



6. Purchase of Service Agreement Amendment for the Ryan White Part B/Case Program/ Management for People Living with HIV/AIDS (CFDA #93.917).
7. Contract with the North Dakota Department of Health for increasing breast feeding rates and reducing childhood obesity (CFDA #93.994).
8. Contract Amendment No. 1 to the Agreement with First Transit, Inc. to correct the error in Appendix 15.
9. Applications for Games of Chance:
  - (1) Fargo Metro Baseball Association for a raffle on 6/30/16.
  - (2) Fargo Moorhead Derby Girls for a raffle on 4/16/16.
  - (3) Roger Maris Charity Golf Tournament for a raffle on 6/27/16.
  - (4) Fargo American Legion Baseball for a calendar raffle from 6/1/16 to 7/31/16.
10. Recommendation to direct staff to work out details with PCs for People for the donation and distribution of excess computers and equipment.
11. Purchase of one concrete raising system from NCFI in the amount of \$68,043.00.
12. Engineering Technician I contract with Alex Van Vlaenderen.
13. Memorandum of Offer to Landowner for Temporary and Permanent Easement (Street and Utility) with Fred Vogel Properties III, LLC and Jill Vogel Properties III, LLC for Project No. PR-14-01.
14. Task Order No. 1 with Moore Engineering to complete the design of the flood risk reduction project in an amount not to exceed \$525,000.00 (Project No. FM-16-A0).
15. Bid Awards for Project Nos. SW16-01 to Wanzek Construction, Inc. in the amount of \$1,923,069.00; TM-16-A1 to Northstar Safety, Inc. in the amount of \$289,356.00; SN-16-A1 to Key Contracting, Inc. in the amount of \$321,553.00; PR-16-A1 to Roadway Services, Inc. in the amount of \$52,580.00; and TR-16-A1 to Moorhead Electric in the amount of \$116,439.25.
16. Concur with City of West Fargo bid award for Project No. PN-15-A2 in the amount of \$352,309.50.
17. Contract Amendment No. 1 for an increase of \$86,066.00 for Project No. PR-17-A0.
18. Bid award for Water Department water main repair materials for Section 1 to DSG Waterworks in the amount of \$8,645.23 and Section 2 and 3 to Ferguson Waterworks in the amount of \$31,573.04 for Section 2 and \$110,872.82 for Section 3.

19. Change Orders for the Water Treatment Plant (Project No. WA1301):
  - (1) for an increase of \$67,289.00 for the General Construction Contract.
  - (2) for a decrease of \$55,337.00 for the Mechanical Construction Contract.
  - (3) for an increase of \$56,467.00 for the Electrical Construction Contract.
20. Bid Award to Pioneer Pump in the amount of \$70,000.00 for a large trailer mounted pump and procurement of piping and fittings for the Meyers-Seth Pump in the amount of \$20,000.00 (Project No. WW1603).
21. Amendment #1 in the amount of \$325,000.00 to AE2S Task Order #76 (Project No. WA1301).
22. Contract and Bond for Project No. WA1503.
23. Bills in the amount of \$5,765,490.10.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Task Order No. 1 for Improvement District No. BN-16-E0 Approved:

The Board received a communication from the Public Works Projects Evaluation Committee stating the Committee reviewed responses to a request for quotes for design and construction administration related to the new development proposed in Maple Valley Second Addition. Quotes were received from six respondents, they said, and at this time staff seeks to award the design portion of the work to KLJ.

Commissioner Sobolik moved Task Order No. No. 1 Improvement District No. BN-16-E0 be awarded to KLJ in the amount of \$29,540.00 for design services for sanitary sewer, water main, storm sewer, site grading and paving for Maple Valley Second Addition.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Change Order No. 5 for Improvement District No. PN-15-A1 and Updated Agreement with the City of West Fargo and Cass County Approved:

Commissioner Sobolik moved the Change Order No. 5 for an increase of \$55,536.00 for Improvement District No. PN-15-A1, and the updated agreement with the City of West Fargo and Cass County be approved.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

City of Fargo Concur with the NDDOT Bid Award for Improvement District No. PN-15-A:

Commissioner Sobolik moved the City of Fargo concur with the NDDOT bid award for Grading, Salvaged Base, P.C.C. Pavement, Curb and Gutter, Sidewalk, Storm Sewer, Sanitary Sewer, Watermain, Signing, Pavement Marking, Lighting and Incidentals, Improvement District No. PN-15-A to Northern Improvement Company in the amount of \$19,388,757.01.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-16-F1: Protests Received and Declared Insufficient:

The Statutory Resolution of Necessity for the construction of Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-16-F1 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on February 22 and 29, 2016 and protests representing less than 1 percent of the legal protest area have been received and filed in the office of the City Auditor within the legal protest period.

Commissioner Sobolik moved the protests be received and filed and declared insufficient.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Bids Received for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-16-F1:

The bids for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-16-F1 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., March 23, 2016 and the bids were found to be as follows:

Shermans, LLC Bid:	West Fargo, ND \$1,690,769.54
Master Construction Company, Inc. Bid:	Fargo, ND \$1,826,010.00
Border States Paving, Inc. Bid:	Fargo, ND \$1,981,843.75
Robert Gibb and Sons, Inc. Bid:	Fargo, ND \$2,103,384.00
Dakota Underground Company Bid:	Fargo, ND \$2,466,624.00

Contract for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-16-F1 Awarded to Shermans, LLC in the Amount of \$1,690.769.54:

Commissioner Sobolik offered the following Resolution and moved its adoption:

WHEREAS, The City Engineer has prepared and filed a detailed statement of the estimated costs of Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-16-F1; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received March 23, 2016 for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-16-F1 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-16-F1 shows the bid of Shermans, LLC of West Fargo, North Dakota, in the sum of \$1,690.769.54 to be the lowest and best bid received.

NOW, THEREFORE, BE IT RESOLVED, That the Board of City Commissioners finds and declares the bid received from Shermans, LLC in the sum of \$1,690.769.54 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-16-F1 in the City of Fargo, North Dakota, be and the same is hereby awarded to Shermans, LLC for the sum of \$1,690.769.54, subject to the supervision, inspection and approval of the City Engineer, and in accordance with the Plans and Specifications filed in the office of the City Auditor.

Second by Piepkorn. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

Traffic Signal Improvements and Incidentals Improvement District No. TN-16-E1: Protests Received and Declared Insufficient:

The Statutory Resolution of Necessity for the construction of Traffic Signal Improvements and Incidentals Improvement District No. TN-16-E1 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on February 22 and 29, 2016 and protests representing less than 1 percent of the legal protest area have been received and filed in the office of the City Auditor within the legal protest period.

Commissioner Sobolik moved the protests be received and filed and declared insufficient.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Bids Received for Traffic Signal Improvements and Incidentals Improvement District No. TN-16-E1:

The bids for Traffic Signal Improvements and Incidentals Improvement District No. TN-16-E1 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., March 23, 2016 and the bids were found to be as follows:

Moorhead Electric Bid:	Moorhead, MN \$327,653.70
Fritz Electric, Inc. Bid:	Fargo, ND \$346,358.40
Strata Corporation Bid:	Grand Forks, ND \$346,704.60
Fargo Electric Construction, Inc. Bid:	Fargo, ND \$362,958.00

Contract for Traffic Signal Improvements and Incidentals Improvement District No. TN-16-E1 Awarded to Moorhead Electric in the Amount of \$327,653.70:

Commissioner Sobolik offered the following Resolution and moved its adoption:

WHEREAS, The City Engineer has prepared and filed a detailed statement of the estimated costs of Traffic Signal Improvements and Incidentals Improvement District No. TN-16-E1; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received March 28, 2016 for Traffic Signal Improvements and Incidentals Improvement District No. TN-16-E1 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Traffic Signal Improvements and Incidentals Improvement District No. TN-16-E1 shows the bid of Moorhead Electric of Moorhead, Minnesota, in the sum of \$327,653.70 to be the lowest and best bid received.

