

- h. Contract amendment I to the agreement with the State Water Commission for cost participation for the 2010 initiated flood control projects.
- i. Applications for five-year exemptions from taxation for improvements made to buildings:
 - (1) Douglas and Phyllis Benson, 101 South Woodcrest Drive North.
 - (2) Yvonne Lepage, 2856 Hickory Street.
- j. Site Authorization for the North Dakota Association for the Disabled, Inc. at Hennessy's.
- k. Applications for Games of Chance:
 - (1) Michael Casler Benefit for a raffle on 3/15/14; Public Spirited Resolution.
 - (2) St. Mary's Cathedral for a raffle on 5/4/14.
 - (3) Army ROTC Ranger Challenge Club for a raffle on 3/14/14.
 - (4) NDSU Campus Lions Club for a raffle on 4/16/14.
- l. Mosquito Control Agreement with Cass County for 2014.
- m. FAA Aerial Mosquito Spraying Authorization Application for Airborne Custom Spraying.
- n. Agreement for Special Improvements Master Security with Carefree Investments for MGB and Eagle Point Additions.
- o. Contract with All-Terrain Grounds Maintenance, Inc. for landscape maintenance assistance for the Forestry Department for 2014-2016.
- p. Offer of Carol and Brad Schlossman for purchase of property at 702 Hackberry Drive South.
- q. Bridge Repair Cost-Share Agreement for the First Avenue North Bridge and creation of Project No. PR-14-8.
- r. Access Agreement with El Zagal for Project No. FM-14-51.
- s. Professional Services Agreement Amendment #6, in the amount of \$26,671.01, for Project No. 5958.
- t. Bid advertisement for Project No. FM-14-2.
- u. Contracts and bonds for the Northport Library Community Room.
- w. Bills in the amount of \$4,599,076.60.

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

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

No Protests Received for Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals Improvement District No. PN-14-51:

The Statutory Resolution of Necessity for the construction of Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals Improvement District No. PN-14-51 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on January 27 and February 3, 2014 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 Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals Improvement District No. PN-14-51.

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

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

Bids Received for Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals Improvement District No. PN-14-51:

The bids for Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals Improvement District No. PN-14-51 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., February 26, 2014 and the bids were found to be as follows:

Border States Paving, Inc. Bid:	Fargo, ND \$362,203.65
Aggregate Industries Bid:	Moorhead, MN \$373,751.05
Master Construction Company, Inc. Bid:	Fargo, ND \$374,629.00
Central Specialties, Inc. Bid:	Alexandria, MN \$402,174.95

Contract for Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals Improvement District No. PN-14-51 Awarded to Border States Paving, Inc. in the Amount of \$362,203.65:

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 Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals Improvement District No. PN-14-51; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received February 26, 2014 for Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals Improvement District No. PN-14-51 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals Improvement District No. PN-14-51 shows the bid of Border States Paving, Inc. of Fargo, North Dakota, in the sum of \$362,203.65 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 Border States Paving, Inc. in the sum of \$362,203.65 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals Improvement District No. PN-14-51 in the City of Fargo, North Dakota, be and the same is hereby awarded to Border States Paving, Inc. for the sum of \$362,203.65, 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 Sobolik. On the vote being taken on the question of the adoption of the Resolution Commissioners Mahoney, Sobolik, Williams, Wimmer and Walaker voted aye.

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

Final Balancing Change Order No. 1 for Improvement District No. 6158 Approved:

Commissioner Mahoney moved approval of Final Balancing Change Order No. 1 for an increase of \$56,821.79 for Improvement District No. 6158.

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

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

Amended Engineer's Report for Improvement District No. BR-14-2 Approved:

The Board received an Amended Engineer's Report for Improvement District No. BR-14-2 from City Engineer April Walker. The total estimate of cost has been amended to \$1,546,020.00.

Commissioner Mahoney moved the amended Engineer's Report for Improvement District No. BR-14-2 be approved.

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

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

Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Paving, Street Lights and Incidentals Improvement District No. BN-14-0 (Eagle Pointe 2nd Addition):

Commissioner Mahoney moved the following action be taken in connection with Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Paving, Street Lights and Incidentals Improvement District No. BN-14-0:

Adopt Resolution Creating Improvement District No. BN-14-0:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. BN-14-0 in the City of Fargo, North Dakota, be created

On 75th Avenue South between Eagle Pointe Drive South and 16th Street South.

On 16th Street South between 73rd Avenue South and 75th Avenue South.

On Claire Drive South between 16th Street South and 75th Avenue South.

COMPRISING

Lot 1 thru 10, Block 1.

Lot 1 thru 12, Block 2.

Lot 1 thru 52, Block 3.

Lot 1 thru 12, Block 4.

Lot 1 thru 29, Block 5.

Lot 1 thru 25, Block 6.

Lot 1 thru 8, Block 7.

All in Eagle Pointe 1st Addition.

Lot 1 thru 26, Block 1.

Lot 1 thru 18, Block 2.

Lot 1 thru 22, Block 3.

All in Eagle Pointe 2nd Addition.

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

NOW, THEREFORE, BE IT RESOLVED, That Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Paving, Street Lights and Incidentals Improvement District No. BN-14-0 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. BN-14-0:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. BN-14-0 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 \$1,735,750.00.)

Order Plans and Specifications for Improvement District No. BN-14-0:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. BN-14-0 in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. BN-14-0:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. BN-14-0 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. BN-14-0 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, Site Grading, 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, Site Grading, Paving, Street Lights and Incidentals Improvement District No. BN-14-0 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, Site Grading, Paving, Street Lights and Incidentals must be in writing and must be filed with the City Auditor's Office within 30 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. BN-14-0:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. BN-14-0 in the City of Fargo, North Dakota.

