



THE REGULAR MONTHLY MEETING OF THE BOARD OF COMMISSIONERS OF THE PARK DISTRICT OF THE CITY OF FARGO WILL BE HELD ON **TUESDAY, JULY 9, 2024, AT 5:30 P.M.** IN THE BOARD ROOM AT THE FARGO PARKS SPORTS CENTER AT 6100 38th STREET SOUTH, FARGO, WITH PRESIDENT JOE DEUTSCH, PRESIDING. **Please note:** This is an in-person event and streamed virtually. Members of the public and media can view the live meeting at [www.fargoparks.com/news/park-board-meeting-july-agenda-2024](http://www.fargoparks.com/news/park-board-meeting-july-agenda-2024)

***Swearing in of new Board members – Honorable Judge Steve Dawson***

***Election of Officers***

*Open Nominations – President of the Board*

*Open Nominations – Vice-President of the Board*

- A. Call to Order
- B. Board to Approve Order of Agenda

**Consent Agenda** – approve the following:

- a. Minutes – June 11, 2024
- b. June Bills
- c. Drain Pit Repair Project at Sports Arena
- d. Policy 320 – Safety Policy
- e. Policy 530 – ADA/ADAAA Accommodations Policy
- f. Policy 535 – Pregnancy Workers Fairness Act & Accommodation Policy
- g. Policy 472 – MN Earned Sick & Safe Time

**Regular Agenda**

- 1. Recognition of Audience/Public Comments
- 2. Director's Report
- 3. Fargo Angels Hockey Club – Chad Eken, presenter.
- 4. Board to consider approval of Bank Resolution: Broc Lietz, presenter.
- 5. Presentation/Approval of the 2023 Audit: Broc Lietz, presenter.
- 6. Board to consider for approval purchase offer for The Depot; Broc Lietz, presenter.
- 7. Adjourn

*Individuals who wish to attend Park Board meetings but need special arrangements or would like to address the Board, please contact the Fargo Park District office at 499-6060 by noon on the Monday before the Board Meeting.*



NATIONAL PARK AND RECREATION ASSOCIATION  
COMMISSIONERS BOARD MEMBERS BRANCH CODE OF  
ETHICS PARK AND RECREATION BOARD OF COMMISSIONERS

As a Park and Recreation Board Commissioner, representing all of the residents, I recognize that:

1. I have been entrusted to provide parks and recreation services to my community.
2. These services should be available to all residents regardless of sex, race, religion, national origin, physical or mental limitations, or socio-economic status.
3. While honest differences of opinion may develop, I will work harmoniously with other Board Commissioners to assure residents the service they require.
4. I will invite all residents to express their opinions so I may be properly informed prior to making my decision. I will make them based solely upon the facts available to me. I will support the final decision of the Board of Commission.
5. I must devote the time, study and thought necessary to carry out my duties.
6. The Board of Commissioners establishes the policy, and the staff is responsible for administering the policies of the Board of Commission.
7. I have no authority outside of the proper meetings of the Board of Commissioners.

All Board of Commission meetings should be open to the public except as provided by law.

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of North Dakota; and that I will faithfully discharge the duties of the office of a Commissioner of the Park District of the City of Fargo according to the best of my ability, so help me God."

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
OF THE FARGO PARK DISTRICT OF JUNE 11, 2024**

The regular monthly meeting of the Board of Commissioners of the Park District of the City of Fargo was held on Tuesday, June 11, 2024, at 5:30 p.m. at the Fargo Park District office at 701 Main Avenue, Fargo, North Dakota and via Restream. Present at the meeting were Commissioners Aaron Hill, Jerry Rostad, Dawn Morgan, Joe Deutsch and Vicki Dawson. Also present were: Dave Bietz, Susan Faus, and Jeffrey Gunkelman.

**Approval of Agenda**

Commissioner Jerry Rostad moved and Commissioner Aaron Hill seconded a motion to approve the agenda. Upon call of the roll, the motion passed unanimously.

**Approval of Consent Agenda**

Commissioner Aaron Hill moved and Commissioner Vicki Dawson seconded a motion to approve the following actions on the consent agenda:

- (a) The minutes from May 14, 2024 meeting;
- (b) The May 2024 bills;
- (c) Updated Lease Agreement at Jack Williams Stadium
- (d) Updated Lease Agreement at Starion Field
- (e) Changes to Urban Archery Deer Hunting Program
- (f) 2025 Fees for (i) Programming, Events and Facilities; (ii) Golf Fees; (iii) Fargo Park Sports Center Fees and; (iv) Courts Plus Community Fitness Membership Fees; (v) Aquatics Hours and Fees;
- (g) Award bid to Roers Construction Joint Venture, LLC, for the 2024 Yunker Farm Dog Park Improvement;
- (h) Request permission to solicit bids for Rose Creek Golf Course Tunnel Repairs.

Upon call of the roll, the motion passed unanimously.

**Public Comments**

Members of the public were afforded the opportunity to discuss issues with the Board.

**Director's Report**

Susan Faus presented this matter and provided an informational update to the Board on the respective departments. No action was taken on this matter.

**Department Update – Fargo Parks Sports Center Team**

Kali Mork presented to the Board regarding the Fargo Parks Sports Center team and the progress that has been made on the Sports Center.

At the conclusion of the above agenda items, a motion to adjourn was made and seconded, and upon unanimous consent the meeting adjourned at approximately 6:10 p.m.

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Jeff Gunkelman, Kennelly Business Law, Clerk

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF COMMISSIONERS  
OF THE FARGO PARK DISTRICT OF JUNE 11, 2024**

The Special Meeting of the Board of Commissioners of the Park District of the City of Fargo was held on Monday, June 11, 2024, at 6:15 p.m. at the Fargo Park District office at 701 Main Avenue, Fargo, North Dakota and via Restream. Present at the meeting were Commissioners Dawn Morgan, Vicki Dawson, Aaron Hill, Jerry Rostad and Joe Deutsch. Also present were Dave Bietz, Susan Faus, Broc Lietz, and attorney Jeff Gunkelman

**Proposed Executive Session to discuss negotiation strategy and to give Park District attorney instructions regarding negotiations for the sale of the Depot Building, located at 701 Main Avenue, Fargo, North Dakota pursuant to North Dakota Century Code 44-04-19.1(9).**

Commissioner Hill moved and Commissioner Dawson seconded a motion go into executive session to discuss negotiation strategy and to give Park District attorney instructions regarding negotiations for the sale of the Depot Building, located at 701 Main Avenue, Fargo, North Dakota pursuant to North Dakota Century Code 44-04-19.1(9). Upon call of the roll, the motion passed unanimously.

The Commissioners left the boardroom and went into executive session at approximately 6:20 p.m.

The Commissioners reconvened in open meeting at 6:43 p.m., a motion to adjourn was made and seconded, and upon unanimous consent the meeting adjourned at approximately 6:45 p.m.

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Jeffrey Gunkelman, Interim Clerk



## MEMORANDUM

DATE: July 3, 2024

TO: Fargo Park Board Commissioners

FROM: Tony Schmitt, Park Director

RE: Consent Agenda Item c - Drain Pit Repair Project at Sports Arena

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Bids for the Drain Pit Repair Project at Sports Arena were received and opened June 13, 2024, at 1:00 P.M., at the Park District Office. Attached to this memo is the bid tab.

We received one bid from Randall's Excavating, Inc., Glyndon, MN, with a bid of \$40,000.00 for excavating and a bid of \$23,900.00 for plumbing, for a total bid of \$63,900.00. Staff recommends accepting the bid from Randall's Excavating, Inc., for a total bid amount of \$63,900.00. The bid met all specifications. This repair was not budgeted for in 2024. At the May 14, 2024, Board Meeting, the board approved to utilize reserve funds for this repair. The estimated cost for the repair was \$60,000.00 at that time.

If you should have any questions, please feel free to contact me prior to the meeting.

Thank you.

**Sample Motion:** I make a motion to award Randall's Excavating, Inc., the bid for the Drain Pit Repair Project at Sports Arena, as presented.

**Fargo Park District**  
**Drain Pit Repair Project at Sports Arena**  
 Bid Opening: 1:00 pm, Thursday, June 13, 2024



	Excavating	Plumbing	Total Bid Price
Bidder			
Randall's Excavating, Inc.	\$40,000.00	\$23,900.00	\$63,900.00



## MEMORANDUM

DATE: June 26th, 2024

TO: Fargo Park Board Commissioners

FROM: Stacy Kruger, HR Director

RE: Consent Agenda Item d – Policy 320 – Safety

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The Safety Committee along with the HR Taskforce saw the need to update the Safety policy with a simple but powerful change.

Both the committee and taskforce stated that the word “Should” was not promoting our Safety culture. It was telling employees that it was the employee’s decision, whether they wanted to report hazardous working conditions and unsafe practices. And that it is ok if the employee didn’t report. By changing the word to “Must” it shows that it is not a decision the employee needs to make, The Park District is making the decision. It is mandatory in keeping all of us safe and promotes the Safety Culture the Park District has developed.

It was reviewed at the June 12<sup>th</sup>, Administration Committee Meeting and the committee recommended it be brought to the full board on the Consent Agenda.

If you should have any questions, please feel free to contact me prior to the meeting.

Thank you.

**Sample Motion:** I make a motion to approve the changes Safety Policy 320 as presented.



PARK DISTRICT OF THE CITY OF FARGO  
**SAFETY**  
POLICY NO. 320

Date Approved by Park Board 03/17/09

Date Reviewed by Staff 04/01/19, 03/28/2024.

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Employees must be alert to hazardous working conditions which may develop. Employees must take great care in avoiding unsafe practices and must report unsafe working conditions to their supervisor.

Supervisors are directly responsible for instructing all employees under their jurisdiction regarding proper procedures and safe methods to be utilized in performing work duties; prevention of all accidents whether personal or property damage; eliminate existing hazardous conditions and/or practice by taking immediate corrective measures; and for the prevention of all accidents. The supervisor must enforce the established safety program at all times. Supervisors will not permit safety to be sacrificed for any reasons such as production, time limitations or unexpected problems.

Each employee is expected to cooperate in every respect with the Fargo Park District's safety program regardless of her or his position within the organization. One of the major requirements in our safety program is the immediate reporting of all injuries and accidents to supervisors and to obtain medical aid without delay.

All employees are required to follow safety as presented in the Safety and Risk Management Program Employee Handbook (see Appendix B).



## MEMORANDUM

DATE: July 03, 2024

TO: Fargo Park Board Commissioners

FROM: Stacy Kruger, HR Director

RE: Consent Agenda Item e – Policy 530 – ADA/ADAAA & ACCOMMODATION Policy

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The HR Department reviewed our federally mandated ADA/ADAAA policy recently. The HR Department made a few housekeeping changes and better defined the interactive process for an ADA/ADAAA Accommodation request. The changes made meet the federal requirements needed in an ADA/ADAAA Accommodation policy.

It was reviewed at the June 12<sup>th</sup>, Administration Committee Meeting and the committee recommended it be brought to the full board on the Consent Agenda

If you should have any questions, please feel free to contact me prior to the meeting.

Thank you.

**Sample Motion:** I make a motion to approve the changes of the ADA/ADAAA & Accommodation Policy 530 as presented.

PARK DISTRICT OF THE CITY OF FARGO  
**ADA / ADAAA & ACCOMMODATION POLICY**  
POLICY NO. 530

Date Approved by Park Board 5/14/2019    Date Reviewed by Staff 5/14/2019, 4/3/2024.

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It is the policy of the Fargo Park District to ensure compliance with the Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) to not discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

Under the ADA, a qualified individual with a disability is a person that meets the legitimate skill, experience, education, or other requirements of the employment positions and can perform the essential functions of the job with or without reasonable accommodation.

The Fargo Park District will provide reasonable accommodations, as required by law to qualified individuals if the accommodation would allow the individual to perform the essential functions of his or her job, unless doing so would create an undue hardship on the Fargo Park District.

Qualified individuals who pose a direct threat to the health, safety, and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired. Current qualified individuals who pose a direct threat will be placed on appropriate leave until a decision has been made regarding the employee's immediate employment situation.

Reasonable Accommodations

Fargo Park District employees who are qualified individuals with a disability must communicate their need for an accommodation to their immediate supervisor.

The employee shall provide a written request for reasonable accommodation to include the following information:

1. Employee's name, position, and department
2. Date of request
3. The employee's explanation of the work limitations and restrictions imposed by the disability
4. The job duties or assignments the employee is having difficulty performing
5. A description of the accommodations requested by the employee
6. A statement as to how the suggested accommodations will help the individual perform his or her essential functions

The supervisor should notify their Department Director and the HR Director as soon as possible that a request for reasonable accommodation has been made. The Fargo Park District will engage in good faith and in a timely manner an interactive process with the employee to determine a proper accommodation.

In making this determination, the Fargo Park District may consider a number of relevant factors, including:

- The nature and duration of the requested accommodation.
- The impact of the requested accommodation on the performance of the employee's essential functions or core work-related duties.
- The financial impact of the requested accommodation.
- The impact of the requested accommodation on other employees, department, and the public.
- Any alternative accommodation.

Note: No specific accommodation is guaranteed. Rather, accommodations are determined on an individual basis and must be tailored to match the needs of the employee without placing an undue hardship on the department or organization.

The HR Director may request medical information concerning the employee's disability and need for an accommodation to aide in the interactive process of determining whether reasonable accommodations exist based on the essential functions of the position and the employee's restrictions.



## MEMORANDUM

DATE: July 3, 2024

TO: Fargo Park Board Commissioners

FROM: Stacy Kruger, HR Director

RE: Consent Agenda Item f – Policy 535 – Pregnancy Workers Fairness Act & Accommodation Policy

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The Pregnancy Workers Fairness Act (PWFA) & Accommodation Policy is a brand-new policy. The final rules and interpretive guidance go into effect on June 18<sup>th</sup>, 2024.

This policy requires broad-based and far-ranging accommodation for pregnant workers, previously pregnant workers, or workers who are attempting to get pregnant. Pregnancy conditions alone did not qualify as an ADA/ADAAA disability, so Congress passed the PWFA to gain accommodation rights for pregnant workers.

It was reviewed at the June 12<sup>th</sup>, Administration Committee Meeting and the committee recommended it be brought to the full board on the Consent Agenda.

If you should have any questions, please feel free to contact me prior to the meeting.

Thank you.

**Sample Motion:** I make a motion to approve the Pregnancy Workers Fairness Act & Accommodation Policy as presented.

**PARK DISTRICT OF THE CITY OF FARGO**  
**PREGNANT WORKERS FAIRNESS ACT (PWFA) & ACCOMMODATION POLICY**  
**POLICY NO. 535**

Date Approved by Park Board

Date Reviewed by Staff 4/3/2024.

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**Purpose**

In accordance with the Pregnant Workers Fairness Act (PWFA), the Park District will provide reasonable accommodations to employees with limitations related to pregnancy, childbirth, lactation, or a related medical condition, unless the accommodation will cause undue hardship to the Fargo Park District's operations.

**Policy**

An employee may request an accommodation due to pregnancy, childbirth, lactation, or a related medical condition by communicating their need to their immediate supervisor.

The employee shall provide a written request for reasonable accommodation to include the following information:

1. Employee's name, position, and department
2. Date of request
3. The employee's explanation of the pregnancy-related limitations
4. The accommodation needed and any alternative accommodation(s) that might be reasonable.

Depending on the nature of the accommodation, the Fargo Park District may request a statement from a health care provider substantiating the need for the accommodation.

The supervisor should notify their Department Director and the HR Director as soon as possible that a request for pregnancy accommodation has been made. The Fargo Park District will engage in good faith and a timely manner an interactive process with the employee to determine the proper accommodations needed.

While the reasonableness of each accommodation request will be individually assessed, possible accommodations include allowing the individual to:

- Sit while working.
- Drink water during the workday.
- Receive closer-in parking.
- Have flexible hours.
- Receive appropriately sized uniforms and safety apparel.
- Receive additional break time to use the bathroom, eat and rest.
- Take time off to recover from childbirth.
- Be excused from strenuous activities and/or activities that involve exposure to compounds deemed unsafe during pregnancy.

An employee may request paid or unpaid leave as a reasonable accommodation under this policy; however, the Park District will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue to work.

In making this determination, the Fargo Park District may consider a number of relevant factors, including:

- The nature and duration of the requested accommodation
- The impact of the requested accommodation on the performance of the employee's essential functions or core work-related duties.
- The financial impact of the requested accommodation
- The impact of the requested accommodation on other employees, department, public and Park District operations
- Any alternative accommodation

Note: No specific accommodation is guaranteed. Rather, accommodations are determined on an individual basis and must be tailored to match the needs of the employee without placing an undue hardship on the department or organization.

The Park District prohibits any retaliation, harassment, or adverse action due to an individual's request for an accommodation under this policy or for reporting or participating in an investigation of unlawful discrimination under this policy. To report concerns or potential violations of the policy, please contact a member of HR.

## MEMORANDUM

DATE: June 28, 2024

TO: Fargo Park Board Commissioners

FROM: Stacy Kruger, HR Director

RE: Agenda Item g – Policy 472 – Minnesota Earned Sick & Safe Time

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The state of Minnesota recently passed a law, that requires all employers to provide paid leave to employees working in Minnesota. The HR Department reached out to our legal counsel to get clarification as to the Fargo Park District's obligations to this law, since we are a ND employer that has two group of employees that work in the state of MN: MN full time Remote workers and MN Part time VSS van drivers.

According to legal counsel, for the MN full time remote workers: we meet the requirements of the leave with our current paid sick leave policy that all full-time employees receive.

We do not meet any requirements for the MN Part time VSS van drivers. We will have to offer MN Earned Safe & Sick Leave to those employees.

The HR Department and Valley Senior Services, Paul Grindeland, and Cindy Girdner worked through the options and developed our policy according to the MN law regarding that option.

On June 28<sup>th</sup>, Lori Van Beek, Moorhead Transit Director informed Paul that MNDOT put in a final ruling and would only fund the option of front loading 48 hours to all affected drivers and pay out any unused portion of the leave to those drivers at the end of the year. We updated our policy to reflect this new ruling, which will allow VSS to maintain their funding from MN.

It was reviewed at the June 12<sup>th</sup>, Administration Committee Meeting and the committee recommended it be brought to the full board on the Consent Agenda.

If you should have any questions, please feel free to contact me prior to the meeting.

Thank you.

**Sample Motion:** I make a motion to approve the Minnesota Earned Sick & Save Time Policy 472 as presented.

**PARK DISTRICT OF THE CITY OF FARGO**  
**MINNESOTA EARNED SICK & SAFE TIME**  
**POLICY NO. 472**

Date Approved by Park Board

Date Reviewed by Staff: 5.1.24

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Minnesota's Earned Sick and Safe time (ESST) is paid leave employers must provide to employees who work in the state of Minnesota at least 80 hours in a year. Temporary and part-time employees are covered under the law.

Employees do not have to live in Minnesota to be eligible for ESST accrual but must work at least 80 hours in Minnesota in a year to be eligible; a "year" means the calendar year (Jan. 1 through Dec. 31<sup>st</sup>).

The Park District along with Valley Senior Services will provide 48 hours of ESST to all eligible employees.(Employees that work in MN only) The ESST hours are made available for immediate use at the start of each year; there is no carry over of unused ESST hours at the end of the accrual year, and the ESST hours the employee did not use will be paid out at the end of the accrual year.

MN ESST can be used for:

- the employee's mental or physical illness, treatment, or preventive care.
- a family member's mental or physical illness, treatment, or preventive care.
- absence due to domestic abuse, sexual assault or stalking of the employee or a family member.
- closure of the employee's workplace due to weather or public emergency or closure of a family member's school or care facility due to weather or public emergency; and
- when determined by a health authority or health care professional that the employee or a family member is at risk of infecting others with a communicable disease.

Employees may use earned sick and safe time for the following family members:

- their child, including foster child, adult child, legal ward, child for whom the employee is legal guardian or child to whom the employee stands or stood in loco parentis (in place of a parent).
- their spouse or registered domestic partner.
- their sibling, stepsibling, or foster sibling.
- their biological, adoptive or foster parent, stepparent or a person who stood in loco parentis (in place of a parent) when the employee was a minor child.
- their grandchild, foster grandchild, or step-grandchild.
- their grandparent or step-grandparent.
- a child of a sibling of the employee.
- a sibling of the parents of the employee.
- a child-in-law or sibling-in-law.
- any of the family members (1 through 9 above) of an employee's spouse or registered domestic partner.



- any other individual related by blood or whose close association with the employee is the equivalent of a family relationship; and
- up to one individual annually designated by the employee.

Notifying employer of ESST usage:

- No medical or other documentation will be required from the employee unless more than three consecutive absences occur, or clear evidence of illegitimate use exists. Employees who use sick or safe time leave for more than 3 consecutive absences will be required to provide reasonable certification of the need for leave including, for example, evidence of service or medical treatment provided by a professional.
- In the case of an unforeseen need to take leave, for example, the illness of an employee or his or her family member or in the case of an emergency, notice should be given by the employee as soon as practicable (and, generally, before the start of the work shift).
- If the need to use sick and safe leave is *foreseeable* (for example a scheduled doctor's appointment), employees must provide notice as soon as they know of the need for leave.
- When an employee wishes to use sick and safe leave, notice must be given by requesting earned sick & safe leave (MNSST) via Paylocity Self Service Portal and contacting their supervisor.
- A request for sick and safe leave may be denied if the employee fails to provide proper notice.
- Paid sick leave hours will be compensated at the employee's hourly rate of pay, excluding tips, service charges, commissions, and overtime rates, where applicable.
- Paid sick leave hours will not count as hours worked for the purposes of any overtime calculation.
- Employees will be notified of their paid sick leave balances each paycheck on their earnings statement including sick and safe time hours (or other qualifying leave) accrued and unused.

Retaliation by management against an employee's legitimate use of sick and safe leave is strictly prohibited by law.



## MEMORANDUM

DATE: July 03, 2024

TO: Fargo Park Board Commissioners

FROM: Susan Faus, Executive Director

RE: Agenda Item No. 3 – Presentation of the Fargo Angels Hockey Club

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At the Park Board Meeting on July 9<sup>th</sup>, 2024, Chad Eken of the Fargo Angels Hockey Club will share an overview of the Fargo Angels Hockey Club and their partnership with the Fargo Parks Sports Center.

If you have any questions regarding this please contact me prior to the board meeting.

Thank you.



## MEMORANDUM

DATE: July 9, 2024

TO: Fargo Park Board Commissioners

FROM: Broc T. Lietz, Finance Director

RE: Agenda Item No. 4: Board to consider approval of Bank Resolution

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Attached is the bank resolution regarding who is allowed to sign on various bank accounts with Bremer Bank.

The banking resolution is updated annually with the change in officers.

Please let me know if you have any questions.

Thank you.

**Sample Motion:** I make the motion to approve the bank resolution as presented.

## **BANKING RESOLUTION**

**The Park District of the City of Fargo**, a park district under the laws of the State of North Dakota (“Park District”) (TIN: 45-6002070), at a regularly scheduled meeting of the Board of Park Commissioners held on July 9, 2024, hereby adopted the following Resolutions with regard to the Park District’s banking relationship with Bremer Bank, N.A. (“Bremer”) as follows:

BE IT RESOLVED, that Bremer has been designated as a depository and banking institution for and on behalf of the Park District for funds of the Park District and to provide other financial services as may be otherwise indicated in these Resolutions.

BE IT FURTHER RESOLVED, that the banking designation of Bremer shall continue in effect until either rescinded or modified in accordance with the appropriate resolution of the Board of Park Commissioners.

BE IT FURTHER RESOLVED, that Bremer, by the Board of Park Commissioner’s action previously, had been designated as the banking institution for and on behalf of the Park District with regard to the accounts herein described, all transactions, if any, with respect to deposits or withdrawals, for and on behalf of the Park District with Bremer prior to the adoption of these Resolutions, are hereby ratified, approved and confirmed.

BE IT FURTHER RESOLVED, that the Park District acknowledges and agrees that Bremer may furnish, at its discretion, certain automated access devices to signatories of the Park District as described in these Resolutions to facilitate the powers authorized by these Resolutions.

BE IT FURTHER RESOLVED, that the Park District acknowledges and agrees that Bremer may rely on alternative signature and verification codes issued to or obtained from signatories herein described or otherwise named in this Resolution, including a facsimile of signatures on file with Bremer and, if necessary, any personal identification numbers.

BE IT FURTHER RESOLVED, that Broc Lietz, the Treasurer of the Park District, is authorized to change the following accounts with Bremer and the persons herein designated and signing below are authorized to exercise the following powers pertaining to each of the separate accounts:

1. Checking Account (General), Account No. 5157146:

President \_\_\_\_\_

Broc Lietz, Treasurer \_\_\_\_\_

- Two (2) are required to sign
- Facsimile signatures are allowed
- Signed and authorized checks, drafts, withdraw slips and other order of payment of money, whether by paper, electronic or by other means.
- Sign account agreements and sign contracts for deposit-related services and authorize issuance of debit and/or check cards.

2. Checking Account (Courts Plus), Account No. 5157170:

Broc Lietz, Treasurer \_\_\_\_\_

- Facsimile signatures are not allowed
- Signed and authorized checks, drafts, withdraw slips and other order of payment of money, whether by paper, electronic or by other means.
- Sign account agreements and sign contracts for deposit-related services and authorize issuance of debit and/or check cards

3. Checking Account (Payroll), Account No. 5157154:

Broc Lietz, Treasurer \_\_\_\_\_

- Facsimile signature is allowed
- Signed and authorized checks, drafts, withdraw slips and other order of payment of money, whether by paper, electronic or by other means.
- Sign account agreements and sign contracts for deposit-related services and authorize issuance of debit and/or check cards.

4. Checking Account (Medical Insurance), Account No. 5157162:

Broc Lietz, Treasurer \_\_\_\_\_

- Facsimile signatures are not allowed
- Signed and authorized checks, drafts, withdraw slips and other order of payment of money, whether by paper, electronic or by other means.
- Sign account agreements and sign contracts for deposit-related services and authorize issuance of debit and/or check cards.

5. Money Market Account, Account No. 5157189:

Broc Lietz, Treasurer \_\_\_\_\_

- Facsimile signatures are not allowed
- Signed and authorized checks, drafts, withdraw slips and other order of payment of money, whether by paper, electronic or by other means.
- Sign account agreements and sign contracts for deposit-related services and authorize issuance of debit and/or check cards.

THE PARK DISTRICT OF THE CITY OF  
FARGO

By: \_\_\_\_\_  
President

By: \_\_\_\_\_  
Clerk



## MEMORANDUM

DATE: July 03, 2024

TO: Fargo Park Board Commissioners

FROM: Broc Lietz, Finance Director

RE: Agenda Item No. 5 – Presentation of the 2023 Financial Statement, Audit and consideration for approval.

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The 2023 Financial Statement Audit and Federal Audit have been completed. Eide Bailly has prepared the Executive Summary which presents an overview of those audits, as well as the Financial Statement highlights with some historical graphs and charts.

Draft copies of the Executive Summary, Financial Statements, and Federal Report were presented by Brian Stavenger, Partner with Eide Bailly, at the Budget Committee meeting on June 5, 2024.

The finalized Executive Summary, Financial Statements, and Federal Report are included in the packet.

If you have any questions regarding the audit, please contact me prior to the board meeting.

Thank you.

