

**FLOOD DIVERSION BOARD OF AUTHORITY**

**Thursday, January 8, 2015**

**3:30 PM**

Fargo City Commission Room

Fargo City Hall

200 3<sup>rd</sup> Street North

1. Call to order
2. Approve minutes from previous meeting Item 2. Action
3. Approve order of agenda Action
4. Election of Board Chair Action
5. Management Information
  - a. PMC report
  - b. Corps of Engineers report
6. Administrative/Legal Information/action
  - a. Lawsuit update
7. Technical Information/action
  - a. Work Package 42A.2 – Change Order No. 2 Item 7a.
8. Public Outreach Information
  - a. Committee report
  - b. Business Leaders Task Force update
9. Land Management Information/action
  - a. Committee report
  - b. CCJWRD update
10. Finance Information/action
  - a. Committee report
  - b. Voucher approval Item 10b.
11. Other Business
12. Next Meeting – February 12, 2015
13. Adjournment

cc: Local Media

**FLOOD DIVERSION BOARD OF AUTHORITY  
DECEMBER 11, 2014—3:30 PM**

Item 2.

**1. MEETING TO ORDER**

A meeting of the Flood Diversion Board of Authority was held Thursday, December 11, 2014, at 3:30 PM in the Fargo City Commission Room with the following members present: Cass County Commission Representative Darrell Vanyo; Cass County Commissioner Ken Pawluk; West Fargo City Commissioner Mike Thorstad; Fargo City Mayor Tim Mahoney; Fargo City Commissioner Dave Piepkorn; Cass County Joint Water Resource District Manager Rodger Olson; Clay County Commissioner Kevin Campbell; and Moorhead City Council Member Nancy Otto. Fargo City Commissioner Melissa Sobolik was absent. Also present was ex-officio member Gerald Van Amburg, Buffalo-Red River Watershed District.

Staff members and others present: Cass County Administrator Keith Berndt; Fargo City Administrator Pat Zavoral; Moorhead City Manager Michael Redlinger; Clay County Administrator Brian Berg; Cass County Engineer Jason Benson; Fargo City Director of Engineering Mark Bittner; Fargo City Engineer April Walker; Moorhead City Engineer Bob Zimmerman; Bruce Spiller, CH2MHill; Tom Dawson, Chairman, Chamber of Commerce Business Leaders Task Force; Brett Coleman, Project Manager, Corps of Engineers; and Terry Williams, Project Manager, Corps of Engineers.

**2. RESOLUTION, Adopted for late Mayor Dennis Walaker**

***MOTION, passed***

**Mr. Pawluk moved and Ms. Otto seconded to adopt a resolution for the late Mayor Dennis Walaker as follows:**

WHEREAS, Dennis Walaker, the Honorable Mayor of the City of Fargo who first took office on June 28, 2006, was a man who fought tirelessly and continuously to protect the City from flooding; and

WHEREAS, Mayor Walaker waged repeated, epic battles against the frigid floodwaters of the Red River of the North; and

WHEREAS, Mayor Walaker mobilized tens of thousands of volunteers over and over to sandbag along the banks of the flood-prone river and spare the low-lying city from rising water; and

WHEREAS, Mayor Walaker would model calm and reassurance to the people of his City and its workers, no matter the extent of the flood threat; and

WHEREAS, Mayor Walaker dedicated four decades of his life serving the City of Fargo, first as a Civil Engineer, then as Public Works Director before being elected as Mayor; and

WHEREAS, Mayor Walaker was a champion for the F-M Area Diversion Project and recognized the Project's necessity;

NOW BE IT THEREFORE RESOLVED that we, the members of the Flood Diversion Board of Authority, officially recognize Mayor Dennis Walaker's countless efforts and

contributions to establish effective and permanent flood protection for the Fargo-Moorhead area; and that we will continue to work to plan, design and manage a Diversion Project which will put an end to the kind of recurring emergency responses that Mayor Walaker tirelessly coordinated and directed, despite overwhelming odds.

**3. MINUTES APPROVED**

*MOTION, passed*

**Mr. Mahoney moved and Mr. Campbell seconded to approve minutes from the November 13, 2014, meeting as presented. Motion carried.**

**4. AGENDA ORDER**

*MOTION, passed*

**Mr. Mahoney moved and Ms. Otto seconded to approve the order of the agenda. Motion carried.**

**5. MANAGEMENT UPDATE**

Program management consultant (PMC) report

Bruce Spiller provided an update on activities over the last month including work on the in-town levees, 2<sup>nd</sup> Street North pump station, 4<sup>th</sup> Street pump station, and 2<sup>nd</sup> Street South flood wall; participation in a public meeting held in Oxbow regarding the OHB levee; continued design and coordination with the city hall project; submittal of a revised socio-economic analysis to the Minnesota DNR for the Minnesota EIS (Environmental Impact Statement); continued work on land acquisition activities and policies; and development of mitigation plans associated with impacted cemeteries.

Corps of Engineers report

Terry Williams provided an update of activities by Corps of Engineers staff including Maple River aqueduct physical modeling work; continued coordination to provide information to the Minnesota DNR for the EIS; continuing work on the cemetery mitigation plan; work on the operation plan and adaptive management plan for the project; participation in weekly OHB levee coordination meetings; assistance with local efforts on the in-town levees; and continued development of alternative resourcing and delivery plan for expedited implementation of the project.

Ms. Williams briefly discussed the alternative resourcing and delivery plan with the goal to complete the project as soon as possible, saving taxpayer dollars and reducing the flood risk sooner. She said all available federal and local options to fund the project are being pursued, including Public-Private Partnerships (PPP) which would utilize available resources and incentives to complete the project sooner at a lower cost.

