

FARGO CITY COMMISSION AGENDA

Monday, April 5, 2021 - 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, March 22, 2021).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 1st reading of an Ordinance Relating to Classification of Ordinance Violations.
- 2. 2nd reading and final adoption of an Ordinance Rezoning a Certain Parcel of Land Lying in Chas A. Roberts Addition.
- 3. Agreement for Property Demolition for property located at 1021 10th Street North and Memorandum of Agreement Regarding Agreement for Property Demolition with Select Portfolio Servicing, Inc.
- 4. Site Authorizations for Games of Chance:
 - a. Jon Greenley Amvets Post #7 at the Hi-Ho Burgers and Brews and Amvets.
 - b. Red River Human Services Foundation at The Elks Lodge #260 and The Northern.
 - c. Plains Art Museum at Wild Bill's Sports Saloon, King Pin Casino (The Bowler), Blue Wolf Casino (Cactus Jack's/West Acres Bowl) and Big Top Bingo.
 - d. Horse Race North Dakota at Edgewood Tavern.
 - e. Boys & Girls Club of the Red River Valley at Fargo Billiards/Gastropub (amended).
- 5. Application for Games of Chance for Fargo Lions for a sports pool from 9/13/21 to 12/27/21.
- 6. Transfer of the Class "FA" Alcoholic Beverage License from Chef's Table at 670 4th Avenue North to The Boiler Room at 210 North Broadway and a six-month extension of the Class "FA-RZ" Alcoholic Beverage License once held at The Boiler Room.
- 7. Sole Source Procurement and Purchase Agreement with Haworth, Inc. for office furniture (SSP21082).
- 8. Maintenance Agreement (Public Right of Way) with EOLA Landholdings, LLC.
- 9. Permanent Easement (Flood Levee) and Easement (Temporary Construction Easement) with David J. Clardy 2017 Revocable Trust in association with Project No. FM-19-E.
- 10. Amendment to License Agreement with Malcolm Butler and Carol Pearson, and Easement (Temporary Construction Easement) and Permanent Easement (Levee for Flood Control) with Malcolm G. Butler (Project No. FM-19-F).

11. Encroachment Agreement (Balcony Installation) with Mosaic Group, LLC.
12. Bid award for Project Nos. FM-19-F1 and SR-21-A1.
13. State Water Commission request for cost reimbursement for the FM Metro Area Flood Risk Management Project for costs totaling \$9,862,646.70.
14. Notice of Grant Award with the ND Department of Health and Human Services for Title X Family Planning Program (CFDA #93.217).
15. Agreement with Richland County Health Department.
16. Notice of Grant Award Amendment with the ND Department of Health for Family Planning PHQ-2 and PHQ-9 Screening (CFDA# 93.994).
17. Subaward Agreement with the National Environmental Health Association.
18. Set April 19, 2021 at 5:15 p.m. as the date and time for a hearing on a dangerous building at 1343 2nd Avenue South.
19. Memorandum of Understanding with Family Healthcare Center, Inc.
20. Change Order No. 3 for a time extension to the substantial completion date to 4/30/21 for the GTC Underground Project (BP0041).
21. Waiver of Protest Agreement with Arcadia-Park View, LLC.
22. Resolution Approving Plat of Timber Parkway Fifth Addition.
23. Sole Source Procurement with czb, LLC (SSP21051).
24. Bid award for fuel purchase for the 3rd and 4th quarters of 2021 (RFV21027).
25. Bid award for 2021 oil products (RFP21065).
26. Bid award for 2021 filter products (RFP21064).
27. Extension of the Services Agreements – Lawn Maintenance Agreements with Glacier Snow Management Company, and Valley Green and Associates for the 2021 mowing season (RFP17063 and RFP17115).
28. Purchase of one S-330 Air Curtain Burner from Air Burners, Inc. in the amount of \$187,287.66 (PBC21-S330).
29. Fargo Public Schools Garbage Collection Service Contract renewal through 10/31/26.
30. Change Order No. 4 in the amount of -\$4,500.00 for GTC Remodel Project (AFB20017).
31. Budget adjustment for additional security services at the GTC and removal of the U-pass cost on the NDSU agreements for the 2020-2021 academic year.
32. Amendment No. 1 for Task Order No. 8 with Apex Engineering Group in the amount of \$17,800.00 for Project No. WA1910.

