

FARGO CITY COMMISSION AGENDA
Tuesday, February 18, 2025 - 5:00 p.m.

Executive Session at 3:30 p.m.

Roll Call.

PLEASE NOTE: The Board of City Commissioners will convene in the City Commission Chambers at 3:30 p.m. and retire into Executive Session in the Red River Room for the purpose of negotiation discussions regarding offers received from WMF Properties LLC and Hazer Ventures LLC for the acquisition of portions of the City property west of the landfill. Discussing this negotiation in an open meeting will have a negative fiscal effect on the bargaining position of the City of Fargo. An Executive Session for this matter is authorized pursuant to North Dakota Century Code §44-04-19.1, subsection 9.

AND

The Board of City Commissioners will also discuss in Executive Session in the Red River Room exempt records pertaining to Security System Plans as provided for in North Dakota Century Code §§ 44-04-24 and 44-04-25. An Executive Session to discuss closed or confidential records is authorized by North Dakota Century Code § 44-04-19.2, subsection 1.

Regular Meeting at 5:00 P.M.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at www.FargoND.gov/Streaming. They are rebroadcast Mondays at 5:00 p.m., Thursdays at 7:00 p.m. and Saturdays at 8:00 a.m. They are also included in the video archive at www.FargoND.gov/CityCommission.

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, February 3, 2025).

CONSENT AGENDA – APPROVE THE FOLLOWING:

1. Application for Abatement or Refund of Taxes #4589 for property located at 6456 56th Avenue South requesting a reduction in value for 2023 from \$533,700.00 to \$485,200.00; staff is recommending a reduction in value to \$515,500.00 for 2023.
2. Application for Abatement or Refund of Taxes #4591 for property located at 1214 41st Avenue North requesting a reduction in value for 2023 from \$505,900.00 to \$450,800.00; staff is recommending a reduction in value to \$450,800.00 for 2023.
3. 2nd reading, waive reading and final adoption of an Ordinance Enacting Article 3-14 of Chapter 3 of the Fargo Municipal Code Relating to Conference Center and City Lodging Tax; 1st reading, 2/3/25.

4. 2nd reading, waive reading and final adoption of an Ordinance Amending Section 20-0402(T) and 20-0403(C)(5) of Article 20-04 of Chapter 20, of the Fargo Municipal Code Relating to Use Standards and Accessory Uses; 1st reading, 2/3/25.
5. 2nd reading, waive reading and final adoption of an Ordinance Rezoning a Certain Parcel of Land Lying in Beardsley's Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 2/3/25.
6. 1st reading of an Ordinance Amending Section 8-0305, of Article 8-03, of Chapter 8, of the Fargo Municipal Code, Relating to Current License and Registration Required- Impoundment for Violation and Section 1-0305 of Article 1-03 of Chapter 1, of the Fargo Municipal Code, Relating to the Classification of Ordinance Violations.
7. 1st reading of an Ordinance Amending Section 25-1509, of Article 25-15, of Chapter 25, of the Fargo Municipal Code Relating to Restrictions on Sale, Service or Dispensing of Alcoholic Beverages.
8. Interim Financing Agreement, Series E with Garrison Diversion Conservancy District, Lake Agassiz Water Authority and City of Grand Forks for the Red River Valley Water Supply Project.
9. Extension of the Class "FA" Alcoholic Beverage License for Mexican Village II, LLP d/b/a Mexican Village until 6/30/25.
10. Applications for Games of Chance:
 - a. FM Walleye's Unlimited, Inc. for a raffle 4/3/25.
 - b. NDSU Lions Club for a raffle 4/2/25.
 - c. North Central Turfgrass Association for a raffle 2/26/25.
 - d. Red River Volkswagon Club for a raffle 7/26/25.
 - e. St. Joseph's School for a raffle 4/26/25.
 - f. Love Your Buns for a raffle 3/15/25.
 - g. Red River Valley Figure Skating Club for a raffle 3/16/25.
11. Bid award to Central Specialties, Inc. in the amount of \$562,302.20 for Project No. SN-25-A1.
12. Bid advertisement for Project No. PR-25-A.
13. Bid advertisement for Project No. QR-25-A.
14. Bid advertisement for Project No. TR-25-C.
15. Bid advertisement for Project No. TR-25-D.
16. Bid award to Northern Improvement Company in the amount of \$1,995,413.50 for Improvement District No. BR-25-F1.
17. Create Improvement District No. PR-25-E and adopt Resolution of Necessity (Asphalt Mill and Overlay).

18. Items from the FAHR Meeting:
 - a. Agreement with Rochester Armored Car Company, Inc. to include the addition of the Transit locations.
 - b. 2025 Program of Projects for Transit - Public Hearing to be held for final approval.
 - c. Agreement with the City of Moorhead for Federal Transit Grant Fund Distribution and related budget adjustment.
 - d. Reallocation of unspent funds from Project No. WW1707 for procurement of a hook and hoist refuse truck.
 - e. Additional Library security services expenses in the amount of \$23,385.00 and related budget adjustment (RFP25002).
19. Change Order No. 1 in the amount of \$2,883.25 for Fire Station No. 5 Renovation Project (electrical construction contract).
20. Bid award and associated Agreement for Vehicle Towing and Storage Services for the Inspections Department to Fargo Moorhead Towing of Fargo (RFP25064).
21. Resolution approving Plat of Avery Commons Addition.
22. Resolution approving Plat of Skyline Addition.
23. Submission of an application for the 2025 Digital Forensics LTP Grant Program to purchase the DATAPILOT Forensic Platform.
24. Extension of unpaid leave for Jeffery Kolrud through 3/2/25.
25. Extend the Services Agreement - Lawn Maintenance Services with Valley Green and Associates (RFP22037).
26. Extend the Services Agreement - Lawn Maintenance Services with JT Lawn Services (RFP23056).
27. Bid award to Northdale Oil, Inc. for fuel purchasing in the 3rd and 4th Quarters of 2025 and execute the Forward Fuel Contract (RFP25042).
28. Bills.

REGULAR AGENDA:

29. Application for Abatement or Refund of Taxes #4590 for the property located at 6480 56th Avenue South requesting a reduction in value for 2023.

PUBLIC HEARINGS - 5:15 pm:

30. **PUBLIC HEARING** – Section 5307 Federal Transportation Administration Grant Preliminary Program of Projects for 2025.
31. **PUBLIC HEARING** – Grafstrom First Addition (5401 and 5617 19th Avenue North, and 2101 57th Street North); approval recommended by the Planning Commission on 12/3/24:
 - a. Zoning change from AG, Agricultural to LI, Limited Industrial and AG, Agricultural.
 - b. 1st reading of rezoning Ordinance.
 - c. Plat of Grafstrom First Addition.