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

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

Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-1 (Various Locations in South Fargo):

Commissioner Mahoney moved the following action be taken in connection with Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-1:

Adopt Resolution Creating Improvement District No. BR-14-1:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. BR-14-1 in the City of Fargo, North Dakota, be created

On 7th Street South from 5th Avenue to 9th Avenue South.

On 8th Street South from 5th Avenue to 9th Avenue South.

On 8th Avenue South from 6th Street to 7th Street South.

COMPRISING

Lots 1 thru 4, the east 185' of Lot 5 and the east 171.5' of Lot 6, inclusive, Block F.

Lots 1 thru 22 and A & B of 4 & 5, inclusive, Block G and the adjacent vacated right-of-way.

Lots 1 thru 26, inclusive, Block H, less that part of Lot 1 lying in the 6th Avenue South right-of-way.

Lots 1 and 12 thru 24, inclusive, Block K.

Lots 1 thru 24, inclusive, Block L.

Lots 2 thru 13, inclusive, Block M.

All of Block TT, adjacent vacated 6th Street South right-of-way and an adjacent 33' wide strip of undedicated land extending immediately west of Island Park Addition, bounded on the north by the south right-of-way line of 6th Avenue South, bounded on the south by the north right-of-way line of 7th Avenue South.

All in Chas A. Roberts Addition.

The east 150' of Block 43.

Lots 1 thru 3, Block 44 and adjacent vacated right-of-way.

All in Northern Pacific Addition.

All of the unplatted land lying in the NW 1/4 of Section 7 bounded on the north by 6th Avenue South and bounded on the west by 7th Street South.

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

NOW, THEREFORE, BE IT RESOLVED, That Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-1 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. BR-14-1:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. BR-14-1 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 \$1,815,660.00.)

Order Plans and Specifications for Improvement District No. BR-14-1:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. BR-14-1 in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. BR-14-1:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. BR-14-1 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. BR-14-1 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 Water Main Replacement, 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 Water Main Replacement, Street Reconstruction and Incidentals, Improvement District No. BR-14-1 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 Water Main Replacement, Street Reconstruction and Incidentals improvement is to be paid from Street Sales Tax, and approximately 37% 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 Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-1 must be in writing and must be filed with the City Auditor's Office within 30 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. BR-14-1:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. BR-14-1 in the City of Fargo, North Dakota.

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

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

P.C. Concrete Pavement, Grading, Storm Sewer, Street Lights, Signals and Incidentals Improvement District No. PN-14-C (Drain 27 Veterans Boulevard to Sheyenne Street):

Commissioner Mahoney moved the following action be taken in connection with P.C. Concrete Pavement, Grading, Storm Sewer, Street Lights, Signals and Incidentals Improvement District No. PN-14-C:

Adopt Resolution Creating Improvement District No. PN-14-C:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. PN-14-C in the City of Fargo, North Dakota, be created

On 40th Avenue South from Drain 27 to Sheyenne Street.

COMPRISING:

All of the land lying in the North half of Section 32, Township 139, Range 49 bounded on the west by the City limit (Sheyenne River), all land in the NW 1/4 of Section 33, Township 139, Range 49 and all land in the SW 1/4 of Section 28, Township 139, Range 49.

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

NOW, THEREFORE, BE IT RESOLVED, That P.C. Concrete Pavement, Grading, Storm Sewer, Street Lights, Signals and Incidentals Improvement District No. PN-14-C 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. PN-14-C:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. PN-14-C 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 \$9,648,448.00.)

Order Plans and Specifications for Improvement District No. PN-14-C:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. PN-14-C in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. PN-14-C:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. PN-14-C 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. PN-14-C 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 Sewer, Street Lights, Signals 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 Sewer, Street Lights, Signals and Incidentals Improvement District No. PN-14-C 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 Sewer, Street Lights, Signals and Incidentals improvement is to be paid from Street Sales Tax and approximately 38% 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 Sewer, Street Lights, Signals and Incidentals must be in writing and must be filed with the City Auditor's Office within 30 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. PN-14-C:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. PN-14-C in the City of Fargo, North Dakota.

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

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

Grading, P.C.C. Pavement, Storm Sewer, Bridge Widening, Ramp Construction, Retaining Walls, Traffic Signals, Street Lighting, Sidewalks and Incidentals Improvement District No. PR-14-6 (25th Street South from 17th Avenue South to 23rd Avenue South):

Commissioner Mahoney moved the following action be taken in connection with Grading, P.C.C. Pavement, Storm Sewer, Bridge Widening, Ramp Construction,

Retaining Walls, Traffic Signals, Street Lighting, Sidewalks and Incidentals
Improvement District No. PR-14-6:

Adopt Resolution Creating Improvement District No. PR-14-6:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. PR-14-6 in the City of Fargo, North Dakota, be created

25th Street South from 17th Avenue South to 23rd Avenue South.

SR zoning use will not be special assessed.

