

FARGO CITY COMMISSION AGENDA  
Monday, July 1, 2019 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at [www.FargoND.gov/streaming](http://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](http://www.FargoND.gov/citycommission).

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, June 17, 2019).

**CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. Receive and file the following Ordinances:
  - a. Relating to Waterworks System.
  - b. Relating to Plumbing Code.
- 2. 2nd reading and final adoption of the an Ordinance Amending Section 25-1506 of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Restrictions on Sale, Service or Dispensing of Alcoholic Beverages.
- 3. Applications for property tax exemptions for improvements made to buildings:
  - a. Reid Middaugh, 419 7th Avenue South (5 year).
  - b. Grant Syverson and Melissa H. Burkland, 415 8th Street South (5 year).
  - c. Matthew and Jescia Hopper, 1103 9th Avenue South (5 year).
- 4. Applications for Games of Chance:
  - a. Fargo North High School for a 50/50 raffle from 8/5/19 to 5/29/20.
  - b. Fargo North High School for a 50/50 raffle from 8/5/19 to 5/29/20.
  - c. Knights of Columbus 4th Degree Assembly 788 for a calendar raffle from 1/1/20 to 1/20/20.
  - d. St. Anthony of Padua Parish Fall Bazaar for bingo and a raffle on 9/29/19.
  - e. Villa Nazareth DbA CHI Friendship for a raffle from 9/1/19 to 10/11/19.
- 5. Purchase Agreement with Thomas N. and Audrey Renae Erdmann for property located at 767 Royal Oaks Drive North (Project No. FM-19-B).
- 6. Negative Final Balancing Change Order No. 2 in the amount of -\$3,675.00 for Project No. EP-17-A1.
- 7. Bid award for Project No. FM-15-J2.
- 8.
  - a. Bid awards for the bathroom-remodeling project at the FARGODOME.
  - b. Sole Source Procurement with Gopher Stage Lighting for updates to the existing lighting control system at the FARGODOME.

Receive and file Comprehensive Annual Financial Report (CAFR) and Independent Auditor's Report for the year ending December 31, 2018.

10. Resolution Authorizing the Execution and Delivery of the Intergovernmental Agreement (Series 2019); Authorizing First Amendment to Loan Agreement from Wells Fargo Bank, N.A., to the City of Fargo; and Consenting to First Amendment to Loan Agreement between Wells Fargo Bank, N.A. and Cass County.
11. Resolution Authorizing the Issuance of Not to Exceed \$42,000,000.00 City of Fargo Refunding Improvement Bonds, Series 2019A, Prescribing the Terms and Covenants Thereof, and Creating a Fund for the Payment Thereof.
12. Notice of Grant Award with the ND Department of Health for Public Health Emergency Preparedness PHEP – All Hazards Allocation (CFDA #93.069).
13. Notice of Grant Award with the ND Department of Health for Enhancing Harm Reduction (CFDA #93.354).
14. Notice of Grant Award with the ND Department of Health for Public Health Emergency Preparedness PHEP – Statewide Management Team (CFDA #93.069).
15. Notice of Grant Award with the ND Department of Health for State aid to local public health units.
16. Notice of Grant Award with the ND Department of Health for the PHEP – City Readiness Initiative (CFDA #93.069).
17. Notice of Grant Award with the ND Department of Health for Regional Environmental Health Services – State Aid.
18. Purchase of Service Agreement with the ND Department of Health for Women's Way Program (CFDA #93.898).
19. Notice of Grant Award Amendment with the ND Department of Health for the WIC Program (CFDA #10.557).
20. Administrative Services Agreements with Discovery Benefits, LLC.
21. 2019 Mosquito Control Agreement with Cass County Government.
22. Sole Source Procurement with NCFI Polyurethanes for geotechnical polyurethane lifting foam (QF19094).
23. Request for Proposal for the Core Neighborhoods Plan.
24. Sole Source Procurement with Reach Partners, Inc. for assistance in the Planning Department.
25. State Historical Society Certified Local Government Agreement for National Park Service's Historical Preservation Grant Funds 2019.
26. 3-year extension to the Recycling Agreement with Minnkota Enviroservices, Inc.

- Page 27. Draft Lease Agreement with North Central Bus & Equipment, Inc. for TapRide service to the Fargo Industrial Park.
28. Amendment to ND Department of Transportation Contract No. 38171124A.
  29. Contracts and bonds for Project Nos. FM-14-13 and PR-19-C1.
  30. Bills.
  31. Relocation and re-coating of pipeline in the amount of \$482,990.00 for Improvement District No. PN-18-B1.
  32. Change Order No. 1 for an increase of \$22,000.00 for Improvement District No. BR-18-G2.
  33. Change Order No. 2 for an increase of \$19,087.50 and a 30-day time extension for Improvement District No. NN-18-A1.
  34. Final Balancing Change Order No. 3 for an increase of \$71,680.05 for Improvement District No. BR-16-F1.
  35. Final Balancing Change Order No. 3 for an increase of \$7,961.26 for Improvement District No. TN-16-F1.
  36. Contract Amendment No. 1 with Stantec Consulting Services Inc. in the amount of \$23,008.00 (Improvement District No. TR-18-B0).
  37. Contract Amendment No. 2 with SRF in the amount of \$104,663.12 (Improvement District No. BR-18-A2).
  38. Bid award for Improvement District No. AN-19-G1.
  39. Create Improvement District No. NR-19-A.
  40. Contracts and bonds for Improvement District Nos. BN-19-C1, BN-19-J1, SL-19-B1 and UR-19-A1.