**Sample Motion:** I make the motion to approve the 2023 audited Financial Statements and Federal Report as presented.



# **PARK DISTRICT OF THE CITY OF FARGO**

Executive Summary – December 31, 2023





# AUDIT RECAP

- Performed in accordance with generally accepted auditing standards, *Government Auditing Standards*, and Title 2 U.S. Code of Federal Regulations (CFR)
- Obtain reasonable, not absolute, assurance about whether the financial statements are free of material misstatement
- Audit procedures:
  - Include examining, on a test basis, evidence supporting amounts and disclosures
  - Discussions with management
  - Assess quality of accounting principles and significant estimates
    - Other Post-Employment Benefits (OPEB)
    - Net Pension Liability



# OBJECTIVES

# AUDIT RECAP

- Planning and Pre-Work – **October through February**
- Year-End Testing – **March and April**
  - Team was dedicated to work the week of 3/25/2024
- Wrap-Up – **May**
- Reporting – **June**
  - Issued the audit opinion on 6/5/2024



## TIMELINE

# AUDIT RESULTS

- The Park District received a “clean” audit opinion
  - Unmodified opinion – financial statements are prepared using accounting principles generally accepted in the U.S. (GAAP)
  - Financial statements do not contain material misstatements and are fairly presented
- Opinion is merely the auditor’s professional opinion, based on audit work, on whether the financial statements were prepared in accordance with GAAP, free from material misstatement, and fairly presented



## Financial Statements

# AUDIT RESULTS

- Adoption of GASB No. 96, *SBITAs*
- Material Weakness
  - Preparation of financial statements and proposed journal entries
- Significant Deficiency
  - None



## Financial Statement Findings

# AUDIT RESULTS

- Unmodified opinion
- No internal control findings
- No compliance findings



# Federal Audit

## AUDIT RECAP

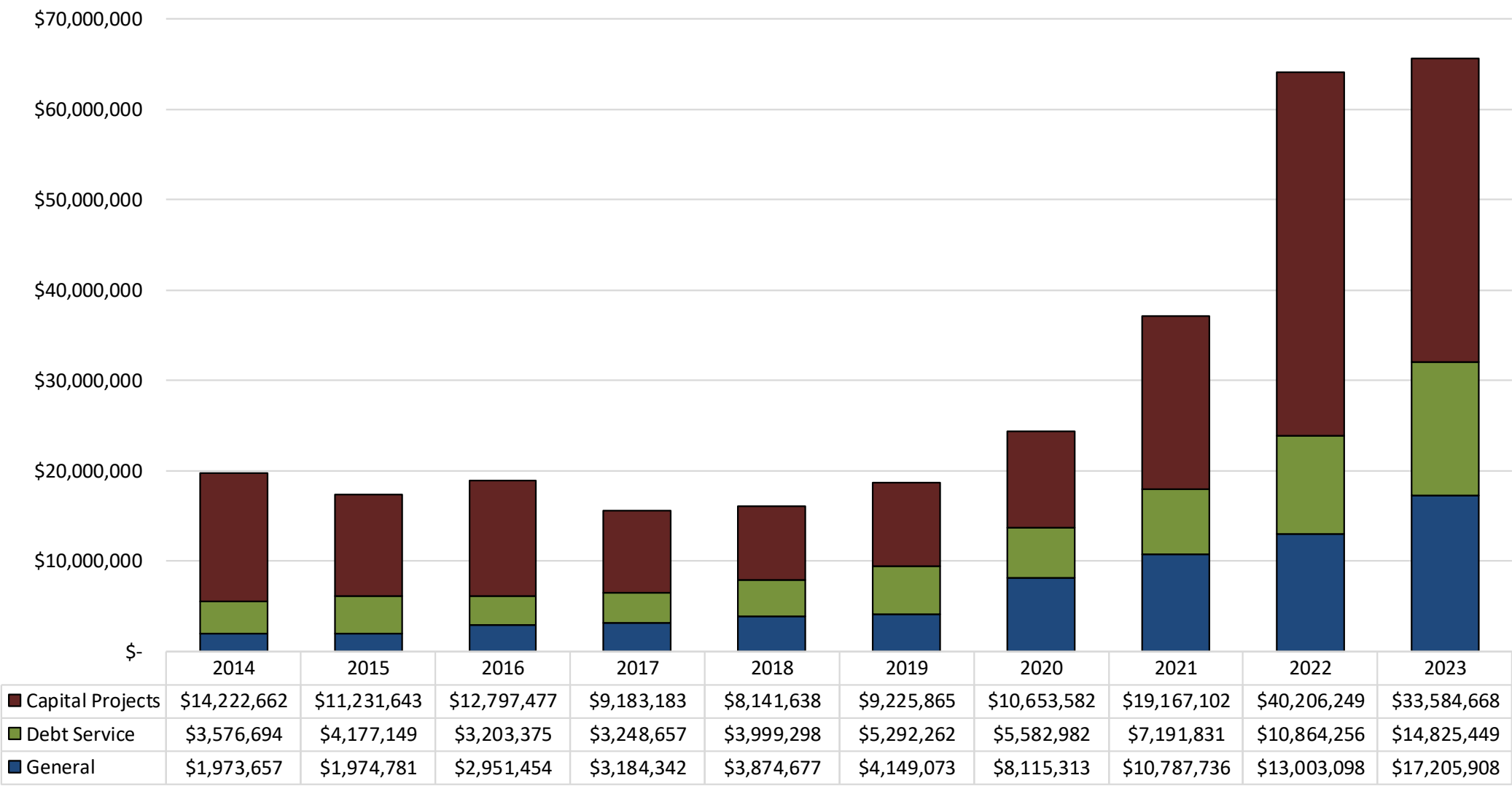
- Discretely presented component units
  - Valley Senior Services
  - Fargo Park District Foundation
  - Valley Senior Services Foundation



## Management Letter

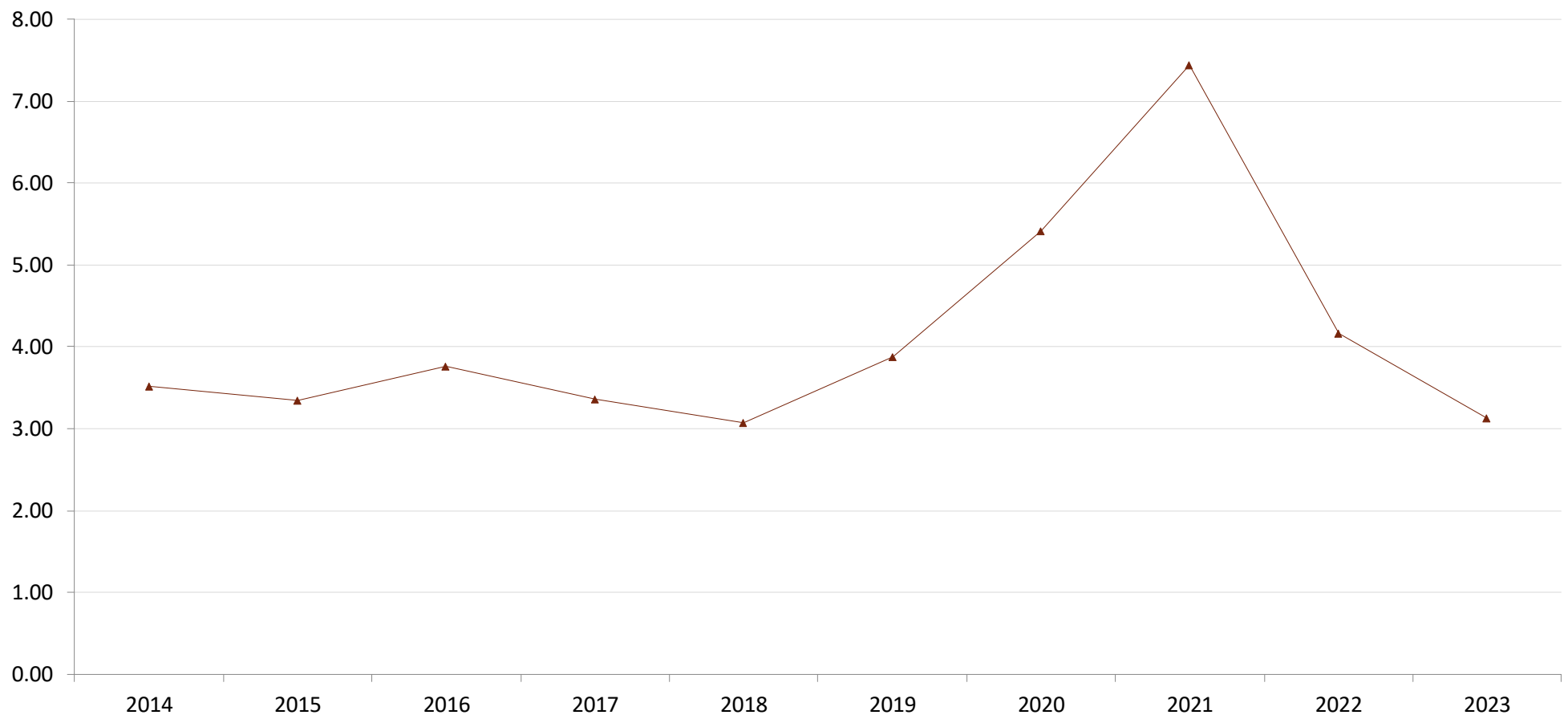
# TOTAL CASH AND INVESTMENTS

The total cash and investments for the past ten years is as follows:



# LIQUIDITY RATIO

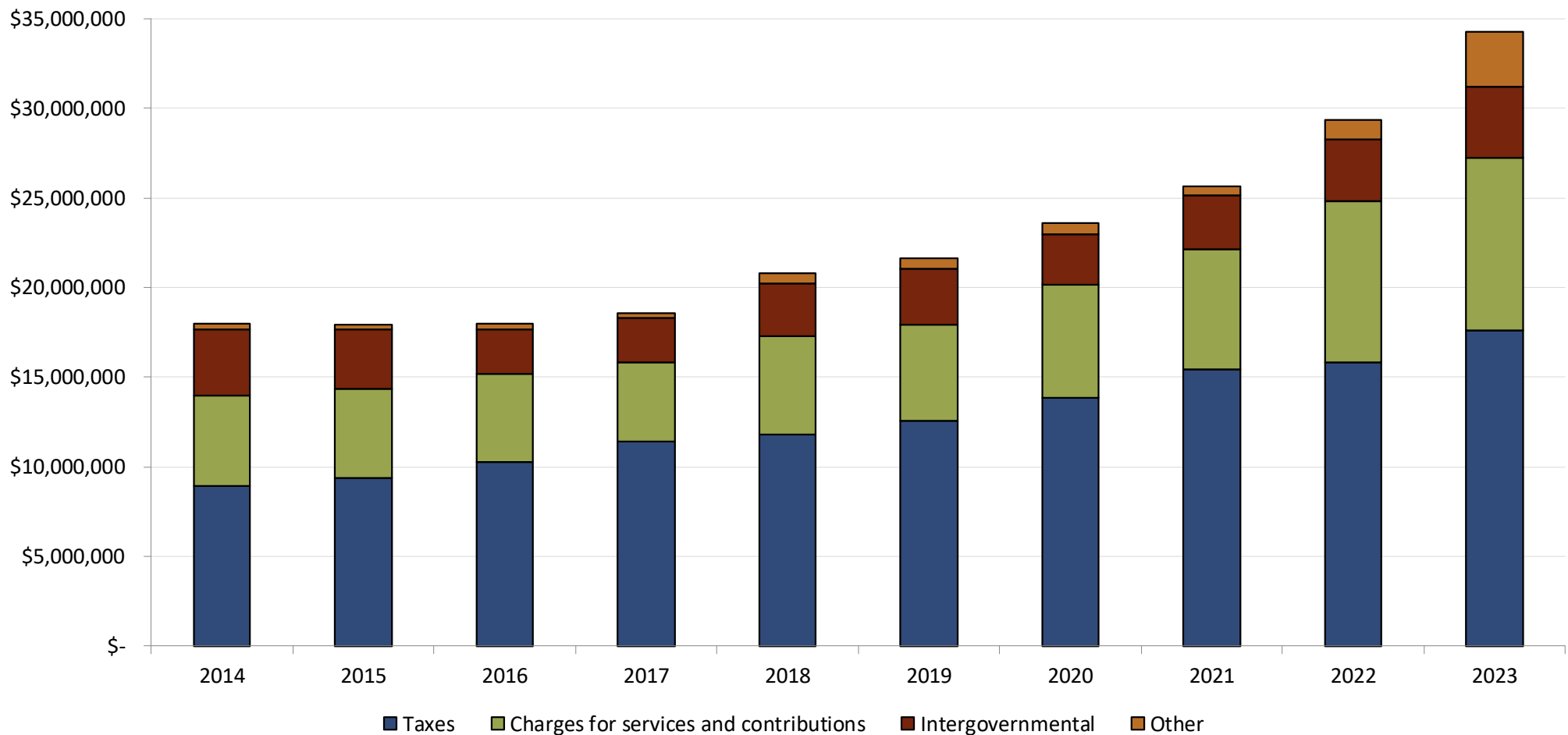
The liquidity ratio is calculated by dividing cash and cash equivalents by accounts payable, other current liabilities, and long-term liabilities due within one year. The liquidity ratio for the past ten years is as follows:





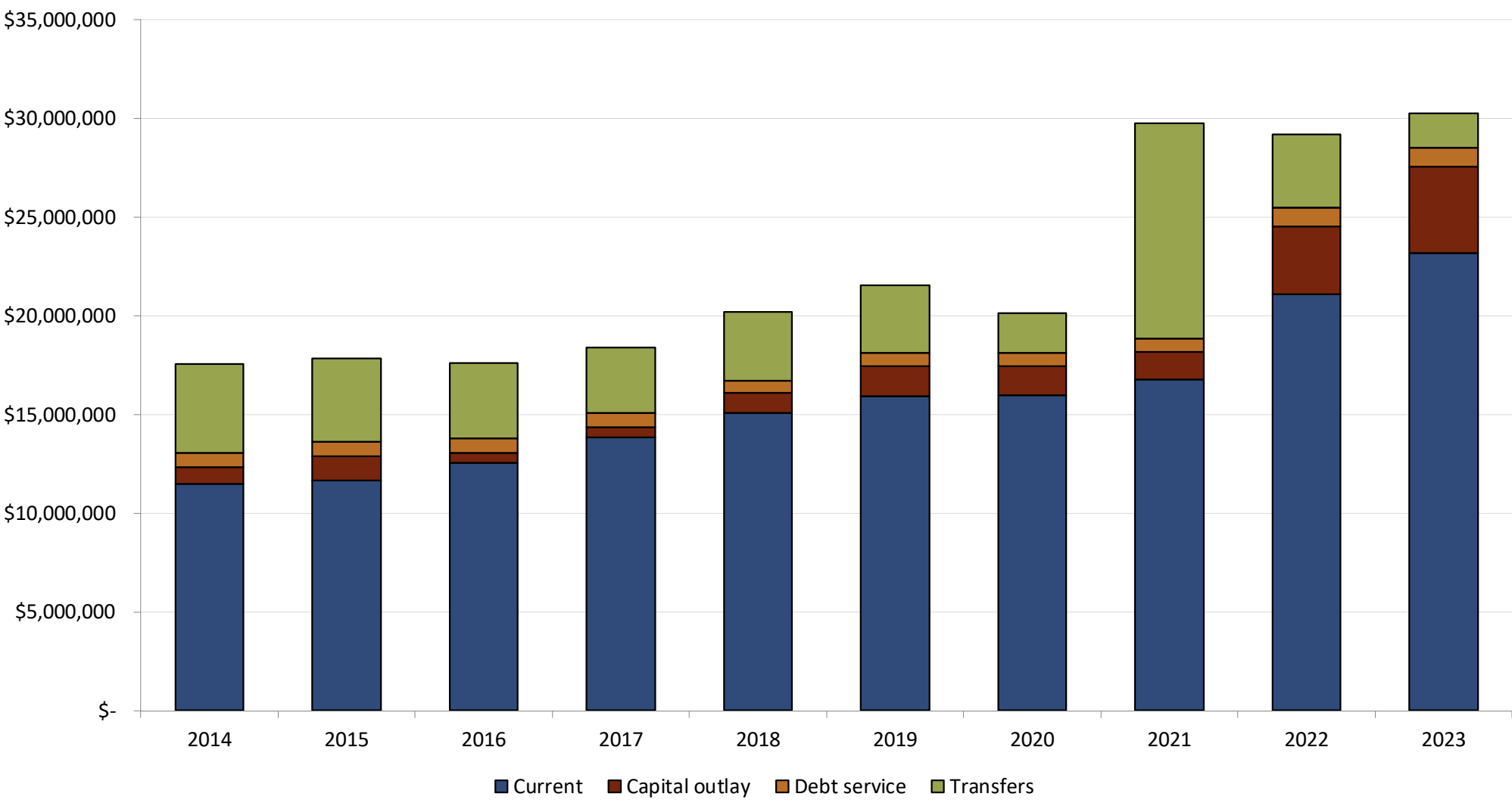
# REVENUES – GENERAL FUND

General fund revenues are primarily from taxes, charges for services, and intergovernmental sources. Revenues for the previous ten years are as follows:



# EXPENDITURES AND TRANSFERS OUT – GENERAL FUND

Expenditures and transfers out for the previous ten years are as follows:



# A POSITIVE FUND BALANCE:

- 1 Contributes to a favorable bond rating
- 2 Produces investment income and provides a source of working capital to meet cash flow needs
- 3 Offers a cushion for unexpected expenditures or revenue shortfalls



# FUND BALANCE CATEGORIES

## Nonspendable

Represents amounts that cannot be spent

Not in spendable form

Inventory, prepaid expenses

## Restricted

Legally restricted by outside parties

Cannot be appropriated for other spending

## Committed

Intended for a specific activity

Imposed by formal action of the board but is not legally restricted

## Assigned

Intended for a specific activity by board or designated individuals

Not legally restricted

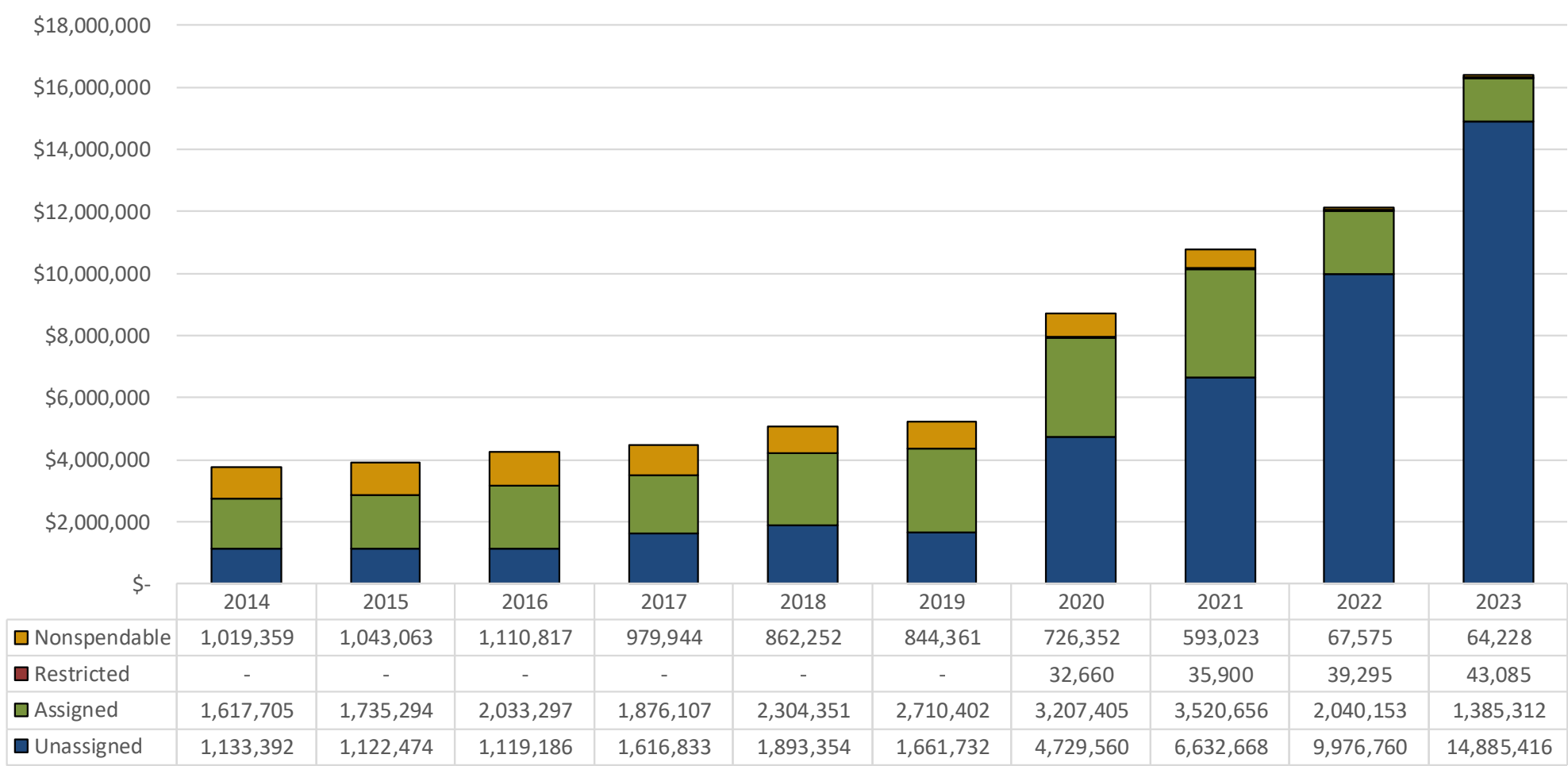
## Unassigned

Reserves

“Rainy day” fund

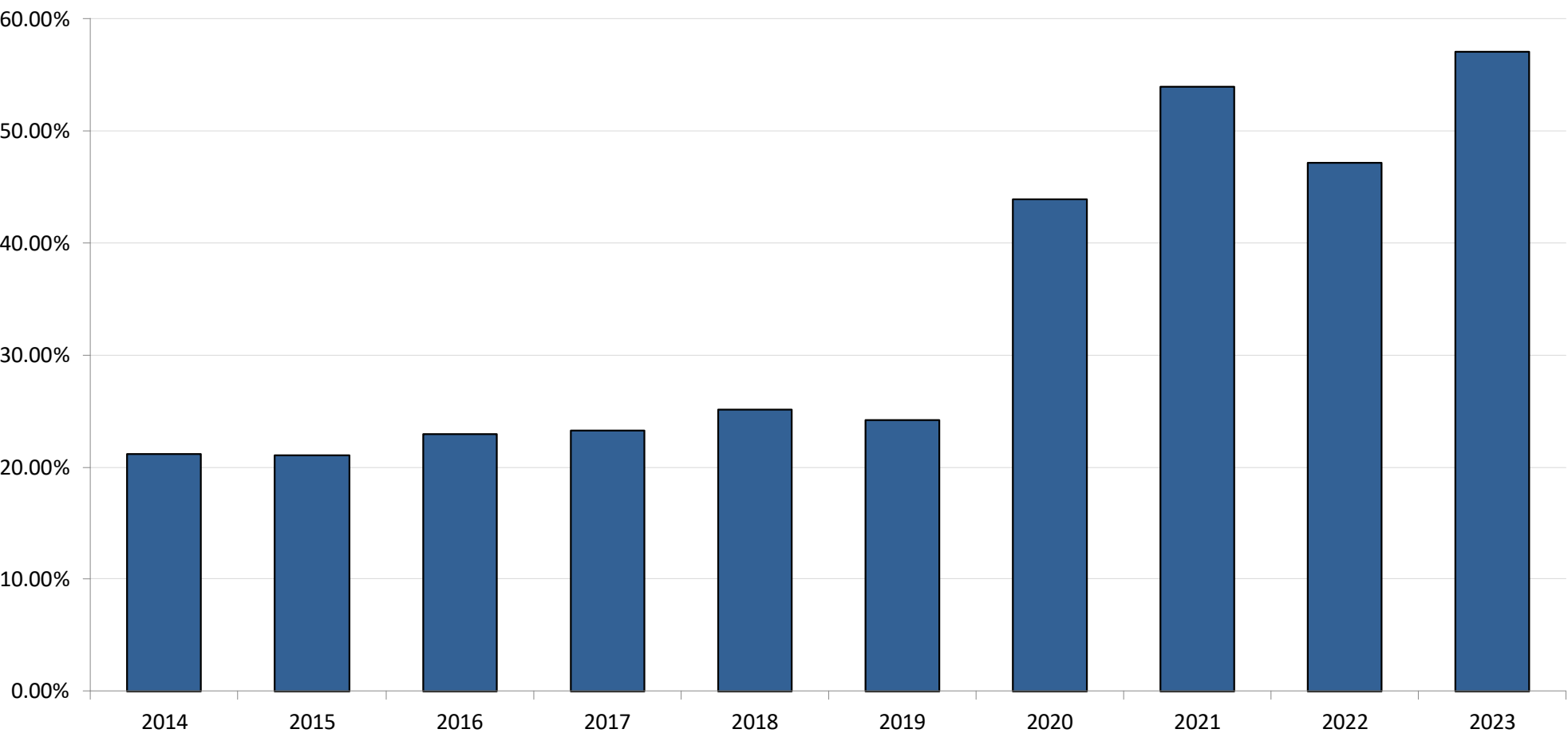
# TOTAL FUND BALANCES – GENERAL FUND

Total fund balances of the General Fund for the past 10 years:



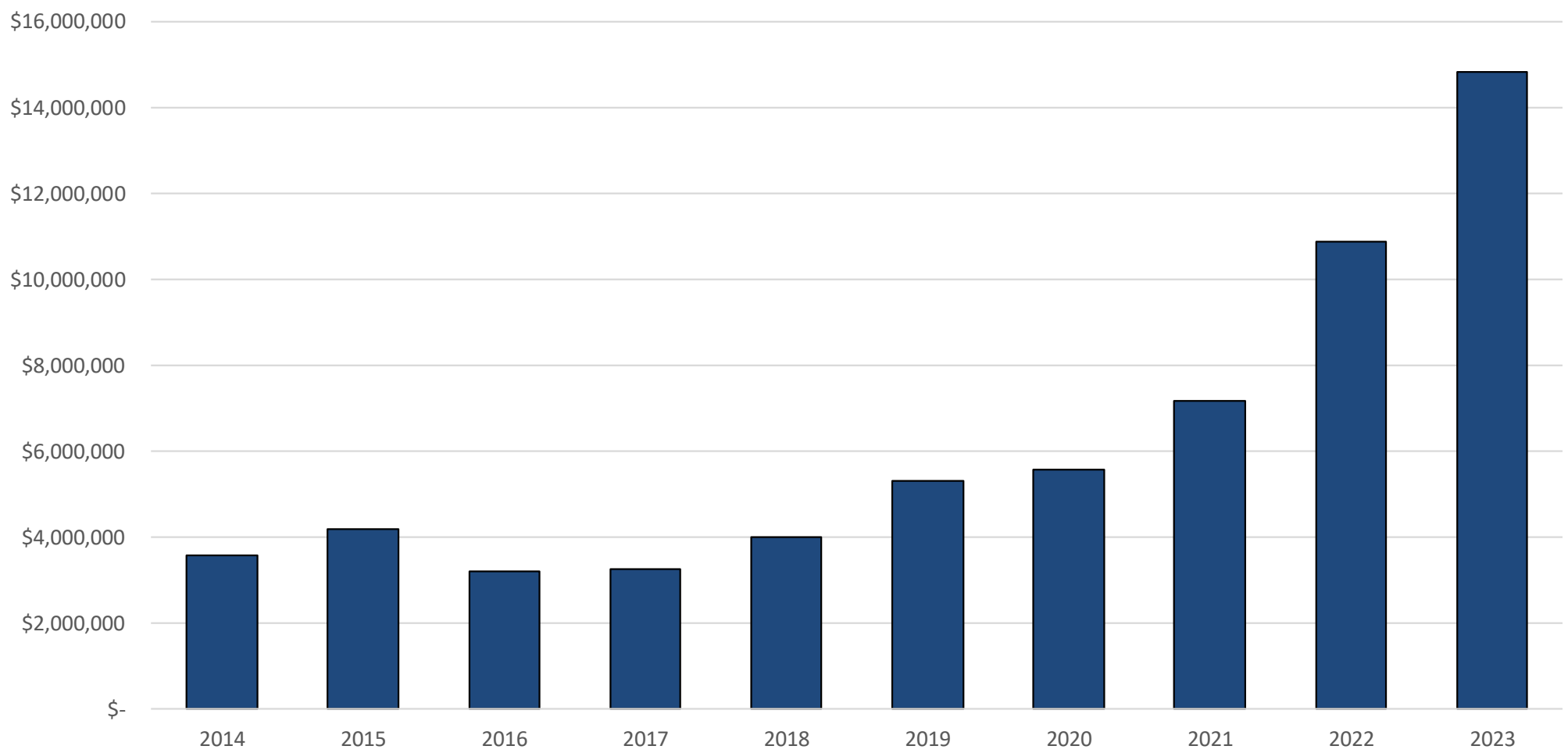
# FUND BALANCE — GENERAL FUND

The District’s unrestricted fund balance as a percentage of expenditures in the General Fund for the last 10 years:



