

FARGO CITY COMMISSION AGENDA
Monday, September 30, 2024 - 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, September 16, 2024).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 2nd reading, waive reading and final adoption of an Ordinance Rezoning a Certain Parcel of Land Lying in Harwood’s 4th Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 9/16/24.
- 2. 2nd reading, waive reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in Legacy I Eighth Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 9/16/24.
- 3. 2nd reading, waive reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in Legacy I Eighth Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 9/16/24.
- 4. Renewal of the Alcoholic Beverage and Live Entertainment Licenses until 9/30/25, contingent upon all essential requirements for renewal are met by 9/30/24.
- 5. Applications for Games of Chance:
 - a. 4 Luv of Dog Rescue for a raffle on 11/2/24.
 - b. Eagles Elementary PTA for bingo on 10/25/24 and 2/11/25.
 - c. Family Wellness for a raffle on 10/24/24.
 - d. Fargo South High School for a raffle on 10/22/24-2/25/25.
 - e. Kennedy Elementary PTA for a raffle on 10/25/24.
 - f. Sts. Anne and Joachim Catholic Church for a raffle on 11/10/24.
 - g. United Way of Cass-Clay for a raffle on 11/29/24.
 - h. Women’s Care Center (FirstChoice Clinic) for bingo on 10/15/24.
- 6. Consent to Construction with JBJ Properties, LLC for a parking lot located at 5508 and 5418 53rd Avenue South.
- 7. Conduit Lease Agreement with VAL-ED Joint Venture, LLP d/b/a 702 Communications for conduit in the 4th Street Duct Bank.
- 8. Variance Acknowledgement and Liability Waiver with Riverside Cemetery Association to construct a ossuary and columbarium structure at 2102 5th Street South.

9. Encroachment Agreement (Bus Pullout) with Oak Grove Lutheran School for a bus pullout at 2710 32nd Avenue South.
10. Agreements Regarding Deferral of Special Assessments with A & T Land Co. LLC for properties located at 6000 45th Street South, 6132 45th Street South, 6679 45th Street South and 6897 45th Street South.
11. Negative Final Balancing Change Order No. 1 in the amount of -\$192,930.10 for Project No. PR-21-E1.
12. Memorandum of Understanding Regarding Construction and Maintenance with the Park District of the City of Fargo for the River Drive Shared Use Path (Improvement District No. SN-14-A1).
13. Memorandum of Understanding Regarding Construction and Maintenance with the Park District of the City of Fargo for the Drain 27 Shared Use Path (Improvement District No. SN-25-A0).
14. Change Order No. 3 in the amount of \$4,614.50 and time extension to the final completion date to 2/14/25 for Improvement District No. BN-23-E1.
15. Reimbursement to St. Mary's Cathedral in the amount of \$12,587.17 for repair of the sprinkler system damaged during construction (Improvement District No. BR-23-C1).
16. Create Improvement District No. BR-25-A (Paving and Utility Rehab/Reconstruction).
17. Contract and bond for Improvement District No. BR-23-G3.
18. Bid Award to Valley Green and All-Terrain for snow and ice removal services (RFP24314).
19. Items from the FAHR Staff Meeting:
 - a. Receive and file General Fund – Budget to Actual through 8/31/24.
 - b. Fire Department Budget adjustment in the amount of \$150.00.
 - c. ND Department of Transportation Traffic Safety Contract in the amount of \$49,000.00 for the Fargo Police Department (CFDA #s 20.600, 20.608 and 20.616).
 - d. Revised plans for the Parking Garage on NP Avenue.
20. Authorize the City Attorney's office to sign a letter of support to the FAA for the Certificate of Waiver/Authorization for the Red River Valley Unmanned Aircraft Systems Unit.
21. Memorandum of Understanding Related to Joint Training Program for West Fargo and Fargo Fire Department Recruits with the City of West Fargo.
22. Master Service Agreement with AdShark (RFP24278).
23. Agreement for Services with Clay County Public Health.
24. Notice of Grant Award from the ND Department of Health and Human Services for PHEP City Readiness Initiative (CFDA #93.069).
25. Notice of Grant Award from the ND Department of Health and Human Services for HIV.HCV Counseling, Testing and Referral (CFDA #93.940).

