

The Special City Council met on Monday, October 23, 2023, at 5:30 p.m. at City Hall Council Chambers. The meeting was called to order at 5:30 p.m. by President Sande. Present at roll call were: Weigel, Osowski, Weber, Lunski, Kvamme, Sande, and Vein – 7.

1. GENERAL BUSINESS

1.1 Welcome and Roll Call

1.2 Pledge of Allegiance

1.3 Mayor's Announcements

2. ACTION ITEM

2.1 Adopt Resolution awarding sale of \$21,090,000 Refunding Improvement Bonds, Series 2023F

Maureen Storstad presented to Committee Members the staff recommendation to adopt a resolution awarding the sale of the Refunding Improvement Bond, Series 2023F. The City of Grand Forks uses the special assessment process to pay for certain projects in various subdivisions. The proceeds of the 2023F Refunding Improvement Bonds will be used to finance various infrastructure improvement projects in the City. The projects will be certified for collection. This action will sell the bonds to finance the 2023 projects. Dorsey acts as Legal, and Baker Tilly acts as our Municipal Advisor. The Improvement Bonds are being issued pursuant to the North Dakota Century Code, Chapter 40-22 through 40-27 and the City's Home Rule Charter. Steve Schafer of Baker Tilly went through the bid results and was a successful sale with strong turnout and 7 bidders. Hilltop Securities winning the bid at 4.7198%.

Motion by Kvamme, seconded by Osowski to move to City Council with a recommendation to approve. The motion carried unanimously.

3. ADJOURN

Motion by Osowski, seconded by Weber to adjourn the meeting at 5:37 PM. The motion carried unanimously.

The Committee of the Whole met on Monday, October 23, 2023, immediately following the Special City Council meeting at City Hall Council Chambers. Present at roll call were: President Sande, Weigel, Osowski, Weber, Lunski, Kvamme, Sande, and Vein – 7.

2. UPDATES AND INFORMATION ITEMS

2.1 Snowmobile Route Working Group Update

Todd Feland presented to committee members an update on the Snowmobile Working Group. This group has previously met for the upcoming 2023/2024 snowmobiling season, Mayor Brandon Bochenski and the City Administration committed to re-examining the current snowmobile route and further, investigate the possible recommendation for a snowmobile route through the Greenway for the City Council's consideration. Mayor Bochenski and the City Administration convened a Snowmobile Route Working Group that consisted of the following stakeholders:

- Arch Simonson – Homeowner along the Greenway (between 32nd St. & 47th Ave S)
- Dr. Kevin Fire – Homeowner along the Greenway (North of 32nd Ave S)
- Dr. John Eickman – Homeowner along the Greenway (South of 47th Ave S)
- Jeremy King – City of East Grand Forks Park & Recreation Director & Greenway Technical Committee Member
- Larry Hagen – Turtle River State Park Manager & Greenway Technical Committee Member
- Scott Pearson – Red River Snowmobile Club
- Kasey Olson – Red River Snowmobile Club
- Brian Coster - Red River Snowmobile Club
- City Council Member Tricia Lunski
- City Council Member Kyle Kvamme

The group has had two formal meetings: Wednesday, September 27, and Wednesday, October 18, 2023. Additionally, there was a group field trip on Wednesday, October 11, 2023, to the Greenway to review possible snowmobile route options in consideration of the existing Greenway non-motorized recreational uses. City administrative staff members supported the group as follows:

- Waterworks Director – Melanie Parvey
- Police Lieutenant – Dwight Love
- Public Health Environmental Supervisor – Javin Bedard
- City Attorney – Dan Gaustad
- City Administrator – Todd Feland

Unfortunately, the group was not able to come to a consensus for a snowmobile route on the Greenway at this time, due to safety concerns for others.

President Sande recommended a motion be made to keep the current snowmobile route that was approved last year for the upcoming 2023/2024 winter season. Motion was made by Lunski, and second by Osowski to approve President Sande's recommendation. The motion carried unanimously.

2.2 Federal Funding Request for Project 8720 – Urban Roads Program

Carter Hunter presented to committee members the staff update on the Federal Funding Request for Project 8720 – Urban Roads Program. This staff report is intended to review the potential

project to be considered for funding under the Urban Roads Program and to obtain feedback from the City Council.