NOW, THEREFORE, BE IT RESOLVED, That the Board of City Commissioners finds and declares the bid received from Moorhead Electric in the sum of \$327,653.70 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Traffic Signal Improvements and Incidentals Improvement District No. TN-16-E1 in the City of Fargo, North Dakota, be and the same is hereby awarded to Moorhead Electric for the sum of \$327,653.70, subject to the supervision, inspection and approval of the City Engineer, and in accordance with the Plans and Specifications filed in the office of the City Auditor.

Second by Piepkorn. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

No Protests Received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-N1:

The Statutory Resolution of Necessity for the construction of Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-N1 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on February 22 and 29, 2016 and no protests have been filed in the office of the City Auditor within the legal protest period.

Commissioner Sobolik moved that the Board declare that no protests have been filed to the construction of Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-N1.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Bids Received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-N1:

The bids for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-N1 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., March 23, 2016 and the bids were found to be as follows:

KPH, Inc. Bid:	Kindred, ND \$427,563.90
Border States Paving, Inc. Bid:	Fargo, ND \$438,937.20
Aggregate Industries Bid:	Moorhead, MN \$439,332.75
Northern Improvement Company Bid:	Fargo, ND \$524,500.78

Contract for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-N1 Awarded to KPH, Inc. in the Amount of \$427,563.90:

Commissioner Sobolik offered the following Resolution and moved its adoption:

WHEREAS, The City Engineer has prepared and filed a detailed statement of the estimated costs of Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-N1; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received March 23, 2016 for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-N1 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District

No. PN-15-N1 shows the bid of KPH, Inc. of Kindred, North Dakota, in the sum of \$427,563.90 to be the lowest and best bid received.

NOW, THEREFORE, BE IT RESOLVED, That the Board of City Commissioners finds and declares the bid received from KPH, Inc. in the sum of \$427,563.90 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-15-N1 in the City of Fargo, North Dakota, be and the same is hereby awarded to KPH, Inc. for the sum of \$427,563.90, subject to the supervision, inspection and approval of the City Engineer, and in accordance with the Plans and Specifications filed in the office of the City Auditor.

Second by Piepkorn. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

No Protests Received for Seal Coat and Incidentals Improvement District No. PR-16-B1:

The Statutory Resolution of Necessity for the construction of Seal Coat and Incidentals Improvement District No. PR-16-B1 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on February 22 and 29, 2016 and no protests have been filed in the office of the City Auditor within the legal protest period.

Commissioner Sobolik moved that the Board declare that no protests have been filed to the construction of Seal Coat and Incidentals Improvement District No. PR-16-B1.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Bids Received for Seal Coat and Incidentals Improvement District No. PR-16-B1:

The bids for Seal Coat and Incidentals Improvement District No. PR-16-B1 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., March 23, 2016 and the bids were found to be as follows:

Pearson Brothers, Inc.	Hanover, MN
Bid:	\$1,212,266.53
Asphalt Surface Technologies Corp.	St. Cloud, MN
Bid:	\$1,212,725.55

Contract for Seal Coat and Incidentals Improvement District No. PR-16-B1 Awarded to Pearson Brothers, Inc. in the Amount of \$1,212,266.53:

Commissioner Sobolik offered the following Resolution and moved its adoption:



WHEREAS, The City Engineer has prepared and filed a detailed statement of the estimated costs of Seal Coat and Incidentals Improvement District No. PR-16-B1; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received March 23, 2016 for Seal Coat and Incidentals Improvement District No. PR-16-B1 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Seal Coat and Incidentals Improvement District No. PR-16-B1 shows the bid of Pearson Brothers, Inc. of Hanover, Minnesota, in the sum of \$1,212,266.53 to be the lowest and best bid received.

NOW, THEREFORE, BE IT RESOLVED, That the Board of City Commissioners finds and declares the bid received from Pearson Brothers, Inc. in the sum of \$1,212,266.53 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Seal Coat and Incidentals Improvement District No. PR-16-B1 in the City of Fargo, North Dakota, be and the same is hereby awarded to Pearson Brothers, Inc. for the sum of \$1,212,266.53, subject to the supervision, inspection and approval of the City Engineer, and in accordance with the Plans and Specifications filed in the office of the City Auditor.

Second by Piepkorn. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-16-A:

Commissioner Sobolik moved the following action be taken in connection with P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-16-A:

Adopt Resolution Creating Improvement District No. AN-16-A:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. AN-16-A in the City of Fargo, North Dakota, be created

From 10th to 11th Avenue North between 1st and 2nd Street.

COMPRISING:

Lots 1 through 24, Block 10.  
All in Hectors Addition.

All of the foregoing is located in the City of Fargo, Cass County, North Dakota.

NOW, THEREFORE, BE IT RESOLVED, That P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-16-A in the City of Fargo, North Dakota, be and the same is hereby created.

Request Report and Estimate of Cost from the City Engineer for Improvement District No. AN-16-A:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. AN-16-A in the City of Fargo, North Dakota; as well as an estimate of the approximate cost of said construction. (The Engineer's estimate of cost is \$189,630.00.)

Order Plans and Specifications for Improvement District No. AN-16-A:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. AN-16-A in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. AN-16-A:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. AN-16-A in the City of Fargo, North Dakota, as required by law; and

WHEREAS, Plans and Specifications and the Engineer's Report prepared by the City Engineer, have been considered.

NOW, THEREFORE, BE IT RESOLVED, That the Plans and Specifications and Engineer's Report for the construction of Improvement District No. AN-16-A in the City of Fargo, North Dakota, be and the same are hereby approved and ordered filed in the Office of the City Auditor.

Adopt Resolution Declaring P.C. Concrete Alley Paving and Incidentals Necessary:

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

That it be and is hereby declared necessary to construct P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-16-A in the City of Fargo, North Dakota, according to the Engineer's Report for this district and the Plans and Specifications approved by the Board of City Commissioners of the City of Fargo, North Dakota, filed in the Office of the City Auditor, and open for public inspection. A map of the district is attached hereto and incorporated as if fully set forth herein.

That the entire cost of said improvement be specially assessed against the benefited property in said improvement district in amounts proportionate to and not exceeding the benefits to be derived by them respectively from said improvement.

Protests against the proposed P.C. Concrete Alley Paving and Incidentals must be in writing and must be filed with the City Auditor's Office within 30 days after the first publication of this Resolution.

BE IT FURTHER RESOLVED, That the City Auditor's Office is hereby instructed to publish this Resolution, as required by law.

Direct City Auditor's Office to Call for Bids for Improvement District No. AN-16-A:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. AN-16-A in the City of Fargo, North Dakota.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-16-C:

Commissioner Sobolik moved the following action be taken in connection with P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-16-C:

Adopt Resolution Creating Improvement District No. AN-16-C:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. AN-16-C in the City of Fargo, North Dakota, be created

From 12th to 13th Avenue North between 4th and 5th Street.

COMPRISING:

Lots 1 through 32, Block 1.

All in Holes 1st Addition.

All of the foregoing is located in the City of Fargo, Cass County, North Dakota.

NOW, THEREFORE, BE IT RESOLVED, That P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-16-C in the City of Fargo, North Dakota, be and the same is hereby created.

Request Report and Estimate of Cost from the City Engineer for Improvement District No. AN-16-C:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. AN-16-C in the City of Fargo, North Dakota; as well as an estimate of the approximate cost of said construction. (The Engineer's estimate of cost is \$234,780.00.)

Order Plans and Specifications for Improvement District No. AN-16-C:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. AN-16-C in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. AN-16-C:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. AN-16-C in the City of Fargo, North Dakota, as required by law; and

WHEREAS, Plans and Specifications and the Engineer's Report prepared by the City Engineer, have been considered.

NOW, THEREFORE, BE IT RESOLVED, That the Plans and Specifications and Engineer's Report for the construction of Improvement District No. AN-16-C in the City of Fargo, North Dakota, be and the same are hereby approved and ordered filed in the Office of the City Auditor.

Adopt Resolution Declaring P.C. Concrete Alley Paving and Incidentals Necessary:

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

That it be and is hereby declared necessary to construct P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-16-C in the City of Fargo, North Dakota, according to the Engineer's Report for this district and the Plans and Specifications approved by the Board of City Commissioners of the City of Fargo, North Dakota, filed in the Office of the City Auditor, and open for public inspection. A map of the district is attached hereto and incorporated as if fully set forth herein.

