

BOARD OF CITY COMMISSIONERS
Fargo, North Dakota

Regular Meeting: Monday: April 14, 2014:

The Regular Meeting of the Board of City Commissioners of the City of Fargo, North Dakota, was held in the City Commission Room at City Hall at 5:00 o'clock p.m., Monday, April 14, 2014.

The Commissioners present or absent were as shown following:

Present: Williams, Mahoney, Sobolik, Wimmer, Walaker.

Absent: None.

Mayor Walaker presiding.

Order of Agenda Approved:

Commissioner Mahoney moved the Order of the Agenda be approved, omitting Item No. 5 from the Regular Agenda.

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

Minutes Approved:

Commissioner Mahoney moved that the Minutes of the Regular Meeting of the Board held on March 31, 2014 be approved as read.

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

Consent Agenda Approved:

Commissioner Mahoney moved the Consent Agenda be approved as follows:

- a. Acceptance of proposal from Flint Communications for the website redesign.
- b. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of an Ordinance Enacting Section 3-0802 of Article 3-08 of Chapter 3 of the Fargo Municipal Code Relating to Issuance of Bonds or Other Obligations.
- c. 1st reading of the following Ordinances:
 - (1) Enacting Article 10-12 of Chapter 12 of the Fargo Municipal Code Relating to Marijuana and Marijuana Paraphernalia.
 - (2) Amending Section 1-0305.A.1 of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Ordinance Violations (adding marijuana violations).
- d. 2nd reading, waive reading and final adoption of the following Ordinances; 1st reading, 3/31/14:

- (1) Amending Sections 25-1501, 25-1506 through 25-1508 and 25-1515 of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages (relating to distilleries).
 - (2) Rezoning Certain Parcels of Land Lying in Chas. A. Roberts Addition to the City of Fargo - Historic Overlay District.
 - (3) Rezoning Certain Parcels of Land Lying in Sincebaugh Addition, Fargo, Cass County, North Dakota.
- e. Authorize early redemption of Sales Tax Revenue Bonds Series 2009D.
 - f. First Quarter Financial Status Report for Major Operating Funds.
 - g. Year to Date – Budget to Actual Report for March 2014.
 - h. Position Evaluation Committee recommendation to reclassify a vacant Police Officer position (Grade 12) to a Lieutenant position (Grade 17).
 - i. Inspections Department budget adjustment in the amount of \$88,000.00 and authorization of additional temporary staff positions.
 - j. Appointment of James Thomas Mann as an NDSU Police Officer.
 - k. RFP for architectural/engineering feasibility study of a parking ramp or ramps in downtown Fargo.
 - l. 2014 Certified Local Government (CLG) grant from the State Historical Society in the amount of \$8,957.00 to nominate a National Register Historic District in the vicinity of 8th Street and 3rd Avenue North (Grant #38-14-51941-27).
 - m. Sale of Neighborhood Stabilization Program property at 1514 1st Avenue South for \$118,000.00.
 - n. Request for Proposals for disposition and redevelopment of NSP property at 721 1st Street North.
 - o. Agreement with Verizon Wireless to lease a portion of a City-owned parking lot at 320 7th Street North to set up a temporary cell tower for the Fargo Marathon.
 - p. Resolution Approving Plat of Capital Square Second Addition (Attachment “A”).
 - q. Site Authorizations for Red River Human Services Foundation at The Northern and The Fargo Elks.
 - r. Applications for Games of Chance:
 - (1) NDSU Delta Upsilon for a raffle on 4/27/14.
 - (2) NDSU Army ROTC Ranger Challenge Club for a raffle on 5/2/14.
 - (3) North Dakota CPA Society Foundation for a raffle on 5/20/14.
 - (4) Davies High School for raffles from 4/15/14 to 5/22/14.

