

FARGO CITY COMMISSION AGENDA
Monday, April 15, 2024 – 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 in the Red River Room for the purpose of attorney consultation regarding Case Number 09-2023-CV-02540 titled “City of Fargo v. State of North Dakota” and that discussing the risks, strengths or weaknesses of an action of the public entity in an open meeting will have a negative fiscal effect on the bargaining and/or litigation position of the City of Fargo. An Executive Session in accordance with North Dakota Century Code Section 44-04-19.2 for said matters is authorized pursuant to North Dakota Century Code §44-04-19.1 subsection 2.

Regular Meeting at 5:00 P.M.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at 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 FargoND.gov/CityCommission.

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, April 1, 2024).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Letter of Support for the Hale Properties and Sioux Surgical application to the ND Opportunity Fund.
- 2. 2nd reading and final adoption of an Ordinance Amending Section 1-0305(A)(1) of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classification of Ordinance Violations; 1st reading, 4/1/24.
- 3. 2nd reading and final adoption of an Ordinance Rezoning a Certain Parcel of Land Lying in Golden Valley Fourth Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 4/1/24.
- 4. Gift Agreement and Quit Claim Deed with Lake Agassiz Habitat for Humanity, Inc.
- 5. Findings of Fact, Conclusions and Order of the Board of City Commissioners of the City of Fargo for property located at 1022 9th Avenue North.
- 6. Findings, Conclusions and Order of the Board of City Commissioners of the City of Fargo regarding the Liquid Hospitality, LLC d/b/a Windbreak Saloon License Violation.
- 7. Site Authorizations for Games of Chance:
 - a. Boys and Girls Club of the Red River Valley at Suite Shots (5/6/24).

- b. North Dakota Association for The Disabled, Inc. at Bulldog Tap.
 - c. North Dakota Association for The Disabled, Inc. at Cowboy Jack's.
 - d. North Dakota Association for The Disabled, Inc. at O'Kelly's.
 - e. Northern Prairie Performing Arts at SouthTown PourHouse.
 - f. Northern Prairie Performing Arts at The Windbreak.
 - g. Fraser Ltd. at Golf Addiction.
 - h. Fraser Ltd. at Space Aliens.
 - i. Fraser Ltd. at Cairo Restaurant and Bar.
 - j. Red River Human Service Foundation at Doublewood Lounge.
 - k. Red River Human Service Foundation at Fargo Elks Lodge #260.
8. Applications for Games of Chance:
 - a. Bella Garcia Fundraiser for a raffle on 4/28/24; Public Spirited Resolution.
 - b. Hope Blooms for a raffle board on 5/7/24.
 - c. Lincoln Elementary PTA for a raffle on 4/26/24.
 - d. Benefit for Buretta Family for raffle on 4/27/24; Public Spirited Resolution.
 - e. Pray for Gray for a raffle on 5/10/24.
 - f. El Zagal Provost Guard for a raffle on 9/12/24.
 - g. Red River Valley Woodcarvers for a raffle, calendar raffle and raffle board 4/26/24-4/28/24.
 9. Sponsorship of the 2024 Juneteenth event up to \$15,000.00.
 10. Revisions to the Excavation Fees and Guidelines, as presented.
 11. Developer Agreement with Scheels All Sports, Inc. for Crossroads Corporate Center Second Addition.
 12. Change Order No. 1 in the amount of \$38,420.00 for Project No. ER-23-A1.
 13. Bid advertisement for Project No. UR-24-G.
 14. Bid award to Border States Paving, Inc. in the amount of \$638,811.80 for Project No. SR-24-B1.
 15. Contract and bond for Project No. PR-24-C1.
 16. Contract and bond for Project No. TM-24-A1.
 17. Final Balancing Change Order No. 2 in the amount of \$0.00 for Improvement District No. UR-23-C1.
 18. Memorandum of Offer to Landowner for Permanent Easement (Sidewalk) with L S Development, LLP (Improvement District No. SR-24-B1).
 19. Easement (Temporary Construction Easement) with North Dakota State University Development Foundation (Improvement District No. BR-24-F1).
 20. Create Improvement District No. AN-24-A (Alley Paving).
 21. Create Improvement District No. PR-24-A (Concrete Paving Rehab/Lane Widening).

22. Bid award to Master Construction Company, Inc. in the amount of \$1,253,194.00 for Improvement District No. BN-24-A1.
23. Access Easement (44th Street and Utilities) with Southeast Cass Water Resource District (Improvement District No. BN-24-B1).
24. Contract and bond for Improvement District No. PR-24-F.
25. Items from the FAHR Staff meeting:
 - a. Budget adjustment using CDBG funds in the amount of \$124,034.00 for downtown mobile unit.
 - b. Funding in the amount of \$21,500.00 for an investigation and report on the North Parking Deck at City Hall.
 - c. Adjusted bid award to Bailey Nurseries in the amount of \$82,500.00 (RFP23151).
 - d. Early order for 4 trucks for Solid Waste totaling approximately \$1.25 million.
 - e. Extension of the Prairie Public Lease Agreement to include the two, 3-month extension option at a rate of \$18,667.67/month from 5/24-10/24.
 - f. Purchase Agreement with Holm Properties, LLC for City owned property located at 924 15th Street North.
26. Resolution Authorizing the Issuance and Sale of \$25,705,000.00 City of Fargo Refunding Improvement and Refunding Improvement Refunding Bonds, Series 2024 (Improvement District No. FP-19-A).
27. Selection of the top three submissions of artwork for bus wraps.
28. Resolution approving Plat of The Pines at the District Sixth Addition.
29. Resolution approving Plat of Crossroads Corporate Center Second Addition.
30. Resolution approving Plat of Brekke's Addition.
31. Notice of Grant Award from the ND Department of Emergency Services for FY2023 State Homeland Security Program for the purchase of a TCV from NABCO for the Red River Valley Bomb Squad (CFDA #97.067) (RFP24162).
32. Direct the City Attorney's Office to Amend Fargo Municipal Code 5-0406 - Terms of Office.
33. Receive and file Bias Motivation and Hate Crime Report for year-end 2023.
34. Extension of unpaid leave for Brett Schaible through 7/9/24.
35. Bills.

REGULAR AGENDA:

36. **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).**
37. Presentation from Michelle Rydz from the High Plains Fair Housing Center to discuss demographic trends in Fargo neighborhoods.

38. Presentation of the Board of City Commissioners Governance Policies.
39. Update on the Riverfront Renewal Plan and Tax Increment Financing District.
40. Recommendation for amendments to the Tax Increment Financing (TIF) Policy.
41. Recommendation to direct the Police Chief and City Attorney to research what would be required to enforce the law in regards to vehicles that are illegally altered for creating noise.
42. Recommendation to award the bid for Improvement District No. BN-23-E1.
43. Applications for Property Tax Exemptions for Improvements Made to Buildings:
 - a. Bell Bank, 520 Main Avenue (5 years).
 - b. Austin and Annika Avery, 1532 36th Avenue South (5 years).
44. Recommendation for appointments to the following Boards and Commissions:
 - a. Municipal Airport Authority.
 - b. Fargo Dome Authority.
45. 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 web site at FargoND.gov/CityCommission.