That the entire cost of said improvement be specially assessed against the benefited property in said improvement district in amounts proportionate to and not exceeding the benefits to be derived by them respectively from said improvement.

Protests against the proposed P.C. Concrete Alley Paving and Incidentals must be in writing and must be filed with the City Auditor's Office within 30 days after the first publication of this Resolution.

BE IT FURTHER RESOLVED, That the City Auditor's Office is hereby instructed to publish this Resolution, as required by law.

Direct City Auditor's Office to Call for Bids for Improvement District No. AN-16-C:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. AN-16-C in the City of Fargo, North Dakota.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Water Main Replacement, Force Main Construction, Street Reconstruction and Incidentals Improvement District No. BR-16-C (2nd Street North from 6th Avenue to 10th Avenue North and 10th Avenue North from 2nd Street to 3rd Street North):

Commissioner Sobolik moved the following action be taken in connection with Water Main Replacement, Force Main Construction, Street Reconstruction and Incidentals Improvement District No. BR-16-C:

Adopt Resolution Creating Improvement District No. BR-16-C:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. BR-16-C in the City of Fargo, North Dakota, be created

On 2nd Street North from 6th Avenue North to 10th Avenue North.

On 10th Avenue North from 2nd Street North to 3rd Street North.

COMPRISING:

Lots 1 thru 3 and 14 thru 25.

All in Keeney's Subdivision a replat of the South portion of Block 30 in Keeney & Devitt's 2nd Addition.

Lot 1, inclusive, Block 1.

All in Pladson's Addition a replat of Lots 13 thru 27 in Dickey's Subdivision including adjacent vacated 5th Avenue North.

Lots 13 thru 24, inclusive, Block 1.

Lots 1 thru 12, 23 and 24, inclusive, Block 2.

All in Lindsay Addition.

Lots 1 and 6 thru 10, inclusive, Block 1.

Lots 8 thru 14, inclusive, Block 2.

Lots 1 thru 7, inclusive, Block 3.

Lots 1 thru 5, inclusive, Block 4.

All in Truesdell's Addition.

Lots 1 thru 24, inclusive, Block 11.

All in Hector's Addition.

Part of Block 27 West of Elm Street North and northerly from Great Northern Railway Right of Way (now Burlington Northern and Santa Fe Railway).

Lots 1 thru 12, inclusive, Block 28.

Lots 4 thru 11, inclusive, Block 29.

Lots 4 thru 11, inclusive, Block 30

Lots 1 thru 12, inclusive, Block 31.

Lots 1 thru 10, inclusive, Block 38.

Lots 1 thru 10, inclusive, Block 39.

Lots 1 thru 10, inclusive, Block 40.

Lots 1 and 4 thru 10 and Subdivision of Lots 2 and 3, inclusive, Block 41.

All in Keeney & Devitt's Second Addition.

Block A.  
Block B.  
Block C.  
Block E.  
Block F.  
Block G.  
Block H.  
Lots 1 thru 49, inclusive, Block 1.  
Lots 20 thru 37, inclusive, Block 2.  
Lot 30 less the West 15' of the south 120' and Lots 31 thru 43, inclusive,  
Block 4.  
Lots 1 thru 25, inclusive, Block 5.  
Lots 1 thru 8, 10 thru 29 and 31 thru 41, inclusive, Block 6.  
Lots 1 thru 35, inclusive, Block 7.  
All in Oak Grove Addition.

All of the foregoing located in the City of Fargo, Cass County, North Dakota.

NOW, THEREFORE, BE IT RESOLVED, That Water Main Replacement, Force Main Construction, Street Reconstruction and Incidentals Improvement District No. BR-16-C in the City of Fargo, North Dakota, be and the same is hereby created.

Request Report and Estimate of Cost from the City Engineer for Improvement District No. BR-16-C:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. BR-16-C in the City of Fargo, North Dakota; as well as an estimate of the approximate cost of said construction. (The Engineer's estimate of cost is \$3,489,876.00.)

Order Plans and Specifications for Improvement District No. BR-16-C:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. BR-16-C in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. BR-16-C:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. BR-16-C in the City of Fargo, North Dakota, as required by law; and

WHEREAS, Plans and Specifications and the Engineer's Report prepared by the City Engineer, have been considered.

NOW, THEREFORE, BE IT RESOLVED, That the Plans and Specifications and Engineer's Report for the construction of Improvement District No. BR-16-C in the City of Fargo, North Dakota, be and the same are hereby approved and ordered filed in the Office of the City Auditor.

Adopt Resolution Declaring Water Main Replacement, Force Main Construction, Street Reconstruction and Incidentals Necessary:

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

That it be and is hereby declared necessary to construct Water Main Replacement, Force Main Construction, Street Reconstruction and Incidentals Improvement District No. BR-16-C in the City of Fargo, North Dakota, according to the Engineer's Report for this district and the Plans and Specifications approved by the Board of City Commissioners of the City of Fargo, North Dakota, filed in the Office of the City Auditor, and open for public inspection. A map of the district is attached hereto and incorporated as if fully set forth herein.

That a portion of said Water Main Replacement, Force Main Construction, Street Reconstruction and Incidentals improvement is to be paid from Infrastructure Sales Tax, and approximately 35% is to be assessed against the benefited property in amounts proportionate to and not exceeding the benefits to be derived by them respectively from said improvement.

Protests against the proposed Water Main Replacement, Force Main Construction, Street Reconstruction and Incidentals must be in writing and must be filed with the City Auditor's Office within 30 days after the first publication of this Resolution.

BE IT FURTHER RESOLVED, That the City Auditor's Office is hereby instructed to publish this Resolution, as required by law.

Direct City Auditor's Office to Call for Bids for Improvement District No. BR-16-C:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. BR-16-C in the City of Fargo, North Dakota.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Asphalt Wear Course and Incidentals Improvement District No. PN-16-A (Various Locations):

Commissioner Sobolik moved the following action be taken in connection with Asphalt Wear Course and Incidentals Improvement District No. PN-16-A:

Adopt Resolution Creating Improvement District No. PN-16-A:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. PN-16-A in the City of Fargo, North Dakota, be created

LOCATION (Section 1):

On Riverwood Drive North from 515' north of 43rd Avenue North to north end of road.

LOCATION (Section 2):

On Umber Court South.

On 28th Avenue South from 42nd Street South to Umber Court South.

On 30th Avenue South from 42nd Street South to 43rd Street South.

On Russet Avenue South from Sienna Drive South to 43rd Street South.

On 31st Avenue South from 42nd Street South to 43rd Street South.

On Auburn Avenue South from Sienna Drive South to 43rd Street South.

On Sienna Drive South from 32nd Avenue South to 30th Avenue South.

On Saffron Drive South from 30th Avenue South to Umber Court South.

On 43rd Street South from 32nd Avenue South to 30th Avenue South.

LOCATION (Section 3):

On Great Plains Drive South from 38th Street South to 42nd Street South.

On 40th Street South from 40th Avenue South to Great Plains Drive South.

LOCATION (Section 4):

On Coventry Drive South from 43rd Avenue South to 44th Avenue South.

On 43rd Avenue South from 43rd Street South to Coventry Drive South.

On 44th Street South from 43rd Avenue South to 44th Avenue South.

LOCATION (Section 5):

On 47th Avenue South from 53rd Street South to end of cul de sac west of 56th Street South.

On 48th Avenue South from 54th Street South to Veterans Boulevard South.

On 49th Avenue South from 53rd Street South to 55th Street South.

On 54th Street South from 47th Avenue South to 49th Avenue South.

On 55th Street South from 48th Avenue South to end of cul de sac south of 49th Avenue South.

On 56th Street South from 47th Avenue South to 48th Avenue South.

LOCATION (Section 6):

On 53rd Avenue South from 25th Street South to 27th Street South.

On Prairie Grove Avenue South from 25th Street South to 27th Street South.

On 54th Avenue South from 26th Street South to 27th Street South.

On 55th Avenue South from 26th Street South to 27th Street South.

