FARGO CITY COMMISSION AGENDA
Monday, December 18, 2017 - 5:00 p.m.

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

A. Pledge of Allegiance.

B. Roll Call.

C. Approve Order of Agenda.

D. Minutes (Regular Meeting, December 4, 2017).

CONSENT AGENDA – APPROVE THE FOLLOWING:

1. Receive and file an Ordinance Amending Section 35-0102 of Article 35-01 of Chapter 35 of the Fargo Municipal Code Relating to the Sale of Tobacco Products.

2. Appointment of Stamate Skliris as a City Prosecutor and Assistant City Attorney.

3. Purchase Agreement for property located at 3908 River Drive South.

4. Purchase Agreement for property located at 4122 17th Street South.

5. Master Attachment Agreement for Attachment of Wireless Communications Facilities to Certain City Owned Structures in the Public Right of Way with Midcontinent Communications.

6. Receive and file General Fund – Budget to Actual through November 30, 2017 (unaudited).

7. Precinct locations for the 2018 elections.

8. Six-month extension of the Class "FA" Alcoholic Beverage License for Mom's Kitchen/Tailgator's.

9. Applications for Games of Chance:
   a. United Hearts for Haiti for a raffle on 2/10/18; Public Spirited Resolution.
   b. El Zagal Shrine Arab Patrol for a raffle on 3/2/18.

10. Tax exemptions for improvements made to buildings:
    a. Shannon M. and Matthew T. Kinsella, 3062 Bohnet Boulevard North (3 year).
    b. Andrew J. and Katie L. Doeden, 2913 Peterson Parkway North (3 year).
    c. Jesse D. Shirek and Sherry E. Defrancesco, 2307 10th Street South (5 year).
    d. Nancy A. Rishling, 1726 Plumtree Road North (5 year).
    e. Richard C. Houkom, 912 29th Avenue North (5 year).
    f. Wenlong Chen and Shaohong Yuan, 2934 Edgemont Street North (5 year).
    g. Gerald Rodger and Mary K. Phillips, 1015 5th Avenue South (5 year).
    h. Levi Gehrig, 1017 1st Street North (5 year).
    i. Kathryn M. and Luke I. Evenson, 1637 Plumtree Road North (5 year).

j. Christopher R. and Alicia J. Kauffman, 410 Eddy Court South (5 year).
k. Joseph C. and Angelique Nelson, 1517 5th Street North (5 year).
l. Jennifer K. and Thomas M. Kane, 1425 19th Street South (5 year).

11. Agreement with Katherine Glen to perform Public Information Services Coordinator duties from 1/1/18 to 12/31/18.

12. Bid award for food purveyor at the FARGODOME.

13. Agreement for Services with Lakes and Prairies Community Action Partnership to market the ChildCareAlive! program to licensed child care center staff.

14. Agreement for Services with Ann Schneider to finalize edits to the Breastfeeding Toolkit for child care providers.

15. Notice of Grant Award with the ND Department of Health for the syringe services program activities (CFDA #93.940).

16. Training Proposal with Minnesota Recovery Connection to provide peer recovery support services in the amount of $19,000.00.

17. Agreement with Ed's Towing Service, Inc. for junk vehicle removal services for 2018.

18. Establishment of the fee schedule changes for building, plumbing, sewer and mechanical permits effective 1/1/18.

19. Set January 2, 2018 at 5:15 pm as the date and time for a hearing on a dangerous building at 1410 1st Avenue South.

20. Purchase of Paradigm Software for weighstation software at Solid Waste.

21. Change Orders for the City Hall Project:
    a. No. 14 for a decrease of $23,168.25 for the general contract.
    b. No. 15 for an increase of $2,350.00 for the general contract.
    c. No. 16 for a decrease of $2,854.00 for the general contract.
    d. No. 7 for an increase of $3,023.00 for the mechanical contract.
    e. No. 8 for an increase of $5,627.00 for the mechanical contract.

22. Contract Amendment No. 2 with Flint Group for an increase of $22,935.00 (Project No. MS-16-F0).

23. Change Order No. 1 for an increase of $32,711.73 for Project No. TM-17-A1.

24. Final Balancing Change Order No. 1 in the amount of $0.00 for Project No. TP-16-B1.

25. Negative Final Balancing Change Order No. 1 in the amount of -$88.66 for Project No. PR-16-E1.

26. 2018 Capital Improvement Plan.

27. Engineering Technician I agreements with Peggy Amsbaugh and Dana Johnson.

28. Mosquito Spraying Agreement for 2018-2020 to Airborne Custom Spraying, Inc. (RFP18018).

29. Sole Source Procurement for the purchase of vendor specific parts in 2018 from Gillig Corp. in the amount of $30,000.00 and New Flyer Industries in the amount of $180,000.00.

30. Sole Source Procurement for repairs in 2018 of Detroit Diesel engines and Allison Transmissions from Interstate Power System in the amount of $70,000.00.

31. 2018 City Arts Fund recommendations and Agreement with The Arts Partnership to administer the City Arts Partnership Grants for 2018 in the amount of $112,000.00.

32. 2018 City Social Service Fund allocations.

33. RFP for a Permit and Project Management Software System.

34. Final Balancing Change Order No. 2 for an increase of $41,905.00 for Project No. SW17-02.

35. Change Order No. 1 for an increase of $60,096.00 for Project No. WW1402-10.

36. Change Order No. 1 for an increase of $43,351.00 for Project No. WA1707.

37. Task Order No. 99 from AE2S in the amount of $218,200.00 for Drain 27 Conveyance Improvements.

38. Purchase Agreement with Grayland Holding Company, LLC in the amount of $46,662.00 for Drain 27 Conveyance Improvements.

39. Resolution authorizing the filing of an application with the ND Department of Health for a loan under the Clean Water Act for water utility infrastructure.

40. Sole Source Procurement of ammonia feed equipment to Treatment Resources, Inc. in the amount of $139,899.15 for Project No. WA1301.

41. Bid award for Project No. WA1752.

42. Sole Source Procurement for the purchase of vendor specific parts in 2018 from Swanston Equipment Corp. in the amount of $36,000.00, Sanitation Products in the amount of $45,000.00 and Nelson International in the amount of $70,000.00.

43. Transit Trade Agreement with the Fargo Force.

44. Joint Powers Agreement Metro Area Transit Master Operating Agreement with the City of Moorhead.

45. Contract with Valley Green & Associates for Transit Passenger Shelter and Hub Snow Removal Services from 1/1/18 through 6/30/22.

46. Amendment No. 2 to the Agreement with First Transit to revise the management fee for 1/1/18 through 12/31/18.

47. Bills.

48. Contract Amendment No. 1 for an increase of $10,337.00 with Ulteig Engineers for Improvement District No. BR-18-B0.

49. Change Order No. 2 for an increase of $49,177.02 for Improvement District No. PR-16-F1.

50. Change Order No. 3 for an increase of $294,484.40 for Improvement District No. PR-17-H1.

51. Final Balancing Change Order No. 1 for an increase of $1,418.00 for Improvement District No. AN-17-C1.

52. Final Balancing Change Order No. 1 for an increase of $5,415.84 for Improvement District No. BR-17-E1.

53. Final Balancing Change Order No. 2 for an increase of $10,185.15 for Improvement District No. PR-17-G1.

54. Negative Final Balancing Change Order No. 1 in the amount of -$621.50 for Improvement District No. AN-17-E1.

55. Negative Final Balancing Change Order No. 2 in the amount of -$51,636.85 for Improvement District No. BN-16-J1.

56. Negative Final Balancing Change Order No. 2 in the amount of -$9,358.09 for Improvement District No. BN-17-F1.

57. Negative Final Balancing Change Order No. 2 in the amount of -$160,187.90 for Improvement District No. PN-14-41.

58. Negative Final Balancing Change Order No. 4 in the amount of -$14,702.83 for Improvement District No. BN-16-K1.

59. Change Order No. 3 for an increase of $4,058.00 for Improvement District No. NR-16-A1.

60. Change Order No. 4 for an increase of $89,255.45 for Improvement District No. BN-17-B1.

61. Bid award for Improvement District No. SN-16-C1.

62. Contract and bond for Improvement District No. SN-16-C1.

REGULAR AGENDA:

63. Commissioner Grindberg would like to discuss Election Reform Proposals.

64. Public Hearings - 5:15 pm:
    a. Hearing on a dangerous building located at 1011 5th Avenue South.

    b. Hearing on proposed suspension of Route 35.
        1. First Amendment to Agreement for Transit Services with North Dakota State University to provide on-demand service (TapRide).

    c. Renaissance Zone Project for Wild Terra Cider and Brewing Company LLC for a commercial lease project located at 6 12th Street North.

    d. Application filed by Cathedral Lofts, LLC for a payment in lieu of tax exemption (PILOT) for a project located at 719 7th Street North which the applicant will use in the operation of a thirty-four, one-bedroom apartment project; continued from the 11/20/17 Regular Meeting.

e. CONTINUE to 1/2/18 - Vacation of a portion of 2nd Street North between 1st Avenue North to 5th Avenue North of North Dakota R-1 Urban Renewal Addition (2nd Street North from 1st Avenue North to 5th Avenue North); approval recommended by the Planning Commission on 6/6/17; continued from the 12/4/17 Regular Meeting.

f. CONTINUE to 1/2/18 - Dedication Plat of 2nd Street North on portions of North Dakota R-1 Urban Renewal Addition, Keeney and Devitt's Second Addition and portions of vacated 2nd Street North, 4th Avenue North and 5th Avenue North (2nd Street North, from 1st Avenue to 5th Avenue North); approval recommended by the Planning Commission on 6/6/17; continued from the 12/4/17 Regular Meeting.

65. Consider the Draft City of Fargo: Public Art Master Plan.

66. Recommendation from the Parking Commission to increase parking rates for 2018.

67. Recommendation to appoint Maranda Tasa to the Planning Commission.

68. State Water Commission requests for Cost Reimbursement for FM Diversion Flood Project Costs:
    a. Costs totaling $1,105,872.00.
    b. Costs totaling $1,377,451.00.

69. Consider Task Order No. 20 from Apex Engineering Group for design and bidding services associated with the Wastewater Treatment Plant Phase II-A Improvements in the amount of $1,773,325.00.

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.

CITY OF Fargo

Fargo Inspections
City of Fargo
200 Third Street North
701-241-1561
fax 701-241-1526

Memorandum

DATE: November 29, 2017
TO: Mayor Mahoney and Board of City Commissioners
FROM: Bruce Taralson, Inspections Administrator
SUBJECT: Dangerous Building Notice and Order at 1011 5th Avenue South

This is to notify you that the property owner of 1011 5th Avenue South, the property that is subject of the attached Notice, has failed to comply with my order to remove the heavily damaged structure at that location within the time allowed for that removal. In accordance with Fargo Municipal Code Article 21-0405 it will now be necessary for you to set a date for a hearing of this order at which time the property owner will be able to appear and show cause why the building should not be removed and the costs of that removal assessed against this property.

I have been advised that this property may have been purchased by another party. In the absence of substantiation of that sale, I recommend that we proceed with the procedures set forth in FMC 21-04 and consider any further information when and/or if it is supplied.

The recommendation is **to make a motion, in accordance with FMC Article 21-0405, to set December 18th, 2017 as the time and date for the hearing regarding the dangerous building order for the structure at 1011 5th Avenue South.**

CITY OF Fargo

DANGEROUS BUILDING ORDER TO COMMISSION- Detail and Timeline

This is to establish a DANGEROUS BUILDING hearing is required for **1011 5th AVE S.** as stipulated in Article 21-0405 of the City of Fargo Municipal Code. If determination is made, that hearing should happen at next appropriate commission meeting.

The hearing is required under Article 21-0405 for the purpose of allowing any interested parties the opportunity to comment, and to allow the Owner of the property the opportunity to appear and show cause why the City of Fargo should not cause the removal of this building.

The Inspections Department has taken this action due to the amount of damage to the building. This building meets 8 of the 10 criteria which only one might be required. Our report on ordinance requirements-

1. Inspections Department received complaint on property.
2. Inspections Department inspected the property.
3. Inspections placed notice on the building.
4. Inspections secured assessors report.
5. Inspections provided notice to Owner giving 30 days. Actually 40+ days.
6. Inspections report to City Commission today.

In your packets, you will find my dangerous building notice. Article 21-0404 requires the Inspections Department give a 30-day notice to the Owner of the property prior to any action by the City Commission or staff. Our time line will show a notice went out on October 2, 2017 and there has been no action taken by the Owner within the next 30 days which expired on November 1, 2017.

Also in your packets you will find copies of the photo's we have taken of the property as well as a copy of the letter of determination of value from Assessors office. Article 21-0401 stipulates that if this building meets the definition of a dangerous building, it must be demolished or repaired. The assessor's letter states that repairs will exceed or are in excess of 50% of the current value. Article 21-0402 stipulates that if costs to repair the building exceed 50% or more of the current value, the building can be ordered demolished or repaired. We have taken the path of demolition due to the amount of repair required.

PROPERTY INFORMATION- Building is currently vacant and is uninhabitable due to condition and current Inspections order. Deterioration is extensive. Building constructed in 1897.
Description: Two story building- I assume was a single family home originally and converted to rental property with 2 units.
Description of damage: There are many and varied issues with this building including structural damage, structural deterioration, interior finish deterioration and damage, holes in roof, normal wear and tear, rot and deterioration combined with the effects of attempted and abandoned construction, remodeling, etc.

Timeline for our events-
2001-2017- Various notices and orders for violations of rental codes, vehicles, junk and zoning.
6/23/17- Received complaint of property in disrepair. Entered in apartment Inspections software for inspections.
6/28/17- First letter of notice of unsafe structure.
8/1/17- Inspection scheduled and nobody showed up.
9/7/17- Inspection scheduled and nobody showed up.
9/8/17- Inspector Joseph Girdner met with a realtor who represented the Owner to inspect the property. Joseph brought inspector Clinton Hildebrand and Assessor Robert Harshberger along on this inspection to assist. Robert made his assessors determination based upon this inspection.
10/2/17- Dangerous Building notice sent in mail.
10/3/17- Dangerous Building notice posted on property.
10/9/17- Inspected building to verify secure. Some doors and windows secure. Ordered one door and one window secured and verified all doors still posted with placard.
11/3/17- Inspected and building still standing. No mailings returned to our office.
11/29/17- Order sent to City Commission office for final determination and order.

Upon your finding for Owner to comply with this demolition order, you are required by Article 21-04, to notify Owner of your determination, and that if an Owner fails to comply with that order for demolition within 10 days, The City Commission can order city staff to take action on demolition and assess costs back to the property.

I suggest you agree with my notice and find this to be a dangerous building, and direct the City Attorney to prepare findings of fact in this matter. I also ask that you direct staff to proceed with all necessary measures to secure removal of this building should the Owner fail to do so. Commission action requires a 10 day allowance for action per Article 21-0405.E. Article 21-0406 also allows court action if that is the course the commission chooses to take. Article 21-0412 is allowance for Owner appeal to City Commission action.

I understand there may be persons purchasing or in the process of purchasing this property that may speak at this hearing. If there is a motion to allow an additional time for demolition, I suggest adding a condition that if the building is not down within that timeframe, that our order to demolish be in place and date specified for the City of Fargo to take action.

Thank you,

Respectfully submitted,
Dated this 29th day of November, 2017.

Bruce Taralson
Administrator

Logged in as: Gretchen Morlan Log out

Inspection Field Reporting

Return

Notes for Parcel: 01-2140-00410-000 New
Owner: PREMIUM MORTGAGE ACQUISITION TRUST
Establishment:
Address: 1011 5 AVE S

Type	Details	Inspector	Violations / Notes		
[HI]	Reinspect 9/7/2017	John Arens	**Location**	**Violation**	**Note**
			All - Whole Building	Housing Inspection [HI] \ Reinspection	no one showed up.
[IN]	Passed 11/3/2017	Joseph Girdner	**Location**	**Violation**	**Note**
			All - Whole Building	Investigation [IN] \ Investigation	one month since demo letter went out, building still standing waiting for conformation of receipt that demo letter reached the owners of property to process with demo order.
[CI]	Passed 10/9/2017	John Arens	**Location**	**Violation**	**Note**
			All - Whole Building	Complaint [CI] \ Rental Complaint	build front and back doors secure. windows secure except for second-floor deck window. back side door secured with hasp, no lock. Notice of dangerous building posted on front door both doors placarded.
[IN]	Passed 10/3/2017	Joseph Girdner	**Location**	**Violation**	**Note**
			All - Whole Building	Investigation [IN] \ Investigation	hung demo letter on front door
[CN]	Passed	Joseph Girdner	**Location**	**Violation**	**Note**

	9/8/2017		All - Whole Building	Consultation [CN] \ Consultation	Met with the realtor, Hap, John A., Rob Harshberger. to determine condition of property.
[HI]	Failed 9/7/2017	John Arens	**Location**	**Violation**	**Note**
			All - Whole Building	Housing Inspection [HI] \ Reinspection	no one showed up.
[HI]	Failed 8/1/2017	John Arens	**Location**	**Violation**	**Note**
			All - Whole Building	Housing Inspection [HI] \ Reinspection	no one showed up.
[CI]	Failed 6/23/2017	John Arens	**Location**	**Violation**	**Note**
			All - Whole Building	Complaint [CI] \ Rental Complaint	complaint regarding building in disrepair, roof caving in etc. building is not secure, open door, open window.
[HI]	Failed 6/22/2015	Tom Penuel	**Location**	**Violation**	**Note**
			All - Whole Building	Housing Inspection [HI] \ Reinspection	
[IN]	Failed 6/8/2015	Joseph Girdner	**Location**	**Violation**	**Note**
			All - Whole Building	Investigation [IN] \ Investigation	checking on shed removal
[CI]	Failed	Tom Penuel	**Location**	**Violation**	**Note**

RENTAL HOUSING DATABASE - 1011 5 AVENUE SOUTH, FARGO, ND 58103

DATE		COMMENTS	TEXT	DESCRIPTION	OUTCOME
10/9/2017	1011 5 Ave S blighted building	placarded for danger/unsafe	Building Placarded as uninhabitable	Unsafe structures	Structure unfit for human occupancy
10/9/2017	1011 5 Ave S Reffered	to Attorney for demolition	Dangerous Building	Dangerous Buildings	dangerous buildings
10/9/2017	1011 5 Ave S exterior balcony	needs structural support	Exterior	Balconies	Inadequately Supported/Attached
10/9/2017	1011 5 Ave S exterior balcony decking	decking rotted through	Exterior	Balconies	Weak/Broken Floor (HQS)
10/9/2017	1011 5 Ave S exterior	gutters rotting off	Exterior	Roof	Gutter, Downspout, and/or Extensions Loose, Leaking, or Missing (HQS)
10/9/2017	1011 5 Ave S rotted tarp on roof	repair/replace roof - tree growing on roof	Exterior	Roof	Shingles Missing, Rotted, Split, or Buckled
10/9/2017	1011 5 Ave S interior	ceilings down - sheetrock missing	Kitchen	Ceiling	Water or Other Damage (HQS)
10/9/2017	no one showed up for reinspection	power still on - back door open	No Show on Reinspect	Failure to keep appointment	Owner (or representative) not present for reinspection appointment
10/9/2017	exterior inspecuon only in no way inclusive of all violations	inspection was due to a complaint of smell of mold and roof caving in, and not secured	NOTES	Action	none
10/9/2017	1011 5 Ave S	building vacant but not secured - doors and windows open	Vacant Lots and Structures	Vacant Structures	blighted structures
9/7/2017	1011 5 Ave S blighted building	placarded for danger/unsafe	Building Placarded as uninhabitable	Unsafe structures	Structure unfit for human occupancy
9/7/2017	1011 5 Ave S exterior balcony	needs structural support	Exterior	Balconies	Inadequately Supported/Attached
9/7/2017	1011 5 Ave S exterior balcony decking	decking rotted through	Exterior	Balconies	Weak/Broken Floor (HQS)
9/7/2017	1011 5 Ave S exterior	gutters rotting off	Exterior	Roof	Gutter, Downspout, and/or Extensions Loose, Leaking, or Missing (HQS)
9/7/2017	1011 5 Ave S rotted tarp on roof	repair/replace roof - tree growing on roof	Exterior	Roof	Shingles Missing, Rotted, Split, or Buckled
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RENTAL HOUSING DATABASE - 1011 5 AVENUE SOUTH, FARGO, ND 58103

DATE		COMMENTS	TEXT	DESCRIPTION	OUTCOME
9/7/2017	exterior inspection only in no way inclusive of all violations	inspection was due to a complaint of smell of mold and roof caving in, and not secured	NOTES	Action	none
9/7/2017	1011 5 Ave S	building vacant but not secured - doors and windows open	Vacant Lots and Structures	Vacant Structures	blighted structures
8/1/2017	1011 5 Ave S blighted building	placarded for danger/unsafe	Building Placarded as uninhabitable	Unsafe structures	Structure unfit for human occupancy
8/1/2017	1011 5 Ave S exterior balcony	needs structural support	Exterior	Balconies	Inadequately Supported/Attached
8/1/2017	1011 5 Ave S exterior balcony decking	decking rotted through	Exterior	Balconies	Weak/Broken Floor (HQS)
8/1/2017	1011 5 Ave S exterior	gutters rotting off	Exterior	Roof	Gutter, Downspout, and/or Extensions Loose, Leaking, or Missing (HQS)
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8/1/2017	1011 5 Ave S	building vacant but not secured - doors and windows open	Vacant Lots and Structures	Vacant Structures	blighted structures
6/23/2017	1011 5 Ave S blighted building	placarded for danger/unsafe	Building Placarded as uninhabitable	Unsafe structures	Structure unfit for human occupancy
6/23/2017	1011 5 Ave S exterior balcony	needs structural support	Exterior	Balconies	Inadequately Supported/Attached
6/23/2017	1011 5 Ave S exterior balcony decking	decking rotted through	Exterior	Balconies	Weak/Broken Floor (HQS)
6/23/2017	1011 5 Ave S exterior	gutters rotting off	Exterior	Roof	Gutter, Downspout, and/or Extensions Loose, Leaking, or Missing (HQS)
6/23/2017	1011 5 Ave S rotted tarp on roof	repair/replace roof - tree growing on roof	Exterior	Roof	Shingles Missing, Rotted, Split, or Buckled
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RENTAL HOUSING DATABASE - 1011 5 AVENUE SOUTH, FARGO, ND 58103

DATE		COMMENTS	TEXT	DESCRIPTION	OUTCOME
6/23/2017	1011 5 Ave S	building vacant but not secured - doors and windows open	Vacant Lots and Structures	Vacant Structures	blighted structures
10/31/2014	2-27-14		Exterior	Accessory Buildings	Damage
10/31/2014	1011 – shed in front yard–	shed is damaged and dilapidated–remove– engines.	Exterior	Accessory Buildings	Deterioration
10/31/2014	10-2-2014		Inspection fee	100.00 inspection fee	Violations not corrected
10/31/2014	6-16-2014		Inspection fee	100.00 inspection fee	Violations not corrected
10/31/2014	1-27-14		No Show on Reinspect	Failure to keep appointment	Owner (or representative) not present for reinspection appointment
10/31/2014	12-13-13		NOTES	Action	none
10/2/2014	2-27-14		Exterior	Accessory Buildings	Damage
10/2/2014	1011 – shed in front yard–	shed is damaged and dilapidated–remove– engines.	Exterior	Accessory Buildings	Deterioration
10/2/2014	10-2-2014		Inspection fee	100.00 inspection fee	Violations not corrected
10/2/2014	6-16-2014		Inspection fee	100.00 inspection fee	Violations not corrected
10/2/2014	1-27-14		No Show on Reinspect	Failure to keep appointment	Owner (or representative) not present for reinspection appointment
10/2/2014	12-13-13		NOTES	Action	none
9/16/2014	2-27-14		Exterior	Accessory Buildings	Damage
9/16/2014	1011 – shed in front yard–	shed is damaged and dilapidated–remove– engines.	Exterior	Accessory Buildings	Deterioration
9/16/2014	6-16-2014		Inspection fee	100.00 inspection fee	Violations not corrected
9/16/2014	1-27-14		No Show on Reinspect	Failure to keep appointment	Owner (or representative) not present for reinspection appointment
9/16/2014	12-13-13		NOTES	Action	none
8/26/2014	2-27-14		Exterior	Accessory Buildings	Damage
8/26/2014	1011 – shed in front yard–	shed is damaged and dilapidated–remove– engines.	Exterior	Accessory Buildings	Deterioration
8/26/2014	6-16-2014		Inspection fee	100.00 inspection fee	Violations not corrected

RENTAL HOUSING DATABASE - 1011 5 AVENUE SOUTH, FARGO, ND 58103

DATE	COMMENTS	TEXT	DESCRIPTION	OUTCOME
8/26/2014	1-27-14	No Show on Reinspect	Failure to keep appointment	Owner (or representative) not present for reinspection appointment
8/26/2014	12-13-13	NOTES	Action	none
7/28/2014	2-27-14	Exterior	Accessory Buildings	Damage
7/28/2014	1011 – shed in front yard– shed is damaged and dilapidated–remove– engines.	Exterior	Accessory Buildings	Deterioration
7/28/2014	6-16-2014	Inspection fee	100.00 inspection fee	Violations not corrected
7/28/2014	1-27-14	No Show on Reinspect	Failure to keep appointment	Owner (or representative) not present for reinspection appointment
7/28/2014	12-13-13	NOTES	Action	none
7/2/2014	2-27-14	Exterior	Accessory Buildings	Damage
7/2/2014	1011 – shed in front yard– shed is damaged and dilapidated–remove– engines.	Exterior	Accessory Buildings	Deterioration
7/2/2014	6-16-2014	Inspection fee	100.00 inspection fee	Violations not corrected
7/2/2014	1-27-14	No Show on Reinspect	Failure to keep appointment	Owner (or representative) not present for reinspection appointment
7/2/2014	12-13-13	NOTES	Action	none
6/16/2014	2-27-14	Exterior	Accessory Buildings	Damage
6/16/2014	1011 – shed in front yard– shed is damaged and dilapidated–remove– engines.	Exterior	Accessory Buildings	Deterioration
6/16/2014	6-16-2014	Inspection fee	100.00 inspection fee	Violations not corrected
6/16/2014	1-27-14	No Show on Reinspect	Failure to keep appointment	Owner (or representative) not present for reinspection appointment
6/16/2014	12-13-13	NOTES	Action	none
5/19/2014	2-27-14	Exterior	Accessory Buildings	Damage
5/19/2014	1011 – shed in front yard– shed is damaged and dilapidated–remove– engines.	Exterior	Accessory Buildings	Deterioration
5/19/2014	1-27-14	No Show on Reinspect	Failure to keep appointment	Owner (or representative) not present for reinspection appointment
5/19/2014	12-13-13	NOTES	Action	none

RENTAL HOUSING DATABASE - 1011 5 AVENUE SOUTH, FARGO, ND 58103

DATE		COMMENTS	TEXT	DESCRIPTION	OUTCOME
4/22/2014	2-27-14		Exterior	Accessory Buildings	Damage
4/22/2014	1011 – shed in front yard–	shed is damaged and dilapidated--remove– engines.	Exterior	Accessory Buildings	Deterioration
4/22/2014	1-27-14		No Show on Reinspect	Failure to keep appointment	Owner (or representative) not present for reinspection appointment
4/22/2014	12-13-13		NOTES	Action	none
4/1/2014	2-27-14		Exterior	Accessory Buildings	Damage
4/1/2014	1011 – shed in front yard–	shed is damaged and dilapidated–remove– engines.	Exterior	Accessory Buildings	Deterioration
4/1/2014	1-27-14		No Show on Reinspect	Failure to keep appointment	Owner (or representative) not present for reinspection appointment
4/1/2014	12-13-13		NOTES	Action	none
2/27/2014	2-27-14		Exterior	Accessory Buildings	Damage
2/27/2014	1011 – shed in front yard–	shed is damaged and dilapidated–remove-- engines.	Exterior	Accessory Buildings	Deterioration
2/27/2014	1-27-14		No Show on Reinspect	Failure to keep appointment	Owner (or representative) not present for reinspection appointment
2/27/2014	12-13-13		NOTES	Action	none
1/27/2014	1011 – shed in front yard–	shed is damaged and dilapidated–remove– engines.	Exterior	Accessory Buildings	Deterioration
1/27/2014	1-27-14		No Show on Reinspect	Failure to keep appointment	Owner (or representative) not present for reinspection appointment
1/27/2014	12-13-13		NOTES	Action	none
1/14/2014	1011 – shed in front yard–	shed is damaged and dilapidated–remove– engines.	Exterior	Accessory Buildings	Deterioration
1/14/2014	12-13-13		NOTES	Action	none
12/13/2013	1011 – shed in front yard–	shed is damaged and dilapidated–remove–	Exterior	Accessory Buildings	Deterioration
12/13/2013	1011–deteriorated balcony–	repair exterior deteriorated deck and balcony.	Exterior– unsafe conditions	siding and masonary joints.	not maintained weather resistant or water tight.
12/13/2013	12-13-13		NOTES	Action	none
11/25/2013	1011 – shed in front yard–	shed is damaged and dilapidated–remove–	Exterior	Accessory Buildings	Deterioration
11/25/2013	1011–deteriorated balcony–	repair exterior deteriorated deck and balcony.	Exterior-- unsafe conditions	siding and masonary joints.	not maintained weather resistant or water tight.

RENTAL HOUSING DATABASE - 1011 5 AVENUE SOUTH, FARGO, ND 58103

DATE	COMMENTS	TEXT	DESCRIPTION	OUTCOME
10/31/2013	1011 – shed in front yard-- shed is damaged and dilapidated--remove--	Exterior	Accessory Buildings	Deterioration
10/31/2013	1011--deteriorated balcony-- repair exterior deteriorated deck and balcony.	Exterior-- unsafe conditions	siding and masonary joints.	not maintained weather resistant or water tight.
10/8/2013	1011 – shed in front yard-- shed is damaged and dilapidated--remove--	Exterior	Accessory Buildings	Deterioration
10/8/2013	1011--junk auto-back parking lot-- remove junk vehicles.	Exterior	Parking	Junk auto with expired tabs.
10/8/2013	1011--deteriorated balcony-- repair exterior deteriorated deck and balcony.	Exterior-- unsafe conditions	siding and masonary joints.	not maintained weather resistant or water tight.

CITY OF Fargo

INSPECTIONS

200 3RD STREET NORTH
FARGO, NORTH DAKOTA 58102
PHONE: 701-241-1561
FAX: 701-476-6779

June 28, 2017

Re: 1011 5 Ave S, Fargo, ND

To whom it may concern:

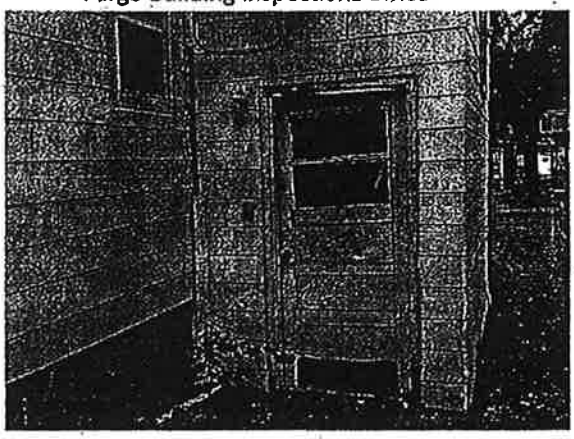
This letter is to notify a responsible party to inform them that the property at 1011 5 Ave S, Fargo, ND has been placarded as unsafe. It is unlawful for any person to enter or occupy the building. I received a complaint stating: the property is in disrepair, there is a smell of mold, the roof is caving in, a door has panel missing. I went to the property and did an inspection of the exterior only. Numerous code violations exist. The following list in not inclusive of all violations:

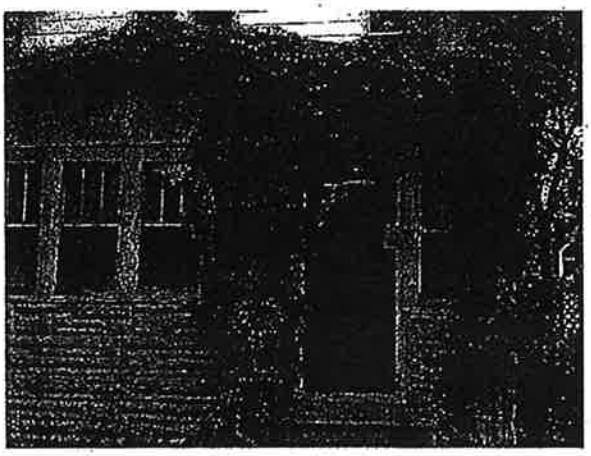
- The building is not secured- door open, windows open
- Gutters are rotting off
- Balcony appears to need structural support
- Balcony decking has rotted through
- Interior photos on Zillow show failed ceilings
- The roof has trees growing out of it and a shredded tarp trying to protect it
- This was an exterior inspection only and again is not inclusive of all the violations

If you are a responsible party, the building needs to be secured immediately and I need to go in to do a complete inspection to document all violations. My contact number is 701-476-4165.

John Arens

Fargo Building Inspections office





DATE: September 11, 2017

TO: Joseph Girdner, Residential Building Inspector
John Arens, Rental Housing Inspector

FROM: Robert E Harshberger, Deputy Assessor

SUBJECT: 1011 5 Ave S, Fargo, ND
01-2140-00410-000

On September 8, 2017 I inspected the subject residential building to determine if the damage, caused by neglect, would qualify it as a dangerous building as defined in city ordinance. One requirement of that classification is that the cost to repair would exceed fifty percent (50%) of the building value as established by the Fargo Assessment Department.

Based on observed component damage and assumptions relative to the condition of other building elements, I have estimated a cost to repair that exceeds the minimum fifty- percent threshold.

CITY OF Fargo

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FARGO, NORTH DAKOTA 58102
PHONE: 701-241-1561
FAX: 701-476-6779

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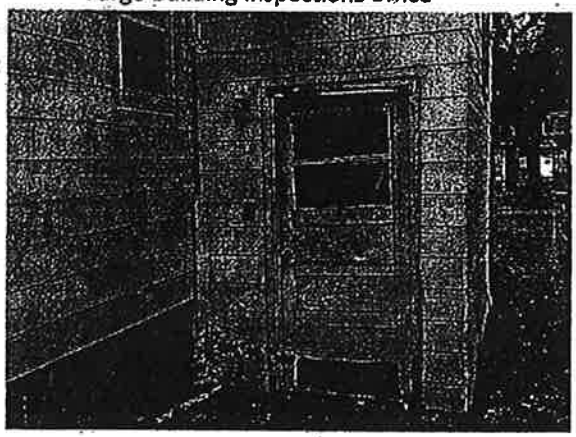

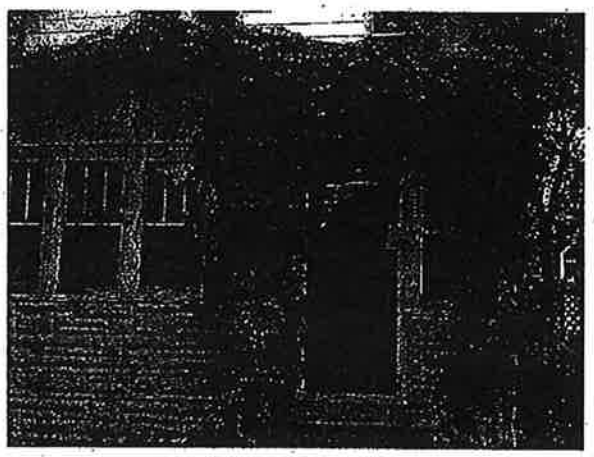

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Based on observed component damage and assumptions relative to the condition of other building elements, I have estimated a cost to repair that exceeds the minimum fifty- percent threshold.

NOTICE OF DANGEROUS BUILDING

TO: PREMIUM MORTGAGE ACQUISITION TRUST, DBA.
CHRISTIANA TRUST TRUSTEE

YOU ARE HEREBY Given Notice of the following:

1. That this Notice is being given to you pursuant to Fargo Municipal Code, Article 21-04 concerning Dangerous Buildings.

2. That the building with which this Notice is concerned is commonly known as 1011 5 Avenue South, Fargo, North Dakota, and is located on that tract of land in the city of Fargo, more particularly described as follows:

Lot 10, Block 38, Addition, Northern Pacific

(hereinafter referred to as "the building")

3. That an inspection was made of the building on Sept 8, 2017 by Joseph Girdner, Building Inspector, John Arens, Rental Housing Inspector, Clinton Hildebrand, Building Inspector and Robert Harshberger, Deputy Assessor, of the City of Fargo.

4. That the building inspector for the city of Fargo has found the building, consisting of a multistory, wood-framed structure to be a Dangerous Building within the standards set forth in the Fargo Municipal Code, Article 21-04, Dangerous Buildings and IPMC Code 108.1.5 concerning Dangerous Structures.

5. That the owner of the building must demolish the building within 30 (thirty) days from the date of this notice.

6. That the building is unsafe and is a dangerous building in the following respects: Extensive water damage to upper level roof ceiling, walls, and floor. Water damage to main level ceiling and walls. Structural decay, mold, and faulty electrical. Trees and vegetation growing from the roof.

A. Robert Harschberger, Deputy Assessor, of the City of Fargo has deemed that the building has been damaged or deteriorated to the extent of more than fifty (50) percent of its original value prior to the damage or deterioration.

Source: Fargo Municipal Code, Article 21-0402 concerning Dangerous Buildings.

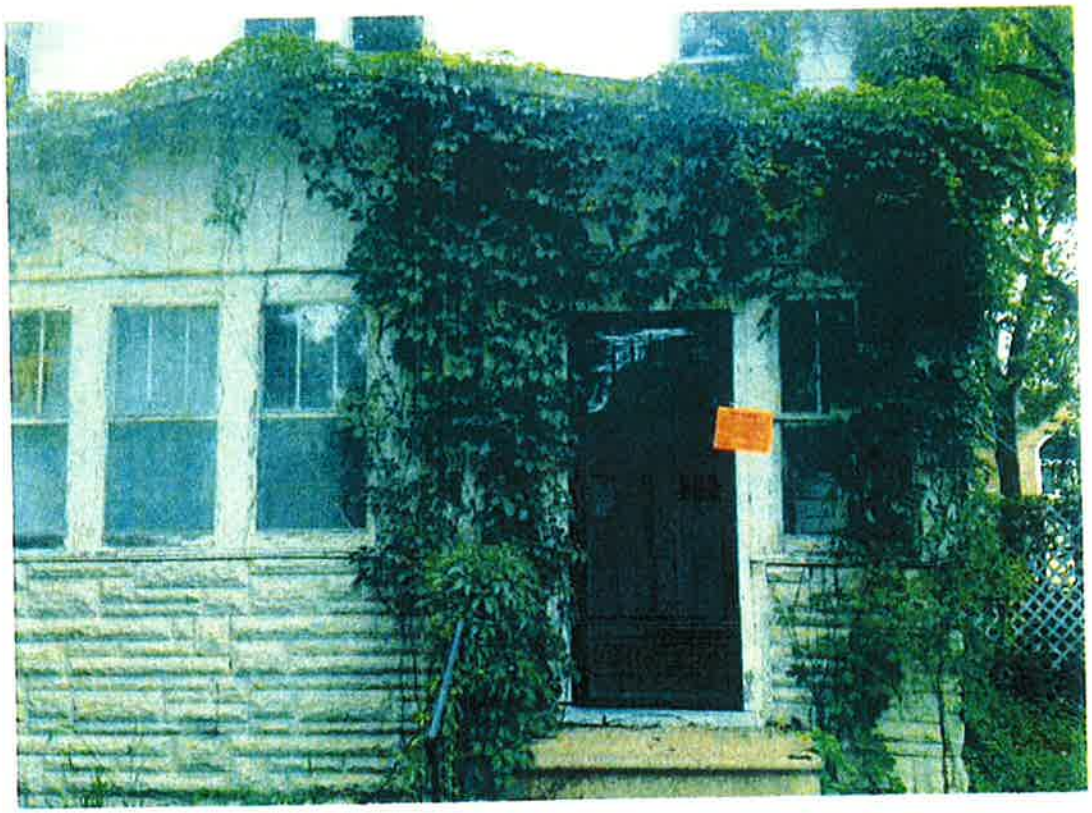
7. The building is unsafe and constitutes a public nuisance pursuant to Fargo Municipal Code, Article 21-04 concerning Dangerous Buildings and Section 116 of the International Building Code as adopted by Article 21-0101 of the Fargo Municipal Code.

8. You are further given Notice that unless the building is demolished within the time period set forth herein, the City of Fargo will take such steps as are necessary to cause said building to be demolished pursuant to Fargo Municipal Code, Article 21-04 concerning Dangerous Buildings and the International Building Code and the owner will be assessed such costs as are provided for therein.

Dated this 2nd day of October, 2017.

Bruce Taralson
Administrator

5/22/12



1011 5 AVE S Fargo, ND 58103

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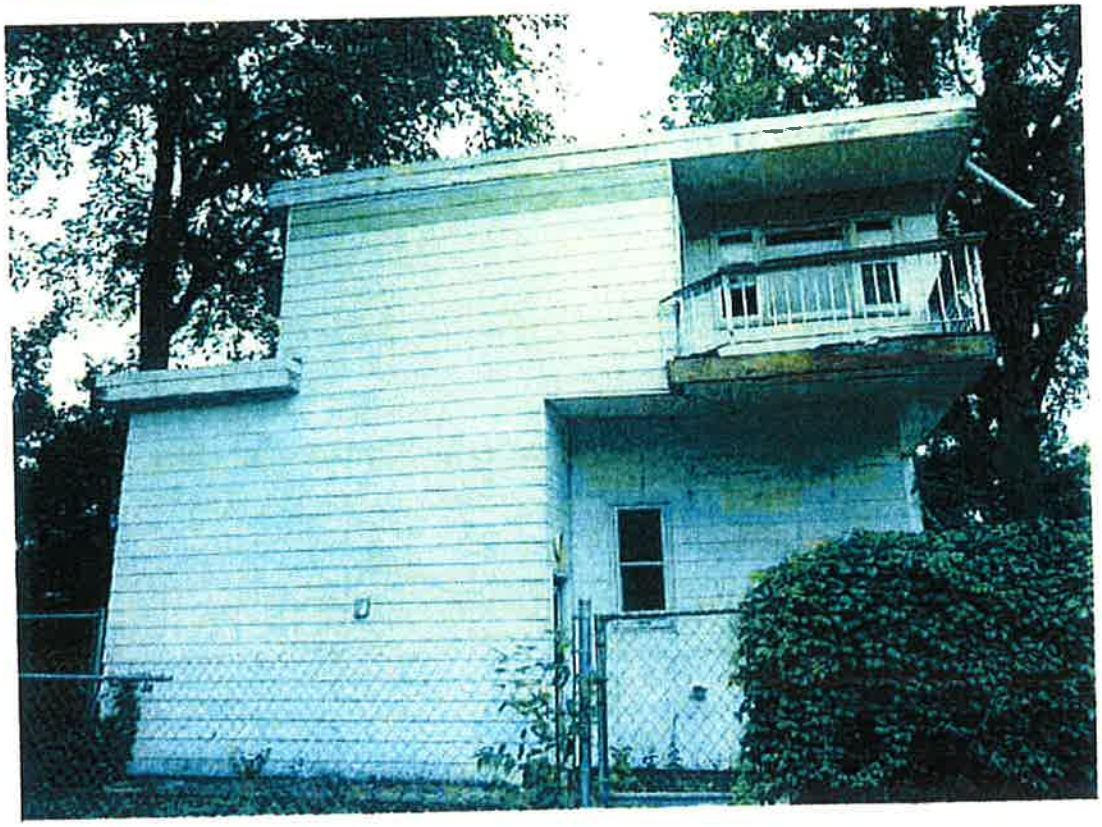

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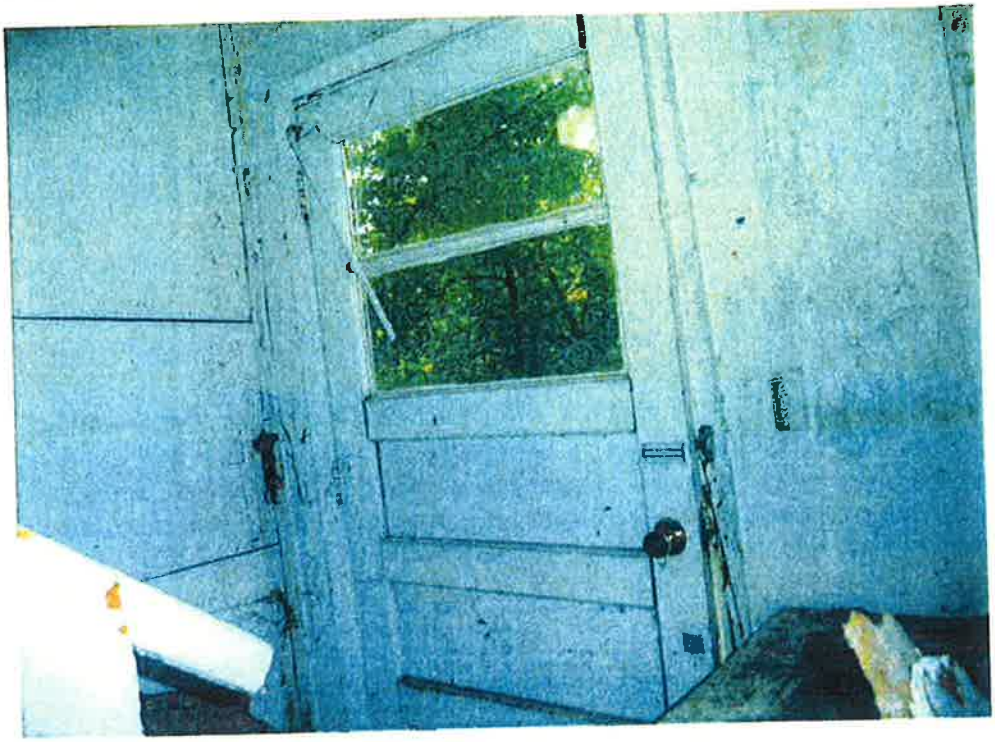

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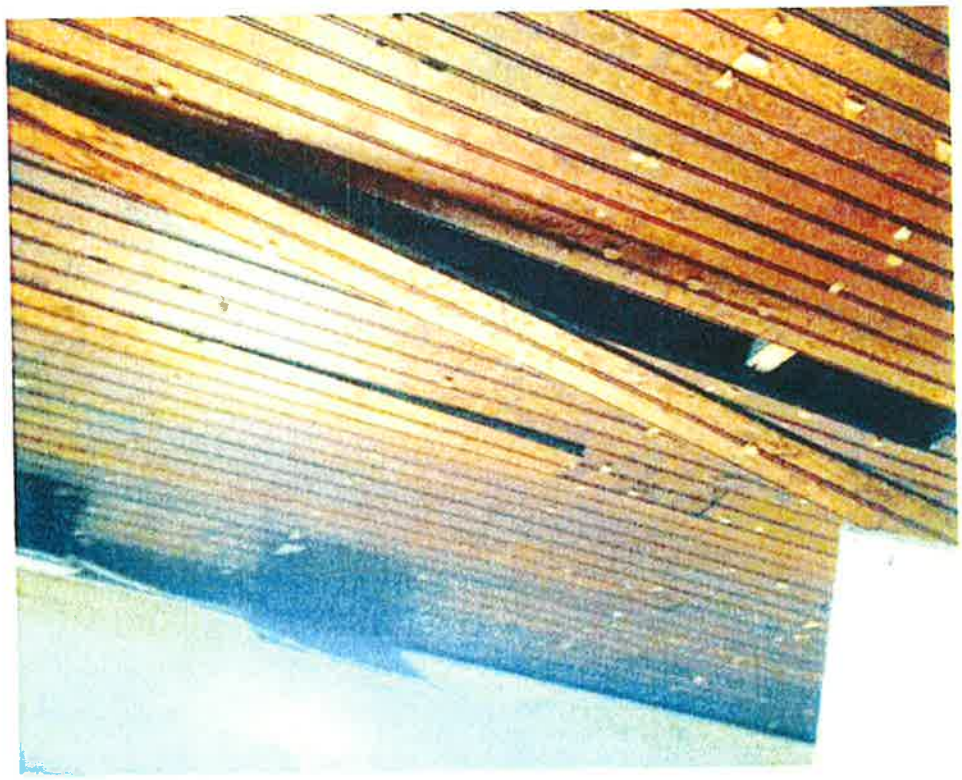

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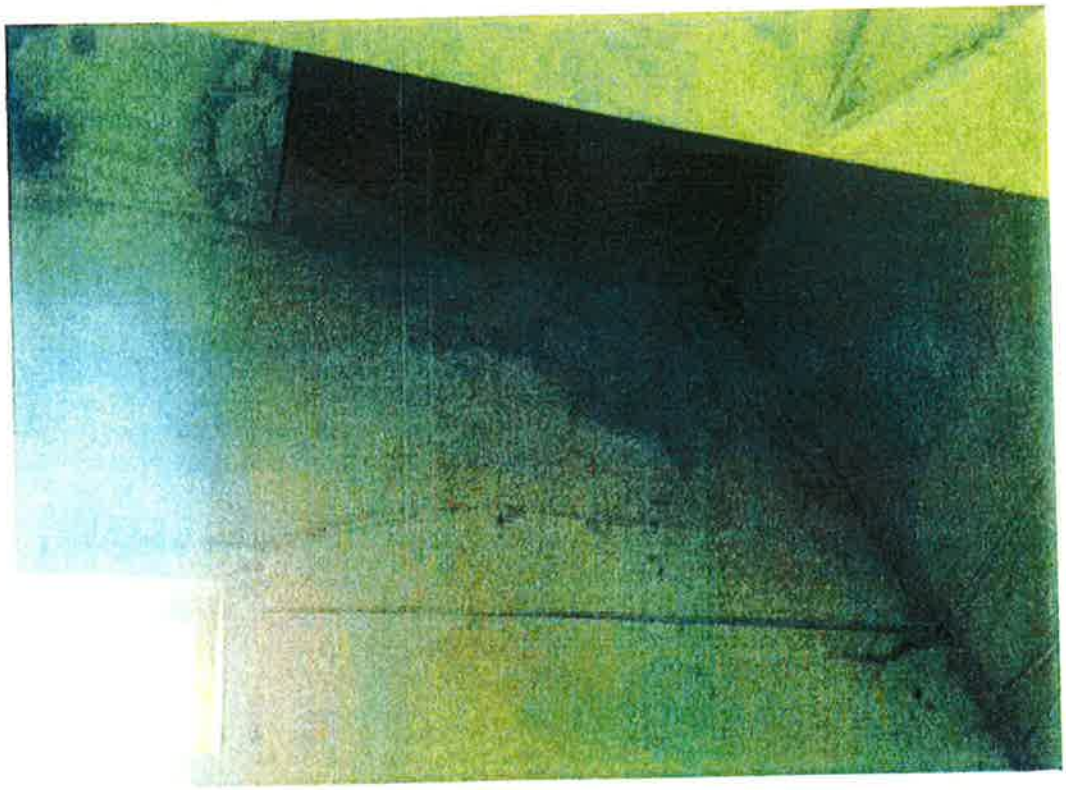