**6. ADMINISTRATIVE/LEGAL UPDATE**

Lawsuit update

Attorney Erik Johnson provided an update regarding lawsuits filed by the Richland-Wilkin Joint Powers Authority. He said all motions were to be filed by December 9<sup>th</sup>. He said the administrative record needs to be compiled by February 23, 2015, and a hearing most likely will be held in early summer.

## 7. TECHNICAL UPDATE

### Task Orders / Authority Work Directives (AWD)

Mr. Spiller reviewed three Task Orders and two Authority Work Directives with Houston Moore Group (HMG) totaling \$1,484,000 as follows:

- Task Order No. 8 Amendment 8—Work-in-Kind for hydraulic structure aesthetics evaluation and baseline stream bank erosion evaluation for \$264,000;
- Task Order No. 9 Amendment 12—hydrology and hydraulic modeling work associated with additional modeling of the Maple River Aqueduct, eastern staging area evaluation, and staging area culvert and bridge survey for \$193,000;
- Task Order No. 18 Amendment 0—design work package to prepare plans and specifications for construction of CR-16/CR-17 bridge, associated roads, and local drainage facilities for \$980,000;
- AWD-00045—Phase II environmental site assessment for 2<sup>nd</sup> Street and downtown levees for \$27,000;
- AWD-00046—additional technical support services for a response to the Minnesota Department of Natural Resources (DNR) flow through town information request for \$20,000.

***MOTION, passed***

**Mr. Mahoney moved and Ms. Otto seconded to three Task Orders and two Authority Work Directives with HMG totaling \$1,484,000. On roll call vote, the motion carried unanimously.**

### Change Order No. 1

Mr. Spiller discussed Change Order No. 1 (CO1) to the 2<sup>nd</sup> Street North Pump Station to incorporate a revised traffic control plan by providing concrete barriers and larger lane sizes more conducive to winter snow removal; and an administrative correction to the agreement that clarifies the substantial completion requirement to November 30, 2015.

***MOTION, passed***

**Mr. Olson moved and Ms. Otto seconded to award Change Order No. 1 (CO1) for the 2<sup>nd</sup> Street North Pump Station project in the amount of \$66,920 for a total contract amount of \$8,135,920. On roll call vote, the motion carried unanimously.**

### Work Change Directives

Mr. Spiller said a policy has been drafted which outlines work change directives (WCDs) for construction contracts on behalf of the Diversion Authority for up to \$200,000 and a cumulative amount up to 5% of the contract price. The chairman and vice chairman would both be authorized to sign a WCD. He said a similar policy was approved for WCDs for design contracts. The policy will provide a method to order contract changes in a timely manner to allow for efficient management of construction projects.

Mr. Pawluk feels \$200,000 is too high and said \$100,000 or less would be more acceptable. Mr. Berndt said once construction starts on the diversion project, an estimated \$1 million will be spent per day, and if WCDs are not allowed, this could delay construction. Mr. Olson said the Corps of Engineers has a contingency fund of \$300 to \$400 million for unexpected changes to project costs. Mr. Mahoney recommended the threshold be set at \$150,000.

***MOTION, passed***

**Mr. Pawluk moved and Mr. Thorstad seconded to approve a policy for ordering an addition, deletion, or revision in the work for construction contracts via Work Change Directives (WCDs) on behalf of the Diversion Authority for up to \$150,000 per WCD and a cumulative amount up to five percent of the contract price and that in the absence of the chairman, the vice chair shall also be authorized. Discussion: Mr. Spiller said this policy would only be used for time sensitive change orders. On roll call vote, the motion carried unanimously.**

**8. PUBLIC OUTREACH UPDATE****Committee report**

Rodger Olson discussed numerous outreach activities of the committee including hosting a booth at the North Dakota Water Convention; review of the Governor's proposed budget which includes \$69 million for the diversion project; work with the Business Leaders Flood Task Force to provide an update at their upcoming meeting; and e-newsletter and diversion website updates.

**Business Leaders Task Force**

Tom Dawson said the next meeting of the task force will be held on December 16<sup>th</sup> with North Dakota legislators. He said task force members and other officials will travel to Bismarck on February 12, 2015.

**9. LAND MANAGEMENT UPDATE****Committee report**

Mr. Vanyo said the Land Management Committee met earlier this afternoon. He said Pifer Group provided an annual report on farm land owned by the Diversion Authority and managed by their firm. He said work continues on the Ag Risk Evaluation for Temporary Water Retention Easement Values and Crop Insurance by the NDSU Agribusiness and Applied Economics Department. NDSU will provide an update to the Ag Policy Subcommittee at their meeting tomorrow, December 12<sup>th</sup>.

**CCJWRD update**

Mark Brodshaug provided an update on land acquisitions completed through November 30, 2014. He reviewed a handout with information on completed acquisitions, budget figures, and completed negotiations. He said six homes are under construction in Oxbow, and appraisals continue for properties associated with the OHB levee and in-town levee. He said the CCJWRD approved an agreement with the Oxbow Country Club at their meeting earlier today for the purchase and relocation of the golf course.

**License Agreement – Entry upon Diversion Authority Property**

Mr. Vanyo said the committee approved a license agreement similar to what the CCJWRD uses for property access. The agreement would be with the Diversion Authority and licensee who has requested permission to enter upon property owned by the Diversion Authority.

***MOTION, passed***

**Mr. Mahoney moved and Mr. Pawluk seconded to approve a license agreement for entry upon Diversion Authority property. Discussion: Mr. Campbell said Clay County has a policy that**

**allows only very limited access onto properties. He asked the legal team to review whether there are any conflicts with this license agreement and Clay County policy. Erik Johnson said he will look into the issue. Motion carried.**

#### 10. FINANCE UPDATE

##### Special Assessment District Financing

Michael Montplaisir, Cass County Auditor, said the Finance Committee met on December 10<sup>th</sup>. He said the Diversion Project Assessment Committee (DPAC) met earlier this week, and an update was given at the Finance Committee meeting. The DPAC has met over the last two years to establish a method to assign direct and indirect benefits.

