

FARGO CITY COMMISSION AGENDA
Monday, August 12, 2019 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at www.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. They are also included in the video archive at www.FargoND.gov/citycommission.

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, July 29, 2019).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Receive and file the following Ordinances:
 - a. Relating to Ordinance Violations.
 - b. Amending Ordinance No. 5140 which Rezoned Certain Parcels of Land Lying in Diamond Willow Addition, A Replat of Portions of Douglas Addition.
- 2. 2nd reading and final adoption of the following Ordinances; 1st reading, 7/29/19:
 - a. Relating to the International Building Code.
 - b. Relating to the International Residential Code.
 - c. Relating to the International Existing Building Code.
 - d. Relating to the International Energy Conservation Code.
 - e. Relating to the International Mechanical Code.
 - f. Relating to the International Fuel Gas Code.
 - g. Relating to the International Property Maintenance Code.
 - h. Relating to Fire Protection and Prevention.
- 3. Applications for property tax exemptions:
 - a. Sheila R. Remboldt, 1001 5th Street South (5 year).
 - b. Larry Chesley, 906 30th Street North (5 year).
 - c. Prudence A. Olson, 1115 7th Street South (5 year).
 - d. Richard A. and Beverly Leverson, 31 Meadowlark Lane North (5 year).
 - e. Julie A. Baker, 2314 Lilac Lane North (5 year).
 - f. Darin A. Luebke and Jennifer L. Lovell-Luebke, 1641 12th Avenue South (5 year).
- 4. Applications for Games of Chance:
 - a. Red River Children’s Advocacy Center for a raffle and raffle board from 9/1/19 to 9/12/19.
 - b. Fargo Air Museum for a raffle on 9/14/19.
 - c. Fargo Davies HS for a calendar raffle from 11/11/19 to 2/18/20.
 - d. Fargo Davies HS for a calendar raffle from 8/22/19 to 5/19/20.
 - e. Scottish Rite Holding Company for a raffle on 11/5/19.
 - f. Sts. Anne & Joachim Catholic Church for a raffle on 11/10/19.
 - g. YWCA Cass Clay for a raffle on 9/5/19.
 - h. Spartan Boosters Inc. for a raffle from 9/6/19 to 9/20/19.

- i. Legacy Children's Foundation for a raffle on 8/19/19; Public Spirited Resolution.
 - j. ND CPA Society Foundation for a raffle on 9/24/19.
 - k. St. John Paul II Catholic Schools for a raffle from 9/1/19 to 4/25/20.
5. Use of the stamped or embossed City seal as the official seal of the City of Fargo, as presented.
 6. Receive and file General Fund – Budget to Actual through July 2019 (unaudited).
 7. Change Order No. 1 for an increase of \$49,660.80 for Project No. SL-19-A1.
 8. Change Order No. 3 for an increase of \$25,122.00 and time extension to 10/14/19 for Project No. SN-18-C2.
 9. Change Order No. 1 for an increase of \$82,140.00 for Project No. SR-19-A1.
 10. Change Order No. 2 in an amount not to exceed \$15,770.00 for Project No. UR-19-A1.
 11. Amendment (Third) to Developer and Road Use Agreement with Block 9 Partners, LLC.
 12. Financial Award from the ND Department of Commerce to the Gladys Ray Shelter for a ND Homeless Grant.
 13. Bid award for SWAT Team ballistic helmets and tactical communication headsets.
 14. Interlocal Agreement with Cass County and allocation of the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, as described within the agreement.
 15. Bid award for one loader mounted snow blower (RFP19128).
 16. Bid award for 2020 spring tree order (RFP19120).
 17. Amendment No. 4 to Agreement between City of Fargo and First Transit.
 18. ND Department of Transportation State Aid for Public Transit Agreement (Contract No. 38191046).
 19. Bills.
 20. Change Order No. 6 for an increase of \$22,227.90 and a 7-day time extension for Improvement District No. BN-17-A1.
 21. Negative Final Balancing Change Order No. 4 in the amount of -\$142,417.74 for Improvement District No. BN-18-A1.
 22. Change Order No. 1 for an increase of \$2,200.00 and a 6-day time extension for Improvement District No. BN-19-B1.
 23. Change Order No. 27 for an increase of \$1,726.62 and No. 28 for an increase of \$17,192.22 for Improvement District No. BR-18-B1.
 24. Negative Final Balancing Change Order No. 3 in the amount of -\$55,623.62 for Improvement District No. BR-18-G2.

25. Task Order No. 1 in the amount of \$250,000.00 with Moore Engineering for Improvement District No. NN-19-A0.
26. Change Order No. 1 for a 15-calendar day time extension for Improvement District No. PN-18-C1.
27. Change Order No. 1 for a 7-calendar day extension for Improvement District No. PR-19-G1.
28. Negative Final Balancing Change Order No. 2 in the amount of -\$1,755.76 for Improvement District No. TN-18-A1.
29. Final Balancing Change Order No. 1 for an increase of \$6,648.90 for Improvement District No. SN-16-C1.
30. Change Order No. 1 for an increase of \$8,240.00 and 14-day time extension for Improvement District No. UN-18-C1.
31. Settlement Agreement and Mutual Release of Claims with Master Construction Co., Inc. for the rehabilitation of 43 1/2 Street North between 3rd and 7th Avenues North (Improvement District No. BR-19-B1).
32. Bid award for Improvement District No. NR-19-A1.
33. Contract and bond for Improvement District No. BN-19-F1.

