

FARGO CITY COMMISSION AGENDA
Monday, October 13, 2025 - 5:00 p.m.

Executive Session at 4:00 p.m.

Roll Call.

PLEASE NOTE: The Board of City Commissioners will convene in the City Commission Chambers at 4:00 p.m. and retire into Executive Session in the Red River Room for the purposes of discussing negotiating strategy or providing negotiating instructions to its attorney or other negotiator regarding the previously authorized discussions with identified property owners pertaining to relocation of the Resource and Recovery Center. Discussing these matters in an open meeting will have a negative fiscal effect on the bargaining position of the City. Thus, an Executive Session for this matter is authorized pursuant to North Dakota Century Code § 44-04-19.1 subsection 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. 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 29, 2025).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Application for Abatement or Refund of Taxes #4594 for property located at 1405 10th Street North requesting a reduction in value for 2025 from \$183,700.00 to \$95,000.00; staff is recommending a reduction in value to \$106,000.00 for 2025.
- 2. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of an Ordinance Amending Section 21.1-0102 of Article 21.1-01, of Chapter 21.1, of the Fargo Municipal Code Relating to the International Residential Code.
- 3. 1st reading of an Ordinance Amending Sections 8-0801, 8-0802, 8-0803, 8-0804, 8-0805, 8-0806, 8-0807, and 8-0808, of Article 8-08, of Chapter 8, of the Fargo Municipal Code Relating to Crashes and an Ordinance Repealing Section 8-0809, of Article 8-08, of Chapter 8, of the Fargo Municipal Code, Relating to False Reports and an Ordinance Amending Section 1-0305, of Article 1-03, of Chapter 1, Relating to Classification of Ordinance Violations.
- 4. 1st reading of an Ordinance Amending Section 8-1009 of Article 8-10 of Chapter 8 of the Fargo Municipal Code Relating to the Traffic Code.

5. 1st reading of an Ordinance Amending Section 25-1507 (A) of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages.
6. 2nd reading, waive reading and final adoption of an Ordinance Annexing a Certain Parcel of Land Lying in a Portion of the West Half of the Northwest Quarter of Section 14, Township 140 North, Range 49 West of the 5th Principal Meridian in Cass County, North Dakota; 1st reading, 9/29/25.
7. 2nd reading, waive reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in 46th Avenue Industrial Park Second Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 9/29/25.
8. Consulting Agreement with Bloomberg Consulting LLC.
9. Extension of the Class "FA-RZ" Alcoholic Beverage License for Dakota Food Group LLC d/b/a Teddy's until 3/31/26.
10. Gaming Site Authorizations.
11. Applications for Games of Chance.
12. Amendment No. 2 with Apex Engineering in the amount of \$77,350.00 for Project No. NR-24-A0.
13. Final Balancing Change Order No. 2 for a time extension to the Substantial and Final Completion Dates of 10/31/24 and 7/31/25 for Project No. NR-23-A3.
14. Memorandum of Understanding Regarding Construction and Maintenance and Deed of Easement with the US Department of Veteran's Affairs (VA) for Project No. SN-25-B0.
15. Permanent Easement (Alley) with Chad Borgen Properties LLC (Project No. AN-19-A1).
16. Change Order No. 5 in the amount of \$8,272.67 for Improvement District No. BN-23-F1.
17. Change Order No. 1 in the amount of \$161,454.33 and 4-day time extension to the Phase 1 Interim Completion Date to 10/3/2025 for Improvement District No. BN-25-E1.
18. Change Order No. 1 in the amount of \$26,590.85 for Improvement District No. FP-19-A4.
19. Change Order No. 4 for a time extension to the Substantial and Final Completion Dates of 10/2/25 and 3/16/26 for Improvement District No. BN-24-B1.
20. Payment to Cass County Electric Cooperative in the amount of \$28,150.00 for the extension of electrical service to the storm sewer and sanitary lift stations (Improvement District No. BN-24-B1).
21. Declare protests sufficient to terminate Improvement District No. BN-26-A.
22. Create Improvement District No. BR-26-E and adopt Resolution of Necessity (Paving and Utility Rehab/Reconstruction).
23. Receive and file Limited Franchise Agreement with Cass County Electric, adding the area annexed by the City of Fargo on 8/18/25.
24. Items from the FAHR Meeting:

