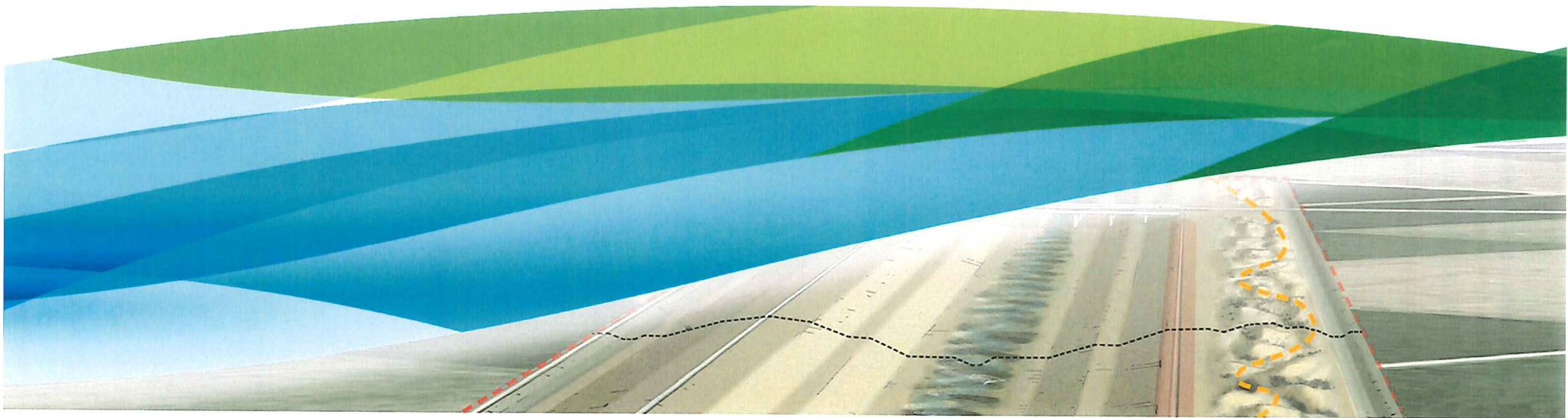




Diversion Authority Board Meeting

Executive Director Report (Item 4)
October 31, 2019



Program Controls Report

Overall Program Status

Program Categories Non-Federal Portion	Estimate at Completion (EAC) Millions	Overall Cost to Date As of: 09/27/2019	FY2019 Annual Budget	FY2019 Cost To Date As of: 09/27/2019
P3 Support Services	\$85.5	\$15.4	\$14.9	\$1.0
Milestone Payments to the Developer	\$763.1	\$0.0	\$0.0	\$0.0
Other/Mitigation Construction	\$72.6	\$25.9	\$4.6	\$1.1
Fargo In-Town Projects	\$92.9	\$87.9	\$10.5	\$5.5
Fargo- River Stage 37' Projects	\$99.4	\$3.5	\$40.0	\$3.5
Moorhead- River Stage 37' Projects	\$43.8	\$0.0	\$0.0	\$0.0
Lands and Impacted Property Mitigation	\$416.4	\$195.8	\$67.0	\$15.9
Non-Construction Costs	\$200.4	\$98.8	\$15.7	\$6.8
DA Construction Contingency	\$160.8	\$0.0	\$0.0	\$0.0
3rd Party MOU Mitigation	\$27.3	\$0.0	\$0.0	\$0.0
Net Current Interest / Financing Fees Paid	\$27.9	\$0.0	\$0.0	\$0.0
Designated P3 Channel Bridges	\$23.8	\$0.0	\$0.0	\$0.0
Designated Options and Easements after 2024	\$83.4	\$0.0	\$0.0	\$0.0
Designated 37' River Stage	\$20.3	\$0.0	\$0.0	\$0.0
DA Payment to USACE	\$67.4	\$53.2	\$0.0	\$0.0
Financing Costs				
Short Term Loan Payments	\$329.9	\$19.6	\$10.0	\$8.1
Non-Federal Totals	\$2,515.0	\$500.0	\$162.7	\$41.9
Less Outstanding Accounts Payable		(\$4.4)		
Actual Expenditure To Date		\$495.7		

