

**FLOOD DIVERSION AUTHORITY  
FINANCE COMMITTEE  
AGENDA FOR WEDNESDAY, OCTOBER 8, 2014**

*Commission Conference Room*  
9:00 AM

1. Call to Order
2. Approval of the minutes from the previous meeting **Item No. 2**
3. Approval of Bills **Item No. 3**
4. Financial Update (Costin) **Item No. 4**
5. Special Assessment Update (Brodshaug)
6. Other business
7. Next meeting—November 12, 2014
8. Adjournment

cc: Local Media  
Flood Diversion Board of Authority  
CH2M Hill  
AE2S

**FLOOD DIVERSION FINANCE COMMITTEE  
SEPTEMBER 10, 2014—9:00 AM**

**1. MEETING TO ORDER**

A meeting of the Flood Diversion Finance Committee was held on Wednesday, September 10, 2014, at 9:00 AM in the Commission Conference Room, Cass County Courthouse with the following present: Southeast Water Resource District Manager Mark Brodshaug; City of Fargo Finance Director Kent Costin; Cass County Auditor Mike Montplaisir; Cass County Commissioner Vern Bennett; City of Moorhead Finance Director Wanda Wagner; Fargo City Administrator Pat Zavoral; Clay County Auditor Lori Johnson; and Moorhead City Commissioner Nancy Otto. Cass County Administrator Keith Berndt and Fargo City Commissioner Tim Mahoney were absent.

Also present were Eric Dodds, AE2S; Bruce Spiller, CH2M Hill; and David Nelson.

**2. APPROVAL OF MINUTES FROM PREVIOUS MEETING**

*MOTION, passed*

**Ms. Otto moved and Mr. Brodshaug seconded to approve the minutes from the August 13, 2014, meeting as presented. Motion carried.**

**3. APPROVAL OF BILLS**

Mr. Costin reviewed the bills submitted by City of Fargo, and Erik Johnson & Associates. Mr. Costin said bills this month are related to a cost share for 2014 digital imaging for updates to LIDAR maps and for legal services.

*MOTION, passed*

**Ms. Otto moved and Mr. Zavoral seconded to approve the bills and forward them to the Flood Diversion Board of Authority. Motion carried.**

**4. FINANCIAL UPDATE**

Mr. Costin reviewed the financial statement for August with the committee. The total disbursed fiscal year to date is \$58,607,564. Mr. Montplaisir said two loan draws through U.S. Bank were done totaling \$20,060,000. The loan funds will be used toward monthly expenses.

Mr. Costin said a reimbursement request in the amount of \$861,162 was submitted to the State Water Commission (SWC) for expenses associated with the OHB levee. He discussed the dollars still available through the SWC.

**5. SPECIAL ASSESSMENT UPDATE**

Initially, there were 4,000 parcels in a database that needed to be updated for the proposed special assessment district. Mr. Dodds said around 150 properties need a value assigned to them, and a meeting will be held with city and county assessors to discuss this issue.

Mr. Dodds said staff will soon provide presentations to the City of West Fargo as well as other cities and townships regarding the special assessment district proposal. Mr. Montplaisir asked if meetings will be held before a public vote. Mr. Brodshaug believes that is the plan. Mr. Montplaisir asked if a vote would be held before the upcoming legislative session. Mr. Brodshaug is unsure of the schedule and said it may be rushing the process to have a vote before the legislative session begins in January.

**6. AUTHORITY WORK DIRECTIVES/TASK ORDERS**

Mr. Spiller said there is one Authority Work Directive in the amount of \$20,000 with Houston Moore Group (HMG) for additional design detail for the Mickelson field levee extension to consider the properties to be acquired, and one Task Order in the amount of \$50,000 with Terracon Consultants, Inc. for material testing services associated with the in-town levees.

Mr. Spiller said bids were opened yesterday for the 4<sup>th</sup> Street pump station and 2<sup>nd</sup> Street flood wall projects in Fargo, which are being reviewed by legal staff. The plan was to approve the contracts at the Diversion Board meeting this Friday, but Mr. Zavoral said they will not be ready for approval.

**7. BUDGET FOR FY2015**

Mr. Montplaisir reviewed the budget summary for FY2015 provided to members. Fargo City and Cass County will each appropriate \$13 million in funding. Financial resources for 2015 also include \$92,100,000 in U.S. Bank loan advances and \$93,000,000 in State Water Commission appropriations.

Mr. Spiller discussed proposed expenditures for next year which include \$101,700,000 for land acquisitions; \$81,200,000 for construction on in-town and OHB levees; \$11,600,000 for design and permitting; \$7,200,000 for project management and legal services; \$9,100,000 for utility relocation costs; and \$300,000 for the U.S. Bank debt service note payment. He said \$12-\$13 million will be rolled over from this year. Mr. Montplaisir said all of the proposed work is predicated on federal appropriations for the project. Mr. Spiller said the budget does not include any significant dollars toward the actual construction of the diversion project, but includes funds for land purchases and utility relocations.