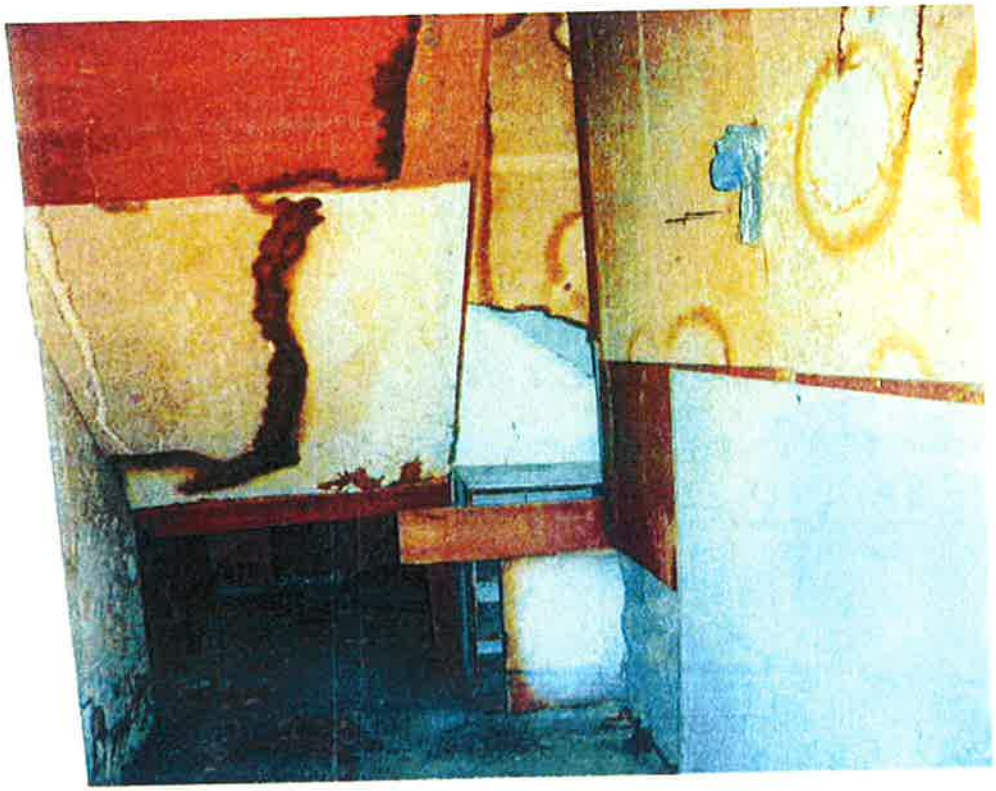

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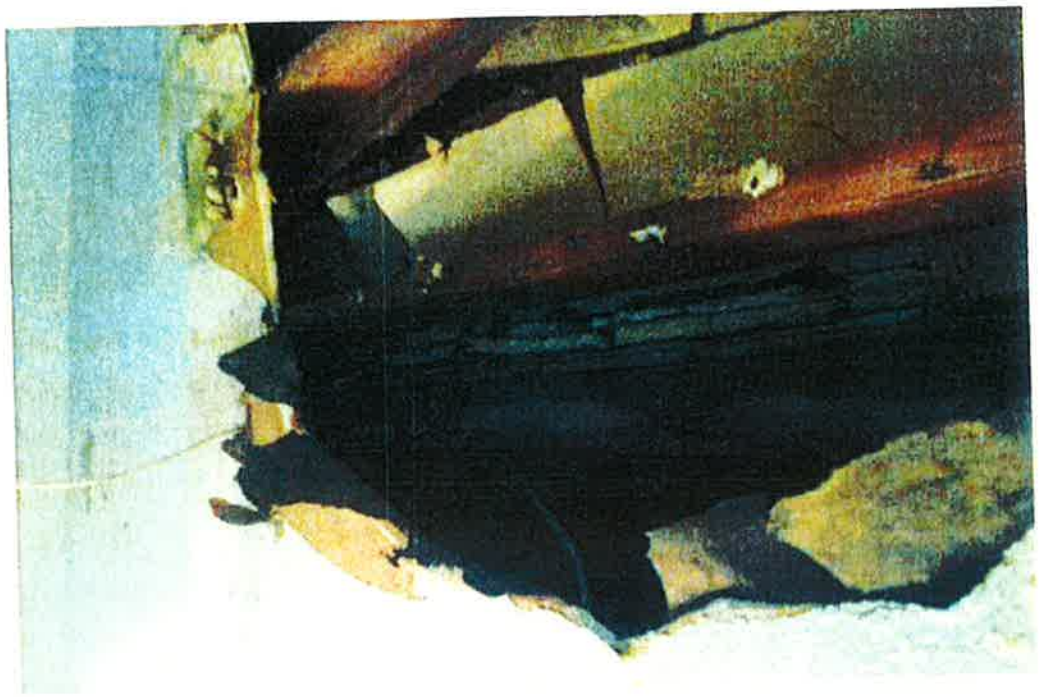

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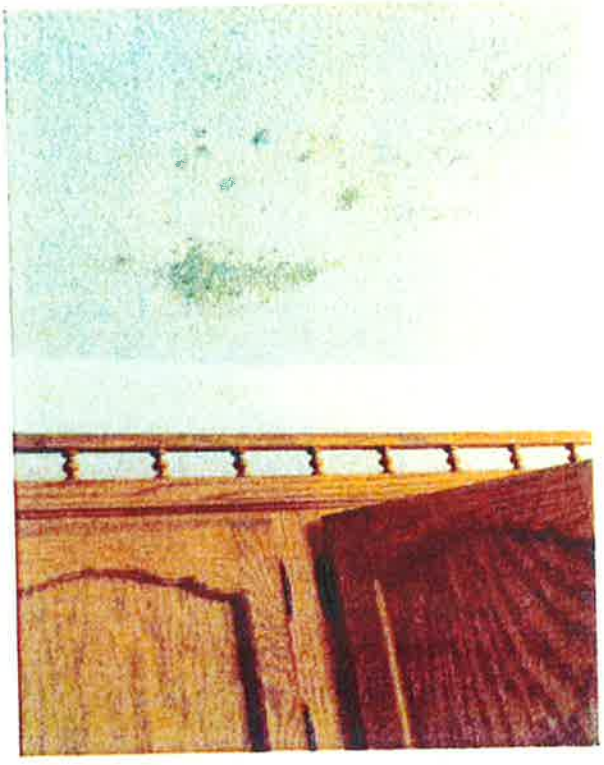

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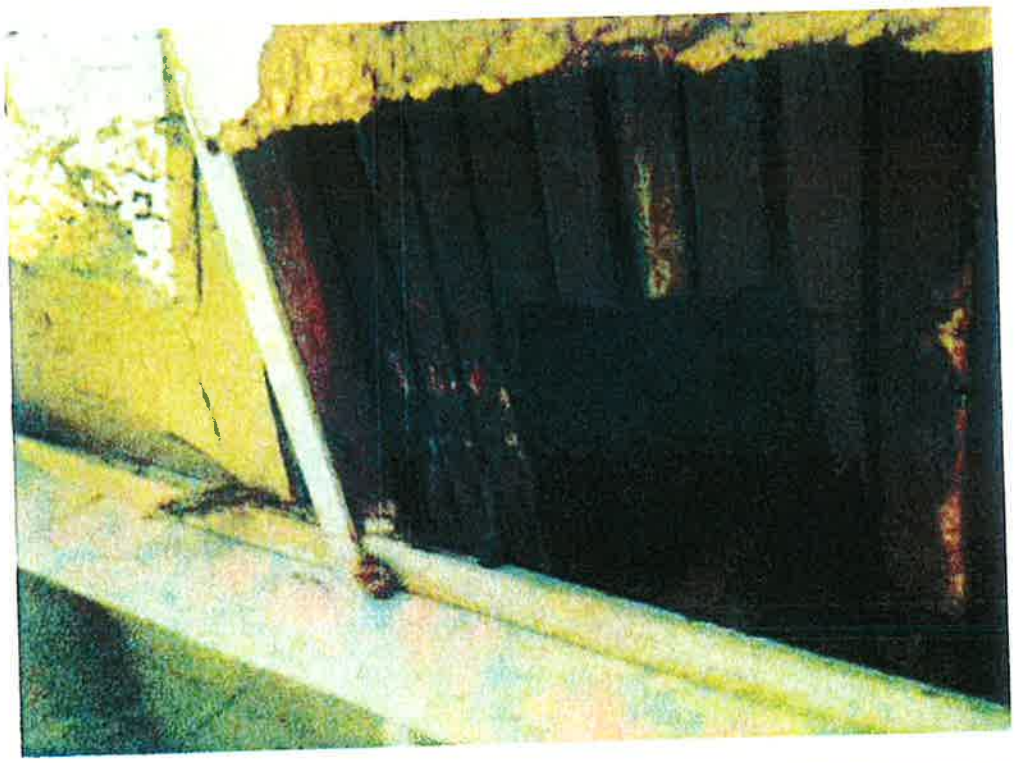

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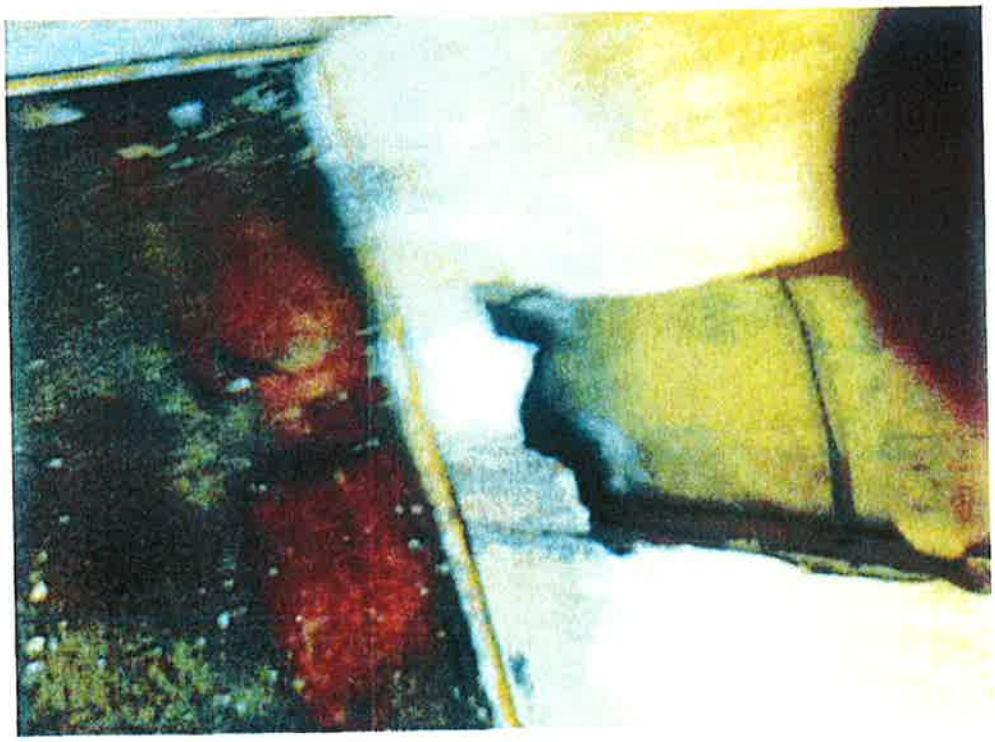

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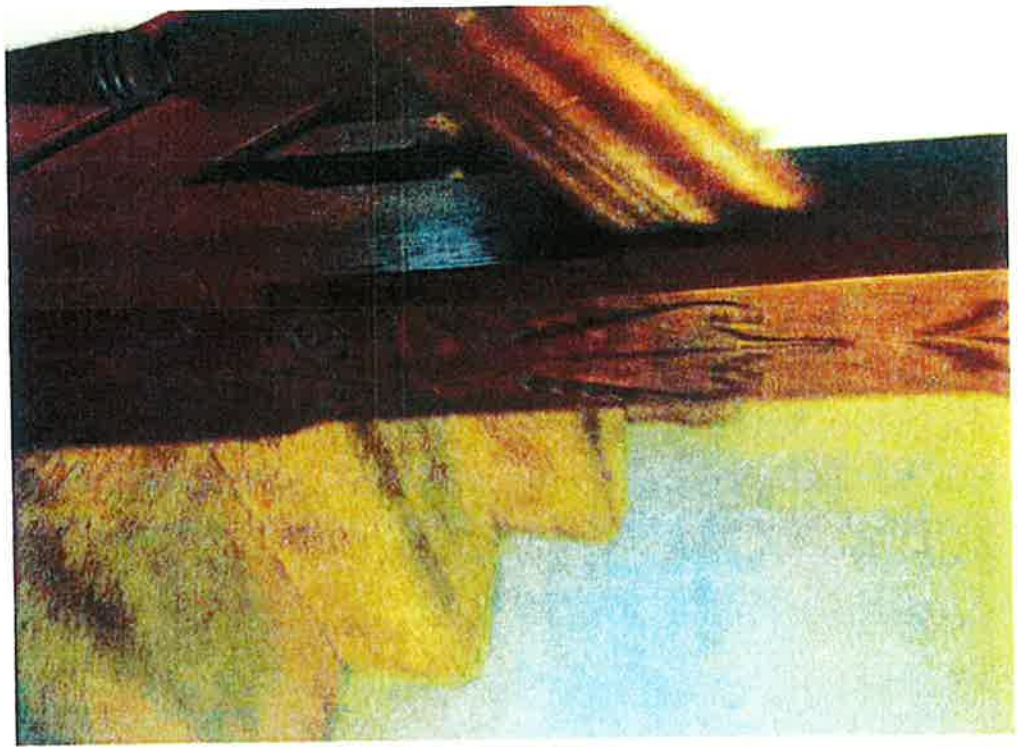

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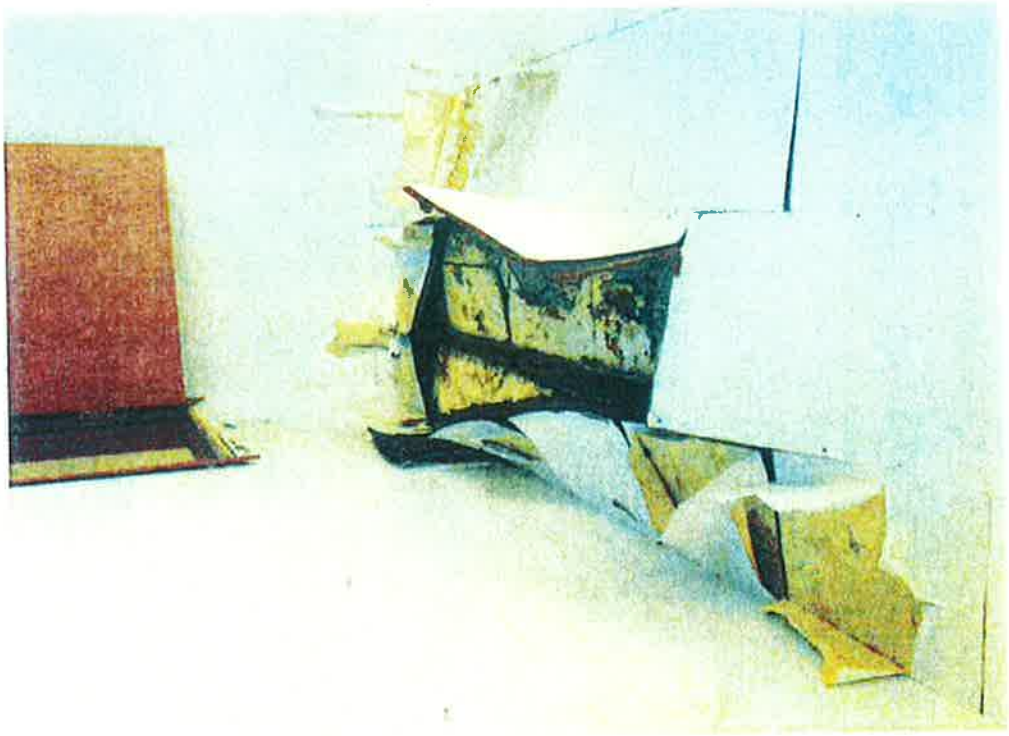

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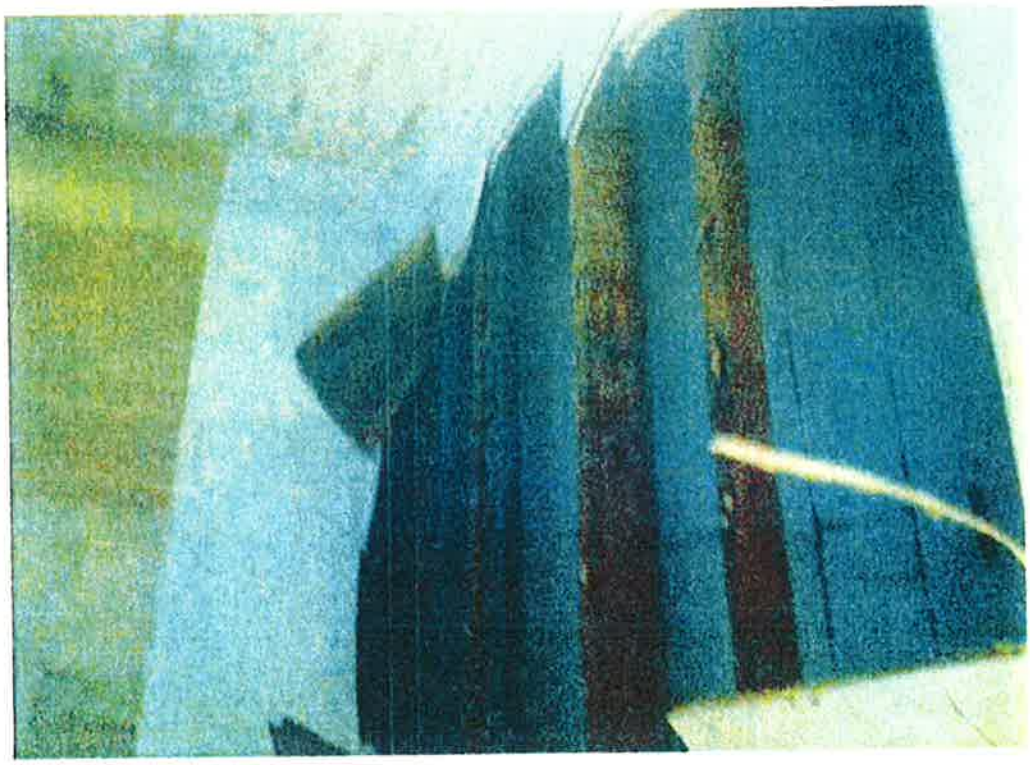

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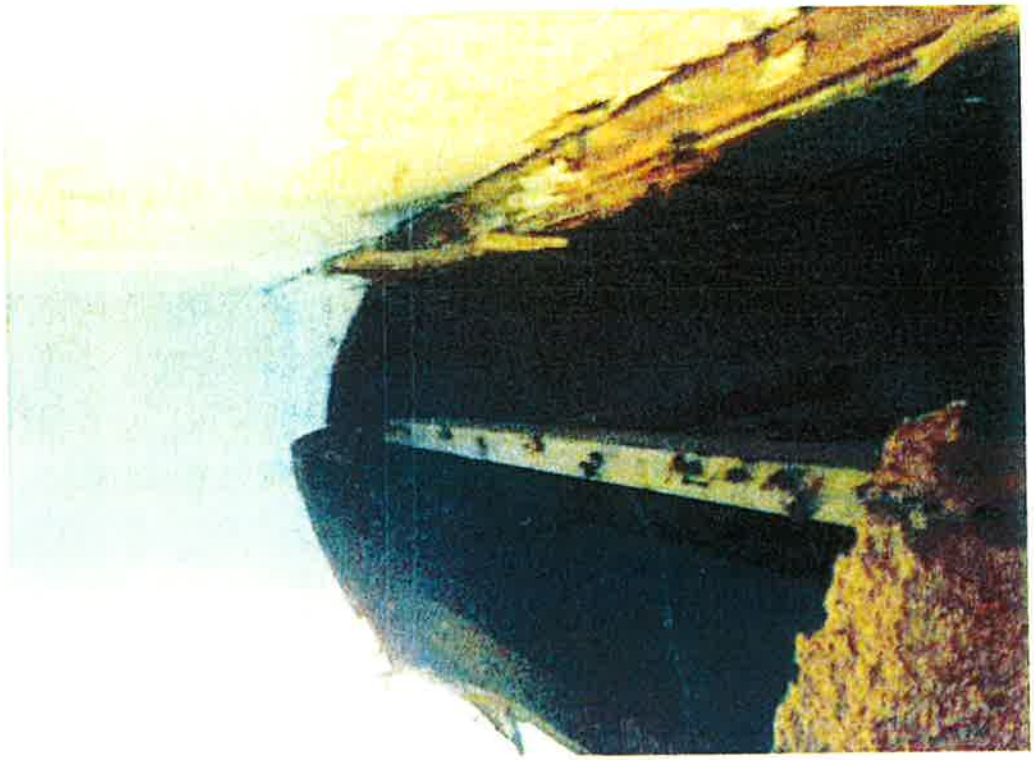

1011 5 AVE S Fargo, ND 58103

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1011 5 AVE S Fargo, ND 58103

CITY OF Fargo

Metropolitan Area Transit
650 23rd Street N
Fargo, ND 58102
Phone: 701-241-8140
Fax: 701-241-8558

(Ab-1)

December 18, 2017

Fargo City Commission
200 N 3rd Street
Fargo, ND 58102

Dear Commission:

The City of Fargo Transit Department (MATBUS) has been exploring new ways to improve our fixed route service.

Beginning January 8, 2018, we will be piloting a new service call TapRide. The service will take the existing (3) hour Route 35, which has minimal pick up and drop off locations, and expand it to the full NDSU campus. Creating a larger service area, and increase the safety and security of NDSU students, as they will receive a curb-to-curb ride.

The operation of this route will be paid for by suspending Route 35 service and using those funds provided by NDSU to operate TapRide for the six (6) month pilot.

Recommended motion is to approve the NDSU amendment (Attachment) to our current contract for Route 35.

Sincerely,

Matthew G. Peterson
Assistant Transit Director
City of Fargo

/enc

THIS FIRST AMENDMENT TO AGREEMENT FOR TRANSIT SERVICES BETWEEN THE CITY OF FARGO, NORTH DAKOT AND NORTH DAKOTA STATE UNIVERSITY (this "Amendment") is made as of the ___ day of December, 2017, by and between the City of Fargo, a North Dakota municipal corporation (the "City") and North Dakota State University ("NDSU").

WHEREAS, City and NDSU have entered into an Agreement dated as of July 1, 2017 (executed by City of July 31, 2017 and NDSU on July 25, 2017) pertaining to transit services provided for the benefit of NDSU students ("Agreement"); and,

WHEREAS, the Agreement, at Article 2.2, contains certain route designations and hours of operation for the stated routes; and,

WHEREAS, the parties wish to amend the Agreement to accommodate a route change.

NOW, THEREFORE, in consideration of the foregoing Recitals, which are hereby incorporated into this Amendment, and the mutual promises, undertakings and covenants hereinafter set forth, and intending to be legally bound hereby, the City and NDSU covenant and agree as follows:

1. Route 35 shall cease as a Fixed Route, and shall be replaced by an on-demand service ("Tapride").

2. In all other respects the Development Agreement, as the same has been previously amended, shall remain in full force and effect.

Effective Date. This Amendment shall be effective as of the date of the last signature, below.

IN WITNESS WHEREOF, the Parties have executed this First Amendment to the Agreement as of the date last executed below.

North Dakota State University

Mr. Bruce Bollinger
Vice President for Finance and Administration

Date: 12/6/17

City of Fargo

Dr. Timothy J. Mahoney, Mayor

Date:

Attest:

Steven Sprague, City Auditor

PLANNING AND DEVELOPMENT
200 Third Street North
Fargo, North Dakota 58102
Phone: (701) 241-1474
Fax: (701) 241-1526
E-Mail: planning@fargond.gov
www.fargond.gov

MEMORANDUM

TO: Fargo City Commission

FROM: Derrick LaPoint, Planner

DATE: December 14, 2017

RE: Renaissance Zone Project Lease Application

The following Renaissance Zone project application was reviewed and recommended for approval by staff per Renaissance Zone Authority Policy:

Wild Terra Cider and Brewing Company LLC (Project 266-F) is proposing to lease commercial space located at 6 12th Street North. This project application met all of the State and local requirements for approval including that, the use is consistent with the goals and objectives as set forth within the Fargo Renaissance Zone Development Plan. The applicant is proposing to lease 4,040 square feet and is looking to occupy the space by December 2017. The applicant estimates a $15,000 income tax exemption over the 5-year term.

According to the Renaissance Zone Development Plan, the prospective tenant must be leasing a space from a building that has been approved as a Renaissance Zone project. A Renaissance Zone application for *DFI 1213 NP LLC – Stable* (255-F) was approved by the City of Fargo on January 30, 2017 and the application will be reviewed by the State for final approval.

Recommended Action: **To approve the Renaissance Zone project application (Wild Terra Cider and Brewing Company LLC) for a lease project at 6 12th Street North and to grant state income tax exemptions as recommended by staff per Renaissance Zone Authority policy.**

CITY OF FARGO RENAISSANCE ZONE
LEASE PROJECT APPLICATION

Attn: This application must be approved by all local and state review entities prior to executing a lease.

1. **Street address, legal description, and Renaissance Zone Block number of proposed project. If the proposed project involves more than one parcel, please provide relevant information for each parcel.**

   6 12 ST N
   Block 41 & W 115 FT OF LT 1 BLK 42 of Roberts 2nd Addition
   Renaissance Zone Block 35
   Parcel #01-2382-04090-010

2. **Current property owner(s).**

   DFI 1213 NP LLC

3. **Name of applicant(s), mailing address, Federal ID number or SSAN, and type of entity (partnership, LLC, S-corporation, etc.). Phone number and email address.**

Wild Terra Cider and Brewing Company LLC
82-0705238
6 12th ST N Fargo ND 58102
701-306-1064

4. **Current use of property.**

   This is an original stable house that was constructed by Haggart Construction Co. It has been vacant since 2015, but prior to that it was used very limited by Mathisons for cold storage.

5. **Square footage of the lot, the building, and the space leased. List each floor separately and provide a floor plan of the leased space).**

   223 Roberts St N – 10,753

   229 Roberts St N – 10,980

   4,040/SF leasable space

6. **Project Description. Describe the anticipated tenant activities, scope of the activities that the tenant will undertake, and describe and the expected date of occupancy and lease.**

   The stable includes two stories, approximately 2,000 SF per floor and is built slab on grade. When the building was purchased in 2015 it had transite siding, which has since been removed to expose what is believed to be the original siding. As this was originally constructed as a stable, the building lacks modern systems (plumbing, HVAC, electrical) insulation, weather tight windows, etc. The unique interior space is result of the large volume created by the gable/hip roof and the exposed original framing and siding.

   The addition of Wild Terra Cider and Brewing on adjacent to Prairie Roots Food Co-Op will create much needed activity and a destination to this part of downtown. This business will produce hard cider and sell on site in their taproom. Additionally this taproom will sell other regional and non domestic hard ciders, wine, mead, beer and food.

   The expected date of occupancy November 1, 2019.

7. **Describe how the project enhances the stated Renaissance Zone goals and objectives, being as specific as possible. Describe how this project addresses the needs and interests of the community (see Attachment C).**

   Activity Generators.

The location of a cidery in this historic building drive new activity and interest in this area. This project will benefit from nearby Historic Union and Prairie Roots Food Co-Op projects. This project is also adjacent to the newly constructed NP Ave with a protected bike lane. NP Ave has been identified as key corridor in the Renaissance Plan for redevelopment.

Walkable Districts.

This project will enhance the overall walkability of downtown Fargo by creating a new destination point in downtown. It's our hope that the Prairie Roots Food Co-Op will anchor this area of downtown and the cidery will provide another node of activity and further catalyze new growth and investment. The property also benefits from the NP Ave protected bike lane providing an enhanced connection to the downtown core.

Ground Floor Uses.

The ground floor of the project is cidery. This will provide new activity and amenity for the residents living nearby.

Neighborhood Center.

Increasingly, development is occurring beyond the Broadway corridor and expanding to the west. A number of new residential projects, both renovation and infill, are adding a growing and younger demographic. While Broadway will always be downtowns most prominent street, the expanding downtown will necessitate new neighborhood mixed-use nodes. This project has the opportunity to help establish a neighborhood center anchored by the food co-op.

Transportation Issues.

The project is located along four MATBUS routes: 13, 13U, 15, & 18. The newly constructed protected bike lanes run along NP Ave. The food co-op's parking lot will include bike racks and has been designed to accommodate a bike share station if the system expands. The building is approximately a 10-minute walk and three-minute bike ride to Broadway.

Safe Streets – Safe Neighborhoods.

Increasing the number of residents, workers, and visitors to an area helps contribute to a more inviting place. Recent development in this area includes the completed Historic Union apartments, the soon to be completed Prairie Roots Food Co-Op and Historic Union retail. The addition of a cidery will further increase the number of people coming and going to this location.

Downtown Entryways.

This project is located along NP Ave, which has been identified as key corridor in the Renaissance Plan for redevelopment.

The Place to Be.

Downtown has become the place to go and visit for unique, authentic, and local food and beverages. The renovation of this historic structure into a cidery will contribute to downtown's draw and charm.

A Place Like No Other.

This is the only remaining stable left in downtown and the adaptive reuse of the property creates a unique story. We intend to preserve as much of the building's historic features as possible and will create a design that maintains the interior's large open space.

24 hours a day – 7 days a week – 365 days a year.

This building has remained vacant and/or underutilized for 50+ years. The addition of a cidery at this location will contribute to the increased residential and retail activity.

Connections and Coordination.

Creating a new hub of activity and redevelopment on the western side of downtown will serve to further connect and grow the boundaries of downtown Fargo. This project will also build upon and benefit from the City's recent construction of a protected bike lane along NP Ave.

8. **Describe how the project fits under the Zone's development guidelines (Attachment D).**

High Priority Land Use

This project meets the guideline of high-priority by targeting active/destination commercial tenants.

Target Areas

The Renaissance Zone specifically targets vacant and underutilized property. The buildings lack any evidence of any remodeling. This lack of improvements makes us believe following its original use as a stable it has only been used for storage. Our planned improvements to the building will mark the first time in 106+ years that the space occupied.

Relocation

The cidery is a new business.

9. **List of public and private financial commitments. If the project is funded by the Renaissance Zone Fund, describe type of funding and amounts.**

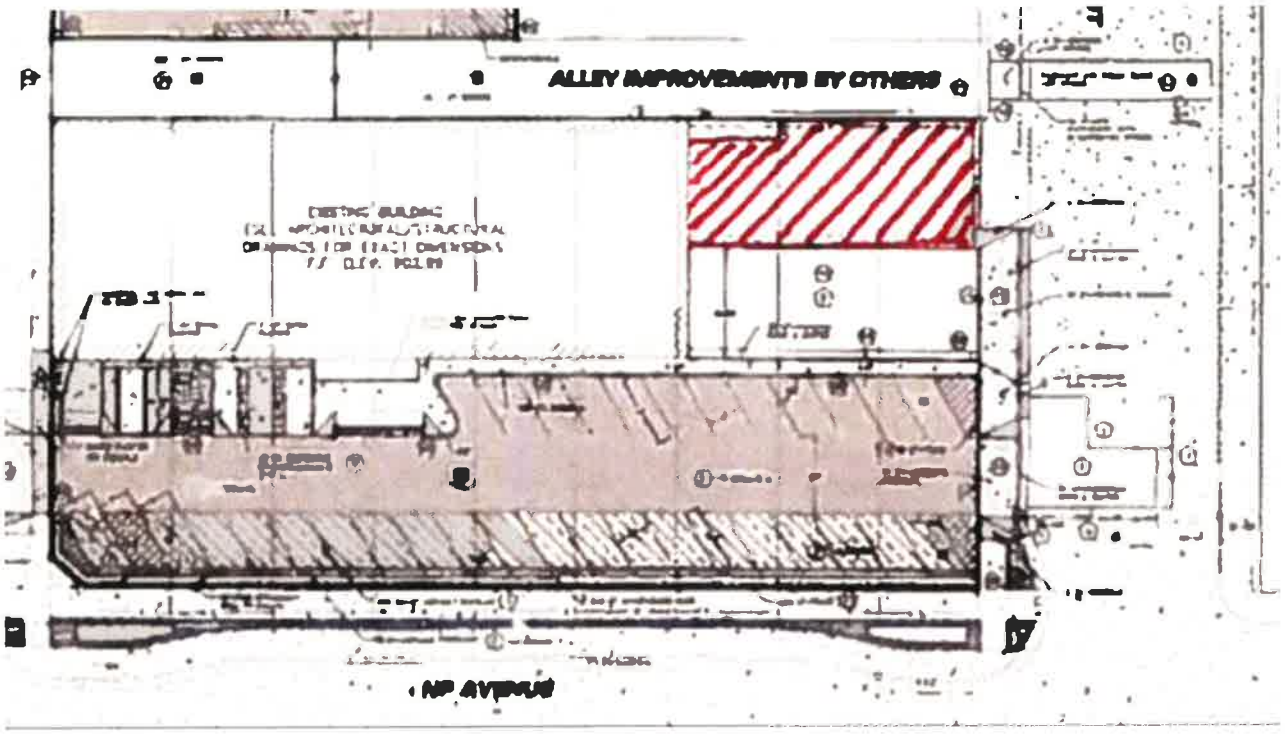
Private funds are committed by Wild Terra Cider and Brewing and DFI 1213 NP LLC. The project also secured a $40,000 storefront grant (CDBG funds) to rehab the exterior of this project.

10. **Estimated tax impact of Zone incentives to the applicant: Estimate the potential annual income tax savings.**

Estimated potential annual income tax savings for Wild Terra Cider and Brewing is 3,000.

11. **Provide evidence that the applicant is current on state and local taxes (Certificate of Good Standing from State Tax Commissioner (see Attachment E) and receipt showing proof that local taxes have been paid.**

Please see attached.



CITY OF Fargo

ASSESSMENT DEPARTMENT

November 15, 2017

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Attached is a copy of an application made by Cathedral Lofts, LLC for a payment in lieu of tax (PILOT) according to N.D.C.C. Chapter 40-57.1. The exemption requested is for a property in the Downtown Area Plan located at 719 9th St. N. where the applicant will construct a new apartment project.

The Tax Exempt Review Committee has met to consider this application. There were no written or verbal protests submitted at the time the committee met and none have been filed to date.

The committee feels this project meets the necessary criteria to be eligible for a PILOT due to the addition of apartment units downtown. The committee recommends approval of a 10 year, payment in lieu of taxes based on 5 years at 100% exemption and 5 years at 75% exemption.

Cass County has exercised the option to only participate in the first five years of this incentive for their share of the payment in lieu of tax at the equivalent of 100% improvement exemption.

SUGGESTED MOTION:
Approval of a 10 year, payment in lieu of tax for a building owned by Cathedral Lofts, LLC based on 5 years at 100% exemption and 5 years at 75% exemption according to the attached payment schedule.

Sincerely,

Ben Hushka
Tax Exempt Review Committee

Payment In Lieu of Property Tax Payment Schedule

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

PROJECT OPERATOR: Cathedral Lofts

ASSUMPTIONS: **$3,998,000**

Annual Tax Growth = 0%
Years 1-5 = 100%
Years 6-10 = 75%
No County Participation Years 6-10

PAYMENT SCHEDULE:

YEAR	REGULAR IN LIEU PAYMENT	COUNTY IN LIEU PAYMENT
1	$ 0	
2	$ 0	
3	$ 0	
4	$ 0	
5	$ 0	
6	$ 14,386	$ 7,997
7	$ 14,386	$ 7,997
8	$ 14,386	$ 7,997
9	$ 14,386	$ 7,997
10	$ 14,386	$ 7,997

**Note - The applicant will pay property tax on the land in addition to these in lieu payments.

CITY OF FARGO ASSESSMENT DEPARTMENT

Cathedral Lofts	
Parcel Number	01-2280-00100-000
Address	719 7 St N
Date Application Received	10/2/2017
1st Publication Date	10/16/2017
2nd Publication Date	10/23/2017
TRC Meeting Date	10/24/2017
Commission Hearing Date	11/20/2017
Notice Delivery To School/County	10/6/2017
School/County 30-Day Response	11/5/2017
Exemption Type	PILOT
Estimated Improvements Value	$3,998,000
Anticipated Tax Growth	0.0%
Current Mill Levy	287.51
Number of Years Granted	10
Discount Rate (for Present Value)	4.50%
Total Gross Estimated Benefit	$502,891
Present Value of Benefit	$404,200

	% Bd Ex	PILOT Pymt	Full Bldg Tax	Benefit	PV of Benefit	PILOT & Tax
2020	100%	$0	$57,473	$57,473	$55,000	$1,323
2021	100%	$0	$57,473	$57,473	$52,600	$1,323
2022	100%	$0	$57,473	$57,473	$50,400	$1,323
2023	100%	$0	$57,473	$57,473	$48,200	$1,323
2024	100%	$0	$57,473	$57,473	$46,100	$1,323
2025	75%	$14,368	$57,473	$43,105	$33,100	$15,691
2026	75%	$14,368	$57,473	$43,105	$31,700	$15,691
2027	75%	$14,368	$57,473	$43,105	$30,300	$15,691
2028	75%	$14,368	$57,473	$43,105	$29,000	$15,691
2029	75%	$14,368	$57,473	$43,105	$27,800	$15,691
2030	0%	$57,473	$57,473	$0	$0	$58,796
2031	0%	$57,473	$57,473	$0	$0	$58,796
2032	0%	$57,473	$57,473	$0	$0	$58,796
2033	0%	$57,473	$57,473	$0	$0	$58,796
2034	0%	$57,473	$57,473	$0	$0	$58,796
2035	0%	$57,473	$57,473	$0	$0	$58,796
2036	0%	$57,473	$57,473	$0	$0	$58,796
2037	0%	$57,473	$57,473	$0	$0	$58,796
2038	0%	$57,473	$57,473	$0	$0	$58,796
2039	0%	$57,473	$57,473	$0	$0	$58,796
TOTALS		$646,574	$1,149,465	$502,891	$404,200	$673,025
Annual Land Tax		$1,323	($92,000 Land Value - 15,250SF @ 6.00/SF)			

PILOT If County Completely Opted Out Of This Incentive					
County Share	County Addl Share	Total County Share	Potential Full Tax	PILOT & Tax	% Bd Ex
$0.00	$0	$10,583	$58,796	$1,323	100%
$0.00	$0	$10,583	$58,796	$1,323	100%
$0.00	$0	$10,583	$58,796	$1,323	100%
$0.00	$0	$10,583	$58,796	$1,323	100%
$0.00	$0	$10,583	$58,796	$1,323	100%
$2,586	$7,997	$10,583	$58,796	$23,688	61%
$2,586	$7,997	$10,583	$58,796	$23,688	61%
$2,586	$7,997	$10,583	$58,796	$23,688	61%
$2,586	$7,997	$10,583	$58,796	$23,688	61%
$2,586	$7,997	$10,583	$58,796	$23,688	61%

RECEIVED
OCT 2 2017
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 Cass
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: Cathedral Lofts, LLC
2. Address of project: 719 7th St N
   City: Fargo County: Cass
3. Mailing address of project operator: Box 426
   City: Fargo State: ND Zip: 58107
4. Type of ownership of project
   - ☐ Partnership
   - ☐ Corporation
   - ☐ Subchapter S corporation
   - ☐ Cooperative
   - ☐ Individual proprietorship
   - ☒ Limited liability company
5. Federal Identification No. or Social Security No.: 82-2247437
6. North Dakota Sales and Use Tax Permit No.:
7. If a corporation, specify the state and date of incorporation: ND July 2017
8. Name and title of individual to contact: Jesse Craig, Partner/Member
   Mailing address: Box 426
   City, State, Zip: Fargo ND 58107 Phone No.: 701-371-9887

Project Operator's Application For Tax Incentives

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

   ☐ **Property Tax Exemption**
   - _____ Number of years
   - _____ Percent of exemption

   ☐ **Payments In Lieu of Taxes**
   - 10 Beginning year _____ Ending year
   - 100-5 / 75-5 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

24734
(Rev. 2/14)

Description of Project Property

11. Legal description of project real property

Lot 14 Block 1 Park Lots 14 + 15 Blk 1

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? _____

If new construction, complete the following:

a. Estimated date of commencement of construction of the project covered by this application March 2018

b. Description of project to be constructed including size, type and quality of construction
34 one bedroom apartment project with main level heated parking

c. Projected number of construction employees during the project construction 40-60

14. Approximate date of commencement of this project's operations 12 months April 2019

15. Estimated market value of the property used for this project:

a. Land ..... $ 33,200

b. Existing buildings and structures for which an exemption is claimed ..... $ Ø

c. Newly constructed buildings and structures when completed ..... $ 3,998,000

d. Total ..... $ 4031,200

e. Machinery and equipment ..... $ Ø

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 ..... $ Ø

c. Newly constructed buildings and structures when completed ..... $ 3,998,000

d. Total taxable valuation of property eligible for exemption (Add lines b and c) ..... $ 3,998,000

e. Enter the consolidated mill rate for the appropriate taxing district 297.51

f. Annual amount of the tax exemption (Line d multiplied by line e) ..... $ _____

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).

Rental Property

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

elevator

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 Year 1	New/Expansion Project only Year 2	New/Expansion Project only Year 3	New/Expansion Project only Year 4	New/Expansion Project only Year 5
Annual revenue	438,600	442,986	447,416	451,890	456,409
Annual expense	320,652	321,530	322,414	323,320	324,234
Net income	117,948	121,456	125,002	128,570	132,175

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

Year		(Before project)	Year 1	Year 2	Year 3	Year 4	Year 5
No. of Employees	(1)						
	(2)						
Estimated payroll	(1)						
	(2)						

(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 West LLC, Alexandra Manse LLC, 1023 Flats, 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

Enclave, Kilbourne

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 Cruz, 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	Title	Date
	member	10-27-17

CITY OF Fargo

ASSESSMENT DEPARTMENT

TAX EXEMPT REVIEW COMMITTEE APPLICATION SUMMARY

Scheduled Meeting Date: 10/24/2017

APPLICATION #1

Applicant	Cathedral Lofts Apartments
Address	719 7 St. N.
Parcel Number	01-2280-00100-000
Project Type	Downtown apartment project
Project Timing	Commencement of operations April 2019
Request	10 Year PILOT, 5 years @ 100%, 5 years @ 75%
Comments	Hearing before City Commission scheduled for 11/20/2017.
Policy Concerns	Meets current policy for downtown apartment projects.

Current Approved Policy:

New Apartment Buildings Within *Downtown Area Plan*

PILOT Years	% of Building Exempt Equivalent
1-5	100%
6-10	75%

Status of Notices Sent to School District & County:

- Notices were delivered to School District & County 10/6/2017
- 30-day response in writing to City required by 11/5/2017
  - If no response, City to regard that entity to fully participate in incentive.
- No response has been received as of 10/17/2017.

CASS COUNTY
GOVERNMENT

Board of County Commissioners

Chad M. Peterson
Fargo, North Dakota

Rick Steen
Fargo, North Dakota

Vern Bennett
Fargo, North Dakota

Arland H. Rasmussen
West Fargo, North Dakota

Mary Scherling
Stanley Township, North Dakota

November 7, 2017

Mr. Ben Hushka
City Assessor
Fargo Assessment Department
321 4th St. North
Fargo, ND 58102

Re: Cass County Action – Property Tax Incentive Cathedral Lofts, LLC

Mr. Hushka:

On November 6th the Cass County Commission considered action regarding participation in a 10-year Payment In Lieu of Taxes (PILOT) incentive for Cathedral Lofts, LLC. As presented by the City of Fargo, the first 5 years includes a 100% improvement exemption and the following 5 years includes a 75% improvement exemption.

The Cass County Commission elected to not participate in the incentive described above. However, the Commission approved participation in a 5 year PILOT incentive that includes a 100% improvement exemption.

Please contact me if you have questions or need additional information.

Sincerely,

Chad Peterson - Chairman
Cass County Commission

Heather Worden
Commission Assistant

PO Box 2806
211 Ninth Street South
Fargo, North Dakota 58108

701-241-5609
Fax 701-241-5728
www.casscountynd.gov

415 4th Street North
Fargo, ND 58102-4514
701.446.1000
FAX: 701.446.1200
www.fargo.k12.nd.us

Dr. Jeffrey M. Schatz, *Superintendent* • 701.446.1005
Dr. Robert Grosz, *Associate Superintendent, Teaching & Learning & Secondary Education* • 701.446.1010
Dr. Rachael Agre, *Assistant Superintendent, Elementary Education & Professional Development* • 701.446.1069
Mr. Broc Lietz, *Business Manager* • 701.446.1027
Ms. Brittnee Nikle, *Director, Human Resources* • 701.446.1038
Mrs. AnnMarie Campbell, *Executive Assistant & Communications* • 701.446.1005

October 24, 2017

Ben Hushka
Fargo City Assessor
321 4th Street N
Fargo, ND 58102

Mr. Hushka:

Thank you for your letter dated October 5, 2017, notifying the Fargo Public Schools Board of Education of the City of Fargo's intention to grant a property tax incentive for more than five years.

The tax incentive being considered is for Cathedral Lofts, LLC, 719 7th Street N. in Fargo. Fargo Public Schools intends to fully participate in the incentive under consideration from the City of Fargo.

Thank you again for your notification.

Sincerely,

Broc T. Lietz
Business Manager
Fargo Public Schools

CITY OF Fargo

65

MEMORANDUM

PLANNING AND DEVELOPMENT
200 Third Street North
Fargo, North Dakota 58102
Phone: (701) 241-1474
Fax: (701) 241-1526
E-Mail: planning@cityoffargo.com
www.cityoffargo.com

TO: BOARD OF CITY COMMISSIONERS

FROM: NICOLE CRUTCHFIELD, PLANNING ADMINISTRATOR NC

DATE: DECEMBER 18, 2017

SUBJECT: REQUEST FOR APPROVAL OF CITY OF FARGO: PUBLIC ART MASTER PLAN

We are excited to bring forward the draft of the City's public art master plan. The master plan was developed by the Arts and Culture Commission and a consultant team lead by Jack Becker of Forecast Public Art. The plan included public outreach and engagement and investigation to bring together ten over-arching goals to implement the following vision:

" The City of Fargo envisions a livable, community where integrating public art into City initiatives, neighborhood revitalization efforts and private developments is a norm; where every citizen, worker and visitor in Fargo has the opportunity to freely experience quality art and creative expression as part of their daily lives".

Methods to implement this vision are included in the master plan. We recognize this work will stem over several years. This plan provides the framework to build relationships and partnerships to participate in a larger arts and culture community already doing great work in Fargo.

Suggested Motion:
"Move to approve the Public Art Master Plan."

Printed on Recycled paper.

F A R G O

PUBLIC ART MASTER PLAN

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Images on front cover, L to R:

Fargo Theater, image by Jack Becker
Made in Fargo, image by Jack Becker
ChalkFest, image courtesy The Arts Partnership
Sidewalk Poetry, image courtesy The Arts Partnership

Members of the City of Fargo Arts and Culture Commission

David Bertolini, Commission Co-Chair
Netha Cloeter
Dayna Del Val
Jessica Jung
Tim Lamey
Cassandra Miller
Michael Olsen
Arlette Preston, Commission Co-Chair
Deb Williams

Mara Brust, Public Art Master Plan Advisor
Chelsea Thorson, Public Art Master Plan Advisor

CITY OF Fargo

Forecast Public Art

Fargo's public art can be a catalyst for expansive thinking, cultural evolution, social openness and cohesion.

THE CITY OF FARGO ARTS & CULTURE COMMISSION

EXECUTIVE SUMMARY

PREFACE
A major goal of Fargo's recently established Arts and Culture Commission was developing a master plan for the City's growing public art program. Following a search process, they hired Forecast Public Art, a nationally recognized leader in the public art field, to create this document. Designed as an actionable tool, the Fargo Public Art Master Plan provides a road map for the City Commission, the Arts and Culture Commission, City departments, program staff, artists, community stakeholders, and others interested in helping grow the future of Fargo.

ABOUT FARGO
Fargo, North Dakota—the central city in the vibrant Fargo-Moorhead metropolitan area—is among the fastest growing cities in the Midwest. The community serves as a regional center of education, commerce and health care. In spite of its often challenging climate and the occasional flooding of the Red River, Fargoans are resilient and prideful. It's a family-friendly town on the edge of the Great Plains, attracting an increasingly diverse population.

Fargo is also the largest city in North Dakota, a cultural hub serving a region of more than 200,000 residents. Its population growth is outpacing most Midwestern cities; older residents are aging in place and recent graduates are finding professional opportunities. Fargo's increasing cultural diversity is becoming more visible. Fargoans display a can-do attitude, an entrepreneurial spirit, and a strong commitment to their community; volunteerism is rampant and infectious. Fargo is a city of opportunity that desires to progress the quality of life for all citizens by enhancing civic design, cultivating community through culture, promoting tourism and economic investment, and bolstering a sense of pride in place.

The arts thrive in the Fargo region. Citizens and visitors enjoy offerings at museums and theaters, university arts programs, and educational initiatives in neighborhoods. And public art is

a growing contributor to the quality of life in Fargo. In addition to City-funded art in public places, the community enjoys art in the parks, at corporate headquarters, and arts programming in the neighborhoods. In 2015, the City established its first Arts and Culture Commission, an outgrowth of the City's in-depth GO2030 planning effort adopted in 2012. The Arts and Culture Commission makes recommendations to the Fargo City Commission regarding public art investments by the City, and encourages participation in public art by all citizens, developers and property owners.

PUBLIC ART TODAY
Public art today goes beyond murals, monuments and memorials; it seeks to engage a community and bring it to life in new ways. In addition to beautifying public spaces, artists of all disciplines are taking their creativity into communities and addressing needs identified by citizens, such as the environment, community health, cultural diversity, youth development, and attracting tourists. The field of public art is expanding so rapidly that many cities are scrambling to update and improve the way they plan and manage their public art programs. As a professional practice, public art has become more complex, process-oriented, collaborative and experimental. Cities are finding new ways to maximize their investment in public art, to the benefit of their economy, their culture and their community.

SUMMARY OF THE PLANNING PROCESS
In 2016, Fargo's Arts and Culture Commission hired the nonprofit Forecast Public Art, a nationally recognized leader in the public art field, to create a public art master plan for the City, and for the larger community. As director of Forecast's consulting program, I assembled a team to conduct research, analyze existing planning documents and study Fargo's current public art ecosystem. We studied the way the city is laid out and how it's growing, identified critical issues and opportunities, and developed recommendations to significantly improve the impact public art and artists can have on the long-term success of the city. We invited artists to help

shape the plan to insure that the results would, in turn, benefit local artists and encourage them to participate in implementing the plan.

THE VALUE OF THIS PLAN

Fargo's Arts and Culture Commission was established to set the stage for the City's expanded, facilitative role in arts development; this plan enables the Commission to take it to the next level. It will benefit Fargo in a variety of ways, including:

- Offer an overview and definition for public art, establishing a common language and shared expectations regarding City-supported and City-endorsed art.
- Develop a framework for a sustainable public art program with an effective Arts and Culture Commission and professional program staff.
- Support artists, increasing exposure to their work, providing skills to increase their ability to participate, and offering funds to grow their careers.
- Promote a vision of Fargo as a cultural hub and destination, supporting economic development and other goals prioritized in Fargo's GO2030 Plan.
- Establish policies, procedures and systems supportive of artists and the integration of art in all aspects of Fargo's development.
- Leverage involvement of multiple municipal agencies, foster public-private partnerships, and inspire community buy-in.
- Ensure that public art—in all its forms—is maximized to serve goals of the City and needs of the community.

CONCLUSION

Public art is a component of a vibrant, livable community. This plan was created through community conversations, stakeholder interviews, dialogues with artists, meetings with City of Fargo staff and members of the Arts and Culture Commission. Our consulting team learned that people want to see:

- More variety in the types of public art projects—in downtown and throughout the city

The time is ripe for Fargo to grow its public art program to reinforce and amplify the city's role as a cultural hub.