Mark Brodshaug and Rocky Schneider from AE2S provided a presentation on the special assessment district process. Mr. Brodshaug said the sales tax for Fargo and Cass County is expected to generate \$700 million, which will cover the North Dakota local cost share for the project. The rationale behind establishing a special assessment district is because sales tax financing is not considered an attractive financing method to borrow funds and comes with a higher interest rate than special assessment bonding. A special assessment district will also provide a way to finance the maintenance costs of the project. The CCJWRD has the ability under North Dakota law to administer assessment districts. The CCJWRD met earlier today and approved two resolutions to begin the legal process to set up a special assessment district, and are using \$725 million as the estimated project cost to assess. The schedule and the voting process was discussed with an estimated timeline of five months to complete.

Mr. Vanyo stressed that the special assessment district will not be used for additional revenue but as leverage for bond financing. He said Fargo and Cass County sales taxes raised will cover the North Dakota local cost share of the project.

##### Draw Request No. 3

Mr. Montplaisir said the Finance Committee approved an additional draw of \$25 million from the U.S. Bank Loan. He said two separate draws of \$20,060,200 have already been done to cover monthly diversion expenses. The additional request is a result of projected cash flow needs for December.

**Mr. Mahoney moved and Ms. Otto seconded to approve Draw Request No. 3 from the U.S. Bank Loan in the amount of \$25 million. On roll call vote, the motion carried unanimously.**

##### Voucher approval

The bills for the month are for legal services with Erik Johnson & Associates and Dorsey & Whitney LLP.

##### ***MOTION, passed***

**Mr. Mahoney moved and Ms. Otto seconded to approve the vouchers in the amount of \$94,069.87 for November, 2014. On roll call vote, the motion carried unanimously.**

#### 11. NEXT MEETING DATE

The next meeting will be held on Thursday, January 8, 2015, at 3:30 PM.

**12. ADJOURNMENT**

***MOTION, passed***

**On motion by Mr. Pawluk, seconded by Mr. Campbell, and all voting in favor, the meeting was adjourned at 5:00 PM.**

Minutes prepared by Heather Worden, Cass County Administrative Assistant



CH2M HILL  
520 Main Avenue, Suite 601  
Fargo ND 58103  
Ph: (701) 566-5470

January 8, 2015

Metro Flood Diversion Authority  
Attention: Darrell Vanyo, Chairman  
211 9<sup>th</sup> Street South, Box 2806  
Fargo, ND 58108

Subject: Recommendation of Award – Change Order 2 for Work Package 42A.2, 2<sup>nd</sup> Street North Pump Station

Dear Board Members:

CH2M HILL (Program Management Consultant/Owner’s Representative) recommends the Metro Flood Diversion Authority award Change Order 2 (CO-02) for Work Package 42A.2, 2<sup>nd</sup> Street North Pump Station. If approved, CO-02 will increase the Contract Price by **\$67,397.00** to a total contract value of **\$8,203,317.00**. The purpose of the Change Order is to:

- Incorporate costs associated with removal of an unknown subsurface concrete structure discovered during construction activities. This work has already been performed under approved Work Change Directive 2.
- Provide a Not to Exceed (NTE) budget for the Contractor to remove and dispose of potentially hazardous fill material discovered near the subsurface concrete structure referenced above.

CH2M HILL initiated testing of the potentially hazardous fill material to determine whether special handling is required. However, test results will not be available until shortly before the Contractor is scheduled to begin excavation near this fill material. By project specifications, hazardous materials cannot be removed without an approved Change Order in place. Therefore, to avoid potential delays, CH2M HILL recommends approval of this Change Order to provide the Contractor authority to conduct the work if needed. This work will be performed on a T&M basis with a NTE amount of \$60,000.

Contact me at 208-771-1686 or [tyler.smith@ch2m.com](mailto:tyler.smith@ch2m.com) if you have any questions regarding this recommendation.

Sincerely,

Tyler Smith, P.E.  
Construction Manager  
CH2M HILL  
Owner’s Representative

c: Keith Berndt/Cass County  
Heather Worden/Cass County  
April Walker/City of Fargo

Gregg Thielman/HMG  
Bruce Spiller/CH2M HILL  
Jeremy Higgins/CH2M HILL





Change Order No. 02

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Date of Issuance:	<u>01/08/2015</u>	Effective Date:	<u>01/08/2015</u>
Owner:	<u>Metro Flood Diversion Authority</u>	Owner's Contract No.:	<u>WP-42A.2</u>
Owner's Representative:	<u>CH2M HILL Engineers, Inc.</u>	Owner's Representative Project No.:	<u>435534</u>
Contractor:	<u>Industrial Builders, Inc.</u>	Contractor's Project No.:	<u></u>
Engineer:	<u>Houston-Moore Group, LLC</u>	Work Package No.:	<u>WP-42A.2</u>
Project:	<u>Fargo-Moorhead Area Diversion</u>	Contract Name:	<u>2<sup>nd</sup> Street/Downtown – In-Town Levees, 2<sup>nd</sup> Street N Pump Station, Fargo ND</u>

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The Contract is modified as follows upon execution of this Change Order:

**Description:**

1. Incorporate Work Change Directive 2 into Contract Price by adding line item 0024, *Remove Subsurface Concrete Structure* to Unit Price Schedule. Lump Sum price for this line item includes Time & Material (T&M) work performed in December 2014.
2. Add line item 0025, *Hazardous Fill Removal and Disposal – T&M, Not to Exceed* to Unit Price Schedule to accommodate disposal of potentially hazardous fill material from the location of the differing subsurface condition described in Work Change Directive 2. Disposal to be performed on a T&M basis not to exceed \$60,000 in total price.