***MOTION, passed***

**Mr. Zavoral moved and Ms. Otto seconded to approve the FY2015 budget and forward the item to the Flood Diversion Board of Authority. On roll call vote, the motion carried unanimously.**

**8. OTHER BUSINESS**

Mr. Dodds said a Request for Qualifications (RFQ) proposal was published for Ag Risk Evaluation for Temporary Water Retention Easement Values and Crop Insurance. The study will help the Diversion Board of Authority to determine the impact on flowage easements through providing a supplemental crop insurance product on lands in the staging area. He said four responses were received to the RFQ and were reviewed by staff. The recommendation is to enter into an agreement with the Agribusiness and Applied Economics Department of North Dakota State University (NDSU) to conduct this study at a cost not to exceed \$70,000. This cost is incorporated within the FY2015 budget, which the Finance Committee just approved. He said the item will be forwarded to the Land Management Committee for consideration at their meeting on Friday, September 12<sup>th</sup>.

**9. NEXT MEETING**

The next meeting will be held on Wednesday, October 8, 2014.

**10. ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:32 AM.



GRAY PANNELL & WOODWARD  
Attorneys at Law

LLP

P.O. Box 8050 (31412)  
24 Drayton Street, Suite 1000  
Savannah, Georgia 31401  
(912) 443-4040

One Buckhead Plaza  
3060 Peachtree Road, N.W., Suite 730  
Atlanta, Georgia 30305  
(678) 705-6280

gpwlawfirm.com

September 11, 2014

City of Fargo  
Mr. Kent Costin  
Finance Director  
200 Third Street North  
Fargo, North Dakota 58102

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Re: FARGO CASS DIVERSION PROJECT (CLIENT MATTER #12345-2)  
January 1, 2014 through June 30, 2014

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FOR PROFESSIONAL SERVICES RENDERED

1-2-14	PHT	Review bond counsel questions from Jessica Cameron forwarded by Kent Costin	0.4
1-3-14	PHT	Research on bond counsel questions	1.0
1-6-14	PHT	Review first draft of bond counsel questions memorandum from Erik Johnson; further research	1.2
1-7-14	PHT	Comments on first draft of memo; research; call with Erik Johnson	0.9
1-13-14	PHT	Review revised draft of bond counsel questions memorandum; revisions	1.1
1-15-14	PHT	Review distributed memorandum	0.3
3-3-14	PHT	Confer with Erik Johnson on type of federal moral obligation for the project	0.5
3-6-14	PHT	Review email from Erik Johnson; research on Army Corps of Engineers and other federal obligations; review the Diversion Authority's Limited Joint Powers Agreement together with First and Second Amendment; research on statutory and other authority for the issuance of bonds by the Diversion Authority or otherwise for the diversion project	2.5
3-7-14	PHT	Review of draft RFP for interim financing sent by Erik Johnson	0.3
3-10-14	PHT	Review of draft RFP for interim financing sent by Matt Schnackenberg; calls	0.2
3-14-14	PHT	Review email; further tax research on constited authority and on the behalf of issuances	1.0
3-26-14	PHT	Review conference call summary sheet prepared by Erik Johnson; participate in conference call; follow-up review	3.0
3-27-14	PHT	Review of PFM mails	0.1
4-2-14	PHT	Confer with Erik Johnson on proposed meeting with USACE	0.1
4-8-14	PHT	Preparation for conference call	0.5
4-9-14	PHT	Participation in conference call organized by Tom Waters in preparation for a meeting with USACE; preparation, follow-up	3.5

4-15-14	PHT	Preparation for USACE meeting; review emails; distribute bio	0.5
4-25-14	PHT	Review agenda for USACE meeting sent by Rocky Schnieder; review information on the USACE' state law and federal tax law research for anticipated topics and questions at the USACE meeting	4.0
4-29-14	PHT	Travel to Fargo meeting with USACE; review materials; preparation for meeting	9.0
4-30-14	PHT	Attending meeting in Fargo with all parties to the transaction	7.5
5-1-14	PHT	Attending meeting in Fargo with all parties to the transaction; return travel	11.0
5-5-14	PHT	Review Jill's updated P3 briefing and draft executive summary; sent by Aaron Snyder the presentation at the preceding meeting in Fargo from Terry Williams sent by Rocky Schnieder; and the information requested at the last meeting by various parties sent by Terry Williams; follow-up review	3.8
5-7-14	PHT	Review updated brainstorming overview sent by Jill Jamieson	0.8
5-12-14	PHT	Review meeting agenda, Brainstorming Overview and PPP Talking Points sent by Aaron Snyder; follow-up and preparation for conference call; review of diversion authority organizational documents and statutory authority; statutory review of authority of other parties	2.5
5-13-14	PHT	Attending ad hoc conference call; preparation and follow-up all with Erik Johnson	1.7
5-20-14	PHT	Attending ad hoc conference call; preparation and follow-up	2.1
5-27-14	PHT	Attending ad hoc conference call; preparation and follow-up	1.8
5-28-14	PHT	Review WRRDA information sent by Aaron Snyder; WRRDA research and background ; review notes sent by Terry Williams	1.5
5-30-14	PHT	Conference call initiated by Pat Zaverol for local group; follow-up with Erik Johnson; drafting outline bullet points on P3 goals and structure; research	2.5
6-4-14	PHT	Review financial model sent by Gerald Stedge for tomorrow's call; other preparation for call	2.3
6-5-14	PHT	Participation in ad hoc conference call; preparation and follow-up and debrief call with Waters, Johnson and Zaverol	2.5
6-6-14	PHT	Review agenda for next conference call; research on the "scoring" process	3.0
6-9-14	PHT	Review emails and preparation for conference call	0.3
6-10-14	PHT	Participation in ad hoc conference call; preparation; follow-up	1.2
6-20-14	PHT	Review 6-10-14 conference call notes sent by Aaron Snyder; review of NABL materials on PPP's and EnoCenter for Transportation PPP report	2.5
6-23-14	PHT	Review simplified scenarios sent by Aaron Snyder; preparation for conference call	1.5
6-24-14	PHT	Participation in ad hoc conference call; preparation and follow-up; review Tom Water's notes; confer with Tom Waters on topics for primer call on USACE; drafting topics memo for Waters	4.0
TOTAL HOURS .....			<u>82.60</u>

