

FLOOD DIVERSION BOARD OF AUTHORITY
Thursday, December 8, 2011
3:30 PM

Fargo City Commission Room
Fargo City Hall
200 3rd Street North

1. Call to Order
2. Approve minutes of previous meeting Action
3. Updates from committees Information/action
 - a. Public Outreach (Rodger Olson) Information/action
 - b. Finance Committee (Mike Montplaisir)
 - Approve vouchers
 - Global view of dollars for project
 - Diversion Authority contract approvals
 - c. Mitigation Committee (Dennis Walaker) Information
4. Update from Project Management Firm CH2MHill Information/action
 - a. Increased in-town flows with educational visual
 - b. Recommendation to establish Executive Committee and proposed JPA Committee organizational structure
 - c. Local consultant procurement plan
 - d. FY2012 local sponsor work plan
 - e. Corps of Engineers integration plan
 - f. Northwest alignment/re-alignment outcome
 - g. Minnesota EIS contract approval
5. 90-day extension of CH2MHill contract Action
6. Update from the Corps of Engineers Information
7. Endorsement of Grandin letter response Information/action
8. Approval of general liability insurance coverage with NDIRF Action
9. Other Business
10. Next Meeting
11. Adjournment

cc: Local Media

FLOOD DIVERSION BOARD OF AUTHORITY
December 8, 2011

Meeting Attachments

- 2. Minutes from previous meeting
- 3b. Finance Committee information
- 4a. Increased in-town flows
- 4b. JPA organization/committee structure
- 4c. Local procurement plan
- 4d. FY 2012 local sponsor work plan
- 4e. Corps of Engineers integration plan
- 4f. Northwest re-alignment outcome
- 4g. Minnesota EIS contract
- 5. Contract extension with CH2MHill
- 7. Response to Grandin letter

**FLOOD DIVERSION BOARD OF AUTHORITY
NOVEMBER 10, 2011—3:30 PM**

1. MEETING TO ORDER

A meeting of the Flood Diversion Board of Authority was held on November 10, 2011, at 3:30 PM in the Fargo City Commission Room with the following members present: Cass County Commissioner Darrell Vanyo; Cass County Commissioner Scott Wagner; West Fargo City Commissioner Mike Thorstad; Cass County Joint Water Resource District Manager Rodger Olson; Fargo Mayor Dennis Walaker; Clay County Commissioner Kevin Campbell; and Moorhead City Council Member Brenda Elmer for Nancy Otto.

Board of Authority ex-officio and alternate members present: ex-officio member Gerald Van Amburg, Buffalo-Red River Watershed District; alternate member Grant Weyland, Clay County Commissioner; and alternate member Breanna Paradeis Kobiela.

Staff members and others present: Cass County Administrator Keith Berndt; Fargo City Administrator Pat Zavoral; Moorhead City Manager Mike Redlinger; Clay County Administrator Brian Berg; Fargo City Engineer Mark Bittner; Cass County Engineer Jason Benson; Moorhead City Engineer Bob Zimmerman; and Tom Waters, Program Manager, CH2MHill.

2. MINUTES APPROVED

MOTION, passed

Mr. Wagner moved and Mr. Campbell seconded to approve the minutes from the October 27, 2011, Flood Diversion Board of Authority meeting as written. Motion carried.

3. UPDATES FROM COMMITTEES

Legal Committee

Erik Johnson, Fargo City Attorney, provided a legal update. He said board members were provided with draft by-laws at the last meeting, and he provided a final draft for consideration today. He said minor revisions to the notice of meeting requirements discussed last month have been incorporated into the document. Also, some language was added to allow treasury management functions to be delegated to the City of Fargo Finance Office.

Mr. Vanyo briefly discussed Section 2.02 regarding alternate board members, which outlines their participation in the meeting only if the alternate is serving for a board member who is absent. Board members did not have any comments and were agreeable to this section of the by-laws.

MOTION, passed

Mr. Walaker moved and Mr. Wagner seconded to accept the by-laws with revisions as presented. On roll call vote, the motion carried unanimously.

Public Outreach Committee

Daron Selvig, Communications Specialist from Advanced Engineering & Environmental Services (AE2S), said construction of the website is 75% complete and could go live by the end of next week.

Mr. Selvig provided a website demonstration, and said the site will include information on the project status, timeline, FAQ's (frequently asked questions), press releases, and meeting dates. He said the twitter name of "FM Diversion" has been reserved.

Mr. Olson asked the board to give the Public Outreach Committee the authority to allow the website to go on-line as soon as all the information is ready. Mr. Wagner asked how the committee will ensure the information is accurate. Mr. Olson said all the information on the website has been taken from Corps of Engineers documents.

MOTION, passed

Mr. Olson moved and Ms. Elmer seconded to move forward and go live with the website as soon as it is ready. On roll call vote, the motion carried unanimously.

Finance Committee

Michael Montplaisir, Cass County Auditor, provided an update from the Finance Committee, which met on November 3rd. He said the committee approved an accounting and bill paying process to be used for the immediate future with the bills and reporting to be handled through the City of Fargo. He recommends the board authorize the City of Fargo to act as the fiscal agent on a temporary basis.

MOTION, passed

Mr. Campbell moved and Mr. Wagner seconded to authorize the City of Fargo to act as the fiscal agent on a temporary basis. On roll call vote, the motion carried unanimously.

Mr. Montplaisir presented two bills for the board to consider. The first bill is from *The Forum* in the amount of \$1,153.82 to advertise for the Request for Qualifications for the project management firm; and from Fox Lawson & Associates in the amount of \$250 to review the job description of the project manager.

MOTION, passed

Mr. Wagner moved and Mr. Olson seconded to approve the vouchers as presented. On roll call vote, the motion carried unanimously.

Mr. Montplaisir said the committee also recommends that payments on contracts previously approved by the board be paid and then be reported and approved at subsequent board meetings.

MOTION, passed

Mr. Wagner moved and Mr. Campbell seconded to authorize the approval of contract payments as they become due and report the payments at subsequent Diversion Board of Authority meetings. On roll call vote, the motion carried unanimously.

Technical Committee

Mr. Bittner discussed two items requiring action by the board from the Technical Committee. The first is regarding a bid award for Project No. 5683-12, located along the diversion alignment for undisturbed laboratory soil testing. Bids were received on November 9th, and project costs will be credited to the local sponsor as qualified work-in-kind.

MOTION, passed

Mr. Walaker moved and Ms. Elmer seconded to recommend the FM Metro Diversion Authority (FMMDA) approve the scope of work and bid award to Braun Intertec in the amount of \$54,040 as the lowest and best bid, and request concurrence from the City of Fargo, acting as contracting agency for the FMMDA. On roll call vote, the motion carried unanimously.

Mr. Bittner said the second item is regarding a Request for Proposal from Identified Firms by the Corps of Engineers for Project No. 5683-13 Phase 1 Design Soil Exploration Pressuremeter Testing. The testing will help determine soil properties and will be done in conjunction with on-going soil boring work. Project costs will be credited to the local sponsor as qualified work-in-kind.

MOTION, passed

Mr. Olson moved and Mr. Wagner seconded to approve solicitation and evaluation of proposals from USACE identified consultant along with contract negotiation and bid award recommendation to the FM Metro Diversion Authority (FMMDA) for Design Soil Exploration, Pressuremeter Testing, Project No. 5683-13 Phase 1. On roll call vote, the motion carried unanimously.

4. CORPS OF ENGINEERS STATUS UPDATE

Mr. Vanyo said the Corps of Engineers provided a handout to update the board on the feasibility study and preconstruction, engineering and design work for the diversion.

5. PROJECT MANAGEMENT FIRM UPDATE

Mr. Waters, Project Manager from CH2MHill, was present. He introduced himself to the board and said he is a retired engineer from the Corps of Engineers, where he worked for 28 years. He briefly reviewed the work their firm has completed over the last two weeks, including possible minor revisions to the project alignment in the upper northwest quadrant and associated public meetings with landowners in December. He said over the past two weeks, CH2MHill has been working closely with the Technical Committee.

