Agenda Item 1c, Attachment 1

564th Policy Board Meeting
Fargo-Moorhead Metropolitan Council of Governments
Thursday, March 21, 2019 – 4:00 pm
Metro COG Conference Room

Members Present:
Steve Gehrtz Moorhead City Council
Tony Grindberg Fargo City Commission
John Gunkelman Fargo Planning Commission
Chuck Hendrickson Moorhead City Council
Steve Jesme Dilworth City Council
Jonathan Judd Moorhead City Council
Nicole Mattson Moorhead Planning Commission (alternate for Jonathan Judd)
Jenny Mongeau Clay County Commission
Brad Olson West Fargo City Commission
Dave Piepkorn Fargo City Commission
Rocky Schneider Fargo Planning Commission
John Strand Fargo City Commission
Scott Stofferahn Fargo Planning Commission

Members Absent:
Duane Breitling Cass County Commission
Shara Fischer Fargo Planning Commission
Tony Gehrig Fargo City Commission
Eric Gjerdevig West Fargo City Commission
Johnathan Judd Moorhead City Council
John Koerselman Horace City Commission

Others Present:
Adam Altenburg Metro COG
Luke Champa Metro COG
Dan Farnsworth Metro COG
Cindy Gray Metro COG
Matt Huettl HDR
Savanna Leach Metro COG
Michael Maddox Metro COG
Anna Pierce Metro COG
Bob Walton NDDOT – Fargo District

1a. MEETING CALLED TO ORDER, WELCOME, AND INTRODUCTIONS, convened
The meeting was called to order at 4:00 pm, on March 21, 2019 by Chair Mongeau, noting a quorum was present. Introductions were made.

1b. Approve Order and Contents of Overall Agenda, approved
Chair Mongeau asked for approval for the overall agenda.
1c. **Past Meeting Minutes, approved**  
Chair Mongeau asked for approval of the Minutes of the February 21, 2019 Meeting.

* MOTION: Approve the March 21, 2019 Policy Board Meeting Minutes.  
  Mr. Olson moved, seconded by Mr. Jesme.  
  MOTION, passed. 10-0  
  Motion carried unanimously.

1d. **Monthly Bills, approved**  
Chair Mongeau asked for approval of the March 2019 Bills as listed on Attachment 1d.

* MOTION: Approve the March 2019 Bills List.  
  Mr. Gehrtz moved, seconded by Mr. Gunkelman.  
  MOTION, passed. 10-0  
  Motion carried unanimously.

2. **CONSENT AGENDA**  
Chair Mongeau asked for approval of Items a-b on the Consent Agenda.

   a. February Month End Report  
   b. Federal Functional Class Update – North Dakota

* MOTION: Approve Items a-b on the Consent Agenda.  
  Mr. Gehrtz moved, seconded by Mr. Hendrickson.  
  MOTION, passed. 10-0  
  Motion carried unanimously.

3. **REGULAR AGENDA**  
3a. **Public Comment Opportunity**  
No public comments were made or received.  

* No MOTION

*Mr. Schneider joined the meeting at 4:06 pm

3b. **13th Avenue Corridor Study Report**  
Mr. Farnsworth, Metro COG Transportation Planner and Mr. Huettl from HDR presented the 13th Avenue Corridor Study final report.

* MOTION: Approve the 13th Avenue Corridor Study final report  
  Mr. Schneider moved, seconded by Mr. Olson.  
  MOTION, passed. 11-0  
  Motion carried unanimously.
3c. **FM Diversion Rec Plan Request for Proposals (RFP)**

Mr. Altenburg presented the RFP for the FM Diversion Rec Plan. Mr. Gunkelman asked the location of a potential greenway. Ms. Gray said that would likely be an early topic of discussion, but at this stage, it is anticipated to be primarily on the side of the channel that’s closest to the adjacent communities, so residents can easily access the space.

**MOTION:** Approve the RFP for the Diversion Rec Plan, contingent on inclusion of comments received by staff from Jason Benson, Cass County Engineer, shortly before the Policy Board meeting. 
Mr. Piepkorn moved, seconded by Mr. Strand. 
**MOTION,** passed. 11-0

Motion carried unanimously.

*Mr. Judd joined the meeting at 4:26 pm

3d. **2019-2020 UPWP Amendment #2**

Ms. Gray presented amendment #2 to the 2019-2020 UPWP. Ms. Gray explained that the 17th Avenue Corridor Study was complete at the end of 2017 and was not originally carried over into the 2019 work program. Due to public input, the City of Fargo and Metro COG chose to continue the project into 2019 to allow time for another public presentation and open house and online survey before final action by the City of Fargo. Additional work will be paid for by the City of Fargo with local funds only.

Ms. Gray explained that the Executive Committee approved the purchase of traffic counting equipment that was not budgeted in 2019 using a combination of leftover overhead dollars, which had been designated for traffic counting equipment) from 2018, supplemented with local funds Metro COG currently has in its reserves. She explained that this action of amending the UPWP is simply to document the use of funds for this purpose.

Ms. Gray added that the amendment is an administrative modification only, not requiring NDDOT and FHWA approval, since it constitutes a change to less than one percent of the budget. When we reach a cumulative level of 10 percent change, any amendments will need to be submitted to NDDOT and FHWA for approval.

