

Monday, April 6, 2020 - 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. *****PLEASE NOTE** that in an effort to exercise the CDC's Prevention guidelines pertaining to social distancing and gatherings only ten individuals can be in attendance. Members of the public and media are encouraged to view the meeting in an alternative method, including the following: via a livestream hosted on the City of Fargo's Facebook (questions and comments will be monitored during the Commission Meeting) and Twitter accounts, on the web at www.TVFargo.com or via the Fargo Access Channel 56.

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, March 23, 2020).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 2nd reading and final adoption of an Ordinance Relating to Flood Plain Management; 1st reading, 3/23/20.
- 2. Receive and file Complaint entitled Dennis William Merritt v. City of Fargo, et al.
- 3. Extension of the COVID-19 Emergency Declaration.
- 4. Bid award for Outdoor Warning Sirens (RFP20049).
- 5. Amended Engineer's Report for Project No. TR-20-A.
- 6. Bid award for heating pump replacement at the FARGODOME.
- 7. Notice of Grant Award from the USDA and the ND Department of Health for the WIC Program (CFDA #10.557).
- 8. Mural Agreement with Catie Miller.
- 9. Notice of Grant Award from the ND Department of Health for Title X Family Planning Program (CFDA #93.217).
- 10. Purchase of Service Agreement with Cass County Human Service Zone Board.
- 11. Temporary City of Fargo employment policies (Families First Coronavirus Response Act (FFCRA) Policy and Emergency Paid Leave Policy).
- 12. Resolution Approving Plat of Rail Crossing First Addition.
- 13. Fourth Amendment to Parking Management Agreement with Interstate Parking Company of North Dakota, LLC.

14. Page 2 Emergency motor grader repair from RDO Equipment in the amount of \$65,773.89.

15. Rebate Grant Agreements with ND Department of Environmental Quality, Air Quality Division.
16. Sole Source Procurement with Sundre Sand and Gravel, Inc. for emergency snow cat assistance (SSP20071).
17. Task Order from Wenck Associates for Civil Engineering Site Design Services in the amount of \$61,660.00 relative to Project No. SW20-01.
18. Task Order from Wenck Associates for a Facility Plan Update in the amount of \$55,870.00.
19. Sole Source Procurement with Metrohm Process Analytics for a process analyzer in the amount of \$77,817.00 (SSP19175).
20. Agreement for Cost-Share Reimbursement City of Fargo Downtown Water Tower Project with the ND State Water Commission for Project No. WA1910.
21. Bills.
22. Amended Engineer's Reports for Improvement District Nos. BR-20-B and PR-20-E.
23. Purchase of a permanent easement from Greenscape Companies, Inc. in association with Improvement District No. BN-19-A1.
24. Contract Amendment No. 3 with Houston Engineering in the amount of \$12,242.00 for Improvement District No. BN-19-A3.
25. Task Order No. 3 with Apex Engineering in the amount of \$106,258.00 for Improvement District No. BR-19-A0.
26. Create Improvement District Nos. AN-19-J, BN-20-E, BN-20-F, PN-20-A and SL-20-C.
27. Contract and bonds for Improvement District Nos. BR-20-A1 and UR-20-A1.

REGULAR AGENDA:

28. State Water Commission request for Cost Reimbursement for FM Diversion Flood Project Costs in the amount of \$98,001.53.
29. Flood Update.
30. Public Hearings - 5:15 pm:
 - a. Application filed by RED E, LLC for a property tax exemption for a project located at 2700 7th Avenue North which the applicant will use in the operation of manufacturing essential oil extraction machines, distribution center for aftermarket agricultural parts and engineering consulting services.
 - b. CONTINUE to 4/20/20 - 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; continued from the 8/12/19, 8/26/19, 10/21/19, 11/18/19, 12/16/19, 1/27/20, 2/10/20 and 2/24/20 Regular Meetings.

- c. Prairie Grove Fifth Addition (5354 26th Street South); approval recommended by the Planning Commission on 12/3/19:
 - 1. Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay to MR-3, Multi-Dwelling Residential.
 - 2. 1st reading of rezoning Ordinance.
 - 3. Plat of Prairie Grove Fifth Addition.
 - d. Actions related to the Community Development Block Grant (CBDG)/HOME Investment Partnerships Programs.
31. Applications for property tax exemptions for improvements made to buildings:
- a. 55 South 27th Street LLC, 55 27th Street South (3 year).
 - b. Bridget and Bryan Hins, 1461 East Gateway Circle South (5 year).
 - c. Vincent L. Ulstad, 146 Prairiewood Drive South (3 year).
32. Appointment to the Airport Authority.
33. COVID-19 Update:
- a. COVID-19 impacts on the 2020 budget.
 - b. Commissioner Strand would like to discuss the COVID-19 impacts on residential landlords/tenants and lender/homeowner relationships, and possible action and/or direction from the City Commission.
 - c. Discussion regarding the CARES Act-Emergency Fund Relief and Updates.

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.



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Finance Office

225 4th St North
Fargo, North Dakota 58102
Phone: 701-241-1333
Fax: 701-241-1526

TO: BOARD OF CITY COMMISSIONERS

FROM: KENT COSTIN, DIRECTOR OF FINANCE

RE: STATE WATER COMMISSION COST REIMBURSEMENT APPROVAL

DATE: March 26, 2020

The existing legislation in place for State Water Commission funding related to the Fargo-Moorhead Metropolitan Area Flood Risk Management Project requires that the Fargo City Commission, Cass County Commission, and the Cass Water Resource Board approve all payment reimbursement requests prior to their submission and ultimate payment.

The attached reimbursement request has been prepared by Finance staff and is ready for processing. Your approval of the request for funds is hereby requested as required.

Suggested Motion:

Approve a State Water Commission request for cost reimbursement for Fargo-Moorhead Metropolitan Area Flood Risk Management Project costs totaling \$98,001.53.

March 26, 2020

Garland Erbele, P.E.
 North Dakota State Water Commission
 900 East Boulevard Avenue, Dept 770
 Bismarck, ND 58505-0850

Dear Garland,

The Metro Flood Diversion Authority is submitting eligible costs for reimbursement request #100 pursuant to the terms and conditions of House Bill 1020 for costs incurred from February 1, 2020 to February 29, 2020 on the Fargo-Moorhead Metropolitan Area Flood Risk Management Project. These costs are summarized in the attached cost summaries and are supported by detailed disbursement records included within this submission.

The total amount of the claim for reimbursement is \$98,001.53.

| State Funds Available | Amount Spent Previous Request | Amount Spent This Period | State Cost Share | Reimbursement Request This Period | Balance of State Funds |
|-----------------------|-------------------------------|--------------------------|------------------|-----------------------------------|------------------------|
| \$310,500,000 | \$218,348,203.57 | \$98,001.53 | 100% | \$98,001.53 | \$92,053,794.90 |

Project Narrative, this request:

| Project Number | Project Description |
|----------------|------------------------------------------------------------------------------------------------|
| V01201 | Soil Boring payments to landowners |
| V01701 | Land purchases and relocation assistance for homeowners living in the upstream mitigation area |
| V01704 | Right of entry for biotic and geomorphic services |
| V03802 | Pay Application #3 for WP50A – Property Structure Mitigation |

We certify that \$90,148,534 has been expended on the acquisition of homes and that these costs are eligible for the local matching share requirements of SB 2020. Records relating to these costs are on file with the City of Fargo in the Office of the City Auditor.

The City of Fargo, Cass County Commission, and the Cass County Joint Water Resource Board have approved our request for funds as required in SB 2020. Copies of their approval letters are included.

If you have any questions relating to our request, please contact me directly.

Sincerely,



Kent Costin
Director of Finance, City of Fargo
Metro Flood Diversion Authority

Required Local Approvals:

City of Fargo

Cass County Commission

Cass County Joint Water Resource Dist.

**FM Metropolitan Area Flood Risk Management Project
Summary of Cash Disbursements Eligible for SWC Funding
February 2020**

| Account Number | Check Date | Check Number | Vendor Name | Transaction Amount | Description 1 | Project Number | Project Description |
|------------------------------------------------------------------------|------------|--------------|-------------------------------------|--------------------|---------------------------|----------------|---------------------------|
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | GILLE PROPERTIES LLC | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | BIRCH TREE INVESTMENTS | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | COLLIN MCCOY | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | JAN LANGTON | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | DARIN SLUSHER | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | MARK SIMMONS | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | BRENDA FRADET | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 375.00 | JAMES ANDERSON | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 375.00 | LISA ANDERSON | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | RONALD HOFFMAN | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | CULLEN WELLS | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | HIGH PLANS PROPERTIES LLC | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 1,500.00 | OAKWOOD CEMETARY | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 2,250.00 | SMEBY LAND TRUST | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | DALE NEUBAUER | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | CHARLES RICHARD | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | EMILY & DAVID RADENBAUGH | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 375.00 | JEFF JONES | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | JOSHUA BREDDING | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 375.00 | ANN JONES | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | DENIS MCCARTHY | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | MICHAEL AMUNDSON | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 375.00 | DUANE R BREITLING | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 375.00 | MARY JANE BREITLING | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | DESIGNER HOMCES OF FM | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 2,000.00 | ORTON PERHUS | V01201 | Cass Joint Water ROE |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 500.00 | ORTON PERHUS | V01201 | Cass Joint Water ROE |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 500.00 | JEFFREY R DONAT TRUST | V01201 | Cass Joint Water ROE |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 1,500.00 | DAVID GERMANSON | V01201 | Cass Joint Water ROE |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | DAVID GERMANSON | V01201 | Cass Joint Water ROE |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 500.00 | DAVID GERMANSON | V01201 | Cass Joint Water ROE |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 1,000.00 | CHERYL EVERT ET AL | V01201 | Cass Joint Water ROE |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 250.00 | CARL FELIX | V01201 | Cass Joint Water ROE |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 1,750.00 | ORTON PERHUS | V01201 | Cass Joint Water ROE |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 250.00 | PAUL AND CAROLYN THOEN | V01201 | Cass Joint Water ROE |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 250.00 | DAVID GERMANSON | V01201 | Cass Joint Water ROE |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 1,500.00 | LARRY BRANDT TRUST | V01201 | Cass Joint Water ROE |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 1,000.00 | RAY KVALVOG | V01201 | Cass Joint Water ROE |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | LEON HETLAND | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 2,250.00 | GARY AND LOUISE VETSCH | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 375.00 | MAURICE WILLIAMS | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 375.00 | SUE CHANDLER WILLOWS | V01704 | ND LAND - BIOTIC GEO MORP |
| 790-7930-429.34-65 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 750.00 | LEON BACKER | V01704 | ND LAND - BIOTIC GEO MORP |
| Total LERRDS - North Dakota - Right of Entry Requests | | | | 35,000.00 | | | |
| 790-7930-429.67-11 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 5,837.31 | FETTES TRANSPORTATION SYS | V01701 | ND LAND PURCH-OUT OF TOWN |
| 790-7930-429.67-11 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 5,439.36 | BRIAN AND EMILY POTTER | V01701 | ND LAND PURCH-OUT OF TOWN |
| Total LERRDS - North Dakota - Residential Relocation Assistance | | | | 11,276.67 | | | |

**FM Metropolitan Area Flood Risk Management Project
Summary of Cash Disbursements Eligible for SWC Funding
February 2020**

| Account Number | Check Date | Check Number | Vendor Name | Transaction Amount | Description 1 | Project Number | Project Description |
|--------------------------------------------------------|-----------------------|-------------------------|-------------------------------------|-------------------------------|-----------------------------------|---------------------------|--------------------------------|
| 790-7930-429.71-30 | 2/6/2020 | 302204 | CASS COUNTY JOINT WATER RESOURCE DI | 13,000.00 | Paul & Janice Johnson Rentals LLC | V01701 | ND LAND PURCH-OUT OF TOWN |
| Total ND Construction - Land Purchases | | | | 13,000.00 | | | |
| 790-7930-429.73-20 | 2/13/2020 | 302452 | SCHMIDT AND SONS CONSTRUCTION INC | 38,724.86 | PROP STRUCT. MITIGATION | V03802 | PROPERTY STRUCTR MITIGATN |
| Total LERRDS - North Dakota - Site Improvements | | | | 38,724.86 | | | |
| Total Expense for Period | | | | <u>98,001.53</u> | | | |



April 1, 2020

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

The City of Fargo received an application for a property tax exemption from Red E, LLC. The applicant plans to relocate to property at 2700 7th Avenue North in Fargo and add additional jobs.