6. APPOINTMENTS TO COMMITTEES

Mr. Vanyo asked if CH2MHill had a chance to review the committee appointments. Mr. Waters recommends the board move forward with the appointments and changes may be made later in the process to the organizational structure.

Mr. Berndt suggested the Legal Committee and Technical Committee be considered ad hoc, not formal, committees of the Flood Diversion Board of Authority. Mr. Zavoral suggested the Public Outreach Committee and Finance Committee be recognized as standing committees to the board.

Ms. Elmer asked whether the Mitigation Committee will also be considered as a standing committee. Mr. Campbell said the Mitigation Committee could be on-call to assist and serve as a source of information to the Public Outreach Committee.

MOTION, passed

Mr. Campbell moved and Ms. Elmer seconded to approve the Public Outreach, Finance and Mitigation Committees as standing committees that will report back to the Flood Diversion Board of Authority. On roll call vote, the motion carried unanimously.

7. OTHER BUSINESS

Mr. Bittner said the method to hire other consultants needs to be determined, i.e. through RFQ's (Request for Qualifications). Mr. Zavoral asked if the method to procure consulting services will be addressed at the next meeting. Mr. Waters said their firm will have information on this item for consideration by the board at the next meeting.

Mr. Zavoral said information from the Finance Committee will also be available at the next meeting regarding a global view of what dollars will be needed in the next few years for the project.

8. NEXT MEETING DATE

The next meeting will be held on Thursday, December 8, 2011, at 3:30 PM.

9. ADJOURNMENT

MOTION, passed

On motion by Mr. Walaker, seconded by Mr. Wagner, and all voting in favor, the meeting was adjourned at 4:30 PM.

FINANCE COMMITTEE REPORT

The Finance Committee in its' meeting on Monday, December 5, 2011 passed some motions regarding some recommendations to the Board of Authority.

The first recommendation is that we extend the current contract with CH2M Hill for 90 days which will take us through the first Board of Authority meeting in March. The additional cost is estimated at \$500,000 per month, or \$1.5 million for that period.

The second recommendation is that, as soon as practicable, the contracts for right-of-way, right-of-entry, survey work, as well as local design engineering contracts be transferred to the Board of Authority.

The Committee also talked about the long term financial obligations of the entities and how best to make sure the dollars are available as they are needed. The Committee is inviting Dave MacGillivray from Springstead, Inc. to meet with the Committee in January to discuss options; they are experienced in a large project with multiple partners having worked with the light rail project in Minneapolis. A summary of some of the costs over the next two years is included in the board packet. Of course, additional costs will be added as the project progresses.

Included in packet for today is a summary of bills paid for the Board of Authority to Approve and the first financial report showing some actual revenues, expenses, and open contracts that Kent Costin will go over.

**FLOOD DIVERSION FINANCE COMMITTEE
DECEMBER 5, 2011—1:00 PM**

1. MEETING TO ORDER

A meeting of the Flood Diversion Finance Committee was held on December 5, 2011, at 1:00 PM in the Cass County Commission Room with the following present: Cass County Auditor and Committee Chairman Mike Montplaisir; City of Fargo Finance Director Kent Costin; City of Moorhead Finance Director Harlyn Ault; Cass County Administrator Keith Berndt; Clay County Auditor Lori Johnson; Fargo City Administrator Pat Zavarol and Cass County Commissioner Darrell Vanyo. Also present was: Martin Nicholson representing CH2M Hill.

2. APPROVAL OF MINUTES FROM PREVIOUS MEETING

MOTION, passed

Mr. Vanyo moved and Mr. Costin seconded to approve the minutes from the November 3, 2011 meeting as presented. All members voted in favor. Motion carried.

3. DISCUSSION ON LONG-TERM FINANCE ISSUES, BONDING VERSUS PAY AS YOU GO

Mr. Zavarol said as the project moves forward a decision needs to be made concerning the handling of financing issues. Mr. Costin and Mr. Zavarol contacted Dave MacGillivray representing Springsted Incorporated regarding possibilities for funding methods. Springsted, Inc. has experience in handling larger projects as they supervised the financing for the light rail project in Minneapolis. They suggested inviting Mr. MacGillivray to the January Finance Committee meeting to discuss financing options for the diversion project. Mr. Zavarol said some type of modeling showing financial need for the project needs to be completed and submitted to the Governor before August 2012.

MOTION, passed

Mr. Costin moved and Mr. Vanyo seconded to invite Dave MacGillivray representing Springsted Incorporated to attend the January 9th meeting of the Finance Committee to discuss funding options. All members voted in favor. Motion carried.

4. FUNDING OF: LEGAL ISSUES; PROJECT MANAGEMENT CONTRACTS; AND PROJECT COSTS GOING FORWARD

Mr. Zavarol has been in discussions with attorneys representing the participating local entities in the diversion project and a process for legal support with the Army Corp of Engineers (Corp) is also being worked on. The local legal representatives are recommending using Dorsey & Whitney LLC as legal support for the project.

Mr. Zavarol said additional costs will be incurred for legal support as the current modeling does not include the legal support. The State of Minnesota will require some permits before work begins.

The current Project Management Contract with CH2M Hill will expire two days after the Flood Diversion Authority Board meeting to be held on Thursday, December 8th. Mr. Zavarol asked the Finance Committee to send a recommendation to the Flood

Diversion Board of Authority for a 90 day extension of the current contract with CH2M Hill. An extension would make the contract effective until the March meeting of the Flood Diversion Board of Authority. Mr. Nicholson said a lot of technical work is ongoing with the project; the 90 day extension would allow sufficient time for working on management, as well as technical and financial aspects of the project. Mr. Vanyo said it is important to be vigilant and remain prudent with dollars being spent so duplicate spending does not occur. Mr. Nicholson said it is important to ensure which part of the funding the Corp is participating in.

MOTION, passed

Mr. Zavarol moved and Mr. Berndt seconded to recommend a 90 day contract extension for CH2M Hill to the Flood Diversion Board of Authority. The extension will cost approximately \$1.5 million and falls within the perimeters of the Joint Powers Agreement (JPA), which states that up to \$16 million can be spent for project development and this is part of the project development. All members voted in favor. Motion carried.

Mr. Zavarol and Mr. Berndt recommended the Finance Committee transfer all ongoing contracts currently covered under the JPA which includes the City of Fargo, Cass County and the Joint Water Resources Board on the North Dakota side regarding right-of-way, right-of-entry and survey work to the Flood Diversion Board of Authority. Also, to transfer all ongoing contracts for right-of-way, right-of-entry and survey work on the Minnesota side as well as contracts currently handled by the City of Fargo for engineering design to the Flood Diversion Board of Authority.

MOTION, passed

Mr. Vanyo moved and Mr. Zavarol seconded to recommend to the Flood Diversion Board of Authority that they transfer all ongoing contracts regarding right-of-way, right-of-entry, survey work as well as local design engineering contracts to the Flood Diversion Board of Authority as soon as practical. All members voted in favor. Motion carried.

5. BILLING INFORMATION REQUIRED FOR THE MASTER SERVICES AGREEMENT WITH CH2M HILL CONTRACT

Mr. Costin distributed a handout with an example of detail required of all vendors for billing and expressed the importance of keeping detailed records. Mr. Nicholson said CH2M Hill will make sure they have an acceptable format with appropriate detail.

6. AGENCY BILLINGS

Mr. Montplaisir distributed a copy of a chart of accounts and expressed the importance of getting the billing streamlined. Mr. Costin said as the project moves forward the chart of accounts will evolve with the needs. A billing format will be sent to each agency so they are aware of detail expectations. Mr. Zavarol talked about the state share of costs, Mr. Costin said state reimbursement will be sought as the project progresses but that the amount of engineering costs are limited to 10% of the allocated \$75 million. Mr. Zavarol said the state legislation should be changed to make the 10% of the entire state contribution to the project.

