

A regular meeting of the Metro Flood Diversion Authority Finance Committee was held on September 22, 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; Dave Piepkorn, Fargo City Commissioner; Mike Rietz, City of Moorhead Assistant City Manager; Shelly Carlson, Mayor, City of Moorhead and Rick Steen, Cass County Commissioner.

No members were absent.

1. CALL TO ORDER

Mayor Dardis called the meeting to order at 4:01 PM. Roll call was taken, and a quorum was present.

2. APPROVE MINUTES FROM THE AUGUST 25, 2021, MEETING

MOTION PASSED

Mr. Steen moved to approve the minutes from the August 25, 2021, meeting and Mr. Costin 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 Mayor Carlson seconded the motion. On a voice vote, the motion carried.

4. APPROVAL OF BILLS

Mr. Costin reported that \$187,699.76 are the bills payable through September 15, 2021, and that Ohnstad Twichell is the largest of the three payables.

APPROVAL

On a roll call, the bills were approved as presented by Mr. Costin.

5. FINANCIAL REPORT

Mr. Costin reported that \$85,111,879 are the expenditures to date and accumulated expenditures are \$731,348,704. Mr. Costin also reported that our current net position is \$99,870,139.

MOTION PASSED

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

6. EXECUTIVE DIRECTOR FINANCIAL REPORT

Mr. Paulsen reported that costs to date are \$731 million, and we continue to track under budget. It is anticipated that we will be approximately \$50 million under budget at year end.

7. CONTRACTING ACTIONS

DA Board approval:

Mr. Paulsen reported on the following contracting actions:

- Task Order 05, Amendment 7 – Program Management Services – update period of performance to December 31, 2026, update scope to match changes to the P3 Project Agreement and Final Technical Requirements CH2M Hill/Jacobs \$30,236,800
- Master Services Agreement – Consulting Services – Communication Neon Loon \$0
- Change Order 07 – WP43G – Additional on-site fill required Industrial Builders \$77,840

MOTION PASSED

Dr. Mahoney moved to approve item i, Task Order 5, Amendment 7 and Mr. Steen seconded the motion. On a roll call vote, the motion carried.

MOTION PASSED

Dr. Mahoney moved to approve item ii, MSA for Neon Loon and Mr. Jacobson seconded the motion. On a roll call vote, the motion carried.

MOTION PASSED

Dr. Mahoney moved to approve item iii, Change Order 07 for Industrial Builders and Mr. Piepkorn seconded the motion. On a roll call vote, the motion carried.

Mr. Paulsen reported that there are no 2021 cash budget adjustments to report this month.

8. OTHER BUSINESS

a. Draft 2022 Cash Budget

Mr. Paulsen presented the 2022 DRAFT budget. Mr. Paulsen indicated that Mayor Dardis, Mr. Steen and himself worked extensively on the numbers and content. The final version will be forthcoming for approval.

b. DA Board Approved MOUs and MURA:

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

- Pleasant Township & MFDA SEAI The MOU addresses design, construction, operations and maintenance, future changes or additions, insurance and liability, etc. Reimbursement includes the following: (i) costs and expenses incurred as a result of construction work provided in the MOU up to \$3,000 annually; (ii) costs and expenses incurred in relation to the Comprehensive Project, post-construction, up to \$1,500 annually; (iii) extraordinary expenses incurred by the Township must receive authorization from the Authority prior to incurring the expense and (iv) a one-time lump sum payment for lost tax revenue of \$132,000.00. The MOU also includes an Exhibit of the proposed building permit fees for Pleasant Township for six (6) work packages which is estimated at a total of \$40,000.
- Cass Rural Water & MFDA DCAI The purpose of this Memorandum of Understanding 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.
- T-Mobile/Sprint & MFDA DCAI The purpose of this Memorandum of Understanding is to ensure a coordinated, time-efficient and cost-effective process for completing the Utility Relocation Project. The utility relocates associated with this MOU are to be completed by the P3 Developer.
- Minnkota & MFDA SEAI The purpose of this MURA is to ensure a coordinated, time-efficient, 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. Specific scopes of work and cost will be executed separately under task orders.

MOTION PASSED

Dr. Mahoney moved to approve the three MOUs and MURA as summarized by Mr. Shockley and Mayor Carlson seconded the motion. On a roll call vote, the motion carried.

c. Resolution Authorizing Financial Close

Mr. Shockley summarized the financial close resolution indicating that the resolution will give the executive director authority to sign affiliated documents. The closing date is scheduled for October 14, 2021. Dr. Mahoney congratulated Mr. Shockley and thanked him for his hard work.

MOTION PASSED

Dr. Mahoney moved to approve the resolution as presented by Mr. Shockley and Mr. Peterson seconded the motion. On a roll call vote, the motion carried.

d. Property Acquisition Status Report

Mr. Vetter reported that one purchase agreement has been signed, there have been seven acquisitions this month and two LRED agreements have been reached.

9. NEXT MEETING

The next meeting will be October 27, 2021.

10. ADJOURNMENT

The meeting adjourned at 4:56 PM.