**Attachments:**

- Change Order 2 Unit Price Schedule

<b>CHANGE IN CONTRACT PRICE</b>	<b>CHANGE IN CONTRACT TIMES</b> <i>[note changes in Milestones if applicable]</i>
Original Contract Price: <b>8,069,000.00</b>	Original Contract Times: Substantial Completion: <u>November 30, 2015</u> Ready for Final Payment: <u>January 31, 2016</u> days or dates
[Increase] [ <del>Decrease</del> ] from previously approved Change Orders No. <u>01</u> : <b>66,920.00</b>	[Increase] [Decrease] from previously approved Change Orders No. <u>00</u> : Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Contract Price prior to this Change Order: <b>8,135,920.00</b>	Contract Times prior to this Change Order: Substantial Completion: <u>November 30, 2015</u> Ready for Final Payment: <u>January 31, 2016</u> days or dates
[Increase] [ <del>Decrease</del> ] of this Change Order: <b>67,397.00</b>	[Increase] [Decrease] of this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order: <b>8,203,317.00</b>	Contract Times with all approved Change Orders: Substantial Completion: <u>November 30, 2015</u> Ready for Final Payment: <u>January 31, 2016</u> days or dates

<b>RECOMMENDED:</b>	<b>ACCEPTED:</b>	<b>ACCEPTED:</b>
By: _____ Owner's Representative (Authorized Signature)	By: _____ Owner (Authorized Signature)	By: _____ Contractor (Authorized Signature)
Title: <u>Construction Manager</u>	Title: _____	Title: _____
Date: <u>01/06/2015</u>	Date: _____	Date: _____

**WP-42A.2**  
**2nd Street N Pump Station**

Change Order 2 Unit Price Schedule  
 DATE: 1/8/2015



WP-42A.2 - 2nd Street N Pump Station											
ITEM	DESCRIPTION	UNIT	Current Budget (thru CO-01)			Net Change			New Budget		
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	UNIT PRICE	AMOUNT
0001	Mobilization	LS	1	400,200.00	\$ 400,200.00				1	400,200.00	\$ 400,200.00
0002	Demolition – Pavement Removal, Miscellaneous	LS	1	20,000.00	\$ 20,000.00				1	20,000.00	\$ 20,000.00
0003	Site Civil	LS	1	500.00	\$ 500.00				1	500.00	\$ 500.00
0004	Erosion and Sediment Control	LS	1	8,000.00	\$ 8,000.00				1	8,000.00	\$ 8,000.00
0005	Traffic Control	LS	1	116,920.00	\$ 116,920.00				1	116,920.00	\$ 116,920.00
0006	Fencing	LF	800	25.00	\$ 20,000.00				800	25.00	\$ 20,000.00
0007	Pump Station – Structural and Architectural	LS	1	3,645,000.00	\$ 3,645,000.00				1	3,645,000.00	\$ 3,645,000.00
0008	Stormwater Pumps and Motors	LS	1	1,300,000.00	\$ 1,300,000.00				1	1,300,000.00	\$ 1,300,000.00
0009	Sump Pumps	LS	1	90,000.00	\$ 90,000.00				1	90,000.00	\$ 90,000.00
0010	Trash Racks and Miscellaneous Metals	LS	1	350,000.00	\$ 350,000.00				1	350,000.00	\$ 350,000.00
0011	Sluice Gates and Wall Thimbles	LS	1	200,000.00	\$ 200,000.00				1	200,000.00	\$ 200,000.00
0012	F&I Floodwall Reinforced Bars - Steel	LB	13,000	2.30	\$ 29,900.00				13,000	2.30	\$ 29,900.00
0013	F&I Floodwall Reinforced Bars - Epoxy Coated Steel	LB	12,000	1.80	\$ 21,600.00				12,000	1.80	\$ 21,600.00
0014	F&I Floodwall - Structural Concrete	CY	165	1,200.00	\$ 198,000.00				165	1,200.00	\$ 198,000.00
0015	F&I Floodwall – Misc.	LS	1	50,000.00	\$ 50,000.00				1	50,000.00	\$ 50,000.00
0016	Sheetpiling	LS	1	1,125,000.00	\$ 1,125,000.00				1	1,125,000.00	\$ 1,125,000.00
0017	Switchboard SWBDA, Motor Control Center MCCA, Automatic Transfer Switch, Panel LP1	LS	1	128,000.00	\$ 128,000.00				1	128,000.00	\$ 128,000.00
0018	Electrical-Interior	LS	1	156,000.00	\$ 156,000.00				1	156,000.00	\$ 156,000.00
0019	Electrical-Exterior	LS	1	27,000.00	\$ 27,000.00				1	27,000.00	\$ 27,000.00
0020	Instrumentation and Controls	LS	1	99,000.00	\$ 99,000.00				1	99,000.00	\$ 99,000.00
0021	Programming	LS	1	5,500.00	\$ 5,500.00				1	5,500.00	\$ 5,500.00
0022	HVAC – General	LS	1	90,000.00	\$ 90,000.00				1	90,000.00	\$ 90,000.00

<b>WP-42A.2 - 2nd Street N Pump Station</b>											
ITEM	DESCRIPTION	UNIT	Current Budget (thru CO-01)			Net Change			New Budget		
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	UNIT PRICE	AMOUNT
0023	Plumbing General	LS	1	5,300.00	\$ 5,300.00				1	5,300.00	\$ 5,300.00
0024	Health and Safety	LS	1	50,000.00	\$ 50,000.00				1	50,000.00	\$ 50,000.00
0024	Remove Subsurface Concrete Structure	LS				1	7,397.00	\$ 7,397.00	1	7,397.00	\$ 7,397.00
0025	Hazardous Fill Removal and Disposal - T&M, Not to Exceed	LS				1	60,000.00	\$ 60,000.00	1	60,000.00	\$ 60,000.00
<b>WP-42A.2 - TOTAL AMOUNT</b>			<b>CURRENT BUDGET</b>		<b>\$ 8,135,920.00</b>	<b>NET CHANGE</b>		<b>\$ 67,397.00</b>	<b>NEW BUDGET</b>		<b>\$ 8,203,317.00</b>



REMITTANCE PAGE

Diversion Board of Authority  
211 9th Street South  
P.O. Box 2806  
Fargo, ND 58108-2806

Please remit this page with your payment. Thank you. We appreciate your business.