7. OTHER BUSINESS

Mr. Zavarol said CH2M Hill will put figures together on Corp projections.

8. NEXT MEETING DATE

The next meeting of the Finance Committee will be held on Monday, January 9th at 1:00 PM in the Cass County Commission Room.

9. ADJOURNMENT

MOTION, passed

On motion by Mr. Vanyo, seconded by Mr. Berndt, and all voting in favor, the meeting was adjourned at 1:43 PM.

Minutes prepared by Cindy Stoick, Cass County Principal Secretary

**Fargo Moorhead Diversion Authority
Summary of Bills Paid
As of 11/30/2011**

Date: 12/5/2011

Check Start Date: 1/1/2011

Check Stop Date: 11/30/2011

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-7910-429.31-10	11/16/2011	218065	FORUM COMMUNICATIONS (ADVERT)	494.24	REQUEST FOR QUALIFICATION	VADMIN	DIVERSION ADMINISTRATION
	11/16/2011	218065	FORUM COMMUNICATIONS (ADVERT)	345.97	REQUEST FOR QUALIFICATION	VADMIN	DIVERSION ADMINISTRATION
	11/16/2011	218065	FORUM COMMUNICATIONS (ADVERT)	296.56	REQUEST FOR QUALIFICATION	VADMIN	DIVERSION ADMINISTRATION
	11/16/2011	218065	FORUM COMMUNICATIONS (ADVERT)	17.05	DIVERSION ADVERTISING FIN	VADMIN	DIVERSION ADMINISTRATION
Total Advertising Services				\$1,153.82			
790-7910-429.38-69	11/23/2011	218261	ADVANCED ENGINEERING INC	30,439.77	PUBLIC INFO CONTRACT	V11003	PUBLIC OUTRACH
Total Public Information				\$30,439.77			
790-7910-429.38-99	11/16/2011	218071	GALLAGHER BENEFIT SERVICES INC	250.00	JOB DESCRIPTION REVIEW		
Total Other Services				\$250.00			

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PROGRAM: GM259L

CITY OF FARGO
REVENUE REPORT
92% OF YEAR LAPSED

PAGE 1
ACCOUNTING PERIOD 11/2011

CITY OF FARGO

FUND 790 FM Diversion Authority		***** CURRENT *****			***** YEAR-TO-DATE *****			ANNUAL	UNREALIZED
ACCOUNT	DESCRIPTION	ESTIMATED	ACTUAL	%REV	ESTIMATED	ACTUAL	%REV	ESTIMATE	BALANCE
330	Intergovernmental Revenue								
331	Federal Operating Grants								
13 45	Army Corp of Engineers	0	.00		0	.00		0	.00
331	** Federal Operating Grants	0	.00		0	.00		0	.00
334	State Grants								
30 10	State of ND - SWC	0	.00		0	.00		0	.00
30 15	State of Minnesota	0	.00		0	.00		0	.00
30 *	State Grants	0	.00		0	.00		0	.00
334	** State Grants	0	.00		0	.00		0	.00
337	Local Government Grants								
80 20	City of Fargo	0	14,329.62		0	14,329.62		0	14,329.62-
80 25	City of Moorhead	0	3,184.36		0	3,184.36		0	3,184.36-
80 30	Cass County	0	14,329.62		0	14,329.62		0	14,329.62-
80 35	Clay County	0	.00		0	.00		0	.00
80 *	Diversion Capital Grants	0	31,843.60		0	31,843.60		0	31,843.60-
337	** Local Government Grants	0	31,843.60		0	31,843.60		0	31,843.60-
330	*** Intergovernmental Revenue	0	31,843.60		0	31,843.60		0	31,843.60-
360	Miscellaneous								
360									
00 00		0	.00		0	.00		0	.00
10 00	Interest on Pooled Cash	0	.00		0	.00		0	.00
30 00	Interest on Bond Reserves	0	.00		0	.00		0	.00
360	**	0	.00		0	.00		0	.00
361	Miscellaneous Revenue								
18 00	Insurance Proceeds	0	.00		0	.00		0	.00
361	** Miscellaneous Revenue	0	.00		0	.00		0	.00
362	Gain on Sale of Assets								
40 00	Other Asset Sales	0	.00		0	.00		0	.00
362	** Gain on Sale of Assets	0	.00		0	.00		0	.00
360	*** Miscellaneous	0	.00		0	.00		0	.00
370	Miscellaneous								
370									
10 00	Miscellaneous	0	.00		0	.00		0	.00

PREPARED 12/01/2011, 13:36:32
PROGRAM: GM259L

CITY OF FARGO
REVENUE REPORT
92% OF YEAR LAPSED

PAGE 2
ACCOUNTING PERIOD 11/2011

CITY OF FARGO

FUND 790 FM Diversion Authority		***** CURRENT *****			***** YEAR-TO-DATE *****			ANNUAL	UNREALIZED
ACCOUNT	DESCRIPTION	ESTIMATED	ACTUAL	%REV	ESTIMATED	ACTUAL	%REV	ESTIMATE	BALANCE
370	Miscellaneous								
370									
370	**	0	.00		0	.00		0	.00
370	*** Miscellaneous	0	.00		0	.00		0	.00
FUND TOTAL FM Diversion Authority		0	31,843.60		0	31,843.60		0	31,843.60-

PREPARED 12/01/2011, 13:36:34
PROGRAM: GM267L
CITY OF FARGO

DETAIL BUDGET REPORT
92% OF YEAR LAPSED

PAGE 1
ACCOUNTING PERIOD 11/2011

REPORT SELECTIONS

Fiscal year : 2011
Fund : 790
All Departments
All Divisions
Suppress accounts with zero balances : Y

PREPARED 12/01/2011, 13:36:34
PROGRAM: GM267L
CITY OF FARGO

DETAIL BUDGET REPORT
92% OF YEAR LAPSED

PAGE 2
ACCOUNTING PERIOD 11/2011

FUND 790 FM Diversion Authority			DEPT/DIV 7910 FM Diversion Authority/General & Administration									
BA	ELE	OBJ	*****CURRENT*****			*****YEAR-TO-DATE*****			ANNUAL	UNENCUMB.	%	
SUB	SUB	DESCRIPTION	BUDGET	ACTUAL	%EXP	BUDGET	ACTUAL	%EXP	ENCUMBR.	BUDGET	BALANCE	BDGT
42		Public Works										
429		Flood Control										
	31	Administrative/Official										
	31 10	Advertising Services	0	1153.82	0	0	1153.82	0	.00	0	1153.82-	0
	31 **	Administrative/Official	0	1153.82	0	0	1153.82	0	.00	0	1153.82-	0
	38	Other Services										
	38 69	Public Information	0	30439.77	0	0	30439.77	0	19560.23	0	50000.00-	0
	38 99	Other Services	0	250.00	0	0	250.00	0	.00	0	250.00-	0
	38 **	Other Services	0	30689.77	0	0	30689.77	0	19560.23	0	50250.00-	0
429	** **	Flood Control	0	31843.59	0	0	31843.59	0	19560.23	0	51403.82-	0
42	** **	Public Works	0	31843.59	0	0	31843.59	0	19560.23	0	51403.82-	0
DIV	7910	TOTAL *****										
		General & Administration	0	31843.59	0	0	31843.59	0	19560.23	0	51403.82-	0

