

## FARGO CITY COMMISSION AGENDA

Monday, July 25, 2022 - 5:00 p.m.

Executive Session at 4:00 p.m.

Roll Call.

**PLEASE NOTE:** The City of Fargo Board of City Commissioners will convene at 4:00 p.m. and retire into Executive Session for the purpose of attorney consultation to discuss ongoing negotiations regarding the Roers-Newman Block Property - Tax Increment Financing District No. 2019-02. The Executive Session will allow discussion of negotiating strategy and to provide negotiating instructions to the City Attorney or other negotiator with respect to the Developer Agreement at issue. Any negotiation between the City and the Developer has financial implications and to discuss this matter in an open meeting will have a negative fiscal effect on the bargaining and/or potential litigation position of the city. Thus, an Executive Session for this matter is authorized pursuant to North Dakota Century Code § 44-04-19.1 subsections 2 and 9.

Regular Meeting at 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, July 11, 2022 and Special Meeting, June 28, 2022).

### **CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. Letter of Undertaking with Great Plains Block 3 Holdings, LLC.
- 2. Applications for Games of Chance:
  - a. Hope Blooms for a raffle board on 8/11/22.
  - b. Fargo North High School for a calendar raffle from 11/24/22 through 2/28/23.
  - c. Fargo North High School for a calendar raffle from 8/1/22 through 6/1/23.
  - d. Legacy Children’s Foundation for a raffle on 8/15/22.
  - e. Fargo Davies High School for a calendar raffle from 8/16/22 through 5/23/23.
  - f. Fargo Davies High School for a calendar raffle from 11/22/22 through 2/11/23.
  - g. Holy Spirit Catholic Church for bingo, raffle and calendar raffle from 9/11/22 through 10/9/22.
  - h. Knights of Columbus 4th Degree Assembly 788 for a raffle on 2/20/23.
  - i. YMCA of Cass Clay Counties for a raffle board on 8/2/22.
- 3. Agreement for Special Improvements with LaVerne A. Montplaisir Family Trust and Montplaisir Ag and Rental LLP.
- 4. First Amendment to the Granicus Service Agreement with Granicus, LLC.

5. Contract and bond for Project No. FM-22-B1.
6. Creation of Project No. UR-22-C1 and include it in the 2022 Capital Improvement Plan.
7. Bid award for Project No. UR-22-B1.
8. Memorandum of Offer to Landowner for a Permanent Easement (Levee and Retaining Wall for Flood Control) and Permanent Easement (Storm Sewer) with Denise M. Thompson (Project No. FM-19-C).
9. Memorandum of Offer to Landowner for a Permanent Easement (Levee and Retaining Wall for Flood Control), Permanent Easement (Storm Sewer) and Easement (Temporary Construction Easement) with Kathleen Bocovich and William Dickson co-personal representatives of Mary Jane Dickson (Project No. FM-19-C).
10. Storm Sewer Easement Payment Form with Dalton P. and Gabriela J. Yagow.
11. Reallocation of funds in the amount of \$137,500.00 for the Newman Outdoor Field repairs, pending approval by the Finance Committee.
12. Sole Source Procurement in the amount of \$51,908.24 with Christiansons Business Furniture for furniture at the Mercantile PD Substation and Interstate Parking offices, pending approval by the Finance Committee (SSP21082).
13. Receive and file General Fund-Budget to Actual through June 2022 (unaudited).
14. State Water Commission request for cost reimbursement for the Fargo-Moorhead Metropolitan Area Flood Risk Management Project in the amount of \$1,224,134.73.
15. Notice of Grant Award from the ND Department of Health for Women's Way (CFDA #93.898).
16. Notice of Grant Award from the ND Department of Commerce/DCS for the Emergency Solutions Grant (CFDA #14.231).
17. Contract with JLG Architects for the Fargo Public Library Facilities Master Planning.
18. Inter-local Agreement with Cass County and allocation of the 2022 Edward Byrne Memorial Justice Grant (JAG) Program Funding (CFDA #16.738).
19. Bid award for fuel purchasing in the 1st and 2nd Quarters of 2023 (RFV23003).
20. Public Transportation Agency Safety Plan.
21. North Dakota Department of Transportation State Aid for Public Transit Agreement.
22. Bills.
23. Change Order Nos. 38-40 in the amount of \$28,019.70 and three-day calendar time extension to Improvement District No. BN-19-A2.
24. Change Order No. 2 in the amount of \$69,910.00 for Improvement District No. BN-21-A0.
25. Change Order No. 1 in the amount of \$120,385.00 and time extension for Milestone No. 2 adjusting the completion date to 9/28/22 for Improvement District No. BN-22-A1.

26. Change Order No. 1 in the amount of \$50,197.73 and time extension to the substantial and final completion dates to 8/8/22 and 9/8/22 for Improvement District No. BN-22-B1.
27. Change Order No. 1 in the amount of \$2,665.00 and time extension to the substantial and final completion dates to 9/28/22 and 10/26/22 for Improvement District No. BR-22-F1.
28. Create Improvement District No. BN-22-C.

#### **REGULAR AGENDA:**

29. **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)).**
30. **\*Public Input Opportunity\* - PUBLIC HEARINGS - 5:15 pm:**
  - a. Urban Plains by Brandt First Addition (2901 Uptown Way South); approval recommended by the Planning Commission on 7/5/22:
    1. Zoning Change to repeal and re-establish a C-O, Conditional Overlay in the LC, Limited Commercial zoning district.
    2. 1st reading of rezoning Ordinance.
31. Request for Resolution of Necessity for acquisition easements for the properties at 131 South Woodcrest Drive North, 137 South Woodcrest Drive North and 149 South Woodcrest Drive North.
32. Recommendation to create a fact sheet and modify the process to require residents to contact Engineering prior to starting work on sanitary sewer repairs.
33. Request from Commissioner Strand to direct the City Attorney to draft a Resolution for an Amendment to the Home Rule Charter to add two Commissioners to the Board of City Commissioners.
34. Recommendation for the City Administrator selection process.
35. Recommendation to direct the Engineering Department to amend the Documented CatEx and present a Change Order to the contract for the 32nd Avenue Reconstruction project to include a right turn lane onto 25th Street.
36. Request for an extension to the Compliance Order for 717 3rd Avenue North (Beebe House).
37. Recommendations for the Sidewalk Entertainer, Pushcart Vendors and Noise Ordinances.
38. Application for Property Tax Exemptions for Improvements Made to Buildings for Bunnie R. Messelt T/O/D, 3302 11th Street South (5 year).
39. 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).