

**621st Policy Board Meeting
Fargo-Moorhead Metropolitan Council of Governments
Thursday, November 16, 2023 – 4:00 pm**

Members Present:

Duane	Breitling	Cass County Commission
John	Gunkelman	Fargo Planning Commission
Chuck	Hendrickson	Moorhead City Council
Sebastian	McDougall	Moorhead City Council
Julie	Nash	Dilworth City Council
Brad	Olson	West Fargo City Commission
Arlette	Preston	Fargo City Commission
Rocky	Schneider	Fargo Planning Commission
Scott	Stofferahn	Fargo Planning Commission
Jeff	Trudeau	Horace City Council
Deb	White	Moorhead City Council
Aaron	Murra	NDDOT – Fargo District (ex-officio)

Members Absent:

Amanda	George	West Fargo City Commission
Denise	Kolpack	Fargo City Commission
Jenny	Mongeau	Clay County Commission
Dave	Piepkorn	Fargo City Commission
John	Strand	Fargo City Commission
Maranda	Tasa	Fargo Planning Commission
Shiloh	Wahl	MnDOT – District 4 (ex-officio)

Others Present:

Adam	Altenburg	Metro COG
Paul	Bervik	Metro COG
Jaron	Capps	Metro COG
Dan	Farnsworth	Metro COG
Ben	Griffith	Metro COG
Savanna	Leach	Metro COG
Chelsea	Levorsen	Metro COG
Ayden	Schaffler	Metro COG

- 1a. MEETING CALLED TO ORDER, WELCOME, AND INTRODUCTIONS, convened**
The meeting was called to order at 4:00 pm, on November 16, 2023 by Chair Hendrickson, noting a quorum was present. Introductions were made.
- 1b. Approve Order and Contents of Overall Agenda, approved**
Chair Hendrickson asked for approval for the overall agenda.

**MOTION: Approve the contents of the Overall Agenda of the November 16, 2023 Policy Board Meeting.
Mr. Olson moved, seconded by Mr. Breitling
MOTION, passed
Motion carried unanimously.**

1c. Past Meeting Minutes, approved

Chair Hendrickson asked for approval of the Minutes of the October 19, 2023 Meeting.

**MOTION: Approve the October 19, 2023 Policy Board Meeting Minutes.
Mr. Breitling moved, seconded by Ms. Preston
MOTION, passed
Motion carried unanimously.**

1d. Monthly Bills, approved

Chair Hendrickson asked for approval of the November 2023 Bills as listed on Attachment 1d.

**MOTION: Approve the November 2023 Bills List.
Mr. Olson moved, seconded by Ms. Preston
MOTION, passed
Motion carried unanimously.**

2. CONSENT AGENDA

Chair Hendrickson asked for approval of Items a-b on the Consent Agenda.

- a. October Month End Report
- b. 2024 Health/Vision/Dental Insurance Contract with BCBSND

**MOTION: Approve Items a-b on the Consent Agenda.
Ms. Nash moved, seconded by Mr. Gunkelman
MOTION, passed
Motion carried unanimously.**

3. REGULAR AGENDA

3a. Public Comment Opportunity

No public comments were made or received.

3b. Old Business – 2024-2027 Transportation Improvement Program Amendment #2

Mr. Bervik presented the 2024-2027 Transportation Improvement Program Amendment 2. This amendment is a continuation of the 2024-2027 TIP Amendment 2 that was discussed at the October 19th, 2023 meeting.

A public notice advertised that public comments would be accepted until 8:00 am on Thursday, October 12, 2023. No written comments were received.

The proposed amendment to the 2024-2027 TIP is as follows:

1. **Modification of Project 8210019:** MNDOT construction of a grade separation of 11th Street at BNSF railroad (2024). Updating costs.
2. **Modification of Project 5210018:** MNDOT construction of a grade separation of 11th Street at BNSF railroad (2024). Updating costs and Project Description.
3. **Modification of Project 8230011:** MNDOT construction of a grade separation of 11th Street at BNSF railroad, AC payback (2026). Updating Project Description.