PREPARED 12/01/2011, 13:36:34
PROGRAM: GM267L
CITY OF FARGO

DETAIL BUDGET REPORT
92% OF YEAR LAPSED

PAGE 3
ACCOUNTING PERIOD 11/2011

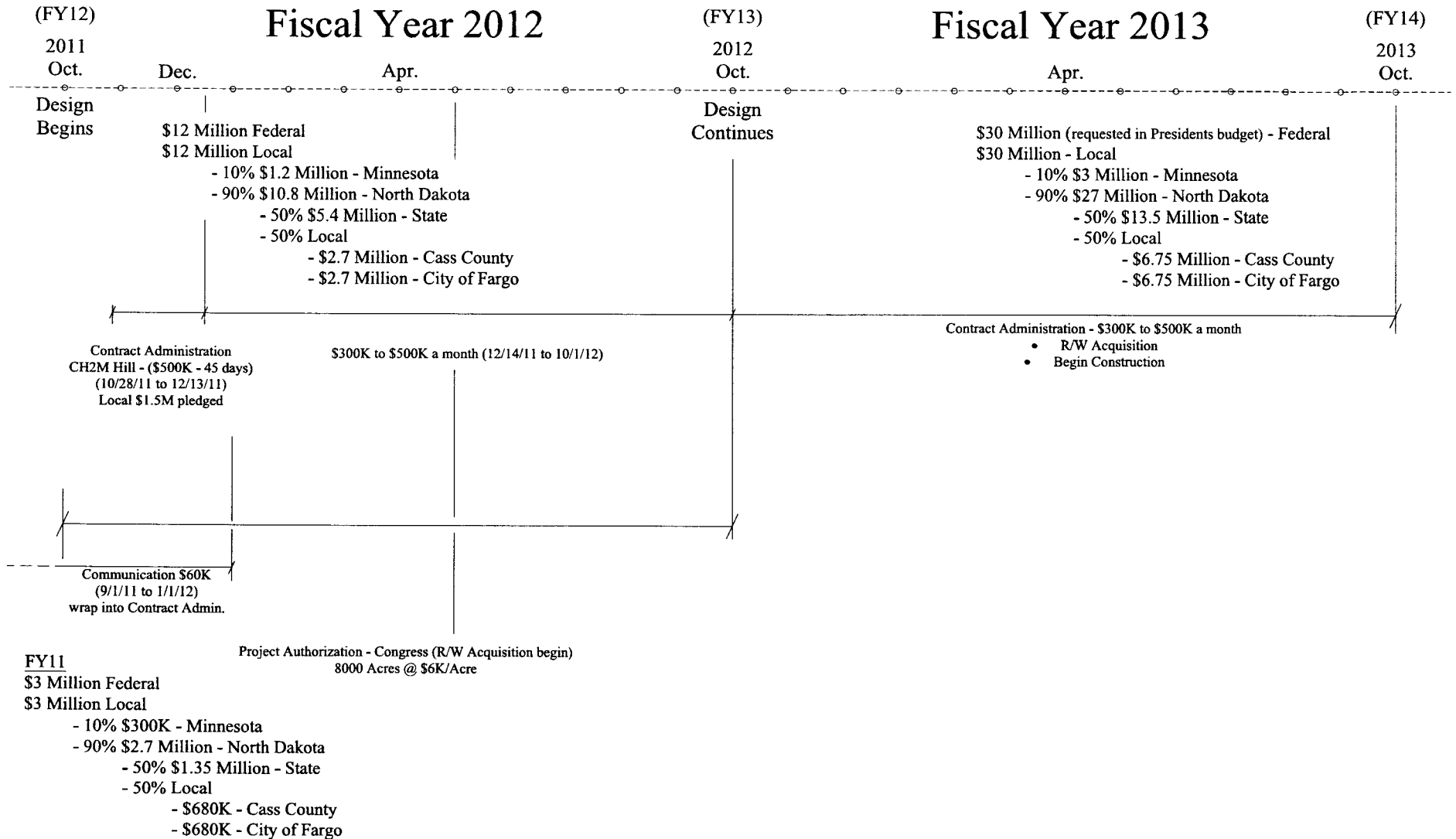
FUND 790 FM Diversion Authority			DEPT/DIV 7920 FM Diversion Authority/Construction Mgmt Div.							ANNUAL	UNENCUMB.	%
BA	ELE	OBJ	*****CURRENT*****			*****YEAR-TO-DATE*****						
SUB	SUB	DESCRIPTION	BUDGET	ACTUAL	%EXP	BUDGET	ACTUAL	%EXP	ENCUMBR.	BUDGET	BALANCE	BDGT
42		Public Works										
429		Flood Control										
	33	Other Services	0	.00	0	0	.00	0	89220.00	0	89220.00-	0
	33 06	Quality Testing	0	.00	0	0	.00	0	500000.00	0	500000.00-	0
	33 79	Construction Management	0	.00	0	0	.00	0	589220.00	0	589220.00-	0
	33 **	Other Services										
429 ** **		Flood Control	0	.00	0	0	.00	0	589220.00	0	589220.00-	0
42 ** **		Public Works	0	.00	0	0	.00	0	589220.00	0	589220.00-	0
DIV 7920		TOTAL *****										
		Construction Mgmt Div.	0	.00	0	0	.00	0	589220.00	0	589220.00-	0
DEPT 79		TOTAL *****										
		FM Diversion Authority	0	31843.59	0	0	31843.59	0	608780.23	0	640623.82-	0
FUND 790		TOTAL *****										
		FM Diversion Authority	0	31843.59	0	0	31843.59	0	608780.23	0	640623.82-	0

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PROGRAM: GM152L
CITY OF FARGO

ENCUMBRANCE MASTER LISTING BY ACCOUNT NUMBER
REPORT INCLUDES UNPOSTED AMOUNTS

PAGE 1

ACCOUNT NUMBER				PROJECT	ENCUMBRANCE	LIQUIDATED	OUTSTANDING
P.O. NUM	ENC DATE	VENDOR#			AMOUNT	AMOUNT	AMOUNT
11 790-7910-429.38-69							
143936	11/16/11	0011604	ADVANCED ENGINEERING INC	V11003	19,560.23		19,560.23
11 790-7920-429.33-06							
143937	11/16/11	0000165	BRAUN INTERTEC CORP	V11002	54,060.00		54,060.00
143938	11/16/11	0000165	BRAUN INTERTEC CORP	V11004	35,160.00		35,160.00
			ACCOUNT TOTAL		89,220.00		89,220.00
11 790-7920-429.33-79							
144170	11/18/11	0020663	CH2M HILL ENGINEERS INC	V11001	500,000.00		500,000.00
			FUND TOTAL		608,780.23		608,780.23
			GRAND TOTAL		608,780.23		608,780.23



Diversions Federal Fiscal Year Timeline

11/8/2011

ITEM 4

Flood Diversion Board of Authority Members:

We have a consensus from the Administrative Advisory Group for the following Decision Papers:

MN EIS

JPA Authority and Structure (Using the cleaned up paper that deleted all references to creating an Exec Committee)

Consultant Procurement Process (Subject to incorporation of Mark's addition)

Increasing In-Town Flows

Consensus as follows:

	In Town Flows	JPA Org & Authority	MN EIS	Consultant Procurement
Bittner	11/25/11	12/7/11	12/5/11	12/6/11
Berndt	11/23/11	12/7/11	12/5/11	12/6/11
Overbo	11/23/11	12/7/11	12/7/11	12/7/11
Walker	11/28/11	12/7/11	12/7/11	12/7/11
Zimmerman	11/23/11	12/7/11	12/7/11	12/7/11
Berg		12/7/11	12/5/11	12/7/11

Tom Waters, P.E., P.M.P

Fargo-Moorhead Diversion Project

Program Manager

CH2M HILL

Mobile: 571-296-5245

December 8, 2011

FM Metro Flood Diversion Project
Decision Paper
Additional Water Flow Through Red River
In-Town Reach

Recommendation for Board Action:

The FM Metro Division Board of Authority authorizes the following actions:

- 1) Recommend that the Authority commence study and analysis for passing additional flood flows through the in-town reach as part of the non-federal sponsor's in-kind services.
- 2) Preparation of a specific study scope to include evaluation of related aspects, including optimum levee/floodwall heights, updated hydraulics/hydrology, cost/benefit analysis, political/social issues, mitigation benefits, time and cost for Environmental Assessment (EA) and HTRW analyses, etc.
- 3) Issuance of a Request For Proposals from local firms would be prepared to solicit proposals for this work.

