

BOARD OF CITY COMMISSIONERS
Fargo, North Dakota

Regular Meeting:

Monday:

June 9, 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., Monday, June 9, 2014.

The Commissioners present or absent were as shown following:

Present: Mahoney, Sobolik, Williams, Wimmer.

Absent: Walaker.

Commissioner Mahoney presiding.

Commissioner Mahoney announced that the Board will meet in Executive Session pursuant to N.D.C.C. §44-04-19.1 subdivision 9 to discuss and provide contract negotiating instructions to a negotiator for the City on a contract discussion reasonably likely to occur in the immediate future.

Commissioner Wimmer moved the City Commission meet in Executive Session in the River Room as authorized by N.D.C.C. §44-04-19.1 subdivision 9 to discuss said matters.

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

At 4:31 p.m. the Board moved to the River Room to discuss said matters in Executive Session.

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

Absent: Walaker.

The Executive Session closed at 4:51 o'clock p.m. and the Commission reconvened in public session at 5:00 o'clock p.m.

All Commissioners present except Mayor Walaker. Commissioner Mahoney presiding.

Order of Agenda Approved:

Commissioner Sobolik moved the Order of the Agenda be approved adding an extra item at the end of the Regular Agenda to accept a grant for the Fargo Project.

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

Minutes Approved:

Commissioner Sobolik moved that the Minutes of the Regular Meeting of the Board held on May 27, 2014 and the Special Meeting of the Board held on May 29, 2014 be approved as read.

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

Consent Agenda Approved:

Commissioner Williams 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 Reeves Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 5/27/14.
- b. Receive and file Ordinance Amending Section 20-0305.J.1 of Article 20-03 of Chapter 20 of the Fargo Municipal Code (Land Development Code) Relating to Specific Historic Overlay (H-O) Districts and place it on first reading at the next regular meeting.
- c. Year to Date – Budget to Actual Report for May 2014.
- d. Quarterly Report of City Investments.
- e. Meter Reader I contract with Noah Cook for 2014.
- f. Interlocal Agreement with Cass County and the allocation of the 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$53,452.00 for the Police Department.
- g. Amendment to Lease Agreement for the Assessment Department office at 404 4th Avenue North to extend the term on a month-to-month basis.
- h. Resolution Approving Brandt Crossing Eighth Addition (Attachment "A").
- i. Health Department budget adjustment in the amount of \$30,000.00 and grant agreement with Lutheran Social Services of North Dakota for a State Refugee Health Coordinator (Contract #2014-37).
- j. Contract with the North Dakota Department of Health for an Immunization Program Amendment (CFDA #93.268).
- k. Application filed by Denice and Galen Owens for a three-year tax exemption for improvements made to a building at 1440 West Gateway Circle South.
- l. Time and attendance policies.
- m. Site Authorizations for Games of Chance:
 - (1) West Fargo Hockey Association at Fort Noks.
 - (2) Sts. Anne and Joachim Catholic Church at the Church.
- n. Applications for Games of Chance:
 - (1) Kringen Club, Inc. for bingo from 7/1/14 to 6/30/15.
 - (2) YWCA Cass Clay for a raffle on 6/12/14.
 - (3) Fargo Gateway Lions for a raffle on 7/16/14.

- (4) United Way of Cass-Clay for a raffle on 6/20/14.
- (5) Roger Maris Celebrity Golf Tournament for a raffle on 6/19/14.

