

Metropolitan Bicycle and Pedestrian Committee
Wednesday, February 10th, 2021 – 3:00 p.m.
Virtual (link provided below)
AGENDA

1. Welcome and introductions
2. Approve minutes from December 9th, 2020 meeting - **Attachment** Action Item
3. Public input opportunity Public Input
4. Update on ND legislation regarding bicycles – **Attachment** Information Item
 - a. Yielding & stopping while operating bicycle (HB1252)
 - b. Passing a bicycle (HB1290)
5. Shared Electric Scooters – Potential Fargo deployment Discussion Item
6. 2021 F-M Metropolitan Bicycle & Pedestrian Plan - **Attachment** Discussion Item
7. Other business

Due to ongoing public health concerns related to COVID-19, Metro COG is encouraging citizens to provide their comments for agenda items on the October 7 agenda via email to farnsworth@fmmetrocog.org. To ensure your comments are received prior to the meeting, please submit them by 12:00 p.m. on the day of the meeting and reference which agenda item your comments address. If you would like to appear via video and/or audio for comments or questions, please provide your e-mail address and contact information to the above e-mail at least one business day before the meeting.

For Public Participation, please REGISTER with the following link:

<https://us02web.zoom.us/j/89175619262?pwd=TIp3cEN5ZjNkbzVJRXPBd1BwMVhoZz09>

NOTE: Full Agenda packets can be found on the Metro COG Web Site at <http://www.fmmetrocog.org> – Committees

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**113th Metropolitan Bicycle and Pedestrian Committee Meeting
December 9th, 2020 – 3:00pm
Virtual Meeting**

Members Present

Dan Farnsworth, Chair, Metro COG
Malachi Petersen, City of West Fargo Planning (proxy for Tim Solberg)
Jeremy Gorden, City of Fargo Engineering
Maegin Elshaug, City of Fargo Planning
Tyler Kirchner, Fargo Park District
Kim Citrowske, City of Moorhead Planning
Jonathan Atkins, City of Moorhead Engineering
Peyton Mastera, City of Dilworth
Barret Voigt, City of Horace
Grace Puppe, Cass County
Matthew Jacobson, Clay County Planning
Bob Walton, NDDOT
Jane Butzer, MnDOT District 4
Deputy Chief Joe Anderson, Fargo Police Department
Kim Lipetzky, Fargo Cass Public Health
Patrick Hollister, PartnerSHIP 4 Health
Chris Garty, Citizen Representative

Others Present:

Cindy Gray, Metro COG
Luke Champa, Metro COG
Rocky De Rosario, Metro COG
Andrew Wrocke, City of West Fargo Engineering
David Sweeney, SRF
Shawn Vasichek, Citizen

1. Welcome and Introductions

The meeting began at 3:04 pm. Attendees introduced themselves.

2. Approve minutes from October 7th, 2020 meeting

A motion to approve the October 7th minutes was made by M. Petersen and seconded by B. Voigt. The minutes were passed unanimously with no edits.

3. Public input opportunity

No public comments were made during this opportunity.

4. Revision to West Fargo voting seat arrangement

Now that West Fargo has a dedicated Engineering Department, it was requested that Metro COG and the Bicycle & Pedestrian Committee consider including West Fargo Engineering in the Committee's voting member list. After email exchanges with West Fargo Planning, Engineering, and the West Fargo Park District, it was requested that the voting member list be revised to include West Fargo's Engineering Department. The proposal is identical to Moorhead's voting arrangement where West Fargo would have two voting seats, which would be interchangeably filled by West Fargo Planning, Engineering, and the West Fargo Park District.

The Committee favored this revision to West Fargo's voting seat arrangement noting that it makes good sense to have West Fargo Engineering participating and voting in the Committee. A motion to make these revisions was made by P. Hollister and seconded by M. Elshaug. The motion was passed unanimously.

