

BOARD OF CITY COMMISSIONERS  
Fargo, North Dakota

Regular Meeting:

Tuesday:

May 27, 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 4:30 o'clock p.m., Tuesday, May 27, 2014.

The Commissioners present or absent were as shown following:

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

Absent: None.

Mayor Walaker presiding.

City Attorney Erik Johnson announced that the Board will meet in Executive Session pursuant to N.D.C.C. §44-04-19.1 to consult with the City's attorneys regarding the City of Moorhead vs. the Bridge Company and the City of Fargo, and Highland Park Properties vs. City of Fargo.

Commissioner Sobolik moved the City Commission meet in Executive Session in the River Room as authorized by N.D.C.C. §44-04-19.1 to discuss said matters.

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

At 4:32 p.m. the Board moved to the River Room to discuss said matters in Executive Session.

Members present were: Williams, Mahoney, Sobolik, Wimmer and Walaker.

Absent and not voting: None.

The Executive Session closed at 5:02 o'clock p.m. and the Commission reconvened in public session at 5:05 o'clock p.m.

All Commissioners present. Mayor Walaker presiding.

Order of Agenda Approved:

Commissioner Mahoney moved the Order of the Agenda be approved.

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 May 12, 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. 2nd reading, waive reading, and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in Skaff's First Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 5/12/14.
- b. Preliminary approval of a loan from U.S. Bank to provide interim financing for flood risk reduction costs (Metro Flood Project).
- c. Resolution Authorizing Call and Redemption of Bonds Issued by the City of Fargo (Attachment "A").
- d. Resolution Authorizing the Issuance of the \$6,000,000.00 City of Fargo, North Dakota Note (Fargo Cass Public Health Expansion and Relocation Project and Red River Regional Dispatch Center Project), Series 2014A (Attachment "B").
- e. Lease with the Bortnem Family Limited Partnership for a proposed City Hall parking lot.
- f. \$30,000.00 contribution to the Bicycle Rental Program and authorization for right-of-way encroachments where approved by the Engineering and/or Planning Departments.
- g. Agreement with the Downtown Community Partnership, in an amount not to exceed \$10,000.00, to facilitate marketing efforts to promote transit in the downtown area.
- h. Sale of the land-locked lot at 1430 Dakota Drive to Tom and Mary Brunsdale.
- i. Purchase of Service Agreement with the North Dakota Department of Health for the Ryan White Part B Program/Case Management for People Living with HIV/AIDS (CFDA #93.917).
- j. Contract Amendment with the North Dakota Department of Health for the Title X Family Planning Program (CFDA #03.217).
- k. One-year sole source contract with Mindmixer.
- l. Position Evaluation Committee recommendations relating to classification, reclassification and department restructure requests.

Airport:

Request to classify one Airport Fire Chief at a Grade 14 with proposed ratings. Annual cost of Request: \$64,210.00.

PEC recommends approval of this request effective upon approval.

Request to classify three FTE Airport Assistant Fire Chiefs at a Grade X12 with proposed ratings. Annual cost of Request: \$191,668.00.

PEC recommends approval of this request effective upon approval.

Request to classify three Airport Lead Fire Fighter - Captains at a Grade X11 with proposed ratings. Annual cost of Request: \$161,092.00.

PEC recommends approval of this request effective upon approval.

Request to classify three Airport Fire Fighters at a Grade X10 with proposed ratings. Annual cost of Request: \$154,190.00.

PEC recommends approval of this request effective upon approval.

Auditors:

Request to reclassify one Customer Service Representative II (Grade 6) to a Customer Service Representative III (Grade 9) with proposed rating changes. Annual cost of request: \$2,275.00.

PEC recommends approval of this request effective July 1, 2014.

Request to reclassify one Customer Service Representative III (Grade 9) to a Utility Billing Supervisor (Grade 12) with proposed rating changes. Annual cost of request: \$4,287.00.

PEC recommends approval of this request effective July 1, 2014.

Request to reclassify one Customer Service Representative III (Grade 9) to a Records Administrator (Grade 11) with proposed rating changes. Annual cost of request: \$2,928.00.

PEC recommends approval of this request effective July 1, 2014.

Buildings and Grounds:

Request to reclassify one Maintenance Attendant I (Grade 5) to a Maintenance Attendant II (Grade 8) with proposed rating changes. Annual cost of request: \$4,884.00.

PEC recommends approval of this request effective January 1, 2015.

City Administration/Public Information:

Request to reclassify one Communication Manager (Grade 14) to a (Grade 15) with proposed rating changes. Annual cost of request: \$3,274.00.

PEC recommends approval of this request effective January 1, 2015.

Engineering:

Request to reclassify one Engineering Technician III/Drafting R/W Manager (Grade 13) to an Engineering Specialist/Mapping and Software (Grade 16) with proposed rating changes. Annual cost of request: \$7,442.00.

PEC recommends approval of this request effective June 15, 2014.

Health:

Request to reclassify one Environmental Health Practitioner I (Grade 12) to an Emergency Preparedness Environmental Health Practitioner (Grade 13) with proposed rating changes. Annual cost of request: \$2,621.00.

