

**PROCEEDINGS OF THE  
TECHNICAL ADVISORY COMMITTEE  
Wednesday, October 13<sup>th</sup>, 2020  
Zoom Meeting**

**CALL TO ORDER**

Earl Haugen, Chairman, called the October 14<sup>th</sup>, 2020, meeting of the MPO Technical Advisory Committee to order at 1:32 p.m.

**CALL OF ROLL**

On a Call of Roll the following members were present via Zoom: David Kuharenko, Grand Forks Engineering; Jason Peterson, NDDOT-Grand Forks District; Stephanie Halford, Grand Forks Planning; Nancy Ellis, East Grand Forks Planning; Dale Bergman, Cities Area Transit; Wayne Zacher, NDDOT-Local Government; Ryan Riesinger, Airport Authority; Brad Bail, East Grand Forks Consulting Engineer; and Jon Mason, MnDOT-District 2 .

Absent: Steve Emery, Brad Gengler, Patrick Hopkins, Jesse Kadrmas, Michael Johnson, Ryan Brooks, Lane Magnuson, Lars Christianson, Nick West, and Rich Sanders.

Guest(s) present: Kristen Sperry, FHWA-North Dakota; Anna Pierce, MnDOT-St. Paul; Stewart Milakovic, NDDOT Transportation Connection Project Team; and Baird Bream, NDDOT Transportation Connection Project Team.

Staff: 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**

Haugen declared a quorum was present.

**MATTER OF APPROVAL OF THE SEPTEMBER 9<sup>TH</sup>, 2020, MINUTES OF THE TECHNICAL ADVISORY COMMITTEE**

***MOVED BY ELLIS, SECONDED BY KUHARENKO, TO APPROVE THE SEPTEMBER 9<sup>TH</sup>, 2020 MINUTES OF THE TECHNICAL ADVISORY COMMITTEE, AS PRESENTED.***

***MOTION CARRIED UNANIMOUSLY.***

**MATTER OF NDDOT TRANSPORTATION CONNECTIONS**

Stewart Milakovic thanked everyone for allowing him and his consulting team time on the agenda to give an update on Transportation Connection. He added that Mr. Bream will be

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providing an overview of what they have been up to over the last month since they last had a chance to brief the Technical Advisory Committee. He said that they are really excited and are getting very close to launching the funding component of the Long Range Transportation Plan. He added that they want to do a couple of things with it; one is to educate the public and stakeholders as to how transportation is funded in the State of North Dakota, and also to have a little bit of an interactive tool to allow them to take the DOT's budget and perhaps redistribute it according to the assets and services that they feel should be a priority for the State, so they have high hopes that the public will find it educational and interactive and hopefully they will share it with others so they can continue to reach more people in the development of this plan.

Bream referred to a slide presentation (a copy of which is included in the file and available upon request) and gave a quick overview/highlight of recent and upcoming activities.

Bream stated that they are continuing their partner and public outreach, including some successful introductory meetings with several of the Tribal Authorities. He said that they will be following up these introductory meetings with some formal consultation to ensure they get the priorities and perspectives of the Tribal Authorities incorporated into Transportation Connection.

Bream commented that they have also launched their Priority Survey for all members of the public to take; which can be accessed at: [https://form.jotform.com/NDDOT\\_LRTP/prorities](https://form.jotform.com/NDDOT_LRTP/prorities).

Bream said that they also launched a Bike/Ped Survey in partnership with the North Dakota Active Transportation Alliance, which asks a series of questions on people's level of comfort, priority and need for bicycling and pedestrian infrastructure throughout North Dakota. He added that this has been a really excellent strategic partnership that has led to a very high survey response rate for this particular survey that they are very pleased to see, and they appreciate the effort that the NDATA has taken with this.

Bream stated that, as mentioned, they are in the process of launching their virtual tools to connect expectations, funding and performance. He said that they see this as a combination of public education, for people to understand more about the ways in which transportation is funded, and the challenges it faces; and it is also an opportunity for the public to play around with the transportation budget for the State, and essentially experiment but trying to set the level of performance they want from their transportation system. He said that they also get some direct survey information on willingness to pay for additional investments in transportation, so they are very excited about this.

Bream reported that their engagement reach continues to grow; they have been very pleased with the level of response they have seen. He said that of particular note is the Bike/Ped survey that he mentioned earlier, which is at well over 300 responses as of this past week, the 557 responses that you see here, 250 of them shows progress through the end of September.

Bream said that he also wanted to highlight some interesting feedback they have been getting through the priority survey he mentioned; the survey that they issued is designed to get information from the general public on what they want to see from their transportation system.

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He added that one of the first questions in that survey asks people to indicate their top three issues that they see as something North Dakota must confront with regard to a transportation network.

Bream commented that the responses are very interactive and thought provoking, perhaps because we see that the outside priorities are really the fundamentals of transportation, fixing what we have and being safe; people recognize that they want their transportation system to work well, and they want to be able to use it reliably and safely completing their trips to where they need to go in a way that insures they get there, but then we also see a pretty significant level of priority for paying for transportation, which again they are very pleased to see that this sets them up very well for the funding and performance tool, thinking that this will hopefully answer the question that a lot of North Dakotans have and want to see addressed.

Bream reported that would now like to move into the storyboard element for their funding and performance tool. He referred to a slide and explained that it actually provides an overview of the steps that the users will go through as they use the funding and performance tool to learn about, experiment, and provide information on transportation investments in North Dakota. He said that he will share a small number of these slides, the ones that have the black box highlights around them; adding that the idea is to help people understand how transportation is funded at the State level, how much they contribute directly out of their own pocket through registration fees and fuel taxes. He added that you will get a bit of context around how much their contributions compare to other states throughout the county, and they will get some contextualization around how much those transportation costs change over time, which leads into the second set of slides around why we face these funding challenges and what North Dakota might do to address them.

Break commented that they also use the introduction of some of those alternative revenue sources as a way to get some feedback as to whether or not people see this as a necessary or valuable thing to help the NDDOT kind of understand the kind of baseline, political appetite for new revenues.

