

Consent Agenda Approved:

Commissioner Mahoney moved the Consent Agenda be approved as follows:

- a. Library budget adjustment in the amount of \$4,500.00 and Grant Agreement with the ALA/NEH Let's Talk About It: Muslim Journeys grant program (ALA PPO Grant #2194).
- b. Resolution Authorizing the Issuance and Sale of \$66,352,000.00 City of Fargo Sales Tax Revenue and Water Revenue Bonds, Series 2013B; and Loan Agreement with the ND Public Finance Authority under the North Dakota State Revolving Fund Program (Attachment "A").
- c. Cash defeasance of the Transit Maintenance Facility Lease Revenue Bonds, Series 2007 in the amount of \$966,047.00 on July 1, 2013 and budget amendment to appropriate funds for this transaction.
- d. Budget amendment to appropriate funds for the cash defeasance of the City Hall Lease Revenue Bonds, Series 2002A in the amount of \$2,787,685.00 on July 1, 2013.
- e. Receive and file Ordinance Enacting Section 25-1509(O) of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Restrictions on Sale, Service or Dispensing of Alcoholic Beverages (to incorporate changes made by the State Legislature relating to breweries).
- f. Receive and file Ordinance Amending Article 12-04 of Chapter 12 of the Fargo Municipal Code Relating to Wildlife Management Program-Regulations.
- g. Position Evaluation Committee recommendations regarding positions in the Fire and Water Filtration Departments:

Fire:

Request to reclassify the vacant Office Support Technician (Grade 7) to an Office Associate III (Grade 9) to expand the administrative support functions of the position. Annual cost of request: \$5,388.00.

PEC recommends reclassification of a vacant Office Support Technician (Grade 7) to an Office Associate III (Grade 9) effective upon approval.

Water Filtration:

Request to reclassify a part-time temporary Maintenance Attendant II position to a Contract Maintenance Attendant II (Grade 8). Annual cost of request: \$12,125.00.

PEC recommends reclassification of a part-time temporary Maintenance Attendant II position to a Contract Maintenance Attendant II (Grade 8) effective upon approval.

Employment contract with Kit Powell for the Maintenance Attendant II position.

- h. Extension of offer period for three property owners involved in Voluntary Acquisition Program.
- i. Site Authorizations for Games of Chance:
 - (1) VFW Club of Fargo at the VFW Club Post 762 and Rick's Bar.
 - (2) Special Olympics North Dakota at Rooters Bar, Inc.
 - (3) American Gold Gymnastics, Inc. at The Box, Big D's Bar and Grill, and SideStreet Grille & Pub.
 - (4) The Arc Upper Valley, Inc. at JTs Bar and Lounge, d/b/a JT Cigarros.
 - (5) Boys & Girls Club of the Red River Valley (d/b/a Youth Commission) at Borrowed Bucks and Red River Lanes.
- j. Applications filed by Fargo-Moorhead Symphony Orchestra for a raffle on 6/5/13.
- k. Maintenance Agreement with K Square Developers for Valley View Addition.
- l. Purchase of one articulated wheel loader from Titan Machinery for \$80,985.06.
- m. 5-year municipal lease to Kinetic Leasing, in the amount of \$31,849.00 per year for one rear load refuse truck.
- n. Purchase of one skid mounted hydro-seeder from Swanston Equipment for \$64,800.00.
- o. Purchase Agreement – Easements and Fee Acquisition with Mary Hetland for Project No. 5958-03.
- p. Purchase Agreement – Easements with Walter Johnson and Renee Johnson for Project No. 5958-03.
- q. Cost share with Clay County, in the amount of \$3,500.00, for debris removal from the Broadway Bridge.
- r. Early building permit for Freedom Community Credit Union at 4707 45th Street South.
- s. License agreement with Cass Rural Water Users for the placement of telemetry equipment in City right-of-way.
- t. Estimate from BNSF in the amount of \$11,484.00 to replace the crossing surface at 19th Avenue North near 45th Street.
- u. Engineering Consultant Assistance RFPs:
 - (1) Flood mitigation projects along Drain 27 from I-29 to 42nd Street South.

- (2) Flood mitigation projects along Drain 27 from 40th Avenue South to I-29.
- v. Engineering Consultant Assistance RFP for development of a storm sewer model of the City's storm sewer system south of I-94.
- w. Master Services Agreement Policy.
- x. Advertise for bids for Project No. 6172-02.
- y. Contracts and bonds for Project Nos. 6196, 6215-04, 6225-01, 6225-02 and 6226-02.
- z. Bills in the amount of \$5,475,464.23.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Sobolik and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

No Protests Received for Traffic Signal Improvements and Incidentals Improvement District No. 6200:

The Statutory Resolution of Necessity for the construction of Traffic Signal Improvements and Incidentals Improvement District No. 6200 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on April 22 and 29, 2013 and no protests have been filed in the office of the City Auditor within the legal protest period.

