

FARGO CITY COMMISSION AGENDA  
Monday, August 7, 2023 - 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 24, 2023 and Special Meeting, July 31, 2023).

**CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. Sole Source Procurement with Hamre, Rodriguez, Ostrander & Prescott, P.C. for a third party review of the Project Participation Agreement (PPA) associated with the RRVWSP (SSP23144).
- 2. 2nd reading and final adoption of an Ordinance Amending Section 25-1506 of Article 25-15 of Chapter 25 of the Fargo Municipal Code, Relating to Licenses-Classifications; 1st reading, 7/24/23.
- 3. Extension to Settlement Agreement and Release with James and Joyce Lepine for property located at 714 Hackberry Drive.
- 4. Resolution Establishing Commercial Pedal Car Fees.
- 5. Site Authorizations for Games of Chance:
  - a. Fargo Youth Hockey Association at Country Inn & Suites.
  - b. Fargo Metro Baseball Association at Applebee's Grill and Bar – North Fargo.
  - c. Fargo Metro Baseball Association at Applebee's Grill and Bar – 13th Avenue.
  - d. Fargo Metro Baseball Association at Applebee's Grill and Bar – 45th Street.
- 6. Applications for Games of Chance:
  - a. NDSU Foundation for a raffle and raffle board on 9/30/23.
  - b. New Life Center for a raffle on 9/19/23.
  - c. St. John Paul II Catholic Schools for a calendar raffle from 8/25/23 to 10/13/23.
  - d. Sts. Anne and Joachim Church for a raffle on 11/12/23.
  - e. El Zagal Outdoors Unlimited for a raffle on 8/10/23 and 8/31/23.
  - f. Fargo Davies High School for a calendar raffle from 11/21/23 to 2/17/24.
  - g. Fargo Davies High School for a calendar raffle from 8/24/23 to 5/21/24.
- 7. Negative Final Balancing Change Order No. 1 in the amount of -\$135,525.50 for Project No. UR-21-B1.
- 8. Negative Final Balancing Change Order No. 4 in the amount of -\$32,550.47 for Project No. UR-21-A1.

9. Bid award to Excavating, Inc. – Fargo in the amount of \$150,490.00 for Project No. FM-15-F3.
10. Bid advertisement for Project No. BP-23-0.
11. ND Department of Transportation Cost Participation, Construction and Maintenance Agreements - LPA Federal Aid Project for Project Nos. SN-23-A1 and SN-23-B1.
12. Addendum to Encroachment Agreement with TD Companies, LLC d/b/a TD Companies, LLC – 7th Ave – Series 2 for property located at 704 38th Street North.
13. Developer Agreement with EagleRidge Development, LLC for Veterans Industrial Park Subdivision.
14. Developer Agreement with Four Horseman, LLC for Radio Second Addition.
15. Memorandum of Offer to Landowner for Easement (Temporary Construction Easement) with Jonathon K. and Sadie M. Erickson (Project No. FM-19-C).
16. Change Order No. 1 in the amount \$55,411.82 for Improvement District No. PN-22-M1.
17. Change Order No. 1 in the amount of \$167,295.00 for Improvement District No. UN-23-A1.
18. Change Order No. 3 in the amount of \$15,000.00 for Improvement District No. BN-22-C1.
19. Negative Final Balancing Change Order No. 1 in the amount of -\$7,527.50 for Improvement District No. AN-21-A1.
20. Negative Final Balancing Change Order No. 2 in the amount -\$1,847.80 for Improvement District No. TN-22-A1.
21. Easement (Temporary Construction Easement) with Kurt Altenburg (Improvement District No. BR-24-A1).
22. Easement (Temporary Construction Easement) with Jeffrey Ware and Jay Jansen (Improvement District No. BR-24-A1).
23. Easement (Temporary Construction Easement) with Bruce Thompson (Improvement District No. BR-24-A1).
24. Memorandum of Offer to Landowner for Easement (Temporary Construction Easement) with Southgate Properties, LLP (Improvement District No. BR-23-G2).
25. Memorandum of Offer to Landowner for Easement (Temporary Construction Easement) with Dakota Boys & Girls Ranch Foundation (Improvement District No. BR-23-G2).
26. Contract and bond for Improvement District No. BN-23-C1.
27. Bid award and Contract with Amy's Windows in the amount of \$122,550.00 for the Fargo Public Library Sunshades Replacement Project (RFP23090).
28. Purchase of ten copiers from Advanced Business Solutions in the amount of \$114,149.80 utilizing the State contract (PBC23131).