32. Recommendation to approve the Request for Qualifications for professional event curation and management services at the Fargo Civic Center.
33. Liaison Commissioner Assignment Updates.
34. **RESIDENT COMMENTS (Fargo residents will be offered 2.5 minutes for comment with a maximum of 30 minutes total for all resident comments. Residents who would like to address the Commission, whether virtually or in person, must sign-up at FargoND.gov/VirtualCommission).**

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310 at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo website at www.FargoND.gov/CityCommission.



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ASSESSOR'S OFFICE

Fargo City Hall
225 4th Street North
Fargo, ND 58102
Phone: 701.241.1340 | Fax: 701.241.1339
www.FargoND.gov

February 12, 2025

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Attached is the Application for Abatement or Refund of Taxes #4590. The application is for a residence located at 6480 56 Ave S. The application requests the following:

#4590 – for 2023, a reduction from \$443,100 to \$402,800

We have provided information regarding the valuation of this property and the reasons for a value adjustment. With the information provided by the owner and our staff appraiser's review and based on the current condition and information of the property, we created new approaches to value.

In view of the sales and comparably assessed properties, we feel the value is well supported and that a reduction is not needed.

SUGGESTED MOTION:

Deny the application for abatement and recommend no change in value for the 2023 assessed value of 6480 56 Ave S.

Sincerely,

Michael Splonskowski

Michael Splonskowski
Fargo City Assessor

Porter Residence

Parcel Number: 01-8449-01760-000

6480 56 Ave S

Owner: Terry and Terri Porter

Appeal of Assessment for Year: 2023

Name of Applicant: Terry and Terri Porter

2023 True & Full Value 443,100 \$301 / sf
Applicants Requested Value(s) 402,800 \$274 / sf - 9%
Sale Price (03/2014) 305,600 \$208 / sf

General Property Information

Property Type Single Family Dwelling
Year Built 2013
Building Story Height One Story
Total Living Area (Above Grade) 1,472 sf
3 Beds / 3 Baths

Staff Recommendation 443,100 \$301 / sf NCV



Summary

The value of the subject property was reduced as part of the 2024 reappraisal efforts, and this is basis for the appeal of the previous years' valuation. The appellant believes that the value should not swing that much from year to year. No other evidence was provided in support of a reduction.

While we understand the concern of the appellant, we would point out that the federal interest rates didn't start being raised until March of 2022, and up to that time and after, there were large market increases due to low interest rates and bidding wars. We did not see the impact of the interest rate hike locally until the end of 2022 or early in 2023. We saw the median sale price rise 11% and 12% in two consecutive years prior to that. This means that some of the market swings were much larger than 12%, and we have evidence of over 30% swings in one year in some markets. The 2022 sales year, which the 2023 valuation was based on, was the second largest on record, with our ratio coming in at 86.6%, during which we had to make large adjustments to come into compliance. So large swings in value are not only possible, but also to be expected during times of change. As outlined elsewhere, mass appraisal is not always 100% accurate to each property's value and is rather used to try to ensure fairness in taxation.

The following homes are deemed most comparable to the subject. We think that the sales support a higher value than requested. Comparable sales range from \$289/SF to \$334/SF, with the median sales price at \$306/SF. The current value is lower than that at \$301/SF and is supported overall by the sales range. Comparably assessed properties range from \$295/SF to \$313/SF, with a median of \$307/SF, which supports the 2023 value.

Comparable Sales Summary

Address	Map Zone	Year Built	Size	Style	Beds	Baths	Garage Stalls	Sale Date	Sale Price (with SPUN)	Price \$/SF
6293 60 AVE S	Deer Creek	2018	1385	1 Story	4	3	3 Stall / Att	08-Jul-22	\$426,400	\$307.87
6417 56 AVE S	Deer Creek	2013	1503	1 Story	5	3	3 Stall / Att	25-Jul-22	\$457,900	\$304.66
6067 68 ST S	Deer Creek	2017	1523	1 Story	5	3	3 Stall / Att	22-Aug-22	\$508,200	\$333.68
6054 59 ST S	Deer Creek	2016	1312	1 Story	4	3	2 Stall / Att	03-Oct-22	\$381,600	\$290.85
6162 60 AVE S	Deer Creek	2016	1385	1 Story	4	3	2 Stall / Att	07-Oct-22	\$400,200	\$288.95
6617 58 AVE S	Deer Creek	2018	1503	1 Story	5	3	3 Stall / Att	28-Oct-22	\$495,100	\$329.41
									Median	\$306
									Average	\$309
Subject	Deer Creek	2013	1472	1 Story	3	3	3 Stall/Att	Proposed	\$443,100	\$301

Information provided above is a summary of the analysis conducted. Full analysis is provided in the Assessment Department's work file.

Porter Residence

Parcel Number: 01-8449-01760-000

6480 56 Ave S

Owner: Terry and Terri Porter

Competing Properties (Assessed Values) Summary

Address	Map Zone	Year Built	Size	Style	Beds	Baths	Garage Stalls	Tax Year	Assessed Value	Price \$/SF
6463 OSGOOD PKWY S	Osgood High	2013	1550	1 Story	5	4.5	3 Stall/Att	2023	\$475,400.00	\$306.71
6508 56 AVE S	Deer Creek	2013	1504	1 Story	5	3	3 Stall/Att	2023	\$470,100.00	\$312.57
6306 56 AVE S	Deer Creek	2013	1503	1 Story	4	3	3 Stall/Att	2023	\$448,800.00	\$298.60
6415 59 AVE S	Deer Creek	2016	1546	1 Story	5	3	3 Stall/Att	2023	\$480,200.00	\$310.61
6449 59 AVE S	Deer Creek	2016	1497	1 Story	4	3	3 Stall/Att	2023	\$429,700.00	\$287.04
6471 59 AVE S	Deer Creek	2016	1500	1 Story	5	3	3 Stall/Att	2023	\$463,900.00	\$309.27
5770 66 ST S	Deer Creek	2015	1517	1 Story	5	3	3 Stall/Att	2023	\$447,400.00	\$294.92
5728 66 ST S	Deer Creek	2015	1508	1 Story	5	3	3 Stall/Att	2023	\$467,800.00	\$310.21
Median										\$307
Average										\$303
Subject Before		2013	1472	1 Story	3	3	3 Stall/Att	2023	\$443,100	\$301
Subject After		Proposed							NCV	\$301

Staff Recommendation: Recommend no change in value for the 2023 Assessment.

Information provided above is a summary of the analysis conducted. Full analysis is provided in the Assessment Department's work file.

