

FARGO CITY COMMISSION AGENDA
Monday, September 9, 2019 - 5:00 p.m.

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

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, August 26, 2019).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Receive and file an Ordinance Relating to Lodging Tax.
- 2. 1st reading of an Ordinance Relating to Restrictions on Sale, Service or Dispensing of Alcoholic Beverages.
- 3. 2nd reading and final adoption of the following Ordinances; 1st reading, 8/26/19:
 - a. Relating to Ordinance Violations.
 - b. Amending Ordinance No. 5140 which Rezoned Certain Parcels of Land Lying in Diamond Willow Addition, A Replat of Portions of Douglas Addition.
- 4. Gaming Site Authorizations:
 - a. Horse Race ND at Labby's Bar & Grill (amended).
 - b. ND Association for the Disabled, Inc. at Cowboy Jack's.
 - c. Fraser Ltd. at Golf Addiction ND LLC.
 - d. Team Makers Club, Inc. at Big Erv's at Rose Creek.
 - e. Boys & Girls Club of the Red River Valley at Fargo Billiards and Gastropub.
- 5. Applications for Games of Chance:
 - a. Jeremiah Program Fargo-Moorhead for a raffle on 10/18/19.
 - b. Dakota Medical Foundation – Lend A Hand Up for a raffle and raffle board on 9/28/19.
 - c. Jeff Maddock Benefit Softball Tournament for a raffle on 9/21/19; Public Spirited Resolution.
 - d. United Way of Cass-Clay for a raffle board on 9/24/19.
 - e. ND Dental Foundation for a raffle on 9/20/19.
 - f. ND Dental Hygienists' Association for a raffle on 9/20/19; Public Spirited Resolution.
 - g. NDSU Foundation and Alumni Association for a raffle and raffle board on 10/12/19.
 - h. Kappa Psi Fraternity for a raffle on 10/21/19.
 - i. 57th Directors Staff for a raffle board on 10/12/19.
- 6. Agreement with Baker Tilly for the Development of a Fiscal Impact Model.
- 7. Change Order No. 10 for an increase of \$42,518.71 for Project No. FM-15-K1.

8. Negative Final Balancing Change Order No. 1 in the amount of -\$63,040.00 for Project No. SN-18-B2.
9. Change Order No. 2 for an increase of \$15,465.38 for Project No. SR-19-A1.
10. Bid award for suspended modular tile sports floor system at the FARGODOME.
11. Resolution Calling for a public hearing on Host Approval on the Issuance of Revenue Bonds, Series 2019 (Sanford) by the Colorado Health Facilities Authority and Authorizing the Publication of a Notice of the Public Hearing on 9/23/19.
12. Contract Agreement with AE2S Communications for tobacco use reduction media campaign (RFP 19131).
13. Contract Agreement for Services with Southeast Human Service Center.
14. Agreement for Services with Cobalt Rehabilitation Hospital.
15. Agreement for Services with Emily Altstadt.
16. Contract Agreement for Services with Child Care Aware of ND.
17. Memorandum of Understanding with ND Department of Health.
18. Notice of Grant Award with the ND Department of Health for the following:
 - a. Comprehensive Cancer and Obesity Prevention in Child Care in 2019 (CFDA #93.898).
 - b. Comprehensive Cancer and Obesity Prevention in Child Care in 2020 (CFDA #93.898).
 - c. Increasing breastfeeding rates and reducing obesity in children (CFDA #93.994).
 - d. Implementation of a regional public health opioid network (CFDA #93.354).
 - e. Supplemental Nutrition Program (CFDA #10.557).
 - f. Increasing immunization rates for local public health units (CFDA #93.268).
 - g. Enhancing Harm Reduction (CFDA #93.354).
19. Notice of Grant Award with the ND Department of Environmental Quality for public water supply supervision program-EPA Block (CFDA #66.605).
20. Benefit renewals as presented effective 1/1/20.
21. 2019 Community Development Block Grant and HOME Partnership allocations from the US Department of Housing and Urban Development.
22. Professional Services Agreement with TDA Consulting, Inc. to develop a 2020-2024 Consolidated Plan and assessment of the Fair Housing for HUD Community Block Grant and HOME Partnership Programs.
23. Resolution regarding proposed corrected Plat of The Edge Addition and to set a public hearing for 5:15 pm on 10/7/19.
24. Advertisement for Construction Bids for the Reconditioning of Water Tower Nos. 4 and 7.
25. Bills.

