

FARGO CITY COMMISSION AGENDA
Monday, September 25, 2017 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at FargoND.gov/streaming. They are rebroadcast Mondays at 5:00 p.m., Thursdays at 7:00 p.m. and Saturdays at 8:00 a.m.; and are also included in our video archive at FargoND.gov/citycommission.

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, September 11, 2017).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 2nd reading, waive reading and final adoption of the following Ordinances; 1st reading, 9/11/17:
 - a. Amending Section 25-1509, of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages.
 - b. Rezoning Certain Parcels of Land Lying in Silverleaf Third Addition.
 - c. Rezoning Certain Parcels of Land Lying in BNG Addition.
- 2. Receive and file Summons in the matter of Deutsche Bank and Trust Company Americas as Indenture Trustee for the registered holders of Saxon Asset Securities Trust 2005-3 Mortgage Loan Asset Backed Notes, Series 2005-3 v. City of Fargo, Terrie L. and Virgil J. Grenz and Does 1-10.
- 3. Receive and file General Fund – Budget to Actual through August 31, 2017 (unaudited).
- 4. Site authorization for Northern Prairie Performing Arts at Space Aliens – Fargo.
- 5. Applications for Games of Chance:
 - a. CCRI, Inc. for a raffle on 11/21/17; Public Spirited Resolution.
 - b. NDSU Foundation and Alumni Association for a raffle on 9/30/17.
 - c. El Zagal Holding Company for a raffle on 2/17/18.
 - d. The Village Family Service Center for a raffle and raffle board on 11/10/17.
 - e. Kappa Psi Co-ed Pharmaceutical Fraternity for a raffle on 10/23/17.
 - f. Lewis and Clark Elementary PTA for a raffle and bingo on 10/13/17.
- 6. Tax exemptions for improvements made to buildings:
 - a. Mary Michael N. and Jonathan M. Hedin, 1346 3rd Street North (5 year).
 - b. Troy T. and Alison M. Becker, 1413 8th Street South (5 year).
 - c. Stephanie Sokolofsky, 3226 Par Street North (5 year).
 - d. Jonathan M. Pikalek and Stephanie M. Hanson, 2807 Longfellow Road North (5 year).
 - e. Darren N. Dunlop and Donna L. Heck, 1643 Plumtree Road North (5 year).
 - f. Kevin H. and Karen A. Wilson, 1009 19th Avenue South (5 year).
 - g. Mark L. and Nancy L. Koehn, 2914 Southgate Drive South (5 year).
 - h. Jason T. Wollum and Stephanie A. Hansen, 218 21st Avenue North (5 year).
 - i. John L. and Sharon E. Matejcek, 114 16th Avenue North (5 year).

- j. Harold and Lila D. Unruh, 1020 5th Street North (5 year).
 - k. Scott W. Pryor and Amy E. Rand, 1122 7th Street North (5 year).
 - l. Elmer H. and Clara J. Mueller, 1533 4th Street North (5 year).
 - m. James Fletcher, 1317 1st Avenue North (5 year).
 - n. James Fletcher, 1629 2nd Avenue South (5 year).
7. Bid awards for custodial services at seven City building locations for three-year contracts.
 8. Notice of Grant Award from ND Department of Health for 2018 expenses and revenues for increasing breastfeeding rates/reducing overweight and obesity program (CFDA #93.994).
 9. Notice of Grant Award from ND Department of Health for 2017 expenses and revenues for increasing breastfeeding rates/reducing overweight and obesity program (CFDA #93.994).
 10. Purchase of Service Agreement with the ND Department of Human Services for substance abuse prevention (2017 expenses and revenues).
 11. Purchase of Service Agreement with the ND Department of Human Services for substance abuse prevention (2018 expenses and revenues).
 12. Notice of Grant Award from ND Department of Health for the chronic disease program (CFDA #93.758).
 13. Grant Agreement with Lutheran Social Services of ND for refugee health services and interpreters.
 14. Agreement for Statewide Tobacco Prevention Public Education Campaign with the Upper Missouri District Health Unit.
 15. Notice of Grant Award Amendment from ND Department of Health for Tobacco Prevention and Control Program.
 16. Service Agreement with Fargo Public Schools Department of Support Services for nursing care services for special education students during the 2017-2018 school year.
 17. Agreement for Services with Samantha Nienow for online training.
 18. Notice of Grant Award from the ND Department of Health for the WIC Program (CFDA #10.557).
 19. Resolution approving Plat of Lime Addition.
 20. Guaranty with Beyond Shelter, Inc., Church Townhomes Partners, LLLP and Renaissance Partners, LLLP.
 21. Change Orders for the City Hall Project:
 - a. No. 11 for an increase of \$20,801.25 for the general contract.
 - b. No. 12 for an increase of \$5,000.00 for the general contract.
 - c. No. 7 for an increase of \$1,359.00 for the electrical contract.
 - d. No. 8 for an increase of \$1,744.00 for the electrical contract.
 22. Bid award for Street Lighting Materials (RFP17266).
 23. Text Amendment to the Fargo Infrastructure Funding Policy to read “Base unit is a calculation of a three year running average of a minimum arterial width of forty feet or actual road width if less than forty feet”.