The Tax Exempt Review Committee was scheduled to review the application in March but that meeting was canceled because of the COVID-19. Prior to the cancelation of the Tax Exempt Review Committee, notices had been published for a public hearing before the Fargo City Commission on April 6, 2020.

The decision to lease the property is time sensitive, so the item remains on the City Commission agenda for action on April 6.

The Tax Exempt Review Committee has been notified that this item will be the Commission agenda. Two committee members emailed to say they supported the application. Also, the Finance Committee (with three other members of the Tax Exempt Review Committee) is recommending approval of this application.

Red E is a company that provides specialized engineering and consulting services throughout the US and Canada. The company also manufactures and assembles oil extraction machines. The ND Department of Commerce has certified the company as a primary sector company.

The proposed business plan is to relocate from a small location in West Fargo and expand from 11 employees to 20 employees over the next 5 years. Of the 9 new jobs, 6 will pay over \$15 an hour and 3 of those will pay over \$28 an hour. The new location will be o.

The application is for a 5-year property tax exemption. The value of the portion of the building leased by the company is \$460,000, and the property tax savings would be about \$6,700 a year.

The application conforms to the City of Fargo Tax Exempt Policy and scores enough points that the staff recommendation is to approve the exemption.

SUGGESTED MOTION:

Approval of a 5 year, 100% exemption on the part of the project improvements leased by Red E, LLC for the property at 2700 7th Ave. N.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Hushka".

Ben Hushka

Tax Exempt Review Committee

RECEIVED

FEB 28 2020

FARGO ASSESSOR

Application For Property Tax Incentives For New or Expanding Businesses

N.D.C.C. Chapter 40-57.1

Project Operator's Application To FARGO

City or County

File with the City Auditor for a project located within a city; County Auditor for locations outside of city limits.

A representative of each affected school district and township is included as a non-voting member in the negotiations and deliberation of this application.

This application is a public record

Identification Of Project Operator

1. Name of project operator of new or expanding business RED E, LLC
2. Address of project 2700 7th Ave. N
City Fargo County CASS
3. Mailing address of project operator PO BOX 704
City WEST FARGO State ND Zip 58078
4. Type of ownership of project
☐ Partnership ☐ Subchapter S corporation ☐ Individual proprietorship
☐ Corporation ☐ Cooperative ☒ Limited liability company
5. Federal Identification No. or Social Security No. [REDACTED]
6. North Dakota Sales and Use Tax Permit No. [REDACTED]
7. If a corporation, specify the state and date of incorporation _____
8. Name and title of individual to contact JESSE FAUL, VICE-PRESIDENT
Mailing address 6767 FAUL DRIVE
City, State, Zip HORACE, ND, 58047 Phone No. 7018660029

Project Operator's Application For Tax Incentives


9. Indicate the tax incentives applied for and terms. Be specific.

☒ **Property Tax Exemption**
5 Number of years
100 Percent of exemption

☐ **Payments In Lieu of Taxes**
 Beginning year _____ Ending year _____
 Amount of annual payments (attach schedule if payments will vary)
10. Which of the following would better describe the project for which this application is being made:
☐ New business project ☒ Expansion of a existing business project

Description of Project Property

11. Legal description of project real property

~~Beginning at a point on the West right-of-way line of 27th Street being Forty feet South of and Seven Hundred Fifty-three feet West of the Northeast corner of the Southeast Quarter of Section Two, in Township One Hundred Thirty-nine North of Range Forty-nine West of the Fifth Principal Meridian, thence West One Hundred Eighty-five feet; thence South Two~~ 

12. Will the project property be owned or leased by the project operator? ☐ Owned ☒ Leased

If the answer to 12 is leased, will the benefit of any incentive granted accrue to the project operator?

☒ Yes ☐ No

If the property will be leased, attach a copy of the lease or other agreement establishing the project operator's benefits.

13. Will the project be located in a new structure or an existing facility? ☐ New construction ☒ Existing facility

If existing facility, when was it constructed? 1977

If new construction, complete the following:

a. Estimated date of commencement of construction of the project covered by this application _____

b. Description of project to be constructed including size, type and quality of construction

c. Projected number of construction employees during the project construction _____

14. Approximate date of commencement of this project's operations May 1, 202015. Estimated market value of the property used for this project:

a. Land.....\$ 181,000.00

b. Existing buildings and structures for which an exemption is claimed.....\$ 460,000

c. Newly constructed buildings and structures when completed\$ _____

d. Total.....\$ 641,000.00

e. Machinery and equipment.....\$ _____

16. Estimate taxable valuation of the property eligible for exemption by multiplying the market values by 5 percent:

a. Land (not eligible) 

b. Eligible existing buildings and structures.....\$ 23,000

c. Newly constructed buildings and structures when completed.....\$ _____

d. Total taxable valuation of property eligible for exemption (Add lines b and c).....\$ 23,000

e. Enter the consolidated mill rate for the appropriate taxing district 292.44

f. Annual amount of the tax exemption (Line d multiplied by line e)\$ 6,726.12

Description of Project Business

Note: "project" means a newly established business or the expansion portion of an existing business. Do not include any established part of an existing business.

17. Type of business to be engaged in: ☐ Ag processing ☒ Manufacturing ☐ Retailing
☐ Wholesaling ☐ Warehousing ☐ Services
18. Describe in detail the activities to be engaged in by the project operator, including a description of any products to be manufactured, produced, assembled or stored (attach additional sheets if necessary).

PROJECTED ASSEMBLY AND MANUFACTURING OF ESSENTIAL OIL EXTRACTION MACHINES
AFTERMARKET AGRICULTURAL PARTS SALES WAREHOUSE AND WORLDWIDE DISTRIBUTION CENTER.
ENGINEERING CONSULTING SERVICES FOR VARIOUS INDUSTRIES THROUGHOUT THE USA AND CANADA.

19. Indicate the type of machinery and equipment that will be installed

HOIST SYSTEM, RACKING, SHELVING SYSTEM, WELDERS, MACHINING EQUIPMENT, GENERAL
FABRICATION EQUIPMENT

20. For the project only, indicate the projected annual revenue, expense, and net income (before tax) from either the new business or the expansion itself for each year of the requested exemption.

| Year (12 mo. periods) | New/Expansion Project only <u>Year 1</u> | New/Expansion Project only <u>Year 2</u> | New/Expansion Project only <u>Year 3</u> | New/Expansion Project only <u>Year 4</u> | New/Expansion Project only <u>Year 5</u> |
|-----------------------|------------------------------------------------|------------------------------------------------|------------------------------------------------|------------------------------------------------|------------------------------------------------|
| Annual revenue | <u>\$5,000,000</u> | <u>\$6,000,000</u> | <u>\$7,000,000</u> | <u>\$8,000,000</u> | <u>\$9,000,000</u> |
| Annual expense | <u>\$4,000,000</u> | <u>\$4,500,000</u> | <u>\$5,000,000</u> | <u>\$5,500,000</u> | <u>\$6,000,000</u> |
| Net income | <u>\$1,000,000</u> | <u>\$1,500,000</u> | <u>\$2,000,000</u> | <u>\$2,500,000</u> | <u>\$3,000,000</u> |

21. Projected number and salary of persons to be employed by the project for the first five years:

Current positions & positions added the initial year of project

| # Current Positions | New Positions Under \$13.00 | New Positions \$13.01-\$15.00 | New Positions \$15.01-\$20.00 | New Positions \$20.01-\$28.00 | New Positions \$28.01-\$35.00 | New Positions Over \$35.00 |
|------------------------|--------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|-------------------------------|
| 11 | 1 | 2 | 1 | 2 | 2 | 1 |

| Year | (Before project) | <u>Year 1</u> | <u>Year 2</u> | <u>Year 3</u> | <u>Year 4</u> | <u>Year 5</u> |
|-------------------|----------------------|------------------|------------------|------------------|------------------|------------------|
| No. of Employees | (1) <u>6</u> | <u>8</u> | <u>10</u> | <u>11</u> | <u>12</u> | <u>13</u> |
| | (2) <u>5</u> | <u>6</u> | <u>7</u> | <u>7</u> | <u>7</u> | <u>7</u> |
| Estimated payroll | (1) <u>\$311,000</u> | <u>\$400,000</u> | <u>\$500,000</u> | <u>\$675,000</u> | <u>\$750,000</u> | <u>\$825,000</u> |
| | (2) <u>\$140,000</u> | <u>\$160,000</u> | <u>\$180,000</u> | <u>\$200,000</u> | <u>\$220,000</u> | <u>\$240,000</u> |

(1) - full time
(2) - part time

Previous Business Activity

22. Is the project operator succeeding someone else in this or a similar business? ☐ Yes ☒ No
23. Has the project operator conducted this business at this or any other location either in or outside of the state?
☒ Yes ☐ No
24. Has the project operator or any officers of the project received any prior property tax incentives? ☐ Yes ☒ No
- If the answer to 22, 23, or 24 is yes, give details including locations, dates, and name of former business (attach additional sheets if necessary).

220 21ST ST NW, WEST FARGO, ND 58047 12/2012-02/2020 RED E LLC

Business Competition

25. Is any similar business being conducted by other operators in the municipality? ☐ Yes ☒ No
- If YES, give name and location of competing business or businesses

Percentage of Gross Revenue Received Where Underlying Business Has ANY Local Competition %

Property Tax Liability Disclosure Statement

26. Does the project operator own real property in North Dakota which has delinquent property tax levied against it? ☐ Yes ☒ No
27. Does the project operator own a greater than 50% interest in a business that has delinquent property tax levied against any of its North Dakota real property? ☐ Yes ☒ No
- If the answer to 26 or 27 is Yes, list and explain

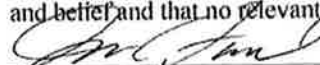
Use Only When Reapplying

28. The project operator is reapplying for property tax incentives for the following reason(s):
- ☐ To present additional facts or circumstances which were not presented at the time of the original application
 - ☐ To request continuation of the present property tax incentives because the project has:
 - ☐ moved to a new location
 - ☐ had a change in project operation or additional capital investment of more than twenty percent
 - ☐ had a change in project operators
 - ☐ To request an additional annual exemption for the year of _____ on structures owned by a governmental entity and leased to the project operator. (See N.D.C.C. § 40-57.1-04.1)

Notice to Competitors of Hearing

Prior to the hearing, the applicant must present to the governing body of the county or city a copy of the affidavit of publication giving notice to competitors unless the municipality has otherwise determined there are no competitors.

I, Jesse Faul, do hereby certify that the answers to the above questions and all of the information contained in this application, including attachments hereto, are true and correct to the best of my knowledge and belief and that no relevant fact pertaining to the ownership or operation of the project has been omitted.


