



Fargo-Moorhead Metropolitan  
Council of Governments

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## 4<sup>th</sup> Meeting of the MATBUS Coordination Committee

February 19, 2025 | 9:00 – 10:00 am  
Location: Metro COG Conference Room/Zoom

[Click here to join the meeting](#)

Meeting ID: 890 6859 5689

Passcode: 669108

1. Call to Order and Introductions
  - a. Approve Order and Contents of the Overall Agenda
  - b. Review and Action on Minutes from January 15, 2025
2. Action Items
  - a. City of Fargo Transit Department Federal Transit Administration (FTA) Drug and Alcohol Policy Manual – **Julie Bommelman**
  - b. LinkFM Update and Recommendation – **Cole Swingen**
  - c. 90-Minute Transfer Policy – **Jordan Smith**
  - d. Real Time Passenger Information Pilot Program – **Cole Swingen**
  - e. Route 24 – Sanford Health Amber Valley Campus Request and Route Change – **Luke Grittner**
3. Informational Items
  - a. 2026 Driver Services – **Jordan Smith**
  - b. Ridership Update – **Luke Grittner**
  - c. Safety and Security Update – **Cole Swingen**
4. Other Business

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# Agenda Item 1b

**3<sup>rd</sup> Meeting of the  
MATBUS Coordination Committee  
January 15, 2025 – 9:00 AM  
Metro COG Conference Room/Zoom**

**Members Present:**

Deb White, Moorhead City Council, Chair  
Denise Kolpack, Fargo City Commission  
John Strand, Fargo City Commission  
Julie Bommelman, Fargo Transit Director  
Susan Thompson, Fargo Finance Director  
Sebastian McDougall, Moorhead City Council  
Jenica Flanagan, Moorhead Finance Director  
Mike Rietz, Moorhead Assistant City Manager  
Peyton Mastera, Dilworth City Administrator  
Brit Stevens, NDSU Transportation Manager  
Ben Griffith, Metro COG Executive Director

**Members Absent:**

Dustin Scott, West Fargo City Administrator

**Others Present:**

Adam Altenburg, Metro COG  
Heidi Benke, MATBUS  
Shaun Crowell, MATBUS  
Cindy Girdner, Valley Senior Services  
Luke Grittner, MATBUS  
Taaren Haak, MATBUS  
Aiden Jung, Metro COG  
Ian McLean, City of Fargo  
Matt Pinotti, Transdev  
Jordan Smith, MATBUS  
Cole Swingen, MATBUS

**1a. Approve Order and Contents of the Overall Agenda**

A motion to approve the order and contents of the overall agenda was made by Mr. Mastera and seconded by Mr. Griffith. The motion was voted on and unanimously approved.

**1b. Review and Action on Minutes from December 3, 2024**

A motion to approve the minutes for December 2024 was made by Mr. McDougall and seconded by Ms. Bommelman. The motion was voted on and unanimously approved.

**2a. MATBUS Coordination Committee Bylaws**

Chair White informed committee members of the final version of bylaws for the MATBUS Coordination Committee had been prepared. She noted that the bylaws had been reviewed by Fargo's legal department.

A motion to approve the MATBUS Coordination Committee Bylaws was made by Mr. Strand and seconded by Mr. Rietz. The motion was voted on and unanimously approved.

**2b. MATBUS Representation on Metro COG's Transportation Technical Committee**

Ms. Bommelman explained that Metro COG's Transportation Technical Committee (TTC) bylaws currently lists two members representing transit, one from the City of Fargo and one from the City of Moorhead. She stated that, with MATBUS becoming a large urban transit agency, it should transition to having two members representing transit rather than tie membership to each city. Mr. Griffith noted that he had spoken to Metro COG's legal counsel to advise him on the requested changes to Metro COG's bylaws.

A motion to approve the suggested change of having two MATBUS TTC representatives instead of one transit representative from Fargo and one transit representative from Moorhead was made by Ms. Thompson and seconded by Mr. Rietz. The motion was voted on and unanimously approved.

**2c. Metropolitan Planning Memorandum of Agreement (MOA)(3-C)**

Ms. Bommelman informed the committee that one of the transit's federal requirements is the adoption of a planning Memorandum of Agreement (MOA) between the State Departments of Transportation, the Metropolitan Planning Organization (MPO), and public transportation providers. She explained that the agreement states that these entities agree to cooperatively undertake a continuing and comprehensive transportation planning and programming process (3-C) for the defined metropolitan planning area. She noted that NDDOT and MnDOT have signed a separate MOA designating NDDOT as the lead agency in the administration of the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) planning funds and the overall management of the planning programs of the local MPO.

Ms. Bommelman explained that, with the retirement of the Moorhead Transit Manager, it is suggested the Fargo Transit Director be designated as the public transportation operator to sign the agreement, noting the obligation is to participate in planning efforts within the metropolitan planning area.

A motion to approve the Fargo Transit Director as the public transportation operator's designee to sign the Metropolitan Planning MOA, pending Fargo City Commission approval, was made by Mr. Strand and seconded by Mr. Mastera. The motion was voted on and unanimously approved.

**2d. Budget Adjustment Request to Add Allocated Indirect Costs to New Revenue and Expense Financial Model**

Ms. Thompson informed the committee that the City of Fargo had requested that indirect costs be included as a component of the new transit revenue and expense allocation model. She noted that, with the transition of MATBUS becoming a large urban transit agency, the City of Fargo bears more of the administration costs and that it would be fair for transit member entities including Moorhead and Dilworth, West Fargo, and NDSU be charged for some of the indirect services including Information Services, Human Resources, and nominal support expenses.

Ms. Thompson explained that City of Fargo and City of Moorhead transit and finance staff had developed and reviewed an allocation plan to allocate \$411,455 in indirect costs to member entities based on the administrative rate for each mode as approved in the overall MATBUS Reorganization Study. She stated that by applying the administrative rate to

indirect costs would result in a break down of \$248,322.94 for Fargo, \$115,343.61 for Moorhead and Dilworth, \$24,798.47 for West Fargo, and \$22,989.98 for NDSU.

A motion to approve the budget adjustment request to add allocated indirect costs to the new revenue and expense financial model was made by Ms. Flanagan and seconded by Ms. Bommelman. The motion was voted on and unanimously approved.

### **2e. 2025 Disadvantaged Business Enterprise (DBE) Program**

Mr. Crowell explained that the Federal Transit Administration (FTA) is moving to a two-tiered system for Disadvantaged Business Enterprise (DBE) program compliance for recipients that receive planning, capital, or operating assistance. He stated that City of Fargo Transit is a Tier 1 recipient and receives a cumulative total value of \$670,000 or more in FTA funds per federal fiscal year, excluding transit vehicle purchases. He noted that Tier 1 recipients must have a DBE program that meets all federal requirements and that recipients must upload their updated DBE Program into TrAMS by March 1, 2025, for FTA review.

A motion to authorize MATBUS staff to bring the DBE Program to the Fargo City Commission for approval was made by Mr. Rietz and seconded by Mr. McDougall. The motion was voted on and unanimously approved.

### **2f. Federal Funds Distribution between Fargo and Moorhead**

Ms. Bommelman informed the committee that the City of Fargo and the City of Moorhead had come to an agreement on how to utilize FFY 2024 funds from the Federal Transit Administration (FTA) including Section 5307 (Operating and Capital), Section 5310 (Elderly and Disabled), and Section 5339 (Bus and Bus Facilities). She noted that Moorhead had identified capital projects over the next five years that could swap FFY 2024 operating funds for capital funds. She explained that this draft agreement would be specific to FFY 2024 funds and that the agreement would be adjusted annually to ensure that the swapping of funds is fair and equitable for both cities. She also explained that future appropriations would be considered for programming under the agreement and that capital improvements would be identified annually by the MATBUS Coordination Committee.

A motion to approve the federal transit grant fund distribution agreement pending legal review and to submit it to the Fargo City Commission and Moorhead City Council was made by Ms. Thompson and seconded by Ms. Flanagan. The motion was voted on and unanimously approved.

### **3a. Vehicle Leasing and Insurance Update**

Mr. Smith explained that MATBUS would like to implement a lease agreement with the City of Moorhead for its fixed route fleet. He noted that this would be similar to current MATBUS paratransit services, with vehicles leased to the City of Fargo by the City of Moorhead and the Fargo providing insurance for paratransit vehicles. He stated that MATBUS would gain operational efficiencies and cost savings by consolidating its fixed route bus fleet, just as it has with its paratransit fleet. He also stated that consolidating MATBUS's fixed route fleet would give flexibility to operate any vehicle in the service area instead of buses only being able to operate in Fargo or Moorhead. He concluded by noting that MATBUS had spoken to the North Dakota Insurance Reserve Fund and that they have no concerns over insuring Moorhead fixed route vehicles, but that Fargo does carry a higher \$10,000 deductible compared to Moorhead's \$1,000 deductible.