Commissioner Mahoney moved that the Board declare that no protests have been filed to the construction of Traffic Signal Improvements and Incidentals Improvement District No. 6200.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Sobolik and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Bids Received for Traffic Signal Improvements and Incidentals Improvement District No. 6200:

The bids for Traffic Signal Improvements and Incidentals Improvement District No. 6200 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., May 22, 2013 and the bids were found to be as follows:

Strata Corporation	Grand Forks, ND
Bid:	\$232,897.70
Moorhead Electric	Moorhead, MN
Bid:	\$270,425.30

Aevenia	Moorhead, MN
Bid:	\$289,981.35

Fritz Electric	Fargo, ND
Bid:	\$323,059.05

Contract for Traffic Signal Improvements and Incidentals Improvement District No. 6200 Awarded to Strata Corporation in the Amount of \$232,897.70:

Commissioner Mahoney offered the following Resolution and moved its adoption:

WHEREAS, The City Engineer has prepared and filed a detailed statement of the estimated costs of Traffic Signal Improvements and Incidentals Improvement District No. 6200; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received May 22, 2013 for Traffic Signal Improvements and Incidentals Improvement District No. 6200 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Traffic Signal Improvements and Incidentals Improvement District No. 6200 shows the bid of Strata Corporation of Fargo, North Dakota, in the sum of \$232,897.70 to be the lowest and best bid received.

NOW, THEREFORE, BE IT RESOLVED, That the Board of City Commissioners finds and declares the bid received from Strata Corporation in the sum of \$232,897.70 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Traffic Signal Improvements and Incidentals Improvement District No. 6200 in the City of Fargo, North Dakota, be and the same is hereby awarded to Strata Corporation for the sum of \$232,897.70, subject to the supervision, inspection and approval of the City Engineer, and in accordance with the Plans and Specifications filed in the office of the City Auditor.

Second by Wimmer. On the vote being taken on the question of the adoption of the Resolution Commissioners Mahoney, Wimmer, Williams, Sobolik and Walaker voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

Bids Received for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 6202:

The bids for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 6202 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., May 22, 2013 and the bids were found to be as follows:

Ryan Contracting	Shakopee, MN
Bid:	\$1,732,569.00

Sellin Brothers, Inc.	Hawley, MN
Bid:	\$1,830,219.00

Dakota Underground Company Bid:	Fargo, ND \$1,835,585.00
Master Construction Company Inc. Bid:	Fargo, ND \$1,941,293.00
J.R. Ferche, Inc. Bid:	Rice, MN \$2,035,390.00

Contract for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 6202 Awarded to Ryan Contracting in the Amount of \$1,732,569.00:

Commissioner Mahoney offered the following Resolution and moved its adoption:

WHEREAS, The City Engineer has prepared and filed a detailed statement of the estimated costs of Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 6202; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received May 22, 2013 for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 6202 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 6202 shows the bid of Ryan Contracting of Shakopee, Minnesota, in the sum of \$1,732,569.00 to be the lowest and best bid received.

NOW, THEREFORE, BE IT RESOLVED, That the Board of City Commissioners finds and declares the bid received from Ryan Contracting in the sum of \$1,732,569.00 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. 6202 in the City of Fargo, North Dakota, be and the same is hereby awarded to Ryan Contracting for the sum of \$1,732,569.00, subject to the supervision, inspection and approval of the City Engineer, and in accordance with the Plans and Specifications filed in the office of the City Auditor.

Second by Wimmer. On the vote being taken on the question of the adoption of the Resolution Commissioners Mahoney, Wimmer, Williams, Sobolik and Walaker voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

No Protests Received for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6209:

The Statutory Resolution of Necessity for the construction of Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6209 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on April 22 and 29, 2013 and no protests have been filed in the office of the City Auditor within the legal protest period.

Commissioner Mahoney moved that the Board declare that no protests have been filed to the construction of Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6209.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Sobolik and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Bids Received for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6209:

The bids for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6209 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., May 22, 2013 and the bids were found to be as follows:

Master Construction Company, Inc. Bid:	Fargo, ND \$670,813.00
Dakota Underground Company Bid:	Fargo, ND \$730,830.00
Northern Improvement Company Bid:	Fargo, ND \$808,808.17
Sellin Brothers, Inc. Bid:	Hawley, MN \$896,464.65
Quam Construction DBA Kvamsdal Construction Bid:	Willmar, MN \$937,161.79

Contract for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6209 Awarded to Master Construction Company, Inc. in the Amount of \$670,813.00:

Commissioner Mahoney offered the following Resolution and moved its adoption:

WHEREAS, The City Engineer has prepared and filed a detailed statement of the estimated costs of Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6209; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6209 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6209 shows the bid of Master Construction Company, Inc. of Fargo, North Dakota, in the sum of \$670,813.00 to be the lowest and best bid received.

NOW, THEREFORE, BE IT RESOLVED, That the Board of City Commissioners finds and declares the bid received from Master Construction Company, Inc. in the sum of \$670,813.00 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6209 in the City of Fargo, North Dakota, be and the same is hereby awarded to Master Construction Company, Inc. for the sum of \$670,813.00, subject to the supervision, inspection and approval of the City Engineer, and in accordance with the Plans and Specifications filed in the office of the City Auditor.

Second by Wimmer. On the vote being taken on the question of the adoption of the Resolution Commissioners Mahoney, Wimmer, Williams, Sobolik and Walaker voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

P.C. Concrete Pavement, Grading, Storm Drains, Lighting, Street Reconstruction and Incidentals Improvement District No. 5956 (32nd Avenue North from North University Drive to North Broadway):

Commissioner Mahoney moved the following action be taken in connection with P.C. Concrete Pavement, Grading, Storm Drains, Lighting, Street Reconstruction and Incidentals Improvement District No. 5956:

Adopt Resolution Creating Improvement District No. 5956:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. 5956 in the City of Fargo, North Dakota, be created

On 32nd Avenue North from North University Drive to North Broadway.