- s. Applications for property tax exemptions for improvements made to buildings:
 - (1) Dean and Karen Wills, 2862 Westgate Drive South (3 years).
 - (2) Daryl Bachmeier, 2853 2nd Street North (5 year).
 - (3) Delbert and Catherine Kastner, 1517 8th Street North (5 year).
- t. Agreement for Special Improvements with Cottagewood, LLC for special improvements in Cottagewood Addition.
- u. Cost-share allocation to the Lake Agassiz Water Authority (LAWA), in the amount of \$475,000.00, for the Red River Valley Water Supply Project.
- v. 2014 Recycling Drop Site Lease Agreements with Fargo Public Schools, the Fargo Park District and Fargo Catholic Schools Network.
- w. Sole source purchase of a used aerial bucket truck for the Forestry Department in an amount not to exceed \$40,000.00.
- x. Bid awards for Public Works/Operations water main repair materials to Fargo Water Equipment for Section 1 (Repair Sleeves) in the amount of \$9,502.18 and to Ferguson Waterworks for Section 2 (Misc. Materials) in the amount of \$83,128.60.
- y. Bid award for FEMA HMGP Projects 5-R and 6-R at the Water Treatment Plant to PKG Contracting for the total amount of \$99,900.00; and contract and bond.
- z. Memorandum of Offer to Landowner and Temporary Construction Easement with Jimberg Partners, LLP (Project No. 5681-02).
- aa. Grant acceptance in the amount of \$1,464,806.00 and Hazard Mitigation Grant Program Sub-grant Agreement with the Department of Emergency Services (CFDA #97.039).
- bb. Contract with Enventis in the amount of \$55,516.00 to relocate a fiber line impacted by the permanent flood protection alignment (Project No. FM-14-11).
- cc. Cost Participation and Maintenance Agreement with the NDDOT for signing improvements to 52nd Avenue South and University Drive.
- dd. Professional Services Agreement Amendment No. 5, in the amount of \$279,476.45 for Project No. 5681-02.
- ee. Bid award for Project No. FM-14-21 to R & R Excavating, Inc. in the amount of \$1,801,215.04.
- ff. Change Order No. 1, in the amount of \$167,134.00, for Project No. 6188.
- gg. Bid advertisements for Project Nos. SN-14-1, TN-14-1 and UR-14-2.
- hh. Contract and bond for Project No. HD-14-21.

ii. Bills in the amount of \$3,539,094.47.

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

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

MSA Task Order No. 4 for Improvement District No. BN-14-5 Approved:

The Board received a communication from the Public Works Projects Evaluation Committee stating the Committee received a communication from Division Engineer Cody Eilertson regarding the responses received for a Task Order. He said the Task order would provide the design, construction engineering and staking services for sanitary sewer, water main, storm sewer, site grading and paving in the Timber Creek Addition. He said responses were received from four firms with the lowest proposed cost of \$184,180.00 from Houston Engineering.

Commissioner Mahoney moved Task Order No. 4 for Improvement District No. BN-14-5 with Houston Engineering in the amount of \$184,180.00 be approved.

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

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

No Protests Received for P.C. Concrete Pavement, Grading, Storm Sewer, Street Lights, Signals and Incidentals Improvement District No. PN-14-C1:

The Statutory Resolution of Necessity for the construction of P.C. Concrete Pavement, Grading, Storm Sewer, Street Lights, Signals and Incidentals Improvement District No. PN-14-C1 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on March 10 and 17, 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 P.C. Concrete Pavement, Grading, Storm Sewer, Street Lights, Signals and Incidentals Improvement District No. PN-14-C1.

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

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

Bids Received for P.C. Concrete Pavement, Grading, Storm Sewer, Street Lights, Signals and Incidentals Improvement District No. PN-14-C1:

The bids for P.C. Concrete Pavement, Grading, Storm Sewer, Street Lights, Signals and Incidentals Improvement District No. PN-14-C1 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., April 9, 2014 and the bids were found to be as follows:

Dakota Underground Company
Bid:

Fargo, ND
\$7,534,423.93

Northern Improvement Company	Fargo, ND
Bid:	\$8,195,313.10
J.R. Ferche, Inc.	Rice, MN
Bid:	\$8,443,311.80

Contract for P.C. Concrete Pavement, Grading, Storm Sewer, Street Lights, Signals and Incidentals Improvement District No. PN-14-C1 Awarded to Dakota Underground Company in the Amount of \$7,534,423.93:

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 P.C. Concrete Pavement, Grading, Storm Sewer, Street Lights, Signals and Incidentals Improvement District No. PN-14-C1; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received April 9, 2014 for P.C. Concrete Pavement, Grading, Storm Sewer, Street Lights, Signals and Incidentals Improvement District No. PN-14-C1 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for P.C. Concrete Pavement, Grading, Storm Sewer, Street Lights, Signals and Incidentals Improvement District No. PN-14-C1 shows the bid of Dakota Underground Company of Fargo, North Dakota, in the sum of \$7,534,423.93 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 Dakota Underground Company in the sum of \$7,534,423.93 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for P.C. Concrete Pavement, Grading, Storm Sewer, Street Lights, Signals and Incidentals Improvement District No. PN-14-C1 in the City of Fargo, North Dakota, be and the same is hereby awarded to Dakota Underground Company for the sum of \$7,534,423.93, 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 Williams. On the vote being taken on the question of the adoption of the Resolution Commissioners Mahoney, Williams, Sobolik, Wimmer and Walaker voted aye.

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

Amended Engineer's Report for Improvement District No. PR-14-3 Approved:

The Board received an Amended Engineer's Report for Improvement District No. PR-14-3 from City Engineer April Walker. The total estimate of cost has been amended to \$690,000.00.

Commissioner Mahoney moved the amended Engineer's Report for Improvement District No. PR-14-3 be approved.

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

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

P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-14-1 (13 1/2 to 14th Street North between NP and 1st Avenue North):

Commissioner Mahoney moved the following action be taken in connection with P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-14-1:

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

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

From NP to 1st Avenue North between 13 1/2 and 14th Street North, Reeves Addition.

COMPRISING:

The west 61.25 feet of lots 1 through 5, Lots 6 through 16, Lots 19 through 28, and the east 40.00 feet of Lots 29 through 34, Block 21.

All in Reeves Addition.

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

NOW, THEREFORE, BE IT RESOLVED, That P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-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. AN-14-1:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. AN-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 \$69,000.00.)

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

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

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

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. AN-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. AN-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 P.C. Concrete Alley Paving 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 Alley Paving and Incidentals Improvement District No. AN-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 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 P.C. Concrete Alley Paving 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. AN-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. AN-14-1 in the City of Fargo, North Dakota.

Second by Williams. On call of the roll Commissioners Mahoney, Williams, Sobolik, 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-14-0 (Various Locations in North Fargo):

Commissioner Mahoney moved the following action be taken in connection with Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-0:

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

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

On 28th Street North from 7th to 12th Avenue North.

On 29th Street North from 11th to 12th Avenue North.

On 11th Avenue North from 29th Street North to 170' east of 28th Street North.

On 10th Avenue North from 110' west of 28th Street North to 180' east of 28th Street North.

On 8th Avenue North from 28th Street North to 100' west of 28th Street North.

COMPRISING:

Lots 1 and 38, Block 1.

Lot 1, Block 2.

All in Madison Subdivision.

Lots 12 through 21, Block 3.

Lots 2 through 21, Block 4.

Lots 1 through 12, and 23 through 24, Block 13.

Lots 13 through 24, Block 14.

Lots 15 through 28, Block 19.

Lots 1 through 4, Block 20.

Lots 1 through 9, Block 29.

Lots 10 through 18, Block 30.

All in College 2nd Addition.

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-14-0 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. BR-14-0:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. BR-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 \$1,883,200.00.)

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

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

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

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. BR-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. BR-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 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-14-0 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 Water Main Replacement, Street Reconstruction 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. BR-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. BR-14-0 in the City of Fargo, North Dakota.