4. **Modification of Project 8241055:** MNDOT construction of a grade separation of 11th Street at BNSF railroad, AC payback (2027). Updating Project Description and state project number.
5. **Modification of Project 8240043:** MNDOT construction of a grade separation of 11th Street at BNSF railroad (2024). Updating Project Cost.
6. **Modification of Project 2210017:** Clay County rehabilitation of CSAH 14 bridge over South Branch of Buffalo River (2024). Updating Project Cost and Cost Breakdown.
7. **Modification of Project 3220021:** City of West Fargo urbanization of 9th street NE and 7th avenue NE (2025). Update total project cost.
8. **Modification of Project 8240050** MNDOT construction of fiber communications/ cameras and dynamic message signs (DMS) (2025). Updating Project Description.
9. **Modification of Project 8230010:** MNDOT construction of a grade separation of 11th Street at BNSF railroad, AC payback (2025). Updating Project Description.
10. **New Project 8242057:** MNDOT construction of a grade separation of 11th Street at BNSF railroad (2024).
11. **New Project 8242058:** MNDOT construction of a grade separation of 11th Street at BNSF railroad (2024).
12. **New Project 8242059:** MNDOT construction of a grade separation of 11th Street at BNSF railroad (2024).
13. **New Project 8242060:** MNDOT construction of a grade separation of 11th Street at BNSF railroad (2024).
14. **New Project 9242061:** NDDOT pavement marking at various highways throughout the Fargo District (2024).

A MnDOT representative requested that project 8210019 be updated to add additional state funding to that project.

MOTION: Approval of Amendment 2 of the Metro COG 2024-2027 Transportation Improvement Program (TIP) pending STIP approval.
Mr. Olson moved, seconded by Mr. Breitling.
MOTION, passed
Motion carried unanimously.

3c. 2023-2026 Transportation Improvement Program (TIP) Amendment 9

Mr. Bervik presented amendment 9 to the 2023-2026 Transportation Improvement Program. The public notice stated that public comments would be accepted until 12:00 noon on Thursday, November 9th, 2023. As of the writing of this memo, no written comments have been received.

The proposed amendment to the 2023-2026 TIP is as follows:

1. **Modification of Project 8210019:** MNDOT construction of a grade separation of 11th Street at BNSF railroad (2024). Updating costs.
2. **Modification of Project 5210018:** MNDOT construction of a grade separation of 11th Street at BNSF railroad (2024). Updating costs and Project Description.
3. **Modification of Project 8230011:** MNDOT construction of a grade separation of 11th Street at BNSF railroad, AC payback (2026). Updating Project Description.

4. **Modification of Project 8241055:** MNDOT construction of a grade separation of 11th Street at BNSF railroad, AC payback (2027). Updating Project Description and state project number.
5. **Modification of Project 8240043:** MNDOT construction of a grade separation of 11th Street at BNSF railroad (2024). Updating Project Cost.
6. **Modification of Project 2210017:** Clay County rehabilitation of CSAH 14 bridge over South Branch of Buffalo River (2024). Updating Project Cost and Cost Breakdown.
7. **Modification of Project 3220021:** City of West Fargo urbanization of 9th street NE and 7th avenue NE (2025). Update total project cost.
8. **Modification of Project 8240050** MNDOT construction of fiber communications/ cameras and dynamic message signs (DMS) (2025). Updating Project Description.
9. **Modification of Project 8230010:** MNDOT construction of a grade separation of 11th Street at BNSF railroad, AC payback (2025). Updating Project Description.
10. **New Project 8242057:** MNDOT construction of a grade separation of 11th Street at BNSF railroad (2024).
11. **New Project 8242058:** MNDOT construction of a grade separation of 11th Street at BNSF railroad (2024).
12. **New Project 8242059:** MNDOT construction of a grade separation of 11th Street at BNSF railroad (2024).
13. **New Project 8242060:** MNDOT construction of a grade separation of 11th Street at BNSF railroad (2024).
14. **New Project 9242061:** NDDOT pavement marking at various highways throughout the Fargo District (2024).

A MnDOT representative requested that project 8210019 be updated to add additional state funding to that project.

The proposed amendment to the 2023-2026 TIP reflects modified federally-funded projects within the Metropolitan Planning Area (MPA). After discussion with MnDOT, Metro COG's 2023-2026 TIP is still considered to be active, and therefore, this is the TIP that needs to be currently amended.

MOTION: Approval of Amendment 9 of the Metro COG 2023-2026 Transportation Improvement Program (TIP).

Mr. Gunkelman moved, seconded by Mr. McDougall.

MOTION, passed

Motion carried unanimously.

3d. 2023-2024 Unified Planning Work Program (UPWP) Amendment #4

Mr. Griffith presented amendment 4 to the 2023 Unified Planning Work Program (UPWP). The Infrastructure Investment & Jobs Act (IIJA) of 2021 identified a mandatory set-aside of 2.5% of "Planning Funds" at the state level to be used towards complete streets efforts. IIJA incentivized the use of Complete Street Set-Aside Funds by waiving the 20% local match requirement.