- o. Agreement for Special Improvements with Urban Plains Land Company, LLC for improvements in Urban Plains Addition.
- p. Agreement for Special Improvements with Synergy Real Estate Investments, LLC for improvements in Osgood 11th Addition.
- q. Recommendation to discontinue auctioning flood buyout homes.
- r. Agreement with the Airport Authority to cover lost rent payments to date and for an additional three-year period until drainage can be improved.
- s. Purchase of a camera system from Flexible Pipe Tool Company for \$45,457.00.
- t. Sale of four Polaris Rangers to Cass County Vector Control for \$43,483.00.
- u. Memorandum of Offer to Landowner for temporary construction easement with Cynthia Murray, Bryon Olson and Lynnett Otterson (Project No. PR-14-21).
- v. Memorandum of Offer to Landowner for temporary construction easement with Gershman Investments, LLC (Project No. PR-14-21).
- w. Cross Access Agreement and Easement for North Town Crossing Apartments, LLC to access the sanitary sewer easement for maintenance.
- x. Dedication Plat Agreement and partial 40th Street South Vacation between 36th and 37th Avenues for snow storage.
- y. Contract Amendments for the following Projects:
 - (1) #3, in the amount of \$51,990.00 for Project No. 5949.
 - (2) #4, in the amount of \$373,000.00 for Project No. 5962.
 - (3) #2, in the amount of \$45,775.00 for Project No. 5944.
- z. Authorize rebid of Project No. SR-14-01 and rejection of bids for Project No. TN-14-11.
- aa. Bid awards for Project Nos. SN-14-11 to Adelman Concrete and Excavating, Inc. in the amount of \$261,567.00; UR-14-21 to Key Contracting, Inc. in the amount of \$272,530.00; and UR-14-41 to Visu-Sewer in the amount of \$172,860.00.
- bb. Bid advertisements for Project No. SR-14-1, TN-14-2 and TR-14-3.
- cc. Contract time extensions for Project Nos. 6172-03, HD-14-01 and HD-14-11 to August 21, 2014.

dd. Change Order No. 1, in the amount of \$50,075.00, and time extension for Project No. HD-14-21 to July 31, 2014.

ee. Bills in the amount of \$7,486,043.56.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

No Protests Received for Concrete Curb and Gutter, Asphalt Pavement, Utilities, Street Lights, Sidewalk and Incidentals Improvement District No. BN-14-21:

The Statutory Resolution of Necessity for the construction of Concrete Curb and Gutter, Asphalt Pavement, Utilities, Street Lights, Sidewalk and Incidentals Improvement District No. BN-14-21 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on March 24 and 31, 2014 and no protests have been filed in the office of the City Auditor within the legal protest period.

Commissioner Williams moved that the Board declare that no protests have been filed to the construction of Concrete Curb and Gutter, Asphalt Pavement, Utilities, Street Lights, Sidewalk and Incidentals Improvement District No. BN-14-21.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Bids Received for Concrete Curb and Gutter, Asphalt Pavement, Utilities, Street Lights, Sidewalk and Incidentals Improvement District No. BN-14-21:

The bids for Concrete Curb and Gutter, Asphalt Pavement, Utilities, Street Lights, Sidewalk and Incidentals Improvement District No. BN-14-21 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., June 4, 2014 and the bids were found to be as follows:

Border States Paving, Inc. Bid:	Fargo, ND \$371,085.10
Northern Improvement Company Bid:	Fargo, ND \$379,407.38
Aggregate Industries Bid:	Moorhead, MN \$412,205.63
J.R. Ferche, Inc. Bid:	Rice, MN \$429,625.50

Contract for Concrete Curb and Gutter, Asphalt Pavement, Utilities, Street Lights, Sidewalk and Incidentals Improvement District No. BN-14-21 Awarded to Border States Paving, Inc. in the Amount of \$371,085.10:

Commissioner Williams offered the following Resolution and moved its adoption:

WHEREAS, The City Engineer has prepared and filed a detailed statement of the estimated costs of Concrete Curb and Gutter, Asphalt Pavement, Utilities, Street Lights, Sidewalk and Incidentals Improvement District No. BN-14-21; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received June 4, 2014 for Concrete Curb and Gutter, Asphalt Pavement, Utilities, Street Lights, Sidewalk and Incidentals Improvement District No. BN-14-21 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Concrete Curb and Gutter, Asphalt Pavement, Utilities, Street Lights, Sidewalk and Incidentals Improvement District No. BN-14-21 shows the bid of Border States Paving, Inc. of Fargo, North Dakota, in the sum of \$371,085.10 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 \$371,085.10 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Concrete Curb and Gutter, Asphalt Pavement, Utilities, Street Lights, Sidewalk and Incidentals Improvement District No. BN-14-21 in the City of Fargo, North Dakota, be and the same is hereby awarded to Border Cities Paving, Inc. for the sum of \$371,085.10, subject to the supervision, inspection and approval of the City Engineer, and in accordance with the Plans and Specifications filed in the office of the City Auditor.