5. Score/rank Transportation Alternatives Applications

This agenda item began by summarizing each of the applications/letters of intent submitted to Metro COG. In total 9 applications (ND) and 3 letters of intent (MN) were submitted to Metro COG. 4 applications were submitted by the City of Fargo, 2 from the City of Horace, and 3 from the City of West Fargo. For Minnesota projects, one letter of intent was submitted by the following jurisdictions: Barnesville, Dilworth, and Moorhead.

The group then used Metro COG's Transportation Alternatives scoring matrix to score each project. The scoring matrix was approved in 2019 and was developed using a subcommittee of the Bicycle & Pedestrian Committee. Due to the number of applications submitted this year, Metro COG preliminarily scored each project using the scoring matrix while leaving the more discussion-based criteria blank for the Committee to discuss and score at the meeting.

The following criteria was discussed and scored by the Bicycle & Pedestrian Committee:

- The criteria question: "Does the project make a systematic effort to conserve natural resources?" This criteria question was discussed and it was decided that none of the projects met this criteria.
- Fargo Drain 27/Deer Creek project – criteria related to ¼ from commercial AND 3-plexes or greater. It was decided that although the Fargo zoning map shows SR-4 adjacent to the project, this area has been built-out and no dwellings greater than two units exist. 0 pts was awarded for this criteria
- Horace Center Ave project – criteria related to ¼ from commercial AND 3-plexes or greater. It was decided that even though Horace's zoning map does not accurately reflect what has been developed (particularly in the older parts of town), there is indeed existing commercial uses and multi-dwelling residential (greater than 3-plexes) within ¼ mile of the project. 10 pts were awarded for this criteria.

- West Fargo Veterans Blvd/9th St project – criteria related to being located in an area with high or medium levels of vehicle trip density. While this project spans trip density areas ranging from low to medium to high, it's safe to conclude that the medium trip density zones represent the majority and average areas within this project's limits. 5 pts (medium trip density) were awarded for this criteria.
- West Fargo Veterans Blvd/9th St project – criteria related to being located within or adjacent to an EJ area. With the northernmost intersection being located adjacent to an EJ area, this met the criteria. 5 pts awarded.
- Moorhead Bluestem Bridge project – criteria related to ½ mile radius from a K-8 public school. It was discussed whether or not this bridge would be used for kids to get to/from school. While there are two schools on the Fargo side within ½ mile of the bridge, there are not schools on the Moorhead side and Moorhead public students would not go to Fargo public schools or vice versa. However it was argued that Bluestem is affiliated with Fargo Public Schools, therefore students could theoretically use the bridge. A motion to award 5 of the 10 points was made by J. Atkins and seconded by M. Petersen. The motion was passed unanimously
- Moorhead Bluestem Bridge project – criteria related to being located in an area with high or medium levels of vehicle trip density. This was up for discussion as the Moorhead side of the project had low vehicle trip density while the Fargo side was on the boundary of low density and medium density. A motion to award 5 points (medium trip density) was made by C. Garty and seconded by J. Atkins. The motion was passed unanimously.
- Barnesville project - criteria related to ¼ from commercial AND 3-plexes or greater. While it's clear in both the zoning map and on-site that there are dwelling buildings greater than 3-plexes within ¼ mile from the project, it was discussed whether or not there was actual commercial ¼ mile from the project. It was decided that since the zoning map shows commercial on the north edge of project (currently a campground), that the 10 points would be awarded.

Upon discussing and scoring as outlined above, all scoring was complete and ready for recommendation to the Transportation Technical Committee (TTC), with the following follow-up items that the Committee tasked Metro COG to look into and score appropriately prior to the Dec 10th TTC meeting:

- Metro COG was tasked to look into a crash located at the junction of 10th St N, 36th Ave N, and 37th Ave N in Fargo to see if the presence of a trail would have prevented this crash. If so, 10 pts could be awarded to the Bison Village Shared Use Path project.
- Metro COG was asked to look into a possible 2018 Barnesville Bicycle & Pedestrian Plan. This could help guide the scoring regarding whether or not the Barnesville project “is consistent with recommendations of a corridor, comprehensive, or other planning study.”
- Metro COG wanted to follow-up with the Horace Engineer to get more details regarding Bicycle and Pedestrian Master Plan shown in Horace's Center Ave

application. There are currently several unknowns about this plan. Details of this plan will determine whether it warrants “a recommendation of a corridor, comprehensive, or other planning study” per the scoring matrix criteria.