This item will again be placed on a future Committee of the Whole agenda with final action to be taken at the following City Council meeting. This program prioritizes state of good repair and the National Highway System (NHS) roadways.

This program provides Federal grant funding from the Federal Highway Administration (FHWA) and is administered through the North Dakota Department of Transportation (NDDOT). Roadways eligible for funding under the Urban Roads Program include classified streets within the city. To be considered for Federal funding these projects must be vetted and approved by the City Council and forwarded onto the Grand Forks/East Grand Forks Metropolitan Planning Organization (MPO) for consideration.

After considering possible projects for funding under this program, staff recommends submitting for the following projects:

- 2027 - S 48th St (Demers Ave to 11th Ave S) Reconstruction (\$8,316,000). This project is proposed to replace the N Columbia Rd (University Ave to 8th Ave N) Reconstruction project programmed for 2027.

S 48th St from Demers Ave to 11th Ave S is located in the Grand Forks Industrial Park. This segment of road is in poor condition and endures a lot of truck traffic associated with the industrial park. The industrial park does not have the same quality of storm sewer as the majority of the city. The industrial park relies on a series of ditches and culverts to transport much of the stormwater. The proposed reconstruction of S 48th St would improve the pavement cross-section and stormwater infrastructure for the industrial park.

Projects previously approved for federal funding under the Urban Roads Program in fiscal years 2024 to 2027 and included in the draft State Transportation Improvement Program (STIP) are as follows:

- 2024 – N Columbia Rd Overpass Rehabilitation
- 2025 – 42nd St/Demer Ave Railroad Grade Separation
- 2026 – Point Bridge Rehabilitation
- 2027 – N Columbia Rd (University Ave to 8th Ave N) Reconstruction Proposed to be swapped with S 48th St (Demers Ave to 11th Ave S) Reconstruction

The Urban Roads Program allocates approximately \$2.7 million+ annually to the City to be used on classified roadway projects. This is a program which allowed for an 80% federal share on eligible items including construction and construction engineering. If the application is approved, the project will be added to the City's Transportation Improvement Plan.

S 48th St (Demers Ave to 11th Ave S) Reconstruction: The severely cracked and faulted concrete panels are concerns that should be addressed. The amount of severely cracked and faulted concrete panels means a more cost-effective approach to addressing the issues would be to reconstruct the roadway. This section of S 48th St was originally constructed in 1983. Maintenance on this roadway has consisted of pothole patching, crack sealing, and emergency concrete panel replacement. Vehicle counts on this roadway are around 3,700 vehicles per day and are anticipated to increase to approximately 7,000 vehicles per day by 2045. The heavy truck traffic

associated with the industrial park, lack of a gravel base, and poor clay soils underneath the roadway likely contributed to the accelerated deterioration of this roadway. It is intended that a reconstruction project would provide a new roadway surface and support the industrial park truck traffic and businesses for years to come. This project is also proposed to improve the stormwater infrastructure in the area by replacing the ditch and culvert system currently in place with shallow drainage swales and storm sewer pipes and manholes.

2.3 **Federal Funding Request for Project 8720 – Urban Grant Program**

Carter Hunter presented to committee members on the Federal Funding Request for Project 8720 – Urban Grant Program. This staff report is intended to provide some advanced background information on the Urban Grant Program (UGP) and to obtain feedback from City Council. This program provides Federal grant funding from the Federal Highway Administration (FHWA) and is administered through the North Dakota Department of Transportation (NDDOT). Roadways eligible for funding under the Urban Grant Program include classified streets within the city and located within the designated focus area. To be considered for Federal funding these projects must be vetted and approved by City Council and forwarded onto the Grand Forks/East Grand Forks Metropolitan Planning Organization (MPO) for consideration.

The UGP is a competitive funding program, meaning that a selection committee reviews the applications, compares the projects, and ranks them. The projects are then allocated funding until there is no funding remaining. This typically results in one project not receiving the full amount requested.

After considering possible projects for funding under this program, staff recommends submitting the following project:

- 2027 – Reconstruction of N 4th St (2nd Ave N to University Ave) - \$3,315,000

N 4th St (2nd Ave N to University Ave) Reconstruction: This project includes a number of elements which align with the Urban Grant Program. These include: the project location within the designated downtown focus area, pedestrian bump-outs, ornamental street lighting and visual amenities to match the other downtown reconstruction projects. This project is also adjacent to the Grand Forks Renaissance Zone to further encourage redevelopment of the downtown area.

