

**METRO FLOOD DIVERSION AUTHORITY  
JANUARY 12, 2017—3:30 PM**

**1. MEETING TO ORDER**

A meeting of the Metro Flood Diversion Authority was held Thursday, January 12, 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 Commission representative Darrell Vanyo via conference call; Cass County Commissioner Mary Scherling; Cass County Commissioner Arland Rasmussen; Moorhead City Mayor Del Rae Williams; Moorhead City Council Member Chuck Hendrickson; Moorhead City Council Member Joel Paulsen; Clay County Commissioner Kevin Campbell; Clay County Commissioner Grant Weyland; Cass County Joint Water Resource District Manager Roger Olson; and West Fargo City Commissioner Mike Thorstad.

**2. NOMINATION OF VICE CHAIR**

*MOTION, passed*

**Mr. Grindberg moved and Mr. Campbell seconded to nominate Del Rae Williams, Moorhead City Mayor, as Vice Chair of the Metro Flood Diversion Authority. Motion carried.**

**3. DESIGNATION OF SECRETARY**

*MOTION, passed*

**Mrs. Scherling moved and Mr. Olson seconded to designate Heather Worden as the Secretary of the Metro Flood Diversion Authority. Motion carried.**

**4. MINUTES APPROVED**

*MOTION, passed*

**Mr. Weyland moved and Mr. Campbell seconded to approve the minutes from the December 15, 2016, meeting as presented. Motion carried.**

**5. AGENDA ORDER**

*MOTION, passed*

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

**6. MANAGEMENT UPDATE**

*Program management consultant (PMC) report*

Randy Richardson from CH2M provided an update on activities over the last month including the release of the Public Private Partnership (P3) Request for Proposals (RFP) to the four short-listed proposers; approval of the FY 2017 annual budget; Phase 1 land acquisition and opportunistic land acquisitions; contract award for the Oxbow home demolition package; continued outreach and coordination with the MN DNR, North Dakota legislature and North Dakota Governor Doug Burgum.

Priority areas for the next month are one-on-one meetings with the P3 proposers; continued work to refine the P3 RFP documents; continued Phase 1 land acquisitions and opportunistic land acquisitions; and participation in the Red River Basin Commission conference.

Ty Smith from CH2M provided an update on in-town levee work and the Oxbow home demolition and relocation project.

**7. CORPS OF ENGINEERS UPDATE**

Terry Williams, Project Manager from the Corps of Engineers, was present. She provided an update of activities by Corps of Engineers staff which includes issuance of a notice to proceed on the inlet control structure; preparation of preliminary engineering reports for the Wild Rice control structure and southern embankment design; assistance with further development of the P3 RFP; preparation to conduct rights-of-entry and surveys beginning in the spring of 2017; and letter sent to MN DNR Commissioner Tom Landwehr from Colonel Samuel Calkins to reinforce the Corps' position regarding the project.

**8. ADMINISTRATIVE/LEGAL UPDATE**Adopt Meeting Schedule for 2017

Pursuant to Section 5.11, subsection (b) of the Joint Powers Agreement, at the first meeting in January the board needs to adopt a meeting schedule for the upcoming year.

***MOTION, passed***

**Mr. Piepkorn moved and Mr. Olson seconded to adopt the meeting schedule for the Metro Flood Diversion Authority for 2017. Motion carried.**

CH2M Master Services Agreement and Task Order

Mr. Shockley discussed the Master Services Agreement (MSA) and Task Order No. 1 with CH2M, which were approved by the Finance Committee. He said the most significant difference is a change from a lump sum monthly payment to an hourly rate. The MSA is for a three-year term.

***MOTION, passed***

**Mr. Grindberg moved and Mr. Weyland seconded to approve the Master Services Agreement with CH2M. On roll call vote, the motion carried unanimously.**

Mr. Shockley said Task Order No. 1 is part of the MSA and is for program management and related services for the period of January 14, 2017, to April 1, 2018.

***MOTION, passed***

**Mr. Grindberg moved and Mr. Hendrickson seconded to approve Task Order 1 with CH2M. On roll call vote, the motion carried unanimously.**

Executive Director position description

Mr. Shockley discussed the draft job description for the Executive Director position along with a proposed notice and timeline for the job search. He asked the board to provide any comments or changes to him over the next two weeks. He said compensation for the position has not been determined.

Mr. Vanyo said there has been discussion about hiring a salary consultant similar to the process used by Fargo and Cass County to determine the salary classification. He also said the timeline includes publication of the job notice for up to four months, but this is flexible dependent on the applications that are received.

The consensus of the board was to set a goal to hire the position by this summer. Mr. Shockley will plan to bring this item back to the board for approval at the next meeting.

**9. PUBLIC OUTREACH UPDATE**Committee report

The Public Outreach Committee met on January 11<sup>th</sup>. Rocky Schneider from AE2S provided a handout which includes information on the e-newsletter activity and website traffic. He said the newsletter has 1,238 subscribers. Staff also uploaded videos to YouTube which have generated public interest.

**10. LAND MANAGEMENT**

The Land Management Committee met on January 11<sup>th</sup>. Mrs. Scherling said the committee discussed the 2017 meeting date schedule, the purposes and goals of the committee, and environmental review and access to properties for survey work. She said the actual land acquisitions are handled by the Cass County Joint Water Resource District (CCJWRD).

**11. FINANCE UPDATE**Committee report

The Finance Committee met on January 11<sup>th</sup>.

Recommended Contracting ActionsUtility Relocation

Robert Cowen from CH2M discussed the following utility relocation, which was reviewed and approved by the Finance Committee:

- City of Fargo (Utility Relocation)—final payment to relocate fiber communication cable from underneath the 2<sup>nd</sup> Street North flood wall in the amount of \$37,526.38.

***MOTION, passed***

**Mr. Grindberg moved and Mr. Weyland seconded to approve the appropriation of funds for the outlined Utility Relocation. On roll call vote, the motion carried unanimously.**

Voucher approval

The bills for the month are with Springsted, Inc. for financial feasibility analysis services; Ohnstad Twichell, P.C. for P3 bond counsel work and 4<sup>th</sup> Street pump station litigation; and Cass County Joint Water Resource District (CCJWRD) for costs associated with the Metro Flood Diversion, in-town levees, Diversion Project Assessment District, OHB levee, and Oxbow Country Club golf course construction.

Mr. Grindberg said the Finance Committee pulled a \$16,500 line item from the CCJWRD invoice for City of Oxbow auditor services until some questions are answered regarding the cost.

***MOTION, passed***

**Mr. Grindberg moved and Mr. Hendrickson seconded to approve the vouchers received through January 4, 2017, in the amount of \$3,092,473.92, which does not include the Oxbow auditor services line item. On roll call vote, the motion carried unanimously.**

**12. OTHER BUSINESS**

Mr. Mahoney said a meeting was held earlier this week with the North Dakota State Appropriations Committee regarding project funding. He said the payout of \$66.5 million in funds will be done over a four biennium period.

Ms. Williams said names for the MN DNR working group have been submitted.

**13. NEXT MEETING DATE**

The next meeting will be held on Thursday, January 26, 2017.

**14. ADJOURNMENT*****MOTION, passed***

**On motion by Mr. Vanyo, seconded by Mrs. Scherling, and all voting in favor, the meeting was adjourned at 4:20 PM.**