COMPRISING:

Lots 1 through 7, inclusive, Block 1
Lots 1 through 6, inclusive, Block 2
Lots 1 through 3, inclusive, Block 3
All in Cedarholm Addition

Lots 1 through 15
All in Colony Addition

Lots 1 through 16, inclusive, Block 1
Lots 1 through 16, inclusive, Block 2
Lots 1 through 16, inclusive, Block 3
Lots 1 through 8, inclusive, Block 4
Lots 1 through 16, inclusive, Block 5
Lots 1 through 16, inclusive, Block 6
Lots 1 through 16, inclusive, Block 7
Lots 1 through 8, inclusive, Block 8
All in Knollbrook Addition

Lot 1, Block 1
All in North Platte Addition

Block 1
All in Riviera Heights 1st Addition

Lot 1, Block 1
Lots 1 through 11, inclusive, Block 2
Lots 1 through 11, inclusive, Block 3
All in Sunwood Addition

Block 4
Lots 1 through 20, inclusive, Block 5
Block 6
All in Laurence Yunker 1st Addition

Lots 1 through 10, inclusive, Block 7
All in Laurence Yunker 2nd Addition

Lot 1, Block 1
All in Yunker Farm Addition

Lot 1, Block 2
All in Royal Oaks Addition

All unplatted land in the South half (1/2) of Section 19, Township 140, Range 48, bounded on the north by the south right-of-way of 36th and 37th Avenue North, on the west by the east right-of-way of North University Drive, on the south by the north right-of-way of 32nd Avenue North, and on the east by the west right-of-way North Broadway.

All of the foregoing located in the City of Fargo, Cass County, North Dakota.

NOW, THEREFORE, BE IT RESOLVED, That P.C. Concrete Pavement, Grading, Storm Drains, Lighting, Street Reconstruction and Incidentals Improvement District No. 5956 in the City of Fargo, North Dakota, be and the same is hereby created.

Request Report and Estimate of Cost From the City Engineer for Improvement District No. 5956:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. 5956 in the City of Fargo, North Dakota; as well as an estimate of the approximate cost of said construction. (The Engineer's estimate of cost is \$2,629,750.00.)

Order Plans and Specifications for Improvement District No. 5956:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. 5956 in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. 5956:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. 5956 in the City of Fargo, North Dakota, as required by law; and

WHEREAS, Plans and Specifications and the Engineer's Report prepared by the City Engineer, have been considered.

NOW, THEREFORE, BE IT RESOLVED, That the Plans and Specifications and Engineer's Report for the construction of Improvement District No. 5956 in the City of Fargo, North Dakota, be and the same are hereby approved and ordered filed in the Office of the City Auditor.

Adopt Resolution Declaring P.C. Concrete Pavement, Grading, Storm Drains, Lighting, Street Reconstruction and Incidentals Necessary:

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

That it be and is hereby declared necessary to construct P.C. Concrete Pavement, Grading, Storm Drains, Lighting, Street Reconstruction and Incidentals Improvement District No. 5956 in the City of Fargo, North Dakota, according to the Engineer's Report for this district and the Plans and Specifications approved by the Board of City Commissioners of the City of Fargo, North Dakota, filed in the Office of the City Auditor, and open for public inspection. A map of the district is attached hereto and incorporated as if fully set forth herein.

That a portion of said P.C. Concrete Pavement, Grading, Storm Drains, Lighting, Street Reconstruction and Incidentals improvement is to be paid from Street Sales Tax and approximately 48% is to be assessed against the benefited property in amounts proportionate to and not exceeding the benefits to be derived by them respectively from said improvement.

Protests against the proposed P.C. Concrete Pavement, Grading, Storm Drains, Lighting, Street Reconstruction and Incidentals must be in writing and must be filed with the City Auditor's Office within thirty days after the first publication of this Resolution.

BE IT FURTHER RESOLVED, That the City Auditor's Office is hereby instructed to publish this Resolution, as required by law.

Direct City Auditor's Office to Call for Bids for Improvement District No. 5956:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. 5956 in the City of Fargo, North Dakota.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Sobolik and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals Improvement District No. 6203 (Eagle Pointe Addition):

Commissioner Mahoney moved the following action be taken in connection with Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals Improvement District No. 6203:

Adopt Resolution Creating Improvement District No. 6203:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. 6203 in the City of Fargo, North Dakota, be created

14th Street South from approximately the 7400 block to 75th Avenue South
15th Street South from approximately the 7400 block to 75th Avenue South
Eagle Pointe Drive South between 73rd Avenue South and 76th Avenue South
75th Avenue South between 14th Street South and Eagle Pointe Drive South

COMPRISING:

Lots 7 through 12, Block 2
Lots 20 through 38, Block 3
Lots 1 through 12, inclusive, Block 4
Lots 1 through 14 and 20 through 29, Block 5
Lots 5 through 18, Block 6
All in Eagle Pointe 1st Addition

All unplatted land in the Southeast 1/4 of Section 12, Township 138, Range 49. The unplatted land is bounded on the north by the 73rd Avenue South right-of-way, on the east by Eagle Pointe Drive South right-of-way, and on the south by the 76th Avenue South right-of-way.

All of the foregoing land lying in the City of Fargo, Cass County, North Dakota.