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

Absent and not voting: Mayor Walaker.

The Resolution was adopted.

No Protests Received for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. BN-14-31:

The Statutory Resolution of Necessity for the construction of Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. BN-14-31 in the City of Fargo, North Dakota, was duly published in the official newspaper for the City of Fargo, North Dakota on May 5 and 12, 2014 and no protests have been filed in the office of the City Auditor within the legal protest period.

Commissioner Williams moved that the Board declare that no protests have been filed to the construction of Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. BN-14-31.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Bids Received for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. BN-14-31:

The bids for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. BN-14-31 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., June 4, 2014 and the bids were found to be as follows:

Northern Improvement Company Bid:	Fargo, ND \$1,618,459.35
Dakota Underground Company Bid:	Fargo, ND \$1,847,673.40
KPH, Inc. Bid:	Kindred, ND \$1,863,247.15
J.R. Ferche, Inc. Bid:	Rice, MN \$1,878,003.50

Contract for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. BN-14-31 Awarded to Northern Improvement Company in the Amount of \$1,635,879.35:

The Board received a communication from City Engineer April Walker stating Northern Improvement Company's concrete option bid was \$17,420.00 above their asphalt bid. She stated staff recommends award of the contract to Northern Improvement Company in the amount of \$1,618,459.34 with the addition of \$17,420.00, the concrete alternate, for a total of \$1,635,879.35 as the lowest and best bid.

Commissioner Williams offered the following Resolution and moved its adoption:

WHEREAS, The City Engineer has prepared and filed a detailed statement of the estimated costs of Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. BN-14-31; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received June 4, 2014 for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. BN-14-31 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. BN-14-31 shows the bid of Northern Improvement Company of Fargo, North Dakota, in the sum of \$1,635,879.35 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 Northern Improvement Company in the sum of \$1,635,879.35 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights and Incidentals Improvement District No. BN-14-31 in the City of Fargo, North Dakota, be and the same is hereby awarded to Northern Improvement Company for the sum of \$1,635,879.35, subject to the

supervision, inspection and approval of the City Engineer, and in accordance with the Plans and Specifications filed in the office of the City Auditor.

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

Absent and not voting: Mayor Walaker.

The Resolution was adopted.

Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-31: Protests Received and Declared Insufficient:

The Statutory Resolution of Necessity for the construction of Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-31 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 less than 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 Williams moved the protests be received and filed and declared insufficient.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Bids Received for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-31:

The bids for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-31 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., June 4, 2014 and the bids were found to be as follows:

Dakota Underground Company	Fargo, ND
Bid:	\$2,181,559.30
KPH, Inc.	Kindred, ND
Bid:	\$2,519,761.95

Contract for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-31 Awarded to Dakota Underground Company in the Amount of \$2,181,559.30:

Commissioner Williams 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-14-31; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received June 4, 2014 for Water Main Replacement, Street Reconstruction and Incidentals Improvement District No. BR-14-31 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-14-31 shows the bid of Dakota Underground Company of Fargo, North Dakota, in the sum of \$2,181,559.30 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 \$2,181,559.30 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-14-31 in the City of Fargo, North Dakota, be and the same is hereby awarded to Dakota Underground Company for the sum of \$2,181,559.30, subject to the supervision, inspection and approval of the City Engineer, and in accordance with the Plans and Specifications filed in the office of the City Auditor.

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

Absent and not voting: Mayor Walaker.

The Resolution was adopted.

No Protests Received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-81:

The Statutory Resolution of Necessity for the construction of Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-81 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 Williams moved that the Board declare that no protests have been filed to the construction of Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-81.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Bids Received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-81:

The bids for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-81 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., June 4, 2014 and the bids were found to be as follows:

Northern Improvement Company Bid:	Fargo, ND \$1,823,957.08
Border States Paving, Inc. Bid:	Fargo, ND \$1,990,355.05

Central Specialties, Inc.	Alexandria, MN
Bid:	\$2,218,722.38

Mark's Sand and Gravel	Fergus Falls, MN
Bid:	\$2,493,167.13

Contract for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-81 Awarded to Northern Improvement Company in the Amount of \$1,823,957.08:

Commissioner Williams offered the following Resolution and moved its adoption:

WHEREAS, The City Engineer has prepared and filed a detailed statement of the estimated costs of Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-81; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received June 4, 2014 for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-81 in the City of Fargo, North Dakota; and

WHEREAS, The City Engineer's tabulation of the bids received for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-81 shows the bid of Northern Improvement Company of Fargo, North Dakota, in the sum of \$1,823,957.08 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 Northern Improvement Company in the sum of \$1,823,957.08 is the lowest and best bid received.