PEC recommends approval of this request effective upon approval.

Request to reclassify one Lab Technician (Grade 6) to an Environmental Health Associate (Grade 6) with proposed rating changes. Annual cost of request: \$0.00.

PEC recommends approval of this request effective upon approval.

Request to classify one Public Health Analyst at a (Grade 13) with proposed ratings. Annual cost of request: \$53,061.00.

PEC recommends approval of this request effective January 1, 2015.

Request to reclassify one Public Health Nurse (Contract Position) (Grade 13) to a Refugee Health Coordinator (Contract Position) (Grade 12) with proposed rating changes. Annual cost of request: (-\$3,904.00.)

PEC recommends approval of this request effective upon approval.

Human Resources:

Request to reclassify one Safety Coordinator (Grade 14) to a Safety Manager (Grade 15) with proposed rating changes. Annual cost of request: \$3,154.00.

PEC recommends approval of this request effective January 1, 2015.

Request to classify one Training Coordinator at a (Grade 14) with proposed ratings. Annual cost of request: \$57,304.00.

PEC recommends approval of this request effective January 1, 2015.

Information Services:

Request to classify one GIS Analyst at a (Grade 12) with proposed ratings. Annual cost of request: \$49,150.00.

PEC recommends approval of this request effective January 1, 2015.

Street:

Request to reclassify one Office Manager (Grade 13) to a Public Works Administrative Services Manager (Grade 14) with proposed rating changes. Annual cost of request: \$3,520.00.

PEC recommends approval of this request effective January 1, 2015.

Central Garage/Transit:

Request to reclassify two Equipment Technicians I (Grade 6) to Equipment Technicians I (Grade 8) with proposed rating changes. Annual cost of request: \$8,480.00.

PEC recommends approval of this request effective January 1, 2015.

Solid Waste:

Request to reclassify one Scale Operator (Grade 7) to a Scale Operator (Grade 9) with proposed rating changes. Annual cost of request: \$4,587.00

PEC recommends approval of this request effective January 1, 2015.

Wastewater Utility:

Request to reclassify one Public Works Supervisor - Wastewater Treatment Plant Lift Stations (Grade 13) to a Public Works Supervisor - Wastewater Treatment Plant Lift Stations (Grade 14) with proposed rating changes. Annual cost of request: \$3,297.00.

PEC recommends approval of this request effective January 1, 2015.

Request to reclassify one Public Works Supervisor - Wastewater Treatment Plant (Grade 13) to a Public Works Supervisor - Wastewater Treatment Plant (Grade 14) with proposed rating changes. Annual cost of request: \$3,806.00.

PEC recommends approval of this request effective January 1, 2015.

- m. Site Authorizations for Games of Chance:
- (1) Sharehouse, Inc. at the Bismarck Tavern, Woody's, Vista Inn/Alibi's and Borrowed Bucks Roadhouse.
  - (2) The Arc Upper Valley, Inc. at JT's Bar and Lounge d/b/a JT Cigarro's.
  - (3) Boys & Girls Club of the Red River Valley d/b/a Youth Commission at the Pickled Parrot and Red River Lanes.
  - (4) Prairie Public Broadcasting, Inc. at Tailgators and Dempseys.
  - (5) North Dakota Association for the Disabled, Inc. at the Bulldog Tap, Shotgun Sally's Rock N Roll Saloon, O'Kelly's and Hennessy's.
  - (6) Horse Race North Dakota at Labby's Bar & Grill and Wurst Bier Hall.
  - (7) Special Olympics North Dakota, Inc. at Rooters Bar.
- n. Applications for Games of Chance:
- (1) Fargo Lions Club for sports pools from 9/8/14 through 12/22/14.
  - (2) Wendy Hannestad Benefit for a raffle on 6/1/14; Public Spirited Resolution.
  - (3) Fargo Moorhead Symphony Orchestra for a raffle on 6/4/14.

- o. Applications filed by Deborah Clark for a five-year tax exemption for improvements made to building at 601 19th Avenue North.
- p. Resolution Approving Plat of Sincebaugh Second Addition (Attachment "C").
- q. Resolution Approving Plat of Timber Creek Second Addition (Attachment "D").
- r. Addition of 1333 Oak Street to the City-Wide Comprehensive Plan property acquisition list.
- s. Reimbursement to the property owner at 4763 Douglas Drive of up to \$4,000.00 for repair of the sprinkler system affected by the construction of a permanent levee.
- t. Purchase Agreement – Permanent and Temporary Easements for Brian and Holly Hass (Project No. 5962-01).
- u. Permanent and Temporary Street Easements associated with 26th Avenue South, east of 45th Street (Calico Prairie).
- v. Joint Funding Agreement with USGS for the IP web camera located downstream of the Midtown Dam at an annual cost of \$1,085.00.
- w. Consulting Service Contract with Houston Engineering, Inc. for Project MS-14-20.
- x. Assignment of one paratransit vehicle procurement option to the City of Moorhead.
- y. Lease of one Fargo fixed route bus to the City of Moorhead.
- z. Contract time extensions for Project No. 6236.
- aa. Bid awards for Project Nos. FM-14-02 to R & R Excavating, Inc. in the amount of \$4,131,934.11; TR-14-01 to Strata Corporation in the amount of \$194,741.55; and TR-14-11 to Fritz Electric in the amount of \$94,700.00.
- bb. Bills in the amount of \$3,561,156.50.