	<u>Hourly Billing Rates</u>	
<u>Attorney</u>	<u>Standard</u>	<u>Fargo Discount</u>
Paul Tietz	\$550.00	\$412.50

Amount Due (Six Months ended June 30, 2014):

Fees		
Standard Rate	\$45,430.00	
Less Discount	<u>11,357.50</u>	
Total		\$34,072.50
Disbursements		
Out of Town Travel	\$2,165.34	
Other	<u>-0-</u>	
Total		<u>\$2,165.34</u>
Total Amount Due .....		<u>\$36,237.84</u>

Remittance to:

Gray Pannell & Woodward LLP  
 24 Drayton Street, Suite 1000  
 Savannah, Georgia 31401

# GRAY PANNELL & WOODWARD

*Attorneys at Law* LLP

P.O. Box 8050 (31412)  
 24 Drayton Street, Suite 1000  
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gpwlawfirm.com

September 11, 2014

City of Fargo  
 Mr. Kent Costin  
 Finance Director  
 200 Third Street North  
 Fargo, North Dakota 58102

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Re: FARGO CASS DIVERSION PROJECT (CLIENT MATTER #12345-2)  
 July 1, 2014 through July 30, 2014

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FOR PROFESSIONAL SERVICES RENDERED

7-7-14	PHT	Review materials on primer conference call from Tom Waters; preparation for call	1.0
7-8-14	PHT	Preparation for primer conference call; call with Tom Waters and Eric Johnson to discuss topics and questions; drafting outline sent to Tom Waters; research; ad hoc committee conference call	5.1
7-9-14	PHT	Local sponsor conference call; USACE Primer conference call; preparation and follow-up; review scoring process materials; review ad hoc meeting notes	4.8
7-11-14	PHT	Review Alt. Res. Issues tracking sheet sent by Tom Waters; various research	0.8
7-15-14	PHT	Meeting planning; emails	0.2
7-16-14	PHT	Pat Zaveral conference call with Goldman; follow-up with Kent Costin on Goldman matters	0.5
7-17-14	PHT	Ad hoc committee conference call; preparation and follow up	0.9
7-22-14	PHT	Ad hoc committee conference call; preparation and follow up; review materials sent; preparation review for D.C. meeting	2.2
7-25-14	PHT	Review materials from Aaron Synder; various research in preparation for D.C. meeting	1.3
7-28-14	PHT	Research and review for D.C. meeting	1.5
7-29-14	PHT	Travel to Washington, D.C.; attending meetings at USACE Headquarters	12.0
7-30-14	PHT	Attending meetings at USACE Headquarters in Washington, D.C.; return travel	12.0
		TOTAL HOURS .....	<u>42.3</u>



<u>Attorney</u>	<u>Hourly Billing Rates</u>	<u>Fargo Discount</u>
Paul Tietz	<u>Standard</u> \$550.00	\$412.50

Amount Due (Month of July, 2014):

Fees		
Standard Rate	\$23,265.00	
Less Discount	<u>5,816.25</u>	
Total		\$34,448.75
Disbursements		
Out of Town Travel	\$2,614.09	
Other	<u>-0-</u>	
Total		<u>\$2,614.09</u>
Total Amount Due .....		<u>\$20,062.84</u>

Remittance to:

Gray Pannell & Woodward LLP  
 24 Drayton Street, Suite 1000  
 Savannah, Georgia 31401



Office of the City Attorney

City Attorney  
Erik R. Johnson

Assistant City Attorneys  
Nancy J. Morris  
Jason T. Loos

September 29, 2014

Kent Costin  
Finance Director  
City of Fargo  
200 North Third Street  
Fargo, ND 58102

**Re: Red River Diversion Project**

Dear Kent:

I am enclosing a Summary Invoice dated September 25, 2014 from the Dorsey & Whitney Firm in Minneapolis for their professional services rendered through August 31, 2014 on the Red River Diversion Project. If you have any questions, please feel free to contact me. Please remit payment directly to Dorsey Whitney.

Sincerely,

A handwritten signature in blue ink, appearing to be "ERJ", written over a blue circular stamp or watermark.

