

FARGO CITY COMMISSION AGENDA
Monday, October 5, 2020 - 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, September 21, 2020).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 1st reading of an Ordinance Relating to Junk Automobiles.
- 2. 2nd reading and final adoption of the following Ordinances; 1st reading, 9/21/20:
 - a. Relating to Penalty.
 - b. Relating to Central Business District.
- 3. Resolution Approving Occupational License Fees and Reinstatement Fees-Auditor's Office.
- 4. Site Authorizations for Games of Chance:
 - a. Team Makers Club, Inc. at Big Erv's at Rose Creek (amended).
 - b. Metro Sports Foundation at Mexican Village.
- 5. Application for Games of Chance:
 - a. Ronald McDonald House Charities of the Red River Valley for a raffle on 12/11/20.
 - b. FM Raise Your Spirits Inc. for a raffle and raffle board on 10/9/20.
 - c. Jeremiah Program Fargo Moorhead for a raffle on 10/30/20.
 - d. Fargo Angels Hockey for a raffle on 12/15/20.
 - e. Fargo Youth Hockey Association for a raffle on 2/4/21.
- 6. Bid award for Janitorial Services at the Fargo Police Department (RFP20121).
- 7. Change Order No. 3 for an increase of \$29,648.84 for Project No. TM-19-B1.
- 8. Contract Amendment No. 1 with Houston Engineering in the amount of \$20,000.00 for Project No. FP-19-A0.
- 9. Contract Amendment No. 4 with Moore Engineering in the amount of \$143,000.00 for design and \$730,840.00 for construction administration for Project No. FM-16-A0.
- 10. Memorandum of Understanding Regarding Cass County Highway 81 with Cass County.
- 11. Acknowledgement and Consent to Collateral Assignment of Development Agreement with Ryan Fargo, LLC.

12. Amended and Restated Encroachment Agreement (Adjacent to Block Nine Plaza) with Block 9 Partners LLC.
13. Third Amendment to Service and Usage Agreement with Patron Solutions, LP d/b/a New Era Tickets (Paciolan).
14. Independent Auditor's Report and the City's Comprehensive Annual Financial Report for the year ending 12/31/19.
15. Notice of Grant Award from the USDA and ND Department of Health for WIC (CFDA #10.557).
16. Notice of Grant Award from the ND Department of Health and Human Services for cancer and obesity prevention in childcare (CFDA #93-898).
17. Notice of Grant Award with the ND Department of Health for regional public health network implementation (CFDA #93.991).
18. Benefit renewals, as presented, effective 1/1/21.
19. Resolution Approving Plat of 2750 Main Addition.
20. Order for Supplies or Service with the 119th Wing, North Dakota Air National Guard, as presented.
21. Sole Source Procurement with EnviroTech Services, Inc. for Ice Slicer granular ice melt (SSP20152).
22. Extension of the Agreement between Owner and Engineer for Professional Services with KLJ, Inc. for two additional years (RFP19127).
23. Bid awards for the following:
 - a. rental of one wheel loader at the FARGODOME.
 - b. rental of one winter dozer and rental of three wheel loaders.
24. Reject the bids for the VW Mitigation City Hall Charging Station Project and rebid in 2021.
25. Advertisement of an RFQ to select Professional Engineering Services for the Enterprise Utilities for the next 5 years.
26. Change Orders for the GTC Improvement Project:
 - a. No. 3 for an increase of \$623.00 for the mechanical contract.
 - b. No. 3 for a decrease of \$36.18 for the electrical contract.
 - c. No. 3 for an increase of \$5,420.00 for the general contract.
27. Resolution of Support MATBUS Transit Authority Study.
28. Change Order No. 2 for an increase of \$10,475.35 for Project No. WA1862.
29. Change Order No. 2 for an increase of \$9,550.00 for Project No. WA1906.
30. Change Order No. 3 for an increase of \$47,300.00 for Project No. WA1906.

31. Sole source Procurement with JDP Electric, Inc. in the amount of \$95,000.00 for miscellaneous water utility projects (SSP20155).
32. Sole Source Procurement with Electric Pump in the amount of \$60,000.00 for parts to repair three sludge pumps (SSP20154).
33. Sole Source Procurement with Trillium Floway in the amount of \$647,800.00 for four Red River Pump Station pumps (SSP20156).
34. Contract and bond for Project No. HD-19-A1.
35. Bills.
36. Cost Participation, Construction and Maintenance Agreement with the NDDOT for Improvement District No. BN-21-A1.
37. Bid award for Improvement District No. BN-20-L1.

REGULAR AGENDA:

