup>th</sup>, and Kittson and 8<sup>th</sup> Street, are within the eligible area.

Haugen said that the question Staff had versus the Technical Advisory Committee was does the actual application fulfill the intent of the program of doing more than just delivering a mill and overlay; and then also we do have some specific plans identified back in our recent transportation study for the downtown, the Downtown Action Plan; specifically on Kittson Avenue.

Haugen stated that the Technical Advisory Committee is recommending that it be considered consistent and given priority ranking.

***MOVED BY MOCK, SECONDED BY GRASSER, TO APPROVE THE URBAN GRANT CANDIDATE PROJECT FOR THE 2022-2025 T.I.P. AS BEING CONSISTENT WITH THE METROPOLITAN TRANSPORTATION PLAN AND TO GIVE IT PRIORITY RANKING.***

***Voting Aye: Vetter, Mock, Strandell, DeMers, Rost, Powers, Grasser, and Vein (via Zoom).***

***Voting Nay: None.***

***Abstain: None.***

***Absent: None.***

d. Transportation Alternatives

Haugen reported that this a two-year open solicitation for two program years. He said that the City only submitted one application, and that was for the 2024 year.

Haugen referred to a map and stated that last year the City submitted, but was not awarded TA funds, for the green segment of what is currently a gravel path along 32<sup>nd</sup> Avenue that connects to a gravel path that continues north along South 48<sup>th</sup> Street, so this application is indicating that due to the lack of federal funds for this segment the City will install it 100% local costs, and the actual application is for federal funds to convert the gravel to concrete for a portion of the So 48<sup>th</sup> Street path, but a portion of South 48<sup>th</sup> Street will remain gravel to the north.

Haugen commented that, just as last year, we identified a plan that doesn't really have anything identified for the conversion of gravel to pavement; we did identify other projects as priorities for the TA program, so staff is recommending that you find this consistent, but you also recommend that we consider how to better address the conversion of gravel paths in the future, regardless of whether or not the project is funded.

Haugen stated that staff and the Technical Advisory Committee recommends approving the Transportation Alternative Candidate Project as being consistent and to give priority ranking for the 2024 project and also to do a plan amendment to address the gravel segments.

***MOVED BY MOCK, SECONDED BY ROST, TO APPROVE THE TRANSPORTATION ALTERNATIVE CANDIDATE PROJECT FOR THE 2022-2025 T.I.P. AS BEING CONSISTENT WITH THE METROPOLITAN TRANSPORTATION PLAN AND TO GIVE IT PRIORITY RANKING; AND TO AMEND THE BIKE/PED PLAN TO ADDRESS THE CONVERSION OF GRAVEL PATHS IN THE FUTURE.***

***Voting Aye: Vetter, Mock, Strandell, DeMers, Rost, Powers, Grasser, and Vein (via Zoom).***

***Voting Nay: None.***

***Abstain: None.***

***Absent: None.***

e. H.S.I.P.

Haugen reported that again we annually solicit for the H.S.I.P., which are the safety dollars, that are available to do various safety items. He stated that for the first time this last Metropolitan Transportation Plan did try to address the eligible or prioritized projects for the safety dollars, so we did come up with a list in the MTP. He added that they did struggle a bit creating it because a lot of these dollars are being pushed towards systemic or pro-active safety improvements, which is why a lot of people question all the blue lights on the traffic signals, which is one example of what has been installed through this program.

Haugen stated that we do have two applications; one is to do a road safety review of the Intersection of DeMers and Washington, which remains as one of the top crash locations, annually, across the State of North Dakota. He said that there are a couple of high cost alternatives identified, so the safety review will see if there any interim types of solutions to address, above and beyond what the local road safety program already identified for it.

Haugen said that the other application was to install speed minder signs, five of them, at various school locations across Grand Forks.

Haugen commented that you are being asked to prioritize the two projects.

***MOVED BY POWERS, SECONDED BY GRASSER TO APPROVE THE H.S.I.P. CANDIDATE PROJECTS FOR THE 2022-2025 T.I.P. AS BEING CONSISTENT WITH THE METROPOLITAN TRANSPORTATION PLAN IN THE FOLLOWING PRIORITY ORDER: 1) ROAD SAFETY REVIEW OF THE INTERSECTION OF DEMERS AND WASHINGTON STREET; AND 2) INSTALL FIVE (5) SPEED MINDER SIGNS NEAR VARIOUS GRAND FORKS SCHOOLS.***

***Voting Aye: Vetter, Mock, Strandell, DeMers, Rost, Powers, Grasser, and Vein (via Zoom).***

***Voting Nay: None.***

***Abstain: None.***

***Absent: None.***



f. Railroad Crossing

Haugen reported that this is a program that we don't usually have applications cross our desks for, but we do participate in the annual solicitation. He said that a subset of the safety dollars are geared specifically for railroad crossings; there are no formal applications so essentially there is a letter sent out with basic instructions telling us what information we need to include with our project(s) submittal.