COMPRISING

Lot 1, Block 1

Lots 1 through 8, inclusive, Block 2

Lots 1 and 2, inclusive, Block 3

All in Saks Addition

Lots 1 through 10, inclusive, Block 1

Lots 1 through 12, inclusive, Block 3

All in Hub Addition

Lots 1 through 8, inclusive, Block 4A

Lots 1 through 9, inclusive, Block 4B

Lots 1 through 10, inclusive, Block 4C

Lots 1 through 10, inclusive, Block 4D

All in Replat of Block 4 of Hub Addition

Lot 1, Block 1

All in South Meadows Subdivision

Lots 1 through 17, inclusive, Block 1

All in Prairie South Addition

Lots 6 and 7, inclusive, Block 1

Lots 1 through 5, inclusive, Block 2

Lots 1, 2, 5 and 6, Block 3

All in Dakota Land Addition

Lots 1 through 25, Block 1

All in Replat of Lot 3 and the South 85' of Lot 2, Block 3, Dakota Land Addition

Lot 1, Block 1

Lots 1 through 5, inclusive, Block 2

All in Dakota Land 2nd Addition

Lots 1 through 16, inclusive, Block 1

All in Points West Addition

Lots 1 through 9, inclusive, Block 1
All in Points West 2nd Addition

Lots 1 through 15, inclusive, Block 1
Lots 4 through 31, inclusive, Block 2
Lot 1, Block 3
Lots 1 through 28, inclusive, Block 4
Lots 1 through 14, inclusive, Block 6
Lots 1 through 16, inclusive, Block 7
Lot 1, Block 8
Lots 1 through 18, inclusive, Block 11
Lot 1, Block 12
Lots 1 through 14, inclusive, Block 13
Lots 1 through 34, inclusive, Block 14
Lots 1 through 27, inclusive, Block 15
Lot 1, Block 16
Lots 1 through 43, inclusive, Block 17
Lot 1, Block 18
All in Prairiewood Addition

Lots 1 through 12, inclusive, Block 19
All in Replat of Lot 1, Block 5 of Prairiewood Addition

Lots 1 through 16, inclusive, Block 9
All in Replat of Block 9 of Prairiewood Addition

Lots 2 through 9, inclusive, Block 10
All in Replat of Block 10 of Prairiewood Addition

Lots 30 through 34, inclusive, Block 2
All in Ames Addition

Lot 1, Block 1
Lot 1, Block 2
All in S & W 2nd Addition

Lots 1 through 26, inclusive, Block 4
Lots 1 through 21, inclusive, Block 5
Lots 1 through 20, inclusive, Block 6
Lots 1 through 17, inclusive, Block 8
Lots 1 through 11, inclusive, Block 9
Lots 1 through 26, inclusive, Block 10
Lots 1 through 25, inclusive, Block 11
Lots 1 through 17, inclusive, Block 12
All in Westgate Village Addition

Lots 1 through 4, inclusive, Block 1
Lots 1 through 7, inclusive Block 2
All in Replat of Block 1 Westgate Village Addition

Lots 1 through 13, inclusive, Block A
Lots 1 and 2, Block B
All in Replat of Blocks 2 and 7, Westgate Village Addition

Lots 1 through 11, inclusive, Block 1A
Lots 1 through 4, inclusive, Block 2A
All in Replat of Block 3 of Westgate Village Addition

Lots 1 through 12, inclusive, Block 1
Lots 1 through 8, inclusive, Block 2
All in Westgate Park Addition

Lots 1 through 13, inclusive, Block 1
Lots 1 through 22, inclusive, Block 2
All in Cobblestone Court Addition

Lot 1, Block 1
All in Gronke's Subdivision

Lots 1 through 30, inclusive, Block 1
Lot 1, Block 2
Lots 1 through 32, inclusive, Block 3
Lots 1 through 32, inclusive, Block 4
Lots 1 through 32, inclusive, Block 5
All in Sally Hilleboe Subdivision

Lots 1 through 19, inclusive, Block 1
Lots 1 through 12, inclusive, Block 2
Lots 1 through 17, inclusive, Block 3
All in Replat of Harold A. Johnson's 1st Addition

Lots 1 through 9, inclusive, Block 4
Lots 1 through 9, inclusive, Block 5
All in Harold A. Johnson's 2nd Addition

Lots 1 through 3, inclusive, Block 1
Lots 1 through 14, inclusive, Block 2
Lots 1 through 17, inclusive, Block 3
All in Harold A. Johnson's 3rd Addition

Lots 1 through 13, inclusive, Block 1
Lots 17 through 27, inclusive, Block 6
Lots 1 through 11, inclusive, Block 7
Lots 1 through 34, inclusive, Block 8

Lots 1 through 14, inclusive, Block 9
Lots 1 through 15, inclusive, Block 10
Lots 1 through 30, inclusive, Block 11
Lots 1 through 26, inclusive, Block 12
All in Southview Villages Addition

Lots 14 through 21, inclusive, Block 1
Lots 1 through 9, inclusive, Block 2A
Lots 1 through 27, inclusive, Block 2B
All in Replat of Lot 14, Block 1; and all of Block 2; Southview Villages Addition

Lots 1 through 22, inclusive, Block 3
Lots 1 through 11, inclusive, Block 4
All in Replat of Blocks 3 and 4 of Southview Villages Addition

Lots 1 through 8, inclusive, Block 5A
Lots 1 through 10, inclusive, Block 5B
Lots 1 through 16, inclusive, Block 5C
All in Replat of Block 5 of Southview Villages Addition

Lots 28 through 36, inclusive, Block 6A
Lots 1 through 18, inclusive, Block 6B
Lots 1 through 12, inclusive, Block 7A
Lots 27 through 36, inclusive, Block 12A
Lots 1 through 8, inclusive, Block 13A
Lots 1 through 24, inclusive, Block 14A
Lot 1, Block 15
All in Replat of Southview Villages Addition

Lots 1 through 4, inclusive, Block 1
All in Jeffries Office Park Addition

Lots 1 and 2, Block 1
Lots 1 through 3, inclusive, Block 2
All in Fargo South Addition