Erik R. Johnson

ERJ/jmf  
Enclosure  
cc: Pat Zavoral





MINNEAPOLIS OFFICE  
612-340-2600

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Fargo-Moorhead Flood Diversion Bd of Authority  
c/o Erik R. Johnson & Associates, Ltd.  
Attn: Erik Johnson  
505 Broadway, Suite 206  
Fargo, ND 58102

September 25, 2014  
Invoice No. 1970664

RECEIVED  
DATE 9-29-14

Client-Matter No.: 491379-00001  
Red River Diversion Project

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**For Legal Services Rendered Through August 31, 2014**

**INVOICE TOTAL**

Total For Current Legal Fees	\$88,896.50
Total For Current Disbursements and Service Charges	\$3,789.87
<b>Total For Current Invoice</b>	<b>\$92,686.37<sup>1</sup></b>

For your convenience, please remit payment to the address below or we offer the option of remitting payment electronically by wire transfer. If you have any questions regarding this information, please contact the lawyer you are working with on this project or Dorsey's Accounts Receivable Department at 1-800-861-0760. Thank you.

Mailing Instructions:  
Dorsey & Whitney LLP  
P.O. Box 1680  
Minneapolis, MN 55480-1680

Wire Instructions:  
U.S. Bank National Association  
800 Nicollet Mall  
Minneapolis, MN 55402

ABA Routing Number: 091000022  
Account Number: 1602-3010-8500  
Swift Code: USBKUS44IMT

Please make reference to the invoice number

Service charges are based on rates established by Dorsey & Whitney. A schedule of those rates has been provided and is available upon request. Disbursements and service charges, which either have not been received or processed, will appear on a later statement.

ALL INVOICES ARE DUE 30 DAYS FROM DATE OF INVOICE UNLESS OTHERWISE EXPRESSLY AGREED BY DORSEY & WHITNEY

FM Diversion Authority  
Fiscal Accountability Report Design Phase (Fund 790)  
As of 9/30/2014

	2011	2012	2013	2014	Cumulative Totals
<b>Revenues</b>					
City of Fargo	443,138	7,652,681	7,072,961	11,684,961	26,853,741
Cass County	443,138	7,652,681	7,072,961	11,684,961	26,853,741
State Water Commission	-	-	3,782,215	22,416	3,804,631
Other Agencies	98,475	1,700,595	1,571,769	2,596,658	5,967,497
Lease/Rental Payments	-	-	17,358	141,718	159,076
Asset Sales	-	-	-	616,774	616,774
Miscellaneous	-	-	1,705	626	2,331
<b>Total Revenues</b>	<b>984,750</b>	<b>17,005,957</b>	<b>19,518,970</b>	<b>26,748,114</b>	<b>64,257,791</b>
<b>Expenditures</b>					
7905 Army Corp Payments	-	-	875,000	1,050,000	1,925,000
7910 WIK - Administration	107,301	331,321	77,614	116,730	632,966
7915 WIK - Project Design	149,632	5,366,147	3,220,859	6,050,471	14,787,109
7920 WIK - Project Management	679,037	7,223,650	4,695,477	2,241,628	14,839,792
7925 WIK - Recreation	-	163,223	-	-	163,223
7930 LERRDS - North Dakota	48,664	3,843,620	2,763,404	11,084,864	17,740,552
7931 LERRDS - Minnesota	-	27,996	289,387	11,490	328,872
7940 WIK Mitigation - North Dakota	-	-	-	587,180	587,180
7941 WIK Mitigation - Minnesota	-	-	-	-	-
7950 Construction - North Dakota	-	-	-	-	-
7951 Construction - Minnesota	-	-	-	-	-
7952 Construction - O/H/B	-	-	-	5,955,061	5,955,061
7955 Construction Management	-	-	-	85,000	85,000
7990 Project Financing	-	50,000	70,000	101,055	221,055
7995 Project Eligible - Off Formula Costs	-	-	-	-	-
7999 Non Federal Participating Costs	116	-	-	-	116
0000 Advance to City of Oxbow	-	-	7,527,231	630	7,527,861
<b>Total Expenditures</b>	<b>984,750</b>	<b>17,005,957</b>	<b>19,518,970</b>	<b>27,284,109</b>	<b>64,793,786</b>

FM Diversion Authority  
 FY 2014 Summary Budget Report ( In Thousands)  
 September, 2014

	FY 2014 Approved Budget	Current Month	Fiscal Year To Date	% Expended	Outstanding Encumbrances	Remaining Budget Balance
<b>Revenue Sources</b>						
City of Fargo	19,530	1,823	15,710			3,820
Cass County	19,530	1,823	15,710			3,820
State of ND - 50% Match	-	1,799	3,719			(3,719)
State of ND - 100% Match	26,600	-	85			26,515
State of Minnesota	-	-	-			-
Other Agencies	4,340	405	3,491			849
Financing Proceeds	-	-	-			-
Sale of Assets	-	-	617			(617)
Property Income	-	3	151			(151)
Miscellaneous	-	-	2			(2)
<b>Total Revenue Sources</b>	<b>70,000</b>	<b>5,852</b>	<b>39,485</b>			<b>30,515</b>
<b>Funds Appropriated</b>						
Army Corp Local Share	-	-	1,575		525	(2,100)
Management Oversight	2,300	591	3,828	166%	2,796	(4,324)
Technical Activities	7,900	1,486	7,969	101%	6,815	(6,884)
Land Acquisitions	37,700	147	20,006	53%	2,588	15,106
Construction	18,700	3,933	5,955	32%	7,592	5,153
Mitigation	-	-	587		-	(587)
Other Costs	3,400	30	101	3%	-	3,299
<b>Total Appropriations</b>	<b>70,000</b>	<b>6,186</b>	<b>40,021</b>	<b>57%</b>	<b>20,316</b>	<b>9,663</b>