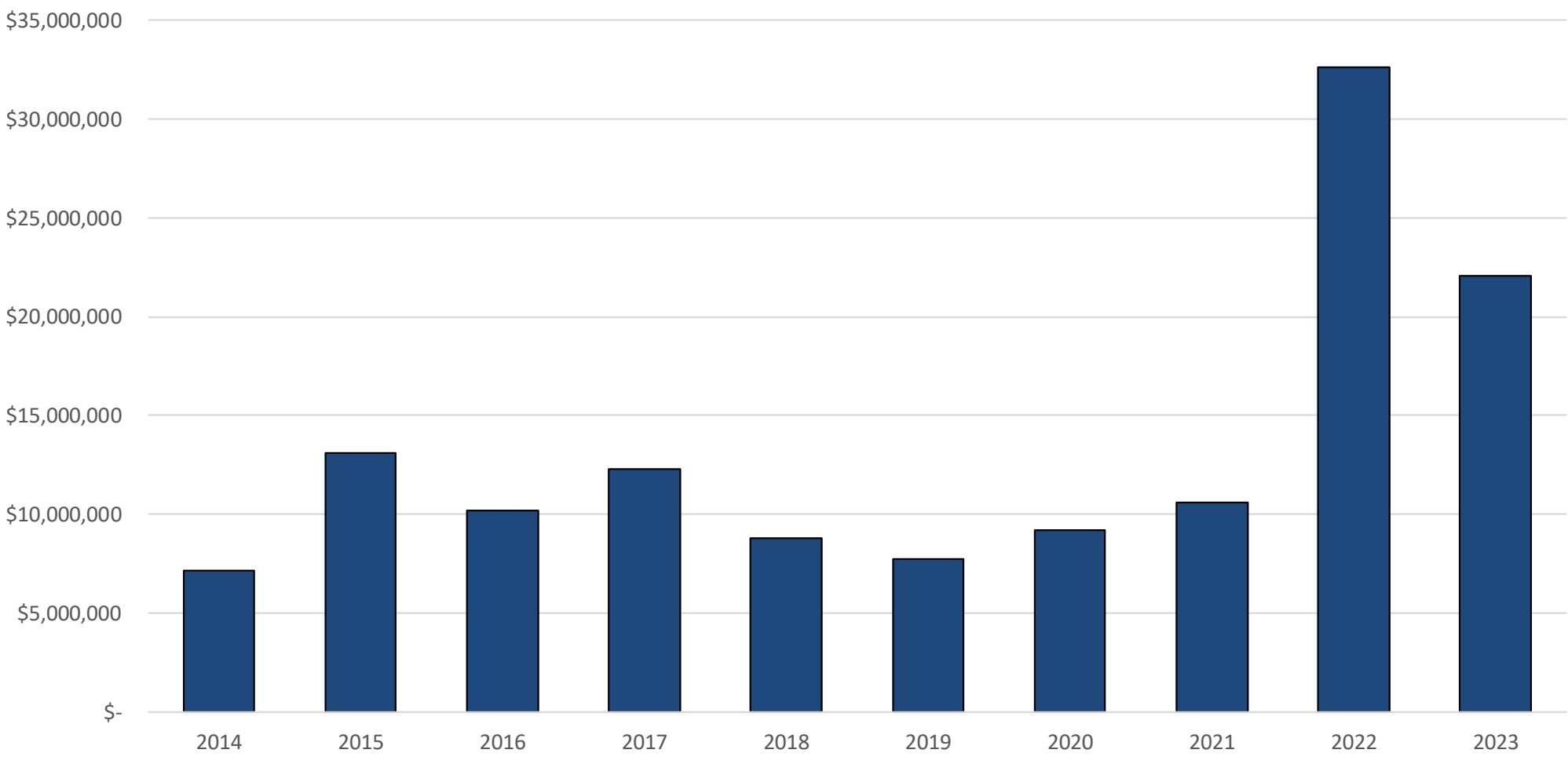
# YEAR END FUND BALANCE — DEBT SERVICE FUND

Positive fund balance indicates that revenues from tax levies and special assessments have been sufficient to meet the required debt service payments.



# YEAR END FUND BALANCE – CAPITAL PROJECTS FUND

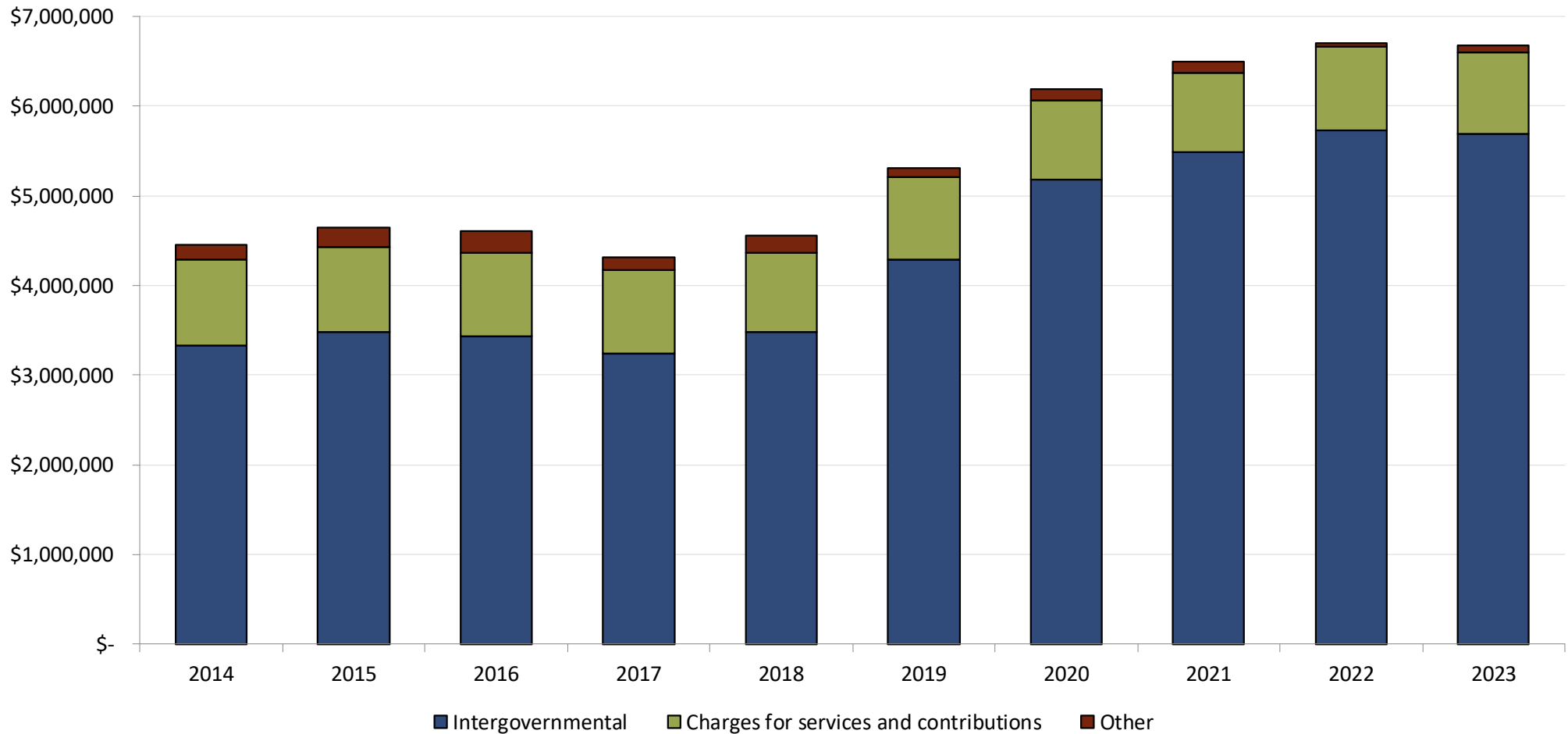
Positive fund balance indicates that miscellaneous revenues, proceeds from debt issuance, and transfers from the General Fund have been sufficient to fund capital outlay.





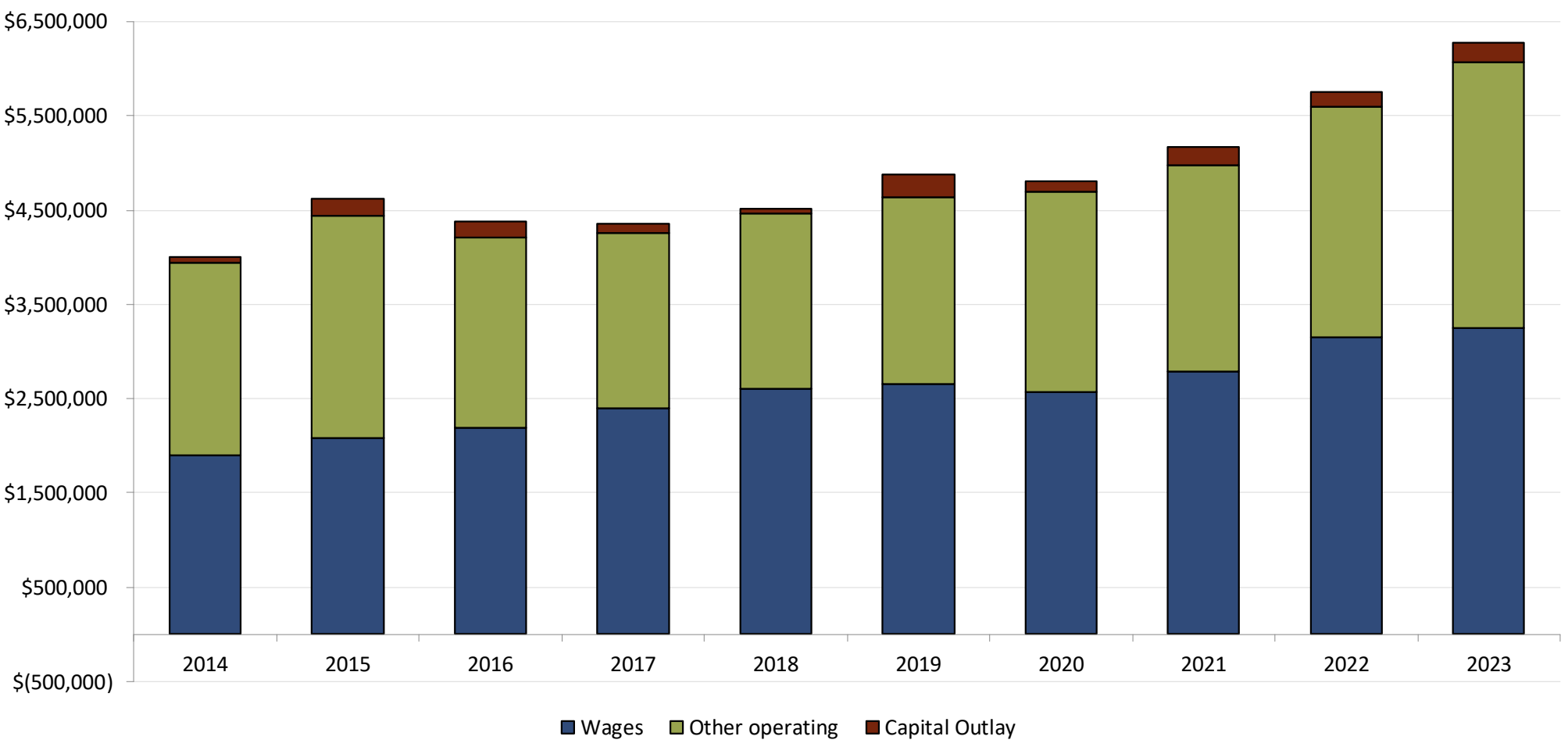
# REVENUES – VALLEY SENIOR SERVICES

Revenues of Valley Senior Services are primarily from intergovernmental sources and charges for services. Revenues for the previous ten years are as follows:



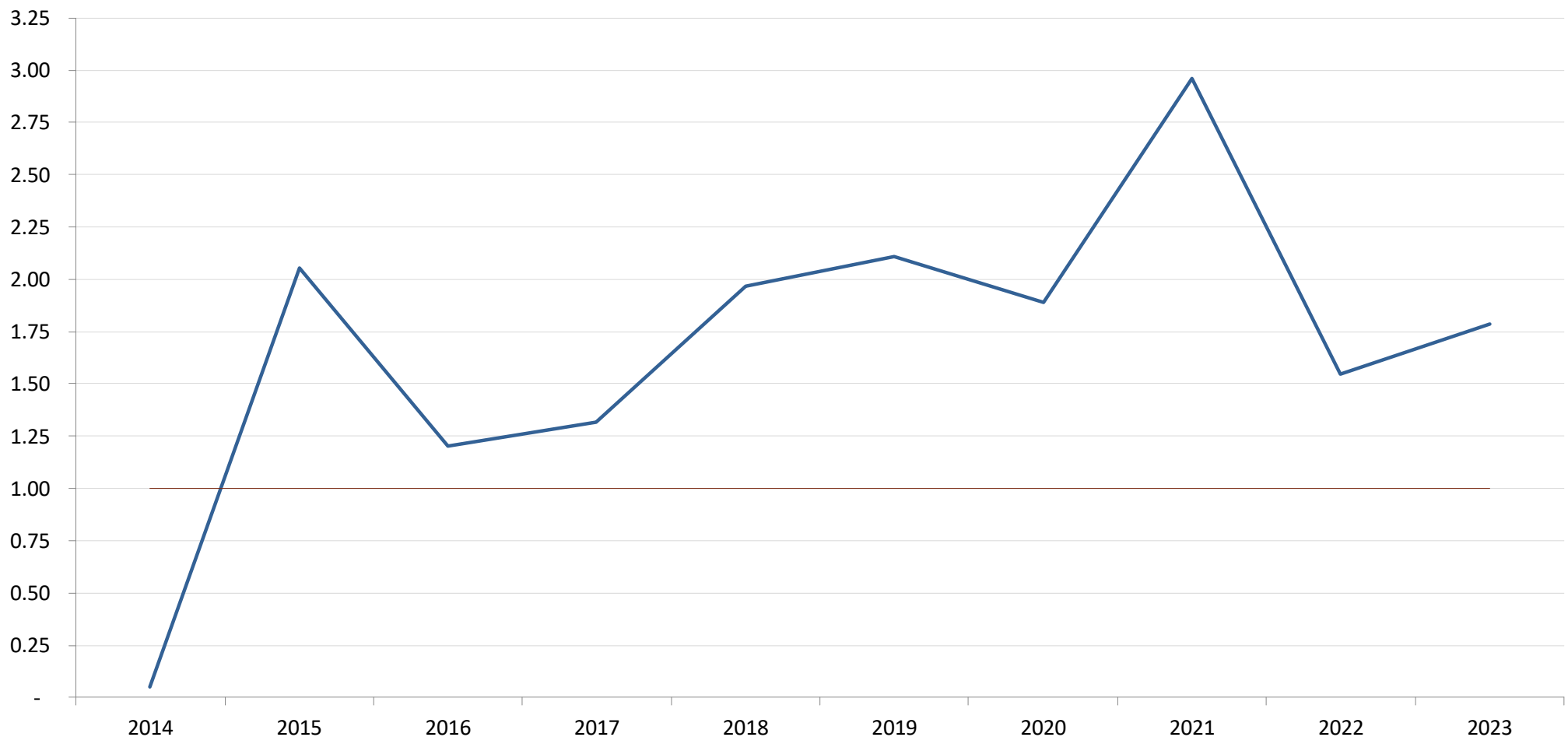
# EXPENDITURES – VALLEY SENIOR SERVICES

Expenditures for the previous ten years are as follows:



# DEBT SERVICE COVERAGE

This is the amount of cash flow available to meet annual interest and principal payments on debt. A ratio of 1.0 (red line) indicates that generated only enough cash to cover its payments on its long-term debt.



# WHAT'S NEXT AND OTHER TOPICS

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- GASB No. 100, *Accounting Changes and Error Corrections* (2024)
- GASB No. 101, *Compensated Absences* (2024)
- Inflation Reduction Act (IRA) of 2022
  - Incentives related to energy efficient construction projects, equipment, or vehicles
  - For the first time governments can benefit
- Ongoing Communication – throughout the year
  - Online publications
  - Webinars
  - Access to specialists



# QUESTIONS?

This presentation is presented with the understanding that the information contained does not constitute legal, accounting or other professional advice. It is not intended to be responsive to any individual situation or concerns, as the contents of this presentation are intended for general information purposes only. Viewers are urged not to act upon the information contained in this presentation without first consulting competent legal, accounting or other professional advice regarding implications of a particular factual situation. Questions and additional information can be submitted to your Eide Bailly representative, or to the presenter of this session.

# THANK YOU

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701.239.8518



**CPAs & BUSINESS ADVISORS**



Financial Statements  
December 31, 2023

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Park District of the City of Fargo  
Commissioners and Officers  
December 31, 2023

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Name	Office	Term Expires
Joe Deutsch	President	June 2026
Aaron Hill	Vice President	June 2026
Vicki Dawson	Commissioner	June 2026
Dawn Morgan	Commissioner	June 2024
Jerry Rostad	Commissioner	June 2024
Dave Leker	Clerk and Secretary (through June 30, 2023)	
Jeff Gunkelman	Clerk and Secretary (July 11, 2023 - Present)	
Broc Lietz	Treasurer	
Dave Leker	Executive Director (through June 30, 2023)	
Susan Faus	Executive Director (December 2023 - Present)	



## Independent Auditor's Report

To the Board of Park Commissioners  
Park District of the City of Fargo  
Fargo, North Dakota

### Report on the Audit of the Financial Statements

#### ***Opinions***

We have audited the financial statements of the governmental activities, the aggregate discretely presented component units, and each major fund of the Park District of the City of Fargo ("the Park District"), as of and for the year ended December 31, 2023, and the related notes to the financial statements, which collectively comprise the Park District's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the aggregate discretely presented component units, and each major fund of the Park District of the City of Fargo, as of December 31, 2023, and the respective changes in financial position thereof and the respective budgetary comparison for the General Fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

#### ***Basis for Opinions***

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Park District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

#### ***Adoption of New Accounting Standard***

As discussed in Notes 1 and 14 to the financial statements, the Park District has adopted the provisions of Government Accounting Standards Board (GASB) Statement No. 96, *Subscription-Based Information Technology Arrangements*, which has resulted in a restatement of the governmental activities net position as of January 1, 2023, to restate beginning net position. Our opinions are not modified with respect to this matter.

### ***Responsibilities of Management for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America; and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Park District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Park District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Park District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

### ***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis; schedule of employer's share of net OPEB liability and related ratios; schedule of changes in total OPEB liability and related ratios; schedule of employer's share of net pension liability; and schedule of employer's contributions be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with GAAS, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

### **Supplementary Information**

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Park District's basic financial statements. The component unit combining statement of net position; the component unit combining statement of revenues, expenses, and changes in net position; Valley Senior Services modified accrual basis balance sheet; and Valley Senior Services statement of revenues, expenditures and changes in fund balances - budget and actual are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with GAAS. In our opinion, the component unit combining statement of net position; the component unit combining statement of revenues, expenditures, and changes in net position; Valley Senior Services modified accrual basis balance sheet; and Valley Senior Services statement of revenues, expenditures and changes in fund balances - budget and actual are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

### **Other Information**

Management is responsible for the other information included in the annual report. The other information comprises the listing of commissioners and officers but does not include the basic financial statements and our auditor's report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

### **Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated June 5, 2024, on our consideration of the Park District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Park District's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Park District's internal control over financial reporting and compliance.

A handwritten signature in cursive script that reads "Eide Bailly LLP".

Fargo, North Dakota  
June 5, 2024

This discussion and analysis presents the highlights of financial activities and financial position for the Park District of the City of Fargo ("the Park District"). The analysis focuses on significant financial issues, major financial activities and resulting changes in financial position, budget changes and variances from the budget, and specific issues related to funds and the economic factors affecting the Park District.

Management's Discussion and Analysis (MD&A) focuses on current year activities and the resulting changes. Please read it in conjunction with the Park District's financial statements.

### **Financial Highlights**

The Park District's governmental net position increased by \$16,999,787 from multiple areas. The largest increase in revenues were related to capital grants and contributions for the construction of the Fargo Parks Sports Center.

### **Report Layout**

The Park District's annual financial report consists of several sections. Taken together they provide a comprehensive financial look at the Park District. The components of the report include the following:

*Management's Discussion and Analysis* - This section of the report provides financial highlights, overview and economic factors affecting the Park District.

*Basic Financial Statements* - Includes Statement of Net Position, Statement of Activities, fund financial statements and the notes to the financial statements. Statements of Net Position and Activities focus on an entity-wide presentation using the accrual basis of accounting. They are designed to be more corporate-like in that all activities are consolidated into a total for the Park District.

- The Statement of Net Position focuses on resources available for future operations. In simple terms, this statement presents a snapshot view of the assets the community owns and deferred outflows of resources, the liabilities it owes and deferred inflows of resources, and the net difference. The net difference is further separated into amounts restricted for specific purposes and unrestricted amounts.
- The Statement of Activities focuses on gross and net costs of Park District programs and the extent to which such programs rely upon general tax and other revenues. This statement summarizes and simplifies the user's analysis to determine the extent to which programs are self-supporting and/or subsidized by general revenues.
- Fund financial statements focus separately on major governmental funds. Governmental fund statements follow the more traditional presentation of financial statements. The Park District's major governmental funds are presented in their own column. Budgetary comparison statements are presented for the General Fund.
- The notes to the financial statements provide additional disclosures required by governmental accounting standards and provide information to assist the reader in understanding the Park District's financial condition.

*Required Supplementary Information* - This is additional required disclosure of the funding progress of the Park District's OPEB liabilities in accordance with GASB Statement No. 75 and pension liabilities in accordance with GASB Statement No. 68.

*Other Supplementary Information* - Separate statements of net position and statements of revenues, expenses, and changes in net position are provided for readers desiring additional information on the Valley Senior Services, Fargo Park District Foundation and Valley Senior Services Foundation, which are discretely presented component units of the Park District.

## **Park District as A Whole**

### **Statement of Net Position at December 31, 2023**

During fiscal year 2023 the governmental activities net position increased by \$16,999,787 as shown on Table 2. The increase is from capital grants and contributions. This net operating surplus is being held as a current asset.

### **Statement of Activities for the Year Ending December 31, 2023**

The increase of net position as shown on the statement of activities, Table 2, is from revenues exceeding expenses. Revenues exceeded budgeted amounts due to increased contributions related to the Sports Center.

A portion of the year-end net position is restricted for specific purposes. The restrictions represent legal or contractual limitations on how the assets may be expended. Within the governmental activities category restrictions are for debt service reserves and capital projects reserves.

**Table 1**  
**Statement of Net Position**  
**December 31, 2023**  
**With Comparative Amounts for 2022**

	Governmental Activities	
	2023	2022, as restated
Assets		
Current assets	\$ 78,802,271	\$ 79,165,296
Capital assets	202,544,337	150,679,188
Total assets	281,346,608	229,844,484
Deferred Outflows of Resources	8,378,848	9,436,872
Liabilities		
Current liabilities	13,701,627	10,202,804
Long-term liabilities	117,832,504	90,330,530
Total liabilities	131,534,131	100,533,334
Deferred Inflows of Resources	7,313,243	4,884,709
Net Position		
Net investment in capital assets	95,810,282	74,239,175
Restricted for		
Debt service	27,098,260	24,466,844
Specific projects and programs	22,057,798	32,613,210
Unrestricted	5,911,742	2,544,084
Total net position	\$ 150,878,082	\$ 133,863,313



**Table 2**  
**Statement of Activities**  
**Year Ending December 31, 2023**  
**With Comparative Amounts for 2022**

	Governmental Activities	
	2023	2022, as restated
Revenues		
Program Revenues		
Charges for services	\$ 10,103,697	\$ 9,279,507
Operating grants and contributions	251,204	161,983
Capital grants and contributions	10,101,051	5,074,321
General Revenues		
Property taxes	22,379,533	16,979,776
Intergovernmental	3,912,329	3,427,730
Investment earnings	2,397,829	276,833
Gain on sale/disposal/swap of capital assets	96,132	164,865
Total revenues	<u>49,241,775</u>	<u>35,365,015</u>
Expenses		
General government	8,791,609	8,523,081
Recreation	1,414,267	1,337,262
Recurring Events	832,606	733,827
Concessions	540,476	259,860
Golf	4,186,696	3,736,955
Facilities	2,719,156	1,900,636
Neighborhood parks	4,940,529	3,554,273
Swimming pools	936,433	1,680,913
Courts Plus	2,560,337	2,540,219
Maintenance	5,319,879	4,954,081
Total expenses	<u>32,241,988</u>	<u>29,221,107</u>
Change in Net Position	<u>\$ 16,999,787</u>	<u>\$ 6,143,908</u>

### Budgetary Highlights

The Park District's General Fund appropriations increased by approximately \$8,707,000 from prior year. The increase in appropriations is from increased mill levy value, and increased intergovernmental revenue. Actual General Fund revenues were higher than budget by \$3,619,678 and General Fund expenditures were lower than budget by \$352,063.

### Capital Assets and Debt Administration

#### Capital Assets

As of December 31, 2023 the Park District has invested \$202,544,337 in capital assets, net of accumulated depreciation, as reflected in the following table, which represents a net increase (additions, deductions and depreciation) of \$51,871,683.

**Table 3**  
**Capital Assets at December 31, 2022 and 2021**  
**(Net of Depreciation/Amortization)**

	Governmental Activities	
	2023	2022, as restated
Land	\$ 32,516,000	\$ 32,516,000
Construction in Progress	85,662,337	38,850,913
Buildings	41,337,669	40,784,287
Improvements Other Than Buildings	36,539,251	32,731,741
Machinery and Equipment	6,171,427	5,402,020
Right-to-Use Leased Assets	249,502	302,267
Right-to-Use Subscription IT Assets	68,151	85,426
Total	<u>\$ 202,544,337</u>	<u>\$ 150,672,654</u>

The following table reconciles the change in capital assets. Additions include assets acquired or under construction at year-end. Reductions are for disposition of assets and depreciation.