BE IT FURTHER RESOLVED, That the contract for Concrete Curb and Gutter, Asphalt Paving, Street Lights and Incidentals Improvement District No. PN-14-81 in the City of Fargo, North Dakota, be and the same is hereby awarded to Northern Improvement Company for the sum of \$1,823,957.08, subject to the supervision, inspection and approval of the City Engineer, and in accordance with the Plans and Specifications filed in the office of the City Auditor.

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

Absent and not voting: Mayor Walaker.

The Resolution was adopted.

Bids Received for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-21:

The bids for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-21 in the City of Fargo, North Dakota were opened at 11:30 o'clock a.m., June 4 and the bids were found to be as follows:

H & S Contracting	Moorhead, MN
Bid:	\$1,020,985.00

J.R. Ferche, Inc. Bid:	Rice, MN \$1,116,816.00
Dakota Underground Company Bid:	Fargo, ND \$1,122,980.00
Key Contracting Bid:	Fargo, ND \$1,147,540.00

Contract for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-21 Awarded to H & S Contracting in the Amount of \$1,020,985.00:

Commissioner Williams 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-14-21; and

WHEREAS, The Board of City Commissioners of the City of Fargo has considered the bids received June 4, 2014 for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-21 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-14-21 shows the bid of H & S Contracting of Moorhead, Minnesota, in the sum of \$1,020,985.00 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 H & S Contracting in the sum of \$1,020,985.00 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-14-21 in the City of Fargo, North Dakota, be and the same is hereby awarded to H & S Contracting for the sum of \$1,020,985.00, subject to the supervision, inspection and approval of the City Engineer, and in accordance with the Plans and Specifications filed in the office of the City Auditor.

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

Absent and not voting: Mayor Walaker.

The Resolution was adopted.

Categorical Exclusion and Selection of Alternative B with Option 2 as the Preferred Project for Improvement District No. 6093 Approved:

The Board received a Report of Action from the Public Works Projects Evaluation Committee (PWPEC) stating the document summarizing the alternatives for the proposed project on 12th Avenue North from County Road 19 to 45th Street includes sub options considered to date and evaluates costs and environmental impacts. They said staff is recommending approval of Alternative B as the preferred alternative with the addition of only Option 2 and approval of the Categorical

Exclusion. They said other options may be included in the final project; however, they would fall under the jurisdiction of others.

Commissioner Williams moved the Categorical Exclusion and selection of Alternative B with Option 2 as the preferred project for Improvement District No. 6093 be approved.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Contract Amendment No. 1 for Improvement District No. PR-14-00 Approved:

The Board received a Report of Action from the Public Works Projects Evaluation Committee (PWPEC) stating they received a communication from Division Engineer Jeremy Gorden relating to a Contract Amendment from Apex Engineering in the amount of \$101,688.00. They stated the additional costs covered in this request are related to: an additional topographic survey, modification to preliminary roadway geometry due to conflict with existing sanitary sewer line, sanitary sewer design over and above what was expected at the onset of the project, hydrant/valve replacement design, traffic control modification, permitting for the Magellan pipeline crossing and an additional utility coordination meeting.

Commissioner Williams moved Contract Amendment No. 1 in the amount of \$101,688.00 for Improvement District No. PR-14-00 be approved.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Contract Time Extension for Improvement District No. 6204 Approved:

Commissioner Williams moved approval of a contract time extension for Improvement District No. 6204 with final completion date of September 30, 2014.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Contract Time Extension for Improvement District No. 6211 Approved:

Commissioner Williams moved approval of a contract time extension for Improvement District No. 6211 with final completion date of July 15, 2014.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Contract Time Extension for Improvement District No. 6219 Approved:

Commissioner Williams moved approval of a contract time extension for Improvement District No. 6219 with final completion date of July 24, 2014.