Application For Abatement Or Refund Of Taxes
North Dakota Century Code § 57-23-04

RECEIVED
CASS COUNTY AUDITOR

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota

Assessment District

County of

Property L.D. No.

Name

Telephone No.

Address

Legal description of the property involved in this application:

Lot 5 Block 10 Additions: Deer Creek Lt 5 Blk 10

Total true and full value of the property described above for the year 2023 is:

Land	\$	<u>54,900</u>
Improvements	\$	<u>388,200</u>
Total	\$	<u>443,100</u>

Total true and full value of the property described above for the year 2023 should be:

Land	\$	<u>54,900</u>
Improvements	\$	<u>347,900</u>
Total	\$	<u>402,800</u>

The difference of \$ _____ true and full value between (1) and (2) above is due to the following reason(s):

- ☐ 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- ☒ 2. Residential or commercial property's true and full value exceeds the market value
- ☐ 3. Error in property description, entering the description, or extending the tax
- ☐ 4. Nonexisting improvement assessed
- ☐ 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- ☐ 6. Duplicate assessment
- ☐ 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- ☐ 8. Error in noting payment of taxes, taxes erroneously paid
- ☐ 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- ☐ 10. Other (explain) _____

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ <u>273,921</u>	Date of purchase: <u>3/31/2014</u>
Terms: Cash _____ Contract _____ Trade _____	Other (explain) _____
Was there personal property involved in the purchase price? <u>NO</u>	Estimated value: \$ _____
yes/no	
2. Has the property been offered for sale on the open market? <u>NO</u>	If yes, how long? _____
yes/no	
Asking price: \$ _____	Terms of sale: _____
3. The property was independently appraised: <u>NO</u>	Purpose of appraisal: _____
yes/no	
Market value estimate: \$ _____	
Appraisal was made by whom? _____	
4. The applicant's estimate of market value of the property involved in this application is \$ <u>400,000</u>	
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____	

Applicant asks that your value gets reduced to \$402,800

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant)

Date

Signature of Applicant

Date

Recommendation of the governing board of

Dated this _____ day of _____.

Application was _____ by action of _____ County Board of Commissioners.
Approved/Rejected

We reject this application in whole or in part for the following reason(s). Written explanation of the rationale for the decision must be attached _____

Dated _____,

Chairperson

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid (if paid)	Payment Made Under Written Protest? yes/no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of County Commissioner are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

Date _____

Application For Abatement Or Refund Of Taxes

Name of Applicant

Terry Porter

County Auditor's File No.

4590

Date Application Was Filed With The County Auditor

110/25

**Date County Auditor Mailed
Application to Township
Clerk or City Auditor**

58/41/25

continued he will be five brothers days of alling date)



Metropolitan Area Transit

650 23rd Street N
Fargo, ND 58102
Phone: 701-241-8140
Fax: 701-241-8558

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February 18, 2025

City of Fargo Commission
City Hall - 225 4th St N
Fargo, ND 58102

Dear Commissioners:

The Federal Transit Administration (FTA) made available to the City of Fargo \$1,288,069 Section 5307 funds to be used for operating and capital for the transit system. Please note this is a 5/12 allocation, we estimate an additional \$1,803,297 will be allocated when the full appropriation is made available for an estimated full allocation of \$3,091,366. Grant allocations are published in the federal register and indicate an approximate 4% increase over last year. Estimates of this federal funding were included in the 2025 City of Fargo budget process. The City of Fargo is required to hold a public hearing prior to submitting and executing an application. The attached Program of Projects was developed by the Transit Division to be submitted and executed with the application for the funds.

RECOMMENDED MOTION: Approve the attached 2025 Program of Projects and authorize staff to submit/execute the grant for this initial amount and for the full allocation upon its availability.

Sincerely,

A handwritten signature in blue ink that reads "Julie Bommelman".

Julie Bommelman
Transit Director
701-476-6737
jbommelman@fargond.gov

/enc

(31)

City of Fargo Staff Report			
Title:	Grafstrom First Addition	Date: Update:	8/28/2024 11/27/2024 2/13/2025
Location:	5401, and 5617 19th Avenue North and 2101 57th Street North	Staff Contact:	Donald Kress, current planning coordinator
Legal Description:	Unplatted portion of the Southwest Quarter of Section 28, Township 140 North, Range 49 West		
Owner(s)/Applicant:	Just North of the Horsepark, LLC / Christianson Companies	Engineer:	Bolton & Menk
Entitlements Requested:	Major Subdivision (Plat of Grafstrom First Addition , a plat of an Unplatted portion of the Southwest Quarter of Section 28, Township 140 North, Range 49 West of the 5th Principal Meridian, City of Fargo, Cass County, North Dakota), and a Zoning Change (from AG, Agricultural to AG, Agricultural and LI, Limited Industrial)		
Status:	City Commission Public Hearing: February 18 th , 2025		
Existing		Proposed	
Land Use: Undeveloped		Land Use: Industrial, Residential/ Agricultural	
Zoning: AG, Agricultural		Zoning: LI, Limited Industrial; AG Agricultural	
Uses Allowed: AG – Agricultural. Allows detached houses, parks and open space, safety services, basic utilities, and crop production		Uses Allowed: LI allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, adult entertainment centers, offices, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self storage, vehicle repair, limited vehicle service, industrial service, manufacturing and production, warehouse and freight movement, wholesale sales, aviation, surface transportation, basic utilities, certain telecommunications facilities AG – Agricultural. Allows detached houses, parks and open space, safety services, basic utilities, and crop production	
Maximum Density Allowed (Residential) in AG: 1 dwelling unit per 10 acres.		Maximum Lot Coverage Allowed in LI: 85% Maximum Density Allowed (Residential) in AG: 1 dwelling unit per 10 acres.	
Proposal:			
PROJECT NOTE: This project was before the Planning Commission at their September 5th, 2024 meeting. The Planning Commission recommended approval. Following that meeting, the applicants decided to revise the plat, changing the lot configuration to add another lot. This change was acceptable to staff, but required the plat to go back to the Planning Commission on December 3rd, 2024. Subsequent to that Planning Commission hearing, the applicant removed one lot, which staff allowed at the time. The boundaries of the plat and the did not change. A comparison of the previous and current plats is below. The applicant requests two entitlements: 1. A major subdivision, entitled Grafstrom First Addition, a plat of an unplatted portion of the Southwest Quarter of Section 28, Township 140 North, Range 49 West of the 5th Principal Meridian, City of Fargo, Cass County, North Dakota 2. A zoning change from AG, Agricultural to AG, Agricultural and LI, Limited Industrial. This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.			