Lots 1 through 16, inclusive, Block 1
All in Sunshine Village 1st Addition

Lot 1, Block 1
All in Oak Court Addition

Lots 1 through 3, inclusive, Block 1
All in Old Oak 2nd Addition

Lots 1 through 11, inclusive, Block 8
All in Oak Manor 2nd Addition

Lots 3 and 4, Block 1
All in Replat of Mjelde Addition

Lot 1, Block 1
All in Kjehf Point Addition

Lot 1, Block 4
All in Arrowhead Addition

Lot 1, Block 1
All in S & W 3rd Addition

Lot 1, Block 1
All in Goldmark Addition

Lot 1, Block 1
All in Goldmark 2nd Addition

Lot 1, Block 1
Lots 1 through 5, inclusive, Block 2
All in J & R Addition

Lots 1 through 10, inclusive, Block 1
Lots 1 through 29, inclusive, Block 2
Lots 1 through 26, inclusive, Block 3
Lots 1 through 13, inclusive, Block 4
Lots 1 through 11, inclusive, Block 5
Lots 1 through 16, inclusive, Block 6
Lots 1 through 8, inclusive, Block 7
Lot 1, Block 8
All in Wentz' Addition

Lots 1 through 10, inclusive, Block 1
Lots 1 through 11, inclusive, Block 2
Lots 1 through 22, inclusive, Block 3
Lots 1 through 21, inclusive, Block 4
Lot 1, Block 5
Lots 1 through 11, inclusive, Block 6
Lots 1 through 11, inclusive, Block 7
All in O'Graf Addition

Lots 1 through 8, inclusive, Block 1
Lots 1 through 13, inclusive, Block 2
Lots 1 through 15, inclusive, Block 3
Lots 1 through 12, inclusive, Block 4
Lots 1 through 26, inclusive, Block 5
Lots 1 through 13, inclusive, Block 6
Lots 1 through 14 and 18 through 26, Block 7

Lots 1 through 9 and Lot 13, Block 8
Lots 1 through 13, inclusive, Block 9

Lots 1 and 2, Block 10
All in Crary's 1st Addition

Lots 14 through 29, inclusive, Block 6
Lots 15 through 17, inclusive, Block 7
Lots 10 through 12, inclusive, Block 8
All in Replat of a Part of Crary's 1st Addition

Lots 1 and 2, Block 1
Lots 1 through 12, inclusive, Block 2
Lots 1 through 15, inclusive, Block 3
Lots 1 through 18, inclusive, Block 4
Lots 1 through 18, inclusive, Block 5
Lots 1 through 18, inclusive, Block 6
Lots 2 through 8, inclusive, Block 7
All in Rheault Addition

Lots 1 through 7, inclusive, Block A
Lots 1 through 20, inclusive, Block B
Lots 12, through 30, inclusive, Block E
All in Replat of Part of Rheault Addition

Lots 1 through 5, inclusive, Block C
All in Replat of Block C of the Replat of Part of Rheault Addition

Lots 1 through 7, inclusive, Block 1
Lots 1 through 14, inclusive, Block 2
Lots 1 through 28, inclusive, Block 3
Lots 1 through 14, inclusive, Block 4
Lots 1 through 15, inclusive, Block 5
Lots 1 through 8, inclusive, Block 6
All in Hans Halverson Addition

Lots 1 through 15, inclusive, Block I
Lots 1 through 16, inclusive, Block J
Lots 1 through 14, inclusive, Block K
Lots 1 through 47, inclusive, Block L
Lots 1 through 20, inclusive, Block M
All in I.J.M. Addition

Lots 1 and 2, Block 1
All in Beautiful Savior 2nd Addition

Lot 1, Block 1
All in Fargo Baptist Addition

Lots 1 and 2, Block 1
All in Fargo Baptist 2nd Addition

Lot 1, Block 1
All in Charlies 2nd Addition

Lots 1 through 3, inclusive, Block 1
All in Charlies 3rd Addition

Lots 9 through 47, inclusive, Block 1
Lots 1 through 10, inclusive, Block 3
Lots 1 through 12, inclusive, Block 4
Lots 1 through 13, inclusive, Block 5
All in Woodbury Park Addition

Lots 1 through 8, inclusive, Block 1
All in Woodbury Park 2nd Addition

Lots 1 through 16, inclusive, Block 1
All in Woodbury Parkhomes Addition

Lot 1, Block 1
Lot 2, Block 2
Lots 1 through 8, inclusive, Block 3
Lots 1 through 9, inclusive, Block 4
All in Blue Sky Addition

Lots 1 through 11, inclusive, Block 1
Lots 1 through 8, inclusive, Block 2
All in Grove Addition

Lots 1 through 5, inclusive, Block 1
All in Grove 2nd Addition

Lots 1 through 8, inclusive, Block 1
Lots 1 through 5, inclusive, Block 2
All in Grove 3rd Addition

Lots 1 through 12, inclusive, Block 1
Lots 1 and 2, Block 2
All in a Replat of Wheatland Pines 1st Addition

Lots 1 through 13, inclusive, Block 1
Lots 1 through 14, inclusive, Block 2
All in Westlake 1st Addition

Lots 1 through 12, inclusive, Block 1
Lots 1 through 30, inclusive, Block 2
All in Westlake 2nd Addition

Lots A through P, inclusive, Block 1
All in Replat of Westlake 3rd Addition

Lots 1 through 13, inclusive, Block 1
Lots 1 through 12, inclusive, Block 2
All in Westlake 4th Addition