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

Absent and not voting: Mayor Walaker.
The motion was declared carried.

Street Reconstruction and Incidentals Improvement District No. PR-14-7 (5th Avenue South from Leahy Avenue to 25th Street):

Commissioner Williams moved the following action be taken in connection with Street Reconstruction and Incidentals Improvement District No. PR-14-7:

Adopt Resolution Creating Improvement District No. PR-14-7:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, deems it expedient that Improvement District No. PR-14-7 in the City of Fargo, North Dakota, be created

On 5th Avenue South from Leahy Avenue to 25th Street.

COMPRISING:

Lots 1 through 5, Block 2.
All in Pete's Addition.

Lots 4 through 6, Block 2.
Block 3.

Lots 1 and 2, Block 5.
All in Tennefos 1st Subdivision.

Lot 1, Block 5.
All in Westrac Second Addition.

Lots 7 through 9, Block 2.
Lots 1 and 2, Block 3.
All in S & W Addition.

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

NOW, THEREFORE, BE IT RESOLVED, That Street Reconstruction and Incidentals Improvement District No. PR-14-7 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-14-7:

Direct City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. PR-14-7 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 \$1,138,000.00.)

Order Plans and Specifications for Improvement District No. PR-14-7:

Direct City Engineer to prepare Plans and Specifications for the construction of Improvement District No. PR-14-7 in the City of Fargo, North Dakota.

Adopt Resolution Approving Plans and Specifications and Engineer's Report for Improvement District No. PR-14-7:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. PR-14-7 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-14-7 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 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 Street Reconstruction and Incidentals Improvement District No. PR-14-7 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 Street Reconstruction and Incidentals improvement is to be paid from Street/Infrastructure Sales Tax and approximately 51% 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 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. PR-14-7:

Direct City Auditor's Office to publish a Notice, as required by law, calling for bids for the construction of Improvement District No. PR-14-7 in the City of Fargo, North Dakota.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Amended Engineer's Report for Improvement District No. PN-14-0 Approved:

The Board received an Amended Engineer's Report for Improvement District No. PN-14-0 from City Engineer April Walker. The total estimate of cost has been amended to \$1,100,000.00.

Commissioner Williams moved the amended Engineer's Report for Improvement District No. PN-14-0 be approved.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Amended Engineer's Report for Improvement District No. PN-14-E Approved:

The Board received an Amended Engineer's Report for Improvement District No. PN-14-E from City Engineer April Walker. The total estimate of cost has been amended to \$710,000.00.

Commissioner Williams moved the amended Engineer's Report for Improvement District No. PN-14-E be approved.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

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

Commissioner Williams moved approval of the Contract between the City of Fargo and Key Contracting for P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-14-11 in the City of Fargo, North Dakota.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Contract Bond for P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-14-11 Approved:

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

Western Surety Company, in the amount of \$70,520.00, for P.C. Concrete Alley Paving and Incidentals Improvement District No. AN-14-11 in the City of Fargo, North Dakota.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Contract for Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-11 Approved:

Commissioner Williams 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-14-11 in the City of Fargo, North Dakota.

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

Absent and not voting: Mayor Walaker.
The motion was declared carried.

Contract Bond for Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-11 Approved:

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

Liberty Mutual Insurance Company, in the amount of \$1,097,142.60, for Asphalt Mill and Overlay and Incidentals Improvement District No. PR-14-11 in the City of Fargo, North Dakota.

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

Absent and not voting: Mayor Walaker.
The motion was declared carried.

Contract for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-E1 Approved:

Commissioner Williams 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-E1 in the City of Fargo, North Dakota.

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

Absent and not voting: Mayor Walaker.
The motion was declared carried.

Contract Bond for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-E1 Approved:

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

Western National Mutual Insurance Company, in the amount of \$693,385.50, for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-E1 in the City of Fargo, North Dakota.

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

Absent and not voting: Mayor Walaker.
The motion was declared carried.

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

Commissioner Williams moved approval of the Contract between the City of Fargo and Ryan Development, Inc. for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-41 in the City of Fargo, North Dakota.