NOW, THEREFORE, BE IT RESOLVED, That Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals Improvement District No. 6203 in the City of Fargo, North Dakota, be and the same is hereby created.

Request Report and Estimate of Cost From the City Engineer for Improvement District No. 6203:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. 6203 in the City of Fargo, North Dakota; as well as an estimate of the approximate cost of said construction. (The Engineer's estimate of cost is \$1,012,440.00.)

Order Plans and Specifications for Improvement District No. 6203:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. 6203 in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. 6203:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. 6203 in the City of Fargo, North Dakota, as required by law; and

WHEREAS, Plans and Specifications and the Engineer's Report prepared by the City Engineer, have been considered.

NOW, THEREFORE, BE IT RESOLVED, That the Plans and Specifications and Engineer's Report for the construction of Improvement District No. 6203 in the City of Fargo, North Dakota, be and the same are hereby approved and ordered filed in the Office of the City Auditor.

Adopt Resolution Declaring Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals Necessary:

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

That it be and is hereby declared necessary to construct Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals Improvement District No. 6203 in the City of Fargo, North Dakota, according to the Engineer's Report for this district and the Plans and Specifications approved by the Board of City Commissioners of the City of Fargo, North Dakota, filed in the Office of the City Auditor, and open for public inspection. A map of the district is attached hereto and incorporated as if fully set forth herein.

That the entire cost of said improvement be specially assessed against the benefited property in said improvement district in amounts proportionate to and not exceeding the benefits to be derived by them respectively from said improvement.

Protests against the proposed Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals must be in writing and must be filed with the City Auditor's Office within thirty days after the first publication of this Resolution.

BE IT FURTHER RESOLVED, That the City Auditor's Office is hereby instructed to publish this Resolution, as required by law.

Direct City Auditor's Office to Call for Bids for Improvement District No. 6203:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. 6203 in the City of Fargo, North Dakota.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Sobolik and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6211 (Farmstead at Brandt Addition):

Commissioner Mahoney moved the following action be taken in connection with Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6211:

Adopt Resolution Creating Improvement District No. 6211:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. 6211 in the City of Fargo, North Dakota, be created

- On 54th Street South from Tanner Avenue South to Tyler Avenue South.
- On 55th Street South from 33rd Avenue South to a point approximately 120 feet south of Tyler Avenue South.
- On Tanner Avenue South from 54th Street South to 55th Street South.
- On 34th Avenue South from a point approximately 130 feet west of 55th Street South.
- On Tyler Avenue South from 54th Street South to 55th Street South.

COMPRISING:

- Lots 5 through 9, Block 2.
- Lots 1 through 7, Block 3.
- Lots 1 through 25, Block 4.
- Lots 1 through 14, Block 5.
- Lots 1 through 14, Block 6.
- All in Farmstead at Brandt Addition.

All of the foregoing located in Cass County, North Dakota.

NOW, THEREFORE, BE IT RESOLVED, That Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6211 in the City of Fargo, North Dakota, be and the same is hereby created.

Request Report and Estimate of Cost From the City Engineer for Improvement District No. 6211:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. 6211 in the City of Fargo, North Dakota; as well as an estimate of the approximate cost of said construction. (The Engineer's estimate of cost is \$2,119,920.00.)

Order Plans and Specifications for Improvement District No. 6211:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. 6211 in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. 6211:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. 6211 in the City of Fargo, North Dakota, as required by law; and

WHEREAS, Plans and Specifications and the Engineer's Report prepared by the City Engineer, have been considered.

NOW, THEREFORE, BE IT RESOLVED, That the Plans and Specifications and Engineer's Report for the construction of Improvement District No. 6211 in the City of Fargo, North Dakota, be and the same are hereby approved and ordered filed in the Office of the City Auditor.

Adopt Resolution Declaring Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Necessary:

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

That it be and is hereby declared necessary to construct Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. 6211 in the City of Fargo, North Dakota, according to the Engineer's Report for this district and the Plans and Specifications approved by the Board of City Commissioners of the City of Fargo, North Dakota, filed in the Office of the City Auditor, and open for public inspection. A map of the district is attached hereto and incorporated as if fully set forth herein.

That the entire cost of said improvement be specially assessed against the benefited property in said improvement district in amounts proportionate to and not exceeding the benefits to be derived by them respectively from said improvement.

Protests against the proposed Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals must be in writing and must be filed with the City Auditor's Office within thirty days after the first publication of this Resolution.

BE IT FURTHER RESOLVED, That the City Auditor's Office is hereby instructed to publish this Resolution, as required by law.

Direct City Auditor's Office to Call for Bids for Improvement District No. 6211:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. 6211 in the City of Fargo, North Dakota.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Sobolik and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Contract for P.C. Concrete Pavement, Concrete Curb and Gutter, Asphalt Pavement and Incidentals Improvement District No. 6165 Approved:

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Dakota Underground Company for P.C. Concrete Pavement, Concrete Curb and Gutter, Asphalt Pavement and Incidentals Improvement District No. 6165 in the City of Fargo, North Dakota.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Sobolik and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Contract Bond for P.C. Concrete Pavement, Concrete Curb and Gutter, Asphalt Pavement and Incidentals Improvement District No. 6165 Approved:

Commissioner Mahoney moved approval of the following described Contract Bond as to sufficiency:

United Fire and Casualty Company, in the amount of \$1,716,175.60, for P.C. Concrete Pavement, Concrete Curb and Gutter, Asphalt Pavement and Incidentals Improvement District No. 6165 in the City of Fargo, North Dakota.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Sobolik and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Petition for Annexation of Land in Section 5, Township 138 North, Range 49 West in Stanley Township Received and Filed: Public Hearing to be Held on June 24, 2013:

The Board received a communication from Planning Director Jim Gilmour stating the City received a Petition for Annexation of land located in Section 5, Township 138 North, Range 49 West in Stanley Township and within the City's extraterritorial area. He said the petition is for a 22 acre residential subdivision in Ashwood 4th Addition. The land is abutting the west side of Deer Creek Addition, he said, and is south of 52nd Avenue and east of the Sheyenne River.