REGULAR AGENDA:

34. Request from the Police Department requesting the City Attorney prepare amendments to the Fargo Municipal Code relating to marijuana and marijuana paraphernalia, bringing it into alignment with State law:
 - a. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of an Ordinance Relating to Marijuana and Marijuana Paraphernalia.
35. Public Hearings - 5:15 pm:
 - a. Special assessment of nuisance abatement fees.
 - b. Amendments to the 2019 Community Development Block Grant (CDBG) & HOME Investment Partnerships Programs.
 - c. CONTINUED to 8/26/19 - Renaissance Zone Project for Great Plains 1001 Holdings, LLC for a new construction project located at 1001 and 1011 Northern Pacific Avenue North; 28 10th Street North; 1016 1st Avenue North and 11 11th Street North; continued from the 7/15/19 Regular Meeting.
 - d. CONTINUED to 8/26/19 - Renaissance Zone Project for DFI Kesler LLC and DFI BJ LLC for a new construction project located at 617 and 621 1st Avenue North, and 624 2nd Avenue North.
 - e. Renaissance Zone Project for Volare, LLC, for a commercial lease project located at 235 Roberts Street North.
 - f. CONTINUE to 8/26/19 - Right-of-Way Vacation of the alley between Lots A, B, C, D, E, F, T and U, the vacated 10 foot alley adjacent to Lots T and U, Hagaman's

Subdivision of part of Block 2, Roberts Addition (624 2nd Avenue North and 613, 617, and 621 1st Avenue North); approval recommended by the Planning Commission on 4/2/19; continued from the 7/15/19 Regular Meeting.

- g. CONTINUE to 8/26/19 - Right of Way Vacation of a portion of 5th Street North between Blocks 21 and 22 Keeney and Devitt's Second Addition and lying North of 4th Avenue North and South of Lot B, Block 1, Great Northern Depot Addition (410 5th Street North).
- h. CONTINUE to 8/26/19 - Alley Vacation of the alley between Lot 12, Block 26 and a part of Lot 7 and all of Lots 8-12, Block 25, Roberts Second Addition (1001 NP Avenue North and 28 10th Street North); approval recommended by the Planning Commission on 7/2/19.
- i. Zoning Change from LC, Limited Commercial to MR-3, Multi-Dwelling Residential on a portion of Lot 2, Block 1, 42nd Street Addition (3700 42nd Street South); approval recommended by the Planning Commission on 7/2/19:
 - 1. 1st reading of rezoning Ordinance.
- j. Application filed by Aldevron for a payment in lieu of tax exemption (PILOT) for a project located at Lot 3, Block 1, Woodhaven Plaza Addition which the applicant will use in the operation of constructing a state of the art biologics manufacturing facility to produce therapeutic products and reagents.
- k. Application filed by Tzadik Sioux Falls Portfolio III, LLC for a payment in lieu of tax exemption (PILOT) for a project located at 1222 4th Avenue North which the applicant will use in the operation of leasing residential apartments and commercial space.
- l. Application filed by Tzadik Sioux Falls Portfolio III, LLC for a payment in lieu of tax exemption (PILOT) for a project located at 315 University Drive North which the applicant will use in the operation of leasing residential apartments and commercial space.
- m. Application filed by Block 9 Hotel, LLC for a payment in lieu of tax exemption (PILOT) for a project located at 215 Broadway North which the applicant will use in the operation of a 125 room hotel.
- n. Application filed by Block 9 RDO, LLC for a payment in lieu of tax exemption (PILOT) for a project located at 215 Broadway North which the applicant will use in the operation of the Corporate headquarters for R.D. Offutt Company and RDO Equipment Company.
- o. Application filed by DFI Block 9 Retail, LLC for a payment in lieu of tax exemption (PILOT) for a project located at 215 Broadway North which the applicant will use in the operation of Block 9 Project with 27,000 sf of new retail space on the ground floor.
- p. Application filed by Block 9 SRO, LLC for a payment in lieu of tax exemption (PILOT) for a project located at 215 Broadway North which the applicant will use in the operation of Speculative office space within the Block 9 Project.

36. Request to approve the Guaranteed Maximum Price of \$1,499,848.00 and Amendment to the Contract with McGough Construction Co., LLC for construction management services for the Civic Plaza, Area 1.
37. Recommendation to approve the Mayor's 2020 Preliminary Budget and set the Public Hearing date for September 9, 2019 at 6:00 p.m.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310. 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 website at www.FargoND.gov/citycommission.