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

Absent and not voting: Mayor Walaker.
The motion was declared carried.

Contract Bond for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-41 Approved:

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

Arch Insurance Company, in the amount of \$1,341,096.00, for Sanitary Sewer, Water Main, Storm Sewer and Incidentals Improvement District No. UN-14-41 in the City of Fargo, North Dakota.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Resolution Adopted Authorizing the Issuance of City of Fargo Refunding Improvement and Refunding Bonds, Series 2014D (Attachment "B"):

Director of Finance Kent Costin said the City of Fargo marketed two sets of bonds wrapped up in one package today for Capital Project Funds and there was also a component of the bond issue refinancing the 2005 Series Refunding Improvement Bonds at the same time. The new money issue will reimburse the capital project fund for special assessment funded projects, he said, and the refinancing issue will lower overall borrowing costs in the future for this issue.

Jessica Cameron Mitchell, PFM Financial Advisors, said the City took bids for \$54,465,000.00 of Refunding Improvement and Refunding Bonds this morning. The series included new money and refunding, she said, and was rated Aa1 by Moody's Investors Service. Seven bids were received, she said, with the best bid provided by Piper Jaffray at a true interest rate of 3.51 percent. She stated after the bids sold, the bonds were resized down to \$52,400,000.00 to reflect the bid premium received. She said PFM recommends the City award the Series 2014D Bonds to the lowest bidder, Piper Jaffray.

Commissioner Wimmer moved the Resolution entitled "Resolution Authorizing the Issuance of City of Fargo Refunding Improvement and Refunding Bonds, Series 2014D" and referred to as Attachment "B", be adopted and attached hereto.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

First Reading of an Ordinance Amending Article 13-11 of Chapter 13 of the Fargo Municipal Code Relating to Child Care Centers:

Director of Public Health Ruth Bachmeier said the role of the Health Department within a community is to protect the health and welfare of individuals and the population as a whole. Physical activity and good nutrition are cornerstones for prevention of diabetes and obesity, she said, and an epidemic of diabetes and obesity exists, both in our community and nationwide. She said Fargo Cass Public Health has worked with child care centers implementing a plan and offering support to the centers adding the physical activity requirements. She said it is Cass County that issues child care licenses and Fargo Cass Public Health does the inspections. This Ordinance amendment is for child care centers in Fargo, she said, and could later be implemented throughout Cass County.

Commissioner Williams moved first reading of an Ordinance Amending Article 13-11 of Chapter 13 of the Fargo Municipal Code Relating to Child Care Centers.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Condemnation on a Portion of the Property Located at 4767 Douglas Drive Approved:

The Board received a communication from the Public Works Projects Evaluation Committee stating they received a communication from Division Engineer Nathan Boerboom outlining efforts that have been made to negotiate with the property owner of the vacant property at 4767 Douglas Drive. They said the City is preparing to open bids on a flood risk management project in the Oakcreek, Copperfield Court and Coulee's Crossing area on June 18th and they have been unsuccessful in negotiating the easements. They said an appraisal has been ordered to try to settle the dispute on value; however, due to the tight timelines and the potential of a delay in the easement to preclude construction in this construction season, staff is seeking approval to move forward with condemnation proceedings following the receipt of the appraisal if the land owner is not satisfied with the appraised value. They said this is the last property that is needed in Coulee's Crossing in order to complete the flood protection from approximately 64th Avenue South to 25th Street and the drain just south of 40th Avenue.

City Engineer April Walker said every effort will be made to come to an agreement through the appraisal process. She said this action is to avoid delaying the bid opening if an agreement cannot be reached. She said it is becoming increasingly difficult to find contractors and construction prices are escalating.

In response to a question from Commissioner Sobolik regarding the length of the process for condemnation proceedings, City Attorney Erik Johnson said a year could be expected; however, this project could move forward while the property is in litigation.

Commissioner Sobolik moved the condemnation on a portion of the property located at 4767 Douglas Drive be approved.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Renaissance Zone Project for Broadway Shoe Company, LLC Approved:

A Hearing had been set for this day and hour to receive comments on a Renaissance Zone Project for Broadway Shoe Company, LLC for a business leasing property as part of a zone project at 102 Broadway, Suite 101.