### **3b. Ridership Update**

Mr. Grittner provided ridership by route and system totals for 2024. He noted that the system total had seen a three percent increase in ridership, from 1,229,421 in 2023 to 1,266,913 in 2024. Among fixed routes, he stated that Route 13 had seen the biggest percentage increase while Route 16 had seen the largest percentage decrease. He also noted strong ridership increases at MSUM, Concordia, M State, and NDSCS.

### **3c. Safety and Security Update**

Mr. Swingen informed the committee that MATBUS staff faced a variety of safety issues in 2024, ranging from public intoxication and disorderly conduct to assault and threats of harm. He noted that MATBUS is continually evaluating safety concerns through regular safety committee meetings and reviewing staff feedback, and that MATBUS would also be looking for input from MATBUS Coordination Committee members on how to better address safety and security needs.

### **3d. 2025 MATBUS Marketing Plan**

Ms. Haak shared items from the 2025 MATBUS Marketing Plan. She noted several goals for 2025 including: focusing on education opportunities, developing a video content library, maintaining a digital marketing presence, engaging with local businesses, and planning for MATBUS' 50<sup>th</sup> anniversary celebration in 2026. She also noted several promotional opportunities and community partnership events.

### **4. Other Business**

Chair White stated that the next MATBUS Coordination Committee meeting would be held Wednesday, February 19 at 9:00 AM.

Chair White adjourned the meeting at 10:20 AM.



# Memorandum

**To:** MATBUS Coordination Committee

**From:** Julie Bommelman, Transit Director

**Date:** February 19, 2025

**RE:** *City of Fargo Transit Department Federal Transit Administration (FTA) Drug and Alcohol Policy Manual*

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In response to the recent FTA drug and alcohol audit, the City of Fargo Transit and City of Fargo Human Resources have updated the FTA Drug and Alcohol Policy Manual that covers employees in the City of Fargo Transit Department who work in safety sensitive positions. Currently, covered employees include:

**Safety Sensitive - Maintenance**

- Equipment Technician I
- Equipment Technician II
- Equipment Technician III
- Inventory Purchasing Supervisor
- Inventory Purchasing Agent
- Maintenance Technician I
- Maintenance Technician II
- Maintenance Technician III
- Fleet Services Attendant
- Fleet Services Attendant Lead
- Transit Intern

**Safety Sensitive Dispatch**

- Fixed Route Dispatcher

**Requested motion:** Authorize staff to bring the FTA Drug and Alcohol Policy Manual to City of Fargo Commission for approval.

POLICY NUMBER 400-008-B

## DRUG AND ALCOHOL POLICY – Federal Transit Administration (FTA)

Effective Date: December 2024

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## I. Purpose of Policy

This policy complies with 49 CFR Part 655, as amended and 49 CFR Part 40, as amended. Copies of Parts 655 and 40 are available in the drug and alcohol program manager's office and can be found on the internet at the Federal Transit Administration (FTA) Drug and Alcohol Program website <http://transit-safety.fta.dot.gov/DrugAndAlcohol/>.

All covered employees are required to submit to drug and alcohol tests as a condition of employment in accordance with 49 CFR Part 655. Adherence to the City of Fargo Drug and Alcohol Policy - FTA is a requirement of each Transit safety-sensitive employee and therefore is a condition of employment.

Portions of this policy are not FTA-mandated but reflect City of Fargo's policy. These additional provisions are identified by **bold and italics text**.

In addition, DOT has published 49 CFR Part 32, implementing the Drug-Free Workplace Act of 1988, which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA.

***All City of Fargo employees are subject to the provisions of the Drug-Free Workplace Act of 1988. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the covered workplace. An employee who is convicted of any criminal drug statute for a violation occurring in the workplace shall notify their supervisor (the designated employer representative) no later than five days after such conviction. The supervisor shall immediately notify the Drug and Alcohol Program Manager (DAPM) and Human Resources about the conviction.***

### **Notifying Transit of Criminal Drug or Alcohol Conviction**

*In accordance with the Drug Free Work Place Act of 1988, any individual covered by this policy who is convicted of any criminal drug statute for a violation occurring on duty, on City of Fargo premises or customer premises, while operating any fleet vehicle shall notify the Designated Employer Representative (DER) or the City of Fargo no later than five days after such conviction. Pursuant to the Federal Drug-Free Workplace Act, the City of Fargo will*



notify the appropriate federal granting or contracting agency, if any, of the conviction within ten (10) days after receiving such notification. Within thirty (30) days after receiving notice from an individual covered by this policy of a drug-related conviction, the City of Fargo, at its sole discretion, will take appropriate personnel action against the individual up to and including termination, or require the individual to satisfactorily participate in a referral, evaluation and treatment program. Failure to comply with this provision shall result in disciplinary action, up to and including termination.

## **II. Covered Employees**

This policy applies to every person, including an applicant or transferee, who performs or will perform a "safety-sensitive function" as defined in Part 655, section 655.4. See Attachment A for a list of covered positions by job title.

You are a covered employee if you perform any of the following:

- Operating a revenue service vehicle, in or out of revenue service
- Operating a non-revenue vehicle requiring a commercial driver's license
- Controlling movement or dispatch of a revenue service vehicle
- Maintaining (including repairs, overhaul and rebuilding) of a revenue service vehicle or equipment used in revenue service
- Carrying a firearm for security purposes

### **Dissemination of this Policy [655.16]**

Each covered employee and representatives of employee organizations shall have a written copy of the City of Fargo policy.

### **Contractors**

Under FTA regulations, the requirements of this policy apply to recipients of FTA assistance as defined in 49 CFR Part 655, as well as other entities that provide mass transportation services or perform safety-sensitive functions for such recipients or entities, including sub-recipients, operators and contractors.

"Contractors" subject to the requirements of the regulations include persons or organizations that provide services for the above described "employer" consistent with a specific understanding or arrangement, which can be evidenced- by a written agreement or an informal arrangement that reflects an ongoing relationship between the parties. As a result, the City of Fargo will ensure that any contractors who perform safety-sensitive functions within the scope of this policy and the regulations certify their compliance with the requirements of 49 CFR Part 655.

### III. Prohibited Behavior

Use of illegal drugs is prohibited at all times. Prohibited drugs include:

- marijuana
- cocaine
- phencyclidine (PCP)
- opioids
- amphetamines

All covered employees are prohibited from performing or continuing to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater.

All covered employees are prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. If the on-call employee claims the ability to perform his or her safety-sensitive function, he or she must take an alcohol test with a result of less than 0.02 prior to performance.

***No discipline will be taken against any on-call employee who acknowledges his/her violation of this prohibition, unless such conduct has the effect of making that employee repeatedly unavailable for duty.***

All covered employees are prohibited from consuming alcohol within four (4) hours prior to the performance of safety-sensitive job functions.

All covered employees required to take a post-accident test are prohibited from consuming alcohol for eight (8) hours following involvement in an accident or until he or she submits to the post-accident drug and alcohol test, whichever occurs first.

### IV. Consequences for Violations

Following a positive drug or alcohol (BAC at or above 0.04) test result or test refusal, the employee will be immediately removed from safety-sensitive duty and provided with contact information for Substance Abuse Professionals (SAPs).

Following a BAC of 0.02 or greater, but less than 0.04, the employee will be immediately removed from safety-sensitive duties until the start of their next regularly scheduled duty period (but for not less than eight hours) unless a retest results in the employee's alcohol concentration being less than 0.02.

### Treatment/Discipline

Per City of Fargo policy, any employee who tests positive for drugs or alcohol (BAC at or above 0.04) or refuses to test will be disqualified from performing a safety-sensitive function, will be subject to discipline under City of Fargo disciplinary, and referred to the SAP.