**FM Diversion Authority  
Summary of Cash Disbursements  
September 2014**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-7910-429.33-20	10/1/2014	JB09140029	CITY OF FARGO	\$ 420.00	FISCAL SERVICES	V00102	General & Admin. WIK
<b>Total WIK - General &amp; Admin. - Accounting Services</b>				420.00			
790-7910-429.33-25	10/1/2014	252620	OXBOW, CITY OF	3,085.50	7/22-8/19/14 LEGAL SERVIC	V02407	OXBOW MOU-LEGAL SERVICES
	10/1/2014	252620	OXBOW, CITY OF	208.00	8/19/14 LEGAL SERVICES	V02407	OXBOW MOU-LEGAL SERVICES
	10/1/2014	252620	OXBOW, CITY OF	2,110.00	6/30-8/21/14 LEGAL SERVIC	V02407	OXBOW MOU-LEGAL SERVICES
	10/1/2014	252620	OXBOW, CITY OF	275.00	AUGUST LEGAL EXPENSES	V02407	OXBOW MOU-LEGAL SERVICES
	10/1/2014	252620	OXBOW, CITY OF	2,325.00	SEPTEMBER LEGAL SERVICES	V02407	OXBOW MOU-LEGAL SERVICES
	9/17/2014	252186	ERIK R JOHNSON & ASSOCIATES	10,309.65	METRO FLOOD PROJECT	V00102	General & Admin. WIK
<b>Total WIK - General &amp; Admin. - Legal Services</b>				18,313.15			
790-7910-429.38-99	9/3/2014	251872	NORTH DAKOTA TELEPHONE CO	58.00	JUL 2014 SETUP/MINUTES	V00102	General & Admin. WIK
<b>Total WIK - General &amp; Admin. - Other Services</b>				58.00			
790-7915-429.33-05	9/10/2014	252078	OXBOW, CITY OF	9,407.15	OXBOW OHB LEVEE PROJ	V02401	OXBOW MOU-PROJ MGMT ADMIN
	9/10/2014	252078	OXBOW, CITY OF	1,261.30	OXBOW OHB LEVEE PROJ	V02402	OXBOW MOU-PRELIM ENGINRNG
	9/17/2014	252253	OXBOW, CITY OF	176,878.24	OHB LEVEE PROJECT	V02405	OXBOW MOU-DESN/CONST ENG
	10/1/2014	252620	OXBOW, CITY OF	6,892.00	OXBOW OHB LEVEE PROJECT	V02401	OXBOW MOU-PROJ MGMT ADMIN
	10/1/2014	252620	OXBOW, CITY OF	4,714.50	OXBOW OHB LEVEE PROJECT	V02402	OXBOW MOU-PRELIM ENGINRNG
	10/1/2014	252620	OXBOW, CITY OF	112,557.36	OXBOW OHB LEVEE PROJECT	V02405	OXBOW MOU-DESN/CONST ENG
	10/1/2014	252602	MINNESOTA DNR	347,644.71	DIVERSION BOARD	V00701	MN DNR EIS
	9/24/2014	252377	HOUSTON-MOORE GROUP LLC	24,126.59	JUNE 2014	V01608	WORK-IN-KIND (WIK)
	9/24/2014	252377	HOUSTON-MOORE GROUP LLC	10,718.18	JUNE 2014	V01609	HYDROLOGY/HYDRAULIC MODEL
	9/24/2014	252377	HOUSTON-MOORE GROUP LLC	414,312.78	JUNE 2014	V01613	LEVEE DESIGN & SUPPORT
	9/24/2014	252377	HOUSTON-MOORE GROUP LLC	6,924.15	JUNE 2014	V01614	TRANS/DRAINAGE MASTER PLN
	9/24/2014	252377	HOUSTON-MOORE GROUP LLC	55,134.10	JUNE 2014	V01615	DRAFT OPERATIONS PLAN
	9/24/2014	252377	HOUSTON-MOORE GROUP LLC	6,270.50	JUNE 2014	V01616	PERMIT SUBMITTAL PREP
	9/17/2014	252277	URS CORPORATION	40,399.16	7/19-8/15/14	V01003	CULTURAL RESOURCES INVEST
<b>Total WIK - Project Design - Engineering Services</b>				1,217,240.72			
790-7915-429.38-99	9/18/2014	JB09140012	CITY OF FARGO	268,531.66	DIGITAL IMAGERY COST SHARE	V02501	2014 DIGITAL IMAGERY PROJ
<b>Total WIK - Project Design - Other Services</b>				268,531.66			