2.4 **Federal Funding Request for Project 8720 – Transportation Alternatives Program**

Carter Hunter presented to committee members an update the Federal Funding Request for Project 8720 - Transportation Alternatives Program. The Transportation Alternatives (TA) program has had multiple names in the past including the Transportation Alternatives Program (TAP) and Transportation Enhancements (TE). This program was also merged with the Safe Routes to School (SR2S) program. This program is for projects focused in the three areas of bicycle and pedestrian projects, scenic and environmental projects, and historic projects.

The TA funds for FY 2026 are estimated to be based on population suballocations:

- Rural – less than 5,000 population – \$1,365,296
- Urban – 5,000 to 50,000 population – \$612,909
- Urban – 50,000 to 200,000 population – \$807,759
- TMA – Greater than 200,000 population - \$777,571

- Available for any area - \$2,476,356

The City of Grand Forks falls into the 50,000 to 200,000 population category and will be competing for funding with Bismarck and Mandan within that category. The eligibility for funding under this program is for construction only. Design engineering, construction engineering, utility relocation, and right of way are considered ineligible under this program. The typical funding split is 80% federal/20% local for eligible items.

The maximum award for Urban (\$290,000) and Rural (\$200,000) projects has been removed, there is no longer a capped amount. With the removal of the funding limitations, city staff is able to target larger scale projects that can complete a longer length of shared use path as a single project, instead of multiple projects reducing staff time spent on environmental documents and reduce consulting costs associated with construction engineering.

After considering possible projects for funding under this program, staff recommends for the following project:

- 2026 - S Washington St Shared Use Path (South End Drainway to 46th Ave S)(\$690,000)

Shared Use Path S Washington St (South End Drainway to 46th Ave S) 2026 TA Application: Currently on the east side of S Washington St from South End Drain Way to 46th Ave S there is no sidewalk or shared use path. The proposed project would be an installation of a shared use path from the South End Drainway and continue north and paving a 5" thick 10' wide concrete shared use path to 46th Ave S. This would provide a paved shared use path to the ICON Sports Center and Choice Health and Fitness to many of the southern Grand Forks' neighborhoods. This project has a total cost of \$690,000 would be requesting approximately \$445,115 in Federal funding.

The TA program is a competitive funding program, meaning that a selection committee reviews the applications, compares the projects, and ranks them. The projects are then allocated funding until there is no funding remaining. By extending the limits of the project that we previously submitted we are providing connections to some of the larger employers in Grand Forks which can improve the competitiveness of our application.

Projects previously approved for Federal funding under this program include:

- 2013 – Shared Use Path on S 20th St (40th Ave S to 47th Ave S)
- 2014 – Shared Use Path on S 42nd St (17th Ave S to 24th Ave S)
- 2015 – Granitoid Pavement Preservation (Cottonwood St, 2nd Ave S, & 3rd Ave S)
- 2016 – Shared Use Path on Demers Ave (42nd St – 48th St) (Construction in 2017)
- 2017 – Shared Use Path on 55th St (University Ave to W Lanark Dr) (Const. in 2018)
- 2018 – Shared Use Path on 6th Ave N (N 40th St to English Coulee) (Const in 2019)
- 2019 – Shared Use Path on 17th Ave S (S 20th St to S 25th St) (Const in 2020)
- 2020 – Shared Use Path on S Columbia Rd (40th Ave S to 47th Ave S) (Const in 2021)
- 2022 – Shared Use Path on 32nd Ave S (Heartland Dr to S 48th St) (Const in 2023)
- 2024 – Shared Use Path on S 48th St (32nd Ave S to 17th Ave S)

Though we have received a large amount of federal funding through this program, in order to use these funds, all federal requirements must be met. These requirements are typically more complex and take significantly more staff time to complete than compared to a project completed only using local funding sources.

Some of these requirements include an environmental document, a significantly larger plan set, having a project inspector on site whenever the contractor is on-site, more detailed field inspection reporting, and more complex project closeout documentation, among other differences.