Second by Williams. On call of the roll Commissioners Mahoney, Williams, Sobolik, 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-14-3 (4th Street North from 9th Avenue to 12th Avenue):

Commissioner Mahoney moved the following action be taken in connection with Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-3:

Adopt Resolution Creating Improvement District No. BR-14-3:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. BR-14-3 in the City of Fargo, North Dakota, be created

On 4th Street North from 9th Avenue North to 12th Avenue North

COMPRISING:

Lots 1 through 9, Block 2
All in Yerxa and Franklin Addition

Lots 1 through 5, Block 1
All in Dewitts Addition

Lots 1 and 2, Block 6
All in Dewitts Addition

Lots 1 through 12, Block 2
All in Truesdells 2nd Addition

Lots 1 through 12, Block 13
All in Truesdells 2nd Addition

Lots 1 through 24, Block 2
All in Hectors Addition

Lots 1 through 24, Block 3
All in Hectors Addition

Lots 1 through 24, Block 12
All in Hectors Addition

Lots 1 through 6, Block 15
All in Hectors Addition

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-14-3 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-14-3:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. BR-14-3 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 \$1,600,000.00.)

Order Plans and Specifications for Improvement District No. BR-14-3:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. BR-14-3 in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. BR-14-3:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. BR-14-3 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-14-3 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-14-3 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/Infrastructure Sales Tax and approximately 19% 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 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. BR-14-3:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. BR-14-3 in the City of Fargo, North Dakota.

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

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

Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-8 (Urban Plains by Brandt):

Commissioner Mahoney moved the following action be taken in connection with Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-8:

Adopt Resolution Creating Improvement District No. PN-14-8:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. PN-14-8 in the City of Fargo, North Dakota, be created

On 28th Avenue from 51st Street to 55th Street, 30th Avenue from 55th Street to 700 feet east, 55th Street from 26th Avenue to Seter Parkway, and Seter Parkway from 31st Avenue to 32nd Avenue.

COMPRISING:

The following described land located in the south half of Section 21, Township 138 N, Range 49 W, City of Fargo, Cass County, North Dakota:

Lot 1, inclusive, Block 4.
Lots 2 through 4, inclusive, Block 5.
All in Urban Plains by Brandt First Addition.

Lots 1 through 3, inclusive, Block 1
Lots 1 & 2, inclusive, Block 2
Lot 1, inclusive, Block 3
Lot 1, inclusive, Block 4
Lots 1 through 3, inclusive, Block 5
All in Urban Plains by Brandt Second Addition

Lots 1 & 3, inclusive, Block 1
All in Urban Plains Recreational Second Addition

That part of Lot 1, Block 4, Urban Plains Center Addition to the City of Fargo, said plat is on file and of record in the office of the Recorder in Cass County, North Dakota which lies westerly of the following described line:

Commencing at the southwesterly corner of said Lot 1; thence North 88 degrees 50 minutes 00 seconds East along the southerly line of said Lot 1 for a distance of 513.00 feet to the point of beginning of the line to be described; thence North 01 degree 10 minutes 00 seconds West, perpendicular to the southerly line of said Lot 1 to the southerly line of 31st Avenue South according to said Urban Plains Center Addition to the City of Fargo and said line there terminates.

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

NOW, THEREFORE, BE IT RESOLVED, That Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-8 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-14-8:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. PN-14-8 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 \$2,125,000.00.)

Order Plans and Specifications for Improvement District No. PN-14-8:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. PN-14-8 in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. PN-14-8:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. PN-14-8 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-14-8 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 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 Concrete Curb and gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-8 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 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. PN-14-8:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. PN-14-8 in the City of Fargo, North Dakota.

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

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

Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-1 (Various Locations in North and South Fargo):

Commissioner Mahoney moved the following action be taken in connection with Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-1:

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

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

LOCATION (Section 1):

On 20th Avenue North from 2nd Street North to Broadway North.

On 21st Avenue North from Elm Street to Broadway North.

On 22nd Avenue North from 2nd Street North to Broadway North.

On 23rd Avenue North from 2nd Street North to Broadway North.

On 24th Avenue North from 2nd Street North to Broadway North.

On 25th Avenue North from Elm Street to Broadway North.

On 2nd Street North from 20th Avenue North to 21st Avenue North.

On 2nd Street North from 139' south of 25th Avenue North to 25th Avenue North.

On 3rd Street North from 19th Avenue North to 25th Avenue North.

LOCATION (Section 2):

On 1st Avenue South from 23rd Street South to 24th Street South.

On 2nd Avenue South from 18th Street South to 25th Street South.

On 3rd Avenue South from 185' east of 21st Street South to 25th Street South.