**FM Diversion Authority  
Summary of Cash Disbursements  
September 2014**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-7920-429.33-05	9/24/2014	252377	HOUSTON-MOORE GROUP LLC	67,784.32	JUN 2014	V01601	HMG - PROJECT MANAGEMENT
<b>Total WIK Construction Mgmt. - Engineering Services</b>				67,784.32			
790-7920-429.33-79	9/10/2014	252078	OXBOW, CITY OF	7,083.33	TIME 7/16-8/15/14	V02410	OXBOW MOU - PROJ MGMT JDA
	10/1/2014	252620	OXBOW, CITY OF	7,083.33	OXBOW MOU PROJECT MANAGER	V02410	OXBOW MOU - PROJ MGMT JDA
	9/17/2014	252172	CH2M HILL ENGINEERS INC	180,000.00	AUG 2014	V00204	CH2M Hill-9.1.13-9.13.14
	10/1/2014	252523	CH2M HILL ENGINEERS INC	310,000.00	CONTRACT MANAGEMENT	V00205	CH2M Hill-8.30.14-2.27.15
<b>Total WIK Construction Mgmt. - Construction Management</b>				504,166.66			
790-7930-429.33-05	9/24/2014	252377	HOUSTON-MOORE GROUP LLC	968.50	JUN 2014	V01602	CR-31 BRIDGE DESIGN
	9/24/2014	252377	HOUSTON-MOORE GROUP LLC	2,176.50	JUN 2014	V01604	CR-32 & CR-22 BRIDGE DSGN
	9/24/2014	252377	HOUSTON-MOORE GROUP LLC	2,117.50	JUNE 2014	V01604	CR-32 & CR-22 BRIDGE DSGN
	9/24/2014	252377	HOUSTON-MOORE GROUP LLC	1,259.00	JUN 2014	V01606	LAND MANAGEMENT SERVICES
	9/24/2014	252377	HOUSTON-MOORE GROUP LLC	70.00	JUNE 2014	V01610	UTILITIES DESIGN
	9/24/2014	252377	HOUSTON-MOORE GROUP LLC	10,398.56	JUNE 2014	V01611	REACH 6 & CR20 BRIDGE
<b>Total LERRDS - North Dakota - Engineering Services</b>				16,990.06			
790-7930-429.33-25	9/10/2014	251967	DORSEY & WHITNEY LLP	118,675.73	DIVERSION LEGAL SERVICES	V00101	Dorsey Whitney Legal
	9/17/2014	252186	ERIK R JOHNSON & ASSOCIATES	5,376.25	METRO FLOOD PROJ-LEERDS	V00103	General & Admin. LERRDS
<b>Total LERRDS - North Dakota - Legal Services</b>				124,051.98			
790-7930-429.33-32	10/1/2014	252620	OXBOW, CITY OF	3,540.00	BORDER APPRAISALS	V02412	OXBOW MOU - APPRAISALS
	10/1/2014	252620	OXBOW, CITY OF	2,280.00	BORDER APPRAISALS	V02412	OXBOW MOU - APPRAISALS
<b>Total LERRDS - North Dakota - Appraisal Services</b>				5,820.00			
790-7930-429.38-95	9/3/2014	251846	KOCHMANN, CARTER	105.00	LAWN MOWING 333 SCHNELL D	V01701	ND LAND PURCHASES
<b>Total LERRDS - North Dakota - Mowing Services</b>				105.00			
790-7952-429.73-53	9/10/2014	252078	OXBOW, CITY OF	2,371,423.80	OXBOW MOU-CONST RPLM AREA	V02409	OXBOW MOU-CONST RPLM AREA
	10/1/2014	252620	OXBOW, CITY OF	1,561,317.15	OXBOW-MOU CONST RPLM AREA	V02409	OXBOW MOU-CONST RPLM AREA
<b>Total O/H/B Construction - Dams/Reservoirs/Diversion</b>				3,932,740.95			

**FM Diversion Authority  
Summary of Cash Disbursements  
September 2014**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-7990-429.33-25	9/3/2014	423	P CARD BMO	30,000.00	NIXON PEABODY LLP	V00102	General & Admin. WIK
<b>Total Project Financing - Legal Services</b>				30,000.00			
<b>Total Disbursed for Period</b>				<b>\$6,186,222.50</b>			



