

FARGO CITY COMMISSION AGENDA
Monday, June 12, 2023 - 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, May 30, 2023, and Special Meeting, June 7, 2023).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Receive and file an Ordinance Amending Section 19-0203 and Enacting Sections 19-0206.1 and 19-0208 of Article 19-02, Amending Section 19-0302 and Enacting Sections 19-0305, 19-0306 and 19-0307 of Article 19-03 of Chapter 19 of the Fargo Municipal Code Relating to the Department of Forestry - Trees, Parks and Boulevards.
- 2. 1st reading of an Ordinance Amending Section 11-0209 of Article 11-02 of Chapter 11 of the Fargo Municipal Code Relating to Noise Control and Radio Interference.
- 3. 2nd reading and final adoption of an Ordinance Amending Section 1-0305(C)(7) of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Classification of Ordinance Violations.
- 4. Agreement (Proximity of Airport and Noise Attenuation) for real property known as Laverne's Second Addition.
- 5. Applications for Games of Chance:
 - a. Landon's Light Foundation for a raffle on 6/24/23.
 - b. Aiden New Heart Fund for a raffle on 6/13/23; Public Spirited Resolution.
 - c. Lend a Hand Up, Inc. for bingo on 7/17/23.
 - d. Fargo 12U White Baseball Team for a raffle board on 6/23/23-6/25/23.
- 6. Site Authorizations for Games of Chance:
 - a. Metro Sports Foundation at Radisson Blu.
 - b. Sharehouse Inc. at Speck's Bar.
 - c. Arc Upper Valley at Suite Shots.
 - d. Aggie Foundation at Doublewood Lounge, Inc. (O'Clevey's).
- 7. Agreement with Jaryn Homiston for the Contractual Multimedia Producer.
- 8. Easement (Temporary Construction Easement) with Bristol Street Development, LLC (Improvement District No. BR-23-F1).
- 9. Easement (Temporary Construction Easement) with Alexandra Marie, LLC (Improvement District No. BR-23-F1).

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10. Easement (Temporary Construction Easement) with MAO, LLC (Improvement District No. BR-23-F1).
 11. Easement (Temporary Construction Easement) with Rail Crossing, LLC (Improvement District No. BR-23-F1).
 12. Easement (Temporary Construction Easement) with Fabricators Supply, Inc. (Improvement District No. BR-23-F1).
 13. Farm Lease (Oak Grove) with Chad Johnson and Kyle Johnson for property at 5636, 5638, 6054 and 6056 Veterans Boulevard South.
 14. Final Balancing Change Order No. 4 in the amount of \$36,486.00 for Improvement District No. BN-21-E1.
 15. Negative Final Balancing Change Order No. 3 in the amount of -\$29,997.04 for Improvement District No. BN-22-N1.
 16. Bid award to Ryan Contracting in the amount of \$3,631,788.50 for Improvement District No. UN-23-A1.
 17. Bid award to Dirt Dynamics in the amount of \$449,940.06 for Improvement District No. PN-23-E1.
 18. Create Improvement District No. BN-23-C.
 19. Change Order No. 1 for a 7-day time extension to the Interim Completion Date for Project No. PR-23-F1.
 20. Change Order No. 4 for a time extension to Substantial and Final Completion dates of 6/16/23 and 7/1/23 for Project No. MP-20-A2.
 21. Agreement for Professional Services with Houston Engineering for Project No. NR-24-B0.
 22. Contract with Veneklasen Associates, Inc. for the Noise and Vibration Study (RFP23066).
 23. Notice of Grant Award from the North Dakota Department of Health and Human Services for Public Health Emergency Preparedness – All Hazards Allocation (CFDA #93.069).
 24. Notice of Grant Award from the ND Department of Health and Human Services for Public Health Emergency Preparedness – City Readiness Initiative (CFDA #93.069).
 25. Notice of Grant Award from the ND Department of Health and Human Services Women's Way Program (CFDA #s 93.898 and 93.391).
 26. Purchase of Service Agreement with Mapleton Public School.
 27. Set June 26, 2023 at 5:15 p.m. as the date and time for a Public Hearing on a dangerous building at 421 15th Avenue North.
 28. Resolution Approving the 2023 Action Plan and Amendment to the 2021 Action Plan for the Community Development Block Grant (CDBG) and HOME Programs.