Commissioner Sobolik moved the Petition for Annexation be received and filed, and that a public hearing be held on June 24, 2013.

Second by Wimmer. On call of the roll Commissioners Sobolik, Wimmer, Williams, Mahoney and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Request to Transfer Chili's Liquor License from 4000 13th Avenue South to 3902 13th Avenue South Approved:

The Board received a communication from City Auditor Steve Sprague stating the Auditor's Office received a request from Chili's Restaurant to transfer their liquor license from 4000 13th Avenue South to 3902 13th Avenue South. He said the transfer request is due to the loss of Chili's lease at the current location.

Commissioner Wimmer moved the request to transfer Chili's liquor license from 4000 13th Avenue South to 3902 13th Avenue South be approved.

Second by Williams. On call of the roll Commissioners Wimmer, Williams, Sobolik, Mahoney and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Renaissance Zone Project for T & S Investments, LLC Approved:

A Hearing had been set for this day and hour to receive comments on a Renaissance Zone Project for T & S Investments, LLC for a business leasing property as part of a zone project at 210 Broadway, Suite 400.

No written protest or objection to the Project has been received or filed in the City Auditor's Office.

The Board determined that no person is present to protest or offer objection to the Project.

The Board received a communication from Planning Administrator Nicole Crutchfield stating the Renaissance Zone Law states "a business that purchases or leases property as part of a zone project is exempt from income tax for five taxable years beginning in the year of the investment or lease for income derived from the business locations within the zone". She said the Fargo Renaissance Zone Development Plan further states "Tenant must be leasing space in a building that has been approved as a zone project to be eligible for consideration". She stated the Renaissance Zone Authority felt that lease projects such as the application from T & S Investments, LLC would generally be straightforward and could be advanced to the City Commission following staff review and would generally not require direct Authority action. She said staff review found the applicant has met the aforementioned requirements. She said the project addresses the business retention and expansion goals stated in the Renaissance Zone Development Plan.

Commissioner Sobolik moved the Renaissance Zone application filed by T & S Investments, LLC for a project located at 210 Broadway, Suite 400 be approved and the income tax exemptions be granted as recommended by the Renaissance Zone Authority.

Second by Wimmer. On call of the roll Commissioners Sobolik, Wimmer, Williams, Mahoney and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Renaissance Zone Project for Mojo Corp Approved:

A Hearing had been set for this day and hour to receive comments on a Renaissance Zone Project for Mojo Corp for a business leasing property as part of a zone project at 210 Broadway, Suite 401-C.

No written protest or objection to the Project has been received or filed in the City Auditor's Office.

The Board determined that no person is present to protest or offer objection to the Project.

The Board received a communication from Planning Administrator Nicole Crutchfield stating the Renaissance Zone Law states "a business that purchases or leases property as part of a zone project is exempt from income tax for five taxable years beginning in the year of the investment or lease for income derived from the business locations within the zone". She said the Fargo Renaissance Zone Development Plan further states "Tenant must be leasing space in a building that has been approved as a zone project to be eligible for consideration". She stated the

Renaissance Zone Authority felt that lease projects such as the application from Mojo Corp would generally be straightforward and could be advanced to the City Commission following staff review and would generally not require direct Authority action. She said staff review found the applicant has met the aforementioned requirements. She said the project addresses the business retention and expansion goals stated in the Renaissance Zone Development Plan.

Commissioner Sobolik moved the Renaissance Zone application filed by Mojo Corp for a project located at 210 Broadway, Suite 401-C be approved and the income tax exemptions be granted as recommended by the Renaissance Zone Authority.

Second by Wimmer. On call of the roll Commissioners Sobolik, Wimmer, Williams, Mahoney and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Resolution Adopted Approving Hinks Addition (4400 15th Avenue South):

Commissioner Sobolik offered the following Resolution and moved its adoption:

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

WHEREAS, A Plat has been filed in the office of the City Auditor entitled "Hinks Addition" containing 6 Lots, 1 Block, and 18.409 acres of land more or less, located at 4400 15th Avenue South; and

WHEREAS, A Hearing was held March 5, 2013 by the Fargo Planning Commission, and notice of such Hearing had been published, as required by law, and said Plat had been approved by the Fargo Planning Commission and by the City Engineer; and

WHEREAS, The City Auditor's Office published a Notice of Hearing on said Plat in the official newspaper for the City of Fargo on May 20 and 27, 2013 that a Hearing would be held in the City Commission Room, City Hall, Fargo, North Dakota at 5:15 p.m., May 28, 2013 at which time said Plat would be considered and all interested persons would be heard.