Haugen stated that we did receive an application for the Mill Spur Crossing at University Avenue. He referred to an image of the location and commented that it is from our Mill Spur Railroad Crossing Study, so it is consistent in implementing the active warning devices there. He pointed out that the City has purchased a piece of property in that location to eliminate any complications there could be with a driveway at that location.

Haugen said that the Technical Advisory Committee is recommending you find the project consistent and give it priority ranking.

***MOVED BY VEIN, SECONDED BY ROST, TO APPROVE THE RAILROAD CROSSING PROJECT FOR THE 2022-2025 T.I.P. AS BEING CONSISTENT WITH THE METROPOLITAN TRANSPORTATION PLAN AND TO GIVE IT PRIORITY RANKING.***

***Voting Aye: Vetter, Mock, Strandell, DeMers, Rost, Powers, Grasser, and Vein (via Zoom).***

***Voting Nay: None.***

***Abstain: None.***

***Absent: None.***

g. FTA 5310

h. FTA 5339

Kouba reported that she will be discussing the FTA 5310 and FTA 5339 items together; and said that this is the transits annual project solicitation, and is for 2022 funds.

Kouba said that the 5339 projects are following and are listed in priority order: 1) Scheduling and Dispatching Software; 2) Bus Shelter Replacement; and 3) Data Management System.

Kouba stated that the 5310 projects are following and are listed in priority order: 1) Mobility Manager and 2) Replacement of ADA Minivan.

Kouba commented that the Mobility Manager and the ADA Minivan replacement projects are in our Transit Development Plan; and we also have the Bus Shelter Replacement project in there as well. She pointed out that you will also see, in our Transit Development Plan we also have buses and things like that listed, but Cities Area Transit has gone through their Asset Management System and found that all the current vehicles are within their useful life category so that is why they did not request any new buses. She said that they will need to look at purchasing new buses in 2022, but they wouldn't be using 2022 funds.

Kouba stated that both the Technical Advisory Committee and Staff recommend approval of the 5339 and 5310 candidate projects, in the priority order given; and to address an update to the Capital Investment schedule during next year's Transit Development Plan Update.

***MOVED BY ROST, SECONDED BY MOCK, TO APPROVE THE FTA #5339 AND FTA #5310 GRANT APPLICATION IN THE PRIORITY GIVEN.***

***Voting Aye: Vetter, Mock, Strandell, DeMers, Rost, Powers, Grasser, and Vein (via Zoom).***

***Voting Nay: None.***

***Abstain: None.***

***Absent: None.***

### **PUBLIC COMMENT**

Haugen reported that no public comments were received prior to the meeting so there is nothing to forward to the Board.

### **OTHER BUSINESS**

a. 2020 Annual Work Program Project Update

Vetter reported that an updated copy of the 2020 Annual Work Program Update was included in the packet.

Information only.

b. MnDOT Statewide Multimodal Transportation Plan Update

Vetter reported that information on the MnDOT Statewide Multimodal Transportation Plan Update was included in the packet for review.

Information only.

c. NDDOT Transportation Connection Update

Vetter reported that information on the NDDOT Transportation Connection Update was included in the packet for review.

Information only.

Haugen added that we have been discussing that both States will be updating their documents; we have also been pointing out that on the North Dakota side they really don't go through a fiscal constraint process, but on the Minnesota side State law requires them to do so, so they do

do that to an extent, so that where they are a little more similar to our fiscal constraint prioritization process.

- d. Approval Of Bill/Check List For 11/14/20 To 12/11/20 Period

***MOVED BY DEMERS, SECONDED BY ROST, TO APPROVE THE BILLS/CHECKS FOR THE 11/14/20 TO 12/11/20 PERIOD.***

***MOTION CARRIED UNANIMOUSLY.***

- e. Creation Of A Sub-Group Consisting Of Technical Advisory Committee And MPO Staff Representatives

Grasser stated that, just a thought, we had a couple of things come today that had a different Staff recommendation than the Technical Advisory Committee recommendation, and he is going to suggest is a process that if we know that that is going to shape up that maybe a sub-group of the Technical Advisory Committee and MPO Staff get together and maybe at least give the Executive Policy Board a couple of options, so he is wearing a City Engineer hat and he was doing some interpreting and things, so he would like to see that come in a little more packaged to us if you could. He added that, thankfully this doesn't happen very often, but he isn't sure the Technical Advisory Committee knew that Staff was going to bring something different than what they were thinking, because that just creates a; to him it was an uncomfortable situation so he would like to see that spelled out a little more.

