

FARGO CITY COMMISSION AGENDA
Tuesday, September 5, 2023 - 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, August 21, 2023).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Letter of Support for the Beyond Boundaries project to the ND Opportunity Fund.
- 2. Receive and file an Ordinance Amending Section 8-1321 of Article 8-13 of Chapter 8 of the Fargo Municipal Code Relating to Use of Safety Belts Required in Certain Motor Vehicles.
- 3. 2nd reading and final adoption of an Ordinance Rezoning a Certain Parcel of Land Lying in Wentz Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 8/21/23.
- 4. 2nd reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in University South Fourth Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 8/21/23.
- 5. Gaming Site Authorization for the Fargo Post 2 Baseball Club at El Zagal.
- 6. Applications for Games of Chance:
 - a. North Dakota Dental Foundation for a raffle on 9/14/23.
 - b. Dakota Medical Foundation – Henrik’s Heroes for a raffle on 9/7/23.
 - c. Abou Zahr Benefit for a raffle on 9/11/23; Public Spirited Resolution.
 - d. Hope, Inc. for a raffle on 11/21/23.
 - e. North Dakota CPA Society Foundation for a raffle on 9/19/23.
 - f. United Way of Cass-Clay for a raffle and raffle board on 10/19/23 and 10/27/23.
 - g. United Way of Cass-Clay for a raffle board on 9/15/23.
 - h. Fargo Area Conservatives PAC for a raffle on 12/8/23.
 - i. North Dakota Long Term Care Association for a raffle on 9/27/23.
- 7. Direct the City Attorney to amend the Fargo Municipal Code to allow the Fargo Police Department or its designee to boot or tow for unpaid parking citations.
- 8. Appoint Commissioner Strand as the Liaison Commissioner to the Civil Service Commission.
- 9. Indemnity Agreement with the Metro Flood Diversion Authority for the Southwest Metro Regional Pond (Project No. FP-19-A).

10. Resolution ratifying the Mayoral Signature on the permanent bike trail easement and a temporary construction easement from TLofts U32 Properties, LLC (Project No. SN-23-A).
11. Change Order No. 1 in the amount of \$13,739.68 and time extension to the substantial and final completion dates to 6/15/24 and 7/15/24 for Improvement District No. BN-22-G1.
12. Negative Final Balancing Change Order No. 4 in the amount of -\$97,573.92 for Improvement District No. BR-22-B1.
13. Change Order No. 1 in the amount of \$29,108.91 for Improvement District No. UR-23-A1.
14. Memorandum of Offer to Landowner for an Easement (Temporary Construction Easement) with Blue Moon Holdings, LLC (Improvement District No. BR-23-G2).
15. Easement (Temporary Construction Easement) with Dakota Flats, LLC (Improvement District No. BR-24-A1).
16. Change Order No. 5 in the amount of \$22,420.00 for the GTC Underground Parking Garage (AFB20017).
17. Amendment to the Professional Services Agreement with JLG Architects in the amount of \$6,500.00 for the Fargo Police Department Master Facility Planning (RFP23078).
18. Amendment to the Professional Services Agreement with JLG Architects in the amount of \$35,500.00 for the Fargo Public Libraries Sunshades Replacement Project (RFQ23059).
19. Agreement with R.L. Engebretson Architects Fargo LLC for the Newman Outdoor Field exiting improvements (SSP19112).
20. Budget adjustment in the amount of \$186,544.00 from Fund 101 to Fund 411 related to the 2023 Spring Flood emergency.
21. Agreement with AE2S Communications for the Tobacco Media Campaign (RFP23120).
22. Purchase of Service Agreement with the ND Department of Health and Human Services for Emergency Response Services (CFDA #93.069).
23. Purchase of Service Agreement with The Medicine Shoppe.
24. Purchase of Service Agreement with Southeast Human Service Center (RFP23120).
25. Notice of Subaward from the ND Department of Environmental Quality for Abandoned Auto Program.
26. Piggyback purchase through the Minnesota State Contract with EnviroTech Services for the purchase of an ice slicer at a cost of \$209.43 per ton (PBC23152).
27. Bid award to Bailey Nurseries, Inc. in the amount of \$65,106.23 plus shipping for the 2024 spring tree order (RFP23151).
28. Amendment to Contract No. 38220653 with the ND Department of Transportation.
29. Bills.

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).**

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

31. **PUBLIC HEARING** – Hearing on a dangerous building located at 1449 4th Avenue South.
32. **PUBLIC HEARING** - Appeal of a Planning Commission decision on 8/1/23 to approve a Conditional Use Permit (CUP) that would allow Group Living in the SR-4, Single-Dwelling Residential zoning district on Lot 7, Block 1, Golden Valley Second Addition (2545 69th Avenue South).
33. Update on the NDSCS Career Workforce Academy.
34. Project Update for Main Avenue from University Drive to 25th Street.
35. Recommendation for appointment of the Director of Finance.
36. Recommendation to approve the Third Amendment to the Developer Agreement with Great Plains NP Holdings, LLC for the NP Parking Garage.
37. Recommendation for an extension to no later than October 30, 2023 for repairs to a Dangerous Building located at 437 23rd Street South.
38. Recommendation to approve the Agreement on Use of Opioid Settlement Funds.
39. Recommendation to approve the Ground Lease with the Red River Regional Dispatch Center for property adjacent to 4630 15th Avenue North.
40. FARGODOME Remodeling and Conference Center Project:
a. Letter of Recommendation from the Fargo Dome Authority.
b. Recommendation to adopt a Resolution (Amendment of Home Rule Charter Lodging/Sales and Use Tax).
1. Receive and file an Ordinance Enacting Article 3-24 of Chapter 3 of the Fargo Municipal Code Relating to a Lodging Tax for Fargodome Including Conference Center.
2. Receive and file an Ordinance Enacting Article 3-25 of Chapter 3 of the Fargo Municipal Code Relating to a Sales Tax for Fargodome Including Conference Center.
c. Recommendation to adopt a Resolution (Special Election Matters – Lodging/Sales and Use Taxes).
41. 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.