A recommendation for award of a contract to complete this work will be brought for Board action at a future meeting. Upon completion of the study, a final decision on inclusion of design and construction of in-town measures to the Diversion Project will need to be made before July, 2012.

Summary of Decision Topic

A potential mitigation project proposed during the USACE Feasibility Study for the Metro Flood Diversion Project is to provide levees/floodwalls to pass more water through the Cities of Fargo and Moorhead in the protected area in this reach of the Red River. The primary benefit of this mitigation project is to reduce the frequency of operation of the diversion channel. Additional flood protection structures along this reach will mitigate flood risk during reasonably foreseeable flood events prior to construction of the diversion channel, reducing the frequency of temporary flood fighting measures. Also, without additional in-town flood protection structures, significant flood risk for events exceeding the 100-Year event will continue even after completion of the LPP diversion channel.

A summary of existing protection levels and flood stage levels at various events are:

Stage of Initial Flood impacts: 18 feet

Existing General Protection Level:

Fargo: 30 feet

Moorhead: 31 feet (transportation impacts only)

Event	Existing Protection Level Flood Stage at Fargo Gage (13 th Ave South) ¹	Projected Protection Level Flood Stage at Fargo Gage Following Completion of LPP Diversion Channel ²
2009. Approx. 50-Year	40.8 feet	29.98 feet
100-Year	42.4 feet	30.8 feet
500-Year	46.7 feet	40.8 feet

¹Protection levels, including emergency measures, are taken from Final Feasibility Report and Environmental Impact Statement, Fargo-Moorhead Metropolitan Area Flood Risk Management, USACE, July 2011

²Protection levels taken from Red River Diversion Fargo-Moorhead Metro Flood Risk Management Project, Feasibility Study- Phase 4, Moore, Houston, Barr and HDR, April 2011

A study titled Red River Diversion Fargo-Moorhead Metro Flood Risk Management Project, Feasibility Study- Phase 5 Hydraulic Analysis and Addition Studies, Moore, Houston, and Barr, October 3, 2011, evaluated a “Partial Protection Plan” to protect properties below a flood stage elevation of 37.0 feet within the corridor from the north side of 4th St. levee to 11th Avenue North. This study also evaluated a “Full Protection Plan” whereby a combination of levees designed with a top elevation of 42.5 feet with 1-foot overbuild and floodwalls and removable floodwalls with a top elevation of 46 feet throughout an extended stretch of the in-town reach. Other recent analyses show that a protection level of 35.0 feet would also provide benefits to the in-town reach.

The decision which is required: Whether to perform studies and analyses for the provision of additional flows through the in-town reach.

Date by Which Decision is Required

December 8, 2011

Evaluation of Key Factors for Decision Making

Significant issues related to the decision regarding additional flood protection through the in-town reach include:

- **Cost of Protection Measures:** Previous study cites cost for protection for a low level option of 37-foot flood stage is \$23M, and for protection for a high level option of 42.5-foot is \$52M. Some offset of costs applicable to local Authority from cost sharing arrangement due to project savings from elimination of several fish passages and mitigation benefits will occur. Additional costs for EA, cultural reviews, HTRW, and real estate will be required. Cost for protection to flood stage elevation of 35.0 feet is not yet determined. The net costs and savings will be determined in this study. An updated estimate of for the design and construction of the project will also be accomplished. The actual number of fish passages eliminated will also be determined.
- **Political/Social Response to Structures:** City and County officials and stakeholders have varied views of protection measure physical features.
- **Quantification of Benefits.** Benefits include: Reduced frequency of operation of the diversion channel; reduced need for structural fish passage facilities; ability to handle historic summer peak floods without operation of diversion channel; reduction of duration of water in staging/storage area; early benefits if in-town measures are constructed prior to completion of the LPP; mitigation benefits.
- **Time required for analysis and regulatory requirements:** Study will take 4 months, including Environmental Assessment and Hazardous Toxic Radioactive Waste (HTRW) surveys. Study may lead to design, pending signing of the Diversion Project Record of Decision (ROD). Design estimated to take 10 months.

Advantages

- Provides early flood protection benefits to Fargo prior to completion of LPP Diversion Project
- Reduces frequency of need to operate the diversion channel
- Reduces duration of water in staging/storage area
- Ability to handle historic summer peak runoff events without operation of the diversion channel
- Without additional in-town flood protection structures, significant flood risk above river stage 30.8 feet will continue even after completion of the LPP diversion channel.
- Goodwill associated with tangible efforts to minimize impacts in staging/storage area and construction of early protection for the Fargo-Moorhead area

Disadvantages

- Cost to construct protection measures
- Costs to complete further analyses
- Potential for some negative Political/Social response
- Likely requirement to impact and purchase some property
- Impact to public during construction

Submitted by:

Tom Waters, P.E., P.M.P.

CH2M HILL

Program Manager, Fargo-Moorhead Metro Diversion Project

Original signed by Tom Waters 11-21-2011_____

Mark Bittner, Fargo City Engineer

Date:_____Concur _____ Non-Concur_____

April Walker, Fargo Senior Engineer

Date:_____Concur _____ Non-Concur_____

Robert Zimmerman, Moorhead City Engineer

Date:_____Concur _____ Non-Concur_____

Keith Berndt, Cass County Administrator

Date:_____Concur _____ Non-Concur_____

David Overbo, Clay County Engineer

Date:_____Concur _____ Non-Concur_____

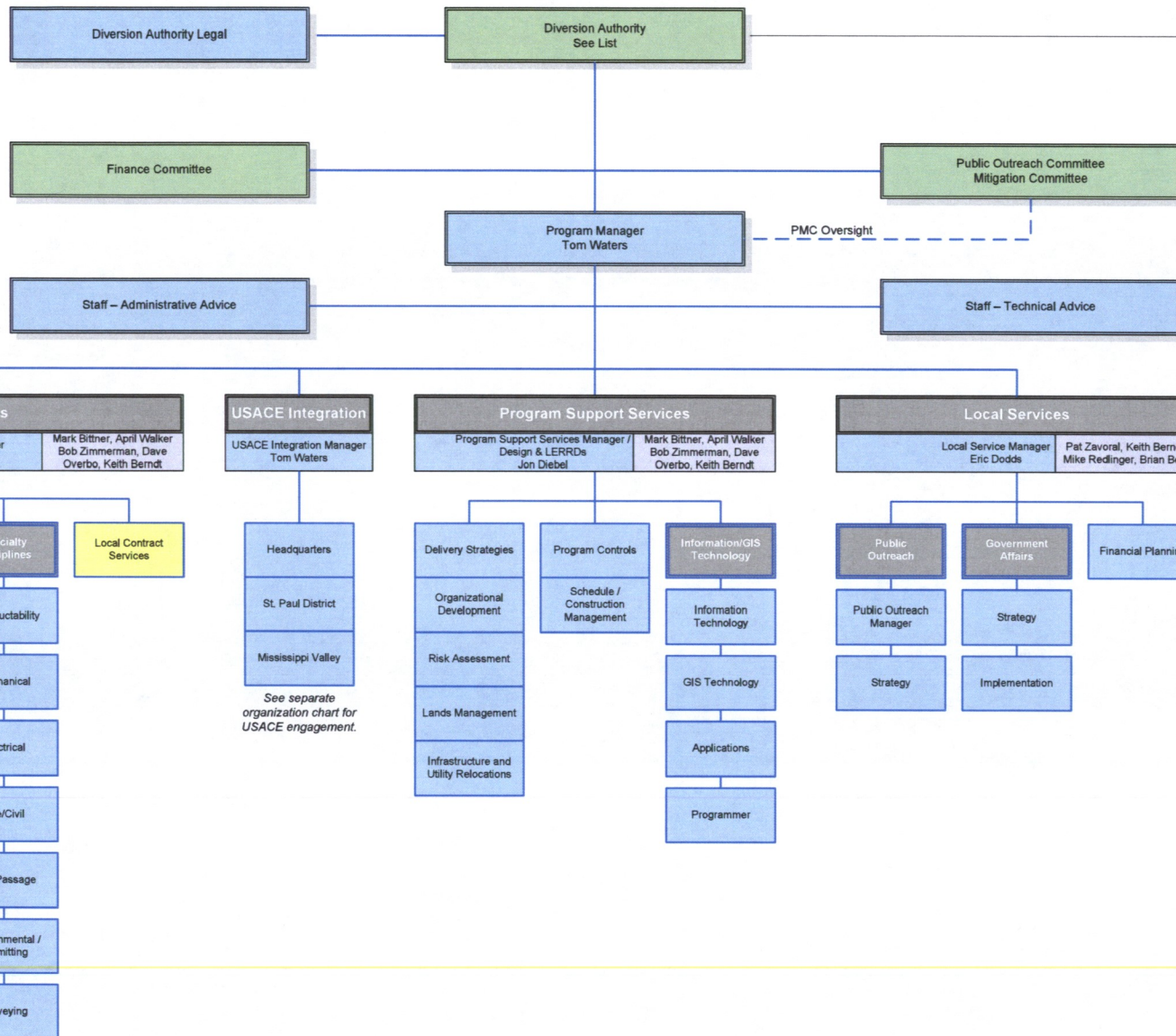
4b.

