

Metro Flood Diversion Authority Finance Committee Meeting Minutes

4:00 PM – November 15, 2023

City of Fargo Commission Chambers

A regular meeting of the Metro Flood Diversion Authority Finance Committee was held on November 15, 2023. The following members were present: Bernie Dardis, Mayor, City of West Fargo; Rick Steen, Cass County Joint Water Resource District; Susan Thompson, Finance Director, City of Fargo; David Ebinger, Clay County Commissioner; Mike Redlinger, Administrator, City of Fargo; Tony Grindberg, Cass County Commissioner; Dave Piepkorn, Fargo City Commissioner; Shelly Carlson, Mayor, City of Moorhead and Mike Rietz, City of Moorhead Assistant City Manager.

Member(s) absent: Dr. Tim Mahoney, Mayor, City of Fargo; Chad Peterson, Cass County Commissioner and Brandy Madrigga, Cass County Finance Director.

1. CALL TO ORDER

Mayor Dardis called the meeting to order at 4:04 PM. Roll call was taken, and a quorum was present.

2. APPROVE MINUTES FROM THE OCTOBER 2023 MEETING

MOTION PASSED

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

3. APPROVE ORDER OF THE AGENDA

MOTION PASSED

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

4. APPROVAL OF BILLS

Ms. Thompson reported that the bills payable through November 8, 2023, total \$3,004,240 are payable to the usual vendors with Cass County Joint Water Resource District being the largest at \$1,645,949.

MOTION PASSED

Mr. Steen moved to approve the bills as presented and Mr. Grindberg seconded the motion. On a roll call vote, the motion carried.

5. FINANCIAL REPORT

Ms. Thompson reported that the total assets to date are \$200,247,545, liabilities total \$263,674 and the current net position is \$199,983,872.

MOTION PASSED

Mr. Steen moved to approve the financial report as presented and Mr. Grindberg seconded the motion. On a voice vote, the motion carried.

6. EXECUTIVE DIRECTOR FINANCIAL REPORT

Mr. Paulsen reported that annual revenue is tracking as expected and it is anticipated that we will reach our goal this year. The administrative budget is slightly over, due to the unanticipated purchases of IT and phone equipment.

7. DA BOARD APPROVAL CONTRACTING ACTIONS

Mr. Paulsen provided an overview of the following contracting actions:

- New Master Services Agreement – Cultural Resource Investigations – This is a new Master Services Agreement that will be effective from January 1, 2024, to December 31, 2026. Future Task Orders (TO's) will be developed under this MSA to cover the specific scope and fee associated with each TO. Beaver Creek Archaeology, Inc. \$0.00.
- New Master Services Agreement– Mowing and Weed Control Services – This is a new Master Services Agreement that will be effective from January 1, 2024, to December 31, 2026. Future Task Orders (TO's) will be developed under this MSA to cover the specific scope and fee associated with each TO. JT Lawn Services \$0.00.
- WP-52C, Change Order 2 – AAB Fill Site – Provides new fill material for the AAB site. Work included 12' topsoil strip, non-suitable clay excavation and move suitable clay material to the AAB site. The non-suitable clay did not meet the organic requirements for structural footers to be built on. Due to the new source location, it was necessary to excavate 3 to 4 feet of unsuitable material to get to the suitable material which increased the suitable clay excavation quantities. Work also included exploratory excavations for the new material. This additional work extends the substantial completion to November 10, 2023, and the final completion to November 24, 2023. Border States Paving, Inc \$255,483.63.

MOTION PASSED

Mr. Grindberg moved to approve all the contracting actions as presented by Mr. Paulsen and Mr. Piepkorn seconded the motion. On a roll call vote, the motion carried.

8. OTHER BUSINESS

2024 Draft Cash Budget

Mr. Paulsen reported that there have been no changes to Version 2 of the 2024 budget from last month's update. It is anticipated that the final budget will be presented at the December or January meeting for approval to go to the board.

City of Fargo South University Floodwall Repair

Mr. Bakkegard and Mr. Boerboom provided an overview of the South University floodwall that is need of repair.

In 2009, a flood mitigation project was completed adjacent to South University Drive from 40th Avenue South to 52nd Avenue South. Although this project was not originally constructed as part of the overall Fargo-Moorhead Diversion project, it has now been identified through the project's Plan B development as being necessary to safely pass 37-foot thru town so that no emergency measures are needed during a 100-year flood event with the Diversion in place.

Through annual inspections of the project, it was identified in 2018 that a possible structural issue was occurring with a portion of the floodwall. At this point, the City started quarterly survey of the wall elevations to determine the magnitude of settlement occurring. In 2019, the City also contracted with Braun Intertec to install inclinometers so that movement of the riverbank could be monitored and evaluated. Through this work, it was determined that the riverbank had failed and was actively sliding towards the river channel, which was causing the identified settlement in the floodwall. As a result of this determination, the City contracted with KLJ Engineering to review the structural integrity of the floodwall and develop conceptual repair options for it. From KLJ's review, it was determined that the floodwall was

still structurally sound and would continue to provide protection against a potential flood but would need to be either relocated outside of the riverbank failure area or structurally supported to mitigate the effects of the continued bank failure. From this review, it was determined that relocating the floodwall was not a viable option due to the proximity of the floodwall to South University Drive, as well as the cemetery adjacent to the western edge of South University Drive. In 2020, it was agreed upon by the City and Diversion Authority staff to hold on completing the floodwall repair until a later date since the bank movement had slowed and instead complete an erosion stabilization project, which is currently under construction, to reduce further movement of the riverbank. This was the plan until additional movement of the floodwall was identified in early 2023 and is continuing to be observed today. In addition to the previously identified settlement, it is also now possible to visually see actual rotation of the floodwall towards the river, which further demonstrates the need to repair this floodwall.

Due to this settlement and rotation, the City notified the Diversion Authority staff that the repair project could not be delayed any further in order to prevent a much larger failure and more costly repair to the failed portion of the floodwall. This notification follows the procedures outlined within Section 3.B of the resolution the Diversion Authority has created for requesting the City of Fargo to undertake development of comprehensive project in-kind work elements.

Since this notification, the City has contracted with KLJ to complete the design of the repair project and is anticipating the construction to occur in 2024. The design of the floodwall repairs are being based on the preferred alternative KLJ developed back in 2020 as well as feedback received from contractors on constructability. This feedback has led to a value engineering design being carried forward that will result in a lower cost project for completing of the repair.

MOTION FAILED

Mr. Piepkorn moved to continue planning for the repair and to continue discussions for the MFDA to reimburse the City of Fargo for repair of the floodwall. Mr. Steen seconded the motion and later rescinded his second. Motion failed.

9. NEXT MEETING

The next meeting will be December 13, 2023.

10. ADJOURNMENT

The meeting adjourned at 5:05 PM.