

**METRO FLOOD DIVERSION AUTHORITY
NOVEMBER 16, 2017—3:30 PM**

1. MEETING TO ORDER

A meeting of the Metro Flood Diversion Authority was held Thursday, November 16, 2017, at 3:30 PM in the Fargo City Commission Room with the following members present: Fargo City Mayor Tim Mahoney; Fargo City Commissioner Tony Grindberg; Cass County Commissioner Mary Scherling; Cass County Commissioner Chad M. Peterson; Cass County Commission representative Darrell Vanyo; Clay County Commissioner Kevin Campbell; Clay County Commissioner Grant Weyland; and Cass County Joint Water Resource District Manager Rodger Olson via conference call. Moorhead City Mayor Del Rae Williams; Moorhead City Council Member Chuck Hendrickson; Moorhead City Council Member Joel Paulsen; Fargo City Commissioner Dave Piepkorn; and West Fargo City Commissioner Mike Thorstad were absent. Mark Nisbet from the Chamber of Commerce Business Leaders Task Force was also present.

2. MINUTES APPROVED

MOTION, passed

Mr. Weyland moved and Mr. Grindberg seconded to approve the minutes from the October 26, 2017, and November 2, 2017, meetings as presented.

Motion carried.

3. AGENDA ORDER

MOTION, passed

Mr. Grindberg moved and Mr. Vanyo seconded to approve the order of the agenda. Motion carried.

4. MANAGEMENT UPDATE

Program management consultant (PMC) report

Robert Cowen from CH2M provided an update on activities over the last month. The Governors' Task Force continues to meet and discuss permanent flood protection options. He said the County Road 17 bypass is open and operational, and County Road 81 has been raised and is open to traffic. The priorities for next month are to continue providing support for the Governors' Task Force and preparation of 2018 budget recommendations.

OHB levee construction continues in accordance with a stipulated agreement allowing construction through 2017 with concurrence from the MN DNR. New in-town levee construction, P3 procurement activities, and land acquisitions are on hold as a result of the injunction.

Mr. Cowen provided brief a financial update on the overall program status and said almost \$400 million has been expended to date. He said \$65 million has been expended out of the \$240 million FY2017 budget.

Mr. Cowen provided a construction update on continued work on in-town levees, landscaping and plantings, and Oxbow home demolition and relocation projects.

5. ADMINISTRATIVE/LEGAL UPDATE

Executive Director search discussion

Michael Redlinger, Co-Executive Director and Assistant Fargo City Administrator, provided the position profile that was used in the previous Executive Director search. He provided a recap of the search and interview process that was administered by CPS Consulting. He said if the board decides to begin a new search after the Governors' Task Force has completed its work, the process to reboot the search would not take as much as time because a lot of the ground work has been done.

Mr. Campbell feels this discussion is premature and believes the board needs to focus on the work associated with the Governors' Task Force. He said it is important to provide as much assistance to the technical team during this time, and feels the board should wait to begin a new Executive Director search until after it is known what the project will look like. He said the focus at this time should continue to be on communications and outreach.

Mr. Mahoney said the salary and job requirements could be re-defined prior to moving forward with the search for an Executive Director. Mr. Redlinger asked board members to provide any comments or suggestions to him regarding the position profile.

6. PUBLIC OUTREACH UPDATE

Committee report

The Public Outreach Committee met on November 15th. Mr. Campbell said much of the discussion centered on the Governors' Task Force meetings. He referred to the website and said information and video links to the meetings are available.

Business Leaders Task Force

Mr. Nisbet said the task force continues to be committed to the project and to permanent flood protection for the area.

7. FINANCE UPDATE

Committee report

The Finance Committee met on November 15th. Mr. Grindberg briefly discussed the financial report and said \$398 million in total has been expended for the project. The net cash position is \$72 million. He said the Finance Committee will meet on December 13th to discuss the 2018 budget.

Recommended Contracting Actions

Mr. Cowen discussed the following contracting actions, which were approved by the Finance Committee and Technical Team:

- Riley Bros. Construction, Inc. (Change Order 02 – County Road 16/17 Road Realignment)—change order to incorporate County Road 17 temporary bypass road, add ditch cleaning, add standby time and partial demobilization costs in the amount of \$469,811.19;
- Schmidt & Sons Construction, Inc. (Change Order 02 – OHB Home Removal)—change order to relocate a temporary road access point in the amount of \$6,200.00;
- Landwehr Construction, Inc. (Change Order 02 – OHB Home Removal)—change order for a temporary golf cart path in the amount of \$4,383.34;
- Industrial Builders, Inc. (Change Order 19 – 2nd Street North, South of Pump Station)—change order to add and install generator exhaust system components and add 56 calendar days to the final completion date in the amount of \$22,556.00.

MOTION, passed

Mr. Grindberg moved and Mr. Vanyo seconded to approve the appropriation of funds for the change orders as outlined. On roll call vote, the motion carried unanimously.

Voucher approval

The bills for the month are with Dorsey & Whitney LLP for legal services; Ohnstad Twichell, P.C. for legal services; and the Cass County Joint Water Resource District (CCJWRD) for costs associated with the Metro Flood Diversion, Diversion Project Assessment District, OHB levee, Oxbow Golf and Country Club, and in-town levees.

MOTION, passed

Mr. Grindberg moved and Mrs. Scherling seconded to approve the vouchers received through November 13, 2017, in the amount of \$2,706,501.77. On roll call vote, the motion carried unanimously.

8. NEXT MEETING

MOTION, passed

Mr. Peterson moved and Mrs. Scherling seconded to change the December 14th meeting date to December 21st. Motion carried.

9. LAND MANAGEMENT UPDATE

The Land Management Committee did not meet this month. Mrs. Scherling briefly reviewed the property acquisition status map and status report. She suggested the Land Management Committee meeting be changed from December 13th to December 20th given the change in the Diversion Board meeting date for next month.

10. ADJOURNMENT

MOTION, passed

On motion by Mr. Peterson, seconded by Mr. Vanyo, and all voting in favor, the meeting was adjourned at 4:07 PM.