Bream stated that they will also provide some context around how NDDOT sets its priorities historically in seven different investment areas, and they allow the user to interact with those investment areas and indicate their own levels of preference and priority for spending in each of the investment categories. He said that once they get to experiment with that tool they will be able to see how their expected level of performance changes the funding levels and what that would do to their own pocketbook, how much their contributions would change. He stated that they would then ask them to provide them with information based on what they have learned around how much more they are willing to pay or alternatively if they want to decrease investment, and then they close out by providing them with more information on these topics.

Bream said that this is a quick overview of what the user will see related to transportation funding in North Dakota. He added that he does want to state that we have a mix of text and graphics throughout in this, more for explanatory purposes in these meetings; in the final user version that they are currently testing they rely much more heavily on graphics and less text in

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order to make it much more user friendly and accessible and really encourage people to kind of get the immediate takeaway.

Bream referred to a slide and explained that it provides some history on how the transportation system has been funded, and it shows, contemporaneously, how the funds are distributed according to the most recent allocations, and then what services are provided, and those services introduce the seven investment areas that the user will ultimately be able to experiment with later on, but the approximate total of \$694.2 million represents the amount of funding that NDDOT receives through these State and Federal sources that they can then spend in these seven investment areas.

Bream commented that the next slide is the calculator that they introduced at a previous meeting. He pointed out that on the left hand column there are a series of drop-down menus; associated with each of those figures that allow the user to pick the miles per gallon, the miles driven per year, vehicle age, and vehicle weight, that best matches their experience. He said that they aren't asking them to enter the data individual, in part because a lot of people aren't going to have that information right at hand, and, to be perfectly frank, because it would be too complex for this tool to be able to pull every single possible combination of data, so instead they are asking them to choose from a general category the one that most aligns with their experience. He said that it will then immediately calculate how much they pay per month in State fuel taxes, registration fees, and Federal fuel taxes, and give them the opportunity to see how those different fees compare to each other.

Bream stated that the next slide they want to highlight is some additional context given to the user on the funding challenges they are facing. He said that this is where they get into the fundamental challenge of transportation funding, which is when a system relies on fuel taxes that are levied both at the Federal and State levels on a per gallon basis; that amount of revenue stays the same even as fuel prices change and as a result that means revenue is dependent on the amount that people are driving and the amount of gas they consume, as fuel mileage has increase, people are buying less gas even if they drive more which means total revenue is decreasing over time, even as the transportation demand or the need for investment continues to grow; again, with greater fuel efficiency, more people, more transportation usage, the result is fewer revenues, grown demand which leads to that gap in the projected 20 year service and asset need compared to a 20-year funding; this is based on NDDOT's internal projections, that they are highlighting here to really stress that a significant gap is already emerging over the next 10 years. He added that they even highlight the Move ND Program, which looks into the even more immediate 10 year timeframe, and identified \$2.2 billion in critical investments, just on the highway network; so even before we think about the entire network as a whole, we see a significant level of need in the next 10 years on the really crucial elements of the Statewide infrastructure that will be needed just to be able to maintain the system.

Bream commented that they emphasis on another slide, that North Dakota is really in, essentially survival mode with its transportation network, that it is in preservation mode where they are simply just trying to fix and maintain what they have and keep up with the growing demand. He added that they recognize that there are certain projects that can be delivered each year that

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expand capacity or improve system performance, or we can build on what we have, but that is really the exception got the rule, 20 to 30 percent of the budget is spent just on a single need and preservation services each year, just the baseline fixing for preventive maintenance or a single patch repair.

Bream stated that the next slide is perhaps the one they are the most excited about because this is where the user really gets to understand the connection between their expectations for the system and what they have to pay into the system. He referred to the slide and pointed out that they identify the seven different investment areas for North Dakota DOT's transportation spending. He stated that these investment areas kind of encapsulate the general overall total amount of activity that the NDDOT maintains or oversees. He added that it is contextualized in a way that is supposed to be very user friendly; the investment areas, the expectation of investment outcomes are all put in terms of what they mean to the user. He said that, for example, how smooth our roads and bridges are represent the pavement and bridge maintenance program; and they can select from one of four levels of investment ranging from poor to excellent, and at each level they select the green text and the investment outcomes will update based on what that level of performance means for their user experience. He briefly went over how the tool works.

Bream said that this is the overall funding and performance tool walk through. He added that they are developing the tool and are currently in the testing process internally, but will be sharing it with the NDDOT Project Advisory Team Members later this week. He said that they are also rolling out the funding and performance tool to the general public later this month and will be coordinating with all of their partners to ask for assistance with distributing that tool and promoting it to different constituencies and stakeholder groups because they really want as robust an input as possible. He added that they will be using that information to inform the development of the Transportation Connection Plan itself; and as they said, understanding that willingness to pay will really shape what level of performance and investment and innovation they can cite in their policies.

Information only.

**MATTER OF GRAND FORKS LAND USE PLAN RFP**

Haugen reported that included in the packet was the full draft RFP document. He stated that it is our standard RFP document.

Haugen commented that you will note that there are some dates as to when the submittals are due, sometime in December. He said that he was going to coordinate this with Mr. Gengler, but as many of you know, I was gone for a couple of weeks and now Mr. Gengler is out of the office so, he did give me names of some staff that he will now be coordinating with to identify these dates; to get the submittals to the MPO, then distributed to a Selection Committee, and with the intent to have the MPO Executive Policy Board primed, if we can, at their December meeting, to have a contract to consider, so we hope to have them on board by the end of December.

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Haugen stated that they are assuming that the Work Program that will be acted on later on the agenda will provide the additional finances that this RFP is identifying. He said that the current work program through the end of 2020, identified \$90,000, with part of it coming from the 20-year and the other from the 21-year. He added that the 2021-2022 Work Program has increased the consultant budget to \$135,000.

Haugen reported that the scope of work, under Section 7, has been reviewed by City and MPO Staff a few times, and then we also are utilizing the Grand Forks Planning and Zoning Commission's Land Use Subcommittee, with a few augment members, to help us review and prepare a Scope of Work. He said that they met a couple of Fridays ago and did approve the Scope of Work as presented in the RFP.

Haugen referred to the document and pointed out that that there are different colored highlighted areas. He explained that those in yellow are the things the Steering Committee wanted added to the Scope of Work, so you will see that previously it just identified the MPOs public development process, the committee wanted to include the City's process as well.

