

Metro Flood Diversion Authority Board of Authority Meeting Minutes

3:30 P.M. – July 27, 2023

City of Fargo Commission Chambers

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on July 27, 2023. The following members were present: Dr. Tim Mahoney, Mayor, City of Fargo; Bernie Dardis, Mayor, City of West Fargo; Shelly Carlson, Mayor, City of Moorhead; Chuck Hendrickson, Moorhead City Council; David Ebinger, Clay County Commissioner; John Strand, Fargo City Commissioner; Kevin Campbell, Clay County Commissioner; Mary Scherling, Cass County Commissioner; Tony Grindberg, Cass County Commissioner; Rodger Olson, Cass County Joint Water Resource District and Larry Seljevold, Moorhead City Council.

Member(s) absent: Chad Peterson, Cass County Commissioner and Dave Piepkorn, Fargo City Commissioner.

1. CALL TO ORDER

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

2. APPROVE MINUTES FROM THE JUNE 2023 MEETING

MOTION PASSED

Mr. Grindberg moved to approve the minutes from the June 2023 meeting and Mayor Dardis seconded the motion. On a voice vote, the motion carried.

3. APPROVE ORDER OF AGENDA

MOTION PASSED

Mr. Hendrickson 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

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

4. EXECUTIVE DIRECTOR REPORT

Mr. Nicholson provided the following updates:

Happenings

- Joel delivered testimony on the project to the U.S. Senate Committee on Environment and Public Works July 20
- Quarterly P3 meetings held with North American Construction Group hosting
- Preparing for USACE to turn DIS over to the MFDA in October

5. GENERAL COUNSEL UPDATE

Mr. Shockley did not have an update to report.

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 95% complete. Construction completion date of 7 June 2023 delayed into August due to PT bar fix modification. Painting, riprap placement, seeding and addressing punchlist items ongoing. Schedule for remaining primary features:

2023: Complete operating machinery install, seeding.

2024: Turf established.

2 Wild Rice River Structure (WRRS) – Construction

Structure includes 2-40 ft. wide Tainter gates. Construction is 91% complete and remains on schedule. The construction completion date is 3 December 2023. Constructing earthen dam/stability berm across old Wild Rice River channel and east dam bridge deck. Remaining schedule:

2023: Control building, dam embankment, seeding.

2024: Turf established.

2024: Turf established.

3 I-29 Raise – Construction

Includes approximately 4 miles of interstate raise between County Roads 16 and 18. Construction is 78% complete. Borrow ditch bridges nearing completion. Traffic switch to new SB lanes pending.

Paving of the mainline raise to be complete Summer 2023.

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

Construction was completed 10 November 2022. Partial turnover to the Diversion Authority for Operations and Maintenance occurred on 29 December 2022. O&M Manual will be provided for review late-July.

5 Red River Structure (RRS) - Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 24% complete. Construction completion date is 19 March 2026. Placement of stilling basin slabs nearly complete and prep for abutment placements ongoing.

6 Drain 27 Wetland Mitigation Project - Construction

Construction was completed 2 December 2022. Native plantings 5-year service contract was awarded 17 May 2023, with a completion date of 1 December 2027.

7 Drayton Dam Mitigation Project Design - Construction

Construction is 59% complete. Removal of the existing dam is ongoing. Construction completion is 30 September 2023.

8 Southern Embankment – Reach SE-2A - Construction

Construction is 27% complete. Contractor is making good progress; 112th Avenue permanently closed. Scheduled completion date is 30 September 2024.

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

SE-1B: BCOES review Aug 2023 Contract award: February 2024

SE-2B: BCOES review complete 9 June 2023 Contract award: April 2024

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

SE-4: 65% review starts Aug 2023 Contract award: May 2024

SE-5: 65% review starts Aug 2023 Contract award: January 2025

OHB Reach 43B: 95% review starts July 2023 Contract award: February 2024

b. SWDCAI Project Update

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

Design & Submittal Review Progress:

- Design Review Cycles, > 1,500 ea to date
- RFC Designs, 98 ea to date
 - 61 ea - Utility
 - 37 ea - Other

Construction Look Ahead:

- New Features Under Construction
 - Diversion Outlet
 - BNSF Hillsboro Subdivision
 - BNSF Prosper Subdivision
- 30 to 60 Day Outlook
 - Channel Reaches 4 thru 8
 - Drain 29 Inlet
 - Berlin and Raymond Township Drain Inlets
 - Drain 14C Inlet
 - CR-20, CR-10, 38th St and 52nd Ave Crossings

c. Drone Footage Video

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

7. COMMUNICATIONS UPDATE

Ms. Willson provided the following Communications update:

Released Videos:

- Faces of the Diversion: crane operator
- Animated number comparisons
- July drone footage

New Visual Assets:

- Aerial imagery
- WRRS photography
- NACG capability photos
- Updated tour handout

8. LAND MANAGEMENT UPDATE

a. Property Acquisition Status Report

Ms. Smith provided the following property acquisition status report:

- 92.5% completion in the Construction Footprint
- 40.6% completion in the UMA Footprint
- 73.4% of the parcels in the Southern Embankment have been acquired
- 40.6% of the parcels in the Upstream Mitigation Area have been acquired
- 72.6% of the Environmental Easements have been signed
- 92.8% 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
- In the last month, successfully closed 3 parcels / 2 landowners
- In the last month, agreement signed on 4 parcels / 3 landowners
- Batch #9 next steps letters and eminent domain filing authorization requested from CCJWRD for 11 property owners
- Focused on coordinating completion of appraisals for remaining property needs in UMA and Southern Embankment – focused on MN properties first, then ND
- Completed farmland leases for 2023

9. FINANCE UPDATE

Finance Report

Mayor Dardis reported that the current net position is \$175,032,376, the FY 2023 budget is \$233,798,782 and \$71,305,014 is the FY 2023 costs to date. A cash budget change request was approved to cover the AON insurance premium that was not anticipated to be due this year. Mayor Dardis also reported that the Cass County SWDCAI MOU was approved and the bid for WP47A was rejected.

MOTION PASSED

Mayor Dardis moved to reject the bid received for WP47A and Mr. Grindberg seconded the motion. On a roll call vote, the motion carried.

10. OTHER BUSINESS

There was no other business to report.

11. NEXT MEETING

The next meeting will be August 24, 2023.

12. ADJOURNMENT

The meeting adjourned at 3:58 PM.