NOW, THEREFORE, BE IT RESOLVED, That the findings and recommendations of staff and the Planning Commission be accepted and the Plat entitled "Hinks Addition" be and the same is hereby in all things affirmed and approved on the basis that it complies with the Standards of Article 20-06, and all other applicable requirements of the Land Development Code, and that the Mayor of the City of Fargo and the appropriate City Officials are hereby directed to endorse their approval on the Plat and then direct Petitioner to file same for record in the office of the Register of Deeds of Cass County, North Dakota.

Second by Wimmer. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Wimmer, Williams, Mahoney and Walaker voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

Parcels of Land in West 29 4th Addition Rezoned (4155 23rd Avenue South):

At a Hearing held on May 7, 2013 the Fargo Planning Commission recommended approval of a change in zoning from AG, Agricultural to GC, General Commercial of the proposed West 29 4th Addition.

The City Auditor's Office published a Notice of Hearing stating this is the time and date set for said Hearing at which time all interested persons could appear and would be heard.

Commissioner Sobolik offered the following Resolution and moved its adoption:

WHEREAS, All legal requirements in connection with the above-described request for rezoning have been complied with; and

WHEREAS, There have been no written or verbal protests to the request for rezoning and no one is present to protest thereto.

NOW, THEREFORE, BE IT RESOLVED, That the findings of staff be accepted and the rezoning be approved on the basis that the proposal satisfactorily complies with the Comprehensive Plan, Standards of Section 20-0906.F (1-4) and all other applicable requirements of the LDC.

Second by Wimmer. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Wimmer, Williams, Mahoney and Walaker voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

First Reading of an Ordinance Rezoning Certain Parcels of Land Lying in West 29th 4th Addition, Fargo, Cass County, North Dakota:

Commissioner Sobolik moved the requirement relating to receipt of the Ordinance by the Commission one week prior to first reading be waived and that the Ordinance Rezoning Certain Parcels of Land Lying in West 29th 4th Addition, Fargo, Cass County, North Dakota be placed on first reading.

Second by Wimmer. On call of the roll Commissioners Sobolik, Wimmer, Williams, Mahoney and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Resolution Adopted Approving West 29 4th Addition:

Commissioner Sobolik offered the following Resolution and moved its adoption:

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

WHEREAS, A Plat has been filed in the office of the City Auditor entitled "West 29 4th Addition" containing 1 Lot, 1 Block, and 8.31 acres of land more or less, located East of 42nd Street South and North of 26th Avenue South; and

WHEREAS, A Hearing was held May 7, 2013 by the Fargo Planning Commission, and notice of such Hearing had been published, as required by law, and said Plat had been approved by the Fargo Planning Commission and by the City Engineer; and

WHEREAS, The City Auditor's Office published a Notice of Hearing on said Plat in the official newspaper for the City of Fargo on May 20 and 27, 2013 that a

Hearing would be held in the City Commission Room, City Hall, Fargo, North Dakota at 5:15 p.m., May 28, 2013 at which time said Plat would be considered and all interested persons would be heard.

NOW, THEREFORE, BE IT RESOLVED, That the findings and recommendations of staff and the Planning Commission be accepted and the Plat entitled "West 29 4th Addition" be and the same is hereby in all things affirmed and approved on the basis that it complies with the Standards of Article 20-06, and all other applicable requirements of the Land Development Code, and that the Mayor of the City of Fargo and the appropriate City Officials are hereby directed to endorse their approval on the Plat and then direct Petitioner to file same for record in the office of the Register of Deeds of Cass County, North Dakota.

Second by Wimmer. On the vote being taken on the question of the adoption of the Resolution Commissioners Sobolik, Wimmer, Williams, Mahoney and Walaker voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

Hearing on a Petition for a Zoning Change in Golden Valley Addition Continued to June 10, 2013 (6737 and 7067 25th Street South):

A Hearing had been set for May 13, 2013 on a petition for a zoning change from AG, Agricultural to SR-2, Single-Dwelling and PI, Public Institutional of the proposed Golden Valley Addition.

At the May 13, 2013 meeting, the Hearing was continued to this day and hour; however, the Planning and Engineering Departments have requested that the Hearing be continued to June 10, 2013.

Commissioner Sobolik moved the Hearing be continued to June 10, 2013.

Second by Mahoney. On call of the roll Commissioners Sobolik, Mahoney, Williams, Wimmer and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Request from Billiards on Broadway for a Six Month Extension of their Liquor License Approved:

The Board received a communication from City Auditor Steve Sprague stating Billiards on Broadway, owner Marc Oelslager sold the 208 Broadway building to the Kilbourne Group in the Fall of 2011 with the intention that after remodeling was complete he would occupy space in the building again. He said difficulties uncovered during construction have made the space unusable as a billiards hall. Mr. Sprague said City staff assumed that when he vacated the premises he had gone out of business; therefore, according to Fargo Municipal Code Section 25-1512.A.2 a business which has been deemed to have ceased operations would forfeit their license back to the City. However, in 2012 due to an oversight by staff his business was inadvertently added to the liquor license renewal list and Mr. Oelslager went through the necessary steps to renew the license. Mr. Sprague said Mr. Oelslager's intentions are to find another downtown location to reopen Billiards on Broadway and Mr. Oelslager is requesting an extension of his liquor license for that time period. Mr. Sprague said the Commission has the authority to extend the date in which the business was deemed to have ceased.

Commissioner Wimmer moved the exemption to Fargo Municipal Code Section 25-1512.A.2 for Billiards on Broadway be approved retroactive to December 1, 2011, and the six month extension of their Liquor License be approved beginning June 1, 2013.