Invoice: 1295115  
Client Account: 072720.0001  
Regarding: Government Relations LOB 30321  
Invoice Date: December 8, 2014

Total Fees:	\$ 3,000.00
Total This Invoice	\$ 3,000.00

**Payment is due within 30 days from receipt of invoice**

If you have any questions please email [accounting@fredlaw.com](mailto:accounting@fredlaw.com) or contact a client representative at 612.492.7574.

**INVOICE DETAIL**

Diversion Board of Authority  
211 9th Street South  
P.O. Box 2806  
Fargo, ND 58108-2806

**Invoice:** 1295115  
**Client Account:** 072720.0001  
**Regarding:** Government Relations LOB 30321  
**Invoice Date:** December 8, 2014

Government Relations flat fee payment 1 of 6.

<b>Total For Fees</b>	<b>\$ 3,000.00</b>
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<b>Total This Invoice</b>	<b>\$ 3,000.00</b>
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*\*\*Please note that Fredrikson & Byron will be adjusting its standard hourly billing rate schedule for services rendered after January 1, 2015  
If you have questions about the billing rates of specific individuals, please feel free to contact your attorney.*



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

December 17, 2014  
Invoice No. 1988187

RECEIVED  
DATE 12-19-14

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

For Legal Services Rendered Through November 30, 2014

INVOICE TOTAL

Total For Current Legal Fees	\$24,435.00
Total For Current Disbursements and Service Charges	\$687.06
<b>Total For Current Invoice</b>	<b>\$25,122.06</b>
<b>Summary of Account</b>	
*Prior Balance Due	\$79,119.04
Total Amount Due	\$104,241.10
*If payment has been submitted for prior balance due, please disregard.	

*paid 12/16/14*

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





Office of the City Attorney

City Attorney  
Erik R. Johnson

Assistant City Attorneys  
Nancy J. Morris  
Jason T. Loos

December 26, 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 December 17, 2014 from the Dorsey & Whitney Firm in Minneapolis for their professional services rendered through November 30, 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 black ink, appearing to be "ERJ", written over a horizontal line. The signature is stylized and cursive.

Erik R. Johnson

ERJ/jmf  
Enclosure  
cc: Pat Zavoral



FM Diversion Authority  
Fiscal Accountability Report Design Phase (Fund 790)  
As of 12/31/2014

	2011	2012	2013	2014	Cumulative Totals
<b>Revenues</b>					
City of Fargo	443,138	7,652,681	7,072,961	17,582,094	32,750,874
Cass County	443,138	7,652,681	7,072,961	17,582,094	32,750,874
State Water Commission	-	-	3,782,215	1,067,003	4,849,219
Other Agencies	98,475	1,700,595	1,571,769	3,907,132	7,277,971
Lease/Rental Payments	-	-	17,358	154,180	171,538
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>40,909,904</b>	<b>78,419,581</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	158,264	674,500
7915 WIK - Project Design	149,632	5,366,147	3,220,859	8,016,610	16,753,248
7920 WIK - Project Management	679,037	7,223,650	4,695,477	3,078,777	15,676,942
7925 WIK - Recreation	-	163,223	-	-	163,223
7930 LERRDS - North Dakota	48,664	3,843,620	2,763,404	16,773,521	23,429,209
7931 LERRDS - Minnesota	-	27,996	289,387	13,068	330,450
7940 WIK Mitigation - North Dakota	-	-	-	587,180	587,180
7941 WIK Mitigation - Minnesota	-	-	-	-	-
7950 Construction - North Dakota	-	-	-	216,169	216,169
7951 Construction - Minnesota	-	-	-	-	-
7952 Construction - O/H/B	-	-	-	11,143,142	11,143,142
7955 Construction Management	-	-	-	402,718	402,718
7990 Project Financing	-	50,000	70,000	216,376	336,376
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>41,656,455</b>	<b>79,166,132</b>

FM Diversion Authority  
 FY 2015 Summary Budget Report ( In Thousands)  
 December, 2014

	FY 2015 Approved Budget	Current Month	Fiscal Year To Date	% Expended	Outstanding Encumbrances	Remaining Budget Balance
<b>Revenue Sources</b>						
City of Fargo	59,040	933	5,198			53,842
Cass County	59,040	933	5,198			53,842
State of ND - 50% Match	57,200	744	1,950			55,250
State of ND - 100% Match	35,800	410	648			35,152
State of Minnesota	-	-	-			-
Other Agencies	13,120	207	1,155			11,965
Financing Proceeds	-	-	-			-
Sale of Assets	-	-	-			-
Property Income	-	4	12			(12)
Miscellaneous	-	-	-			-
<b>Total Revenue Sources</b>	<b>224,200</b>	<b>3,231</b>	<b>14,162</b>			<b>210,038</b>
<b>Funds Appropriated</b>						
Army Corp Local Share	525	-	-		525	-
Management Oversight	7,200	99	1,197	17%	3,526	2,477
Technical Activities	16,575	543	1,967	12%	5,532	9,076
Land Acquisitions	106,700	1,676	5,690	5%	2,597	98,413
Construction	91,300	847	5,404	6%	27,937	57,959
Mitigation	-	-	-		-	-
Other Costs	1,900	-	115	6%	-	1,785
<b>Total Appropriations</b>	<b>224,200</b>	<b>3,164</b>	<b>14,373</b>	<b>6%</b>	<b>40,116</b>	<b>169,711</b>

