

FARGO CITY COMMISSION AGENDA  
Monday, December 12, 2022 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at [www.FargoND.gov/streaming](http://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](http://www.FargoND.gov/citycommission).

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, November 28, 2022).

**CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. Agreement with Walker Consultants to provide parking consulting services for the NP Avenue Parking Facility.
- 2. Denial of the Application for Abatement or Refund of Taxes #4536 for 51 Broadway North requesting a reduction in value for 2022 from \$14,665,100.00 down to \$7,332,550.00.
- 3. Denial of the Application for Abatement or Refund of Taxes #4537 for 42 5th Street North requesting a reduction in value for 2022 from \$217,000.00 down to \$108,000.00.
- 4. Denial of the Application for Abatement or Refund of Taxes #4538 for 300 Northern Pacific Avenue North, Unit C1 requesting a reduction in value for 2022 from \$4,125,700.00 down to \$2,062,850.00.
- 5. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of an Ordinance Relating to Definitions, License-Qualifications, Licensed Premises-Requirements For and Licenses-Termination, Suspension, Revocation and Sanctions.
- 6. Applications for Games of Chance:
  - a. Knights of Columbus #11930 for a calendar raffle on 5/20/23.
  - b. Outdoor Adventure Foundation for a raffle and raffle board on 3/18/23.
  - c. North Central Bean Dealers Association for a raffle on 1/20/23.
- 7. Receive and file General Fund – Budget to Actual through November 2022 (unaudited).
- 8. Encroachment Agreement with Marcella M. Stack, Life Estate and Mark Stack for property located at 101 23rd Street South.
- 9. Negative Final Balancing Change Order No. 13 in the amount of -\$217,824.30 for Project No. FM-16-A1.
- 10. Negative Final Balancing Change Order No. 7 in the amount of -\$60,588.45 for Project No. FM-19-A3.

11. Change Order No. 3 in the amount of \$4,787.01 for Project No. FM-19-C1.
12. Final Balancing Change Order No. 5 in the amount of \$159,363.33 for Project No. FM-19-F1.
13. Negative Final Balancing Change Order No. 2 in the amount of -\$10,378.00 for Project No. HD-22-A1.
14. Negative Final Balancing Change Order No. 2 in the amount of -\$227.20 for Project No. SL-21-C1.
15. Final Balancing Change Order No. 2 in the amount of \$23,622.00 for Project No. SR-22-A1.
16. Negative Final Balancing Change Order No. 3 in the amount of -\$68,076.25 for Project No. SR-22-B1.
17. Final Balancing Change Order No. 3 in the amount of \$30,783.00 for Project No. TM-22-A1.
18. Change Order No. 3 in the amount of \$28,681.00 for Project No. TN-22-B1.
19. Notice of Grant Award from the ND Department of Health and Human Services for PHEP –EPR Statewide Response Team (CFDA #93.069).
20. Notice of Grant Award from the ND Department of Health and Human Services for PHEP – EPR All Hazards Allocation (CFDA #93.069).
21. Notice of Grant Award from the ND Department of Health and Human Services for PHEP – City Readiness Initiative (CFDA #93.069).
22. One-year contract extension with Vector Solutions (SSP17412).
23. Bid award for the demolition of 714 12th Street North (RFP22111).
24. Direct the City Attorney to amend the Findings of Fact, Conclusions and Order for property located at 509 21st Street North.
25. Acceptance of a grant from the Awesome Foundation.
26. Development Agreement with Beyond Shelter, Inc.
27. 2023 parking rate increases, as proposed by Interstate Parking.
28. Grant Award and Acceptance from the Office of Attorney General for the Project Safe Neighborhoods Grant Program (CFDA #16.609).
29. Application for Appropriation from Civil Asset Forfeiture Funds in the amount of \$137,695.00 to purchase the Doron Precision System, 550LEplus driving simulation system.
30. Bid award for articulated wheel loader (RFP23016).
31. Bid award for the purchase of one crawler dozer (RFP23018).
32. Bid award for the purchase of one crawler dozer (RFP23019).