Haugen stated that the Scope of Work is looking at taking a harder look, perhaps, than we had previously at the two to four-mile area. He said that under North Dakota State Law the City of Grand Forks used to be able to have exclusive land development control up to four-miles beyond City Limits, but this was changed from total control to potential joint control with the land use authorities, township or county. He added that since then the City has kept planning out for the full four-miles, but they really have only exercised exclusive control within the two-mile boundary. He pointed out that the boundary lines you see on the map are just mirror extensions of the current City Limits, and so with this study this land use plan update process will spend some time on trying to identify where exactly is most appropriate for the City to have exclusive land use control, and therefore control the growth of the City and the area around the City, kind of arbitrarily extending the City Limit line two-miles or four-miles. He stated that why this comes in play is, as you can see, up in the northwestern part of the upper left corner of the map there is a lot of City owned property, or City property inside City limits, and the area between some of this property is not under the City Land Use control so that would be some areas where potential extension of Land Use control would take place, whereas other parts there may be some collapse of Land Use control taking place, and that is one of the things that the consultant will help us identify.

Haugen commented that the City has always had a Tier System in its Land Use Plan, and that has helped control the growth, and therefore helped the MPO, in its transportation planning, identify where growth is expected to be, and then expected to be a contiguous compact with the City, so the areas identified in Tier 1 are the areas where actual real growth of the City is expected to occur during the lifetime of the plan.

Haugen stated that the consultant will work with this map in conjunction with the two to four-mile area map to have a better sense of what possible growth might be happening, and where.

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Haugen said that the City has had many initiatives in the past to try to spur growth in certain areas; this was the most recent one that was identified; the areas in blue are where they invested infrastructure a couple of years ago, but the spurt in growth hasn't really occurred as expected, so part of the effort of this RFP is; the City has had these initiatives that tend not to sustain very long, and part of the request we have of the consultant is for them to help us identify and put together initiatives to help spur that growth and to help us continue to get growth in that area.

Haugen stated that because this is part of the MPO planning process, we still have our strengthening livability and sustainability and the ladders of opportunity initiatives; these have already been infused in the current Land Use Plans, and we want to continue those in this one. He added that we also have another initiative being spurred on by the new Mayor of Grand Forks, on home ownership, and that is called out in this as well.

Haugen said that with COVID-19 we are seeing, perhaps, a more rapid brick and mortar collapse of retail to on-line, which was occurring prior to COVID-19, however since then there are more empty buildings in both Grand Forks and East Grand Forks, but this Land Use Plan will hopefully help us identify how to work with some of these vacancies and what to do with that.

Haugen referred to a comment highlighted in green and explained that it was a comment made by the NDDOT trying to make sure that we are keeping the deliverable that is connected to our transportation planning purpose, so we added in this language to make the connection back to that.

Haugen commented that where they had the greatest changes were in Task 4. He explained that Task 4 is really; once we have done the first three Tasks, and have a good sense of what the community is, where it wants to grow, how it wants to grow, Task 4 is the implementation. He stated that previous plans have spent a lot of time and effort on design concepts, and this time around those are not going to be a focus, so some of the language dealing with that has been stricken out and again, in the green, this is where the NDDOT asks that we make sure that we are identifying how this relates back to our transportation focus.

Haugen stated that in a nutshell this is all the changes made to the Scope of Work, that has been through the staff and committee process, and is before the Technical Advisory Committee and the MPO Executive Policy Board for consideration. He said that other than the dates that need to be changed, and a few other minor editorial things, staff is seeking recommendation from the Technical Advisory Committee that the MPO Executive Policy Board approve this RFP.

Kuharenko referred to Task 3, first paragraph, last line, you mentioned spur growth; it looks like we've got spurn growth which is the opposite of spur growth, so that needs to be corrected. He then pointed out that the second paragraph is kind of confusing, it is almost like it is trying to portray a couple of different concepts and ideas, so could we get some clarification in this paragraph as to what is going on and maybe get it cleaned up more. Haugen responded that a lot of this starts out with the ladders of opportunity, that is transportation choices connecting where people live with where they work; the second part of the paragraph is identifying that a lot of the places of work are changing because of what is happening in the brick and mortar retail.

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Kuharenko said that he is just asking is we can get some language in there kind of clarifying because it is just kind of disjointed.

Kuharanko referred to Task 6, where you have the underlined deliverables, it is identifying that the consultant needs to submit 25 final copies, but in the project deliverables further down it says that they need to submit 10 copies by April 2022; so are we requiring 10 copies or 25 copies, just another clarification piece in there. Haugen responded that that was something that Mr. Gengler was going to help clarify, so he will see how many copies Mr. Brooks or Ms. Halford would like; minimum of 10, maximum of 25.

Halford stated that she has a few comments. She referred to the staff report, second page, and pointed out it states \$1,350,000 for the project, which would be great, but she doesn't think we have the budget for that, so she thinks you need to remove a zero. Haugen responded he would make that change.

Halford commented that under the Selection Committee, Section D, General Instructions #2, it talks about having interviews in person, do we know for sure if we are going to do interviews in person or virtual. She stated that she is kind of worried that if we do a combination of that, giving them a choice, the ones that meet in person may have an advantage over those doing it virtually, so she is wondering what the thoughts are on that. Haugen asked Ms. Kouba to identify how the East Grand Forks Land Use Plan RFP had this issue identified. He said that he knows that in the end they did all of the interviews virtually. Kouba responded that that is correct. She said that she believes they did have it identified as in-person, but at the time we were doing the interviews it was changed to virtual. Halford asked if that language needs to be written into the RFP. Kouba responded that as she is working on some future RFPs, she is looking at changing it to just virtual. Halford stated that she is leaning that way as well.

Halford referred to Task 6, C, Other Requirements, where it talks about the ongoing basis, reporting back to the project manager and monthly progress reports. She thinks those should be shared with the committee and/or the Technical Advisory Committee as well, those progress reports, to keep us in the loop.

Halford stated that with these changes and the dates being up in the air, she is having a hard time saying we should approve this, and she thinks we should table it until next month so that we can get some of these things cleaned up, as well as the dates; and then we are looking at final document that we are approving and recommending to the Executive Board. Haugen asked if that was a motion or an opinion. Halford said she would make it a motion.