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

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-0000-206.10-00	12/3/2014	254242	CASS COUNTY JOINT WATER RESOURCE DI	\$ 68,314.91	REIMBURSE RETAINAGE	V01203	Cass Joint Water OHB
<b>Total - Retainage Paid</b>				<b>68,314.91</b>			
790-7910-429.33-20	12/26/2014	JB12140024	CITY OF FARGO	990.00	FISCAL SERVICES	V00102	General & Admin. WIK
<b>Total WIK - General &amp; Admin. - Accounting Services</b>				<b>990.00</b>			
790-7910-429.33-25	12/17/2014	254727	OXBOW, CITY OF	14,667.00	MOU	V02407	OXBOW MOU-LEGAL SERVICES
	12/17/2014	254660	ERIK R JOHNSON & ASSOCIATES	5,345.83	METRO FLOOD PROJECT	V00102	General & Admin. WIK
<b>Total WIK - General &amp; Admin. - Legal Services</b>				<b>20,012.83</b>			
790-7910-429.38-99	12/3/2014	254308	NORTH DAKOTA TELEPHONE CO	147.20	OCT 2014 MINUTES/SETUP FE	V00102	General & Admin. WIK
<b>Total WIK - General &amp; Admin. - Other Services</b>				<b>147.20</b>			
790-7915-429.33-05	12/17/2014	254727	OXBOW, CITY OF	6,549.20	REQ #25	V02401	OXBOW MOU-PROJ MGMT ADMIN
	12/17/2014	254727	OXBOW, CITY OF	1,729.00	REQ #25	V02402	OXBOW MOU-PRELIM ENGINRNG
	12/17/2014	254727	OXBOW, CITY OF	64,319.36	REQ #25	V02405	OXBOW MOU-DESN/CONST ENG
	12/11/2014	254431	HOUSTON-MOORE GROUP LLC	7,303.39	SEPT 2014	V01607	RECREATION/USE MASTER PLN
	12/11/2014	254431	HOUSTON-MOORE GROUP LLC	41,699.41	SEPT 2014	V01608	WORK-IN-KIND (WIK)
	12/11/2014	254431	HOUSTON-MOORE GROUP LLC	255,902.29	SEPT 2014	V01613	LEVEE DESIGN & SUPPORT
	12/11/2014	254431	HOUSTON-MOORE GROUP LLC	18,680.50	SEPT 2014	V01615	DRAFT OPERATIONS PLAN
	12/11/2014	254431	HOUSTON-MOORE GROUP LLC	11,203.00	SEPT 2014	V01616	PERMIT SUBMITTAL PREP
	12/24/2014	254846	HOUSTON-MOORE GROUP LLC	40,623.16	SEPT 2014	V01609	HYDROLOGY/HYDRAULIC MODEL
	12/3/2014	254337	URS CORPORATION	81,816.15	10/18-11/14/14	V01003	CULTURAL RESOURCES INVEST
	12/24/2014	254957	URS CORPORATION	12,857.57	11/15-12/5/14	V01003	CULTURAL RESOURCES INVEST
<b>Total WIK - Project Design - Engineering Services</b>				<b>542,683.03</b>			
790-7920-429.33-05	12/11/2014	254431	HOUSTON-MOORE GROUP LLC	70,343.96	SEPT 2014	V01601	HMG - PROJECT MANAGEMENT
<b>Total WIK Construction Mgmt. - Engineering Services</b>				<b>70,343.96</b>			
790-7920-429.33-79	12/3/2014	254311	OXBOW, CITY OF	7,083.33	MOU	V02410	OXBOW MOU - PROJ MGMT JDA
<b>Total WIK Construction Mgmt. - Construction Management</b>				<b>7,083.33</b>			
790-7930-429.33-05	12/11/2014	254431	HOUSTON-MOORE GROUP LLC	377.50	SEPT 2014	V01604	CR-32 & CR-22 BRIDGE DSGN
	12/11/2014	254431	HOUSTON-MOORE GROUP LLC	959.50	SEPT 2014	V01604	CR-32 & CR-22 BRIDGE DSGN
	12/11/2014	254431	HOUSTON-MOORE GROUP LLC	1,234.50	SEPT 2014	V01606	LAND MANAGEMENT SERVICES
	12/11/2014	254431	HOUSTON-MOORE GROUP LLC	622.58	SEPT 2014	V01611	REACH 6 & CR20 BRIDGE
<b>Total LERRDS - North Dakota - Engineering Services</b>				<b>3,194.08</b>			