Second by Sobolik. On call of the roll Commissioners Wimmer, Sobolik, Mahoney, Williams and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Request for an Expansion of the Licensed Liquor Premise at Fargo Billiards and Gastro Pub Approved:

The Board received a communication from City Auditor Steve Sprague stating Fargo Billiards and Gastro Pub located at 3234 43rd Street South is requesting an expansion of the licensed liquor premise to include an outdoor patio and summer recreation area. He said they are repurposing the outdoor space so that sand volley courts can be added to host summer volleyball leagues. He said the area will be fenced in with landscaping buffers.

Commissioner Wimmer moved the request for expansion of the licensed liquor premise at Fargo Billiards and Gastro Pub be approved.

Second by Mahoney. On call of the roll Commissioners Wimmer, Mahoney, Sobolik, Williams and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Request for an Expansion of the Licensed Liquor Premise at Fort Noks Approved:

The Board received a communication from City Auditor Steve Sprague stating Fort Noks is requesting an expansion of their licensed liquor premise to include an expanded outdoor patio. He said the area will be fenced in with landscaping buffers. He said the owner states he has applied for the required building permits and will bring the property to Land Development Code (LDC) standards. The applicant has also applied for a CDBG grant to assist with the cost of the work, he said, which is limited to \$15,000.00 and can only apply to landscape design standards.

City Administrator Pat Zavoral said the Commission needs to be clear in their determination so that staff has a full understanding of what steps are needing to take place.

Commissioner Wimmer moved the expansion of the licensed liquor premise at Fort Noks be approved contingent upon all zoning, planning (including LDC standards), building inspections and site improvements for the patio and adjacent lot are completed.

Second by Sobolik. On call of the roll Commissioners Wimmer, Sobolik, Williams, Mahoney and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Letter of Credit Policy Changes Approved:

The Board received a communication from City Auditor Steve Sprague stating the City of Fargo requires a letter of credit to provide security for unpaid special assessments in areas of new development. He said the policy has been in place for

more than twenty years and was originally capped at \$250,000.00. In April of 2006, he said, the Finance Committee adopted a policy of providing a letter of credit equal to thirty percent of the first \$1,000,000.00 and fifteen percent of the costs in excess of \$1,000,000.00 on a development by development basis. In January 2008, he said, the percentage was raised to a flat thirty percent of the engineer's estimate of cost of the project. Mr. Sprague said at the September 17, 2008 meeting the Finance Committee approved changing the policy to a flat fifty percent of the engineer's estimate of cost of the project. He said as market conditions continue to evolve, the Finance Committee makes recommendations to change the Letter of Credit Policy (LOC) so the City can remain competitive with other communities. He said key changes are to only include construction costs in the LOC requirement, removal of elevation costs, reinstatement of a Master LOC to be utilized in large developments and reduction of LOC requirements at an accelerated rate.

City Administrator Pat Zavoral said when land is developed the City is on the hook for the infrastructure costs, thus the need for the Letter of Credit from a developer. He said the City is in a competitive market with the other sister cities in the metro area. Recently, he said, the developers have been talking to the City about how best to modify the LOC policy with regard to special assessments in developments and staff has come up with some policy changes.

Commissioner Wimmer moved the changes in the Letter of Credit Policy be approved.

Second by Mahoney. On call of the roll Commissioners Wimmer, Mahoney, Williams, Sobolik and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Recommended Projects and Transit Request to be Submitted to Metro COG Policy Board for Consideration:

The Board received a Report of Action from the Public Works Project Evaluation Committee (PWPEC) stating Metro COG is soliciting project applications for federal aid funds for the years 2017 and 2018. They said Engineering staff met on May 13, 2013 to discuss future arterial roadway projects and staff feels there are four projects that merit solicitation of applications. Three of the projects are on the Regional Highway System, they said, and one would be eligible for funds from the NDDOT Urban Road Program. They said, on the Regional Highway System (RHS), which is comprised of US Highway 10 (Main Avenue), US Highway 81 (University Drive and 10th Street) and 19th Avenue North from 10th Street to I-29, staff ranks the projects in the following order:

1. University Drive from 18th Avenue South to the North I-94 Ramp intersection plus ramp revisions at both the north and south ramps. This project would show the City's strong desire to the NDDOT that this one block of street reconstruction is high on the reconstruction list; in hopes Interstate Maintenance funds for ramp improvements can be leveraged. Cost estimate in 2017 funds is \$2.5 million.
2. Main Avenue from 2nd Street to University Drive. Cost estimate in 2017 funds is \$9 million.
3. 10th Street from 4th Avenue North to 12th Avenue North. Cost estimate in 2017 funds is \$5.1 million.

They said engineering management staff recommends Urban Road Funds be used in the widening and partial reconstruction of 32nd Avenue South from 32nd Street to 42nd Street. They said this project would also leverage Interstate Maintenance Funds for the bridge widening over I-29 and a possible new loop in the NW Quadrant of the 32nd Avenue South and I-29 interchange at an estimated cost of \$7.30 million in 2017 funds. Planning Director Jim Gilmour indicated to the Committee, they said, that Transit Capital can also be funded with funds from the NDDOT Urban Roads Program; therefore, he would like to submit an application to purchase two new buses for \$1.2 million in 2017.