On 56th Avenue South from 26th Street South to 27th Street South.

On 57th Avenue South from 26th Street South to 27th Street South.

On 26th Street South from 53rd Avenue South to 57th Avenue South.

On 27th Street South from 52nd Avenue South to 190' south of 57th Avenue South.



LOCATION (Section 7):

On 55th Avenue South from 58th Street South to Deer Creek Parkway.  
On 56th Avenue South from 58th Street South to Deer Creek Parkway.  
On 57th Avenue South from 58th Street South to 61st Street South.  
On 58th Street South from 55th Avenue South to 150' south of 57th Avenue South.  
On 59th Street South from 55th Avenue South to 56th Avenue South.  
On 60th Street South from 55th Avenue South to 56th Avenue South.  
On 61st Street South from 56th Avenue South to 140' south of 57th Avenue South.  
On 62nd Street South from 55th Avenue South to 56th Avenue South.

COMPRISING (Section 1):

Lots 1 through 10, Block 1.  
Lots 1 through 10, Block 2.  
All in Riverwood 1922 1st Addition.

Lot 1, Block 1, Votava 2007 Addition.

COMPRISING (Section 2):

Lots 2 through 23, Block 1.  
Lots 1 through 10, Block 2.  
Lots 1 through 10, Block 3.  
Lots 1 through 11, Block 4.  
Lots 1 through 22, Block 5.  
Lots 1 through 19, Block 6.  
Lots 1 through 9, Block 7.  
Lot 1, Block 8.  
Lot 1, Block 9.  
All in Autumn Fields Addition.

Lots 1 through 3, Block 1, Autumn Fields 2nd Addition.

Lot 1, Block 1, Replat of Bethany South 1st Addition.

Lot 1, Block 2, Calico Prairie Addition.  
Lots 2 through 6, Block 1, King 2nd Addition.

COMPRISING (Section 3):

Lot 1, Block 1.  
Lot 1, Block 2.  
All in Great Plains Software Addition.

Lots 2 through 4, Block 1.  
Lot 1, Block 3.  
All in Prairie Tech Addition.

Lot 2, Block 1, Titan Machinery Addition.

Lot 1, Block 1, Vista Addition.

Lots 1 through 8, Block 1, Woodhaven Plaza Addition.

COMPRISING (Section 4):

Lots 1 through 6 and 8, Block 1.

Lots 1 through 3, Block 2.

Lot 1, Block 3.

Lot 1, Block 4.

All in Woodhaven 3rd Addition.

Lots 1 and 2, Block 1, Country Grove Addition.

COMPRISING (Section 5):

Lots 1 through 19, Block 1.

Lots 1 through 24, Block 2.

Lots 1 through 34, Block 3.

Lots 1 through 26, Block 4.

Lots 1 through 59, Block 5.

All in Veterans Park 1st Addition.

COMPRISING (Section 6):

Lots 3 through 16, Block 1.

Lot 1, Block 4.

Lots 1 through 16, Block 5.

Lots 18 through 36, Block 5.

Lots 38 through 46, Block 5.

Lots 1 through 24, Block 6.

Lots 1 through 13, Block 7.

All in Prairie Grove 1st Addition.

Lots 1 and 2, Block 1, JOAW Addition.

Lots 3 and 4, Block 1, Prairie Grove 2nd Addition.

Lots 1 through 4, Block 1, Prairie Grove 3rd Addition.

Lots 1 through 23, Block 1, Whispering Creek 1st Addition.

Lots 1 through 3, Block 1, Prairie Grove 4th Addition.

COMPRISING (Section 7):

Lots 1 through 70, Block 11.

Lots 1 through 17, Block 12.

Lots 1 through 22, Block 13.

Lots 1 through 26, Block 14.

Lots 1 through 35, Block 15.  
Lots 1 through 16, Block 16.  
Lots 1 through 27, Block 17.  
All in Deer Creek Addition.

All of the foregoing is located in the City of Fargo, Cass County, North Dakota.

NOW, THEREFORE, BE IT RESOLVED, That Asphalt Wear Course and Incidentals Improvement District No. PN-16-A in the City of Fargo, North Dakota, be and the same is hereby created.

Request Report and Estimate of Cost from the City Engineer for Improvement District No. PN-16-A:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. PN-16-A in the City of Fargo, North Dakota; as well as an estimate of the approximate cost of said construction. (The Engineer's estimate of cost is \$2,375,000.00.)

Order Plans and Specifications for Improvement District No. PN-16-A:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. PN-16-A in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. PN-16-A:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. PN-16-A in the City of Fargo, North Dakota, as required by law; and

WHEREAS, Plans and Specifications and the Engineer's Report prepared by the City Engineer, have been considered.

NOW, THEREFORE, BE IT RESOLVED, That the Plans and Specifications and Engineer's Report for the construction of Improvement District No. PN-16-A in the City of Fargo, North Dakota, be and the same are hereby approved and ordered filed in the Office of the City Auditor.

Adopt Resolution Declaring Asphalt Wear Course and Incidentals Necessary:

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

That it be and is hereby declared necessary to construct Asphalt Wear Course and Incidentals Improvement District No. PN-16-A in the City of Fargo, North Dakota, according to the Engineer's Report for this district and the Plans and Specifications approved by the Board of City Commissioners of the City of Fargo, North Dakota, filed in the Office of the City Auditor, and open for public inspection. A map of the district is attached hereto and incorporated as if fully set forth herein.

That the entire cost of said improvement be specially assessed against the benefited property in said improvement district in amounts proportionate to

and not exceeding the benefits to be derived by them respectively from said improvement.

Protests against the proposed Asphalt Wear Course and Incidentals must be in writing and must be filed with the City Auditor's Office within 30 days after the first publication of this Resolution.

BE IT FURTHER RESOLVED, That the City Auditor's Office is hereby instructed to publish this Resolution, as required by law.

Direct City Auditor's Office to Call for Bids for Improvement District No. PN-16-A:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. PN-16-A in the City of Fargo, North Dakota.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Contract for Storm Sewer Lift Station, Storm Sewer and Incidentals Improvement District No. NN-14-01 Approved:

Commissioner Sobolik moved approval of the Contract between the City of Fargo and Reiner Contracting, Inc. for Storm Sewer Lift Station, Storm Sewer and Incidentals Improvement District No. NN-14-01 in the City of Fargo, North Dakota.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Contract Bond for Storm Sewer Lift Station, Storm Sewer and Incidentals Improvement District No. NN-14-01 Approved:

Commissioner Sobolik moved approval of the following described Contract Bond as to sufficiency:

Merchants Bonding Company, in the amount of \$1,034,172.39, for Storm Sewer Lift Station, Storm Sewer and Incidentals Improvement District No. NN-14-01 in the City of Fargo, North Dakota.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Williams, Gehrig and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

State Water Commission Request for Cost Reimbursement for FM Diversion Flood Project Costs Approved:

Commissioner Williams moved the cost reimbursement request for FM Diversion Flood Project costs in the amount of \$10,000,000.00 be approved.

Second by Sobolik. On call of the roll Commissioners Williams, Sobolik, Gehrig, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Expiration of the Payment in Lieu of Tax for GLS Properties, LLC Referred to the Tax Exempt Review Committee:

The Board received a communication from City Assessor Ben Hushka stating he received a letter from GLS Properties, LLC requesting expiration of the payment in lieu of tax (PILOT) agreement granted to them on January 5, 2004. He said the reason for the request is due to the in lieu payments and land tax currently being more than the real estate tax would be on the property outside of the PILOT. He said he included a table displaying the historical land tax and PILOT payments as billed, as well as projected for the next three years of the term granted. The table also includes the benefit received for each year in terms of an equivalent percent of exemption, he said, as well as the average percent of exemption received from the beginning.

City Assessor Ben Hushka said this is an unusual request that has never happened before. He said this project was granted a PILOT under the City's policy to grant for low income housing tax credit projects back in 2004. Both parties agreed to the payment schedule and since then mill levies have dropped considerably, he said and starting in 2014 the payment in lieu of tax plus the land tax actually ended up being more than what the real estate tax would have been for that year. He said this was the case in 2015 and will likely continue to happen until the remainder of the agreed upon term. He said he does not have a specific recommendation for this request.