2.5 **Federal Funding Request for Project 8720 – Regional Roads Program**

David Kuharenko presented to committee members an update on the Federal Funding Request for Project 8720 - Regional Roads Program. This staff report is intended to review the potential projects to be considered for funding under the Regional Roads Program and to obtain feedback from City Council. This item will again be placed on a future Committee of the Whole agenda with final action to be taken at the following City Council meeting. The Federal Highway Bill prioritizes state of good repair and the National Highway System (NHS) roadways.

This program provides Federal grant funding from the Federal Highway Administration (FHWA) and administered through the North Dakota Department of Transportation (NDDOT). Roadways eligible for funding under the Regional Roads Program include state and federal highways such as Gateway Dr, Demers Ave, 32nd Ave S, Washington St, N 5th St and I-29. To be considered for Federal funding these projects must be vetted and approved by City Council and forwarded onto the Grand Forks/East Grand Forks Metropolitan Planning Organization (MPO) for consideration.

This program addresses regional roads within the state, including roads within the MPO jurisdiction. Though the Statewide Transportation Improvement Program (STIP) only covers four years, the Regional Program is submitted for a fifth year, which would be for 2028. The regional road projects typically have a cost share with either a 80% Federal Share/10% State Share/10% Local Share for secondary regional roads (Demers Ave, Washington St, N 5th St, and 32nd Ave S) or a 80% Federal Share/20% State Share/0% City Share for primary regional roads and interstate (US 2/Gateway Dr and I-29).

City staff and NDDOT Local District staff have worked together to prepare the following list of project recommendations:

- 2025 – Demers Ave Overpass Ramp Mill & HBP 2" (4th Ave S to N 6th St) \$496,000
- 2025 – S Washington (Demers to Hammerling Ave) Microseal \$479,000
- 2026 – I-29/47th Ave S Interchange ROW purchase \$2,500,000
- 2027 – I-29/47th Ave S Interchange \$57,000,000
- 2027 – N Washington St Reconstruct (1st Ave N to 8th Ave N) \$11,600,000
- 2028 – Demers Ave Concrete Panel Replacement & Grind (Central Fire Station to N 6th St Excluding the Overpass) \$816,000
- 2028 – US 2/Gateway Dr Concrete Panel Replacement & Grind (I-29 to N 55th St)\$1,313,000
- 2028 – S Washington St Reconstruct (Demers Ave to 13th Ave S) \$12,100,000

2.6 **Federal Funding Request for Project 8720 – Highway Safety Improvement Program**

David Kuharenko presented to committee members an update on the Federal Funding Request for Project 8720 – Highway Safety Improvement Program. This staff report is intended to review the potential project to be considered for funding under the Highway Safety Improvement Program (HSIP) and to obtain feedback from City Council. This item will again be placed on a

future Committee of the Whole agenda with final action to be taken at the following City Council meeting.

The North Dakota Department of Transportation (NDDOT) is soliciting projects to be funded by their HSIP. This program provides Federal grant funding from the Federal Highway Administration (FHWA) and is administered through the NDDOT. Roadways eligible for funding under the HSIP include classified streets within the city. To be considered for Federal funding these projects must be vetted and approved by City Council and forwarded onto the Grand Forks/East Grand Forks Metropolitan Planning Organization (MPO) for consideration.

After considering possible projects for funding under this program, staff recommends submitting for the following projects:

- 2027 – US2/Gateway Dr and N 43rd St Intersection Improvements \$1,213,000
- 2028 – S Columbia Rd and 24th Ave S Left Turn Lane Realignment \$1,384,000
- 2029 – S Columbia Rd and 28th Ave S Left Turn Lane Realignment \$1,368,000

The HSIP has approximately \$12 million for the statewide solicitation and historically there has not been enough funding available for every application. Federal funds are available for Preliminary Engineering (PE), Construction Engineering (CE), right of way, utility relocation and construction for projects on the state highway system. Federal funds are available for CE and construction on Local Public Agency (LPA) roads. This is a 90% reimbursement for eligible activities. Ineligible activities are 100% city cost. If the application is approved, the project will be added to the City's Transportation Improvement Plan. Projects will compete against each other, and projects submitted by other entities throughout the state. Projects that are eligible for funding under this program are those that would improve a hazardous road or address a highway safety problem with emphasis placed on intersections listed on the annual NDDOT High Crash Report, or low-cost systemic improvements identified in the Local Road Safety Program (LRSP).