## ***Applicants***

*An individual who tests positive on a pre-employment test for a prohibited drug will not be hired for a covered function. An applicant who completes the return-to-duty process on their own may be eligible for future employment*

## ***Other Consequences***

*The following consequences are imposed by the City of Fargo under independent authority.*

### ***A. Termination of Employment***

- 1. City of Fargo will not guarantee reinstatement of an employee who has been removed from safety-sensitive functions after engaging in prohibited conduct, even when that employee is involved and cooperating in DOT's return-to-duty process. City of Fargo reserves the right to withhold a final decision regarding reinstatement until after results of a Return-to-Duty test have been received.*
- 2. An employee who engages in prohibited conduct a second time will be terminated from employment.*
- 3. An employee who tests positive for controlled substances or whose test indicates alcohol concentration of 0.04 or greater following a fatal accident will, be immediately removed from service, and, under the City's independent authority, will be terminated from employment.*
- 4. An employee who is convicted of driving under the influence of controlled substances and/or alcohol while on duty will be immediately terminated from employment.*
- 5. An employee who refuses to submit to required testing for alcohol and/or controlled substances will be considered to have voluntarily resigned.*
- 6. The services of any non-employee (a contract driver, or independent owner-operator) who engages in prohibited conduct will be immediately discontinued.*

7. *An employee who provides two alcohol test results that are greater than 0.02 but below 0.04, and whose employment is not terminated as provided herein, will be terminated from employment if he/she refuses to be assessed by our EAP, or refuses to sign a release of information for the City to receive assessment results, or refuses to participate in or complete a program of rehabilitation or treatment recommended by the EAP counselor.*
8. *When an employee has not reported to a scheduled SAP appointment or made an appointment within three working days after receiving the SAP's name and phone number, the City will no longer continue to hold the employee's position open and will consider the employee to have voluntarily resigned.*
9. *If a SAP reports that an employee is not cooperating, or has dropped out of the program, the City will consider that the employee has voluntarily resigned and will take steps to replace the employee.*
10. *When it is discovered that an employee provided false information regarding previous test results on pre-employment test, or when other information on the application has been falsified, the employee will be immediately terminated.*

**B. Suspended Status**

1. *When an employee's alcohol test result is above 0.02 but less than 0.04, the employee will be removed from safety-sensitive functions for 24 hours. Under independent authority, the City considers this to be unpaid suspension.*
2. *When an employee is using a prescription medication and provides no written notice or authorization from a licensed medical practitioner advising that the employee may continue to safely operate a Commercial Motor Vehicle while using the medication, city of Fargo reserves the right to place the employee on unpaid suspension until such information is received by the City's Safety Manager or Director of Human Resources, or until the medication is no longer required.*
3. *An employee who is charged by any governmental authority with driving under the influence of controlled substances and/or alcohol while on duty will be placed on unpaid suspension, pending resolution of the charge.*

**C. Employee Costs for Testing**

*The cost of a follow-up test, or a retest, as specified in this policy, is to be borne by the employee.*

**D. Additional Testing for Drugs and Alcohol**

*An employee will be required to submit to a non-DOT test for reasonable suspicion in those circumstances when the employee is suspected of drug or alcohol use, or has violated a work rule as stated elsewhere in the City of Fargo's policies, or is involved in or may have contributed to the cause of an accident, or causes injury to him/herself or to another person, when the circumstances related to that incident do not meet the requirements of a DOT test.*

## **V. Circumstances for Testing**

### **Pre-Employment Testing**

A negative pre-employment drug test result is required before an employee can first perform safety-sensitive functions. If a pre-employment test is cancelled, the individual will be required to undergo another test and successfully pass with a verified negative result before performing safety-sensitive functions.

If a covered employee has not performed a safety-sensitive function for 90 or more consecutive calendar days and has not been in the random testing pool during that time, the employee must take and pass a pre-employment test before he or she can return to a safety-sensitive function.

A covered employee or applicant who has previously failed or refused a DOT drug and/or alcohol test must provide proof of having successfully completed a referral, evaluation, and treatment plan meeting DOT requirements.

An employee may not transfer from a non-safety sensitive position to a safety-sensitive position until the employee takes an FTA pre-employment drug test with a verified negative result.

### **Leave of Absences**

The City of Fargo chooses to keep employees on a leave of absence in the random testing pool. In the case of an extenuating circumstance the following applies:

In instances where an individual employment status has changed, (example: temporary layoff, leave of absence, lost time worker compensation claim, etc.) and the employee has been taken out of the random pool for 90 consecutive days, then a DOT pre-employment drug test with a verified negative result is required prior to performing a safety-sensitive task.

In instances where a person is on temporary leave, less than 30 days, (example: vacation, time off for sickness, jury duty, etc.) and the employee has not been taken out of the random pool, then a pre-employment test is not required prior to returning to a safety-sensitive position.

## **Reasonable Suspicion Testing**

All covered employees shall be subject to a drug and/or alcohol test when City of Fargo has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. A reasonable suspicion referral for testing will be made by a trained supervisor or other trained company official on the basis of specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee.

Covered employees may be subject to reasonable suspicion drug testing any time while on duty. Covered employees may be subject to reasonable suspicion alcohol testing while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions.

*In any reasonable suspicion testing circumstance, a City of Fargo representative will transport the individual to an appropriate collection facility and await the completion of the collection procedure. The City of Fargo representative will then transport the individual back to City of Fargo's premises, where a spouse, family member or other individual will be contacted to transport the individual home. In the event no such individual is available, the City of Fargo will contact a taxi to transport the employee home. If the reasonable suspicion result is negative, the City of Fargo will reimburse the employee for the cost of the taxi. If the employee refuses to comply with any of these procedures and attempts to operate his/her own vehicle, the City of Fargo will take appropriate efforts to discourage him from doing so, up to and including contacting local law enforcement officials. Any employee failing to cooperate with any of the above procedures will be subject to discipline, up to and including termination of employment.*

*The City of Fargo will not take any disciplinary action against a covered employee based solely upon observations of the employee's behavior and appearance, with respect to alcohol use, in the absence of an alcohol test, unless the employee has refused to submit to a requested test.*

*An employee who is required to submit to a controlled substance and/or alcohol test of this policy shall not be assigned to operate any City of Fargo vehicle and/or perform safety sensitive functions pending the outcome of such test. The City of Fargo may, at its option, assign such employee to available non-safety sensitive duties or place him/her on temporary suspension.*

*An employee whose controlled substance and/or alcohol test produces a negative result shall be promptly returned to his or her former work. Under no circumstances will an employee be made whole for any lost wages on a negative result if he or she is suspended for any additional purposes concurrently with the waiting of the outcome of his or her results. However, an employee not suspended for additional purposes shall be made whole for any lost wages on a negative result.*

*An employee whose alcohol or controlled substance confirmatory test produces a positive result shall not be made whole for any wages lost while suspended.*

A Reasonable Suspicion - Decision Maker Guide can be found in the appendices.

### **Post-Accident Testing**

Covered employees shall be subject to post-accident drug and alcohol testing under the following circumstances:

#### **Fatal Accidents**

As soon as practicable following an accident involving the loss of a human life, drug and alcohol tests will be conducted on each surviving covered employee operating the public transportation vehicle at the time of the accident. In addition, any other covered employee whose performance could have contributed to the accident, as determined by City of Fargo using the best information available at the time of the decision, will be tested.

#### **Non-fatal Accidents**

As soon as practicable following an accident not involving the loss of a human life, drug and alcohol tests will be conducted on each covered employee operating the public transportation vehicle at the time of the accident if at least one of the following conditions is met:

1. The accident results in injuries requiring immediate medical treatment away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident.
2. One or more vehicles incurs disabling damage and must be towed away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident.
3. The vehicle is a rail car, trolley car or bus, or vessel, and is removed from operation, unless the covered employee can be completely discounted as a contributing factor to the accident.

In addition, any other covered employee whose performance could have contributed to the accident, as determined by City of Fargo using the best information available at the time of the decision, will be tested.

A covered employee subject to post-accident testing must remain readily available, or it is considered a refusal to test. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

### **Post Accident Decision Making**

The decision to administer or not administer a drug and alcohol post-accident test under this section shall be based upon the City of Fargo's determination, using the best information at the time of the accident. Such a decision must be documented in detail, including the decision-making process used to reach the decision to test or not to test. At the City of Fargo we will use the post-accident substance abuse testing decision maker, found in Appendix 2 to make our decision to test or not to test and to document the file.

A Post Accident - Decision Maker Guide can be found in the appendices.

### **Random Testing**

Random drug and alcohol tests are unannounced and unpredictable, and the dates for administering random tests are spread reasonably throughout the calendar year. Random testing will be conducted at all times of the day when safety-sensitive functions are performed. Random testing will be conducted on all days when safety sensitive functions are performed to ensure testing is spread reasonably throughout the year.

Testing rates will meet or exceed the minimum annual percentage rate set each year by the FTA administrator. The current year testing rates can be viewed online at [www.transportation.gov/odapc/random-testing-rates](http://www.transportation.gov/odapc/random-testing-rates).

The selection of employees for random drug and alcohol testing will be made by a scientifically valid method, such as a random number table or a computer-based random number generator. Under the selection process used, each covered employee will have an equal chance of being tested each time selections are made.

A covered employee may only be randomly tested for alcohol misuse while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions. A covered employee may be randomly tested for prohibited drug use anytime while on duty.



Each covered employee who is notified of selection for random drug or random alcohol testing must immediately proceed to the designated testing site.

### **Return to Duty Testing**

The City of Fargo will decide, at its discretion, after reviewing SAP recommendation and employee treatment history, whether or not to return the employee to safety-sensitive work assignments. The SAP reports must be kept on file for five years.

Any employee who is allowed to return to safety-sensitive duty after failing or refusing to submit to a DOT drug and/or alcohol test must first be evaluated by a substance abuse professional (SAP), complete a SAP-required program of education and/or treatment, and provide a negative return-to-duty drug test result and/or an alcohol test result of less than 0.02. Any return-to-duty drug testing will be directly observed. All tests will be conducted in accordance with 49 CFR Part 40, Subpart O.