Changes	Governmental Activities
Construction in Progress	\$ 46,811,424
Buildings	553,382
Improvements Other Than Buildings	3,807,510
Machinery and Equipment	769,407
Right-to-Use Leased Assets	(52,765)
Right-to-Use Subscription IT Assets	(17,275)
Total	<u>\$ 51,871,683</u>

**Table 4**  
**Change in Capital Assets**

	<u>Governmental Activities</u>
Beginning Balance	\$ 150,672,654
Additions	56,552,013
Retirement	(166,782)
Depreciation	<u>(4,513,548)</u>
Ending Balance	<u><u>\$ 202,544,337</u></u>

Assets from governmental activities increased by \$51,871,683. Annual depreciation/amortization of \$4,513,548 decreased net capital assets. The majority of the capital asset additions were related to the Fargo Parks Sports Center project, which broke ground during 2022. For more detailed information on the Park District's capital assets refer to Note 7 of the notes to financial statements.

#### Debt Outstanding

As of year-end, the Park District had \$107,191,811 in debt outstanding compared to \$76,818,903 last year. The increase was due to the issuance of General Obligation 2023A Bonds for construction of the Sports Center. \$7,254,618 of the debt outstanding at December 31, 2023, is due within one year.

	<u>Totals</u>	
	<u>2023</u>	<u>2022, as Restated</u>
Governmental Activities		
Notes payable	\$ 1,855,000	\$ 2,028,000
Financed purchases payable	1,951,799	2,483,564
Leases payable	247,389	307,006
Subscription IT liabilities	49,110	67,319
General obligation and refunding improvement bonds	83,275,000	55,570,000
Unamortized bond premium	5,851,613	5,198,867
Special assessments	13,504,144	10,763,741
Compensated absences	<u>457,756</u>	<u>400,406</u>
	<u><u>\$ 107,191,811</u></u>	<u><u>\$ 76,818,903</u></u>

For more detailed information on the Park District's debt and amortization terms refer to Note 9 of the notes to financial statements.

#### Request for Information

This financial report is designed to provide a general overview of the Park District's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the Director of Finance, 6100 38th St. S, Fargo, ND 58104 or visit the Park District's web site at [www.fargoparks.com](http://www.fargoparks.com).

# Park District of the City of Fargo

## Statement of Net Position

December 31, 2023

	Primary Governmental Governmental Activities	Component Units
Assets		
Cash and investments	\$ 65,616,025	\$ 12,243,511
Delinquent property taxes receivable	263,253	-
Special assessments receivable	12,280,718	-
Accounts receivable	556,306	788,168
Pledges receivable	-	14,664,625
Prepaid items	16,190	-
Inventories	48,038	-
Leases receivable	21,741	7,535,385
	<u>78,802,271</u>	<u>35,231,689</u>
Capital assets (net of accumulated depreciation/ amortization where applicable):		
Land	32,516,000	-
Construction in progress	85,662,337	-
Buildings	41,337,669	665,135
Improvements other than buildings	36,539,251	-
Machinery and equipment	6,171,427	458,990
Right-to-use leased assets	249,502	109,343
Right-to-use subscription IT assets	68,151	-
	<u>202,544,337</u>	<u>1,233,468</u>
Total assets	<u>281,346,608</u>	<u>36,465,157</u>
Deferred Outflows of Resources		
Pension plans	8,192,735	-
OPEB	186,113	8,744
Total deferred outflows of resources	<u>\$ 8,378,848</u>	<u>\$ 8,744</u>

Park District of the City of Fargo  
Statement of Net Position  
December 31, 2023

	Primary Government <u>Governmental Activities</u>	<u>Component Units</u>
Liabilities		
Accounts payable	\$ 8,643,816	\$ 225,681
Retainage payable	3,603,763	-
Accrued interest payable	640,615	-
Accrued payroll	389,005	107,944
Claims incurred but not reported	310,000	-
Unearned revenue	114,428	-
Unearned revenue - pledges	-	10,949,600
Long-term liabilities		
Due in less than one year - other than OPEB and pensions	7,254,618	2,952,807
Due in more than one year - other than OPEB and pensions	99,937,193	3,800,029
Due in more than one year - OPEB	852,245	140,386
Due in more than one year - pensions	9,788,448	-
Total liabilities	<u>131,534,131</u>	<u>18,176,447</u>
Deferred Inflows of Resources		
Pension plans	6,990,529	-
OPEB	300,974	78,405
Leases	21,740	9,883,635
Total deferred inflows of resources	<u>7,313,243</u>	<u>9,962,040</u>
Net Position		
Net investment in capital assets	95,810,282	1,233,468
Restricted for:		
Debt service	27,098,260	-
Capital projects	22,057,798	-
Island Park pool	-	75,000
Senior services	-	6,099,298
Unrestricted	5,911,742	927,648
Total net position	<u>\$ 150,878,082</u>	<u>\$ 8,335,414</u>

Park District of the City of Fargo

Statement of Activities

Year Ended December 31, 2023

Functions/Programs	Expenses	Program Revenues			Net (Expense) Revenue and Changes in Net Position	
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Primary Government	Component Units
					Governmental Activities	
Governmental Activities						
General government	\$ 8,791,609	\$ 695,094	\$ 84,258	\$ -	\$ (8,012,257)	\$ -
Recreation	1,414,267	565,119	15,952	-	(833,196)	-
Recurring Events	832,606	185,235	55,656	-	(591,715)	-
Concessions	540,476	437,560	15,000	-	(87,916)	-
Golf	4,186,696	4,062,494	18,000	-	(106,202)	-
Facilities	2,719,156	553,088	-	9,522,806	7,356,738	-
Neighborhood parks	4,940,529	508,126	375	578,245	(3,853,783)	-
Swimming pools	936,433	381,537	-	-	(554,896)	-
Courts Plus	2,560,337	2,534,980	27,750	-	2,393	-
Maintenance	5,319,879	180,464	34,213	-	(5,105,202)	-
Total governmental activities	32,241,988	10,103,697	251,204	10,101,051	(11,786,036)	-
Component Units						
Valley Senior Services	6,313,166	895,624	66,288	-	-	(5,351,254)
Fargo Park District Foundation	8,841,565	-	-	2,668,513	-	(6,173,052)
Valley Senior Services Foundation	13,961	-	255,932	-	-	241,971
Total component units	\$ 15,168,692	\$ 895,624	\$ 322,220	\$ 2,668,513	-	(11,282,335)
General Revenues and Transfers						
Property taxes					22,379,533	2,119,500
Intergovernmental					3,912,329	3,785,890
Investment earnings					2,397,829	31,350
Gain (loss) on sale/disposal of capital assets					96,132	(9,617)
Total general revenues					28,785,823	5,927,123
Change in Net Position					16,999,787	(5,355,212)
Net Position - Beginning, as Restated (Note 14)					133,878,295	13,690,626
Net Position - Ending					\$ 150,878,082	\$ 8,335,414

The notes to the financial statements are an integral part of this statement

# Park District of the City of Fargo

## Balance Sheet - Governmental Funds

December 31, 2023

	General	Debt Service	Capital Projects	Total
<b>Assets</b>				
Cash and investments	\$ 17,205,908	\$ 14,825,449	\$ 33,584,668	\$ 65,616,025
Delinquent property taxes receivable	176,690	86,563	-	263,253
Special assessments receivable	-	12,280,718	-	12,280,718
Accounts receivable	533,175	-	23,131	556,306
Prepaid items	16,190	-	-	16,190
Inventories	48,038	-	-	48,038
Leases receivable	21,741	-	-	21,741
<b>Total assets</b>	<b>\$ 18,001,742</b>	<b>\$ 27,192,730</b>	<b>\$ 33,607,799</b>	<b>\$ 78,802,271</b>
<b>Liabilities</b>				
Accounts payable	\$ 664,078	\$ 33,500	\$ 7,946,238	\$ 8,643,816
Retainage payable	-	-	3,603,763	3,603,763
Accrued payroll	389,005	-	-	389,005
Claims incurred but not reported	310,000	-	-	310,000
Unearned revenue	114,428	-	-	114,428
<b>Total liabilities</b>	<b>1,477,511</b>	<b>33,500</b>	<b>11,550,001</b>	<b>13,061,012</b>
<b>Deferred Inflows of Resources</b>				
Unavailable revenue - property taxes	124,450	60,970	-	185,420
Unavailable revenue - special assessments	-	12,280,718	-	12,280,718
Lease related	21,740	-	-	21,740
<b>Total deferred inflows of resources</b>	<b>146,190</b>	<b>12,341,688</b>	<b>-</b>	<b>12,487,878</b>
<b>Fund Balance</b>				
Nonspendable				
Prepaid items	16,190	-	-	16,190
Inventories	48,038	-	-	48,038
Restricted for				
Debt service	-	14,817,542	-	14,817,542
Capital projects	-	-	22,057,798	22,057,798
Friends of the Depot	43,085	-	-	43,085
Assigned for				
Forestry	947,416	-	-	947,416
Insurance	177,595	-	-	177,595
Medical insurance	260,301	-	-	260,301
Unassigned	14,885,416	-	-	14,885,416
<b>Total fund balance</b>	<b>16,378,041</b>	<b>14,817,542</b>	<b>22,057,798</b>	<b>53,253,381</b>
<b>Total liabilities, deferred inflows of resources, and fund balance</b>	<b>\$ 18,001,742</b>	<b>\$ 27,192,730</b>	<b>\$ 33,607,799</b>	<b>\$ 78,802,271</b>

Park District of the City of Fargo  
Reconciliation of the Governmental Funds Balance Sheet to the Statement of Net Position  
December 31, 2023

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Total Funds Balances - Governmental Funds	\$ 53,253,381
Amounts Reported for Governmental Activities in the statement of net position are different because:	
Capital assets used in governmental activities are not financial resources and therefore are not reported as assets in governmental funds.	202,544,337
Compensated absences payable are not due and payable in the current period therefore are not reported as liabilities in the funds.	(457,756)
Accrued interest payable for long-term liabilities are not due and payable in the current period and therefore are not reported as liabilities in the funds.	(640,615)
Property taxes and specials are not considered available for current financial resources and are therefore deferred in the funds. However, they are properly recognized as revenue in the entity-wide statements as soon as the levy has been certified.	12,466,138
Deferred outflows and inflows of resources related to pensions and OPEB are applicable to future periods and, therefore, are not reported in the funds.	1,087,345
Long-term liabilities are not due and payable in the current period and therefore are not reported as liabilities in the funds. Long-term liabilities at year-end consist of :	
Bonds, notes, leases, subscriptions, and special assessments payable	\$ (100,882,442)
Unamortized bond premium	(5,851,613)
Net pension liability	(9,788,448)
Other post employment benefits payable	(852,245)
	<u>(117,374,748)</u>
Total Net Position - Governmental Activities	<u>\$ 150,878,082</u>



**Park District of the City of Fargo**  
**Statement of Revenue, Expenditures and Changes in Fund Balances - Governmental Funds**  
**Year Ended December 31, 2023**

	General	Debt Service	Capital Projects	Total
Revenues				
Taxes	\$ 17,610,139	\$ 8,672,320	\$ -	\$ 26,282,459
Special assessment collections	-	1,854,834	-	1,854,834
Intergovernmental revenue	3,954,584	-	44,694	3,999,278
Charges for services and contributions	9,655,452	-	-	9,655,452
Interest	2,397,829	-	-	2,397,829
Grants, trusts and donations	142,419	-	8,548,714	8,691,133
Other	471,931	2,064	40,780	514,775
Total revenues	<u>34,232,354</u>	<u>10,529,218</u>	<u>8,634,188</u>	<u>53,395,760</u>
Expenditures				
Current				
Wages and salaries	14,932,019	-	-	14,932,019
Other	8,233,525	233,601	24,300	8,491,426
Capital outlay	4,354,295	-	52,197,718	56,552,013
Other expenditures	8,451	-	25,200	33,651
Special assessment additions	-	3,902,928	-	3,902,928
Debt service				
Principal	896,125	3,927,525	-	4,823,650
Interest and fiscal charges	72,443	2,426,790	32,684	2,531,917
Total expenditures	<u>28,496,858</u>	<u>10,490,844</u>	<u>52,279,902</u>	<u>91,267,604</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	5,735,496	38,374	(43,645,714)	(37,871,844)
Other Financing Sources (Uses)				
Proceeds from bond issuance	-	-	30,415,000	30,415,000
Bond premiums	-	-	929,398	929,398
Proceeds from note payable	162,000	-	-	162,000
Proceeds from subscription IT assets	6,534	-	-	6,534
Special assessments financed	-	3,902,928	-	3,902,928
Sale of capital assets	96,132	-	-	96,132
Transfers	(1,745,904)	-	1,745,904	-
Total other financing sources (uses)	<u>(1,481,238)</u>	<u>3,902,928</u>	<u>33,090,302</u>	<u>35,511,992</u>
Net Change in Fund Balances	4,254,258	3,941,302	(10,555,412)	(2,359,852)
Fund Balances, Beginning of Year	<u>12,123,783</u>	<u>10,876,240</u>	<u>32,613,210</u>	<u>55,613,233</u>
Fund Balances, End of Year	<u>\$ 16,378,041</u>	<u>\$ 14,817,542</u>	<u>\$ 22,057,798</u>	<u>\$ 53,253,381</u>

Park District of the City of Fargo

Reconciliation of the Changes in Fund Balances of Governmental Funds to the Statement of Activities

Year Ended December 31, 2023

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Net Change in Funds Balances - Total Governmental Funds		\$ (2,359,852)
Amounts Reported for Governmental Activities in the Statement of Activities are Different because		
Capital outlays are reported as expenditures in governmental funds. However, in the statement of activities, the cost of capital assets is allocated over their estimated useful lives as depreciation/amortization expense. In the current period these amounts are:		
Capital outlay		56,552,013
Depreciation/amortization expense		(4,513,548)
The net effect of the disposal of capital assets is to decrease net position.		(166,782)
Property taxes and specials are not considered available for current financial resources and are therefore deferred in the funds. However, they are properly recognized as revenue in the statement of activities as soon as the levy has been certified.		
Current period balance	\$ 12,466,138	
Prior period balance	(13,742,725)	
Current year effect		(1,276,587)
In the statement of activities compensated absences are measured by the amounts earned during the year. In the governmental funds, however, expenditures for these items are measured by the amount of financial resources used (essentially, the amount paid).		
Current period balance	(457,756)	
Prior period balance	400,406	
Current year effect		(57,350)
Interest payable is reported in the government wide statements of net position but is not recorded in the governmental funds.		
Current period balance	(640,615)	
Prior period balance	425,925	
Current year effect		(214,690)
In the statement of activities OPEB liabilities are measured by the amounts earned during the year. In the governmental funds, however, expenditures for these items are measured by the amount of financial resources used.		
Current period balance	(967,106)	
Prior period balance	930,633	
Current year effect		(36,473)
In the statement of activities the cost of pension benefits earned net of employee contributions is reported as pension expense. In the governmental funds, however, the contributions are reported as expense.		
Current period balance	(8,586,242)	
Prior period balance	7,974,856	
Current year effect		(611,386)
Debt proceeds are recognized as revenue in the governmental funds but not on the statement of net position. In the current period these amounts consist of:		
Bonds issued		(30,415,000)
Premium on bonds issued		(929,398)
Notes payable issued		(162,000)
Subscription proceeds		(6,534)
Special assessments financed		(3,902,928)
Repayment of long-term debt is reported as an expenditure in governmental funds, but the repayment reduces long-term liabilities on the statement of net position. In the current period these amounts consist of:		
Principal retirement on bonds, notes, leases, and special assessments		4,823,650
Amortization of bond discount		276,652
Change in Net Position of Governmental Activities		<u>\$ 16,999,787</u>

# Park District of the City of Fargo

## Statement of Revenue, Expenditures and Changes in Fund Balances - Budget and Actual - General Fund Year Ended December 31, 2023

	Budgeted Amounts		Actual Amounts	Variance with Final Budget
	Original	Final		
Revenues				
Taxes	\$ 18,455,122	\$ 18,455,122	\$ 17,610,139	\$ (844,983)
Intergovernmental revenue	3,078,400	3,078,400	3,954,584	876,184
Charges for services and contributions	8,505,204	8,505,204	9,655,452	1,150,248
Interest	200,000	200,000	2,397,829	2,197,829
Grants, trusts and donations	116,550	116,550	142,419	25,869
Other	257,400	257,400	471,931	214,531
Total revenues	<u>30,612,676</u>	<u>30,612,676</u>	<u>34,232,354</u>	<u>3,619,678</u>
Expenditures				
Current				
Wages and salaries	14,207,892	14,207,892	14,932,019	(724,127)
Other	7,422,485	7,422,485	8,233,525	(811,040)
Capital outlay	4,904,325	4,904,325	4,354,295	550,030
Other expenditures	-	-	8,451	(8,451)
Debt service				
Principal	1,727,775	1,727,775	896,125	831,650
Interest and fiscal charges	586,444	586,444	72,443	514,001
Total expenditures	<u>28,848,921</u>	<u>28,848,921</u>	<u>28,496,858</u>	<u>352,063</u>
Excess of Revenues over Expenditures	1,763,755	1,763,755	5,735,496	3,971,741
Other Financing Sources (Uses)				
Proceeds from note payable	-	-	162,000	162,000
Proceeds from subscription IT	-	-	6,534	6,534
Sale of capital assets	-	-	96,132	96,132
Transfers out	(1,745,904)	(1,745,904)	(1,745,904)	-
Total other financing sources (uses)	<u>(1,745,904)</u>	<u>(1,745,904)</u>	<u>(1,481,238)</u>	<u>264,666</u>
Net Change in Fund Balances	<u>\$ 17,851</u>	<u>\$ 17,851</u>	4,254,258	<u>\$ 4,236,407</u>
Fund Balance, Beginning of Year			<u>12,123,783</u>	
Fund Balance, End of Year			<u>\$ 16,378,041</u>	

**Note 1 - Purpose and Administration**

The Park District of the City of Fargo (the "Park District") was created by resolution of the Board of Commissioners of the City of Fargo, Article 19-01 of the Revised Ordinance of 1965. The resolution accepts the provisions, benefits and all amendments of Sections 40-49-02 through 40-49-18, both inclusive, of the North Dakota Century Code. Accordingly, the Park District of the City of Fargo consists of a five-member board elected at regular municipal elections. It is empowered to exercise all powers relative to the operation, maintenance and management of sites or areas devoted to use and accommodation of the public. Such powers include the right to acquire property, construct or improve park property, pass ordinances necessary and requisite to carry into effect the powers granted to the Park Board Commissioners, issue negotiable bonds and borrow money to defray expenses.

**Note 2 - Summary of Significant Accounting Policies****Reporting Entity**

For financial reporting purposes, the Park District's financial statements include all funds over which the Park Board exercises oversight responsibility. This includes such aspects as appointment of governing body members, designation of management, the ability to significantly influence operations and accountability for fiscal matters.

Component units are legally separate organizations for which elected officials of the primary government are financially accountable. The Park District may be financially accountable if it appoints a voting majority of the organization's governing body and is either:

1. able to impose its will on that organization or
2. there is potential for the organization to provide specific financial benefits to or impose financial burdens on the Park District. The Park District may be financially accountable if an organization is fiscally dependent on the Park District.

Based upon the above criteria, the financial statements of Valley Senior Services, Fargo Park District Foundation, and Valley Senior Service Foundation are discretely presented in the accompanying financial statements. The Park District is not includable as a component unit within another reporting entity.

Valley Senior Services - The Park District is accountable for fiscal matters of Valley Senior Services and designates management of the commission. Valley Senior Services provides services to senior citizens throughout the Red River Valley through a variety of different ways: delivering daily hot meals through Meals On Wheels, finding a sense of community and fostering new friendships at local senior centers, getting to and from appointments with transportation services, connecting seniors with supportive resources, and much more.

Fargo Park District Foundation - The Fargo Park District Foundation is a 501(c)(3) entity having separate legal standing from the Park District. The mission of the Foundation is to enhance the quality of life in the metro area through the development of modernized facilities, new programs and by offering great opportunities for all in the community. The Park District appoints two members of the organization's governing board, a minority amount of the total amount of board members, and there is no fiscal dependence by the organization on the Park District. The Park District provides administrative services to the organization and does not charge for this assistance. One of the undertakings of the Foundation is to be the fundraising entity for the planned Fargo Parks Sports Center, to be constructed, owned, and operated by the Park District. The Foundation does not meet the specific financial accountability criteria to be included as a component unit. However, management of the Park District, in their judgment, determined that it would be a benefit to the readers of the financial statements of the Park District to include the Foundation as a discretely presented component unit.

Valley Senior Services Foundation - The Valley Senior Services Foundation is a 501(c)(3) entity having separate legal standing from the discretely presented component unit of the Park District, Valley Senior Services. Valley Senior Services appoints two members of the organization's governing board, a minority amount of the total amount of board members, and there is no fiscal dependence by the organization on Valley Senior Services. The Park District and Valley Senior Services provide administrative services to the organization and do not charge for this assistance. The Foundation does not meet the specific financial accountability criteria to be included as a component unit. However, management of the Park District, in their judgment, determined that it would be a benefit to the readers of the financial statements of the Park District to include the Foundation as a discretely presented component unit.

### **Government-Wide and Fund Financial Statements**

The goal of government-wide financial statements is to present a broad overview of government's finances. The basic statements that form the government-wide financial statements are the statement of net position and the statement of activities. These two statements report information on all of the non-fiduciary activities of the government. Generally, the effect of interfund activity has been removed from these statements.

The statement of activities reports gross direct expenses by function reduced by program revenues. This results in a measurement of net revenue or expense for each of the government's activities. Direct expenses are those that are clearly identifiable with a specific function. Program revenues are directly associated with the function and include 1) charges for services and 2) operating or capital grants and contributions that are restricted to a particular function. Tax and other items not properly included among program revenues are reported as general revenues.

Separate financial statements are prepared for governmental funds. Major individual governmental funds are reported as separate columns in the fund financial statements.

The accounts of the Park District are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounts for with a separate set of self-balancing accounts that comprise its assets, liabilities, deferred inflows of resources, fund balance, revenues, and expenditures or expenses, as appropriate. Government resources are allocated to and accounted for in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled.

**Measurement Focus, Basis of Accounting**

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of the related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the Park District considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

Property taxes, intergovernmental revenue, permits, charges for services and investment income associated with the current fiscal period are all considered to be susceptible to accrual the major revenues that are considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period to the extent they are collected in 60 days. All other revenue items are considered to be measurable and available only when the Park District receives cash.

The Park District reports the following major governmental funds:

*General Fund* - The general fund is the general operating fund of the Park District. It is used to account for all financial resources except those required to be accounted for in another fund.

*Debt Service Fund* - The debt service fund is used to account for annual payments of principal and interest on long-term general obligation debt.

*Capital Projects Fund* - The capital projects fund is used to account for financial resources used for the construction of major capital assets.

When resources from more than one category are available for use, it is the Park District's policy to use restricted resources first, then committed, then assigned, and lastly, unrestricted resources as they are needed.

## **Other Significant Accounting Policies**

### **Budgets**

The Park District follows these procedures in establishing the budgetary data reflected in the financial statements:

- At the August board meeting, the Finance Director submits to the Board of Park Commissioners a proposed operating budget for the calendar year commencing the following January 1. The operating budget includes proposed expenditures and the means of financing them.
- The final budget must be adopted on or before October 7 and submitted to the county by October 10.
- Budgets are prepared on a basis which is not materially different from the modified accrual (GAAP) basis.
- The legal level of control is at the fund level.
- Formal budgetary integration is employed as a management control device during the period for the general fund and Valley Senior Services.

### **Cash and Investments**

Cash balances from all funds are combined and invested to the extent available in authorized investments. Earnings from such investments are allocated to the respective funds on the basis of applicable cash balance participation by each fund.

The Park District considers cash equivalents to be certificates of deposit, money market funds, and other highly liquid investments with original maturities of three months or less.

### **Accounts Receivables and Credit Policy**

Accounts receivables are uncollateralized customer obligations due under normal terms requiring payment within 30 days from the invoice date. No allowance for uncollectible accounts has been recorded. After 30 days uncollected receivables are notified, that services will no longer be provided for payment of delinquencies.

Should payment not be received after 180 days the account balance is turned over to a collection agency. The only receivables expected to be collected within one year are property taxes.

**Pledges Receivable**

Unconditional promises to give are recognized as revenues or gains in the period received as assets, decreases of liabilities, or expenses depending on the form of the benefits received. Conditional promises to give are recognized when the conditions on which they depend are substantially met. Until conditional promises to give are recognized as revenue, the amounts are reported a liability using the terminology "donations received in advance." When considered necessary, an allowance is recorded based on management's estimate of collectability including such factors as prior collection history, type of contribution, and the nature of fund-raising activity. Management determined no allowance was necessary as of December 31, 2023.

**Prepaid Items**

Certain cash payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements.

**Inventories**

The costs of inventory items are recognized as expenditures in governmental funds when used. The inventories are presented on an average cost basis.

**Lease Receivables**

Lease receivables are recorded by the Park District as the present value of future lease payments expected to be received from the lessee during the lease term, reduced by any provision for estimated uncollectible amounts. Lease receivables are subsequently reduced over the life of the lease as cash is received in the applicable reporting period. The present value of future lease payments to be received are discounted based on the interest rate the Park District charges the lessee.

**Capital Assets**

Capital assets are capitalized at historical cost or estimated historical cost for assets where actual historic cost is not available. Donated capital assets are recorded at acquisition value at the date of donation. Acquisition value is the price that would have been paid to acquire an asset with equivalent service potential on the date of the donation. The Park District maintains a threshold level of \$5,000 or more for capitalizing capital assets. The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized.

Capital assets are recorded in the government-wide financial statements but are not reported in the fund financial statements. Capital assets are depreciated using the straight-line method over their estimated useful lives. Since surplus assets are sold for an immaterial amount when declared as no longer needed for public purposes by the Park District, no salvage value is taken into consideration for depreciation purposes.



Land is not depreciated. Useful lives vary as follows:

Assets	Years
Buildings	10-50
Improvements other than building	10-20
Vehicles	3-10
Equipment	5-10
Office equipment	5-10
Computer equipment	3-10

Right to use leased assets are recognized at the lease commencement date and represent the Park District's right to use an underlying asset for the lease term. Right to use leased assets are measured at the initial value of the lease liability plus any payments made to the lessor before commencement of the lease term, less any lease incentives received from the lessor at or before the commencement of the lease term, plus any initial direct costs necessary to please the lease asset into service. Right to use leased assets are amortized over the shorter of the lease term or useful life of the underlying asset using the straight-line method. The amortization period varies from 1 to 7 years.

Right to use subscription IT assets are recognized at the subscription commencement date and represent the Park District's right to use the underlying IT asset for the subscription term. Right to use subscription IT assets are measured at the initial value of the subscription liability plus any payments made to the vendor at the commencement of the subscription term, less any subscription incentives received from the vendor at or before the commencement of the subscription term, plus any capitalizable initial implementation costs necessary to place the subscription asset into service. Right to use subscription IT assets are amortized over the shorter of the subscription term or useful live of the underlying asset using the straight-line method. The amortization period varies from 3 to 5 years.

### Pensions

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the North Dakota Public Employees Retirement Systems (NDPERS) and the City of Fargo Employees' Pension Plan and additions to/deductions from NDPERS and the City of Fargo Employees' Pension Plan's fiduciary net position have been determined on the same basis as they are reported by NDPERS and the City of Fargo Employees' Pension Plan. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

### Other Postemployment Benefits

For purposes of measuring the net OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB, and OPEB expense, information about the fiduciary net position of the North Dakota Public Employees Retirement System (NDPERS) and additions to/deductions from NDPERS' fiduciary net position have been determined on the same basis as they are reported by NDPERS. For this purpose, benefit payments are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Under the provisions of the various employee contracts the Park District provides access to health coverage until age 65 if certain criteria are met. All premiums are funded on a pay-as-you-go basis. This amount was actuarially determined, in accordance with GASB Statement No. 75, at December 31, 2021.