FM Metro Flood Diversion Authority Program Management Organization Chart

12/8/2011

- Diversion Authority
- CH2M HILL
Program Management
Consultant (PMC)
- Contracted to Diversion
Authority
- Proposed
- Coordinating Agency

Diversion Authority Board
 Darrell Vanyo – Chair
 Tim Mahoney – Vice Chair
 Scott Wagner
 Mike Thorstad
 Rodger Olson
 Dennis Walaker
 Brad Wimmer
 Kevin Campbell
 Nancy Otto



FM Metro Flood Diversion Project
Decision Paper
Local Consultant Procurement Authorization

Recommendation for Board Action:

The FM Metro Diversion Board of Authority (FMDBA) authorizes procurement of local consultant services through issuance of Request for Qualifications.

Recommendations for award of contracts procured under this authorization will be brought for Board action at future meetings.

Summary of Decision Topic

“Local Consultants” are defined as consultants contracted directly by the Diversion Authority as the Local Sponsor (to differentiate from consultants that may be contracted by USACE).

Local Consultants will be procured to provide services for three broad categories of projects:

1) Diversion Channel Related Work-In-Kind

2) Roads and Bridges

3) Specialty Services, such as Land Acquisition, Utility Surveys, Utility Relocations, Recreation, Surveying, Geotechnical, Permitting Assistance, and other to be determined activities

The procurement approach will be for the Project Management Consultant (PMC) to develop the RFQs, master service agreements, single scope service agreements, task orders, and scopes of work as required.

The selection committee will consist of technical team representatives from Cass County, Clay County, City of Fargo, and City of Moorhead, with advice from the PMC.

Action Requested:

Authorize staff to select consultants through issuance of Requests for Qualifications and present Recommendations of Award to the Board.

Date by Which Decision is Required

December 08, 2011

Evaluation of Key Factors for Decision Making

Significant issues related to the decision regarding the local consultant procurement strategy include:
Procurements must be rapidly implemented to maintain the project schedule and to provide USACE information required for design activities.

Procurements must be a fair, open, and defensible process.

Procurements must meet the needs of the Authority and result in the selection of consultants that will provide quality work products.

Advantages

- Allows for the opportunity for many consultants in the community to compete for a broad variety of services for the Diversion Project
- Provides agreement(s) for providing work-in-kind services related to Diversion Channel design and Hydrology and Hydraulics (H&H), which allows the Authority to rapidly respond to requests by USACE

Disadvantages

- None known

Fargo Moorhead Region Consultants

- **It is the desire of the FMBDA that Fargo- Moorhead Region consultants be afforded the maximum practicable opportunity to participate in all phases of the project.**

Submitted by:

Tom Waters, P.E., P.M.P.

CH2M HILL

Program Manager, Fargo-Moorhead Metro Diversion Project

Original signed by Tom Waters [date]_____

Mark Bittner, Fargo City Engineer

Date:_____Concur ____ Non-Concur_____

April Walker, Fargo Senior Engineer

Date:_____Concur ____ Non-Concur_____

Robert Zimmerman, Moorhead City Engineer

Date:_____Concur ____ Non-Concur_____

Keith Berndt, Cass County Administrator

Date:_____Concur ____ Non-Concur_____

David Overbo, Clay County Engineer

Date:_____Concur ____ Non-Concur_____

Pat Zavoral, City Administrator

Date:_____Concur ____ Non-Concur_____

Mike Redlinger, Moorhead City Manager

Date:_____Concur ____ Non-Concur_____

Brian Berg, Clay County Administrator

Date:_____Concur ____ Non-Concur_____

December 8, 2011

FM Metro Flood Diversion Project

Decision Paper

Joint Powers Authority (JPA)/Program Management Consultant (PMC) **Organization and Committee Structure**

Recommendation for Board Action:

The FM Metro Diversion Board of Authority authorizes the following actions:

Recommend that the Authority authorize the chairman of the Diversion Authority (1) to enter into contracts on behalf of the Diversion Authority for the procurement of goods or services of up to \$100,000 and (2) to act on behalf of the Authority to give direction to the staff and consultants on relevant actions to move the project forward and further that, in the absence of the chairman, the vice-chair shall also be so authorized.

- 1) This authority will better enable the Board to provide leadership and direction to the Program Management Consultant and JPA committees in accordance with the attached organization chart.
- 2) The PMC will provide total team integration directly coordinating with all team elements and receiving advice from the Administrative Staff members and the Technical Staff members from member entities and/or local consulting firms. The PMC will also provide management consulting oversight for the Public Outreach and Mitigation Committees.

Summary of Decision Topic

The Joint Powers Authority (JPA), its appointed committees and the Program Management Consultant (PMC) must form an integrated team with clear lines of communications, authorities, and decision-making in order to provide effective and efficient leadership and management of the Flood Diversion Project. This recommendation, with proposed organization chart, provides an essential step in establishing this integrated team. The JPA and PMC organizational structure will continue to be improved over time to best meet the needs of the Project.

The decision which is required: Authorize the chairman of the Diversion Authority (1) to enter into contracts on behalf of the Diversion Authority for the procurement of goods or services of up to \$100,000 and (2) to act on behalf of the Authority to give direction to the staff and consultants on relevant actions

to move the project forward and further that, in the absence of the chairman, the vice-chair shall also be so authorized. The Board will operate with integrated team structure as shown on the attached organization chart and described in the above recommendation.

Date by Which Decision is Required

December 8, 2011

Evaluation of Key Factors for Decision Making

Significant issues related to this decision:

- The newly formed JPA and newly selected PMC require a coherent and efficient organizational structure to facilitate decision-making and effective management of the project.

Advantages

- Granting authorization for the Chairman to make procurement and management decisions on actions up to \$100,000 will allow efficient Project decision making and enable the Board to provide day-to-day leadership and direction to the Program Management Consultant (PMC) and Joint Powers Authority (JPA) committees.
- The proposed organization structure provides for integration of all JPA elements into one team leveraging PMC resources and role as an integrator.
- The organization structure proposed is a living document that can be easily modified to improve JPA effectiveness as lessons are learned managing the Diversion Project.

Disadvantages

- No known disadvantages that cannot be addressed by the concept of a living document.