On 21st Street South from 1st Avenue South to 5th Avenue South.

On 22nd Street South from 1st Avenue South to 5th Avenue South.

On 23rd Street South from 1st Avenue South to 5th Avenue South.

On 24th Street South from 1st Avenue South to 5th Avenue South.

COMPRISING (Section 1):

Lots 1 through 8, Block 1.

Lots 1 through 17, Block 2.

Lots 1 through 8, Block 3.
Lots 1 through 17, Block 4.
All in Oral A. Holm Addition.

Lots 1 through 11, Block 1.
Lots 13 through 24, Block 4.
Lots 1 through 12, Block 5.
All in North Park Addition.

Lots 1 through 8, Block 1.
Lots 1 through 17, Block 2.
Lots 1 through 16, Block 3.
Lots 1 through 34, Block 4.
Lots 1 through 8, Block 5.
Lots 1 through 17, Block 6.
All in Louise S. Newman Addition.

Lots 1 through 16, Block 1.
Lots 1 through 10, Block 2.
All in Minnie Hector Smith Addition.

Lots 1 through 24, Block 3, 1st Subdivision of Block 3 of Minnie Hector Smith Addition.

Lots 1 through 18, Block 1.
Lots 1 through 34, Block 2.
All in Halland-Newman Addition.

Lots 6 through 15, Block 1.
Lots 1 through 16, Block 2.
All in Halland-Newman 2nd Addition.

Lots 1 through 11, Block 3.
Lots 20 through 22, Block 3.
All in 1st Subdivision of Block 3 of Halland-Newman 2nd Addition.

COMPRISING (Section 2):

Lots 1 through 24, and vacated land, Block 2.
Lots 1 through 10, and vacated land, Block 6.
Lots 1 through 12, Block 7.
Lots 1 through 12, Block 8.
Lots 1 through 12, Block 9.
Lots 1 through 12, Block 10.
Lots 1 through 9, and vacated land, Block 11.
Lots 1 through 12, Block 12.
Lots 1 through 12, Block 13.
Lots 1 through 12, Block 14.
Lots 1 through 12, Block 15.

Lots 1 through 6, Block 20.
Lots 1 through 6, Block A.
Vacated land west of Block 2.
All in Egbert, O'Neil & Haggart's Subdivision.

Lots 1 through 4, 5A, 5B, 6A, 6B, 7A, 7B, 8A, 8B and vacated land, Block 16.
Lots 1 through 5, 6A, 6B, 7A, 7B, and 8 through 12, Block 17.
Lots 1 through 5, 6A, 6B, 7A, 7B, and 8 through 12, Block 18.
Lots 1 through 5, 6A, 6B, 7A, 7B, and 8 through 12, Block 19.
Lots 1, 2A, 2B, 3A, 3B, 4, 5, and 6, Block 21.
Lots 1A, 1B, 2 through 5, 6A, 6B, 7A, 7B, 8 through 11, 12A, and 12B, Block 22.
Lots 1 through 5, 6A, 6B, 7A, 7B, 8 through 11, 12A, and 12B, Block 23.
Lots 1A, 1B, 2 through 5, 6A, 6B, 7A, 7B, 8 through 11, 12A, and 12B, Block 24.
Lots 1A, 1B, 2, and 3, Block 25.
Lots 1A, 1B, 2 through 5, 6A, and 8 through 13, Block 26.
Lots 1A, 1B, 2 through 4, and 9 through 13, Block 27.
Lots 1 through 4, and 9 through 13, Block 28.
Vacated land between Block 16 and Block 21.
Vacated land between Block 17 and Block 22.
Vacated land between Block 18 and Block 23.
Vacated land between Block 19 and Block 24.
All in Plat of South Half of Egbert, O'Neil & Haggart Subdivisions and adjacent ways.

Lots 1 and 2, Block 1, Norwig Addition.

Lot 1, Block 1, Nicklaus Addition.

Lots 5 through 9, Block 3.
Lots 1 through 6, Block 5.
All in Arneson's Addition

Unplatted land in NW 1/4 of section 12, township 139, range 49.