***MOVED BY HALFORD, SECONDED BY KUHARENKO, TO TABLE THE GRAND FORKS LAND USE PLAN UPDATE REQUEST FOR PROPOSALS (RFP) UNTIL SUBMITTAL DATES ARE IDENTIFIED, CLARIFICATION OF TASK 3 IS COMPLETED, LANGUAGE IS ADDED TO STATE THAT THE STEERING COMMITTEE AND THE TECHNICAL ADVISORY COMMITTEE SHOULD RECEIVE THE PROGRESS REPORTS, AND CHANGING THE IN-PERSON INTERVIEWS TO VIRTUAL INTERVIEWS.***



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Haugen commented that it was his understanding that the City wanted to get this out and under contract before the end of the year; by tabling it that won't happen, and he thinks that between now and the end of the week a lot of these issues can be resolved, including filling in the dates. He stated that we have a minimum number of days the RFP, under the qualifications process, to advertise so we can still meet that and still have December submittals done in time for the MPO Executive Policy Board to have a contract, however, this will be the motion that will be discussed and acted on by the Technical Advisory Committee, so we will see how it ends.

Pierce asked, in the UPWP, is this project split over both years, and if so how much is programmed for each year right now. Haugen responded that in the 2020 year we were initially going to start this much earlier in the year, and there was \$45,000 set aside for the consultant, and \$45,000 in 2021. He said that we are carrying over the \$45,000 from 2020 into 2021, and we have the bulk of the funds, and he doesn't have the exact amount but we can look it up, but most of the consultant funds were then entirely in 2021, and then we are looking at the first quarter of 2022 as completion, so there will be some consultant costs in 2022. Pierce said that she just wondered if either Mr. Zacher or yourself had any concerns about how that might be broken out if this is delayed further. Haugen responded that there isn't too much concern about how it affects the work program. He added that the concern is primarily, he thinks, the dates are easily worked out and the language is easily worked out and doesn't need another month to do, at least in his opinion.

Halford asked, if we approve this will we see the draft again before the Executive Board then; if it still isn't correct before it goes to the DOT or for any other reviews, could there be amendments made to it. Haugen responded that since Mr. Gengler is gone he will be working with Mr. Brooks and yourself on the dates and such, so that is who he will be exchanging the bulk of the e-mails with. He added that in terms of the language clarification, Mr. Zacher will be involved as our primary State review, and then he would also work with us to make sure that we are meeting the minimum time allotment for responding to the RFP, so we meet that criteria and that would be, he thinks, the two major efforts. Halford said that she would be okay going that route, if the rest of the Technical Advisory Committee is okay pushing this forward to the Executive Board with the recommendation that this is the way we are going. Ellis said that she would be okay with whatever the City of Grand Forks wants as it is their plan. Kuharenko stated that just the main concern is making sure that we get the language cleared up, so are you looking at possibly sending this forward and then getting an updated version back and then if we need to we can do some kind of addendum if we need to on the RFP, if there are any other changes we need to make. Halford agreed that was her thought. Haugen commented that his thought is that the only real thing that needs a lot of attention was some wording on the one paragraph, and if he is hearing right he isn't hearing anything that says that the intent or the thoughts behind what the paragraph is trying to convey are wrong, it is just to clean up the language on it and that shouldn't be too difficult between now and Friday to reach agreement on; the dates should be straight-forward, working with Mr. Zacher to make sure we have the minimum covered, and he believes we can do that because this would go out the end of October we would have all of November and we would have an early date for submittals in December, that would give us a couple of weeks for review, interviews, and recommendation before the Board.

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Kuharenko asked how we should do this, remove the motion, or how do we do that with a motion and second on the table. Halford said that she is fine going with Mr. Haugen's suggestion; what does she need to do to change the motion. McNelis suggested that Ms. Halford should just do a friendly amendment to her motion and Mr. Kuharenko, as the second to the original motion, should agree to the amended motion. Both agreed to do this.

***MOVED BY HALFORD, SECONDED BY KUHARENKO, TO CHANGE THE MOTION TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY APPROVE THE GRAND FORKS LAND USE PLAN UPDATE RFP SUBJECT TO THE IDENTIFICATION OF SUBMITTAL DATES, CLARIFICATION OF TASK 3, ADDING LANGUAGE TO STATE THAT THE STEERING COMMITTEE AND THE TECHNICAL ADVISORY COMMITTEE SHOULD RECEIVE THE PROGRESS REPORTS, AND CHANGING THE INTERVIEWS FROM IN-PERSON TO VIRTUAL.***

***Voting Aye: Peterson, Ellis, Bail, Halford, Mason, Zacher, Kuharenko, Bergman, and Riesinger.***

***Voting Nay: None.***

***Abstain: None.***

***Absent: Noehre, Emery, Gengler, Brooks, Christianson, Hopkins, Johnson, West, Magnuson, and Sanders.***

**MATTER OF T.I.P. AMENDMENT FOR TRANSIT DEVELOPMENT PLAN**

Haugen reported that included in the packet is the staff report for the proposed amendment. He said that the purpose of the amendment is to identify some 5307 transit dollars from the East Grand Forks Transit Office into a potential Transit Development Plan. He added that they did advertise the potential of this amendment to the public, and included in the packet is a copy of the notice that was published, and we asked if there were any comments they be submitted prior to today's meeting, and we didn't receive any comments.

Haugen stated that also included in the packet is the actual draft amendment. He said that what they are showing in the draft is \$120,000 in federal funds, and we show that the local match is \$30,000, which is necessary to access the \$120,000, so the total amount is \$150,000. He stated that later on in the work program you will see that that is not the total to do the Transit Development Plan, this is what the 5307 funding source would provide to it.

Haugen commented that we did send this out to our State and Federal Agencies, and didn't receive much feedback as to how this T.I.P. amendment should look like, so this is what we are going with and staff would recommend that the Technical Advisory Committee approve forwarding a recommendation to the MPO Executive Policy Board that they approve the amendment to the T.I.P.

***MOVED BY ELLIS, SECONDED BY BERGMAN, TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY***

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***APPROVE THE T.I.P. AMENDMENT FOR TRANSIT DEVELOPMENT PLAN, AS  
PRESENTED.***

***Voting Aye: Peterson, Ellis, Bail, Halford, Mason, Zacher, Kuharenko, Bergman, and  
Riesinger.***

***Voting Nay: None.***

***Abstain: None.***

***Absent: Noehre, Emery, Gengler, Brooks, Christianson, Hopkins, Johnson, West,  
Magnuson, and Sanders.***

**MATTER OF 2021-2022 UNIFIED PLANNING WORK PROGRAM**

Haugen reported that we have been talking about this for a couple of months. He thanked East Grand Forks for the additional funds that allowed us to generate some additional work activities.