26. Notice of Grant Award from the ND Department of Health and Human Services for Combatting Obesity (CFDA #93.991).
27. Notice of Grant Award from the ND Department of Health and Human Services for PHEP-EPR All Hazards (CFDA #93.069).
28. Contract Agreement for Services with New Life Center.
29. Contract Agreement for Services with New Roots Midwest.
30. Contract Agreement for Services with Soul Solutions.
31. Contract Agreement for Services with Southpointe Pharmacy.
32. Contract Agreement for Services with Kelly Buettner-Schmidt.
33. Letter of Support for the EPA 319 Grant Proposal.
34. Amendment No. One to Consulting Agreement with czb, LLC for Land Development Code and Incentive Policy Updates (RFP22159).
35. Exempt Purchase from Butler Machinery in the amount of \$144,701.97 for the Solid Waste Landfill Gas Generator maintenance and top-end overhaul (EX24336).
36. Task Order No. 1 with HDR Engineering, Inc. in the amount of \$179,130.00 for the reconditioning and piping improvements for Water Tower No. 6 Project.
37. Amendment No. 1 to Task Order No. 22 with AE2S in the amount of \$96,850.00 for Project No. WA2152.
38. Bills.

REGULAR AGENDA:

39. Recommendation to approve the purchase of Flock Safety technology from the Flock Group, Inc. for the Fargo Police Department (SSP24324).

PUBLIC HEARINGS - 5:15 pm:

40. **PUBLIC HEARING** – The Pines at the District Second Addition and The Pines at the District Addition (4400 56th Avenue South and 5691 43rd Street South); approval recommended by the Planning Commission on 9/5/24:
 - a. Zoning Change from MR-3, Multi-Dwelling Residential and LC, Limited Commercial with a C-O, Conditional Overlay to MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay.
 - b. 1st reading of rezoning Ordinance (The Pines at the District Second Addition).
 - c. 1st reading of rezoning Ordinance (The Pines at the District Addition).
41. **PUBLIC HEARING** - Renaissance Zone Rehabilitation Project for TA Investments, LLC (Project 366-F) for the rehabilitation of a residential property located at 315 Main Avenue.
42. **PUBLIC HEARING** - Special Assessment of Business Improvement District (BID) fees, unpaid utility bills and maintenance of skyway system.

43. **PUBLIC HEARING** - Special Assessments for the 2024 New and Reconstruction of City Ordered Sidewalks (Project No. SR-23-A).
44. **PUBLIC HEARING** - Special Assessments for the 2024 New and Reconstruction of City Ordered Sidewalks (Project No. SR-23-B).
45. **PUBLIC HEARING** – Special Assessment List for the following Improvement Districts, all having been approved by the Special Assessment Commission on 8/29/24:
 - a. New Paving and Utility Construction Improvement District No. BN-22-C.
 - b. New Utility and Paving Construction Improvement District No. BN-22-F.
 - c. New Paving and Utility Construction Improvement District No. BN-22-G.
 - d. New Paving and Utility Construction Improvement District No. BN-22-L.
 - e. New Paving and Utility Construction Improvement District No. BN-23-C.
 - f. Paving and Utility Rehab/Reconstruction Improvement District No. BR-22-A.
 - g. Paving and Utility Rehab/Reconstruction Improvement District No. BR-22-B.
 - h. Paving and Utility Rehab/Reconstruction Improvement District No. BR-22-C.
 - i. Paving and Utility Rehab/Reconstruction Improvement District No. BR-23-B.
 - j. Paving and Utility Rehab/Reconstruction Improvement District No. BR-23-C.
 - k. Paving and Utility Rehab/Reconstruction Improvement District No. BR-23-E.
 - l. Paving and Utility Rehab/Reconstruction Improvement District No. BR-23-F.
 - m. Paving and Utility Rehab/Reconstruction Improvement District No. BR-23-H.
 - n. Paving and Utility Rehab/Reconstruction Improvement District No. BR-23-J.
 - o. New Paving Construction Improvement District No. PN-22-M.
 - p. Asphalt Wear Course Improvement District No. PN-23-A.
 - q. New Paving Construction Improvement District No. PN-23-E.
 - r. Seal Coat Improvement District No. PR-23-C.
 - s. Asphalt Mill and Overlay Improvement District No. PR-23-E.
 - t. Asphalt Mill and Overlay Improvement District No. PR-23-G.
 - u. New Utility Construction Improvement District No. UN-23-A.
 - v. Utility Rehab/Reconstruction Improvement District No. UR-23-A.
46. Recommendation to approve the Preliminary Budget as the Final Budget for 2025 and the proposed tax levies.
 - a. Recommendation from Commissioner Strand to amend the 2025 Budget.
47. Liaison Commissioner Assignment Updates.
48. **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://www.fargoND.gov/VirtualCommission)).**

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.