Surrounding Land Uses and Zoning Districts:

- North: LI; platted; undeveloped
- East: LI; platted; undeveloped
- South: P/I, Public / Institutional; North Dakota Horse Park
- West: (across 57th Street North) AG; undeveloped; in Fargo's four-mile extra-territorial jurisdiction

Area Plans:

Fargo's Growth Plan 2024 was adopted on August 19th, 2024. This project was proposed under the previous growth plan, the 2007 Growth Plan. This project is consistent with the future land use designations for this property under both plans.

Context:

Schools: The subject property is located within the West Fargo School District and is served by Harwood Elementary, Cheney Middle and West Fargo High schools.

Neighborhood: The subject property is not located within a designated neighborhood.

Parks: There are no Fargo Park District parks within one mile of the subject property.

Pedestrian / Bicycle: A 10-foot wide multi-use path is located on the south side of the 19th Avenue North right of way, across 19th Avenue from the subject property.

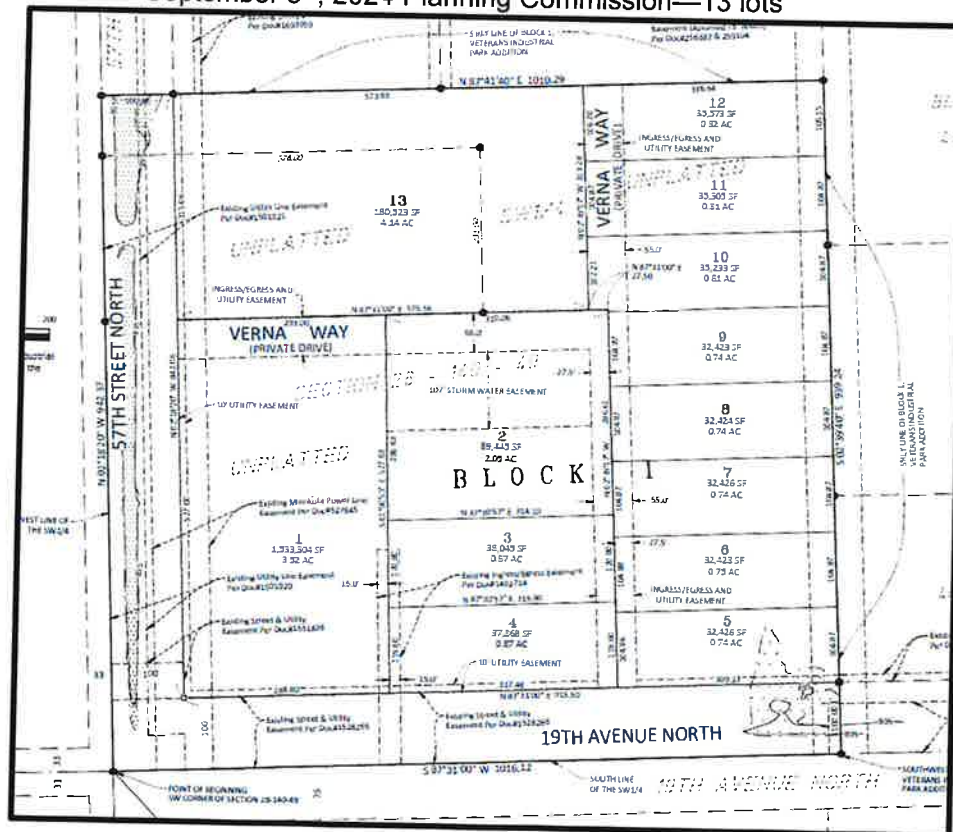
MATBUS Route: The subject property is not on a MATBUS route at this time.

Staff Analysis:

COMPARISON OF PREVIOUS AND CURRENT PLATS:

