

Metro Flood Diversion Authority
Finance Committee
Meeting Minutes
4 PM – April 21, 2021



A virtual meeting of the Metro Flood Diversion Authority Finance Committee was held on April 21, 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; Chuck Hendrickson, Moorhead City Council; Dan Jacobson, Chairman, Cass County Joint Water Resource District; Kent Costin, City of Fargo Finance Director; Lori Johnson, Clay County Auditor/Treasurer; Mike Montplaisir, Cass County Auditor; Mike Redlinger, City of Fargo Assistant Administrator and Rick Steen, Cass County Commissioner.

Members absent: Tony Gehrig, Fargo City Commissioner and Karla McCall, City of Moorhead Finance Director.

1. CALL TO ORDER

Mayor Dardis called the meeting to order at 4:06 PM. Roll call was taken, and a quorum was present.

2. APPROVE MINUTES FROM MARCH 24, 2021 MEETING

MOTION PASSED

Mr. Steen moved to approve the minutes from March 24, 2021 and Mr. Hendrickson seconded the motion. On a roll call vote, the motion carried.

Dr. Mahoney asked that the February minutes be amended as follows: *the local people will remember that this situation was not handled well* will be changed to read: *the local people will remember that local consultants were not utilized.*

3. APPROVE ORDER OF AGENDA

MOTION PASSED

Dr. Mahoney moved and Mr. Steen seconded to approve the order of the agenda as presented. On a roll call vote, the motion carried.

4. APPROVAL OF BILLS

Mr. Costin reported that \$1,862,987.37 are the bills through April 15, 2021. They are the typical bills payable to CCJWRD, Ohnstad Twichell, PC, Clay County, City of Fargo, Dorsey & Whitney, Andrew Stone Photography, ND Water Education Foundation and Cass County.

MOTION PASSED

Dr. Mahoney moved to approve the bills as presented by Mr. Costin and Mr. Jacobson seconded the motion. On a roll call vote, the motion carried.

5. FINANCIAL REPORT

Mr. Costin reported that \$14,744,770 has been expended to date for a cumulative total of \$660,752,111. We currently have a net position of \$104,233,972.

Mr. Costin also reported that they are currently working on draft statements for the audit and it should be ready to be presented at the May meeting.

MOTION PASSED

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

6. EXECUTIVE DIRECTOR FINANCIAL REPORT

Mr. Paulsen touched on the dashboard and indicated that it will be updated once per month and committee members will have access to it 24/7.

Actual expenditures to date are \$660,752,111 and are tracking as anticipated. Dr. Mahoney asked if legal fees will be going down. Mr. Barthel stated that yes, they had declined some, but lands legal fees had increased due to the LRED costs.

7. CONTRACTING ACTIONS

Mr. Paulsen reported on the following contract actions:

DA Board approval:

- New Contract for Structure Mitigation – WP-50E Schmidt & Sons \$98,295.00
- In-Town Levees (4th Street Pump Station and 2nd Street So. Floodwall) – WP-42A1A3 – Change Order #11 (Adjustment to contract for settlement approved last month by the Board) ICS, Inc. \$284,991.94
- Task Order 1, Amendment 18 – Additional Budget, increase the insurance subtask D, Professional Liability Insurance March 13, 2021 to March 13, 2020 HMG \$269,384.88

Executive director approved contract actions:

- Service Agreement – Gas Line Potholing Xcel Energy \$2,762.51
- Task Order 6, Amendment 15 – Land Management Task Order Close-out HMG (\$38,618.67)
- Task Order 13, Amendment 23 – Levee Design and Design Support Task Order Close-out HMG (\$20,087.23)

- Task Order 21, Amendment 10 – P3 Request for Proposal Procurement Support HMG \$0 Task Order 1, Amendment 3 – Consulting Services, Modify scope of services (1) remove tasks now being performed by owner (2) transition to Owner the public website, social media, and documentation and studies and (3) modify Attachment B – Annual Budget Summary by Task to reduce the total fee by the amount of fee appropriated but not expanded in FY2021 and fee associated with the removal of certain tasks. AE2S (\$2,249,312.55)
- New Service Agreement – Consulting Services completed under AWD Eighteen92, LLC \$48,000
- Task Order 3, Amendment 0 – Consulting Services, 4D Leadership Development Executive Management Systems \$132,000

CCJWRD approved contract action:

- Task Order 1, Amendment 4 – Property Appraisals Services Compass Land Consultants, Inc \$70,607.50

MCCJPA approved contract actions:

- Task Order 2, Amendment 0 – Property Appraisal Services Crown Appraisals, Inc \$11,500
- Task Order 2, Amendment 1 – Property Appraisal Services Crown Appraisals, Inc \$13,500

Mr. Costin asked who EMS is, what they do and why the fee is so high. There was dialogue around the EMS contract and Mr. Steen asked Mr. Paulsen to bring additional information to the next meeting for discussion and clarification.

Mayor Dardis stated that he and Mr. Paulsen had already discussed the EMS contract. Mr. Paulsen asked that item vii be removed from the executive director approved contracts and he will report back to the finance committee upon its execution.

8. OTHER BUSINESS

DA Board Approval MOU and Agreement Actions

Mr. Shockley walked through the following MOUs and indicated that they are making good progress getting MOUs and third-party agreements signed.

- Agreement for Cass Rural Water
- MOU for Vacated Roadways – MFDA, CCJWRD & Cass County
- Xcel Energy MOU for the DCAI

- NuStar Pipeline MOU for the DCAI
- Agreement for Cass Rural Water for SEAI

MOTION PASSED

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

WIFIA UPDATE

Mr. Shockley provided an update on the WIFIA loan and indicated that the plan is to close on June 29. We will not draw on the loan until 2023. He also indicated that the interest rates were very good.

P3 SCHEDULE

The technical proposals have all been received and the financial proposals are due on Friday. There may be a special Board meeting on May 13 as well as the last week in May for the P3 proposer selection. More information will be forthcoming.

PROPERTY ACQUISITION STATUS REPORT

Mr. Dodds indicated that a few more properties were acquired last month. Some properties have converted and are no longer in LRED. We continue to have a lot of progress primarily on Drain 27 and the Red River Control Structure. 238 parcels have been acquired for environmental monitoring easements.

Mr. Dodds referenced the land book that has been compiled. It is an inventory of the excess lands that the DA currently owns and includes parcels inside and outside of the channel. Data points included describe size, when purchased, etc.

Mr. Peterson asked if 82 parcels in LRED is an accurate number? Mr. Dodds indicated that yes, 82 was correct but they are still working on reaching agreements with some property owners.

9. NEXT MEETING

The next meeting will be May 26, 2021.

10. ADJOURNMENT

MOTION PASSED

Mr. Peterson moved, and Mr. Jacobson seconded to adjourn the meeting. The meeting adjourned at 4:57 PM.