26. Change Orders No. 2 for an increase of \$26,915.00 and time extension to 10/23/19 for Improvement District No. PN-18-C1.
27. Change Order No. 4 for an increase of \$30,411.70 and 14-day time extension for Improvement District No. DN-18-A1.
28. Change Order No. 1 for an increase of \$76,915.00 and time extension to 10/11/19 for Improvement District No. PR-19-F1.
29. Change Order No. 2 for an increase of \$65,726.27 for Improvement District No. BN-19-B1.
30. Change Order No. 2 for an increase of \$13,740.00 for Improvement District No. BR-18-F1.
31. Cost Participation and Maintenance Agreement with the NDDOT (Improvement District No. BR-19-A1).
32. Amendment No. 1 with Apex Engineering Group in the amount of \$29,586.00 for Improvement District No. BN-20-A0.
33. Change Order No. 4 for a 1-day time extension for Improvement District No. BR-18-A1.
34. Improvement District No. VF-19-C1:
 - a. Selkirk Place First Addition Development and Assessment Agreement.
 - b. Land Exchange Agreement with Earlyne Hector.

REGULAR AGENDA:

35. Presentation on the FM Diversion Recreation Plan.
36. Public Hearings - 5:15 pm:
 - a. CONTINUE to 9/23/19 - Right-of-Way Vacation of the alley between Lots A, B, C, D, E, F, T and U, the vacated 10 foot alley adjacent to Lots T and U, Hagaman's Subdivision of part of Block 2, Roberts Addition (624 2nd Avenue North and 613, 617 and 621 1st Avenue North); approval recommended by the Planning Commission on 4/2/19; continued from the 7/15/19, 8/12/19 and 8/26/19 Regular Meetings.
 - b. CONTINUE to 9/23/19 – Right-of-Way Vacation of a portion of 5th Street North between Blocks 21 and 22 Keeney and Devitt's Second Addition and lying North of 4th Avenue North and South of Lot B, Block 1, Great Northern Depot Addition (410 5th Street North); continued from the 8/12/19 and 8/26/19 Regular Meetings.
 - c. Zoning Change from SR-2, Single-Dwelling Residential to NO, Neighborhood Office on Lot 11, Block 1, Scilley's Addition (1604 52nd Avenue South); approval recommended by the Planning Commission on 8/6/19:
 1. 1st reading of rezoning Ordinance.
 - d. The Pines at the District Addition (3800 56th Avenue South); approval recommended by the Planning Commission on 8/6/19:
 1. Growth Plan Amendment.
 2. Zoning change from MR-3, Multi-Dwelling Residential to LC, Limited Commercial.
 3. 1st reading of rezoning Ordinance.

- e. Appeal of a Planning Commission decision on 8/6/19 to approve a Conditional Use Permit that would allow a bed and breakfast in the SR-3, Single-Dwelling Residential zoning district on Lots 2 and 3, Block F, Chas A. Roberts Addition (611 8th Street South).
- 37. Refer final recommendations from the Special Assessment Taskforce to City staff to evaluate and incorporate into a revised draft Infrastructure Funding Policy.
- 38. State Water Commission request for Cost Reimbursement for FM Diversion Flood Project Costs in the amount of \$2,835,957.03.
- 39. Update on the 2019 Storm Water Discharge and Treatment Policy.
- 40. Public Hearing – 6:00 pm:
 - a. Public comment on the 2020 preliminary budget and recommended tax levies.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo website at www.FargoND.gov/citycommission.