Program Controls Report

FY 2019 Revenues

Revenue Sources	FY2019 Approved Budget
Sales Tax City of Fargo	\$30,937,000
Sales Tax Cass County	\$14,958,000
State of North Dakota	\$85,000,000
State of Minnesota	-
Borrowing Proceeds	-
Investment Income	\$1,500,000
Reimbursements	-
Lease / Rentals	\$750,000
Sale of Assets	-
Cash Reserves	\$29,578,850
Total Revenue Sources	\$162,723,850



Program Controls Report - Dashboard

[CLICK HERE](#)



Executive Director-Approved Contract Items

Description	Company	Budget Estimate (\$)
<i>Task Orders – Diversion Authority</i>		
Task Order 5, Amendment 1	PMC	\$0
Task Order 6, Amendment 1	PMC	\$0
Task Order 2, Amendment 0	AECOM	\$139,000
WP-42E, Change Order 3	IBI	\$10,879



CCJWRD-Approved Contract Items

Description	Company	Budget Estimate (\$)
<i>Task Orders – Cass County Joint Water Resource District</i>		



MCCJPA-Approved Contract Items

Description	Company	Budget Estimate (\$)
<i>Task Orders – Moorhead Clay County Joint Powers Authority</i>		
Task Order 1, Amendment 0	ProSource Technologies, LLC	\$200,000



Activities and Achievements

Program and Financial

- Welcomed USACE Commanding General Toy to Fargo-Moorhead
- Visited Washington, D.C. and held meetings with Congressional leaders, Office of Management & Budget, Army Corps Headquarters, and the EPA.
- Supported submission of LOI for EPA WIFIA and received position response to apply
- Supported the Financial Plan Update
- Re-activated the P3 procurement
- Updated P3 Procurement Schedule
- Supported submission of information for Intended Use Plan (IUP) for DWSRF loan
- Currently supporting submission of information for IUP for CWSRF loan



Activities and Achievements

In-Town Works Status



Activities and Achievements

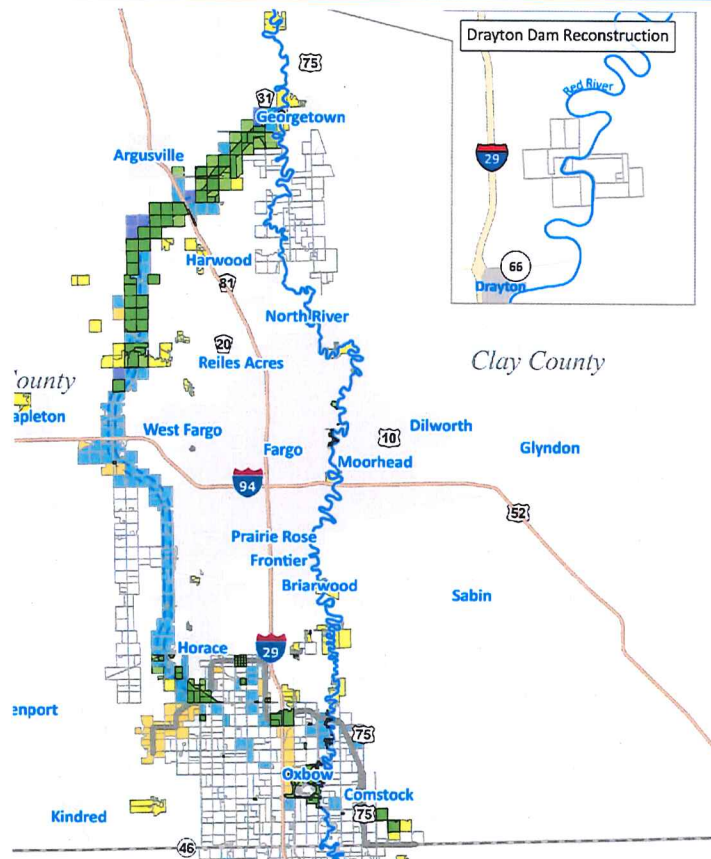
Land Acquisition and Property Mitigation Status