In response to a question from Commissioner Sobolik regarding how many others may be in a similar situation, Mr. Hushka said he does not know; however, this may bring about other requests.

Commissioner Williams moved the request from GLS Properties, LLC for expiration of the Payment in Lieu of Tax (PILOT) agreement be referred to the Tax Exempt Review Committee.

Second by Piepkorn. On call of the roll Commissioners Williams, Piepkorn, Gehrig, Sobolik and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion as declared carried.

Resolution Adopted Authorizing the Issuance of General Obligation Bonds in an Amount Not to Exceed \$25.9 Million for the City Hall Project:

The Board received a communication from the Finance Committee stating they recommend the issuance of general obligation bonds for funding the City Hall project. They said this type of debt structure has been analyzed and provides the most cost effective long term financing and is consistent with management plans in place for the past two years. They said there are specific compliance requirements when issuing general obligation bonds which includes public notification. They said this process will take up to a minimum of sixty days from the date of the publication with a goal of issuing the bonds on June 6, 2016. The City's financial advisors Springsted, Inc. have estimated the interest rate to be between 3.0% and 3.5%, with a twenty-year payment term, they said. The intent of the bonds, they said, is to cover past and

present design costs plus the construction cost of City Hall and demolition of Centennial Hall.

Finance Director Kent Costin said this particular type of bond has a reverse referendum procedure. He said in lieu of voter approval there is process for voter disapproval; therefore, if people want to protest the issuance of the bonds there is a sixty-day period which will start once the resolution is approved by the Commission. He said if there are protests in an amount of 5% of the assessed value of the City of Fargo, that would potentially void this bond issue. He said that 5% limit is established by State law and is a fairly high limit, so unless there is a large number of people opposed to building a new City Hall, the Finance Department does not anticipate there being a problem.

City Administrator Bruce Grubb said on April 5th the Renewal Plan goes to the Planning Commission, then on April 22nd the City plans to hold an informational meeting with the former City Hall Building Committee and City Commission to show the redesigned City Hall and take comments and input at that time. Then on May 4th, he said, the bids for demolition of Centennial Hall will be opened, and on May 18th Fire Station No. 1 will move into the Civic Center and operate from there until October. On May 26th, he said, bids are scheduled to be opened for City Hall and then on June 6th the City Commission will see the results of the bid opening and the final resolution authorizing the bond sale. On June 16th Centennial Hall demolition will begin, he said and on June 20th the contracts and bonds will be presented for the City Hall construction project; if the Commission chooses to proceed with the project construction will begin on June 27th.

In response to a question from Commissioner Piepkorn about building the new City Hall in the flood plain, Mr. Grubb said the City is following the setback guidelines. He said there are two setbacks from the river, a 350-foot minimal disturbance zone and a 450 foot limited disturbance zone.

Commissioner Piepkorn said he agrees with replacing City Hall; however, the cost is still too high.

Mayor Mahoney said tonight Mr. Costin is asking for the Commission's approval to apply for the bonds and if the bid is lower the City does not have to take the full amount, this is just asking for permission to finance City Hall.

Commissioner Williams moved the Resolution entitled "Initial Resolution Authorizing the Issuance of General Obligation Development Bonds by the City of Fargo, North Dakota and Related Actions" and referred to as Attachment "B" be adopted and attached hereto.

Second by Williams. On the vote being taken on the question of the adoption of the Resolution Commissioners Williams, Sobolik, Gehrig and Mahoney voted aye.

Commissioner Piepkorn voted nay.

The Resolution was adopted.

Commissioner Williams moved the Resolution entitled "Resolution Authorizing the Issuance of General Obligation Development Bonds, Series 2016A, Approving Certain Actions, Providing for the Sale Thereof, Prescribing the Terms and Covenants Thereof, Levying a Direct, Annual and Irrepeable Tax and Creating Funds Related Thereto" and referred to as Attachment "C" be adopted and attached hereto.

Second by Sobolik. On the vote being taken on the question of the adoption of the Resolution Commissioners Williams, Sobolik, Gehrig and Mahoney voted aye.

Commissioner Piepkorn voted nay.  
The Resolution was adopted.

Parcels of Land in Section 19, Township 140 North, Range 48 West Rezoned and Proximity Agreement Approved (1001 32nd Avenue North):

At a Hearing held on March 1, 2016 the Fargo Planning Commission recommended approval of a change in zoning from SR-4, Single Dwelling Residential with a C-O, Conditional Overlay to MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay on part of the Southwest Quarter of Section 19, Township 140 North, Range 48 West.

The City Auditor's Office published a Notice of Hearing stating this is the time and date set for said Hearing at which time all interested persons could appear and would be heard.

Planning Administrator Nicole Crutchfield said what is being presented to the Commission is an amendment to what was presented at the Planning Commission meeting. She said the developer is now looking to work with a single family housing developer to construct a row of twin homes along 32nd Avenue North across the street from Sunwood Addition. The applicant, she said, has reduced the area of land requested to be rezoned to MR-3, thereby leaving a strip of SR-4 zoning along 32nd Avenue North. In addition, she said, the applicant has indicated that they will rezone some of the property that is currently within the MR-3 zoning district in order to provide for an extension of the SR-4 zoning district towards the east, along 32nd Avenue North. She said this additional rezoning to SR-4 will be done at another time.

Vice President of Roers Development Larry Nygard said they have had two formal neighborhood meetings and continued to meet with the neighborhood on a regular basis to determine the neighborhoods objectives. He said there is still work to be done, but he feels that tonight's compromise will help to move forward.

In response to a question from Commissioner Williams regarding whether or not the number of acres currently zoned SR-4 will remain the same for the various zonings after the swap is completed, Mr. Nygard said not exactly. He said he believes that there is currently about 15 acres total zoned SR-4 and total 10 acres zoned MR-3.

In response to a question from Commissioner Sobolik as to the reasoning the Commission is only approving the five acres to the northwest and not the whole section, Mr. Nygard said this was one of the compromises that was made with the neighborhood. He said due to the fact that timing is such a big issue with the limited construction season, he wanted to keep the project moving forward and will bring back the rezoning of the other acres at another time.

Doug Halverson, 3132 10th Street North, said he is representing several of his immediate neighbors in Sunwood Addition. He said the majority of the neighbors are on the same page with the concept of what has been presented. He said there has been a wide variety of thoughts by a variety of people; however, all the neighborhood wanted to do was come to a fair compromise with the developer and he believes that is what has happened.

Brad Kasson, 3136 9 1/2 Street North, said he is very much in favor of the compromise and feels that this is a great plan that was developed from the concerns of the neighborhood.

Ken Enockson, Roosevelt Neighborhood Area, said the Ponyland agreement, as it now stands, is exactly how not to involve residents in the decision making process. He said the developer essentially forced the neighborhood to mobilize until the developer took the neighborhood seriously. He said he feels that developers need to reach out to neighborhoods before solidifying plans, not after.

Kyle Roberts, NDSU Student, said housing is getting difficult to come by with the only two or three dorms and apartment complexes to accommodate the students. He said he has friends who drive between twenty and twenty-five minutes just to get to campus with limited parking once they get there. He said this is in a location that is close to campus with busing along 10th Street.

Judy Roger and Rebecca Knutson, 1116 8th Street South, spoke against the project.

Bill Fischer, 3009 Peterson Parkway North, said he is not necessarily concerned that this development might change the small town feel of north Fargo; however, his concern is the lack of commercial services in the area. He said the potential for more commercial services in the area might mitigate some of the concerns from the neighborhood about the density of homes.

Commissioner Sobolik offered the following Resolution and moved its adoption:

WHEREAS, All legal requirements in connection with the above-described request for rezoning have been complied with; and

WHEREAS, The Fargo Planning Commission approved the following rezoning on March 1, 2016; and

WHEREAS, Written protests to the rezoning representing 30.9% of the legal protest area have been received and filed in the Office of the City Auditor.

NOW, THEREFORE, BE IT RESOLVED, That the rezoning be approved as recommended by the Planning Commission.