- Opportunities for local and emerging artists to participate, and to learn
- Connectivity between artists and communities
- Regional partnering with Moorhead, West Fargo and allied agencies
- Incorporation of public art in public improvements and private developments
- Art that embraces all the seasons, nurtures the city's emerging cultural diversity, celebrates the river and raises awareness of water as a vital natural resource

The time is ripe for Fargo to grow its public art program to reinforce and amplify the City's role as a cultural hub and destination, with a vibrant public realm—in downtown, and throughout Fargo's neighborhoods. Through the leadership of the Fargo Arts and Culture Commission, community voices will play a role in this growth, ensuring participation in the public art process for city projects, and giving communities and artists agency to initiate and implement projects through new policies and programs. The implementation of this public art plan calls for the development of new partnerships and collaborations, aligning with the vision and aspirations of other plans and larger shared goals. It's a framework for connecting ideas and people to a program that will empower them to achieve goals. Fargo wants to be a place that is distinguished by diverse, connected communities. This plan aims to foster sincere collaborations and provide opportunities for multiple voices and perspectives to be present for Fargo to be the best place it can be. It aims to inspire artists to work in the public realm and grow appreciation among local residents about the role art and artists will play in the future of Fargo.

-Jack Becker, Director of Community Services
Forecast Public Art

PUBLIC ART IN FARGO

Quilt

Sodbuster San Isidro by Luis Jiminez, Fargo, ND - photo courtesy Plains Art Museum

Atlanter - Island Park Ramp

Henrik Wergeland statue - photo by Char-Marie Flood

Downtown interpretive landmark

Freeway wall art - photo by Char-Marie Flood

Street paving

"Diversity Buffalo" in City Hall

Temporary installation

Community art - photo courtesy The Arts Partnership

Veterans Memorial Bridge Gateway

Downtown skyway mural

EXAMPLES OF OPPORTUNITY SITES FOR PUBLIC ART IN FARGO

Bus stops and shelters

Open space and parks

Overpasses and concrete walls

Sides of buildings

Water towers

Tunnels and underpasses

Utility boxes

Water outlets and stormwater detention areas

Underutilized parking lots

Building walls

Alleyways

Flood walls

FARGO PUBLIC ART MASTER PLAN

VISION

Imagine that dark and unfriendly tunnel on 10th Street as a colorful light corridor that responds to car movements and feels safe to walk through. Imagine the parking lot at Broadway and 2nd Avenue downtown transformed into a greened up gathering place with sculptures and a performance stage, all paid for by a private developer. Imagine your neighborhood park as a place where kids get to work with local artists to design and build artistic kites with messages on them to honor the earth on Earth Day.

The City of Fargo envisions a livable, community where integrating public art into City initiatives, neighborhood revitalization efforts and private developments is a norm; where every citizen, worker and visitor in Fargo has the opportunity to freely experience quality art and creative expression as part of their daily lives.

What might Fargo look like with compelling public art throughout the city? What kinds of experience will visitors to Fargo have in 2020? What sights, sounds, emotions, pride and social engagements will newcomers have?

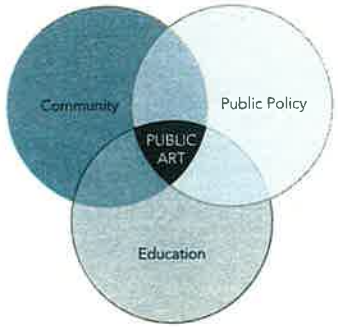
Clockwise from top left:
Spoonbridge and Cherry by Claes Oldenburg and Coosje van Bruggen, Minneapolis, MN - photo by Geoffrey Fairchild
Paul Bunyon & Babe the Blue Ox by Cyril Dickinson and James Payton, Bemidji, MN - photo by Jack Becker
Sodbuster San Isidro by Luis Jiminez, Fargo, ND - photo courtesy Plains Art Museum
Mount Rushmore by Gutzon Borglum, Rapid City, SD - historical photo of construction from Wikipedia
Gateway Arch by Eero Saarinen and Hannskarl Bandel, St. Louis, MO - photo by Max Pixel.

ABOUT PUBLIC ART, AND WHY IT MATTERS

The field of public art is expanding as more artists from different backgrounds and disciplines explore opportunities to make meaningful work beyond the confines of galleries, museums, theaters and other traditional venues. It's important to distinguish between art in public—art that may be indifferent to its setting—and public art that is designed with its particular site and audience in mind. Public artists seek inspiration from the context of a place, and create art that has meaning; art that resonates in some way with its setting. On a grand scale, we can see examples of this in St. Louis, with its Gateway Arch, celebrating the City's bicentennial as the gateway to the west. In Minneapolis, the *Spoonbridge and Cherry* is a playful symbol of the region's milling history and food belt identity. In Bemidji, Paul Bunyan and Babe, the Blue Ox have branded this city as a mythical tourist destination since the late 1930s. Mount Rushmore has likewise grown cultural tourism for Rapid City, South Dakota. In Fargo, the heroic *Sodbuster* sculpture conveys a sense of strength and resilience, and a strong connection to the natural environment.

Public art contributes to economic vitality by helping attract and retain professionals, including those working in creative industries, along with students seeking the right college and families seeking welcoming communities. Art can aesthetically enhance the public realm and artists working with neighboring residents can strengthen social cohesion. It is important to recognize that public art can be temporary or permanent, visual or performance-oriented, require significant financial resources or repurpose waste materials at no cost. The process is just as important as the product.

According to pioneering public artist and educator Suzanne Lacy, public art can be described using a Venn diagram. "Public art," she states, "resides at the intersection of three spheres: community, education and public policy." By looking at public art this way, we begin to see the important relationships that must be developed to establish a meaningful, impactful and sustainable public art program.



Public art expresses a community's values, enhances our shared environment, transforms our spaces into meaningful places, and heightens our awareness of our surroundings. Successful public art programs offer creative outlets for artists of all kinds, producing art that is accessible to all. As such, these programs nurture creativity and participation in city building at every age level. They also work to balance proactive efforts to support quality public art with reactive methods for encouraging, considering and weighing in on community-generated public art projects and ideas. These "outside" requests could come from neighborhood groups, private developers, individual artists, or even other City agencies involved in public improvement projects.

A PUBLIC ART PLAN FOR FARGO

A major goal of Fargo's Arts and Culture Commission in 2015 was developing a master plan for the City's growing public art program, a goal that has been achieved with the creation of this document. Details of the planning process, a list of advisors and contributors, and a summary of the findings are provided in the Appendix (page 48). Designed as an actionable tool, the Fargo Public Art Master Plan provides a road map for the City Commission, the Arts and Culture Commission, City departments, program staff, artists, community stakeholders, and others interested in helping grow the future of Fargo. The plan establishes priority goals and objectives and clarifies the Arts and Culture Commission's role with both City-generated art and community-generated art.

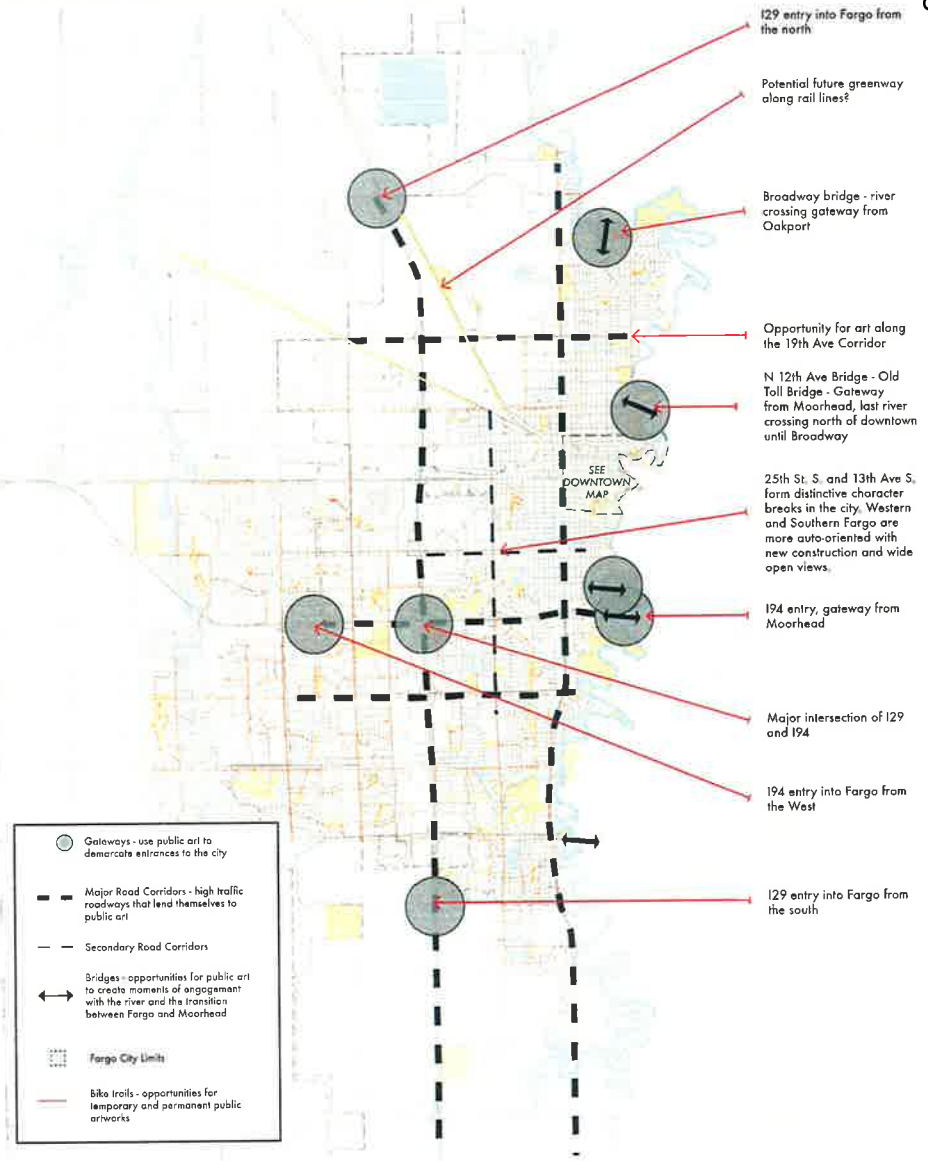
Forecast Consulting Team Process & Preliminary Findings

As part of the planning process, the consulting team studied the layout of the city, seeking to better understand the character and identity of Fargo, its downtown, residential areas, industrial and commercial areas, as well as its transportation system that allows residents and visitors to connect with the resources of the City, and each other. A new map of Fargo emerged, suggesting distinct quadrants, districts and nodes—each with their own characteristics—informing the kind of public art and placemaking that might be needed over time. Several opportunity sites were identified, either as part of future developments, community improvements, or remediation efforts. (See Appendix, page 64, for details on the mapping research and results).

Mapping and brainstorming session at Plains Art Museum - photo by Kirstin Wiegmann

Locations for Public Art

Sample of research maps illustrating potential locations throughout Fargo
(See complete set of maps in Appendix)



We asked artists in the region what sites in Fargo were of interest to them, if they were to consider Fargo a venue for their creative expression. The result is a curate collection of **Public Art Possibilities** illustrating a wide range of ideas, approaches and concerns. This collection also helps to highlight the talent that exists in the local arts community. Below is an example of one of the ideas. (See Appendix, starting on page 88, to view all of the project concepts developed in 2016.)

CANOE PARADE

Simone Wai with Folkways

Simone Wai is a community builder at Folkways. Though she is a student of marketing and business, the theme of her career has been working with artists, makers, and creators of all kinds. In her work and life, Simone revels in creating moments of wonder for all those who participate in her events and projects, her most notable being Alley Fair, the Red River Market, and a German style Christmas market.

Through a series of workshops and focus groups involving dozens of Fargo residents, our team collected thoughts about what Fargoans value and what public art should aspire to address in the community. This resulted in a set of **topics or themes** that could inform criteria for future public art in the city. The themes include:

- The City on the Great Plains
- Embrace Winter and Seasonality
- Water Appreciation
- Celebrate the River
- Nurture Emerging Cultural Diversity

(See Appendix, page 56, for details)

Themes and topics to inform the development of public art in Fargo

EMBRACE WINTER AND SEASONALITY

Fargo's climate provides opportunity for art events, installations, and activities year round. Public art can help celebrate the cold of winter, the warmth of summer, and everything in between. This can be done through a variety of season specific projects and events.

Festival du Voyageur, Winnipeg, MB, Canada. Image Source: http://res.cloudinary.com/simpleview/image/upload//c_fit,w_800,h_600/crm/winnipeg/festival-du-voyageur_cc6cb512-5056-a36a-0977465e6e861263.jpg

CELEBRATE THE RIVER

Public art that focuses attention on Fargo's river can increase use of this natural resource, as well as raise awareness of its value, and the importance of river stewardship. The art can be kinetic, interactive, and engage people in fun and educational ways—day and night, in all seasons.

Artistic House Boats that engage and entertain people along the river. Image Source: http://www.wired.com/2013/07/hopo-steampunk-boats-house-river-running-art-collective/

WATER APPRECIATION

Expand upon *The Fargo Project*, using art and landscape to increase community awareness and understanding about Fargo's watershed, drinking water, stormwater ponds & runoff, drainage ditches, the FM Area Diversion project, and more. Public art can also help create a connected network of parks and trails using waterways, and build a sense of identity for Fargo neighborhoods.

Fargo Sandbag Project. Image Source: http://forecastpublicart.org/public-art-review/current-projects/2012/08/fargo-sandbag-project/

EMERGING CULTURAL DIVERSITY

Public art is a powerful tool that can bring communities together and create opportunities for understanding and awareness building between different cultures. It can help raise the currency of human values and bring out the human qualities in us.

Conflict Kitchen by Jon Rubin and Dawn Weleski. Images Source: https://pbs.twimg.com/media/CtRJ7EzXgAA7oOm.jpg

THE CITY ON THE GREAT PLAINS

Use BIG art, earthworks and land art to emphasize the vast landscape that Fargo is built upon. Major roadways, corridors and gateways can be planted with prairie, savanna and orchard plants to emphasize the historical nature of the land, and artworks can capture the pioneering spirit of Fargo's culture. Use the momentum of *Sodbuster's* re-installation to inspire big ideas and bold visions.

Running Fence. Christo and Jeanne-Claude. CA. Image Source: http://christojeanneclaude.net/__data/d8947846627f3bd2eba1dfe85c2e9a63.jpg

Based on information Forecast's team gathered, several **critical topics or issues** emerged, including:

- Making arts and culture in Fargo accessible to all
- Improving Fargo's economic, social and cultural health and wellbeing
- Valuing the role of artists, allied professionals and communities in creating successful public art
- Ensuring adequate and sustainable administration for the City's public art program, and support for the work of the Arts and Culture Commission

Among the **constraints** we identified are:

- People lack a shared vocabulary around the topics of public art and placemaking.
- The City lacks policies and procedures to guide the development of public art.
- Much of the City's investment has focused on the downtown area, since it is the region's economic engine. Fargo residents desire cultural experiences in their neighborhoods as well.
- The city is large and spread out, and while some neighborhoods have evolved with a sense of unique character and identity, many areas lack definition and a sense of identity.
- Regional artists lack opportunities to develop skills as professionals in the public art field, enabling them to compete for commission or grant opportunities.

Among the **opportunities** we identified are:

- There are numerous public-private partnership opportunities, including involvement with private developers, foundations, the school district, arts organizations, NDSU, the Park District, The Arts Partnership, and others.
- Public art can be incorporated into public and private improvements, be thematically aligned with Fargo's overall character, as well as enhance annual cultural events and festivals in the community, providing jobs for artists and engagement opportunities for communities throughout the region.

Fargo's public art plan recognizes the importance of balancing the leadership of City-initiated projects with nurturing grassroots efforts developed by individuals, neighborhood groups, local businesses and others seeking to enhance the public realm.

The City of Fargo Arts and Culture Commission annually **supports City-generated public art,** including:

- Public art planning, policy development, and program management
- Visual art displays at City Hall featuring local artists
- Commissioning of artworks for public spaces in the city
- Granting funds to artists for independently-developed projects

Fargo's public art program recognizes the importance of balancing the leadership of city-initiated projects with the nurturing of grass roots efforts developed by individuals.

Public art is part of the City's larger sphere of arts and culture. It's freely accessible and inclusive, unlike some conventional arts venues that require admission fees. It's not about selling art, like at art fairs; it's not art education in schools; and it's not about space for artists to live or work in. These are important considerations, however, in any city's larger arts development strategy.

Public Art Mapping by PublicEarth

The Arts and Culture Commission also **responds as needed to community-generated art**, requests and proposals from private groups, city agencies, and others, including:

- A request from the Parking Commission to consider art for a new parking garage
- Input sought from a private developer regarding public art for a downtown plaza
- With support from the Institute of Museum and Library Services (IMLS), Luis Jiminez's *Sodbuster San Isidro* is being restored and will soon be reinstalled as part of Fargo's new City Hall development, as a gift to the City from the Plains Art Museum.
- A request from the Mayor's office to develop art for the new City Hall
- A request to support *The Fargo Project* using grant funds from the Kresge Foundation

It's clear that, as Fargo's public art program grows, the need for professional program staff will increase. Today, the program is housed in the City Planning Department, where staff has coordinated the work of the Arts and Culture Commission and overseen any projects that require implementation. Contracted services have augmented efforts such as curatorial management of art displayed at City Hall. In order to meet the current demand, as well as the anticipated increased demand for the City's public art program, a sustainable source of funding must be secured. (See Action Steps section below)

It is also essential that Fargo's Arts and Culture Commission—as well as its future public art program staff—remain abreast of new technologies, educational programs, funding initiatives, and other trends in the field in order for Fargo's public art program to be timely, effective and impactful. For example, apps have been developed for mobile phones that offer audiences access to information about a City's public art collection, such as Museum Without Walls and the Public Art Archive. This technology is now available to Fargo to help tell the story of the art audiences can find throughout the city.

MISSION OF THE PROGRAM

The mission of Fargo's Public Art Program is to implement the Public Art Master Plan, insuring the City's ongoing commitment to encouraging and supporting the growth of diverse, high-quality and meaningful public art throughout the City of Fargo.

To fulfill this mission, and **create an all-inclusive public art program that can serve all forms of public art through an accessible and dependable process**, it is critical to thoughtfully approach a set of next steps:

- Outline the public art process
- Identify priority opportunities
- Develop annual program goals, project budgets, and timelines
- Establish a practical and ethical selection methodology
- Determine appropriate maintenance and conservation procedures
- Provide adequate communications, documentation, and evaluation
- Secure adequate funding mechanisms to support program staff, project implementation and related activities, such as communications, education and community engagement

PROGRAM GOALS

Based on the information collected by the Forecast consulting team during the planning process and preliminary goal setting done by the Public Art Taskforce prior to this planning process, a set of ten goals are recommended for Fargo's Public Art Program. It is critical that these goals are activated through the lens of the following guiding principles:

- **Citywide and Regional Mindfulness**
- **Equity, Fairness and Transparency**
- **Cultural Diversity: people of color, new immigrants and indigenous peoples**
- **Education and Lifelong Learning**

1. **Continue developing current projects**, including art for City Hall, commissioning art for public spaces, and funding independently developed projects by individual artists and teams.

2. **Build the capacity of the Arts and Culture Commission and the effectiveness of the Public Art Program,** strengthening the Commission's ability to govern the program, engage with Fargo community members, and serve as ambassadors for public art.

3. **Provide adequate care and maintenance for City-owned public art**, including documentation and collections management.

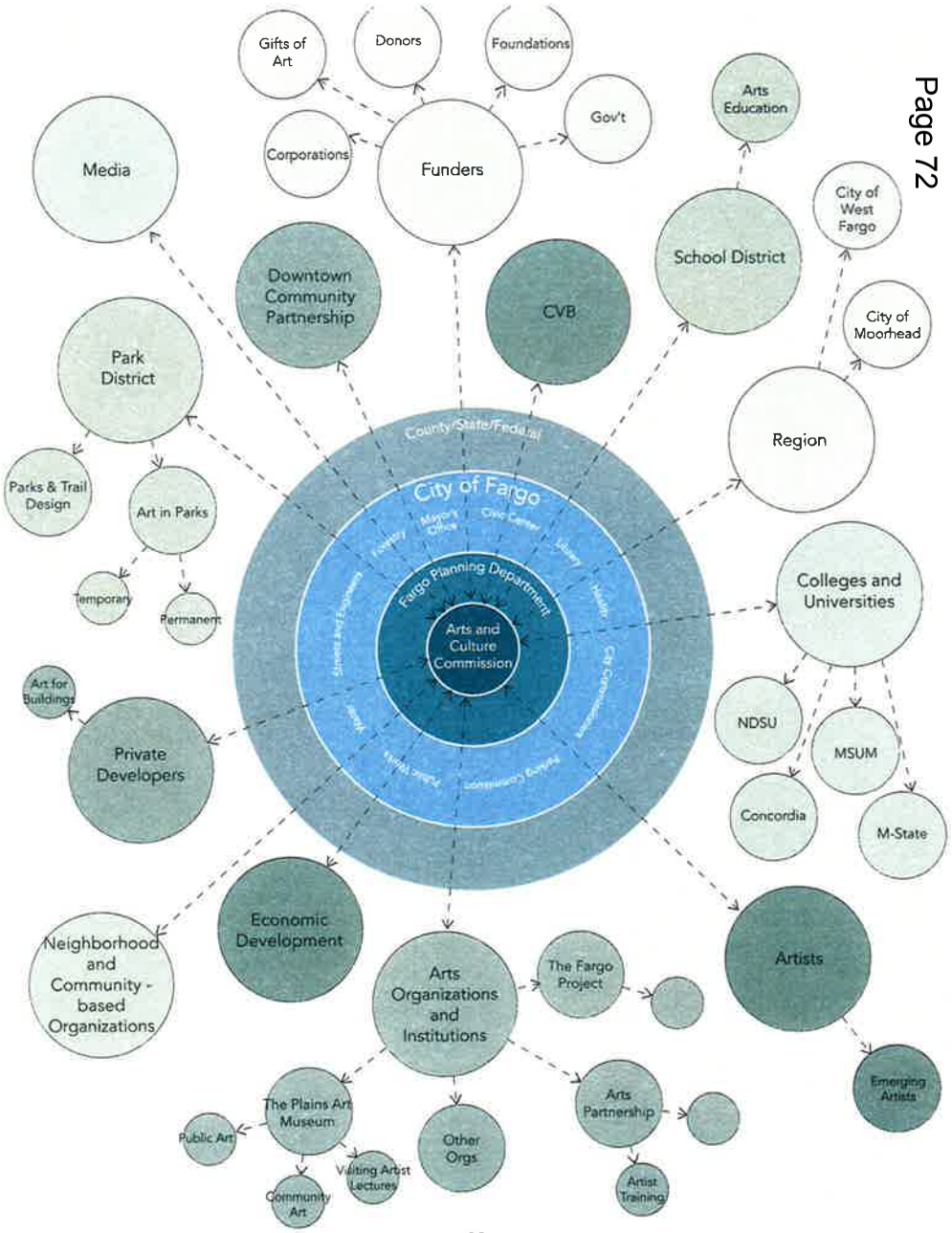


Diagram: Constellation of community stakeholders and potential partners

4. **Establish a clear and easily accessible process for artists and the private sector** to create all kinds of public art in communities throughout Fargo. The process should engage the public in the selection, approval and awareness of art facilitated by the City.
5. **Identify and secure permanent funding and support systems for public art**, including administration, education, communications and maintenance. Beyond City support and inter-agency cooperation, consider private support, such as contributed income, partnership support and in-kind contributions of goods and services.
6. **Ensure that public art is citywide**, including sites of opportunities and districts identified in this plan. Empower residents and businesses to transform public spaces through artist-led practices, embrace the themes developed in the planning process, yet remain open to emerging opportunities as priorities shift and the city evolves.
7. **Pursue artistic excellence** and foster diverse forms of public art.
8. **Cultivate partnerships** that will help fuel the growth of the public art program, including continued work with local arts institutions, other city agencies, the Park District, the School District, neighboring cities, and others.
9. **Establish incentives for developers** wishing to integrate public art into their projects, and provide appropriate resources, expertise and services to further encourage their investment in public art.
10. **Focus on sites of opportunities as outlined in this plan**, as well as the themes developed as part of the planning process, yet remain open to emerging opportunities and themes as larger priorities shift and city continues to evolve.

ROLE OF THE ARTS AND CULTURE COMMISSION

The Arts and Culture Commission was established to "ensure that public art continues to be a valuable part of Fargo to encourage the display of public art by citizens, developers, property owners,

architects and builders to provide a process for review and recommendation to the City Commission of the commissioning and placement of public art by the City, to ensure that existing public art is properly displayed and maintained and that it is accessible to the general public." (City of Fargo Ordinance No. 4948)

The goals outlined in the section above provided the Forecast team guidance in developing suggested action steps to be taken by the Arts and Culture Commission going forward. In reviewing the action steps, it will be important for the Commissioners to identify any additional skills, connections or expertise that would increase the Commission's ability to effectively oversee and govern the implementation of the goals and objectives provided in this plan, and recruit new Commissioners accordingly.

It is also critical that the Commissioners take into account the limited resources the public art program currently has available to implement priorities identified in this plan, versus what it aspires to secure for the program long term. As additional resources become available, implementation strategies can be adjusted. A cost analysis related to programming and administration is provided following the list of action steps.

ACTION STEPS

Forecast recognizes that there are both short-term and long-term considerations in the development of any citywide public art master plan. We also acknowledge that financial resources are needed to implement this plan, and until such time as additional resources are identified and secured, Fargo's public art program will continue to operate as it has for the past few years. As the city grows and interest in public art continues to increase, additional support for the program will become increasingly important.

We recommend that Fargo's Arts and Culture Commission establish a task force to oversee the effort to secure adequate funding for the City's public art program, since this task, successfully implemented, will allow the other tasks listed to be addressed. The task force should involve the Chair of the Arts and Culture Commission, the Mayor, a City Commissioner, the City's Finance Manager, and the planning staff person overseeing the current public art program.

The following spreadsheet shows overarching goals, as listed above, followed by sequences of tasks, ranking of priority and identification of who needs to be involved in each task. Following this work plan document, to be implemented over the next four years, is a section identifying the estimated costs associated with implementation of the City's public art program.

GOAL 1

Continue developing current projects, including art for City Hall, commissioning art for public spaces, and funding independently developed projects by individual artists and teams.

GUIDING PRINCIPLES:

- Citywide and Regional Mindfulness
- Equity, Fairness and Transparency
- Cultural Diversity: people of color, new immigrants and indigenous peoples
- Education and Lifelong Learning

FOCUS AREA: Maintain Current Programs

PRIORITY RANKING: HIGH

WHO IS RESPONSIBLE? ACC with consultants, advisors and selection committee members

YEAR ONE

Develop annual work plan based on the budget for the year. This includes art for City Hall, new commissioning projects, and grants to artists. Determine what, if any, changes should be made to the projects compared with last year. Develop evaluative criteria for each project, and use this to guide reporting at end of year.

NOTE: Establish Task Force to develop arts plan and recommendations for new City Hall and Civic Plaza, including budget recommendations.

Monitor progress of each project, using reports from the City Hall curator, updates from staff about the commissioning projects and grants, and minutes from monthly meetings. Engage outside consultant to oversee projects or new initiatives as needed.

YEAR TWO

As projects come to fruition, coordinate documentation, evaluation and communications, including media releases about key project benchmarks achieved. Prepare draft budgets for the next year.

Share stories of project accomplishments with City Commissioners, along with testimonials from community members, artists, and other stakeholders. Finalize budgets for next year.

YEAR THREE

Finalize work plan based on the budget for the year. Determine what, if any, changes should be made. If program staff has changed, be sure to account for transitioning leadership of projects. Update evaluative criteria for each project to be used at end of year.

Monitor progress of each project, including reports from the City Hall curator, updates from staff about the commissioning projects and grants.

YEAR FOUR

As projects come to fruition, coordinate documentation, evaluation, and communications, including media releases about key project benchmarks achieved. Prepare draft budgets for the next year.

Share stories of project accomplishments with City Commissioners, along with testimonials from community members, artists, and other stakeholders. Finalize budgets for next year.

GOAL 2

Build the capacity of the Arts and Culture Commission and the effectiveness of the Public Art Program, strengthening the Commission's ability to govern the program, engage with Fargo community members, and serve as ambassadors for public art.

GUIDING PRINCIPLES:

- Citywide and Regional Mindfulness
- Equity, Fairness and Transparency
- Cultural Diversity: people of color, new immigrants and indigenous peoples
- Education and Lifelong Learning

FOCUS AREA: Develop capacity of Arts and Culture Commissioners

PRIORITY RANKING: HIGH

WHO IS RESPONSIBLE? ACC

YEAR ONE

Adopt job description for Arts and Culture Commissioners. Establish recruitment procedures when terms expire or Commissioner leaves—including geographic diversity expertise needed, cultural diversity needed, etc. Be intentional about seeking age, gender and cultural diversity.

Cultivate relationships with current and potential partners by inviting representatives to periodic conversations (see Constellation chart on p. 21). Create an org chart denoting roles and responsibilities for Arts and Culture Commission members, program staff, advisors, committees, and existing partners.

YEAR TWO

Beyond members of the Arts and Culture Commission, consider advisors or task force members who should be involved in program development and professional development of commissioners. Consider utilizing different methods to recruit expertise and be transparent about the process.

Review the current membership and job description for members of the Arts and Culture Commission. Develop a spreadsheet with information about the skills and interests of each member. Consider gaps and how to fill them. Establish a task force to identify and recruit new commissioners.

YEAR THREE

Update as needed the job description of commissioners, including the role of advocate for public art and the City's program. Members should foster community understanding and appreciation of public art, highlighting Fargo's public art collection and this plan [ongoing].

Consider community listening sessions, slide talks by local artists and other interactivity between commissioners and the larger community. This could be done via cross-sector dialogues, or by focusing on one group or geographic area at a time.

YEAR FOUR

Identify opportunities for commissioners to gain professional development. This could include travel, conferences, public art tours in other cities, etc.

Consider measuring the efforts of the ACC by adding up the number of hours members put in, the types of expertise employed, etc. (such as program oversight, policy development, fundraising and communications).

GOAL 3

Provide adequate care and maintenance for City-owned public art, including documentation and collections management.

GUIDING PRINCIPLES:

- Citywide and Regional Mindfulness
- Equity, Fairness and Transparency
- Cultural Diversity: people of color, new immigrants and indigenous peoples
- Education and Lifelong Learning

FOCUS AREA: Care for Fargo's Public Art Collection

PRIORITY RANKING: HIGH

WHO IS RESPONSIBLE? ACC with consultants and vendors

YEAR ONE

Update inventory of City-owned public art,including quality images, location, and artist information. Obtain 2-3 bids from conservators to produce condition reports for any work more than 20 years old, or newer works needing care. Use responses to prepare request for funding in Year 2.

Update any existing photo-documentation of City-owned artworks, and related data. Consider entering data in the online PublicArtArchive.org, a free service.

YEAR TWO

Provide ACC members tours of City-owned art to familiarize them with the collection and their condition. Submit conservation and repair proposal as part of City budget request.

Once funding is made available, hire consultant to perform condition reports for each work in Fargo's collection. Prepare report to City Commission regarding maintenance work needed over next three years and cost estimates for same.

YEAR THREE

Develop collections intake forms that allow newly commissioned work to be entered in the City's database and periodically monitored and maintained.

Consider collections management software. Perhaps an NDSU student intern would be ideal to help with this effort.

YEAR FOUR

Determine annual costs associated with maintaining Fargo's public art collection and include in annual budgets. This can include software for database, as well as vendor fees for repairs or conservation efforts.

Consider offering tours of the City's collection to raise awareness of the work being done to conserve the art. This will also help raise awareness and appreciation amongst community members and visitors.

GOAL 4

Establish a clear and easily accessible process for artists and the private sector to create all kinds of public art in communities throughout Fargo.

GUIDING PRINCIPLES:

- Citywide and Regional Mindfulness
- Equity, Fairness and Transparency
- Cultural Diversity: people of color, new immigrants and indigenous peoples
- Education and Lifelong Learning

FOCUS AREA: Ensure Public Art Program's Accessibility and Effectiveness

PRIORITY RANKING: HIGH

WHO IS RESPONSIBLE? ACC

YEAR ONE

Utilize the Process Guide tool in the Appendix to oversee projects from start to finish. Evaluate guide and develop improvements. Identify and recruit community members to serve on art selection panels, and as advisors to the ACC. Invite these individuals to review and offer feedback on Process Guide.

Based on the Process Guide, draft an external document (a handout) outlining guidelines, policies, and procedures for site selection, artist selection, commissioning and maintaining artworks. Develop criteria to help prioritize projects, using the adopted themes and district maps in this plan.

YEAR TWO

Develop updated policies and procedures regarding conservation and maintenance of Fargo's public art collection. Draft updated policies and procedures regarding loans or gifts of art. See sample policies in Appendix.

Develop monitoring, evaluation, and reporting systems. Host a meeting for artists to share their input about the responsiveness of the program. Host a similar gathering to collective input and ideas from community members, developers, prospective partners, etc.

YEAR THREE

Update program guidelines based upon input received, and experience gained in previous year.

Reassess staff and ACC capacity, roles, and responsibilities, given the funding secured for Year 2. Adjust work plan for Year 2 accordingly.

YEAR FOUR

Host open forum for artists and community members to offer input and ideas to help improve program.

Evaluate accessibility and effectiveness of public art program according to criteria developed in Year 1.

Ensure community input into the program's implementation plan, annual plans, project plans, and project implementation

Ensure community input into the program's implementation plan, annual plans, project plans, and project implementation

GOAL 5

Identify and secure permanent funding and support systems for public art, including administration, education, communications and maintenance.

GUIDING PRINCIPLES:

- Citywide and Regional Mindfulness
- Equity, Fairness and Transparency
- Cultural Diversity: people of color, new immigrants and indigenous peoples
- Education and Lifelong Learning

FOCUS AREA: Adequately support program administration and projects

PRIORITY RANKING: HIGH

WHO IS RESPONSIBLE? ACC with financial advisor

YEAR ONE

Review cost estimates for Fargo's public art program provided in this plan (see page 48). Consider options for securing support, with input from financial advisor familiar with City budgeting, review and approval process. This may include CIP funds, General Fund allocations, and other funding mechanisms used by other City programs. Consider recruiting champions and influencers to assist in campaign to adequately support the program.

Continue tasks stated in first Quarter by researching private foundations and community foundations as potential sources of support for public art program. Consider buy in from Park District, School District, Civic Center, etc. Review other cities' policies for public art in private development and develop draft policy for Fargo. Consider connecting to incentive plans such as TIF or RZ.

YEAR TWO

Review constellation of potential partnerships (page 23) and consider project possibilities that serve shared goals of ACC and identified partners. Consider hosting discussions with a selection of "high priority" candidates to determine interest. Be mindful that in-kind goods and services, or donated spaces have value, not unlike monetary support. Prepare budget recommendations to City Commission (staff and program).

Further investigate City support and inter-agency cooperation to support projects already underway or planned for the future. Finalize budget for next year.

YEAR THREE

Based on response to budget requests in Year 1, as well as feedback received, revise or refine approach and strategies.

Continue pursuing additional support via donations, sponsorships, partner buy-in, etc. Consider engaging a professional to put case statement and campaign materials in place.

YEAR FOUR

Renew efforts to develop strategic budget request and gain City Commission approvals.

Finalize budget for next year.

GOAL 6

Ensure that public art is citywide, including sites of opportunities and districts identified in this plan. Empower residents and businesses to transform public spaces through artist-led practices, embrace the themes developed in the planning process, yet remain open to emerging opportunities as priorities shift and the city evolves.

GUIDING PRINCIPLES:

- Citywide and Regional Mindfulness
- Equity, Fairness and Transparency
- Cultural Diversity: people of color, new immigrants and indigenous peoples
- Education and Lifelong Learning

FOCUS AREA: Maintain citywide perspective and effective communications

PRIORITY RANKING: MEDIUM

WHO IS RESPONSIBLE? ACC with community partners and advisors

YEAR ONE

Identify upcoming infrastructure and improvement projects in each of the City's districts, and prioritize incorporating art in projects that offer the most impact.

Create annual communications plan, including social media, a website for the Public Art Program. Consider a Facebook page, Instagram account, etc. Identify public relations opportunities within all public art projects undertaken.

YEAR TWO

Encourage the development of Small Area Plans for key nodes in Fargo. Invite residents and businesses to develop public spaces through artist-led practices, such as those proven effective in The Fargo Project.

Expand the public art project database, update with new projects, include temporary artworks, events, and festivals.

Establish and cultivate community advisors and ACC commissioners from each district of Fargo (ongoing)

YEAR THREE

Re-evaluate communications plan and social media outlets. Establish communications plan for the year.

Remain attentive to public art efforts in all districts and neighborhoods. Support efforts to expand community's understanding and appreciation of public art—at all age levels.

YEAR FOUR

Be mindful of any areas of the City that have not been recognized or received attention from the ACC, and make an effort to reach out and work with those areas (or at least explore possibilities).

Give recognition to any grass roots efforts and independent public art efforts in the City by sharing their stories on the program's social media outlets.

Establish and cultivate community advisors and ACC commissioners from each district of Fargo (ongoing)

GOAL 7

Pursue artistic excellence and foster diverse forms of public art.

GUIDING PRINCIPLES:

- Citywide and Regional Mindfulness
- Equity, Fairness and Transparency
- Cultural Diversity: people of color, new immigrants and indigenous peoples
- Education and Lifelong Learning

FOCUS AREA: Encourage new ideas and keep abreast of evolving field

PRIORITY RANKING: MEDIUM

WHO IS RESPONSIBLE? ACC

YEAR ONE

Continue facilitating grants for artists, and seeking new ideas from the community, as this is an effective way to gain familiarity with what artists think and need. Join the national Public Art Network and their online listserv as a valuable networking resource. Share information with committees and advisors.

Review proposals from 2016 Public Art Possibilities competition, and rank them according to viability, potential impact, as well as budgets required. Seek funds to support design development and implementation. ACC representative consider attending Public Art Network Conference.

YEAR TWO

Include top-ranked Public Art Possibilities project in budget request for year 2. Determine feasibility for sponsoring a second round of the program, and include in budget request.

Analyze grant program and impact. Consider opportunities to create new and different grants, which could support artist residencies, Public Art Possibilities, travel and research grants, etc.

YEAR THREE

Based on funding, launch next round of Public Art Possibilities competition. Develop a database of artists, as well as a roster from which to notify about future opportunities.

Further investigate ways to collect and share information about field developments, new projects and artists to add to database.

YEAR FOUR

Investigate options for creating smartphone app guide to Fargo's public art collection, which could involve partners seeking to promote tourism in Fargo.

Consider co-hosting regional forum or symposium to raise awareness of contemporary public art, perhaps in partnership with NDSU, the Plains Art Museum, and others.

Support the participation of local artists in public art projects [ongoing]

Support the participation of local artists in public art projects [ongoing]

GOAL 8

Cultivate partnerships that will help fuel the growth of the public art program, including continued work with local arts institutions, other City agencies, the Park District, the School District, neighboring cities, and others.

GUIDING PRINCIPLES:

- Citywide and Regional Mindfulness
- Equity, Fairness and Transparency
- Cultural Diversity: people of color, new immigrants and indigenous peoples
- Education and Lifelong Learning

FOCUS AREA: Capitalize on potential of partnerships

PRIORITY RANKING: MEDIUM

WHO IS RESPONSIBLE? ACC with regional partners

YEAR ONE

Review constellation of potential partners (see page 21) and identify strong candidates that are already predisposed to discuss working together on shared objectives. Consider the current partnership relationships in place, and draft a document outlining what they are, who's involved, why they are involved, and what common goals are that the organizations are working towards.

Formulate criteria for prioritizing new partnership opportunities, such as partner brings money to the table, staffing support, site opportunities, alignment with goals, etc. Based on criteria, identify top three candidates to invite to ACC meeting for discussion.

YEAR TWO

Host conversations with top three partner candidates, using a pre-determined list of questions to ask of each. Likewise, provide a handout to each candidate about the program and the ACC's goal of growing its impact through partnerships.

Based on review of conversations with candidate partners, select one or two to pursue further, in terms of partnership project concept development. Consider staffing, budget, site, alignment with goals, etc.

YEAR THREE

Plan to implement a modest project with the one or two selected partners in Year 2. Create a shared work plan and monitor progress every month. Invite rep from partner entity to attend ACC meetings to report.

Determine risk factors related to each partnership project, and assign ACC member to serve as liaison, helping oversee effort, serve as a resource, etc. ACC rep attends meetings of partner entity.

YEAR FOUR

Mutually develop communications plan for projects with partners. Consider project benchmarks and photo ops, as well as community engagement opportunities.

Once project is complete, evaluate the project based on criteria met, etc. Document project, archive responses and media coverage and prepare report to City Commission. Meet with partner to debrief and consider future projects. (What worked, what didn't, how might we both learn from the experience and improve the next effort?)

GOAL 9

Establish incentives for developers wishing to integrate public art into their projects, and provide appropriate resources, expertise and services to further encourage their investment in public art.

- Citywide and Regional Mindfulness
- Equity, Fairness and Transparency
- Cultural Diversity: people of color, new immigrants and indigenous peoples
- Education and Lifelong Learning

FOCUS AREA: Encourage developer participation in public art

PRIORITY RANKING: MEDIUM

WHO IS RESPONSIBLE? ACC with financial and policy advisors

YEAR ONE

Identify current projects in Fargo in which developers or building owners are involved public art, and begin cataloging such efforts to share as a resource. Identify the individuals involved and collect their testimonials and other stories to inform the development of a campaign to involve more developers.

Meet with financial advisor and policy expert to review options for incentivizing developers to incorporate public art. Research policies and strategies employed in other cities, such as St. Louis Park, MN, San Francisco, CA, etc. Consider connecting to incentive plans such as TIF or RZ.

YEAR TWO

Consider hosting a roundtable with developers to discuss the goal of adding value to development investments through public art, and get feedback to draft concepts already underway (engage key stakeholders early on). Ask developers what kind of expertise, help and resources would be useful.

Finalize campaign strategy. If possible, secure champion amongst the City Commissioners, and support their effort to establish a policy or gain approval of incentive options the City can offer developers.

YEAR THREE

If campaign was unsuccessful, research why, and rethink approach. If it was successful, prepare list of upcoming developments that are eligible for incentive program participation. Develop communications piece to share with community about new initiative.

Regardless of campaign success, continue to cultivate relationships with developers. Pursue projects on a case-by-case basis.

YEAR FOUR

As projects come to fruition, explore ways to promote the City's public art program's role in the effort, and build reputation as a valued resource in the community.

Beyond private developers, the public art program's increasing role as a resource in the community can grow. The program's responsiveness to community needs will be a measure of the program's success over time.

GOAL 10

Focus on sites of opportunities as outlined in this plan, as well as the themes developed as part of the planning process, yet remain open to emerging opportunities and themes as larger priorities shift and city continues to evolve.

GUIDING PRINCIPLES:

- Citywide and Regional Mindfulness
- Equity, Fairness and Transparency
- Cultural Diversity: people of color, new immigrants and indigenous peoples
- Education and Lifelong Learning

FOCUS AREA: Establish artist and art selection criteria

PRIORITY RANKING: MEDIUM

WHO IS RESPONSIBLE? ACC

YEAR ONE

Review artist selection methods outlined in this plan, as well as scenarios for both City-generated and community-generated projects. Determine recruitment effort needed to involve a community-engaged selection panel.

Create and maintain a growing list of community members who are qualified and interested in—or potentially interested in—serving on selection panels for City-generated projects. Based on the goals and criteria of the project, invite 5-7 individuals to serve on the panel. Be intentional about diversity of panelists, and having an artist on each panel.

YEAR TWO

Consider selection process for community-generated public art in which the artist is not predetermined, such as working with a developer to manage a public art competition. For each project, consider who are stakeholder groups, and how might each group be represented on the committee?

Remain open to bold, monumental art, small-scaled intimate art, and process-oriented community engagement efforts. Review the Public Art Possibilities proposals through the filter of the desired themes, geographic areas, etc. and see how many align, and which projects deserve further consideration or support.

YEAR THREE

Consider the development and implementation of annual art festivals. This may require the involvement of a partner, or build upon an existing or proposed festival. Consider inviting ideas from the community, without committing to fund one.

Maintain communications with past selection panelists, and consider surveying them regarding their experience. Request their input and suggestions for improving the process. Use input and survey results to adjust process.

YEAR FOUR

Revisit themes and maps. How useful have these tools been in terms of guiding criteria, project planning, etc.? How could they be improved or refined? Consider what additional information would help inform the updating of these tools.

Invite feedback from artists who have gone through the process of applying, being reviewed, and possibly being selected, in terms of the communications, the difficulty of meeting requirements, etc. Use the feedback to further refine the artist selection process.

ADDITIONAL CONSIDERATIONS

Goal	Year 5 +	Additional Considerations
1. Continue developing current projects, including art for City Hall, commissioning art for public spaces, and funding independently developed projects by individual artists and teams.	Evaluate program, overall and per project. Consider financial and staff resources, as well as priorities of the program.	Consider ways for community members with related expertise to participate in each project, as a selection committee member, advisor, or volunteer. Seek a mix of gender, ethnicity, and ages. Be mindful of the additional work involved in managing committees and volunteers.
2. Build the capacity of the Arts and Culture Commission and the effectiveness of the Public Art Program, strengthening the Commission's ability to govern the program, engage with Fargo community members, and serve as ambassadors for public art.		Consider partnering with local arts organizations that could offer gathering spaces for public art learning, cross-sector dialogues, networking and training, making and displaying work.
3. Provide adequate care and maintenance for City-owned public art, including documentation and collections management.		
4. Establish a clear and easily accessible process for artists and the private sector to create all kinds of public art in communities throughout Fargo. The process should engage the public in the selection, approval and awareness of art facilitated by the City.	Explore ways to expand the Public Art Program in the context of larger arts and cultural needs in the community.	Revisit staff and ACC capacity, roles, and responsibilities. Begin framing the City's public art program as a subset of larger arts and cultural development within Fargo. Consider commissioning an arts and culture master plan for Fargo.
5. Identify and secure permanent funding and support systems for public art, including administration, education, communications and maintenance. Beyond City support and inter-agency cooperation, consider private support, such as contributed income, partnership support and in-kind contributions of goods and services.	Cultivate relationships and identify new opportunities for the year. Analyze partnerships and begin to formulate project possibilities. Reach out for assistance and support	Consider the potential advantages and disadvantages of leadership turnover, including elected officials, City department heads, and other influencers in the community. Would there be any advantages if the public art program were part of a larger arts and culture initiative?
6. Ensure that public art is citywide, including sites of opportunities and districts identified in this plan. Empower residents and businesses to transform public spaces through artist-led practices, embrace the themes developed in the planning process, yet remain open to emerging opportunities as priorities shift and the city evolves.		
7. Pursue artistic excellence and foster diverse forms of public art.	Continue the Public Art Possibilities program. Consider other projects that could surface ideas of artists, creatives and community members, and grow an "Idea Bank" of accumulated public art possibilities for Fargo.	The potential to find support for public art projects increases exponentially when you have a visualization, a description, and a budget estimate. It may be possible to find sponsors that want to help realize projects developed by artists by using the Idea Bank concept and growing it over time.
8. Cultivate partnerships that will help fuel the growth of the public art program, including continued work with local arts institutions, other City agencies, the Park District, the School District, neighboring cities, and others.		
9. Establish incentives for developers wishing to integrate public art into their projects, and provide appropriate resources, expertise and services to further encourage their investment in public art.		
10. Focus on sites of opportunities as outlined in this plan, as well as the themes developed as part of the planning process, yet remain open to emerging opportunities and themes as larger priorities shift and city continues to evolve.		Remain open to emerging opportunities and themes as larger priorities shift and the City continues to evolve.

PUBLIC ART PROGRAM BUDGET PLANNING CONSIDERATIONS

A primary goal of this plan is to establish Fargo's Public Art Program as an effective City program with strong organizational capacity and measurable positive impact in the community. It is therefore critical to secure the funds needed to annually support the program and its administrative management. In addition to maintaining the City's growing public art collection, the program incorporates public art into city improvement projects, commissions new work in the community, and support local artists to contribute to Fargo's sense of identity and place.

The Arts and Culture Commission is responsible for establishing policies and securing funds (described in more detail in the Action Steps section). Obtaining adequate and sustainable funding for the program will enable the implementation of many other tasks outlined in the Action Steps section, and ensure Fargo's Public Art Program remains viable and effective.

Based on the public art program budgets of mid-sized cities in the Midwest, Forecast estimates that a modest public art program should have at least one full time Executive Director, a part time Project Manager, and Contracted Services, to support accounting, fundraising, communications, collections management, interns, and a budget for purchasing equipment, technology, supplies and expendables for meetings, etc. These items total to approximately $220,000 per year to run an effective public art program as outlined in this plan, starting in 2018.

A primary goal of this plan is to establish Fargo's Public Art Program as an effective City program with strong organizational capacity and measurable positive impact in the community.

The $220,000 does not include the funding needed for annual projects, such as commissioning new public art, curating exhibits at City Hall, providing grants to artists or organizations for independent projects, and maintaining the City's existing collection. These core activities require an additional $400,000.

Recognizing this is a new operation that is growing, this plan recommends a ramping up approach. This plan also recognizes this is a growing city metropolitan area with conflicting needs and prioritization of the City leaders and public.

Historically, Fargo's public art program has continually received approximately a 10% increase in funding for the past five years. In 2018, ideally the program support will grow by 18%, for funding totaling $235,000. A majority of this funding supports an existing City Arts Re-granting program, hosted by The Arts Partnership. This re-granting program, while important for the arts and culture community of the metropolitan area, is not necessarily earmarked for public art.

To align with the ten goals outlined in this report, and the recommendations to grow the program, the goal over the next five years would be to increase the program budget by 50%. This additional $150,000 a year will allow the City to support the following four core areas annually:

- Commissioning 2-3 new projects: $225,000
- Working with private sector and foundations to partner on commissioning 1-2 new projects or programming of public events: $225,000
- Curating art for City Hall, which will expand once the new City Hall opens: $60,000
- Providing grants to local artists and teams to create new work in communities throughout the city: $85,000
- Establishing an ongoing maintenance program: $30,000

The above program budget equals $400,000. The combined program and administration budget equals $620,000.

Ideally, Fargo's public art program would start the year 2019 with $350,000 and can commence the search for and hiring of a Program Director, who would in turn hire a Project Manager. If the budget goal needs to be achieved incrementally, Forecast recommends a five-year strategy of $150,000, 300,000/450,000/500,000/620,000 which would allow the Arts and Culture Commission to still hire an Executive Director in 2019, and subsequently add the Project Manager in 2020.

It's important to note that funding for the public art program should not be restricted only to allocations from the capital budget of the City, but give the program flexibility to have the greatest impact. In other words, it should support more than fixed, permanent art objects. Rather, it should allow for support of temporary projects, events, artist residencies, festivals, and creative community engagement activities.

APPENDIX 1

Planning Process, Findings,

Maps, Themes,

+ Public Art Possibilities

THE PLANNING PROCESS

The public art planning effort of Forecast for the City of Fargo began in November of 2015, and started with an inquiry and information gathering phase. This phase included focus groups, Arts and Culture Commission (ACC) work sessions, interviews, location analysis, a call for *Public Art Possibilities*, analysis of existing local models, and discussions with the Downtown Development team. The plan also incorporates the expertise of the consultant team. The planning team consisted of Forecast Public Art Community Services members Jack Becker, Jen Krava, and Kirstin Wiegmann; HKGi landscape architects Jeff McMennimen and Gabrielle Grinde; and local community organizer and arts consultant, Karis Thompson. Over several trips, the team toured the city, researched current public art and culture projects and events, reviewed recently produced planning documents, and facilitated meetings with the Arts and Culture Commission to further understand Fargo's people, places, and artistic needs.