- 9 parcel appraisals approved in last month (9/26 - 10/24) (primarily for Diversion Channel and Opportunistic/Early)
- 3 parcels acquired in last month (9/26 - 10/24)
- Numerous Purchase Agreements signed and being negotiated for channel parcels
- “Formal Negotiations” have started on 51 parcels
- Started acquisition process for property rights needed for the Western Tieback Levee (Southern Embankment Reach 1)
- Continued securing Rights of Entry to support Southern Embankment design efforts
- Continued securing Environmental Monitoring Easements (for Bio/Geo monitoring) - Held two “informational meetings” with property owners
- Began updating the “Property Rights Acquisition and Mitigation Plan” for the Project to reflect permit conditions and project updates
- Continued data gathering to support Phase 2 Flowage Easement valuation process

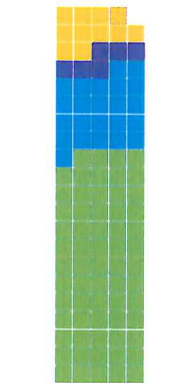


Activities and Achievements

Land Acquisition and Property Mitigation Status



Phase 1
(WP LAP01)
Target Completion:
Fall 2020



104 parcels total

- 11 Appraisal/MOU Pending
- 23 In Negotiation
- 6 Agreement Signed
- 64 Acquired Parcel/TCE Secured
- 0 Condemnation
- Change from last report

Phase 2
(WP LAP02)
Target Completion:
Fall 2020



68 parcels total

- 11 Appraisal/MOU Pending
- 39 In Negotiation
- 4 Agreement Signed
- 18 Acquired Parcel/TCE Secured
- 0 Condemnation
- Change from last report

Phase 3
(WP LAP03)
Target Completion:
Fall 2020



59 parcels total

- 17 Appraisal/MOU Pending
- 42 In Negotiation
- 0 Agreement Signed
- 0 Acquired Parcel/TCE Secured
- 0 Condemnation
- Change from last report

Activities and Achievements

Public Outreach and Social Media

- Approximately 350 project status letters sent to upstream property owners
- Presentations at multiple cities, townships and boards regarding Project & FEMA CLOMR status
- Letterhead and official Diversion Authority templates updated
- MN Senate Bonding Tour visited Moorhead in October

ANALYTICS REPORT (for September)



- Newsletter (1): 1,265 recipients
 - 38% open rate and 32% click rate



- Website Visitors: 1,945
 - Average time on the site: 2.21 minutes
 - Most popular pages: Project Dashboard, About the Project, P3 Recommencing



- Project Web Map: 219 views in June



- Videos: 494 minutes of watch time from 129 viewers



Twitter

- 9 tweets
- 237 profile visits
- 8,381 Tweet impressions



Look Ahead

Short-Term (next 0-3 months)

- Present FY2020 cash budget for Board action
- Welcome ASA(CW) R.D. James to Fargo-Moorhead on Nov. 1, with Sen. Hoeven and Gov. Burgum
- Meet with ND Office of State Engineer staff to review mitigation requirements and permit conditions
- Present and host booth at the ND Water Convention in December
- Update the Program Risk Register
- Attend the Business Leaders Flood Taskforce Meeting
- NDSU will complete the Ag Impacts study update to reflect Plan B
- Anticipate obtaining FEMA approval of CLOMR
- USACE to award contract for the Wild Rice River Control Structure



Look Ahead

Short-Term (next 0-3 months)