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

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-7930-429.33-25	12/17/2014	254654	DORSEY & WHITNEY LLP	79,119.04	LEGAL SVCS THRU 10/31/14	V00101	Dorsey Whitney Legal
	12/17/2014	254660	ERIK R JOHNSON & ASSOCIATES	9,605.00	METRO FLOOD PRJ-LEERDS	V00103	General & Admin. LERRDS
<b>Total LERRDS - North Dakota - Legal Services</b>				<b>88,724.04</b>			
790-7930-429.67-10	12/9/2014	WIRE	CASS COUNTY JOINT WATER RESOURCE DI	111,000.00	BRAKKE REPLACEMENT LOT	V02411	OXBOW MOU-RESIDENT RLCTN
	12/9/2014	WIRE	CASS COUNTY JOINT WATER RESOURCE DI	114,000.00	FISHER REPLACEMENT LOT	V02411	OXBOW MOU-RESIDENT RLCTN
	12/9/2014	WIRE	CASS COUNTY JOINT WATER RESOURCE DI	104,000.00	JEZIORSKI REPLACEMENT LOT	V02411	OXBOW MOU-RESIDENT RLCTN
	12/9/2014	WIRE	CASS COUNTY JOINT WATER RESOURCE DI	134,000.00	INGEBRIGHTSON REPLCMNT LOT	V02411	OXBOW MOU-RESIDENT RLCTN
	12/9/2014	WIRE	CASS COUNTY JOINT WATER RESOURCE DI	100,000.00	RETZLAFF REPLACEMENT LOT	V02411	OXBOW MOU-RESIDENT RLCTN
	12/9/2014	WIRE	CASS COUNTY JOINT WATER RESOURCE DI	143,000.00	LOSING REPLACEMENT LOT	V02411	OXBOW MOU-RESIDENT RLCTN
<b>Total LERRDS - North Dakota - Relocation Assistance - Oxbow Replacement Lots</b>				<b>706,000.00</b>			
790-7930-429.67-11	12/9/2014	WIRE	CASS COUNTY JOINT WATER RESOURCE DI	55,000.00	LOSING BUILDER DOWN PMT	V02411	OXBOW MOU-RESIDENT RLCTN
	12/9/2014	WIRE	CASS COUNTY JOINT WATER RESOURCE DI	40,000.00	RETZLAFF BLDR DOWN PMT	V02411	OXBOW MOU-RESIDENT RLCTN
	12/9/2014	WIRE	CASS COUNTY JOINT WATER RESOURCE DI	50,000.00	INGEBRIGHTSON BLDR PMT	V02411	OXBOW MOU-RESIDENT RLCTN
	12/9/2014	WIRE	CASS COUNTY JOINT WATER RESOURCE DI	20,000.00	JEZIORSKI BLDR DOWN PMT	V02411	OXBOW MOU-RESIDENT RLCTN
	12/9/2014	WIRE	CASS COUNTY JOINT WATER RESOURCE DI	20,000.00	FISHER BUILDER DOWN PMT	V02411	OXBOW MOU-RESIDENT RLCTN
	12/9/2014	WIRE	CASS COUNTY JOINT WATER RESOURCE DI	23,349.00	BRAKKE BUILDER DOWN PMT	V02411	OXBOW MOU-RESIDENT RLCTN
<b>Total LERRDS - North Dakota - Relocation Assistance - Residential Buildings</b>				<b>208,349.00</b>			
790-7930-429.71-30	12/4/2014	WIRE	CASS COUNTY JOINT WATER RESOURCE DI	347,270.27	ELSETH PROPERTY PURCHASE	V01703	ND LAND PURCH - IN TOWN
	12/16/2014	WIRE	CASS COUNTY JOINT WATER RESOURCE DI	321,386.00	LAND PURCHASE - GORDER	V01701	ND LAND PURCH-OUT OF TOWN
<b>Total LERRDS - North Dakota - Land Purchases</b>				<b>668,656.27</b>			
790-7931-429.34-65	12/11/2014	254507	OHNSTAD TWICHELL PC	861.00	PROF SERVICES	V01301	City of Moorhead ROE
<b>Total LERRDS - Minnesota - Right of Entry Requests</b>				<b>861.00</b>			
790-7952-429.73-53	12/17/2014	254727	OXBOW, CITY OF	847,222.07	MOU	V02409	OXBOW MOU-CONST RPLM AREA
<b>Total O/H/B Construction - Dams/Reservoirs/Diversion</b>				<b>847,222.07</b>			
<b>Total Disbursed for Period</b>				<b>\$ 3,232,581.72</b>			

**FM Diversion Authority  
Cumulative Vendor Payments Since Inception  
As of December 31, 2014**

Vendor Name	Approved Contract/Invoice Amount	Liquidated	Outstanding Encumbrance	Purpose
HOUSTON-MOORE GROUP LLC	\$ 24,877,077.45	\$ 16,515,378.04	\$ 8,361,699.41	Engineering Services
CASS COUNTY JOINT WATER RESOUR	19,012,705.41	18,321,460.39	691,245.02	Land Purchases, O/H/B Ring Levee, DPAC, & ROE
INDUSTRIAL CONTRACT SERVICES I	17,361,616.35	-	17,361,616.35	4th St Pump Station and 2nd Street Floodwall
CH2M HILL ENGINEERS INC	14,140,819.01	13,210,819.01	930,000.00	Project Management
OXBOW, CITY OF	13,616,167.67	11,331,561.05	2,284,606.62	City of Oxbow - MOU
INDUSTRIAL BUILDERS INC	8,135,920.00	-	8,135,920.00	2nd St North Pump Station Project
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
DORSEY & WHITNEY LLP	1,584,832.95	1,559,710.89	25,122.06	Legal Services
URS CORPORATION	1,501,488.42	1,081,242.16	420,246.26	Engineering 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	286,661.66	286,661.66	-	Digital Imagery Project & Accounting Services
ERIK R JOHNSON & ASSOCIATES	239,585.11	239,585.11	-	Legal Services
ROBERT TRENT JONES	200,000.00	200,000.00	-	Oxbow MOU - Golf Course Consulting Agreement
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
ENVENTIS	115,685.62	115,685.62	-	Utility Relocation
702 COMMUNICATIONS	100,483.18	100,483.18	-	Utility Relocation
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
EL ZAGAL TEMPLE HOLDING CO	68,040.72	68,040.72	-	Easement Purchase for El Zagal Levee
GRAY PANNELL & WOODWARD LLP	66,300.68	66,300.68	-	Legal Services
NDSU BUSINESS OFFICE-BOX 6050	64,495.00	-	64,495.00	Ag Risk Study Services
OHNSTAD TWICHELL PC	60,309.16	60,309.16	-	ROE and Bonding Legal Fees
US BANK	59,020.65	59,020.65	-	Loan Advance Debt Service Payments
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