Recommendation for Board Action:

The FM Metro Diversion Board of Authority authorizes the following actions:

- 1) Recommend that the Authority authorize the chairman of the Diversion Authority (1) to enter into contracts on behalf of the Diversion Authority for the procurement of goods or services of up to \$100,000 and (2) to act on behalf of the Authority to give direction to the staff and consultants on relevant actions to move the project forward and further that, in the absence of the chairman, the vice-chair shall also be so authorized. JPA organization will be configured as shown in the attached organization chart.
- 2) The PMC will provide total team integration directly coordinating with all team elements and receiving advice from the Administrative Staff members and the Technical Staff

members from member entities and/or local consulting firms. The PMC will also provide management consulting oversight for the Public Outreach and Mitigation Committees.

Submitted by:

Tom Waters, P.E., P.M.P.

CH2M HILL

Program Manager, Fargo-Moorhead Metro Diversion Project

Tom Waters 12-08-2011 _____

Mark Bittner, Fargo City Engineer

Date: 11/25/2011 Concur Non-Concur

April Walker, Fargo Senior Engineer

Date: 11/28/2011 Concur Non-Concur

Robert Zimmerman, Moorhead City Engineer

Date: 12/04/2011 Concur X Non-Concur

Keith Berndt, Cass County Administrator

Date: 11/23/2011 Concur Non-Concur

David Overbo, Clay County Engineer

Date: 11/23/2011 Concur Non-Concur

Pat Zavoral, City Administrator

Date: Concur Non-Concur

Mike Redlinger, Moorhead City Manager

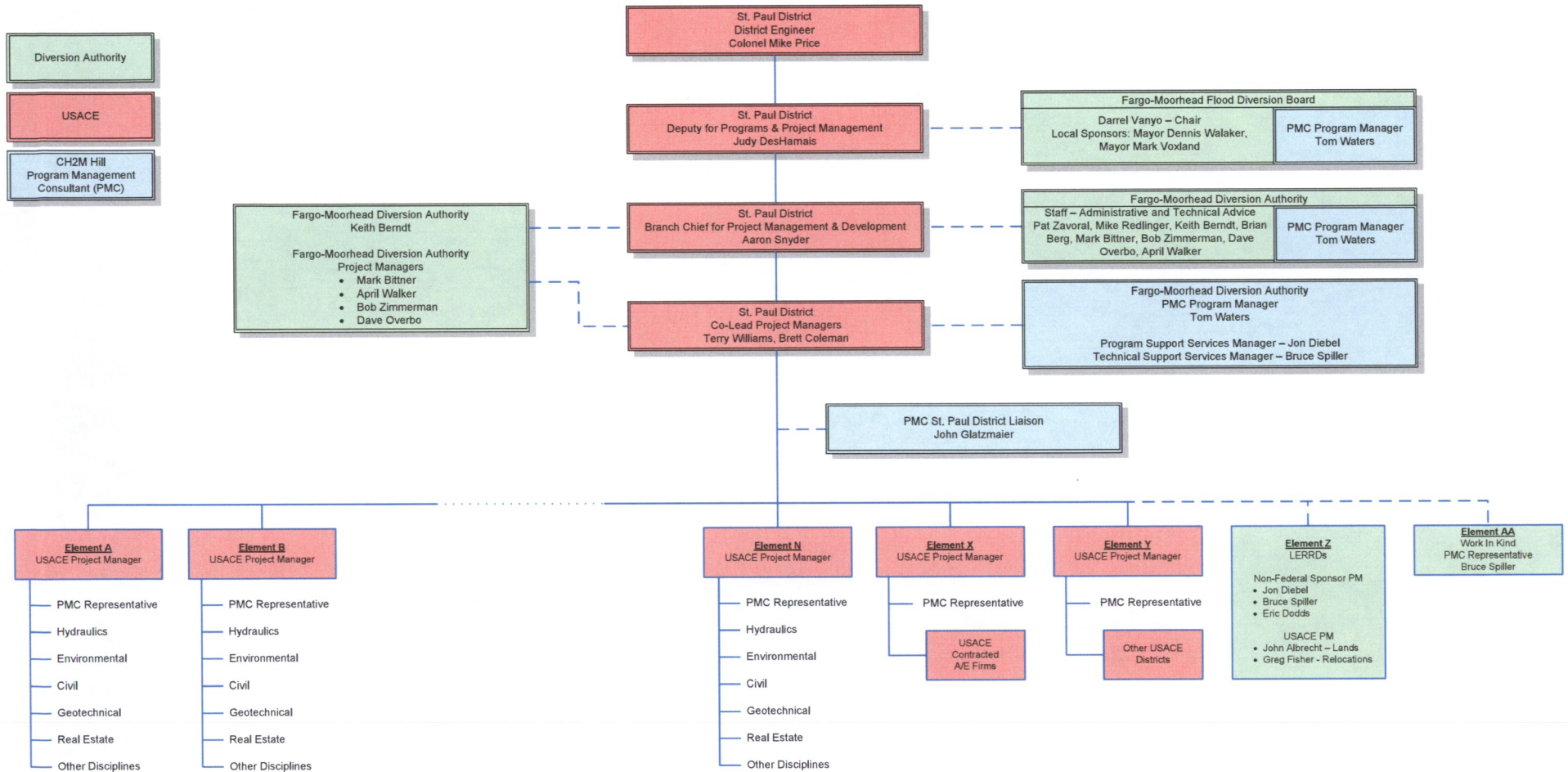
Date: 12/4/11 Concur X Non-Concur
Concur

Brian Berg, Clay County Administrator

Date: 12/5/11 X Concur Non-

FM Metro Flood Damage Reduction Integrated Project Team

12/8/2011



— = USACE Project Management Chain

- - - = Non-Federal Sponsor Coordination Counterparts

December 8, 2011

FM Metro Flood Diversion Project

Decision Paper

STATE OF MINNESOTA (MN) ENVIRONMENTAL IMPACT STATEMENT (EIS) FOR FM METRO FLOOD DIVERSION PROJECT

Recommendation for Board Action:

The FM Metro Diversion Board of Authority authorizes the following actions:

- 1) That the FM Metro Diversion Authority approve and fund the attached State of Minnesota Income Contract to initiate a MN State EIS for the FM Metro Flood Diversion Project.
- 2) The contract amount for scoping is \$230,550. The cost for completing the EIS will be established after scoping. The state of MN process for accomplishing the scoping and EIS is attached.

Summary of Decision Topic

MN State Statutes require that the project proposer pay for the costs of scoping and EIS preparation. An "Income Contract" with the MN Department of Natural Resources (DNR), the Responsible Governmental Unit (RGU), is required. The EIS will conclude with a "statement of adequacy". The EIS must include information that is needed for or can be used by permit writers. A 2011 Statute establishes a goal of issuing permits within 30 days of the EIS statement of adequacy.

Date by Which Decision is Required

December 8, 2011

Evaluation of Key Factors for Decision Making

Significant issues related to this decision:

The State of MN requires that this EIS be completed before land acquisition and permitting for the construction of project components located in Minnesota can occur. MN rules allow that the federal EIS which was led and accomplished by the United States Army Corps of Engineers serve as the initial draft MN EIS for scoping and MN EIS development. The schedule and scope for the MN EIS needs to be managed to avoid impacting the Diversion Project schedule.

In addition to payment to the DNR, additional costs are expected to be incurred for legal, technical, and policy assistance.

Advantages

- The MN EIS is a project requirement. In order to avoid impacts to the Diversion Project schedule, the MN EIS should be initiated and accomplished as soon as possible.

Disadvantages

- Delaying payment and contract initiation will delay the start of the MN EIS, with potential delays to the Diversion Project.

Recommendation for Board Action:

The FM Metro Diversion Board of Authority authorizes the following action:

Recommend that the Board of Authority authorize execution of the State of MN Income Contract in the amount of \$230,550 to initiate a MN State EIS for the FM Metro Flood Diversion Project.

The decision which is required: Approve the execution and payment of the \$235,550 contract with the State of MN DNR to initiate a MN State EIS for the FM Metro Flood Diversion Project.

Submitted by:

Tom Waters, P.E., P.M.P.