- Continue securing ROEs for Southern Embankment design
- Negotiate scope for Phase 2 Flowage Easement Valuation
- Prepare questionnaire for CWSRF loan program
- Finalize development of and issue the P3 DRAFT RFP
- Achieve substantial completion of WP43CD (Oxbow Lift Station)
- Achieve substantial completion of WP42E (2nd St South and Main Avenue Pump Station)
- Achieve substantial completion of WP50A (Property Structure Mitigation/Demolition)
- Initiate bidding phase for WP43G (OHB Wetland Mitigation)



Look Ahead

Long-Term (3-6 months out)

- Hold one-on-one meetings with P3 proposers
- Support the contested case hearing and BRRWD permit challenge processes
- Solidify upstream structure mitigation requirements in coordination with permitting agencies - initiating outreach to upstream property owners
- Initiate bidding phase for WP43D5 (Hickson Main Avenue Storm Sewer)
- Initiate bidding phase for WP50B (Property Structure Mitigation)





FM AREA
DIVERSION
PROJECT



Executive Director Financial Report

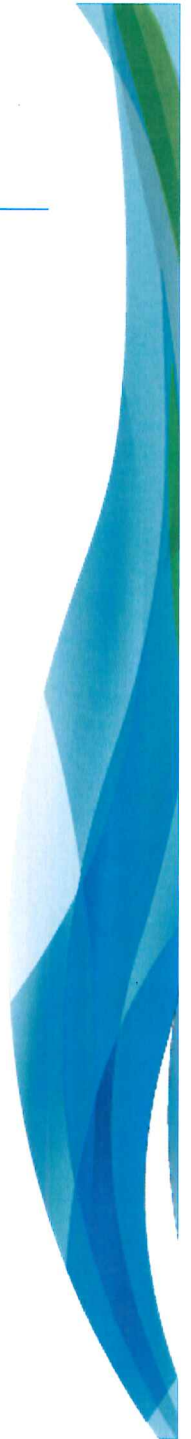
October 30, 2019

Overall Program Status – Level 1 Summary

Program Categories	Estimate at Completion (EAC) Millions	Overall Cost to Date As of: 09/27/2019	FY2019 Annual Budget	FY2019 Cost To Date As of: 09/27/2019
Non-Federal Portion				
P3 Support Services	\$85.5	\$15.4	\$14.9	\$1.0
Milestone Payments to the Developer	\$763.1	\$0.0	\$0.0	\$0.0
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Financing Costs				
Short Term Loan Payments	\$329.9	\$19.6	\$10.0	\$8.1
Non-Federal Totals	\$2,515.0	\$500.0	\$162.7	\$41.9
Less Outstanding Accounts Payable		(\$4.4)		
Actual Expenditure To Date		\$495.7		

Overall Program Status – Level 2 Detail

Schedule Budget Categories	Overall Cost to Date 09/27/19	FY2109 Annual Budget	FY2109 Cost To Date 09/27/19
Diversion Channel & Assoc. Infrastructure	\$15,358,293	\$14,948,179	\$1,028,561
Management, Legal, Financial, Procurement	\$15,358,293	\$14,948,179	\$1,028,561
Channel - Construction	\$0	\$0	\$0
Southern Embankment & Assoc. Infrastructure	\$54,052,430	\$1,136,375	\$544,151
WP-26 Diversion Inlet	\$65,026	\$27,175	\$175
WP-27 Red River - West Embankment	\$0	\$295,000	\$0
WP-29 Red River - East Embankment	\$0	\$0	\$0
WP-30 Wild Rice River Control Structure	\$0	\$46,000	\$0
WP-31 I-29 Grade Raise	\$693,431	\$150,000	\$456,476
WP-33 CR81 Bridge	\$0	\$0	\$0
WP-35 Red River Control Structure	\$0	\$139,000	\$0
WP-47 Contracted Utility Relocations	\$0	\$0	\$0
WP-50 Phase II Demo	\$134,973	\$479,200	\$87,500
WP51 - Recreation SEAI (Metro-COG)	\$0	\$0	\$0
USACE Local Share \ Management Oversight	\$53,159,000	\$0	\$0