Signature

Vice President
Title

2/27/2020
Date

| Exemption Evaluation Calculator 2020 | | | | 104.5 |
|---------------------------------------------------------------|--------|--------------------|------------|---------------|
| Red E, LLC | | | | Points |
| Project Type Code (Ctrl-C to view) | | | 1 | 38.0 |
| Current Number Of Employees | | | 11 | |
| Hourly Salary Without Benefits | # Jobs | | | |
| Under \$13.00 | 1 | | | |
| \$13.01-\$15.00 | 2 | | | |
| \$15.01-\$20.00 | 1 | | | |
| \$20.01-\$28.00 | 2 | Pts. For # Jobs-> | | 30.0 |
| \$28.01-\$35.00 | 2 | Pts. For \$ Jobs-> | | 4.0 |
| Over \$35.00 | 1 | | | |
| TOTAL # OF JOBS CREATED | | 9 | | |
| % GI w/ Local Competition (not downtown) | | | 0% | 25.0 |
| Value of Proposed Buildings | | | \$ 460,000 | 7.5 |
| Downtown Location (Y/N) | | | N | 0.0 |
| Exemption Needed (Y/N) | | | N | |
| Startup Firm (Y/N) | | | N | 0.0 |
| Has Const Started or Has Bldg Been Occupied If Existing (Y/N) | | | N | 0.0 |
| Number of Years (Exemption) | | | 5 | |
| Building Age (if substantial renovation) | | | 0 | 0.0 |
| RECOMMENDATION IS TO APPROVE | | | | |
| Description | | Manufacturing | | |
| Estimated New Annual Payroll | | \$419,120 | | |
| Estimated Annual Real Estate Tax | | \$10,747 | | |
| Estimated PV of Exemption | | \$46,528 | | |
| Payroll / PV of Exemption | | 9.0 | | |
| Property Value / # of Jobs | | \$ 51,111 | | |

Code Description

- 1 Manufacturing, remanufacturing or processing of raw material or base product
- 2 Provide products or support services to local original equipment manufacturers
- 3 Primary sector packaging or distribution of a product not manufactured locally
- 4 Packaging or distribution of a product not manufactured locally
- 5 Service industry WITH NO LOCAL COMPETITION that serves a support function of which at least 70% of service is provided outside of a 250 mile radius
- 6 Housing Units under management of the FHRA built solely for low income residents
- 7 LIHTC projects built for low income residents and constructed to specific design specs
- 8 Housing Units built in the Downtown Area Plan
- 9 Projects engaging in new technology research
- 10 Common service (accountants, marketing, developers, legal, etc)
- 11 Facilities that consist of storage-only warehousing.
- 12 Retail projects
- 13 Hotels & motels
- 14 Health Care
- 15 Education



March 5, 2020

Jesse Faul
Red E LLC
PO Box 704
West Fargo, ND 58078-0704

Dear Jesse:

Thank you for your application for primary-sector certification by the North Dakota Department of Commerce, Economic Development & Finance Division. We have reviewed your application and determined that ED&F can certify your company, **Red E LLC**, as primary sector and a new wealth creator in the economy of North Dakota. This certification is valid for **four years** from today's date (expires 3/5/2024).

Most of North Dakota's economic development programs, tools and incentives are targeted toward primary-sector clients. You may be requested to provide a copy of this primary-sector certification letter when you apply for certain economic development incentive and funding programs.

This certification does not guarantee the receipt of any North Dakota business incentive. For example, there are additional qualification criteria for the Seed Capital Investment and Agricultural Business Investment personal income tax credits and it is critical that investments **NOT** be made prior to the business receiving certification for these two credits. If you are pursuing certification for investment tax credits and need to know the criteria required for qualification, contact Joe Cicha 701-328-7283.

This certification is not the application process for the North Dakota New Jobs Training Program administered by Job Service North Dakota. To apply for the North Dakota New Jobs Training Program, you must contact Job Service North Dakota for the required application forms. Application forms for other programs that require primary sector certification are available from the agency administering the program.

Also, companies and individuals pursuing the investment tax credit incentive are reminded there is a cap on available dollars. Please visit with the ND Office of the Tax Commissioner regarding the remaining balance for investment tax credits. The credits are available on a first-come-first-serve basis until the law-defined cap is met.

North Dakota appreciates your contribution to the citizens and economy of our state. If there is anything further we can do to assist your company, please contact us at 701-328-5300.

Sincerely,

A handwritten signature in black ink, appearing to read "James Leiman", with a stylized flourish at the end.

James Leiman, Director
Economic Development & Finance Division

| City of Fargo Staff Report | | | |
|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------|
| Title: | Prairie Grove 5 th Addition | Date: | 11-21-19 |
| Location: | 5354 26 th Street South | Update: | 03-18-2020 |
| Legal Description: | Lot 1, Block 4, Prairie Grove Addition | | |
| Owner(s)/Applicant: | Michael Casper, Prairie Grove Inc. | Staff Contact: | Kylie Bagley |
| Engineer: | Neset Land Surveys | | |
| Entitlements Requested: | Minor Subdivision (Replat of Lot 1, Block 4, Prairie Grove Addition) and Zoning Change (from LC, Limited Commercial, with a C-O, Conditional Overlay, to MR-3, Multi-Dwelling Residential and repeal the C-O, Conditional Overlay) | | |
| Status: | City Commission Public Hearing: March 23, 2020 | | |

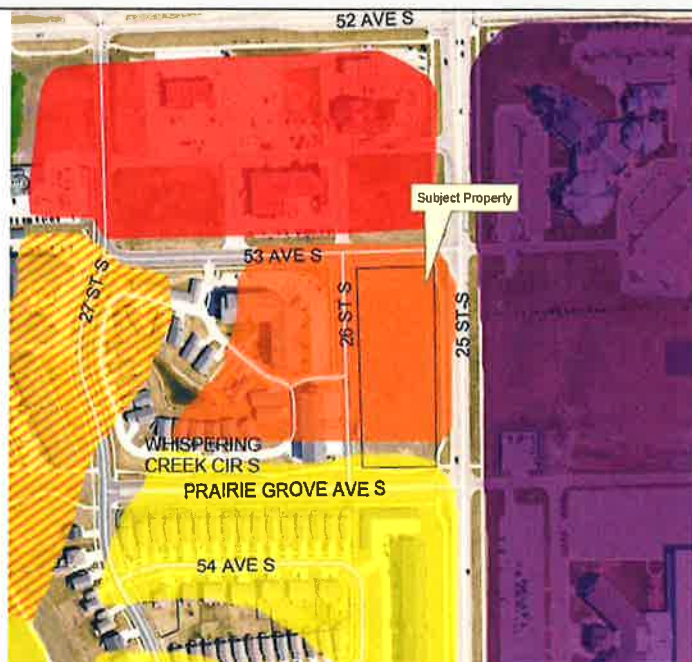
| |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Existing |
| Land Use: Vacant |
| Zoning: LC, Limited Commercial, with a C-O, Conditional Overlay |
| Uses Allowed: colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off premise advertising signs, commercial parking, retail sales and service, self service storage, vehicle repair, limited vehicle service. |
| With a C-O Conditional Overlay |
| Maximum Lot Coverage Allowed: 55% building coverage |

| |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Proposed |
| Land Use: Multi-Dwelling Residential |
| Zoning: MR-3, Multi-Dwelling Residential |
| Uses Allowed: detached houses, attached houses, duplexes, multi-dwelling structures, daycare centers up to 12 children or adults, group living, parks and open space, religious institutions, safety services, schools, and basic utilities |
| Maximum Density Allowed: 24 units per acre |

| |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Proposal: |
| <p>The applicant is seeking City approval of 1) a minor subdivision entitled Prairie Grove 5th Addition, and 2) a zoning map amendment. The proposed subdivision would remove portions of the existing negative access easement along 25th Street South and 53rd Avenue South. The proposed removal of the negative access easement has been reviewed and approved by the City's Traffic Engineer. The City has made the applicant aware that as traffic volumes increase there may not be full access onto 25th Street South from this property.</p> <p>The proposed zoning map amendment would rezone the property from LC, Limited Commercial, with a C-O, Conditional Overlay, to MR-3, Multi-Dwelling Residential. The applicant is proposing a 55 and older multi-dwelling building, similar to the property to the west. The proposed zoning map amendment would also repeal the existing C-O, number 4522.</p> <p>This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.</p> <p>Surrounding Land Uses and Zoning Districts:</p> <ul style="list-style-type: none"> • North: LC, Limited Commercial, with retail sales and service uses • East: P/I, Public and Institutional, and GO, General Office, with religious institution and school uses • South: MR-3, Multi-Dwelling Residential, with multi-dwelling structures • West: MR-3, Multi-Dwelling Residential, with multi-dwelling structures |

Area Plans:

The subject property is located within the *2001 Growth Plan for the Urban Fringe and Extraterritorial Area of the City of Fargo*. Within this growth plan, the subject property is identified as being suitable for medium to high residential uses.

**Schools and Parks:**

Neighborhood: The subject property is located in the Maple Valley Neighborhood.

Schools: The subject properties are located within the Fargo School District and are served by Centennial Elementary, Discovery Middle and Davies High schools.

Parks: Located north of 52nd Ave S is Meadow Creek Park (4800 Meadow Creek Drive S), with large grassy areas.

Pedestrian / Bicycle: Off road bike facilities are located along 52nd Avenue South. These facilities are a component of the metro area trail system.

Staff Analysis:**Zoning**

Section 20-906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:

1. **Is the requested zoning change justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map?**

Staff is unaware of any zoning map error in regard to the subject property. Staff finds that the requested zone change is justified by a change in conditions, as the developer has a clearer picture of the type of development. The zone change is requested in order to build a multi-dwelling structure that is compatible with the surrounding area.

(Criteria Satisfied)

2. **Are the City and other agencies able to provide the necessary public services, facilities, and programs to serve the development allowed by the new zoning classifications at the time the property is developed?**

The development is served with city services (water, sewer, streets, police/fire protection, etc.) as well as other needed utility services as needed. The City Engineer and other applicable review agencies have reviewed this proposal. No deficiencies to provide the necessary public services, facilities and programs to this development have been identified.

(Criteria Satisfied)

3. Will the approval of the zoning change adversely affect the condition or value of the property in the vicinity?

Staff has no evidence that would suggest this proposal would adversely affect the condition or value of the property in the vicinity. Written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, staff has not received any phone calls or comments in response to these notices. Staff finds that the approval will not adversely affect the condition or value of the property in the vicinity.
(Criteria Satisfied)

4. Is the proposed amendment consistent with the purpose of this LDC, the Growth Plan, and other adopted policies of the City?

The purpose of the LDC is to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo. Staff finds that the proposal is consistent with the purposes of the LDC, the Growth Plan, and other adopted policies of the City.
(Criteria Satisfied)

Minor Subdivision

The LDC stipulates that the following criteria is met before a minor plat can be approved:

1. Section 20-0907.B.3 of the LDC stipulates that the Planning Commission recommend approval or denial of the application, based on whether it complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code. Section 20-0907.B.4 of the LDC further stipulates that a Minor Subdivision Plat shall not be approved unless it is located in a zoning district that allows the proposed development and complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.

This subdivision is intended to remove portions of the negative access agreement. The proposed use is consistent with the proposed zoning and the growth plan for the area. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, staff has received no inquiries about the application. Staff has reviewed this request and finds that this application complies with standards of Article 20-06 and all applicable requirements of the Land Development Code.
(Criteria Satisfied)

2. Section 20-907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.

While this section of the LDC specifically addresses only major subdivision plats, staff believes it is important to note that any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principals.
(Criteria Satisfied)

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of the Planning Commission and staff and hereby waive the requirement to receive the Ordinance one week prior to the first reading and place the rezoning Ordinance on for first reading, and move to approve: 1) Zoning Change from LC with a C-O to MR-3 and repeal of the existing C-O and 2) Subdivision Plat, **Prairie Grove 5th Addition** as outlined within the staff report, as the proposal complies with the adopted Area Plan, the standards of Article 20-06, and Section 20-0906.F (1-4) and all other applicable requirements of the Land Development Code".