Lots 1 through 19, inclusive, Block 1
Lots 1 through 19, inclusive, Block 2
All in Westlake 5th Addition

Lots 1 through 13, inclusive, Block 1
Lots 1 through 4, inclusive, Block 2
All in Westlake 6th Addition

Lots 1 through 14, inclusive, Block 1
Lots 1 through 4, inclusive, Block 2
Lots 1 through 6, inclusive, Block 3
All in Westlake 7th Addition

Lots 2 through 6, inclusive, Block 1
All in Westlake Townhomes 3rd Addition

Lots 1 and 2, Block 1
All in Westlake Townhomes 4th Addition

Lots 1 through 4, 6 and 7, Block 1
All in First Center South Addition

Lots 1 and 2, Block 1
All in First Center South 1st Addition

Lot 1, Block 1
All in First Center South 2nd Addition

Lots 1 and 2, Block 1
All in Ed Clapp Park Addition

Lots 11 through 26, inclusive, Block 2
Lot 1, Block 3
Lots 1 through 9, inclusive, Block 4
Lots 1 through 17, inclusive, Block 5
All in Parkview South 1st Addition

Lots 1 through 4, inclusive, Block 1
Lots 1 through 32, inclusive, Block 2
Lots 1 through 27, inclusive, Block 3
All in Parkview South 2nd Addition

Lots 1 through 6, inclusive, Block 1
Lots 1 through 6, inclusive, Block 2
All in Parkview South 3rd Addition

Lot 1, Block 1
Lots 1 through 8, inclusive, Block 2
Lots 1 through 15, inclusive, Block 3
Lots 1 through 20, inclusive, Block 4
All in Parkview South 4th Addition

Lots 1 through 17, inclusive, Block 1
Lots 1 through 9, inclusive, Block 2
Lots 1 through 13, inclusive, Block 3
All in Parkview South 5th Addition

Lots 1 through 4, inclusive, Block 1
Lots 1 through 17, inclusive, Block 2
Lots 1 through 5, inclusive, Block 3
All in Parkview South 6th Addition

Lots 1 through 14, inclusive, Block 1
Lots 1 through 9, inclusive, Block 2
All in Parkview South 7th Addition

Lots 1 through 13, inclusive, Block 1
Lot 5, Block 2
Lots 1 through 3, inclusive, Block 3
All in Wheatland 2nd Addition

Lots 1 through 10, inclusive, Block 1
Lots 1 through 8, inclusive, Block 2
All in Wheatland 3rd Addition

Lots 1 through 4, inclusive, Block 1
All in Wheatland 4th Addition

Lots 1 and 2, Block 1
All in Wheatland 5th Addition

Lots 1 through 5, inclusive, Block 1
All in Doeden Addition

Lot 1, Block 1
All in Virgil Montplaisir Subdivision

Lot 4, Block 1
All in Virgil Montplaisir 2nd Subdivision

Lots 1 and 2, Block 1
All in Montplaisir Rentals Subdivision

Lots 1 through 5, inclusive, Block 1
All in Tharaldson Subdivision

Lots 1 through 5, inclusive, Block 1
All in Regstad Subdivision

Lots 1 through 3, inclusive, Block 1
All in White Bear Park 1st Addition

Lots 83 through 94, inclusive, Block 2
Lots 1 through 14, inclusive, Block 3
All in Bluemont Lakes 1st Addition

Lots 1 and 2, Block 1A
All in Replat of Lot 1, Block 1 of Bluemont Lakes 1st Addition

Lots A through N, inclusive, Block 1
All in Replat of Lot 1, Block 9 of Bluemont Lakes 4th Addition

Lots 1 through 13, inclusive, Block 4
Lot 1, Block 5
All in Bluemont Lakes 2nd Addition

Lot 1, Block 6
Lots 1 through 3, inclusive, Block 8
All in Bluemont Lakes 3rd Addition

Lots 2 through 9, inclusive, Block 9
Lots 1 through 8, inclusive, Block 10
All in Bluemont Lakes 4th Addition

Lots 1 through 8, inclusive, Block 11
Lots 1 through 5, inclusive, Block 12
All in Bluemont Lakes 5th Addition

Lots 1 through 4, inclusive, Block 13
Lots 1 through 16, inclusive, Block 14
All in Bluemont Lakes 6th Addition

Lots 1 through 22, inclusive, Block 15
Lots 1 through 8, inclusive, Block 16
All in Bluemont Lakes 6th Addition

Lot 1, Block 1
All in Bluemont Lakes 8th Addition

Lots 1 through 11, inclusive, Block 19
Lots 1 through 7, inclusive, Block 20
All in Bluemont Lakes 9th Addition

Lots 1 and 2, Block 1
All in Terry Lake Addition

Lots A through G, inclusive, Block 1
All in Terry Lake 3rd Addition

Lots 1 through 12, inclusive, Block 1
Lots 1 and 2, Block 2
All in Bluemont Park 1st Addition

Lots 1 through 16, inclusive, Block 1
All in Bluemont Park 2nd Addition

Lots 1 through 15, inclusive, Block 1
Lots 1 through 6, inclusive, Block 2
All in Bluemont Park 3rd Addition

Lot 1, Block 1
All in Bluemont Park 4th Addition

Lot 1, Block 1
Lots 4 through 15, inclusive, Block 2
All in Bluemont Park 5th Addition

Lots 1 through 4, inclusive, Block 1
All in Bluemont Park 6th Addition

Lots 1 through 3, inclusive, Block 1
Lots 1 through 14, inclusive, Block 2
Lots 1 through 5, inclusive, Block 3
All in Bluemont Park 7th Addition

Lots 1 through 22, inclusive, Block 1
All in Bluemont Park 8th Addition

Auditor's Lot 1
Section 13, Township 139N, Range 49W

All of the unplatted land lying in the west half of Section 23, Township 139, Range 49.