Haugen said that, as we discussed, and it sounded like last month the couple of primary things that were coming through were updating our aerial photos and also undertaking an update of the Pavement Management System, so with the additional funds we have incorporated those activities into the work program; and all three are being done in 2021 as the Transit dollars are a 2021 infusion of dollars.

Haugen stated that the metro-wide pavement management system will include the option for the local streets being funded 100% with local funds; with the MPO utilizing its planning dollars on the federal aid routes. He added that the aerial photo was finalized to be at the 3-inch pixel for the urbanized area of Grand Forks and East Grand Forks, or where there is current real development; and then when we get outside the urbanized area into our study area, where it is still more rural in nature, it would be done at the normal 6-inch pixel that we have done in the past. He said that the work program does identify this and has the funds set aside to do it as well.

Haugen reported that a lot of our remaining work is incorporated into this document; as with every work program there are emphasis areas that our Federal and State Agencies want us to identify. He said that we also identify how we are going to maintain and achieve an update of our required 2050 Metropolitan Transportation Plan, and the table identifies the dates of when we expect to have some adoption of documents. Kuharenko referred to the table and asked if we need to update it because it looks like it is showing that we are beginning the Land Use Plan 10 months ago. Haugen responded that the work program for January 1, 2020 identified the activity, so this is the work program not the actual start dates.

Haugen commented that financing is probably the next thing to identify. He referred to the 2021 Table and explained that our normal consolidated planning grant is estimated to be, in round numbers, at \$550,000; that is a combination of Minnesota, Federal Planning Dollars, Federal Highway Planning Dollars, and Federal Transit Planning Dollars in North Dakota. He said that Federal Highway and Federal Transit is being consolidated into one number, and the match has been identified. He said that we do have some previous year carry-overs that are occurring, which are the result of things like the Land Use Plan being delayed and the Future Bridge Impact

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Study not happening yet. He added that with the T.I.P. Amendment we are showing the infusion of the \$120,000 of Federal Transit 5307 dollars, and then each year the State of Minnesota provides us funding, which does need a match from the City of East Grand Forks, and with that match the Minnesota State dollars can then be used as match to the federal funds.

Haugen stated that in the end we are just shy of a \$1 million dollar budget. He pointed out that the other table shows how all of those funding sources represent percentages. He commented that in 2022 we don't have the infusion of the 5307 dollars, so our total is less.

Haugen referred to the last two tables and explained that they show each of the activities and the amount budgeted each, and the staff hours allocated to each task as well. He pointed out that the items highlighted in yellow are things that are being carried over from our current work program; the items in blue identifies that the Land Use Plans would be split in 2020 and 2021; the items in green are things that are new to the program, and so the Transit Development element is highlighted. He said that they are adding in some equipment and the pavement management and the aerial photo updates. He added that for the pavement management they are identifying just the MPO's cost, not the photo cost of the local streets that would be paid 100% locally. He stated that finally they are carrying the final Transit Development, and he didn't have the colors shown but they are doing the Street/Highway and Bike/Ped Plans, beginning with the Street and Highway not being completed in 2022, but starting and hopefully completing the Bike/Ped Plan, otherwise they have their normal required MPO activities, as listed in the rest of the program.

Haugen thanked Mr. Zacher, and explained that he has identified several places where he needs to clean up some spelling, and also identified that when we start using acronyms we don't need to flip back and forth between using acronyms and not using acronyms, so there is a little editorial cleanup needed but no substantial changes to the draft before you today.

Zacher referred to the Year 2022 Spreadsheet and asked if the CPG for 2021 is identified, should that be 2022. Haugen responded that it should be 2022.

Zacher commented that he did send some comments over, largely editorials, spacing issues, just some clean-up stuff. He said that most of the suggestions, as far as the acronyms are concerned, whether MPO is spelled out or not, it is really how you want to do it but he was just looking for consistency, but it isn't that big of an issue either way.

Haugen said that the last staff comment on the work program is is that the work program sort of identifies in broader terms what each of these activities are, particularly like when we go in to do things like the aerial photo, there will be a separate more detailed request for qualifications or request for proposals that will be done, where some of the nitty-gritty details and differentiation of what is eligible and what isn't eligible, etc., will take place so the work program is not meant to provide a great level of detail, it is meant to provide enough detail to be able to say that, yes, we can commit \$X towards this activity, and it is generally eligible activities.

Kuharenko referred to 300.53, the aerial photo description, on Page 21 and commented that one of the things that came through City Council was doing this aerial photo and then having an

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alternate, potentially, of obtaining some LIDAR information as well; not sure if we need to add language to this, kind of similar to what we have for the Pavement Management system, where he is guessing it will be 100% local, but if we could get that language added in here that would be great. Haugen said that he asked Ms. Kouba if she had a sense of how much LIDAR would add to the project; do you have a sense of that Mr. Kuharenko. Kuharenko responded that he doesn't; and added that he thinks that is part of this, that he still needs to speak with Mr. Walker as to what level of accuracy they are looking for with the LIDAR, and he thinks this is kind of more of a "let's get a price on it and see if it is worthwhile and if it is worthwhile let's get it at the same time and if it isn't we will skip it" thing. Kouba commented that in general LIDAR tends to add quite a bit to the price. She explained that she hasn't gotten exact estimates, but she has seen it increase the cost of a project by hundreds of thousands of dollars. She added that from her understanding for this area, because it is so flat here, you are going to want a 2-foot elevation change in order for it to be worthwhile. Kuharenko agreed, adding that the last time we had any kind of City-wide LIDAR, or actually he doesn't think it was LIDAR at the time, was just after the flood and a lot of that information is kind of old; topography in the City has changed quite a bit as we have developed quite a bit, so he knows the Mr. Grasser had an interest in potentially getting some updated information. Kouba responded that there is LIDAR for the Red River Valley that was done between 2008 and 2010, so it would have been done after all the flood work had been done in this area. Kuharenko said, then, that we might have some updated information in that case. He added that he knows that we had some along the levy a year or two ago, but that was simply right at the levy and towards the river, it didn't get into the City much at all. He said that he would visit with Ms. Kouba more on this and he will relay this information up the chain as well. Kouba commented that she does have much better estimate in the works right now, she has asked for some estimates for this so she will get that information to him as well.