Overall Program Status – Level 2 Detail

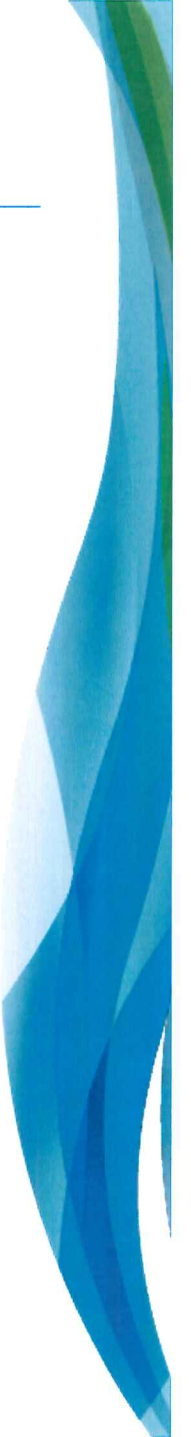
Schedule Budget Categories	Overall Cost to Date 09/27/19	FY2109 Annual Budget	FY2109 Cost To Date 09/27/19
Other Mitigation Projects	\$24,511,718	\$3,960,180	\$864,407
WP-36 Wild Rice Dam Mitigation	\$0	\$0	\$0
WP-40 Drayton Dam Mitigation	\$0	\$0	\$0
WP-41 Buffalo River Mitigation	\$0	\$0	\$0
WP-43 Oxbow-Hickson-Bakke	\$24,511,718	\$3,960,180	\$864,407
WP-49 Cultural Remediation	\$0	\$0	\$0
In-Town Flood Protection	\$91,408,947	\$50,509,247	\$8,982,110
WP-42 In-Town Levees	\$87,941,876	\$10,509,247	\$5,515,039
In-Town Flood Protection (R37)	\$3,467,071	\$40,000,000	\$3,467,071
Enabling Work / Other	\$1,367,041	\$626,000	\$256,590
WP-28 - Cass County Road 16 and 17 Bridge	\$1,367,041	\$626,000	\$256,590
Land Acquisition & Mitigation	\$195,676,292	\$66,519,373	\$15,831,532
Management, Legal, Financial, Procurement	\$17,211,887	\$11,339,203	\$2,025,386
DIVERSION CHANNEL AND ASSOCIATED INFRASTRUCTURE	\$29,586,297	\$29,131,081	\$4,555,928
SOUTHERN EMBANKMENT AND ASSOCIATED INFRASTRUCTURE	\$10,325,019	\$6,020,000	\$2,963,887
MITIGATION AND ASSOCIATED INFRASTRUCTURE	\$83,581,685	\$222,671	\$182,419
WP-38 Upstream Staging	\$16,951,022	\$19,802,488	\$6,090,720
IN-TOWN FLOOD PROTECTION	\$38,020,382	\$3,930	\$13,192