Planning Commission Recommendation: December 3, 2019

On December 3, 2019, with a 9-0 vote with two commissioners absent, the Planning Commission accepted the findings and recommendations of staff and hereby recommended approval to the City Commission of the proposed: 1) Zoning Change from LC with a C-O to MR-3 and repeal of the existing C-O and 2) Subdivision Plat, **Prairie**

| |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Grove 5th Addition as outlined within the staff report, as the proposal complies with the adopted Area Plan, the standards of Article 20-06, and Section 20-0906.F (1-4) and all other applicable requirements of the Land Development Code". |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| |
|---------------------|
| Attachments: |
|---------------------|

- | |
|----------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none">1. Zoning Map2. Location Map3. Proposed Plat |
|----------------------------------------------------------------------------------------------------------------|

Zone Change (LC with C-O to MR-3) & Plat (Minor)

Prairie Grove Fifth Addition

5354 26th St S



Zone Change (LC with C-O to MR-3) & Plat (Minor)

Prairie Grove Fifth Addition

5354 26th St S



OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

3002

ORDINANCE NO. _____

AN ORDINANCE REZONING CERTAIN PARCELS OF LAND
LYING IN PRAIRIE GROVE FIFTH ADDITION,
FARGO, CASS COUNTY, NORTH DAKOTA

WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the City of Fargo have held hearings pursuant to published notice to consider the rezoning of certain parcels of land lying in Prairie Grove Fifth Addition, Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request December 3, 2019; and,

WHEREAS, the rezoning changes were approved by the City Commission on March 23, 2020,

NOW, THEREFORE,

Be It Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. The following described property:

All of Prairie Grove Fifth Addition to the City of Fargo, Cass County, North Dakota, is hereby rezoned from "LC", Limited Commercial, District with a "C-O", Conditional Overlay, District to "MR-3", Multi-Dwelling Residential, District with the existing "C-O", Conditional Overlay, District is hereby repealed in its entirety.

Section 2. The City Auditor is hereby directed to amend the zoning map now on file in his office so as to conform with and carry out the provisions of this ordinance.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

(SEAL)

Timothy J. Mahoney, M.D., Mayor

Attest:

Steven Sprague, City Auditor

First Reading:
Second Reading:
Final Passage:

300d

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: NICOLE CRUTCHFIELD, PLANNING DIRECTOR *NC*
TIA BRASETH, COMMUNITY DEVELOPMENT PLANNING COORDINATOR

DATE: MARCH 17, 2020

**RE: PUBLIC HEARING FOR ACTIONS RELATED TO COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT
PARTNERSHIPS PROGRAMS**

Various actions and amendments are being proposed related to the City of Fargo's Community Development Block Grant (CDBG) and HOME Investment Partnerships programs. Proposed amendments include:

- Identified scope, location, and budget for activities under the previously approved 2018 Action Plan, CDBG Slum & Blight Abatement/Hazardous Property Clearance project.
- Identified scope, location, and budget for activities under the previously approved 2019 Action Plan, CDBG Affordable Housing Development project.
- Citizen Participation Plan Update.

Also included within the public notice are changes in use to the following properties:

- 11 11 Street North – Disposition: Property to be sold to entity with highest offer and/or best use plan in the neighborhood through a public bid process previously approved by City Commission. Sale proceeds to replenish the local CDBG account and become available for use in the City's upcoming 2020 Action Plan.
- 314/324 7 Street North, and 712 4 Avenue North – Request for Proposals released on March 16, 2020 to redevelop this site as a new eligible CDBG use activity, affordable housing.
- 320 7 Street North - Request for Proposals released on March 16, 2020 to redevelop this site as a new eligible CDBG use activity, affordable housing.

Each proposed amendment is detailed in the attached public notice, which was published in the March 9, 2020 Forum newspaper. These actions will be presented to both the Community

Development Committee and the Planning Commission at their next meetings. The timeline for this amendment, including the 30-day public comment period, is outlined in the attached public notice. This timeline may be extended depending on the statuses of the pending Red River flood and covid-19 pandemic. Once approved by citizens and the City, the amendment will be submitted to HUD for approval.

It is part of the City's adopted Citizen Participation Plan to take all substantial amendments to the Community Development Committee, Planning Commission, and City Commission as part of the review and approval process.

Recommended Motion: This meeting is for a public hearing only, no action is required at this time. Final consideration of the amendments is currently scheduled for April 20, 2020 (date subject to change).



**Notice of Public Hearing & Public Comment Period
City of Fargo**

The City of Fargo is proposing various actions related to its Community Development Block Grant (CDBG) and HOME Investment Partnerships programs, which are grants awarded to the City by the U.S. Department of Housing and Urban Development (HUD). Following a public comment period and subsequent City Commission action on April 20, 2020, a recommendation regarding these actions will be forwarded to HUD for their consideration and approval. All citizens are welcome to submit comments at any time during the public comment period or at the public hearing.

Public Comment Period: March 10 through April 8, 2020

Send written comments or phone: City of Fargo
Planning and Development Department
Attn: Community Development Planning Coordinator
225 4th Street North, Fargo ND 58102
701.476.4144

Electronic Comments: planning@FargoND.gov

Public Hearing: Monday, March 23, 2020 - 5:15 p.m.
City Commission Chambers
225 4th Street North, Fargo ND 58102

Final City Commission Consideration: Monday, April 20, 2020

Summary of Proposed Actions: Outlined Below

AMENDMENTS

1. 2018 Action Plan

○ **Activity Amendment: Slum & Blight Abatement/Hazardous Property Clearance at 916 5 Avenue South**

This activity is included in the City's 2018 Annual Action Plan. Each time location, project scope, and budget are identified, the City must make a "substantial amendment" to the plan. Activities will include demolition and future construction of a single-family housing unit in partnership with the Cass Clay Community Land Trust (CCCLT). *National Objective: Low to Moderate Income Housing Benefit [570.208(a)(3)]. CDBG Matrix Codes: 04 Clearance & Demolition and *12 Construction of Housing. Eligibility 24 CFR Part 570.201 (a) and 570.201 (m). *CDBG funds will only be used to fund demolition, construction of housing will be funded and performed by the CCCLT.*

Financial – \$65,000 is the estimated combined cost for any environmental (e.g., asbestos removal, hazardous materials abatement, etc.) and demolition-related expenses.

2. 2019 Action Plan

○ **Activity Amendment: Affordable Housing Development at 712 4 Avenue North & 314/320/324 7 Street North**

This activity is included in the City's 2019 Annual Action Plan. Each time location and project scope are identified, the City must make a "substantial amendment" to the plan. Activities will include disposition of City-owned land previously purchased with CDBG funds. These properties will be donated to an affordable housing developer to build new units which will be occupied by households earning 80% or less of the Area Median Income. At least 51% of the units built on this site must meet this criteria. Reference items #2-3 in the "Changes of Use" section of this notice. *National Objective: Low to Moderate Income Housing Benefit [570.208(a)(3)]. CDBG Matrix Codes: 02 Disposition and *12 Construction of Housing. Eligibility 24 CFR Part 570.201 (b) and 570.201 (m). *CDBG funds will not be used to fund future construction, unless otherwise included in a future amendment involving citizen participation.*

Financial – No new costs associated with this activity amendment; property will be donated.

3. Citizen Participation Plan

HUD requires its Grantees to adopt a Citizen Participation Plan that sets forth the City's policies and procedures for citizen participation related to its HUD HOME & CDBG programs. The current Citizen Participation Plan is outdated and periodic updates are recommended. A draft copy of the amended plan may be reviewed at www.FargoND.gov or by request through the Planning & Development Department.

CHANGES OF USE

1. Change of Use at 11 11 Street North

CDBG funds were used in 2014 to eliminate conditions of slum and blight at this location. At this time, the City intends to sell this property to the entity with the highest offer and/or best use plan in the neighborhood. The minimum offer accepted must be equal to or more than the current fair market value as determined by an appraisal (underway). With the initial HUD National Objective being met (i.e., slum & blight removal) and no eligible activities proposed or materialized over the past 6 years, the City must now change the use at this site and sell the land to another entity which may or may not directly benefit low and moderate income beneficiaries. Proceeds from the sale will replenish the local CDBG account and become available for use in the City's upcoming 2020 Action Plan.

2. Change of Use at 712 4 Avenue North & 314/324 7 Street North

CDBG funds were used between 2008 and 2013 to eliminate conditions of slum and blight at these locations. At this time, the City intends to release a Request for Proposals to redevelop this site as a new eligible CDBG use activity, affordable housing. Activities will include disposition of City-owned land previously purchased with CDBG funds. Once an acceptable proposal is received, the new activity will be included in the 2019 Action Plan under the existing Affordable Housing Development activity (see Item #2 in the "Amendments" section of this notice). *National Objective: Low to Moderate Income Housing Benefit [570.208(a)(3)]. CDBG Matrix Codes: 02 Disposition and *12 Construction of Housing. Eligibility 24 CFR Part 570.201 (b) and 570.201 (m). * CDBG funds will not be used to fund future construction, unless otherwise included in a future amendment involving citizen participation.*

3. Change of Use at 320 7 Street North

CDBG funds were used in 2002 to purchase this vacant property to support the adjacent Native American Program offices (relocated in 2008). At this time, the City intends to release a Request for Proposals to redevelop this site as part of a larger combination of sites (see #2 above). The new use will be affordable housing, which is an eligible CDBG activity. Activities will include disposition of City-owned land previously purchased with CDBG funds. Once an acceptable proposal is received, the new activity will be included in the 2019 Action Plan under the existing Affordable Housing Development activity (see Item #2 in the "Amendments" section of this notice). *National Objective: Low to Moderate Income Housing Benefit [570.208(a)(3)]. CDBG Matrix Codes: 02 Disposition and *12 Construction of Housing. Eligibility 24 CFR Part 570.201 (b) and 570.201 (m). * CDBG funds will not be used to fund future construction, unless otherwise included in a future amendment involving citizen participation.*

Comments and suggestions from the public are encouraged during the public comment period and/or at the public hearing (schedule above). Additional information on the proposed actions is available by request through the Planning and Development Department. See contact information below.

The facility is serviced by public transit, accessible and can accommodate persons with disabilities. Alternative formats of this information or reasonable accommodations for persons with hearing loss, vision loss, disabilities or limited English proficiency, including the availability of interpretation and translation services, will be made upon request (48 hours of notice is required). Anyone who requires these services or an auxiliary aid to fully participate in the hearing should contact the Planning and Development Department at 701.241.1474/Planning@FargoND.gov, or the City of Fargo's Section 504/ADA Coordinator Brock Morrison at 701.298.6966 to arrange for services. To access TTY/ND Relay service dial 800.366.6888 or 711. In accordance with Federal regulations and City of Fargo policies, services are provided without regard to race, color, religion, sex, disability, familial status, national origin, age, marital status, veteran status, sexual orientation, gender identity, public assistance, domestic violence, lawful activity, or condition protected by applicable federal and state laws. The City is an equal employment/equal housing opportunity agency.



Citizen Participation Plan for HUD Programs

Community Development Block Grant (CDBG)
HOME Investment Partnerships Program (HOME)

If you would like to request the Citizen Participation Plan in an accessible format (e.g. oral, Braille, electronic, or large print copies), or translation requests, please contact the Planning and Development Department at 225 4th St N, Fargo, ND 58102 (701-241-1474, ND Relay TTY 800-366-6888 or 711) or Planning@FargoND.gov.

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Executive Summary

The City of Fargo receives funding from the U.S. Department of Housing and Urban Development (HUD) for two federal programs: the Community Development Block Grant (CDBG) and the HOME Investment Partnerships (HOME). The City then distributes this funding to Fargo organizations and residents.

As a recipient of these federal funds, the City is required to adopt, publish, and follow a Citizen Participation Plan. This document outlines when and how the City of Fargo will involve residents, business owners, and other stakeholders in identifying community needs and priorities for spending federal CDBG and HOME funds.

The Citizen Participation Plan involves citizens through public comment and public hearings in the following plans, assessments, and reports: Consolidated Plan, Annual Action Plan, Assessment of Fair Housing, Consolidated Annual Performance and Evaluation Report, and any substantial amendments or revisions, and amendments to the Citizen Participation Plan.