**FM Diversion Authority  
Cumulative Vendor Payments Since Inception  
As of December 31, 2014**

<b>Vendor Name</b>	<b>Approved Contract/Invoice Amount</b>	<b>Liquidated</b>	<b>Outstanding Encumbrance</b>	<b>Purpose</b>
TERRACON CONSULTING ENGINEERS	50,000.00	-	50,000.00	Materials Testing
GEEKON INC	33,815.36	33,815.36	-	Vibrating Wire Piezometer Equipment
COLDWELL BANKER	33,066.02	33,066.02	-	Property Management Services
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
MCKINZIE METRO APPRAISAL	3,200.00	3,200.00	-	Appraisal Services
FREDRIKSON & BYRON, PA	3,000.00	-	3,000.00	Lobbying 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
NORTH DAKOTA TELEPHONE CO	1,186.00	1,186.00	-	Communication
HUBER, STEVE	1,056.43	1,056.43	-	Home Buyouts
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
KOCHMANN, CARTER	315.00	315.00	-	Lawn Mowing Services
GALLAGHER BENEFIT SERVICES INC	250.00	250.00	-	Job Description Review
DONS PLUMBING	240.00	240.00	-	Winterize - Home Buyouts
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>\$ 119,282,611.69</b>	<b>\$ 79,166,132.59</b>	<b>\$ 40,116,479.10</b>	

**FM Diversion Authority  
Lands Expense - Life To Date  
As of December 31, 2014**

Property Address	Purchase Date	Purchase Price	Appraisal	Abstract	Tax Payment	Property Management Expense	Property Management Income	Sale Proceeds	Total
<b>Home Buyouts - Fargo</b>									
1322 Elm St N, Fargo ND	11/19/2014	354,252.70	-	-	-	239.00	-	-	354,491.70
<b>Home Buyouts - Moorhead</b>									
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
<b>Home Buyouts - Oxbow</b>									
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	19,323.34	(31,617.16)	-	338,830.91
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	2,039.75	-	-	107,507.04
346 Schnell Dr, Oxbow ND	2/13/2014	512,970.73	-	-	-	9,495.64	(12,000.00)	-	510,466.37
345 Schnell Dr, Oxbow ND	10/24/2014	478,702.98	-	-	-	-	-	-	478,702.98
<b>Easements - Fargo</b>									
Part of Lot 5 El Zagal Park, Fargo ND	10/9/2014	68,040.72	-	-	-	-	-	-	68,040.72
<b>Easements - Oxbow</b>									
Oxbow Parcel 57-0000-10356-070 - Pearson	10/13/2014	55,500.00	-	-	-	-	-	-	55,500.00
<b>Farmland Purchases</b>									
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
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	-	-	-	-	(14,909.20)	-	928,650.85
SW 1/4-11-140-50 - Hoglund	7/21/2014	989,706.03	-	-	-	-	(3,725.49)	-	985,980.54
NW 1/4 14-140-50 - Hoglund	10/23/2014	948,782.22	-	-	-	-	(1,376.19)	-	947,406.03
SW 1/4 2-140-50 -Rust	10/29/2014	955,901.00	-	-	-	-	-	-	955,901.00
Fercho Family Farms, Oxbow ND	-	312,130.00	-	-	-	-	-	-	312,130.00
W 1/2 SE 1/4 SW 1/4 & SW 1/4 SW 1/4 2-137-49 - Gorder	5/13/2014	321,386.00	-	-	-	-	(1,822.72)	-	319,563.28
<b>Land Purchases</b>									
Hayden Heights Land, West Fargo ND	10/12/2012	484,016.00	-	-	166,874.29	-	-	(240,166.11)	410,724.18
<b>Total</b>		<b>14,792,411.37</b>	<b>3,200.00</b>	<b>675.00</b>	<b>183,675.46</b>	<b>66,559.53</b>	<b>(202,043.92)</b>	<b>(616,773.98)</b>	<b>14,227,703.46</b>



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

Time Period for This Request: December 1, 2014 - December 31, 2014

Drawdown Request No: 8	
Requested Amount:	\$ 1,153,978
Total Funds Expended This Period:	\$ 1,897,940
Total Funds Requested at 100% Match	410,015
Remaining Funds Requested at 50% Match	1,487,925
SB 2020 Matching Requirements	50%
Total Funds Requested at 50% Match	\$ 743,963
<b>Total Funds Requested:</b>	<b>\$ 1,153,978</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 #34 - City of Fargo	(53,818,982)
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 - REVISED	(293,590)
Less: Payment #4 - FM Diversion Authority - REVISED	(2,905)
Less: Payment #5 - FM Diversion Authority - REVISED	-
Less: Payment #6 - FM Diversion Authority - REVISED	(238,241)
Less: Payment #7 - FM Diversion Authority	(1,206,310)
Less: Payment #8 - FM Diversion Authority	(1,153,978)
<b>Total Funds Reimbursed</b>	<b>\$ (57,651,553)</b>
<b>Total State Fund Balances Remaining</b>	<b>\$ 117,348,447</b>

<b>LOCAL MATCHING FUNDS SUMMARY:</b>	
Matching Funds Expended To Date - City of Fargo	\$ 47,445,143
Matching Funds Expended To Date - Cass County	291,500
Matching Funds Expended To Date - FM Diversion Authority	733,743
<b>Total Matching Funds Expended To Date</b>	<b>\$ 48,470,386</b>
Less: Match Used on Payment #1 through #34 - City of Fargo	(40,263,332)
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)
Less: Match Used on Payment #6 - FM Diversion Authority	(238,241)
Less: Match Used on Payment #8 - FM Diversion Authority	(410,015)
<b>Balance of Local Matching Funds Available</b>	<b>\$ 7,337,271</b>