- a. Receive and File Sales Tax Update - through July 2025.
 - b. Budget Adjustment Request and acceptance of the Peace Officer Appreciation Award, as authorized by HB 1193, in the amount of \$260,321.72.
 - c. Budget Adjustment Request and authorize the use of \$13,876.80 of asset forfeiture funds to purchase five display screens and accessories for the Real Time Crime Center.
 - d. Budget Adjustment Request and acceptance of the STOP Violence Against Women funds for the purchase and implementation of the Lethality Assessment Program (LAP).
 - e. Bid award to Peregrine Technologies, Inc. in the amount of \$141,500.00/year and Peregrine Customer Order Form and Scope of Services (RFP25257).
 - f. FY2025 EMPG/FY2024 EMPH Round 2 application to NDDDES in the amount of \$108,182.00, with the local cost share of \$54,091.00 (CFDA #97.042).
 - g. Memorandum of Understanding with the Park District of the City of Fargo, the Downtown Community Partnership and Block 9 Plaza Owner, LLC.
 - h. Settlement Offer of \$18,819.95 from GEICO Insurance for 2020 Ford Fusion.
25. Notice of Grant Award amendment with the ND Department of Health and Human Services for PHEP – EPR All Hazards allocation (CFDA #93.069).
 26. Notice of Grant Award amendment with the ND Department of Health and Human Services for PHEP – EPR Statewide Response Team (CFDA #93.069).
 27. Resolution approving Plat of Valley View Twelfth Addition.
 28. Resolution approving Plat of Bison Run Addition.
 29. Piggyback purchase through Sourcewell Cooperative Purchasing Agreement with Swanston Equipment in the amount of \$172,904.00 for one Volvo DD120 Asphalt Roller/Compactor (PBC25290).
 30. Engineering Task Order No. 2025-4 with HDR Engineering, Inc. for landfill gas pipeline realignment design in an amount not to exceed \$58,920.00.
 31. Engineering Task Order Amendment No. 3 from Stantec in the amount of \$54,108.05 for Project No. SW 23-01.
 32. Agreement with Concordia College (U-Pass).
 33. Bid award to Metropolitan Mechanical Contractors in the amount of \$103,975.00 to complete the RO CIP Hot Water Project at the Water Treatment Plant (RFP25250).
 34. Revised Resolution Authorizing the Issuance and Sale of \$20,000,000.00 City of Fargo Sales Tax and Sewer Revenue Bond; Resolution Authorizing the Issuance and Sale of \$20,000,000.00 City of Fargo Sales Tax and Water Revenue Bond and ND State Revolving Fund Program Loan Agreements with the ND Public Finance Authority.
 35. Direct the City Attorney's Office to work with the Water Utility to review and update the Ordinance for Abandoned Lead Service Lines.
 36. Bid Awards for Project No. WA2501:
 - a. General Construction contract to Classic Protective Coatings in the amount of \$1,317,375.00.
 - b. Electrical Construction contract to Magnum Electric in the amount of \$89,830.00.

37. Change Order No. 2 in the amount of \$18,527.07 for Project No. WW2005.
38. Amendment No. 2 with AE2S Engineering in the amount of \$12,800.00 for Project No. WW1707.
39. Final Balancing Change Order No. 3 in the amount of -\$146,860.37 and time extensions to the substantial and final completion dates to 6/24/25 and 9/15/25 for Project No. WW1707.
40. Bills.

REGULAR AGENDA:

PUBLIC HEARINGS - 5:05 pm:

41. **PUBLIC HEARING – CONTINUE to 10/27/25** – EOLA Second Addition and on the proposed J & O 45th Street Apartments Addition (4417 and 4477 26th Avenue South, and 4410, 4448, 4470 and 4474 24th Avenue South, and 4415 and 4471 24th Avenue South); approval recommended by the Planning Commission on 5/6/25:
 - a. PUD, Planned Unit Development Master Land Use Plan Amendment.
 - b. Zoning Change from GC, General Commercial with a PUD, Planned Unit Development Overlay to GC, General Commercial with an amended PUD, Planned Unit Development Overlay.
 - c. Zoning Change from GC, General Commercial with a PUD, Planned Unit Development Overlay to GC, General Commercial with a C-O, Conditional Overlay and removal from the PUD, Planned Unit Development Master Land Use Plan.
 - d. 1st reading of rezoning Ordinance (EOLA Second Addition and on the proposed J & O 45th Street Apartments Addition).
 - e. 1st reading of rezoning Ordinance (EOLA Addition).
 - f. Plat of J & O 45th Street Apartments Addition.
42. Report from the Fargo Moorhead Economic Development Corporation on Job Creation Incentive Projects.
43. Recommendation from the Convention Center Committee to move four developers forward to the second phase of the Convention Center site selection process.
44. Recommendation to approve the Interim Financing Agreement, Series F for Fargo's local cost-share of the Red River Valley Water Supply Project biennial work plan.
45. Construction Update.
46. Liaison Commissioner Assignment Updates.
47. **PUBLIC COMMENTS (2.5 minutes will be offered for comment with a maximum of 30 minutes total for all public comments. Individuals who would like to address the Commission, whether virtually or in person, must sign-up at 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.