The calendar below is an outline for the different types of public participation activities for HUD funded activities and when they occur. At a minimum, the City will hold two public hearings per program year, conducted at two different stages of the program year. This calendar is for illustrative purposes only. The dates of any activity listed are subject to change.

| | |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| May 1 | Beginning of program year |
| July | CAPER comment period (15 days) CAPER due to HUD by July 31 |
| September - December | Community Consultations Public Hearing #1: Public Input Hearing (2 week notice) |
| October - January | Call for Proposals, Award Recommendations, drafting Action Plan |
| February - March | Public Hearing #2: Action Plan Public Hearing (2 week notice) Action Plan Public Comment Period (30 days) Action Plan Approved by City Commission |
| March 15 | Action Plan Submission to HUD |
| April 30 | End of program year |

I. Introduction to Community Development and HUD Programs

What is Community Development?

Community Development is a practice involving research, evaluation, collaboration, and strategic planning, mostly associated with affordable housing, homelessness, employment, transportation, and community resources and assets (e.g., social, environmental, political, cultural, financial, etc.). The City of Fargo has a Community

Development (CD) Division within the Planning & Development Department. The CD Division is responsible for leading plan development of its Department of Housing and Urban Development (HUD) grants, which include the Community Development Block Grant (CDBG) and the HOME Investment Partnerships Grant (HOME). The City's Community Development Committee works with the Planning & Development Department to advise the City Commission regarding these grant funds. The City Commission maintains final approval of annual and consolidated plans and budgets.

Community Development Block Grant (CDBG)

The goal of the CDBG program is to develop viable urban communities by providing decent housing and a suitable living environment and expand economic opportunities principally for low- and moderate-income persons. It is a program designed to be flexible and tailored to community development needs and priorities. At least 70% of CDBG funds in a year must be used to benefit people with low and moderate incomes. Eligible activities under CDBG include, but are not limited to:

- Acquisition of real property
- Relocation and demolition
- Rehabilitation of residential and non-residential structures
- Construction of public facilities and improvements, such as water and sewer facilities, streets, neighborhood centers, and the conversion of school buildings for eligible purposes
- Public services, within certain limits
- Activities relating to energy conservation and renewable energy resources
- Provision of assistance to profit-motivated businesses to carry out economic development and job creation/retention activities

HOME Investment Partnerships (HOME)

The goal of the HOME program is to create affordable rental or ownership housing for low-income households. Because of this goal, outcomes and eligible activities under HOME are narrower than CDBG. However, there is still flexibility within these eligible activities to enable communities to respond to particular affordable housing challenges in their communities. All beneficiaries of HOME programs or projects must have incomes at or below 80% of the area median income (AMI). Specific activities under HOME may have stricter income requirements. Eligible activities under HOME include:

- New construction (ownership or rental)
- Rehabilitation (ownership or rental)
- Homebuyer Assistance
- Tenant-based Rental Assistance

II. Definition of Citizen Participation Plan Terms

This section contains definitions of frequently used terms and phrases used throughout the Citizen Participation Plan.

Low- and Moderate-Income Households and Neighborhoods

HUD regulations require that a minimum percent of funding must benefit people with low to moderate incomes. Depending on the program, HUD allows the City to use two methods to determine whether a program or project is benefitting people with low to moderate incomes. For the HOME program, the City may only use Method 1. For CDBG, the City may use either method.

These are general definitions. A project or program may have specific (or lower) income requirements to be considered initially eligible to participate.

Method 1: Low- to Moderate-Income Household: HUD defines low- to moderate-income thresholds based on area median income (AMI) and family size on an annual basis. AMI is the number at which half of all households' incomes are below and half are above. HUD generally considers a household as low- to moderate-income if its income is at or below 80% of the AMI.

Example: Sally lives alone and earns \$40,000 a year. The AMI of a one-person household in her area is \$100,000. Sally qualifies as low- to moderate-income because she earns 40% of the AMI.

Method 2: Low- to Moderate-Income Neighborhood ("Area Benefit"): This method does not look at the income of a specific household, but rather all the people living in a particular area. HUD uses estimates from the American Community Survey to determine whether 51% or more of people living in an area make 80% or less of AMI. If so, this area is considered to be a "low- to moderate-income area." The City follows determinations made by HUD as to which census tracts qualify.

Public Notice

Public notices are utilized to alert the public to a public comment period or to give adequate and timely notice of a public hearing or meeting. A public notice will be published in *The Forum* and on the City's website. Public notices will contain: a summary of the contents and purpose of the proposed plan or amendment, a list of locations where a full draft can be accessed, length of the public comment period, and how interested parties can submit comment.

In addition, public notices for public hearings/meetings will contain: a description of the meeting location as accessible to individuals with disabilities, information on how to request reasonable accommodations, the availability of language interpretation and/or translation services and how to request them, contact information for the Section 504

coordinator, state TTY/Relay information, and non-discrimination and equal employment/equal housing statements.

The City may also alert the public and interested community development partners through flyers, e-mail distribution lists, social media, press releases, and other methods.

Public Comment

During a public comment period, residents, public agencies, and other interested parties may submit comment the following ways:

- In writing:
 - In-person or mailed to City of Fargo, Planning & Development, 2nd Floor, 225 4th St N, Fargo, ND 58102
 - Via e-mail to Planning@FargoND.gov
 - Online via the Department's "Contact Us" page on the City of Fargo's website, currently located at: <http://fargond.gov/city-government/departments/planning-development/contact-us>
- Verbally:
 - Attending and speaking at the public hearing (as applicable)
 - Via telephone to the Planning & Development's office at 701.241.1474 TTY 800.366.6888 or 711
 - In-person to the Planning & Development's office, 2nd Floor, Fargo City Hall, 225 4th St N, Fargo, ND 58102

Planning & Development

Planning & Development is the department of the City of Fargo which administers HUD funds. When instructed in the Citizen Participation Plan to contact the Planning & Development Department, interested parties can do so in the following ways:

| | |
|--------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| City of Fargo Planning and Development 225 4th Street North Fargo, ND 58102 | E-mail: Planning@FargoND.gov Phone: 701.241.1474 TTY: 800.366.6888 or 711 Fax: 701.241.1526 |
|--------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|

III. Encouraging Citizen Participation

Citizen participation is essential to the City in identifying community development needs, assessing the effectiveness of ongoing housing and community development programs, and developing community development priorities. Citizen participation in the following HUD reports and plans is mandated. The reports and plans are listed below along with a brief description of the purpose of the plan or report.

Description of HUD Plans and Reports

1. Five-Year Consolidated Plan: The Five-Year Consolidated Plan (also referred to as the Five-Year Plan or Consolidated Plan) is a roadmap or framework for the City's priorities and goals related to housing and community development using federal funds. As part of the planning process, the City consults with residents and stakeholders as to the needs and market conditions to be able to make data-driven, place-based investment decisions. The City uses the Consolidated Plan to help make annual funding decisions and must demonstrate to HUD that annual projects align with the Consolidated Plan's goals, strategies, and priorities.
2. Substantial Amendment to the Consolidated Plan: From time to time, there may be a need to amend the goals, strategies, or priorities identified in the Consolidated Plan. Regulations allow for the City to amend the original document to change the purpose, location, scope, or beneficiaries of activities in order to reflect changes in the community or respond to the capacity of local organizations or the City to carry out the work.
3. Annual Action Plan: The Annual Action Plan identifies the specific projects or programs in the community which will receive funds from HUD programs. It provides a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan.
4. Substantial Amendment to the Annual Action Plan: As with the Consolidated Plan, the City may amend the purpose, location, scope, or beneficiaries of activities identified in an Annual Action Plan. This could occur to remove a program or project that is unable to come to fruition, or to add new projects or activities as needs arise. A substantial amendment to the Annual Action Plan may or may not require a substantial amendment to the Consolidated Plan.
5. Consolidated Annual Performance and Evaluation Report (CAPER): The CAPER is an annual report to HUD and the community about accomplishments and progress toward Consolidated Plan goals during the program year. The City also reports on the beneficiaries of projects and programs which received HUD funding to demonstrate compliance with civil rights requirements and ensure at least 70% of funding has benefitted low- to moderate-income neighborhoods or individuals. CAPERs are due 90 days after the close of the program year.
6. Analysis of Impediments to Fair Housing Choice (AI): The Analysis of Impediments to fair housing addresses patterns of integration and segregation; racially or ethnically concentrated areas of poverty; disparities in access to opportunity; and disproportionate housing needs. The AI helps to identify fair housing issues and related contributing factors. The City will then use this information to set goals to overcome fair housing issues and related contributing

factors. Those goals inform subsequent housing and community development planning processes.

Encouragement of Citizen Participation from Particular Groups

The City encourages all residents and stakeholders to participate in developing and implementing the plans and reports outlined in the previous section, "Description of HUD Plans and Reports." The City especially encourages participation from the following:

1. Low- and moderate-income persons, particularly those persons:
 - a. living in areas designated by the City as a revitalization area
 - b. living in a slum and blighted area
 - c. living in areas where CDBG funds are proposed to be used
2. Residents of predominantly low- and moderate-income neighborhoods
3. Minorities
4. Non-English speaking persons
5. Persons with disabilities

The City also especially encourages participation from the following types of organizations in developing and implementing the Analysis of Impediments, Consolidated Plan, and Annual Action Plan:

1. Local and regional institutions
2. Continuums of Care
3. Other organizations, both private and public, such as businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations
4. In conjunction with consultation with the Fargo Housing and Redevelopment Authority (FHRA), the City will encourage the participation of residents of public and assisted housing developments including any resident advisory boards, resident councils, and resident management corporations
5. Other low-income residents of targeted revitalization areas in which the FHRA's developments are located
6. FHRA will be provided information about Consolidated Plan activities, the Analysis of Impediments to Fair Housing Choice, and Affirmatively Furthering Fair Housing strategies and activities if those activities are related to the PHA's developments and surrounding communities. FHRA will then make this information available at its annual public hearing(s) required for the PHA Plan.

The City will consult with the following in developing the Consolidated Plan:

1. Broadband internet service providers
2. Organizations engaged in narrowing the digital divide
3. Agencies whose primary responsibilities include the management of flood prone areas, public land, or water resources

4. Emergency management agencies

Community Development Mailing List

The City of Fargo's Planning & Development staff maintain a mailing and e-mail list of housing and community organizations in the area who have opted in. The City uses this list to keep in communication with organizations regarding community meetings, public hearings, requests for proposals, and more related to the City's HOME and CDBG programs. An organization can be placed on the mailing and/or e-mail list by contacting Planning & Development.

IV. Accessibility

Access to Meetings, Materials, and Records

Meetings and Public Hearings. The City provides citizens with reasonable and timely access to local meetings and public hearings. For the purposes of this section, "meetings" shall mean both meetings and public hearings. The notice period and location of notices are further detailed in Section V. Meetings will be held in a location accessible for those with disabilities. All public hearings and most public meetings are held at Fargo's City Hall, which was constructed in 2018 and is a fully accessible location serviced by public transit. If meetings are held in an alternative location, the City will locate a facility serviced by public transit and accessible to individuals with disabilities.

The City will provide translated document summaries, documents in alternative formats, or interpretative services at meetings for community members with a disability or limited English proficiency. The City will preemptively provide these services if a significant number of individuals with interpretation or translation needs are reasonably expected to participate. Public notices will indicate if these services are scheduled to be available at a meeting. Otherwise, the City will provide these reasonable accommodations to any individual with a requested notice of forty-eight (48) hours to Planning and Development. All public notices for meetings and hearings related to HUD programs will make note of the availability of these services and the contact information to request them.

Availability to the Public. The following documents, both proposed and as adopted, will be available to the public. A reasonable number of free copies will be provided upon request to Planning and Development. The documents will be made available in accessible formats (e.g. oral recordings, Braille, electronic, or large print) upon request to Planning and Development.