Overall Program Status – Level 2 Detail

Schedule Budget Categories	Overall Cost to Date 09/27/19	FY2109 Annual Budget	FY2109 Cost To Date 09/27/19
Engineering & Design Fees	\$40,069,018	\$3,812,874	\$1,743,669
Management, Legal, Financial, Procurement	\$6,312,018	\$1,073,006	\$487,961
WORK-IN-KIND PROGRAMS (WIK) STUDIES	\$11,530,276	\$2,517,122	\$868,820
INDICATIVE DESIGN	\$6,859,087	\$0	\$0
(LERRDs) - LAND, EASEMENTS, ROW, RELOCATION & DISPOSAL AREAS (FMFDA)	\$359,436	\$7,927	\$14,504
PERMITTING	\$4,514,393	\$160,360	\$248,809
CERTIFICATION	\$0	\$0	\$0
FMDA DETENTION FUNDING	\$721,568	\$0	\$0
OTHER MITIGATION PROJECTS	\$9,772,240	\$54,459	\$123,575
ENABLING WORK	\$0	\$0	\$0
Program Support Services	\$57,863,880	\$11,154,000	\$4,529,843
Management, Legal, Financial, Procurement	\$57,863,880	\$11,154,000	\$4,529,843
Contingency	\$0	\$0	\$0
SYSTEM WIDE CONTINGENCY	\$0	\$0	\$0
DIVERSION CHANNEL AND ASSOCIATED INFRASTRUCTURE	\$0	\$0	\$0
SOUTHERN EMBANKMENT AND ASSOCIATED INFRASTRUCTURE	\$0	\$0	\$0
LAND ACQUISITION	\$0	\$0	\$0
OTHER MITIGATION PROJECTS	\$0	\$0	\$0
IN-TOWN FLOOD PROTECTION	\$0	\$0	\$0
ENABLING WORK	\$0	\$0	\$0
Debt Service	\$19,620,124	\$9,995,622	\$8,076,507
Maintenance	\$76,434	\$32,000	\$41,493
Report Totals	\$500,004,177	\$162,693,850	\$41,898,863
Less Outstanding Accounts Payable	-\$4,372,294		
Actual Expenditure To Date	\$495,631,883		

Program Revenues

Revenue Sources	FY2019 Approved Budget
Sales Tax City of Fargo	\$30,937,000
Sales Tax Cass County	\$14,958,000
State of North Dakota	\$85,000,000
State of Minnesota	-
Borrowing Proceeds	-
Investment Income	\$1,500,000
Reimbursements	-
Lease / Rentals	\$750,000
Sale of Assets	-
Cash Reserves	\$29,578,850
Total Revenue Sources	\$162,723,850



Early Property Acquisition Program

Introduction

The Project will require acquisition of various land rights to approximately 1,300 parcels. The Diversion Authority aims to acquire these properties following a timeline based on design and construction schedules. That being said, and with an executed Project Partnership Agreement with the Federal Government, the Diversion Authority will entertain requests for early acquisition from property owners. The intention of this program is to allow property owners to be acquired early, if they desire.

Early Acquisition Process

The following process will be used for early acquisition of impacted properties requiring acquisition or mitigation due to the Project.

- The Diversion Authority will approve an annual budget with a line item for 'early acquisitions'.
- The Diversion Authority will notify all impacted property owners and make them aware of an opportunity for early acquisition. The notification will be issued after the Conditional Letter Of Map Revision (CLOMR) is issued by FEMA.
- If impacted property owners are interested in an early acquisition, they will be instructed to contact the acquiring entity (CCJWRD or MCCJPA), or the Program Management Consultant (PMC).
- The PMC will confirm that the interested property is impacted by the Project and assess the budget availability.
- If the property is impacted, and if there is budget available, the PMC will recommend proceeding with acquisition of the property.
- The acquisition will then commence following the 'Typical Property Acquisition Process'.
- These early acquisitions may be considered voluntary because the acquiring entity may not be able to demonstrate necessity if negotiations are unsuccessful.

ATTENTION HOME BUILDERS, DEVELOPERS, FARMERS, INVESTORS, & TAX DEFERRED EXCHANGE LAND BUYERS!