### **Deferred Outflows and Inflows of Resources**

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. The separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to future period(s) and so will *not* be recognized as an outflow of resources (expense/expenditure) until then. The Park District has four items that qualify for reporting in this category. They are the contributions made to pension plans and other postemployment benefits after the measurement date and prior to the fiscal year-end, changes in the net pension liability not included in pension expense reported in the government-wide statement of net position and changes in the net OPEB liability not included in other postemployment expense reported in the government-wide statement of net position.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to future period(s) and so will *not* be recognized as an inflow of resources (revenue) until that time. The Park District has four types of items that qualify for reporting in this category. The Park District reports unavailable revenues from property taxes and special assessments on the governmental funds balance sheet. These amounts are deferred and recognized as an inflow of resources in the period that the amounts become available. Deferred inflows related to leases where the Park District is the lessor are reported in the governmental funds balance sheet and statement of net position. The deferred inflows of resources related to leases are recognized as an inflow of resources (revenue) on the straight-line basis over the term of the lease. The other items are changes in the net position liability and other postemployment benefits liability not included in pension expense and OPEB expense reported on the government-wide statement of net position.

### **Compensated Absences**

All regular employees are entitled to vacation time with pay based upon length of continuous service. Annual vacation leave may not be accumulated in excess of 240 hours. Upon termination, employees are compensated for unused vacation leave.

Park District employees can accumulate up to 120 days of sick leave. Unused sick leave will not be paid on termination of employment and cannot be used as vacation.

Accumulated unpaid vested sick leave is accrued when incurred in government-wide financial statements. Such amounts, other than the current portion, are not accrued in governmental funds, but are recorded in the governmental activities in the government-wide statements.

### **Long-Term Liabilities**

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities. Bond premiums and discounts are amortized over the life of the related bond issuance.

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Lease liabilities represent the Park District's obligation to make lease payments arising from the lease. Lease liabilities are recognized at the lease commencement date based on the present value of future lease payments expected to be made during the lease term. The present value of lease payments are discounted based on a borrowing rate determined by the Park District.

Subscription liabilities represent the Park District's obligation to make subscription payments arising from the subscription contract. Subscription liabilities are recognized at the subscription commencement date based on the present value of future subscription payments expected to be made during the subscription term. The present value of the subscription payments are discounted based on a borrowing rate determined by the Park District.

### **Fund Balance**

The following classifications describe the relative strength of the spending constraints:

*Nonspendable Fund Balance* - amounts that are not in nonspendable form (such as inventory) or are required to be maintained intact.

*Restricted Fund Balance* - amounts constrained to specific purposes by their providers (such as grantors, bondholders, and higher levels of government), through constitutional provisions, or by enabling legislation.

*Committed Fund Balance* - amounts constrained to specific purposes by the Park District itself, using its highest level of decision-making authority (i.e., Board of Park Commissioners). To be reported as committed, amounts cannot be used for any other purpose unless the Board takes the same highest-level action to remove or change the constraint.

*Assigned Fund Balance* - amounts the Park District intends to use for a specific purpose. Intent can be expressed by the Board or by an official or body to which the Board delegates the authority.

*Unassigned Fund Balance* - amounts that are available for any purpose. Positive amounts are reported only in the general fund.

The Board of Park Commissioners establishes (and modifies or rescinds) fund balance commitments by passage of an ordinance or resolution. This is typically done through adoption and amendment of the budget. A fund balance commitment is further indicated in the budget document as a designation or commitment of the fund (such as for special incentives). Assigned fund balance is established by the Board through adoption or amendment of the budget as intended for specific purpose (such as the purchase of fixed assets, construction, debt service, or for other purposes).

**Net Position**

Net position represents the difference between (a) assets and deferred outflows of resources and (b) liabilities and deferred inflows in the Park District's financial statements. Net investment in capital assets consists of capital assets, net of accumulated depreciation, reduced by the outstanding balance of any long-term debt used to build or acquire the capital assets. Restricted net position consists of restricted assets reduced by liabilities and deferred inflows of resources related to those assets. Unrestricted net position is the net amount of assets, deferred outflows of resources, liabilities, and deferred inflows of resources that are not included in the determination of net investment in capital assets or the restricted component of net position.

**Implementation of GASB Statement No. 96**

As of January 1, 2023, the Park District adopted GASB Statement No. 96, *Subscription-Based Information Technology Arrangements (SBITAs)*. The implementation of this standard establishes that a SBITA results in a right to use subscription IT asset - an intangible asset - and a corresponding liability. The standard provides the capitalization criteria for outlays other than subscription payments, including implementation costs of a SBITA. That standard requires recognition of certain SBITA assets and liabilities for SBITAs that previously were recognized as outflows of resources based on the payment provisions of the contract. The effect of the implementation. The effect of the implementation of this standard on beginning net position is disclosed in Note 14 and the additional disclosures required by this standard are included in Notes 6, 8, and 9.

**Note 3 - Cash and Investments****Custodial Credit Risk - Deposits**

Custodial credit risk is the risk that in the event of a bank failure, the government's deposits may not be returned to the Park District. State statutes require that insurance, surety bonds or collateral protect all Park District deposits. The market value of collateral pledged must equal 110% of the deposits not covered by insurance or bonds (140% in the case of mortgage notes pledged).

**Investments**

Statutes authorize the Park District to invest in a) bonds, treasury bills and notes, or other securities that are a direct obligation of, or an obligation insured or guaranteed by, the treasury of the United States, or its agencies, instrumentalities, or organizations created by an act of Congress, b) securities sold under agreements to repurchase written by a financial institution in which the underlying securities for the agreement to repurchase are of the type listed above, c) Certificates of Deposit fully insured by the federal deposit insurance corporation or the state, d) obligations of the state.

# Park District of the City of Fargo

Notes to Financial Statements

December 31, 2023

Cash and investments of the Park District (including the Component Units) at December 31, 2023, are as follows:

	<u>Carrying Value</u>	
Primary Government		
Cash		
Petty cash	\$ 7,950	
Demand Deposits and Negotiated Savings	<u>29,134,901</u>	\$ 29,142,851
Investments		
Certificates of Deposit	22,063,279	
US Government Obligations	<u>14,409,895</u>	<u>36,473,174</u>
Total primary government		<u>65,616,025</u>
Component Units		
Cash		
Petty cash	325	
Demand deposits	<u>11,207,417</u>	11,207,742
Investments		
Certificates of Deposit		<u>1,035,769</u>
Total component units		<u>12,243,511</u>
Total		<u>\$ 77,859,536</u>

## Interest Rate Risk

The Park District has a formal investment policy that limits investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates.

North Dakota Century Code limits the type of investments that can be purchased by the Park District. The investment must have pledged collateral or be backed by the Federal Government. Examples would be U.S. Treasury Bills, U.S. Treasury Notes, U.S. Treasury Strips, etc.

The Park District can enter into short and long-term investments. A short term will be defined as investments with a maturity of less than eighteen months. A long term will be defined as investments with a term in excess of eighteen months. All long-term investments will require approval by the Finance Committee prior to purchasing the investment. The Director of Finance is responsible for selecting and purchasing short term investments.

The following table summarizes the investment maturities of the investments of the Park District and its Component Units.

Investment Type	Fair Value	Maturities (in Years)	
		< 1	1 - 5
Primary Government			
Certificates of Deposit	\$ 22,063,279	\$ 22,063,279	\$ -
US Government Obligations	14,409,895	13,409,895	1,000,000
Total Primary Government	<u>\$ 36,473,174</u>	<u>\$ 35,473,174</u>	<u>\$ 1,000,000</u>
Component Unit			
Certificates of Deposit	<u>\$ 1,035,769</u>	<u>\$ 1,035,769</u>	<u>\$ -</u>

### Credit Risk

Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. As outlined above, Park District policy limits the type of investments allowed to reduce the amount of credit risk to the portfolio.

### Concentration of Credit Risk

Concentration of credit risk is the risk of loss attributed to the magnitude of a government's investment in a single issuer. The Park District has no policy limiting the amount that can be invested in any one issuer. The Park District maintains its cash in bank deposit accounts which exceed federally insured limits. Accounts are guaranteed by the Federal Deposit Insurance Corporation (FDIC) up to \$250,000 per depositor, per insured bank, for each account ownership category. At December 31, 2023, the Park District had approximately \$38,656,000, in excess of FDIC-insured limits, which were covered by insurance or collateral pledged and held in the Park District's name.

### Fair Value

The framework for measuring fair value provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1) and the lowest priority to unobservable inputs. The three levels of the fair value hierarchy are described as follows:

Level 1 - Inputs to the valuation methodology are unadjusted quoted prices for identical assets in active markets that the Park District has the ability to access.

Level 2 - Inputs to the valuation methodology include:

1. Quoted prices for similar assets or liabilities in active markets;
2. Quoted prices for identical or similar assets or liabilities in active markets;
3. Inputs other than quoted prices that are observable for the asset or liability;
4. Inputs that are derived principally from or corroborated by observable market data by correlation or other means.

Level 3 - Inputs to the valuation methodology that are unobservable and significant to the fair value measurement.

The asset's fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

The following table presents the assets measure at fair value on a recurring basis at December 31, 2023:

Investment Type	Total	Level 1	Level 2	Level 3
Primary Government				
Certificates of Deposit	\$ 22,063,279	\$ 22,063,279	\$ -	\$ -
US Government Obligations	14,409,895	14,409,895	-	-
Total Primary Government	<u>\$ 36,473,174</u>	<u>\$ 36,473,174</u>	<u>\$ -</u>	<u>\$ -</u>
Component Unit				
Certificates of Deposit	<u>\$ 1,035,769</u>	<u>\$ 1,035,769</u>	<u>\$ -</u>	<u>\$ -</u>

U.S. Government and Agency securities, money market mutual funds, and certificates of deposit classified in Level 1 of the fair value hierarchy are valued using prices quoted in active markets for these securities.

Corporate bonds, municipal bonds, corporate commercial paper, bond and equity mutual funds classified in Level 2 of the fair value hierarchy are valued using techniques such as quoted prices for similar investments in active and inactive markets as well as inputs other than quoted prices that are observable for these assets.

#### Note 4 - Property Taxes

All real estate is assessed on the current value as of February 1 of each year. Property taxes are attached as an enforceable lien on the real estate and become due on January 1 of the year following the assessment date.

A five percent reduction of the taxes is allowed if the taxes are paid in full by February 15. Penalty and interest are added on March 1, if the first half of the taxes is not paid. Additional penalty and interest are added October 15 to those taxes which are not paid.

Taxes are collected by the Cass County Treasurer and remitted to the Park District on a monthly basis by the Cass County Auditor.

**Note 5 - Pledges Receivable**

Pledges receivable consist of promises to give from individuals, businesses, and private foundations. These donations are restricted for the construction of the Fargo Parks Sports Center, which began construction in 2022, and are reported on the financial statements of the Fargo Park District Foundation, a discretely presented component unit. At December 31, 2023, total pledges committed and received are as follows:

Pledges		
Cash	\$ 14,248,500	
In-kind	<u>8,055,800</u>	
		\$ 22,304,300
Less: Cash and In-Kind Pledges Received Through December 31, 2023		<u>(7,639,675)</u>
Outstanding Commitments/Pledges Receivable at December 31, 2023		<u><u>\$ 14,664,625</u></u>

Subsequent to year-end and as of the date these financial statements were available to be issued, an additional \$135,000 of pledges have been made to the Fargo Park District Foundation in support of the Fargo Parks Sports Center.

Revenue is recognized on these pledges when all eligibility requirements are met, provided that the promise is verifiable and the resources are measurable and probably of collection. Certain pledges have purpose restrictions and/or time requirements and in those instances, the pledge amounts are reported as donations received in advance. As of and for the year ended December 31, 2023, the following is the recognition of the pledges receivable on the financial statements of the Fargo Park District Foundation:

Total Pledges	\$ 22,304,300
Revenue Recognized Through December 31, 2023	<u>(11,354,700)</u>
Unearned Revenue Related to Pledges as of December 31, 2023	<u><u>\$ 10,949,600</u></u>



## Note 6 - Capital Assets

Capital asset activity for the year ended December 31, 2023 is as follows:

	Balance January 1, 2023, as restated	Increases and Transfers	Decreases and Transfers	Balance December 31, 2023
<b>Governmental Activities</b>				
Capital assets, not being depreciated/amortized				
Land	\$ 32,516,000	\$ -	\$ -	\$ 32,516,000
Construction in progress	38,850,913	54,443,902	7,632,478	85,662,337
Capital assets, not being depreciated/amortized	71,366,913	54,443,902	7,632,478	118,178,337
Capital assets, being depreciated/amortized				
Buildings	69,653,077	2,409,334	59,848	72,002,563
Improvements other than buildings	46,327,385	5,425,477	104,631	51,648,231
Machinery and equipment	16,856,209	1,899,244	570,232	18,185,221
Right-to-use lease assets	355,032	-	-	355,032
Right-to-use subscription IT assets	109,055	6,534	-	115,589
Capital assets, being depreciated/amortized	133,300,758	9,740,589	734,711	142,306,636
Less accumulated depreciation/amortization for				
Buildings	28,868,790	1,852,712	56,608	30,664,894
Improvements other than buildings	13,595,644	1,552,439	39,103	15,108,980
Machinery and equipment	11,454,189	1,031,823	472,218	12,013,794
Right-to-use lease assets	52,765	52,765	-	105,530
Right-to-use subscription IT assets	23,629	23,809	-	47,438
Accumulated depreciation/amortization	53,995,017	4,513,548	567,929	57,940,636
Net capital assets, depreciated/ amortized	79,305,741	5,227,041	166,782	84,366,000
Total capital assets, net	\$ 150,672,654	\$ 59,670,943	\$ 7,799,260	\$ 202,544,337

Depreciation/amortization expense for the year ended December 31, 2023 was charged to the following functions/programs:

<b>Governmental Activities</b>	
General government	\$ 45,588
Recreation	7,218
Concessions	9,925
Golf	736,780
Facilities	956,213
Neighborhood parks	1,598,741
Swimming pools	157,202
Courts Plus	313,585
Maintenance	688,296
Total depreciation/amortization expense - governmental activities	\$ 4,513,548

# Park District of the City of Fargo

Notes to Financial Statements

December 31, 2023

Capital asset activity for the Valley Senior Services (Component Unit) for year ended December 31, 2023 is as follows:

	Balance January 1, 2023,	Increases and Transfers	Decreases and Transfers	Balance December 31, 2023
Component Unit - Valley Senior Services				
Capital assets, being depreciated/amortized				
Buildings	\$ 1,383,119	\$ -	\$ -	\$ 1,383,119
Machinery and equipment	1,156,339	178,940	98,465	1,236,814
Right-to-use lease assets	224,113	-	-	224,113
Capital assets, being depreciated/amortized	2,763,571	178,940	98,465	2,844,046
Less accumulated depreciation/amortization for				
Buildings	656,063	61,921	-	717,984
Machinery and equipment	736,048	130,623	88,847	777,824
Right-to-use lease assets	60,099	54,671	-	114,770
Accumulated depreciation/amortization	1,452,210	247,215	88,847	1,610,578
Total capital assets, net	\$ 1,311,361	\$ (68,275)	\$ 9,618	\$ 1,233,468

## Note 7 - Leases

### Lessor Activities

The Park District has accrued a receivable for land for parking spaces. The remaining receivable for these leases was \$21,741 for the year ended December 31, 2023. Deferred inflows related to this lease were \$21,740 as of December 31, 2023. Interest revenue recognized on this lease was \$1,057 for the year ended December 31, 2023. Principal receipts of \$33,487 were recognized during the fiscal year. The interest rate on the lease was 2.64%. Final receipt is expected in fiscal year 2024.

The Park District has also entered into a lease for restaurant space. The agreement calls for payments that are completely variable and therefore was not included in lease receivable or deferred inflow of resources for leases. These variable payments are a result of the underlying lease measured not on a fixed rate, but rather variable due to the underlying payments derived from a percentage of sales. A total of \$47,968 was recognized as revenue from these variable payments for the year ended December 31, 2023.

The Fargo Park District Foundation, a component unit of the Park District, has accrued receivables for signage and naming rights to various components of the Fargo Parks Sports Center, which remains under construction as of December 31, 2023. The remaining receivable for these leases was \$7,535,385 for the year ended December 31, 2023. Deferred inflows related to this lease were \$9,883,635 as of December 31, 2023. Interest revenue recognized on these leases was \$13,333 for the year ended December 31, 2023. Principal receipts of \$1,240,614 were recognized during the fiscal year. The interest rate on the lease was 2.64%. Final receipt is expected in fiscal year 2032.

**Lessee Activities**

The Park District has entered into lease agreements for equipment, office equipment, land, and a building. The Park District is required to make principal and interest payments through 2028. The lease liability was valued using a discount rate of 2.64%, based on the District's incremental borrowing rate at the inception of the leases. The total amount of right to use leased assets, and the related accumulated amortization on right to use leased assets was \$355,032 and \$105,530, as of December 31, 2023, respectively. The Park District recognized amortization expense of \$52,765 and interest expense of \$7,486 related to leases during the year ended December 31, 2023. Leases payable are liquidated by the general fund.

Remaining principal and interest payments on leases are as follows:

	Principal	Interest	Total
2024	\$ 61,208	\$ 5,896	\$ 67,104
2025	62,840	4,263	67,103
2026	64,515	2,587	67,102
2027	53,769	911	54,680
2028	5,057	134	5,191
	<u>\$ 247,389</u>	<u>\$ 13,791</u>	<u>\$ 261,180</u>

Valley Senior Services, a component unit of the Park District, has entered into lease agreements for building space and office equipment. Valley Senior Services is required to make principal and interest payments through 2026. The lease liability was valued using a discount rate of 2.64%, based on the District's incremental borrowing rate at the inception of the leases. The total amount of right to use leased assets, and the related accumulated amortization on right to use leased assets was \$224,113 and \$114,770, as of December 31, 2023, respectively. Valley Senior Services recognized amortization expense of \$54,671 and interest of \$3,634 related to leases during the year ended December 31, 2023. Leases payable of Valley Senior Services are liquidated by the Valley Senior Services fund.

Remaining principal and interest payments on leases of Valley Senior Services are as follows:

	Principal	Interest	Total
2024	\$ 61,471	\$ 2,034	\$ 63,505
2025	42,869	458	43,327
2026	741	3	744
	<u>\$ 105,081</u>	<u>\$ 2,495</u>	<u>\$ 107,576</u>

**Note 8 - Subscription-Based Information Technology Arrangements (SBITAs)**

The Park District has entered into two SBITA contracts for computer software. The Park District is required to make principal and interest payments through November 2025. The SBITA contracts have an interest rate of 2.64%, based on the Park District's incremental borrowing at the inception of the subscriptions. The total amount of right to use subscription assets, and the related accumulated amortization on right to use subscription assets was \$115,589 and \$47,438, as of December 31, 2023.

Remaining principal and interest payment on subscriptions are as follows:

	Principal	Interest	Total
2024	\$ 25,568	\$ 1,263	\$ 26,831
2025	23,542	413	23,955
	<u>\$ 49,110</u>	<u>\$ 1,676</u>	<u>\$ 50,786</u>

**Note 9 - Long-Term Debt**

	Balance January 1, 2023, as restated	Additions	Retirements	Balance December 31, 2023	Due Within One Year
<b>Governmental Activities</b>					
Notes payable	\$ 2,028,000	\$ 162,000	\$ 335,000	\$ 1,855,000	\$ 355,000
Financed purchases payable	2,483,564	-	531,765	1,951,799	339,990
General obligation and refunding improvement bonds	55,570,000	30,415,000	2,710,000	83,275,000	4,525,000
Unamortized bond premium	5,198,867	929,398	276,652	5,851,613	315,377
Leases payable	307,006	-	59,617	247,389	61,208
Subscription IT liabilities	67,319	6,534	24,743	49,110	25,568
Special assessments	10,763,741	3,902,928	1,162,525	13,504,144	1,174,719
Compensated absences	400,406	57,350	-	457,756	457,756
	<u>\$ 76,818,903</u>	<u>\$ 35,473,210</u>	<u>\$ 5,100,302</u>	<u>\$ 107,191,811</u>	<u>\$ 7,254,618</u>
<b>Component Unit</b>					
Leases payable	\$ 164,952	\$ -	\$ 59,871	\$ 105,081	\$ 61,471
Line of credit	-	6,564,894	-	6,564,894	2,808,475
Compensated absences	76,911	5,950	-	82,861	82,861
	<u>\$ 241,863</u>	<u>\$ 6,570,844</u>	<u>\$ 59,871</u>	<u>\$ 6,752,836</u>	<u>\$ 2,952,807</u>

# Park District of the City of Fargo

Notes to Financial Statements

December 31, 2023

## Notes Payable

Payee	Interest Rate	Maturity Date	Final Balance December 31, 2023
Governmental Activities			
Fargo Public Schools	4.80%	05/01/24	\$ 290,000
Fargo Public Schools	3.00-4.00%	08/01/41	1,565,000
			<u>\$ 1,855,000</u>

Future maturities on notes payable:

	Principal	Interest	Total
2024	\$ 355,000	\$ 59,698	\$ 414,698
2025	65,000	52,748	117,748
2026	70,000	50,148	120,148
2027	70,000	47,348	117,348
2028	75,000	44,548	119,548
2029 - 2033	405,000	181,103	586,103
2034 - 2038	485,000	110,625	595,625
2039 - 2041	330,000	24,240	354,240
	<u>\$ 1,855,000</u>	<u>\$ 570,458</u>	<u>\$ 2,425,458</u>

Notes payable are liquidated by the general fund and debt service fund.

## Financed Purchases Payable

Payee	Effective Interest Rate	Final Maturity	Balance December 31, 2023 Present Value
Governmental Activities			
Park Maintenance Facility	2.65%	04/01/31	\$ 1,027,152
Courts Plus Lease - fitness equipment, roof, and indoor playground equipment	2.39%	08/15/27	924,647
			<u>\$ 1,951,799</u>

Capital assets and related accumulated depreciation under financed purchase plans are as follows:

Buildings	\$ 5,628,183
Less accumulated depreciation	<u>(2,719,774)</u>
Total	<u>\$ 2,908,409</u>

# Park District of the City of Fargo

## Notes to Financial Statements

December 31, 2023

The present value of future minimum lease payments is as follows:

	Principal	Interest	Total
2024	\$ 339,990	\$ 49,319	\$ 389,309
2025	348,419	40,890	389,309
2026	357,059	32,250	389,309
2027	365,914	23,395	389,309
2028	129,851	14,321	144,172
2029 - 2031	410,566	21,950	432,516
	<u>\$ 1,951,799</u>	<u>\$ 182,125</u>	<u>\$ 2,133,924</u>

Financed purchases payable are liquidated by the general fund.

### General Obligation and Refunding Improvement Bonds

Issue	Date	Final Maturity Date	Interest Rates	Original Issue	Outstanding Debt 12/31/2023
Governmental Activities					
Refunding Improvement 2010-1	08/10/10	11/01/25	3.04%	\$ 675,000	\$ 110,000
Refunding Improvement 2015	09/01/15	11/01/40	3.50%	1,545,000	1,200,000
Refunding Improvement 2016	09/01/16	05/01/41	2.00%-3.00%	5,435,000	4,035,000
Refunding Improvement 2017A	10/10/17	05/01/42	3.00%-3.25%	1,285,000	1,070,000
General Obligation Refunding 2017B	10/10/17	04/01/29	3.00%	3,310,000	1,720,000
Refunding Improvement 2018A	10/02/18	05/01/43	3.00%-4.00%	2,290,000	1,960,000
Refunding Improvement 2019A	10/10/19	05/01/37	2.54%	635,000	510,000
Refunding Improvement 2021A	07/28/21	05/01/39	.45%-2.00%	1,245,000	1,065,000
General Obligation 2022A	04/07/22	05/01/42	4.00-5.00%	38,825,000	37,705,000
General Obligation Refunding 2022B	03/29/22	05/01/29	3.00-4.00%	4,250,000	3,485,000
General Obligation 2023A	10/19/23	05/01/43	4.38-5.00%	30,415,000	30,415,000
				<u>\$ 89,910,000</u>	<u>\$ 83,275,000</u>

Future maturities on general obligations and refunding improvement bonds:

	Principal	Interest	Total
2024	\$ 4,525,000	\$ 3,473,917	\$ 7,998,917
2025	4,020,000	3,239,758	7,259,758
2026	4,145,000	3,063,924	7,208,924
2027	3,470,000	2,899,344	6,369,344
2028	3,565,000	2,746,629	6,311,629
2029 - 2033	18,880,000	11,347,810	30,227,810
2034 - 2038	22,075,000	7,120,983	29,195,983
2039 - 2043	22,595,000	2,223,563	24,818,563
	<u>\$ 83,275,000</u>	<u>\$ 36,115,928</u>	<u>\$ 119,390,928</u>

Bonds payable are liquidated by the debt service fund.

During the year ended December 31, 2023, the Park District issued \$30,415,000 in General Obligation Bonds, Series 2023A to finance a portion of the cost of construction of the Fargo Parks Sports Center. The bonds bear an interest rate ranging from 4.38% to 5.00% and call for semiannual interest payments commencing May 2024 and annual principal payments commencing May 2024 through May 2043.

#### **Leases Payable**

Leases payable consist of lease obligations as described in Note 7. Leases payable of the Park District are liquidated by the general fund. Leases payable of the component units are liquidated by Valley Senior Services.

#### **Subscription IT Liabilities**

Subscription IT liabilities consist of subscription obligations as described in Note 8. Subscription IT liabilities of the Park District are liquidated by the general fund.

#### **Special Assessments**

Uncertified special assessments of \$13,504,144 are due to the City of Fargo on various properties owned by the Park District. Principal and interest payments on the special assessments are recorded in the debt service fund.

The Park District had special assessments of \$3,902,928 levied in 2023 by the City of Fargo for multiple properties added by the Park District in 2023. Specials are due at various dates through 2044.

#### **Compensated Absences**

This amount consists of payments for vacation and sick pay benefits that will be paid out as discussed in Note 2. Governmental activity compensated absences are liquidated from the General Fund.

#### **Line of Credit**

During the year ended December 31, 2023, the Fargo Park District Foundation obtained a Line of Credit from a financial institution for a loan of up to \$25,000,000 to be used for construction costs of the Fargo Parks Sports Center. The loan would provide interim financing for the project costs that will be funded by pledges received by the Fargo Park District Foundation. The loan provides for advances limited to 90% of all eligible outstanding cash pledges receivable, with an interest rate of 0% and a 10-year term. During the year ended December 31, 2023, \$6,564,894 was drawn on the loan was outstanding at year end. Future maturities on the Line of Credit consist of principal payments of \$2,808,475 in 2024, \$3,178,475 in 2025, and \$577,944 in 2026.

**Note 10 - Other Post-Employment Benefits**

The Park District of the City of Fargo provides two other post-employment benefit plans. OPEB liabilities are liquidated from the General Fund. Disclosures relating to these plans are as follows:

**North Dakota Public Employees Retirement System****A. Plan Description**

The following brief description of NDPERS is provided for general information purposes only. Participants should refer to NDAC Chapter 71-06 for more complete information.

NDPERS OPEB plan is a cost-sharing multiple-employer defined benefit OPEB plan that covers members receiving retirement benefits from the PERS, the HPRS, and Judges retired under Chapter 27-17 of the North Dakota Century Code a credit toward their monthly health insurance premium under the state health plan based upon the member's years of credited service. Effective July 1, 2015, the credit is also available to apply towards monthly premiums under the state dental, vision and long-term care plan and any other health insurance plan. Effective August 1, 2019, the benefit may be used for any eligible health, prescription drug plan, dental, vision, or long-term care plan premium expense. The Retiree Health Insurance Credit Fund is advance funded on an actuarially determined basis.