Forecast conducted seven focus groups involving more than 50 people, 10 one-on-one conversations, and collected 26 submissions to the *Public Art Possibilities* call for participation. We hosted a mapping workshop and cross sector dialogue at the Plains Art Museum. The information gathered through these channels helped Forecast understand the public art needs and wants of the citizens of Fargo, as well as the locations throughout the entire city that would be conducive to, or benefit from, public art projects. (See appendix for list of participants in the planning process).

ADVISORY CONVERSATIONS

Conversations with City of Fargo staff, elected officials, the appointed Arts and Culture Commission and Planning Commission, Park District staff and arts leaders afforded context and set expectations for Fargo's public art planning process and surfaced questions stakeholders hoped the plan will resolve. Among the expectations expressed were:

1. Craft a vision for public art as a catalyst for expansive thinking, cultural evolution, social openness and cohesion, and chart out a plan for public art beyond murals, monuments and memorials.
2. Invite stakeholders and the public to see the community from the point of view of visitors and imagine compelling art within the public realm.
3. Engage neighborhoods throughout Fargo, and identify opportunities for public art both within and beyond downtown.
4. Align recommendations with Fargo's downtown master plan, workforce development and attainable housing strategies and bike and transit infrastructure.
5. Integrate public art into the design of Park District-owned

spaces.
6. Define roles for and relationships between Arts and Culture Commission, elected officials, and City staff.
7. Balance governance with public championing and communication. Illuminate distinct roles for the public and private sectors.
8. Structure a maintenance plan.

ADVISORY CONVERSATIONS + SITE VISITS

City officials and staff, neighborhood leaders, community builders, arts and civic organization representatives introduced the Forecast team to sites currently hosting and sites with potential for hosting public art, yielding and confirming these insights and ideas:

1. To devise and deploy public art projects, engage distinct stakeholder cohorts, including neighborhoods and young residents. Show up when and where people already congregate.
2. Capitalize on opportunities to integrate public art with major infrastructure and public investment projects. Employ public art to better connect downtown with the river along 2nd Avenue and the Civic Center plaza. Use temporary public art and creative activities to mitigate negative impact of construction.
   - Downtown streetscapes – Main Avenue section (2018)
   - Red River diversion / levee project
   - Civic Center / City Hall – interior and exterior
   - Detention ponds citywide – distill learning from *Fargo Project*
   - River crossings, bridges, trails
   - Block 9 – including artist on design team
   - Alleys – for placemaking and public art
   - Upgraded parks and playgrounds
   - Tunnels – take advantage of 9-month tunnel closing to allow artists to create artworks that increase sense of safety
3. Define how Fargo can benefit from public art. Consider policy changes to incentivize public art opportunities – percent for public art requirements (public and private), artist-in-residence position (City staff role) and artist involvement in planning and public works projects. Identify a meaningful and attainable level of initial funding and then discuss ongoing funding. Recognize political dimensions to relationships between art entities in Fargo.
4. Utilize public art to build social cohesion and cement neighborhood identity – parks, plazas, greenways, outdoor amphitheaters, etc. In core city neighborhoods like Jefferson and Madison, introduce temporary and enduring public art to: a) replace amenities concentrated in other neighborhoods; b) capitalize on existing neighborhood interactions and initiatives and establish or enhance public gathering spaces; and c) invite people in through gateways.
5. Continue to expand the definition of public art through creative approaches. Designate sticky hashtag to surface public art potentials on social media platforms – possibly #insertpublicart, #fargopublicart #publicartfargo. How do we engage community

How could public art connect us with each other and facilitate interaction and integration?

How could everyone—regardless of tenure—feel ownership of public spaces and a stake in the life of the community?

stakeholders and artists in dialogue about public art?
6. Consider the process for developing public art as important as the outcome. Create platforms for serial encounters between members of Fargo's increasingly diverse population.
7. Inventory recommendations for preservation and maintenance of public art.

FOCUS GROUPS

Diverse stakeholders representing foundations, faith communities, civic organizations, neighborhood associations, place-based agencies, youth programs, community gardening and food advocacy networks disclosed their visions for public art in Fargo:

- Fargo = the right size. Large enough to host diversity. Small enough to know each other.
- Connected individuals with cultural fluency and relationships can pursue ideas and implement initiatives quickly.
- Remember that not everyone living here came here by choice – extraction industry workers, migrant laborers, refugees.
- Feeling: being perceived as a Fargoan should not be contingent on being white.
- How could public art encourage or legitimize deviance from (white, Midwestern) cultural norms? Diversity = a definite asset.
- How could people experiencing homelessness interact with public art?
- Public art should belong to and represent the community.
- Introduce public art in places where youth gather. Engage their insight about their own lives and imagination for public art.
- We need dedicated spaces to congregate as a community, alongside meditative spaces – shelters, respites – to energize our public life.
- Think beyond visual art – band shell, concerts in the park.
- Introduce and interpret The Fargo Project to local stakeholders and potential champions – the CVB, for example.
- Find less congested, less visible places for public art to introduce people to new communities and terrains and ease tension, felt disparities between downtown community and the rest of Fargo.
- Set up multiple town centers and mini hubs.
- Art could establish the identities of neighborhoods and utilization of public spaces on the south and west edges of town.
- Public art could help bridge Fargo and Moorhead.
- Amend policies to permit busking, food trucks and carts, and street art.
- Political landscape – federal, state, local – could shift climate for introduction of public art.

PUBLIC ART THEMES

Based on the plan's inquiry process, including focus groups, ACC work sessions, interviews, location analysis, responses to the Public Art Possibilities call for ideas, and analysis of existing local models, several themes emerged that could guide criteria for public art projects throughout the city. These themes should be utilized as overarching criteria for evaluating City-Generated public art projects throughout Fargo. In addition to the themes described in more detail on the following pages, a series of maps were developed to suggest key locations around the city where these themes would have the most relevance. The maps, starting on page 76, utilize a corresponding set of graphic symbols developed for each theme:

Embrace Winter and Seasonality

Fargo's climate provides opportunity for art events, installations, and activities year round. Public art can help celebrate the cold of winter, the warmth of summer, and everything in between. This can be done through a variety of season specific projects and events.

Celebrate the River

Public art that focuses attention on Fargo's river can increase use of this natural resource, as well as raise awareness of its value, and the importance of river stewardship. The art can be kinetic, interactive, and engage people in fun and educational ways—day and night, in all seasons.

Water Appreciation

Expand upon The Fargo Project, using art and landscape to increase community awareness and understanding about Fargo's watershed, drinking water, stormwater ponds & runoff, drainage ditches, the FM Area Diversion project, and more. Public art can also help create a connected network of parks and trails using waterways, and build a sense of identity for Fargo neighborhoods.

Emerging Cultural Diversity

Public art is a powerful tool that can bring communities together and create opportunities for understanding and awareness building between different cultures. It can help raise the currency of human values and bring out the human qualities in us.

The City on the Great Plains

Use BIG art, earthworks and land art to emphasize the vast landscape that Fargo is built upon. Major roadways, corridors and gateways can be planted with prairie, savanna and orchard plants to emphasize the historical nature of the land, and artworks can capture the pioneering spirit of Fargo's culture. Use the momentum of Sodbuster's re-installation to inspire big ideas and bold visions.

EMBRACE WATER AND SEASONALITY

Fargo's climate provides opportunity for art events, installations, and activities year round. Public art can help celebrate the cold of winter, the warmth of summer, and everything in between. This can be done through a variety of season specific projects and events.

Festival du Voyageur, Winnipeg, MB, Canada.
Image Source: http://res.cloudinary.com/simpleview/image/upload//c_fit,w_800,h_600/crm/winnipeg/Festival-du-Voyageur_cc6cb512-5056-a36a-0977465e6f681263.jpg

St. Paul Winter Carnival.
Image Source: http://kendrickerickson.com/pictures/wintercarnival2004/

Art Shanties on White Bear Lake.
Image Source: http://whitebeararts.org/#201400046

St. Paul Winter Carnival.
Image Source: http://www.minnesotamonthly.com/Blogs/Minnesota-Journeys/January-2014/126th-Annual-Saint-Paul-Winter-Carnival/

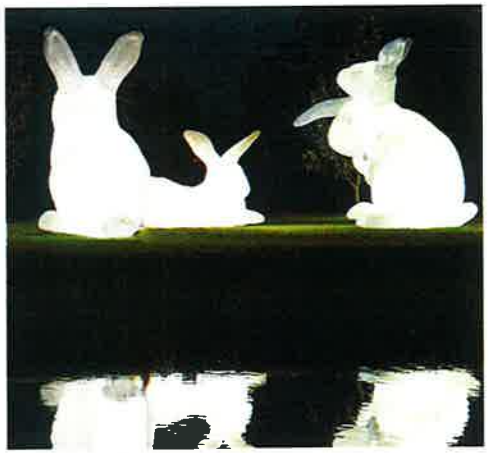
Sling Swings at Toronto Winter Public Art Festival.
Image Source: http://www.blogto.com/slideshows/winter-stations-public-art-toronto-2015/5163/

Ice Fountain.
Image Source: http://edenprairieweblogs.org/scottneal/post/281/

Floating umbrellas, Portugal.
Image Source: http://www.ovaliantv.com/wp-content/uploads/2014/07/Umbrellas2.png

Sunflower, California
Image Source: http://www.pelicanhillmagazine.com/files/Sunflower-Patricia-Vader-Newport-Civic-Center-Park-900x1200.jpg

Harvest Gates, Southampton, UK
Image Source: http://amondorandalldesign.co.uk/?page_id=254



Intrude, several locations.
Image Source: https://news.artnet.com/market/spring-public-art-previewnew-york-327078

CELEBRATE THE RIVER

Public art that focuses attention on Fargo's river can increase use of this natural resource, as well as raise awareness of its value, and the importance of river stewardship. The art can be kinetic, interactive, and engage people in fun and educational ways—day and night, in all seasons.

Dragon Boat Festival, Lake Phalen, St. Paul, MN.
Image Source: http://photos.captureminnesota.com/photos/E6otNVr45N46gIAgoWlcYQ/showcase.jpg

Horses in Grand Rapids.
Image Source: http://www.mlive.com/artprize/index.ssf/2013/03/artprize_2013_deadline_looms_for_artists_who_want_to_use_grand_river_to_install_art_during_fifth_sho.html

Winnipeg Fish.
Image Source: https://www.pinterest.com/pin/561964859726045555/

Artistic House Boats that engage and entertain people along the river.
Image Source: http://www.wired.com/2013/07/hobo-steampunk-boats-house-river-running-art-collective/

Wishing Spheres in Singapore River.
Image Source: http://www.straitstimes.com/singapore/heres-hoping-for-a-good-year-ahead

WaterFire Festival, Providence, RI
Images Source: http://artsfwd.org/wp-content/uploads/2013/05/WaterFire002-640x420.jpg

WATER APPRECIATION

Expand upon the *Fargo Project*, using art and landscape to increase community awareness and understanding about Fargo's watershed, drinking water, stormwater ponds & runoff, drainage ditches, the FM Area Diversion project, and more. Public art can also help create a connected network of parks and trails using waterways, and build a sense of identity for Fargo neighborhoods.

NC Museum of Art Pond Project - stormwater runoff into bioretention terraces and wetland
Image Source: https://www.pinterest.com/pin/103231016433542317/

The Fargo Project - model.
Image Source: http://www.thefargoproject.com/

Maplewood Mall interactive stormwater demonstration project.
Image Source: http://www.corridorsofopportunity.org/Corridors_News/open-space-public-art-support-stormwater-management

Fargo Sandbag Project.
Image Source: http://forecastpublicart.org/public-art-review/current-projects/2012/08/fargo-sandbag-project/

Tanner Springs Park, Portland, OR.
Image Source: http://sukirgenk.dvrlists.com/portland-riverfront-district-open-space-plan-portland-oregon.html

Quarry Rings, Seattle, WA
Image Source: http://www.adamkuby.com/commissions/#/quarry-rings/

EMERGING CULTURAL DIVERSITY

Public art is a powerful tool that can bring communities together and create opportunities for understanding and awareness building between different cultures. It can help raise the currency of human values and bring out the human qualities in us.

Soundtrack of Phillips by Mankwe Ndosi.
Image Source: http://www.tcdailyplanet.net/creating-love-letter-neighborhood/

Rio 2016 Mural by Eduardo Kobra.
Image Source: http://www.digitalartsonline.co.uk/features/graphic-design/inspiring-olympics-paralympics-art-design-projects/#8

Move With Us by Roshani Thakore and Fumi Nakamura.
Image Source: http://qns.com/story/2014/10/29/public-art-project-to-celebrate-queens-diversity/

This Home is Not For Sale by Witt Siasoco.
Image Source: http://wittsiasoco.com/THIS-HOME-IS-NOT-FOR-SALE

Conflict Kitchen by Jon Rubin and Dawn Weleski.
Images Source: https://pbs.twimg.com/media/CIRj7EzXgAA7oOm.jpg

THE CITY ON THE GREAT PLAINS

Use BIG art, earthworks and land art to emphasize the vast landscape that Fargo is built upon. Major roadways, corridors and gateways can be planted with prairie, savanna and orchard plants to emphasize the historical nature of the land, and artworks can capture the pioneering spirit of Fargo's culture. Use the momentum of *Sodbuster*'s re-installation to inspire big ideas and bold visions.

Concepts for electricity pylons by DesignDepot, Moscow, Russia.
Image Source: https://pbs.twimg.com/media/CCOhkyUgAA1gh.jpg

Running Fence. Christo and Jeanne-Claude. CA.
Image Source: http://christojeanneclaude.net/__data/d894784662793bd2aba1dfe85c2e9a63.jpg

Colossal earthwork of Stan Herd.
Image Source: http://twistedsifter.com/2015/09/colossal-earthworks-by-stan-herd/

Proposed interstate landscape project in Kentucky with tallgrass prairie, trees, and solar panels.
Image Source: http://www.boalter-design.com/projects/#civic-institutional

Sodbuster sculpture in Fargo. Consider furrows in the ground behind Sodbuster to contextualize the surrounding landscape.
Image Source: http://plainsart.org/weblog/

Bignik picnic blanket, Stein, Switzerland.
Image Source: http://geyserofawesome.com/post/90402068432/behold-the-summery-awesomeness-that-is-the-bignik

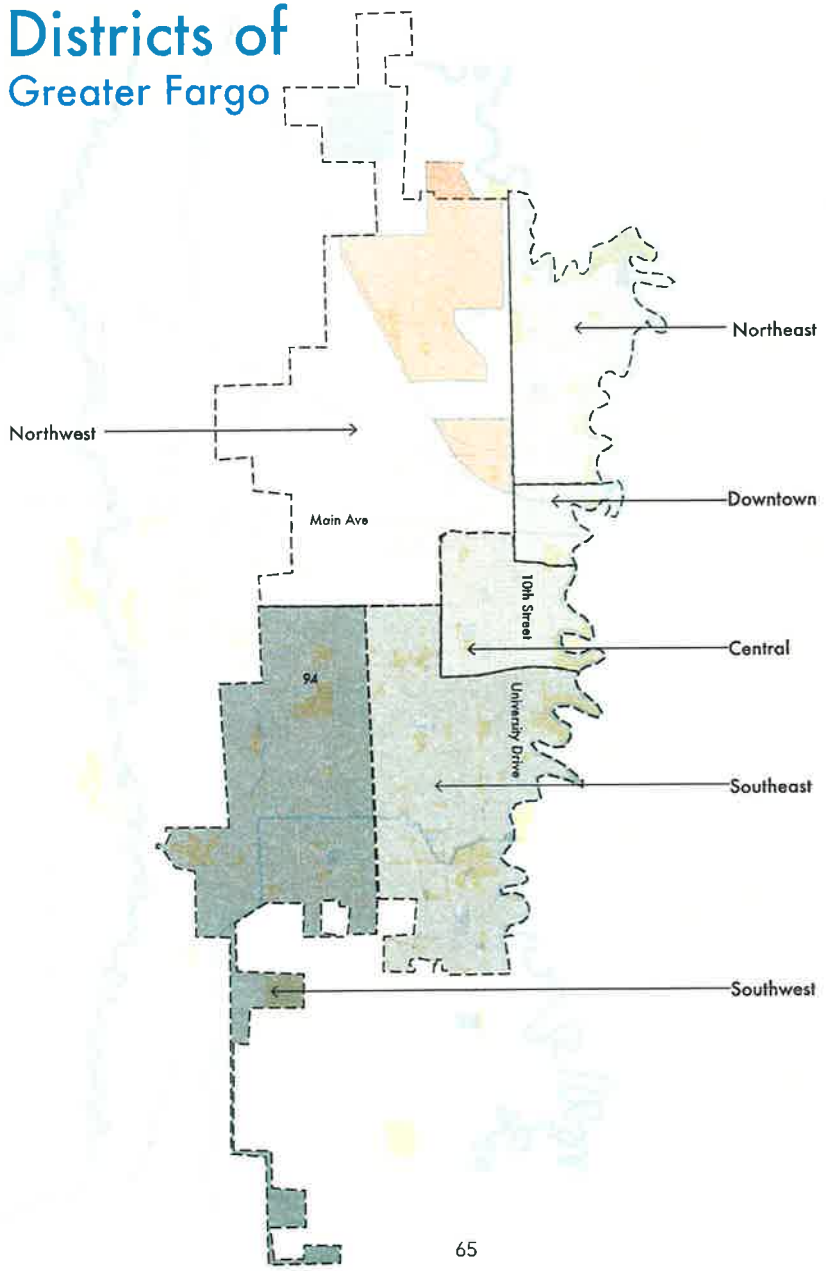
MAPPING FARGO DISTRICTS AND PUBLIC ART OPPORTUNITIES

As part of the planning process, the Forecast consulting team studied the layout of the city, seeking to better understand the character and identity of Fargo, its downtown, residential areas, industrial and commercial areas, as well as its transportation system that allows residents and visitors to connect with the resources of the City, and each other. A new map of Fargo emerged, suggesting six distinct quadrants, districts and nodes—each with their own characteristics—informing the kind of public art and placemaking that might be needed or considered during the next decade or two.

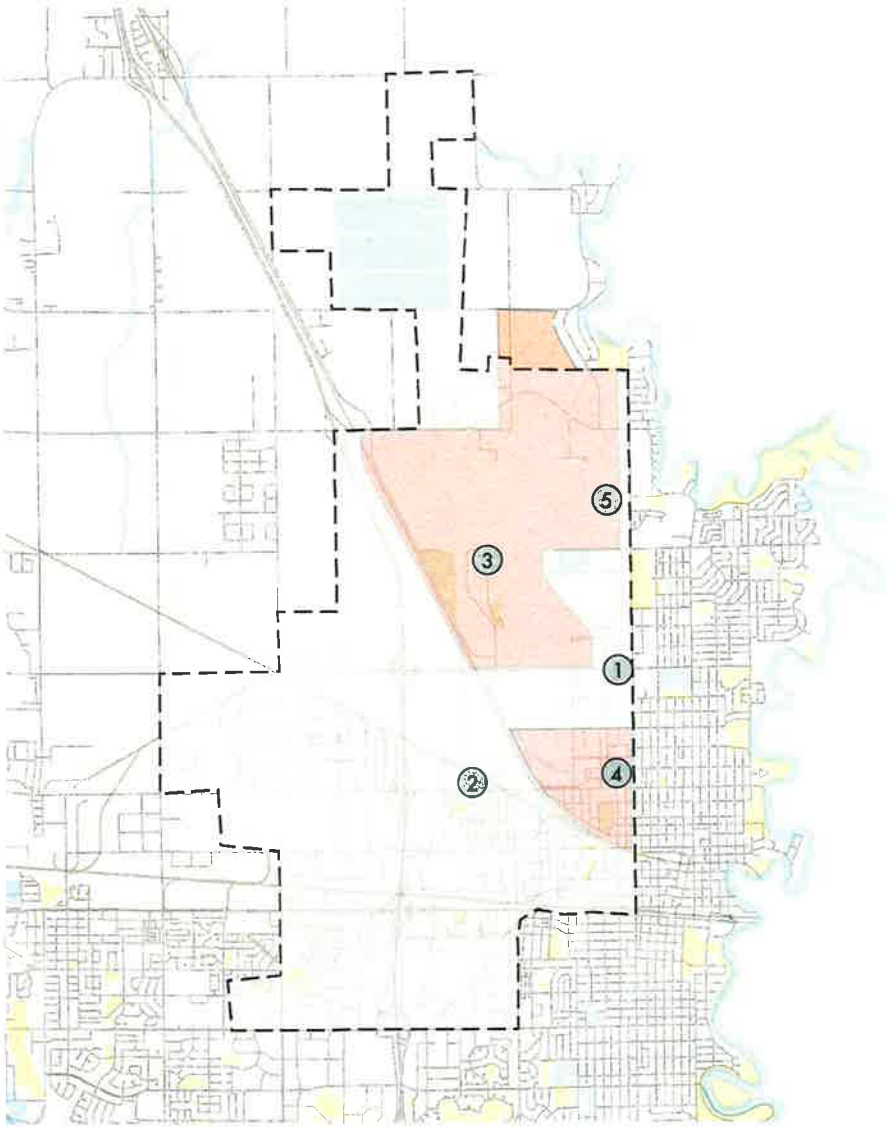
Reconsidering Fargo as a collection of distinct districts or zones allows for a public art strategy that is citywide, and not just focused on the downtown core. It also fosters development of district characteristics and authentic identities, helping define Fargo's physical and cultural landscape. It also enables the development of Small Area Plans, empowering residents and businesses in Fargo to transform public space through artist-led practices. A nationally-recognized example where this has proven effective is *The Fargo Project*, led by artist Jackie Brookner. www.thefargoproject.com

Several opportunity sites were identified, either as part of future developments, community improvements, or environmental remediation efforts. These sites were later reviewed through the lens of the five themes that were developed as part of the planning process and intended to guide decision-making, inspire artistic thinking, and add a sense of overall coherency to Fargo's growing collection of public art.

Districts of Greater Fargo



Northwest Fargo



- Airport
- NDSU campus
- Wide road corridors [I-29]
- Tech district
- Sports Complex
- NDSU ag plots

1 FargoDome

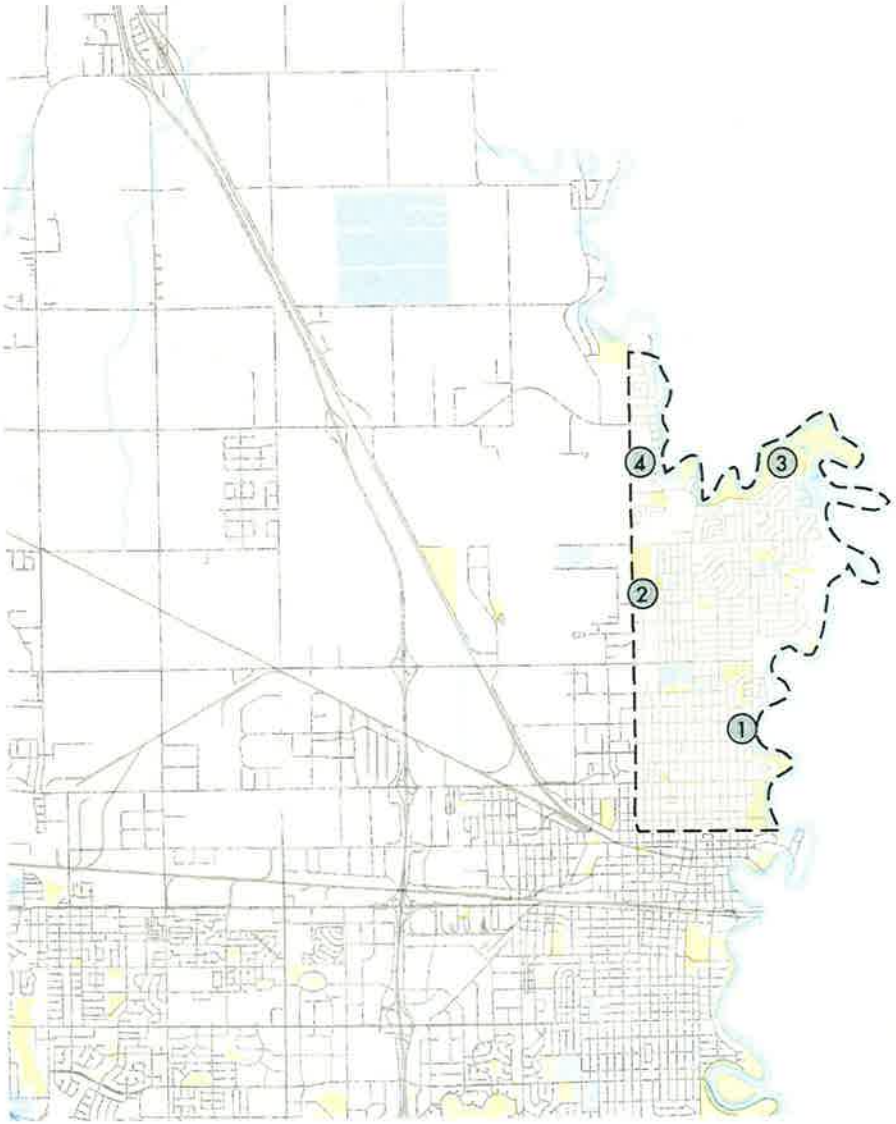
2 Grain bins on 12th Avenue N

3 Airport

4 NDSU

5 Airport

Northeast Fargo



- 1950's - present residential neighborhoods
- Neighborhood parks, schools, golf courses
- Red River corridor

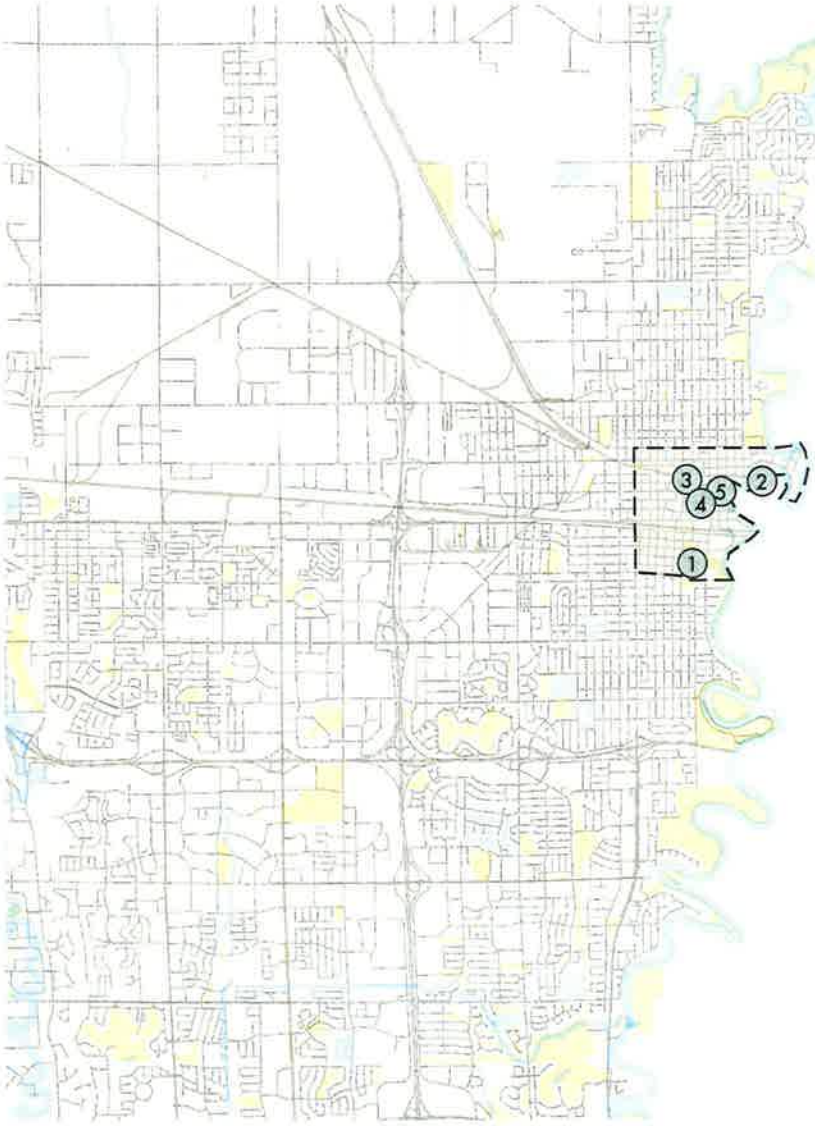
1 View of the Red River from El Zagal Golf Course

2 Children's Museum at Yunker Farm

3 Trollwood Park

4 Fields along N University Drive

Downtown Fargo



- Historic downtown
- Broadway corridor
- Parks and civic buildings
- River access and crossings

1 Island Park

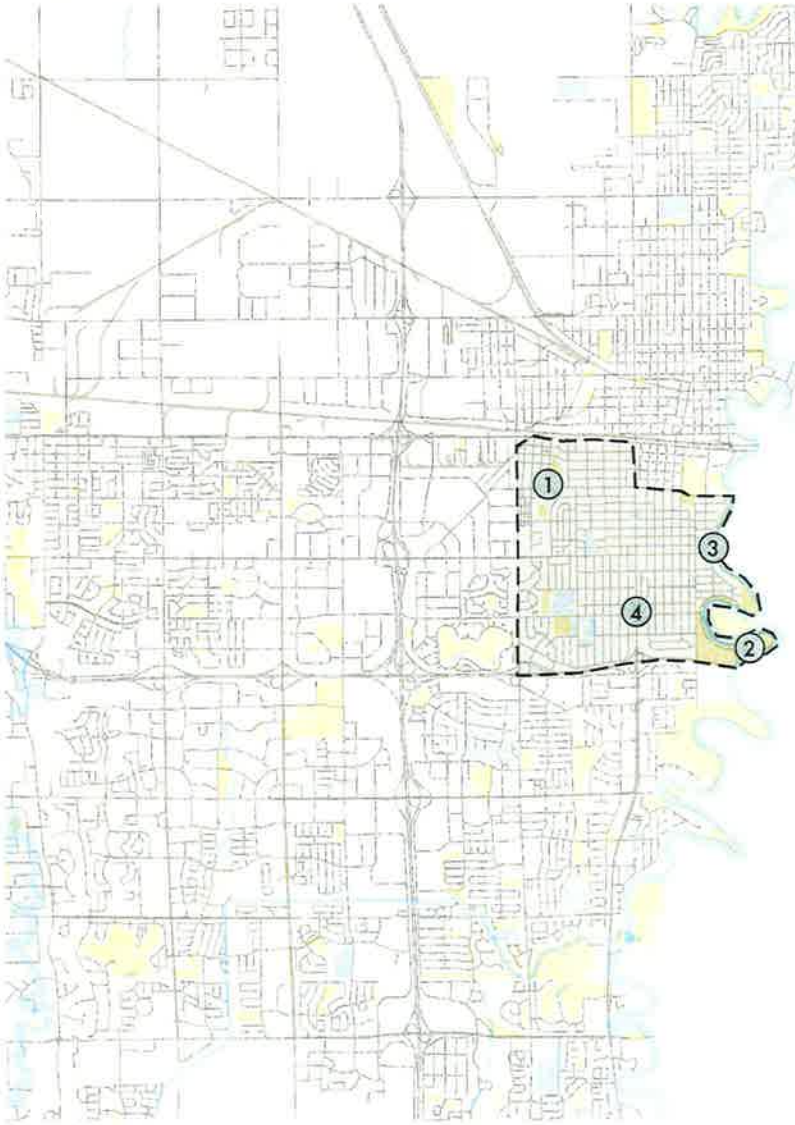
2 Wildflower Grove

3 Roberts Alley

4 Broadway

5 Fargo Civic Campus

Central Fargo



- Historic Fargo neighborhoods and parks
- Red River Corridor
- Walkable

1 Jefferson West Park

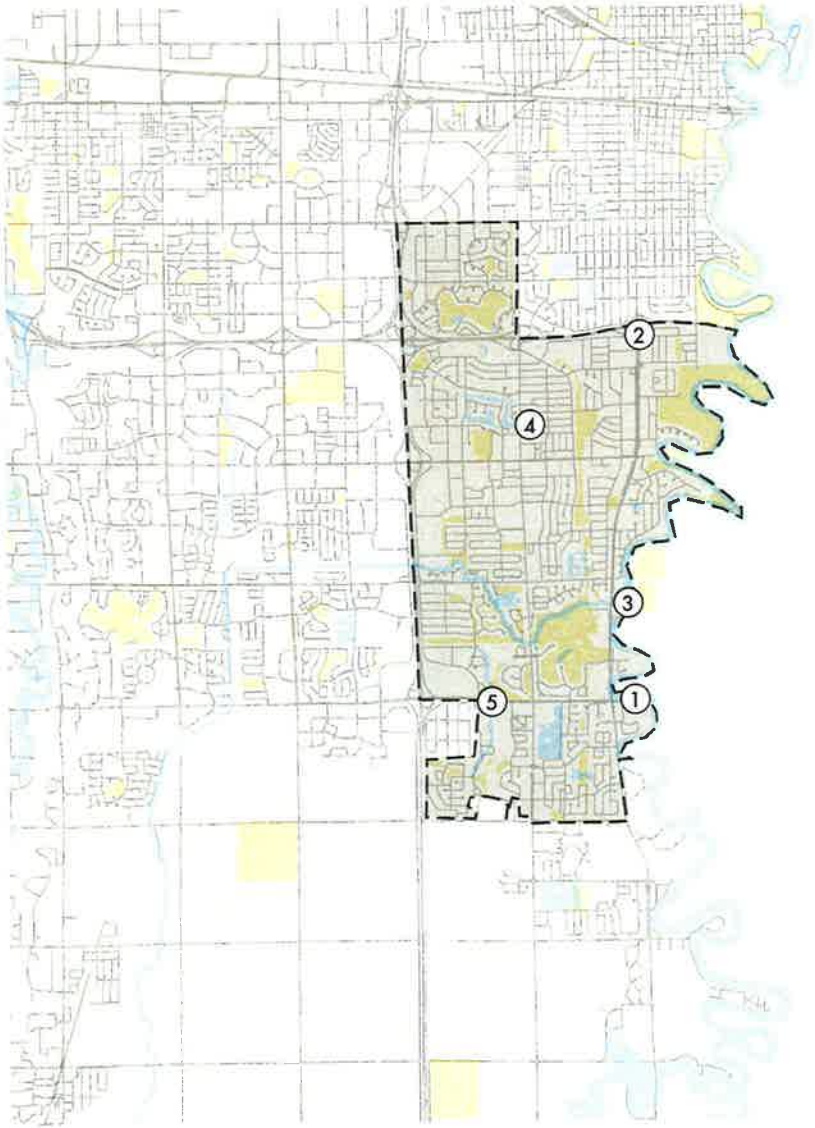
2 Lindenwood Park

3 Levee and flood wall at 13th Avenue

3 Levee and flood wall at 13th Avenue

4 University Corridor

Southeast Fargo



- Red River Corridor
- 1950's - present residential neighborhoods
- Schools and parks integrated into neighborhoods

1 Iwen Park Boat Launch

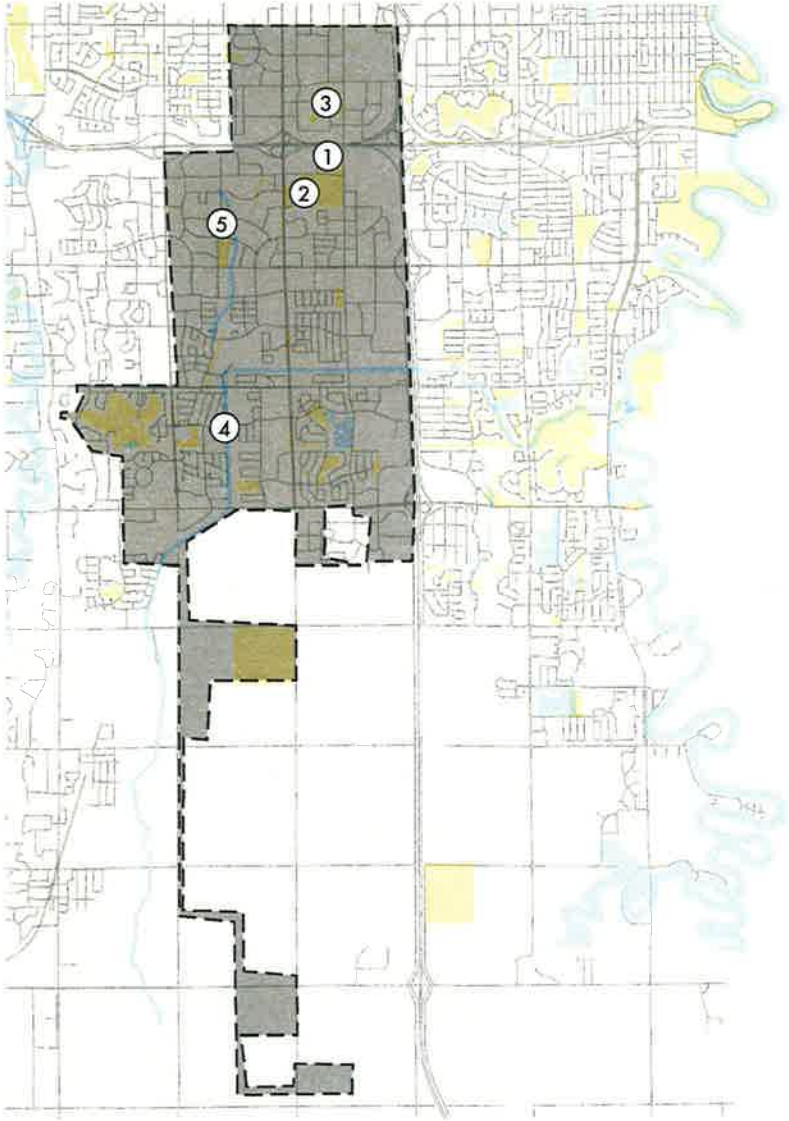
2 5th Street under I-94

3 Lions Conservancy Park

4 Rheault Farm

5 Bike trail and drainage ditch from 52nd Avenue

Southwest Fargo



- Extensive stormwater basins and drainage ditches
- Wide open view corridors
- Big, new commercial and mixed use development
- Single-family residential developments
- The Fargo Project
- Red River Zoo

1 Red River Zoo

2 Urban Plains Park

3 The Fargo Project

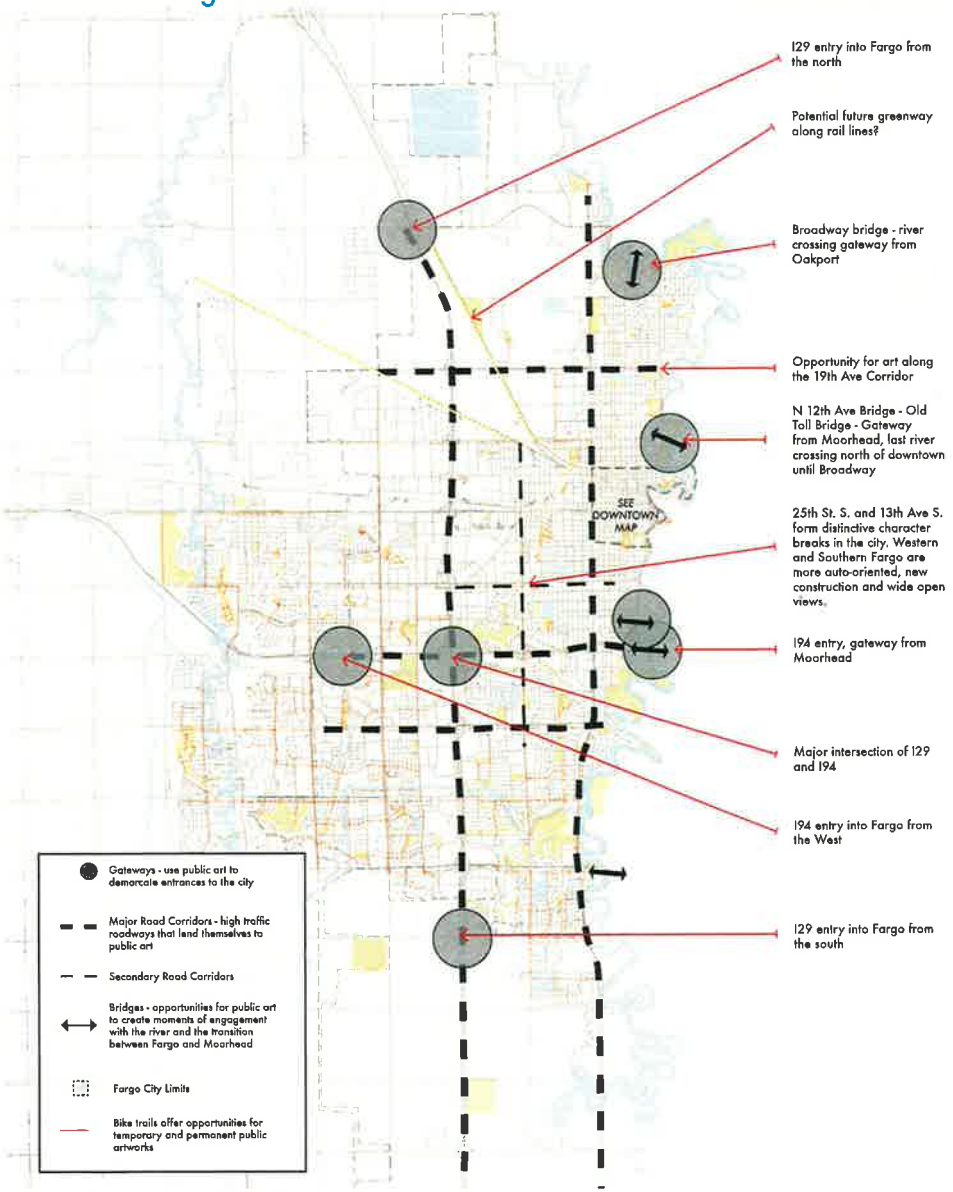
4 Osgood neighborhood

5 Scheels Arena

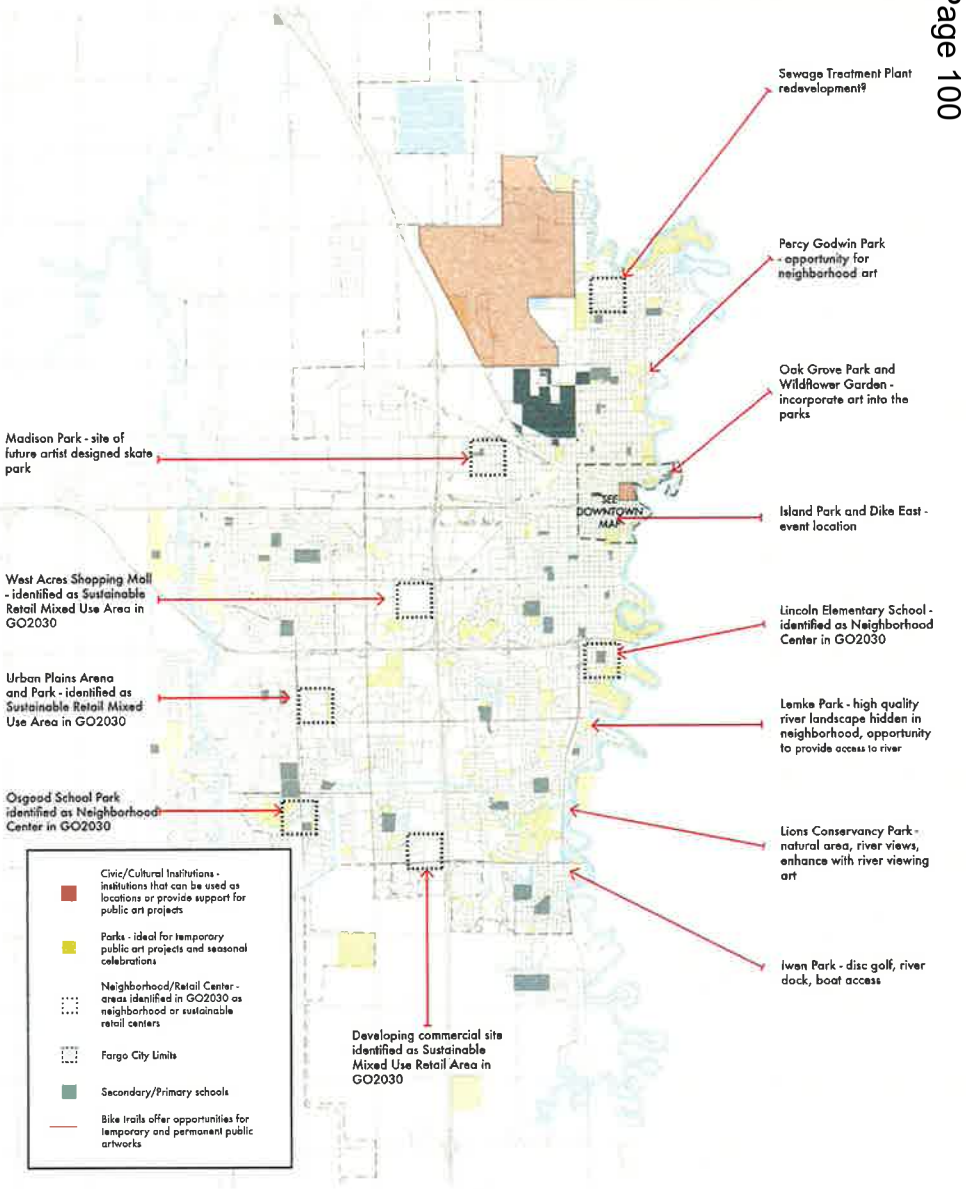
Locations for Public Art

Greater Fargo

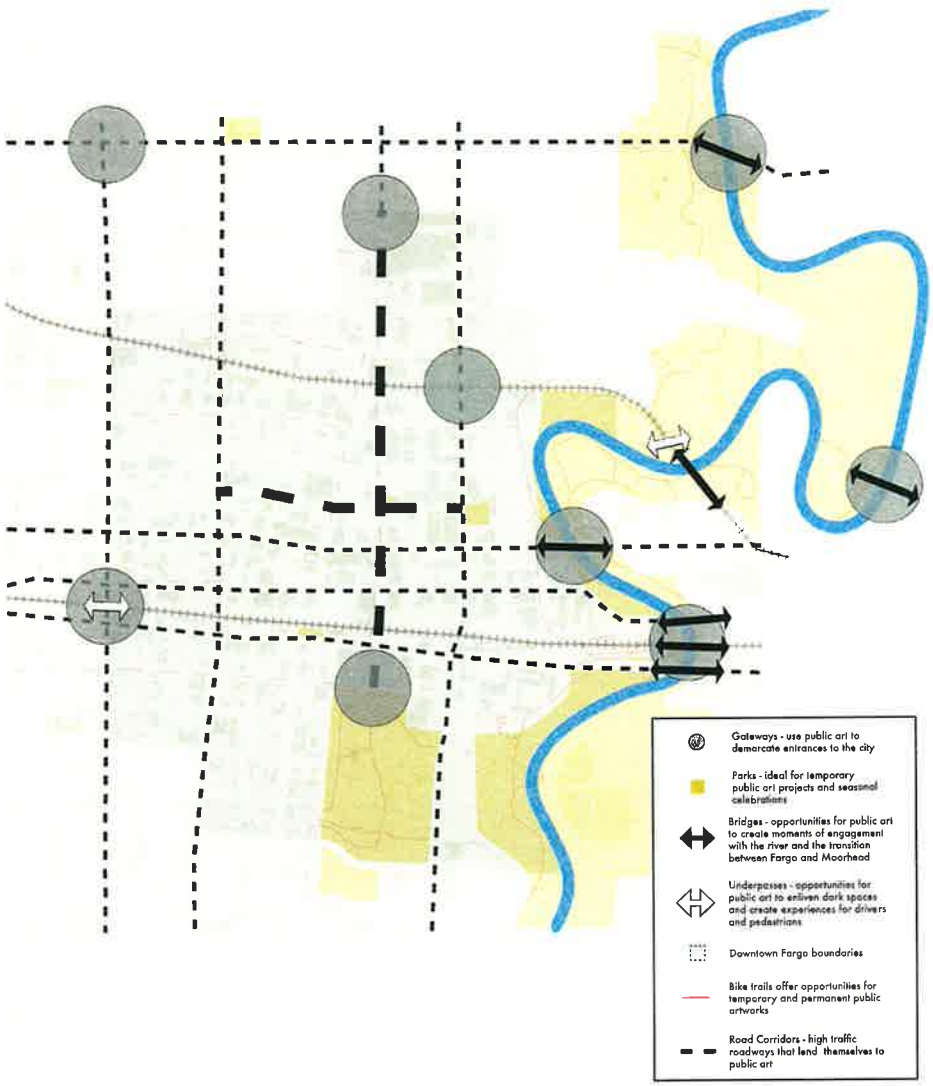
TRANSITWAYS



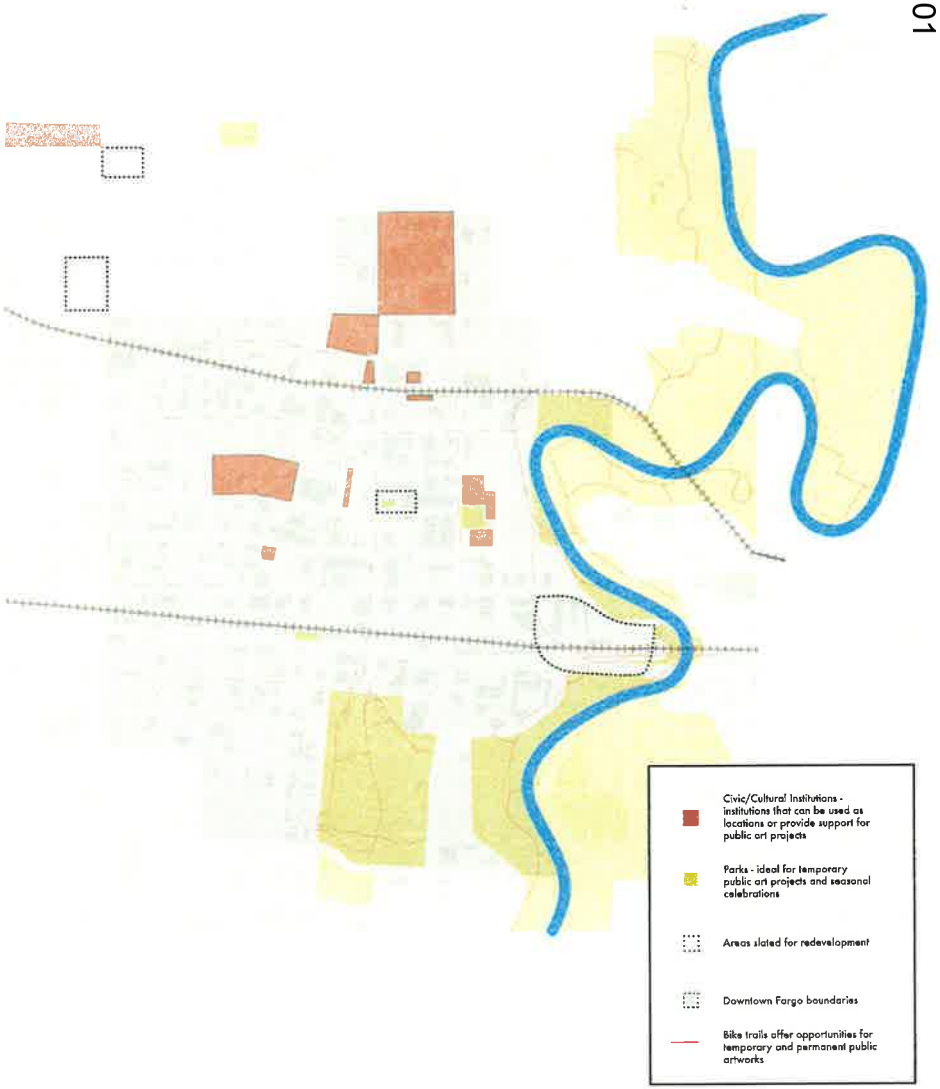
CULTURAL INSTITUTIONS & PARKS



TRANSITWAYS



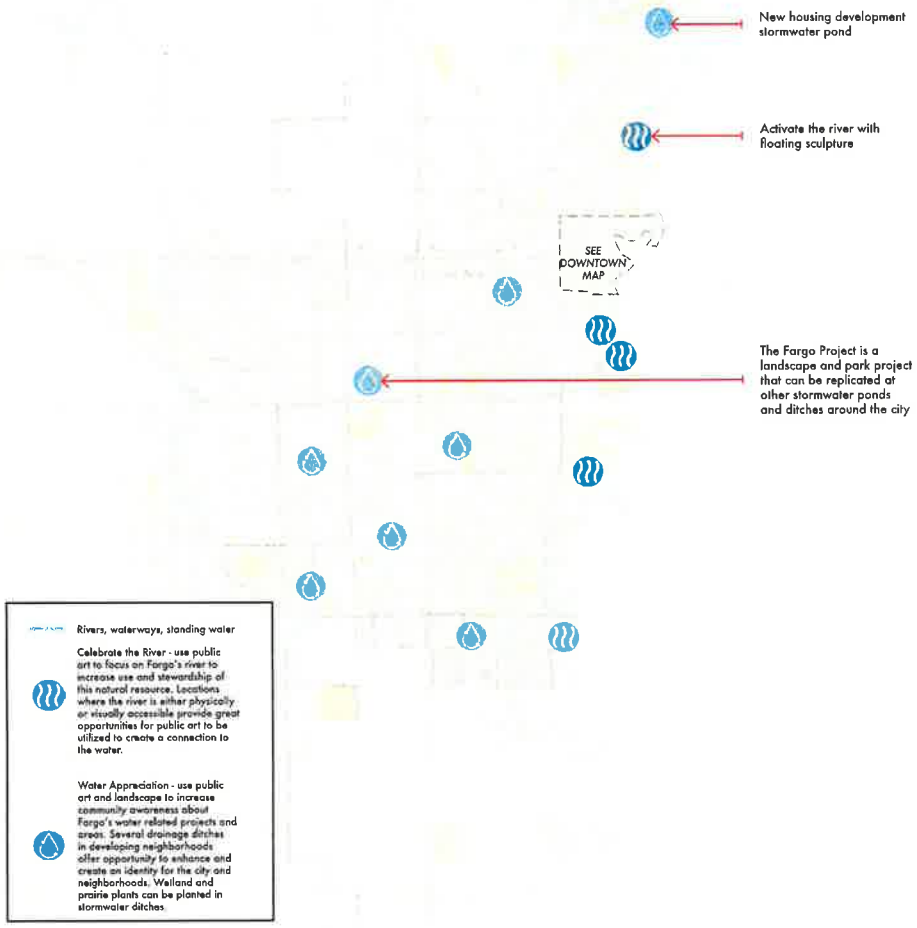
CULTURAL INSTITUTIONS & PARKS



Thematic Map of Public Art Opportunity Sites

(see page 52 for information about public art themes and topics).