Second by Williams. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Williams, Gehrig, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

First Reading of an Ordinance Rezoning Certain Parcels of Land Lying in Section 19, Township 140 North, Range 48 West, Fargo, Cass County, North Dakota:

Commissioner Sobolik moved the requirement relating to receipt of the Ordinance by the Commission one week prior to first reading be waived and that the Ordinance Rezoning Certain Parcels of Land Lying in Section 19, Township 140 North, Range 48 West, Fargo, Cass County, North Dakota be placed on first reading.

Second by Williams. On call of the roll Commissioners Sobolik, Williams, Gehrig, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

At 6:08 p.m. the Board took a five-minute recess.

After recess: All Commissioners present. Mayor Mahoney presiding.



Application Filed by Appareo Systems, LLC for Payment in Lieu of Tax Exemption (PILOT) Approved:

A Hearing had been set for this day and hour on an application filed by Appareo Systems, LLC for a ten-year payment in lieu of property tax exemption for an expansion to their operation in the NDSU Technology Park at 1830 NDSU Research Circle North where the applicant develops and manufactures avionics and agricultural equipment for original equipment manufacturers and end users.

No written protests have been filed for the attention of the Board.

The Board determined that no person is present at this Hearing to protest or offer objection thereto.

City Assessor Ben Hushka said Appareo has had several exemptions in the past. He said the only thing different about this request is that the Assessor's office received the application after the applicant had already been occupying the space.

In response to a question from Commissioner Gehrig about this building receiving an exemption under another owner, Mr. Hushka said Alien Technologies who previously occupied the building got an exemption when they first moved in. He said Alien vacated the building after two years; however, Alien Technologies did receive two years of exemptions on the building.

In response to a question from Commissioner Gehrig regarding the reason for applying for the exemption, Appareo Systems CFO Ahron Walter said it was always the intent to vacate the Research Park at some point due to the fact that NDSU was not interested in one company building a large campus in the Research Park. He said about two years ago they started developing plans to vacate the Park and build elsewhere, and in about July of 2014 Appareo was approached by NDSU Research and Technology Park and the owners of the Alien building to work out a deal since the building had been sitting vacant for almost five years. He said Appareo took into account the possibility of the tax credits, when looking at the building overall, which needed significant repair work just to bring it to a point where it could be occupied, and would meet the needs of Appareo. He said Appareo applied for the PILOT due to the fact that it is one of the incentives that would make it more economically viable to occupy the building in addition to recovering some of the money that was owed from back taxes on the building.

In response to a question from Commissioner Gehrig regarding the need for the exemption to expand the business, Mr. Walter said Appareo did not need the exemption. He said they would have found a way to do it whether the exemption was available or not; however, the City of Fargo puts these incentives in place to incentivize businesses to expand.

Commissioner Piepkorn said the City needs to stay competitive to other cities and to do that the City of Fargo needs to offer incentives like this.

Commissioner Piepkorn moved that the application filed by Appareo Systems, LLC for a ten-year, \$0 payment in lieu of tax exemption starting in the 2016 tax year for the expansion based on the equivalent of a ten-year, 100% improvement exemption pursuant to Chapter 40-57.1, NDCC be approved.

Second by Sobolik. On call of the roll Commissioners Piepkorn, Sobolik and Mahoney voted aye.

Commissioners Williams and Gehrig voted nay.

The motion was declared carried.

Application Filed by Nail Concepts, Inc. d/b/a Nail Deluxe for an Alcoholic Beverage License Approved:

A Hearing had been set for February 29, 2016 on an application filed by Nail Concepts, Inc. d/b/a Nail Deluxe for a Class "G" Alcoholic Beverage License at 4302 13th Avenue South, Suite 5, notice of which had been duly published in the official newspaper for the City of Fargo.

At the February 29, 2016 meeting, the Hearing was continued to this day and hour.

No written protest or objection to the granting of the application has been received or filed in the office of the City Auditor, and said application has been approved by the Police Department as to the character of the applicant.

The Board determined that no person is present at this Hearing to protest or offer objection to the granting of the application.

Commissioner Piepkorn moved the application be approved.

Second by Williams. On call of the roll Commissioners Piepkorn, Williams, Gehrig, Sobolik and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Application to Transfer the Alcoholic Beverage License from FCH Fargo HIE, LLC d/b/a Holiday Inn Express to 3803 Hospitality LLP d/b/a Holiday Inn Express West Acres Approved:

A Hearing had been set for this day and hour on an application to transfer the Class "ABH-Limited" Alcoholic Beverage License from FCH Fargo HIE, LLC d/b/a Holiday Inn Express at 1040 40th Street South to 3803 Hospitality LLP d/b/a Holiday Inn Express West Acres notice of which had been duly published in the official newspaper for the City of Fargo.

No written protest or objection to the granting of the application has been received or filed in the office of the City Auditor, and said application has been approved by the Police Department as to the character of the applicant.

The Board determined that no person is present at this Hearing to protest or offer objection to the granting of the application.

Commissioner Piepkorn moved the application be approved.

Second by Gehrig. On call of the roll Commissioners Piepkorn, Gehrig, Sobolik, Williams and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Application to Transfer the Alcoholic Beverage License from FCH Fargo HI, LLC d/b/a Holiday Inn to 3803 Hospitality LLP d/b/a Holiday Inn Approved:

A Hearing had been set for this day and hour on an application to transfer the Class "ABH" Alcoholic Beverage License from FCH Fargo HI, LLC d/b/a Holiday Inn at 3803 13th Avenue South to 3803 Hospitality LLP d/b/a Holiday Inn notice of which had been duly published in the official newspaper for the City of Fargo.

No written protest or objection to the granting of the application has been received or filed in the office of the City Auditor, and said application has been approved by the Police Department as to the character of the applicant.

The Board determined that no person is present at this Hearing to protest or offer objection to the granting of the application.

Commissioner Piepkorn moved the application be approved.

Second by Gehrig. On call of the roll Commissioners Piepkorn, Gehrig, Sobolik, Williams and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Hearing on a Renewal Plan for Tax Increment Financing District No. 2016-01 Continued to April 25, 2016:

A Hearing had been set for March 14, 2016 on a Renewal Plan for Tax Increment Financing District No. 2016-01.

At the March 14, 2016 meeting, the Hearing was continued to this day and hour; however, Planning staff is requesting the Hearing be continued to April 25, 2016.

Commissioner Sobolik moved the Hearing be continued to 5:15 o'clock p.m. Monday, April 25, 2016.

Second by Williams. On call of the roll Commissioners Sobolik, Williams, Gehrig, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Renaissance Zone Project for DFI 1213 NP LLC Approved:

A Hearing had been set for this day and hour to receive comments on a Renaissance Zone Project for DFI 1213 NP LLC at 1213 NP Avenue North.

No written protest or objection to the Project has been received or filed in the City Auditor's Office.

The Board determined that no person is present to protest or offer objection to the Project.

The Board received a communication from Planner Joe Nigg stating the Renaissance Zone Project application presented by DFI 1213 NP LLC meets all of the minimum criteria set forth in the Renaissance Zone Plan and is consistent with the established goals and objectives. Mr. Nigg recommended that the project be approved.

Miguel Danielson, Prairie Roots Food Co-op, said they are in the process of running a capital campaign aimed at raising a total of \$1.1 million from members and other supporters of the co-op and are about half way to that goal. He said in order to open the doors in November, they would like to raise an additional \$2 million.

Commissioner Williams moved the Renaissance Zone application filed by DFI 1213 NP LLC for a project located at 1213 NP Avenue North be approved and the income tax and property tax exemptions be granted as recommended by the Renaissance Zone Authority.

Second by Sobolik. On call of the roll Commissioners Williams, Sobolik, Gehrig, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Renaissance Zone Project for Prairie Roots Food Co-op Approved:

A Hearing had been set for this day and hour to receive comments on a Renaissance Zone Project for Prairie Roots Food Co-op for a business leasing property as part of a zone project at 1213 NP Avenue North.

No written protest or objection to the Project has been received or filed in the City Auditor's Office.

The Board determined that no person is present to protest or offer objection to the Project.

