FARGO CITY COMMISSION AGENDA
Monday, November 23, 2026 – 5:00 P.M.

Executive Session at 4:00 p.m.

Roll Call.

PLEASE NOTE: The Board of City Commissioners will convene in the City Commission Chambers at 4:00 p.m. and retire into Executive Session in the Red River Room for the purpose of discussing negotiating strategy and/or providing negotiating instructions to its attorney or other negotiator regarding ongoing negotiations regarding contract(s) with Kilbourne, LLC relating to the convention center project, which to discuss these matters in an open meeting will have a negative fiscal effect on the bargaining position of the City. Thus, an Executive Session for this matter is authorized pursuant to North Dakota Century Code 44-04-19.1, subsection 9 and 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 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 FargoND.gov/CityCommission.

A. Pledge of Allegiance.

B. Roll Call.

C. Approve Order of Agenda.

D. Minutes (Regular Meeting, November 9, 2026).

CONSENT AGENDA:

1. Application for Abatement or Refund of Taxes for property located at 1219 11th Street South requesting a reduction in value for 2026 from $150,300.00 to $94,000.00, 2025 from $150,000.00 to $82,900.00 and 2024 from $142,900.00 to $82,900.00.

2. Receive and file an Ordinance Amending Section 3-1303 and Enacting Sections 3-1308, 3-1309, 3-1310, 3-1311 and 3-1312 of Article 3-13 and Amending Section 3-1403 and Enacting Sections 3-1409, 3-1410, 3-1411, 3-1412 and 3-1413 of Article 3-14 of Chapter 3 of the Fargo Municipal Code Relating to Administration, Collection and Enforcement of City Lodging Taxes.

3. Receive and file an Ordinance Amending Article 13-14 of Chapter 13 of the Fargo Municipal Code Relating to Lodging Establishments.

4. 1st reading of an Ordinance Amending Section 38-0101 of Article 38-01 of Chapter 38 of the Fargo Municipal Code Relating to the Creation of City Street Lighting and Traffic Control Devices System.

5. 2nd reading, waive reading and final adoption of an Ordinance Enacting Section 8-1027 of Article 8-10 of Chapter 8 of the Fargo Municipal Code Relating to Winter Parking Restrictions and an Ordinance Amending Section 1-0305 of Article 1-03 of Chapter 1 of the

Fargo Municipal Code Relating to Classification of Ordinance Violations; 1st reading, 11/9/26.

6. Settlement Agreement and Release with J.D. Kraemer Enterprises, LLC for Project No. 2026-03 (WA2506).

7. Applications for Games of Chance.

8. Amendment No. 1 in the amount of $109,505.00 for Improvement District No. BR-28-E0.

9. Amendment No. 2 in the amount of $4,800.00 for Improvement District No. BR-26-G0.

10. Amendment No. 7 in the amount of -$83,346.07 for Improvement District No. BN-25-A0.

11. Negative Final Balancing Change Order No. 2 in the amount of -$65,330.97 for Improvement District No. BR-26-C1.

12. Negative Final Balancing Change Order No. 2 in the amount of -$12,924.12 for Improvement District No. PR-26-C1.

13. Negative Final Balancing Change Order No. 7 in the amount of -$81,578.37 for Improvement District No. BN-25-C1.

14. Bid award to Key Contracting, Inc. in the amount of $2,947,156.65 for Improvement District No. BR-27-C1.

15. Negative Final Balancing Change Order No. 3 in the amount of -$7,624.50 for Project No. TM-26-B1.

16. Negative Final Balancing Change Order No. 3 in the amount of -$23,913.00 for Project No. TM-25-B1.

17. Contract and bond for Project No. UR-26-H1.

18. Four-way stop controlled intersection at Elm Street and 21st Avenue North.

19. Consent to Construction Agreement with McCoy I-29 Properties, LLC for 3064 Thunder Road South.

20. Acknowledgement of Access Restrictions, Future Dedication and Waiver of Liability with Rodney and Susan Ballinger for 8800 25th Street South.

21. Bills.

22. Items from FAHR meeting:
    a. Memorandum of Understanding with the Downtown Community Partnership and Block 9 Plaza LLC.
    b. Transfer of funds from Red River Valley SWAT revenue accounts to the General Supplies expense account.

23. Resolution approving Plat of The Pines at the District Eighth Addition.

24. Bid award for the Water Reclamation Facility chemicals for 2027, as presented (ITB27010).

25. Easement (Temporary Construction Easement) with The Nordick Group, Inc. for Project No. SW 26-01.

26. Easement (Temporary Construction Easement) with ARD Properties, LLC for Project No. SW 26-01.

27. Bid award for the Water Treatment Plant chemicals for 2027, as presented (ITB27009).

REGULAR AGENDA (Public Hearings at 5:05 p.m.):

28. **PUBLIC HEARING** - Keeney & Devitt's Second Addition (220 6th Avenue North and 202, 208, 210 and 212 6th Avenue North); approval recommended by the Planning Commission on 8/4/26:
    a. Right of Way Vacation Plat (a vacation plat of a portion of public Right-of-Way (alley) within Block 31, Keeney & Devitt's Second Addition, bounded on the North by the Southerly Right-of-Way line of 6th Avenue North and bounded on the South by that part of said alley previously vacated by Cityside Addition to the City of Fargo).