### **Follow-up Testing**

Employees returning to safety-sensitive duty following a return-to-duty test will be required to undergo unannounced follow-up alcohol and/or drug testing for a period of one (1) to five (5) years, as directed by the SAP. The duration of testing will be extended to account for any subsequent leaves of absence, as necessary. The type (drug and/or alcohol), number, and frequency of such follow-up testing shall be directed by the SAP.

A covered employee may only be subject to follow-up alcohol testing while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions. A covered employee may be subject to follow-up drug testing anytime while on duty. All follow-up drug tests will be directly observed. All testing will be conducted in accordance with 49 CFR Part 40, Subpart O.

### **Notification**

See Appendix C for notification of testing.

## **VI. Testing Procedures**

All FTA drug and alcohol testing will be conducted in accordance with 49 CFR Part 40, as amended.

### **Dilute Urine Specimen**

If there is a negative dilute test result, City of Fargo will conduct one additional retest. The result of the second test will be the test of record.

Dilute negative results with a creatinine level greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL require an immediate recollection under direct observation (see 49 CFR Part 40, section 40.67).

### **Split Specimen Test**

In the event of a verified positive test result, or a verified adulterated or substituted result, the employee can request that the split specimen be tested at a second laboratory. City of Fargo guarantees that the split specimen test will be conducted in a timely fashion. The employee is responsible for the costs of the split specimen testing.

## **VII. Test Refusals**

As a covered employee, you have refused to test if you:

1. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by City of Fargo.
2. Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
3. Fail to provide a specimen for a drug or alcohol test. An employee who does not provide a specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
4. In the case of a directly observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
5. Fail to provide a sufficient specimen for a drug or alcohol test without a valid medical explanation.
6. Fail or decline to take a second drug test as directed by the collector or City of Fargo.
7. Fail to undergo a medical evaluation as required by the MRO or City of Fargo's Designated Employer Representative (DER).
8. Fail to cooperate with any part of the testing process.
9. Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly observed urine drug test.
10. Possess or wear a prosthetic or other device used to tamper with the collection process.
11. Admit to the adulteration or substitution of a specimen to the collector or MRO.
12. Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
13. Fail to remain readily available following an accident.

As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

As a covered employee, if you refuse to take a drug and/or alcohol test, you incur the same consequences as testing positive and will be immediately removed from performing safety-sensitive functions and provided with contact information for SAPs.

## **VIII. Voluntary Self-Referral**

**Any employee who has a drug and/or alcohol abuse problem and has not been notified of the requirement to submit to reasonable suspicion, random or post-accident testing or has not refused a drug or alcohol test may voluntarily refer her or himself to their Human Resources Manager, who will refer the individual to a substance abuse counselor for evaluation and treatment.**

The substance abuse counselor will evaluate the employee and make a specific recommendation regarding the appropriate treatment. Employees are encouraged to voluntarily seek professional substance abuse assistance before any substance use or dependence affects job performance.

Any safety-sensitive employee who admits to a drug and/or alcohol problem will immediately be removed from his/her safety-sensitive function and will not be allowed to perform such function until successful completion of a prescribed rehabilitation program.

*An employee who voluntarily (not in response to a City of Fargo request to take a controlled substance abuse/alcohol test or the positive result of a controlled substance abuse/alcohol test) admits to management that he or she has a controlled substance abuse/alcohol problem, and who wishes to submit to a Rehabilitation Program, must sign a release and agreement of rehabilitation, and will be subject to the following:*

1. *The employee shall be placed on unpaid medical leave until:
  - a. *He or she presents evidence of having enrolled in and successfully completed at his or her own expense, a rehabilitation program approved by the City of Fargo, and:*
  - b. *He or she submits to a return to duty controlled substance and alcohol test at his or her own expense which produces a negative result, and:*
  - c. *He or she signs the City of Fargo's Post – Rehabilitation Return to Work Agreement.**
2. *An employee placed on rehabilitation leave as provided in paragraph (D) of this section must satisfy the provisions of sub-paragraphs a, b, and c of that paragraph no later than 12 weeks from the commencement of this personal leave. An employee failing to do so shall be deemed to have abandoned his or her job. Any employee who is returned to work as provided in this section of the policy and who fails to comply with any of the terms of the Rehabilitation Agreement will be discharged. In addition to the removal*

*from safety-sensitive functions required by Federal Transit Administration Regulations, the City of Fargo will follow the City's disciplinary guide which calls for unpaid suspension and referral to EAP a second offense is discharge.*

## **IX. Prescription Drug Use**

The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to either their supervisor or HR manager. Medical advice should be sought, as appropriate, while taking such medication and before performing safety-sensitive duties.

An individual will be allowed to list on the back of the donor copy of the Urine Custody and Control Form, any prescribed medication that he/she may be taking or may have recently taken. The individual will have the opportunity to discuss the use of the medication with the physician prescribing the medication and to authorize the City of Fargo's medical review officer to communicate with that physician about the medication, its possible side effects, the condition requiring the taking of the medication and their relationship to the individual's ability to safely perform his/her job.

In the event it is determined by the MRO that an employee is taking or is under the influence of a prescribed medication that will pose a direct threat of harm to the safety and health of the employee, his/her co-workers and/or the general public, the employee may be placed on a medical leave of absence until that threat is acceptably reduced or eliminated.

## **X. CONFIDENTIALITY AND RECORDKEEPING**

Access to Facilities and Records [Part 40.37]

Upon written request by any covered employee, the City of Fargo will promptly provide copies of any records pertaining to the employee's use of alcohol or drugs, including any records pertaining to his or her alcohol or drug tests. Access to a covered employee's records will not be contingent upon payment for the records other than those specifically requested. Employees are prohibited from accessing certain records such as testing plans and SAP provided follow-up testing plans.

## **XI. EMPLOYEE ASSISTANCE PROGRAM/SUBSTANCE ABUSE PROFESSIONAL**

### **A. Employee Education**

The City of Fargo will provide employees subject to this policy with education materials explaining the requirements of the Federal Transit Administration drug and alcohol regulations and the City of Fargo policies and procedures for meeting them. In addition, employees will be provided with information concerning the effects of drug use and alcohol misuse on an individual's health, work, and personal life; signs and symptoms of an alcohol or drug problem (the employee's or a co-worker's); and available methods of intervening when an alcohol or drug problem (the employee's or a co-worker's); and available methods of intervening when an alcohol or drug problem is suspected, including confrontation, referral to any employee assistance program and/or referral to management. This information will include the following:

- Display and distribution of information material
- Display and distribution of a community service hot-line telephone number for employee assistance.

Covered employees will receive at least 60 minutes of training on the effects and consequences of prohibited drug use on personal health, safety and the work environment and on the signs and symptoms which may indicate prohibited drug use.

Copies of the above materials and this policy will be distributed to each covered employee prior to the start of alcohol and drug testing required herein and to each employee subsequently hired or transferred into a position requiring the performance of a safety-sensitive function covered by this policy. Each employee who receives a copy of these materials will be required to sign a statement certifying that he or she has received a copy of the same. The City of Fargo will retain the original of the signed certificate and will provide a copy to the employee, if requested. The City of Fargo will also provide written notice to representatives of employee organizations as to the availability of this information, if applicable.

Any questions about the requirements of this policy should be directed to the program contact individual listed.

### **Supervisory Training**

Any individual designated to determine whether reasonable suspicion exists to require a covered employee to undergo a drug or alcohol test under this policy will be required to receive at least 60 minutes of training on alcohol misuse and 60 minutes of training on drug use. This training will cover the physical, behavioral, speech and performance indicators of probable alcohol misuse and prohibited drug use.



## **B. Referral, Evaluation and Treatment**

Procedures for referral of covered employees, including applicants, with a positive test result or an alcohol concentration of 0.04 or greater [49 CFR Part 40] & [655.62].

### 1. Available Resources

Any employee who engages in conduct prohibited by this policy will be provided with information about the resources available for evaluating and resolving problems associated with the misuse of alcohol or prohibited drug use, including the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs.

### 2. Substance Abuse Evaluation

*Although an employee's employment with the City of Fargo may be terminated for a violation of this policy, employees will be advised to undergo an evaluation by an appropriate substance abuse professional, who will determine what, if any, assistance the employee may need in resolving problems associated with alcohol misuse and/or prohibited drug use. This requirement will apply regardless of whether such conduct is discovered as a result of a positive drug or alcohol test, independent employer knowledge or a voluntary admission by the employee. The referral, evaluation and rehabilitation requirements outlined above do not apply to applicants who refuse to submit to or test positive in a pre-employment drug test.*

## **XII. Contact Person**

For questions about City of Fargo's anti-drug and alcohol misuse program, contact Luke Lindberg, Safety Manager and Drug and Alcohol Program Manager (DAPM).