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

NOW, THEREFORE, BE IT RESOLVED, That Grading, P.C.C. Pavement, Storm Sewer, Bridge Widening, Ramp Construction, Retaining Walls, Traffic Signals, Street Lighting, Sidewalks and Incidentals Improvement District No. PR-14-6 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. PR-14-6:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. PR-14-6 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 \$16,479,962.00.)

Order Plans and Specifications for Improvement District No. PR-14-6:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. PR-14-6 in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. PR-14-6:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. PR-14-6 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. PR-14-6 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 Grading, P.C.C. Pavement, Storm Sewer, Bridge Widening, Ramp Construction, Retaining Walls, Traffic Signals, Street Lighting, Sidewalks 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 Grading, P.C.C. Pavement, Storm Sewer, Bridge Widening, Ramp Construction, Retaining Walls, Traffic Signals, Street Lighting, Sidewalks and Incidentals, Improvement District No. PR-14-6 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 improvement is to be paid from Infrastructure Sales Tax, and approximately 6% 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 Grading, P.C.C. Pavement, Storm Sewer, Bridge Widening, Ramp Construction, Retaining Walls, Traffic Signals, Street Lighting, Sidewalks and Incidentals must be in writing and must be filed with the City Auditor's Office within 30 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. PR-14-6:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. PR-14-6 in the City of Fargo, North Dakota.

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

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

Introduction and Swearing In of Fire Marshal Ryan Erickson:

Fire Chief Steve Dirksen introduced Fire Marshal Ryan Erickson, replacing Norm Scott who retired.

Commissioner Williams administered the Oath of Office to Fire Marshal Ryan Erickson.

Presentation by the Northern Plains Botanic Garden Society: Direct Appropriate Staff to Work with the Northern Plains Botanic Garden Society to Explore Possible Sites:

Jim Anderson of the Northern Plains Botanic Garden Society gave a PowerPoint presentation about the Northern Plains Botanic Garden and its goals. The Northern Plains Botanic Garden Society is a 501c3 nonprofit, he said, with more than 400 members. A feasibility study shows support for the Japanese Garden and educational/event center being proposed, he said, and they seek a partnership with Fargo for long term lease of three acres of land for a Japanese Garden project. The project would be an asset to the Fargo-Moorhead area, he said, encouraging community and cultural exchanges, stimulating creativity, enhancing streetscape and walkability and improving the quality of life through water conservation, improved water quality and reduction of air pollution and soil erosion. Opportunities for joint grants are an additional benefit for both partners, he said. The intention is to be self-supporting, he said, with revenues paying maintenance and staff. He said to have a successful capital campaign, they need a location. He said he envisions not one centralized location, but various gardens placed throughout the Fargo-Moorhead

area, and on both sides of the river. Sadafumi Uchiyama, the garden curator for the Portland Japanese Garden, is the architect for this Japanese Garden, he said.

Commissioner Williams said the project seems to align with Fargo's GO2030 and it could be done in phases. He said with an emphasis on local, healthy foods, the aspect of including an edible fruit tree forest may fit in very nicely.

Mayor Walaker suggested the Park District, which does a magnificent job, be included in the process. He said many communities, both large and small, feature beautiful Japanese Gardens.

Commissioner Wimmer moved the communication from Northern Plains Botanic Garden Society be received and filed and appropriate staff be directed to work with the Northern Plains Botanic Garden Society to explore possible sites.

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

Application Filed by Clink LLC d/b/a Luna Coffee for an Alcoholic Beverage License Approved:

A Hearing had been set for this day and hour on the application filed by Clink LLC d/b/a Luna Coffee for a Class "I" Alcoholic Beverage License at 1545 University Drive South, notice of which had been duly published in the official newspaper for the City of Fargo.

No written protest or objection to the granting of the application has been received or filed in the office of the City Auditor, and said application has been approved by the Police Department as to the character of the applicant.

The Board determined that no person is present at this Hearing to protest or offer objection to the granting of the application.

City Auditor Steve Sprague said the ownership of Luna Coffee has changed. A Class "I" Alcoholic Beverage License has a fee of \$10,000.00, allows a physical bar and requires 65% food sale, he stated.

Commissioner Wimmer moved the application be approved.

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.

Hearing on an Application Filed by Creative Kitchen, Inc. d/b/a Creative Kitchen for an Alcoholic Beverage License Continued to March 31, 2014:

This was the time and date set for a hearing on an application filed by Creative Kitchen, Inc. d/b/a Creative Kitchen for a Class "G" Alcoholic Beverage License at 474 45th Street South, notice of which had been duly published in the official newspaper for the City of Fargo; however, City Auditor Steve Sprague has requested that the Hearing be continued to March 31, 2014.

Mr. Sprague said more information from the applicant is needed before the application can be approved.

Commission Wimmer moved the Hearing be continued to 5:15 p.m. on Monday, March 31, 2014.

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.

Appeal of a Compliance Check Failure by Santa Lucia, Inc. d/b/a Santa Lucia Restaurant Denied:

A Hearing had been set for this day and hour on the appeal of penalties for an alcohol compliance check failure filed by Santa Lucia, Inc. d/b/a Santa Lucia Restaurant at 1109 38th Street South.