Land Auction Timed Online

BUYER'S PROSPECTUS

OPENS: MONDAY, NOVEMBER 11 | 8AM
THURSDAY, NOVEMBER 14 | 10AM & 12PM ²⁰¹⁹
Ring 1 Ring 2

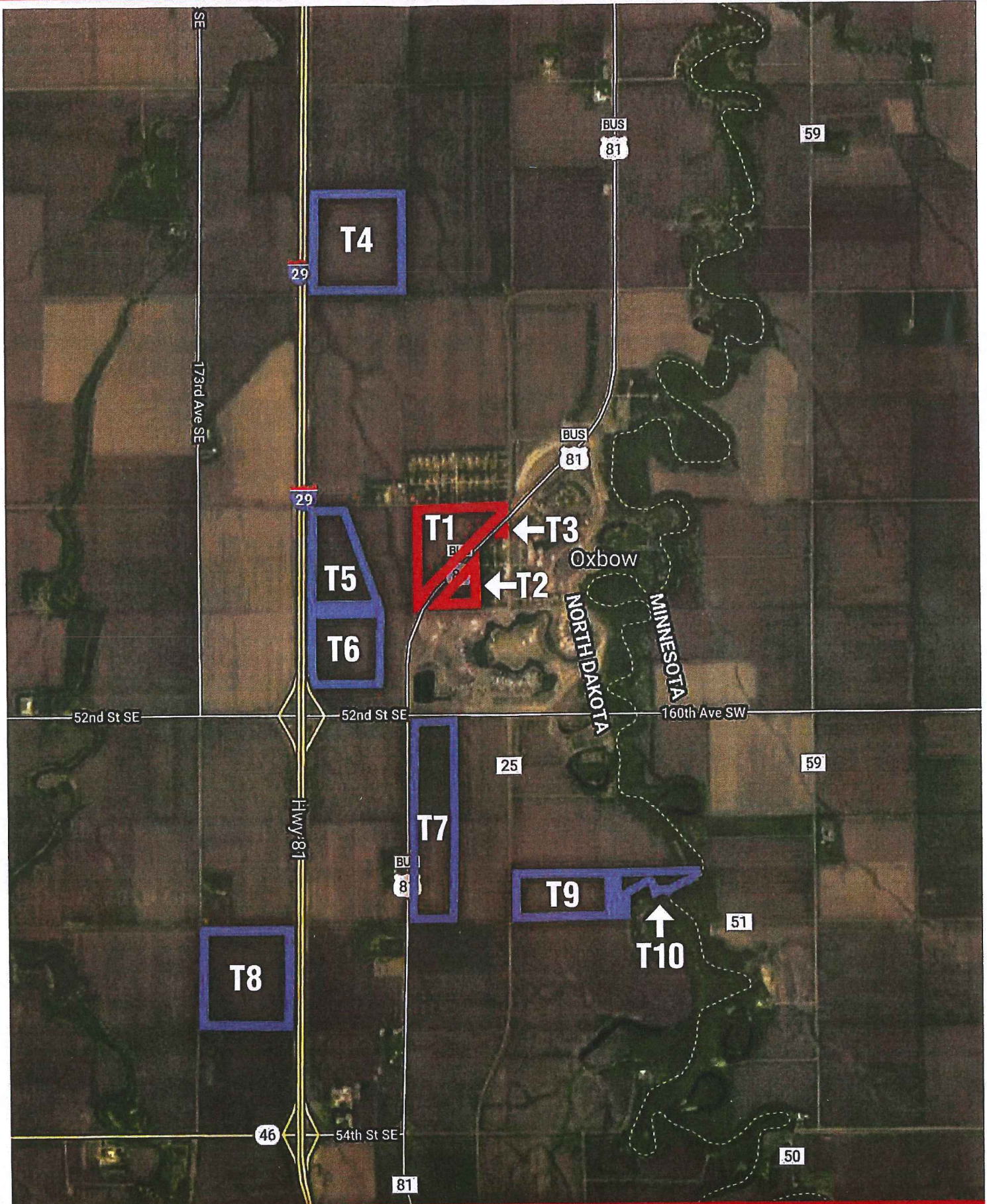
827[±]
acres
offered in 10 tracts

Oxbow-Hickson
NORTH DAKOTA
Cass County

Estate of Arthur B. Mathison, Owner
Nancy Mathison, PR
The Mathison Family, Owners

LAND PREVIEW & INSPECTION DATE:
Thursday, October 31, 2019, from 12:00PM – 3:00PM





LOCATION

Interstate Frontage | Hwy. 81 Frontage | 10-15 Miles from Fargo | To Be Sold in 10 Tracts!