**REGULAR AGENDA:**

41. Fargo Youth Initiative (FYI) 2019 report.
42. Commissioner Gehrig would like to have a discussion regarding Server Training.
43. Public Hearings - 5:15 pm:
  - a. WITHDRAWN - Zoning change to repeal and re-establish a C-O, Conditional Overlay, Timber Parkway Third Addition; denial recommended by the Planning Commission on 5/7/19; continued from the 6/3/19 and 6/17/19 Regular Meetings.
  - b. Zoning Change from LC, Limited Commercial to GC, General Commercial, BLU Water Creek 4th Addition (4609 33rd Avenue South); approval recommended by the Planning Commission on 6/4/19:
    1. 1st reading of rezoning Ordinance.
  - c. CONTINUE to 7/15/19 - Renaissance Zone Project for Clark Equipment Company for a commercial lease project located at 118 Broadway North.

- d. CONTINUE to 7/29/19 - Transfer of a Class "A" Alcoholic Beverage License from Firebox, LLC d/b/a Firebox to International African Restaurant and Nightclub, LLC d/b/a International African Restaurant and Nightclub at 4554 7th Avenue South; denial recommended by the Liquor Control Board.
  - e. Application filed by Hoffberger Escape, LLC d/b/a Rough Cut Social for a Class "C-W" Alcoholic Beverage License to be located at 1100 NP Avenue, Suite 102.
  - f. Application filed by Drumconrath Brewing Company, LLC d/b/a Drumconrath Brewing Company for a Class "Y" Alcoholic Beverage License to be located at 630 1st Avenue North, #6.
44. State Water Commission requests for Cost Reimbursement for FM Diversion Flood Project Costs:
- a. Costs totaling \$973,992.33.
  - b. Costs totaling \$88,136.44.
  - c. Costs totaling \$1,294,793.15.
45. Recommendations for appointments and reappointments to the following Boards and Commissions:
- a. Library Board.
  - b. Civil Service Commission.
  - c. Special Assessment Commission.
  - d. Fargo Youth Initiative.
  - e. Board of Adjustment.
46. Discussion regarding the FM Diversion.

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](http://www.FargoND.gov/citycommission).

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**MEMORANDUM**

**TO: BOARD OF CITY COMMISSIONERS**

**FROM: NICOLE CRUTCHFIELD, PLANNING DIRECTOR  
CATLYN CHRISTIE, ASSISTANT PLANNER CC**

**DATE: JUNE 27, 2019**

**SUBJECT: FARGO YOUTH INITIATIVE 2019 REPORT**

In 2012, the Fargo City Commission voted to create a youth advisory commission called the Fargo Youth Initiative (FYI). The mission of FYI is to unite and empower the voice of Fargo youth through direct action and teamwork.

Since its inception, a great group of smart, caring, and committed young leaders, representing grades 9-12 from public and private schools in Fargo, have met regularly to discuss opportunities and issues facing young people in our community. Members are looking forward to sharing their ideas and progress with you in a PowerPoint presentation at the July 1 City Commission meeting.

**Kember Anderson**

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**From:** Tony Gehrig  
**Sent:** Wednesday, June 26, 2019 4:01 PM  
**To:** Kember Anderson  
**Subject:** This one

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25-1511 E

Every holder of an alcoholic license in the city of Fargo shall implement a program of mandatory server training. The server training shall be approved by the Fargo Police Department and/or its designee. All current managers and employees working directly with the dispensing of alcoholic beverages must obtain and maintain a "server training certificate card". Said training must be completed within 90 days for current managers and employees. The "server training certificate card" is not required to be carried on the person so long as said card can be produced at a later date. The "server training certificate card" must be renewed every three (3) years by the anniversary date as shown on said card. For all new managers and employees not having previously received server training, there shall be a grace period of 90 days in which to successfully complete the approved class. Additionally, one month before each license renewal date, the licensee shall provide the city with a roster of employees which can then be checked against the training records. If the licensee is found to be not in compliance, license renewal for the upcoming year may be denied or delayed.

Tony Gehrig  
Fargo City Commissioner  
Tgehrig@fargond.gov  
Cell: 701-893-8185

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<b>City of Fargo Staff Report</b>			
<b>Title:</b>	BLU Water Creek 4 <sup>th</sup> Addition	<b>Date: Updated:</b>	6/26/2019
<b>Location:</b>	4609 33rd Avenue South	<b>Staff Contact:</b>	Donald Kress, planning coordinator
<b>Legal Description</b>	Lot 2, Block 1, <b>BLU Water Creek 4th Addition</b>		
<b>Owner(s)/Applicant:</b>	Brandt Crossing, LLC /Nate Vollmuth	<b>Engineer:</b>	None
<b>Entitlements Requested:</b>	<b>Zone Change</b> (from LC, Limited Commercial to GC, General Commercial)		
<b>Status:</b>	City Commission Public Hearing: July 1, 2019		