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

NOW, THEREFORE, BE IT RESOLVED, That Asphalt Mill and Overlay and Incidentals Improvement District No. PR-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. PR-14-1:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. PR-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 \$1,030,000.00.)

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

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

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

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. PR-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. PR-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 Asphalt Mill and Overlay 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 Asphalt Mill and Overlay and Incidentals Improvement District No. PR-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 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 Asphalt Mill and Overlay 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. PR-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. PR-14-1 in the City of Fargo, North Dakota.

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

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

Shared Use Path and Incidentals Improvement District No. SN-14-2 (Various Locations in South Fargo):

Commissioner Mahoney moved the following action be taken in connection with Shared Use Path and Incidentals Improvement District No. SN-14-2:

Adopt Resolution Creating Improvement District No. SN-14-2:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. SN-14-2 in the City of Fargo, North Dakota, be created

Along the east side of County Drain 53 to 25 Street South from 52 Avenue South to 64 Avenue South.

COMPRISING:

Lots 1 through 16, inclusive, Block 1.

Lot 1, Block 4.

Lots 1 through 16, 18 through 36 and 38 through 46, Block 5.

Lots 1 through 24, inclusive, Block 6.

Lots 1 through 13, inclusive, Block 7.

All in Prairie Grove 1st Addition.

Lots 1 through 4, inclusive, Block 1.

All in Prairie Grove 2nd Addition.

Lots 1 through 23, inclusive, Block 1.

All in Whispering Creek 1st Addition.

Lots 1 and 2, Block 1.

All in JOAW Addition.

Lot 1, Block 1.

Lot 1, Block 2.

All in Alverson Subdivision.

Lots 1 through 3.

All in Alverson 2nd Subdivision.

Lots 1 and 2, Block 1.

All in Trapper's Run Addition.

Lots 1 through 14, inclusive, Block 1.

All in Custers Crossing Addition

Lot 1, Block 1.

Lots 1 through 24, inclusive, Block 2.

Lots 9 through 17, inclusive, Block 3.

Lots 1 through 27, inclusive, Block 4.

Lot 1, Block 5.
All in Silverleaf Addition.

Lots 1 through 14, Block 1.
All in Silverleaf 2nd Addition.

Lots 1 through 10, Block 1.
All in Cottages of Silverleaf Addition.

Lots 1 through 10, inclusive, Block 1.
All in Januscheitis Subdivision.

Auditors Lot 7.
Auditors Lot 8.
Auditors Lot 9.
Auditors Lot 10.
Auditors Lot 11.
All in the 2009 Southside Annexation 4.

All of the unplatted land in the SE 1/4 of the SE 1/4 of Section 2, Township 138N, Range 49W.

NOW, THEREFORE, BE IT RESOLVED, That Shared Use Path and Incidentals Improvement District No. SN-14-2 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. SN-14-2:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. SN-14-2 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 \$225,890.00.)

Order Plans and Specifications for Improvement District No. SN-14-2:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. SN-14-2 in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. SN-14-2:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. SN-14-2 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. SN-14-2 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 Shared Use Path 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 Shared Use Path and Incidentals Improvement District No. SN-14-2 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 Shared Use Path 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. SN-14-2:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. SN-14-2 in the City of Fargo, North Dakota.

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

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

Contract for P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-14-01 Approved:

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Master Construction Company, Inc. for P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-14-01 in the City of Fargo, North Dakota.

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

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

Contract Bond for P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-14-01 Approved:

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

Western National Mutual Insurance Company, in the amount of \$148,610.00, for P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-14-01 in the City of Fargo, North Dakota.

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

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

Contract for Asphalt Pavement and Incidentals Improvement District No. PN-14-A1 Approved:

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Border States Paving, Inc. for Asphalt Pavement and Incidentals Improvement District No. PN-14-A1 in the City of Fargo, North Dakota.

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

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

Contract Bond for Asphalt Pavement and Incidentals Improvement District No. PN-14-A1 Approved:

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

Liberty Mutual Insurance Company, in the amount of \$399,748.99, for Asphalt Pavement and Incidentals Improvement District No. PN-14-A1 in the City of Fargo, North Dakota.

