

**Metro Flood Diversion Authority  
Finance Committee  
Meeting Minutes  
4:00 PM – November 17, 2021**



A regular meeting of the Metro Flood Diversion Authority Finance Committee was held on November 17, 2021. The following members were present: Bernie Dardis, Mayor, City of West Fargo; Dr. Tim Mahoney, Mayor, City of Fargo; Chad Peterson, Cass County Commissioner; Dan Jacobson, Chairman, Cass County Joint Water Resource District; Kent Costin, City of Fargo Finance Director; Lori Johnson, Clay County Auditor/Treasurer; Mike Redlinger, City of Fargo Assistant Administrator; Shelly Carlson, Mayor, City of Moorhead; Mike Rietz, City of Moorhead Assistant City Manager and Rick Steen, Cass County Commissioner.

Member absent: Dave Piepkorn, Fargo City Commissioner.

**1. CALL TO ORDER**

Mayor Dardis called the meeting to order at 4:00 PM. Roll call was taken, and a quorum was present.

**2. APPROVE MINUTES FROM THE OCTOBER 2021 MEETING**

**MOTION PASSED**

**Mayor Carlson moved to approve the minutes from the October 2021 meeting and Mr. Jacobson seconded the motion. On a voice vote, the motion carried.**

**3. APPROVE ORDER OF AGENDA**

**MOTION PASSED**

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

**4. APPROVAL OF BILLS**

Mr. Costin reported that \$4,777,676.45 are the bills payable through November 10, 2021. Mr. Costin had no further comment on the bills that were presented.

**MOTION PASSED**

**Mr. Steen moved to approve the bills as presented by Mr. Costin and Mayor Carlson seconded the motion. On a roll call vote, the motion carried.**

## 5. FINANCIAL REPORT

Mr. Costin reported that \$102,058,791 is the 2021 year to date spent and \$748,450,283 is the grand total spent on the project. Mr. Costin also reported the current net position is \$100,774,695. \$16,125,733 was released and deposited with the trustee in the P3 reserve fund by the fiscal agent per the Master Indenture of Trust agreement.

### **MOTION PASSED**

**Mr. Jacobson moved to approve the financial report as presented by Mr. Costin and Mr. Steen seconded the motion. On a roll call vote, the motion carried.**

## 6. EXECUTIVE DIRECTOR FINANCIAL REPORT

Mr. Paulsen reported that there has been no significant change from last month and the majority of expenditures continue to be in land acquisitions.

## 7. CONTRACTING ACTIONS

### **DA Board Approval Contracting Actions:**

Mr. Paulsen reported on the following contracting actions:

- Task Order 01, Amendment 4 – Consulting Services – Additional budget for consulting services and extend POP to December 31, 2022, Program Advisor Services \$500,000

### **MOTION PASSED**

**Mr. Steen moved to approve Program Advisor Services Task Order 01 Amendment 4 as presented by Mr. Paulsen and Dr. Mahoney seconded the motion. On a roll call vote, the motion carried.**

- Task Order 101, Amendment 1 – Design and Construction Support – Sub tasks and budget updated for a program of work up to December 2026 completion HMG \$15,070,210
- Task Order 102, Amendment 1 – H&H, Mitigation and Permitting Support – Sub tasks and budget updated for a program of work up to December 2026 completion HMG \$10,489,441

### **MOTION PASSED**

**Dr. Mahoney moved to approve HMG Task Orders 101 and 102 together and Mr. Peterson seconded the motion. On a roll call vote, the motion carried.**

- Master Services Agreement – Consulting Services – Public Outreach and Communications Support Michael H. Klein \$0

### **MOTION PASSED**

**Mayor Carlson moved to approve the new MSA for Michael Klein consulting services and Mr. Reitz seconded the motion. On a roll call vote, the motion carried with members Mahoney, Costin, Redlinger and Steen voting nay.**

### **DA Board Approval 2021 Cash Budget Adjustments:**

There were no budget adjustments to report for November.

## **8. OTHER BUSINESS**

### **a. 2022 Cash Budget Final Draft**

Mr. Paulsen addressed the 2022 cash budget final draft and asked for input; it will go to the December board meeting for final approval.

### **b. DA Board Approved MOUs**

Mr. Shockley provided a summary outlining the purpose and necessity for the following MOUs:

- City of Comstock & MFDA Mitigation

The MOU addresses preliminary activities, design, construction, operations and maintenance, right of way acquisition, permits, dispute resolution, etc. for a Flood Control Project, Lagoon Project and Storm Drain Improvement Project. At this time, it has been decided that a Flood Control Project is not needed but would be the responsibility of MFDA if deemed needed in the future. Reimbursement includes the following: (i) project funding; (ii) costs and expenses associated with design work and preliminary activities; and (ii) construction work. Actual costs agreed upon within this MOU include \$66,700 for engineering for the Storm Drain Improvement Project and \$188,000 for engineering for the Lagoon Project.

#### **MOTION PASSED**

**Dr. Mahoney moved to approve the City of Comstock MOU as summarized by Mr. Shockley and Mr. Peterson seconded the motion. On a roll call vote, the motion carried.**

- Cass Rural Water Users District & MFDA DCAI

The purpose of this MOU is to ensure a coordinated, time-efficient, equitable and cost-effective process for completing the Utility Relocation Project and coordination of the operations and maintenance activities after completion of the Utility Relocation Project. The MOU includes the proposed utility adjustments scope of work that will be required for construction of the DCAI. The utility relocates associated with this MOU are to be completed by the P3 Developer. This MOU was approved by the MFDA Board of Authority in September of 2021. However, CRWUD

requested additional changes after the approval. The changes are summarized as follows: (i) language for the valves in Section 6.04 c. 1.; (ii) warranty period in Section 6.13; and (iii) addition of "Retire and" in the table in Exhibit 51 row 4.

**MOTION PASSED**

**Mr. Jacobson moved to approve the CRWUD MOU as summarized by Mr. Shockley and Mr. Peterson seconded the motion. On a roll call vote, the motion carried.**

**9. NEXT MEETING**

The next meeting will be December 15, 2021.

**10. ADJOURNMENT**

The meeting adjourned at 4:32 PM.