## **XIII. Safety Sensitive Covered Positions - Transit**

### **Safety Sensitive - Maintenance**

- Equipment Technician I
- Equipment Technician II
- Equipment Technician III
- Inventory Purchasing Supervisor
- Inventory Purchasing Agent
- Maintenance Technician I
- Maintenance Technician II
- Maintenance Technician III
- Fleet Services Attendant
- Fleet Services Attendant Lead
- Transit Intern

**Safety Sensitive Dispatch**  
Fixed Route Dispatcher

**Original Approval Date: 06/99**  
**Original Issue Date: 06/99**

**Revision Effective Dates: 9/06, 11/09, 7/12, 05/18**



## APPENDIX A:

### City of Fargo Contact, Lab, Collection site and MRO Information (note: Contractor for Transit Services may have different information; this will be outlined in their Drug & Alcohol Program)

Employee Contact: Luke Lindberg  
Safety Manager  
701-241-1509  
701-730-8878

Collection Site: Essentia Health  
1100 19<sup>th</sup> Ave. N.  
Fargo, ND 58102  
701-364-5757

Laboratory: MedTox Laboratories  
402 W County Road D  
St. Paul, MN 55112  
800-832-3244

Secondary Laboratory: LabOne  
10101 Renner Blvd  
Lenexa, KS 66219  
800-728-4064

MRO: Dr. Fernando Proano  
Advanced Drug Testing  
1502 13th Ave West, Suite 201  
Williston, ND 58801-3825  
Phone: 701-577-0498  
Fax: 701-577-0708  
Toll Free: 877-537-7588

SAP #1: Dina Goodman  
600 22nd Avenue NW Suite 4  
Minot, ND 58703  
(701) 852-3869  
Website: <https://www.goodmanaddictionservices.com/>

SAP #2: Victoria Hart Anderson  
819 30th Ave. S. Ste. 206A  
Moorhead, MN 56560  
(320) 403-1784

SAP #3: The Village Employee Assistance Program provides SAP Network  
1201 25th Street South  
Fargo, ND 58103  
1-800-627-8220

**Drug and Alcohol Abuse Help Lines**  
**VBI: City of Fargo EAP provider 1-800-627-8220**

Alcoholics Anonymous: 701-235-7335  
Narcotics Anonymous: 701-234-9330

**APPENDIX B:**

**Post Rehabilitation Return to Work Agreement**

1. I understand that my previous job performance warrants close supervision for an extended period of time upon my return to work and I will accept such supervision as a constructive part of my recovery.
2. I understand that upon my return to work, I must meet all established standards of conduct and job performance and that I will be subject to the City's disciplinary schedule for any failure to meet those standards.
3. I understand that I will be subject to random controlled substance testing as set by my Substance Abuse Professional. The City will not pay the cost of such follow-up testing.
4. I agree that I shall cooperate fully with all requests concerning controlled substance and alcohol testing. Failure to do so will result in disciplinary action.

I understand and agree that my leave of absence, reinstatement, and continued employment are contingent upon satisfying all of the above rules and conditions of employment and that my failure to do so subjects me to discipline, up to and including termination.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Supervisor \_\_\_\_\_

DAPM \_\_\_\_\_

## **APPENDIX C:**

### **NOTIFICATION OF TESTING**

The drug and alcohol testing conducted under this policy is required by Federal Transit Administration regulations (49 CFR Part 655 & US DOT Regulation 49 CFR Part 40). A verified positive result in and/or the failure or refusal to submit to this test will disqualify you from the performance of safety-sensitive functions of the City of Fargo Transit and may subject you to such other action as outlined by the City of Fargo policy.

## APPENDIX D:

### FTA Post-Accident Drug and Alcohol Testing Decision Making Form

Note: Accident does not necessarily mean collision. If an individual falls on a vehicle and needs to be taken to the hospital, an accident has occurred and a post-accident test is required unless the driver can be discounted as a contributing factor. (Spring 1996, FTA D & A Updates, p. 5)

The Federal Transit Administration (FTA) drug and alcohol testing regulation (49 CFR Part 655) requires that safety-sensitive employees involved in a public transportation vehicle accident (as defined at 655.4 & 655.44) submit to tests for alcohol misuse and prohibited drug use as soon as possible following the accident. Part 655 also requires the testing of any other safety-sensitive employee whose performance could have contributed to the accident, as determined by the employer at the scene using the best information available at the time of the decision.

#### Accident Information:

Date of Accident: \_\_\_\_\_ Time of Accident: \_\_\_\_\_ AM/PM

Employee Name: \_\_\_\_\_ Employee ID/SSN: \_\_\_\_\_

#### Decision Questions:

- Was there a fatality?  
\_\_\_\_\_ YES (FTA drug and alcohol tests are REQUIRED) \_\_\_\_\_ NO
  
- If there was NO fatality, answer the following questions:
  1. Has any individual suffered a bodily injury and immediately received medical treatment away from the scene of the accident? \_\_\_\_\_ YES \_\_\_\_\_ NO
  2. Was there any disabling damage to any vehicle involved in the accident, requiring the vehicle to be towed away from the scene? \_\_\_\_\_ YES \_\_\_\_\_ NO
  3. Was the vehicle (if rail car, trolley car, trolley bus, or vessel) removed from operation?  
Was there disabling damage to any of the involved vehicles? \_\_\_\_\_ YES \_\_\_\_\_ NO

Disabling damage means damage which precludes the departure of any vehicle from leaving the scene of the occurrence in its usual manner in daylight after simple repairs; or damage to any vehicle that could have been operated but which would have further damaged the vehicle if so operated. Disabling damage does not include damage that could be remedied temporarily at the scene of the occurrence without special tools or parts; tire disablement even if no spare tire is available; or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

If you answered yes to any of these three questions, can you completely discount the performance of the operator of the public transportation vehicle as a contributing factor to the accident?

NO (FTA drug and alcohol tests are REQUIRED)

YES, Explain: \_\_\_\_\_

(If you answered YES, FTA drug and alcohol tests are PROHIBITED)

- Other than the operator, could the performance of any other safety-sensitive employee have contributed to the accident, using the best information available?

NO

YES, Explain: \_\_\_\_\_

(If YES, make arrangements to immediately post-accident test that employee)

Did You Decide to Perform a Drug or Alcohol Test?

\_\_\_\_\_ YES (Complete page 2 of this form)      \_\_\_\_\_ NO (No further action required)

Time of Decision to Conduct a DOT/FTA Post-Accident Test: \_\_\_\_\_ AM/PM

Testing Information:

Collection Site Location: \_\_\_\_\_ Time Arrived: \_\_\_\_\_ AM/PM

1. Was the alcohol test performed within 2 hours of the time of the accident?

YES \_\_\_\_\_

NO, \_\_\_\_\_ Explain: \_\_\_\_\_

2. Was the alcohol test performed within 8 hours of the time of the accident?

YES \_\_\_\_\_

NO, \_\_\_\_\_ Explain: \_\_\_\_\_

If the alcohol test is not conducted within 8 hours cease all efforts to administer the test.

3. Was the drug test performed within 32 hours of the time of the accident?

YES \_\_\_\_\_

NO, \_\_\_\_\_ Explain: \_\_\_\_\_

\_\_\_\_\_

If the drug test is not conducted within 32 hours cease all efforts to administer the test.

The above documentation was provided by:

Supervisor Name: \_\_\_\_\_ Phone No: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **APPENDIX E:**

### **MINIMUM ANNUAL PERCENTAGES FOR RANDOM DRUG AND ALCOHOL TESTING**

The annual random testing rates for drugs and alcohol are determined separately based on the industry wide positive rate for the preceding two-consecutive year period based on annual MIS reports submitted by covered employers and in accordance with 49 CFR Part 655. Rates for future years will be announced each year with the rates dependent on industry-wide experience rates. If changes occur, they will be noted in this section.

#### Drugs

The annual percentage of covered employees that need to be tested on an annual basis is 50%.

#### Alcohol

The annual percentage of covered employees that need to be tested on an annual basis is 10%. (The 10% annual percentage of covered employees that need to be tested is a change and a reduction from 25%. The change occurred on 1/6/1998, Federal Register vol. 63, No. 3, page 418 & 419).



**APPENDIX F:**

**City of Fargo**

**Reasonable Suspicion Determination Report**

Employee Name: \_\_\_\_\_ Employee ID/SSN: \_\_\_\_\_

Date/Time of Observation: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ AM/PM \_\_\_\_\_

Date/Time of Determination to Test: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ AM/PM \_\_\_\_\_

Observed Indicators of Prohibited Drug Use/Alcohol Misuse

*Reasonable Suspicion determinations must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odor of the safety-sensitive employee.*

Check all indicators observed:

Physical Indicators

- Bloodshot or watery eyes
- Flushed or very pale complexion
- Extensive sweating/skin clamminess
- Dilated or constricted pupils
- Disheveled clothing/unkept grooming
- Unfocused, blank stare
- Runny or bleeding nose
- Jerky eye movement
- Body odor

Behavioral Indicators

- Fidgety/agitated
- Irregular breathing
- Nausea/vomiting
- Slow reactions
- Unstable walking
- Poor coordination
- Hand tremors
- Suspicious, paranoid
- Depressed, withdrawn
- Lackadaisical attitude
- Irritable, moody
- Extreme fatigue

Speech Indicators

- Slurred or slowed speech
- Loud, boisterous
- Incoherent, nonsensical
- Repetitious, rambling
- Rapid, pressured
- Excessive talkativeness
- Exaggerated enunciation
- Cursing, inappropriate speech
- Inability to concentrate
- Impulsive, unusual risk-taking
- Delayed decision-making
- Reduced alertness

Written Summary

Summarize the facts and circumstances surrounding the incident. Attach additional sheets as needed.