33. Task Order No. 10 with Apex Engineering Group in the amount of \$681,160.00 for Project No. WA1910.
34. Change Orders for Project No. WA1863:
 - a. No. 1 for an increase of \$72,000.00 and a 46-day time extension (general contract).
 - b. No. 1 for an increase of \$8,016.89 (electrical contract).
35. Change Order No. 2 for an increase of \$30,900.00 for Project No. WA2004.
36. Contracts and bonds for Project Nos. PR-21-A1, PR-21-B1 and WA2005 (electrical, mechanical and construction).
37. Bills.
38. Change Order No. 2 for a time extension to the substantial completion date of 6/30/21 for Improvement District No. NN-19-A1.
39. Request for Infrastructure contingent upon plat recordation, execution of the Special Assessment Agreement and Letter of Credit for Improvement District No. BN-21-J1.
40. Contract award for consulting services to Apex Engineering Group for Improvement District No. BN-20-A2.
41. Bid awards for Improvement District Nos. BR-21-E1 and PR-21-C1.
42. Create Improvement District Nos. BN-21-B, PN-21-A, PR-21-G and SL-21-B.
43. Contract and bond for Improvement District No. FP-19-A1 (general contract).

REGULAR AGENDA:

44. **RESIDENT COMMENTS (Fargo residents will be offered 2.5 minutes for comment with a maximum of 30 minutes total for all resident comments. Residents who would like to address the Commission, whether virtually or in person, must sign-up at FargoND.gov/VirtualCommission).**
45. ***Public Input Opportunity* - PUBLIC HEARINGS - 5:15 pm:**
 - a. Application to transfer the Class "FA-Golf" Alcoholic Beverage License from Big Erv's Bar and Grill, LLC d/b/a Big Erv's at Rose Creek to Living the Dream, LLC d/b/a Legends at 1500 East Rose Creek Parkway South; continued from the 3/22/21 Regular Meeting.
 - b. Application for a Class "ABH" Alcoholic Beverage License for Aparium Hotel Group, LLC d/b/a Jasper Hotel to be located at 215 Broadway North; continued from the 3/22/21 Regular Meeting.
 - c. Application to transfer a Class "FA" Alcoholic Beverage License from Lucky U, LLC d/b/a Lucky's 13 Pub to Eclectic Culinary Concepts, Inc. d/b/a Lucky's 13 Pub located at 4301 17th Avenue South (more than a 5% ownership change).
 - d. Application to transfer a Class "GH" Alcoholic Beverage License from Harihar, LLC d/b/a Himalayan Yak to 4 Stars Group, LLC d/b/a Himalayan Yak located at 1450 25th Street South, Suite 160 (more than a 5% ownership change).

- e. Application to transfer a Class "H" Alcoholic Beverage License from Pizza Ranch 45 St., Inc. d/b/a Pizza Ranch located at 4480 23rd Avenue South (stock ownership change, no corporate name change).
 - f. Application filed by Packet Digital, LLC for a property tax exemption for a project located at 3241 University Drive South which the applicant will use to launch a new project to design, build assemble and ship drone and space battery management systems.
 - g. Application filed by Tecton Products, LLC for a Payment in Lieu of Tax Exemption for a project located at 4401 15th Avenue North which the applicant will use in the operation of design and manufacturing custom fiberglass pultrude parts.
 - h. Renewal Plan for the Tax Increment Financing District No. 2021-01 (redevelopment of sites between 4th Street and the Red River from 7th Avenue South to 5th Avenue North).
46. COVID-19 Update:
- a. Fargo Cass Public Health Update.
 - b. City of Fargo Temporary Employment Policy.
 - c. Discussion regarding the Emergency Declaration.
47. Presentation by Gate City Bank regarding the Neighborhood Revitalization Initiative (NRI) Program.
48. Presentation of the 2020 Fargo Fire Department Annual Report.
49. Acceptance of the Urban Grant Program funds from the NDDOT for the 2nd Street Pedestrian Bridge.
50. Recommendation to change the review process for requests for Tax Increment Financing.
51. 2nd reading and final adoption of an Ordinance Relating to Restrictions on Sale, Service or Dispensing of Alcoholic Beverages; 1st reading on 3/22/21.
52. Update on the City of Fargo and Municipal Airport Authority separation process.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310 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.