CELEBRATE THE RIVER
WATER APPRECIATION



Rivers, waterways, standing water

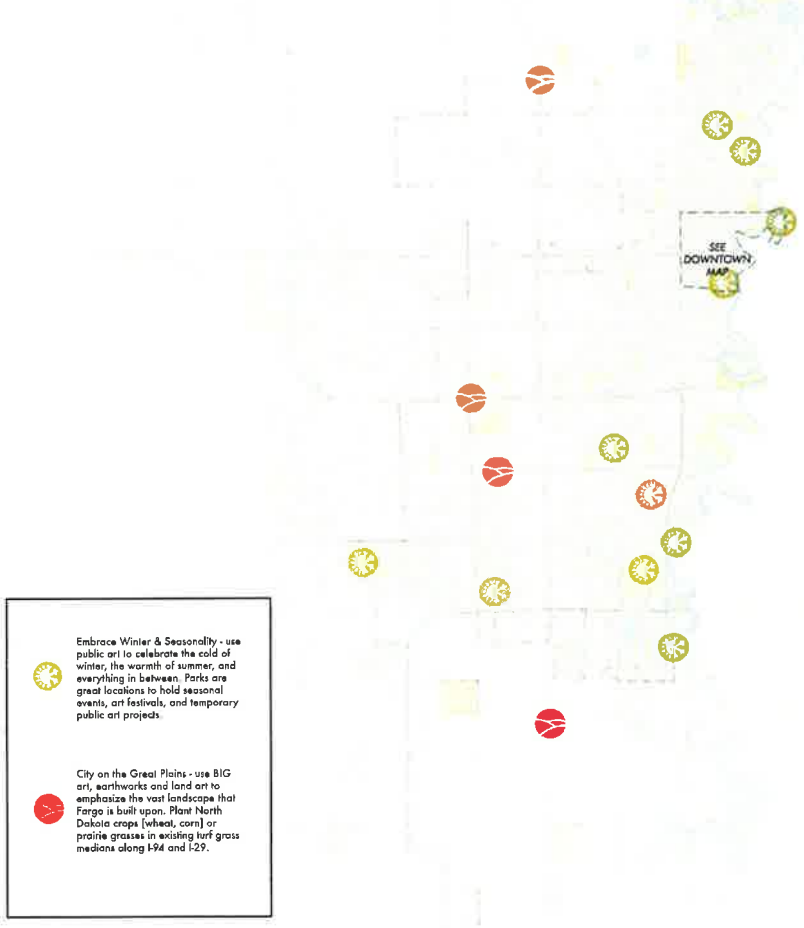
Celebrate the River - use public art to focus on Fargo's river to increase use and stewardship of this natural resource. Locations where the river is either physically or visually accessible provide great opportunities for public art to be utilized to create a connection to the water.

Water Appreciation - use public art and landscape to increase community awareness about Fargo's water related projects and areas. Several drainage ditches in developing neighborhoods offer opportunity to enhance and create an identity for the city and neighborhoods. Wetland and prairie plants can be planted in stormwater ditches.

Thematic Map of Public Art Opportunity Sites

(see page 52 for information about public art themes and topics).

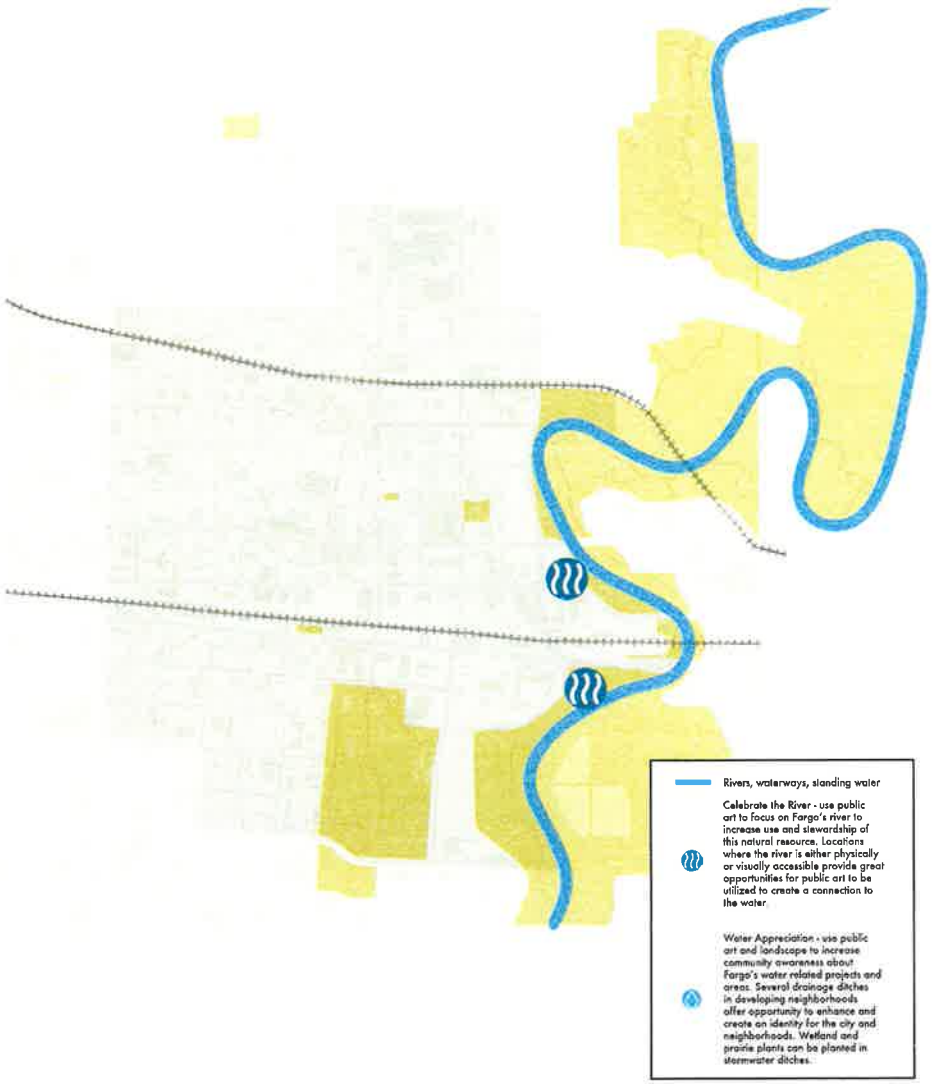
EMBRACE WINTER & SEASONALITY
CITY ON THE GREAT PLAINS



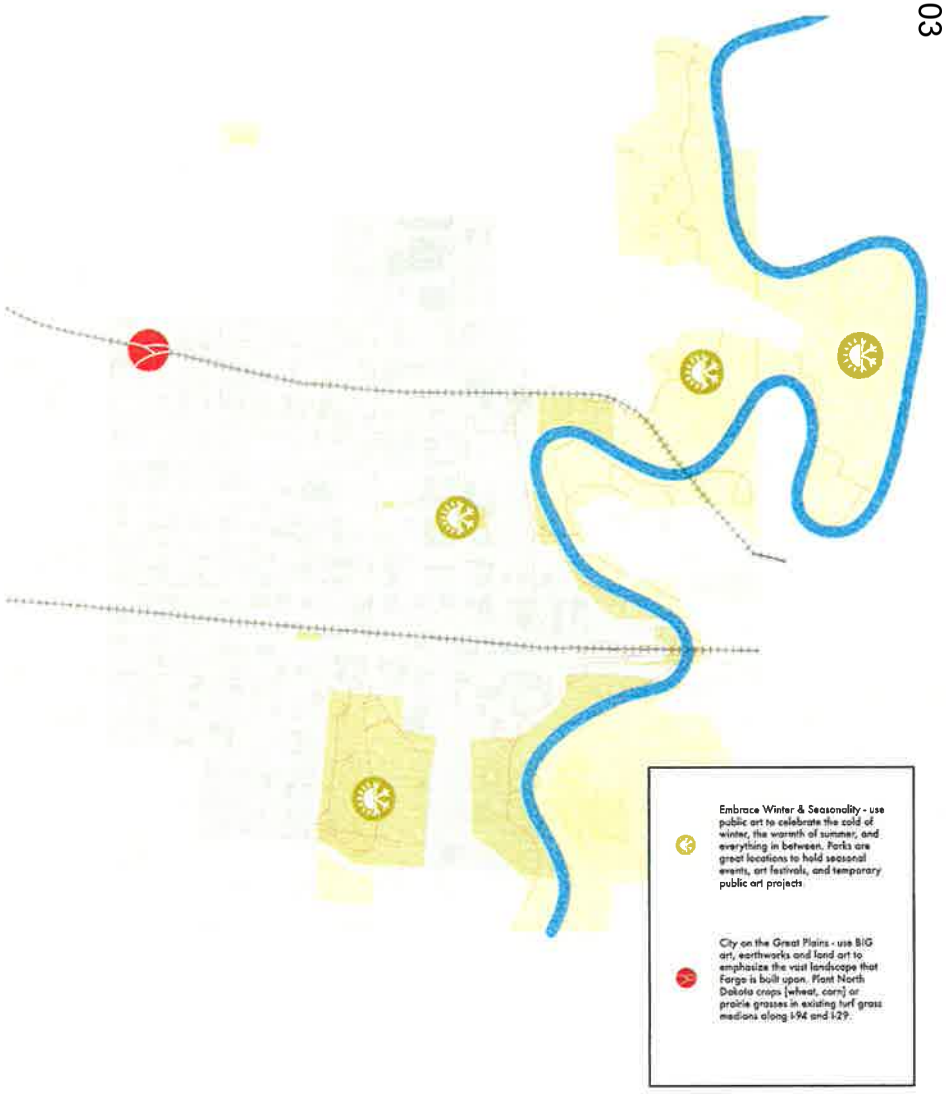
Embrace Winter & Seasonality - use public art to celebrate the cold of winter, the warmth of summer, and everything in between. Parks are great locations to hold seasonal events, art festivals, and temporary public art projects.

City on the Great Plains - use BIG art, earthworks and land art to emphasize the vast landscape that Fargo is built upon. Plant North Dakota crops (wheat, corn) or prairie grasses in existing turf grass medians along I-94 and I-29.

CELEBRATE THE RIVER

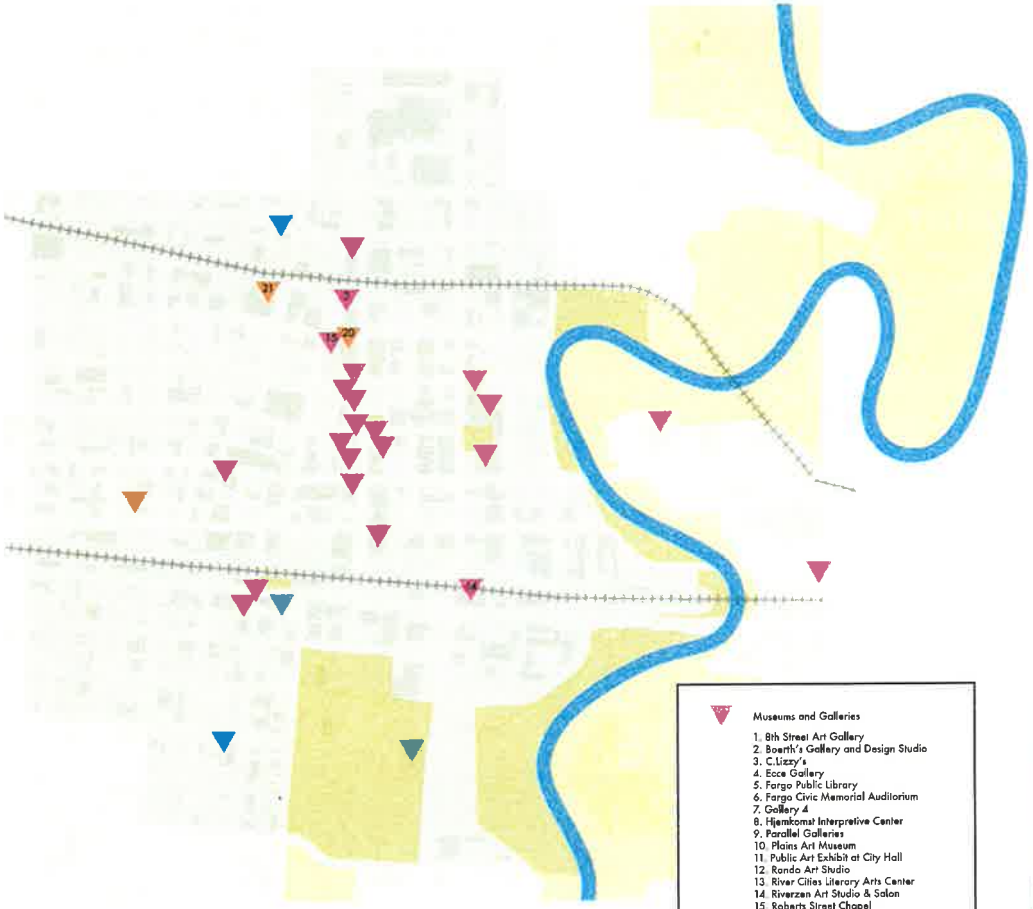


EMBRACE WINTER & SEASONALITY
CITY ON THE GREAT PLAINS



Current Cultural Assets

From Interface Studio



Museums and Galleries

1. 8th Street Art Gallery
2. Boerth's Gallery and Design Studio
3. C.Lizzy's
4. Ecce Gallery
5. Fargo Public Library
6. Fargo Civic Memorial Auditorium
7. Gallery 4
8. Hjemkomst Interpretive Center
9. Parallel Galleries
10. Plains Art Museum
11. Public Art Exhibit at City Hall
12. Rondo Art Studio
13. River Cities Literary Arts Center
14. Riverzen Art Studio & Salon
15. Roberts Street Chapel
16. Rourke Art Museum
17. Spirit Room
18. The Uptown Gallery
19. The Whipped Stitch
20. Aggie Block
21. Renaissance Hall

Attractions and Entertainment

21. The Fargo Theatre
22. Sanctuary Events Center
23. The Aquarium
24. Nestor Tavern

Performing Arts

25. Fargo Moorhead Community Theatre
26. Fargo Moorhead Symphony
27. F-M Ballet
28. Theatre B

Meadowlark Mural by Steve Knutson - photo by Steve Knutson

PUBLIC ART POSSIBILITIES

Public Art Possibilities is a collection of nine hypothetical ideas for public art projects in Fargo generated by artists and creatives from the region, who identified and interacted with the city as a venue for temporary and enduring public art.

Funded by the City of Fargo and facilitated by Forecast Public Art, the City's public art planning consultant, Public Art Possibilities was an invitation to reimagine Fargo's public realm and civic life. It asked creative stakeholders to share their ideas for public art and to spark imagination about the future of common spaces throughout the city.

26 applications were received by a mix of community builders and organizers, cultural leaders, and artists of all kinds — filmmakers, historians, musicians, painters, photographers, placemakers, poets, potters, writers.

A primary goal of Public Art Possibilities is to evolve individual and collective thinking about art within the public sphere. Additionally, the projects selected help introduce and expand the definition of public art, assess the capacity and skill sets of Fargo-based creatives related to the conceptualization and development of public art projects, and to determine the level of support and resources needed to initiate and implement projects in the public realm, and surface how the City of Fargo and Arts and Culture Commission can collaborate with creatives to realize public art projects.

The following pages contain finalist project ideas. The concepts of the selected artists were developed in to preliminary proposals, and are presented on pages 86-103. As concepts for possible public art, these projects can be utilized to inform City leaders and others about the potential of Fargo's public spaces and engaging community members in the art.

This process of inviting artists to envision Fargo as a venue for creative express can inform the City's public art program in the

following ways:

1. Provide an opportunity to combine traditional government process with bottom-up, grass roots methods, via artist-led engagements, helping amplify community voices, solve problems creatively, practice deep listening, and build relationships between artists and the City.

2. Foster entrepreneurs and private sector producers by offering a space where artists can pair with business, industry, schools, agriculture, technology, health care, etc.

   As a result of this exercise, Forecast learned there's a need to increase the perception of value for artists and what they can offer the community. Educational strategies can help raise awareness and appreciation.

   We also learned that artists need training and professional development to effectively work in the public art field. They need workspace, commissions, residencies and marketing help.

3. Create new and effective ways the City can engage its communities by welcoming grass roots and artist-led community processes at the neighborhood partnership level. This may involve nonprofit leaders involved with places of worship, health care facilities, social service agencies, etc. It may also benefit from inter-agency partnering to operationalize artist and community collaborations.

   Departmental liaisons within City departments could be identified to build relationships with the ACC and City Districts [see District maps]. This could include leadership development and social networking opportunities while creating a peer network of leaders from all six Districts in Fargo. Fargo's Police Department currently has a liaison process which could be utilized as a case study to build a community engagement network within the City.

FARGO PORCHFEST

A music festival hosted by neighbors, building community through music

Rachel Asleson

Rachel Asleson a Fargo native, spends Saturdays trotting 1 to 13.1 miles around town, Thursdays at book club, Tuesdays with fellow members of Borderline Strings (playing cello), and enjoys Wednesday's Family-Dinner-Nite. She's the co-owner of Reach Partners where she works each day to create order from chaos.

Nothing beats a beautiful Fargo late-summer day with a walk down the block to take in a concert. New and old neighbors from up the street or down the hall gather outside to take in homegrown talents of the area's musicians. Lingering notes fill the space between people, drawing them in and through the shared experience, closer as a community.

Within the Clara Barton neighborhood between the river and University, people gather for shaded front porch, yard or driveway concerts. Fargo is home to talent that includes professional and amateur classical, funk, jazz, baroque, rock, funk, hip hop, bluegrass, acapella, community groups, ensembles and stand-alone musicians. Fargo PorchFest offers more than a great afternoon of music, it's a time to meet people, connect and share a unique experience with neighbors.

It does not need to be an amphitheater to be the perfect outdoor-venue for a successful concert. The public concert festival draws from the highly successful private house concert program by Shannon Curtis of California, home concerts by Russel Peterson of Fargo, and over 60 PorchFests that take place across North America.

Fargo PorchFest invites the region to

experience 30 musical performances on private driveways, yards, and porches between 1:00-4:00 PM on Sunday, September 10, 2017 within the Clara Barton Neighborhood. Musicians of any genre, acoustic or plugged-in, are invited to play for one-hour at a host's. The day is family-friendly and open to all. Normal rules of law and order apply and everyone remains responsible for their own behavior and welfare. Artists, enterprising organizations, and individuals are encouraged to make and sell art, food or coordinate an activity. Bring your own lawn-chair, roll out a blanket and enjoy. While not a condition of attending, tipping the musicians is encouraged.

With any number of venues and performers, the effort is largely grass roots. Fargo PorchFest's efforts are centralized on coordinating performances and generating a crowd. The marketing becomes a shared effort with venue's host and performers in gathering friends, family and neighbors, while the proximity and timing lends concert-goers to roam the 'hood to take in additional surrounding sounds.

Want to partner up with other artists and put a driveway market together? Go for it. Want to show and sell your work from your front yard? Heck yeah. Wanna work with kids to paint signs or put chalk art everywhere? Absolutely. Gotta dance? Then by all means, dance! In short, pretty much anything you want to do or create to make Fargo Porchfest a more colorful, interesting, or artful experience for everyone involved is likely good with us. Have at it!

Find a driveway or comparable, privately owned spot within the festival area to set up and operate. If it's your house, great. Or, reach out to a neighbor or other resident and get permission to use theirs.

Budget

Expenses		Amount
Program - Development		
Program Development		$3500
Project Management		$7200
Toilets		$3000
Security		$1200
	Subtotal:	$14,900
Marketing		
Mailings		$1750
Graphic Design		$2500
Website		$1500
Social Media		$750
Printing		$3700
Advertising		$3500
	Subtotal:	$7950
Total		$22,850

ISLAND PARK THREAD

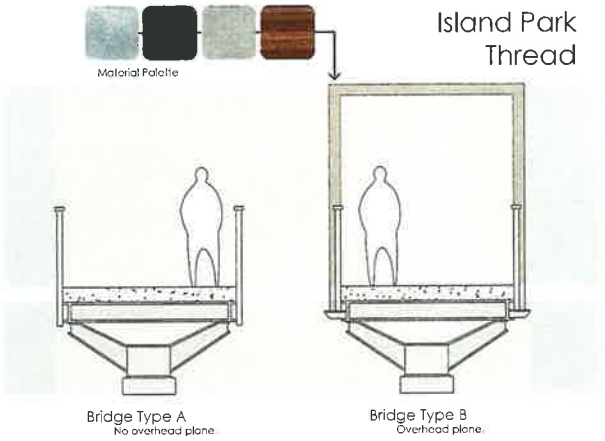
Joe Burgum

Joe is an entrepreneur and community builder who is committed to making Fargo one of the greatest cities on earth. As the founder of Folkways, a community-building venture dedicated to nurturing the region's culture creators, he's created the Red River Market, Fargo's largest farmers market; lobbied to bring the ride-sharing service Uber to North Dakota; and facilitates a nine-week course to help entrepreneurs launch local businesses.

Island Park is one of Fargo's most iconic and historic parks, yet it is often overlooked and underused. Located south of downtown and edged by the Hawthorne Neighborhood, the park offers a place for people to play and relax, but is missing key elements of connectivity and wonder.

Inspired by the Red Snake bridge in Copenhagen and the work of artist Olafur Eliasson, the Island Park Thread would connect Island Park to the Hawthorne Neighborhood, elementary school, and southern bike paths. This practical walking and biking bridge draws on elements of history, light, and ice to create a piece of spectacle public art for the community enjoy.

The Thread, taking off from the top of Dill Hill near Hawthorne Elementary would cross 6th Ave S and connect into the Island Park path system. Supported by railroad trusses, the structure pays homage to the history the railroad played in establishing the Fargo-Moorhead community throughout the 20th Century. In its current design the bridge will be supported by four trestle supports. Two supports will stand on either side of 6th Ave, while the remaining two will support the bridge as it connects to the top of Dill Hill. In order to accommodate the bridge, and preserve as many trees as possible, the east softball



diamond will need to be relocated to the west with a possible repurposing into a kickball field, requiring a smaller outfield.

Currently, there is no maintained access between 5th Street South, Hawthorne Elementary, and Island Park. However, it is clear to see the need for this connection based on the muddy, washed-out path that has been established by walkers, commuters, and neighborhood families willing to take the small hill. The Thread will also complete a missing gap in the Fargo bike network.

Art can help contextualize an individual's surroundings in a new way. The Thread will act as a year-round attraction to Island Park and the bike trail system. The deck of the bridge will be illuminated by LED lights programmable with different sequences. Seeing a sharp line of golden light through the park on a cold night will act as a beacon for the community and mimic the horizon line of the great plains.

In winter months, the trusses of the bridge will be transformed into natural forming ice sculptures, building on past ice work of my own creation. The freezing of the trusses would evolve into a community gathering each winter to celebrate the start of the coldest months.

This will require a collaborative effort between the City of Fargo, the Fargo Park Board, and surrounding neighborhoods. We have an opportunity to create a piece of functional art that will not only last for our lifetime but the generations to follow.

Budget*

Expenses	Amount
Construction Cost*	$1,150,000
Engineering	$20,000
Concepting, Design, Artist fee	$75,000
Admin	$20,000
Community Events (3 years)	$40,000
Insurance	$10,000
Contingency	$150,000
Maintenance	$15,000
Total	$1,480,000

*based on construction cost estimates from PedBikeInfo.Com (Approx. $250 per sq ft), maintenance 1%, 15% admin and engineering

RED RIVER RISING

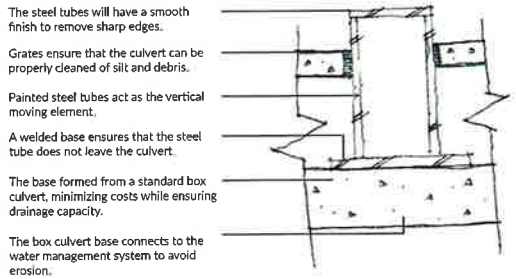
CONNECTING PEOPLE & PLACE

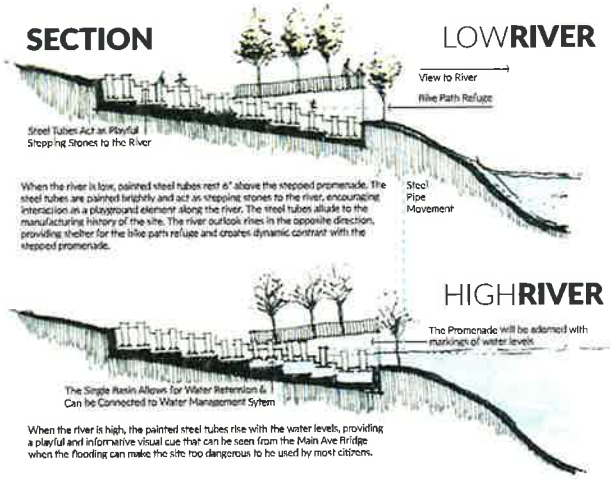
Nick Braaksma, *Project Lead* | Paul Bervik, *Engineering Consultant*

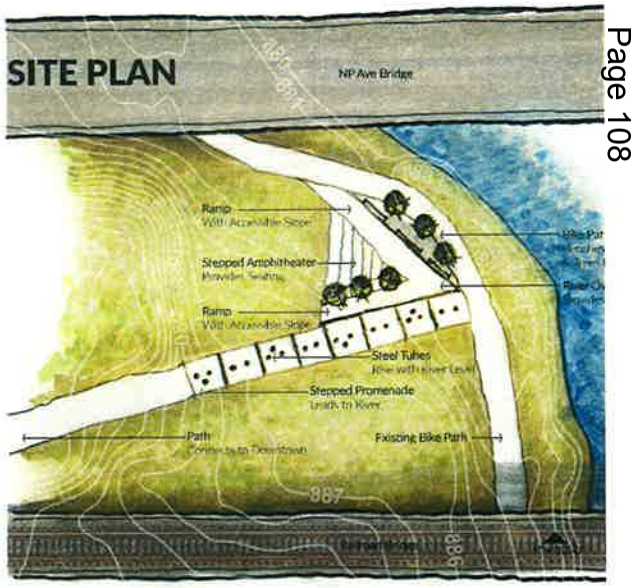
Nick Braaksma is a currently a graduate research student at North Dakota State University in Fargo, ND. With a thesis topic related to public library architecture and research with efargo seeking innovative solutions for community wide energy reduction, Nick is interested in the ways that we form our cities and buildings and how they shape us.

Based on the concept of Rotterdam "Water Squares," Red River Rising proposes the integration of a plaza that adapts to changing water levels. Rotterdam water squares combine water management with the improvement of the quality of urban public space. Red River Rising takes a similar approach to creatively engage water issues, but adapts all concepts to Fargo's unique context. Located along the Red River, the plaza anticipates flood conditions in a playful way. The adaptive plaza changes as water collects, pushing sliding components upward. As a result, the character of the plaza changes expression as the water levels change. The sliding components act as stepping stones during non-flooding conditions, allowing the plaza to be impactful nearly year round. The plaza's flexibility and function aim to change the way the public interacts with the river and with each other. Additionally, a changing plaza along the river could create an identity to the riverfront that is currently lacking.

The ideal location for this new plaza would be in the current Mid America Steel property. As the space is being redeveloped, the plaza could be incorporated as an intersection between the downtown area, the popular trails, and the natural beauty of the Red River. The community's connection to the Red River is an important part of Fargo's identity, history, health, and future. The damage of recent floods has painted the Red River as merely a liability to the city. This proposal aims to reunite the community to the river







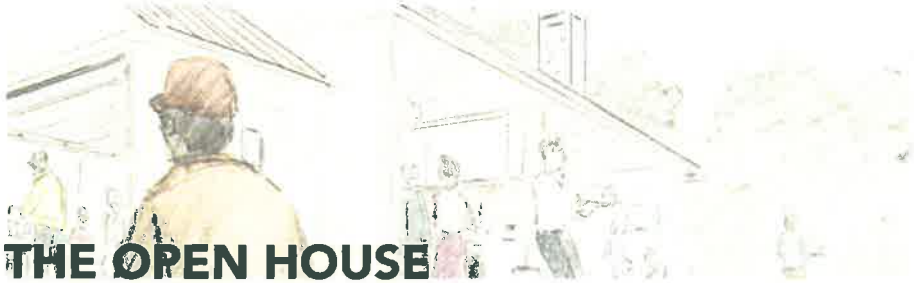
by reimagining changing water levels in a playful and beautiful way.

As water management is a major aspect of the project, the design process included the investigation of Red River flood stages and site, provided by Fargo GIS. The development revealed several important needs of the project. The plaza needed to be a place that encouraged activity along the Red River, creating new use opportunities while complimenting established uses, such as the riverside bike path. At the same time, the project needed to communicate the Red River's movement when the site is less desirable and even dangerous during high flood stages. In the proposed design, both priorities, maintaining use and visual communication are sustained through two primary public art elements.

- A brightly colored path of steel pipes located six inches above grade act as stepping stones to the river, creating a path to the river as well as a playground element to encourage interaction with the art piece during the warmer months. When the site floods, and occupying the space is less desirable, the steel pipes rise with the water levels, acting as an art piece that interacts with the changing environment while communicating visually with the public.
- The second element is a raised platform which grounds the path element in context. The simple form rises from the sloping riverbank, performing three primary functions. The platform provides a small scale, but dramatic viewpoint of the river, a rare node of activity along the bike path. The platform also provides an area of seating and respite for the bike path, connecting the stepping stone path to the bike path with ease. The platform wall is adorned with marking that indicate water levels, educating the public about the Red River even when the river is not flooding. Finally, the platform provides seating in a small amphitheater, allowing parents to accompany children playing on the stepping stone path or place to relax along the river. All of these functions allow the platform element to ensure that the stepping stone path does is not floating as out of context in relation to the bike path and river bank.

Budget

Expenses	Amount
Artist Fee (15% - 20% of total budget)	$10,000
Insurance	$5000
PR & Promotion	
Dedication Celebration	$1000
Educational	$1000
Programming	$7000
Contingency (5% - 10% of total budget)	$50,000
Site work (concrete footings, landscaping, etc)	$65,000
Platform Amphitheater	
Stepping Stone Path	
Engineer	$34,500
Permits	$1000
Lighting	$5000
Total	$179,500



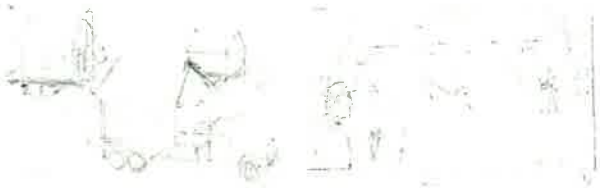
THE OPEN HOUSE

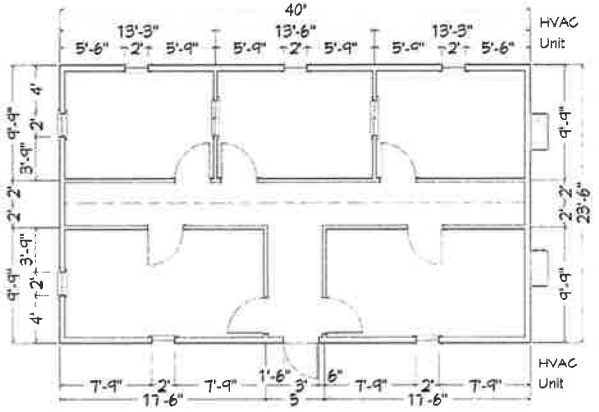
Tiffany Fier with Alaki Ajang, Keanna Berezowski, Matthew Dryburgh, Anthony Faris, and Ellie Franklund

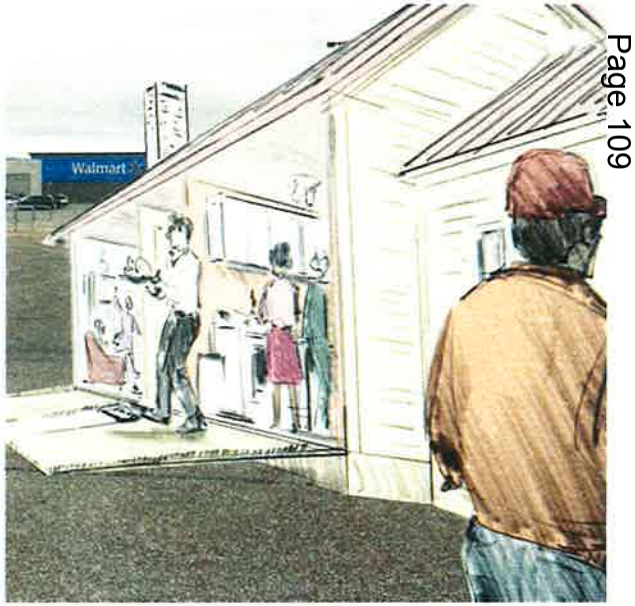
The Open House was developed by a group led by Assistant Professor of Set Design Tiffany Fier and Anthony Faris, Gallery Coordinator and Curator of Collections at NDSU along with NDSU students Alaki Ajang, Keanna Berezowski, Matthew Dryburgh, and Ellie Franklin. The initial concept was created from NDSU's "Common Ground: Understanding Spectacle and Imagining Civic Art" workshop led by Frank Maugeri, former Artistic Director of Red Moon Theatre in Chicago.

This project is designed to intervene within public and private areas, such as shopping centers, neighborhoods or apartment complexes offering opportunities for interaction among disparate groups. The Open House is an itinerant modular space appearing to contain all the elements of a Midwestern home with the exception that its intention is to have the community take ownership of it's resources and mission. The "house" intervenes in locations that reflect cultural division, may benefit from diversity programming, or possibly wish to celebrate the diversity of their community. In order to identify which parts of the community that will welcome a visit from the Open House there will be outreach to all FM neighborhood associations along with other FM civic and community organizations. This outreach encourages community collaborations, feedback and allow for more specialized and effective programming for each area the Open House will visit. The authors will also partner with academic and governmental groups like NDSU and the City of Fargo.

Visits to neighborhoods, apartment complexes and commercial spaces will occur both upon invitation and solicitation. Consideration of population demographics, median income, historic significance and need will all be factored into visitation decision as well as location and access. Promotional and informational materials will be sent out to the community prior to the event day and will include a schedule of what is happening and any programming that will be held in conjunction with the project







or people involved. The Open House begins its event day by being delivered to a neighborhood or urban center. Upon delivery, two representatives from the community will symbolically open the house together and set out the welcome mat. Following the opening, guests will be encouraged to explore the five areas that each support the House's mission:

1. a Kitchen where diverse groups can gather to create and eat ethnic/regional community meals together
2. a Living room where neighbors meet people from minority groups in the F-M area and talk or watch global sporting events or films.
3. a Library for recording stories and reflections as well as housing books, music and cultural artifacts to prompt consideration of place, people and cultural identity.
4. a Playroom where instructors lead in the making of a craft that is representative of their culture and allows children of all ages to play together.
5. a Garage for hosting community garage sales where monies can be made for a neighborhood project.

The Open House will end its visit to a neighborhood with an event like a game night, movie night or dance party where a celebratory atmosphere will encourage unity of purpose. What the Open House wants to leave behind through the experience of a visit is a greater understanding and appreciation for people of different backgrounds. A podcast or video diary will be assembled after each Open House event day and shared with the community that was recently visited. Questionnaires will be left behind to gauge what the community learned from this event and how the Open House can improve the interchange between new and existing neighbors.

Budget*

Expenses	Amount
Engineering and Construction Costs	
Project Managers (Fier and Faris)	$15,000
Architect	$15,000
Engineer	$15,000
Draftsperson and Construction Drawings	$5000
Materials	$10,500
Fabrication	$23,000
Room Furnishing	$24,500
Storage	$750
Contingency	$14,000
Subtotal	$122,750
Event Day Costs (recurring costs)	
Insurance	$1000/year
PR & Promotion	$5000
Community Translator	$1000
Educational Programming	$1000
Installation and Transportation	$1600
Equipment for Operation	$1200
Event Day Costs (food, craft supplies, etc.)	$1000
Permits	$500
Community Liaison	$500
Subtotal	$12,800
Total	$135,550

*a more detailed budget is available upon request

VINE WONDERFUL
STRUCTURES THAT BRING JOY

Nola Storm with Jack Wood, Mindy Grant, Kathleen Johnson, Nancy Allen, and Anita Hofsommer

Growing Together is a community garden ministry started by Olivet Lutheran Church in 2006 and is committed to provide a safe space for New Americans to grow relationships and food in Fargo ND. We have partnered with First United Methodist Church since 2008 and have expanded from 8 families to over 150 participants at multiple sites.

Engaging in the natural world supports well-being. There have been many recent articles and stories telling us connecting with plants and outdoor spaces are good for our mental health. Richard Louv in his book *Last Child in the Woods* coined the phrase "nature deficit disorder". People are also increasingly disconnected with how food is grown. Our vine covered structures give our community an opportunity to see beautiful vegetable plants growing on structures that provide interaction with nature in a unique way. We propose wire vine tunnels that would be modified to fit the spaces and interests specific to the site. A sign with the words "Vine Wonderful" will hang at the opening of each structure. Plant markers next to each plant will identify what is grown and there will be a flyer box holding information about the vegetables and directions to make a structure at home. There will be opportunities for visitors to harvest the vegetables when ready.

Sites have been chosen to target senior living communities, education for all ages, and areas considered low-mixed income and food deserts. Sites also have the possibility for providing ongoing care for the structures. Structures will need soil amendment before planting and mulch cover inside structures to prevent weed growth. The tepee structures and the tunnel at the Sr. Living Community will include benches inside.

Locations for wire vine tunnels include:
1. World Garden at Rabanus Park - 4315 18th Ave S. Fargo.

A 4 4'X16' panel structure anchored to 2'X16' raised bed growing boxes, planted with alyssum and zinnia-or marigold borders (marigolds are important ceremonial flowers for the Bhutanese Hindu residents in some of the neighborhoods), climbing beans, cucumbers, edible gourds and squash.
4- 4'X16' tunnels with 2'X12' raised bed boxes.
2. Community Homes-CHARISM/ McCormick Park - 2101 9th Ave S. Fargo
3. Agassiz School-Fargo Adult Learning Center, Woodrow Wilson Alternative High School, and Evenstart Family Literacy Program - 1305 9th Ave S. Fargo
4. Catalyst Medical Center- Catalyst West Garden - 1800 21st Ave. S. Fargo
5. Crossroads Sr. Living Community, 1670 E Gateway Cir. S Fargo.

2- 8 12' PVC pipe tepee shaped structures wrapped with natural twine planted with 2 varieties of climbing beans and two varieties of unusual cucumber varieties will be built at sites chosen to provide education specifically to elementary and early childhood age children. Child sized benches will be placed inside the structures.

Possible locations for tepees include:
1. Younker Farms Children's Museum - 1201 28th Ave. N Fargo
2. Boys & Girls Club - 2500 18th St S. Fargo

Workshops planned to describe project and invite community members to learn how to build their own vine covered structures.

Powerpoint, video and photo documentation will be shared on the projects Facebook page and Youtube. Each site will have an administrator for the Facebook page that will allow periodic updates to track the growth of the vines. Grand opening celebration will be at the World Garden at Rabanus Park in early June and will include a "treasure map" for the community to seek out the individual structures and follow their progress in person.

Budget

Expenses	Amount
Materials for 5 tunnels and 2 tepees	$11,520
Labor including seasonal upkeep	$1270
Media including videographer, photographer, web design and brochures	$15,340
Workshops and open house	$4000
Consultants X 2 $1000 each	$2000
Artist fee	$5500
Total	**$39,630**

Simone Wai with Folkways

Simone Wai is a community builder at Folkways. Though she is a student of marketing and business, the theme of her career has been working with artists, makers, and creators of all kinds. In her work and life, Simone revels in creating moments of wonder for all those who participate in her events and projects, her most notable being Alley Fair, the Red River Market, and a German style Christmas market.

The Canoe Parade is an event designed to create a positive relationship between the Red River and its neighbors, connecting participants and spectators to the river that has shaped the Fargo Moorhead area. The parade consists of canoes and their paddlers, both decorated and in costume, navigating proudly down the river.

This isn't your average candy-slinging Main Street promenade. Creativity, pageantry, and spectacle will be highly encouraged with prizes awarded to the best-dressed vessels. The floats will be entirely the result of their creators' imagination without the curation of parade organizers and absolutely no branding of influence. The theme of each float is selected by the entrant depending on what is creatively relevant to them. Individual float themes can be revisited each year provided that the entrant builds upon their previous design. Canoe parade entrants will have the opportunity to attend two pre-parade events to help them elevate their design and prepare their canoes for launch.

The first pre-parade event will be focused on the development of participants' ideas. Each canoe team will have the opportunity for a one-on-one consultation with a stipend community artist, builder, or maker to assist in sketching out the concept and advising on materials and construction. The second event will be hands on as artists and canoe groups are invited back for a day of collaborative creation. Canoe teams can bring materials and use shared tools to bring their designs to life under the guidance of the artists that helped develop

them. The pre-parade events are meant to raise the creative quality across entrants to enrich the overall artistry of the parade.

The parade will aid in cultivating a culture of outdoor recreation along the river and its trails, while fostering a love for the Red River itself. Spectators play an important role in the event by creating an environment of excitement and revelry. Recommended canoe viewing areas will highlight riverfront trails and parks. Additionally, spectating is free of charge and does not require a canoe, which removes the barrier to enjoyment for residents of all ages and canoe-owning status.

This event and venue was selected to spark change in the relationship that we have with the Red River. A natural starting point for the parade is the new Lindenwood Park Canoe and Kayak Launch. Selecting the launch as a starting point would highlight this community asset and would allow the parade to be handicap accessible for both spectators and canoe entrants. The course finishes at the Dike West Park access before the floating pedestrian bridge, acting as a safe stopping point before the dam.

The finish line will celebrate parade participants and rally spectators with a canoe festival. Guests can enjoy live music, get an up-close viewing of the canoes, speak to their creators, and hear the announcement of the grand prizewinner who will receive the annual Golden Paddle, an actual gilded canoe paddle. Golden paddle winners are encouraged to use their paddle proudly in the parades for years to come show their accolades as a badge of honor.

The intention of the Canoe Parade is to become an annually recurring event building on its recognition from each year. The parade draws on a spirit that connects to the distinct character of Fargo and this appeal can be an attraction for those living in and visiting the community. We hope that the Canoe Parade can mark Fargo as a destination for outdoor recreation, arts, and culture in the years to come.

Budget*

Expenses	Amount
Labor	
Organizational	$1200
At event	$240
Administrative	
Insurance	$200
Street/Park Permit	–
Thank You's	$250
Entertainment/Interact	
Games	–
Information booth	$100
Golden Paddle	$100
Entertainment/Watch	
Daytime performers	$200
Marketing/Communications	
Photographer	$200
Videographer	$1000
Website	$105
Printing	$200
Advertising	$100
Operational/Infrastructure	
Stage	$100
Sound	$1000
Porta-Potties	$100
Trash Cans	$30
Signage	$350
Subtotal	$5275
Revenue	**Amount**
Participation Fee	$20/canoe
Subtotal	$240
Total	**$5035**

*a more detailed budget is available upon request

FARGO PARK SCULPTURES

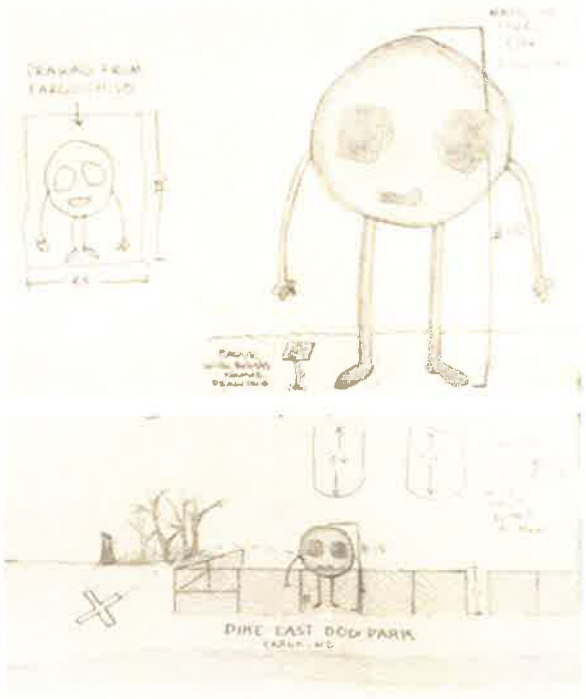
BRINGING DRAWINGS TO LIFE

Matthew Wuorinen

Matthew is a self-taught artist that has been a part of the Fargo-Moorhead community for nearly a decade. Art has helped him better himself and he looks to encourage others to find something positive in creating.

The proposed idea for the Fargo public art piece is a set of large scale sculptures based off of Fargo children's drawings. The idea came from drawings my little brother, niece, and nephews would make when first learning to use a markers, crayons, etc. The figure of people and animals look very similar, usually a ball with 4 limbs sticking out of it (like a cherry w/4 stems) and a crude rendition of a smiley face. The second part comes from one of my earliest memories as a child. I visited the sculpture garden in Minneapolis with my family and had always wondered where I had saw that Giant cherry on a spoon. That image has been stuck in my head for now decades. The goal of this project is to create a set of sculptures in Fargo that will be like Fargo's own "Spoonbridge and Cherry".

I will have an open call for ideas from kids in the area where a parent can email the artwork to an email set up specifically for this project. I will collaborate with someone in the Fargo Public Schools system. I am employed by them for coaching so it should be easy to find the right connections to get word of the open call for art submissions in. It will likely be an art teacher or activities director or both. I will plan to include them into the budget. The open call will extend to any child under the age of 10 that attends school in the Fargo-Moorhead area. I don't want to accept from kids older than ten because there would likely be some pretty advanced drawings and I'm looking for a more crude representation of a person and/or animal. The criteria for selecting a piece will be based off:



1. Originality-not a cartoon character or other copyrighted item
2. Effort, specific to age- I've been drawing enough to be able to see if someone was invested in making something as opposed to told to make something and I know it's not completely accurate but it will work for what I'm doing. I want the art to come from someone who enjoys creating.
3. Simplicity-Although effort is a criteria I still want a simple crudeness to the drawing. Likely being a piece of art from someone first learning to make people and animals.

After selection I will begin the design phase where I will probably be working with area students/professors with figuring out the best way to make the selected piece. My main goal is to have both steel and fiberglass make up the structure. The limbs and inner frame would most likely be steel and the "potentially spherical body/head" would be painted fiberglass. Then the structure would be bolted to one or two cement footings underground to stabilize and keep it structurally sound with ice-heaving. The whole thing would get weatherized to prevent rusting and deterioration through the harsh weather. Then a wooden or metal podium would be next to it showing the original work of art from the child and showing the first name and age, and then my name or team name. This wouldn't necessarily have to be a podium. If the whole thing is on one big cement footing then a metal plaque could be etched and secured on the cement underneath the sculpture.

The first area that I chose for this project is known as the Dike East Dog park. It sits next to the Red River and is right next to a bike path that connects Fargo and Moorhead. It's walking distance to Downtown, the dike is what separates it from Downtown streets. I've used the bike path next to it for many years and it noticed the high amount of traffic on it in all seasons. The reason for choosing a dog park is because they are very barren. With the amount of people I see there I want to make a conversation piece people can enjoy while letting their dogs play and hopefully it can be an incentive to get people active and travel down to the bike path. It will sit right outside the fence in between the bike path and river so it will one of the first or last things you see when using the bike path going to or coming from the footbridge over the river. (The photo is from 2008, that dirt path is no longer).

Budget*

Expenses	Amount
Planning, Admin, Overhead	
Artist Fee	$14,102
Insurance	$2500
Documentation	$1000
Consultants	$3000
Site Planning & Approvals	
Construction Drawings	$2000
Engineer	$2000
Permit	$10,000
Community Engagement & Outreach	
Unveiling Events	$2000
PR & Promotion	$500
Materials, Fabrication & Installation	
Materials	$20,000
Fabrication	$7000
Installation	$5000
Transportation	$2500
Equipment Rental	$1600
Site Work	$5000
Contingency	$6410
Total	**$84,612**

*budget based upon creation and installation of 5 sculptures

BEACONS

BEAMS OF LIGHT VISIBLE FROM THE ENTIRE CITY

Yellow Labs - Jed Limke, Zac Echola & Christopher Welle

Yellow Labs is a multimedia art collective that works at the intersection of disparate skills: design, fabrication, computer science and electronics, theater, music and video production. It is primarily the brainchild of Jed Limke, Zac Echola and Christopher Welle, with countless actors, technicians, engineers and other artists and craftspeople that help turn our ideas into realities. Don't bother Googling Yellow Labs; you'll only find pictures of puppies.