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

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

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

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Border States Paving, Inc. for Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals Improvement District No. PN-14-51 in the City of Fargo, North Dakota.

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

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

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

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

Liberty Mutual Insurance Company, in the amount of \$362,203.65, for Concrete Curb and Gutter, Asphalt Pavement, Street Lights and Incidentals Improvement District No. PN-14-51 in the City of Fargo, North Dakota.

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

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

Contract for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. PR-14-21 Approved:

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Master Construction Company, Inc. for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. PR-14-21 in the City of Fargo, North Dakota.

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

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

Contract Bond for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. PR-14-21 Approved:

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

Western National Mutual Insurance Company, in the amount of \$4,703,814.60, for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. PR-14-21 in the City of Fargo, North Dakota.

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

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

Contract for Seal Coat and Incidentals Improvement District No. PR-14-41 Approved:

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Asphalt Surface Technologies Corporation for Seal Coat and Incidentals Improvement District No. PR-14-41 in the City of Fargo, North Dakota.

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

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

Contract Bond for Seal Coat and Incidentals Improvement District No. PR-14-41 Approved:

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

Travelers Casualty and Surety Company of America, in the amount of \$541,850.45, for Seal Coat and Incidentals Improvement District No. PR-14-41 in the City of Fargo, North Dakota.

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

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

Contract for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-01 Approved:

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Master Construction Company, Inc. for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-01 in the City of Fargo, North Dakota.

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

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

Contract Bond for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-01 Approved:

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

Western National Mutual Insurance Company, in the amount of \$743,636.50, for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-01 in the City of Fargo, North Dakota.

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

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

Contract for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-31 Approved:

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Dakota Underground Company, Inc. for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-31 in the City of Fargo, North Dakota.

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

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

Contract Bond for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-31 Approved:

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

United Fire and Casualty Company, in the amount of \$1,476,197.25, for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-31 in the City of Fargo, North Dakota.

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

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

GFOA Certificate of Achievement for Excellence in Financial Reporting Presented to Jenica Flanagan, Jamie Bullock and Veronica Dye:

The Board received a communication from Director of Finance Kent Costin stating the City has received the Government Finance Officers Association's (GFOA) Certificate of Achievement for Excellence in Financial Reporting for its Comprehensive Annual Financial Report (CAFR) for the fiscal year ending December 31, 2012. He said this is a national recognition and a significant recognition. The award requires a group effort of many employees, he said; however, Jenica Flanagan, Jamie Bullock and Veronica Dye are primarily responsible for the preparation of the CAFR. He said the City has been granted this award for the past sixteen years and intends to continue this quality control review process in the future.

Mayor Walaker presented the Certificate of Achievement plaque to Jenica Flanagan, Jamie Bullock and Veronica Dye, and commended the employees for their efforts in this regard.

Nuisance Tier Policy for Undeveloped Property Adopted:

The Board received a communication from Director of Public Health Ruth Bachmeier stating the intent of the Nuisance Tier Policy for Undeveloped Property is to supplement current Ordinances. She said the policy would be used to resolve nuisances including tall grasses, non-noxious weeds, dirt piles, and/or stagnant water located specifically on undeveloped property. This tiered approach will provide for more consistent response to the frequent nuisance complaints that are received on undeveloped property, she said, and will begin once the City of Fargo Engineer signs off on a specific development or subdivision as significantly completed.

Director of Environmental Health Grant Larson said the proposed policy is intended to be a regulatory tool which allows and incorporates time limits for nuisances specifically relating to undeveloped lots. The policy is the result of a process started in 2011 which involved discussions with a number of people, he said, including staff, land developers, homebuilders and attorneys associated with land development. He said more than 400 nuisance complaints were received in his office in the last two years with approximately 70 percent being associated with undeveloped properties. Once the policy is set in motion there are three tiers that include initial, median and mature development stages, he said, and the regulatory parameters for each stage increase based on the age of the development. He said failure to meet appropriate deadlines will result in the City taking action and assessing costs to the property owner and/or initiating legal action to resolve the violations.

Commissioner Mahoney moved the Nuisance Tier Policy for Undeveloped Property be adopted.