Metro COG will receive \$81,473 of Complete Streets Set-Aside funding. Metro COG has identified the Horace Core Neighborhoods Plan as an underfunded project that has the capacity to utilize the funding to its fullest extent and is recommending these funds be used to fully fund that effort. The RFP for that project is scheduled to be released in December 2023.

Metro COG would like to amend its 2023-2024 UPWP to include the dedication of \$81,473 of Complete Streets Set-Aside funding to the Horace Core Neighborhoods Plan, providing a total of \$196,473 for the project.

MOTION: Approval of Amendment 4 to the Metro COG 2023-2024 Unified Planning Work Program (UPWP).

Mr. Trudeau moved, seconded by Mr. Breitling

MOTION, passed

Motion carried unanimously.

3e. Uni10 Contract Amendment #1

Mr. Griffith presented amendment 1 to the University & 10th Street Corridor Study. Metro COG started the University and 10th Street Corridor Study ("Uni10") in 2021.

The original scope of work was split into two phases. The first phase was to look at the conversion of the one-way pair system as well as to gather issues along the corridor, which incorporated an intensive public participation campaign. Phase II of the study was meant to respond to the findings of the first phase.

Metro COG also secured an additional \$100,000 of federal Consolidated Planning Grant (CPG) funds matched by the City of Fargo (\$25,000) to fund the Phase II of the effort. There is approximately \$25,000 left in the original Phase I budget that will supplement Phase II also. The total budget for Phase II included in Amendment #1 is \$150,026.23.

MOTION: Approval of Amendment #1 to the University and 10th Street Corridor Study contract with Bolton-Menk and authorize Executive Director to execute contract.

Ms. Preston moved, seconded by Mr. Gunkelman

MOTION, passed

Motion carried unanimously.

3f. Clay County Heartland Trail Routing Analysis Consultant Selection

Mr. Farnsworth presented SRF as the highest-ranked consulting firm for the Clay County Heartland Trail Routing Analysis. The deadline for consulting firms to submit proposals was October 18th. Metro COG received proposals from four firms – Bolton & Menk, SEH, SRF, and WSB.

The consultant selection panel met on November 1st to interview the firms and select the top-ranked firm. Upon interviews with the four consultant teams, SRF was the highest ranked firm. The SRF team includes the subconsultants Alta and

Mend. SRF's cost proposal came in at \$249,828.83, which is within the budgeted amount.

MOTION: Approval of SRF as the top ranked firm to complete the Clay County Heartland Trail Routing Analysis and to authorize the Metro COG Executive Director to enter into a contract after successful contract negotiations.

Ms. White moved, seconded by Ms. Preston

MOTION, passed

Motion carried unanimously.

3g. Resolution Designating City of Fargo as Direct Recipient for MATBUS FTA Funds

Mr. Griffith presented a Resolution designating the City of Fargo as the direct recipient for MATBUS FTA Funds.

As Metro COG transitions from an MPO (Metropolitan Planning Organization) to a TMA (Transportation Management Area), changes have become necessary for MATBUS to receive funding from the Federal Transit Administration (FTA).

The Cities of Fargo and Moorhead have agreed to designate the City of Fargo as the recipient of FTA funds and Gov. Tim Walz of Minnesota has officially agreed to this. Approval of the Resolution is requested to provide official acknowledgement by Metro COG's Policy Board of this change in funding structure for both NDDOT and MnDOT, as well as FTA.

MOTION: Approval of Resolution Designating the City of Fargo as the Direct Recipient for FTA funds in the Metro COG Urbanized Area.

Mr. Olson moved, seconded by Mr. Gunkelman

MOTION, passed

Motion carried unanimously.

4. Additional Business

Staff is still working with NDDOT auditors on the updated indirect rate.

Jurisdictional councils/commissions should expect to see Resolutions approving the adjusted urbanized boundary.

MnDOT CPG Contract language change for MPOs. These changes do not really affect Metro COG, as NDDOT is Metro COG's oversight agency.

5. Adjourn

The 621st Meeting of the FM Metro COG Policy Board held Thursday, November 16, 2023 was adjourned at 4:45 pm.

THE NEXT FM METRO COG POLICY BOARD MEETING WILL BE HELD December 21, 2023, 4:00 P.M.

Respectfully Submitted,

Savanna Leach
Executive Assistant