

## FARGO CITY COMMISSION AGENDA

Monday, May 12, 2025 - 5:00 p.m.

Executive Session at 4:15 p.m.

Roll Call.

**PLEASE NOTE:** The City Commission will convene at 4:15 p.m. and retire into Executive Session in the Red River Room for the purpose of attorney consultation regarding litigation pertaining to 501 Main Avenue and to discuss negotiating strategy or provide negotiation instructions to its attorney, and to receive its attorney's advice and guidance on the legal risks, strengths and weaknesses of an action of a public entity. To discuss this matter in public in an open meeting would have an adverse fiscal effect on the City. Thus, an Executive Session is authorized pursuant to North Dakota Century Code 44-04-19.1 subsections 2, 5 and 9.

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](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 28, 2025).

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

- 1. Receive and file the following Ordinances:
  - a. Amending Section 8-1425 of Article 8-14 of Chapter 8 of the Fargo Municipal Code Relating to Traffic Code.
  - b. Amending Section 1-0305 (C)(2) & (5) of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classification of Ordinance Violations.
- 2. Receive and File an Ordinance Amending Section 12-0105(E), of Article 12-01, of Chapter 12, of the Fargo Municipal Code, Relating to Running At Large Prohibited - Habitually At Large; an Ordinance Amending Section 12-0117, of Article 12-01, of Chapter 12, of the Fargo Municipal Code, Relating to Potentially Dangerous and Dangerous Dogs; and an Ordinance Amending Section 1-0305, of Article 1-03, of Chapter 1, of the Fargo Municipal Code, Relating to Classification of Ordinance Violations.
- 3. Receive and file an Ordinance Amending Section 25-1512, of Article 25-15, of Chapter 25, of the Fargo Municipal Code, Relating to Licenses - Termination, Suspension, Revocation, and Sanctions.
- 4. 2nd reading, waive reading and final adoption of an Ordinance Rezoning a Certain Parcel of Land Lying in Selkirk Place Third Addition to the City of Fargo, Cass County, North Dakota.

5. 2nd reading, waive reading and final adoption of an Ordinance Rezoning a Certain Parcel of Land Lying in Golden Valley Sixth Addition to the City of Fargo, Cass County, North Dakota.
6. Site Authorizations for Games of Chance:
  - a. Fargo Metro Baseball Association at Applebee's Grill & Bar - 13th Ave.
  - b. Fargo Metro Baseball Association at Applebee's Grill & Bar - 45th St.
  - c. Fargo Metro Baseball Association at Applebee's Grill & Bar - North Fargo.
  - d. Fargo Metro Baseball Association at Empire Tavern.
  - e. Friends of the Children Fargo-Moorhead at Crooked Pint Ale House.
  - f. Harwood Area Fire & Rescue at District 64/Las Palmas.
  - g. Horse Race North Dakota at Chub's Pub.
  - h. Horse Race North Dakota at Golf Addiction (change of charity).
  - i. Horse Race North Dakota at Labby's Bar and Grill.
  - j. Horse Race North Dakota at Sidestreet Grille and Pub.
  - k. Special Olympics North Dakota at Rooters Bar.
  - l. Team Makers Club, Inc. at Fargo Dome.
  - m. Team Makers Club, Inc. at Fort Noks.
  - n. Team Makers Club, Inc. at Frank's Lounge.
  - o. Team Makers Club, Inc. at Lucky's 13 Pub.
  - p. Team Makers Club, Inc. at Sanford Health Athletic Complex-Scheels Arena (SHAC).
7. Applications for Games of Chance:
  - a. Benefit for Maria Boyle for bingo on 5/18/25; Public Spirited Resolution.
  - b. Bethlehem Lutheran Church for a raffle on 5/28/25.
  - c. Capstone Classical Academy Colloquium for a raffle on 8/20/25; Public Spirited Resolution.
  - d. El Zagal Provost Guard for a raffle on 9/11/25.
  - e. Fargo Air Museum for bingo on 5/22/25.
  - f. Fargo North High School for a raffle from 5/5/25 to 6/7/25.
  - g. Memory Café of the Red River Valley for a raffle on 6/3/25; Public Spirited Resolution.
  - h. North Dakota Pottery Club Society for a raffle on 6/14/25.
  - i. River Keepers for a raffle on 6/9/25.
  - j. UND Alumni Association & Foundation for a raffle board on 6/25/25.
  - k. Washington Elementary School PTA for a raffle on 6/3/25.
8. Negative Final Balancing Change Order No. 1 in the amount of -\$69,322.50 for Project No. SR-24-A1.
9. Contract and bond for Project No. SR-25-B1.
10. Encroachment Agreement (Parking Stalls) with 810 Development LLP located at 802 1st Avenue North.
11. Change Order No. 4 in the amount of \$119,547.40 for Improvement District No. BN-23-F1.
12. Change Order No. 4 in the amount of \$7,133.20 for Improvement District No. BR-24-F1.
13. Change Order No. 1 in the amount of \$30,721.76 for Improvement District No. UR-24-F1.
14. Contract award for Consulting Services to WSB, LLC in the amount of \$750,659.00 for Improvement District No. BR-28-E0.