The Board received a communication from Planner Joe Nigg stating the Renaissance Zone Law states "a business that purchases or leases property as part of a zone project is exempt from income tax for five taxable years beginning in the year of the investment or lease for income derived from the business locations within the zone". He said the Fargo Renaissance Zone Development Plan further states "Tenant must be leasing space in a building that has been approved as a zone project to be eligible for consideration." He stated the Renaissance Zone Authority felt that lease projects such as the application from Prairie Roots Food Co-op would generally be straightforward and could be advanced to the City Commission following staff review and would generally not require direct Authority action. He said staff review found the applicant has met the aforementioned requirements. He said the project addresses the business retention and expansion goals stated in the Renaissance Zone Development Plan.

Commissioner Sobolik moved the Renaissance Zone application filed by Prairie Roots Food Co-op for a lease project located at 1213 NP Avenue North be approved and the income tax exemptions be granted as recommended by the Renaissance Zone Authority.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Gehrig, Williams and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Renaissance Zone Boundary Changes Approved:

A Hearing had been set for this day and hour to expand the boundary from thirty-eight blocks to forty-nine blocks to the Renaissance Zone designation.

The Board received a communication from Senior Planner Joe Nigg stating with recent legislative changes the cap on the number of blocks that can be included in the Renaissance Zone has increased.

In response to a question from Commissioner Gehrig as to how long the City is going to subsidize downtown, Mr. Nigg said this a good model and it has obviously worked for downtown Fargo and other municipalities across North Dakota, in addition to other cities across the nation that have similar tax incentives for downtown areas. He said he feels that there is an opportunity to look at other areas in Fargo and maybe this model could be applied to other areas where there could be more infill development.

Commissioner Piepkorn moved the changes to the Renaissance Zone boundaries be approved as recommended by the Renaissance Zone Authority.

Second by Sobolik. On call of the roll Commissioners Piepkorn, Sobolik, Williams and Mahoney voted aye.

Commissioner Gehrig voted nay.

The motion was declared carried.

Resolution Adopted Approving NDSU West Addition (19th Avenue North on the South, Interstate 29 On the East, the Section Line on the North, and the Quarter Section Line on the West):

Commissioner Sobolik offered the following Resolution and moved its adoption:

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

WHEREAS, A Plat has been filed in the office of the City Auditor entitled "NDSU West Addition" containing 2 Lots, 1 Block, and 302.61 acres of land more or less, bounded by 19th Avenue North on the south, Interstate 29 on the east, the section line on the north, and the quarter section line on the west; and

WHEREAS, A Hearing was held February 2, 2016 by the Fargo Planning Commission, and notice of such Hearing had been published, as required by law, and said Plat had been approved by the Fargo Planning Commission and by the City Engineer; and

WHEREAS, The City Auditor's Office published a Notice of Hearing on said Plat in the official newspaper for the City of Fargo on March 14 and 21, 2016 that a Hearing would be held in the City Commission Room, City Hall, Fargo, North Dakota at 5:15 p.m., March 28, 2016 at which time said Plat would be considered and all interested persons would be heard.

NOW, THEREFORE, BE IT RESOLVED, That the findings and recommendations of staff and the Planning Commission be accepted and the Plat entitled "NDSU West Addition" be and the same is hereby in all things affirmed and approved on the basis that it complies with the Standards of Article 20-06, and all other applicable requirements of the Land Development Code, and that the Mayor of the City of Fargo and the appropriate City Officials are hereby directed to endorse their approval on the Plat and then direct Petitioner to file same for record in the Office of the Recorder of Cass County, North Dakota.

Second by Williams. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Williams, Gehrig, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

Resolution Adopted Approving Northern Sheyenne Land Second Addition (4800 and 4900 19th Avenue North):

Commissioner Sobolik offered the following Resolution and moved its adoption:

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

WHEREAS, A Plat has been filed in the office of the City Auditor entitled "Northern Sheyenne Land Second Addition" containing 10 Lots, 2 Blocks, and 27.64 acres of land more or less, located at 4800 and 4900 19th Avenue North; and

WHEREAS, A Hearing was held February 2, 2016 by the Fargo Planning Commission, and notice of such Hearing had been published, as required by law, and

said Plat had been approved by the Fargo Planning Commission and by the City Engineer; and

WHEREAS, The City Auditor's Office published a Notice of Hearing on said Plat in the official newspaper for the City of Fargo on March 14 and 21, 2016 that a Hearing would be held in the City Commission Room, City Hall, Fargo, North Dakota at 5:15 p.m., March 28, 2016 at which time said Plat would be considered and all interested persons would be heard.

NOW, THEREFORE, BE IT RESOLVED, That the findings and recommendations of staff and the Planning Commission be accepted and the Plat entitled "Northern Sheyenne Land Second Addition" be and the same is hereby in all things affirmed and approved on the basis that it complies with the Standards of Article 20-06, and all other applicable requirements of the Land Development Code, and that the Mayor of the City of Fargo and the appropriate City Officials are hereby directed to endorse their approval on the Plat and then direct Petitioner to file same for record in the Office of the Recorder of Cass County, North Dakota.

Second by Piepkorn. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Piepkorn, Gehrig, Williams and Mahoney voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

Parcels of Land in Spiry Third Addition Rezoned (4248 32nd Avenue South and 3253 42nd Street South):

At a Hearing held on March 1, 2016 the Fargo Planning Commission recommended approval of a change in zoning from MR-3, Multi-Dwelling Residential to LC, Limited Commercial on Lots 1 and 2, Block 1, Spiry Third Addition.

The City Auditor's Office published a Notice of Hearing stating this is the time and date set for said Hearing at which time all interested persons could appear and would be heard.

Commissioner Sobolik offered the following Resolution and moved its adoption:

WHEREAS, All legal requirements in connection with the above-described request for rezoning have been complied with; and

WHEREAS, There have been no written or verbal protests to the request for rezoning and no one is present to protest thereto.

NOW, THEREFORE, BE IT RESOLVED, That the findings of staff be accepted and the rezoning be approved on the basis that the proposal satisfactorily complies with the Comprehensive Plan, Standards of Section 20-0906.F (1-4) and all other applicable requirements of the LDC.

Second by Williams. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Williams, Gehrig, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

First Reading of an Ordinance Rezoning Certain Parcels of Land Lying in Spiry Third Addition to the City of Fargo, Cass County, North Dakota:

Commissioner Sobolik moved the requirement relating to receipt of the Ordinance by the Commission one week prior to first reading be waived and that the Ordinance Rezoning Certain Parcels of Land Lying in Spiry Third Addition to the City of Fargo, Cass County, North Dakota be placed on first reading.

Second by Williams. On call of the roll Commissioners Sobolik, Williams, Gehrig, Piepkorn and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Parcels of Land in Valley View Fourth Addition and Valley View Fifth Addition Rezoned (3650 Veteran's Boulevard South; 5651 38th Avenue South; 5650 56th Street South):

At a Hearing held on March 1, 2016 the Fargo Planning Commission recommended approval of a change in zoning from LC, Limited Commercial with a C-O, Conditional Overlay to GC, General Commercial with a C-O, Conditional Overlay on Lot 2, Block 5, Valley View Fourth Addition and Lots 2 and 3, Block 5, Valley View Fifth Addition .

The City Auditor's Office published a Notice of Hearing stating this is the time and date set for said Hearing at which time all interested persons could appear and would be heard.

Commissioner Sobolik offered the following Resolution and moved its adoption:

WHEREAS, All legal requirements in connection with the above-described request for rezoning have been complied with; and

WHEREAS, There have been no written or verbal protests to the request for rezoning and no one is present to protest thereto.

NOW, THEREFORE, BE IT RESOLVED, That the findings of staff and the Planning Commission be accepted and the rezoning be approved with the Conditional Overlay requirements listed in the Ordinance on the basis that it satisfactorily complies with the Comprehensive Plan, Standards of Section 20-0906.F (1-4) and all other applicable requirements of the LDC.