- Consolidated Plan
- Annual Action Plan
- Consolidated Annual Performance and Evaluation Report
- Substantial Amendments
- Citizen Participation Plan

- Analysis of Impediments to Fair Housing Choice (and any revisions)

Full-length draft documents will be made available to the public in the following ways.

Electronic Formats

- Online via the City's official website, www.FargoND.gov
- Via e-mailed PDF

Hard Copy Formats (during the location's normal business hours)

- Planning and Development at Fargo City Hall, 2nd Floor, 225 4th St N, Fargo, ND 58102
- Fargo Main Library at 102 3rd St N, Fargo, ND 58102
- Dr. James Carlson Library at 2801 32nd Ave S, Fargo, ND 58103
- Northport Library at 2714 Broadway N, Fargo, ND 58102
- Fargo Housing and Redevelopment Authority at 325 Broadway N, Fargo, ND 58102

Access to Records. The City will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the City's Consolidated Plan, Analysis of Impediments to Fair Housing Choice, and its use of assistance under HUD programs during the preceding five years. Requests can be made to Planning & Development. Costs for duplication of materials and staff time to produce records will be subject to North Dakota open records laws beginning at North Dakota Century Code §44-04-17.1. A reasonable number of free copies shall be provided.

Limited English Proficiency (LEP)

The City of Fargo has adopted a Language Access Plan which ensures the City will take reasonable steps to provide language assistance to ensure meaningful access to participation by non- or limited- English-speaking residents in federal programs. The City will provide: translated notices, translated summaries of plans and reports, translated application materials, oral interpretation of plans and reports, and oral interpretation at public meetings and hearings upon request to Planning and Development.

The City of Fargo is unaware of non-English language publications in which to publish public notices. However, there are many groups in the area which provide services to individuals with limited English proficiency. Notices of input meetings and public hearings will be sent to organizations which frequently work or come into contact with LEP individuals. This may include, but is not limited to, Fargo Public Schools' Adult Education Center, Cultural Diversity Resources, and the New American Consortium. Many other organizations engaged in this work are already on the Planning & Development Department's community development mailing list.

V. Development of Plans and Reports

The following sections define the steps the City will take to engage residents and stakeholders in developing the Consolidated Plan, the Annual Action Plan, Consolidated Annual Performance and Evaluation Report (CAPER), and the Analysis of Impediments to Fair Housing Choice (AI).

Consolidated Plan/Annual Action Plan/Analysis of Impediments

The public participation requirements for the Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice are the same. During the initial year of a Consolidated Plan (e.g. 2020's Annual Action Plan under the 2020-2024 Five-Year Consolidated Plan), both the Consolidated Plan and the Action Plan will be prepared at the same time under the same public participation process. A new Analysis of Impediments to Fair Housing Choice will be conducted with each new Five-Year Consolidated Plan.

Step 1: Initial Public Input Hearing

The City of Fargo's Community Development division will convene a public hearing prior to publishing the Consolidated Plan/Annual Action Plan/Analysis of Impediments to Fair Housing Choice. This public hearing will obtain the views of citizens on housing and community development needs (including priority non-housing community development needs), the development of proposed activities, and proposed strategies and actions for affirmatively furthering fair housing consistent with the Analysis of Impediments to Fair Housing Choice (AI). It will also provide an overview of the previous program year's performance by presenting a summary of the previous year's Consolidated Annual Performance and Evaluation Report (CAPER).

Analysis of Impediments to Fair Housing Choice (AI) Only: As soon as is feasible, the public will be provided a link to the City's website where residents, public agencies, and other interested parties can access HUD-provided data and any other supplemental information the City plans to incorporate into the AI .

Hearing Time and Location. The initial public hearing during the development of the Consolidated Plan/Annual Action Plan/ Analysis of Impediments to Fair Housing Choice will be held at Fargo City Hall at 225 4th Street North, Fargo, ND 58102. The initial public input hearing may be in lieu of a regularly-scheduled Community Development Committee meeting, or it may be scheduled as a separate meeting. Public hearings are typically held during the day. The City may conduct a second public input meeting during the evening to reach more potential or actual beneficiaries of CDBG and HOME programs.

Public Notice. Public notice will be given no later than two (2) weeks before the public hearing. The public notice and materials available at the public hearing will contain the following information for citizens, public agencies, and other interested parties:

- A description of the funding sources available
- The amount of assistance the City expects to receive, including grant funds and program income
- The range of activities that may be undertaken
- Plans to minimize displacement of persons and to assist any persons displaced, with specific types and levels of assistance the City will make available (or require others to make available) to persons displaced, even if the City expects no displacement to occur. At the public hearing, copies of the City's Residential Anti-Displacement, Replacement Housing, and Relocation Assistance Plan will be available.
- The estimated amount that will benefit persons of low- and moderate-income
- The deadline for submitting proposals

Step 2: Call for Proposals

After the initial public input hearing, the City of Fargo's Community Development division will solicit proposals from community organizations for programs or projects to receive funding for the program year. All eligible projects and activities must be a HOME-eligible project or program; and/or meet one of the three national objectives of the CDBG program which are:

- Benefit to low- and moderate-income persons
- Addressing slums and blight, or
- Meeting a particular urgent community development need.

Planning & Development staff will make a preliminary determination of eligibility under federal rules and regulations and will review the proposals for completeness (threshold review). All proposals must be completed in their entirety and accurately describe the activity and/or project for which funds are requested.

After this initial eligibility review, staff will recommend projects to the Community Development Committee. The Community Development Committee will advise a selection of projects for funding to the City Commission.

The final stage of funding consideration will consist of a public hearing held at a City Commission meeting. In general, around 1-3 projects depending on funding will be approved for inclusion into that year's Annual Action Plan.

The City of Fargo may initiate a Call for Proposals throughout the program year as reprogrammed funds become available.

Step 3: 30 Day Public Comment Period and Public Hearing

Public Comment. After the City Commission approves the proposed budget and activities for the program year, City staff will draft the plan. Upon staff completion of the draft, it will be published for a public comment period of no less than thirty (30) days.

Public Notice. Public notice of the 30 day public comment period for the draft Consolidated Plan/Annual Action Plan/Analysis of Impediments to Fair Housing Choice will be published the day before the public comment period begins.

Public Hearing. During the public comment period, the City will hold a public hearing to receive comments on the proposed Consolidated Plan/Annual Action Plan/Analysis of Impediments to Fair Housing Choice during a regularly scheduled City Commission meeting. Notice of the public hearing will be published no less than two (2) weeks prior to the scheduled hearing. In most cases, the City expects to publish the notice of the public hearing concurrently with the public comment notice.

Step 4: Submission to HUD

At the conclusion of the public comment period, staff will compile a summary of comments or views received, and a summary of any comments or views not accepted and the reasons why and attach it to the final plan or Analysis of Impediments to Fair Housing Choice. This final document will be presented to the City Commission for approval. Once authorized to do so by the City Commission, staff will submit the final plan or AI to HUD.

Consolidated Annual Performance and Evaluation Report (CAPER)

The CAPER is an annual report to HUD and the community about accomplishments and progress toward Consolidated Plan goals during the program year. The City also reports on the beneficiaries of projects and programs which received HUD funding to demonstrate compliance with civil rights requirements and ensure at least 70% of funding has benefitted low- to moderate-income neighborhoods or individuals. CAPERs are due 90 days after the close of the program year unless granted an extension by HUD.

Step 1: Preparing the Report

Planning & Development Staff will draft the annual report (CAPER). During this time, staff will consult with community organizations and local agencies to solicit updated information about activities undertaken during the program year to further the goals of the Consolidated Plan/Annual Action Plan.

Step 2: Publishing Draft Report

Public Comment. Once complete, the draft CAPER shall be made publicly available for a public comment period of no less than fifteen (15) days.

Public Notice: Notice of the opening of the public comment period will be published the day before the public comment period begins.

Step 3: Submission to HUD

After the conclusion of the public comment period, Planning & Development staff will compile a summary of comments or views submitted during the public comment period, and a summary of any comments or views not accepted and the reasons why and attach it to the final CAPER. The CAPER will then be submitted to HUD.

VI. Amendments to Plans and Assessments

Amendments to the Consolidated Plan or Annual Action Plan

From time to time, changes in community conditions, City staff capacity, staff capacity of organizations receiving HUD funding, or written direction from HUD may require the City to amend a Consolidated Plan or Annual Action Plan. The following decisions require an amendment to a Consolidated Plan or Action Plan:

- A change in allocation priorities
- A change in the method of distribution of funds
- Carrying out an activity, using funds from any program covered by the consolidated plan (including program income, reimbursements, repayment, recaptures, or reallocations from HUD), not previously described in the action plan
- A change in the purpose, scope, location, or beneficiaries of an activity

Substantial Amendment

An amendment is considered substantial when:

1. Changes in the use of CDBG funds from one eligible activity to another are made
2. Changes in funding by at least 10% of the amount allocated to the City's entitlement grant programs for that program year are made
3. A deletion of an activity or project described in the Consolidated Plan or Action Plan occurs
4. An addition of an activity or project not described in the Consolidated Plan or Action Plan occurs
5. Major changes in the purpose, scope, location, or beneficiaries of an activity are made

Public Comment. The proposed substantial amendment shall be made publicly available for a public comment period of no less than thirty (30) days.

During the public comment period, the proposed amendment will be electronically distributed to the Community Development Committee. Staff may present a summary in person to the Committee in addition to the electronic distribution.

Public Notice: Notice of the 30 day public comment period will be published the day before the public comment period begins.

Public Hearing: During the public comment period, the City will hold a public hearing to receive comments on the proposed amendment during a regularly scheduled City Commission meeting. Notice of the public hearing to receive comments on the proposed amendment will be published no less than two (2) weeks prior to the scheduled hearing. In most cases, the City expects to publish the notice of the public hearing concurrently with the public comment notice.

Approval: At the conclusion of the public comment period and prior to the City Commission taking action, staff will compile a summary of comments or views received, and a summary of any comments or views not accepted and the reasons why and attach it to the final substantial amendment. This final document will be presented to the City Commission for approval. The City Commission may make the proposed change, reject the proposed change, or make a modified change. Once authorized to do so by the City Commission, staff will submit the amended plan to HUD.

Emergency Amendment

An emergency amendment is developed in response to a local emergency and will typically be consistent with HUD's "urgent need" criteria. Notice of proposed emergency changes will be published in *The Forum* at least seven (7) days prior to the City Commission meeting at which the change will be considered. The City Commission, prior to taking action, will consider all comments on the proposed change. The City Commission may make the proposed change, reject the proposed change, or make a modified change. The Planning & Development department will provide an explanation for public review of written comments and other public comments not accepted by the City Commission.

Minor Amendment

Any changes to the Assessment of Fair Housing, Five-Year Consolidated Plan, or Annual Action Plan not meeting the criteria described in this section will be considered a minor amendment or revision. Such changes will not be published or subject to a public participation process nor will they require approval by the City Commission.

Amendments to the Citizen Participation Plan

An amendment to the Citizen Participation Plan consists of a change to the method and/or process of citizen participation in development and evaluation of HUD-funded programs. Updates to fix typographical errors, website links, or update contact information will not be considered an amendment to the Citizen Participation Plan and will not be published for public comment or require committee approval.

Public Comment: The amended version of the Citizen Participation Plan shall be made publicly available for a public comment period of no less than thirty (30) days.

Public Notice: Notice of the 30 day public comment period will be published the day before the public comment period begins

Public Hearing: During the 30 day public comment period, the City will hold a public hearing to receive comments on the proposed Citizen Participation Plan during a regularly scheduled City Commission meeting. Notice of the public hearing to receive comments will be published no less than two (2) weeks prior to the scheduled hearing. In most cases, the City expects to publish the notice of the public hearing concurrently with the notice of the opening of the 30 day public comment period.

Approval: The City Commission may make the proposed change, reject the proposed change, or make a modified change.