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Testing Information:

Collection Site Location: \_\_\_\_\_

Time Arrived: \_\_\_\_\_ AM/PM

1. Was the alcohol test performed within 2 hours of the reasonable suspicion determination?

YES \_\_\_\_\_

NO, \_\_\_\_\_ Explain: \_\_\_\_\_

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2. Was the alcohol test performed within 8 hours of the reasonable suspicion determination?

YES \_\_\_\_\_

NO, \_\_\_\_\_ Explain: \_\_\_\_\_

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If the alcohol test is not conducted within 8 hours cease all efforts to administer the test.

*The above documentation of the observed physical, behavioral, and performance indicators of the named employee was provided by:*

Supervisor Name: \_\_\_\_\_ Phone No: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Memorandum

**To:** MATBUS Coordination Committee

**From:** Cole Swingen, Assistant Transit Director - Operations

**Date:** February 19, 2025

**RE:** *LinkFM Update and Recommendation*



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LinkFM is a bus route that has provided episodic bus service to community events since 2020. These pre-approved events have primarily been held in the Downtown Fargo-Moorhead area, but also include the Trollwood Mainstage Musical and Pride in the Park events at the Bluestem Amphitheater in Moorhead. LinkFM was initially intended as a solution to the limited availability of parking in downtown Fargo, with the former Moorhead Center Mall parking lot being utilized as a park and ride location.

Over the past few years, multiple parking ramps have been constructed in the Downtown Fargo area, which has eliminated much of the demand for the service. The demolition of the Moorhead Center Mall has greatly reduced the site's parking capacity. Also, this year, LinkFM will no longer have the ability to service the Trollwood Mainstage Musical, due to MATBUS operating hours ending at 10:15pm (approved June 2024). These changes have led MATBUS staff to recommend the elimination of LinkFM.

MATBUS staff have been in contact with Mike Rietz and other City of Moorhead staff to determine the feasibility of utilizing the former Moorhead Center Mall parking lot in 2025. Currently, use of the north parking lot is dependent on snow cover. It is no longer being maintained or plowed. Once construction season begins, the parking lot will no longer be available and 3<sup>rd</sup> St N will be closed intermittently, cutting off access to the parking ramp.

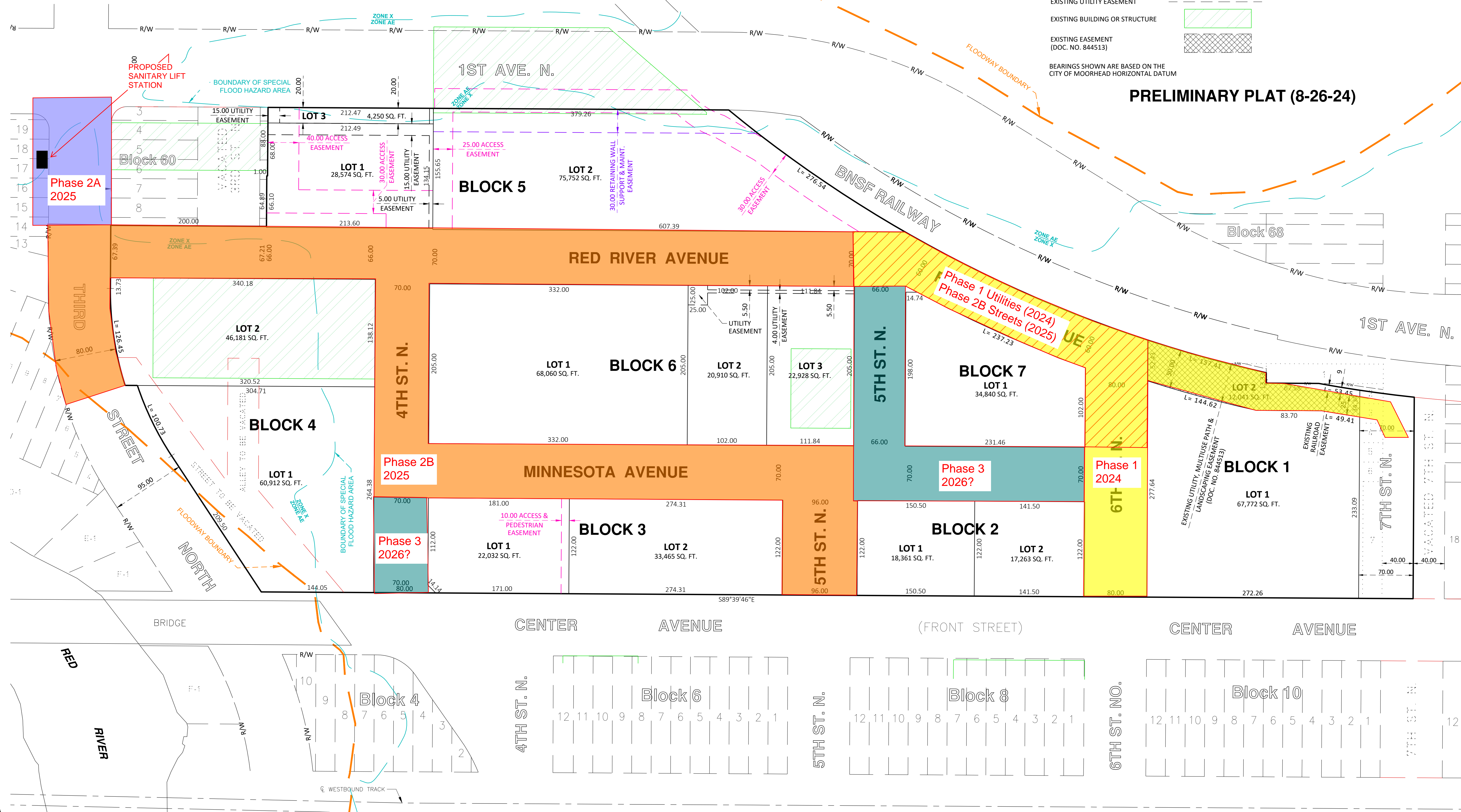
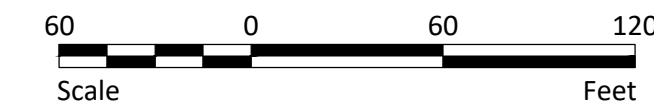
The elimination of the route is expected to reduce MATBUS expenses by roughly \$9,372. Cost savings will be distributed through the previously approved MATBUS Cost Allocation Spreadsheet.

**Requested Motion:** Approve the elimination of LinkFM for the remainder of 2025 and all subsequent years.

# PHASING PLAN - UPDATED 9-4-24 DOWNTOWN MOORHEAD REDEVELOPMENT PROJECT

**LEGEND**

- IRON MONUMENT FOUND
- 1/2" I.D. PIPE SET
- MEASURED BEARING
- PLAT OR RECORD BEARING
- MEASURED DISTANCE
- PLAT OR RECORD DISTANCE
- PLAT BOUNDARY
- NEW LOT LINE
- NEW UTILITY EASEMENT
- EXISTING PLATTED LOT LINE
- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY LINE
- EXISTING UTILITY EASEMENT
- EXISTING BUILDING OR STRUCTURE
- EXISTING EASEMENT (DOC. NO. 844513)
- BEARINGS SHOWN ARE BASED ON THE CITY OF MOORHEAD HORIZONTAL DATUM



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# Memorandum

**To:** MAÏBUS Coordination Committee

**From:** Jordan Smith, Assistant Transit Director – Fleet and Facilities

**Date:** February 19, 2025

**RE:** *90-Minute Transfer Policy*



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Our current transfer policy allows a rider to pay a fare and receive a transfer ticket valid for 90 minutes. This transfer ticket can be utilized to board a different bus or route to get to their destination. Once the 90 minutes have expired, the rider is required to pay another fare, at which point they would also receive another transfer.

We have three different methods of paying a fare and receiving a transfer. A cash paying customer would receive a printed transfer ticket from the farebox on the bus. The Genfare Link account-based ticketing system calculates transfers for riders paying with their connect card and riders utilizing their mobile devices receive a mobile transfer ticket for each fare paid.