2.7 **Federal Funding Request for Project 8720 – Urban Highway/Rail Crossing Safety Program**

David Kuharenko presented to committee members an update on the Federal Funding Request for Project 8720 – Urban Highway/Rail Crossing Safety Program. This staff report is intended to review the potential project to be considered for funding using Federal Railroad Safety Enhancement funding and to obtain feedback from City Council. This item will again be placed on a future Committee of the Whole agenda with final action to be taken at the following City Council meeting.

The North Dakota Department of Transportation (NDDOT) has requested city staff input regarding current crossings located within the city jurisdiction that may need rehabilitation. NDDOT has annual federal funds available for safety enhancement projects at rail/highway at-grade crossings. These funds are used for the installation of active warning devices, crossing signs, and crossing surface improvements. The funding breakdown of a crossing project is 100% federal funds until the end of the 2026 federal fiscal year. To be considered for Federal funding these projects must be vetted and approved by City Council and forwarded onto the Grand Forks/East Grand Forks Metropolitan Planning Organization (MPO) for consideration.

After considering possible projects for funding under this program, staff recommends submitting the following project:

- 2025 – Railroad Crossing 081297E US-2/Gateway Dr. Mill Spur - Cost TBD

3. DISCUSSION ITEMS

3.1 Amendments to CDBG Consolidated Plan and Annual Action Plans

Meridith Richards presented to committee members the staff recommendation to 1) Review and Comment on proposed amendments; 2) Set December 4 as the date for public hearings; 3) hold public hearings and approve proposed amendments and associated budget transfers.

Following are housekeeping items as well as significant amendments in advance of the upcoming 2024 CDBG allocation process. These include project-specific changes to past Annual Action Plans and changes to the goals established in the 2020-24 Consolidated Plan.

- 1) Convert Prairie Harvest's capital funds to operating funds. In 2021, Prairie Harvest Mental Health was allocated \$10,500 to make improvements to the entrance to their facility on N. Third Street. Following delays related to Covid and other issues, project costs greatly exceeded the original budget. Prairie Harvest has asked to instead use the funds for operating costs (this falls within the Public Service cap for both PY 2021 and PY 2023). The requested change of use of funds requires an amendment to the 2021 Annual Action Plan.
- 2) Cancel the RRVCA office rehab project. In 2021, \$91,000 was allocated to Red River Valley Community Action to make security and energy efficiency improvements to their facility on Gateway Drive. In the course of performing the HUD-mandated environmental review, it was determined that the facility's proximity to the Magellan tank farm, nearby industrial uses and other environmental concerns would require extensive mitigation that makes a CDBG-funded project unaffordable. Canceling this project requires an amendment to the 2021 Annual Action Plan.
- 3) Cancel the YouthWorks operating funds project. In 2022, YouthWorks was allocated \$45,000 to assist with programming for at-risk youth; however, their Grand Forks office closed that spring, and no grant award was executed. Canceling this project requires an amendment to the 2022 Annual Action Plan.
- 4) Increase funding for RMAC by \$200,000. In 2022, GFHA was awarded \$963,000 to expand the Ruth Meiers Adolescent Center. Bids for the project were opened on August 31 and totaled \$1,545,560. GFHA has requested additional CDBG funds, and staff recommends adding \$200,000 to ensure the project moves forward. The funding increase requires an amendment to the 2022 Annual Action Plan.
- 5) Reduce expected outputs for Public Service projects (operating funds) in the Consolidated Plan. The Community Services Grant (CSG) Program (Fund 2163) was established to increase the operational support available to agencies that meet the human needs of low-income residents. This type of support is critical to local non-profits, and CSG was meant to compensate for the shrinking CDBG public service budget. With CDBG funds now going to capital projects only, Con Plan public service goals that have not yet been met will not be met in the future. Staff therefore recommends reducing the goal (expected output) for "Support services to enhance access to health care" to equal the number of beneficiaries that have been reported. Other public service goals have been met already. Changing expected outputs requires an amendment to the 2020-24 Consolidated Plan.

6) Amend the Citizen Participation Plan. This document outlines the City's policies and procedures for community participation in the CDBG program, including the Community Advisory Committee, and is an appendix to the Con Plan. The recommended changes clarify the process for allocating funds through a competitive application process vs as a set-aside and when public hearings are held.