Second by Piepkorn. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Piepkorn, Gehrig, Williams and Mahoney voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

First Reading of an Ordinance Rezoning Certain Parcels of Land Lying in Valley View Fourth and Valley View Fifth Addition, Fargo, Cass County, North Dakota:

Commissioner Sobolik moved the requirement relating to receipt of the Ordinance by the Commission one week prior to first reading be waived and that the Ordinance Rezoning Certain Parcels of Land Lying in Valley View Fourth and Valley View Fifth Addition, Fargo, Cass County, North Dakota be placed on first reading.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Gehrig, Williams and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Parcels of Land in South Ridge First Addition Rezoned (6470 19th Street South; 6483 21st Street South; 1990 and 2270 64th Avenue South):

At a Hearing held on November 3, 2015 the Fargo Planning Commission recommended approval of a change in zoning from AG, Agricultural to MR-3, Multi-Dwelling Residential, SR-4, Single-Dwelling Residential and P/I, Public and Institutional of the proposed South Ridge First Addition.

The City Auditor's Office published a Notice of Hearing stating this is the time and date set for said Hearing at which time all interested persons could appear and would be heard.

Commissioner Sobolik offered the following Resolution and moved its adoption:

WHEREAS, All legal requirements in connection with the above-described request for rezoning have been complied with; and

WHEREAS, There have been no written or verbal protests to the request for rezoning and no one is present to protest thereto.

NOW, THEREFORE, BE IT RESOLVED, That the findings of staff be accepted and the rezoning be approved on the basis that the proposal satisfactorily complies with the Comprehensive Plan, Standards of Section 20-0906.F (1-4) and all other applicable requirements of the LDC.

Second by Piepkorn. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Piepkorn, Gehrig, Williams and Mahoney voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

First Reading of an Ordinance Rezoning Certain Parcels of Land Lying in South Ridge First Addition, Fargo, Cass County, North Dakota:

Commissioner Sobolik moved the requirement relating to receipt of the Ordinance by the Commission one week prior to first reading be waived and that the Ordinance Rezoning Certain Parcels of Land Lying in South Ridge First Addition, Fargo, Cass County, North Dakota be placed on first reading.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Gehrig, Williams and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Resolution Adopted Approving South Ridge First Addition:

Commissioner Sobolik offered the following Resolution and moved its adoption:

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

WHEREAS, A Plat has been filed in the office of the City Auditor entitled "South Ridge First Addition" containing 9 Lots, 3 Blocks, and 20.675 acres of land more or less, located at 6470 19th Street South; 6483 21st Street South; 1990 and 2270 64th Avenue South; and



WHEREAS, A Hearing was held November 3, 2015 by the Fargo Planning Commission, and notice of such Hearing had been published, as required by law, and said Plat had been approved by the Fargo Planning Commission and by the City Engineer; and

WHEREAS, The City Auditor's Office published a Notice of Hearing on said Plat in the official newspaper for the City of Fargo on March 14 and 21, 2016 that a Hearing would be held in the City Commission Room, City Hall, Fargo, North Dakota at 5:15 p.m., March 28, 2016 at which time said Plat would be considered and all interested persons would be heard.

NOW, THEREFORE, BE IT RESOLVED, That the findings and recommendations of staff and the Planning Commission be accepted and the Plat entitled "South Ridge First Addition" be and the same is hereby in all things affirmed and approved on the basis that it complies with the Standards of Article 20-06, and all other applicable requirements of the Land Development Code, and that the Mayor of the City of Fargo and the appropriate City Officials are hereby directed to endorse their approval on the Plat and then direct Petitioner to file same for record in the Office of the Recorder of Cass County, North Dakota.

Second by Piepkorn. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Piepkorn, Gehrig, Williams and Mahoney voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

Parcels of Land in Rocking Horse Farm Fourth Addition Rezoned (5801 52nd Avenue South):

At a Hearing held on March 1, 2016 the Fargo Planning Commission recommended approval of a change in zoning from AG, Agricultural to LC, Limited Commercial with a C-O, Conditional Overlay and P/I, Public Institutional of the proposed Rocking Horse Farm 4th Addition.

The City Auditor's Office published a Notice of Hearing stating this is the time and date set for said Hearing at which time all interested persons could appear and would be heard.

Commissioner Sobolik offered the following Resolution and moved its adoption:

WHEREAS, All legal requirements in connection with the above-described request for rezoning have been complied with; and

WHEREAS, There have been no written or verbal protests to the request for rezoning and no one is present to protest thereto.

NOW, THEREFORE, BE IT RESOLVED, That the findings of staff and the Planning Commission be accepted and the rezoning be approved with the Conditional Overlay requirements listed in the Ordinance on the basis that it satisfactorily complies with the Comprehensive Plan, Standards of Section 20-0906.F (1-4) and all other applicable requirements of the LDC.

Second by Piepkorn. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Piepkorn, Gehrig, Williams and Mahoney voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

First Reading of an Ordinance Rezoning Certain Parcels of Land Lying in Rocking Horse Farm Fourth Addition, Fargo, Cass County, North Dakota:

Commissioner Sobolik moved the requirement relating to receipt of the Ordinance by the Commission one week prior to first reading be waived and that the Ordinance Rezoning Certain Parcels of Land Lying in Rocking Horse Fargo Fourth Addition, Fargo, Cass County, North Dakota be placed on first reading.

Second by Piepkorn. On call of the roll Commissioners Sobolik, Piepkorn, Gehrig, Williams and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Resolution Adopted Approving Rocking Horse Farm 4th Addition:

Commissioner Sobolik offered the following Resolution and moved its adoption:

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

WHEREAS, A Plat has been filed in the office of the City Auditor entitled "Rocking Horse Farm 4th Addition" containing 2 Lots, 1 Block and 1.486 acres of land more or less, located at 5801 52nd Avenue South; and

WHEREAS, A Hearing was held March 1, 2016 by the Fargo Planning Commission, and notice of such Hearing had been published, as required by law, and said Plat had been approved by the Fargo Planning Commission and by the City Engineer; and

WHEREAS, The City Auditor's Office published a Notice of Hearing on said Plat in the official newspaper for the City of Fargo on March 21 and 28, 2016 that a Hearing would be held in the City Commission Room, City Hall, Fargo, North Dakota at 5:15 p.m., March 28, 2016 at which time said Plat would be considered and all interested persons would be heard.

NOW, THEREFORE, BE IT RESOLVED, That the findings and recommendations of staff and the Planning Commission be accepted and the Plat entitled "Rocking Horse Farm 4th Addition" be and the same is hereby in all things affirmed and approved on the basis that it complies with the Standards of Article 20-06, and all other applicable requirements of the Land Development Code, and that the Mayor of the City of Fargo and the appropriate City Officials are hereby directed to endorse their approval on the Plat and then direct Petitioner to file same for record in the Office of the Recorder of Cass County, North Dakota.

Second by Piepkorn. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Piepkorn, Gehrig, Williams and Mahoney voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

Flood Risk Reduction Project in the Rosewood Addition Approved (Project No. FM-15-K1):

The Board received a communication from the Public Works Projects Evaluation Committee stating they received a presentation from KLJ Engineers, the consultant that has been tasked with the design of the flood risk reduction project in the Rosewood Addition. They said the presentation outlined the alignment that has

been developed for the proposed levee, floodwall and associated storm sewer infrastructure to provide for a certifiable line of protection to be installed in the Rosewood Addition. They said there was only one alignment presented in this area due to the geotechnical constraints that have been encountered and no additional alternatives have been considered without the need to acquire more property.

Travis Wieber, KLJ Engineers, provided a Power Point presentation identifying the latest alignment, proposed improvements and the affected areas in which easements and the required acquisition will be required.

Commissioner Piepkorn moved the proposed alignment of the flood risk reduction project in Rosewood Addition be approved and appropriate staff to directed to continue to acquire the necessary properties and easements to pursue construction of this project.

Second by Sobolik. On call of the roll Commissioners Piepkorn, Sobolik, Gehrig, Williams and Mahoney voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Commissioner Piepkorn moved that the Board adjourn to 5:00 o'clock p.m., Monday, April 11, 2016.

Second by Sobolik. All the Commissioners voted aye and the motion was declared carried.

The time at adjournment was 7:13 o'clock p.m.