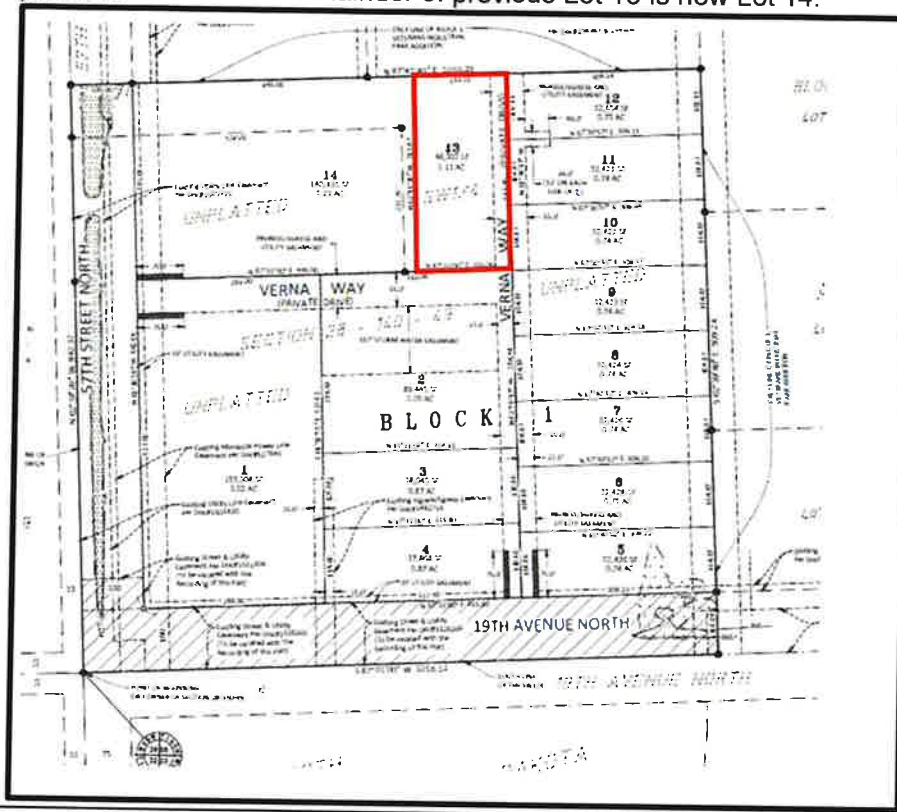
September 5th, 2024 Planning Commission

Plat presented at the September 5th, 2024 Planning Commission—13 lots



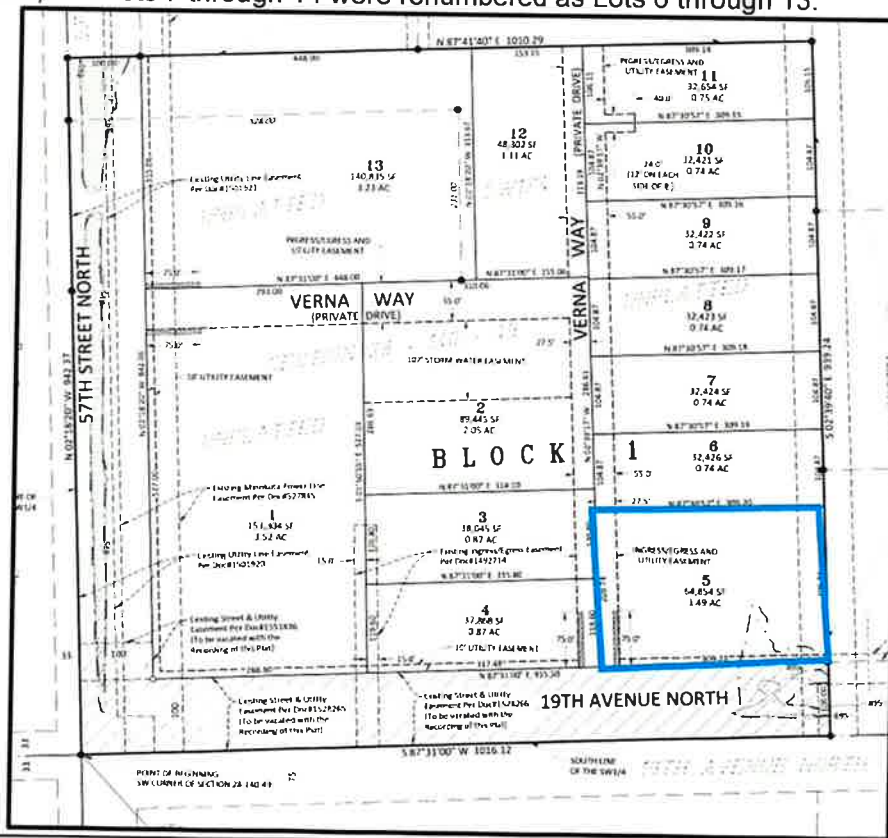
December 3rd, 2024 Planning Commission

Plat proposed at the December 3rd, 2024 Planning Commission—14 lots. New lot 13 outlined in red. This lot is cut out of previous Lot 13. The remainder of previous Lot 13 is now Lot 14.



CURRENT PLAT

The current plat includes 13 lots. Lots 5 and 6 of the December 3rd plat were combined into a single lot, outlined in blue, and Lots 7 through 14 were renumbered as Lots 6 through 13.



MAJOR SUBDIVISION AND ZONING CHANGE

The subdivision plat creates 13 lots in one block. Lots 2 through 12 are intended for industrial development. Lot 1 has recently been used as residential and Lot 13 is currently used as residential. These residences will remain on these lots. Lot 2 includes a stormwater detention easement, identified on the plat.

The lots are proposed to be zoned as shown in the chart below:

LOT NUMBER	CURRENT ZONING	PROPOSED ZONING	NOTE
1	AG	AG	Existing residence to remain
2 through 12	AG	LI	
13	AG	AG	Existing residence to remain

The two AG, Agricultural zoned lots are included in the plat to complete the platting of this area. No additional development is proposed on these AG-zoned lots at this time.

RIGHT OF WAY DEDICATION: The plat depicts 100-foot wide dedications of right of way for 19th Avenue North and 57th Street North.

ACCESS: The subdivision will take access from 19th Avenue North and 57th Street North by way of an access easement (private drive) identified as "Verna Way" on the plat. The location of these access points on 19th Avenue and 57th Street was determined based on the City's rules for access spacing along arterials. This access easement will be owned and maintained by the property owners within the subdivision. This is not a dedicated City right of way; the City does not have any maintenance responsibility for it.

A developer agreement between the property owners and the city will detail that some existing access points will become limited access in the future, and some will be closed.

PUBLIC WATER and SEWER: Public water and sewer will be provided in the dedicated public streets.

EXISTING NONCONFORMING LOTS: The areas of Lots 1 and 13, which are currently parcels defined by metes-and-bounds, are below the minimum area of 10 acres required by the Land Development Code for lots in the AG, Agricultural zone. These are existing lots, and will be incorporated into the plat in their current size and configuration.

Zoning

Section 20-0906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:

1. **Is the requested zoning change justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map?**

Staff is unaware of any error in the zoning map as it relates to this property. The property is currently zoned AG: Agricultural. The applicant requests a zoning change to LI, Limited Industrial, for the development of industrial uses 11 of the 13 lots. Two of the 13 lots will retain their AG, Agricultural zoning designation. **(Criteria Satisfied)**

2. **Are the City and other agencies able to provide the necessary public services, facilities, and programs to serve the development allowed by the new zoning classifications at the time the property is developed?**

City staff and other applicable review agencies have reviewed this proposal. Staff finds no deficiencies in the ability to provide all of the necessary services to the site. The subject property fronts on an existing public right-of-way. Additional dedications will widen the right of way and extend it the full length of the proposed lots. **(Criteria satisfied)**

3. **Will the approval of the zoning change adversely affect the condition or value of the property in the vicinity?**

Staff has no documentation or evidence to suggest that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. Written notice of the proposal

was sent to all property owners within 300 feet of the subject property. To date, Planning staff has received and responded to one inquiry. There were no concerns. Staff finds that the approval of the zoning change will not adversely affect the condition or value of the property in the vicinity. **(Criteria satisfied)**

4. Is the proposed amendment consistent with the purpose of this LDC, the Growth Plan, and other adopted policies of the City?

The LDC states "This Land Development Code is intended to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo." Fargo's Growth Plan 2024 was adopted on August 19th, 2024. This project was proposed under the previous growth plan, the 2007 Growth Plan. The proposed zoning of LI, Limited Industrial is consistent with the designated future land uses for this property under both plans, as noted above. Two lots will retain their current AG, Agricultural zoning. **(Criteria satisfied)**

Major Subdivision

The LDC stipulates that the following criteria is met before a major subdivision plat can be approved

1. Section 20-0907.C.1 of the LDC stipulates that no major subdivision plat application will be accepted for land that is not consistent with an approved Growth Plan or zoned to accommodate the proposed development.

The requested zoning for the industrial development on this property is LI, Limited Industrial, which is consistent with the future land use designations of both the recently adopted Fargo Growth Plan 2024 and the earlier 2007 Growth Plan. Two lots will retain their current AG, Agricultural zoning. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, Planning staff has received and responded to one inquiry. **(Criteria Satisfied)**

2. Section 20-0907.C.4.c of the LDC further stipulates that the Planning Commission shall recommend approval or denial of the application and the City Commission shall act to approve or deny, based on whether it is located in a zoning district that allows the proposed development, complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.