Responsibility for administration of the NDPERS defined benefit OPEB plan is assigned to a Board comprised of nine members. The Board consists of a Chairman, who is appointed by the Governor; one member appointed by the Attorney General; one member appointed by the State Health Officer; three members elected by the active membership of the NDPERS system, one member elected by the retired public employees and two members of the legislative assembly appointed by the chairman of the legislative management.

**B. OPEB Benefits**

The employer contribution for the PERS, the HPRS and the Defined Contribution Plan is set by statute at 1.14% of covered compensation. Employees participating in the retirement plan as part-time/temporary members are required to contribute 1.14% of their covered compensation to the Retiree Health Insurance Credit Fund. Employees purchasing previous service credit are also required to make an employee contribution to the Fund. The benefit amount applied each year is shown as "*prefunded credit applied*" on the Statement of Changes in Plan Net Position for the OPEB trust funds. Beginning January 1, 2020, members first enrolled in the NDPERS Main System and the Defined Contribution Plan on or after that date will not be eligible to participate in RHIC. Therefore, RHIC will become for the most part a closed plan. There were no other benefit changes during the year.

Retiree health insurance credit benefits and death and disability benefits are set by statute. There are no provisions or policies with respect to automatic and ad hoc post-retirement benefit increases. Employees who are receiving monthly retirement benefits from the PERS, the HPRS, the Defined Contribution Plan, the Chapter 27-17 judges or an employee receiving disability benefits, or the spouse of a deceased annuitant receiving a surviving spouse benefit or if the member selected a joint and survivor option are eligible to receive a credit toward their monthly health insurance premium under the state health plan.



Effective July 1, 2015, the credit is also available to apply towards monthly premiums under the state dental, vision and long-term care plan and any other health insurance plan. Effective August 1, 2019, the benefit may be used for any eligible health, prescription drug plan, dental, vision, or long-term care plan premium expense. The benefits are equal to \$5.00 for each of the employee's, or deceased employee's years of credited service not to exceed the premium in effect for selected coverage. The retiree health insurance credit is also available for early retirement with reduced benefits.

**C. OPEB Liabilities, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB**

At December 31, 2023, the Park District reported a liability of \$377,986 for its proportionate share of the net OPEB liability. The net OPEB liability was measured as of June 30, 2023, and the total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation as of that date. The Park District's proportion of the net OPEB liability was based on the Park District's share of covered payroll in the OPEB plan relative to the covered payroll of all participating OPEB employers. At June 30, 2023, the Park District's proportion was 0.378080 percent, which was an increase of 0.006676 percent from its proportion measured as of June 30, 2022.

For the year ended December 31, 2023, the Park District recognized OPEB expense of \$81,975. At December 31, 2023, the Park District reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences Between Expected and Actual Experience	\$ 7,112	\$ 4,326
Changes of Assumptions	80,616	31,302
Net Difference Between Projected and Actual Earnings on OPEB Plan Investments	27,301	-
Changes in Proportion and Differences between Employer Contributions and Proportionate Share of Contributions	19,805	476
Employer Contributions Subsequent to The Measurement Date	21,739	-
Total	<u>\$ 156,573</u>	<u>\$ 36,104</u>

The \$21,739 reported as deferred outflows of resources related to OPEB resulting from Park District contributions subsequent to the measurement date will be recognized as a reduction of the net OPEB liability in the year ended December 31, 2024.

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEBs will be recognized in OPEB expense as follows:

<u>Year Ended December 31,</u>	
2024	\$ 38,839
2025	31,027
2026	38,632
2027	(9,768)

#### **D. Actuarial Assumptions**

The total OPEB liability in the July 1, 2023, actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.25%
Salary increases	N/A
Investment rate of return	5.75%, net of investment expenses
Cost-of-living adjustments	None

For active members, inactive members and healthy retirees, mortality rates were based on the MortalityPub-2010 Healthy Retiree Mortality table (for General Employees), sex-distinct, with rates multiplied by 103% for males and 101% for females. Pub-2010 Disabled Retiree Mortality table (for General Employees), sex-distinct, with rates multiplied by 117% for males and 112% for females. Pub-2010 Employee Mortality table (for General Employees), sex-distinct, with rates multiplied by 92% for both males and females. Mortality rates are projected from 2010 using the MP-2019 scale.

The long-term expected investment rate of return assumption for the RHIC fund was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of RHIC investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Estimates of arithmetic real rates of return, for each major asset class included in the RHIC's target asset allocation as of July 1, 2023, are summarized in the following table:

<u>Asset Class</u>	<u>Target Allocation</u>	<u>Real Rate of Return</u>
Large Cap Domestic Equities	33.00%	6.10%
Small Cap Domestic Equities	6.00%	7.10%
Domestic Fixed Income	35.00%	2.59%
International Equities	26.00%	6.50%

**E. Discount Rate**

The discount rate used to measure the total OPEB liability was 5.75%. The projection of cash flows used to determine the discount rate assumed plan member and statutory rates described in this report. For this purpose, only employer contributions that are intended to fund benefits of current RHIC members and their beneficiaries are included. Projected employer contributions that are intended to fund the service costs of future plan members and their beneficiaries are not included. Based on those assumptions, the RHIC fiduciary net position was projected to be sufficient to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on RHIC investments was applied to all periods of projected benefit payments to determine the total OPEB liability.

**F. Sensitivity of the Park District's Proportionate Share of the Net OPEB Liability to Changes in the Discount Rate**

The following presents the net OPEB liability of the Plans as of June 30, 2023, calculated using the discount rate of 5.75 percent, as well as what the RHIC net OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (4.75 percent) or 1-percentage-point higher (6.75 percent) than the current rate:

	1% Decrease (4.75%)	Current Discount Rate (5.75%)	1% Increase (6.75%)
Employer's Proportionate Share of the OPEB Liability	\$ 496,766	\$ 377,986	\$ 277,988

**Fargo Park District Health Insurance Plan****A. Plan Description**

The Fargo Park District Health Insurance Plan is a single-employer plan, covering employees of the Park District and its component unit Valley Senior Services. The plan is administered by Blue Cross Blue Shield of North Dakota. Benefit terms are established and amended by the Board of Commissioners.

All employees are allowed to participate in the Park District's health insurance plan after retirement. This plan covers active and retired employees. At retirement, employees of the District may continue to participate in the Park District's group insurance plan that the employee was enrolled immediately prior to retirement. Participants must retire between the ages of 62 and 65, and benefit eligibility ends at retiree's age 65.

**B. Benefits Provided**

Eligible participants and their dependents have access to other post-employment benefits of blended medical premiums of \$758 for single coverage, \$1,349 for single + child coverage, and \$2,013 for family coverage. The implicit rate subsidy is only until Medicare eligibility. The Park District will make the same contribution for eligible participants who retire between the ages of 62 and 65 as it does for active employees. The Park District currently pays 75% of the premium for single, single plus dependent or family coverage. Park District contributions and coverage on the group's medical plan ceases once the retiree has reached age 65.

**C. Employees Covered by Benefit Terms**

At the valuation date of December 31, 2021, the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefit payments	107
Active employees electing coverage	15
Active employees waiving coverage	<u>0</u>
	<u><u>122</u></u>

**D. Total OPEB Liability**

The Park District's total OPEB liability was measured as of December 31, 2021, and was determined by an actuarial valuation as of December 31, 2021.

**E. Actuarial Assumptions**

The total OPEB liability in the December 31, 2021, measurement was determined as using the following actuarial assumptions and other inputs, applied to all periods included in the measurement, unless otherwise specified:

Inflation	2.25 percent
Discount Rate	4.05 percent
Healthcare Cost Trend Rates	6.20 percent in FY2022, gradually decreasing over several decades to an ultimate rate of 3.70 percent in FY2074 and later years.
Mortality	Pub-2010 General mortality tables projected with generational mortality improvement using scale MP-2021

The actuarial assumptions used in the December 31, 2021, measurements were based on assumptions for Main System (non-State employees) published in the July 1, 2021, NDPERS actuarial valuation and assumptions for City participants published in the 2015-2019 Actuarial Experience Study for the City of Fargo Employees' Pension Plan.

Since the plan is not funded by an irrevocable trust, the discount rate is equal to the index rate for 20-year, tax-exempt municipal bonds.

**F. Changes in the Total OPEB Liability**

Balance at January 1, 2023	\$ 629,794
Changes from the Prior Year	
Service cost	72,792
Interest cost	12,879
Assumption changes	(91,919)
Differences between expected and actual experience	(3,577)
Benefit Payments	(5,324)
Net Change	(15,149)
Balance at December 31, 2023	\$ 614,645

**G. Sensitivity of the Total OPEB Liability to Changes in Discount Rate and the Healthcare Cost Trends Rate**

The following presents the total OPEB liability of the Park District, as well as what the Park District's total OPEB liability would be if it were calculated using a discount rate one percentage point lower and one percentage point higher than the current discount rate:

	<u>1% Decrease in Discount Rate</u>	<u>Discount Rate</u>	<u>1% Increase in Discount Rate</u>
Discount Rate	3.05%	4.05%	5.05%
Total OPEB Liability	\$ 655,401	\$ 614,645	\$ 575,674

The following presents the total OPEB liability of the Park District, as well as what the Park District's total OPEB liability would be if it were calculated using a discount rate one percentage point lower and one percentage point higher than the current healthcare trend rates:

	<u>1% Decrease in Healthcare Trend Rate</u>	<u>Selected Healthcare Trend Rate</u>	<u>1% Increase in Healthcare Trend Rate</u>
Medical Trend Rate	5.20%, gradually decreasing to 2.70%	6.20%, gradually decreasing to 3.70%	7.20%, gradually decreasing to 4.70%
Total OPEB Liability	\$ 548,736	\$ 614,645	\$ 692,209

**H. OPEB Expense and Deferred Outflows and Inflows of Resources Related to OPEB**

For the year ended December 31, 2023, the Park District recognized OPEB expense of \$33,812. At December 31, 2023, the Park District reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Difference Between Expected and Actual Liability	\$ -	\$ 64,322
Changes of Assumptions	30,465	278,953
Contributions Between Measurement Date and Reporting Date	7,819	-
Total	<u>\$ 38,284</u>	<u>\$ 343,275</u>

The \$7,819 reported as deferred outflows of resources arising from contributions between the measurement date and reporting date will be recognized as OPEB expense in the year ended December 31, 2024. Other amounts reported as deferred inflows and outflows of resources related to OPEB will be recognized in the OPEB expense as follows:

Years Ended December 31,	OPEB Expense Amount
2024	\$ (51,859)
2025	(51,859)
2026	(54,112)
2027	(52,383)
2028	(43,368)
Thereafter	(59,229)

**Total of All OPEB Plans**

OPEB liability, deferred outflows of resources, deferred inflows of resources, and OPEB expense for all OPEB plans in which the Park District participates are included in the financial statements as follows:

	Primary Government Governmental Activities	Component Unit Valley Senior Services	Total
OPEB Liability			
NDPERS	\$ 377,986	\$ -	\$ 377,986
Fargo Park District	474,259	140,386	614,645
	<u>\$ 852,245</u>	<u>\$ 140,386</u>	<u>\$ 992,631</u>
Deferred Outflows of Resources			
NDPERS	\$ 156,573	\$ -	\$ 156,573
Fargo Park District	29,540	8,744	38,284
	<u>\$ 186,113</u>	<u>\$ 8,744</u>	<u>\$ 194,857</u>
Deferred Inflows of Resources			
NDPERS	\$ 36,104	\$ -	\$ 36,104
Fargo Park District	264,870	78,405	343,275
	<u>\$ 300,974</u>	<u>\$ 78,405</u>	<u>\$ 379,379</u>
OPEB Expense			
NDPERS	\$ 81,975	\$ -	\$ 81,975
Fargo Park District	26,089	7,723	33,812
	<u>\$ 108,064</u>	<u>\$ 7,723</u>	<u>\$ 115,787</u>

**Note 11 - Defined Benefit Pension Plans**

The Park District of the City of Fargo contributes to two defined pension plans, the City of Fargo Pension Plan, a cost-sharing, multi-employer defined benefit plan administered by the City of Fargo, and the Main System of the North Dakota Public Employees Retirement System (NDPERS), a cost-sharing, multi-employer defined benefit plan administered by the North Dakota Public Employees Retirement System. On April 1, 2008, all Park District full-time benefited employees were allowed to remain with the City of Fargo Pension Plan or enroll with the North Dakota Public Employee Retirement System. All benefited employees hired after March 31, 2008, are required to participate with North Dakota Public Employee Retirement System. Pension liabilities are liquidated from the General Fund for governmental activities. Disclosures relating to these plans are as follows:

**City of Fargo Pension Plan****A. Plan Description**

The Park District's pension plan is a cost-sharing multiple employer public employee retirement system. The plan, the Fargo City Employees' Pension Plan, is integrated with social security and, therefore, is considered a supplemental plan. The plan administrator is the City of Fargo. All full-time Park District employees hired before April 1, 2008, are eligible for participation in the pension plan.

As of January 1, 1986, participation in the plan was mandatory for new hires. Prior to this, employees were given the option to participate. At April 1, 2008, full-time benefited employees were given the option to continue with the City of Fargo Pension Plan or enroll in the NDPERS main system.

Management of the plan consists of 7 members; the Mayor of the City of Fargo, City Attorney of the City of Fargo, City Auditor of the City of Fargo, Director of Finance of the City of Fargo, and 4 at large members elected by all plan members. Elected members serve 2-year terms.

**B. Benefits Provided**

Employees under a discounted annuity formula may be eligible for early, normal or disability retirement. The plan permits early retirement at age 55. Normal retirement age for full benefits is age 65 or when an employee's age plus their years of service as a full-time city employee reaches a sum of 90.

Employee death benefits of \$20,000 are paid to a designated beneficiary for a participant who dies prior to retirement. If a participant dies after retirement, the designated beneficiary will receive a \$3,000 death benefit.

All participants are eligible for a full refund of their contributions plus interest at 5%. Upon termination of employment prior to retirement age, participants may elect a deferred vested benefit to begin between ages 55-65 or a lump sum payment. Lump sum settlements are allowable up to age 55. Lump sum payments are computed as the greater of the actuarial value of plan assets or the "cash balance" in their plan account. The cash balance consists of the employee contributions, plus one-half of the employer's contribution since January 1, 1990, plus interest at 5%.

Benefit provisions are established under the authority of the City Commission.

**C. Contributions**

Participant employees contribute to the plan at a rate of 6.5% of salary and the employers contribute at a rate of 8.0% of regular salary for all employees including non-participants. The contribution rates are established by local ordinance, and the employer contribution rate set by the Fargo City Commission. Costs of administering the plan are financed by the employer and employee contributions, and by the Plan's investment earnings. For the year ended December 31, 2023, contributions totaled \$63,544 and \$74,644 for employees and the Park District, respectively.

Detailed information about the contributions to the City of Fargo Pension Plan is available in a separately issued City of Fargo Pension Plan report.



**D. Pension Costs**

At December 31, 2023, the Park District reported a liability of \$713,688 for its proportionate share of the City of Fargo Pension Plan's net pension liability. The net pension liability was measured as of December 31, 2023 and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of December 31, 2023. The Park District's proportion of the net pension liability was based on the Park District's contributions received by the City of Fargo Pension Plan during the measurement period for employer payroll paid dates from January 1, 2023 through December 31, 2023, relative to the total plan contributions received from the City of Fargo. The Park District's proportionate share was 11.27 percent at the end of the measurement period and 11.27 at the beginning of the measurement period.

For the year ended December 31, 2023, the Park District recognized pension expense of \$123,126 for its proportionate share of the City of Fargo Pension Plan's pension expense. At December 31, 2023, the Park District reported its proportionate share of the City of Fargo Pension Plan's deferred outflows of resource and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences Between Expected and Actual Experience	\$ 45,010	\$ 1,058
Changes of Assumptions	32,234	3,917
Net Difference Between Projected and Actual Earnings on Pension Plan Investments	465,576	-
Changes in Proportion and Differences Between Employer Contributions and Proportionate Share of Contributions	212,359	47,533
Total	<u>\$ 755,179</u>	<u>\$ 52,508</u>

Amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year Ended December 31,	
2024	\$ 183,550
2025	295,388
2026	314,334
2027	(90,601)

**E. Actuarial Assumptions**

The total pension liability in the December 31, 2023 actuarial valuation was determined using the following actuarial assumptions:

Inflation	2.50%
Salary increases	2.50-5.00%, based on age
Investment rate of return	7.00%, net of investment expenses

For active members, inactive members and healthy retirees, mortality rates were based on the PubG-2010 General mortality tables with generational projection using scale MP-2021.

The actuarial assumptions used were based on the results of an actuarial experience study completed in 2020. They are the same as the assumptions used in the December 31, 2021, funding actuarial valuation for the City of Fargo Pension Plan.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These asset class estimates are combined to produce the portfolio long-term expected rate of return. This is accomplished by weighting the expected future real arithmetic rates of return by the current asset allocation percentage (or target allocation, if available); adjusting for the difference between arithmetic and geometric average returns; and adding expected inflation (2.50%). All results are then rounded to the nearest quarter percentage point.

The best-estimates of expected future asset class returns were published in the 2023 Survey of Capital Market Assumptions produced by Horizon Actuarial Services. These expected returns, along with expected asset class standard deviations and correlation coefficients, are based on Horizon’s annual survey of investment advisory firms. The expected inflation assumption was developed based on an analysis of historical experience blended with forward-looking expectations available in market data.

Best-estimates of geometric real and nominal rates of return for each major asset class included in the pension plan's asset allocation as of the measurement date are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Domestic Equity - Large Cap	20.00%	6.90%
Domestic Equity - Small/Mid Cap	10.00%	7.38%
International Equity - Developed	7.50%	7.49%
International Equity - Emerging	5.00%	8.21%
Domestic Fixed Income - Core	7.50%	4.71%
Domestic Fixed Income - Long Duration	2.50%	4.80%
Domestic Fixed Income - High Yield	5.00%	6.43%
International Fixed Income - Developed	5.00%	3.42%
International Fixed Income - Emerging	2.50%	6.29%
Cash Equivalents	5.00%	3.38%
Inflation Protected Securities	5.00%	4.07%
Real Estate	7.50%	5.95%
Hedge Funds	5.00%	5.96%
Commodities	2.50%	4.96%
Infrastructure	2.50%	7.00%
Private Equity	5.00%	9.46%
Private Debt	2.50%	8.16%

#### F. Discount Rate

The discount rate used to measure the total pension liability was 7.00 percent as of December 31, 2023. The projection of cash flows used to determine the discount rate assumes that member and employer contributions will be made at rates equal to those based on the December 31, 2023, Actuarial Valuation Report. For this purpose, only employer contributions that are intended to fund benefits of current plan members and their beneficiaries are included. Projected employer contributions that are intended to fund the service costs of future plan members and their beneficiaries, as well as projected contributions from future plan members, are not included. Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments for current plan members as of December 31, 2023. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability as of December 31, 2023.

**G. Pension Liability Sensitivity**

The following presents the Park District's proportionate share of the net pension liability calculated using the discount rate of 7.00 percent, as well as what the Employer's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (6.00 percent) or 1-percentage-point higher (8.00 percent) than the current rate:

	1% Decrease (6.00%)	Current Discount Rate (7.00%)	1% Increase (8.00%)
Employer's Proportionate Share of the Net Pension Liability (Asset)	\$ 1,403,243	\$ 713,688	\$ 119,467

**H. Pension Plan Fiduciary Net Position**

Detailed information about the City of Fargo Pension Plan's fiduciary net position is available in a separately issued City of Fargo Pension Plan report. That report may be obtained by writing to the City of Fargo at 200 3rd St N, Fargo, North Dakota 58102; or by calling (701)-241-1333.

**North Dakota Public Employee Retirement System****A. Plan Descriptions**

The following brief description of NDPERS is provided for general information purposes only. Participants should refer to NDCC Chapter 54-52 for more complete information.

NDPERS is a cost-sharing multiple-employer defined benefit pension plan that covers substantially all employees of the State of North Dakota, its agencies and various participating political subdivisions. NDPERS provides for pension, death and disability benefits. The cost to administer the plan is financed through the contributions and investment earnings of the plan.

Responsibility for administration of the NDPERS defined benefit pension plan is assigned to a Board comprised of eleven members. The Governor is responsible for appointing three other members in addition to the Chairman of the Board. Four members are appointed by legislative management, and the remaining three Board members are elected from active employees currently contributing to PERS.

**B. Benefits Provided****Pension Benefits**

Benefits are set by statute. NDPERS has no provisions or policies with respect to automatic and ad hoc post-retirement benefit increases. Member of the Main System are entitled to unreduced monthly pension benefits beginning when the sum of age and years of credited service equal or exceed 85 (Rule of 85), or at normal retirement age (65). For members hired on or after January 1, 2016, the Rule of 85 was replaced with the Rule of 90 with a minimum age of 60. The monthly pension benefit is equal to 2.00% of their average monthly salary, using the highest 36 months out of the last 180 months of service, for each year of service. For members hired on or after January 1, 2020, the 2.00% multiplier was replaced with a 1.75% multiplier. The plan permits early retirement at ages 55-64 with three or more years of service.

Members may elect to receive the pension benefits in the form of a single life, joint and survivor, term-certain annuity, or partial lump sum with ongoing annuity. Members may elect to receive the value of their accumulated contributions, plus interest, as a lump sum distribution upon retirement or termination, or they may elect to receive their benefits in the form of an annuity. For each member electing an annuity, total payment will not be less than the members' accumulated contributions plus interest.

**Death and Disability Benefits**

Death and disability benefits are set by statute. If an active member dies with less than three years of service for the Main System, a death benefit equal to the value of the member's accumulated contributions, plus interest, is paid to the member's beneficiary. If the member has earned more than three years of credited service for the Main System, the surviving spouse will be entitled to a single payment refund, life-time monthly payments in an amount equal to 50% of the member's accrued normal retirement benefit, or monthly payments in an amount equal to the member's accrued 100% Joint and Survivor retirement benefit if the member had reached normal retirement age prior to date of death. If the surviving spouse dies before the member's accumulated pension benefits are paid, the balance will be payable to the surviving spouse's designated beneficiary.

Eligible members who become totally disabled after a minimum of 180 days of service, receive monthly disability benefits equal to 25% of their final average salary with a minimum benefit of \$100. To qualify under this section, the member has to become disabled during the period of eligible employment and apply for benefits within one year of termination. The definition for disabled is set by the NDPERS in the North Dakota Administrative Code.

**Refunds of Member Account Balance**

Upon termination, if a member of the Main System is not vested (is not 65 or does not have three years of service), they will receive the accumulated member contributions and vested employer contributions, plus interest, or may elect to receive this amount at a later date. If the member has vested, they have the option of applying for a refund or can remain as a terminated vested participant. If a member terminated and withdrew their accumulated member contribution and is subsequently reemployed, they have the option of repurchasing their previous service.

**C. Contributions**

Member and employer contributions paid to NDPERS are set by statute and are established as a percent of salaries and wages. Member contribution rates are 7% and employer contribution rates are 7.12% of covered compensation. For members hired on or after January 1, 2020, member contribution rates are 7% and employer contribution rates are 8.26% of covered compensation.

The member's account balance includes the vested employer contributions equal to the member's contributions to an eligible deferred compensation plan. The minimum member contribution is \$25, and the maximum may not exceed the following:

- 1 to 12 months of service - Greater of one percent of monthly salary or \$25
- 13 to 24 months of service - Greater of two percent of monthly salary or \$25
- 25 to 36 months of service - Greater of three percent of monthly salary or \$25
- Longer than 36 months of service - Greater of four percent of monthly salary or \$25

**D. Pension Costs**

At December 31, 2023, the Park District reported a liability of \$9,074,760 for its proportionate share of the net pension liability. The net pension liability was measured as of July 1, 2023, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The Employer's proportion of the net pension liability was based on the Employer's share of covered payroll in the Main System pension plan relative to the covered payroll of all participating Main System employers. At July 1, 2023 the Park District's proportion was 0.4706 percent, which was an increase of 0.0751 percent from its proportion measured as of July 1, 2022.

For the year ended December 31, 2023, the Park District recognized pension expense of \$1,290,544. At December 31, 2023, the Park District reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences Between Expected and Actual Experience	\$ 295,415	\$ 50,047
Changes of Assumptions	5,003,929	6,887,974
Net Difference Between Projected and Actual Earnings on Pension Plan Investments	238,105	-
Changes in Proportion and Differences Between Employer Contributions and Proportionate Share of Contributions	1,449,427	-
Employer Contributions Subsequent to the Measurement Date	450,680	-
	<u>\$ 7,437,556</u>	<u>\$ 6,938,021</u>
Total	<u>\$ 7,437,556</u>	<u>\$ 6,938,021</u>

The \$450,680 reported as deferred outflows of resources related to pensions resulting from Employer contributions subsequent to the measurement date will be recognized as a reduction of net pension liability in the year ended December 31, 2024.

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<u>Year Ended December 31,</u>	
2024	\$ 511,422
2025	(626,852)
2026	526,257
2027	(361,972)

#### **E. Actuarial Assumptions**

The total pension liability in the July 1, 2023, actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.25%
Salary increases	3.5% to 17.75% including inflation
Investment rate of return	6.50%, net of investment expenses
Cost-of-living adjustments	None

For active members, inactive members and healthy retirees, mortality rates were based on the Sex-distinct Pub-2010 table for General Employees, with scaling based on actual experience. Respective corresponding tables were used for healthy retirees, disabled retirees, and active members. Mortality rates are projected from 2010 using the MP-2019 scale.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of arithmetic real rates of return for each major asset class included in the Fund's target asset allocation are summarized in the following table:

<u>Asset Class</u>	<u>Target Allocation</u>	<u>Long-Term Expected Real Rate of Return</u>
Domestic Equity	31%	6.25%
International Equity	20%	6.95%
Private Equity	7%	9.45%
Domestic Fixed Income	23%	2.51%
Global Real Assets	19%	4.33%

**F. Discount Rate**

For PERS, GASB Statement No. 67 includes a specific requirement for the discount rate that is used for the purpose of the measurement of the Total Pension Liability. This rate considers the ability of the System to meet benefit obligations in the future. To make this determination, employer contributions, employee contributions, benefit payments, expenses and investment returns are projected into the future. The current employer and employee fixed rate contributions are assumed to be made in each future year. The Plan Net Position (assets) in future years can then be determined and compared to its obligation to make benefit payments in those years. In years where assets are not projected to be sufficient to meet benefit payments, which is the case for the PERS plan, the use of a municipal bond rate is required.

The Single Discount Rate (SDR) is equivalent to applying these two rates to the benefits that are projected to be paid during the different time periods. The SDR reflects (1) the long-term expected rate of return on pension plan investments (during the period in which the fiduciary net position is projected to be sufficient to pay benefits) and (2) a tax-exempt municipal bond rate based on an index of 20-year general obligation bonds with an average AA credit rating as of the measurement date (to the extent that the contributions for use with the long-term expected rate of return are not met).

For the purpose of this valuation, the expected rate of return on pension plan investments is 6.50%; the municipal bond rate is 3.86%; and the resulting Single Discount Rate is 6.50%.