**ADJOURNMENT**

***MOVED BY DEMERS, SECONDED BY STRANDELL, TO ADJOURN THE DECEMBER 16, 2020 MEETING OF THE MPO EXECUTIVE POLICY BOARD AT 1:272 P.M.***

Respectfully Submitted,

Peggy McNelis, Office Manager

**Grand Forks East Grand Forks MPO**  
**Transaction List by Vendor**  
 November 14 through December 11, 2020

Type	Date	Num	Memo	Account	Clr	Split	Amount
<b>AFLAC.</b>							
Liability Check	11/27/2020	AFLAC	501	104 · Checking		-SPLIT-	-517.90
<b>Alerus Financial</b>							
Liability Check	11/27/2020	EFTPS	45-0388273	104 · Checking	X	-SPLIT-	-2,538.52
Liability Check	12/11/2020	EFTPS	45-0388273	104 · Checking		-SPLIT-	-2,538.52
<b>CitiBusiness Card</b>							
Bill	12/01/2020	Acct #...	Charges For ...	206 · Accounts Pay...		517 · Overhead	-71.94
Bill Pmt -Check	12/01/2020	6992	Charges For ...	104 · Checking		206 · Accounts...	-71.94
<b>Fidelity Security Life.</b>							
Liability Check	11/27/2020	6987	50790-1043	104 · Checking		210 · Payroll Li...	-8.44
<b>KLJ Engineering, LLC</b>							
Bill	12/04/2020	Inv. #...	Work On Dow...	206 · Accounts Pay...		550 · Corridor ...	-284.10
Bill Pmt -Check	12/04/2020	6993	Work On Dow...	104 · Checking		206 · Accounts...	-284.10
Bill	12/07/2020	Inv. #...	Retainage Du...	206 · Accounts Pay...		220 · Retainag...	-11,996.48
Bill Pmt -Check	12/07/2020	6994	Retainage Du...	104 · Checking		206 · Accounts...	-11,996.48
<b>Liberty Business Systems, Inc.</b>							
Bill	11/23/2020	Inv. #...	Contract Bas...	206 · Accounts Pay...		517 · Overhead	-162.66
Bill Pmt -Check	11/23/2020	6986	Contract Bas...	104 · Checking		206 · Accounts...	-162.66
<b>LSNB as Trustee for PEHP</b>							
Liability Check	11/27/2020	PEHP		104 · Checking	X	216 · Post-Hea...	-123.75
<b>Madison Nat'l Life</b>							
Liability Check	11/27/2020	6988		104 · Checking		215 · Disability...	-66.56
<b>Minnesota Department of Revenue</b>							
Liability Check	11/27/2020	MNDOR	1403100	104 · Checking		210 · Payroll Li...	-189.00
Liability Check	12/11/2020	MNDOR	1403100	104 · Checking		210 · Payroll Li...	-189.00
<b>Minnesota Life Insurance Company</b>							
Liability Check	11/27/2020	6989		104 · Checking		-SPLIT-	-111.72
<b>Nationwide Retirement Solutions</b>							
Liability Check	11/27/2020	NWR...	3413	104 · Checking	X	-SPLIT-	-433.07
Liability Check	12/11/2020	NWR...	3413	104 · Checking		-SPLIT-	-433.07
<b>NDPERS</b>							
Liability Check	11/27/2020	NDPE...	D88	104 · Checking	X	-SPLIT-	-3,024.08
Liability Check	12/11/2020	NDPE...		104 · Checking		-SPLIT-	-2,532.36
<b>QuickBooks Payroll Service</b>							
Liability Check	11/24/2020		Created by P...	104 · Checking	X	-SPLIT-	-6,372.66
Liability Check	12/09/2020		Created by P...	104 · Checking		-SPLIT-	-6,372.66
<b>Standard Insurance Company</b>							
Liability Check	11/27/2020	6990		104 · Checking		217 · Dental P...	-118.88
<b>WSB &amp; Associates, Inc.</b>							
Bill	11/25/2020	Inv. #...	Work On EG...	206 · Accounts Pay...		560 · Land Us...	-1,292.75
Bill Pmt -Check	11/25/2020	6991	Work On EG...	104 · Checking		206 · Accounts...	-1,292.75