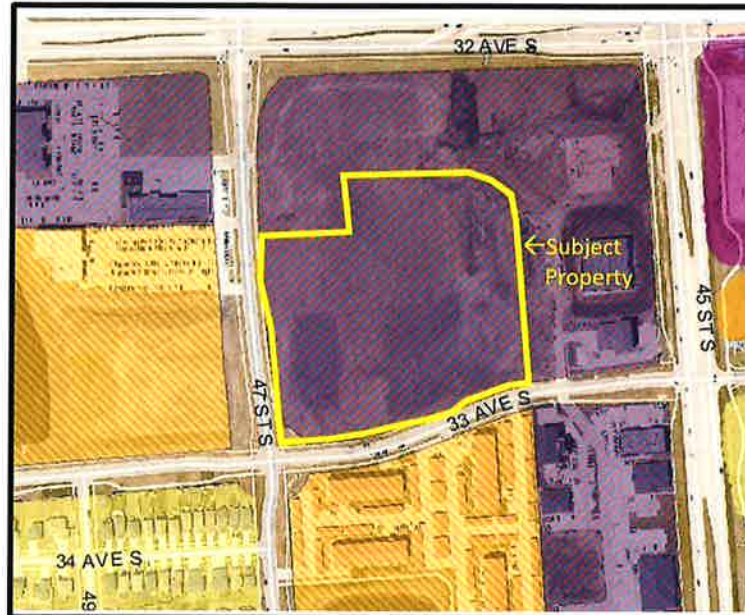
<b>Existing</b>	<b>Proposed</b>
<b>Land Use:</b> Undeveloped	<b>Land Use:</b> Office and commercial development
<b>Zoning:</b> LC, Limited Commercial	<b>Zoning:</b> GC, General Commercial
<b>Uses Allowed:</b> Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off premise advertising signs, commercial parking, retail sales and service, self service storage, vehicle repair, limited vehicle service.	<b>Uses Allowed:</b> Allows colleges, community service, daycare centers of unlimited size, <del>detention facilities</del> , health care facilities, parks and open space, religious institutions, safety services, adult entertainment centers, offices, <del>off premise advertising</del> , commercial parking, outdoor recreation and entertainment, retail sales and service, self storage, vehicle repair, limited vehicle service, <del>aviation, surface transportation,</del> and major entertainment events. <b>NOTE: The existing conditional overlay, which prohibits uses shown in strikethrough above, is maintained with this zone change.</b>
<b>Maximum Lot Coverage:</b> 55%	<b>Maximum Lot Coverage:</b> 85%

<b>Proposal:</b>
<p>The applicant requests one entitlement:</p> <ol style="list-style-type: none"> <li>1. A zoning change from LC, Limited Commercial to GC, General Commercial</li> </ol> <p>This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.</p> <p><b>Surrounding Land Uses and Zoning Districts:</b></p> <ul style="list-style-type: none"> <li>• North: LC, Commercial, with conditional overlay (Ordinance)</li> <li>• East: None; LC, Commercial</li> <li>• South: MR-3, Multi Dwelling Residential;</li> <li>• West: GO, General office and LC, with conditional overlay</li> </ul> <p>(continued on next page)</p>

**Area Plans:**

The subject properties are identified in the 2003 Southwest Future Land Use Plan as suitable for "Either Office or Commercial land uses."

	Commercial
	Commercial or Medium/High Density
	Commercial or Medium/High or Park/Open Space
	Commercial or Park/Open Space
	Either Industrial or Commercial
	Either Office or Commercial
	Either Office or Medium/High Density Residential
	Industrial
	Low/Medium Density Residential
	Low/Medium Density or Medium/High Density
	Medium/High Density Residential
	Medium/High Density or Park/Open Space
	Office
	Office or Commercial or Medium/High Density
	Park/Open Space
	Public
	Public or Commercial
	Public or Low/Medium Density
	Public or Office
	Storm Water



**Context:**

**Schools:** The subject property is located within the West Fargo School District and is served by Independence Elementary, Liberty Middle and Sheyenne schools.

**Neighborhood:** The subject property is located within Brandt Crossing neighborhood.

**Parks:** Brandt Crossing Park (5009 33<sup>rd</sup> Avenue South) is less than one-quarter mile west of the subject property and offers the amenities of basketball, dog park, playgrounds for ages 2-5 and 5-12, recreational trails, and a shelter.

**Pedestrian / Bicycle:** The multi-purpose trails along the north side of 32<sup>nd</sup> Avenue South and east side of 45<sup>th</sup> Street south that are components of the metro area bikeways system.

**Staff Analysis:**

The applicant proposes a zone change from LC, Limited Commercial to GC, General Commercial while retaining the existing conditional overlay (C-O), Ordinance 5197. This C-O prohibits the following uses:

- a) Detention facilities
- b) Adult entertainment center
- c) Off-premise advertising signs (directional signs that are less than 50 feet square in size are exempt from this prohibition)
- d) Portable signs
- e) Industrial service
- f) Manufacturing and production
- g) Warehouse and freight movement
- h) Aviation/surface transportation

Retaining the provisions of this conditional overlay has the effect of restricting the permitted and conditionally permitted uses in the proposed GC, General Commercial zone to mostly match the permitted and conditionally permitted uses in the existing LC, Limited Commercial zone and would thus lessen the impact of the zone change on the surrounding properties, which include some residential properties. The GC zone would allow greater lot coverage



than the LC zone (85% in the GC zone versus 55% in the LC zone) and greater height than the LC zone (60 foot maximum height in the LC zone versus no height limit in the GC zone)

**Zoning**

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

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

Staff is unaware of any error in the zoning map as it relates to this property. The applicant, who has developed the portions of this block along 32<sup>nd</sup> Avenue and 45<sup>th</sup> Street, seeks a zoning that will allow a building height greater than the 60 feet allowed under the current LC, Limited Commercial zoning on this portion of the block that is not along a major arterial. The LC height limit is further constrained to 35 feet due to the proximity of a single-family zoning district to the southwest of this block. The proposed GC, General Commercial zone offers greater height. The applicant's decision to keep the existing conditional overlay, as noted above, prohibits several permitted and conditionally permitted uses that would otherwise be available in the GC zone, thus lessening impact of the zone change on the neighborhood.