**G. Pension Liability Sensitivity**

The following presents the Park District's proportionate share of the net pension liability calculated using the discount rate of 6.50 percent, as well as what the Park District's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (5.50 percent) or 1-percentage-point higher (7.50 percent) than the current rate:

	1% Decrease (5.50%)	Current Discount Rate (6.50%)	1% Increase (7.50%)
Employer's Proportionate Share of the Net Pension Liability	\$ 12,511,915	\$ 9,074,760	\$ 6,223,375

**H. Pension Plan Fiduciary Net Position**

Detailed information about the pension plan's fiduciary net position is available in the separately issued NDPERS financial report. The report may be obtained on the internet at [www.nd.gov/ndpers/employers/gasb-info.html](http://www.nd.gov/ndpers/employers/gasb-info.html); by writing NDPERS at 400 E Broadway Ave Suite 505, PO Box 1657, Bismarck ND 58502-1657; or by calling (701) 328-3900 or 1-800-803-7377.



**Total of All Pension Plans**

Net pension liability, deferred outflows of resources, deferred inflows of resources, and pension expense for all pension plans in which the Park District participates are included in the financial statements as follows:

	<u>Governmental Activities</u>
Pension Liability	
City of Fargo	\$ 713,688
NDPERS	<u>9,074,760</u>
	<u>\$ 9,788,448</u>
Deferred Outflows of Resources	
City of Fargo	\$ 755,179
NDPERS	<u>7,437,556</u>
	<u>\$ 8,192,735</u>
Deferred Inflows of Resources	
City of Fargo	\$ 52,508
NDPERS	<u>6,938,021</u>
	<u>\$ 6,990,529</u>
Pension Expense	
City of Fargo	\$ 123,126
NDPERS	<u>1,290,544</u>
	<u>\$ 1,413,670</u>

**Note 12 - Interfund Transfers**

During the year ended December 31, 2023, the General Fund transferred \$1,745,904 to the Capital Projects Fund for current and future planned capital projects.

**Note 13 - Medical Self-Insurance**

The Park District is self-insured with respect to certain employee medical costs. The Park District implemented the self-insurance medical plan January 1, 2006. Terms of the plan include a stop-loss provision which limits the Park District's liability to \$75,000 per individual or approximately \$1,468,000 in aggregate annually. The following is the activity for the year ended December 31, 2023:

Claims incurred but not reported at beginning of year	\$ 129,000
Claims incurred	1,733,293
Claims paid	<u>(1,552,293)</u>
Claims incurred but not reported at end of year	<u>\$ 310,000</u>

**Note 14 - Adoption of New Standard**

As of January 1, 2023, the Park District adopted GASB Statement No. 96, *Subscription-Based Information Technology Arrangements (SBITAs)*. The implementation of this standard establishes that a SBITA results in a right to use subscription IT asset - an intangible asset - and a corresponding liability. The standard provides the capitalization criteria for outlays other than subscription payments, including implementation costs of a SBITA. The Statement requires recognition of certain SBITA assets and liabilities for SBITAs that previously were recognized as outflows of resources based on the payment provisions of the contract. Beginning net position was restated to retroactively adopt the provisions of GASB Statement No. 96 as follows:

	<u>Governmental Activities</u>
Net Position at January 1, 2023, as previously reported	\$ 133,860,188
Recognition of right to use subscription IT assets	85,426
Recognition of subscription IT liabilities	<u>(67,319)</u>
Net Position at January 1, 2023, as restated	<u>\$ 133,878,295</u>

**Note 15 - Risk Management**

The Park District is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The Park District's risk management program encompasses obtaining property and liability insurance through the North Dakota Insurance Reserve Fund, North Dakota Fire and Tornado Fund, and the State Bonding Fund. The Park District has not had any significant reduction in insurance coverage and the amounts of insurance settlements have not exceeded insurance coverage for any of the last three years. The participation of the Park District in the above funds is limited to payment of premiums. At the end of the year, the Park District did not have any significant claims.

The Park District also provides workers compensation insurance on its employees through the North Dakota Workforce Safety and Insurance. At the end of the year, the Park District believed the amounts paid on workers compensation would not change significantly from the amounts recorded.

**Note 16 - Commitments****Construction**

As of December 31, 2023, the Park District had construction in progress of \$85,662,337, relating to various Park District projects, the most significant being the Fargo Parks Sports Center project with construction in progress of \$78,226,242. Total remaining costs of completion for all projects is estimated to be approximately \$66.5 million, of which approximately \$55.1 million relates to the Fargo Parks Sports Center project. These projects are expected to be completed in 2024 and 2025.

**Note 17 - Joint Power Agreement with other Governmental Entities**

The Park District has joint power agreements with the Fargo Public Schools for shared facilities. The Park District and School District have similar needs of facilities and have joined in the funding, maintenance and usage of facilities located in the City of Fargo. The joint power agreements provide easements to both governmental entities allowing for access and placement of capital assets. The agreements provide for shared costs of construction and maintenance, assignment of responsibility of maintenance and how the two entities will share in capital repair and replacement of the facilities covered by the joint power agreements.

**Note 18 - Subsequent Events**

Subsequent to year end, the Park District sold the Robert D. Johnson building to Cass County for \$825,000.



Required Supplementary Information  
December 31, 2023

## Park District of the City of Fargo

Park District of the City of Fargo  
Schedule of Employer's Share of Net OPEB Liability and Related Ratios  
December 31, 2023

**Schedule of Employer's Share of Net OPEB Liability; Last 10 Fiscal Years\***

**North Dakota Public Employees Retirement System**

Measurement Date	Employer's Proportion (Percentage) of the Net OPEB Liability	Employer's Proportionate Share (Amount) of the Net OPEB Liability (a)	Employer's Covered-Employee Payroll (b)	Employer's Proportionate Share of the Net OPEB Liability as a Percentage of its Covered-Employee Payroll (a/b)	Plan Fiduciary Net Position as a Percentage of the Total OPEB Liability
2023	0.378080%	\$ 377,986	\$ 3,800,396	9.95%	62.74%
2022	0.371404%	\$ 445,800	\$ 3,834,390	11.63%	56.28%
2021	0.371399%	\$ 206,562	\$ 4,049,209	5.10%	76.63%
2020	0.343902%	\$ 289,290	\$ 3,920,379	7.38%	63.38%
2019	0.332687%	\$ 267,210	\$ 3,712,310	7.20%	63.13%
2018	0.315603%	\$ 248,559	\$ 3,453,384	7.20%	61.89%

\*GASB Statement No. 75 requires ten years of information to be presented in this table. However, until a full 10-year trend is compiled, the Park District will present information for those years for which information is available.

**Schedule of Employer's Share of Net OPEB Liability; Last 10 Fiscal Years\***

**North Dakota Public Employees Retirement System**

Fiscal Year Ending	Statutorily Required Contribution (a)	Contributions in Relation to the Statutorily Required Contribution (b)	Contribution Deficiency (Excess) (a-b)	Covered-Employee Payroll (c)	Contributions as a Percentage of Covered-Employee Payroll (b/c)
2023	\$ 45,889	\$ 45,216	\$ 673	\$ 3,800,396	1.19%
2022	\$ 46,669	\$ 46,203	\$ 466	\$ 3,834,390	1.20%
2021	\$ 48,693	\$ 47,220	\$ 1,473	\$ 4,049,209	1.17%
2020	\$ 46,056	\$ 45,685	\$ 371	\$ 3,920,379	1.17%
2019	\$ 43,174	\$ 41,559	\$ 1,615	\$ 3,712,310	1.12%
2018	\$ 40,506	\$ 38,983	\$ 1,523	\$ 3,453,384	1.13%

\*GASB Statement No. 75 requires ten years of information to be presented in this table. However, until a full 10-year trend is compiled, the Park District will present information for those years for which information is available.

**Notes to Schedule of Employer's Share of Net OPEB Liability and Schedule of Employer Contributions**

**Changes of Benefit Terms**

Beginning January 1, 2020, members first enrolled in the NDPERS Main System and the Defined Contribution Plan on or after that date will not be eligible to participate in RHIC. Therefore, RHIC will become for the most part a closed plan. There have been no other changes in plan provisions since the previous actuarial valuation as of July 1, 2022.

**Changes of Assumptions**

All actuarial assumptions used in the actuarial valuation as of July 1, 2022, were based on an experience review for the period from July 1, 2014, to July 1, 2019, and were adopted for first use commencing with the actuarial valuation as of July 1, 2020. There have been no changes in actuarial assumptions since the previous actuarial valuation as of July 1, 2022.

Park District of the City of Fargo  
Schedule of Changes in the Employer's Total OPEB Liability and Related Ratios  
December 31, 2023

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**Schedule of Changes in the Employer's Total OPEB Liability and Related Ratios, Last 10 Fiscal years\***

**Fargo Park District Health Insurance Plan**

	2023	2022	2021	2020	2019	2018
Service Cost	\$ 72,792	\$ 83,289	\$ 70,927	\$ 67,939	\$ 68,851	\$ 61,015
Interest	12,879	16,477	19,040	28,506	24,492	25,028
Changes of Assumptions	(91,919)	(158,191)	36,111	(123,853)	(29,026)	25,539
Differences Between Expected and Actual Experience	(3,577)	(52,324)	(5,290)	(33,156)	-	-
Benefit Payments	(5,324)	-	(3,374)	(33,424)	(36,590)	(36,139)
Net Change in Total OPEB Liability	(15,149)	(110,749)	117,414	(93,988)	27,727	75,443
Total OPEB Liability - Beginning	629,794	740,543	623,129	717,117	689,390	613,947
Total OPEB Liability - Ending	<u>\$ 614,645</u>	<u>\$ 629,794</u>	<u>\$ 740,543</u>	<u>\$ 623,129</u>	<u>\$ 717,117</u>	<u>\$ 689,390</u>
Covered Payroll	\$ 7,854,351	\$ 7,207,752	\$ 6,980,254	\$ 6,585,575	\$ 6,284,568	\$ 5,873,528
Total OPEB Liability as a Percentage of Covered Payroll	7.8%	8.7%	10.6%	9.5%	11.4%	11.7%

\*GASB Statement No. 75 requires ten years of information to be presented in this table. However, until a full 10-year trend is compiled, the Park District will present information for those years for which information is available.

### Notes to the Schedule of Changes in the Employer's Total OPEB Liability and Related Ratios

No assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement 75.

#### 2022

Assumption changes:

- The discount rate was changed from 2.00% to 1.84% based on updated 20-year municipal bond rates.
- Health care trend rates were reset to reflect updated cost increase expectations.
- Withdrawal, retirement, and salary scale rates for Main System (non-State employees) were updated from the rates used in the July 1, 2019, NDPERS actuarial valuation to the rates used in the July 1, 2021, NDPERS actuarial valuation.
- Medical per capita claims costs were updated to reflect recent experience.
- The inflation assumption was changed from 2.50% to 2.25% based on an updated historical analysis of inflation rates and forward-looking market expectations.

#### 2021

Assumption changes:

- The discount rate was changed from 2.75% to 2.00% based on updated 20-year municipal bond rates.

#### 2020

Assumption changes:

- The discount rate was changed from 3.71% to 2.75% based on updated 20-year municipal bond rates.
- Healthcare trend rates were reset to reflect updated cost increase expectations, including the repeal of the Affordable Care Act's Excise Tax on high-cost insurance plans.
- Medical per capita claims costs were updated to reflect recent experience, including an adjustment to reflect age/gender based risk scores published by the Society of Actuaries.
- The mortality projection scale was updated from MP-2017 to MP-2019 to reflect recently-published mortality rates.
- Withdrawal, retirement, and salary scale rates for City participants were updated to the rates used in the 2015-2019 Actuarial Experience Study for the City of Fargo Employees' Pension Plan.
- The percent of future retirees assumed to elect coverage at retirement changed from 100% to 90% to reflect recent plan experience.
- The inflation assumption was changed from 2.75% to 2.50% based on an updated historical analysis of inflation rates and forward-looking market expectations.

#### 2019

Assumption changes:

- None

#### 2018

Assumption changes:

- None



Park District of the City of Fargo  
Schedule of Employer's Share of Net Pension Liability  
December 31, 2023

<u>Pension Plan</u>	<u>Measurement Date</u>	<u>Employer's Proportion (Percentage) of the Net Pension Liability</u>	<u>Employer's Proportionate Share (Amount) of the Net Pension Liability (Asset) (a)</u>	<u>Employer's Covered-Payroll (b)</u>	<u>Employer's Proportionate Share of the Net Pension Liability as a Percentage of its Covered-Payroll (a/b)</u>	<u>Plan Fiduciary Net Position as a Percentage of the Total Pension Liability</u>
City of Fargo Pension Plan	12/31/2023	11.27%	\$ 713,688	\$ 2,244,310	31.8%	90.1%
City of Fargo Pension Plan	12/31/2022	11.27%	\$ 1,176,112	\$ 2,122,940	55.4%	83.5%
City of Fargo Pension Plan	12/31/2021	11.23%	\$ (466,089)	\$ 2,066,293	-22.6%	106.6%
City of Fargo Pension Plan	12/31/2020	11.23%	\$ (10,993)	\$ 2,151,422	-0.5%	100.2%
City of Fargo Pension Plan	12/31/2019	11.07%	\$ 785,456	\$ 2,357,204	33.3%	88.2%
City of Fargo Pension Plan	12/31/2018	12.15%	\$ 1,785,110	\$ 2,427,364	73.5%	75.2%
City of Fargo Pension Plan	12/31/2017	10.73%	\$ 1,071,680	\$ 2,326,752	46.1%	82.8%
City of Fargo Pension Plan	12/31/2016	10.04%	\$ 1,468,596	\$ 2,599,184	56.5%	74.1%
City of Fargo Pension Plan	12/31/2015	10.56%	\$ 1,732,437	\$ 2,730,717	63.4%	70.8%
NDPERS	6/30/2023	0.4706%	\$ 9,074,760	\$ 5,755,085	157.7%	65.3%
NDPERS	6/30/2022	0.3955%	\$ 11,391,470	\$ 4,591,438	248.1%	54.5%
NDPERS	6/30/2021	0.3868%	\$ 4,031,733	\$ 4,380,216	92.0%	78.3%
NDPERS	6/30/2020	0.3745%	\$ 11,780,938	\$ 4,130,865	285.2%	48.9%
NDPERS	6/30/2019	0.3569%	\$ 4,183,056	\$ 3,712,310	112.7%	71.7%
NDPERS	6/30/2018	0.3362%	\$ 5,672,999	\$ 3,453,384	164.3%	62.8%
NDPERS	6/30/2017	0.3066%	\$ 4,928,470	\$ 3,130,157	157.5%	70.5%
NDPERS	6/30/2016	0.2372%	\$ 2,311,609	\$ 2,390,278	96.7%	70.5%
NDPERS	6/30/2015	0.2224%	\$ 1,511,942	\$ 1,980,866	76.3%	77.2%

\*GASB Statement No. 68 requires ten years of information to be presented in this table. However, until a full 10-year trend is compiled, the Park District will present information for those years for which it is available.

Park District of the City of Fargo  
Schedule of Employer's Contributions  
December 31, 2023

<u>Pension Plan</u>	<u>Fiscal Year Ending</u>	<u>Statutorily Required Contribution (a)</u>	<u>Contributions in Relation to the Statutorily Required Contribution (b)</u>	<u>Contribution Deficiency (Excess) (a-b)</u>	<u>Covered-Payroll (c)</u>	<u>Contributions as a Percentage of Covered-Payroll (b/c)</u>
City of Fargo Pension Plan	12/31/2023	\$ 143,528	\$ 308,927	\$ (165,399)	\$ 2,244,310	13.8%
City of Fargo Pension Plan	12/31/2022	\$ 143,528	\$ 407,128	\$ (263,600)	\$ 2,122,940	19.2%
City of Fargo Pension Plan	12/31/2021	\$ 247,625	\$ 83,508	\$ 164,117	\$ 2,066,293	4.0%
City of Fargo Pension Plan	12/31/2020	\$ 247,625	\$ 81,282	\$ 166,343	\$ 2,151,422	3.8%
City of Fargo Pension Plan	12/31/2019	\$ 292,138	\$ 295,107	\$ (2,969)	\$ 2,357,204	12.5%
City of Fargo Pension Plan	12/31/2018	\$ 212,010	\$ 201,386	\$ 10,624	\$ 2,427,364	8.3%
City of Fargo Pension Plan	12/31/2017	\$ 242,716	\$ 226,331	\$ 16,385	\$ 2,326,752	9.7%
City of Fargo Pension Plan	12/31/2016	\$ 233,338	\$ 185,188	\$ 48,150	\$ 2,599,184	7.1%
City of Fargo Pension Plan	12/31/2015	\$ 209,247	\$ 154,258	\$ 54,989	\$ 2,730,717	5.6%
NDPERS	12/31/2023	\$ 435,376	\$ 414,367	\$ 21,009	\$ 5,755,091	7.2%
NDPERS	12/31/2022	\$ 345,813	\$ 332,406	\$ 13,407	\$ 4,591,438	7.2%
NDPERS	12/31/2021	\$ 323,021	\$ 316,026	\$ 6,995	\$ 4,380,216	7.2%
NDPERS	12/31/2020	\$ 292,501	\$ 290,357	\$ 2,144	\$ 4,130,865	7.0%
NDPERS	12/31/2019	\$ 270,277	\$ 259,559	\$ 10,718	\$ 3,712,310	7.0%
NDPERS	12/31/2018	\$ 254,357	\$ 243,475	\$ 10,882	\$ 3,453,384	7.1%
NDPERS	12/31/2017	\$ 226,975	\$ 202,726	\$ 24,249	\$ 3,130,157	6.5%
NDPERS	12/31/2016	\$ 173,052	\$ 164,318	\$ 8,734	\$ 2,390,278	6.9%
NDPERS	12/31/2015	\$ 150,463	\$ 141,237	\$ 9,226	\$ 2,154,119	6.6%

\*GASB Statement No. 68 requires ten years of information to be presented in this table. However, until a full 10-year trend is compiled, the Park District will present information for those years for which it is available.

**NDPERS****2023***Changes of benefit terms:*

House Bill 1040 was passed, which closes the Main System to employees newly enrolled into the system on January 1, 2025, and later. The state employer contribution for 2026 and later was changed to be the amount sufficient to fund the Main System on actuarial basis, with the amortization of the unfunded liability determined on a level percent of payroll basis over a closed period beginning on January 1, 2026, and ending June 30, 2056.

*Changes of assumptions:*

All actuarial assumptions used in the actuarial valuation as of July 1, 2022, were based on experience review for the period from July 1, 2014, to July 1, 2019, and were adopted for first use commencing with the actuarial valuation as of July 1, 2020. There have been no changes in actuarial assumptions since the previous actuarial valuation as of July 1, 2022.

**2022***Changes of benefit terms:*

The interest rate earned on member contributions decreased from 6.50 percent to 6.00 percent effective January 1, 2023 (based on the adopted decrease in the investment return assumption). New Main System members who are hired on or after January 1, 2020, will have a benefit multiplier of 1.75 percent (compared to the current benefit multiplier of 2.00 percent). The fixed employer contribution for new members of the Main System increased from 7.12 percent to 8.26 percent. For members who terminate after December 31, 2019, final average salary is the higher of the final average salary calculated on December 31, 2019, or the average salary earned in the three highest periods of twelve consecutive months employed during the last 180 months of employment. There have been no other changes in plan provisions since the previous actuarial valuation as of July 1, 2020.

*Changes of assumptions:*

The investment return assumption was updated from 7.00% to 6.50% beginning with the actuarial valuation as of July 1, 2022. All other actuarial assumptions used in the actuarial valuation as of July 1, 2022, were based on an experience review for the period from July 1, 2014 to July 1, 2019, and were adopted for first use commencing with the actuarial valuation as of July 1, 2020.

**2021***Changes of benefit terms:*

There have been no changes in plan provisions since the previous actuarial valuation as of July 1, 2020.

*Changes of assumptions:*

All actuarial assumptions and the actuarial cost method are unchanged from the last actuarial valuation as of July 1, 2020.

**2020***Changes of benefit terms:*

The interest rate earned on member contributions will decrease from 7.00 percent to 6.50 percent effective January 1, 2021 (based on the adopted decrease in the investment return assumption). New Main System members who are hired on or after January 1, 2020, will have a benefit multiplier of 1.75 percent (compared to the current benefit multiplier of 2.00 percent). The fixed employer contribution for new members of the Main System will increase from 7.12 percent to 8.26 percent. For members who terminate after December 31, 2019, final average salary is the higher of the final average salary calculated on December 31, 2019, or the average salary earned in the three highest periods of twelve consecutive months employed during the last 180 months of employment. There have been no other changes in plan provisions since the previous actuarial valuation as of July 1, 2019.

*Changes of assumptions:*

The Board approved the following changes to the actuarial assumptions beginning with the July 1, 2019, valuation:

- The investment return assumption was lowered from 7.5% to 7.0%
- The assumed rate of price inflation was lowered from 2.5 to 2.25 percent for the July 1, 2020, valuation
- The assumed rate of total payroll growth was updated for the July 1, 2020, valuation
- Mortality table updates were made for the July 1, 2020, valuation

All other actuarial assumptions and the actuarial cost method are unchanged from the last actuarial valuation as of July 1, 2019.

**2019***Changes of benefit terms:*

The interest rate earned on member contributions will decrease from 7.25 percent to 7.00 percent effective January 1, 2020 (based on the adopted decrease in the investment return assumption). New Main System members who are hired on or after January 1, 2020, will have a benefit multiplier of 1.75 percent (compared to the current benefit multiplier of 2.00 percent). The fixed employer contribution for new members of the Main System will increase from 7.12 percent to 8.26 percent. For members who terminate after December 31, 2019, final average salary is the higher of the final average salary calculated on December 31, 2019, or the average salary earned in the three highest periods of twelve consecutive months employed during the last 180 months of employment. There have been no other changes in plan provisions since the previous actuarial valuation as of July 1, 2018.

*Changes of assumptions:*

The Board approved the following changes to the actuarial assumptions beginning with the July 1, 2019, valuation:

- The investment return assumption was lowered from 7.75% to 7.50%

All other actuarial assumptions and the actuarial cost method are unchanged from the last actuarial valuation as of July 1, 2018.

**2018**

*Changes of benefit terms:*

None

*Changes of assumptions:*

Amounts reported in 2019 reflect actuarial assumption changes effective July 1, 2018, based on the results of an actuarial experience study completed in 2015. This includes changes to the mortality tables, disability incidence rates, retirement rates, administrative expenses, salary scale, and percent married assumption.

**2017**

*Changes of benefit terms:*

None

*Changes of assumptions:*

Amounts reported in 2018 reflect actuarial assumption changes effective July 1, 2017, based on the results of an actuarial experience study completed in 2015. This includes changes to the mortality tables, disability incidence rates, retirement rates, administrative expenses, salary scale, and percent married assumption.

**2016**

*Changes of benefit terms:*

None

*Changes of assumptions:*

Amounts reported in 2017 reflect actuarial assumption changes effective July 1, 2016, based on the results of an actuarial experience study completed in 2015. This includes changes to the mortality tables, disability incidence rates, retirement rates, administrative expenses, salary scale, and percent married assumption.

**2015**

*Changes of benefit terms:*

None

*Changes of assumptions:*

Amounts reported in 2016 reflect actuarial assumption changes effective July 1, 2015, based on the results of an actuarial experience study completed in 2015. This includes changes to the mortality tables, disability incidence rates, retirement rates, administrative expenses, salary scale, and percent married assumption.

**City of Fargo Pension Plan**

**2023**

Changes of assumptions:

- None

**2022**

Changes of assumptions:

- None

**2021**

Changes of assumptions:

- The discount rate and long-term investment return assumption were updated from 7.25% to 7.00% to reflect updated capital market assumptions.
- The mortality improvement scale was updated from MP-2020 to MP-2021 to reflect the most recently published longevity assumptions.

**2020**

Changes of assumptions:

- Salary scale was changes from 2.5% to an age-based table based on historical experience and current pay scale information.
- When actual spouse birthdates are not available, the spouse age assumption was updated to assume female beneficiaries are two years younger and male beneficiaries two years older to reflect recent experience.
- The mortality table was updated to the PubG-2010 General mortality tables projected generationally with MP-2020 to reflect the most recently published tables.
- The withdrawal table adjustment factor was reduced from 50% to 30% based on recent experience to reflect lower turnover.
- Retirement rates were updated based on recent retiree experience to reflect later retirements.
- The assumed payment form for future NDPERS retirees on or after early retirement eligibility was updated to: 80% elect a life annuity and 20% elect a 100% joint & survivor annuity. Prior to early retirement eligibility, we assume that 50% elect a lump sum and 50% choose a deferred annuity according to the election percentages above.
- Expected expenses are now rounded to nearest \$1,000 for simplification.

**2019**

Changes of assumptions:

- None

**2018**

Changes of assumptions:

- The mortality improvement scale was updated from MP-2017 to MP-2018 to reflect recently published longevity assumptions.
- The inflation assumption was updated from 2.75% to 2.50% based on updated historical analysis of inflation rates and forward-looking market expectations.

**2017**

Changes of assumptions:

- The mortality improvement scale was updated from MP-2016 to MP-2017 to reflect recently published longevity assumptions.

**2016**

Changes of assumptions:

- The mortality improvement scale was updated from MP-2015 to MP-2016 to reflect recently published longevity assumptions.
- Salary scale was changed from 3.0% to 2.5% based on the City's pay grade/step scale and historical experience for active members currently earning benefits in the plan.
- Retirement rates were updated based on recent retiree experience.

**2015**

Changes of assumptions:

- The discount rate changed from 7.50% to 7.25% to reflect an updated expected asset return assumption.
- The expected long-term rate of return on assets changes from 7.50% to 7.25% to reflect updated capital market assumptions.
- Mortality was updated from the RP-2014 no-collar, annuitant/non-annuitant tables with projection scale MP-2014 to the adjusted RP-2014 table with MP-2015 projection scale to reflect the most recently published table.
- The withdrawal assumption was updated to the SOA 2003 small plan age-based table with a 50% reduction factor. This change was made to reflect the trend of NDPERS employees terminating prior to early retirement eligibility and electing a lump sum payment.
- The pre-retirement form of payment assumption for NDPERS transfers was updated to reflect both lump sum and annuity elections. This change was made to reflect the trend of NDPERS employees terminating prior to early retirement eligibility and electing a lump sum payment.



