

## FARGO CITY COMMISSION AGENDA

Monday, April 29, 2024 - 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, April 15, 2024).

### **CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. Tax Increment Note and Certificate of Completion with J-Street Properties, LLC.
- 2. Agreement for Special Improvements with Dakota Commerce Center 5 LLC (Improvement District No. BN-23-F1).
- 3. Direct the City Attorney to make the necessary changes to the Fargo Municipal Code 25-1509.1 to allow an event vendor to supply their own alcoholic beverage vessel.
- 4. Receive and file the Summons and Complaint relating to 501 Main Ave DevCorp, LLC v. City of Fargo.
- 5. Receive and file an Ordinance Amending Section 25-1504.1 of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages.
- 6. Site Authorizations for Games of Chance:
  - a. American Gold Gymnastics, Inc. at The Box.
  - b. Fargo Angels Hockey Club at Double Down Bar Grill Casino.
  - c. Fargo Youth Hockey Association at Buffalo Wild Wings-19th.
  - d. Fargo Youth Hockey Association at Buffalo Wild Wings-42nd.
  - e. Metro Sports Foundation at Mexican Village.
  - f. Metro Sports Foundation at Brewtus Clubhouse.
  - g. Prairie Public Broadcasting, Inc. at Bison Turf.
  - h. Prairie Public Broadcasting, Inc. at Dempsey's.
  - i. Prairie Public Broadcasting, Inc. at Pepper's.
  - j. Prairie Public Broadcasting, Inc. at Slammer's Sports Bar.
  - k. Prairie Public Broadcasting, Inc. at Tailgator's.
  - l. Red River Human Service Foundation at Sickies on 45th.
  - m. Red River Human Service Foundation at The Northern.
  - n. Team Makers Club, Inc. at Frank's Lounge.
  - o. Team Makers Club, Inc. at King Pinz.
  - p. Team Makers Club, Inc. at Lucky's 13 Pub.
  - q. Team Makers Club, Inc. at Sanford Heath Athletic Complex-Scheel's Arena (SHAC).

7. Applications for Games of Chance:
  - a. Bethlehem Lutheran Church for a raffle on 5/29/24.
  - b. Fargo All Stars Family for a raffle on 5/17/24.
  - c. Fargo Youth Baseball for a raffle board on 5/4/24.
  - d. FM Derby Girls for a calendar raffle on 5/18, 6/8, 8/3, 8/24 and 9/28/24.
  - e. Rebuilding Together Fargo-Moorhead Area for a raffle board on 5/9/24.
8. Right of Way Use Agreement with Oak Grove Lutheran School and Olaf Anderson Construction, Inc. for property located at 124 North Terrace North.
9. Farm Lease with Aaron Brakke d/b/a Aaron Brakke Farms for property located at 6851 45th Street South.
10. Memorandum of Offer to Landowner for Easement (Temporary Construction Easement) with Forum Communications Company (Project No. SN-24-A1).
11. Bid advertisement for Project No. UR-24-H.
12. Contract and bond for Project No. SR-24-A1.
13. Memorandum of Offer to Landowner for Permanent Easement (Sidewalk) with Peter M. Stollenwerk and Lorraine R. Stollenwerk, and MIS LLC (Improvement District No. SR-24-B1).
14. Change Order No. 3 in the amount of \$115,097.57 for Improvement District No. BN-23-C1.
15. Capital Improvement Plan Revision for Improvement District No. BR-23-G1.
16. Bid award to Border States Paving, Inc. in the amount of \$2,913,976.48 for Improvement District No. PR-24-G1.
17. Bid award to Master Construction Company, Inc. in the amount of \$1,871,362.80 for Improvement District No. BR-24-F1.
18. Create Improvement District No. AN-24-B (Alley Paving).
19. Contract and bond for Improvement District No. BN-23-E.
20. Contract and bond for Improvement District No. BN-24-A.
21. Items from the FAHR Staff meeting:
  - a. General Fund Budget to Actual through 3/31/24.
  - b. General Fund - 2024 Year End Projections.
  - c. Grant Award/Budget Adjustment in the amount of \$376,000.00 for the Ryan White Part B Program with a budget adjustment in the amount of \$76,000.00.
22. Notice of Grant Award Amendment from the ND Department of Health and Human Services for detection and mitigation of COVID-19 in homeless shelters (CFDA #93.323).
23. Resolution approving Plat of Edition Fourth Addition.
24. Resolution approving Plat of Laverne's Fifth Addition.
25. Receive and file Bias Motivation and Hate Crime 1st Quarter Report.

26. Landscape Maintenance Services Agreement with JT Lawn Services (RFP24140).
27. Piggyback purchase through the State of North Dakota contract with Nelson International for one 2025 International HV613 SBA Water Filtration Sludge truck chassis (PBC24196).
28. Amendment No. 1 with KLJ, Inc. in the amount of \$9,988.78 for the MATBUS Transit Reorganization Study.
29. Change Order No. 1 with Phoenix Fabricators and Erectors, LLC in the amount of \$61,877.55 for Project No. WA1910.
30. Bid advertisement for Project No. WA2451.
31. Bid Award to Park Construction Company in the amount of \$3,720,432.80 for Project No. WW1707.
32. Bills.

#### **REGULAR AGENDA:**

33. **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](https://FargoND.gov/VirtualCommission)).

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

34. **PUBLIC HEARING** – Application for a Class “C” Alcoholic Beverage License for AKC Hoff Co. LLC d/b/a Good Times on NP to be located at 623 NP Avenue.
35. **PUBLIC HEARING** – Erskine’s Addition (1002 and 1008 10th Street South); approval recommended by the Planning Commission on 4/2/24:
  - a. Zoning change from MR-2, Multi-Dwelling Residential and SR-3, Single-Dwelling Residential to P/I, Public and Institutional.
  - b. 1st reading of rezoning Ordinance.
36. **PUBLIC HEARING** - Application filed by NEX Senior, LLC for a Payment in Lieu of Tax Exemption (PILOT) to be located at 1728 42nd Street South which the applicant will use primarily for 40 units of affordable senior housing.
37. Recommendation to adopt a Resolution and Memorandum of Understanding with the Fargo Housing and Redevelopment Authority to provide TIF funds for the Lashkowitz Housing Project.
38. Update on the NP Parking Garage Project.
  - a. Receive and file the Revised Inter-Fund Loan Policy.
  - b. Receive and file an Ordinance Amending Section 4-0402 of Article 4-04 of Chapter 4 of the Fargo Municipal Code Relating to Authorizing the City Commission to Approve Program of Interfund Loans.
39. Update on the Overnight Winter Weather Initiative at the Engagement Center.

40. Recommendation to adopt a Resolution Adopting Governance Policies of the Board of City Commissioners.
  - a. Potential options for reviewing the City's Boards, Commissions and Committees.
41. Recommendation for appointments to the Library Board.
42. 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).