**(Criteria Satisfied)**

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

City staff and other applicable review agencies have reviewed this proposal. Staff finds no deficiencies in the ability to provide all of the necessary services to the site from the adjacent streets (33<sup>rd</sup> Street South and 47<sup>th</sup> Avenue South) **(Criteria satisfied)**

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

Staff has no documentation or evidence to suggest that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. Written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, Planning staff has received no comment about the project. Staff finds that the approval of the zoning change will not adversely affect the condition or value of the property in the vicinity.

**(Criteria satisfied)**

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

The LDC states "This Land Development Code is intended to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo." This rezone is consistent with the land use designation of "either office or commercial." **(Criteria satisfied)**

**Staff Recommendation:**

Suggested Motion: "To accept the findings and recommendations of the Planning Commission and staff and hereby waive the requirement to receive the Ordinance one week prior to the first reading and place the rezoning Ordinance on for first reading, and move to approve the proposed zone change from LC, Limited Commercial to GC, General Commercial with a C-O, conditional overlay to restrict land uses as presented, as the proposal complies with the Go2030 Fargo Comprehensive Plan, 2003 Southwest Future Land Use Plan, Section 20-0906.F (1-4) of the LDC, and all other applicable requirements of the LDC.

**Planning Commission Recommendation: June 4, 2019**

At the June 4, 2019 Planning Commission, by a vote of 7-0 with four Commissioners absent, the Planning Commission voted to accept the findings and recommendations of staff and

recommended to the City Commission approval of the proposed zone change from LC, Limited Commercial to GC, General Commercial with a C-O, conditional overlay to restrict land uses as presented, as the proposal complies with the Go2030 Fargo Comprehensive Plan, 2003 Southwest Future Land Use Plan, Section 20-0906.F (1-4) of the LDC, and all other applicable requirements of the LDC.

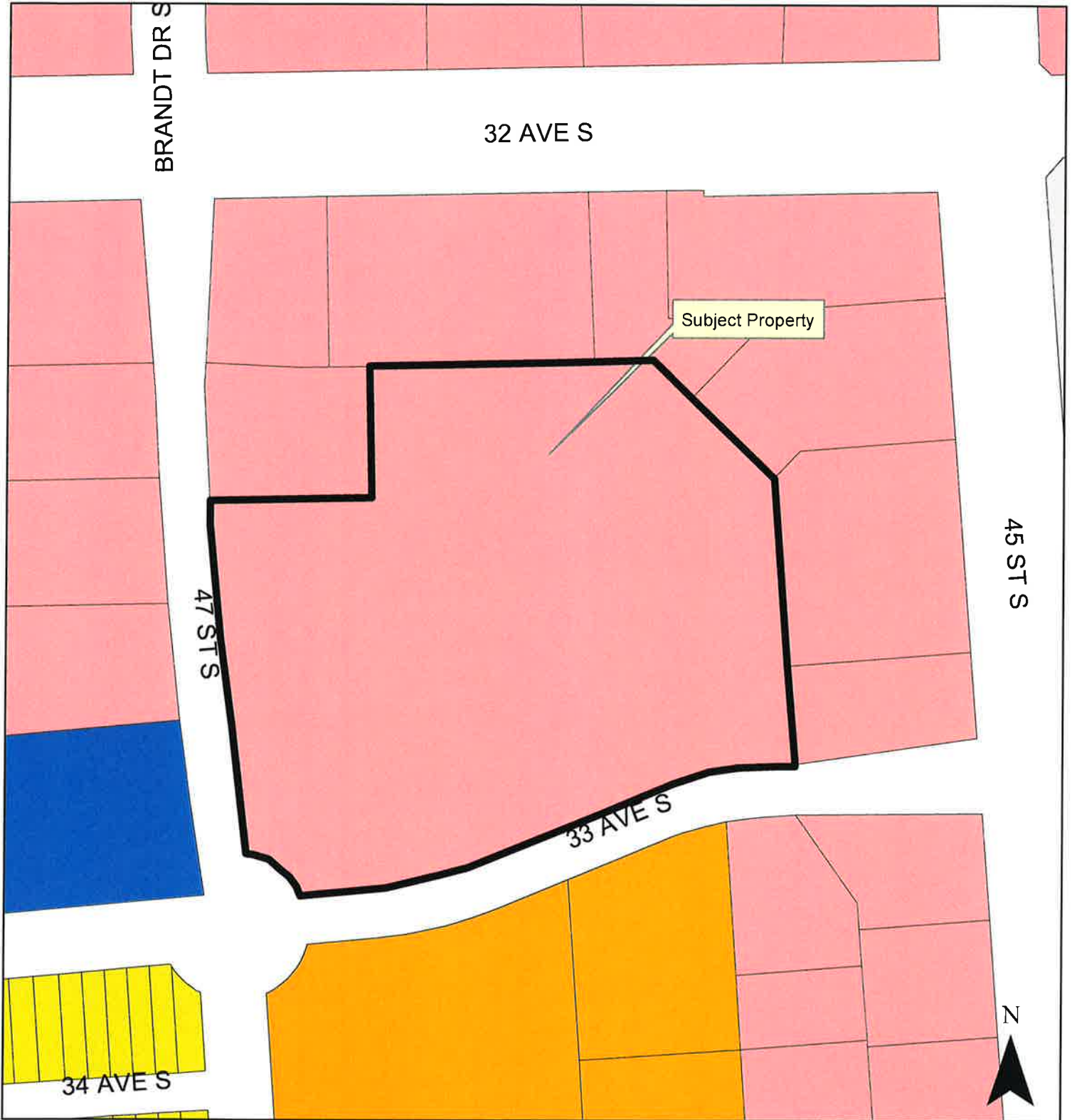
**Attachments:**

1. Zoning Map
2. Location Map

# Zone Change (LC to GC)

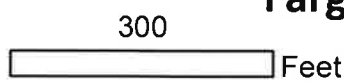
## BLU Water Creek 4th Addition

4609 33rd Avenue S



**Legend**

AG	LC	MHP	SS
DM	MC	NOC	SS-1
GC	MR-1	P/1	SS-2
GO	MR-2	UML	SS-3
	MR-3		SS-4
			SS-5
			SS-6
			SS-7
			SS-8
			SS-9
			SS-10
			City Limits



