

FARGO CITY COMMISSION AGENDA  
Monday, November 21, 2016 - 5:00 p.m.

Executive Session at 4:15 p.m.

Roll Call.

**PLEASE NOTE:** The City Commission will convene on Monday, November 21, 2016 at 4:15 p.m. and retire into Executive Session in the River Room for the purpose of attorney consultation pursuant to ND Century Code § 44-04-19.1(2) in the pending litigation matter Michele Brandt v. City of Fargo.

5:00 p.m. Regular Meeting

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at [www.cityoffargo.com/streaming](http://www.cityoffargo.com/streaming). They are rebroadcast Mondays at 5:00 p.m., Thursdays at 7:00 p.m. and Saturdays at 8:00 a.m.; and are also included in our video archive at [www.cityoffargo.com/commission](http://www.cityoffargo.com/commission)

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, November 7, 2016).

**CONSENT AGENDA – APPROVE THE FOLLOWING:**

1. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of an Ordinance Amending Section 25-1501 of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages.
2. 2nd reading, waive reading and final adoption of an Ordinance Amending Section 18-0902 and Repealing 18-0905 of Article 18-09 of Chapter 18 of the Fargo Municipal Code Relating to Excavation.
3. Receive and file Year to Date – Budget to Actual Report for October 2016.
4. Request from the YMCA to hang banners in the skyway to promote their presence in Downtown from January 1st to January 30th.
5. Accept results of the Cass County Canvassing Board for the November 8, 2016 General Election; declare the flood sales tax measure passed.
6. Notice of Grant Award with the ND Department of Health for regional public health network implementation in the amount of \$10,000.00 (CFDA No. 93.758).
7. Amendment to the Purchase of Service Agreement with the ND Department of Health for the Ryan White Part B Program/Case Management in the amount of \$60,000.00 (CFDA No. 93.917).

8. Amendment to the Purchase of Service Agreement with the ND Department of Health for the Ryan White Part B Program/Case Management in the amount of \$40,000.00 (CFDA No. 93.917).
9. Applications for property tax exemptions for improvements made to buildings:
  - a. Kathleen E. Lewis, 3001 Peterson Parkway North (3 Year).
  - b. Scott E. Hansen and Shelley D. Townsend-Hansen Rev Living Trust, 2902 26th Avenue South (3 Year).
  - c. Charles J. and Desiree J. Wilson, 1510 2nd Street North (5 Year).
  - d. Erick S. Peterson and Courtney J. Peterson, 2710 Evergreen Road North (5 Year).
  - e. Steve C. and Jo Anna L S Martens, 1310 2nd Street North (5 Year).
  - f. Brian L. and Karen M. Gebeke, 1353 12th Street North (5 Year).
  - g. Brian L. and Karen M. Gebeke, 1353 12th Street North (5 Year).
  - h. Randy A. and Joan M. Engebretson, 1506 8th Street North (5 Year).
  - i. Jane L Cornell, 2914 Edgewood Drive North (5 Year).
  - j. Thomas P. and Teresa Christensen, 1325 4th Street North (5 Year).
  - k. Jack and Rebecca Wood, 42 Meadowlark Lane North (5 Year).
  - l. Jason Blane and Kelli Blair Medders, 1313 3rd Street North (5 Year).
  - m. Gerald W. and Ursula A. Hill, 1533 5th Street North (5 Year).
10. Applications for Games of Chance:
  - a. Bison Dance Team for a raffle on 12/2/16.
  - b. El Zagal Escort Motor Patrol for a raffle on 3/24/17.
  - c. Nativity School PTO for a raffle on 2/3/17.
  - d. HeartSprings for a calendar raffle from 11/29/16 to 12/13/16.
11. Award contract for winter pruning projects to Cougar Tree Care, Inc. in the total amount of \$70,464.70.
12. Chemical bid awards for the Wastewater Treatment Plant for 2017.
13. Chemical bid awards for the Water Treatment Plant for 2017.
14. Bid advertisement for Reconditioning of Water Tower Nos. 5 and 10 (Project No. WA1601).
15. Change Orders for Project No. WA1301:
  - a. No. 6 for an increase of \$161,878.28 for the General Construction Contract.
  - b. No. 6 for an increase of \$80,604.15 for the Mechanical Construction Contract.
16. Amendment #2 for an increase of \$225,000.00 for AE2S Task Order #76 (Project No. WA1301).
17. Change Order No. 2 for a decrease of \$4,558.00 for Project No. WA1501.
18. One-year contract time extension to the guaranteed cost contract with Aqua-Pure, Inc. for polymer chemicals at the Water Treatment Plant.
19. Amendment #6 for an increase of \$517,000.00 for AE2S Task Order #52 (Project No. WW1402).
20. Change Order No. 1 for an increase of \$3,432.00 for Project No. WW1605.

