

Metro Flood Diversion Authority Finance Committee Meeting Minutes

4:00 PM – June 26, 2024

City of Fargo Commission Chambers

A regular meeting of the Metro Flood Diversion Authority Finance Committee was held on June 26, 2024. The following members were present: Bernie Dardis, Mayor, City of West Fargo; Dr. Tim Mahoney, Mayor, City of Fargo; Rick Steen, Cass County Joint Water Resource District; Dave Piepkorn, Fargo City Commissioner; Susan Thompson, Finance Director, City of Fargo; David Ebinger, Clay County Commissioner; Chad Peterson, Cass County Commissioner; Shelly Carlson, Mayor, City of Moorhead; Mike Redlinger, Administrator, City of Fargo and Tony Grindberg, Cass County Commissioner.

Member(s) absent: Mike Rietz, City of Moorhead Assistant City Manager and Brandy Madrigga, Cass County Finance Director.

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 MAY 2024 MEETING

MOTION PASSED

Mayor Carlson moved to approve the minutes from the May 2024 meeting and Mr. Peterson seconded the motion. On a voice vote, the motion carried.

3. APPROVE ORDER OF THE AGENDA

MOTION PASSED

Mr. Grindberg moved to amend the agenda, removing item 7.c., and Mayor Mahoney seconded the motion. On a voice vote, the motion carried.

4. APPROVAL OF BILLS

Ms. Thompson reported that the bills payable through June 18, 2024, total \$3,757,532, and are payable to the usual vendors, with the City of Fargo being the largest at \$1,341,182.

MOTION PASSED

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

5. FINANCIAL REPORT

Ms. Thompson reported that the total assets as of May 31, 2024, are \$268,465,725; liabilities total \$162,738, and the current net position is \$268,302,987.

MOTION PASSED

Mr. Piepkorn moved to approve the financial report as presented and Mayor Mahoney seconded the motion. On a voice vote, the motion carried.

6. CASH BUDGET REPORT

Mr. Barthel reported that the cash budget continues to track well. A Legacy Bond draw was received in May for \$30,614,406, and the standard sales tax revenues from the City of Fargo and Cass County were also received. The operations budget continues to track on budget and costs to date are \$609,735.

7. MOUs AND AGREEMENTS

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

a. Minnkota Power Cooperative, Inc., & MFDA MOU, Amendment 1 - SWDCAI

This is the first amendment to the MOU between Minnkota Power Cooperative, Inc. and the Metro Flood Diversion Authority. The amendment revises the definition of “Approved Subcontractors” in Section 1.01 of the MOU. There is no cost to the Authority from approval of this amendment to the MOU. The amended definitions changes some of the approved subcontractors as follows:

“Approved Subcontractors” means contractors approved by the Utility to be hired by the P3 Developer to complete work on the Utility Relocation Project. Approved Subcontractors include only the following: Key Contracting, Inc., whose address is 245 7th Ave NE, West Fargo, ND 58078; Brink Constructors, Inc., whose address is 2950 N Plaza Dr., Rapid City, SD 57702; and M.J. Electric, LLC, whose address is P.O. Box 686, Iron Mountain, MI 49801-0686.”

MOTION PASSED

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

b. Raymond Township & MFDA MOU – SWDCAI

The MOU addresses design, construction, operating and maintenance, future changes or additions, etc. in respect to any impacts that the Fargo-Moorhead Metropolitan Area Flood Risk Management Project will have on township roadways. Design, construction, and maintenance costs will be covered by the Developer through the Project Agreement. Reimbursement includes the following: Construction costs and expenses up to \$3,000 annually from the effective date until project substantial completion; post-construction costs and expenses up to \$1,500 annually after project substantial completion; a lost tax revenue payment of \$4,360 (this will be divided into ten equal payments and paid out annually over ten years); and a \$30,000 payment for fire protection funds. This MOU was approved by the MFDA Board in April 2023. However, the township requested the addition of a gravel road mobility improvement to offset the project impacts. Costs associated with the mobility improvement are to be determined.

MOTION PASSED

Mayor Mahoney moved to approve the MOU as presented and Ms. Thompson seconded the motion. On a roll call vote, the motion carried.

d. Southeast Water Users District (SEWUD) & MFDA MURA, SEAI & UMA

The purpose of this Agreement is to ensure a coordinated, time-efficient, and cost-effective process for completing the Utility Relocation Project, for coordinating operations and maintenance activities after completion of the Utility Relocation Project, and for the development of individual Task Orders issued in conjunction with, and subject to, the terms and conditions of the Agreement.

MOTION PASSED

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

e. USACE, ND SHPO & MFDA, UMA

The purpose of this Memorandum of Agreement (MOA) is to relocate a historic log cabin within the UMA that would otherwise be impacted by the Project. The MOA outlines process and responsibilities to both document and relocate the historic property.

MOTION PASSED

Mayor Mahoney moved to approve the MOA as presented and Mayor Carlson seconded the motion. On a roll call vote, the motion carried.

8. DA BOARD APPROVAL CONTRACTING ACTION

Mr. Barthel provided an overview and summary of the following contracting action:

New Agreement – Videography and Communications – This new agreement is for videography services from July 1, 2024, through June 30, 2025, with C-Three Media. The contract budget is \$162,940.

MOTION PASSED

Mayor Mahoney moved to approve the contracting action as presented and Mr. Ebinger seconded the motion. On a roll call vote, with Mr. Grindberg voting ‘nay’, the motion carried.

9. OTHER BUSINESS

a. MFDA Audit Report

Mr. Wyatt Papenfuss provided a presentation of the 2023 financial audit report that was conducted by Eide Bailly. The report was positive and there were no negative opinions cited.

10. NEXT MEETING

The next meeting will be July 24, 2024.

11. ADJOURNMENT

The meeting adjourned at 4:29 PM.