38. Introduction and swearing in of Police Chief David Zibolski.
39. ***Public Input Opportunity* - PUBLIC HEARINGS - 5:15 pm:**
 - a. Hearing on a dangerous building located at 703 12th Street North.
 - b. Cedar Crest First Addition (3361 Westrac Drive); approval recommended by the Planning Commission on 9/1/20:
 1. Zoning Change from GC, General Commercial to GC, General Commercial with a PUD, Planned Unit Development Overlay.
 2. 1st reading of rezoning Ordinance.
 3. Planned Unit Development Master Land Use Plan.
 - c. Madelyn's Meadows Third Addition (2613, 2639, 2667, 2689, 2697, 2707, 2729, 2751, 2769, 2791, 2801, 2815, 2827, 2845, 2863, 2875, 2891, 2951 72nd Avenue South, and 7203 and 7231 30th Street South); approval recommended by the Planning Commission on 7/8/20:
 1. Zoning Change from SR-4, Single-Dwelling Residential and P/I, Public and Institutional to SR-4, Single-Dwelling Residential, P/I, Public and Institutional, and MR-1, Multi-Dwelling Residential.
 2. 1st reading of rezoning Ordinance.
 3. Plat of Madelyn's Meadows Third Addition.
 - d. Application filed by Aldevron, Inc. for a payment in lieu of tax exemption (PILOT) for a project located at 3001 University Drive South, which the applicant will use in the operation of remodeling an existing facility, plus a new addition, for research and development of biotechnologies and manufacturing of therapeutic products.
 - e. CONTINUED to 10/19/20 - Special Assessment List for Business Improvement District (BID) fees.
 - f. Special Assessments for 2019 New Construction City Ordered Sidewalks (Project No. SN-19-A).

- g. Special Assessments for 2019 Reconstruction of City Ordered Sidewalks (Project No. SR-19-A).
- h. Special Assessment list for the following Improvement Districts, all having been approved by the Special Assessment Commission on 9/2/20:
 - 1. P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-19-G.
 - 2. Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. BN-17-B.
 - 3. Sanitary Sewer, Water Main, Storm Sewer, Paving and Incidentals Improvement District No. BN-18-F.
 - 4. Paving, Water Main, Storm Sewer, Street Lights, Sidewalk and Incidentals Improvement District No. BN-19-A.
 - 5. Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. BN-19-B.
 - 6. Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. BN-19-C.
 - 7. Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. BN-19-E.
 - 8. Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. BN-19-F.
 - 9. Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. BN-19-J.
 - 10. Paving, Sanitary Sewer, Water Main, Storm Sewer, Street Lights and Incidentals Improvement District No. BR-18-A.
 - 11. Paving, Sanitary Sewer, Water Main, Storm Sewer, Street Lights and Incidentals Improvement District No. BR-18-B.
 - 12. Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-18-F.
 - 13. Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-18-G.
 - 14. Drain Improvements and Incidentals Improvement District No. DN-18-A.
 - 15. Flood Mitigation and Incidentals Improvement District No. FM-14-84.
 - 16. Levy and Pond Construction and Incidentals Improvement District No. FM-17-C.
 - 17. Storm Sewer Lift Station, Retention and Trunk Storm and Incidentals Improvement District No. NN-15-B.
 - 18. Storm Sewer Lift Station and Retention Pond and Incidentals Improvement District No. NN-17-A.
 - 19. Storm Sewer Lift Station and Incidentals Improvement District No. NN-18-A.
 - 20. Broadway Interceptor and Incidentals Improvement District No. NR-17-B.
 - 21. Storm Sewer Lift Station and Incidentals Improvement District No. NR-18-A.
 - 22. Concrete Paving, Concrete Curb and Gutter, Asphalt Paving and Incidentals Improvement District No. PN-18-B.
 - 23. Concrete Paving and Incidentals Improvement District No. PN-18-C.
 - 24. Seal Coat and Incidentals Improvement District No. PR-19-E.
 - 25. Mill and Overlay and Incidentals Improvement District No. PR-19-F.
 - 26. Mill and Overlay and Incidentals Improvement District No. PR-19-G.
 - 27. Street Lighting and Incidentals Improvement District No. SL-17-B.
 - 28. Street Lighting and Incidentals Improvement District No. SL-19-B.
 - 29. Street Lighting and Incidentals Improvement District No. SL-19-E.

30. Traffic Signal Improvements and Incidentals Improvement District No. TN-19-A.
31. Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-18-C.

40. TABLE to 10/19/20 - Recommendation for approval of the 76th Avenue South Corridor Study; tabled from the 9/21/20 Regular Meeting.

41. Resolution Directing the Issuance of \$[PAR] Refunding Improvement Bonds, Series 2020B and Prescribing the Terms and Covenants Therefor and Resolution Directing the Issuance of Taxable Refunding Improvement Refunding Bonds, Series 2020C, Prescribing the Terms and Covenants Thereof, and Creating a Fund for the Payment Thereof.

42. Recommendation to direct staff to prepare a Renewal Plan and TIF District for the area in the Downtown adjacent to the Red River.

43. Consideration of Mask Ordinances:
 - a. Receive and file an Ordinance Relating to Face Coverings and Social Distancing to Reduce Risk of Transmission of COVID-19 Virus (without penalties).
 - b. Receive and file an Ordinance Relating to Face Coverings and Social Distancing to Reduce Risk of Transmission of COVID-19 Virus (with penalties)

44. Applications for property tax exemptions for improvements made to buildings:
 - a. Harry A. Ohrt RLT, 2812 27th Street South (3 year).
 - b. Muriel and Joseph Richardson, 2816 27th Street South (3 year).
 - c. Kamie Beeson, 1625 29th Avenue South (3 year).
 - d. Curtis and Peggy Christopherson, 3114 Bohnet Boulevard North (5 year).

45. Flood Project and Acquisition Updates.
 - a. Recommendation for alignments in the Oak Grove neighborhood (Project No. FM-19-F).

46. **RESIDENT COMMENTS (each Fargo resident will be offered 2.5 minutes for comment with a maximum of 30 minutes total for all resident comments).**

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.