7) Suspend the HomeCents Housing Rehab Program and reduce expected outputs for the "Rehab affordable owner-occupied housing" goal in the Consolidated Plan. RRVCA has operated the HomeCents Housing Rehab Program as a CDBG revolving loan fund (RLF) since 2006; projects began using revolved funds in 2010. This program originally targeted 6-10 rehabs annually, with 46 completed between 2010 and 2014; however, due to COVID-19, staffing issues, and rising costs, output has fallen off dramatically, with only 5 rehabs completed in the past 4 years. This has contributed to an RLF balance of approximately \$425,000, which creates timely expenditure issues for the City's overall CDBG program. Staff therefore recommends suspending the HomeCents program, allocating RLF funds to 2024 projects, and reducing the expected 5-year output from 25 to 5 housing units. This requires an amendment to the 2020-24 Consolidated Plan and the 2023 AAP. Discussion surrounding housing rehab and the viability of an RLF will be major elements of the 2025-29 Con Plan development process.

Motion by Weber, seconded by Kvamme to move to City Council with a recommendation to approve. The motion carried 6-1 with Osowski dissenting.

3.2 **Appointments - Historic Preservation Commission**

Todd Feland presented to committee members the staff recommendation to confirm the reappointment of two Commissioners for 2023-2025. The Grand Forks Historic Preservation Commission provides research, resources, and expertise in the exercise of the City's preservation goals and needs. The Commission provides local review for historic projects that would otherwise be reviewed by the state or federal government; time is saved, and local control is maintained. The city's budget allocation is doubled through the Commission's grant writing efforts, and the City's economic development efforts are enhanced by historic building preservation projects which the Commission actively promotes and facilitates. Grand Forks is more attractive and vibrant as a result of its commitment to historic preservation evidenced by the work of the Historic Preservation Commission.

The Grand Forks Historic Preservation Commission consists of eleven community members from Grand Forks. Those members are appointed by the mayor and shall be persons who, in the opinion of the mayor, have demonstrated outstanding interest and knowledge in historical or architectural development. A majority of the commission members shall be made up of persons from among professionals in the disciplines of architecture, history, architectural history, planning, archeology, or other historic preservation-related disciplines, such as urban planning, American studies, American civilization, cultural geography, or cultural anthropology, to the extent that such professionals are available in the community.

Motion by Kvamme, seconded by Osowski to move to city council with a recommendation to approve. The motion carried unanimously.

3.3 **Project Update for Project 8653 – Reconstruct N Washington St (1st Ave N to 8th Ave N)**

David Kuharenko presented to committee members an update on Project 8653 – Reconstruct N Washington St (1st Ave N to 8th Ave N). This staff report is intended to provide an update on the project and information pertaining to upcoming future public involvement. The proposed project includes reconstructing N. Washington St. from approximately 1st Ave. N. to 8th Ave. N. This segment of road was originally constructed in two phases over 50 years ago with numerous overlays since then with the most recent one in 2018. The pavement surface is in relatively good condition; however, the underlying concrete is deteriorating which makes reconstructing this segment of roadway a cost-effective option.

This portion of N Washington St is Business US 81 and is under the North Dakota Department of Transportation (NDDOT) jurisdiction. As such, the NDDOT will be leading the design and decision-making for this project. The NDDOT has hired Houston Engineering to complete the preliminary design for the project. Houston Engineering is planning to begin discussions with individual property owners related to the impacts on their driveways, accesses, and construction traffic control as a result of the project. Staff from the NDDOT and Houston Engineering are anticipated to be available at the Committee of the Whole meeting to inform the committee of the project scope and goals.

The proposed project is anticipated to include the reconstruction of the pavement and sidewalks from 1st Ave N to 8th Ave N, removal of the existing traffic signals, with the installation of new traffic signals at University Ave and 5th Ave N, replacement of existing street lighting, and replacing or relocating storm sewer as necessary to improve drainage. With the relatively tight available right of way, this project is not anticipated to include any addition of right turn lanes along N Washington St. During construction it is anticipated that one lane will be open in each direction for the duration of the project. The existing traffic signal located at 2nd Ave N is no longer warranted and is anticipated to be removed as part of the project and not replaced. A potential option at this intersection would be to restrict the access at this location to a 3/4 access meaning that vehicles on 2nd Ave N would not be able to take a left onto N Washington St or drive through on 2nd Ave N.