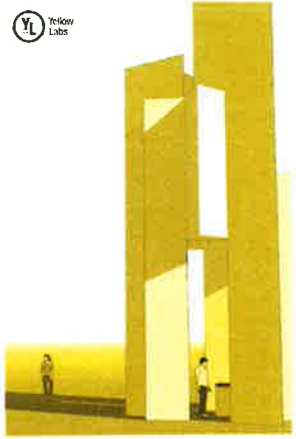
Imagine:
As you drive into the county one blustery winter evening, you see the pillars of light flaring into the night sky from Fargo. The approaching light reminds you you're almost home.

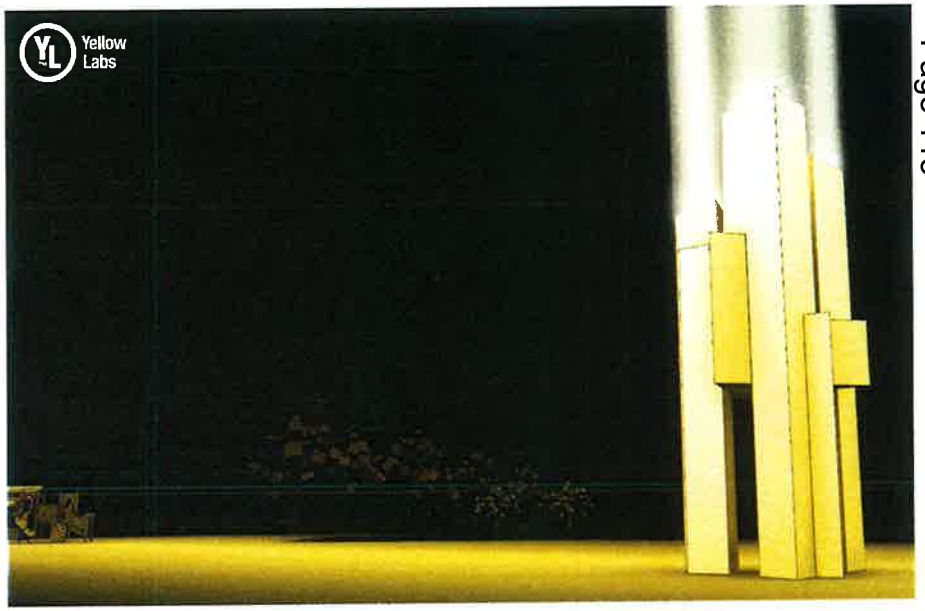
A cashier at the gas station asks if you saw the Beacons. They look beautiful on a night like tonight. The way light refracts off trillions of passing snowflakes is mesmerizing. Like the Northern Lights, the Beacons are a shared experience that appear intermittently when the right weather conditions align.

As the City of Fargo continues to grow, longtime residents hope to retain the values that make Fargo a wonderful place to live. Among these are a deep sense of connection to one another. For as large as our little city on the prairie has become, we are each often hardly removed from one another. Six degrees of separation in Fargo is often far fewer, like one or two people. The Beacons express that sense of immediate connection to people and place.

Though the Beacons won't always be visible, the structures will be beautiful interactive spaces, bathed in colored light.

At the base of each of these Beacons is a large illuminated pillar. The light pulses. There's a dial within. Turning the dial "tunes in" sensors from around the city. The pillar beats quickly as cars pass near the sensor at the depot on Main Avenue. Turn the dial again. A pulse builds up to a crescendo





into the weekend as people enter and exit the front door of the mall.

The light in the space changes color with the temperature, with river levels. The Bison play; all the pillars turn green and gold and flash when they score. By capturing and displaying the natural rhythms of the city as abstract pulses of light, viewers can connect to different parts of the city. Mundane becomes magical.

Because Beacons can be seen from anywhere, we're free to consider unconventional locations to place them. We intend to beautify and enrich neighborhoods that wouldn't normally be considered for public art projects. We would like to use hidden gems in unusual locations throughout our town. In Unicorn Park, for example, or Jefferson, Brandt Crossing or the entrance to Iwen Park, rather than the usual suspects such as Block 9 plaza, Microsoft, NDSU or near West Acres.

The sensors that capture information would be unobtrusive devices in popular locations, such as near the mall, campus and Broadway, using existing infrastructure like lamp posts. Sensors could be anywhere, so long as there is electrical and wired or wireless Internet infrastructure.

Our budget includes maintenance and upkeep costs. Our ideal lighting solutions come with a 10-year service agreement to replace the bulbs. Like street lamps, traffic signals and the lights on the Veterans Memorial spires, our project requires infrastructure. We need electricity and Internet. We expect that Internet can be provided wirelessly through a partner who owns spectrum. The budget submitted is for one Beacon, but we recommend an order of at least 8 to start.

Budget*

Expenses	Amount
Artist Fee	$20,000
Insurance	$6000
PR & Promotion	$2000
Administration**	$500
Dedication Celebration	$1000
Educational Programming	$1000
Contingency	$10,000
Site Work	$8000
Engineer	$8000
Permits	$6000
Materials**	$20,000
Fabrication	$15,000
Installation	$10,000
Transportation	$5000
Equipment Rental	$4000
Lighting	$8000
Documentation	$500
Construction Drawings	$5000
Total	**$130,000**

*cost per Beacon
**For laser spotlight installation, purchasing and the required registration fees.

A COLLECTIVE GREEN FUTURE
AN ANNUAL COMMUNITY MARSHMALLOW ROAST

Frontier After Hours - Heather Zinger, Anthony Faris, Jeff Knight & James Louks

Heather Zinger, Jeff Knight, Anthony Faris and James Louks have extensive experience in visual arts, design and community engagement practices. This collective seeks to use art as a platform to inspire sustainable futures by connecting communities around public art experiences.

This public art project seeks to capture the first-time excitement of a child seeing a marshmallow cooking in the microwave and embody it via a community marshmallow roast. The project will include five, 7-feet tall sculptures shaped as pyramids that will be placed 10 feet apart. Solar panels will cover the outside of the pyramidal sculptures to capture power that will be stored in a battery attached to a heater. There will be a slot between pyramids into which skewers with marshmallows can be placed to heat up. The bottom pyramid will emit heat to warm people as they roast marshmallows.

Solar Engineer, Jeremy Maus, suggested using a 12V beverage heater (or immersion heater) and a metal loop with a cord. This setup will expand, melt and cook the marshmallows, not make them explode. In addition, the sculpture will light up at night and individual pyramids will have the capacity to spin. Another option for heating the marshmallows that could produce an explosion is the use of a Fresnel TV Lens, a large, light and flat lens which is also flexible. The lens acts like a giant magnifying glass capturing heat from the sun and magnifying it to produce intense heat and possibly fire. This design poses significant public hazards so it would need more research and expertise to prevent risk for injury.

These sculptures would serve as sites for public engagement via community roasts that would take place annually in the fall. The Fargo Park District would help organize and host it providing

marshmallows and roasting sticks to the attendees. Programming would include local chefs illustrating how to perfect the cooking of a marshmallow as well as unique dishes that use marshmallows as an ingredient. The public would have the opportunity to watch the chefs cook unique recipes that could include a variation of s'mores or a tagine. The community roast would eventually develop into marshmallow celebration festival along the same lines as the currently popular chocolate festivals. Local food vendors could be invited to show how their products could enhance marshmallows (ex. SunButter). The main purpose is to cultivate community gatherings an around food and green energy. As the sculptures will be incorporating lighting as well as movement into their designs, they could also serve as a sight for spontaneous night time dance parties.

The solar power covered pyramid shapes signify the future of our environment and its probable dependence on innovative technologies for survival, topics that are integral to the future of Fargo (which is already climate challenged) as well as the larger global climate. Now is the perfect time for local action to be realized as connected to the larger good. In regards to technology, Fargo has been a hot bed of entrepreneurial culture and benefits greatly from the presence of technology giants such as Microsoft among a plethora of smaller start up tech companies. Energy in North Dakota cannot continue to be fossil fuel dependent or the next generations will pay dearly due to the worsening of climate change. Though alternative and green energies are not very popular in North Dakota quite yet, these sculptures could potentially stimulate dialogue building familiarity as well as interest in them.

The sculptures will be installed next to the Milwaukee Bike Trail near 35th Ave South between 17th and 18th Street South (owned by the Fargo Park District). The bike trail is a lovely addition to the community, but could be enhanced by more public art to attract more visitors encouraging community exercise and movement. Placing the sculptures in South Fargo instead of in the downtown area, which isn't always accessible or inclusive of all peoples, would help integrate art experiences throughout all parts of Fargo. Though South Fargo benefits from a plethora of parks, the community could use more diverse attractions and experiences than the regular playgrounds or open fields.

Budget*

Expenses	Amount
Planning, Admin, Overhead	
Artist Fee	$10,783
Insurance	$2000
Administration	$1500
Documentation	$2000
Consultants	$1500
Site Planning & Approvals	
Construction Drawings	$1530
Engineer	$4000
Permit	$500
Community Engagement & Outreach	
Engagement [1 sculpture]	$5000
Engagement [5 sculptures]	$9000
PR & Promotion	$3613
Materials, Fabrication & Installation	
Materials [1 sculpture]	$6000
Materials [5 sculptures]	$20,000
Fabrication	$7000
Installation	$3500
Site Work	$3750
Contingency	$12,401.54
Total	**$94,077.54**

APPENDIX 2

Public Art Process,

Best Practices,

+ Scenario Examples

PUBLIC ART TODAY

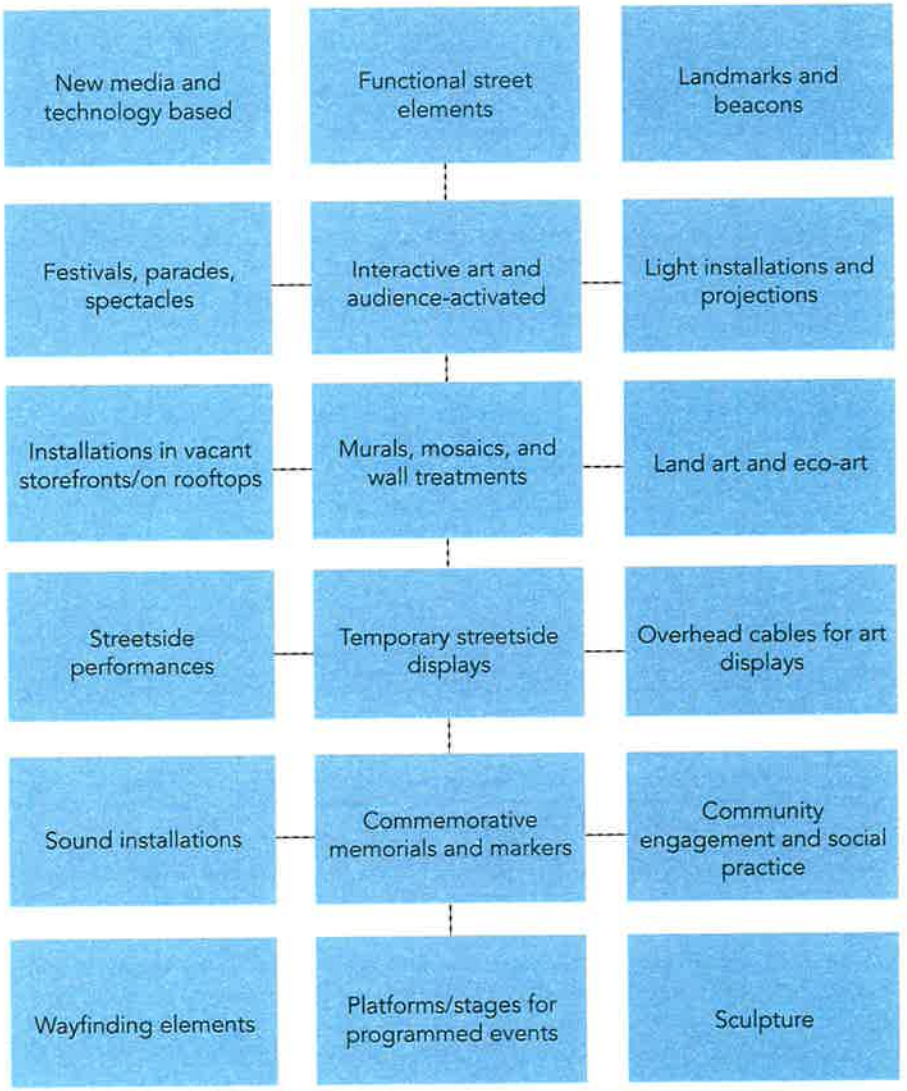
Public art today is more than monuments, murals, and memorials. For the purposes of the public art plan, public art is defined as works of art that are free and accessible to the public, including visual art, dance, festivals, music, theatre, literature, and photography. It is a multifaceted, multi-disciplinary field of inquiry in which artists explore, experiment and create projects—often in collaboration with other disciplines and sectors—in spaces freely accessible to, and used by the public. Public art today goes beyond murals, monuments and memorials, and seeks to engage the community and bring it to life in new ways. Public art can be permanent or temporary.

What distinguishes public art is the unique association of how it is made, where it is, and what it means.

Public art can express community values, enhance our environment, transform a landscape, heighten our awareness, or question our assumptions. Placed in public or publicly accessible sites, this art is there for everyone, a form of collective community expression. Integrating public art in all aspects of city building and public life cultivation can provide many benefits. In short, public art creates a culturally stimulating environment, offers a creative outlet for artists of all kinds, attracts people and is accessible to all.

Public art is a vibrant, growing part of any arts and culture ecosystem. This plan is not meant to address the much larger arts and cultural development topics in Fargo, such as arts and entertainment facilities, the symphony, non-profit arts organizations' operating support, artist live-work space, arts education, creative economy development, etc. This plan, however, while focused on public art, seeks to serve as a valuable stepping stone and learning opportunity toward the development of a larger arts and cultural master plan for Fargo, and a broader role for the City's Arts and Culture Commission.

Types of public art



Public art is part of the City's larger sphere of arts and culture. It's freely accessible and inclusive, unlike some conventional arts venues that require admission fees. It's not about selling art, like at art fairs; it's not art education in schools; and it's not about space for artists to live or work in. These are important considerations, however, in any city's larger arts development strategy.

The practice of public art has changed significantly since the first municipal public art program was established in Philadelphia more than fifty years ago. The field is rapidly moving beyond the dominant percent-for-art model, whereby a percent of the City's capital budget is reserved for commissioning art. The range of commissioning entities for public art have expanded beyond public agencies to include museums, galleries, universities, independent arts organizations, community development organizations and business improvement districts. Indeed, artists are self-funding projects via social media technology and grants. With these changes, the types of public art programs being developed in America have evolved to embrace the various ways public art projects are being initiated, and the ways communities seek to engage art and artists to improve livability, add vibrancy, and address the health of people and the planet. Today there are approximately 350 programs in the US utilizing the percent-for-art model.

PUBLIC ART PROCESS & BEST PRACTICES

While there are no universally agreed upon standards in the field of public art at this time—you don't need a license to practice, and there is no "rulebook" to follow—this section of

the plan is meant to share some of the basic steps involved in a typical public art project and highlight best practices. The vast majority of public art is visual art, therefore this plan focuses on the process of commissioning visual art projects, however most of the best practices and process information can be applied to performances, and non-visual art forms. From the early stages of developing a project concept to fabrication and installation of the artwork, the effort involved in bringing a public art project to life can be complex and require more time and money than may be imagined at the outset.

The following list of topics and tasks—described in more detail below—takes into account both traditional and nontraditional forms of public art, including outdoor sculptures, performance events, temporary installations, and projects engaging community members.

- Idea Development: Whether commissioned or independently developed, most public art projects start with an idea hatched in the imagination of an artist, or an artist working in cooperation with others.
- Location Analysis: Every location—whether assigned by a commissioning agency or selected by the artist—plays a significant role in the development of a public art project. Knowing how to look at a site, or plans for a site, can be very helpful.
- Permissions and Permits: For artists, knowing where and how to gain permission for a project is critical. For cities, developing welcoming guidelines can be key to attracting talent.
- Financing and Funding: There are many ways that public art projects are funded. Learning how to find support—and make the most of the funding you have—is a skill worth practicing.
- Artist Selection & Commission Process: Selecting the best artist for a public art opportunity requires thoughtful planning and facilitation, as well as familiarity working with artists and professional project management.
- Community Engagement: Engaging community members in one or more aspects of public art projects has become increasingly valuable for both artists and public art project managers. There isn't one right way to do this, but there are plenty of lessons learned; it helps to examine case studies.
- Fabrication and Installation: While some artists still produce all aspects of their work themselves, most hire outside fabricators or vendors with specialized skills or equipment. Likewise, installation of a major artwork can be complex and costly.
- Conservation and Restoration: It is wise to plan ahead for the preservation of projects as well as plan for the rejuvenation of neglected works in your public art collection.

Idea Development
A public art project can be born out of community need, artist inspiration, civic engagement, neighborhood beautification, or be required as part of a municipal ordinance (requiring a Call For Artists). It can also be forged out of public will and fiscal policies. While there is no one way to birth an idea, there is one combination of elements that is integral to all public art projects: the intersection of art, space, and the public.

Exercises for Idea Generation

- Brainstorming with artists. Once you have some basic parameters or goals in mind, think about images and concepts that align. Doodles on napkins, a descriptive phrase, word association games, and open-minded dialogue can trigger lots of possible directions.
- The site can often be the key inspiration for an artist. The content of meaningful public art today is often informed by the context. It helps to research the historical and cultural significance of the site, talk with local communities about the local "flavor," consider who makes up the audience for the site. What do you know about them? What kind of impact do you want to have on the audience?
- Check out a few books, scan through a back issue of Public Art Review magazine, or perform a Google search for "public art," "street art," "outdoor art," or "community art," etc. What projects interest you? Why? The answers will help you begin to narrow down from many options to a smaller facet of public art that you might wish to pursue.
- Read through a few Calls For Artists (Requests for Qualifications) and see what commissioning agencies are looking for, along with their criteria for selection. This can trigger ideas that combine your interest with their goals.
- What issues in the community are of importance to you? What local or global concerns are you most passionate about? Do some research, talk to someone working in that field, think about places and people most associated with the issue (if there are any), and go exploring. What do you want to say to people or make them think or feel? The answers should give you clues to ideas that relate.
- Keep in mind that you don't have to know how to make everything your mind can imagine. Like architects, public artists are free to imagine and design, and then get help from others to realize their ideas.

Location Analysis
The site you select—or the site identified by a commissioning agency—is critical to the development of most public art projects. Consideration of the site's context helps inform the idea, design, and goal of a public art project, and distinguishes a customized project from simply placing art in public. To avoid the downsides

of "plop art," an artist or commissioning agency should take time to research the site and communicate with audiences that use the site. A public artwork can have greater impact if its design takes into account the site, its history, the traffic, the surrounding environment, and the characteristics of its setting.

Permissions and Permits
Permission and permits can often be the most frustrating and time consuming aspect of a public project. Sometimes the process can go smoothly, but it's good to be prepared for the long haul. There are many factors to consider.

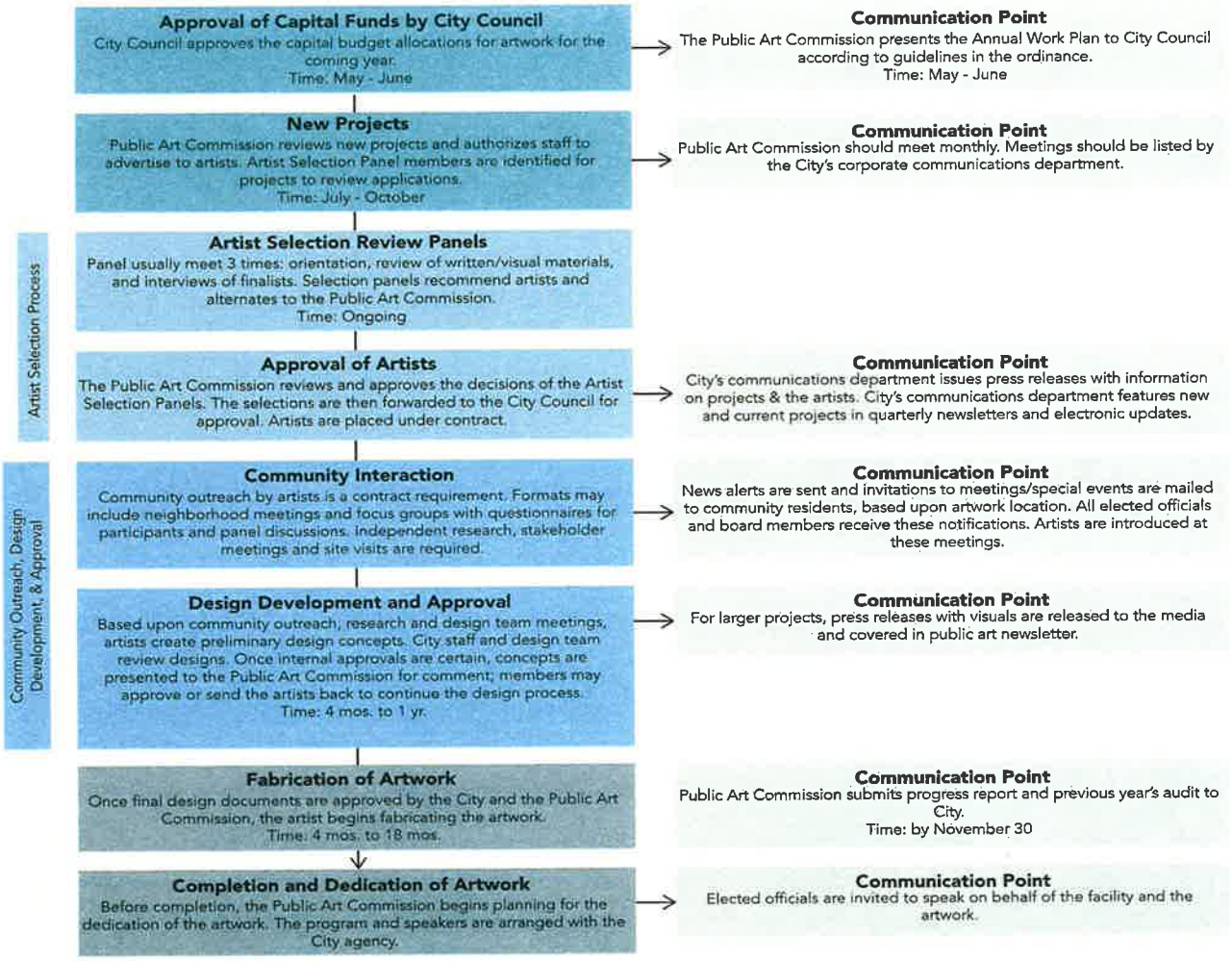
- Is the site publicly owned or privately owned?
- Does the site have any special considerations, such as historical status or weak infrastructure?
- Is the project temporary or permanent?
- Who will maintain ownership and maintenance responsibility?
- What are the legal concerns or city permitting procedures?

The discussion should always start with the site owner followed up by a call to City officials to understand permit and regulation issues. Once permission is secured, a letter of agreement should be created and signed with the site owner or whoever is assuming responsibility for maintenance and ownership of the final project. If the project is to be sited on City property, it may be necessary to present to the City Council or agency responsible for the site. It's important to remember that public art often involves partnerships, compromise and communication. If you demonstrate good will and do your homework, chances are people will work with you, not against you. If you run up against a roadblock, it's useful to pause and examine the root cause of the problem. It helps to be open to criticism, demonstrate respect for key stakeholders, and be open and flexible to adapting to meet needs and concerns expressed by others. This does not mean that you have to water down your ideas or do whatever other people tell you. Public art is a negotiated art.

Financing and Funding
Public art can be financed in a myriad of ways. Many cities adopt a percent-for-art program to fund projects. Private foundations can be a source for grants to artists or arts organizations. Corporations and businesses hire or sponsor artists to design and build new works for their public spaces, and community organizations can sponsor projects or help raise funds to support a project of benefit to the community. The City of Stevens Point, Wisconsin has a room tax fee that funds, among other initiatives, arts activities in the city; and Portland, Oregon used a "golf tax" that supports public art ($1 per golf bag rented).

Artists can fund their own projects through fundraising efforts or out of their own pockets. The famous artist team of Christo and

Example of traditional City-Generated public art process



Jean-Claude funded their Gates Project for Central Park by selling preliminary renderings to museums and collectors worldwide. Many community-based projects offer opportunities to secure a mix of funding sources, as well as "in-kind" contributions of goods and services. To be effective at fundraising, it's important to match the project with the appropriate types of support.

Developing your budget is a critical phase of your project if you hope to secure funding from public or private sources. A simple "one pager" can be helpful for fundraising. It is wise to include compensation for the artist as well as any design phase required to develop the project. It is also a good idea to have two version (or more) of your budget. One should be "bare bones" budget (the minimum amount it would take to complete the project) and one should be the ambitious budget—the ideal scenario—in case there is strong interest in the project. This helps you to think big and expand your project but have a realistic back-up plan.

Artist Selection and Commissioning Process

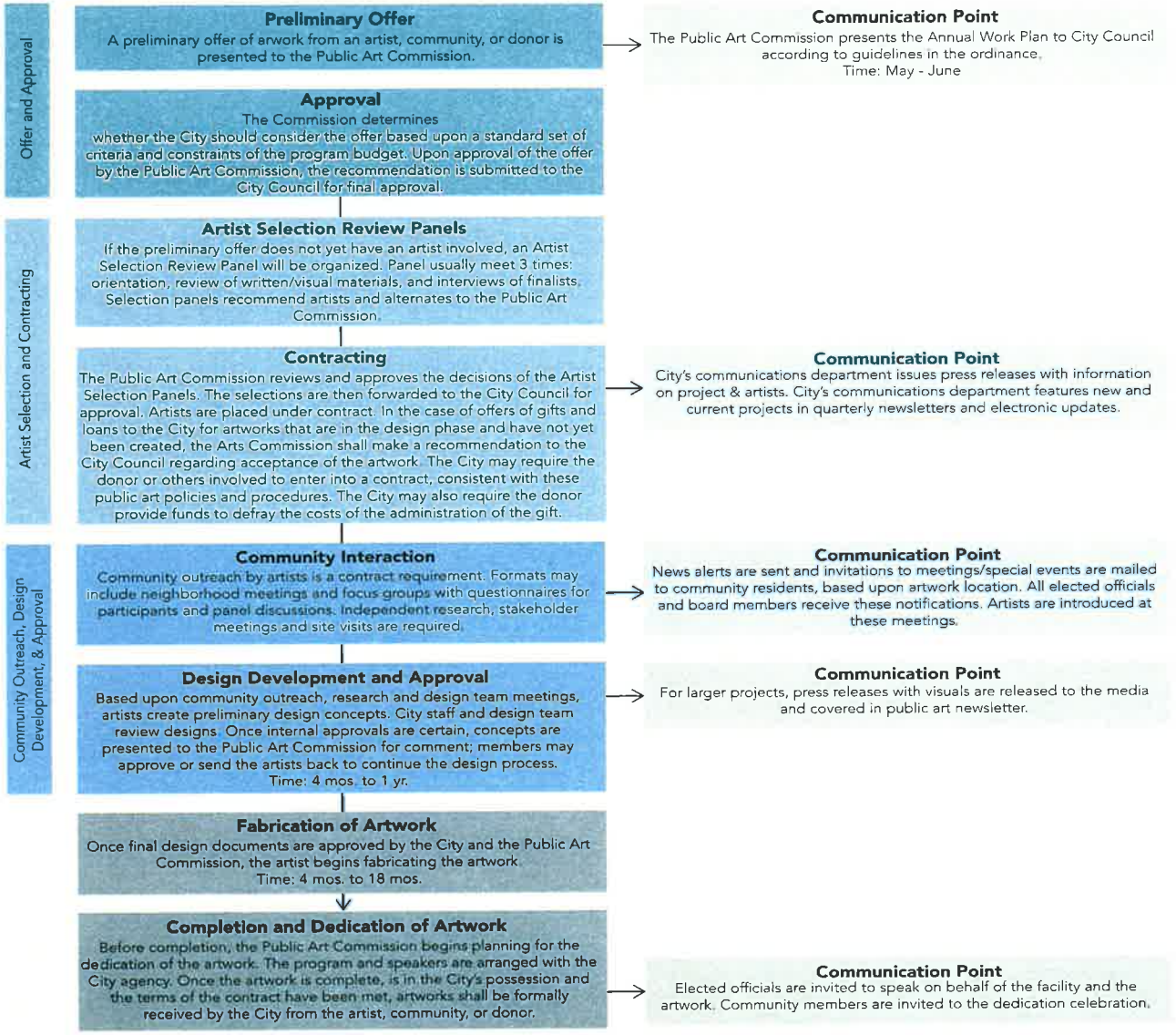
Working with artists can be complicated. Depending on your goals and what kind of results you're after, there are many options and many considerations. This is true for artists seeking commissions or pursuing independent projects as well. Commissioning a new work of art or getting a commission is about relationships, and like any relationship it involves respect, communication, and flexibility. It also requires business skills, negotiations, and mindfulness.

The primary systems for artists getting connected with public art opportunities are through:

- Request For Qualifications
- Request For Proposals
- Roster of Pre-Approved Artists
- Private Invitations
- Direct Commissions
- Self-Initiated Productions

The Request for Qualifications (RFQ) is the most common artist selection process currently in use by public agencies in America. RFQ's are sent out like a "Call for Artists," broadcast to specific regions or nationally. The RFQ outlines the project location, eligibility, budget, scope, theme, timeline, and other specifics relevant to the project, and offers applicants instructions for submitting. Artists are usually asked to submit a letter of interest, a resume, and work samples of past work (with descriptions of each work sample). A selection committee is typically established the project manager on behalf of the commissioning agency, made up of key stakeholders, as well as professional artists. The Committee reviews submissions and narrows the pool of applicants to a smaller number of finalists who are then contracted to produce

Example of traditional Community-Generated public art process



proposals—or simply interview to determine the preferred artist. It is standard practice to compensate artists for proposal development, although the amount varies from project to project; there are no standards in the public art field. Artists should be given adequate time to develop proposals or designs, and be given opportunities to analyze the site, and meet with committee members and site designers early in the design process.

RFQ's are popular with commissioning agencies and artists because they are simple, don't require much time at the outset, and offer the committee a spectrum of possible candidates. Successful applications provide committee members with a good idea of who the artist is, what kind of work they've done in the past, and how they would approach this opportunity. RFQ's may be widely distributed and promoted or targeted to a select number of qualified artists. Keep in mind there may be restrictions imposed by the funding source; some publicly funded programs require open competitions. It is also critical to adequately budget for the administrative time required for the project. Open calls require much more time and expense than an invitational call. "Invitational" RFQ's are RFQ's that are sent to a pre-selected, qualified pool of artists, and not broadcast to all artists.

The Request for Proposal (RFP) asks applicants to submit ideas, sketches and even budgets for a proposed project, often without compensation. Current best practices dictate that artists should be compensated for proposal development. If you are asking artists to create a design proposal, you should compensate them for their time. If you have funding to pay for design proposals for a specific project and a list of qualified artists who would be good for the job, an RFP can be an effective way to get to a number of good options to consider. This is basically an invitational.

Some agencies maintain registries or utilize online registries to pre-select artists and, instead of asking them for proposals, they invite a small group to visit the site and meet the committee. This method focuses on the artist, not the artwork, and presumes that all the candidates would be able to produce something great. After the interview, an artist is hired for the full job, with the understanding that their design must meet approval before fabrication can commence.

Directly selecting an artist is rarely done by public agencies utilizing public funds, yet private corporations do this frequently, often with the aid of an art consultant or curator.

Self-initiated productions avoid the entire artist selection process, and place the entire burden on the artist to design, develop and produce their project as best they can. Keep in mind that some projects created by independent artists are legitimate, legally

sanctioned, or permitted projects, and some are unexpected, illegal, and even unwanted projects; illegal graffiti is a major concern in most American cities, requiring millions of dollars for clean up. In order to obtain approvals, permits or grants, independent artists often discover they must make compromises or revise their original vision in order to proceed with their projects.

Participating in a selection process—as an artist and as a panelist—is a great way to get educated about public art. For panelists, it's a great way to learn about artists working in the field, and in your area. If you are managing the committee process, it is helpful to educate your committee about public art and the types of projects that are possible. It is important to ensure that everyone is on the same page as far as goals and expectations for the project.

Once the committee has selected an artist they will need a contract to enable them to commence with the services you have determined in your call, or through discussion with the artist. The contract should address timeline, payment schedule, copyright, insurance, and many other topics. There are many sample contracts available to adapt for your use.

Examples of contracts, calls for artists and other documents are provided in Appendix 2, page 140.

Community Engagement

To help ensure the success of your public art project, a good first step is to define the audiences or communities being served. The community may be different than the audience being served, so it is good to consider both of these stakeholders. The community can—and, in some cases, should—be involved in every stage of the public art process. Education and media coverage about your project—and the process—are useful ways to connect with the community and extend the life of your project. Supportive individuals can help with advocacy, educational efforts, and even fundraising to enhance the budget. You can control how to involve the community to help ensure a positive, constructive experience, but be aware that coordination of community members in a project can take lots of time. Consider working with a community organizer or volunteer coordinator.

Planning

- Create a public art advisory committee made up of key stakeholders of the project (representatives from the City, the site, the neighborhood, individuals with a vested interest in the project). This advisory committee can help connect you to resources to enrich your project, help select the artist and serve as ambassadors for project by providing promotion and education
- Hold educational workshops or presentations on public art and your project. These can take place in small venues that are highly accessible, and can include dialogues with artists and folks who have already done public art in the community.
- Invite the community to participate in the visioning of the project (but be clear about where their input will be used). This can be done in conversation, via project websites or through creative workshop settings.

Implementation

- Consider using social media to keep the community up to date on your project. Before going this route, determine how many people prefer this type of communication.
- Invite people to participate in the creation or installation of your work, if appropriate (via workshops, generating content or ideas, volunteer labor, etc). Be very clear about the skill sets you need and try to control expectations (if it's not about letting everyone be the artist, make clear everyone's roles).

Completion

- Hold a celebratory event. This could range in scale from intimate to massive.
- Share your story—speak at schools, community groups, and

Growing Together Community Garden, Rabunus Park. Photo by Karis Thompson

other venues to tell people how the project came to be, what the process was like, and little known facts about the project.
- Be in contact with the media. Let them know the story behind the story. Offer quality images to encourage their coverage.
- Utilize technology to create avenues for the public to interact with each other and the work (social media, a website with a comments section, etc).

Documentation
- Documentation is useful to have at various stages of any project. Still photos and video are beneficial for promoting your project at various stages. With viral marketing and photo sharing, this represents another way to engage the community in helping promote and discuss your project.
- Documentation is crucial for the artist and commissioning agency, in order to promote the project, record the condition, and create a record. Consider using the free, online Public Art Archive (www.publicartarchive.org) as a place to store and share data about your project, and your collection.

Fabrication and Installation
While the traditional notion of "artist-as-craftsman" still persists, many artists working in the public art field today wear many hats: designers, art directors, or even project managers (not to mention publicist, secretary, and office manager). For many large-scale projects, it's necessary to engage a variety of professionals in the process, including design, engineering, lighting, site excavation, construction, and installation. The process is similar to architecture, filmmaking or theater, in which the artist plays a central role, but employs others to carry out the vision.

People who build things for artists are called fabricators. They are often multi-talented, working in a variety of materials. Some specialize in metal casting, glasswork, wood construction, or ceramic work. Some carve or weld, and some create computer-generated 3D models. Many fabricators used by artists specialize in custom work for display companies, theatrical sets and props, advertising agencies and sign companies. Given the high cost of fabrication, it is wise to set aside a good portion of the budget for this purpose. Keep in mind, when problems arise, the cost usually goes up and the schedule is delayed. It is recommended that artists spend time researching options available to them—in their region and around the world. If you find someone good to work with, it often leads to long-term relationships and potential collaborations. Your fabricators can easily become "partners" in your project. Consider using a blanket form for fabricators and subcontractors to sign to protect your copyright.

A critical phase in many public art projects is the installation. It

can be a minor effort or require an enormous amount of time and money. Again, it's wise to research different companies and get bids prior to hiring an installer for your project. Be sure the equipment is right for the job, as the cost can go up significantly for hydraulic lifts, large moving equipment or cranes. It's also wise to ask if your installers have been trained as riggers if they will be lifting and moving large objects. Rentals are a critical part of most project budgets, and it is wise to include a contingency of 5% or more for unexpected expenses or last-minute purchases or rentals.

Conservation and Restoration
Many great public art projects, including some that are temporary, suffer from lack of attention after they are "completed." The fact of the matter is, once the artwork is installed, its life is just beginning. Most plans for public art forget the reality of maintenance, or there are simply not enough funds available for the ongoing care of public artworks.

For permanent projects (lasting several years or more), a smart approach is to involve a conservator early in the process of planning and design. A professional conservator can help the artist and the commissioning agency anticipate future challenges, save money on future repairs, and provide a maintenance schedule that will preserve the quality and stability of such a major investment.

Once an artwork has fallen into disrepair, its deterioration accelerates and the cost of restoration increases. There are hundreds of murals and sculptures in the U.S. that are beyond repair. If a public artwork appears to be in need of restoration, it is wise to hire a conservator to produce a condition report and assess the damage as well as estimate the cost of restoration. Once the cost is known, it may be helpful to engage the community to determine if the work should be saved, and if so, how it will be paid for. If it is beyond saving, or the cost is simply too high, the work may be deaccessioned—removed and either destroyed or stored. The cost of removing a sculpture can also be expensive. One alternative is to find a new home for the work, requiring the new owner to restore the work. Regardless, it is helpful to document the project before it is destroyed, and making the images available to your local historical society.

Please see Appendix, page 140 for sample RFQ's, contracts, and worksheets.

APPENDIX 3

Community-Generated Public Art Case Studies

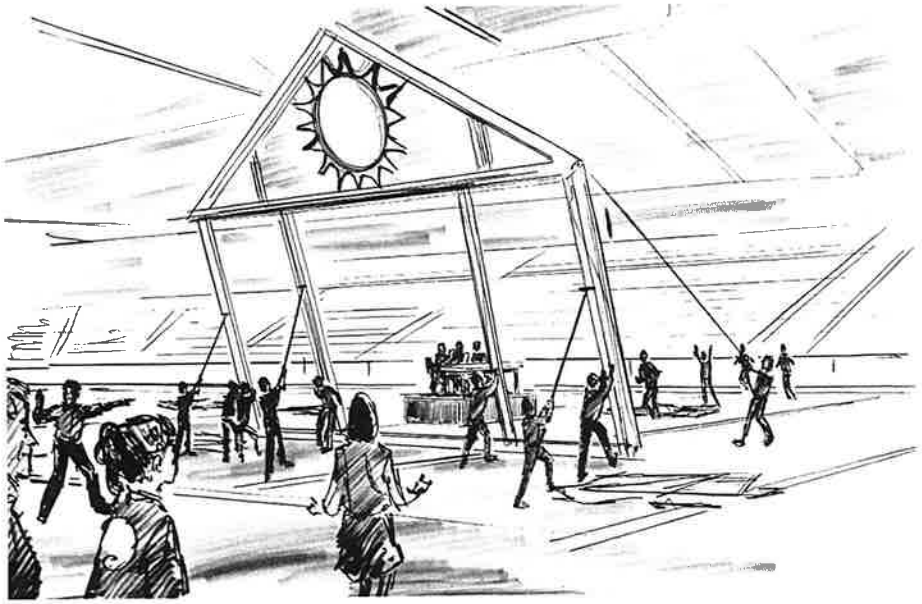
Case Study #1: Common Ground: Understanding Spectacle and Imaging Civic Art

NDSU's Department of Theatre Arts uses Common Ground as a guiding metaphor. How do theatre artists create a common ground; a place of mutual understanding, common interest, that embraces community, and is seated in the ordinary, everyday world. To that end, the Department of Theatre Arts offered a free workshop series called "Common Ground: Understanding Spectacle and Imaging Civic Art," led by Frank Maugeri, a Chicago-based theater visionary and community builder.

Maugeri and his team provided lectures, exercises and discussion throughout a four-day workshop to introduce area artists and community members to the international movement of celebratory spectacle, modern ritual and civic art. Participants worked in small groups to generate event ideas and develop initial action plans for interactive community spectacle experiences to be imagined for the residents of Fargo-Moorhead. The Open House (see Public Art Possibilities, page 88) was one of five exciting ideas developed over the course of the workshop.

Maugeri is the Community Programs Artistic Director at Chicago Children's Theatre and spent two decades as Producing Artistic Director with the acclaimed performance company Redmoon Theater.

To find out more about NDSU's Department of Theatre Arts Common Ground initiatives, please visit: https://www.ndsu.edu/performingarts/commonground/index.html



"Own the Dome" project proposes using the Fargo Dome for a large community pageant with a yearly theme.

"Oh, for Nice Cream!" project proposes a mobile ice cream cart/counter that facilitates productive public discussion and disagreement.

Case Study #2: The Fargo Project

The Fargo Project began with a chance meeting between ecological artist Jackie Brookner and an engaged citizen, which led to the creation of an experimental, adaptive process for engaging residents, experts and administrators in a common planning endeavor. The Project's first installation, coined as "World Garden Commons" (WGC), is an example of transformed urban flood management that transforms an existing 18-acre storm water basin into a lively, useful green space while maintaining the basin's function as storm water storage.

Through extensive artist-led design and community involvement, the project is working to transform the Fargo community's perception of storm water and to create a new aesthetic of what a natural vegetative urban basin can be. The project also laid the groundwork for the community to continue to explore connections, local expertise, and passions while learning about its diverse cultures and creating an ecological commons. The role of the artist is to carry the vision of transformation, the components of inclusiveness, and creative problem solving to build a sustainable program to support the community commons. The project integrates the Community Based Natural Resources Management, Creative Placemaking and Community Development practices, specifically focusing on socioecological components.

The project has a large network of over 50 community partners and hundreds of volunteers. The benefit of diversity is a number of community partners have opportunity to interact and participate in collective decision-making. Vital to the project are the community partnerships that continue to connect groups so interests are connected and not isolated. Funders of the project include National Endowment for the Arts, ArtPlace America, North Dakota Outdoor Heritage Fund, and the Kresge Foundation.

To find out more about The Fargo Project, please visit: TheFargoProject.com.

Image by Char-Marie Flood

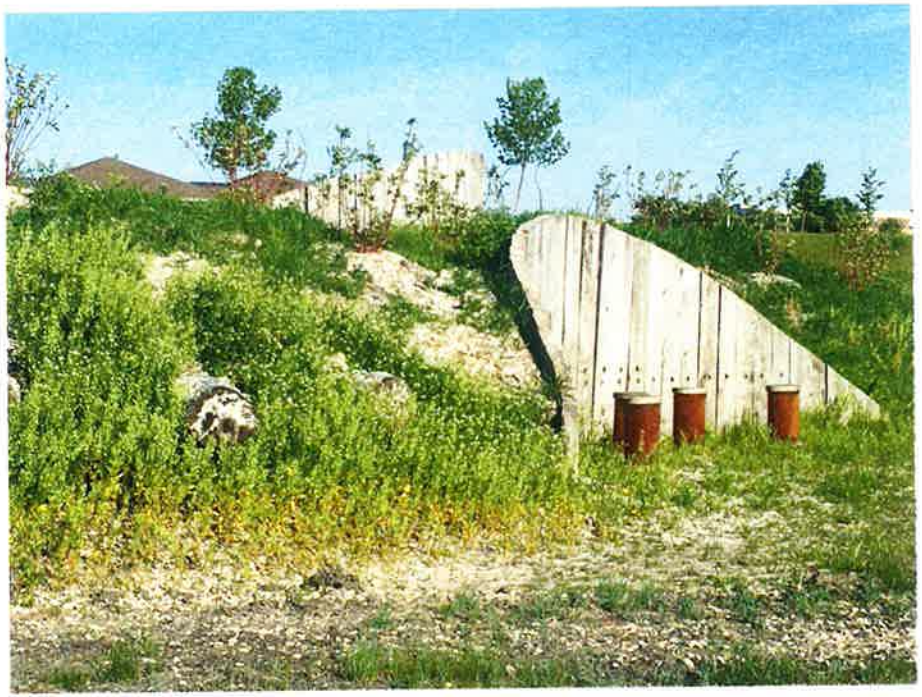


Image by Char-Marie Flood

Case Study #3: Sidewalk Poetry Project

Walking, Waiting, Wondering Words: A Sidewalk Poetry Project

Led by The Arts Partnership in conjunction with the art departments of North Dakota State University and Minnesota State University Moorhead, The Fargo Park Department, the City of Fargo Engineering Department, Hawthorne Elementary School in Fargo, Jeff Knight and Ludvik Herrera. Funded by the City of Fargo.

The venues for poetry tend to be limited. Aside from a classroom, our own chairs and couches, or the occasional performance space, our exposure to poetry tends to be limited.

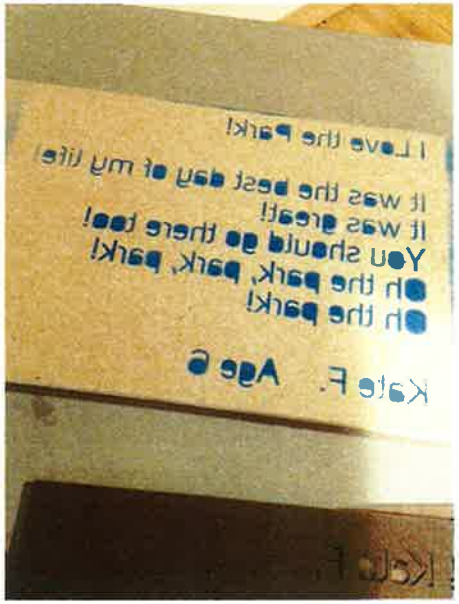
But, what if you could find poetry while walking your dog, or riding a bike with one of your kids? That is the aim of Walking, Waiting, Wondering Words: A Sidewalk Poetry Project.

In 2012, the City of Fargo awarded The Arts Partnership $10,000 additional dollars to facilitate a public art project. We determined to adapt a sidewalk poetry project from the City of St. Paul, MN. By working with a number of collaborators, we were able to get much of the project donated.

In the spring of 2013, the City of Fargo engineering department stamped 10 poems selected from elementary student submissions into the new sidewalk on the south side of Island Park.

There is such synergy in communities coming together around words. Still today, we see people walking in the park and coming across the various poems. They often stop and read each one.

This was a high impact, low cost project that could easily be duplicated by engaging the neighborhoods getting new/replaced sidewalks. Submissions by locals to the project is a great way to build localized community and to tie neighborhoods together through a larger public art project.



Images L to R:

A stamp created backwards to press into the sidewalks.

Taking pictures of sidewalk poetry.

A young poet finds her poem.

All images courtesy the Arts Partnership.

Case Study #4: Peace by Piece

"Peace by Piece – The making of North America's Largest Brick Sculpture"

MSUM Art Professor Brad Bachmeier was enlisted two years ago by Mary Jean Dehne, the Director of The Legacy Children's Foundation in Fargo for help in her vision of transforming a neighborhood. The goal was to figure out how art might play a role in helping to revitalize a drug-infested neighborhood park in the economically challenged Golden-ridge subdivision of Fargo into a skate and bike park where children could play safely and a community could celebrate diversity, culture and pride.

The art project began with plans that received the City of Fargo Arts & Culture Commission's first ever Public Art Grant for $10,000. The application stood out to the jurors because brick sculpture is a rare art form and Brad is one of only 19 brick sculptors in the country (American Brick Association). To ensure an authentic project that reflected community culture and values, Brad and his assistants conducted home visits, interviews and research while involving over 300 community members, children, artists and teachers that were enlisted to help create two large-scale brick sculpture projects and an accompanying mosaic mural. The mural project involved the children of Madison Elementary where every student in the school was involved in getting

to help make the cultural mosaic mural in their art classes. Children received homework that focused on learning about their cultural backgrounds.

The completed park was a true public/private collaboration of the Children's Legacy Foundation, The City of Fargo, The Fargo Park and Recreation Department, Scheels Sports, Hebron Brick and many other donors. Over a dozen Minnesota State University art faculty, students and alumni also played a significant role. Besides the public art which is constructed of over 5,000 sculpted brick, the finished park features a beginner's skate park and a pump track for bicycles and skateboards, making it a jewel of the Fargo Parks System..... that now features North America's Largest Brick Sculptures providing this community with both the pride and ownership that the Madison Park children deserve.

At the grand-opening and reception for the Madison Park on Wednesday, Aug.16 th , one Madison student summed it up by saying "Now everyone in Fargo wants to come to our park!"

-Excerpts from Chelsea Earnhardt (The Arts Partnership)
-Excerpts from Fargo Forum

Project website: http://www.fargobricksculpture.com/

Fargo Forum Article: : http://www.inforum.com/lifestyles/4297687-peace- piece-public- art-fargo-park- brings-cultures- together

WDAY TV News Article: http://www.inforum.com/news/4313490-kids- bicycle-playground-opens-madison- park-fargo

Images courtesy the artist.

APPENDIX 4

Sample RFQ's, documents

+ other resources

The following pages contain sample documents, contracts, RFQ's, and other resources to help guide the public art process in Fargo. These documents come from a variety of sources: the Forecast Public Art Toolkit, Americans for the Arts Public Art Network, and various cities and organizations who have adhered to the public art best practices previously laid out.

These documents are examples that can be expanded upon, edited, or simply considered as templates. Fargo's program may not need them all, or perhaps will only need to use some pieces of them as the City's public art program continues to evolve.

PUBLIC ART TRIGGERS

Public Art Planning Considerations

What Triggers Consideration of Public Art?

1. Major public improvement investments
- a. Parks
- b. Transit
- c. Community Center
- d. Storm-water management project
- e. Space development

2. Major private developments
- a. Storm-water management issues
- b. Public plaza frontage opportunity
- c. Setback requirements in developer agreement
- d. Public atrium or public space component
- e. Construction site mitigation (unsightly)
- f. Vacant storefronts, unrented spaces

3. Community Development
- a. Transit
- b. Housing
- c. Infrastructure
- d. Quality of Life Improvement

4. Equity Issues
- a. Forging consensus with diverse stakeholders
- b. Increasingly diverse demographics
- c. Addressing the areas of city lacking cultural amenities

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PERCENT-FOR-ART ORDINANCES

From PROJECT FOR PUBLIC SPACES website:

PERCENT- AND NON-PERCENT-FOR-ART PROGRAMS

PERCENT-FOR-ART ORDINANCES

Passing percent-for-art legislation encumbers a percentage (usually .5 to 2) of CIP (publicly funded capital improvement projects) per year for the commissioning of public artworks, which will usually be sited in, on, or adjacent to the building or project being constructed. Percent-for-art ordinances guarantee a funding stream for public art projects regardless of what happens to city budgets or arts funding. The policy also guarantees that public art projects will be planned each year, as long as CIPs are underway and municipal construction continues.

Benefits of a percent-for-art ordinance:

- It can provide a mechanism for obtaining funds from a broad range of city agencies and departments;
- It can offer legal recourse (if funding for percent projects becomes a legally binding requirement) to obtain funds for public art from non-compliant city agencies;
- It can provide an opportunity to work with and introduce public art to many city agencies, in many different types of projects, and in many locations city-wide; and
- In some cases, such as Atlanta, it allows for the siting of art in adjacent or nearby communities to offset the negative impacts of a project, or to place public art in more diverse areas of a city.

Even when a percent-for-art ordinance is in place, however, additional funds for art projects may be required: Despite 2% for art public funding, "money is always a problem," says Linda Bloom, administrator of Sacramento, CA's Art in Public Places program. Currently, the organization is looking to forge private partnerships and use private money for artwork on the city's light rail system.

NON-PERCENT-FOR-ART SOURCES

Several examples of well-known, successful, non-percent-for-art-funded programs exist in the following cities:

Houston, TX: The Cultural Arts Council of Houston also receives a percentage on the hotel/motel tax for art. In addition, the Council contracts with a variety of city agencies, as well as with Harris County.