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 Broadway Shoe Company, 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 Broadway Shoe Company, LLC for a lease project located at 102 Broadway, Suite 101 be approved and the income tax exemptions be granted as recommended by the Renaissance Zone Authority.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Application to Transfer the Alcoholic Beverage License from FTS Fargo, Inc. d/b/a Hooters to Sickie's ND, Inc. d/b/a Sickie's Garage Approved:

A Hearing had been set for this day and hour on an application to transfer the Class "FA" Alcoholic Beverage License from FTS Fargo, Inc. d/b/a Hooters at 3431 Fiechtner Drive South to Sickie's ND, Inc. d/b/a Sickie's Garage notice of which had been duly published in the official newspaper for the City of Fargo.

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

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

Commissioner Wimmer moved the application be approved.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Application to Transfer the Alcoholic Beverage License from JL Beers, Inc. d/b/a JL Beers & Vinyl Taco to Vinyl Taco, Inc. d/b/a Vinyl Taco Approved:

A Hearing had been set for this day and hour on an application to transfer the Class "FA" Alcoholic Beverage License from JL Beers, Inc. d/b/a JL Beers & Vinyl Taco at 520 1st Avenue North to Vinyl Taco, Inc. d/b/a Vinyl Taco notice of which had been duly published in the official newspaper for the City of Fargo.

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

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

Commissioner Wimmer moved the application be approved.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Application Filed by JL Beers, Inc. d/b/a JL Beers for an Alcoholic Beverage License Approved:

A Hearing had been set for this day and hour on the application filed by JL Beers, Inc. d/b/a JL Beers for a Class "CD" Alcoholic Beverage License at 518 1st Avenue North, notice of which had been duly published in the official newspaper for the City of Fargo.

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

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

Commissioner Wimmer moved the application be approved.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Application Filed by Irish Hospitality, LLC d/b/a Hennessy's Irish Pub for an Alcoholic Beverage License Approved:

A Hearing had been set for this day and hour on the application filed by Irish Hospitality, LLC d/b/a Hennessy's Irish Pub for a Class "A" Alcoholic Beverage License at 4323 45th Street South #101, notice of which had been duly published in the official newspaper for the City of Fargo.

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

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

Commissioner Wimmer moved the application be approved.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Fargo Moorhead Area Long Range Transportation Plan, Metro 2040: Mobility for the Future Adopted:

The Board received a communication from the Public Works Projects Evaluation Committee stating the Committee reviewed a communication from Metro COG's Bill Christian relating to the Long Range Transportation Plan, Metro 2040: Mobility for the Future.

Executive Director of Metro COG Wade Kline gave a PowerPoint overview of the 2014 Long Range Transportation Plan Executive Summary. He said the Metro

2040: Mobility for the Future was guided by a Project Review Committee comprised of representatives from the local cities and public input. He said the public involvement process was beneficial in obtaining meaningful input from residents and businesses. He said the people that use the transportation system do not think about the transportation system as being Fargo's or Moorhead's or West Fargo's, they consider it all one system. The plan, he said, prioritizes projects given limited funds, taking forecasted revenues into consideration.

Commissioner Wimmer moved the Board adopt the following Resolution in support of the Fargo Moorhead Area Long Range Transportation Plan, Metro 2040: Mobility for the Future:

WHEREAS, The City Commission is the duly elected governing body for the City of Fargo and is responsible for the planning and development of a safe and functional transportation system; and

WHEREAS, The Fargo-Moorhead Metropolitan Council of Governments (Metro COG), as the metropolitan planning organization designated by the Governors of North Dakota and Minnesota to maintain the metropolitan area's transportation planning process in accordance with federal regulations; and

WHEREAS, Metro COG has undertaken the task of updating its Metropolitan Transportation Plan, Metro 2040, which is a vital element of this planning process, and which documents transportation projects' eligibility for future federal funding; and

WHEREAS, The metropolitan transportation planning process was guided by the Metropolitan Transportation Technical Committee (TTC) composed of a wide cross-section of local multi-modal technical experts including engineers, planners, transit directors, and state and federal transportation officials; and

WHEREAS, Public and private organizations representing numerous transportation interests, as well as groups and individuals from socially disadvantaged groups were invited, encouraged, and involved in this Plan's preparation, in full compliance with Metro COG's Public Participation Plan; and

WHEREAS, Metro 2040, which covers the time horizon of 2014 to 2040 was prepared using an extensive intermodal planning process; and

WHEREAS, Metro 2040 provides a comprehensive, coordinated program of projects and strategies that will improve the urban and extraterritorial transportation system of the Fargo-Moorhead area.