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

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

Bids Rejected for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-01: Project to be Rebid:

The Board received a communication from City Engineer April Walker stating bids were opened at 11:30 a.m., May 21, 2014 for Water Main Replacement, Street

Reconstruction and Incidentals Improvement District No. BR-14-01. She said the low bid exceeded the Engineer's estimate by 51%; therefore, pursuant to State Statute 40-22-29, bids may not be awarded when the low bid exceeds the Engineer's estimate by 40%. She recommended all bids be rejected, the assessment district be recreated and re-advertised based on the original petition and the results of the original protest period, with construction to be scheduled for the 2015 construction season.

Commissioner Mahoney moved the bids for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-01 be rejected and the project be rebid.

Second by Sobolik. On call of the roll Commissioners Mahoney, Sobolik, Wimmer, Williams 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-14-11: Protests Received and Declared Insufficient:

The Statutory Resolution of Necessity for the construction of P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-14-11 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on April 21 and 28, 2014 and protests representing 7.2% percent of the legal protest area have been received and filed in the office of the City Auditor within the legal protest period.

Commissioner Mahoney moved the protests be received and filed and declared insufficient.

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

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

Bids Received for P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-14-11:

The bids for P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-14-11 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., May 21, 2014 and the bids were found to be as follows:

Key Contracting	Fargo, ND
Bid:	\$70,520.00

Adelman Concrete and Excavating, Inc.	West Fargo, ND
Bid:	\$73,550.00

Contract for P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-14-11 Awarded to Key Contracting in the Amount of \$70,520.00:

Commissioner Mahoney offered the following Resolution and moved its adoption:

WHEREAS, The City Engineer has prepared and filed a detailed statement of the estimated costs of P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-14-11; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received May 21, 2014 for P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-14-11 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-14-11 shows the bid of Key Contracting of Fargo, North Dakota, in the sum of \$70,520.00 to be the lowest and best bid received.

NOW, THEREFORE, BE IT RESOLVED, That the Board of City Commissioners finds and declares the bid received from Key Contracting in the sum of \$70,520.00 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-14-11 in the City of Fargo, North Dakota, be and the same is hereby awarded to Key Contracting for the sum of \$70,520.00, subject to the supervision, inspection and approval of the City Engineer, and in accordance with the Plans and Specifications filed in the office of the City Auditor.

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

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

No Protests Received for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-21:

The Statutory Resolution of Necessity for the construction of Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-21 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on February 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 Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-21.

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

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

Bids Received for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-21:

The bids for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-21 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., May 21, 2014 and the bids were found to be as follows:

KPH, Inc.  
Bid:

Kindred, ND  
\$1,734,525.45



Contract for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-21 Awarded to KPH, Inc. in the Amount of \$1,734,525.45:

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 Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-21; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received May 21, 2014 for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-21 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-21 shows the bid of KPH, Inc. of Kindred, North Dakota, in the sum of \$1,734,525.45 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 KPH, Inc. in the sum of \$1,734,525.45 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-21 in the City of Fargo, North Dakota, be and the same is hereby awarded to KPH, Inc. for the sum of \$1,734,525.45, 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, Wimmer, Williams and Walaker voted aye.

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

No Protests Received for Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-11:

The Statutory Resolution of Necessity for the construction of Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-11 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on April 21 and 28, 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 Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-11.

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

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

Bids Received for Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-11:

The bids for Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-11 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., May 21, 2014 and the bids were found to be as follows:

Border States Paving, Inc. Bid:	Fargo, ND \$1,097,142.60
Northern Improvement Company Bid:	Fargo, ND \$1,169,362.10
Aggregate Industries Bid:	Moorhead, MN \$1,214,084.60
Central Specialties, Inc. Bid:	Alexandria, MN \$1,305,154.80
Mark's Sand and Gravel Bid:	Fergus Falls, MN \$1,405,149.10

Contract for Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-11 Awarded to Border States Paving, Inc. in the Amount of \$1,097,142.60:

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 Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-11; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received May 21, 2014 for Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-11 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-11 shows the bid of Border States Paving, Inc. of Fargo, North Dakota, in the sum of \$1,097,142.60 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 \$1,097,142.60 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-11 in the City of Fargo, North Dakota, be and the same is hereby awarded to Border States Paving, Inc. for the sum of \$1,097,142.60, 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, Wimmer, Williams and Walaker voted aye.