New Orleans, LA: The Arts Council of New Orleans funds public-art projects through a joint partnership between public/private sectors in order to create more stable funding basis. City of New Orleans, local and state governmental agencies, as well as other non-profit arts organizations, are funding sources for the public-art program.

Phoenix, AZ: Phoenix's public-art program is funded through the city's general-purpose funds, public-art funds, state lottery revenue, and regional and federal grants.

San Antonio, TX: The San Antonio Design Enhancement Program (DEP) is operated through the city's Public Works Department's City Architects' Office. The DEP program is maintained by art allowances and budgets that are identified and developed by each project-design team.

San Diego, CA: The public art program in San Diego is a department of the San Diego Commission for Arts and Culture. Administrative costs are covered by a portion of the city's Transient Occupancy or Hotel/Motel Room Tax, which helps to fund the operating and personnel expenses of nearly 90 arts and cultural organizations.

SOLICITING PARTICIPATION BY DEVELOPERS

Even if a city does not have a percent-for-art ordinance in place, nor a significant number of city-funded CIP projects (both of which would guarantee a certain number of public art projects per year), it may still be possible to get funding from capital projects for public art, by working with the private sector.

In cities around the country, private developers are realizing that commissioning works of art for their projects benefits more than their bottom line. They can:

- Improve employee and tenant working environments;
- Create a unique look or landmark feature for the project;
- Demonstrate a larger civic commitment; and
- Translate into higher rents and a more desirable office location.

For city agencies, expenditures on public art projects can:

- Highlight and publicize agency initiatives, missions and objectives;
- Communicate important information or instructions to the public (public service messages such as the importance of recycling are natural subjects for public art works);
- Contribute to the community's acceptance of a plant or facility in which they are to be sited; and
- Increase the public's recognition of the important work provided by that agency or city department.

The first step to soliciting developer participation is to take stock of the public and private investment occurring in your city. For example, in 2002 in Mobile, AL, nearly $400 million in public and private investment was underway. Private projects included the $165 million RSA Tower; a newly constructed $75 million Mobile Register Building; and a $1.2 million Larkin Music Center. Public sector funded projects included the $90 million GSA Federal Courthouse (with its own 1% for art budget); a $9 million Social Security building; a $16 million federal government rehabilitation of a train station as a multi-modal transportation/retail center; and the Mobile Landing/Alabama State Docks expansion and waterfront park project, which had a budget of $40 million.

In cases such as this, public-art program staff or committee members should solicit private developers regarding

is introduced into project plans, the better. There are a number of ways of encouraging the development community in funding public art projects:

1. **Include art in the incentive package given to developers.** For example, developers are often requested or required by cities to provide parking, a certain number or amount of coverage by street trees, curbs and sidewalks, etc. Public Art could be added to this list, or developers given the opportunity to include public art in a project as a way of meeting the requirement for providing these kinds of on-site amenities. Fees paid by developers, or requirements that developers provide more affordable housing or a park as part of a project, also could be set aside to fund works of public art. In Portland, OR, public art is acceptable as an alternative to meeting the city's requirements for ground floor windows (no blank walls at street level).

2. In instances where a Nexus or Environmental Impact Study has been ordered to determine the potential negative impacts of a project, **a percentage of the fees paid by a developer as part of this mitigation could be set aside for a public art project,** where the art would be considered a mitigation tool.

1. **Have the "plaza bonuses,"** or floor-area ratio bonuses, given to developers who set aside a certain amount of ground floor as public space, **also be awarded for including public art.** In Portland, OR, development projects where one percent of total construction costs are committed to public art receive a floor-area ratio bonus of 1:1. All or at least 25% of these funds are deposited in the Public Art Trust Fund for use on projects in other sites around the city. The City of Tampa, FL, encourages "any private developer/owner who applies to the city for building permits to construct or reconstruct a commercial or municipal structure to commit one percent of construction costs up to $200,000 to the provision of fine art in conjunction with such commercial structure" or to elect instead to donate to the city an amount equivalent to the one percent. In addition, every building or construction permit pulled for the construction or reconstruction of a commercial or municipal structure is reported to the public art committee.

No matter how the developers are encouraged to fund art, they are responsible for maintaining and conserving works once they have been commissioned. Developers need their own advisors or consultants and/or a public art review panel should be convened on private projects to ensure quality and that the artwork(s) commissioned complies with the overall goals of the public art policy and public art vision of the city.

ALTERNATE SOURCES OF FUNDING

Funding for public art has come from:

- TIF (Tax increment financing) of vacant buildings for use by artists for housing and studios (Memphis, TN);
- Foundation grants, including those from National Endowment for the Arts (NEA) and National Endowment for the Humanities (NEH);
- Neighborhood appeals;
- Parking meter revenue;
- Hotel/motel taxes (Transient Occupancy Tax);
- Sales tax revenue,
- Proceeds from the sale of city land;

- Funds pooled with the county;
- State and city governments;
- Historical societies and commissions;
- Local companies (including locally based branches of national corporations);
- Utilities;
- Arts councils and advisory boards;
- Museums; and
- Art centers

Potential strategies to raise funds for a public-art policy could be to:

- **Tie funding of public art to a possible (foundation) endowment** for the care and management of downtown parks and public spaces. The endowment could pay for art selection, commissioning, and maintenance.
- **Tax large-scale events and festivals** to pay for art. For example, a Motel/Hotel tax can be dedicated to public art during the event. This funding can be put toward art projects that would occur before and after the event.
- See if your project would make you eligible for a **state tax credit for historic renovation**
- Have City Council members **fund public art projects in communities** within their districts.
- Use the **public art policy as a marketing tool** to funders.
- **Have a 501(c)(3) administer the public art program,** so that donated monies could be used tax-free and would represent taxable deductions for donors.

PUBLIC ART POLICY EXAMPLE

Public Art-related Policy Language from the DC ARTS & CULTURE PLAN

The overarching goal for arts and culture is: Support and encourage arts and cultural venues, programs and learning experiences in the District of Columbia that inspire a vibrant cultural life for all segments of the population. Enhance the city's diverse artistic and cultural traditions through decisions affecting the physical environment

A large number of US cities and government agencies have adopted policies to make art more visible in the design of public buildings, infrastructure, and even private development. As public art projects have become more diverse and challenging, there has also been a shift from using art merely as an embellishment for architecture to using art to create a sense of neighborhood identity and to provide a connection to local history and culture. Art projects document, celebrate, and define communities whose stories may once have been overlooked. This is particularly true in Washington, where public art tells not only the story of a city but also the story of a nation.

1405.1 Art of many genres has played an important role in building the civic culture of the District of Columbia. From monuments inspired by the Beaux-Arts movement to the evocative murals of Adams Morgan, art is an integral and visible part of our cityscape. We must continue to include public art as our city evolves—not only in "federal" Washington but also in our neighborhoods.

1405.2 AC-2.1 Increasing Opportunities for Public Art

1406 Public art can provide beauty, visual interest, and a source of community pride. It can contribute to cross-cultural understanding, and become a source of community dialogue and participation. It also brings economic benefits in the form of tourism and jobs for artists. While the most familiar forms of public art in the District are its more than 150 commemorative memorials, there are many other examples. Traditional definitions of public art have grown to include temporary installations as well as permanent art forms such as frescoes and tile murals. New directions in public art should encourage a diversity of media, so that all segments of the community can participate and be represented.

1406.1 Since 1986, the DC Commission on the Arts and Humanities has maintained a "DC Creates Public Art Program" that purchases, commissions, and installs artwork for public sites throughout the city. The program was established by legislation that allocates up to one percent of the District's adjusted Capital Budget for the commission and acquisition of artwork. Despite this initiative, broader efforts are needed to bring public art to communities where it is in short supply.

1406.2 Policy AC-2.1.1: Emphasizing Important Places with Art
Use public art to strengthen the District's identity as a local cultural and arts center. Public art should accent locations such as Metro stations, sidewalks, streets, parks and building lobbies. It should be used in coordination with landscaping, lighting, paving and signage to create gateways for neighborhoods and communities.

Policy AC-2.1.2: Funding Public Art in Capital Improvement Projects

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Continue to set aside funds from the capital improvement project budget for public art and arts-related improvements. Ensure that these funds are actually spent on physical improvements rather than operations.

Action AC-2.1.A: Public Art Master Plan
Develop a Public Art Master Plan for the District. The Master Plan would set out a vision for public art, as well as basic principles for how public art can be integrated into the District's architecture, gathering places, and natural landscapes.

AC-3.2 Promoting Cultural Tourism
1410 Cultural tourism "is travel directed toward experiencing the arts, heritage, and special character of unique places." This definition emerged from the 1995 White House Conference on Travel and Tourism, which declared United States involvement in this worldwide phenomenon a national priority—a way to link support of American cultural institutions with economic development goals for the nation.

1410.1 According to the Travel Industry Association of America, cultural tourism is the fastest growing segment of the tourism industry, representing 81 percent of domestic travelers. Based on survey data, 66 percent of the nation's cultural travelers want to visit historic places and museums, while 45 percent want to participate in arts and cultural events.

1410.2 The District is rich in the kinds of experiences and places those visitors are seeking. While some of these places are well known—the streets of Georgetown or Capitol Hill, for instance—many are not. Places like the Fort Circle Parks, Historic Anacostia, and Brookland are rich in landmarks that are known to few outside the city. The visitor experience should be expanded to include the dozens of cultural attractions that exist beyond the monuments and museums of the National Mall. This will bring more visibility and revenues to local cultural institutions and new dollars to the city's neighborhoods. Additionally, the development of new museums and cultural facilities beyond the Monumental Core, as called for by NCPC's Memorials and Museums Master Plan, can expand choices for visitors and provide growth opportunities for local tourism

AC-4.2 Partnerships 1413
Given the limits of public funding, support for the arts has increasingly relied on partnerships with the corporate and institutional sectors. This shift has been accompanied by a growing interest in the arts by the business sector. Audiences for the arts are often the very markets that businesses are trying to reach.

1413.1 The trend toward partnerships has provided the arts with new resources for programs and operations. These include both funding and contributions of in-kind goods and services. The District can help support and expand these links through its economic development programs and through the activities of the Commission on Arts and Humanities. It can also help build partnerships with organizations like the National Endowment for the Arts, local philanthropic organizations and foundations, and our colleges and universities.

1413.2 Here in the District there is a history of civic volunteerism. This extends to cultural leadership through diverse non-profit arts, cultural organizations, and regional advocacy organizations such as the Cultural Alliance of Greater Washington. Stronger collaboration among

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these organizations and other city and federal agencies is needed to maximize our resources and broaden the reach of arts and culture.

1413.3 Policy AC-4.2.1: Private Sector Partnerships
Develop partnerships with the private sector to encourage monetary and non-monetary support for the arts, as well as sponsorships of arts organizations and events.

1413.4 Policy AC-4.2.2: Partnerships Among Organizations
Promote the creation of partnerships among the District and federal governments, local businesses, arts organizations, schools, college and university art programs and departments, and charitable foundations to enhance arts programming, funding and facility development.

AC-4.3 Engaging the Arts Community in Planning 1414
Building a stronger constituency for the arts will require engaging the arts community more effectively in local planning. Since 1968, the DC Commission on Arts and Humanities (COAH) has been a vehicle for artists and creative professionals from across the city to advocate for policies that expand cultural awareness and opportunity. Strengthened relationships between the COAH and other city agencies can lead to clearer, more integrated, and ultimately more successful results. By organizing and mobilizing the arts community, the District can also work toward greater support from arts patrons from across the entire metropolitan area, and not just those living in the District.

1414.1 Policy AC-4.3.1: Engaging Our Arts Community
Increase the involvement of the arts community in the design of the physical environment, and include artistic considerations in local planning and redevelopment initiatives.

1414.2 Policy AC-4.3.2: Role of the Commission on Arts and Humanities
Maintain and strengthen the DC Commission on Arts and Humanities so that it can better serve the public through arts policy coordination, planning, and programming.

1414.3 Policy AC-4.3.3: Collaboration with Historic Preservation Organizations
Encourage non-profit and private arts organizations to work closely with historic preservation organizations to reuse historical buildings, including historic theaters, as cultural centers.

1414.4 Policy AC-4.3.4: Coordination with Other Jurisdictions
Encourage other jurisdictions in the region to help sustain and enhance the cultural facilities located within the city that serve the region as a whole.

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FARGO RESOLUTION OF SUPPORT OF PUBLIC ARTS AND CULTURE

A RESOLUTION OF SUPPORT

OF PUBLIC ARTS AND CULTURE WITHIN FARGO

WHEREAS, the City of Fargo approved the GO2030 Fargo Comprehensive Plan on May 24, 2012; and

WHEREAS, the GO2030 Fargo Comprehensive Plan Arts and Culture Initiative 01 aims to incorporate public art into the public realm of the city; and

WHEREAS, the GO2030 Fargo Comprehensive Plan Arts and Culture Initiative 02 aims to develop dedicated public gathering spaces in neighborhood centers; and

WHEREAS, the GO2030 Fargo Comprehensive Plan Arts and Culture Initiative 05 aims to establish an Arts Commission to support integration of art into the public process and to increase aesthetic consideration within the public realm; and

WHEREAS, the Fargo City Commission approved the formation of a Public Art Taskforce on January 2, 2014; and

WHEREAS, the Public Art Taskforce has worked diligently to determine the need for additional support of public artists and programs in order to achieve the aforementioned initiatives outlined within the GO2030 Fargo Comprehensive Plan; and

WHEREAS the City desires to implement the initiatives adopted within the GO2030 Fargo Comprehensive Plan; and

NOW, THEREFORE, BE IT RESOLVED that the City Commission of Fargo hereby fully supports the initiatives outlined in GO2030 and will determine areas of opportunity for our community in a continuing effort to strengthen public arts and culture by authorizing the Community Development Committee to govern and manage a public art program that will take under advisement the policy proposal as submitted by the Public Arts Task Force on XXXXXXXXX.

PUBLIC ART DONATIONS, ACCESSIONS, AND DEACCESSION POLICY EXAMPLE

City of Hopkins

Public Art Policies & Procedures

Approved by the Hopkins City Council 4/16/13

PURPOSE AND VALUE OF PUBLIC ART

The City of Hopkins recognizes the value that the arts play in a vibrant community and supports public art programs and activities that meet the following objectives:

- To provide meaningful aesthetic and cultural experiences for Hopkins residents, business owners and employees, and visitors, adding to the vibrancy of the community
- To attract new residents and new visitors, including but not limited to cultural tourists
- To showcase and/or collect artwork that demonstrates the creativity and innovation practiced in the arts, stimulates discussion and exchange of ideas, honors the history and heritage of Hopkins, and/or reflects the character and diversity of Hopkins

HOPKINS PUBLIC ART COMMITTEE

The City of Hopkins' public art program shall be led by a Committee made up of representatives of the Planning, Public Works and Hopkins Center for the Arts staff, community volunteers, business owners and artists. This Committee shall be responsible for the oversight of all public art programs and projects undertaken by the City of Hopkins including planning, grant writing, communication, acquiring public art, and maintenance of such art works. The Committee shall meet as needed to achieve the goals of the Public Art program as determined by the Hopkins City Council.

PURPOSE OF THIS POLICY

The objectives of this policy are to:

- Provide uniform procedures for the review and acceptance of gifts and loans of works of art for the City of Hopkins
- Provide policies and procedures relating to the commissioning of artwork, purchase of artwork from ArtStreet or other instances of the City of Hopkins initiating the acquisition of works of art
- Maintain high artistic standards in works of art displayed in public areas of the City of Hopkins
- Charge the appropriate staff with the responsibilities to administer public art initiatives
- Facilitate planning for the placement, maintenance, and funding of works of art on City property
- Define guidelines for the retention and possible deaccession of public art works
- Facilitate appropriate recognition of artists and donors of works of art to the City of Hopkins
- Direct the use of monetary donations including art dedication payments

For purposes of this policy, **Public Art** is defined as permanent, fixed, temporary or portable artistic expressions. This may include elements integral to a public site or building indoors or outdoors; landscape elements designed as part of an architectural design; objects and amenities used in a public site that are designed by a professional artist such as but not limited to benches, lighting, tree surrounds, railings, architectural ornament, etc.; or original works of fine art by artists not associated with any building project. Examples of the latter include: sculpture (free-standing, wall-supported, suspended, kinetic, electronic, mechanical, etc.); murals; paintings; collage; earthworks; neon; glass; fiber; mosaics; clay; wood; photographs; prints; literary arts; calligraphy; film; holographic images; video; computer projections; drawings; or any hybrids/mixed media. Civic undertakings such as

historical markers, memorials and monuments may fall under these guidelines if created by a professional artist. Time-based artworks such as musical performances, theater, dance created by a professional artist or team may also fall under these guidelines.

For purpose of these guidelines, the following shall be excluded from the definition of Work of Art: mass produced objects, fountains, playground constructions, landscape elements and park amenities that are of standard design and not designed by a professional artist. Also excluded from this policy are directional or functional elements such as signage, maps and graphics that are not designed by professional artists.

ACQUISITION OF ART WORK

The City of Hopkins may acquire artwork through its own initiatives (ArtStreet, commissioning of work, etc.) or through the donation of artwork. Artwork purchased by the City of Hopkins should demonstrate community support including but not limited to being the result of a People's Choice of Children's Choice Award for Hopkins ArtStreet, or commissioned artwork resulting from community input. The following three sections detail the procedures and policies for the donation of artwork.

DONATED ARTWORK, SECTION 1: PROCEDURES FOR MAKING A DONATION

Any person, group of people or organization may request the City to accept a donation of artwork. A Donor's Guidelines for Works of Art and sample application form are attached and must be given to anyone interested in donating artwork to the City. Donations of art work most likely will be for works of art expected to last several years if not into perpetuity.

DONATED ARTWORK, SECTION 2: ACCEPTANCE PROCESS

The purpose of this process is to ensure an equitable system for accepting or rejecting proposed donations of artwork, to ensure that a high level of artistry is consistently achieved, and to work with donors and artists to ensure that artwork meets maintenance standards and is placed appropriately. The process is:

1. A designated staff representative of the City meets with the potential donor to discuss the gift and review the Donor's Guidelines for Works of Art. Donor then completes the application form.
2. The application is referred to the Public Art Advisory Committee for review. This group may choose to meet with the donor to clarify any issues. It may also meet with business owners, neighborhood associations, or other interested parties as potential sites are considered. The Committee then makes a recommendation to the City Council as to whether or not they feel the application should be accepted. This recommendation should include site placement and maintenance plan as well as information on the work of art.
3. The City Council may accept the gift, deny the gift, or ask the Committee for further review. If an art work is accepted, the City Council makes a resolution to accept the donation. If the donor holds a title to the work, that title should be conveyed to the City of Hopkins. If such a title does not exist, the donor should provide a signed letter clearly stating the work of art is in their ownership and is being given to the City in perpetuity and that the donor relinquishes all control over the art work.
4. The Committee and designated staff schedule the installation of the artwork, ensure the donor is recognized for the gift at the installation site, and sends a letter of thanks to the donor on behalf of the City of Hopkins. The Committee is responsible for executing the maintenance plan

for the artwork and, if it should arise, determining if an artwork should be moved, repaired or deaccessioned.

DONATED ARTWORK, SECTION 3: SELECTION CRITERIA

The assessment of art work can be a rather subjective endeavor. The Committee should adhere to the following basic criteria to make the process as fair as possible and to ensure a quality public art program:

- High aesthetic level (evidence of the artist's mastery of the medium; impact on the viewer; contributes to a diverse and high quality collection of artwork)
- Appropriateness to the site (size, theme, historical or cultural significance, etc.)
- Impact, positive or negative, on property use and on adjacent property owners
- Practical maintenance burden (time, materials, cost)
- Safety to passersby, children, the disabled and the environment (including but not limited to projections, materials, noise, light and odor)
- Undue susceptibility to vandalism or theft
- In no instance should the work depict subjects that are trademarked or commercially licensed
- The donor has clear title/ownership of the work being donated

POLICY REGARDING THE COMMISSIONING OR PURCHASING OF ART WORK BY THE CITY OF HOPKINS

The most common way in which the City of Hopkins purchases an art work is through the project, ArtStreet. Each year, the Committee has the option, but not the obligation, of purchasing one or more pieces of art from the current round. The Committee will decide if any pieces in the current round are deemed appropriate for purchase. Results of the People's Choice and Children's Choice voting shall be an important factor in making this determination. The basic criteria listed above shall also be employed.

The pricing of the artwork in relationship to the purchase fund is another key factor. If the Committee decides to purchase a piece, a Hopkins staff person will handle the transaction. In some cases, a third party may contribute to the purchase and will be recognized at the site of installation and sent an acknowledgement.

There may be an instance when the City of Hopkins wishes to commission an artwork for a specific site or purpose. In most such cases, a request for proposal will be disseminated to public artists. These will be reviewed by the Committee and staff and a recommendation made to the City Council.

POLICY REGARDING THE IDENTIFICATION OF ART WORK

Unless a donor asks to remain anonymous, individuals or groups will be recognized for their donation of public art through a small plaque near the donated work. Likewise, unless he/she prefers to be anonymous, in all cases the artist of the work will be recognized on the plaque along with the year in which the artwork was completed and the medium. All design and text of this plaque must be approved by the Hopkins Public Art Committee. If an artwork is for sale, such as through the ArtStreet initiative, this will be communicated through a brochure, the City's website and through QR codes on the piece if available.

POLICY REGARDING INSTALLATION and MAINTENANCE OF ART WORK

The City of Hopkins is responsible for installing and maintaining all pedestals, concrete pads and securing mechanisms to be used for public art. The installation of actual art work shall be arranged on a case-by-case basis but in general will be handled as follows. Any exceptions must be reviewed and approved by the Hopkins Public Art Committee.

In the case where public art work is coming directly from an artist, that artist is responsible for overseeing the installation of the work by the City of Hopkins and holds all liability for loss or damage during transport and installation of the work. In the case of a short-term loan by an artist (ex. ArtStreet), the artist is responsible for any repairs or maintenance required during the term of the loan. In addition, the artist is responsible for delivering the artwork properly prepared for installation per project guidelines or agreement (ex. steel mounting plate secured to artwork).

When public art is coming from a third-party donor, the donor is responsible for transport of the artwork to its installation site and assumes all liability for loss or damage during transport. The City of Hopkins is responsible for installation of the artwork and maintenance thereafter.

Art work that does not conform to the specifications detailed in the program or project guidelines will not be installed unless otherwise approved by the Hopkins Public Works Department representative. At the discretion of the Hopkins Public Art Committee, plans for installations of art may be sent to the City's Inspection Department for review for safety and security. (ex. a very tall artwork) The Public Art Committee is responsible for establishing a maintenance plan and schedule for all public art in Hopkins and seeing that proper maintenance and repairs are carried out.

The City of Hopkins will maintain insurance on public art other than short-term loans or temporary works. It may arise that very costly works may require an insurance rider. This will be determined by the Director of Finance of the City of Hopkins.

All public art that is to be owned by the City of Hopkins will be installed on public property. Temporary installations, such as through ArtStreet, may occur on private property if agreed to in writing by the owner of the property on which the art is installed.

Public Art Maintenance Fund and Art Dedication Payments

Ten percent of commissions collected from the sale of Hopkins ArtStreet art work will be deposited in a Public Art maintenance fund.

An Art Dedication Fee is not a requirement associated with any City approval for a development project but shall be accepted as a donation to the City's Public Art Program. It is the responsibility of the donor to provide direction as to how the proceeds are to be used in accordance with all City policies. It there is not a public art project associated with the development for which the fee was donated, that fee will be applied to the Public Art Maintenance Fund, unless otherwise directed by the City Council.

POLICY REGARDING RETENTION, RELOCATION AND DEACCESSION OF ART WORK

All art work has a life span. The City of Hopkins is cognizant that a policy must be in place to deal with art work reaching the end of its life span or in which art work has become irrelevant or no longer useful in

serving the public art goals of the City. The City of Hopkins retains the right to relocate or permanently remove an artwork from public display for any reason, at the sole discretion of the City. The City may do so for reasons such as increased hazard to public health and safety, unsightly or deteriorated conditions of the artwork, the need to access and maintain public facilities, in the interest of improving the quality of the collection, etc. In general, if such conditions do not apply art work will be retained in the public art collection so long as:

- The artwork continues to be relevant and useful for the purposes and activities of the City, is not redundant or a duplicate that no longer has value as part of the collection as a whole
- An appropriate site for public display is available
- A public safety problem is not created by the project and no adverse environmental effects are created
- The authenticity, attribution or genuineness of the work is not determined to be false or fraudulent
- Its condition remains good and represents no more than natural and proper aging of the work
- Artwork withstands exposure to the natural elements and/or public use
- Artwork can be properly and cost-effectively stored, maintained, preserved and/or used
- The item is located in an area when jurisdiction will not be transferred to another entity or made inaccessible to the public

If an artwork is going to be deaccessioned, the artist shall be contacted and have the option of reacquiring title and possession of the artwork upon permanent removal by the City.

Donated items will be deaccessioned only at the direction of the City Council, which shall consider the recommendations of the Hopkins Public Art Committee, City staff and public comment. The City will contact the donor and artist (if known) and will determine the method and manner of the deaccessioning with preference given to returning the artwork to the donor. Deaccessioned items may be disposed of by means of public sale; private sale; exchange for another work; gifting to a tax-exempt public institution; recycling or destruction. Destruction may be considered the viable alternative where the physical condition of the work is severely deteriorated or will be irreparably damaged by deinstallation.

EXAMPLE OF CONTRACT BETWEEN CITY AND ARTIST FOR COMMISSIONED ARTWORK

CITY OF WHITE BEAR LAKE

AGREEMENT FOR SERVICES

THIS AGREEMENT FOR SERVICES ("Agreement") is made and entered into this 21st day of April, 2017 by and between the City of White Bear Lake ("City") and NAME OF ARTIST, whose address is _____ _____ ("Artist"). The City and the Artist may hereinafter be referred to individually as a "party" or collectively as the "parties."

WHEREAS, the City has accepted the proposal of an outdoor sculpture created by the Artist ("Art Work") for the City. A copy of said proposal as accepted is attached hereto as Exhibit A ("Proposal").

WHEREAS, the Art Work is to be placed at the following location ("Site"): Boatworks Commons, _____, White Bear Lake, MN; and

WHEREAS, the parties desire to provide for the fabrication and installation of the Art Work at the Site by the Artist and the supplying of electrical power for lighting the Art Work by the City, in accordance with the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the mutual promises and undertakings contained herein, the parties agree as follows:

Article 1. Scope of Services

1.1. General

(a) The Artist shall perform all services and furnish all supplies, materials, and equipment as necessary for the design, execution, fabrication, transportation, preparation, and installation of the Art Work at the Site.

(b) The Artist shall at all stages of execution, fabrication, and installation coordinate its work with the City's engineer ("Engineer") and shall copy the Engineer on all correspondence with the City.

1.2. Execution of the Work

(a) The Artist shall complete the fabrication of the Art Work in accordance with the design approved by the City and shall install the Art Work at the Site by no later than November 1, 2017 ("Completion Deadline").

(b) The City and the Engineer shall have the right to review the Art Work at reasonable times during the fabrication thereof. The City shall be allowed to photograph or film the fabrication and installation of the Art Work.

(c) The Artist shall complete the fabrication and ensure installation of the Art Work at the Site in conformity with the approved Proposal by the Completion Date.

(d) The Artist shall present to the City in writing for further review and approval any significant changes in scope, design, color, size, material, texture, or function of the Art Work not permitted by or not in conformity with the Proposal. A significant change is any change in the scope, design, color, size, material, texture, or location at the Site of the Art Work which affects installation, scheduling, Site preparation, or maintenance for the Art Work or the concept of the Art Work as represented in the Proposal.

1.3. Delivery and Installation

(a) The Artist shall notify the City in writing when the fabrication of the Art Work is completed and the Artist is ready for its delivery and installation at the Site.

(b) The Artist agrees to notify the City no fewer than (14) days prior to the Artist's intended time of installation and delivery of the Art Work to determine the particulars of delivery time, location, and coordination of the work with the Engineer.

1.4. Electrical Service

The City shall, at its own cost, provide the electrical service for the installed Art Work. The City shall be responsible for maintaining the electrical service and related costs for the continued operation of the Art Work.

1.5. Post Installation

(a) The Artist shall be notified of any dates and times for presentation ceremonies relating to the Art Work.

(b) Upon installation of the Art Work, the Artist shall provide to the City detailed written instructions for the appropriate maintenance and preservation of the Art Work if needed.

1.6. Final Acceptance

(a) The Artist shall advise the City in writing when all services related to the fabrication and installation of the Art Work are completed in substantial conformity with the Proposal.

(b) The City shall notify the Artist in writing of the City's final acceptance of the installed Art Work. If the Art Work is deemed not in substantial conformity with the Proposal, the City will give the Artist written notice specifying and describing the services which have not been completed or other reason(s) why the Art Work has not been accepted. Upon the receipt of such written notice, the Artist shall take, at its own cost, any corrective actions that may be required to bring the Art Work and its installation into conformance with the Proposal and any related plans within 30 days. The Artist shall notify the City when the corrective work is completed. If, upon inspection, the City determines the Art Work and its installation are in conformance, it will notify the Artist in writing of the City's final acceptance.

(c) Upon final acceptance of the Art Work by the City, all rights to the Art Work shall immediately transfer to the City in accordance with the terms of this Agreement. Title of the Art Work shall pass to the City upon the City's final acceptance of the completed Art Work.

1.7. Risk of Loss

The risk of loss or damage to the Art Work shall be borne by the Artist until final acceptance by the City, and the Artist shall take such measures as are necessary to protect the Art Work from loss or damage until final acceptance.

1.8. Liability, Indemnification and Insurance

(a) The Artist agrees to indemnify, defend, and hold the City and its officers, employees, and agents harmless from any and all loss, cost, damage and expense (including reasonable attorney's fees and court costs) resulting from, arising out of, or incurred by reason of any claims, actions, or suits based upon or alleging bodily injury, including death, or property damage arising out of or result-

ing from the Artist's operations, duties, or responsibilities under this Agreement, whether such be by the Artist itself or by any subcontractor or by anyone directly or indirectly employed by either of them. The obligations under this paragraph shall survive the termination of this Agreement.

(b) The Artist shall be required to carry insurance of the kind and in the amounts shown below for the entire term of this Agreement. The Artist shall provide the City certificates of insurance showing that the Artist has the following coverages in at least the amounts indicated: $300,000 per occurrence general liability insurance; $100,000 per accident auto insurance; and workers' compensation insurance (if required by state law). The Artist shall be required to ensure all subcontractors working on this project carry at least the insurance coverages and amounts required of the Artist. The Artist shall name the City as an additional insured on its general liability policy.

Article 2. Compensation and Payment Schedule

2.1. Not To Exceed Fee

The Artist shall receive an amount not to exceed $XX,000.00 in consideration for the production, delivery, and installation of the Art Work at the Site, which shall constitute payment in full for all fees, services, expenses, and materials to be performed and furnished by the Artist under this Agreement. This includes any footings, foundation, permits, and related expenses, taxes, fees, and costs. The compensation shall be paid in the following installments:

(a) $5,000.00 within 15 days of the execution of this Agreement.

(b) $30,000.00 within 15 days of completion of the City's acceptance of the final design. Payment of this installment indicates acceptance of the Art Work design and direction to proceed with fabrication.

(c) $XX,000.00 within 10 days after final acceptance of the installed Art Work by the City.

2.2. Permits

The Artist is responsible for obtaining any and all permits from any governmental agency required to perform any aspect of the fabrication and installation of the Art Work.

Article 3. Time of Performance

3.1. Duration

The services to be performed by the Artist under this Agreement shall be completed by the Completion Deadline, provided that such deadline may be extended or otherwise modified by written agreement between the Artist and the City.

3.2. Early Completion of Artist Services

The Artist shall bear any transportation and storage costs resulting from the completion of the Art Work prior to the time provided in the schedule for installation at the Site.

3.3. Time Extensions

The City shall grant a reasonable extension of time to the Artist in the event that there is a delay on the part of the Artist in performing its obligations under this Agreement due to conditions beyond the Artist's control or Acts of God which render timely performance of the Artist's services impossible or unexpectedly burdensome. Likewise, the Artist shall grant a reasonable extension of time to the City in the event that there is a delay on the part of the City in performing its obligations under this Agreement due to conditions beyond the City's control or Acts of God which render timely performance of the

City's services impossible or unexpectedly burdensome. Failure to fulfill contractual obligations due to conditions beyond either party's reasonable control will not be considered a breach of contract; provided that such obligations shall be suspended only for the duration of such condition.

Article 4. Warranties

4.1. Warranties of Title

The Artist represents and warrants that: (a) the Art Work is solely the result of the artistic effort of the Artist; (b) except as otherwise disclosed in writing to the City, the Art Work is unique and original and does not infringe upon any copyright; (c) that the Art Work, or a duplicate thereof, has not been accepted for sale elsewhere; and (d) the Art Work is free and clear of any liens from any source whatsoever.

4.2. Warranties of Quality and Condition

The Artist represents and warrants that: (a) the execution and fabrication of the Art Work will be performed in a workmanlike manner; (b) the Art Work, as fabricated and installed, will be free of defects in material and workmanship, including any defects consisting of inherent qualities which cause or accelerate deterioration of the Art Work; and (c) maintenance recommendations submitted by the Artist to the City hereunder, if followed, will achieve their intended result.

The warranties described in this Section shall survive for a period of two years after the final acceptance of the Art Work. The City shall give notice to the Artist of any observed breach with reasonable promptness. The Artist shall, at the request of the City, and at no cost to the City, except reimbursement for travel, cure reasonably and promptly the breach of any such warranty which is curable by the Artist and which cure is consistent with professional conservation standards (including, for example, cure by means of repair or re-fabrication of the Art Work).

Article 5. Reproduction Rights

5.1. General

The Artist retains all rights under the Copyright Act of 1976, 17 U.S.C., 101 et. seq., and all other rights in and to the Art Work except commissionship and possession, except as such rights are limited by this Section. In view of the intention that the Art Work in its final dimension shall be unique, the Artist shall not make any additional duplicate reproductions of the final Art Work in the State of Minnesota for a period of at least five years from the time of completion, nor shall the Artist grant permission to others to do so except without the written permission of the City. The Artist grants to the City and its assigns a royalty-free, irrevocable license to make two-dimensional reproductions of the Art Work for educational and/or non-commercial purposes including, but not limited to, reproductions used in advertising, calendars, posters, brochures, media, publicity, catalogues, museum, educational, and development projects, or other similar publications, provided that these rights are exercised in a professional manner. No three-dimensional reproductions may be made of the final Art Work by the City without prior written consent from the Artist.

5.2. Notice

All reproductions by the City shall contain a credit to the Artist and a copyright notice.

5.3. Registration

The Artist may cause to be registered, with the United States Register of Copyrights, a copyright of the Art Work in the Artist's name.

Article 6. Artist's Rights

6.1. Maintenance

The City recognizes that maintenance of the Art Work on a regular basis is essential to the integrity of the Art Work. The City shall take reasonable steps to ensure that the Art Work is properly maintained and protected, taking into account the instructions provided by the Artist.

6.2. Alteration of the Work or of the Site

(a) Except as provided in this Section, the City agrees that it will not intentionally damage, alter, modify, change, or relocate the Art Work without the prior written approval of the Artist. Nothing herein shall be interpreted as limiting the right of the City, in its discretion, to remove the Art Work from the Site.

(b) The City reserves the right to remove the Art Work from public display for maintenance or for any other reason and is not obligated to restore the Art Work to the Site. The following provisions shall apply to removal:

(i) While the City shall attempt to remove Art Work in such a way as to not affect the Art Work, it is the parties' understanding that such removal may result in damage, alteration, modification, destruction, distortion or other change of the Art Work. The Artist acknowledges that this provision shall qualify under 17 U.S. C. Section 113,(d) so as to waive rights under 17 U.S.C. Section 106A.

(ii) If, at the time of removal, it is determined that the Art Work may be removed without damage, alteration, modification, destruction, distortion or other change, the City shall give notice if required by 17 U.S.C. Section 113 (d) (2) and (3). On completion of the Art Work, the Artist agrees to file the records, including the Artist's identity and address, with the Register of Copyrights as provided under 17 U.S.C. Section 113 (d) (3), if applicable. The Artist further agrees, if applicable, to update information with the Register of Copyrights so as to permit notification of intent to remove the Art Work.

(iii) The Artist agrees to design and install the Art Work in such a way as to allow it to be removed and relocated without damage, destruction, or other change of the Art Work.

Article 7. Artist as Independent Contractor

The Artist shall perform all work under this Agreement as an independent contractor and not as an agent or an employee of the City. The Artist shall not be supervised by any employee or official of the City, nor shall the Artist exercise supervision over any employee or official of the City. Nothing herein shall be construed as creating the relationship of employer and employee between the City and the Artist, and the Artist shall not be entitled to receive any employment related or other benefits from the City.

Article 8. Assignments, Transfer, Subcontracting

8.1. Assignment

Neither this Agreement nor any interest herein shall be transferred by the Artist. Any such transfer shall be null and void.

8.2. Subcontracting by the Artist

The Artist may subcontract portions of the services to be provided hereunder at the Artist's expense provided that said subcontracting shall not negatively affect the design, appearance, or visual quality of the Art Work and shall be carried out under the personal supervision of the Artist.

Article 9. Termination

If either party to this Agreement shall willfully or negligently fail to fulfill in a timely and proper manner, or otherwise violate any of the covenants, agreements, or stipulations material to this Agreement, the other party shall thereupon have the right to terminate this Agreement by giving written notice to the defaulting party of its intent to terminate specifying the grounds for termination. The defaulting party shall have thirty (30) days after receipt of the notice to cure the default. If it is not cured, then this Agreement shall terminate. In the event of default by the City, the City shall promptly compensate the Artist for all services performed by the Artist prior to termination. In the event of default by the Artist, all finished and unfinished drawings, sketches, photographs, and other work products prepared and submitted or prepared for submission by the Artist under this Agreement shall at the City's option become its property, provided that no right to fabricate or execute the Art Work shall pass to the City and the City shall compensate the Artist for all services performed by the Artist prior to termination; or the Artist shall refund all amounts paid by the City in exchange for all finished and unfinished work related to the Art Work. Notwithstanding the previous sentence, the Artist shall not be relieved of liability to the City for damages sustained by the City by virtue of any breach of this Agreement by the Artist, and the City may reasonably withhold payments to the Artist until such time as the exact amount of such damages due the City from the Artist is determined.

Article 10. Compliance

The Artist agrees to comply with Federal, State, and local laws, statutes, and ordinances and all rules, regulations and standards established by any agency of such governmental units applicable to the performance of the Artist's services under this Agreement.

Article 11. General Terms

11.1. Data Practices

As required in Minnesota Statutes, section 13.05, subdivision 6, Artist agrees to comply with the requirements of the Minnesota Data Practices Act (Minnesota Statutes, Chapter 13) with respect to all data created, collected, received, stored, used, maintained, or disseminated by Artist in the course of providing services under this Agreement. This Agreement does not require data on individuals to be made available to Contractor.

11.2. Records Access

In accordance with Minnesota Statutes, section 16C.05, subdivision 5, the Artist shall provide the City, legislative auditor, and the state auditor access to any books, documents, papers, records, and accounting procedures which are directly pertinent to the specific contract, for the purpose of making audit, examination, excerpts, and transcriptions, for six years after final payments and all other pending matters related to this Agreement are closed. The Artist shall maintain such records for a minimum of six years after final payment.

11.3. Subcontractor Payment

The Artist shall pay any subcontractor involved in the performance of this Agreement in accordance with Minnesota Statutes, section 471.425, subdivision 4a.

11.4. Non-Discrimination

During the performance of this Agreement, the Artist shall not discriminate against any employee or applicants for employment because of race, color, creed, religion, national origin, sex, sexual orientation, marital status, status with regard to public assistance, disability, or age. The Artist shall post in places available to employees and applicants for employment, notices setting forth the provisions of this

non-discrimination clause and stating that all qualified applicants will receive consideration for employment. The Artist shall incorporate the foregoing requirements of this paragraph in all of its subcontracts for program work, and will require all of its subcontractors for such work to incorporate such requirements in all subcontracts for program work.

11.5. Meeting Attendance

At the request of the City, the Artist shall attend meetings convened by the City relative to the work set forth in this Agreement. Any requests made by the City shall be given with reasonable notice to the Artist to assure attendance.

11.6. Agreement

Should any section of this Agreement be found invalid, it is agreed that the remaining portion shall be deemed severable from the invalid portion and continues in full force and effect.

11.7. Governing Law

This Agreement shall be controlled by the laws of the State of Minnesota.

11.8. Entire Agreement

This writing embodies the entire agreement and understanding between the parties hereto, and there are no other agreements and understandings, oral or written, with reference to the subject matter hereof that are not merged herein and superseded hereby.

11.9. Modification

No alteration, change, or modification of the terms of the Agreement shall be valid unless made in writing and signed by both parties hereto and approved by appropriate action of the City.

11.10. Notice

Any notices to be provided under this Agreement to the parties shall be to the following:

To the City:

Anne Kane

Address

To the Engineer:

With a copy to the Artist:

Address _____

_____

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed as of the day and year first above written.

CITY OF White Bear Lake

By: _____

Its Clerk

By: _____

Its Engineer

Date: _____

ARTIST

_____

Print Name

_____

Signature

Date: _____

START-UP GRANTING PROCESS/APPLICATION EXAMPLE

stART-up fund Request Form
Downtown Rochester, MN

The Rochester Downtown Alliance (RDA) is seeking new partners to help us continue to make downtown Rochester a vibrant place. We're excited to form partnerships to create diverse, different, new (i.e. first-time) arts & cultural events for downtown Rochester!

If you have a new event idea that you need help getting started, fill out the attached form and return it to the RDA. Include a copy of your event budget that states how the requested funds will be used and a marketing plan that incorporates the downtown Rochester brand.

StART-up funds are available in both small and large scale amounts up to $1,000 or $3,000 to grassroots artists or organizers. Each submitted request will be considered by the RDA Downtown Cultural Initiatives Committee under the following criteria:

- **Mission Alignment –** How does your request align with the RDA mission statement, which seeks to create a unique, vibrant, urban experience – a central gathering place for the community that is attractive, inviting, fun and livable?
- **Location –** Does the event take place within the designated 44-block Special Service District (see attached map). Of particular interest to the review committee are those program proposals that seek to activate under-utilized spaces in the downtown district, such as the river walk, Central Park, empty parking lots, etc.
- **Type of Event/Program –** Is this a diverse, different, new idea that celebrates arts & culture?
- **Community Engagement –** How does your event create a meaningful opportunity to engage the downtown community and/or invite a target audience from outside of downtown to come to the event, thus increasing foot traffic in the downtown corridor?
- **Focus –** How does your event enrich lives and connect people?
- **Marketing Appeal –** What is your marketing plan, and how will it include the downtown brand, "Downtown Rochester."

For additional information, contact Karli McElroy at the RDA. We look forward to hearing from you.

Rochester Downtown Alliance
Karli McElroy, Events & Volunteer Coordinator
kmcelroy@rdowntownalliance.com
(507) 216-9883
4 3rd St. SW, Suite B
Rochester, MN 55902

StART Up Fund Request Form

Date of Request: _____

PLEASE TYPE OR PRINT

General Information

Name of Applicant: _____ **Primary Phone:** _____

E-mail Address: _____

Street Address: _____

City: _____ **State:** _____ **Zip:** _____

Have you ever hosted an event in Downtown Rochester? _____Yes _____No

If yes, what was the event? _____

Have you ever received grant funding from the RDA? _____Yes _____No

If yes, how much funding and for what? _____

Do you currently have any outstanding Art & Cultural Programming Grant Follow-up forms due to the RDA for a past event? _____Yes _____ No

Event Information

Name of Program: _____ **Date(s) of Event:** _____
***Must be a first-time event taking place Downtown*

Location of Program: _____
***Must be within the 44-block Special Service District*

Event Website/Facebook Link: _____

Estimated Attendance: _____

1

Target Audience: _____

Will an admission fee be charged? Yes _____ No

If yes, how much? _____

Description of Event: (Be specific in noting overall event itinerary – including start & end time, activities, food/beverage, entertainment, etc.); explain how the event is a diverse, different, new idea that celebrates arts & culture:

_____

_____

_____

_____

_____

_____

Focus (Describe in detail how the event enriches lives and connects people):

_____

_____

_____

_____

_____

_____

Marketing Plan (describe how you intend to promote your event and how you will include the downtown brand: "Downtown Rochester":

_____

_____

_____

_____

_____

_____

Are sponsors/partners involved? _____Yes _____No

If yes, provide names: _____

Will sponsor signage be present? _____Yes _____No

Will information/goods/promotional materials be distributed? _____Yes _____No

Grant Request

Cash Amount: _____

***Include a copy of the event budget **listing both revenue sources and expenses** with your request form. Grant amounts may be requested for up to $1,000 - $3,000.*

***Funds cannot be used for food & beverage or permanent assets (i.e. camera equipment, tools, etc.) Please contact the RDA with questions.*

Other Services / Requests:

_____ **Waiver of Peace Plaza Rental Fee** (excludes RDA Permit Application Fee or Activities & Sound Amplification City Permit Fee)

Signature

FALSIFICATION AND/OR MISREPRESENTATION IN COMPLETING THIS FORM MAY RESULT IN DENIAL OF MY REQUEST AND/OR FUTURE CONSIDERATION.

I UNDERSTAND THAT CHANGES TO THE ABOVE DETAILED PROGRAM CONTENT REQUIRE IMMEDIATE NOTIFICATION OF ROCHESTER DOWNTOWN ALLIANCE STAFF.

_____ _____

Signature **Date**

Return completed request to:
Rochester Downtown Alliance
Karli McElroy
kmcelroy@rdowntownalliance.com
4 3rd St. SW, Suite B
Rochester, MN 55902

RDA Use Only

This request form has been approved/denied for $_____ by _____, authorized RDA representative on _____(date).

Arts & Cultural Event Grant Budget Worksheet:

Event Name: _____

Event Date: _____

BUDGET:

Revenues: *List all sources, including in-kind donations.*

_____ $_____

_____ $_____

_____ $_____

_____ $_____

Subtotal: $_____

Less: Expenses: *Be as specific as possible in listing each item.*

_____ $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

Subtotal: $_____

Grand Total: $_____

(Subtotal of Revenues – Subtotal of Expenses = Grand Total)

CITY OF WEST DES MOINES

Water Awareness Initiative

Public Art Commission Opportunity – Invitational RFQ

ABOUT WEST DES MOINES

The City of West Des Moines, IA, is a rapidly growing community located within the Des Moines/West Des Moines Metropolitan Area. During the past year, greater Des Moines added 12,145 residents to grow to a total population of 634,725. Considered a regional employment center, West Des Moines offers more than 60,000 jobs and hosts a daytime population estimated at almost 135,000. In addition to a strong and expanding business community, West Des Moines has a wide array of amenities and culture and was recently recognized as a top locality for young professionals. A Gallup-Healthways survey found that the City of West Des Moines ranks #8 nationally for citizens who are most satisfied with their city.

Located at the crossroads of Interstates 80 and 35, West Des Moines has established a well-deserved reputation as a rapidly growing community with a vibrant economic base and quality of life. Some notable facts about the community:

- 2015 population estimated at 64,514 (and projected to grow by another 44% in the next 20 years
- Highly educated workforce (52% of residents have a bachelor's degree or higher).
- Median household income is 33% greater than the national average.
- Job growth rate of 37% in the last decade.
- 8th largest city in Iowa, but ranks:
  - 4th in retail sales
  - 3rd in taxable property valuation
  - 2nd in hotel/motel tax collections
- Almost double the average per capita assessed valuation of Iowa's ten largest cities.
- $2.37 billion worth of development in the last five years.
- More than 1200 acres of parkland and open space, two aquatic centers, a softball complex, nature lodge, and archery range.
- 58-mile trail system that connects to the metropolitan Des Moines Trail system.

For more information visit: http://www.wdm.iowa.gov

WEST DES MOINES PUBLIC ART PROGRAM

The vision of the City of West Des Moines Public Art Program is the creation of a diverse collection of public works of art of high aesthetic and intellectual quality and excellence, and a program that promotes cultural expression and artistic appreciation. At the heart of the aspiration for public art in West Des Moines is the wish for an authentic, rich and diverse arts culture that is seen and understood as uniquely arising from the community – an arts culture that benefits and enriches all those who are fortunate enough to live, work, and visit in West Des Moines.

Over time, and with the acquisition of additional public art, the City of West Des Moines Public Art Program will establish and build the City's public art collection.

The mission of the West Des Moines Public Art Program is to create a city with successful public spaces incorporating public works of art that offer moments of serendipity and opportunities for reflection; a city with public art woven into the fine grain detail of the public infrastructure. The Public Art Program should champion excellence in art, design, architecture and landscape. The Public Art Program and Collection should be the most visible symbols of West Des Moines' commitment to creativity, encouraging diversity of ideas and expression, and promoting tolerance of multiple opinions. A creative city provides humane environments for its residents, business communities and visitors, extends opportunities for life-long learning and helps preserve community histories.

The primary goals of the Public Art Program and Collection are to develop an aesthetically interesting environment, to integrate public works of art into public spaces and to promote tourism and the economic vitality of West Des Moines through the enhancement of public spaces.

The Public Arts Advisory Commission's first commissioned project, Art on the Trail, was completed and installed fall 2016, and will be officially unveiled June 3, 2017. See more here: http://www.wdm.iowa.gov/government/parks-recreation/art-on-the-trail

ABOUT THIS OPPORTUNITY

Water plays a critical role in the community's quality of life, from public health and safety to recreation and beauty. Knowing what a watershed is and how we can each play a role in preserving its function and value is important, but rarely understood.

The Public Arts Advisory Commission wants to use this public art initiative to raise awareness of watersheds and everyday actions our residents and businesses can take to improve water quality in a watershed. The Commission wants every person who participates in and experiences the works of public art to be enlightened, empowered, and proud to live in West Des Moines.

The project has three components: a permanent commissioned work of art, a temporary work of art, and a special event for the community. This RFQ is for the permanent commissioned work of art, but the artist may also be involved in the planning of the temporary artwork and community event.

The permanent commissioned work of art will be sited within Raccoon River Park [see following map for more information].

Please see the following pages for more information regarding the project.

SELECTION CRITERIA

Phase One: Selection of finalists will be based on the following criteria:

Quality of letter of interest
Quality of work samples
Ability of artist(s) to complete project based on bio and prior work experience

Phase Two: Selection of artworks proposed by finalists will be based on the following criteria:

- Interactive and engaging. Open to kinetic or movable sculpture
- Showcases or alludes to the processes around water systems on the site, tells the story of water at the site in all seasons, and helps viewers understand their connectivity to the larger water system
- Aesthetically pleasing
- Considers water events in the surrounding environment, such as rain, flooding, and water movement at the site
- Considers community engagement [please address this criteria in letter of interest]
- Does not require a pump and is easily winterized
- Must be low maintenance and durable, able to withstand extreme weather conditions and possible inundation during flooding

ELIGIBILITY

Invited artist/artist team:

- Must have completed two commissioned outdoor public works of $150,000 or more
- Must have an understanding of water systems/ watersheds
- Must have a history of projects that address water related subjects
- Can be from anywhere in the continental United States
- Must be able to come to Iowa for an interview
- Possible interest in planning—but not necessarily implementing—of additional project components [temporary art and community event]

SELECTION PROCESS OVERVIEW

This is an invitational RFQ and is not for distribution to other artists. It is designed to accelerate the selection of highly qualified candidates. Artists' materials will be pre-screened to ensure all applicants meet eligibility requirements. The Selection Committee will review eligible applications and select a group of up to three finalists/ finalist teams to invite to West Des Moines for an interview. Costs of travel associated with the interview process will be provided by the City of West Des Moines. Further information will be provided to the finalists.

Upon completion of an in-person interview, one artist/ artist team will be commissioned to develop, fabricate, and install a permanent artwork. Additional requirements will be outlined in instructions to finalists. Please see the following timeline for further details.