29. Bid award to Swanston Equipment for a 5-year annual trade-in contract for compact track and skid-steer loaders (RFP23042A).
30. Bid award to Swanston Equipment for a 5-year annual trade-in contract for utility work machines (RFP23042B).
31. Bid award to Trenchers Plus Inc. for the purchase/lease of 2 brush chippers in the amount of \$93,750.00 (RFP23101).
32. First Amendment to Contract Between City of Fargo, North Dakota and Ambassador Cleaning for Ground Transportation Center and Metro Transit Garage Custodial Services October 10, 2022 through October 9, 2027.
33. Contract awarded to KLJ, Inc. in the amount of \$49,921.17 for a Transit Reorganization Study (RFP20103).
34. Contract and bond for Project No. TM-23-A1.
35. Contract and bond for Improvement District No. BR-23-J1.
36. Bills.

REGULAR AGENDA:

37. **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:**

38. **PUBLIC HEARING** – CONTINUED TO 7/24/23 - Valley View Estates Fourth Addition (3606-4890 Decorah Way South); approval recommended by the Planning Commission on 2/7/23; continued from the 5/1/23 Regular Meeting.
 - a. Zoning Change from SR-4, Single-Dwelling Residential and P/I, Public and Institutional to SR-4, Single-Dwelling Residential with a C-O, Conditional Overlay.
 - b. 1st reading of rezoning Ordinance.
 - c. Plat of Valley View Estates Fourth Addition.
39. Update on possible solutions to street racing/speeding.
40. Presentation on the progress of the Growth Plan and an update on community engagement opportunities.
41. Recommendation for appointment of the Interim Finance Director.
42. Discussion on developing an Agreement for the use of the City-owned property at 4630 15th Avenue North for building a new Red River Regional Dispatch Center.
43. Discussion on placing monthly financial reports on the Regular Agenda.
 - a. Receive and file General Fund – Budget to Actual through May 2023 (unaudited).
44. Liaison Commissioner Assignment Updates.

Page 4 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.

June 8, 2023

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Honorable Board of
City Commissioners
City of Fargo
225 North Fourth Street
Fargo, ND 58102

Re: Street Racing Update

Dear Commissioners:

At the May 15, 2023 City Commission Meeting, Engineering and Police Department staff were directed to examine possible solutions to street racing/speeding and report back to the Commission on their findings at the June 12, 2023 meeting.

Staff from Engineering and the Police Department have met to discuss this issue and will provide a brief update.

Respectfully Submitted,



Brenda Derrig, P.E.
Assistant City Administrator

MEMORANDUM

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TO: Fargo City Commission

FROM: Nicole Crutchfield, Director of Planning and Development
Mark Williams, Assistant Director of Planning and Development
Kim Citrowske, Planning Coordinator

DATE: June 8, 2023

SUBJECT: Growth Plan Update

Staff will provide a brief presentation on the progress of the Growth Plan and update the City Commission on upcoming community engagement opportunities.

Background

City of Fargo has experienced steady growth in population and employment over the last few decades and anticipates future growth. The last Growth Plan was adopted in 2007 and is in need of updates. Following Request for Proposal process in the fall of 2022, the consultant team of czb, LLC has been contracted to facilitate the growth planning process.

Community-wide Process

As the process nears the end of phase one of a three phase process, the consultant team will be host a variety of community engagement opportunities on June 20 and 21 including:

- Joint presentation to City Commissioner and Planning Commission in a recorded, open meeting, brown bag format on Wednesday, June 21 from 11:30 AM – 1:00 PM
- Growth Plan Advisory Committee meeting
- Open Houses - The community is welcome stop by at the Open Houses. (This Open House is an informal event and will not include a formal presentation. Community members can come and go at their convenience.)
 - Tuesday, June 20 from 5:00 – 6:30 PM in the Community Room at Carlson Library – 2801 32 Ave S)
 - Wednesday, June 21 from 5:00 – 6:30 PM in Sky Commons (Second floor of the Civic Center – 207 4 St N, former Commission Chambers)
- A Growth Plan webpage is being developed for the Growth Plan where community members will be able to learn about the project and allow the public opportunities to provide feedback including online surveys incrementally throughout the process.



June 12, 2023

To: Board of City Commissioners
Fr: Michael Redlinger, City Administrator
Re: Recommendation for Interim Finance Director Appointment

The position of Finance Director for the City of Fargo is currently vacant. In the interim period before a new Finance Director is identified and placed, the City of Fargo desires to designate an Interim Finance Director. It is my recommendation that Susan Thompson, Assistant Finance Director, be appointed Interim Finance Director until the start date of a permanent Finance Director. Ms. Thompson has provided nearly 25 years of service to the FARGODOME as its Finance Director, and was recently appointed Assistant Finance Director for the City of Fargo.