Commissioner Williams moved the recommended projects and transit request be submitted to Metro COG as applications to be evaluated for consideration by the Metro COG Policy Board for submittal to the NDDOT.

Second by Mahoney. On call of the roll Commissioners Williams, Mahoney, Wimmer Sobolik and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Main Avenue Study Review Committee Recommendations Approved: Resolution Adopted in Support of the Main Avenue Corridor Study:

The Board received a communication from the Public Works Projects Evaluation Committee stating they heard a presentation from Peggy Harter of Metro COG regarding the Main Avenue Corridor Study that is being finalized. They said the Corridor Study had limits from 2nd Street to 25th Street and did a thorough job examining the roadway corridor and developing conceptual alternatives for each segment of the corridor. They said the Corridor Study is recommending the following:

- For Segment 1 – 18th Street to 25th Street - The No-Build Alternative and Build Alternative A should proceed for further evaluation as part of a Project Concept Report once funding is allocated to this project. This segment only had these two alternatives for this segment, so no alternative is being thrown out at this time.
- For Segment 2 - University Drive to 18th Street - This segment has a No-Build Alternative plus Alternatives A through D, plus a sub-alternative at University Drive that would create two-way traffic on University Drive from Main Avenue to NP Avenue. The Study Review Committee recommends the No-Build Alternative and Alternatives A-C proceed for further evaluation as part of a Project Concept Report once funding is allocated to this project; however, Alternative D and the Sub-Alternative to make University Drive a two-way street between Main Avenue and NP Avenue will not proceed for further evaluation and discard them as alternatives in the future.
- For Segment 3 – 4th Street to University Drive - This segment had a No-Build Alternative plus Alternative A, and it also had six sub-alternatives examined. The Study Review Committee recommends the No-Build Alternative and Alternative A proceed for further evaluation as part of a Project Concept Report once funding is allocated to the project. The sub-alternatives included would be the mid-block pedestrian crossing

near 10th Street, additional parking on the south side of Main Street between 7th and 8th Streets and the addition of a westbound right turn lane at Broadway. The sub-alternatives that are not being recommended to proceed for further evaluation and to be discarded as sub-alternatives in the future are the median through the 7th Street intersection and parking removal on the south side of Main Avenue between Broadway and 7th Street. Also, the skyway idea from the Island Park parking structure over Main Avenue and the BNSF railroad tracks should not proceed as a part of the project on Main Avenue, but instead be its own project at a later date, as a skyway project that is not eligible for federal highway funds.

- For Segment 4 – 2nd Street to 4th Street - This segment had a No-Build Alternative, an Alternative A and a Sub-Alternative for 2nd Street between NP Avenue and Main Avenue to be configured as a 2+1 roadway, with 2 lanes northbound and 1 lane southbound. The Study Review Committee recommends both alternatives as well as the sub-alternative on 2nd Street should proceed for further evaluation as part of a Project Concept Report once funding is allocated to this project. No alternative for this segment is being eliminated at this time.

Metro COG Senior Transportation Planner Peggy Harter provided a power point presentation summarizing the project.

Commissioner Williams moved the recommendations made by the Main Avenue Study Review Committee be approved and the Resolution in support of the Main Avenue Corridor Study be adopted.

Second by Sobolik. On call of the roll Commissioners Williams, Sobolik, Wimmer, Mahoney and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Commissioner Williams moved the Board adopt the following Resolution in Support of the Main Avenue Corridor Study:

WHEREAS, The Fargo-Moorhead Metropolitan Council of Governments (Metro GOG) is responsible for the planning and development of a safe and functional multimodal transportation system for the FM Metropolitan area; and

WHEREAS, Metro COG as the metropolitan planning organization (MPO), is designated by the Governors of North Dakota and Minnesota to maintain the metropolitan area's transportation planning process in accordance with federal regulations; and

WHEREAS, Metro COG has undertaken the task of developing a corridor study on Fargo's Main Avenue from 25th Street to the Red River which served to identify investment needs along the corridor; and

WHEREAS, The Study was developed in cooperation with the North Dakota Department of Transportation (NDDOT) since Main Avenue is also designated as US Highway 10 and is on the Regional Roadway System; and

WHEREAS, The Study developed an implementation plan identifying a time frame of two phases of improvements along the Main Avenue corridor and potential sources of federal aid which can be pursued for funding; and

WHEREAS, The Study identified local utility infrastructure needs in which the City of Fargo will be solely responsible for funding; and

WHEREAS, The City is aware that the planning level alternatives that have been determined to move forward for further review are necessarily what will be constructed for the future project, but will have final consideration in a future environmental document.

NOW, THEREFORE, BE IT RESOLVED, That the Fargo City Commission does hereby support the findings and recommendations of the Fargo Main Avenue Corridor Study as the locally developed plan to guide future investments in the Study area.

Second by Sobolik. On the vote being taken on the question of the adoption of the Resolution Commissioners Williams, Sobolik, Wimmer, Mahoney and Walaker voted aye.

No Commissioner being absent and none voting nay, the Resolution was adopted.

Presentation of the 2012 Fire Department Statistics:

Fire Chief Steve Dirksen shared details of the 2012 Annual Report for the Department of Fire and Emergency Services.

Commissioner Sobolik moved that the Board adjourn to 5:00 o'clock p.m., Monday, June 10, 2013.

Second by Wimmer. All the Commissioners voted aye and the motion was declared carried.

The time at adjournment was 6:29 o'clock p.m.