VII. Technical Assistance

Planning & Development staff will provide technical assistance to groups representative of persons of low- and moderate-income that request such assistance in commenting on the Assessment of Fair Housing and in developing proposals for funding assistance under funding programs described in the Five-Year Consolidated Plan and Annual Action Plan. The City will determine the level and type of assistance provided to a group on a case-by-case basis. Technical assistance provided by the City will not include the provision of funds to the group or grant writing.

VIII. Complaints

Individuals or agencies with complaints related to the Consolidated Plan, Action Plan, Assessment of Fair Housing, amendments or revisions, or the performance report may submit a written complaint to the Planning & Development Department:

City of Fargo
Planning & Development Department
225 4th Street N
Fargo, ND 58102

Planning@FargoND.gov (e-mail)

<http://fargond.gov/city-government/departments/planning-development/contact-us> (web)

Response: Anyone who submits a written complaint to the Planning & Development Department will receive a written response within fifteen (15) working days where practicable. If a substantive written response is not practicable within that time frame, a written acknowledgement will be mailed within fifteen working days and include an estimate for when a substantive written response can be expected.

IX. Anti-Displacement and Relocation Assistance

The City of Fargo has adopted a Residential Anti-Displacement, Replacement Housing, and Relocation Assistance Plan in order to minimize the displacement of persons from their homes in projects receiving CDBG and HOME funds to the maximum extent possible. A copy of the plan is available to the public at the City's Planning & Development office on the second floor of Fargo City Hall, 225 4th Street N, Fargo, ND 58102.

In the event that during a project using CDBG or HOME funds an occupied dwelling must be acquired and demolished, the City will comply with the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended, as well as any other relocation regulations imposed by HUD.



3/a

March 19, 2020

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 55 27 St S as submitted by 55 South 27th Street LLC. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2020, 2021 & 2022.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$955 with the City of Fargo's share being \$330.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Hushka".

Ben Hushka
City Assessor

bsb
attachment

**Application For Property Tax Exemption For Improvements
To Commercial And Residential Buildings**

North Dakota Century Code ch. 57-02.2
(File with the local city or township assessor)

Property Identification

| | | | | | |
|--------------------------------------------------------------------------------|--------------------------|---------------------------|--------------------------|------------|-------------------------------------|
| 1. Name of Property Owner | 55 SOUTH 27TH STREET LLC | | | Phone No. | 701-237-0543 |
| 2. Address of Property | 55 27 ST S | | | | |
| City | FARGO | State | ND | Zip Code | 58103 |
| 3. Legal description of the property for which the exemption is being claimed. | PENTAS 1ST BLOCK 1 | | | | |
| 4. Parcel Number | 01-2301-00050-010 | Residential | <input type="checkbox"/> | Commercial | <input checked="" type="checkbox"/> |
| | | Central Business District | <input type="checkbox"/> | | |
| 5. Mailing Address of Property Owner | SAME | | | | |
| City | | State | | Zip Code | |

Description Of Improvements For Exemption

| | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|---------------|
| 6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary). | REMODEL EXISTING OFFICE SPACE UPGRADING HVAC, ELEC, PL AND EXIT SIGNAGE. REMODEL RESTROOMS | |
| 7. Building Permit No. | 190171 | 8. Year Built |
| | | 2000 |
| 9. Date of Commencement of making the improvement | 01/01/2019 | |
| 10. Estimated market value of property before improvement | \$ | 2,296,100 |
| 11. Cost of making the improvement (all labor, material and overhead) | \$ | 289,257.17 |
| 12. Estimated market value of property after improvement | \$ | |

Applicant's Certification and Signature

| | |
|-----------------------------------------------------------------------------------------------------------------|--------------|
| 13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption. | |
| Applicant's Signature | Date 3-10-20 |

Assessor's Determination

| | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| 14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s): | 3 YEARS FOR QUALIFYING WORK |
| Assessor's Signature | Date 3/19/20 |

Action of Governing Body

| |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| 15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/> |
| Approval subject to the following conditions: |
| Chairman of Governing Body |
| Date |



3/6

March 18, 2020

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 1461 East Gateway Cir S as submitted by Bridget & Bryan Hins. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2020, 2021, 2022, 2023 & 2024.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$195 with the City of Fargo's share being \$30.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Hushka".

Ben Hushka
City Assessor

bsb
attachment

**Application For Property Tax Exemption For Improvements
To Commercial And Residential Buildings**

North Dakota Century Code ch. 57-02.2
(File with the local city or township assessor)

Property Identification

1. Name of Property Owner Bridget & Bryan Hins Phone No. 701-306-0852

2. Address of Property 1461 East Gateway Cir. S

City FARGO State ND Zip Code 58103

3. Legal description of the property for which the exemption is being claimed. Lot 11 Blk 6 Westgate Village

4. Parcel Number 01-4000-00880-000 Residential ☒ Commercial ☐ Central Business District ☐

5. Mailing Address of Property Owner Same

City _____ State _____ Zip Code _____

Description Of Improvements For Exemption

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary). Remodel family room in lower lvl

7. Building Permit No. 19070459 8. Year Built 1976

9. Date of Commencement of making the improvement 07/12/2019

10. Estimated market value of property before improvement \$ 241,300

11. Cost of making the improvement (all labor, material and overhead) \$ 21,229.¹⁵

12. Estimated market value of property after improvement \$ _____

Applicant's Certification and Signature

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.

Applicant's Signature Bridget Hins Date 2/12/2020

Assessor's Determination

14. The local assessor finds that the improvements in this application has ☒ has not ☐ met the qualifications for exemption for the following reason(s): 5 YEARS FOR QUALIFYING WORK

Assessor's Signature Ben Quakke Date 3/

Action of Governing Body

15. Action taken on this application by local governing board of the county or city: Denied ☐ Approved ☐

Approval subject to the following conditions: _____

Chairman of Governing Body _____ Date _____



3/c

March 30, 2020

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 146 Prairiewood Dr S as submitted by Vincent L Ulstad. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2020, 2021 & 2022.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$740 with the City of Fargo's share being \$125.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Hushka".

Ben Hushka
City Assessor

bsb
attachment

Application For Property Tax Exemption For Improvements To Commercial And Residential Buildings

North Dakota Century Code ch. 57-02.2

(File with the local city or township assessor)

Property Identification

1. Name of Property Owner Vincent Ulstad Phone No. 701-238-4251

2. Address of Property 146 Prairiewood Dr. S.

City FARGO State ND Zip Code 58103

3. Legal description of the property for which the exemption is being claimed, Lot 26 ; Block 17 Prairiewood Addition

4. Parcel Number 01-2330-02290-000 Residential ☒ Commercial ☐ Central Business District ☐

5. Mailing Address of Property Owner 146 Prairiewood Dr. S.

City Fargo State ND Zip Code 58103

Description Of Improvements For Exemption

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary). Remodel Kitchen, New Flooring, Remodel Bath, Remove + Relocate walls, Remodel portions of basement

7. Building Permit No. 190083 8. Year Built 1987

9. Date of Commencement of making the improvement 1/31/19

10. Estimated market value of property before improvement \$ 368,800

11. Cost of making the improvement (all labor, material and overhead) \$ 247,000

12. Estimated market value of property after improvement \$ 424,800

Applicant's Certification and Signature

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.

Applicant's Signature Vincent L. Ulstad Date 3-20-20

Assessor's Determination

14. The local assessor finds that the improvements in this application has ☒ has not ☐ met the qualifications for exemption for the following reason(s): 3 YEARS FOR QUALIFYING WORK

Assessor's Signature [Signature] Date 3/29/20

Action of Governing Body

15. Action taken on this application by local governing board of the county or city: Denied ☐ Approved ☐

Approval subject to the following conditions: _____

Chairman of Governing Body _____ Date _____

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MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: MAYOR TIMOTHY J. MAHONEY 

DATE: APRIL 6, 2020

SUBJECT: AIRPORT AUTHORITY APPOINTMENT

The term of Virginia Clark expires on April 8, 2020.

John Cosgriff has submitted an application indicating an interest in serving on the Board and I am recommending his appointment. I have attached a copy of his application for your information.

Your favorable consideration of this recommendation will be greatly appreciated.

RECOMMENDED MOTION: Approve the appointment of John Cosgriff as a member of the Airport Authority for a five-year term ending April 8, 2025.

Kember Anderson

From: noreply@cityoffargo.com
Sent: Friday, May 31, 2019 10:27 AM
To: Commissions Applications
Subject: New Form Submission: Getting involved in government
Attachments: JGC Resume PDF.pdf

Name:

[John Cosgriff]

Mailing Address:

[4257 Coventry Dr. S.]

City:

[Fargo]

State:

[North Dakota]

Zip:

[58104]

Work Phone:

[701-793-7402]

Home Phone:

[701-793-7402]

E-mail:

[jcosgriff@investam.com]

Which boards or commissions would you like to be considered for?

[Airport Authority, FARGODOME Authority, Tax-Exempt Review Committee]

Briefly state why you would like to be on this panel:

[I have experience with these panels and feel I could add value to their missions.]

How many hours per month could you volunteer as a panel member?

[10 to 15]

Please list any past experience you have with city government here or in other cities:

[I served on the Fargo City Commission and worked with each of these Boards.]

Please describe any professional experience you have related to the responsibilities of the panel you are interested in:

[I have extensive experience in both public and private finance.]

We will retain your application for three years and consider you for the board you have indicated interest in when a vacancy arises.



COMMISSIONER TONY GRINDBERG

Fargo City Hall
200 North Third Street
Fargo, ND 58102
701.241.1310
TGrindberg@cityoffargo.com

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS
FROM: COMMISSIONER TONY GRINDBERG
DATE: APRIL 6, 2020

RE: EMERGENCY FUND RELIEF AND UPDATES

This memo is prepared to outline how the city can best coordinate the Federal Relief packages forthcoming to support the State of North Dakota and the City of Fargo. As you are aware, there are many conversations happening regarding a community response. In conjunction with the Planning Department and the Community Development portfolio there are discussions regarding assistance relief for families in hardship and to support critical social service providers. Our social service providers will have an increased need for resources to support our citizens and businesses. There is not one member of our society that will not be affected by this virus.

It is important to collaborate to make sure First Link and the 2-1-1 system along with our housing support system is fully supported to handle the increase in calls and directory services. We are thankful for our community partners and private donors who continue to ensure these programs are fully functioning. It is important to trust the social service system and to bolster these systems in this time of crisis.

With the CARES Act, we see the potential of federal support to synchronize this work. Attached please see a summary on the federal funds as they will be able to contribute to the local government. Planning Department staff are following updates on the funding sources and are working with City Administration to navigate these funds to collaborate across several city, county and federal agencies in partnership with our local foundations.

The City of Fargo is excited to support and participate with area non-profit foundation emergency relief funds. The City of Fargo looks forward to assisting in coordination with area non-profits to assist with communication and to serve as resource so that those in need know where to go for assistance.

Listed below are a few examples of current efforts underway:

Dakota Medical Foundation

- DMF's website, DMFHelpingHearts.org, has been updated to serve as a COVID-19 fundraising platform for all ND and NW MN charities and as an urgent needs information hub for the public

to donate goods and volunteer. Over 400 charities across ND and MN are updating their profiles to describe their most urgent needs in light of the pandemic.

- DMF/Impact COVID-19 Critical Services Fund was created to raise money for bolstering the strength of the front-line charities providing food, shelter, and critical services to our most vulnerable populations. More than \$600,000 has been raised and emergency grants are being distributed to shelters and food pantries across ND and NW MN.
- Developing an initiative to ensure front-line critical service employees have adequate personal protective equipment and training.
- Nonprofit coaching and training is being provided daily to: 1) Ensure employee, family and community health and safety 2) Rapidly adapt charity operations in this new environment 3) Overcome major barriers and risks that threaten a charity's survival 4) Actively search for and pursue opportunities to weather the storm and come out much stronger.