Unfortunately for our riders, the three different methods of receiving a transfer are not all treated equally. The paper transfer ticket and the connect card are currently set up to have limitations on what bus or route you can use a transfer. However, this is not the case with mobile ticketing. We are not able to configure these same restrictions on the mobile ticketing platform. The paper transfer tickets and the connect card do not allow riders to board the same route traveling in either the same direction or different direction. These restrictions have created issues for our riders who may have a destination that is only serviced by a single route.

We are proposing to eliminate these restrictions on the paper transfer ticket and the connect card. By eliminating these restrictions, the transfer ticket would be good for travelling on the system for 90 minutes, regardless of what routes you take. The negative impact is the potential for riders to pay a fare, get to their destination, perform their task and return home while only paying a single fare. The current policy would not allow this as they would have to pay an additional fare to get back on the same route. Although this instance may happen from time to time, we do not predict this to have a noticeable impact on our fare revenues.

**Requested Motion:** Approve the elimination of restrictions on the 90 minute transfer.

# Memorandum



**To:** MATBUS Coordination Committee  
**From:** Cole Swingen, Assistant Transit Director - Operations  
**Date:** February 19, 2025  
**RE:** *Real Time Passenger Information Pilot Program*

In summer 2024, MATBUS transitioned to a new fixed route bus software (GMV Synchronatics) in order to provide more accurate real-time information to passengers and to streamline transit dispatching operations. One optional module this software offers is the ability to provide passengers with a phone number that they can either call or text, where they can provide the unique number at their bus stop to get real-time information on when their next bus will arrive.

MATBUS staff would like to propose pursuing a pilot program with this real-time passenger information to gauge passenger interest and estimate the financial impact to the transit system. The initial setup cost and estimated yearly service fees are as follows:

Real Time Passenger Information - IVR/SMS				
LN	Item Description	Qty	Unit Cost	Subtotal
	SMS (text) Provisioning fee	1	1,925	1,925
	IVR (voice) Provisioning Fee	1	1,800	1,800
<b>Total, Capital</b>				<b>3,725</b>
	Annual Service Fee, SMS usage -- includes 3,000 texts per month (36K per year), additional messages are billed monthly and charged based on actual usage (\$.025 each)	1	1,250	1,250
	Annual Service Fee, IVR usage	1	928	928
<b>Total, Annual</b>				<b>2,178</b>

Additionally small signs will need to be purchased for each pilot program bus stop. These signs are expected to cost approximately \$20.00 each.

**Example Sign from Minneapolis Metro Transit:**



**Requested Motion:** Allow MATBUS staff to implement a pilot program in 2025 and test the real-time passenger information technology on 20 highly utilized bus stops throughout the service area to determine SMS usage if the technology is expanded to the whole system.

# Memorandum



**To:** MATBUS Coordination Committee

**From:** Luke Grittner, Transit Planner - MATBUS

**Date:** February 19, 2025

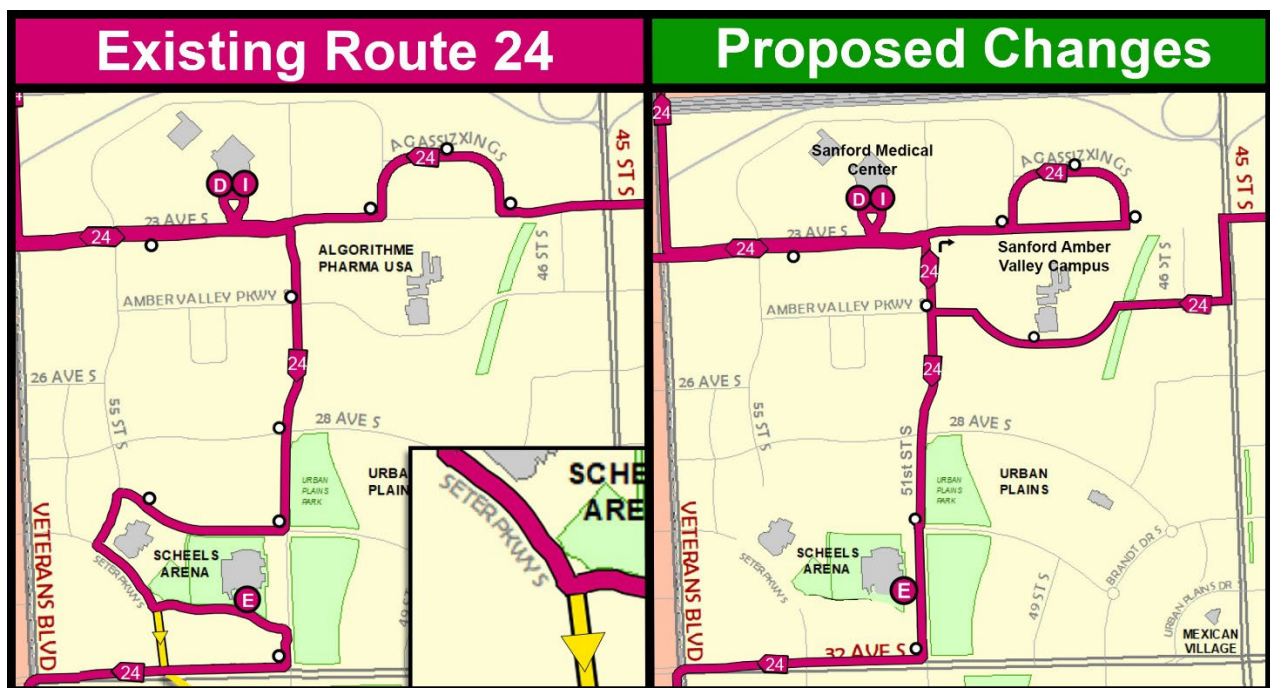
**RE:** *Route 24 – Sanford Health Amber Valley Campus Request & Route Change*

Sanford Health has requested that Route 24 service their new Amber Valley Campus, located at 4840 23rd Ave S and 4837 Amber Valley Parkway, beginning April 2025.

On-the-road testing has shown that servicing the Amber Valley Campus would add approximately 3 minutes to the overall trip length of Route 24. This change has been discussed with drivers and driver supervisors who saw no issues with this route change.

Another route change has been suggested due to frequent detours, event traffic, and snow removal issues. Instead of looping around Scheels Arena and the Sanford Family Wellness Center, Route 24 would just service the Scheels Arena and continue southbound on 51<sup>st</sup> St. S. This change would only remove one bus stop from the route which had .2 boarding per day according to 2023 ridership data. Removal of this loop would also reduce overall trip length by 2 minutes.

**Requested Motion:** Approve the proposed changes detailed above.





# Memorandum

**To:** MATBUS Coordination Committee

**From:** Jordan Smith, Assistant Transit Director

**Date:** February 19<sup>th</sup>, 2025

**RE:** *2026 Driver Services*



## Progress

Since our last update, MATBSU staff has been working with the City of Fargo Human Resources department to finalize job descriptions and pay classifications. We have received confirmation that the job descriptions are satisfactory and the preliminary pay classifications of the positions are accurate. With this information we were able to put together a cost model that shows the comparison of costs for the contracted staff versus in-house staff.

## Initial Cost Analysis

- Contracted staff
  - Estimated Cost - \$10,146,942
  - This estimate was established by using historical data and the average increase we have seen on a new contract. The increase in 2021 was 24.25%, which was the start of a new contract, and has seen a year over year increase of around 7% for the past 5 years.
  - Researching other Transdev contracts has indicated a higher driver wage would be proposed in a new contract and have a starting wage of \$26.00/hr or higher.
- City Employees
  - Estimated Cost – \$10,195,785
  - This estimate was established using HR approved job descriptions and preliminary pay classifications. The starting wage for a driver would be \$27.27/hr (assuming a 4.5% increase for 2026).
  - This amount reflects the fully benefited rate with family plan health insurance and will very likely be less due to not all employees utilizing a family plan. This amount could also be less depending on employee elections for the new defined contribution retirement plan.
  - This amount includes the same number of drivers and management staff that are currently employed with the contractor.

## Other Considerations

- Vehicle Insurance Cost
  - Our initial conversations with North Dakota Insurance Reserve Fund have indicated they are reluctant to insure our vehicles being operated by a contractor. A significant price increase could be assessed if we choose to continue with contracted drivers.

- Legal
  - City of Fargo legal team has expressed concern with having a contractor and cooperation from the contractor when handling litigation. Having the contractor adds another layer of complication when litigation is involved.

**Next Steps**

We are asking for a few members of the committee to meet with MATBUS staff over the next month and make a recommendation to the committee about driver services for 2026 at the next meeting.

**Paratransit Ridership**

Paratransit ridership data from 2023 and 2024.

Period	Paratransit
2023	57,545
2024	60,436
2023-2024 Change	5%

**Ridership Updates**

Previous quarter ridership updates will be given at MCC meetings in April, July, October.

Previous year ridership updates will be given in January.

Ridership data is also available upon request. Contact Luke Grittner – Transit Planner, 502 NP Ave, Fargo, ND 58102, Phone: (701) 476-6660, Email: [lgrittner@fargond.gov](mailto:lgrittner@fargond.gov).