24. Time extension to 12/1/17 for Project No. FM-15-B2.
25. Final Balancing Change Order No. 1 for an increase of \$19,767.00 for Project No. TR-15-C1.
26. Negative Final Balancing Change Order No. 2 in the amount of -\$9,168.85 for Project No. FM-15-A1.
27. Bid awards for Project Nos. FM-17-B1 and TR-17-A1.
28. Bid advertisement for Project No. FP-17-A.
29. Contract and bond for Project No. FM-14-63.
30. Bid award for FF&E for the Police Department Remodeling Project at the Border States Electric Building.
31. Bills.
32. Memorandum of Offer to Landowner for a permanent easement (street and utility) from Elwood Jay Brand for Improvement District No. BN-17-A1.
33. Memorandum of Offer to Landowner for a permanent easement (street and utility) from Elwood Jay Brand and Bruce Brand for Improvement District No. BN-17-A1.
34. Infrastructure request to create Improvement District No. BN-16-H1.
35. Cost Participation and Maintenance Agreement with the NDDOT for Improvement District No. PR-17-B1.
36. Amended Cost Participation and Maintenance Agreement with the NDDOT for Improvement District No. QN-17-A1.
37. Change Order No. 1 for an increase of \$21,637.96 for Improvement District No. PR-17-H1.
38. Negative Final Balancing Change Order No. 1 in the amount of -\$15,747.74 for Improvement District No. TN-16-C1.
39. Time Extension to 11/16/17 for Improvement District No. PR-17-H1.
40. Contract Amendment No. 1 for an increase of \$62,000.00 for Improvement District No. BR-18-B2.
41. 2017 CIP change to include the addition of Improvement District No. SN-16-C1.
42. Sole Source Procurement for five BNSF Railroad Utility Crossing licenses in the amount of \$31,000.00 for Improvement District No. BN-17-A1 (SSP17278).
43. Sole Source Procurement for two BNSF Railroad Utility Crossing licenses in the amount of \$9,000.00 for Improvement District No. BN-17-B1 (SSP17278).
44. Bid award for Improvement District No. AN-17-G1.
45. Create Improvement District Nos. BN-16-H and SN-16-C.

REGULAR AGENDA:

46. State Water Commission requests for Cost Reimbursement for FM Diversion Flood Project Costs:
 - a. Costs totaling \$3,837,546.00.
 - b. Costs totaling \$1,501,080.00
47. Recommendation to reappoint Karen Moore to the Housing and Redevelopment Authority.
48. Public Hearings - 5:15 pm:
 - a. Application filed by The Edge Artist Flats, LLC for a payment in lieu of tax exemption (PILOT) for a project located at 1321 5th Avenue North which the applicant will use in the operation of a low income apartment project.
 - b. Application filed by Juice Blends Fargo, LLC d/b/a Juice It Smoothie & Juice Bar for a Class "F" Alcoholic Beverage License at 64 Broadway, Suite 101.
 - c. Application filed by Wild Terra Cider and Brewing Company LLC d/b/a Wild Terra Cider and Brewing Company for a Class "C-W-P" Alcoholic Beverage License at 6 12th Street North.
 - d. Special assessments for the maintenance of the Skyway System; continued from 8/14/17 Regular Meeting.
 - e. Reeves Addition (502 University Drive North and 1321 5th Avenue North); approval recommended by the Planning Commission on 9/5/17:
 1. Zoning Change from GC, General Commercial to DMU, Downtown Mixed-Use with a C-O, Conditional Overlay.
 2. 1st reading of rezoning Ordinance.
 - f. Text Amendment to amend Section 20-04 of the Fargo Municipal Code (Land Development Code) relating to the regulation of self-service storage in the DMU, Downtown Mixed Use, zoning district; approval recommended by the Planning Commission on 9/5/17:
 1. 1st reading of Ordinance.
 - g. Vacation of Public Utility Easement on Lots 1-3, Block 3, Jerstad-Thompson First Subdivision (2836 44th Avenue North).
 - h. CONTINUED to 10/9/17 - Appeal of a Board of Adjustment decision on a variance request at 3931 and 3949 37th Avenue South to allow a proposed building to be constructed to a lower elevation than would otherwise be required by the City's Floodproofing Code, as referenced by Article 21-06 of the Fargo Municipal Code; denied by the Board of Adjustment on 8/22/17.
49. Appointments to the Fargo Youth Initiative for the 2017-2018 school year.
50. Bid award for Project No. WA1510; continued from the 9/25/17 Regular Meeting.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 241-1310. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo web site at FargoND.gov/citycommission.