

FARGO CITY COMMISSION AGENDA
Monday, March 4, 2024 - 4:00 p.m.

Roll Call.

PLEASE NOTE: The Board of City Commissioners will convene at 4:00 p.m. in the City Commission Chambers 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 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 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, February 20, 2024).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Letter of Support for the Synclaire Events Center project to the ND Opportunity Fund.
- 2. Letter of Support for the Anvil Design and Manufacturing project to the ND Opportunity Fund.
- 3. 2nd reading and final adoption of an Ordinance Amending Section 31-0102 of Article 31-01 of Chapter 31 of the Fargo Municipal Code Relating to the International Property Maintenance Code; 1st reading, 2/20/24.
- 4. 2nd reading and final adoption of an Ordinance Rezoning a Certain Parcel of Land Lying in Rheault Second Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 2/20/24.
- 5. Site Authorizations for Games of Chance:
 - a. Arc Upper Valley at CJ’s Tavern.
 - b. Boys and Girls Club of the Red River Valley at Fargo Billiards/Gastropub.
 - c. Horse Race North Dakota at The Old Broadway.
- 6. Applications for Games of Chance:
 - a. BPOE Elks Lodge #260 for a calendar raffle every Friday 3/8/24-12/27/24.
 - b. St. Joseph’s School for a raffle on 4/20/24.

- c. Nordic Culture Clubs for a raffle on 4/6/24.
 - d. Jeremiah Program FM for a raffle on 5/3/24.
 - e. FMWF Chamber of Commerce for a raffle on 7/24/24.
 - f. Love your Buns for a raffle on 3/16/24.
 - g. Kappa Delta Sorority for a raffle on 3/28/24.
 - h. Lend A Hand Up for a raffle on 3/16/24.
 - i. Benefit for Krista Stroh on 3/17/24; Public Spirited Resolution.
 - j. Sons of Norway for a raffle on 5/17/24.
7. 2023 CIP Revisions.
 8. Drain Reconstruction and Exchange Agreement (Cass County Drain No. 10), Limited Warranty Deeds and Access Easements with Southeast Cass Water Resource District and Sysco North Dakota, Inc. d/b/a Sysco Food Services of North Dakota, Inc.
 9. Consent to Construction Agreement with Paul and Kathryn Lindquist for property located at 1443 75th Avenue South.
 10. Consent to Construction Agreement with Franklin T. and Wendy S. Fisher for property located at 1455 75th Avenue South.
 11. Bid awards for Project No. NR-24-B1:
 - a. General construction contract to Key Contracting, Inc. in the amount of \$4,902,904.00.
 - b. Electrical construction contract to Sun Electric, Inc. in the amount of \$166,000.00.
 12. Bid award to Industrial Builders, Inc. in the amount of \$2,549,697.75 for Project No. FM-24-A1.
 13. Bid award to Key Contracting, Inc. in the amount of \$8,672,957.00 for Project No. NR-24-A1.
 14. Bid award to Asphalt Surface Tech Corp in the amount of \$90,810.00 for Project No. PR-24-C1.
 15. Bid advertisement for Project No. SR-24-B.
 16. Change Order No. 2 in the amount of \$46,950.74 and time extension to the substantial and final completion dates to 6/3/23 and 5/31/24 for Improvement District No. BN-22-L1.
 17. Consulting Engineering Services with Moore Engineering, Inc. for Improvement District No. BR-26-G0.
 18. Memorandum of Understanding Regarding Easements and Restoration of Parking Surface, Easement (Temporary Construction Easement), Permanent Easements (Storm Sewer Lift Station and Utility), Permanent Easement (Water Main) and Permanent Easement (Storm Sewer and Utility) with the Park District of the City of Fargo (Improvement District No. NR-24-B1).
 19. Bid award to Asphalt Preservation Company, Inc. in the amount of \$1,617,606.87 for Improvement District No. PR-24-E1.
 20. Create Improvement District No. BN-23-F (New Paving and Utility Construction).

21. Property Damage Release with Abrahamson Services LLC dba Valley Green & Associates and SECURA Insurance Company.
22. Receive and file General Fund – Budget to Actual through 1/31/24.
23. Task Order No. 1 with KLJ Engineering Inc. in an amount not to exceed \$248,100.00 for Fire Station No. 5 (RFP24010).
24. Addendum to Provision of Nursing Services for the Northern Cass Public School District.
25. Letter of Agreement with AE2S Communications to provide communications and marketing assistance to Fargo Cass Public Health.
26. Notice of Grant Award with the ND Department of Health and Human Services for Title X Family Planning Program (CFDA #93.217).
27. Piggyback purchase through the State of North Dakota NASPO ValuePoint Master Agreement with Hewlett Packard Enterprise Inc. for the purchase of a dHCI server and storage solution for the RRRDC (PBC24133).
28. Third Amendment to Lease Agreement with Boas Northport Fargo LLC.
29. Resolution approving Plat of Trollwood Land Three.
30. Agreement between City of Fargo and Range Renovation Consulting, Inc.
31. Bid award to Q3 Contracting for Concrete Utility Cut Repairs (RFP24114).
32. Bid award to Core and Main for the purchase of Water Main Materials, Miscellaneous Water Distribution Materials, Fire Hydrants/Parts and Miscellaneous Street Materials (RFP24116).
33. Bills.

REGULAR AGENDA:

34. **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:**

35. **PUBLIC HEARING** – Renaissance Zone Project for Block 8, LLC for the rehabilitation of a commercial property located at 814 Main Avenue.
36. **PUBLIC HEARING** - Sewer Repair Assessments for 2023.
37. **PUBLIC HEARING** - Special Assessment of Nuisance Abatement Fees.
38. **PUBLIC HEARING** - Application to transfer the Class “ABH” Alcoholic Beverage License from Fargo Lodging Associates, LLC d/b/a Hilton Garden Inn to FGI Hospitality LLC d/b/a Hilton Garden Inn Fargo located at 4351 17th Avenue South.
39. **PUBLIC HEARING** - Application for a Class “FA” Alcoholic Beverage License for Benedicts FAR LLC d/b/a Benedict’s Fargo to be located at 3165 33rd Street South.

40. **PUBLIC HEARING** - Application filed by Lashkowitz 4 for a Payment in Lieu of Tax Exemption (PILOT) to be located at 101 2nd Street South which the applicant will use primarily for 110 units of affordable housing separated into two projects.
41. **PUBLIC HEARING** - Application filed by Lashkowitz 9 for a Payment in Lieu of Tax Exemption (PILOT) to be located at 101 2nd Street South which the applicant will use primarily for 110 units of affordable housing separated into two projects.
42. Presentation by Gate City Bank regarding the Neighborhood Revitalization Initiative (NRI) Program.
43. Presentation of the Proposed Board of City Commissioners Governance Policies.
44. 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.