

**METRO FLOOD DIVERSION AUTHORITY
JULY 13, 2017—3:30 PM**

1. MEETING TO ORDER

A meeting of the Metro Flood Diversion Authority was held Thursday, July 13, 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; Fargo City Commissioner Dave Piepkorn; Cass County Commissioner Chad M. Peterson; Cass County Commission representative Darrell Vanyo; Moorhead City Council Member Chuck Hendrickson; Moorhead City Council Member Joel Paulsen; Clay County Commissioner Kevin Campbell; Cass County Joint Water Resource District Manager Rodger Olson; and West Fargo City Commissioner Mike Thorstad. Moorhead City Mayor Del Rae Williams, Cass County Commissioner Mary Scherling, and Clay County Commissioner Grant Weyland were absent. Tom Dawson, Chairman of the Chamber Business Leaders Task Force, was also present.

2. MINUTES APPROVED

MOTION, passed

Mr. Hendrickson moved and Mr. Campbell seconded to approve the minutes from the June 22, 2017, meeting as presented. Motion carried.

3. AGENDA ORDER

MOTION, passed

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

4. EXECUTIVE DIRECTOR INTERVIEW SCHEDULE

Michael Redlinger, Assistant Fargo City Administrator, presented the interview schedule with the Executive Director candidates, which will be held on Monday, July 24th beginning at 7:30 AM with an overview of the process. The day will also include a project tour and a candidate reception. He said on Tuesday, July 25th there will be an overview of the P3 partnership and project financing, roundtable discussion with the local technical team, and final Q & A opportunity with the candidates. The regular Diversion Board of Authority meeting will be held on Thursday, July 27th with a potential executive session to discuss employment agreement negotiations for the preferred candidate.

5. WELLS FARGO LOAN BANK AGREEMENT

Attorney John Shockley was present to discuss a resolution consenting to loan agreements between Wells Fargo Bank, Cass County and Fargo.

Mr. Shockley said the City of Fargo and Cass County each have two \$50 million loans through Wells Fargo. Each entity has a loan due on July 31, 2017, and a loan due on July 31, 2018. Cass County and Fargo have negotiated with Wells Fargo to refinance all four loans into two loans with the county and city each having one \$100 million loan due on July 31, 2019. He said the loans will be considered by the Fargo City Commission and Cass County Commission at their meetings on Monday, July 17th.

MOTION, passed

Mr. Campbell moved and Mr. Vanyo seconded to adopt the Resolution Consenting to Loan Agreement Between Wells Fargo Bank, N.A., and Cass County, North Dakota and Consenting to Loan Agreement Between Wells Fargo Bank, N.A., and the City of Fargo, North Dakota. On roll call vote, the motion carried unanimously.

6. CONTRACTING ACTIONS

Greg Baisch from CH2M discussed the following contracting actions, which were approved by the Finance Committee:

- Meyer Contracting (OHB Ring Levee Phases C and D)—contract award in the amount of \$10,399,476.21;
- Riley Brothers Construction, Inc. (County Roads 16 and 17 Realignment)—contract award in the amount of \$3,176,953.92;
- Hough Inc. Change Order 3 (2nd Street South Levee and Floodwall)—adjust sidewalk, increase embankment import and inspection trench quantities, and increase contract time for final completion in the amount of \$122,928.10;
- Cass County Electric Cooperative (OHB Levee Utility Relocation)—reimbursement agreement for 2017 utility relocations in the amount of \$93,915.00.

MOTION, passed

Mr. Grindberg moved and Mr. Paulsen seconded to approve the appropriation of funds for the outlined contracting actions. On roll call vote, the motion carried unanimously.

Mr. Redlinger discussed renewal of a services agreement with Fredrikson & Byron, P.A., which proposes the same monthly rate and terms, and was approved by the Finance Committee. He said there was discussion at the Finance Committee about receiving a written report from Fredrikson & Byron about the services provided.

Mr. Campbell believes the services are important to help assist in the Minnesota legislative session and to help promote the project. He will look into the request for periodic reporting.

- Fredrikson & Byron, P.A. (Government Relations Services)—renewal of agreement for the period of July 1, 2017, through June 30, 2018, at a flat fee of \$3,500 per month.

MOTION, passed

Mr. Campbell moved and Mr. Hendrickson seconded to approve the appropriation of funds for the services agreement with Fredrikson & Bryron, P.A. On roll call vote, the motion carried unanimously.

7. OTHER BUSINESS

Mr. Campbell said the Clay County Commission and Moorhead City Council sent letters to Minnesota Governor Mark Dayton to discuss resuming the work group meetings with the Minnesota Department of Natural Resources (MN DNR).

8. NEXT MEETING

The next meeting will be held on Thursday, July 27, 2017.

9. ADJOURNMENT***MOTION, passed***

On motion by Mr. Vanyo, seconded by Mr. Peterson, and all voting in favor, the meeting was adjourned at 3:50 PM.