6. Other business

No other business.

Meeting adjourned 5:15 pm.

Agenda Item 4

To: Metropolitan Bicycle and Pedestrian Committee
From: Dan Farnsworth, Metro COG
Date: February 5, 2021
Subject: **Update on ND legislation regarding bicycles**

At the October 7th, 2020 Bicycle & Pedestrian Committee meeting, an agenda item was discussed pertaining to proposed North Dakota legislation which would modify certain rules of the road for both bicycle riders and vehicle drivers. ND Representative Cory Mock drafted two bills which were discussed at the October 7th meeting.

With the start of the 2021 ND legislative session in January, these bills were introduced. Below is a status update of the bills as of February 5th.

HB 1252 – Yielding & stopping while operating a bicycle

- January 11 – Bill introduced to House
- January 21 – Amended by House Transportation Committee (see **attachment** for amended bill)
- January 22 – Passed by House Transportation Committee (7 Yea votes, 6 Nay votes, 1 absent)
- January 29 – Passed by House (68 Yea votes, 21 Nay votes, 5 absent)
- February 1 – Sent to Senate

HB 1290 – Passing a bicycle

- January 11 – Bill introduced to House (see **attachment** for bill)
- January 22 – Passed by House Transportation Committee (10 Yea votes, 3 Nay votes, 1 absent)
- January 29 – Passed by House (59 Yea votes, 33 Nay votes, 2 absent)
- January 29 – Sent to Senate

With the passing of these two bills, they will move to the Senate for consideration. The status of these bills can be followed on the ND Legislative Branch at the following links:

- HB 1252 - <https://www.legis.nd.gov/assembly/67-2021/bill-actions/ba1252.html>
- HB 1290 - <https://www.legis.nd.gov/assembly/67-2021/bill-actions/ba1290.html>

Agenda Item 4 - Attachment 1

21.0154.01002

Sixty-seventh
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1252

Introduced by

Representatives Mock, Hager, Jones, Kading, O'Brien, D. Ruby

Senators Bakke, Dwyer, D. Larsen

1 A BILL for an Act to create and enact a new section to chapter 39-10.1 of the North Dakota
2 Century Code, relating to stopping and yielding while operating a bicycle; and to provide a
3 penalty.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 39-10.1 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Yielding and stopping while operating a bicycle on a roadway.**

8 1. ~~An individual operating a bicycle on a roadway:~~

9 ~~a. May turn or proceed through a stop intersection indicated by a stop sign without~~
10 ~~stopping but shall slow to a speed reasonable for the existing conditions when~~
11 ~~approaching the stop sign and, if required for safety to stop, shall stop at the~~
12 ~~point nearest the intersecting roadway. After slowing to a reasonable speed or~~
13 ~~stopping, the individual shall yield the right of way to any vehicle in the~~
14 ~~intersection or approaching on another roadway so closely as to constitute an~~
15 ~~immediate hazard during the time the individual is moving across or within the~~
16 ~~intersection or junction of roadways.~~

17 ~~b. May turn or proceed through a steady red traffic-control light with caution after~~
18 ~~stopping at the point nearest the intersecting roadway. After stopping, the~~
19 ~~individual shall yield the right of way to any vehicle in the intersection or~~
20 ~~approaching on another roadway so closely as to constitute an immediate hazard~~
21 ~~during the time the individual is moving across or within the intersection or~~
22 ~~junction of roadways.~~ An individual operating a bicycle who is approaching a stop
23 sign at an intersection with a roadway having three or more lanes for moving
24 traffic shall come to a complete stop before entering the intersection.