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

Bids Received for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-41:

The bids for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-41 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., May 21, 2014 and the bids were found to be as follows:

Ryan Contracting Bid:	Shakopee, MN \$1,341,096.00
KPH, Inc. Bid:	Kindred, ND \$1,345,297.75
R & R Excavating, Inc. Bid:	Hutchinson, MN \$1,362,321.20
H & S Contracting Bid:	Moorhead, MN \$1,425,824.00
J.R. Ferche, Inc. Bid:	Rice, MN \$1,642,131.50
Dakota Underground Company Bid:	Fargo, ND \$1,660,645.50

Contract for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-41 Awarded to Ryan Contracting in the Amount of \$1,341,096.00:

Commissioner Mahoney offered the following Resolution and moved its adoption:

WHEREAS, The City Engineer has prepared and filed a detailed statement of the estimated costs of Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-41; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received May 21, 2014 for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-41 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-41 shows the bid of Ryan Contracting of Shakopee, Minnesota, in the sum of \$1,341,096.00 to be the lowest and best bid received.

NOW, THEREFORE, BE IT RESOLVED, That the Board of City Commissioners finds and declares the bid received from Ryan Contracting in the sum of \$1,341,096.00 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-41 in the City of Fargo, North Dakota, be and the same is hereby awarded to Ryan Contracting for the

sum of \$1,341,096.00, subject to the supervision, inspection and approval of the City Engineer, and in accordance with the Plans and Specifications filed in the office of the City Auditor.

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

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

Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-0 (34th and 36th Avenues South from 55th Street to Veterans Boulevard and 56th Street from 34th to 36th Avenue South):

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-14-0:

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

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

Area located south of 32nd Avenue South between 45th Street and Veterans Boulevard and north of the half section line of Section 28, Township 139, Range 49 West.

COMPRISING

Lot 1, Block 1

Lot 2, Block 3

Lot 1, Block 4

Lots 1 through 12, inclusive, Block 6

Lots 1 through 24, inclusive, Block 7

Lots 1 through 24, inclusive, Block 8

Lots 1 through 24, inclusive, Block 9

Lots 1 through 12, inclusive, Block 10

Lots 1 through 14, inclusive, Block 11

Lots 1 through 14, inclusive, Block 12

Lots 1 through 12, inclusive, Block 13

Lots 1 through 28, inclusive, Block 14

Lot 30, Block 14

All platted in the Brandt Crossing 1st Addition.

Lots 1 through 3, inclusive, Block 1

Lots 7 through 11, inclusive, Block 1

All platted in the Brandt Crossing 2nd Addition.

Lots 1 through 17, inclusive, Block 1

All platted in the Brandt Crossing 3rd Addition.

Lots 1 through 5, inclusive, Block 1  
All platted in the Brandt Crossing 4th Addition.

Lot 2, Block 1  
All platted in the Brandt Crossing 5th Addition.

Lots 1 through 3, inclusive, Block 1  
All platted in the Brandt Crossing 6th Addition.

Lots 1 through 4, inclusive, Block 1  
All platted in the Brandt Crossing 7th Addition.

Lots 1 through 7, inclusive, Block 1  
Lots 1 through 9, inclusive, Block 2  
Lots 1 through 7, inclusive, Block 3  
Lots 1 through 35, inclusive, Block 4  
Lots 1 through 14, inclusive, Block 5  
Lots 1 through 14, inclusive, Block 6  
All platted in the Farmstead at Brandt Addition.

All of the foregoing is 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-14-0 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. PN-14-0:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. PN-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 \$950,000.00.)

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

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

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

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. PN-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. PN-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 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-14-0 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 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-14-0:

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

Second by Sobolik. On call of the roll Commissioners Mahoney, Sobolik, Wimmer, Williams 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-14-3 (The Pines):

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-14-3:

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

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

On 43rd Street South from 54th Avenue South to 175' south of Pine Parkway South.

On Pine Parkway South between 43rd Street South and 56th Avenue South.

On Bristlecone Loop South off of Pine Parkway South from 330' east of 43rd Street South to 1,050' east of 43rd Street South.

On 56th Avenue South between 54th Avenue South and 140' southeast of Pine Parkway South.

On 56th Avenue South between 43rd Street South and 160' west of 43rd Street South.

#### COMPRISING

Lot 2, inclusive, Block 1.

Lot 1, inclusive, Block 4.

Lots 1 through 7, inclusive, Block 9.

Lots 1 through 50, inclusive, Block 10.

Lots 1 through 15, inclusive, Block 11.

Lots 2 through 19, inclusive, Block 12.

Lots 1 through 8, inclusive, Block 13.

Lots 1 through 8, inclusive, Block 14.

All platted in The Pines at the District.

All of the foregoing is 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-14-3 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. PN-14-3:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. PN-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 \$1,214,100.00.)

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

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

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

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. PN-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. PN-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 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-14-3 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 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 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-14-3:

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

Second by Sobolik. On call of the roll Commissioners Mahoney, Sobolik, Wimmer, Williams 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-E (Valley View 2nd Addition):

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-E:

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

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



On 38th Avenue South between Veteran's Boulevard and 54th Street South.  
On 56th Street South from 40th Avenue South to 38th Avenue South.

COMPRISING

Lot 1, Block 1.