Fargo Planning Commission  
June 4, 2019

# Zone Change (LC to GC)

## BLU Water Creek 4th Addition

4609 33rd Avenue S



OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

7361

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE REZONING CERTAIN PARCELS OF LAND  
LYING IN BLU WATER CREEK 4<sup>TH</sup> ADDITION,  
CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the City of Fargo have held hearings pursuant to published notice to consider the rezoning of certain parcels of land lying in BLU Water Creek 4<sup>th</sup> Addition, City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on June 4, 2019; and,

WHEREAS, the rezoning changes were approved by the City Commission on July 1, 2019; and,

NOW, THEREFORE,

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

Section 1. The following described property:

Lot Two (2), Block One (1) of BLU Water Creek 4<sup>th</sup> Addition to the City of Fargo, Cass County, North Dakota,

is hereby rezoned from "LC", Limited Commercial, District with a conditional overlay as set forth in Fargo City Ordinance No. 5197 to "GC", General Commercial, District subject to the same said conditional overlay;

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

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OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

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

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4 \_\_\_\_\_  
5 Timothy J. Mahoney, M.D., Mayor

6 (SEAL)

7 Attest:

8 \_\_\_\_\_  
9 Steven Sprague, City Auditor

10 First Reading:  
11 Second Reading:  
12 Final Passage:

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**MEMORANDUM**

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TO: Board of City Commissioners  
FROM: Steven Sprague, City Auditor  
SUBJECT: Liquor License Application – Rough Cut Social  
DATE: June 19, 2019

The following application for a liquor license was received by the Auditor's office and reviewed by the Liquor Control Board:

License Class: CW Beer & Wine on sale only, no food sale requirements  
Business Name: Rough Cut Social  
Location: 1100 NP Aveune, Suite 102  
Applicants: Adam Stockberger, Amy Stockberger, Stacy Hoffman & Dustin Hoffman

Being no significant concerns, the Liquor Control Board voted to approve the issuance of the license. The complete application is available for review in the Auditor's Office.

**Recommended Motion:**

**Move to approve the issuance of a Class CW alcoholic beverage license to Rough Cut Social**

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**AUDITOR'S OFFICE**

Fargo City Hall  
225 4th Street North  
PO Box 2471  
Fargo, ND 58108  
Phone: 701.241.8108 | Fax: 701.241.8184  
[www.FargoND.gov](http://www.FargoND.gov)

**MEMORANDUM**

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TO: Board of City Commissioners  
FROM: Steven Sprague, City Auditor  
SUBJECT: Liquor License Application – Drumconrath Brewing  
DATE: June 19, 2019

The following application for a liquor license was received by the Auditor's office and reviewed by the Liquor Control Board:

License Class: Y Brewery Tap Room, Beer only  
Business Name: Drumconrath Brewing  
Location: 630 1<sup>st</sup> Ave N #6  
Applicants: Samuel Corr

Being no significant concerns, the Liquor Control Board voted to approve the issuance of the license. The complete application is available for review in the Auditor's Office.


**Recommended Motion:**

**Move to approve the issuance of a Class Y alcoholic beverage license to Drumconrath Brewing**





**TO: BOARD OF CITY COMMISSIONERS**

**FROM: KENT COSTIN, DIRECTOR OF FINANCE** 

**RE: STATE WATER COMMISSION COST REIMBURSEMENT APPROVAL**

**DATE: June 14, 2019**

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 \$973,992.33.

June 14, 2019

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 #89 pursuant to the terms and conditions of House Bill 1020 for costs incurred from April 1, 2019 to April 30, 2019 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 \$973,992.33.

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	\$202,407,467	\$527,365.00	100%	\$527,365.00	
		893,254.66	50%	446,627.33	
		<b>\$1,420,619.66</b>		<b>\$973,992.33</b>	<b>\$107,118,540.67</b>

**Project Narrative, this request:**

Project Number	Project Description
V01701	Land for Diversion Channel Phase 1A
V02825	Pay Application #3 for WP42E – 2 <sup>nd</sup> St S and Main Ave Flood Mitigation

We certify that \$82,970,092 has been expended on the acquisition of homes and that these costs are eligible for the local matching share requirements of SB 2020. Records relating to these costs are on file with the City of Fargo in the Office of the City Auditor.

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

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

Sincerely,



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

**Required Local Approvals:**

\_\_\_\_\_  
City of Fargo

\_\_\_\_\_  
Cass County Commission


\_\_\_\_\_  
Cass County Joint Water Resource Dist.