The Board received a communication from City Auditor Steve Sprague stating on December 16, 2013 Santa Lucia Restaurant failed a compliance check. It was the second failure in less than 12 months, he said, with previous failures occurring on March 27, 2013; April 26, 2012 and June 30, 2009. Of the four failures, he said, three of the servers had not completed server training. He shared correspondence from owner Maria Wilson stating the reasons she is protesting the compliance check failure penalties. Samples of North Dakota and Minnesota driver's licenses are used in the server training conducted by Fargo Cass Public Health, he said, and there is no math to be done. He said Minnesota underage licenses feature a red border and clearly states "Under 21" and North Dakota underage licenses have the picture vertical with a red bar stating the date they turn 21. During the most recent failure the underage license was a North Dakota license, he said. He said the service of alcohol is taken very seriously with the fine for a first failure at \$500.00, which can be waived if the server attended server training. A second failure within a 12 month period is \$750.00, he said, and a third within 12 months is \$1,000.00 plus suspension of the license.

Commissioner Sobolik moved the appeal of a compliance check failure be denied and Santa Lucia Restaurant be charged the \$750.00 fine.

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

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

Previous Action Approving Expansion of Licensed Premise of Bulldog Tap to be Reconsidered: City Attorney Directed to Research and Clarify the Definition of Two Separate Entities for Alcoholic Beverage Licenses:

The Board received a communication from City Auditor Steve Sprague stating he received a request from Ross Brandborg of Brandborg Law requesting to be heard before the City Commission. Mr. Brandborg represents the concerns of selected area retail liquor operators stemming from the action of the City Commission on July 22, 2013, he said, when the expansion of the licensed premise for Bulldog Tap was approved. The retail dealers feel the action of the Board was to approve the expansion of an existing licensed premise, he said, and not to create a new bar. He said the owners of Bulldog Tap are preparing to open a new bar called Hennessy's in the area approved to be an expansion of the licensed premise of Bulldog Tap. The retail dealers request the Board rescind the previous action of expanding the licensed premise at Bulldog Tap, he stated, and seek equal treatment for all liquor license holders in the City.

Mr. Sprague said extension of the licensed premise was approved by the Liquor Control Board based on the information given at the time, which was that it was to be an extension of Bulldog Tap. Subsequently, he said, it has been

discovered that the intention of the licensee is to open a new bar, an Irish bar named Hennessy's.

Mark Hanson of Nilles Law Firm, representing Bulldog Tap Owner Dave Erickson, said floor plans submitted with the application for expansion shows two separate buildings, two entrances, the existing bar/patio and future bar/patio, and no indication of a name. Mr. Erickson has been open about what he is doing, he stated, and is willing to work to come up with alternatives to move this forward.

Mayor Walaker said he serves on the Liquor Control Board and there are some aspects of the liquor licensing process he would like to see changed. He said one aspect would be that once a license is no longer being used, it would be returned to the City for the amount it was issued, and not sold to the highest bidder. One suggestion has been that the City purchase all the licenses back and start over, he said; however, that is something the City cannot afford to do.

In response to a question from Commissioner Mahoney about whether the Hub, which has a number of themed bars, operates under a single liquor license, Mayor Walaker said, yes, the bars are all under one roof with a single liquor license.

City Attorney Erik Johnson outlined some options. He said the motion from last summer could be reconsidered at a later time, or Mr. Brandborg's request could be taken under advisement and staff could evaluate it. He said a number of establishments in town have similar situations and it may be helpful to take a look at how to resolve it. He said should the Board choose to reconsider the previous action, proper notice must be given. In the interim, he said, the applicant still has the expanded license granted last summer until, or unless, that changes.

In response to a question about available liquor licenses, Mr. Sprague said Class "FA" Alcoholic Beverage Licenses are readily available with a requirement of 50% food sales and an initial fee of \$100,000.00. A Class "Z" Alcoholic Beverage License, which has no food sales requirements, he said, is tied to population with a fee of \$105,000.00. Three Class "Z" licenses were recently added, he said, and population would have to be looked at again to see whether that is a possibility. He said an option of changing licenses so they come back to the City, as the Mayor suggested, remains an option also.

Commissioner Wimmer said it is important this not get bogged down and this needs to either be made to work or the motion be rescinded. He said he feels had it been known there were two separate and distinct bars, two entrances and two names, the extension would not have been granted.

Commissioner Wimmer moved the previous action approving the expansion of the licensed license premise of Bulldog Tap be reconsidered and the City Attorney be directed to research and clarify the definition of two separate entities for Alcoholic Beverage Licenses.

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

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

Status Report on the New City Hall: Centennial Hall to be Decommissioned and Removed:

Terry Stroh, T.L. Stroh Architects and Interiors, said the design of the new City Hall is going well and staff is receptive. With the planned realignment of Second

Street, he said, the site becomes constricted on the north side and removing Centennial Hall and locating the building farther from the river and Second Street would make a difference in how the proposed building sits on the site. He said it would be more conducive to a middle green space and walkways, would raise it two feet higher than the flood wall to see over it, and could allow about 120 parking stalls underneath, making 320-330 stalls on the entire site.

In response to a question from Commissioner Wimmer about the current utilization of Centennial Hall, Civic Center Director Bob Getz said use has declined in the last 4 to 5 years. He said he sees the site is valuable to the City and that using that space for City Hall may have a better impact, especially in light of convention center discussions. Where ever a convention center is sited will have a tremendous impact on the operations of the existing Civic Center and how it fits in, he said. Gross revenue for the Civic Center was about \$520,000.00 last year, he said, and it is in use about 100 days a year. Fewer stage shows and more product shows are being held, he said, and many do use both spaces.