As part of this reconstruction project, the NDDOT is looking at past studies of this corridor including the Washington St Corridor Study that was completed in 2012 by the Grand Forks/East Grand Forks Metropolitan Planning Organization (MPO) which identified a number of potential improvements along the corridor. In this portion of the corridor, these recommendations included access management, replacing the signal at 2nd Ave N with a two-way stop control, adding northbound and southbound flashing yellow left arrow signal heads to the traffic signals, installing five-foot wide sidewalks, and getting the signs and street lights out of the sidewalks. To improve safety, the access management recommendation was to remove the existing driveways onto N Washington St where businesses have alternate access to side streets or alleys.

Currently the 2023 budget shows, in the six-year Capital Improvement Plan (CIP), approximately \$5.1 million for this project in 2026. It is anticipated that this is significantly under what the project is likely to cost. This project is not currently in the 2024-2027 Draft State Transportation Improvement Plan (STIP). A regional roads request is included in a separate staff report for approximately \$11.6 million for the project in 2027. This will also result in a change to the six-year CIP in a future budget.

This project has been considered at a number of previous Council/Committee/Public meetings, some of which are as follows:

- This project was previously programmed in the NDDOT Final 2023-2026 STIP for fiscal year 2026, however, this project was not included in the Draft 2024-2027 STIP.
- November 16, 2020 – Council approved a Federal Transportation Request which included this project
- November 15, 2021 – Council approved a Federal Transportation Request which included this project
- April 17, 2023 – Council approved the Preliminary Engineering Reimbursement Agreement with the NDDOT.
- In addition, this project has been previously reviewed at a number of various committee meetings.

This item was informational, no motion was needed.

3.4 **Cost Participation Construction and Maintenance Agreement for Project 8604 – Shared Use Path on S 48th St (32nd Ave S to 17th Ave S)**

David Kuharenko presented to committee members the staff recommendation to approve cost participation, construction, and maintenance agreement with NDDOT for City Project NO. 8604 – Shared Use Path on S 48th St (32nd Ave S to 17th Ave S). The proposed project includes converting the existing gravel path on the east side of S 48th St from approximately 32nd Ave S to 17th Ave S into a concrete shared-use path using the existing gravel as a base. The proposed path would connect to the existing concrete shared-use path on 32nd Ave S. This project has received federal aid through the Transportation Alternatives (TA) program. These funds are for construction costs only with an 80% federal share and 20% city share. Engineering, testing, and other ineligible items are 100% City funded. The design of this project was completed with city staff, and it is anticipated that a consultant engineer will be utilized for construction engineering services.

The Agreement under consideration is a standard agreement with the North Dakota Department of Transportation (NDDOT) and provides no cap for federal funds on this project for construction only. The Agreement identifies the responsibilities for payment of the project costs and maintenance responsibilities for the project once completed. The project is proposed to be funded with 80.93% Federal funding and 19.07% City funding for eligible project costs. Costs that are ineligible, such as Design Engineering, utility relocations, Construction Engineering, testing, etc., must be funded with 100% City funding.

This project has been considered at several previous Council/Committee/Public meetings, some of which are as follows:

- July 5, 2022– Council approved a Federal TA Funding Request which included this project.
- December 19, 2022 – Council approved accepting the TA funding and any necessary budget amendment.
- August 21, 2023 – Council approved the plans & specifications.
- This project was selected by the NDDOT to be funded under their TA Program for construction with no capped amount for eligible items.
- In addition, this project has been previously reviewed at a number of various committee meetings

Motion by Kvamme, seconded by Osowski to move to City Council with a recommendation to approve. The motion carried unanimously.

3.5 **Change Order #3 for Project No. 8549 – Upgrade Storm Sewer Pump Station #184**

Carmen Syverson presented to committee members the staff recommendation to approve Change Order No. 3 in the amount of \$270,927 and reset the Department Head's authority for City Project No. 8459 – Upgrade Storm Sewer Pump Station #184 and approve any necessary budget amendments. The purpose of this change order is to increase the contract amount for City Project No. 8549 Upgrade to Storm Sewer Pump Station 184 in order to pay for the replacement of 2 pumps that are in major need of repair.