29. Amendment No. 2 to Professional Services Agreement with Berry, Dunn, McNeil and Parker, LLC (RFP21029).
30. Purchase of Service Agreement with Families United for Self-Employment (FUSE) Independent Contractor Victoria Johnson (SSP23149).
31. Notice of Subaward from the ND Department of Environmental Quality for Water Pollution – EPA Block (ALN #66.605).
32. Financial Award from the ND Housing Finance Agency for the ND Homeless Grant.
33. Memorandum of Understanding with the ND Department of Health and Human Services.
34. Notice of Grant Award from the ND Department of Health and Human Services for Monkeypox vaccination and education (ALN #93.354).
35. Market adjustments for Maintenance Technician I, II and III positions in all departments and the Maintenance Supervisor position in Facilities Management effective 8/7/23.
36. Resolution Approving Plat of Commerce on 12th Eighth Addition.
37. Resolution Approving Plat of Green Acres Second Addition.
38. Bid award to Northdale Oil, Inc. for fuel purchasing in the 1st and 2nd Quarters of 2024 and execute the Forward Fuel Contract (RFP23119).
39. Bid award to RDO Equipment in the amount of \$119,000.00 for one tractor loader backhoe (RFP23137).
40. Bid award to Nelson Auto Center in the amount of \$64,982.14 for the purchase of one Ford F-450 (PBC23377).
41. Request to carry encumbered funds from the 2022 vehicle replacement budget forward to the 2023 budget.
42. Amendment to Joint Powers Agreement for Transit Support with North Dakota State University for the 2023-2024 school year.
43. Contract Agreement with Peterson Mechanical, Inc. for the tankless hot water heater project at the Water Treatment Plant (Project No. WA2206) (RFP23105).
44. Sole Source Procurement with Avista Technologies, Inc. for the annual purchase of the Reverse Osmosis System chemicals to be used in the Membrane Water Treatment Plant (SSP23126).
45. Sole Source Procurement with Zenon Environmental Corporation for annual replacement of the ultrafiltration modules in the Membrane Water Treatment Plant (SSP23127).
46. Bills.

## REGULAR AGENDA:

47. **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](http://FargoND.gov/VirtualCommission)).**

### **\*Public Input Opportunity\* - PUBLIC HEARINGS - 5:15 pm:**

48. **PUBLIC HEARING** – Special Assessments for Maintenance of Skyway System.
49. **PUBLIC HEARING** – Special Assessment of Nuisance Abatement Fees.
50. Update on the 10th Street and University Drive Corridor Study.
51. Update on HB 1340 (Firearms).
52. Recommendation to adopt a Resolution Establishing Procedure for Issuance of Additional Liquor Licenses.
53. Recommendation to approve the Mayor’s 2024 Preliminary Budget and set the Public Hearing date for Monday, September 18, 2023 at 5:15 p.m.
54. Recommendation for appointment to the Liquor Control Board.
55. Applications for Property Tax Exemptions for Improvements Made to Buildings:
  - a. Mark and Mary Hartje, 214 21st Avenue North (5 year).
  - b. Chad and Angeline Walswick, 2709 11th Street South (5 year).
  - c. Renae Mathison, 1644 11th Street North (5 year).
  - d. Robert and Patricia Edlund, 3202 Hickory Street North (5 year).
  - e. Christopher and Breanna Volk, 1805 6th Avenue South (5 year).
  - f. Brent and Mary Jo Qualey, 813 South Drive South (5 year).
  - g. Darnell Lundstrom and Judith Hornseth, 508 23rd Avenue South (5 year).
  - h. Wade Lindgren, 1022 28th Street South (5 year).
  - i. Michael and Beth Astrup, 129 Eagle Street North (5 year).
  - j. Todd Evensen and Melissa Benson, 1819 23rd Street South (5 year).
  - k. Ronald Holmquist, 306 28th Avenue North (5 year).
  - l. D. James and Cynthia O’Day, 2991 Peterson Parkway North (5 year).
  - m. Stanley and Lori Morlock, 901 19th Street South (5 year).
  - n. Jeffrey and Heather Rotar, 1249 4th Street North (5 year).
56. 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](http://www.FargoND.gov/CityCommission).