**MOTION:** Approve 2019-2020 UPWP Amendment #2, an administrative modification 
Mr. Gehrtz moved, seconded by Mr. Gunkleman. 
**MOTION,** passed. 11-0 (Mr. Judd abstained from the vote; alternate voted) 
Motion carried unanimously.

*Mr. Judd took over as the voting member for Ms. Mattson

3e. **17th Avenue South Corridor Study – Contract Amendment #1**

Ms. Gray presented contract amendment #1 to the 17th Avenue South corridor study. Ms. Gray explained that the 17th Avenue Corridor Study in Fargo was not
originally carried over into the 2019 work program, because the report was completed and was going through the review and approval process with the City of Fargo near the end of the year. Due to public input received around that time, the City and Metro COG made the decision to continue the project into 2019 to allow time for one more public open house and an online survey before final action by the City of Fargo. The extra cost will be covered 100% by the City of Fargo.

**MOTION:** Approve amendment #1 of the contract with KLJ Engineering for the 17th Avenue S Corridor Study

*Mr. Olson moved, seconded by Mr. Schneider.*

*MOTION, passed. 11-0*

*Motion carried unanimously.*

3f. **Affirm 2020 Contracted Projects; Future Project Solicitation**

Ms. Gray presented the project list currently programmed for the 2020 UPWP. Ms. Mattson asked about the Moorhead 17th Street N Study. Ms. Gray explained that the intent of the study is to look at possible reprogramming of the extra-wide street and right of way that exists on that roadway, and possibly apply the planning level concepts developed for this project on other corridors in Moorhead and throughout the rest of the metropolitan area. Ms. Gray also presented a project solicitation form to be used a way for local staff, policy makers and the public to submit ideas for future studies and plans that are needed in the metro area. The intent is to use this information to prepare and maintain an on-going project list to be used as a reference when budgeting and preparing the UPWP.

**MOTION:** Affirm the 2020 projects, including those continued from 2019 and new projects initiated in 2020.

*Mr. Piepkorn moved, seconded by Mr. Schneider.*

*MOTION, passed. 11-0*

*Motion carried unanimously.*

3g. **2018 Indirect Rate: Billing to NDDOT for Additional Funds and Effect on Local Match**

Ms. Gray presented a request for local funds for the 20% local match to an additional reimbursement amount from NDDOT, as a result of an unapplied indirect rate in 2018.

**MOTION:** Approve the invoicing of NDDOT for 2018 overhead costs using the approved indirect rate, and invoicing the local jurisdictions for their share of the local match.

*Mr. Gehrtz moved, seconded by Mr. Stofferahn.*

*MOTION, passed. 11-0*

*Motion carried unanimously.*

3h. **Temporary Lease between City of Fargo and Metro COG for use of Fargo Civic Center Space**

Ms. Gray presented the lease between the City of Fargo and Metro COG for the temporary use of the Fargo Civic Center office space during the agency
remodel. She explained the breakdown of the lease costs (base rent, CAM, etc.). Mr. Judd questioned the “aggravation fee” added into the lease. Ms. Gray explained that the 25% upcharge is due to the inconvenience of the short-term nature of the lease. The Board discussed the 25% upcharge and asked Ms. Gray to counter-offer to drop the fee. Mr. Piepkorn stated that the Finance Committee and City Commission will be discussing this matter and that he and Mr. Strand will be part of those discussions.

**MOTION:** Authorize the Executive Director to submit a counter-offer to the lease without the “aggravation fee” and to sign the lease without the addition of this fee.

*Mr. Gehrtz offered a friendly amendment to the motion, asking if the counter-offer fails, if the Executive Committee can make a decision on the board’s behalf to sign the lease with the inclusion of the 25% upcharge. Mr. Piepkorn rejected the amendment, stating that he and Mr. Strand will discuss this with others at the City and urge the elimination of the 25% upcharge.*

*Mr. Piepkorn moved, seconded by Mr. Strand.*

*MOTION, passed. 11-0.*

Motion carried unanimously.

*Ms. Mattson left the meeting at 4:55pm

4. **Additional Business**

Metro COG staff informed the Board that the Fargo Safe Routes to Schools study field data collection kicks off soon. Ms. Gray added that Metro COG has hired two interns to assist in that process and to help prepare for moving out of the building.

Mr. Piepkorn stated that the bridges spanning the Red River from Fargo to Moorhead all need to be above the water level after the FM Diversion is built. As they stand now, not all bridges are at the appropriate level. Mr. Piepkorn suggested that the Metro COG be involved in the process of identifying which bridges need to be upgraded.

5. **Adjourn**

The 564th Meeting of the FM Metro COG Policy Board held Thursday, March 21, 2019 was adjourned at 5:01 pm.

**THE NEXT FM METRO COG POLICY BOARD MEETING WILL BE HELD April 18, 2019, 4:00 P.M. AT THE FM METRO COG CONFERENCE ROOM, ONE NORTH 2ND STREET, CASE PLAZA SUITE 232, FARGO, ND.**

Respectfully Submitted,

Savanna Leach
Executive Secretary

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