15. Bid award to KPH, Inc. in the amount of \$2,199,412.02 for Improvement District No. BR-25-B3.
16. Bid award to FM Asphalt LLC in the amount of \$1,897,626.93 for Improvement District No. PN-25-A1.
17. Bid award to Dakota Underground Co., Inc. in the amount of \$2,689,940.54 for Improvement District No. PR-25-F1.
18. Create Improvement District No. BN-25-E and adopt Resolution of Necessity (New Paving and Utility Construction).
19. Contract and bond for Improvement District No. NR-24-C.
20. Items from the FAHR Meeting:
  - a. Receive and file Sales Tax Revenue Update.
  - b. Sole Source Procurement with Kilbourne Construction Management to install gateless security equipment at the ROCO Parking Ramp at an estimated cost of \$244,002.00 (SSP25163).
  - c. Allow the existing contract with First Transit/Transdev to expire at the end of 2025 and to authorize staff to pursue the necessary steps to transition Transit staff to City of Fargo employees as outlined.
  - d. Implementation of a Donations and Contributions Policy.
21. Purchase of Service Agreement with Kindred Public School District.
22. Notice of Grant Award from ND Department of Health and Human Services for the Title X Family Planning program (CFDA #93.217).
23. Consulting Services Agreement - Employee Engagement Services with Cooperative Personnel Services d/b/a CPS HR Consulting.
24. Third Amendment to the Findings of Fact, Conclusions and Order for property located at 1011/1013 University Drive North.
25. Resolution of Annexation of a Part of Sections 10 and 15, Township 140 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, containing approximately 87.89 acres, more or less: Public Hearing on the Sufficiency of Protests to be held 6/23/25.
26. Resolution approving Plat of Cottonwood Corner Addition.
27. Resolution approving Plat of The Pass at Woodhaven Addition.
28. Bid award to RADeCo in the amount of \$393,500.00 for a quadruped tactical robot (RFP25133).
29. Street Snow Plowing Services Agreement with Master Construction Co., Inc. for the 2025/2026 snow season (RFP23138).
30. Bid award to Steffes Group Inc for Professional Online Auction Services (RFP25125).
31. Elimination of LinkFM service for the events as outlined, effective 5/13/25.

32. Bills.

**REGULAR AGENDA:**

- 33. Presentation of the draft Non-Exclusive Right of Way Occupancy Agreement with Ubiquity North Dakota, LLC.
- 34. Presentation of the draft Non-Exclusive Right of Way Occupancy Agreement with Gateway Infrastructure, LLC.
- 35. Construction Update.
- 36. Recommendation for appointment to the Board of Appeals.
- 37. Presentation of the 2024 Fire Department Annual Report.
- 38. Liaison Commissioner Assignment Updates.
- 39. **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](https://www.fargoND.gov/CityCommission).