City staff, in coordination with the Liaison Commissioner to Finance/Auditor's Office, will establish a Selection Committee to screen and interview prospective candidates for the permanent Finance Director position in July.

Recommended Action: Approve the recommendation to appoint Susan Thompson as Interim Finance Director at Grade 24, Step 1, effective June 12, 2023.

Cc: Jill Minette, Director of Human Resources
Camila Van Dyke, Human Resources Manager
Susan Thompson, Assistant Finance Director

CITY OF Fargo Fire Department

MEMORANDUM

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TO: BOARD OF CITY COMMISSIONERS

FROM: FIRE CHIEF STEVE DIRKSEN

DATE: JUNE 7, 2023

SUBJECT: RED RIVER REGIONAL DISPATCH CENTER USE OF CITY LAND

The Red River Regional Dispatch Center has been developing plans to construct a new dispatch center. Over the past two years, multiple sites were evaluated to construct a new center. The architect that was selected for the construction provided an evaluation and a ranked scoring of four possible sites. The city of Fargo lands adjacent to the Public Safety Building as well as land acquired for a possible fire station were presented as possible site locations given the public use for the joint dispatch operations and staff's determination that there is excess land in both locations available for this use.

The site that ranked highest was eliminated after the RRRDC Board of Authority could not negotiate acceptable terms for the lease of the land. At the May 11, 2023 RRRDC Board of Authority meeting, the Board voted to begin design work at the site on City of Fargo owned land located near the Public Safety Building at 4630 15th Ave N.

RECOMMENDED MOTION: Authorize the City Attorney and the Fire Chief to develop an agreement for the use of the City owned property located at 4630 15th Ave. N for building a new regional dispatch center.

MEMO

TO: Fargo City Commission

FROM: John Strand, Commissioner
Arlette Preston, Commissioner

DATE: June 12, 2023

RE: Agenda item management

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With the financial status constantly changing as we have dealt with additional funding and expenses during COVID, we have the accountability to closely monitor finances. That discussion needs to happen around monthly reports received from the Finance Department. In addition, the quarterly reports on projected year end actual revenues and expenses require scrutiny and response when appropriate.

In order to ensure close monitoring, those reports (monthly/quarterly) which deal with overall financial status need to be placed on the regular agenda. They require our attention which placement on consent agendas does not provide.

Suggested action:

Direct staff to place financial reports on the regular agenda.

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**CITY OF FARGO
GENERAL FUND - BUDGET TO ACTUAL
THROUGH MAY 2023
(UNAUDITED)**

	2023 BUDGET	2023 ACTUAL	VARIANCE
REVENUES:			
Taxes	\$ 36,318,002	\$ 36,215,149	\$ (102,853)
Licenses & Permits	2,512,815	2,735,686	222,871
Fines & Traffic Tickets	1,003,519	491,261	(512,258)
Intergovernmental Revenue	6,500,994	5,928,345	(572,649)
Charges for Services	4,309,685	4,007,365	(302,320)
Interest	1,216,660	3,390,366	2,173,706
Miscellaneous Revenue	1,866,390	465,298	(1,401,092)
Transfers In	5,800,750	7,104,098	1,303,348
Total Revenues	\$ 59,528,815	\$ 60,337,568	\$ 808,753
EXPENDITURES:			
City Administrator	\$ 4,295,233	\$ 4,560,215	\$ (264,982)
Finance	4,052,789	3,431,506	621,283
Planning & Development	2,373,251	1,989,629	383,622
Public Works	8,283,130	8,409,328	(126,198)
Fire Department	7,912,303	5,721,542	2,190,761
Police	11,043,600	9,487,642	1,555,958
Health	5,753,268	5,226,003	527,265
Library	2,373,055	1,977,659	395,396
Commission	341,775	320,451	21,324
Social Services	217,963	186,976	30,987
Capital Outlay	220,472	92,135	128,337
Vehicle Replacement/IT	-	(4,539)	4,539
Contingency	(907,975)	11,300	(919,275)
Transfers Out	1,611,480	74,226	1,537,254
Total Expenditures	\$ 47,570,344	\$ 41,484,073	\$ 6,086,271
Excess of Revenue Over (Under) Expenditures	\$ 11,958,471	\$ 18,853,495	\$ 6,895,024