The property is proposed to be zoned LI, Limited Industrial. As noted in the zone change findings above, this zone is consistent with the future land use designations of both the recently adopted Fargo Growth Plan 2024 and the earlier 2007 Growth Plan. Two lots will retain their current AG, Agricultural zoning. The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments. **(Criteria Satisfied)**

3. Section 20-0907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.

Staff has worked with the applicant to create an amenities plan that specifies the terms or securing installation of public improvements to serve the subdivision. This amenities plan has been reviewed by the Public Works Project Evaluation Committee (PWPEC). Any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principles. **(Criteria Satisfied)**

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of the Planning Commission and staff and hereby waive the requirement to receive the rezoning Ordinance one week prior to the first reading and place the rezoning Ordinance on for first reading and move to approve the proposed 1) Zoning Change from AG, Agricultural to AG, Agricultural and LI, Limited Industrial, and 2) a plat of the **Grafstrom First Addition**, as presented, as the proposal complies with the Standards of Article 20-06, and Sections 20-0906.F (1-4) and 20-0907.C of the LDC and all other applicable requirements of the LDC, and the 2024 and 2007 Growth Plans."

Planning Commission Recommendation: December 3rd, 2024

At the December 3rd, 2024 Planning Commission hearing, that Commission, by a vote of 10-0 with one Commission seat vacant, moved to accept the findings and recommendations of staff and recommended approval to the City Commission of the proposed 1) Zoning Change from AG, Agricultural to AG, Agricultural and LI, Limited Industrial, and 2) a plat of the **Grafstrom First Addition**, as presented, as the proposal complies with the Standards of Article 20-06, and Sections 20-0906.F (1-4) and 20-0907.C of the LDC and all other applicable requirements of the LDC, and the 2024 and 2007 Growth Plans."

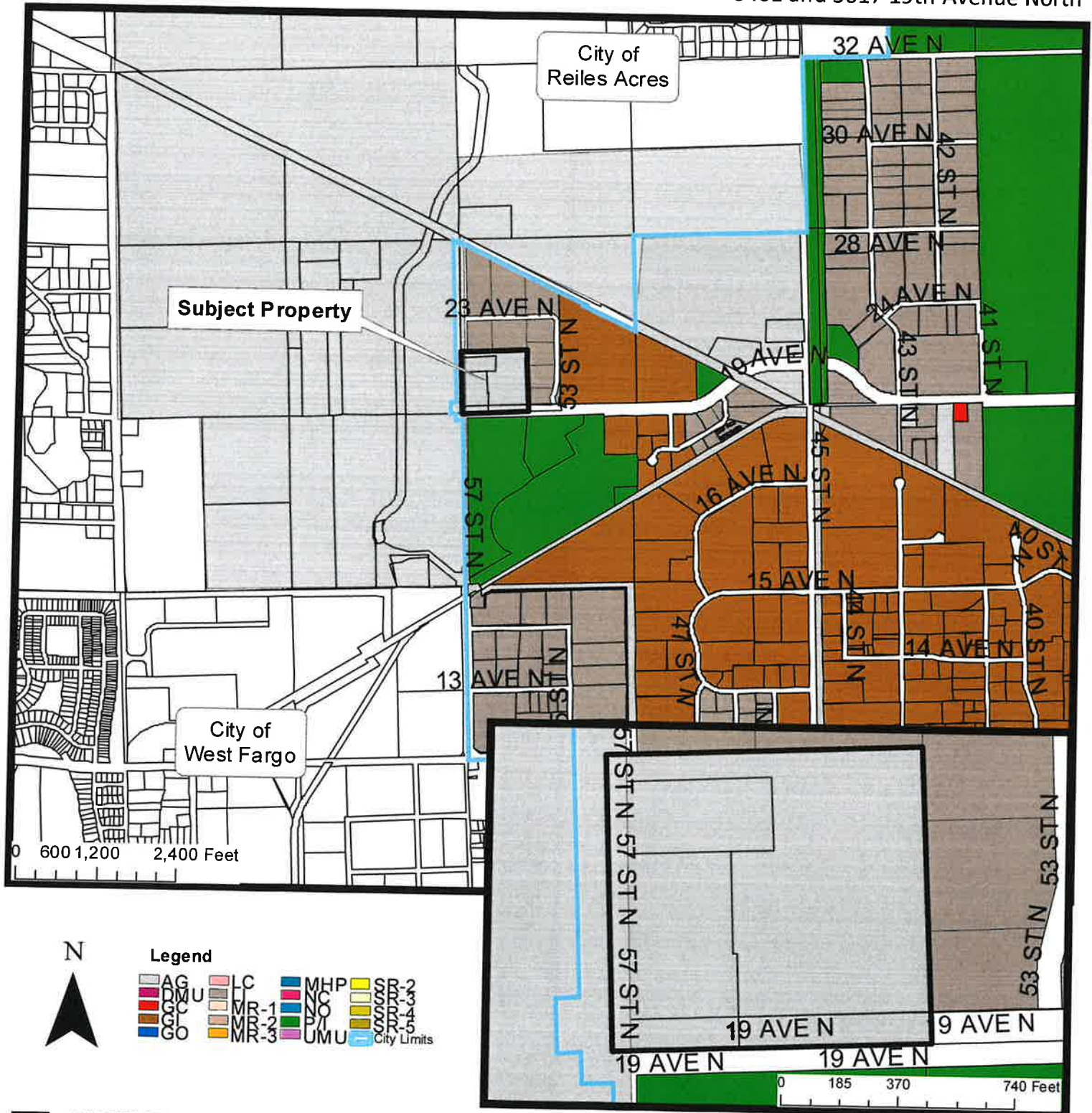
Attachments:

1. Zoning map
2. Location map
3. Preliminary plat

Major Subdivision and zone change from AG, Agricultural to AG, Agricultural and LI, Limited Industrial