**FM Metropolitan Area Flood Risk Management Project  
Summary of Cash Disbursements Eligible for SWC Funding  
April 2019**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-0000-206-10-00	4/11/2019	295679	INDUSTRIAL BUILDERS INC	(83,597.00)	2 ST & MAIN AVE MITIGATIO	V02825	2ND ST S FLOOD MITIGATION
790-0000-206-10-00	4/11/2019	295679	INDUSTRIAL BUILDERS INC	7,208.90	CITY OF FARGO'S SHARE PAY APPS #2 & #3	V02825	2ND ST S FLOOD MITIGATION
			<b>Total Retainage</b>	<b>(76,388.10)</b>			
790-7950-429.71-30	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	733,126.76	THE TITLE COMPANY	V01701	ND LAND PURCH-OUT OF TOWN
			<b>Total LERRDS - North Dakota - Land Purchases</b>	<b>733,126.76</b>			
790-7950-429.73-52	4/11/2019	295679	INDUSTRIAL BUILDERS INC	835,970.00	2 ST & MAIN AVE MITIGATIO	V02825	2ND ST S FLOOD MITIGATION
790-7950-429.73-52	4/11/2019	295679	INDUSTRIAL BUILDERS INC	(72,089.00)	CITY OF FARGO'S SHARE PAY APPS #2 & #3	V02825	2ND ST S FLOOD MITIGATION
			<b>Total ND Construction - Flood Control</b>	<b>763,881.00</b>			
			<b>Total Expense for Period</b>	<b>1,420,619.66</b>			

AA6

**TO: BOARD OF CITY COMMISSIONERS**

**FROM: KENT COSTIN, DIRECTOR OF FINANCE** 

**RE: STATE WATER COMMISSION COST REIMBURSEMENT APPROVAL**

**DATE: June 20, 2019**

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 May 2019.

**Suggested Motion:**

Approve a State Water Commission request for cost reimbursement for Fargo-Moorhead Metropolitan Area Flood Risk Management Project costs totaling \$88,136.44.

June 20, 2019

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 #91 pursuant to the terms and conditions of House Bill 1020 for costs incurred on the OHB Levee project from May 1, 2019 to May 31, 2019. 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 \$88,136.44.

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	\$204,676,252.48	\$176,272.87	50%	\$88,136.44	\$105,735,611.08

**Project Narrative, this request:**


Project Number	Project Description
V04401	Pay Application #11 for WP43CD – OHB Ring Levee Phases C and D

We certify that \$83,170,212 has been expended on the acquisition of homes and that these costs are eligible for the local matching share requirements of SB 2020. Records relating to these costs are on file with the City of Fargo in the Office of the City Auditor.

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

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

Sincerely,

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

**Required Local Approvals:**

\_\_\_\_\_  
 City of Fargo

\_\_\_\_\_  
 Cass County Commission


\_\_\_\_\_  
 Cass County Joint Water Resource Dist.

**FM Metropolitan Area Flood Risk Management Project  
 Summary of Cash Disbursements Eligible for SWC Funding  
 May 2019 - 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	5/9/2019	296262	MEYER CONTRACTING INC	(7,446.08)	OHB RING LEVEE-PHASE C/D	V04401	OHB RING LEVEE PHASES C&D
			<b>Total Retainage</b>	<b>(7,446.08)</b>			
790-7952-429.73-52	5/9/2019	296262	MEYER CONTRACTING INC	183,718.95	OHB RING LEVEE-PHASE C/D	V04401	OHB RING LEVEE PHASES C&D
			<b>Total O/H/B Construction - Flood Control</b>	<b>183,718.95</b>			
			<b>Total Expense for Period</b>	<b>176,272.87</b>			

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**TO: BOARD OF CITY COMMISSIONERS**

**FROM: KENT COSTIN, DIRECTOR OF FINANCE** 

**RE: STATE WATER COMMISSION COST REIMBURSEMENT APPROVAL**

**DATE: June 20, 2019**

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 \$1,294,793.15.



June 20, 2019

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 #90 pursuant to the terms and conditions of House Bill 1020 for costs incurred from May 1, 2019 to May 31, 2019 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 \$1,294,793.15.

State Funds Available	Amount Spent Previous Request	Amount Spent This Period	State Cost Share	Reimbursement Request This Period	Balance of State Funds
<b>\$310,500,000</b>	<b>\$203,381,459.33</b>	\$355,580.00	100%	\$355,580.00	
		1,878,426.29	50%	939,213.15	
		<b>\$2,234,006.29</b>		<b>\$1,294,793.15</b>	<b>\$105,823,747.52</b>

**Project Narrative, this request:**

Project Number	Project Description
V01701	Land for Diversion Channel and Southern Embankment
V01701	Residential relocation assistance for homeowners living in the area of the Red River Control Structure
V01701	Costs to prep 8 flood buyouts for demolition
V02825	Pay Application #4 for WP42E – 2 <sup>nd</sup> St S and Main Ave Flood Mitigation

We certify that \$83,170,212 has been expended on the acquisition of homes and that these costs are eligible for the local matching share requirements of SB 2020. Records relating to these costs are on file with the City of Fargo in the Office of the City Auditor.

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

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

Sincerely,



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

**Required Local Approvals:**

\_\_\_\_\_  
City of Fargo

\_\_\_\_\_  
Cass County Commission

\_\_\_\_\_  
Cass County Joint Water Resource Dist.