# Item 3c

Feedback ID	Date / Time	Tracking Details	Feedback Comments
FB2501302403	1/30/2025	Passenger Behavior; Police / Security Presence	Received in Sentry Security Incident Report:On 01/30/2025 at approximately 1820, Officer Stoll was on duty at the GTC when he saw a female who was crying and was holding a bloody napkin to her face. Officer Stoll contacted the female and asked her if she was ok. The female told Officer Stoll that she had been bitten in the face by a dog and showed Officer Stoll. Officer Stoll saw a fairly severe injury with a piece of her lip missing and it was split into 3 pieces. Officer Stoll asked her several times if she wanted him to call EMS and she refused. Officer Stoll told GTC dispatcher Deanna about the situation and Deanna decided to call 911 for a welfare check on the woman. Fargo Police arrived on the scene at 1831, spoke to the female and called an ambulance for the female, they identified as Linda Miller. EMS arrived at 1845, spoke to the female for a while and left at 1852 with Fargo Police.
FB2501242371	1/24/2025	Passenger Behavior; Police / Security Presence	Received in Sentry Security Incident Report:On 01/24/2025 at approximately 2040 hours Officer Stoll was on duty at the GTC when he heard the route 2 bus driver, radio to dispatch that he had a female having a seizure on the bus. The bus arrived at approximately 2042 and Officer Stoll entered the bus and saw (individual 1) sitting on the floor in the back of the bus with a Styrofoam cup in her mouth, with what appeared to be blood on it. The female was unconscious, and Officer Stoll called 911 to request medical assistance. Officer Stoll pulled the cup out of the female's mouth, pulled her into the aisle and laid her on her side to prevent her from aspirating. Officer Stoll unzipped her heavy jacket in order to determine if she was breathing, which she was. Officer Stoll checked the female's pupils, and they were pinpointed. Officer Stoll requested a Narcan kit from Matbus staff, which they brought just as Fire arrived at 2046. Officer Stoll did not administer the Narcan, at the direction of the Fire personnel. Fire took over care until EMS arrived at 2054. Fire left the scene and EMS was able to talk the female into getting off the bus and she walked into the GTC lobby. EMS was concerned about the female who was refusing treatment or transport so the called Fargo Police to assist. (Individual 2) was with the first female and had walked into the parking ramp under GTC. Fargo Police arrived at 2110 and escorted female 2 out of the parking area. Female 1 refused care from EMS and both females left. EMS and Fargo Police cleared the scene at 2120.
FB2501232363	1/23/2025	Passenger Behavior; Police / Security Presence	Dispatch called emergency services after driver 1809, Kufom Gebreyesus, reported a disruptive passenger, described as an Indian male from Nepal, that made it unsafe to drive the bus. Dispatch directed the driver to open all doors and tell him to deboard. He refused to do so. Dispatch directed the driver to remain at the Holiday shelter until emergency services arrived. The police removed the passenger from the bus and the driver continued on route. Picture of passenger attached.Dispatch Note: Security removed the individual earlier from bus 4183, route 14, and the premises at the 16:15 release. He did leave the premises but must of boarded route 18 on route. He attempted to board another bus at the West Acres Mall, but dispatch already alerted security and he was prohibited from boarding. It is unverified if he is trespassed yet.
FB2501202356	1/18/2025	Passenger Behavior; Police / Security Presence	On Saturday, January 18, an individual, later identified as Damian Jade Oldrock, entered the GTC lobby southside door at 14:39 appearing to be intoxicated. He stared at Officer Silk through the security window and dispatch observed him shouting vulgarities at her. Dispatch noticed that security was calling emergency services. He then attempted to enter the security office by trying the door handle. Continuing on with his behavior, at 14:46, he groped a random female passenger in the lobby which angered a large black man who responded by placing a choke hold on the groper until he passed out and lay on the floor. After he regained consciousness, the black man helped the groper into a chair which he promptly got up from and advanced on the black man. Police officer arrived on the scene at 14:47 and restrained the groper while leading him into the squad car. It was later confirmed through security that the groper was arrested later that night for assault by bodily fluid on emergency personal. It has not been confirmed yet if he is trespassed from Matbus.
FB2501182389	1/18/2025	Passenger Behavior; Police / Security Presence	Received in Sentry Security Incident Report:On 01/18/2025 Officer Silk was on duty at the GTC at approximately 1234 when she saw a male, light up a cigarette in the lobby. Officer Silk immediately made contact with the male and informed him of the no smoking policy. The male put the cigarette out and asked to use the restroom, which he did. The male left at 1237 without incident.
FB2501152348	1/15/2025	Passenger Behavior; Police / Security Presence	Received in Sentry Security Incident Report:On 01/15/2025 at approximately 2210 Officer Stoll was on duty at the GTC when he noticed a commotion by a bus parked on the East side of the lot. Officer Stoll went outside and the driver was asking a female to get off the bus. Officer Stoll recognized the female from earlier. The female appeared to be intoxicated and asked to get off the bus, which she did. Officer Stoll asked if he could call her a cab if she could pay and the female said no. Officer Stoll asked her if she wanted to go to Detox. The female initially declined but then said she would go. The female identified herself as Pam Thibert. Officer Stoll called Mobile Outreach at 2213 and stayed with the female until they arrived at 2230 and transported her.
FB2501152388	1/15/2025	Passenger Behavior; Police / Security Presence	Received in Sentry Security Incident Report:On 01/15/2025 at approximately 1834 Officer Stoll was on duty at the GTC when he heard traffic over the radio that there was a male sleeping on bus 2164 who would not wake up. Officer Stoll met the bus as it arrived at approximately 1840 on the East side of the lot. Officer Stoll contacted the male who was sitting slumped over in the back of the bus. Officer Stoll tried to wake the male, speaking loudly several times but he did not respond. Officer Stoll performed a sternum rub, the male groaned but did not wake up. Officer Stoll raised the mans head and opened his eyelid to ensure he was not having an overdose and the male did not wake up. Officer Stoll performed another sternum rub and the male woke up and asked where he was. Officer Stoll told him he was at the GTC and told him he would have to get off the bus and the male complied. Officer Stoll asked the man if we wanted to go to detox and the male agreed and identified himself as Brandon White. Officer Stoll called Mobile Detox and they told him they had tried to take him earlier but he was combative with the staff. They said they would come pick him up as long as he was cooperative. Mobile Outreach arrive at 1853 and transported the male, who was unsteady on his feet and smelled strongly of intoxicants.
FB2501152346	1/15/2025	Police / Security Presence	UPDATE: Dangerous person, call police if he returns to the property! Officer Jenson informed us if he comes on the property again to immediately call police to arrest him. The spitting man struck again at 1:47. This time he came into the GTC lobby shouting and what seemed to be a threatening manner toward dispatch. Dispatch called security and emergency services. Security escorted the individual outside. The police came at 2:05pm and dispatch and security requested the man be trespassed. No confirmation on this yet. Security informed dispatch that the man told him he wanted to physically harm me specifically and is trying to purchase a gun to do so. The police came and talked with the man for a while and they let him walk away at 2:18.
FB2501042333	1/4/2025	Passenger Behavior; Police / Security Presence	Received in Sentry Security Incident Report:On 01/04/2025 Officer Cole was on duty at the GTC at approximately 2145 when he began to secure the facility. There was a black male, approximately 40-50 years old still in the lobby area. Officer Cole informed him that they were locking up, no more busses were leaving and he would have to leave the property. The male said he was waiting for bus 13. Officer Cole confirmed that the last 13 route had left at 2115 and told the male. The male argued that the facility was supposed to be open until 2245. Officer Cole informed the male that was not the case and again told him he had to leave. The male was argumentative and Officer Cole told him if he did not leave that Law Enforcement would be called to remove him. The male left and Officer Cole secure the facility.
FB2501042332	1/4/2025	Passenger Behavior; Police / Security Presence	Received in Sentry Security Incident Report:On 01/04/2025 Officer Cole was on duty at the GTC at approximately 2027 when he was contacted by a male who identified himself as Bryant Kellum. Kellum asked Officer Cole to call the police so he could go to detox. Officer Cole told Kellum that he would call Mobile Detox, which he did. Mobile Detox told Officer Cole that they were shuttling people to the warming shelter and could be there by 2100 hours. Officer Cole conducted a security sweep of the outer perimeter and when he returned, Kellum was gone. Officer Cole called Mobile Detox and informed them that Kellum had left.
FB2501032330	1/3/2025	Passenger Behavior; Police / Security Presence	Received in Sentry Security Incident Report:On 01/03/2025 Officer Cole was on duty at the GTC at approximately 2048 when a Native American male approached him and asked if he would call Mobile Detox for him. The male identified himself as Chasinghawk. Officer Cole called Mobile Detox and they arrived at approximately 2100 hours and left with Chasinghawk.