

Metro Flood Diversion Authority Finance Committee Meeting Minutes

4:00 PM – February 21, 2024
Fargo City Hall, Red River Room

A regular meeting of the Metro Flood Diversion Authority Finance Committee was held on February 21, 2024. The following members were present: Bernie Dardis, Mayor, City of West Fargo; Dr. Tim Mahoney, Mayor, City of Fargo; Susan Thompson, Finance Director, City of Fargo; Rick Steen, Cass County Joint Water Resource District; Lori Johnson, Clay County Auditor/Treasurer; Mike Redlinger, Administrator, City of Fargo; Tony Grindberg, Cass County Commissioner; Dave Piepkorn, Fargo City Commissioner; Mike Rietz, City of Moorhead Assistant City Manager and Brandy Madrigga, Cass County Finance Director.

Member(s) absent: Shelly Carlson, Mayor, City of Moorhead and Chad Peterson, Cass County 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 JANUARY 2024 MEETING

MOTION PASSED

Mr. Piepkorn moved to approve the minutes from the January 2024 meeting and Ms. Madrigga seconded the motion. On a voice vote, the motion carried.

3. APPROVE ORDER OF THE AGENDA

MOTION PASSED

Mr. Steen moved to approve the order of the agenda as amended, removing item 9. a. iv., and Mr. Grindberg seconded the motion. On a voice vote, the motion carried.

4. APPROVAL OF BILLS

Ms. Thompson reported that the bills payable through February 14, 2024, total \$2,181,362 and are payable to the usual vendors, with the CCJWRD being the largest at \$1,291,641.

MOTION PASSED

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

5. FINANCIAL REPORT

Ms. Thompson reported that the total assets as of January 31, 2024, are \$2,805,734; liabilities total \$687,412, and the current net position is \$209,118,322.

MOTION PASSED

Mayor Mahoney 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 \$2,943,000 was received from the City of Fargo sales tax and \$1,466,000 was received from Cass County sales tax, resulting in \$5,320,000 in revenues received for the month.

Mr. Paulsen also reported that the majority of the expenses are channel and Phase II demo mitigation-related. Overall, things are on track for the first month of the year.

7. DA BOARD APPROVAL CONTRACTING ACTIONS

There were no contracting actions for approval.

8. MOUs and AGREEMENTS

Mr. Shockley provided an overview and summary of the following agreements:

a. Eagle Valley Evangelical Free Church and MFDA Agreement

The purpose of this Agreement is to identify potential impacts, describe mitigation measures, and ensure a coordinated, timely, and cost-effective process for completing the Project.

The Cemetery is in Mitigation Zone 3 of the Comprehensive Project. Potential impacts to the Cemetery include increased potential for grass and tree damage over existing conditions due to greater depth and duration of flooding if the flooding occurs during the growing season and loss of access to the Cemetery. The Authority and Church determined mitigation options to remedy or prevent potential impacts from the Comprehensive Project to the Cemetery include the utilization of fill in lower areas to mitigate the need for flowage easements, removal and replacement of headstones, replacement of the culvert at the cemetery access, removal and replacement of fencing that would be impacted by placement of the fill, and removal and replacement of certain trees and shrubs impacted by the fill areas.

MOTION PASSED

Mayor Mahoney moved to approve the agreement as presented and Mr. Grindberg seconded the motion. On a roll call vote, the motion carried.

b. CapX 2020 & MFDA Preliminary Engineering Agreement

The Work performed hereunder is intended for use in the evaluation of the Utility Adjustments on the Utilities' operations and the costs associated to the Authority as a result. The Work is provided in consideration of the subjective standards of the Utilities for their purposes only and will in no way be construed or deemed to be a condition or direction to the Authority or an opinion or approval that the plans and specifications or any work intended or completed on the Utility Adjustments is appropriate for any other purposes, is structurally sound, or that such plans, specifications, or intended or completed Work meets applicable standards, regulations, laws, statutes, local ordinances, and/or building codes. No benefits to the Authority or any third party are provided, intended, or implied herein.

MOTION PASSED

Mayor Mahoney moved to approve the agreement as presented and Mr. Steen seconded the motion. On a roll call vote, the motion carried with Mr. Grindberg abstaining from voting.

9. OTHER BUSINESS

a. Land Acquisition Directives (LADs)

- i. LAD-00010 Revision 1
- ii. LAD-MN-001 Revision 6
- iii. LAD-00038 Revision 5
- v. LAD-00077 Revision 2
- vi. LAD-ND-00038 Revision 6

- vii. LAD-OPP-01 Revision 8
- viii. LAD-MN-001 Revision 5
- ix. LAD-00007 Revision 1C
- x. LAD-00002 Revision 1

Ms. Smith reported that the above-referenced LADs total \$2,800,000 and are primarily miscellaneous lands.

MOTION PASSED

Mayor Mahoney moved to approve the LADs as presented and Mr. Piepkorn seconded the motion. On a roll call vote, the motion carried.

b. City of Fargo Project No. NR-24-A1 STS LS #27

Mr. Bakkegard provided the following project overview:

This project was identified as being necessary during the overall project's Plan B development and is anticipated to be constructed during the 2024 and 2025 construction seasons. The scope of this project includes the reconstruction of the existing storm sewer lift station, which has insufficient pumping capacity, and an extension of the adjacent levee through the new lift station location. This scope is unchanged from what was contemplated during the development of Plan B in 2018.

Bids have recently been received for this project. The City received one bid on the project that is 24% over the Engineer's Estimate. A thorough review of the bid has been completed and it has been determined that it is mainly three bid items that can be attributed to the increase in the project cost. These three bid items are for the (1) lift station structure and pumps, (2) 78" RCP storm sewer pipe, and (3) temporary pumping. We have reviewed the prices received versus the engineer's estimate, as well as discussed, the prices with the apparent low bidder, and have determined that these prices are fair due to multiple reasons. The primary reason being the site constraints. This project is located in a fully developed neighborhood that provides significant challenges to the contractor to be able to complete this work in an efficient and safe manner. The Engineer's Estimate accounted for these challenges, but they ended up being a greater factor than what was anticipated, which is resulting in more time, and therefore money being spent by the contractor to complete this work.

MOTION PASSED

Mr. Redlinger moved to approve the 2024 Development Plan Summary for an increased total project budget of \$1,200,000, and a new total project budget of \$9,835,000. Ms. Thompson seconded the motion and on a roll call vote, the motion carried.

10. NEXT MEETING

The next meeting will be March 27, 2024.

11. ADJOURNMENT

The meeting adjourned at 4:41 PM.