21. Partial Release of Water Pipeline Easements with the Municipal Airport Authority (Project No. WW1605).
22. Change Orders for the Fire Headquarters Remodel Project:
  - a. No. G-5 for an increase of \$26,515.05.
  - b. No. E-2 for an increase of \$3,902.90.
  - c. No. M-2 for an increase of \$1,549.00.
23. Change Order No. 16-012-04 for an increase of \$242,404.39 for the Roberts Common Parking Facility.
24. Memorandum of Offer to Landowner for temporary construction easement from Jensal, LLC (Project No. PR-17-A0).
25. Completion of an interim safety project at the intersection of 52nd Avenue South and 27th Street by using flexible delineators and direct staff to conduct a traffic study of this area (Project No. TM-16-C1).
26. Authorize submission of priority applications to Metro COG for final approval and 2018 Transportation Alternatives Program funding.
27. Overdimensional Vehicle Policy revisions.
28. Revised final cost of \$32,160.40 for the Statewide Pavement Condition Survey (Project No. MS-16-E0).
29. Amendment No. 1 to the Engineering Services Agreement for an increase of \$125,800.00 (Project No. FM-16-A0).
30. Contract Amendment No. 1 for an increase of \$87,533.00 for Project No. FM-15-K0.
31. Contract Amendment No. 5 for an increase of \$41,100.00 for Project No. 6153.
32. Remaining balance of the Concrete Bike Trail Replacement to come from the Sales Tax Fund at an estimated cost of \$6,477.00 (Project No. FM-14-81).
33. Bills.
34. Execution of the Preliminary Engineering Reimbursement Agreement with the NDDOT (Improvement District No. PR-17-B1).
35. Exclusion of an incentive/disincentive clause for Improvement District No. PR-17-A1.
36. Request to change gateway staining to a final completion date of 9/30/17 (Improvement District No. NN-14-01).
37. Request to change street light installation to a final completion date of 11/30/16 (Improvement District No. BN-16-L1).
38. Request to change street lighting installation to a final completion date of 6/1/17 (Improvement District No. PN-15-J1).

39. Final Balancing Change Order No. 1 for an increase of \$44,414.08 (Improvement District No. BN-15-B1).
40. Final Balancing Change Order No. 4 for an increase of \$12,535.68 (Improvement District No. BN-15-A1).
41. Begin the public engagement process to evaluate the 2nd Avenue Corridor and add the reconstruction of 2nd Avenue North to the 2017 CIP (Improvement District No. BR-17-L).
42. Agreement for Engineering Services with SRF Consulting Group, Inc. for Improvement District No. BR-18-A1).

**REGULAR AGENDA:**

43. Consider adopting Resolutions accepting monetary donations from Gate City Bank for the Fargo Police Department to be used for the following:
  - a. For the purchase of protective helmets in the amount of \$76,200.00.
  - b. To help finance the attendance of officers at the National Law Enforcement Officers Memorial Ceremony in Washington, DC in May of 2017.
44. Construction Projects Update.
45. Public Hearings - 5:15 pm:
  - a. Application filed by Border States Industries, Inc. for a 10-year PILOT located in the area of 23rd Avenue South to 26th Avenue South and 30th Avenue South, West of I-29, which the applicant will use in the operation of a new corporate headquarters.
  - b. Zoning change from GC, General Commercial to P/I, Public and Institutional on Lots 1-10, Block 2, Noridian Center Addition (4814, 4830, 4908 and 4920 14th Avenue South; 4809, 4825, 4905 and 4917 15th Avenue South; and 1403 and 1441 48th Street South); approval recommended by the Planning Commission on 11/1/16.
    1. 1st reading of rezoning Ordinance.
  - c. Issuance of bonds by the Moorhead Economic Development Authority on Behalf of Eventide Fargo Senior Living LLC and Authorizing the Execution of the TEFRA Agreement.
  - d. Issuance of a Revenue Note, Series 2016 by the City of Maddock, North Dakota on Behalf of Lutheran Social Services Housing, Inc. and Authorizing the Execution of the TEFRA Agreement.
46. Letter from the City Attorney regarding Home Rule Charter Amendments and City Ordinance Amendments in relation to the Metro Flood Sales Tax Extension.
47. Recommendation from the Public Works Projects Evaluation Committee to approve the 2017 Capital Improvement Plan.
48. Update on the Whistle Free Zone Feasibility Study (Project No. 6207).

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 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 web site at [www.cityoffargo.com/commission](http://www.cityoffargo.com/commission)