

FARGO CITY COMMISSION AGENDA  
Monday, March 6, 2023 – 5:00 P.M.

Executive Session at 4:30 p.m.

Roll Call.

**PLEASE NOTE:** The City Commission will convene at 4:30 p.m. and retire into Executive Session for the purpose of attorney consultation regarding pending opioid litigation with Teva, Allergan, CVS, Walgreens and Walmart, to receive its attorneys' advice and guidance on the legal risks, strengths and weaknesses of an action of a public entity, which, to discuss these matters in open meeting will have a negative fiscal effect on the bargaining and/or litigation position of the City. Thus, an Executive Session for these matters is authorized pursuant to North Dakota Century Code 44-04-19.1 subsections 2, 5 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, February 21, 2023; Special Meeting, February 28, 2023).

**CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. 2nd reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in Duane's Pizza Addition; 1st reading, 2/21/23.
- 2. Notification to Red River Properties of the City's intent to exercise the purchase option for the building and land located at 105 25th Street North and 131 24th Street North.
- 3. City of Fargo Resolution Authorizing Officers to Make Deposits and Withdrawals.
- 4. Applications for Games of Chance:
  - a. Essentia Health Fargo Foundation for a raffle on 3/23/23.
  - b. GiGi's Playhouse for a raffle on 3/24/23.
  - c. NDSU Lions Club for a raffle on 3/23/23.
  - d. NDSU Sigma Alpha Professional Agricultural Sorority for a raffle on 3/25/23.
  - e. Veterans Honor Flight of ND/MN for a calendar raffle from 3/7/23 to 3/5/24.
- 5. Negative Final Balancing Change Order No. 3 in the amount of -\$421,111.14 for Improvement District No. PR-22-F1.
- 6. Memorandum of Offer to Landowner for Easements (Temporary Construction Easement) and Permanent Easements (Water Main) with the State of North Dakota and the North

Dakota State Board of Higher Education on Behalf of the North Dakota State University of Agriculture and Applied Science (Improvement District No. UN-23-A1).

7. Memorandum of Offer to Landowner for Permanent Easement (Sanitary Sewer) with the State of North Dakota and the North Dakota State Board of Higher Education on Behalf of the North Dakota State University of Agriculture and Applied Science (Improvement District No. BN-22-C1).
8. Bid advertisement for Project No. PR-23-F.
9. Bid advertisement for Project No. SR-23-B.
10. Bid advertisement for Project No. UN-23-B.
11. Skyway Mosaic Artwork Project License Agreement with Thomas Schmidt and LesleyAnne Buegel.
12. Amendment to Right of Way Agreement with Bell Bank and Olaf Anderson, Inc.
13. Settlement Agreement and Release; Permanent Easement (Levee and Retaining Wall for Flood Control); Permanent Easement (Storm Sewer); and Easement (Temporary Construction Easement) with Stanton L. Andrist and Jan C. Nelson for property located at 131 South Woodcrest Drive North (Improvement District No. FM-19-C).
14. Create Improvement District No. BR-23-F.
15. Engineering Services with KLJ to provide a MEP Assessment of the Police Department building.
16. Agreement with Richland County Health Department.
17. Agreement for Services with FM Wellness Coalition and North Dakota State University.
18. Amendment to Agreement for Services with Great Outcomes Consulting, LLC (SSP23052).
19. Request to implement the CredibleMind Platform (SSP23053).
20. Variance Acknowledgement and Liability Waiver with Park District of the City of Fargo for property located at 502 1st Avenue South.
21. Cost share for the Growth Plan Consultant Services, as presented (RFP22106).
22. Reject and reissue the proposals for a compact track/wheel loaders and utility work machines with alternative terms (RFP23042A and RFP23042B).
23. Four month lease extension with AT&T to keep wireless equipment on Water Tower No. 1 until 9/30/23.
24. Bid advertisement for Project No. WA2255.
25. Bills.

## REGULAR AGENDA:

26. **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:**

27. PUBLIC HEARING – Plat of Dakota Air Parts Addition (2505 39 1/2 Avenue North; 3910 and 4020 25th Street North).
28. PUBLIC HEARING – Sewer Repair Assessments for 2022.
29. Recommendations for Federal Aid Transportation Project Applications Urban Grant Program Year 2025 and Urban Regional Roadway Program Year 2027.
30. Recommendation to draft the appropriate Ordinances to establish the parameters for operation of a pedal tour business.
31. Recommendation for appointments to the Arts and Culture Commission.
32. Spring Flood Outlook.
33. Legislative Update.
34. Recommendation to join Governor Burgum, the Chamber and others to grow the City's workforce.
35. 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).