FM Area Foundation

- The FM Area Foundation recently activated its Community Response Fund of Cass and Clay Counties to address the impact of the novel coronavirus pandemic in the Fargo-Moorhead area. The Foundation initially funded the Community Response Fund with \$25,000 and is now committing an additional \$250,000 as a challenge grant to the community.
- Grants from this fund will go to qualified nonprofit organizations affected by the coronavirus pandemic, as well as organizations providing services to vulnerable populations throughout Cass County, N.D., and Clay County, Minn.
- The Community Response Fund was created by the FM Area Foundation in 2017 and the purpose of the fund is to help meet the needs of community organizations during and following a community crisis or disaster

United Way of Cass-Clay

- United Way works to help our community every day – and especially in times like this. Our focus is always on how to help our neighbors in Cass and Clay counties who are most in need.
- We believe in the strategies and programs we provide in our community, and we know that the recent events mean that even more of our neighbors will need help.
- How you can help:
 - Give to the Coronavirus Response Fund - Funds will go to trusted community partners assisting those hardest hit by this pandemic. It will support programs that ensure individuals and families stay safely and stably housed.
 - Support Home for Good - Your donation will help the increased number of homeless families move into stable homes with the basic household supplies they need.



Summary of CARES Act, Third COVID-19 Response Package

On March 27, President Trump signed the CARES Act (H.R. 748), a \$2 trillion emergency package intended to stave off total economic collapse in the wake of the coronavirus crisis. (See [bill text](#) and [summary](#).)

SUPPORT FOR CITIES

STATE & LOCAL CORONAVIRUS RELIEF FUND - Under the legislation, \$139 billion is reserved to be distributed between states and units of local government. Although widely reported \$150 billion, much is earmarked for the District of Columbia, territories, and tribal governments.

A unit of local government is a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level with a population that exceeds 500,000.

The funds shall be distributed to states and units of local governments no later than 30 days after the enactment of the bill. The funds may only be used for 1) “necessary expenditures” related to COVID-19; 2) are not accounted for the budget most recently approved as of the date of enactment of this section for the State or government; 3) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

Each state is allocated a minimum of \$1.25 billion but will be prorated by population.

When a unit of local government receives funds, it will reduce the amount available to its own state by the amount a unit of local government receives. A “unit of local government” is term of art in this bill, meaning a “county, municipality, town, township, village, parish, borough, or other unit of general government below the State level with a population that exceeds 500,000.” Under this provision, units of local government will receive 45% of the funding allocated to the state in which the unit is located. There is no provision that requires a state government to distribute money to local governments.

TREASURY LOANS - The Treasury Department will deploy up to \$500 billion of loans that will be available to industries impacted by COVID-19 but also available to cities and states.

TRANSPORTATION

- **AIRPORTS**
 - FAA’s Airport Improvement Program (AIP) will see an infusion of \$10 billion to maintain operations and respond to COVID-19 at our nation’s airports. AIP funds will be distributed by formula. (**)
 - Essential Air Service (EAS) – \$56 million provided to maintain existing air service to rural communities. This funding is necessary to offset the reduction in overflight fees that help pay for the EAS program. (**)
 - TSA Additional Support – Additional \$1 million to support response and protective equipment.

- **TRANSIT**
 - Federal Transit Administration (FTA) Transit Infrastructure Grants – \$25 billion for transit providers, which are primarily led by local governments across the country, for operating and capital expenses. Funding will be distributed proportionally using existing FTA formulas - 5307 Urbanized Area Formula, 5311 Rural Formula, 5337 State of Good Repair Formula and 5340 Growing and High-Density States Formula. FTA is required to release these funds within 7 days of enactment. (*)
- **RAIL**
 - Amtrak – Provides \$492 million in grants for the Northeast Corridor and \$526 million in grants for the broader national network to cover revenue losses related to coronavirus. In addition, funding is provided to help states pay for their share of the cost of state supported routes.

CONNECTIVITY

- U.S. Department of Agriculture – Provides an additional \$25 million for the existing Distance Learning, Telemedicine, and Broadband Program, plus \$100 million to extend the ReConnect competitive rural broadband grant/loan program through the end of FY2021. (**)
- Department of Veterans Affairs – Allows flexibility for VA to contract for short-term broadband services to high-risk and rural veterans for them to access video mental health services.
- Federal Communications Commission – Provides \$200 million to the FCC for telehealth pilot program funding, available until expended.
- Institute of Museum and Library Services – Provides \$50 million for network access, devices and technical support, available through the end of FY2021. (**)

RURAL DEVELOPMENT

- Rural Development Programs: \$20.5 million for the cost of loans for rural business development programs (**)

NUTRITION AND FINANCIAL ASSISTANCE

- Supplemental Nutrition Assistance Program (SNAP): \$15.5 billion additional SNAP benefits to provide additional access to food for those who need support, available until the end of FY2021.
- Child Nutrition Programs: \$8.8 billion to ensure food access for children outside of school through the end of FY2021.
- Temporary Assistance for Needy Families Program and Related Programs extension through 2021 to Nov. 30, 2020.
- Low Income Home Energy Assistance Program: \$900 million to help lower income households heat and cool their homes through the end of FY2021.

HEALTH AND HUMAN SERVICES

- Community Services Block Grant: \$1 billion to support projects such as addressing employment, education, better use of available income, housing, nutrition, emergency services and/or health through the end of FY2021.

- Centers for Disease Control and Prevention: \$4.3 billion to support the coronavirus response, including \$1.5 billion to support states and local areas, tribes and territories for equipment, testing, mitigation and preparedness, available through September 30, 2024. (**)
- Clean extension of the Health Profession Opportunity Grant program until November 30, 2020. This program provides skills training and support for those in the health care sector. NLC supports making this program permanent.

EDUCATION AND EARLY CHILDHOOD

- Education Stabilization Fund: \$30.75 billion for costs incurred by schools including those for planning for long-term closure, additional technology to enable distance learning as well as funds to be directed towards districts impacted the most, to available through the end of FY2021, with applications being accepted 30 days after bill enactment and approved or denied no later than 30 days after receipt. (**)
- Head Start: \$750 million to Head Start programs to meet the needs of children and families, as well as allowing for expansion of summer programs through FY2020 and FY2021.
- Child Care and Development Block Grant: \$3.5 billion for child care subsidies for low-income families with children under age 13, as well as flexibility to pair state and federal funds to improve the quality of child care available to families within existing state and local systems, available through the end of FY2021.

LABOR

- Workforce training and supportive services: \$360 million to invest in programs that provide training and supportive services for dislocated workers, seniors, migrant farmworkers, and homeless veterans, available through the end of FY2022. This also includes funding for DOL agencies to ensure new Paid Leave and UI benefits are implemented swiftly and effectively.

ENVIRONMENT

- Superfund program: \$770,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally for necessary expenses for cleaning and disinfecting equipment or facilities of, or for use by, the U.S. Environmental Protection Agency

COMMERCE

- EDA Economic Adjustment Assistance Program: \$1.5 billion to assist state and local entities with a wide range of technical, planning, and public works and infrastructure assistance in regions experiencing adverse economic changes that may occur suddenly or over time. (**)
- Manufacturing Extension Partnership: \$50 million to assist manufacturers to prevent, prepare for, and respond to coronavirus.

SMALL BUSINESS ADMINISTRATION

- Economic Injury Disaster Loans: \$562 million to assist small businesses impacted by COVID-19 response measures. The bill makes several loan eligibility adjustments to permit more businesses to qualify.

HOUSING AND COMMUNITY DEVELOPMENT

- Community Development Block Grants: \$5 billion. Of that amount, \$2 billion direct allocation to states and local governments through the regular program formula within 30 days of enactment; \$1 billion to states within 45 days of enactment; and the remaining \$2 billion will be allocated by HUD to state and local governments based on need. The measure also suspends the 15% services cap so that grantees may spend additional funds on assistance to low-income households. (**)
- Homeless Assistance Grants: \$4 billion. Of that amount, \$2 billion allocation by formula to current grantees within 30 days of enactment; and \$2 billion allocation by HUD to state and local governments based on a formula to be developed by the Secretary and such allocations shall be made within 90 days of enactment. (**)
- Tenant-Based Rental Assistance: \$1.25 billion for rental assistance to low-income individuals.
- Project-Based Rental Assistance: \$1 billion for assistance to owners or sponsors of properties receiving federal subsidies to house low-income individuals.
- Public Housing Operating Fund: \$685 million to provide housing stability for public housing residents with reduced income as a result of COVID-19. (Funding goes directly to Public Housing Agencies rather than municipal governments)
- Housing for the Elderly: \$50 million
- Housing for Persons with Disabilities: \$15 million

LAW ENFORCEMENT, PUBLIC SAFETY & CRIMINAL JUSTICE

- Resources for Federal, State and Local Law Enforcement: \$850 million for the Byrne-Justice Assistance Grant Program (Byrne-JAG). The funding can be used to purchase personal protective equipment and other needs to help law enforcement with responding to the COVID-19 pandemic. The awards will not be subject to restrictions or special conditions imposed on awards under FY 2018 Byrne-JAG grants, that forbid interference with Federal law enforcement. (*)
- Federal Bureau of Prisons: \$100 million.
- Federal Law Enforcement: \$55 million for the Federal Bureau of Investigation, Drug Enforcement Administration, U.S. Marshals Service, and U.S. Attorneys.
- Federal Judiciary: \$7.5 million for three accounts in the Judicial Branch including the Supreme Court and U.S. District Courts.
- Family Violence Prevention Services: \$45 million to support families during this uncertain time, and to prevent and respond to family and domestic violence, including offering shelter and supportive services to those who need it. (**)
- Support for Legal Services: \$50 million is provided for the Legal Services Corporation (LSC) to meet civil legal aid needs for low-income Americans. This funding can help LSC clients facing job losses, eviction, domestic violence and consumer scams resulting from the coronavirus crisis. (**)

PERSONAL PROTECTIVE EQUIPMENT

- Defense Production Act: \$1 billion to allow the Department of Defense to invest in manufacturing capabilities that are key to increasing the production rate of personal protective

equipment and medical equipment to meet the demand of healthcare workers across the nation.

- Assistance to Firefighter Grants: \$100 million for personal protective equipment for first responders. (*)
- Personal Protective Equipment: \$178 million for the Department of Homeland Security to ensure front line federal employees have personal protective equipment.

DISASTER ASSISTANCE

- Disaster Relief Fund: \$45 billion to provide for the immediate needs of state, local, tribal, and territorial governments. Reimbursable activities may include medical response, personal protective equipment, National Guard deployment, coordination of logistics, safety measures, and community services nationwide. This funding supplements existing funding that is available to state and local governments through FEMA's Public Assistance grant program.(**)
- Emergency Management Performance Grants: \$100 million for state, local, territorial, and tribal governments to support coordination, communications, and logistics. (**)
- National Guard: \$1.4 billion for deployments to sustain up to 20,000 members of the National Guard, under the direction of the governors of each state, for the next six months in order to support state and local response efforts.
- FEMA's Emergency Food and Shelter Program: \$200 million for shelter, food, and supportive services through local service organizations. (**)
- Expansion of Military Hospital: \$1.5 billion to alleviate the anticipated strain on both the military and civilian healthcare systems, these funds will nearly triple the 4,300 beds available in military treatment facilities today.

ELECTIONS

- Election Grants: \$400 million for states to help prepare for the 2020 elections.

DEADLINE EXTENSIONS

- REAL ID Deadline for States: Extends the deadline for states to meet the requirements of the REAL ID Act to not earlier than September 30, 2021.

MUNICIPAL BONDS

The \$454 billion "Economic Stabilization Fund" permits the Treasury Department to "purchase obligations or other interests in secondary markets or otherwise." This will allow the Federal Reserve to be an institutional investor in securities that mature in greater than 6 months. Note: This fund also provides loans and loan guarantees to small businesses, so not all the \$454 billion will be used for bond the purchase of securities.

*Denotes program where funds go entirely to local governments.

**Denotes program where a portion of the funds go to local governments.