Grafstrom First Addition

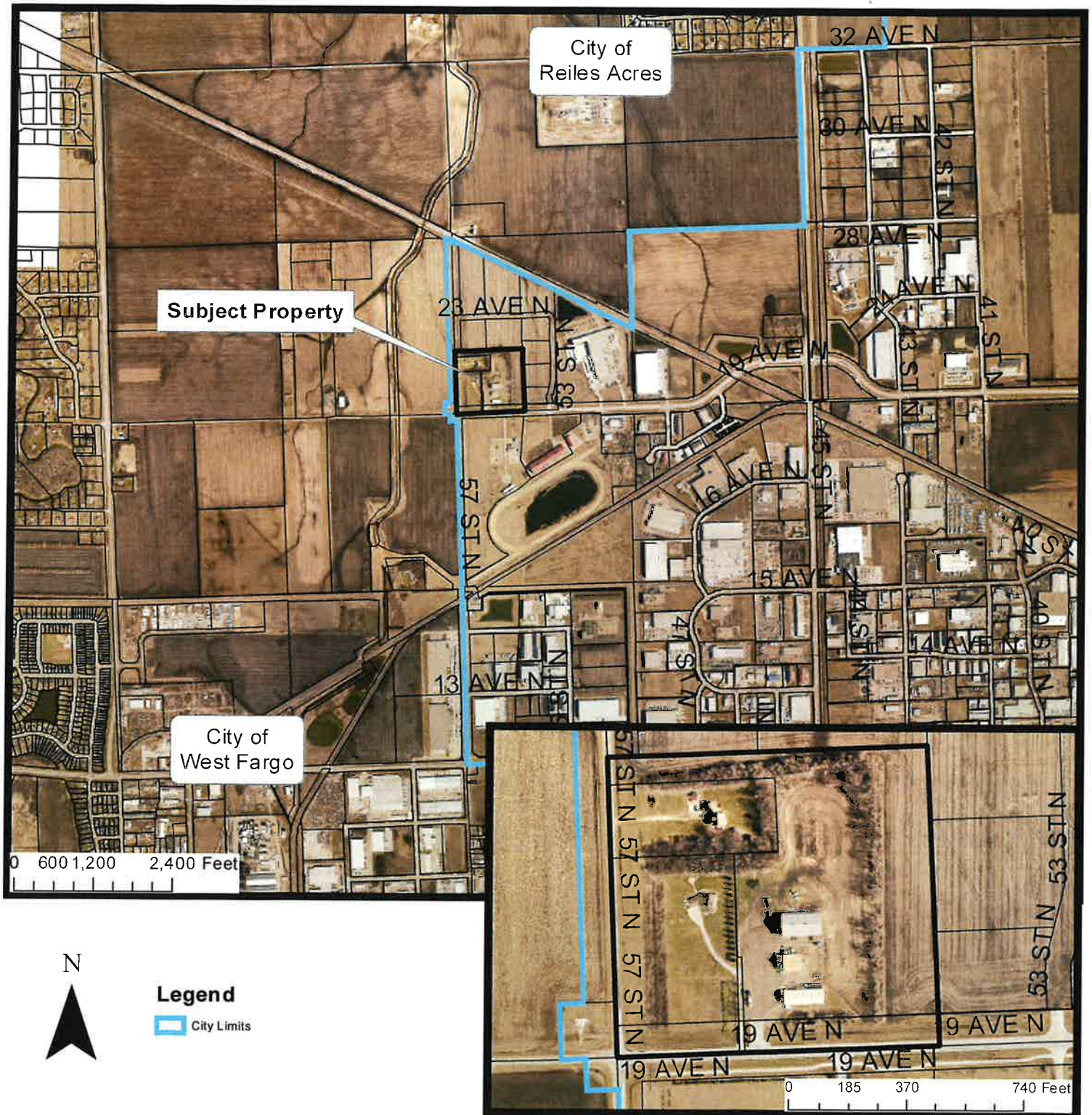
2101 57th Street North;
5401 and 5617 19th Avenue North



Major Subdivision and zone change from AG, Agricultural to AG, Agricultural and LI, Limited Industrial

Grafstrom First Addition

2101 57th Street North;
5401 and 5617 19th Avenue North



TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
AN UNPLATTED PORTION OF THE SOUTHWEST QUARTER SECTION 28 TOWNSHIP 140 NORTH RANGE 49 WEST
(A MAJOR SUBDIVISION)

TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

(A MAJOR SUBDIVISION)



OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

(316)

ORDINANCE NO. _____

AN ORDINANCE REZONING A CERTAIN PARCEL
OF LAND LYING IN GRAFSTROM FIRST ADDITION
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the City of Fargo have held hearings pursuant to published notice to consider the rezoning of certain parcels of land lying in Grafstrom First Addition to the City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on December 3, 2024; and,

WHEREAS, the rezoning changes were approved by the City Commission on February 18, 2025,

NOW, THEREFORE,

Be It Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. The following described property:

Lots Two (2) through Twelve (12) of Grafstrom First Addition to the City of Fargo, Cass County, North Dakota;

are hereby rezoned from "AG", Agricultural, District to "LI", Limited Industrial, District.

Section 2. The following described property:

Lots One (1) and Thirteen (13) of Grafstrom First Addition to the City of Fargo, Cass County, North Dakota;

that are currently zoned "AG", Agricultural, District, shall hereby retain the base zoning of "AG", Agricultural, District.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

Section 3. The City Auditor is hereby directed to amend the zoning map now on file in his office so as to conform with and carry out the provisions of this ordinance.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

Timothy J. Mahoney, M.D., Mayor

(SEAL)

Attest:

Steven Sprague, City Auditor

First Reading:
Second Reading:
Final Passage:



32

February 18, 2025

To: Board of City Commissioners
Fr: Michael Redlinger, City Administrator
Re: Approve Request for Qualifications (RFQ) for Professional Event Curation & Management Services at the Fargo Civic Center

At the January 8, 2025 City Commission meeting, the Commission discussed the future of the Fargo Civic Center and directed City staff to create a Request for Qualifications (RFQ) to engage organizations or individuals to program community events at the Civic Center.

Enclosed for the City Commission's consideration and approval is a proposed RFQ to solicit proposals for professional event curation and management services. The RFQ invites interested organizations and individuals to submit proposals to curate events and coordinate Civic Center activities with the City of Fargo. A proposed schedule of events is contained within the RFQ, and the City Commission will approve a preferred vendor at the conclusion of the process.

Suggested Motion: I move to approve the Request for Qualifications (RFQ) for Professional Event Curation & Management Services at the Fargo Civic Center and to authorize City staff to proceed with the solicitation process as described in the RFQ.



Request for Qualifications (RFQ)

**Professional Event Curation & Management Services for the:
Fargo Civic Center**

Proposals Due: March 28, 2025 by 4:30 p.m.

To the attention of:

**Michael Redlinger
City Administrator
City Administrator's Office
225 4th St. N.
Fargo, ND 58102**

Email: MRedlinger@FargoND.gov

INTRODUCTION & STATEMENT OF PURPOSE:

The City of Fargo, North Dakota (City) is issuing a Request for Qualification (RFQ) from qualified organizations or individuals to provide professional event curation and management services for the Fargo Civic Center, located at 207 4th St. N. in Fargo. Opened in 1961, the Fargo Civic Center is a 34,000 square foot indoor arena that is capable of seating 3,000 patrons for concerts and 2,800 for basketball games. Previously home to trade shows, athletic events, and community gatherings, such as TEDxFargo and Christkindlmarkt, the Civic Center today is primarily utilized for special events but is not regularly programmed by the City of Fargo. Office space built by the City of Fargo, located on the skyway level of the facility, has been leased to external organizations and utilized by City Departments intermittently since 2020. This space is currently vacant, and portions of it may be available for vendor programming.