All platted in Valley View 2nd Addition.

All the unplatted land in the SW quarter of Section 28, T138N, R49N lying west of 54th Street South.

All of the foregoing is 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-E 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-E:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. PN-14-E 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 \$625,000.00.)

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

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

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

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. PN-14-E 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-E 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-E 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 30 days after the first publication of this Resolution.

Direct City Auditor's Office to Call for Bids for Improvement District No. PN-14-E:

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-E in the City of Fargo, North Dakota.

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

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

Asphalt Wear Course and Incidentals Improvement District No. PN-14-B (Various Locations in North and South Fargo):

Commissioner Mahoney moved the following action be taken in connection with Asphalt Wear Course and Incidentals Improvement District No. PN-14-B:

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

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

LOCATION: (Section 1)

On NDSU Research Circle North from 18th Street North to 377' west of 18th Street North.

LOCATION: (Section 2)

On 7th Avenue South from 25th Street South to 28th Street South.

LOCATION: (Section 3)

On 27th Circle South from 4th Avenue South to 670' northeast of 4th Avenue South.

LOCATION: (Section 4)

On Westrac Drive South from 36th Street South to Interstate Boulevard South.

On 34th Street South from Westrac Drive South to 1040' north of Westrac Drive South.

LOCATION: (Section 5)

On 26th Avenue South from 45th Street South to 47th Street South.

On 28th Avenue South from 30th Avenue South to 1065' west of 47th Street South.

On 47th Street South from 26th Avenue South to 28th Avenue South.

LOCATION: (Section 6)

On 38th Avenue South from 150' east of 48th Street South to 50th Street South.

On 39th Avenue South from 48th Street South to 50th Street South.

On 48th Street South from 38th Avenue South to 39th Avenue South.

On 50th Street South from 38th Avenue South to 40th Avenue South.

LOCATION: (Section 7)

On 50th Avenue South from Marion Street South to Woodhaven Street South.

On Loden Court South from Woodhaven Drive South to 43rd Street South.

On 51st Avenue South from 42nd Street South to Woodhaven Street South.

On Marion Street South from 50th Avenue South to 51st Avenue South.

On Hawthorne Street South from 50th Avenue South to 51st Avenue South.

On Woodhaven Street South from 49th Avenue South to 51st Avenue South.

On Woodhaven Drive South from 49th Avenue South to 43rd Street South.

On 43rd Street South from 49th Avenue South to Loden Court South.

On 44th Street South from 49th Avenue South to 52nd Avenue South.

LOCATION: (Section 8)

On 58th Avenue South from 25th Street South to 27th Street South.

On 26th Street South from 58th Avenue South to 464' south of 58th Avenue South.

On 27th Street South from 233' north of 58th Avenue South to Silverleaf Drive South.

On Silverleaf Drive South from 27th Street South to 27th Street South.

COMPRISING: (Section 1)

Lots 7 through 10, Block 1, NDSU Research and Technology Park 2nd Addition.

COMPRISING: (Section 2)

Lots 1 through 7, Block 1.

Lots 1 through 8, Block 2.

All in Pete's Addition.

Lot 2, Block 3.

Lot 1, Block 4.

All in S & W Addition.

COMPRISING: (Section 3)

Lots 1 through 4, and 7, Block 1, Master Addition.

Lots 1 and 2, Block 1, West Central Addition a replat of Lot 5, Block 1 of Master Addition.

Lots 1 and 2, Block 1, Cape Development a replat of Lot 6, Block 1 of Master Addition.

COMPRISING: (Section 4)

Lots 1 and 3, Block 1.

Lot 1, Block 2.

All in Runck's First Addition.

Lots 1 and 2, Block 1, Runck's 2nd Addition a replat of Lot 2, Block 1 of Runck's 1st Addition.

Lot 1, Block 1, Muscatell Subdivision.

Lot 1, Block 1.

Lots 1 through 3, Block 2.

All in Interstate Park Addition.

Unplatted land in SW 1/4 of Section 11, Township 139, Range 49.

COMPRISING: (Section 5)

Lots 1 through 5, Block 1, Amber Valley Business Center 1st Addition.

Lot 4, Block 2, Amber Valley 1st Addition.

Lots 1 through 4, Block 1, Urban Plains Northeast Retail Addition a replat of Block 1 of Urban Plains by Brandt 1st Addition.

Lots 1 through 4, Block 1, Urban Plains Northeast Retail 2nd Addition a replat of Lot 3, Block 1 of Urban Plains Northeast Retail Addition.

Lots 1 through 3, Block 1, Urban Plains Medical Park Addition a replat of Lots 1 and 2, Block 6 of Urban Plains by Brandt 1st Addition.

Lots 1 through 8, Block 2, Urban Plains by Brandt 1st Addition.

COMPRISING: (Section 6)

Lots 1 through 22, Block 1.

Lots 1 through 12, Block 2.

Lots 1 through 8, Block 3.

All in Evelyn Acres.