City Administrator Pat Zavoral said the Civic Center could be repurposed in the long term, one suggestion has been a performing arts facility. He said in the near future suggestions will be brought forward where a convention facility could go in this area. He said in order to do the City Hall piece right, it seems best to decommission Centennial Hall and then move forward with its removal in order to proceed with building the new City Hall.

Commissioner Wimmer said removing the Centennial Hall does open up more possibilities. He said parking is a critical piece.

Richard Moorhead of IMAGE Group said he has been assisting with the development of a master plan. He said he has concerns that placing City Hall too near Second Street and the floodwall will make the area almost tunnel like and would not be an attractive premise for the new visions of engaging the riverfront. He said creating more space for City Hall helps the alignment and gives more options. Once Second Street is moved, he said, the square footage of the quadrant where the Library, Civic Center and City Hall are situated gets reduced in square footage by a third and becomes a trapezoid shape, rather than the current rectangle. He said with the proposed footprint for the new City Hall, the area is not large enough to accommodate the size of a convention facility being reported.

Commissioner Sobolik said moving the footprint of City Hall in farther and having more green space between the building and Second Street is important.

Commissioner Williams said he likes the flexibility offered by taking Centennial Hall out of the equation. Parking appears too prominent in the most recent layout, he said, he would like to see more green space on the south side. He said he likes the value the southeast portion has for future redevelopment.

Commissioner Wimmer moved Centennial Hall be decommissioned and removed as necessary for the new City Hall.

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.

At 6:20 the Board took a five-minute recess.

After recess: All Commissioners present. Mayor Walaker presiding.

Fargo's ISO Public Protection Classification Rated a Class 2:

The Board received a communication from Fire Chief Steve Dirksen stating he received an email from ISO Senior Field Representative Doug Sele informing him that Fargo has been approved for publication as an ISO Class 2 community. He said a Class 2 rating is a step up from Fargo's current ISO Class 3 rating, the highest rating being a Class 1. He said the rating is based on 50% of the Fire Department's equipment, training and ability to respond to fires, 40% on the water distribution system and 10% on the dispatch system used. Insurance reductions as a result of the rating may be more evident for businesses than residents, he said. As development stretches further south, he said, thought will need to be given as to how best to extend protection so response times can meet the expectations of ISO. The last inspection was 13 years ago, he said, and now ISO will be looking to do them every 4 or 5 years. He said a city can ask for another review if there is a significant change. He said the most recent communication he received states the effective date will be June 1, 2014.

Commissioner Williams moved the communication be received and filed.

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

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

Revised Floodproof Construction Requirements Policy for New Construction Approved:

The Board received a communication from City Engineer April Walker stating there have been many changes in floodplain management. In July 2012, she said, the Biggert Waters Flood Insurance Reform Act was signed into law and Congress directed FEMA to make the National Flood Insurance Program (NFIP) self-supporting. As a result, she said, FEMA has begun to phase out subsidies for properties within the Special Flood Hazard Area (SFHA) or 100-year floodplain. She said FEMA estimates 330 policies in Cass County would be considered subsidized; however, numbers for Fargo are not available. This number could rise in excess of 2,300 policies for the City alone due to the pending remap, she said. As a result of subsidies being phased out, property owners have seen premiums increase from approximately \$430.00 per year to \$3,235.00 per year, she said, with this being just the first phase of increases. Premiums will continue to increase 20% per year until they reach full actuarial rates in the next five years, she said. While there is an effort by Congress to delay and/or repeal portions of the Biggert-Waters Flood Insurance Reform Act, the outcome of that effort is unclear, she said. This leaves many existing homeowners affected by the current or preliminary floodplain in a difficult place financially, she said. In an effort to protect owners of newly-constructed homes from higher insurance rates, she said, staff suggests a change to the Floodproof Construction Policy. The legislation will continue to allow basement exemptions if the basement meets the criteria in 44CFR Part 60.6b, which means if floodproofed to an elevation that continues to be a minimum of one foot above the Base Flood Elevation (BFE), insurance rates will be based on a point of risk associated with the elevation of the floodproofing and not the elevation of their lowest level or basement floor, she said. Building homes that comply, and continue to comply even if the BFE goes up, she said, will translate into thousands of dollars a year in savings on flood insurance

premiums. She said the difficulty becomes determining and predicting what the BFE will be. An extensive analysis has been completed through the FM Diversion studies, she said, and staff recommends using the 41 foot water surface elevation as the new threshold, since the FM Diversion modeling work determined the City's 1% annual chance floodplain may be closer to the 41 foot level. She said staff recommends Single-Family and Multi-Family residential construction on properties at or below the 41 foot water surface elevation inundation pool be required to meet all floodproofing construction codes. She said currently this is only required of properties at 38.5 feet or less. The change also includes increasing the elevation of the lowest opening of the structure to be at 42.2 feet, she said. The lowest opening currently recommended is a river gage elevation of 41.9 feet, she said, which is based on FEMA's preliminary Flood Insurance Study (FIS). This results in new structures having over a foot freeboard elevation above the 41 foot water surface, she said, and is important since at some point FEMA will remap the City again. She stated staff also proposes that all other structures continue to meet floodproofing requirements, as they do under current policy, if required by FEMA's Flood Insurance Study and associated SFHA.

Commissioner Mahoney moved the revised Floodproof Construction Requirements Policy for new construction be approved, effective immediately.

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

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

Commissioner Mahoney moved that the Board adjourn to 5:00 o'clock p.m., Monday, March 17, 2014.

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

The time at adjournment was 6:51 o'clock p.m.