NOW, THEREFORE BE IT RESOLVED, That the City of Fargo does hereby adopt the Fargo Moorhead Area Long Range Transportation Plan, Metro 2040, and agrees to use it as a tool to implement metropolitan transportation goals and objectives, which will complement overall development of the metropolitan transportation system.

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

Absent and not voting: Mayor Walaker.

The Resolution was adopted.

Appointments to the Library Board:

The Board received a communication from Mayor Walaker recommending that Gary Groberg, Becky Walen and Herb Snyder be reappointed to the Library Board.

Commissioner Sobolik moved Gary Groberg, Becky Walen and Herb Snyder be reappointed to the Library Board for a three-year terms ending June 30, 2017.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Steve Bladholm Reappointed to the Special Assessment Commission:

The Board received a communication from Mayor Walaker recommending that Steve Bladholm be reappointed to the Special Assessment Commission.

Commissioner Wimmer moved Steve Bladholm be reappointed to the Special Assessment Commission for a three-year term ending July 1, 2017.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Sharon Odegaard Reappointed to the Fargo-Moorhead Convention and Visitor's Bureau:

The Board received a communication from Mayor Walaker recommending that Sharon Odegaard be reappointed to the Fargo-Moorhead Convention and Visitor's Bureau.

Commissioner Wimmer moved Sharon Odegaard be reappointed to the Fargo-Moorhead Convention and Visitor's Bureau for a three-year term ending September 1, 2017.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

David Obermiller Reappointed to the Board of Appeals:

The Board received a communication from Mayor Walaker recommending that David Obermiller be reappointed to the Board of Appeals.

Commissioner Sobolik moved David Obermiller be reappointed to the Board of Appeals for a five-year term ending June 30, 2019.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

ArtPlace America Creative Placemaking Grant Agreement for The Fargo Project Approved:

Commissioner Sobolik said information was just received that the City of Fargo is eligible to be a recipient of the ArtPlace America Creative Placemaking 2014 grant in the amount of \$450,000.00. She said the item was added to the agenda due to the short deadline for acceptance.

Planning Administrator Nicole Crutchfield said the City has worked with environmental artist Jackie Brookner, community members and local artists on The

Fargo Project since 2011. She said the next phase of the project is the physical transformation of Rabanus Park into a passive park with new programming opportunities and exploratory storm water management techniques. The goal of the Fargo Project: World Commons Gardens, she said, is to physically transform a detention basin into a multifunctional community common space; learn new storm water practices as part of low impact development design strategies that are applicable to this region; and connect new programming activities to public spaces, such as community gardening, active living and passive park space. She said the City of Fargo is one of 55 organizations selected to receive funding from among nearly 1,300 submissions received by ArtPlace America. She shared a copy of the award letter and map outlining the project, as well as a budget summary and narrative. She said the City does not have to match this award money; however, it does commit the City to implement the second phase of the project which includes demolition, regrading, revegetation, restoration and maintenance of prairie and wetland plants. There are a number of phases to the Fargo Project, she said, with the hope being to begin this work as soon as possible. The art implementation pieces will follow in 2015, she said, and both grant and City dollars will be used to fund the overall project.

Commissioner Williams said the Park District was generous enough to allow the Growing Together Gardening Group to begin a community garden on the west side of the project. He said dozens of families from seven countries are represented.

Commissioner Sobolik moved to accept the grant in the amount of \$450,000.00 from ArtPlace America for the implementation of the next phase of The Fargo Project and to make the necessary budget adjustments.

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

Absent and not voting: Mayor Walaker.

The motion was declared carried.

Commissioner Wimmer moved that the Board adjourn to 5:00 o'clock p.m., Monday, June 23, 2014.

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

The time at adjournment was 5:46 o'clock p.m.