Lots 1 through 13, Block 1, Evelyn Acres 2nd Addition a replat of Lots 13, 14 and 15, Block 2 of Evelyn Acres Addition.

COMPRISING: (Section 7)

Lots 7 and 8, Block 1.

Lots 1 through 23, 38 and 39, Block 2.

Lots 1 through 9, Block 3.

Lots 1 through 9, Block 4.

Lots 1 through 21, Block 5.

Lots 1 through 11, Block 6.

Lots 1 through 16, Block 7.

Lots 1 through 13, Block 8.

All in Woodhaven 5th Addition.

Lots 1 through 19, Block 1, Woodhaven 6th Addition a replat of Lots 24 through 37, Block 2 of Woodhaven 5th Addition.

Lots 1 through 6, Block 1, Woodhaven 7th Addition a replat of Lots 1 through 5, Block 1 of Woodhaven 5th Addition.

Lots 1 through 4, Block 1, Krueger Cottages at Woodhaven 5th Addition a replat of Lot 6, Block 1 of Woodhaven 5th Addition.

COMPRISING: (Section 8)

Lot 1, Block 1.

Lot 1, Block 2.

All in Alverson Subdivision.

Lots 1 and 2, Block 1, Trapper's Run Addition a replat of Lot 1, Block 4 of Alverson Subdivision.

Lots 1 through 3, Alverson Second Subdivision a replat of Lot 1, Block 4 of Alverson Subdivision.

Lots 1 through 10, Block 1, Cottages of Silverleaf Addition a replat of Lots 1 through 8, Block 3 of Silverleaf Addition.

Lots 1 through 14, Block 1, Custers Crossing Addition a replat of Lot 2, Block 2 of Alverson Subdivision together with Lot 1, Block 3 of Alverson Subdivision.

Lot 1, Block 1.

Lots 1 through 24, Block 2.

Lots 9 through 15, Block 3.

Lots 1 through 27, Block 4.

All in Silverleaf Addition.

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

NOW, THEREFORE, BE IT RESOLVED, That Asphalt Wear Course and Incidentals Improvement District No. PN-14-B 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-B:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. PN-14-B 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 \$985,000.00.)

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

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

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

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. PN-14-B 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-B 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 Wear Course 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 Wear Course and Incidentals Improvement District No. PN-14-B 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 Wear Course 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-B:

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-B in the City of Fargo, North Dakota.

Second by Sobolik. On call of the roll Commissioners Mahoney, Sobolik, Wimmer, Williams 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, Site Grading, Paving, Street Lights and Incidentals Improvement District No. BN-14-01 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, Site Grading, Paving, Street Lights and Incidentals Improvement District No. BN-14-01 in the City of Fargo, North Dakota.

Second by Sobolik. On call of the roll Commissioners Mahoney, Sobolik, Wimmer, Williams 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, Site Grading, Paving, Street Lights and Incidentals Improvement District No. BN-14-01 Approved:

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

United Fire and Casualty Company, in the amount of \$1,574,651.20, for Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Paving, Street Lights and Incidentals Improvement District No. BN-14-01 in the City of Fargo, North Dakota.

Second by Sobolik. On call of the roll Commissioners Mahoney, Sobolik, Wimmer, Williams 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, Site Grading, Paving, Street Lights and Incidentals Improvement District No. BN-14-11 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, Site Grading, Paving, Street Lights and Incidentals Improvement District No. BN-14-11 in the City of Fargo, North Dakota.

Second by Sobolik. On call of the roll Commissioners Mahoney, Sobolik, Wimmer, Williams 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, Site Grading, Paving, Street Lights and Incidentals Improvement District No. BN-14-11 Approved:

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

Western National Mutual Insurance Company, in the amount of \$2,041,377.25, for Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Paving, Street Lights and Incidentals Improvement District No. BN-14-11 in the City of Fargo, North Dakota.

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

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

Contract for Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-31 Approved:

Commissioner Mahoney moved approval of the Contract between the City of Fargo and Border States Paving, Inc. for Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-31 in the City of Fargo, North Dakota.

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

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

Contract Bond for Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-31 Approved:

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

Liberty Mutual Insurance Company, in the amount of \$833,674.50, for Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-31 in the City of Fargo, North Dakota.

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

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

Fargo Youth Initiative Year-End Report: Appointment of Members to the Fargo Youth Initiative for the 2014-2015 School Year Approved:

The Board received a communication from City Commissioner Melissa Sobolik stating in 2012, the City Commission voted to support the creation of a youth advisory commission called the Fargo Youth Initiative (FYI). The mission of FYI, she said, is to empower the voice and unite the youth of Fargo through actions and teamwork. She said since its inception, fifteen smart, caring and committed young leaders, representing grades 7 thru 12 from public and private schools in Fargo, have met monthly, sometimes more, to discuss opportunities and issues facing young people in our community. She recommended the work of the Fargo Youth Initiative continue with the following interested participants for the 2014-2015 school year: Martin Altenburg, Matthew Bauske, Obbie Bladholm, Tom Burgum, Carl Denton, Elizabeth Fisher, Laurie Heggedal, Aldina Imamovic, Brooke Krutsinger, Emma McIntyre, Sebastian Patron, Beth Podoll, Mason Thimjon and Ellen Trotter. She said she would



also like to recommend adult mentors from the Fargo Planning Department, Fargo School District, former FYI members (Lauren Singlemann and Kally Kvidera) and herself to help guide the process next year.