This project is intended to renew Storm Pump Station 184 so that it can provide efficient and reliable service for the next 15-20 years. Storm pump station 184 is located at 5474 6th Avenue N and was last rehabbed in 2003. This project is being done because the existing drives and controls need an update. The existing station components are at the end of their useful life and there are safety concerns that need to be addressed. The city budget originally had a rehabilitation of Storm Pump Station 197, but it was determined that Storm Pump Station 184 was a priority.

The replacement controls and devices that are being installed in this station as part of this project will utilize new technology which is expected to be supported with technical support and spare parts for several years. A new generator will be included with the upgrades. Equipment removed from these stations during this project will be salvaged and placed in storage for spare parts for other stations.

This project has been considered at a number of previous Council/Committee/Public meetings.

Motion by Osowski, seconded by Weber to move to city council with a recommendation to approve. The motion carried unanimously.

3.6 **WWTP Phase II Project 8569 Contract Amendment**

Melanie Parver presented to committee members the staff recommendation to adopt amendment No 1 of the Construction Agreement between the City of Grand Forks and PKG Collaborative Inc. Project 8569 in the amount of \$2,711,070 subject to final review and approval of the City Attorney. Approval of associated budget amendment, subject to final review and approval of the Finance Department.

As the City of Grand Forks finalizes the design for Phase II of the Wastewater Treatment Plant Facility Improvements, the team has identified items that would benefit from early procurement. By proceeding with the MBR (Membrane Biological Reactor) design, AE2S is able to have Viola assist with the design of that equipment which will in turn help to complete the project's final design. Also, the generator's supply team is looking at 75 weeks lead time for that equipment therefore the team (AE2S, PKG, and City of Grand Forks Water Department staff) felt the importance of ordering that equipment now so that it will be in place before final completion in December of 2025.

Motion by Vein, seconded by Osowski to move to City Council with a recommendation to approve. The motion carried unanimously.

3.7 **Project No. 8652, 2024 Wastewater FOG Abatement Program**

Melanie Parvey presented to committee members the staff recommendation to approve the program for Fats Oil and Grease (FOG) Abatement for 2024 (Project #8652) in the amount of \$147,480.

The City of Grand Forks has been working on a FOG Abatement program with IPS and Steady State Solutions since 2022. The program is going well and as the City makes progress we will continue to evaluate and assess the need and benefit to continue with the FOG Abatement program. The City issued an RFP and received three proposals. The proposals were evaluated by a committee of staff of the Water Department as well as UND Chemical Engineering personnel. Moore Engineering also provided insight into the proposals as a third-party reviewer. The Solutions Group was a high scorer and is recommended for approval for 2024.

Motion by Osowski, seconded by Weber to move to city council with a recommendation to approve. The motion carried unanimously.

3.8 **Agassiz Water Users District – Customer Buyout Agreement**

Dan Gaustad presented to committee members the staff recommendation to approve the Agassiz Water Users District - Customer Buyout Agreement. The City and Agassiz Water Users District ("Agassiz") entered into that certain Agreement, dated January 24, 2000, relating to annexations by the City within areas described in this agreement as the "City Growth Area," and the loss of customers to Agassiz after such annexations, who would then become connected to the City's water supply and distribution system (the "Water Supply & Service Agreement").

Under the Water Supply & Service Agreement, when an annexation by the City occurs that results in an expansion of the City into Agassiz's water supply and distribution system service area, the City is to compensate Agassiz for the loss of customers in the annexed area that will then become served by the City's water supply service.

The City annexed certain areas along Highway 81 North. The annexation became effective on June 8, 2022. The area annexed is within the City Growth Area, as described in the Water Supply & Service Agreement, and within Agassiz's water supply and distribution service area. Therefore, it triggered payment by the City to Agassiz pursuant to the Water Supply & Service Agreement.

The number of Agassiz customers within the annexation area to be taken over by the City is 25.

Under the Water Supply & Service Agreement, the payment to Agassiz is based on two parts, which are found in Paragraph 2(g)(1) and Paragraph 2(g)(2) of the Water Supply & Service Agreement.

Motion by Osowski, seconded by Weber to move to city council with a recommendation to approve. The motion carried unanimously.

4. CITY COUNCIL MEMBER DISCUSSION MATTERS

None at this time.

5. ADJOURNMENT

Motion by Osowski, seconded by Weber to adjourn Committee of the Whole meeting at 6:52 PM.
The motion carried unanimously.