**FM Diversion Authority  
Cumulative Vendor Payments Since Inception  
As of September 30, 2014**

<b>Vendor Name</b>	<b>Approved Contract/Invoice Amount</b>	<b>Liquidated</b>	<b>Outstanding Encumbrance</b>	<b>Purpose</b>
HOUSTON-MOORE GROUP LLC	\$ 21,689,077.45	\$ 14,956,521.45	\$ 6,732,556.00	Engineering Services
CASS COUNTY JOINT WATER RESOUR	14,341,563.69	10,566,904.46	3,774,659.23	Land Purchases, O/H/B Ring Levee, DPAC, & ROE
CH2M HILL ENGINEERS INC	14,140,819.01	12,590,819.01	1,550,000.00	Project Management
OXBOW, CITY OF	13,700,402.84	7,947,288.16	5,753,114.68	City of Oxbow - MOU
COMMERCIAL TITLE LLC	3,869,541.00	3,869,541.00	-	Oxbow MOU - Advance for Land Purchase
TITLE COMPANY	3,641,500.00	3,641,500.00	-	Oxbow MOU - Advance for Land Purchase
ARMY CORP OF ENGINEERS	2,450,000.00	1,925,000.00	525,000.00	Local Share
MINNESOTA DNR	2,188,007.43	1,292,414.71	895,592.72	EIS Scoping
KENNELLY & OKEEFFE	1,729,310.56	1,729,310.56	-	Home Buyouts
URS CORPORATION	1,501,488.42	927,190.00	574,298.42	Engineering Services
DORSEY & WHITNEY LLP	1,399,601.72	1,306,915.35	92,686.37	Legal Services
MOORE ENGINEERING INC	662,468.17	662,468.17	-	Engineering Services
DUCKS UNLIMITED	587,180.00	587,180.00	-	Wetland Mitigation Credits
HOUSTON ENGINEERING INC	576,669.57	576,669.57	-	Engineering Services
RED RIVER BASIN COMMISSION	500,000.00	447,747.40	52,252.60	Engineering Services
NORTHERN TITLE CO	484,016.00	484,016.00	-	Land Purchases
CITY OF FARGO	284,331.66	284,331.66	-	Digital Imagery Project & Accounting Services
ERIK R JOHNSON & ASSOCIATES	195,576.10	195,576.10	-	Legal Services
CASS COUNTY TREASURER	182,125.46	182,125.46	-	Property Tax
US GEOLOGICAL SURVEY	151,520.00	46,920.00	104,600.00	Stage Gages & Water Level Discharge Collection
PFM PUBLIC FINANCIAL MANAGEMEN	146,460.00	146,460.00	-	Financial Advisor
PROSOURCE TECHNOLOGIES, INC	100,000.00	8,324.94	91,675.06	Engineering Services
ULTEIG ENGINEERS INC	100,000.00	-	100,000.00	Engineering Services
BRAUN INTERTEC CORP	90,210.00	77,629.00	12,581.00	Quality Testing
OHNSTAD TWICHELL PC	58,730.66	58,730.66	-	ROE and Bonding Legal Fees
IN SITU ENGINEERING	54,800.00	47,973.00	6,827.00	Quality Testing
ADVANCED ENGINEERING INC	50,000.00	50,000.00	-	Public Outreach
TERRACON CONSULTING ENGINEERS	50,000.00	-	50,000.00	Materials Testing
GEOKON INC	33,815.36	33,815.36	-	Vibrating Wire Piezometer Equipment
COLDWELL BANKER	33,066.02	33,066.02	-	Property Management Services

**FM Diversion Authority  
Cumulative Vendor Payments Since Inception  
As of September 30, 2014**

<b>Vendor Name</b>	<b>Approved Contract/Invoice Amount</b>	<b>Liquidated</b>	<b>Outstanding Encumbrance</b>	<b>Purpose</b>
NIXON PEABODY LLC	30,000.00	30,000.00	-	Legal Services
INNOVATIVE ABSTRACT & TITLE CO	15,921.53	15,921.53	-	Oxbow MOU - Advance for Land Purchase
MOORHEAD, CITY OF	15,062.90	15,062.90	-	ROE Legal Fees
WARNER & CO	14,925.00	14,925.00	-	General Liability Insurance
BRIGGS & MORGAN PA	12,727.56	12,727.56	-	Legal Services
GRAY PANNELL & WOODWARD LLP	10,000.00	10,000.00	-	Legal Services
MCKINZIE METRO APPRAISAL	3,200.00	3,200.00	-	Appraisal Services
FORUM COMMUNICATIONS (LEGALS)	2,224.20	2,224.20	-	Advertising Services
DAWSON INSURANCE AGENCY	1,867.81	1,867.81	-	Property Insurance - Home Buyouts
FORUM COMMUNICATIONS (ADVERT)	1,743.77	1,743.77	-	Advertising Services
CLAY COUNTY AUDITOR	1,550.00	1,550.00	-	Property Tax
SEIGEL COMMUNICATIONS SERVICE	1,490.00	1,490.00	-	Public Outreach
RED RIVER TITLE SERVICES INC	1,305.00	1,305.00	-	Abstract Updates
HUBER, STEVE	1,056.43	1,056.43	-	Home Buyouts
NORTH DAKOTA TELEPHONE CO	926.40	926.40	-	Communication
TRIO ENVIRONMENTAL CONSULTING	747.60	747.60	-	Asbestos and LBP Testing - Home Buyouts
RED RIVER VALLEY COOPERATIVE A	536.96	536.96	-	Electricity - Home Buyouts
FERRELLGAS	496.00	496.00	-	Propane - Home Buyouts
BROKERAGE PRINTING	473.33	473.33	-	Custom Printed Forms
GALLAGHER BENEFIT SERVICES INC	250.00	250.00	-	Job Description Review
DONS PLUMBING	240.00	240.00	-	Winterize - Home Buyouts
KOCHMANN, CARTER	210.00	210.00	-	Lawn Mowing Services
CURTS LOCK & KEY SERVICE INC	138.10	138.10	-	Service Call - Home Buyouts
GOOGLE LOVEINTHEOVEN	116.00	116.00	-	Meeting Incidentals
FEDERAL EXPRESS CORPORATION	71.89	71.89	-	Postage
CASS COUNTY RECORDER	68.00	68.00	-	Oxbow MOU - Advance for Land Purchase
<b>GRAND TOTAL</b>	<b>\$ 85,109,629.60</b>	<b>\$ 64,793,786.52</b>	<b>\$ 20,315,843.08</b>	