Community Development Administrator Dan Mahli said this whole effort started with the idea of wanting to engage and listen to the younger individuals in our community, giving a voice to people under the age of 18.

Andrew Park, Senior from Davies High School, said FYI's mission is to empower the voice and unite the youth in Fargo through actions and teamwork. He said they are a diverse group of 15-20 youth leaders in grades 7 through 12, led by four adult mentors. In order to become an FYI member, he said, an application must be filled out and youth must reapply each year. He said each year is kicked off with a summer retreat where the group brainstorms about what they would like to accomplish that year. He said as a Committee, they have one to two meetings per month, or more if needed. They work mostly as a large group, he said; however, they have formed subcommittees as necessary.

Alicia Anderson, Senior from Fargo North High School, said they started off in September with their first meeting and met once a month or more on Sunday evenings. She said their first main project was working with 6th graders from Sullivan Middle School discussing what kind of youth activities they would like to see in the community. She said they also had a sign at the Fargo Marathon Youth Fun Run asking youth what types of activities they would like to see in the community. Some of the suggestions were for the City to plant more trees, especially in south Fargo. Another recommendation was to add more parks, she said, as well as recycling receptacles in public places, especially in the downtown area.

Mr. Park said another recommendation was for more year round recreation facilities, like indoor water parks, a full-time science museum, ski resorts and/or beaches, which is not quite feasible in our area, but they felt it was important to include as this was one of the recommendations coming from the youth of Fargo.

Lauren Singlemann, Senior from Fargo North High School, stated there are many adults in Fargo planning great things for youth (e.g. outdoor concerts). She said one of the things the group struggles with is that they are not very well known in the community and have found it difficult to get the word out about their group.

Commissioner Williams suggested getting the word out about the group through the City's Public Access Channel.

Commissioner Sobolik moved to receive and file the Fargo Youth Initiative year-end report, and members be appointed to the Fargo Youth Initiative for the 2014-2015 school year as recommended.

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

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

Renaissance Zone Project for Myriad Devices, LLC Approved:

A Hearing had been set for this day and hour to receive comments on a Renaissance Zone Project for Myriad Devices, LLC for a business leasing property as part of a zone project at 503 7th Street North, Suites 301-304 and 306-308.

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

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

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

Commissioner Sobolik moved the Renaissance Zone application filed by Myriad Devices, LLC for a lease project located at 503 7th Street North, Suites 301-304 and 306-308 be approved and the income tax exemptions be granted as recommended by the Renaissance Zone Authority.

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

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

Parcels of Land in Reeves Addition Rezoned (402 University Drive North):

At a Hearing held on May 6, 2014 the Fargo Planning Commission recommended approval of a change in zoning from LC, Limited Commercial to DMU, Downtown Mixed-Use on Lots 23-24 and all of vacated alley lying between Lots 1-2 and Lots 23-24, Block 7, Reeves Addition.

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

Commissioner Sobolik offered the following Resolution and moved its adoption:

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

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

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

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

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

First Reading of an Ordinance Rezoning Certain Parcels of Land Lying in Reeves Addition to the City of Fargo, Cass County, North Dakota:

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

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

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

Amendment to the Growth Plan Approved:

A Hearing had been set for this day and hour to consider approval of an amendment to the Growth Plan within Section 11, Township 138 North, Range 49 West (The Fields First Addition) to increase low-density residential and park/open space acreage while reducing commercial and medium-high density residential which would necessitate changes to the roadway network in this sub-area.

The Fargo Planning Commission recommended approval of the amendment to the Growth Plan at their April 1, 2014 meeting.

No written protest or objection to the amendment to the Plan has been received or filed in the Planning and Development Department.

The Board determined that no person is present to protest or offer objection to the Growth Plan amendment.

Commissioner Sobolik moved the amendment to the Growth Plan be approved.

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

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

Request From the Misfit Conference to Utilize the Skyway on May 31, 2014 Approved:

The Board received a communication from Commissioner Melissa Sobolik stating from May 31 – June 1, 2014, Fargo will host the 2nd Misfit Conference in downtown Fargo. Misfit, Inc., she said, is a group of passionate, creative individuals who specialize in changing the world and solving interesting problems. She said their vision is to empower individuals to march out and make a dent in the Universe. Over 30 people from eight countries, she said, will land in Fargo for this two-day conference that highlights all the great, creative people and ideas that are in our community, while inspiring them to make a difference. The conference planners, she said, have asked permission to host lunch in the Skyway that overlooks the US Bank plaza on Saturday, May 31st and they would handle the set up of tables and chairs, provide the food and clean up the area between 11:00 a.m. and 2:00 p.m.