**FM Metropolitan Area Flood Risk Management Project  
Summary of Cash Disbursements Eligible for SWC Funding  
May 2019**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-0000-206.10-00	5/30/2019	296696	INDUSTRIAL BUILDERS INC	(29,848.90)	FLOOD MITIGATION	V02825	2ND ST S FLOOD MITIGATION
790-0000-206.10-00	5/30/2019	296696	INDUSTRIAL BUILDERS INC	56.80	CITY OF FARGO'S SHARE PAY APP #4	V02825	2ND ST S FLOOD MITIGATION
				<b>(29,792.10)</b>			
			<b>Total Retainage</b>				
790-7930-429.38-99	5/30/2019	296669	CASS COUNTY JOINT WATER RESOURCE DI	560.00	ALL AMERICAN PLUMBING &	V01701	ND LAND PURCH-OUT OF TOWN
				<b>560.00</b>			
790-7930-429.67-11	5/30/2019	296669	CASS COUNTY JOINT WATER RESOURCE DI	39,900.00	JONATHAN & KRISTEN KUTZER	V01701	ND LAND PURCH-OUT OF TOWN
790-7930-429.67-11	5/30/2019	296669	CASS COUNTY JOINT WATER RESOURCE DI	31,013.83	JONATHAN & KRISTEN KUTZER	V01701	ND LAND PURCH-OUT OF TOWN
			<b>Total LERRDS - North Dakota - Residential Relocation Assistance</b>	<b>70,913.83</b>			
790-7930-429.71-30	5/30/2019	296669	CASS COUNTY JOINT WATER RESOURCE DI	724,254.52	CROOKS, JOAN	V01701	ND LAND PURCH-OUT OF TOWN
790-7930-429.71-30	5/30/2019	296669	CASS COUNTY JOINT WATER RESOURCE DI	336,646.65	MARVEL, BART & LORI	V01701	ND LAND PURCH-OUT OF TOWN
790-7930-429.71-30	5/30/2019	296669	CASS COUNTY JOINT WATER RESOURCE DI	825,430.39	ANDREWS, MARK & SUSAN	V01701	ND LAND PURCH-OUT OF TOWN
790-7930-429.71-30	5/30/2019	296669	CASS COUNTY JOINT WATER RESOURCE DI	6,072.00	THE BANK OF NEW YORK MELT	V01703	ND LAND PURCH - IN TOWN
790-7930-429.71-30	5/30/2019	296669	CASS COUNTY JOINT WATER RESOURCE DI	2,000.00	BSNF RAILWAY CO	V01703	ND LAND PURCH - IN TOWN
			<b>Total LERRDS - North Dakota - Land Purchases</b>	<b>1,894,403.56</b>			
790-7950-429.73-52	5/30/2019	296696	INDUSTRIAL BUILDERS INC	298,489.00	FLOOD MITIGATION	V02825	2ND ST S FLOOD MITIGATION
790-7950-429.73-52	5/30/2019	296696	INDUSTRIAL BUILDERS INC	(568.00)	CITY OF FARGO'S SHARE PAY APP #4	V02825	2ND ST S FLOOD MITIGATION
			<b>Total ND Construction - Flood Control</b>	<b>297,921.00</b>			
			<b>Total Expense for Period</b>	<b>2,234,006.29</b>			

**Dr. Timothy J. Mahoney, Mayor**

Fargo City Hall

200 3rd Street North

Fargo, ND 58102

Phone 701.241.1310 | Fax: 701.476.4136

[TMahoney@FargoND.gov](mailto:TMahoney@FargoND.gov)



MEMORANDUM

**TO: BOARD OF CITY COMMISSIONERS**

**FROM: MAYOR TIMOTHY J. MAHONEY**



**DATE: JUNE 20, 2019**

**SUBJECT: APPOINTMENTS TO THE LIBRARY BOARD**

The terms of Mary Dickson and Rachael Steenholdt on the Library Board expire on June 30, 2019. Ms. Steenholdt is willing to continue her service on the Board; however, Ms. Dickson is unable to be reappointed as State Law limits Library Board members to two, three-year terms and Ms. Dickson has served two terms.

I am, therefore, recommending the appointment of Whitney Oxendahl to the Library Board for a three-year term ending June 30, 2022. I have attached her web application for your information.

Your favorable consideration of this recommendation will be greatly appreciated.

**RECOMMENDED MOTION:** To approve the reappointment of Rachael Steenholdt and the appointment of Whitney Oxendahl to the Library Board for three-year terms ending June 30, 2022.

mmappt19lib

**Kember Anderson**

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**From:** noreply@cityoffargo.com  
**Sent:** Friday, June 14, 2019 10:06 PM  
**To:** Commissions Applications  
**Subject:** New Form Submission: Getting involved in government

**Name:**  
*[Whitney Oxendahl]*

**Mailing Address:**  
*[823 3rd St N]*

**City:**  
*[Fargo]*

**State:**  
*[North Dakota]*

**Zip:**  
*[58102]*

**Work Phone:**  
*[701-570-4447]*

**Home Phone:**  
*[701-570-4447]*

**E-mail:**  
*[whitneyoxendahl@gmail.com]*

**Which boards or commissions would you like to be considered for?**  
*[Library Board]*

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

*[I am at the library at least once a week and an avid reader. Having two small kids, we utilize the programs regularly and I network with other parents at events. I have a stake in what goes on at the library as a reader and a parent.]*

**How many hours per month could you volunteer as a panel member?**  
*[2-4]*

**Please list any past experience you have with city government here or in other cities:**  
*[None]*

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

*[I have served on the Steering Committee for Cass Clay Food Commission and on the Advisory Council for NDSU Extension. I am also one of the organizers of the Red River Market so I have experience in higher-level tasks for an organization.]*

**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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**Dr. Timothy J. Mahoney, Mayor**

Fargo City Hall  
200 3rd Street North  
Fargo, ND 58102

Phone 701.241.1310 | Fax: 701.476.4136

**TMahoney@FargoND.gov**

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**MEMORANDUM**

**TO: BOARD OF CITY COMMISSIONERS**

**FROM: MAYOR TIMOTHY J. MAHONEY**

**DATE: JUNE 25, 2019**

**SUBJECT: CIVIL SERVICE APPOINTMENTS**

The terms of Nancy Jordheim and Mike Wenaas on the Civil Service Commission expire on June 30, 2019. Ms. Jordheim and Mr. Wenaas are willing to serve another term and I am recommending their reappointment.