Haugen commented that there was some discussion about LIDAR back a couple of years ago with the river crossing discussions and he thinks that at that time we did find the source of topography through the International Coalition, which is the Red River Basin Watershed Coalition and includes Canada, and so they had a lot of good topography detail that we used with our river crossing study analysis, and there is a Minnesota website that he can share if you want to see what it looks like. Kuharenko responded that that would be great, any information to kind of point him in the direction of where this LIDAR information is would be helpful.

***MOVED BY KUHARENKO, SECONDED BY BERGMAN, TO APPROVE FORWARDING A RECOMMENDATION TO THE MPO EXECUTIVE POLICY BOARD THAT THEY APPROVE THE 2021-2022 UNIFIED PLANNING WORK PROGRAM, SUBJECT TO INCLUSION OF THE CHANGES RECEIVED FROM THE NDDOT.***

Bergman asked if the issue of LIDAR is something that should be considered every other time we do aerial photos. Haugen responded that he thinks that, as Ms. Kouba mentioned, it does really jack up the cost, and so for the MPOs purposes LIDAR is not something that in the past we felt we needed to allocate that significant amount of resources towards. He said, though, that as Mr. Kuharenko has identified, perhaps at least one City is willing to, maybe not now that they know that it is six figures, cover the cost of doing. Kuharenko commented that they were kind of

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looking at this as the last time we had LIDAR data was nearly 20 years ago, so an update might be beneficial. He said that he doesn't know if every other, or every six years, is necessary, it is probably too frequent, but the data that is available from 2008-2010 might be sufficient, but a lot of what they are seeing is just how much the City has been expanding over the past decade, they are seeing a lot of changes and because of that they want to make sure they have something that is a little more relevant. Haugen explained that LIDAR is basically topography, identifying topography.

Haugen stated that he will send out the link for the 2008-2010 information, but he thinks it is MNtopo.com; and while it is identified as Minnesota topography it does include all of Grand Forks as well.

Discussion on LIDAR ensued.

Haugen suggested that we can work on this further, and as we release the RFP we might, at that point have a better idea of what it might cost and how each member jurisdiction would like to contribute to the cost. He said that he isn't aware of any potential federal funding source that the MPO normally would access to help compensate the cost of it, so this is good discussion but he thinks that it is something that, for the purpose of the work program; what we need to do today we can postpone and keep talking about it with staff and circulate these known resources to see if they are satisfactory and/or, as Ms. Kouba mentioned she has a more refined cost estimate being worked on, so we can see what that ends up being.

Pierce reported that from the Fargo-Moorhead area; it is a different size, but similarly they have in the past used CPG funds but for the most part there has been a significant local over-match and their most recent LIDAR came in at, and they had some diversion authority input as well for funding, but the bids came in at \$200,000 to \$450,000, but the content that you are going get was not different, so it really just depends on what you are looking for but she would suggest reaching out to your peer jurisdictions as they have a lot of experience with it as they do it every three years and they all work it into their projects and they also coordinate with their property management, however they do their parcels and things, those departments as well because they use that data as well, so it isn't just the MPO that uses it, jurisdictions use it pretty extensively and that is why they go the full LIDAR. She added that there are options for scenarios such as if one County doesn't want the full rural area done they can choose to only have select areas done, so just something to consider if you chose to pursue this.

Kuharenko asked if Ms. Pierce could share the cost estimate numbers again. Pierce said that she thinks the lowest bid was \$210,000 and the highest was \$435,000. She added that, again, when they looked at the content, because this last go-around they did not use CBG funds, so they did open bidding so they could see what they were getting, and they were not getting anything different so they ended up going with the second lowest bid, but you can definitely talk to Daryl Masten, down at the City of Fargo, and he can fill you in. Kuharenko asked if she had any idea over the general area, because you mentioned it was the Cities and also some of the Counties. Pierce responded that the Diversion Authority wanted some extra imagery done, specifically along that route, so they footed the bill for that part of it. She said she isn't sure how many

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square miles were included because there was some that was just aerial collection and some that was going to be full LIDAR with contours and things like that; she knows the City of Moorhead, the City of Fargo, and the City of West Fargo were collecting full LIDAR for their whole city boundaries, and then Clay County wanted certain areas done and Cass County only wanted aerial imagery, but Daryl has all that information on a spreadsheet with the exact square footage and square miles and stuff.

***Voting Aye: Peterson, Ellis, Bail, Halford, Mason, Zacher, Kuharenko, Bergman, and Riesinger.***

***Voting Nay: None.***

***Abstain: None.***

***Absent: Noehre, Emery, Gengler, Brooks, Christianson, Hopkins, Johnson, West, Magnuson, and Sanders.***

**MATTER OF 2022-2025 T.I.P. SOLICITATION**

Haugen referred to a slide presentation and explained that it is covering the 2022-2025 T.I.P. schedule.

Haugen stated that, again, any project that is in the shaded area should be included in the T.I.P.; if you have projects in the shaded area please forward them to the MPO staff. He added that those projects are projects that need a decision from Federal Highway or Federal Transit, not just if they are funded by Federal Highway or Federal Transit, any federally funded project so if you have some non-FTA or non-FHWA federal funds involved that impact transportation that should be included; and then regionally significant, and we went through these recently with our T.I.P. Process Manual so it shouldn't be too new.

Haugen commented that later on the agenda we are going to talk about what happened with FAST at the end of its authorization; it got extended one more year, but we know the funding levels we are now in a continuing resolution, so what we do today in any of our T.I.P.s, is subject to what Congress does to us at the end during the legislative process.

Haugen said that they are still working on some revenue. He pointed out that the next slide shows what has been happening, at least on the North Dakota side with our Urban Roads dollars. He said that this is just a comparison of when we did our 2017-2020 T.I.P., for those three years we had these dollar amounts, that we were estimating available, in 2021-2024 we are identifying that these amounts are available.