33. Piggyback Contract with Sourcewell for the purchase of one 2023 fire pump truck (PBC022818 (23)).
34. Sole Source Procurement for vendor specific parts and service with the following:
  - a. New Flyer in the amount of \$230,000.00 (SSP23021).
  - b. Cummins NP in the amount of \$175,000.00 (SSP23022).
  - c. Nardini Fire Protection in the amount of \$50,000.00 (SSP23023).
35. Proposed route changes for the Transit Department effective 1/9/23.
36. Resolutions prescribing rates and charges for Water, Water Reclamation and Solid Waste Utility services for the 2023 calendar year.
37. Contract and bond for Project Nos. FM-21-A2 and WA2152.
38. Bills.
39. Change Order No. 7 in the amount of \$55,280.00 for Improvement District No. BN-21-H1.
40. Change Order No. 3 in the amount of \$8,746.45 for Improvement District No. BN-21-L1.
41. Change Order No. 4 in the amount of \$31,694.20 for Improvement District No. BN-22-A1.
42. Final Balancing Change Order No. 2 in the amount of \$23,378.52 for Improvement District No. BN-22-B1.
43. Final Balancing Change Order No. 1 in the amount of \$16,385.55 for Improvement District No. BN-22-J1.
44. Negative Final Balancing Change Order No. 4 in the amount of -\$10,652.76 for Improvement District No. BN-22-K1.
45. Change Order No. 1 for a time extension to the substantial completion date of 36 days from the start date, but no later than 6/30/23 and final completion date of 30 days after the substantial completion date for Improvement District No. BN-22-L1.
46. Change Order No. 5 in the amount of \$5,627.60 and time extension to the substantial and final completion dates to 10/23/22 and 11/22/22 for Improvement District No. BR-21-C1.
47. Negative Final Balancing Change Order No. 3 in the amount of -\$11,049.11 for Improvement District No. BR-22-F1.
48. Negative Final Balancing Change Order No. 4 in the amount of -\$30,537.34 for Improvement District No. FP-19-A2.
49. Final Balancing Change Order No. 3 in the amount of \$0.00 for Improvement District No. FP-19-A3.
50. Negative Final Balancing Change Order No. 2 in the amount of -\$626,665.03 for Improvement District No. PR-22-C1.
51. Negative Final Balancing Change Order No. 3 in the amount of -\$5,883.40 for Improvement District No. PR-22-G1.

52. Negative Final Balancing Change Order No. 2 in the amount of -\$16,260.98 for Improvement District No. UN-22-M1.
53. Memorandum of Offer to Landowner for an Easement (Temporary Construction Easement) and Permanent Easement (Street and Utility) with 502 7th Street North, LLC in association with Improvement District No. BR-23-C1.
54. Temporary Access Easement with Heritage Condominium, Inc. in association with Improvement District No. BR-23-C1.
55. Create Improvement District No. BR-23-E.
56. Bid awards for the following Improvement Districts:
  - a. No. BN-23-A1.
  - b. No. BR-23-C1.

#### **REGULAR AGENDA:**

57. **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](https://www.fargoND.gov/VirtualCommission)).**
58. **\*Public Input Opportunity\* - PUBLIC HEARINGS - 5:15 pm:**
  - a. Text Amendment to amend Sections 20-0401, 20-0402, 20-0403 and 20-1202 of the Fargo Municipal Code (Land Development Code) relating to definitions, regulations, use standards, nonconformities and references regarding adult entertainment centers and adult establishments.
    1. 1st reading of an Ordinance Relating to Adult Entertainment Centers and Adult Establishments.
59. Proclamation in Remembrance of the Ukrainian Famine-Genocide.
  - a. Anastassiya Andrianova would like to recognize the Remembrance of the Ukrainian Famine-Genocide.
60. Presentation on the 2023 Legislative Priorities.
61. Recommendation to approve the 2023 Capital Improvement Plan, the 2024 Street/Utility Replacements Projects and the updated Infrastructure Funding Policy.
62. Recommendation to Adopt the Resolution Authorizing the Issuance of \$57.06 million of Refunding Improvement Bonds, Series 2023A.
63. Recommendation from the Human Rights Commission to remove the word “intent” from Ordinance No. 10-0322 – Harassment.
64. Liaison Commissioner Assignment Updates.

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](https://www.fargoND.gov/citycommission).