

FARGO CITY COMMISSION AGENDA
Monday, November 14, 2022 - 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, October 31, 2022).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Purchase Agreement with 701 Brew LLC for property at 714 12th Street North.
- 2. Findings of Fact, Conclusions and Order and Notice of Entry of Order for 509 21st Street North.
- 3. Findings of Fact, Conclusions and Order and Notice of Entry of Order for 812 7th Street North.
- 4. Receive and file Notice of Appeal of Decision of Local Governing Body Romantix-Fargo, Inc. v. City of Fargo and Nicole Crutchfield.
- 5. 2nd reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in Chas A. Roberts Addition.
- 6. Application for Games of Chance for El Zagal Holding Company for a raffle on 2/18/23.
- 7. Receive and file General Fund – Budget to Actual through October 2022 (unaudited).
- 8. Agreement for Downtown Business Improvement District Services and Materials with the Downtown Community Partnership beginning 1/1/23 through 12/31/27.
- 9. Change Order No. 2 in the amount of -\$7,842.00 and a time extension to the completion date to 10/19/22 for Project No. FM-19-C1.
- 10. Negative Final Balancing Change Order No. 3 in the amount of -\$97,977.10 for Project No. HD-19-A1.
- 11. Change Order No. 1 in the amount of \$80,854.40 for Project No. SL-22-A1.
- 12. Change Order No. 2 in the amount of \$74,316.50 for Project No. TM-22-A1.
- 13. Preliminary Engineering Reimbursement Agreement with the ND Department of Transportation for the 19th Avenue North Chip Seal Project.
- 14. Bid award for Project No. FM-21-A2.

15. Assessment of 31.5 days of liquated damages on Project No. BN-19-A2.
16. State Water Commission request for cost reimbursement for the Fargo-Moorhead Metropolitan Area Flood Risk Management Project in the amount of \$1,153,591.33.
17. 90-day extension of FMLA for Fire Captain Jason Gisselbeck.
18. Sole Source Procurement with Center for Public Safety Excellence, Inc. in the amount of \$17,820.00 and Professional Services Agreement for the updating of the Fire Department's Strategic Plan in 2023.
19. Notice of Grant Award from the ND Department of Health and Human Services for Childhood Obesity Prevention (CFDA #93.994).
20. Receive and file September traffic enforcement efforts and 3rd Quarter hate crime updates.
21. Bid award for Water Treatment Plant Chemical Bids for 2023 (AFB23007).
22. Bid award for Water Reclamation Utility Chemical Bids for 2023 (AFB23008).
23. Contract and bond for Project No. UR-22-C1.
24. Bills.
25. Agreement for Engineering Services with Houston Engineering, Inc. for Improvement District No. BN-23-A2.
26. Memorandum of Offer to Landowner for an Easement (Temporary Construction Easement) and Permanent Easement (Street and Utility) with Howard C. and Barbara A. Gensler in association with Improvement District No. BN-23-A.
27. Early Building Permit Application and Agreement for property located at 2983 43rd Street North (Improvement District No. BN-22-C1).
28. Early Building Permit Application and Agreement for property located at 5624 Tillstone Drive South (Improvement District No. BN-22-F1).
29. Negative Final Balancing Change Order No. 2 in the amount of -\$25,402.86 for Improvement District No. PR-22-E1.

REGULAR AGENDA:

30. **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).**
31. ***Public Input Opportunity* - PUBLIC HEARINGS - 5:15 pm:**
 - a. Hearing to consider a Development Agreement with Great Plains NP Holdings, LLC to build and operate a parking garage to be located at 602-636 Northern Pacific Avenue; continued from the 10/31/22 Regular Meeting.
 - b. Renaissance Zone Project with EPIC Unite Real Estate Holdings, LLC for a new construction project at 234 Main Avenue.

- c. Fitzsimonds Second Addition (3716, 3740 and 3750 51st Avenue South); approval recommended by the Planning Commission on 8/2/22:
 1. Zoning Change to repeal and re-establish a C-O, Conditional Overlay in the GC, General Commercial zoning district.
 2. 1st reading of rezoning Ordinance.
 3. Plat of Fitzsimonds Second Addition.
32. Recommendation to create a Downtown Oversight Committee.
33. Recommendation to approve the Red River Regional Dispatch Center (RRRDC) Joint Powers Agreement and to appoint Mayor Timothy Mahoney and Commissioner Denise Kolpack as members of the RRRDC Board of Authority.
34. Recommendation for appointment to the Planning Committee of the Metro Flood Diversion Authority.
35. Recommendation to authorize negotiation of a Sewer Agreement with Commerce on I29 Association.
36. 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.