CH2M HILL

Program Manager, Fargo-Moorhead Metro Diversion Project

*Tom Waters 12-08-2011*_____

Mark Bittner, Fargo City Engineer

Date: 11/25-2011 Concur ____ Non-Concur ____

April Walker, Fargo Senior Engineer

Date: 11/28/2011 Concur ____ Non-Concur ____

Robert Zimmerman, Moorhead City Engineer

Date: 11/23/2011 Concur ____ Non-Concur ____

Keith Berndt, Cass County Administrator

Date: 11/23/2011 Concur ____ Non-Concur ____

David Overbo, Clay County Engineer
Date: _11/23/2011_ Concur _____ Non-Concur _____

Pat Zavoral, City Administrator
Date: _____ Concur _____ Non-Concur _____

Mike Redlinger, Moorhead City Manager
Date: _____ Concur _____ Non-Concur _____

Brian Berg, Clay County Administrator
Date: _____ Concur _____ Non-Concur _____

**AMENDMENT ONE to
STANDARD AGREEMENT FOR PROFESSIONAL SERVICES**

This Amendment No. 1 is to the Standard Agreement for Professional Services between CH2M HILL Engineers, Inc., and the Diversion Board of Authority¹ dated October 27, 2011 for the Fargo Moorhead Metro Flood Diversion Project.

The purpose of this Amendment is to extend the period of performance for services under the 45 day Project Definition and Mobilization Period, and add additional services and budget as described in this Amendment.

1. Modify the Scope of Service in Attachment A as follows to include as additional items:
 - a. Develop scopes for work for project elements that the Diversion Authority has primary responsibility for, including Work-In-Kind (WIK) and lands, easements, rights-of-way, relocations, and disposal areas (LERRDS).
 - b. Develop a budget and chart-of-accounts for the Diversion Authority's responsibilities and a budget for the overall project.
 - c. Develop a cost-loaded, critical path schedule for the project. Incorporate the budgets and chart-of-accounts from the above scope item. Show interdependencies with the USACE schedule and planned activities.
 - d. Provide assistance to the Diversion Authority as requested, including meetings with Diversion Authority staff, agencies, and public, within the constraints of the budgetary limitation set forth below.
2. Modify the Compensation in Attachment B as follows:

Increase the budgetary amount by one million five-hundred thousand dollars (\$1,500,000).
3. Modify the Schedule as follows:

Extend the 45 day Project Definition and Mobilization Period by 90 days, for a total of 135 days from Notice to Proceed.
4. Modify the Provisions of the Agreement as follows:

Delete the words "and a markup of 10 percent will be applied to Direct Expenses" from Provision No. 4.

This Amendment and the services covered by this Amendment will be performed in accordance with the Provisions and any attachments or schedules of the Agreement. This Amendment will become a part of the referenced Agreement when executed by both parties.

Diversion Board of Authority:

CH2M HILL Engineers, INC.:

Signature _____
Name _____
Title _____
Date _____

Signature _____
Name _____
Title _____
Date _____

¹Client name displayed as "Fargo Moorhead Metro Diversion Authority" on the Original Agreement.

December 8, 2011

Honorable Kelly Kylo
Mayor, City of Grandin
P.O. Box 234
Grandin, ND 58038

Subject: FM Metro Diversion

Dear Mayor Kylo,

This is in response to your letter of October 14, 2011, and the Resolution passed by the City of Grandin regarding the FM Metro Diversion. We regret if we have not supplied enough information or detail with regard to how your city would be affected by the project.

I have included a table with information taken from pages 206 to 209 of the recently published Final Feasibility Report and Environmental Impact Statement. The table below illustrates how the diversion would actually lower the Red River levels adjacent to Grandin for all flood events. As you are aware, Grandin is nearly 8 miles west of the Red River and the chart below illustrates the river levels adjacent to Hendrum and Perley. Hendrum is 2 miles north of Grandin and Perley is 4 miles south, so a reasonable assumption would be that it would be between those two figures at Grandin.

Red River Stage Change with Diversion

	10% chance (10 yr flood)	1% (100 year)	.2% (500 year)
Hendrum	3 inches lower	.7 inch lower	3.6 inches lower
Perley	6.5 inches lower	3.4 inches lower	4.3 inches lower

If you would like us to attend a future meeting, we would appreciate the opportunity to further discuss the Diversion project with you and your community leaders. We hope your City Commission will reconsider its position on the Diversion based on the information above.

Thank you.

Sincerely,

DIVERSION AUTHORITY

Darrell Vanyo, Chairman

City of Grandin

P.O. Box 234
Grandin, ND 58038

RECEIVED

NOV 21 2011

CASS COUNTY COMMISSION

October 14, 2011

Office of Governor
State of North Dakota
600 E. Boulevard Ave., Dept. 101
Bismarck, ND 58505-0100

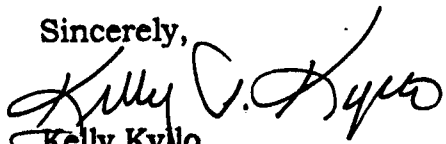
RE: Proposed Fargo-Moorhead Flood Diversion Project

Dear Governor Dalrymple,

The City of Grandin Commissioners have been involved in discussions and meetings pertaining to the proposed Fargo-Moorhead Flood Diversion Project. At the October 11, 2011 Commission Meeting, the Board passed the enclosed Resolution.

Please feel free to contact our office if you wish to visit with the Board regarding this matter.

Sincerely,



Kelly Kylo
Mayor

cc: Senator John Hoeven
Senator Kent Conrad
Congressman Rick Berg
US Army Corps of Engineers
Cass County Board of Commissioners
Clay County Board of Commissioners
Wilkin County Board of Commissioners
City of Fargo
City of Moorhead
Richland County Board of Commissioners

**CITY OF GRANDIN, NORTH DAKOTA
RESOLUTION**

BE IT RESOLVED BY THE CITY COMMISSION OF GRANDIN, to wit:

WHEREAS, Citizens of the City of Grandin have appeared before the City Commission and have expressed concern over the proposed Cass County North Dakota Red River Diversion Plan as submitted by the United States Army Corps of Engineers; and

WHEREAS, Based on such concerns, Grandin City Commission Members have attended numerous hearings and itself has held hearings with its citizens so that the Commission can evaluate the proposed Red River Diversion and its effects on the City of Grandin; and

WHEREAS, After due consideration of the verbal input of its citizens, letters and e-mails received, the City of Grandin Commission does unanimously conclude that the Red River Diversion Plan as submitted by the United States Army Corps of Engineers be vigorously opposed for the following reasons:

I. That based on the surveys conducted by the Corps of Engineers and the project sponsors, the Corps has failed to spell out and quantify the adverse impacts upon the City of Grandin such as:

A. That the proposed diversion will increase flood waters in and around the City of Grandin. The damages to the City of Grandin from the increase of said water is unknown at this time.

B. That the Corps of Engineers has failed to take into account the loss of tax revenues to school districts and other public entities which will be affected by the proposed diversion project.

C. That the full economic impact to the City of Grandin and the effects that such will have on citizens, businesses, roads, electric utilities, personal property and public safety have not been factored into the project.

II. That the City of Grandin Commission concludes that the Red River Diversion Project will be of absolutely no benefit to the City of Grandin or its citizens and thus can only have negative impacts on the City. The plan fails to address water issues in the entire Red River Basin including upstream and downstream interests.

NOW THEREFORE BE IT RESOLVED that for the above reasons and others, the Grandin City Commission be and is totally opposed to the current and most recent United States Army Corps of Engineers Red River Diversion.

BE IT FURTHER RESOLVED that copies of this Resolution be submitted to the United States Army Corps of Engineers, the Governor of the State of North Dakota, and all Representatives and Senators of this State.

Dated at Grandip, ND this 8 day of November, 2011.

ATTEST

Heidi Hanson
Kelly Kyllid

MAYOR