Haugen commented that the rate of growth, financially, we only know what dollars are available, they are estimated up to the year 2024 on the North Dakota side and this shows, particularly, the Urban Roads estimate, what will be available those given years. He said that it does show that FAST did bring more dollars, as it was identified it would do when it was released, but we do not yet have an estimate of what the 2025 year is, nor do we have an estimate on the Minnesota side

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Haugen stated that each year, when we solicit for new T.I.P. projects, that you also review and update your existing T.I.P. projects. He said that many of these were first programmed four or five years ago, and the dollar estimates were done four or five years ago, and the more recent 2021-2022 projects have probably had some project development take place so we are asking you to review your cost estimates and provide those estimates to us so we aren't looking at T.I.P. amendments just to reflect new cost estimates, and we can do it as a full cell in the T.I.P.

Haugen said that on the Street side, on the North Dakota side, so far it has only been shared what the current T.I.P. projects are that are programmed and the dollar amounts programmed for them but soon we will hopefully get the information so that we can announce the solicitation for the Regional Roads, the Urban Roads, and the Urban Program (the main street program); so right now we don't have solicitation to announce, nor do we have due dates to announce.

Haugen stated that on the Minnesota side, solicitation will also occur soon; we do know that because of the way the City sub-target is shared among the four cities in the ATP area, East Grand Forks has a 2022 and that would be the only time in the T.I.P. that they will have a City Sub-Target project, and if there are any changes between now and when we adopt the 2022-2025 T.I.P., it most likely will occur as an amendment to the current T.I.P. and not be part of the 2022-2025 T.I.P.

Haugen said that on the Minnesota side the projects will be due January 8<sup>th</sup>.

Haugen reported that the Transportation Alternatives, those have been announced on both sides of the river. He said that North Dakota will be due to the MPO on December 2<sup>nd</sup>, Minnesota has a slightly different process, they have to mail a letter of intent that is due to MNDOT on October 30<sup>th</sup>, and that is reviewed by the MPO Staff to make sure that the project that is being proposed is consistent with our Metropolitan Transportation Plan and is identified as a priority project. He stated that the MPO then informs those that submitted a letter to go forward to a full application two weeks after they submit the letter of intent and those project applications on the Minnesota side are due to the MPO on January 8<sup>th</sup>.

Haugen stated that the Safe Routes to School are now eligible as part of the Transportation Alternatives. He added that North Dakota does not have a separate State program, the MPO would encourage that if there are any transportation alternative projects being submitted on the North Dakota side they try to incorporate non-infrastructure activities within them. He said that on the Minnesota side there is a separate State funded Safe Routes To School Program. He explained that it is somewhat coordinated with the transportation alternatives, somewhat not, and they are also specific grants; one is a Boost Grant and the other is for Planning Grants, so if you are looking for them the deadline is the 25<sup>th</sup> of November for those projects.

Haugen reported that for the Recreational Trails, again, normally North Dakota has a cycle of when they release the solicitation in December; this last go around there were some changes in the Department, it isn't the Department of Transportation that processes this application, it is the Recreation Department and so they are still working on a due date on those. He added that on the Minnesota side he isn't sure what happens with their Recreational Trails Program



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solicitation, it may be mixed in with all of the DNR applications. Mason responded that the Minnesota Recreational Trails Program is managed by the State Department of Natural Resources, but he doesn't know what their due dates are for their programs offhand.

Haugen said that for Highway Safety projects, the solicitation is out on both sides of the river for this program. He added that on the North Dakota side they are due December 2<sup>nd</sup>, and North Dakota also has a separate specific to the railroad crossing solicitation that is also due December 2<sup>nd</sup>. He said that Minnesota has their HSIP solicitation going on, but he isn't aware if they do a separate railroad crossing, he thinks it is done more as an internal process within MnDOT. Mason added that it is separate from the Highway Safety Improvement Program, but he will look into it further but he does believe it is more of an internal prioritization process at this time with the railroad crossing program. Haugen said that that is how he recalls what the ATP shared about this, that it is submitted to the ATP office by the Railroad Office, within MnDOT without any real prior knowledge of what the projects may or may not be.

Haugen stated that on the Transit side; this is the new thing that they have been talking about. He said that NDDOT is consolidating all of the solicitations into one timeframe, so transit is now doing a fall solicitation with the streets, however on the North Dakota side you already have a solicitation because there was some extra "funding" and those projects are due to the MPO in November, but then the regular solicitation is also underway and those projects under the regular process are due December 2<sup>nd</sup> as well. He added that on the Minnesota side they do their 5309 process differently than how North Dakota does; they work with the properties more individually. He said that 5310; again that is underway on the North Dakota side and is due December 2<sup>nd</sup>, and on the Minnesota side they have a separate process.

Haugen gave a brief recap of what is being solicited and what the due dates are. He stated that hopefully our schedule identifies that we try to adopt a draft document in April and then look to August as a timeframe when we adopt the final T.I.P. document.

Kuharenko said that last year with the scoping reports they ended up having, there was a new change where they had to add a more detailed cost estimate, and he is wondering if there are any other major changes to the scoping reports that are going to be coming up. Zacher responded that he hasn't heard of any; as far as he is aware it will be the same as last year. Kuharenko said that if there are any changes it would be nice to set up some kind of training meeting to just kind of go over the changes/details so that we don't have any last minute changes to their scoping sheets. Zacher agreed.

Sperry commented that for some reason she was thinking that the North Dakota Park and Recreation had RTP applications due at the end of May, but she was just looking on their website and she doesn't see a date, but for some reason that is sticking in her memory. Haugen responded that, if you recall he mentioned that there were staff changes, so it was extended this last cycle, and he believes they are hoping to get things back to a normal cycle process.

Haugen commented that is the information we know for now for the T.I.P. Solicitation; some are currently underway, perhaps for the Grand Forks side the biggest ones are Regional Roads and

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Urban Roads and the Urban are yet to be announced, and the 2025 dollar amounts are yet to be announced, and the forms themselves are yet to be released.

**DOWNTOWN TRANSPORTATION STUDY**

Haugen reported that included in the packet were the results from the Public Input and the Downtown Steering Committees recommendations on prioritization of potential improvements. He added that he also included the results; due to Covid19 our public input was virtual this go-around. He stated that they had a lot of people visit the website, although they didn't have a lot of individual scoring done, but they had a lot of alternatives for people to look at, and provide comment on, and for the most part people went to their specific area of interest and commented on that and left the vast majority of the rest of the opportunities to comment not commented on, so with that they were able to identify to some degree the priorities that people have, and so with that information they looked at our current projects in the program to see what timeline might allow us to work with projects that we already have identified in our transportation plan to have consideration of some of the improvements identified in the Downtown Transportation Study.