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

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

Resolution Adopted Setting Building Permit and Plan Review Fees Effective May 1, 2014:

The Board received a communication from Planning Director Jim Gilmour stating building permit fees have not changed in six years and it appears that a fee increase is warranted when compared to other cities. He said with a proposed

increase of residential fees of about six percent, along with a \$5.00 increase in the base fee, City of Fargo fees will still be less than most other cities in North Dakota. An increase in commercial rates of about six percent is also proposed on projects less than \$1 million in total cost, he said, with no change in fees for the amount of the project that exceeds \$1 million. When compared to similar size cities in the region, he said, Fargo fees are below average on projects less than \$1 million and about average for projects over \$1 million. He said Fargo is experiencing growth, for example, during the period of January 1 to April 14, 2013, there were 420 building permits issued for a total value of \$31,087,229.00, while for the same time period this year, 496 permits have been issued totaling \$127,330,770.00.

Commissioner Wimmer said he sees fee increases of five to six percent more palatable than waiting a longer period of time and then having a very large increase.

In response to a question from Commissioner Mahoney about whether current staffing is appropriate to keep up with current growth, Mr. Gilmour said the budget adjustment approved as part of the Consent Agenda provides two temporary inspectors. Additional contracted Planners have been added, he said, making it easier to keep up with development. He said much of the plan review and inspection for the large Sanford Medical project is being contracted out and staff is getting through the backlog in a reasonable period of time. He said if things fall further behind additional assistance will be requested.

Pat Zavoral said contract employees and consultants have traditionally been used to take the pressure off during peak work load times and to fill in for less intensive tasks. He said FTE's are considered when a need is expected longer than five years. He said the informal meeting planned next week is to focus on handling development and how much is allowed to take place. He said Fargo has gone from \$150 million in infrastructure placement last year to \$250 million this year and quality assurance is important in all of this.

Mayor Walaker said while the policy has always been controlled growth, it is not possible to be all things to all people. He said it is important to not make promises to developers that cannot be kept.

Commissioner Wimmer offered the following Resolution and moved its adoption:

BE IT RESOLVED, By the Board of City Commissioners that the Residential and Commercial Building Permit and Plan Review Fees submitted by the Planning Director be adopted effective May 1, 2014 and placed on file in the City Auditor's Office and Inspections Department.

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

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

Discussion Regarding Proposed Legal Notice Rate Increases by the North Dakota Newspaper Association:

The Board received a communication from Director of Finance Kent Costin stating the North Dakota Office of Management and Budget (OMB) has asked the ND League of Cities to request comment from City officials on proposed legal notice rate increases. He said the North Dakota Newspaper Association (NDNA) had originally

proposed a rate increase of six percent for July 1, 2015 - June 30, 2016 and an additional five percent increase for July 1, 2016 - June 30, 2017. He said the NDNA will accept a rate increase of six percent for the entire 15-17 Biennium and the Office of Management and Budget (OMB) agrees that this increase is reasonable based upon Consumer Price Index forecasts and North Dakota's economic factors. In the future, he said, NDNA has agreed to use a CPI-based method to calculate rate changes as a starting point for negotiations. He said the City of Fargo expended approximately \$90,000.00 in FY 2013 to The Forum; the City's designated official newspaper. Of this total, he said, \$21,000.00 was spent publishing agendas, City Commission minutes and paid bill listings, and \$47,000.00 was spent on capital project-related publishing.

In response to a question from Commissioner Mahoney about what the Consumer Price Index stands at, City Administrator Pat Zavoral said it is now approximately 2 percent.

Commissioner Mahoney said tying increases to the Consumer Price Index seems the better way to administer rate increases and he would be more comfortable with that than a six percent increase.

Commissioner Mahoney moved a recommendation be forwarded to the ND League of Cities that a CPI-based method of calculating future rate increases be used.

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

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

Item No. 5 Omitted:

Item No. 5 (Recommendation to fill a vacancy on the Native American Commission) was omitted.

Commissioner Sobolik moved that the Board adjourn to 5:00 o'clock p.m., Monday, April 28, 2014.

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

The time at adjournment was 5:32 o'clock p.m.