A.J. Leon, Organizer of the Misfit Conference, said a lot of the 120 attendees are already arriving in Fargo from 15 countries and 20 different states and ranging from various different industries. This is not an industry conference, he said, but rather a conference of people coming from all over the world trying to do work that matters, living with intention and changing the world. The purpose of the conference

is two-fold, he said, one is to inspire people to live life deliberately and the second is to show off the City of Fargo. He said he feels that Fargo is a geographical misfit by being a town of makers and creators. He stated he is engaging the local artist community to create some outdoor art installations by renting two box trucks that will be handed over to a couple of artists to create art on, as well as sidewalk chalk art. He said the skyway is a perfect vantage point to view that art work.

Commissioner Sobolik moved the request from the Misfit Conference to utilize the Skyway on Saturday, May 31, 2014 to host a lunch be approved.

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

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

#### Renaissance Zone Boundary Changes Approved:

The Board received a communication from Planner Joe Nigg stating in December of 2013 a request from the Kilbourne Group was received which suggested access to Renaissance Zone (RZ) benefits would greatly increase the viability of a proposed adaptive re-use project on the former St. Mark's Lutheran Church property. He said the letter mentions that the Kilbourne Group had recently acquired the building and parking lot at 670 4th Avenue North and were exploring a range of ideas that would include significant investment in the property. He said since its original configuration in 1999 the Renaissance boundary has been modified three times and the existing boundary was reviewed and approved in November of 2009. He stated the St. Mark's Block (Block 5t) was included in the 2003 RZ boundary but removed in 2006 from the RZ boundary. The Renaissance Zone Authority (RZA), he said, discussed proposed block modifications at both a February and May meeting and ultimately settled on a recommendation to remove Blocks 7t2 and 1a. He said the City is allocated 38 blocks by statute. Mr. Nigg continued by stating that the City's Renaissance Zone Development Plan expires at the end of 2014 and will need to be updated in order to extend the duration of the RZ program for another five years. He said as a part of this effort the City will need to complete a block-by-block analysis of structures and target areas in order to establish a framework for an updated RZ boundary with the intent of maximizing investment and redevelopment opportunities. He said over the course of the next several months the RZA will be looking closely at blocks that could be attractive investments and blocks which may be candidates for removal. He said it is likely that a new boundary recommendation will be brought forward from the RZA as an element of an updated Renaissance Zone Development Plan.

Commissioner Wimmer moved the proposed Renaissance Zone boundary adjustments, which include removing Blocks 7t2 and 1a and adding Block 5t, 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.

Request for Tax Increment Financing for a Project at 3500 Main Avenue and 100 36th Street South Referred to Appropriate Staff for Review:

The Board received a communication from Planning Director Jim Gilmour submitting a request for Tax Increment Financing (TIF) for a proposed remediation and redevelopment of the former Butler Machinery/Gremada Industries site located at 3500 Main Avenue and 100 36th Street South. He said the proposed project would be redevelopment of the site, clearance of existing buildings and construction of 179,000 square feet of industrial space. The redevelopment, he said, is estimated at \$18 million. The TIF request is for \$1,970,000.00, he said.

Paul Hyde, Hyde Development, LLC, stated Hyde Development specializes in redeveloping infill industrial sites with a history of contamination and various other barriers. He said this site will likely attract a diverse array of tenants, adding an estimated 350 high quality jobs to the area. He said it took his organization a couple of years to find a site that would suit their needs.

Commissioner Wimmer moved staff be directed to submit the proposal to the City's financial advisors for review, to prepare a renewal plan and to draft a development agreement for the redevelopment of property at 3500 Main Avenue and 100 36th Street South.

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

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

Ordinance Amending Article 13-11 of Chapter 13 of the Fargo Municipal Code Relating to Child Care Centers to be Placed on First Reading at the Next Regular Meeting of the Board:

Director of Environmental Health Grant Larson said there are thirty items that the Health Department inspects in a childcare center which range from diapering, to hand washing, to sanitation requirements, food and playground equipment to name a few. The physical activity will be the thirty-first item added as a requirement, he said, and a lot of centers already do the physical activity now, they will just have to document it.

Community Health Educator Cheryl Stetz said the Health Department will be providing training to staff. Currently staff needs thirteen hours of training through growing futures, she said, and this training would be a part of that training as well.

Commissioner Mahoney moved the Ordinance Amending Article 13-11 of Chapter 13 of the Fargo Municipal Code Relating to Child Care Centers be received and filed and placed on first reading at the next Regular Meeting of the Board.

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

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

Paul Grindeland and Kurt Losee Reappointed to the Civil Service Commission:

The Board received a communication from Mayor Walaker recommending that Paul Grindeland and Kurt Losee be reappointed to the Civil Service Commission.

Commissioner Mahoney moved Paul Grindeland and Kurt Losee be reappointed to the Civil Service Commission for three-year terms ending June 30, 2017.

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

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

Commissioner Wimmer moved that the Board adjourn to 5:00 o'clock p.m., Monday, June 9, 2014.

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

The time at adjournment was 6:02 o'clock p.m.