

Metro Flood Diversion Authority Board of Authority Meeting Minutes

3:30 P.M. – March 23, 2023

City of Fargo Commission Chambers

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on March 23, 2023. The following members were present: Dr. Tim Mahoney, Mayor, City of Fargo; Bernie Dardis, Mayor, City of West Fargo; Chad Peterson, Cass County Commissioner; Shelly Carlson, Mayor, City of Moorhead; Chuck Hendrickson, Moorhead City Council; Dave Piepkorn, Fargo City Commissioner; David Ebinger, Clay County Commissioner; John Strand, Fargo City Commissioner; Kevin Campbell, Clay County Commissioner; Mary Scherling, Cass County Commissioner; Rodger Olson, Cass County Joint Water Resource District and Larry Seljevoll, Moorhead City Council.

Member(s) absent: Tony Grindberg, Cass County Commissioner.

1. CALL TO ORDER

Mayor Mahoney called the meeting to order at 3:30 PM. Roll call was taken, and a quorum was present.

2. APPROVE MINUTES FROM THE FEBRUARY 2023, MEETING

MOTION PASSED

Mayor Carlson moved to approve the minutes from the February 2023, meeting and Mr. Campbell seconded the motion. On a voice vote, the motion carried.

3. APPROVE ORDER OF AGENDA

MOTION PASSED

Mr. Strand moved to approve the order of the agenda and Mr. Ebinger seconded the motion. On a voice vote, the motion carried.

CONSENT AGENDA

MOTION PASSED

Mr. Ebinger moved to approve the Consent Agenda and Mr. Piepkorn seconded the motion. On a roll call vote, the motion carried.

4. EXECUTIVE DIRECTOR REPORT

Mr. Paulsen provided the following updates:

Speaking & Outreach Highlights

- P3 Conference: A lot of interest in the FM Area Diversion Project held March 6 – 8.
- ND Legislative Update: Financial and construction progress update in Bismarck on March 15.
- MCCJPA Legislative Bill: MCCJPA legislative bill for \$60.4M was delivered to the MN legislature.

Program Highlights

- Closed with BNSF on March 15 for the rail abandonment southwest of Horace.
- Discussed the recreation task force at the March 7 planning committee meeting.
- Sustainability and resilience discussions with RRVA to develop concepts within the right of way relating to workforce development, alternative energy, and incorporating culture and heritage.
- Meetings held with USACE and resource agencies to advance resolving comments on final design for fish passage.

5. GENERAL COUNSEL UPDATE

Mr. Shockley provided an overview and summary outlining the purpose and necessity for the resolution requesting Cass County acquire road rights-of-way for SWDCAI Phase 3:

MOTION PASSED

Mayor Dardis moved to approve the resolution as presented and Mr. Olson seconded the motion. On a roll call vote, the motion carried.

6. CONSTRUCTION PROJECT UPDATES

a. USACE Project Update

Ms. Williams provided the following USACE update:

1 Diversion Inlet Structure (DIS) – Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 93% complete and remains on schedule. Required completion date is 7 June 2023. Installation of the 3 gates continues. Bridge beams/deck being installed. Schedule for remaining primary features:

2023: Install bridge and mechanical platform deck, gates, operating machinery, seeding.

2024: Turf established.

2 Wild Rice River Structure (WRRS) – Construction

Structure includes 2-40 ft. wide Tainter gates. Construction is 80% complete and remains on schedule. The required completion date is 20 October 2023. All three gates have been installed. Install of mechanical platform/vehicle service bridge and channel riprap ongoing. Remaining schedule:

2023: Control building, install gate operating machinery, complete excavation of engineered channel, close off natural channel / redirect to engineered channel, dam embankment, seeding.

2024: Turf established.

3 I-29 Raise – Construction

Includes approximately 4 miles of interstate raise between County Roads 16 and 18. Construction is 73% complete and remains on schedule. Most work has paused for winter. Paving of the mainline raise to be complete Summer 2023. Required completion date NLT 1 January 2024.