Your favorable consideration of this recommendation is greatly appreciated.

**RECOMMENDED MOTION:** To approve the reappointment of Nancy Jordheim and Mike Wenaas to the Civil Service Commission for three-year terms ending June 30, 2022.

mmappt19csc

**Dr. Timothy J. Mahoney, Mayor**

Fargo City Hall  
200 3rd Street North  
Fargo, ND 58102

Phone 701.241.1310 | Fax: 701.476.4136

TMahoney@FargoND.gov

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MEMORANDUM

**TO: BOARD OF CITY COMMISSIONERS**

**FROM: MAYOR TIMOTHY J. MAHONEY**



**DATE: JUNE 26, 2019**

**SUBJECT: APPOINTMENT TO THE SPECIAL ASSESSMENT COMMISSION**

The term of Joe Burgum on the Special Assessment Commission expires on July 1, 2019.

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

Your favorable consideration of this recommendation will be greatly appreciated.

**RECOMMENDED MOTION:** To approve the appointment of Randy Engelstad to the Special Assessment Commission for a three-year term ending July 1, 2022.

mmappt19sac

**Kember Anderson**

---

**From:** noreply@cityoffargo.com  
**Sent:** Wednesday, June 26, 2019 1:38 PM  
**To:** Commissions Applications  
**Subject:** New Form Submission: Getting involved in government

**Name:**  
*[Randy Engelstad]*

**Mailing Address:**  
*[1538 5th Ave S]*

**City:**  
*[Fargo]*

**State:**  
*[North Dakota]*

**Zip:**  
*[58103]*

**Work Phone:**  
*[701-499-2087]*

**Home Phone:**  
*[763-257-3005]*

**E-mail:**  
*[rengelstad@houstoneng.com]*

**Which boards or commissions would you like to be considered for?**  
*[Special Assessment Commission]*

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

*[I love being a part of the Fargo community and believe it is a fine place to live and work. I volunteer regularly at the Ronald McDonald House and am involved in FM Engineers. I am always looking for ways to make a difference in the community.]*

**How many hours per month could you volunteer as a panel member?**  
*[10 to 20. More if needed and scheduled in advance.]*

**Please list any past experience you have with city government here or in other cities:**  
*[Just work professionally as an engineer in Fargo, Moorhead, and many other communities in the Red River Valley for the last 10 years. I have also worked with many Cities in the Twin Cities area for 4 years before coming back to Fargo where I graduated from NDSU. I have not been a part of a government organization before.]*

**Please describe any professional experience you have related to the responsibilities of the panel you are interested in:**  
*[Has a consulting civil engineer, I have been working with City of Fargo engineering, forestry, public works, and planning staff on projects throughout the City for the last 10 years. Most of the work dealt with flood control, site design, and infrastructure projects. ]*

**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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**MEMORANDUM**

**TO: BOARD OF CITY COMMISSIONERS**

**FROM: COMMISSIONER TONY GEHRIG**

**DATE: JUNE 26, 2019**

**SUBJECT: FARGO YOUTH INITIATIVE (FYI)**

In 2012, the Fargo City Commission voted to support the creation of a youth advisory commission called the Fargo Youth Initiative. The mission of FYI is to empower the voice and unite the youth of Fargo through actions and teamwork.

Since its inception, smart, caring and committed young leaders, representing public schools in Fargo have met monthly (sometimes more) to discuss opportunities and issues facing young people in our community. Below you will find a list of interested participants for this year. I am recommending they be appointed as the Fargo Youth Initiative members for the 2019-2020 academic year.

I appreciate your support of the Fargo Youth Initiative and the inclusion of new and young voices in the public process.

**RECOMMENDED MOTION:** To appoint the following to serve as Fargo Youth Initiative members for the 2019-2020 academic school year.

Returning Members: Chloe Bry (South-12), Olivia Drake (Davies-11), Yvonnah Marshall (South-11), Hadley Mineer (North-12), Erika Spanjer (North-10), Kha (Andy) Tao (Davies-10).

New Members: Claire Bailly (Shanley-12), Sophie Brantner (Oak Grove-9), Andrew Green (Oak Grove-9), Jayden Lindgren (Davies-9), Aarya Panwalkar (North-10), Olivia Quinlan (Davies-11), Abbey Rudd (North-10).

**Dr. Timothy J. Mahoney, Mayor**

Fargo City Hall  
200 3rd Street North  
Fargo, ND 58102

Phone 701.241.1310 | Fax: 701.476.4136

**TMahoney@FargoND.gov**

45e

MEMORANDUM

**TO: BOARD OF CITY COMMISSIONERS**

**FROM: MAYOR TIMOTHY J. MAHONEY**



**DATE: JUNE 26, 2019**

**SUBJECT: APPOINTMENTS TO THE BOARD OF ADJUSTMENT**

The terms of Mark Lundberg and Matthew Boreen on the Board of Adjustment expire on June 30, 2019. Mr. Boreen is willing to continue his service on the Board; however, Mr. Lundberg no longer wants to serve on the Board.

Mike Mitchell has been serving as an Alternate member and is willing to fill the vacancy on the Board.

Your favorable consideration of this recommendation will be greatly appreciated.

**RECOMMENDED MOTION:** To approve the reappointment of Matthew Boreen to the Board of Adjustment for a three-year term ending June 30, 2022 and the appointment of Mike Mitchell to fill the vacancy on the Board for a term ending June 30, 2022.

mmappt19boardjust