Other Supplementary Information  
December 31, 2023

## Park District of the City of Fargo



Park District of the City of Fargo  
Combining Statement of Net Position  
Discretely Presented Component Units  
December 31, 2023

	Valley Senior Services	Fargo Park District Foundation	Valley Senior Services Foundation	Total
<b>Assets</b>				
Cash and investments	\$ 4,825,932	\$ 6,202,145	\$ 1,215,434	\$ 12,243,511
Accounts receivable	788,168	-	-	788,168
Pledges receivable	-	14,664,625	-	14,664,625
Leases receivable	-	7,535,385	-	7,535,385
	<u>5,614,100</u>	<u>28,402,155</u>	<u>1,215,434</u>	<u>35,231,689</u>
Capital assets (net of accumulated depreciation/ amortization where applicable):				
Buildings	665,135	-	-	665,135
Machinery and equipment	458,990	-	-	458,990
Right-to-use leased assets	109,343	-	-	109,343
	<u>1,233,468</u>	<u>-</u>	<u>-</u>	<u>1,233,468</u>
<b>Total assets</b>	<u>6,847,568</u>	<u>28,402,155</u>	<u>1,215,434</u>	<u>36,465,157</u>
<b>Deferred Outflows of Resources</b>				
OPEB	<u>8,744</u>	<u>-</u>	<u>-</u>	<u>8,744</u>
<b>Liabilities</b>				
Accounts payable	223,474	1,378	829	225,681
Accrued payroll	107,944	-	-	107,944
Unearned revenue - pledges	-	10,949,600	-	10,949,600
Long-term liabilities				
Due in less than one year - other than OPEB	144,332	2,808,475	-	2,952,807
Due in more than one year - other than OPEB	43,610	3,756,419	-	3,800,029
Due in more than one year - OPEB	140,386	-	-	140,386
	<u>659,746</u>	<u>17,515,872</u>	<u>829</u>	<u>18,176,447</u>
<b>Deferred Inflows of Resources</b>				
OPEB	78,405	-	-	78,405
Leases	-	9,883,635	-	9,883,635
	<u>78,405</u>	<u>9,883,635</u>	<u>-</u>	<u>9,962,040</u>
<b>Net Position</b>				
Net investment in capital assets	1,233,468	-	-	1,233,468
Restricted for:				
Island Park pool	-	75,000	-	75,000
Senior services	4,884,693	-	1,214,605	6,099,298
Unrestricted	-	927,648	-	927,648
	<u>6,118,161</u>	<u>1,002,648</u>	<u>1,214,605</u>	<u>8,335,414</u>
<b>Total net position</b>	<u>\$ 6,118,161</u>	<u>\$ 1,002,648</u>	<u>\$ 1,214,605</u>	<u>\$ 8,335,414</u>

**Park District of the City of Fargo**  
 Combining Statements of Revenues, Expenses and Changes in Net Position  
 Discretely Presented Component Units  
 Year Ended December 31, 2023

	Valley Senior Services	Fargo Park District Foundation	Valley Senior Services Foundation	Total
Operating Revenues				
Taxes	\$ 2,119,500	\$ -	\$ -	\$ 2,119,500
Intergovernmental revenue	3,575,190	210,700	-	3,785,890
Charges for services	895,624	-	-	895,624
Investment earnings	13,717	287	17,346	31,350
Grants, trusts and donations	27,499	2,668,513	255,932	2,951,944
Other	38,789	-	-	38,789
Total operating revenues	<u>6,670,319</u>	<u>2,879,500</u>	<u>273,278</u>	<u>9,823,097</u>
Operating Expenses				
Wages and salaries	3,274,157	206,666	-	3,480,823
Depreciation/amortization	247,216	-	-	247,216
Grants	-	1,300	-	1,300
Fargo Park District Support	-	8,573,068	-	8,573,068
Other	2,791,793	60,531	13,961	2,866,285
Total operating expenses	<u>6,313,166</u>	<u>8,841,565</u>	<u>13,961</u>	<u>15,168,692</u>
Operating Income	357,153	(5,962,065)	259,317	(5,345,595)
Nonoperating Expenses				
Loss on disposal of capital assets	(9,617)	-	-	(9,617)
Change in Net Position	347,536	(5,962,065)	259,317	(5,355,212)
Total Net Position, Beginning of Year	<u>5,770,625</u>	<u>6,964,713</u>	<u>955,288</u>	<u>13,690,626</u>
Total Net Position, End of Year	<u>\$ 6,118,161</u>	<u>\$ 1,002,648</u>	<u>\$ 1,214,605</u>	<u>\$ 8,335,414</u>

Park District of the City of Fargo  
Balance Sheet - Modified Accrual Basis  
Valley Senior Services  
December 31, 2023

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Assets

Cash and investments	\$ 4,825,932
Accounts receivable	<u>788,168</u>
Total assets	<u><u>\$ 5,614,100</u></u>

Liabilities and Fund Balance

Liabilities

Accounts payable	\$ 223,474
Accrued payroll	<u>107,944</u>
Total liabilities	<u>331,418</u>

Fund Balance

Unassigned	<u>5,282,682</u>
Total liabilities and fund balance	<u><u>\$ 5,614,100</u></u>

Park District of the City of Fargo  
Statement of Revenues, Expenditures and Changes in Fund Balances  
Budget and Actual - Modified Accrual Basis - Valley Senior Services  
Year Ended December 31, 2023

	Original and Final Budget	Actual	Variance With Budget
Revenues			
Taxes	\$ 2,261,000	\$ 2,119,500	\$ (141,500)
Intergovernmental revenue	2,594,236	3,575,190	980,954
Charges for services and contributions	927,000	895,624	(31,376)
Investment earnings	-	13,717	13,717
Grants, trusts and donations	24,000	27,499	3,499
Other	-	38,789	38,789
Total revenues	<u>5,806,236</u>	<u>6,670,319</u>	<u>864,083</u>
Expenditures			
Current			
Wages and salaries	3,295,516	3,243,441	52,075
Other	2,514,211	2,828,825	(314,614)
Capital outlay	-	201,778	(201,778)
Total expenditures	<u>5,809,727</u>	<u>6,274,044</u>	<u>(464,317)</u>
Net Change in Fund Balance	<u>\$ (3,491)</u>	396,275	<u>\$ 399,766</u>
Fund Balance, Beginning of Year		<u>4,886,407</u>	
Fund Balance, End of Year		<u>\$ 5,282,682</u>	



Federal Awards Reports in Accordance  
with the Uniform Guidance  
December 31, 2023

## Park District of the City of Fargo

Independent Auditor’s Report on Internal Control over Financial Reporting and on Compliance  
and Other Matters Based on an Audit of Financial Statements Performed in Accordance with  
*Government Auditing Standards*..... 1

Independent Auditor’s Report on Compliance for the Major Federal Program; Report on Internal  
Control Over Compliance; and Report on the Schedule of Expenditures of Federal Awards  
Required by the Uniform Guidance ..... 3

Schedule of Expenditures of Federal Awards ..... 7

Notes to the Schedule of Expenditures of Federal Awards ..... 8

Schedule of Findings and Questioned Costs ..... 9



**Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards***

To the Board of Park Commissioners  
Park District of the City of Fargo  
Fargo, North Dakota

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States (*Government Auditing Standards*), the financial statements of the governmental activities, the aggregate discretely presented component units, and each major fund of the Park District of the City of Fargo (the "Park District") as of and for the year ended December 31, 2023, and the related notes to the financial statements, which collectively comprise the Park District's basic financial statements, and have issued our report thereon dated June 5, 2024.

**Report on Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Park District's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Park District's internal control. Accordingly, we do not express an opinion on the effectiveness of the Park District's internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that have not been identified. We did identify a certain deficiency in internal control, described in the accompanying schedule of findings and questioned costs as item 2023-001 that we consider to be a material weakness.

## **Report on Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Park District's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

## **Park District's Response to Finding**

*Government Auditing Standards* requires the auditor to perform limited procedures on the Park District's response to the finding identified in our audit and described in the accompanying schedule of findings and questioned costs. The Park District's response was not subjected to the other auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on the response.

## **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purposes.

A handwritten signature in black ink that reads "Eric Bailly LLP". The signature is written in a cursive, flowing style.

Fargo, North Dakota  
June 5, 2024





**Independent Auditor's Report on Compliance for the Major Federal Program;  
Report on Internal Control Over Compliance; and Report on the Schedule of Expenditures of  
Federal Awards Required by the Uniform Guidance**

To the Board of Park Commissioners  
Park District of the City of Fargo  
Fargo, North Dakota

**Report on Compliance for the Major Federal Program**

***Opinion on the Major Federal Program***

We have audited Park District of the City of Fargo's (the "Park District") compliance with the types of compliance requirements identified as subject to audit in the *OMB Compliance Supplement* that could have a direct and material effect on the Park District's major federal program for the year ended December 31, 2023. The Park District's major federal program is identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

In our opinion, the Park District complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on its major federal program for the year ended December 31, 2023.

***Basis for Opinion on the Major Federal Program***

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS); the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*); and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the Park District and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for the major federal program. Our audit does not provide a legal determination of the Park District's compliance with the compliance requirements referred to above.

### ***Responsibilities of Management for Compliance***

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules and provisions of contracts or grant agreements applicable to the Park District's federal programs.

### ***Auditor's Responsibilities for the Audit of Compliance***

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the Park District's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material, if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the Park District's compliance with the requirements of the major federal program as a whole.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and the Uniform Guidance, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the Park District's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the Park District's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of the Park District's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

## Report on Internal Control over Compliance

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

## **Report on Schedule of Expenditures of Federal Awards Required by the Uniform Guidance**

We have audited the financial statements of the governmental activities, the aggregate discretely presented component units, and each major fund of the Park District as of and for the year ended December 31, 2023, and the related notes to the financial statements, which collectively comprise the Park District's basic financial statements. We issued our report thereon dated June 5, 2024, which contained an unmodified opinion on those financial statements. Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by the Uniform Guidance and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statement themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated in all material respects in relation to the financial statements as a whole.

A handwritten signature in cursive script that reads "Eide Bailly LLP".

Fargo, North Dakota  
June 5, 2024

Park District of the City of Fargo  
Schedule of Expenditures of Federal Awards  
Year Ended December 31, 2023

Federal Grantor/Pass-Through Grantor/Program or Cluster Title	Federal Financial Assistance Listing	Pass-Through Entity Identifying Number	Expenditures
Department of Health and Human Services			
Passed Through North Dakota Department of Human Services			
Special Programs for the Aging - Title III, Part C - Nutrition Services	93.045	190-12715	\$ 596,592
Special Programs for the Aging - Title III, Part C - Nutrition Services	93.045	190-13319	1,453,787
Nutrition Services Incentive Program	93.053	Unknown	<u>445,419</u>
Total Department of Health and Human Services/ Total Aging Cluster			\$ 2,495,798
Department of Transportation			
Passed Through North Dakota Department of Transportation			
Enhanced Mobility for Seniors and Individuals with Disabilities	20.509	38-22-1009	267,521
Enhanced Mobility for Seniors and Individuals with Disabilities	20.509	38-23-1016	162,459
Enhanced Mobility for Seniors and Individuals with Disabilities	20.509	38-22-0980	<u>2,098</u>
Total Department of Transportation			432,078
Department of Treasury			
Passed Through North Dakota Department of Parks and Recreation			
COVID-19 American Rescue Plan Act	21.027	BGR22004	44,693
Department of Agriculture			
Passed Through North Dakota State University			
Cooperative Forestry Assistance	10.664	2022S-ATB-TP001	10,000
Cooperative Forestry Assistance	10.664	2022S-ATB-PD008	<u>5,625</u>
Total Department of Agriculture			<u>15,625</u>
Total Federal Financial Assistance			<u><u>\$ 2,988,194</u></u>

**Note 1 - Basis of Presentation**

The accompanying schedule of expenditures of federal awards (the schedule) includes the federal award activity of the Park District of the City of Fargo (the "Park District") under programs of the federal government for the year ended December 31, 2023. The information is presented in accordance with the requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Because the schedule presents only a selected portion of the operations of the Park District, it is not intended to and does not present the financial position, changes in net assets or fund balance, or cash flows of the Park District.

**Note 2 - Summary of Significant Accounting Policies**

Expenditures reported in the schedule are reported on the modified accrual basis of accounting. When applicable, such expenditures are recognized following the cost principles contained in the Uniform Guidance, wherein certain types of expenditures are not allowable or are limited as to reimbursement. No federal financial assistance has been provided to a subrecipient.

**Note 3 - Indirect Cost Rate**

The Park District does not draw for indirect administrative expenses and has not elected to use the 10% de minimus cost rate.

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**Section I - Summary of Auditor's Results**

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**FINANCIAL STATEMENTS**

Type of auditor's report issued	Unmodified
Internal control over financial reporting:	
Material weaknesses identified	Yes
Significant deficiencies identified not considered to be material weaknesses	None Reported
Noncompliance material to financial statements noted?	No

**FEDERAL AWARDS**

Internal control over major program:	
Material weaknesses identified	No
Significant deficiencies identified not considered to be material weaknesses	None Reported
Type of auditor's report issued on compliance for major programs:	Unmodified
Any audit findings disclosed that are required to be reported in accordance with Uniform Guidance 2 CFR 200.516:	No

**Identification of major programs:**

<u>Name of Federal Program</u>	<u>Federal Financial Assistance Listing</u>
Aging Cluster	93.045 / 93.053
Dollar threshold used to distinguish between type A and type B programs	\$750,000
Auditee qualified as low-risk auditee?	No

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**Section II - Financial Statement Findings**

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**2023-001      Preparation of Financial Statements, including Proposed Journal Entries  
Material Weakness**

*Criteria* - A good system of internal accounting control contemplates an adequate system the ability to internally prepare their financial statements, as well as recording and processing entries that are significant to the financial statements.

*Condition* - The Park District does not have an internal control system designed to provide for the preparation of the financial statements being audited, including numerous audit adjustments, that would not have been identified as a result of the Park District's existing internal controls, and therefore could have resulted in a material misstatement of the Park District's financial statements. The auditors were requested to, and did, draft the Park District's financial statements and accompanying notes to the financial statements, including proposed journal entries.

*Cause* - The Park District does not have an internal control system designed to provide for the preparation of the financial statements being audited and record all necessary adjustments.

*Effect* - This control deficiency could result in a misstatement to the financial statements that would not be prevented or detected, and the financial disclosures in the financial statements could be incomplete.

*Recommendation* - It is the responsibility of management and those charged with governance to make the decision whether to accept the degree of risk associated with this condition because of cost or other considerations.

*Views of Responsible Officials* - There is no disagreement with the audit finding.

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**Section III - Federal Award Findings and Questioned Costs**

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None Reported





## MEMORANDUM

DATE: July 9, 2024

TO: Fargo Park Board Commissioners

FROM: Broc T. Lietz, Finance Director

RE: Agenda Item #6: Board to consider for approval a Resolution for Sale of the Depot, to MBN Properties, LLC, at a purchase price of \$1.2 million, and authorize the Executive Director of the Fargo Park District to execute a purchase agreement between the parties.

---

At the February 13, 2024, Park Board meeting, the commissioners took action to authorize administration to send a letter to the North Dakota State Historical Society indicating our intentions to sell the Depot, located at 701 Main Avenue, and for administration to actively market the property for sale and present offers to the board for consideration.

During executive session of the Fargo Park Board on June 11, 2024, the commissioners reviewed two offers to purchase the Depot and authorized legal counsel to negotiate a sale between MBN Properties, LLC, and the Fargo Park District.

Through the efforts of the district legal counsel and the buyer, accompanied by approval from the North Dakota State Historical Society, we are presenting you a Resolution for the Sale of the Depot and a purchase agreement for your consideration.

**Sample Motion:** I move to approve the Resolution for Sale of the Depot located at 701 Main Avenue, to MBN Properties, LLC, for \$1.2 million dollars, and authorize the Executive Director of the Fargo Park District to execute the purchase agreement.

**RESOLUTION FOR THE  
SALE OF 701 MAIN AVENUE, FARGO NORTH DAKOTA 58103**

**WHEREAS**, the Park District of the City of Fargo (“Park District”) is the owner of the real estate described on Exhibit “A” attached hereto (the “Depot”); and

**WHEREAS**, the Park District and MBN Properties, LLC. have entered into discussions for the sale and purchase of The Depot. MBN Properties, LLC. has made an offer to purchase the Depot for the sum of \$1,200,000.00. The Park District has accepted this offer submitted by MBN Properties, LLC, and is in agreement to convey the Depot to MBN Properties, LLC for the sum of \$1,200,000.00 along with other consideration as outlined in the simultaneously executed Purchase Agreement (attached hereto as Exhibit “B”).

**NOW, THEREFORE**, in accordance with NDCC Section 40-49-12(1), it is resolved as follows:

1. That the Park District be authorized and directed to facilitate the conveyance of the Depot to MBN Properties, LLC. Susan Faus, the executive director is authorized to execute any necessary documents to close the transaction, including but not limited to the Purchase Agreement and required closing documents.

The above resolution was adopted at the regular meeting of the Board of Commissioners held on \_\_\_\_\_ 2024, on a motion made by \_\_\_\_\_, and seconded by \_\_\_\_\_, and unanimously adopted.

**Park District to the City of Fargo**

\_\_\_\_\_  
By: Joe Deutsch  
Its: President

\_\_\_\_\_  
By: Jeff Gunkelman  
Its: Clerk

**EXHIBIT A**  
**701 Main Avenue, Fargo North Dakota**  
**The Depot**  
**Legal Description**

UNPLATTED, COMM AT NW COR OF BLK 7, ORIGINAL TOWNSITE; THEN N 02 DEG 29 MIN 00 SEC E, ASSMD BRG ALG E LN OF 8 ST, A DIST OF 75.50 FT TO N LN OF MAIN AVE; THEN S 87 DEG 37 MIN 00 SEC E, 124.96 FT ALG THE N LN OF SD MAIN AVE TO TRUE PT OF BEG OF TRACT TO BE DESC; THEN N 02 DEG 33 MIN 03 SEC E, 74.50 FT; THEN S 87 DEG 37 MIN 00 SEC E, 555.21 FT TO W LN OF 6 ST; THEN S 02 DEG 29 MIN 00 SEC W, 74.50 FT TO N LN OF SD MAIN AVE; THEN N 87 DEG 37 MIN 00 SEC W, 555.29 FT ALG N LN OF MAIN AVE TO TRUE PT OF BEG LEASED LD SOLD TO PARK DISTRICT LEASE 547844-231903 LESS POR OF THE NE ¼ OF THE NW ¼ OF SEC 7 TWP 139 N RGE 48 W DESC AS: COMM AT THE N ¼ COR OF SEC 7; THEN SLY ALG THE ¼ LN OF SEC 7, S 01 DEG 59' 58" E A DIST OF 570.09 FT TO THE PT ON THE SURVEY CNTRLN OF US 10; THEN WLY ALG THE SURVEY CNTRLN OF US 10 N 87 DEG 33' 11" W A DIST OF 315.87 FT; THEN N 02 DEG 26' 49" E A DIST OF 41.25 FT TO THE POB; THEN S 88 DEG 02' 28" W A DIST OF 45.56 FT; THEN N 87 DEG 33' 11" W ALG THE EXISTING NLY R/W OF US 10 A DIST OF 310.15 FT; THEN N 02 DEG 27' 58" E A DIST OF 3.50 FT; THEN S 87 DEG 33' 11" E A DIST OF 355.58 FT TO THE POB. SD TRACT CONT 1165 SF +/- AND IS SUBJ TO ANY EASE OF ROW PREV ACQUIRED

Lot: NP Block: 7 NORTHERN PACIFIC OUTLOT #1 PT OF NE 1/4 OF THE NW 1/4 OF SEC 7, TWP 139N, RGE 48W, DESC AS FOLL: BEG AT THE NW COR OF BLK 7, ORIGINAL TOWNSITE, ACCORDING TO THE PLAT ON FILE IN THE OF FICE OF THE COUNTY RECORDER, SD CASS CTY, ND; THEN N 02 DEG 29 MIN 00 SEC E, ASSMD BRG ALG THE E LN OF 8 ST, A DIST OF 75.50 FT TO THE N LN OF MAIN AV E, THE PT OF BEG OF THE TRACT TO BE DESC; THEN CON T N 02 DEG 29 MIN 00 SEC E 76.00 FT ALG THE E LN O F SD 8 ST; THEN S 87 DEG 37 MIN 00 SEC E 125.05 FT

## **REAL ESTATE PURCHASE AGREEMENT**

This Agreement is entered into on July \_\_\_\_, 2024, by and between, **The Park District of the City of Fargo**, a municipal subdivision and park district under Chapter 40-49 N.D.C.C., whose address is 6100 38<sup>th</sup> Street S, Fargo, North Dakota (“Seller”), and **MBN Properties, LLC**, a North Dakota limited liability company, whose address is 503 7<sup>th</sup> Street North, Suite 200, Fargo, North Dakota (collectively “Buyer”), who agree as follows:

1. **Purchase**. Seller agrees to sell, and Buyer agrees to buy, the following described real property (the “Property”) located in **Cass County**, North Dakota:

**See Attached Exhibit “A”**

Street Address: 701 Main Avenue, Fargo, North Dakota

**Included in the sale are the partition walls located within the building located on the Property as of the date of the Agreement first above.**

2. **Closing Date**. The closing shall occur at FM Title on December 20, 2024 (the “Closing Date”), or as soon as mutually agreed upon by the parties.

3. **Purchase Price**. Buyer agrees to pay Seller as and for the purchase price of the Property the sum of ~~Forty~~ \$1,200,000.00. In the event Buyer does not terminate this Agreement within the contingency period described in Section 9, Buyer agrees to pay to FM Title the sum of \$20,000.00 upon the expiration of the contingency period. The Purchase Price shall be due and owing in certified funds on the Closing Date.

4. **At Closing**. On the Closing Date and upon receipt of the Purchase Price, Seller shall execute, acknowledge and deliver title to Buyer in the form of a Warranty Deed.

5. **Fees and Costs**.

a. Seller will be responsible for the fees and expenses incurred in providing an updated abstract of title to Buyer, *providing clear and marketable title*, and recording of releases and satisfactions, and half of the closing fees to the title company.

b. Buyer will be responsible for all other fees and expenses incurred to close this transaction, including any title opinion fees, preparation of the warranty deed, title insurance premium, recording costs, and half of the closing fee to the title company.

c. Each party shall be responsible for their own attorney’s fees

6. **Real Estate Taxes and Special Assessments**. Seller shall be responsible for all special assessments for the year 2023. Special assessments for 2024 shall be prorated between Buyer and Seller as of the Closing Date. Buyer shall be responsible for all subsequent real estate

taxes and special assessments. Buyer shall assume all special assessments which have not been certified for collection on the Closing Date. Buyer acknowledges that Seller is a property tax exempt entity and therefore did not pay property taxes, other than special assessments. Buyer acknowledges that Buyer is a taxable entity and therefore subject to paying property taxes upon closing.

7. **Representations and Warranties of Seller.** Seller hereby warrants and represents:

- a. Seller is the sole owner of the Property and has full power, authority and right to execute, deliver and perform this Agreement, Attached this Agreement as Exhibit "A" is the Resolution Approving the Sale of the Property by the Seller's Board of Commissioners.
- b. Seller states there are no existing or pending claims, lawsuits, proceedings or other legal, quasi-legal, or administrative challenges concerning the Property or the ownership, operation or any condition thereon, and no such claim, lawsuit, proceeding or challenge is threatened by any person or entity.
- c. To the best of Seller's knowledge, Seller warrants no environmental defects, or any hazardous materials exist with or on the Property, except as otherwise fully disclosed to Buyers in writing prior to Closing.
- d. Sellers Representations and Warranties contained herein shall survive Closing.

8. **Title.** Seller warrants that title to the Property at the Closing Date will be subject only to the following exceptions:

- a. Covenants, conditions, restrictions, declarations and easements of record, if any;
- b. Building, zoning and subdivision laws and regulations; and

9. **Contingencies.** The obligation of Buyer to close hereunder is contingent upon and satisfaction or waiver by Buyer of each of the following conditions on or before the Closing Date:

- a. **Representations.** The representations and warranties of Seller contained in this Agreement will be true and complete now and, on the Closing Date;
- b. **Title.** Title to the Property shall have been found acceptable by Buyer, or been made acceptable, in accordance with the requirements and terms of Paragraph 8;
- c. **Inspection.** Buyer has the option to have the property inspected at Buyer's expense. If Buyer elects to have inspection then this Purchase Agreement is

contingent upon Buyer obtaining a satisfactory inspection of Property, including any non-intrusive testing or any intrusive testing as allowed pursuant to this Purchase Agreement.

All inspections and/or tests shall be done by inspector(s) or tester(s) of Buyer's choice, at Buyer's sole expense. Inspector(s) or tester(s) should be qualified to do the inspection or tests. Inspections and/or tests include but are not limited to the following: electrical system, plumbing system, central cooling system, central heating system, ceilings, floors, basement, foundation, walls, windows, exterior, roof, radon, mold and asbestos.

All inspections, tests, and resulting negotiations, if any, shall be done within 60 calendar days, beginning with the day after the final acceptance of this Purchase Agreement.

- d. Approval from North Dakota Historical Society. The Buyer acknowledges that the Property is subject to restrictions from the State Historical Society of North Dakota. The Buyer has received preliminary approval to purchase the Property from Seller. This Agreement is contingent upon the Buyer receiving final approval of the purchase.

If any of the foregoing contingencies have not been satisfied or waived by Buyer on or before September 9, 2024, then Buyer may terminate this Agreement, at Buyer's option, by written notice to that effect to Seller, in which event this Agreement shall terminate and be of no further force and effect. All the conditions set forth above are for the sole and exclusive benefit of Buyer, and Buyer shall have the unilateral right to waive any conditions by notice to Seller.

10. **Additional Terms and Conditions.** The purchase of the Property shall be subject to the following additional terms and conditions:

- a. No Diminishing or Encumbering Title. Seller agrees not to convey, mortgage or do any act to diminish or encumber the title to the Property while this Agreement remains in force.
- b. No Broker. No real estate broker or agent has been engaged or hired by either party to this Agreement and no commission or any other compensation is owed to any real estate broker or agent, notwithstanding any attorney's fees which may be owed by either party in preparation of this Agreement.
- c. Possession. Seller shall deliver possession of Property to Buyer at the Closing Date.

11. **Administration and Construction.** This Agreement shall be administered and construed in accordance with the following provisions:

- a. Time. Time is of the essence of this Agreement. Any reference in this Agreement to time periods of less than six (6) days shall in the computation of such time exclude Saturdays, Sundays and legal holidays. Any reference in this Agreement to time periods of six (6) days or greater shall in the computation of such time include Saturdays, Sundays and legal holidays. Any time period provided in this Agreement which shall end on a Saturday, Sunday or legal holiday shall extend to 5:00 p.m. on the next full business day.
- b. Notices. All notices or other communication provided for in this Agreement shall be given in writing by registered or certified mail which, unless otherwise designated by a party, shall be addressed to the addresses shown in Paragraph 1 of this Agreement. As to registered mail, notice shall be deemed served when properly addressed and duly accepted for mailing as registered mail in a branch of the United States Postal Service. As to certified mail, notice shall be deemed served when duly deposited in a United States Postal Service mailbox or at a branch of the United States Postal Service.
- c. Captions. The captions on the paragraphs and subparagraphs of this Agreement are inserted only for the purpose of convenient reference. The captions shall not be used to construe or interpret the Agreement nor to prescribe the scope or intent of the Agreement.
- d. Severability. The invalidity or unenforceability of any particular provision of this Agreement shall not affect its other provisions. The Agreement shall be construed in all respects as if such invalid or unenforceable provision was omitted.
- e. Entire Agreement. This Agreement constitutes the complete and entire understanding of the parties concerning the conveyance of their Property. Neither party shall be bound by or be liable for any statements, warranties, guarantees, or representations not set forth in this Agreement which may have been made by any broker, agent, employee or other person representing or purporting to represent a party to this Agreement.
- f. Modification. No change or modification of this Agreement shall be valid unless it is in writing and signed by all the parties to this Agreement.
- g. Survival. The provisions of this Agreement shall survive the closing and shall continue to bind the parties bound by this Agreement.
- h. Recordation. This Agreement shall not be recorded.
- i. Execution in Counterparts. This Agreement may be executed in counterparts, each of which shall be considered as an original of the

Agreement. All executed counterparts shall constitute, and shall have the force and effect, of one and the same document, and shall be binding upon those who execute the Agreement, regardless of whether all parties execute the same document.

- j. Persons Bound by this Agreement. This Agreement shall be binding upon the parties and their successors in interest. The rights and obligations of any party to this Agreement may be exercised or satisfied by that party's legal representative.
- k. Covenants to Run with Property. All covenants, terms and conditions in this Agreement shall run with the Property.
- l. Governing Law. The provisions of this Agreement shall be governed by the laws of the State of North Dakota.

IN WITNESS OF ITS TERMS AND CONDITIONS, the parties have executed this Agreement.

**Dated: July \_\_\_\_\_, 2024.**

**SELLER:**

**Park District to the City of Fargo**

\_\_\_\_\_  
By: Susan Faus  
Its: Executive Director

**Dated: July \_\_\_\_\_, 2024.**

**BUYER:**

**MBN Properties, LLC.,** a North Dakota  
limited liability company.

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_



## Exhibit "A"

### Legal Description

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