**FM Diversion Authority  
Lands Expense - Life To Date  
As of September 30, 2014**

Property Address	Purchase Date	Purchase Price	Appraisal	Abstract	Tax Payment	Property Management Expense	Property Management Income	Sale Proceeds	Total
Hayden Heights Land, West Fargo ND	10/12/2012	484,016.00	-	-	166,874.29	-	-	(240,166.11)	410,724.18
105 Oxbow Drive, Oxbow ND	11/28/2012	216,401.85	-	250.00	4,993.72	13,695.77	(18,680.72)	(181,249.54)	35,411.08
744 Riverbend, Oxbow ND	12/3/2012	343,658.30	-	170.00	7,296.43	16,839.08	(27,117.16)	-	340,846.65
121 Oxbow Drive, Oxbow ND	7/31/2013	375,581.20	3,200.00	-	1,581.52	19,519.02	-	(186,918.33)	212,963.41
333 Schnell Drive, Oxbow ND	9/20/2013	104,087.79	-	-	1,379.50	1,049.79	-	-	106,517.08
387 170th Ave SW, Moorhead MN	11/1/2013	281,554.91	-	255.00	1,550.00	2,247.01	-	(8,440.00)	277,166.92
SE 1/4 11-140-50 (Raymond Twp) - Ueland	1/20/2014	959,840.00	-	-	-	-	(13,543.73)	-	946,296.27
2 Tracts in the E 1/2-2-137-49 - Sorby/Maier	1/24/2014	1,636,230.00	-	-	-	-	(28,882.99)	-	1,607,347.01
346 Schnell Dr, Oxbow ND	2/13/2014	512,970.73	-	-	-	8,904.64	(7,500.00)	-	514,375.37
3 Tracts NW1/4 1-140-50, NW1/4 11-140-50, & S1/2 25-141-50 - Rust	2/18/2014	3,458,980.70	-	-	-	-	(59,830.86)	-	3,399,149.84
11-140-50 NE1/4 (Raymond Twp) - Diekrager	4/15/2014	991,128.19	-	-	-	-	(15,654.86)	-	975,473.33
NW 1/4 36-141-50 - Monson	5/7/2014	943,560.05	-	-	-	-	(12,089.61)	-	931,470.44
SW 1/4-11-140-50 - Hoglund	7/21/2014	989,706.03	-	-	-	-	(2,668.42)	-	987,037.61
<b>Total</b>		<b>11,297,715.75</b>	<b>3,200.00</b>	<b>675.00</b>	<b>183,675.46</b>	<b>62,255.31</b>	<b>(185,968.35)</b>	<b>(616,773.98)</b>	<b>10,744,779.19</b>

FM Diversion Authority  
 State Water Commission Funds Reimbursement Worksheet  
 Fargo Flood Control Project Costs

Time Period for This Request: September 1, 2014 - September 30, 2014

Drawdown Request No: 5	
Requested Amount:	\$ 1,799,198
Total Funds Expended This Period:	\$ 3,598,397
SB 2020 Matching Requirements	50%
Total Funds Requested at 50% Match	\$ 1,799,198
<b>Total Funds Requested:</b>	<b>\$ 1,799,198</b>

<b>STATE AID SUMMARY:</b>	
Summary of State Funds Appropriated	
Appropriations from 2009 Legislative Session	\$ 45,000,000
Appropriations from 2011 Legislative Session	30,000,000
Appropriations from 2013 Legislative Session	100,000,000
<b>Total State Funds Appropriated</b>	<b>\$ 175,000,000</b>
Less: Payment #1 through #31 - City of Fargo	(48,006,910)
Less: Payment #1 - Cass County	(136,039)
Less: Payment #1 - FM Diversion Authority	(18,600)
Less: Payment #2 - FM Diversion Authority - REVISED	(782,908)
Less: Payment #3 - FM Diversion Authority	(342,762)
Less: Payment #4 - FM Diversion Authority	(861,162)
Less: Payment #5 - FM Diversion Authority	(1,799,198)
<b>Total Funds Reimbursed</b>	<b>\$ (51,947,580)</b>
<b>Total State Fund Balances Remaining</b>	<b>\$ 123,052,420</b>

<b>LOCAL MATCHING FUNDS SUMMARY:</b>	
Matching Funds Expended To Date - City of Fargo	\$ 47,071,452
Matching Funds Expended To Date - Cass County	291,500
Matching Funds Expended To Date - FM Diversion Authority	85,488
<b>Total Matching Funds Expended To Date</b>	<b>\$ 47,448,440</b>
Less: Match Used on Payment #1 through #31 - City of Fargo	(36,402,726)
Less: Match used on Payment #1 - Cass County	(136,039)
Less: Match Used on Payment #1 - FM Diversion Authority	(18,600)
Less: Match Used on Payment #2 - FM Diversion Authority	(66,888)
<b>Balance of Local Matching Funds Available</b>	<b>\$ 10,824,187</b>