- 1 2. An individual operating a bicycle who is approaching a stop sign at an intersection
2 where a vehicle is stopped in the roadway at the same stop sign shall come to a
3 complete stop before entering the intersection.
- 4 3. An individual operating a bicycle who is approaching a stop sign at an intersection with
5 a roadway having two or fewer lanes for moving traffic shall reduce speed and, if
6 required for safety, stop before entering the intersection. After slowing to a reasonable
7 speed or stopping, the individual shall yield the right-of-way to any vehicle in the
8 intersection or approaching on another roadway so closely as to constitute an
9 immediate hazard during the time the individual is moving across or within the
10 intersection, except that an individual, after slowing to a reasonable speed and
11 yielding the right-of-way if required, cautiously may make a turn or proceed through
12 the intersection without stopping.
- 13 4. An individual operating a bicycle who is approaching an intersection shall yield the
14 right-of-way to any vehicle that already has entered the intersection.
- 15 5. When an individual operating a bicycle and a vehicle enter an intersection from
16 different roadways at approximately the same time, the operator of the vehicle or
17 bicycle on the left shall yield the right-of-way to the vehicle or bicycle on the right.
- 18 6. If the individual operating a bicycle is involved in a collision with a vehicle in the
19 intersection or junction of roadways after proceeding past a stop sign without stopping
20 or past a steady red traffic-control light, the collision is deemed prima facie evidence of
21 the individual's failure to yield the right of way.

Agenda Item 4 - Attachment 2

21.0182.01000

Sixty-seventh
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1290

Introduced by

Representatives Mock, Hager, Hagert, Jones, Kading, O'Brien, Owens, Sanford

Senators Bakke, Clemens, Dwyer

1 A BILL for an Act to create and enact section 39-10-11.1 of the North Dakota Century Code,
2 relating to a vehicle overtaking and passing a bicycle on a roadway; and to provide a penalty.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** Section 39-10-11.1 of the North Dakota Century Code is created and enacted
5 as follows:

6 **39-10-11.1. Overtaking and passing a bicycle.**

7 The driver of a vehicle shall leave a safe distance when overtaking and passing a bicycle
8 proceeding in the same direction on a roadway and shall maintain clearance until safely clear of
9 the overtaken bicycle. "Safe distance" as used in this section means no less than three feet
10 [0.91 meters] clearance.

Agenda Item 6

To: Metropolitan Bicycle and Pedestrian Committee
From: Dan Farnsworth, Metro COG
Date: February 5, 2021
Subject: **2021 Fargo-Moorhead Metropolitan Bicycle & Pedestrian Plan**

Every five years Metro COG updates the Fargo-Moorhead Metropolitan Bicycle & Pedestrian Plan. This plan takes a comprehensive look at the F-M Metro Area's bicycle & pedestrian network, seeks input from the public and local jurisdictions, and provides recommendations and guidance to meet the needs of the community and improve the bicycle & pedestrian environment for all users. It is the intent that this plan will incorporate 'The Six E's' of bicycle & pedestrian planning – Education, Encouragement, Evaluation & Planning, Engineering, Enforcement, and Equity.

The last Bicycle & Pedestrian Plan was completed in 2016 and was conducted in-house by Metro COG staff. For reference, the 2016 Plan can be viewed at Metro COG's website at the following link: <http://www.fmmetrocog.org/resources/planning/bicycle-pedestrian-planning>.

This year Metro COG is seeking a consultant to develop the Plan with a budget of \$170,000. The Bicycle & Pedestrian Committee will likely act as the study review committee for this Plan.

As Metro COG prepares this Plan's request for proposals, we'd like to get feedback from the Bicycle & Pedestrian Committee as to what they'd like to see accomplished as part of this Plan. We'll have a discussion on this topic at the February 10th Bicycle & Pedestrian Committee meeting.

Below is a tentative schedule for the Plan and associated pre-Plan efforts:

- March 19, 2021 - Send out Request for Proposals to consulting firms
- May 20, 2021 - Select consulting firm (date of Policy Board approval)
- June 2021 - Project kick-off
- April 2022 – Draft version of Plan
- May 2022 – Completion of final Plan
- June, July 2022 – Presentations to local committees and boards