4 Southern Embankment – Reach SE-1 (Western Tieback) - Construction

Construction was completed 10 November 2022. O&M Manual being completed. Partial turnover to the Diversion Authority for Operations and Maintenance occurred on 29 December 2022.

5 Red River Structure (RRS) - Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 8% complete. Foundation pile driving is ongoing. Structural concrete pours are anticipated to begin in the spring. Required completion date is 19 March 2026.

6 Drain 27 Wetland Mitigation Project - Construction

Construction was completed 2 December 2022. Native plantings 5-year service contract was advertised for bids on 1 February 2023. Contract award anticipated in mid-April 2023.

7 Drayton Dam Mitigation Project Design - Construction

Construction is 45% complete. Contractor notched existing dam to drawdown work area. Removal of the existing dam planned for Summer 2023. Anticipated completion is September 2023.

8 Southern Embankment – Reach SE-2A - Construction

Construction is 12% complete. All work has paused for the winter. Scheduled completion date is 30 Sept. 2024.

9 Southern Embankment Design – All remaining reaches are being designed.

SE-1B: Final design review Aug 2023. Contract award: February 2024

SE-2B: 95% review started late-Feb 2023. Contract award: April 2024

SE-3: 65% review starts mid-Aug 2023. Contract award: January 2025

SE-4: 65% review starts late-June 2023. Contract award: April 2024

SE-5: 65% review starts late-July 2023. Contract award: January 2025

b. SWDCAI Project Update

Mr. Bakkegard provided an update of the construction map that shows current work in progress, 30 and 60 day projected progress:

Design Submittal & Review Progress

- Nearing 1,000 review cycles
- 64 Approved Plans - 42 Utility; 14 Design
- Averaging 50 submittals in Review

Construction Look Ahead

Reach 3

- Moving Equipment
- Clearing Snow
- Preparing Site for Fieldwork

Bridges

- CR 4/31 & 32

Drain Inlets

- Drain 29 & 30

Maple River Aqueduct

c. Drone Footage

A drone video highlighting the progress that has been achieved since February was viewed.

7. COMMUNICATIONS UPDATE

Ms. Willson provided the following Communications update:

Media Relations: Railway-related article

Legislative: Q1 project update for CODELs & ND Legislators sent this week

Videos:

- Faces of the Diversion: Rikk Wampler (ASN safety) released this month
- Faces of the Diversion: Brandi Aune (ASN support) to be released in April
- Animated P3 101 to be released in April

8. LAND MANAGEMENT UPDATE

a. Property Acquisition Status Report

Ms. Smith provided the following property acquisition status report:

- 85.6% completion in the Construction Footprint
- 34.9% completion in the UMA Footprint
- 68.1% of the parcels in the Southern Embankment have been acquired
- 34.9% of the parcels in the Upstream Mitigation Area have been acquired
- 72% of the Environmental Easements have been signed
- 90.6% of the parcels in the Stormwater Diversion Channel have been acquired
- 97.4% of the Oxbow-Hickson-Bakke levee
- 100% MFDA constructed in-town levees and the Drayton Dam mitigation is completed

Key Activities

- Continue negotiating settlement agreements for existing eminent domain actions.
- Batch #4 filing for eminent domain action was requested on 6 property owners.
- SE-2B filing for eminent domain action was requested on 7 property owners.
- Batch #5 of last written offers sent to 12 property owners.
- In the last month 19 parcels/12 landowners successfully closed in the Upstream Mitigation Area.
- 34 farmland leases have been completed for the upcoming season.

9. FINANCE UPDATE**a. Finance Report**

Mayor Dardis reported that the bills payable as of March 15, 2023, total \$8,539,399 with CCJWRD being the largest at \$8,348,957. The current net position is \$179,543,211 and the contracting action for mowing services was approved at \$69,600.

10. OTHER BUSINESS

There was no other business to report.

11. NEXT MEETING

The next meeting will be April 27, 2023.

12. ADJOURNMENT

Mr. Campbell moved to adjourn, and Mr. Ebinger seconded the motion. The meeting adjourned at 3:53 PM.