If you need clarification or further information, contact Project Consultant Jen Krava at Forecast Public Art: JenK@ForecastPublicArt.org

SCHEDULE

March 27	RFQ announced.
April 19	RFQ submission deadline.
April 25	Committee review and selection of finalists; selection results will be sent to all applicants.
Week of May 8 or week of May 15	Finalist interviews; finalists must present in person. Contract with selected artist/team.
Beginning of June	Artist presents design proposal to Committee. Design development commences; once approved, fabrication commences.
April 2018	Project installation.

REQUIRED SUBMISSION MATERIALS

In digital format only.

Please provide the following in a ***single*** PDF document [work sample jpeg's can be sent as separate files]:

- Contact information for lead artist and all team members
- One-page letter describing interest in project and approach to design; please include statement addressing eligibility criteria, community engagement, and your approach to being involved in the planning of the temporary artwork and community event.
- Three references [contact information only] for recently completed projects
- One-page document listing each work sample. Please provide a brief description and budget for each
- One-page biographical information or resume; if you have multiple team members, please keep biographical information for each team member to one paragraph.
- Work samples: up to 10 digital images of your recent projects. Individuals and teams are limited to 10 images maximum. Save all images as standard JPEG and label each with applicant's full name and number in sequence with list of work samples.

NOTE: Do not submit a proposal for artworks at this time.

Please submit all RFQ materials via email to JenK@ForecastPublicArt.org

- All materials must be received by 4 p.m. CST Wednesday, April 19, 2017. No RFQs will be accepted after this time.

Forecast Public Art

Forecast Public Art is an internationally known nonprofit public arts service organization and publisher of *Public Art Review*. Headquartered in St. Paul, MN's Creative Enterprise Zone, Forecast connects the talents and energies of artists with the needs and opportunities of communities, providing guidance with planning and commissioning efforts.

www.ForecastPublicArt.org

Raccoon River Park

The City of West Des Moines has contracted with Forecast Public Art to facilitate the development of a permanent public artwork to raise awareness of watersheds and everyday actions our residents and businesses can take to improve water quality in a watershed. The Commission wants every person who participates in and experiences the works of public art to be enlightened, empowered, and proud to live in West Des Moines.

This initiative has three components: a permanent commissioned work of art, a temporary work of art, and a special event for the community. This RFQ is for the permanent commissioned work of art, but the artist may be involved in the planning of the temporary artwork and community event.

The permanent commissioned work of art will be sited within Raccoon River Park. The selected artist/artist team will have the opportunity to tour the site and select the exact location of the artwork[s]. Artists may also consider an artwork that utilizes multiple locations in the park.

Raccoon River Park is a 632-acre park on the site of a former sand pit. The story of water is represented here in several forms:

- Blue Heron Lake [recreational uses] - approximately 232 acres of water
- Raccoon River [flooding/water quality/connection between rural & urban]
- 9 well houses that pump drinking water for West Des Moines residents
- Flooding has occurred multiple times including as recently as 2015

The chosen artist/artist team will have the opportunity to learn more about the story of water on this site.

Budget $185,000

The total budget for this project is $185,000. This not-to-exceed total must cover all design fees, fabrication, installation, lighting, site visits, and other related expenses. More information about the site, including CAD files, will be made available to the selected artist.

Raccoon River Park

Photos showing the character of the site

Aerial View

Beach

Raccoon River Park

Blue Heron Lake

Nature Lodge

Raccoon River Park

Images of the Fishing Pier

Raccoon River Park

Images of flooding in the park

Raccoon River Park

Entrance to Raccoon River Park

Kayaking on Blue Heron Lake

MORE RESOURCES

Conceptual Design Development Agreement:
http://www.americansforthearts.org/sites/default/files/pdf/2013/by_program/networks_and_councils/public_art_network/Conceptual%20Design%20Development%20Agreement.pdf

Public Art in Private Development Agreement:
http://www.americansforthearts.org/sites/default/files/pdf/2015/by_program/networks-and-councils/public_art_network/Privatedev_Contract4_2015Update.docx

Forecast Public Art Toolkit:
http://forecastpublicart.org/toolkit/

APPENDIX 5

Acknowledgments

City of Fargo Mayor	Dr. Tim Mahoney
City of Fargo Commissioners	Tony Gehrig
	Tony Grindberg
	Dave Piepkorn
	John Strand
	Melissa Sobolik, former liaison to Arts and Culture Commission
City of Fargo Planning Department	Nicole Crutchfield
	Maegin Elshaug
	Jim Gilmour
	Kylene Murphy
City of Fargo Community Development	Dan Mahli
City of Fargo Engineering Department	Brenda Derrig
	Tom Knakmuhs
City of Fargo Public Works	Benjamin Dow
	Scott Liudahl
	Mark Williams
City of Fargo Administration	Bruce Grubb, City Administrator
	Erik Johnson, City Attorney
City of Fargo Arts and Culture Commission	David Bertolini
	Netha Cloeter
	Dayna Del Val
	Jessica Jung
	Tim Lamey
	Cassandra Miller
	Michael Olsen
	Arlette Preston
	Deb Williams
City of Fargo Planning Commission	Mara Brust
	Shara Fischer
	John Gunkelman
	Mike Magelky
	Mary Scherling
	Rocky Schneider
	Melissa Sobolik
	Kelly Steffes
	Scott Stofferahn
	Jan Ulferts Stewart
Fargo Park District	Carolyn Boutain
	Jim Larson
	Dave Leker
Folkways/Hawthorne Neighborhood	Joseph Burgum
	Alexandre Cyusa
	Simone Wai
Great Rides Bike Share	Sara Watson Curry
Growing Together Community Garden	Anita Hofsommer
	Nola Storm
	Jack Wood
	Growing Together volunteers
Horace Mann Neighborhood	Merrill Piepkorn
Jefferson Neighborhood	Russell Ford-Dunker
NDSU Architecture Department	Heather Fischer
Plains Art Museum	Netha Cloeter
	Andy Maus
	Buzz Lab Teen Interns
The Arts Partnership	Dayna Del Val
The Fargo Project	Rachel Asleson
	Dwight Mickelson
West Fargo Public Schools	Hanna Puetz
	Heather Sand

Special thanks to all focus group participants and site visit hosts, individuals and teams who submitted Public Art Possibilities proposals, and the Fargo-Moorhead CVB, Fargo Public Library, Plains Art Museum, Sons of Norway, and WE Consortium for hosting segments of the planning process.

Forecast Public Art Team
Jack Becker
Gabrielle Grinde
Jen Krava
Jeff McMenimen
Karis Thompson
Kirstin Wiegmann

Forecast Public Art

www.forecastpublicart.org

THE CITY OF Fargo FAR MORE

PLANNING AND DEVELOPMENT
200 Third Street North
Fargo, North Dakota 58102
Phone: (701) 241-1474
Fax: (701) 241-1526
E-Mail: planning@fargond.gov
www.fargond.gov

(66)

MEMORANDUM

TO: City Commission

FROM: Jim Gilmour, Planning Director
Derrick LaPoint, Planner

DATE: December 14, 2016

RE: 2018 Parking Rates

Below are our recommendations for monthly parking rates for 2018. At the November Parking Commission meeting, the new 2018 parking rates were proposed. If approved Interstate Parking will notify the current parkers of the rate change (see attachment).

Name	Total Spaces	Available Monthly Spaces	Spaces Rented	% Sold	Existing Monthly Rate $	Proposed 2017 Monthly Rate $	Proposed 2017 Monthly Rate $
Civic Ramp	250	200	210	105%	$ 90.00	$ 99.00	10%
RoCo	430	380	338	90%	$ 90.00	$ 99.00	10%
-Reserved	25	25	25	100%	$ 115.00	$ 125.00	8.7%
NP Ave.	145	85	202	238%	$ 75.00	$ 81.00	8%
GTC	185	185	227	123%	$ 90.00	$ 90.00	0%
4th St.	174	174	272	156%	$ 65.00	$ 69.00	6.2%
3rd St.	145	145	187	129%	$ 65.00	$ 72.00	10.8%
Main Ave.	75	75	70	93%	$ 56.00	$ 60.00	7.1%
IPR	355	355	426	120%	$ 56.00	$ 59.00	5.4%
7th Street	26	26	24	90%	$ 40.00	$ 44.00	10%

With a 3-0 vote, the Parking Commission recommended approval of the parking rates.

Recommended Action: Approve the 2018 parking rate increase as recommended by the Parking Commission.

Interstate Parking
401 3rd Ave. N.
Fargo, North Dakota 58102
(701) 235-1618

December 13, 2017

Effective February 1st, 2018 the monthly parking rates at city-owned facilities will be adjusted to the following schedule:

Civic Center Ramp	$99.00
Roberts Garage	$99.00
RoCo Reserved	$125.00
NP Avenue Lot	$81.00
*GTC Garage	$90.00
4th Street Lot	$69.00
3rd Street Lot	$72.00
*Main Avenue Lot	$60.00
*Island Park Ramp	$59.00
Island Park Ramp – 1st Level	$61.00
7th Street Lot	$44.00

**Facilities marked with an * currently have contract spaces available.*

The past two years we have increased rates to more closely align with the market rate of off-street parking downtown. This year's adjustments are more modest and continue to reflect the balance between supply and demand.

The Fargo Parking Commission and city staff have continued to work on several initiatives to improve the parking program downtown through simplification of restrictions and creating additional capacity. To highlight these initiatives...

LinkFM

LinkFM is a fun, fast and free circulator route connecting the downtowns of Fargo and Moorhead.

the FUN, FAST & FREE way to get around Downtown in 15 minutes!

LinkFM operates from 7:00 AM to 7:00 PM Monday through Friday and from 10:00 AM to 5:00 PM on Saturday. The route features a continuous loop starting and ending at the Moorhead Center Mall. LinkFM arrives every 12-15 minutes at each stop along its route and is within walking distance of numerous popular destinations!
For more information visit www.matbus.com/LinkFM.htm.

Night & Weekend Parking

Parking in a city-owned off-street facility is FREE after 5 PM on weeknights and all day on weekends. We also offer a Night & Weekend program at four facilities that allows more flexibility for downtown residents and guarantees a space. The four locations are:

Civic Center Ramp	411 2nd Avenue North
Roberts Commons Garage	217 Roberts St. North
Ground Transportation Center	502 NP Avenue North
Island Park Ramp	515 1st Avenue South

Downtown Resident Parking

The Downtown Residential Parking Permit Program (DRP3) offers residents the option of parking on designated streets without being penalized by time-zone restrictions.

Off-Street Parking

Fargo Parking operates three facilities in downtown Fargo that provide an hourly parking option:

Civic Center Ramp	411 2nd Avenue North
Roberts Commons Garage	217 Roberts St. North
NP Avenue Lot	602 NP Avenue North

For more information on off-street parking or anything in this letter, please contact Interstate Parking, 701-235-1618 or visit www.FargoParking.com.

THE CITY OF Fargo FAR MORE

(67)

Dr. Timothy J. Mahoney, Mayor
Fargo City Hall
200 3rd Street North
Fargo, ND 58102
Office: 701.241.1310 | Fax: 701.476.4136
www.FargoND.gov

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: MAYOR TIMOTHY J. MAHONEY

DATE: DECEMBER 11, 2017

SUBJECT: PLANNING COMMISSION APPOINTMENT

We have a vacancy on the Planning Commission due to Mara Brust moving out of North Dakota. Her term would have expired on June 30, 2018.

I am recommending the appointment of Maranda Tasa to fill the unexpired term of Ms. Brust. A web application for Ms. Tasa is attached for your reference.

Your favorable consideration of this recommendation will be greatly appreciated.

RECOMMENDED MOTION: Approve the appointment of Maranda Tasa to the Planning Commission to fill the unexpired term of Mara Brust for a term ending June 30, 2018.

wwappt17plc-tasa

Kember Anderson

From: noreply@cityoffargo.com
Sent: Tuesday, October 31, 2017 10:32 AM
To: Commissions Applications
Subject: New Form Submission: Getting involved in government
Attachments: MarandaReneeTasa2.pdf

Name:
[Maranda Tasa]
Mailing Address:
[6965 24th St S]
City:
[Fargo]
State:
[ND]
Zip:
[58104]
Work Phone:
[7014297529]
Home Phone:
[7014297529]
E-mail:
[marandarenee256@gmail.com]
Which boards or commissions would you like to be considered for?
[Planning Commission]
Briefly state why you would like to be on this panel:
[I have a vested interest in Fargo and committed to making it a better place to live. Much of my volunteer work is with the Employer Support of the Guard and Reserve, American Legion Post 10, and Nativity Catholic Church. When I saw Shara Fischer post this opportunity on our 35 Under 35 Facebook page, I knew that this is something I am very much interested in. I feel this would be another great opportunity for me to give back to Fargo and at the same time allow me stay current and learn more about our community issues.]
How many hours per month could you volunteer as a panel member?
[7-12 hours]
Please list any past experience you have with city government here or in other cities:
[I have no previous experience with city government.]
Please describe any professional experience you have related to the responsibilities of the panel you are interested in:
[I am US Army veteran and am currently serving in my 17th year with the Army Reserves. Throughout my military experience I have gained the ability to work as a team member and as a team leader, to work under pressure and meet deadlines, and to always be prepared. In addition, my resume highlights my problem solving, critical thinking, and analytic abilities.]

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

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MARANDA R. TASA, MBA

Fargo, ND | 701.429.7529 | marandarenee256@gmail.com
https://www.linkedin.com/in/marandatasa

TRAINING AND DEVELOPMENT | PROGRAM MANAGEMENT | PROCESS IMPROVEMENT

Accomplished, transformative Business Manager highly regarded for designing and improving organizational and human capital processes. Well-organized professional with comprehensive knowledge of coaching, assessing areas of needs and formulating solutions. Extremely analytical with strong research skills to interpret data and provide measurements for process enhancements. Highly skilled in coordinating programs to ensure they are completed on time and under budget. Outstanding communicator who excels at developing customized training solutions that drive growth and productivity. Dedicated, results-driven leader with an exceptional ability to simultaneously manage projects while collaborating with cross-functional teams to meet and exceed organizational objectives.

CORE COMPETENCIES

- Leadership
- Project Management
- KPI's/Metrics
- Payroll
- Budgets
- Coaching/Mentoring
- Risk Management
- Communication/Presentation
- Human Resources
- Budgets/Finance
- Stakeholder Engagement
- Relationship Building

SELECTED HIGHLIGHTS

- Solely accountable for equipment valued more than $1.8M, achieving a zero-loss rating.
- Quickly promoted to Captain, leading and training as many as 20 service members in support of 1K Soldiers.
- Recognized opportunities to cut costs $200k in commodity inventory overstock due to missed sales.
- Identified +25 opportunities for process improvement, decreasing costs 16%.
- Supervised the material flow consisting of 13 customers, encompassing $11M in inventory, for 25 branches.
- Proudly graduated from the 2015-2016 Leadership, Exploration, and Professionalism Program.
- Improved reporting processes by automating the data collection, resulting in a savings of 66 labor hours each year.
- Effectively utilized Sig Sigma business process improvement methodologies to deliver operational improvement.
- Artfully negotiated contracts with suppliers, reducing costs by $257,598 for thirteen customers.
- Managed $2.9M in United States and Foreign currency.
- Certified Six Sigma Green Belt.

PROFESSIONAL EXPERIENCE

Fargo VA Healthcare System | Fargo, ND | 2016-2017 | Program Specialist

Manage daily functions of the telehealth program including equipment installation, troubleshooting, and strategic planning. Collaborate with facility leaders, and staff to incorporate new concepts for programs. Perform new employee interview, performance reviews, analyze training requirements, and review job descriptions. Complete contracting packages in compliance with VA policy, regulations, and procedures. Assist contractors with assigned contracts.

- Accountable for equipment valued more than $1.8M, achieving a zero-loss rating.
- Received an on-the-spot award for identifying solutions and creating process improvements for setting up providers remotely, increasing operating efficiency 20%.
- Effectively lead and coach one employee to meet and exceed performance objectives.
- Selected to serve as the Supervisor in the Managers absence, overseeing all daily activities.

Border States Electric | Fargo, ND | 2012-2016
Commodity Quotations Specialist | 2016

Answered customer commodity pricing inquires in an accurate and timely manner. Maintained a high level of commodity product knowledge by fielding and responding to technical calls.

- Reviewed and developed processes and procedures throughout the department related to quoting.
- Assisted inside sales team in price quoting and positioning through bid and negotiation strategies, achieving closing rates of 25%.
- Identified opportunities to cut costs $200k in commodity inventory overstock due to missed sales.

Amanda R. Tasa, MBA, Résumé – 2 701.429.7529 | marandarenee256@gmail.com

Border States Electric, Continued

- Analyzed and adjusted pricing on orders to reflect current market conditions.

SCS Data Support Specialist | 2015-2016

Developed, designed, tested, and maintained standardized reporting tools and databases. Provided ad hoc reporting and data to support quality assurance, customer-focused technology, project management, and alliance management.

- Created Microsoft Access databases and trained 5 employees on navigating the system.
- Enhanced reporting processes by automating the data collection, resulting in a savings of 66 labor hours each year.
- Discover +25 opportunities for process improvement, decreasing costs 6%.
- Utilized Sig Sigma business process improvement methodologies to deliver operational improvement.

Alliance Inventory Analyst | 2014

Performed inventory strategy reviews for business trends, inventory needs, and opportunities for customers in the Northwest region.

- Promoted to facilitate wire and cable inventory for the company's top customer.
- Managed material flow consisting of 13 customers, encompassing $11M in inventory, for 25 branches.
- Graduated from the 2015-2016 Leadership, Exploration, and Professionalism Program.
- Collaborated with 30 branch employees to ensure optimum service levels to our customers.

Alliance Sourcing Specialist | 2012-2014

Analyzed business and spending trends to identify and develop overall sourcing strategies. Determined alternative supply chain processes to maintain material availability. Assisted in the development of internal tools necessary to streamline business processes.

- Negotiated contracts with suppliers, reducing costs by $257,598 for thirteen customers.
- Proudly graduated from United Way Under 35 Women's Leadership Program class of 2012.
- Designed and planned substation training with Cass County Electric for 40 employees.

Vanity | Fargo, ND | 2010-2012 | Inventory Planner

Created financial plans for all denim product categories. Created and monitored daily inventory reports to identify sales opportunities and liabilities. Facilitated with merchandise allocators to establish overall assortment plans and innovative roll-out strategies.

- Utilized planning tools to develop inventory levels and turnover for 100+ retail stores and one online store.
- Established and maintained replenishment models, maintaining 97% in stock percentage on replenished denim inventory and reducing excess inventory 29%.
- Forecasted sales and margins with 95% accuracy.

Defense Finance Accounting Service | Fort Leonard Wood, MO | 2008-2009 | Payroll Administrator

Provided customer support for diverse populations including payroll details and travel documentation for the U.S. Military. Interfaced with customers to respond to inquiries, explaining payroll benefits and deductions, and providing education on the preparation of financial and travel documents. Accurately researched, reviewed, and updated records promptly. Examined and verified all travel documents and calculated correct amounts for travel settlements.

- Seamlessly processed 5,000 documents per month, more than double the average of co-workers, while achieving a 98% accuracy rating for all documents coded.
- Recognized for outstanding customer service with 15 positive comments throughout the rating period.
- Investigated and reconciled discrepancies, reducing error rates 5%.

United States Army Reserve | Sioux Falls, SD | 2001-Present
Human Resources Program Manager | 2008-Present

Serve as the Adjutant and Human Resources Officer for a Battalion size element. Oversee the operations of the human resources section to include plans, development, interpretation, coordination, and implementation of the Department of Defense (DoD) and the Army's human resources (HR) programs. Submit reports to higher headquarters as required. Make sound decisions based on a variety of information sources, personnel, and command requirements.

- Rapidly promoted to Captain, leading and training as many as 20 service members in support of 1K Soldiers.
- Honorably recognized by the Brigadier General for demonstrating the ability to handle complex assignments.

701.429.7529 | marandarenee256@gmail.com

United States Army Reserve, Continued

- Principal advisor to the Battalion Commander for all matters concerning human resource support necessary to support the Army's warfighting mission.

Office Manager | 2007-2008

Served as a Staff Sergeant assisting the Detachment Sergeant in providing military pay support through disbursing and funding units in the assigned area of responsibility. Coordinated security escorts for bank and liaison official.

- Successfully processed +$25M in transactions with no loss of funds while coordinating and transporting +$10M in U.S. and foreign currency.
- Prepared a 150-page financial operations training manual used throughout Operation Iraqi Freedom.
- Developed military pay presentations for personnel deployed overseas in Kuwait, Iraq, and Afghanistan.
- Skillfully managed $2.9M in United States and Foreign currency.
- Oversaw the training, readiness and health and welfare of seven soldiers.

Additional Experience, United States Army Reserves, 2001-2007

EDUCATION

Webster University, St. Louis, MO:
Master of Business Administration

North Dakota State, Fargo, ND
Bachelor of Science – Psychology

ADDITIONAL CREDENTIALS

TECHNICAL SKILLS	Microsoft Office (Word, Excel/VBA, PowerPoint, Outlook, Access, OneNote), SAP
PROFESSIONAL DEVELOPMENT	▪ DOD Secret Security Clearance ▪ Lean Green Belt Train-the-Trainer course ▪ Certified Contracting Officer Level 1 ▪ Certified Six Sigma Green Belt ▪ Dale Carnegie Effective Communications and Skills for Success Course ▪ ESGR Volunteer Leadership Training Program ▪ Dale Carnegie High Impact Presentation
AWARDS	▪ Meritorious Service Medal ▪ Army Commendation Medal ▪ Army Achievement Medal (4) ▪ Good Conduct Medal ▪ Global War on Terrorism Service Medal
VOLUNTEER EXPERIENCE	▪ Employer Support of the Guard and Reserve – Committee Member ▪ American Legion Post 10 – Volunteer ▪ Nativity Catholic Church – Teacher ▪ American Heritage Girls, Inc. – Volunteer ▪ United Way 35U35 Leadership Program – Volunteer
INTERESTS	Travel, Family Time, Photography, Shopping, Reading, Bison Football

Detailed Professional References Available Upon Request

✦ ✦ ✦

CITY OF Fargo

Finance Office
P.O. Box 2083
200 3rd Street North
Fargo, North Dakota 58107-2083
Phone: 701-241-1333
Fax: 701-241-1526

168a

TO: **BOARD OF CITY COMMISSIONERS**

FROM: **KENT COSTIN, DIRECTOR OF FINANCE**

RE: **STATE WATER COMMISSION COST REIMBURSEMENT APPROVAL**

DATE: **December 12, 2017**

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 $1,105,872.

Printed on Recycled paper.

CITY OF Fargo

Finance Office
P.O. Box 2083
200 3rd Street North
Fargo, North Dakota 58107-2083
Phone: 701-241-1333
Fax: 701-241-1526

December 12, 2017

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 #56 pursuant to the terms and conditions of House Bill 1020 for costs incurred from November 1, 2017 to November 30, 2017 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 $1,105,872.

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	**$175,398,237**	**$2,211,744**	**50%**	**$1,105,872**	**$133,995,891**

Project Narrative, this request:

Project Number	Project Description
V00105	Dust Control at Inlet/CR17 Detour Site
V01201	Crop Damage payments related to County Roads 16 & 17 Realignment Project
V02812	Pay Application #21 for WP 42F.1S 2nd St North Floodwall, South of the Pump Station
N/A	Land for Diversion Inlet

We certify that $78,466,468 has been expended on the acquisition of homes and that these costs are eligible for the local matching share requirements of HB 1020. 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 HB 1020. Copies of their approval letters are included.

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

Sincerely,

Kent Costin

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

Printed on Recycled paper.

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
November 2017

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-7930-429.68-10	11/30/2017	283083	CASS COUNTY JOINT WATER RESOURCE DI	1,500.00	MARK HIATT	V01201	Cass Joint Water ROE
790-7930-429.68-10	11/30/2017	283083	CASS COUNTY JOINT WATER RESOURCE DI	1,000.00	TERRY SAUVAGEAU	V01201	Cass Joint Water ROE
			Total LERRDS - North Dakota - Miscellanous	**2,500.00**			
790-7950-429.38-99	11/9/2017	282697	WARREN TOWNSHIP	446.72	DUST CONTROL COSTS	V00105	General & Admin CONSTRCTN
			Total ND Construction - Other Services	**446.72**			
790-7950-429.73-52	11/9/2017	282600	INDUSTRIAL BUILDERS INC	344,004.29	2 ST N FLOODWALL	V02812	2ND ST NORTH FLOODWALL
790-7950-429.73-52	11/9/2017	282600	INDUSTRIAL BUILDERS INC	(366.00)	CITY OF FARGO SHARE OF PROJ	V02812	2ND ST NORTH FLOODWALL
			Total ND Construction - Flood Control	**343,638.29**			
			Total Expense for Period	**346,585.01**			
			Land - From Local Match Spreadsheet	1,865,159.07			
			Total Expense for Period	2,211,744.08			

CITY OF Fargo

Finance Office
P.O. Box 2083
200 3rd Street North
Fargo, North Dakota 58107-2083
Phone: 701-241-1333
Fax: 701-241-1526

686

TO: BOARD OF CITY COMMISSIONERS

FROM: KENT COSTIN, DIRECTOR OF FINANCE

RE: STATE WATER COMMISSION COST REIMBURSEMENT APPROVAL

DATE: December 12, 2017

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.

As requested previously by the City Commission, the costs related to the Oxbow Hickson Bakke levee are being presented separately from the rest of the Metro Flood Diversion expenses. This request includes only the OHB levee related costs for November 2017.

Suggested Motion:

Approve a State Water Commission request for cost reimbursement for Fargo-Moorhead Metropolitan Area Flood Risk Management Project costs totaling $1,377,451.

Printed on Recycled paper.

CITY OF Fargo

Finance Office
P.O. Box 2083
200 3rd Street North
Fargo, North Dakota 58107-2083
Phone: 701-241-1333
Fax: 701-241-1526

December 12, 2017

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 #57 pursuant to the terms and conditions of House Bill 1020 for costs incurred on the OHB Levee project from November 1, 2017 to November 30, 2017. 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 $1,377,451.

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	**$176,504,109**	**$2,754,902**	**50%**	**$1,377,451**	**$132,618,440**

Project Narrative, this request:

Project Number	Project Description
V01204	Commercial relocation assistance for Oxbow Country Club
V01701	Pay Application #2 - OHB Levee Project - Home Demo – 17495 52nd St SE
V01702	Pay Application #2 - OHB Levee Project - Home Demo – 4989 Klitzke Drive
V02411	Residential relocation assistance for homeowners that will be displaced by the O/H/B ring levee project
V04401	Pay Application #2 for WP 43CD – OHB Ring Levee Phases C and D
V04701	Utility relocation for O/H/B ring levee project
N/A	Land for OHB Ring Levee

We certify that $78,466,468 has been expended on the acquisition of homes and that these costs are eligible for the local matching share requirements of HB 1020. 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 HB 1020. Copies of their approval letters are included.

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

Sincerely,

Kent Costin

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

Printed on Recycled paper.

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
November 2017 - OHB Levee Related Costs

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-0000-206.10-00	11/9/2017	282626	MEYER CONTRACTING INC	(249,379.60)	OHB RING LEVEE	V04401	OHB RING LEVEE PHASES C&D
			Total Retainage	**(249,379.60)**			
790-7930-429.67-11	11/30/2017	283083	CASS COUNTY JOINT WATER RESOURCE DI	9,326.68	A TO Z MOVING	V02411	OXBOW MOU-RESIDENT RLCTN
790-7930-429.67-11	11/30/2017	283083	CASS COUNTY JOINT WATER RESOURCE DI	39,450.00	AACTION MOVERS	V02411	OXBOW MOU-RESIDENT RLCTN
790-7930-429.67-11	11/30/2017	283083	CASS COUNTY JOINT WATER RESOURCE DI	2,376.00	AACTION MOVERS	V02411	OXBOW MOU-RESIDENT RLCTN
790-7930-429.67-11	11/30/2017	283083	CASS COUNTY JOINT WATER RESOURCE DI	958.00	BRAATEN CABINETS	V02411	OXBOW MOU-RESIDENT RLCTN
			Total LERRDS - North Dakota - Residential Buildings	**52,110.68**			
790-7930-429.67-12	11/30/2017	283083	CASS COUNTY JOINT WATER RESOURCE DI	413,677.52	OXBOW GOLF & COUNTRY CLUB	V01204	Cass Joint Water OCC
			Total LERRDS - North Dakota - Commercial Buildings	**413,677.52**			
790-7930-429.73-20	11/30/2017	283083	CASS COUNTY JOINT WATER RESOURCE DI	3,462.25	AMERICAN ENTERPRISES INC.	V01701	ND LAND PURCH-OUT OF TOWN
790-7930-429.73-20	11/30/2017	283083	CASS COUNTY JOINT WATER RESOURCE DI	1,865.00	AMERICAN ENTERPRISES INC.	V01702	ND LAND PURCHASE-HARDSHIP
			Total LERRDS - North Dakota - Site Improvements	**5,327.25**			
790-7952-429.73-52	11/9/2017	282626	MEYER CONTRACTING INC	2,493,796.01	OHB RING LEVEE	V04401	OHB RING LEVEE PHASES C&D
			Total O/H/B Construction - Flood Control	**2,493,796.01**			
790-7952-429.73-70	11/30/2017	283079	CASS COUNTY ELECTRIC-DIVERSION ONLY	14,350.00	N SCHNELL DR PPLANT RETIR	V04701	OHB LEVEE UTILTY RELOCATE
			Total O/H/B Construction - Utilities	**14,350.00**			
			Total Expense for Period	**2,729,881.86**			
			Land - From Local Match Spreadsheet	25,020.58			
			Total Expense for Period	2,754,902.44			

REPORT OF ACTION

UTILITY COMMITTEE

69

Project No. WW1701 Type: Phase II-A Improvements

Location: Wastewater Treatment Plant Expansion

Date of Hearing: 12/14/2017

Routing	Date
City Commission	12/18/2017
Project File	

Jim Hausauer, Wastewater Utility Director, presented attached memo and Task Order #20 from Apex Engineering Group, for Design and Bidding Services associated with the Wastewater Treatment Plant (WWTP) Phase II-A Improvements

The City of Fargo (CoF) recently completed a WWTP Facility Plan to review the existing facilities condition and capacity. The Facility Plan established a capacity that the may be reached within the next ~4 years based on CoF planning numbers and WWTP capabilities. As a result, planning for a future WWTP Phase II Improvement is necessary due to plant limitations, accommodate growth and regionalization as well as meet the projected 20-year capacity requirements. To meet the schedule outlined in the Wastewater Agreement with West Fargo, portions of the expansion need to be completed by the end of 2018. The Phase II-A Improvements are estimated to be ~$22-24 million dollars

The Wastewater Utility has a placeholder in the 20 year Capital Improvement Plant (CIP) for the Phase II Expansion. The project will be funded with a 2% Clean Water State Revolving Fund (SRF) loan, and programmed to be repaid with sales tax and rate funds.

MOTION:

On a motion by Bruce Grubb, seconded by Troy Hall, the Utility Committee approved Task Order #20 from Apex Engineering Group for the Wastewater Treatment Plant Phase II-A Improvements.

COMMITTEE:	Present	Yes	No	Unanimous X
			X	
			Proxy	
Anthony Gehrig, City Commissioner	X			
Mark Bittner, Director of Engineering	X			
Kent Costin, Director of Finance	X			
Brian Ward, Water Plant Superintendent	X			
Don Tucker, Wastewater Plant Supt.				
Bruce Grubb, City Administrator	X			
Scott Liudahl, City Forester				
Terry Ludlum, Solid Waste Utility Director	X			
Jim Hausauer, Wastewater Utility Director	X			
Troy Hall, Water Utility Director	X			
Ben Dow, Public Works Operations Director	X			

ATTEST:

Jim Hausauer
Wastewater Utility Director

C: Mayor Mahoney
Commissioner Strand
Commissioner Piepkorn
Commissioner Grindberg

CITY OF Fargo

CITY OF FARGO PUBLIC WORKS
Wastewater Treatment Facility
3400 North Broadway
Fargo, ND 58102
Phone: 701-241-1454
Fax: 701-241-8159

MEMORANDUM

December 14th, 2017

To: Utility Committee
From: Jim Hausauer, Wastewater Utility Director
Re: Task Order #20 - Apex Engineering Group
Phase II A Improvements

Background

The City of Fargo recently completed a Wastewater Treatment Plant (WWTP) Facility Plan to review the existing facilities condition & capacity. The facility plan assessed all process equipment and structural components of the WWTP, as well as deficiencies associated with capacity, condition, and future regulations. The Facility Plan recommendations were prioritized via a phased approach based on immediate needs and deficiencies, with a goal to adequately treat projected hydraulic and organic loading over the next 20-plus years. The Phase I Improvements included equipment replacement and upgrades to existing components due to age, condition, safety, & vulnerability; however, the improvements did not increase capacity. The Phase I Improvements were completed mid-2017.

Phase II Improvements

The 2014 WWTP Facility Plan established a facility capacity that may be reached in the next ~4 years based on current City of Fargo planning numbers. As a result, planning for a future wastewater treatment plant expansion was necessary due the facilities limitations. The Phase II improvements will increase current capacities as follows:

Actual -12 mgd	Ave. Daily Flow	Peak Flow	Pop. Equivalent
Phase I/Current	15.0 mgd	25 mgd	135,000
Phase II Expansion	29.0 mgd	50 mgd	270,700

The Phase II recommendations in the Facility Plan focused on expansion needs for the facility to meet the projected 20-year wastewater capacity requirements for Fargo growth and regionalization. A Preliminary Engineering Report (PER) in 2017 identified the basis of design for facility improvements and recommended treatment technologies to meet projected effluent limits and opinions of probable cost.

To meet the schedule outlined in the Wastewater Service Agreement with West Fargo, portions of the expansion project must need to be completed by the end of 2018. In addition, while certain areas of the plant are under construction, it will be cost effective to do all necessary work for Phase II in those areas. Therefore, a number of components were prioritized into Phase II A, based on the need for immediate growth and cost savings.

The Phase II Expansion is proposed to be completed as follows:

- Phase II A (2018-2019) – Important for the West Fargo connection
  - Centrifuge, UV Disinfection, Yard & Discharge Piping, Storm Water LS Repairs, Odor Control
  - ~$22-24 Million
- Phase II B (2019-2020)
  - Procurement Equipment for full expansion (Pumps, Controls, Mechanisms)
  - ~$40-45 Million
- Phase II C (2020-2021)
  - Excavation, Bricks, Mortar, Installation of Equipment
  - ~$45-55 Million

The Wastewater Utility has a placeholder in the 20 year CIP for the Phase II Expansion. The project will be funded with a 2% Clean Water State Revolving Fund (SRF) loan, and programmed to be repaid with sales tax and rate funds.

Recommended Motion

Approve the attached Task Order 20 from Apex Engineering Group in the amount of $1,773,325 for Design & Bidding Services for the Wastewater Treatment Plant Phase II-A Improvements.

Apex Engineering Group
Water | Transportation | Municipal | Facilities

701.373.7980
4733 Amber Valley Parkway
Fargo, ND 58104

December 18, 2017

Mr. James Hausauer
City of Fargo
3400 North Broadway
Fargo, ND 58102

RE: Fargo Wastewater Treatment Facility
Task Order 20 – WWTF Phase IIA Expansion
Apex Project No. 18.102.0001

Dear Mr. Hausauer,

Thank you for the opportunity to provide the enclosed Task Order 20 regarding the design and bidding services for the Fargo Wastewater Treatment Facility (WWTF) Phase IIA Expansion project. The WWTF capacity (established in the 2014 WWTF Facility Plan and 2014 WWTF Re-Rate Report), will be reached in the near future based on current City of Fargo planning numbers and regionalization with surrounding communities. As a result, a wastewater treatment expansion is necessary due to the facility's current capacity limitations.

A Preliminary Engineering Report (PER) has identified the necessary updates to the facility to meet future capacity requirements. Portions of the future updates must be completed within the next year to provide capacity for Fargo growth and regionalization with West Fargo by the end of 2018 per the Wastewater Service Agreement. The first phase of expansion (Phase IIA) will include items necessary to bridge the existing facility capacity until the entire expansion is complete in 2022. In addition, the process components in the north area of the existing plant will be expanded to the ultimate capacity needed for the 20-year planning period. By completing these items now, the north area of the plant will be constructed in one phase, providing cost savings to the City.

During the PER for the Phase II Expansion, the Clean Water State Revolving Fund (SRF) loan application was submitted to the North Dakota Department of Health (NDDH) for funding approval. The SRF loan will provide an immediate funding source for the Phase II planning, design and construction at a low interest rate of 2%.

Task Order 20 for Engineering Services includes project management, design and bidding services for Phase IIA as outlined herein. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Karla Olson, PE
Project Manager

CC: Bruce Grubb, PE – City of Fargo

This is Task Order No. 20, consisting of 12 pages.

Task Order

In accordance with Paragraph 1.01 of the Agreement between Owner and Engineer for Professional Services – Task Order Edition, dated January 1, 2011 ("Agreement"), Owner and Engineer agree as follows:

1. Specific Project Data

   A. Title: Wastewater Treatment Facility Phase IIA Expansion

   B. Description: Design and Bidding Services for Phase IIA Expansion at the Fargo Wastewater Treatment Facility.

   C. Number of Construction Contracts

   The Specific Project is anticipated to be constructed under 3 Construction Contracts.

2. Services of Engineer

   ☐ Study and Report Services

   ☒ Design Services

   ☒ Bidding or Negotiating Services

   ☐ Construction and Commissioning Services

   ☐ Resident Project Representative Services
   Engineer will provide Resident Project Representative services pursuant to Part 4 of Exhibit A; Exhibit D of the main agreement is expressly incorporated by reference.

   ☐ Other Services

   ☐ Additional Services Requiring an Amendment to Task Order

Part 6 of Exhibit A is incorporated by reference unless otherwise noted.

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3. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 and in Exhibit B, subject to the following: No exceptions.

4. Times for Rendering Services:

Phase	Completion Date (week of)
Execute Eng. Agreement	December 18, 2017
Begin Design Phase	December 18, 2017
Complete Design Phase	May 21, 2018
Advertise for Bids	May 28, 2018
Open Bids	June 18, 2018
Award Contracts	July 2, 2018

5. Payments to Engineer

A. Owner shall pay Engineer for services rendered as follows:

Category of Services	*Compensation Method*	*Lump Sum, or Estimate of Compensation for Services*
Study/Report Phase	A. Lump Sum	N/A
Design and Bidding/Negotiating	A. Lump Sum	$1,773,325
Construction Administration, Commissioning, Resident Project Representative	B. Standard Hourly Rates	N/A
Reimbursables		**Included**
Total Project Fee		**$1,773,325**

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B. The terms of payment are set forth in Article 4 of the Agreement and in Exhibit C.

6. Consultants: **Carollo Engineers, TL Stroh Architects, MBN Engineering, Solien and Larson, Terracon**

7. Other Modifications to Agreement: N.A.

8. Attachments: Attachment No.1 – Scope and Schedule

9. Documents Incorporated by Reference: N.A.

10. Terms and Conditions: Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

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The Effective Date of this Task Order is December 18, 2017.

OWNER:		**ENGINEER:**	
By:	City of Fargo	By:	Apex Engineering Group, Inc.
Name:	Dr. Tim Mahoney	Name:	Thomas J. Welle, PE
Title:	Mayor	Title:	President
Date Signed:		Engineer License or Firm's Certificate No.	COCP #975
		State of:	North Dakota
		Date Signed:	
Address for giving notices:		Address for giving notices:	
200 3rd Street North		4733 Amber Valley Parkway South	
Fargo, North Dakota 58103		Fargo, North Dakota 58104	

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OWNER:

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: James Hausauer

Title: Utility Director

Address: 3400 North Broadway
Fargo, ND 58102

Email Address: JHausauer@FargoND.gov

Phone: 701-476-6692

ENGINEER:

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Karla Olson, PE

Title: Project Manager

Address: 4733 Amber Valley Parkway S.
Fargo, North Dakota, 58104

Email Address: Karla.Olson@apexenggroup.com

Phone: 701-373-7985

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Apex Engineering Group
Water | Transportation| Municipal | Facilities

Scope of Services

Phase IIA Expansion – Design and Bidding

City of Fargo Wastewater Treatment Facility
December 18, 2017

Task No.	Description
1	Project Management
2	Preliminary and Final Design
3	Bidding, Awards and Contracts

Project Background

The City of Fargo completed a Wastewater Treatment Facility (WWTF) Plan in 2014 to review the existing facility's condition and capacity; assess all process equipment and structural components of the WWTF; identify deficiencies regarding capacity, condition, safety and future regulations; and develop strategies to alleviate deficiencies and adequately treat the projected hydraulic and organic requirements of the facility over the next twenty-plus years.

The Facility Plan recommendations were prioritized via a phased approach based on the most immediate needs. Phase I of the Facility Plan included equipment replacement and upgrades to existing facility components due to equipment age, condition, workers' safety and capacity. The Phase I improvement project was recently completed and addressed age and equipment condition issues necessary for reliable wastewater treatment; however, the improvements did not add additional capacity to the facility. The Phase II recommendations in the Facility Plan focused on the expansion needs for the facility to meet the projected 20-year wastewater capacity requirements for City of Fargo growth and regionalization. A Preliminary Engineering Report (PER) in 2017 identified the basis of design for the facility improvements, recommended treatment technologies to meet projected effluent limits and presented opinions of probable costs.

The Phase II improvements recommended in the PER include:

- A new headworks facility with screening and grit removal
- A new west treatment train including biological nutrient removal
- Final clarification
- Blower building
- Disinfection expansion and conversion to ultraviolet (UV) disinfection
- RAS/WAS pumping
- Thickening for scum and waste activated sludge
- Digester Improvements
- Energy and Resource Recovery
- Odor and corrosion control

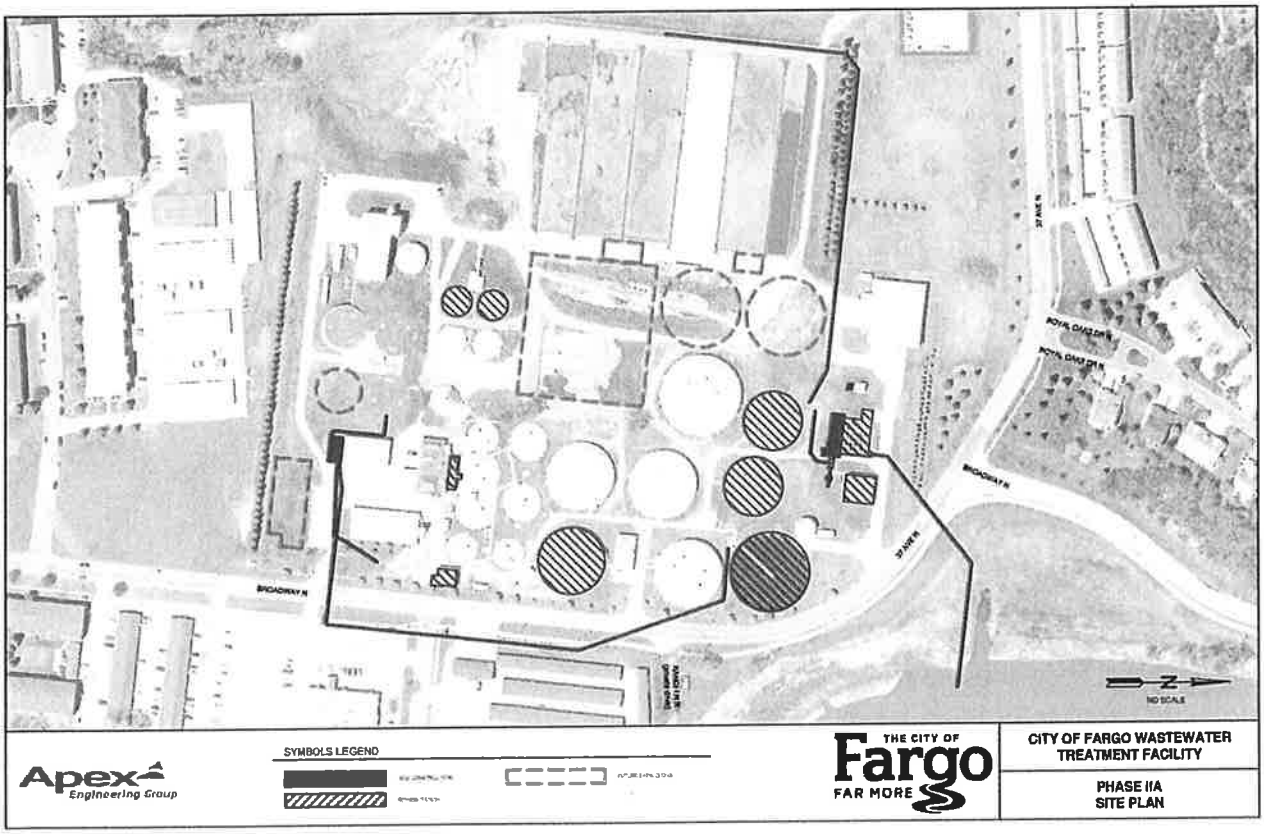
To meet the schedule outlined in the Wastewater Service Agreement with West Fargo, portions of the expansion project must be completed by the end of 2018. In addition, while those areas of the plant are excavated and under construction, it will be cost effective to complete all necessary work for Phase II in those locations. Therefore, a number of components were prioritized into Phase IIA, based on the need for immediate growth capacity, regionalization with West Fargo and based on project cost savings.

The components included in Phase IIA include:

- Centrifuge to increase capacity
- Centrifuge surge tank
- Building expansion to house centrifuge and ancillary equipment
- Vault H centrifuge feed pump
- Centrifuge feed forcemain
- Centrate piping and plant sewer re-route
- Thickened solids forcemain
- Disinfection expansion and conversion to ultraviolet (UV) disinfection
- UV Control Building
- Effluent pumping and effluent piping expansion
- Disinfection feed piping re-route for existing and new treatment trains

- Re-route effluent forcemain to ponds for future construction
- Miscellaneous process piping, electrical, plumbing and HVAC site work in north area of plant
- Chlorine building equipment/chemical removal and building repurposing
- Final clarifier mechanism replacement
- Nitrification trickling filter distributor replacement
- Trickling filter pump replacement
- Site security improvements
- Instrumentation and controls for intermediate and final clarifier solids handling
- Odor control for east treatment train
- Plant water system expansion
- Submersible effluent pump to ponds
- Vac truck grit handling system
- Primary sludge pump replacement
- Secondary digester floating covers
- Site restoration and paving
- Paint and protective coating systems
- Geotechnical investigation and report

The project components included in Phase IIA will complete the 20-year construction requirements in the north and east part of the WWTF as shown in the following figure.



As part of the PER, the Clean Water State Revolving Fund (SRF) loan application was submitted to the North Dakota Department of Health (NDDH) for funding approval. The SRF program will provide a 2% interest loan available immediately for the Phase II planning, design and construction costs incurred by the City.

Task No. 1.0 – Project Management

Objective:

To provide management of engineers and technicians through all phases of the project, including contract administration and quality assurance / quality control. To provide a single point of contact for the City of Fargo throughout the duration of the project.

Activities:

1. Review and execute task order agreement between City of Fargo and Apex Engineering Group (Apex).
2. Oversee Engineers and Technicians assigned to the project.
3. Attend and report at project update meetings, as necessary.
4. Provide communications and coordination between City of Fargo, Subconsultants and Apex.
5. Coordinate and attend regulatory, permitting and funding meetings with the North Dakota Department of Health.
6. Coordinate and attend any City of Fargo Building Department and Planning meetings.
7. Provide quality assurance/quality control throughout all phases of the project.

City of Fargo Responsibilities:

- ✓ Execute task order between City of Fargo and Apex.
- ✓ Provide requested information in a timely manner.
- ✓ Attend project update meetings.

Apex Responsibilities and Deliverables:

- ✓ Review and execute contract with City of Fargo in a timely manner.
- ✓ Gather, organize, review and return (if applicable) any necessary information.
- ✓ Schedule and attend project update meetings.
- ✓ Communicate with City of Fargo on project updates and schedule.

Task No. 2.0 – Preliminary and Final Design

Objective:
To prepare Contract Document (plans and specifications) for the Phase IIA Expansion Project. Provide 60%, 90% and 100% Contract Documents for milestone review with City of Fargo. Follow all North Dakota Department of Health (NDDH) and State Revolving Fund (SRF) requirements for Contract Documents.

Activities:

1. Provide survey services at WWTF site.
2. Review site geotechnical information.
3. Review and incorporate City-supplied site information and critical infrastructure.
4. Review site constraints and constructability issues.
5. Review City of Fargo building department standards and requirements.
6. Review City of Fargo Planning department requirements.
7. Design development for Civil, Process, Architectural, Structural, Mechanical and Electrical components of Phase IIA Expansion.
8. Develop updated opinions of probable costs for improvements.
9. Prepare 60% plans and specifications.
10. Conduct 60% review meeting with City and Apex.
11. Prepare 90% plans and specifications.
12. Conduct 90% review meeting with City and Apex.
13. Prepare 100% plans and specifications.
14. Conduct 100% review meeting with City and Apex.
15. Submit final plans and specifications to the NDDH.

City of Fargo Responsibilities:

- ✓ Provide documents as requested.
- ✓ Provide wastewater sampling equipment and analysis, as needed.
- ✓ Attend scheduled meetings.
- ✓ Review milestone contract documents (60%, 90% and 100%) and provide comments.

Apex Responsibilities and Deliverables:

- ✓ Secure Subconsultants as needed to aid in design (Geotechnical, Architect, Structural & Mechanical).
- ✓ Review site constraints and constructability issues with City Personnel.
- ✓ Prepare and present updated opinions of probable costs to City.
- ✓ Prepare 60%, 90% and 100% plans and specifications. Submit three (3) copies to the city for review and comment.
- ✓ Provide City with (3) three copies of final plans and specifications.
- ✓ Provide NDDH with (2) two copies of final plans and specifications.

Task No. 3.0 – Bidding, Awards and Contracts

Objective:

Advertise project, answer questions during bidding, conduct a pre-bid conference, open bids and recommend award of the Phase IIA expansion project.

Activities:

1. Prepare Advertisement for Construction Bids.
2. Work with the City of Fargo regarding advertising the Bid.
3. Provide Plans and Specifications to prospective Bidders.
4. Document and answer contractor questions during bidding.
5. Issue Addenda, as appropriate, to clarify Contract Documents.
6. Conduct a pre-bid conference for the project.
7. Attend bid opening and assist City of Fargo in review of the Bids.
8. Prepare tabulation of Bids and make recommendation regarding Award.
9. Prepare Notice of Award and Construction Contracts. Distribute to Contractor.

City of Fargo Responsibilities:

- ✓ Placement of Advertisement for Bids in appropriate publications.
- ✓ Attend pre-bid conference, as needed.
- ✓ Attend Bid Opening.
- ✓ Review of contractor's bids by City Attorney, if necessary.

Apex Responsibilities and Deliverables:

- ✓ Provide electronic copy of Bidding Documents for download by prospective Bidders.
- ✓ Provide electronic copy of Bidding Documents for local Builder's Exchanges.
- ✓ Provide any 'hard copy' Bidding Documents to prospective Bidders, as needed.
- ✓ Answer and document Contractor questions during bidding.
- ✓ Develop bid tabulation for bid opening.
- ✓ Complete bid tabulation with contractors' bids.
- ✓ Provide recommendation of award letter to City.

Project Schedule

Task/Activity	Date (Week of) [1]
- Execute Agreement for Engineering Service	December 18, 2017
- Begin Design Phase	December 18, 2017
- Complete Final Design	May 21, 2018
- Advertise for Bids	May 28, 2018
- Open Bids	June 18, 2018
- Award Construction Contract	July 2, 2018

(1) Schedule is based on Task Order 20 approval on December 18, 2017