Haugen commented that we do have a lot of work going on in the downtown that is already programmed or has already occurred; North 5<sup>th</sup> Street has had some work done on it however the bigger things we have are North 3<sup>rd</sup> Street, under the Urban Program, a complete reconstruction; we have a block of North 4<sup>th</sup> Street in Grand Forks for complete reconstruction under the Urban Grant Program; on the Minnesota side we have a local partnership project taking place but we also have the opportunity with the Traffic Signal replacement, the opportunity with the Traffic Signal replacement programmed in 2024 for additional improvements.

Haugen said that you all have this information, and many of you participated in the Steering Committee meeting, so he won't go over each of them, however if there is anything you want to discuss we can focus on that.

Mason said that he has a comment on a specific item; has it been reflected or was there any additional conversation about the crossing at the floodwall in East Grand Forks, of it being either on the wet side or at its current location on the dry side, was that reflected in here, he didn't see it specifically. Haugen responded that there was some information at the City Council meeting last night, but he would defer to Mr. Bail or Ms. Ellis to explain what was discussed with regard to crosswalks. Ellis stated that discussion was primarily going with the colored concrete if they wanted to add that, but they didn't want to add the colored concrete or pull out the existing crosswalks and put in stamped concrete that is colored. She said that she isn't quite sure if they specifically discussed the location of the crosswalk near the floodwall, but she would ask if Mr. Bail knows of any other discussion on that issue. Bail responded that he doesn't have any knowledge of anything more on that issue either. Mason said, then, that there was discussion last night to not replaced the brick pavers with stamped concrete, could you provide clarification on that. Ellis responded that that was what the discussion was. She said that at one point in time, and she could be wrong, but we did have stamped concrete there, and some of them were

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replaced with just regular concrete and stripped, and there was some discussion from the council members to do something similar to what they did in Grand Forks, with their colored concrete at their intersections, but it didn't sound like the council was will to move forward on that or to pull out existing concrete and replace it back again with stamped. Haugen added that the original local partnership project was to take out the crosswalks that had the stamped concrete and replace them with regular concrete and stripe them, and then the City asked to considered using colored concrete, and the message back from MnDOT was that they didn't want to pay the added cost to put in colored concrete; and then as Ms. Ellis stated, in and around 3<sup>rd</sup>, there was previously stamped concrete crosswalks that were removed a few years ago, and stripped crosswalks replaced them, and if the City wanted to make a uniformed crossing pattern, four crossings were identified that the stamped concrete was removed prior and so MnDOT was saying that we should perhaps a uniformity of what the crosswalks look like and so if you are trying to color some, you should consider removing the others that are currently standard stripped concrete and replace them with colored concrete as well, so with the added cost of coloring the pavement, and MnDOT not willing to pay for it, and then the added cost of removing additional concrete and replacing it with colored concrete, that is where the five additional crosswalks came into play that weren't scoped in the original local partnership project. Mason asked, then, is the project moving forward with not going after those additional crosswalks, or is the project not moving forward now based on that conversation. Haugen responded that you will have to remember that last night was what they call a "working" session, so it was a discussion session with no decisions being made, but next Tuesday there may be a decision made, and as best he can tell the project will move forward, it is just a matter of will the City try to work with MnDOT in cost sharing some of the colored concrete, or what it will end up being. Ellis agreed with Mr. Haugen's response, adding that it sounded like they were moving forward on the project, it was the little things; the replacement of those five with stamped and color. She said that Steve Emery is our City Engineer and is kind of in charge of that project, and he would have been here but he had another Zoom meeting, so if you do have more specific questions she would suggest giving him a call, but the decision itself will be made next Tuesday. Haugen commented that perhaps you will see a Transportation Alternative project to put in colored crosswalks in East Grand Forks.

**OTHER BUSINESS**

a. 2020 Annual Work Program Project Update

Haugen reported that this is our monthly update. He asked if there were any questions or comments on the report. There were none.

b. East Grand Forks Land Use Plan Update

Kouba reported that they held their first Steering Committee meeting; just working with the committee to discuss what expectations we have of the committee, what they can expect from the consultant and the MPO, and just kind of going over those higher level details and giving some existing conditions of the City, of the populations, etc. Kouba stated that they hope that at the

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next meeting they will have all of the projections and things like that to go over, as well as what we will probably be presenting to the public at our first public meeting.

Halford asked what firm they went with for the East Grand Forks Land Use Plan update. Kouba responded that they went with WSB. She added that they received four submittals, and after interviewing those four, WSB was the firm they chose.

c. FAST-ACT and Continuing Resolution

Haugen stated that we already talked about the FAST-ACT extension and continuing resolution; any other information on that. There was none.

d. November Technical Advisory Committee Meeting Date Change

Haugen reported that the November Technical Advisory Committee meeting on the second Wednesday of the month falls on a Holiday, Veteran's Day, so is there a preference to meet the Tuesday prior or the Thursday following; and he knows that Thursday might conflict with FMCOG's meeting, although he thinks they hold theirs in the morning, assuming we still hold our meeting at 1:30 either of those days. Zacher responded that FMCOG does meet in the morning. Haugen asked, again, if there is a stated preference from the members if it be on Tuesday the 10<sup>th</sup> or Thursday the 12<sup>th</sup>, assuming the same 1:30 timeframe. Zacher responded that assuming the same 1:30 timeframe, Thursday the 12<sup>th</sup> works better for him.

No objections to holding the meeting at 1:30 p.m. on Thursday, November 12<sup>th</sup> were made, thus it was set for Thursday, November 12<sup>th</sup> at 1:30 p.m.

**ADJOURNMENT**

***MOVED BY ELLIS, SECONDED BY HALFORD, TO ADJOURN THE OCTOBER 14<sup>TH</sup>, 2020, TECHNICAL ADVISORY COMMITTEE MEETING AT 3:16 P.M.***

***MOTION CARRIED UNANIMOUSLY.***

Respectfully submitted by,

Peggy McNelis, Office Manager