The selected organization or individuals will be expected to provide a wide range of services to coordinate Civic Center activities with the City of Fargo; recruit outside events; curate events; and promote the facility. Interested parties that more fully and regularly utilize the Civic Center and its usable spaces are preferred, as the City seeks to activate the building and its adjacent grounds in warmer months.

BACKGROUND INFORMATION:

The City Administrator, together with the Director of Facilities Management and the FARGODOME General Manager, will serve as the facilitators for the Request for Qualifications process and screen responses. Following the proposal screening, a recommendation will be made to the City's Finance Committee and City Commission on a preferred proposal.

The purpose of the initial phase of the RFQ will be to solicit interested parties to articulate a vision to coordinate the building with the City of Fargo and to bring events of community interest to the Civic Center - either by hosting events of their own creation or by promoting the building to outside vendors to bring events to the facility that will be managed by the interested party. The successful proposer will possess the organizational capacity to operate and manage building events; develop operational and budget plans to implement the vision of the proposer; understand and meet the expectations of the City as the facility's owner; and introduce new, meaningful events that engage the community and use the building to a fuller extent, thereby meeting the interests of the community and opening a new door to Downtown Fargo.

Interested firms or individuals should prepare and submit a proposal consistent with the instructions provided in this RFQ. The City reserves the right to select one, more than one, or none of the proposals submitted to the City for consideration.

SCOPE OF SERVICES:

The scope of work presented below is representative, although not exhaustive, of the professional services desired by the City to initiate a new vision for the Civic Center. The scope of tasks will include:

- Initiate, organize, and conduct internal planning/coordination with the City Administrator, Director of Facilities Management, and FARGODOME General Manager on building operational plans and visions for future events and management.
- Develop a comprehensive operational plan for the facility that emphasizes and supports “activation” while providing customer service and coordination for potential facility users with the City of Fargo.
- Curate or recruit events of various types that engage the public, activate the building, and increase traffic and visits to the facility at times of the year that are conducive to the existing conditions and mechanical equipment’s limitations.
- Maintain the financial capability to manage the facility in a proposed long-term, stable operating agreement while at the same time promoting and supporting a new vision for the Civic Center.
- Solicit donations, sponsorships, naming rights, or other alternative revenue sources to supplement and diversify the operating revenue streams of the Civic Center to ensure stability and resiliency of the operation.
- Possess the operational and financial capacity to enter into a multi-year agreement to provide professional event curation and management services. The City anticipates a 2- or 3-year initial agreement term, with the potential to add an option (or options) to extend the agreement.
- Collaborate with the City of Fargo on a potential revenue sharing or a shared service model that acknowledges the continued capital and building repair fund contributions by the City of Fargo to operate the facility.
- Proposers must acknowledge the existing conditions and limitations of the facility’s mechanical/electrical/plumbing equipment; physical structure; fixed-in-place equipment; existing F,F&E; and operating parameters. It will be understood that major magnitude building repairs, or equipment replacement, will result in the City potentially terminating its agreement with the selected party. The potential for agreement cancellation will be at the sole risk of the proposer and must be acknowledged in its written submittal.

THE PROPOSAL:

- RFQ responses must provide complete information as outlined in the RFQ and expand on the vision of the proposer to professionally manage and curate or host events at the Fargo Civic Center. An electronic or mailed copy of the submittal shall be received **4:30 p.m. on March 28, 2025**. The proposal shall be marked: “Fargo Civic Center RFQ Response” and be sent to one of the following addresses:

U.S. Mail: Michael Redlinger
City Administrator
City Administrator's Office
City of Fargo
225 4th St. N.
Fargo, ND 58102

Email: MRedlinger@FargoND.gov

- B. The City will not reimburse any expenses incurred by the firm or individual submitting responses, including but not limited to expenses associated with the preparation and submission of the response and attendance at interviews.
- C. The City reserves the right to accept one, accept more than one, or reject any and all proposals; to request additional information from any or all Proposers; and to suggest modifications to the terms and conditions offered by a Proposer.

Proposal Content

Proposals must contain the following elements:

- A. **Title Page** which contains the name of the proposing organization/individual, its address, telephone number, name of the contact person, and the date of submittal.
- B. **Proposer Profile** that contains the organization or individual's history and credentials, including:
 - Who (or what organization) will be assigned to the project and a description of their responsibilities.
 - The size and scale of the organization or individuals that will perform the professional management services at the Civic Center.
 - The experience of the organization or individual in providing and managing facilities, events, or community festivals or gatherings.
- C. **A Comprehensive Response to the City's Requested Scope of Services**, including:
 - A clear understanding of the requested services.
 - An overview of the organization or individual's approach to meeting the goals, performance expectations, and desired outcomes of the City of Fargo to activate the Civic Center.
 - A sound financial plan and operating model that fosters stability and durability in the new operating model for both parties.

- Imaginative and creative events that attract the public to interact with the Civic Center and experience Downtown Fargo.

D. Rates, Fees and Charges

Proposals must provide a complete description of the professional fees, expected City of Fargo in-kind contributions, and/or other revenue enhancement opportunities or revenue sharing strategies.

EVALUATION AND SELECTION PROCESS:

The City of Fargo will review all submitted proposals pursuant to the RFQ and may choose to conduct in-person or telephone interviews. After this initial screening process, the City Administrator will make a recommendation (or recommendations) to the Fargo City Commission. At its discretion, the City Commission may or may not conduct additional interviews with respondents.

At the conclusion of the RFQ process, the City intends to enter into a management agreement with the selected organization or individual(s). Based upon a review of the proposals and such other evaluation as may be necessary, the City Administrator will request that the City Commission approve the proposal determined to be the most responsive to the City's stated goals. Approval of the recommendation and authorization of the management agreement is at the sole discretion of the City Commission.

SCHEDULE:

City Commission Approval of RFQ	February 18, 2025
Distribute/Advertise RFQ	February 19, 2025
RFQ Due Date	DUE March 28, 2025 by 4:30 p.m.*
Screening & Interviews (<i>to be scheduled</i>)	April 3 – 12, 2025
City Commission Approval of Management Agreement(s)	April 18, 2025

**Proposals received after March 28, 2025 at 4:30 p.m. will be considered non-responsive and rejected.*