29. Application for Abatement or Refund of Taxes #4673 for property located at 6707 54th Avenue South requesting a reduction in value for 2026 from $691,200.00 to $629,300.00; staff is recommending to retain the value for 2026.

30. Recommendations for Federal Aid Transportation Alternatives Project Applications for 2031.

31. Proposed 2027 MATBUS staffing reorganization.

32. Receive and file an Ordinance Enacting Article 3-25 of Chapter 3 of the Fargo Municipal Code Relating to a Motor Vehicle Rental Tax.

33. Liaison Commissioner assignment updates.

34. **PUBLIC COMMENTS (2.5 minutes will be offered for comment with a maximum of 30 minutes total for all public comments. Individuals who would like to address the Commission, whether virtually or in person, must sign-up here).**

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 staff adequate time to make arrangements.

Minutes are available on the City of Fargo web site at FargoND.gov/CityCommission.

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City of Fargo Staff Report			
Title:	Keeney & Devitt's Second Addition	**Date:**	7/28/2026 10/18/2026
Location:	220 6th Avenue North and 202, 208, 210, and 212 6th Avenue North (see Address Note below)	**Staff Contact:**	Donald Kress, current planning coordinator
Legal Description	Portion of public Right-of-Way (alley) within Block 31, **Keeney & Devitts Second Addition**, bounded on the North by the Southerly Right-of-Way line of 6th Avenue North and bounded on the South by that part of said alley previously vacated by Cityside Addition to the City of Fargo		
Owner(s)/Applicant:	202 Flats, LLC; MBA Investments, LLC--Lennon Lofts, LLC/ Bolton & Menk, Inc.	**Engineer:**	Bolton & Menk, Inc.
Reason for Request:	Right of Way Vacation (a vacation plat of a portion of public Right-of-Way (alley) within Block 31, **Keeney & Devitts Second Addition**, bounded on the North by the Southerly Right-of-Way line of 6th Avenue North and bounded on the South by that part of said alley previously vacated by Cityside Addition to the City of Fargo.)		
Status:	City Commission Public Hearing: November 23rd, 2026		

Proposal:

ADDRESS NOTE: When this project was originally advertised in July, 2026, the adjacent property to the west had two addresses—214 and 220 6th Avenue North. That property has since been re-addressed, and is identified as 220 6th Avenue North. A new multi-dwelling residence is under construction on that property.

The applicant is seeking approval of a vacation plat of a portion of public right-of-way (alley) within Block 31, Keeney & Devitts Second Addition, bounded on the north by the southerly right-of-way line of 6th Avenue North and bounded on the south by that part of said alley previously vacated by Cityside Addition to the City of Fargo.

An access and utility easement will be retained over the vacated area.

The proposed street vacation encompasses approximately 1,188 square feet (0.027 acre) of public right of way. Upon vacation, the vacated area will become part of the adjacent lots—Lot 1, Block 1, Cityside Addition to the east, and Lot 1, Block 1, 220 Addition to the west. These lots are owned by the owners listed above.

HISTORY OF RIGHT OF WAY DEDICATIONS AND PREVIOUS VACATIONS
All of the right of way being vacated by the plat was dedicated on the plat of Keeney & Devitt's Second Addition in 1878. Most of this alley within Block 31 of that subdivision was vacated with the Cityside Addition in 2024. The property owners adjacent to the subject alley have agreed to vacate this remaining portion of the north end of the alley. A small area of the south of the alley has not been vacated; that area is not part of this right of way vacation application.

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.

Notices of the proposed vacation have been sent out to property owners within 300 feet of the subject property. To date, staff has received one phone call about the application.

Surrounding Land Uses and Zoning Districts:

- North: MR-3 and MR-2, Multi-Dwelling Residential, with residential uses
- East: DMU, Downtown Mixed Use with multi-dwelling residential uses
- South: Vacated alley
- West: DMU, Downtown Mixed Use, vacant—residential structures recently demolished; permit pending for new multi-dwelling development

Area Plans and Zoning

The subject property is covered by two future land use plans. The Downtown in Focus Plan identifies the future land use as "Residential." The Horace Mann Neighborhood Future Land Use Map of the Core Neighborhoods Plan identifies the future land use as "Mixed Use Neighborhood Commercial." These plans do not specifically address vacations of public right of way.

The zoning in the adjacent properties is DMU, Downtown Mixed Use. The vacated area will take on this zoning designation. Land Development Code Section 20-0107.B.2 states:
Whenever any street, alley or public way is vacated by official action of the Board of City Commissioners, the zoning districts adjoining each side of such street, alley, or public way will be automatically extended to the center of such vacation and all area included in the vacation will be subject to all regulations of the extended district.

Context:

Neighborhood: The subject property, on the edge of downtown, is a transitional area. It is located in the Downtown neighborhood but is included in the Horace Mann Neighborhood under the Core Neighborhoods Plan.

Schools: The subject property is located within the Fargo Public School District and is served by Horace Mann/Roosevelt Elementary, Ben Franklin Middle, and Fargo North High schools.

Parks: Oak Grove Park, located at 170 Maple Street North, is approximately 0.25 miles from the subject property, and includes amenities of disc golf, horseshoes, picnic table, playground, ages 5-12, recreational trails, restrooms, shelter, and tennis court. Wildflower Grove Park, located at 9 Lower Terrace North, is approximately 0.31 mile from the subject property and allows access to the Red River Trail. Wildflower Grove is a project of the Urban Woods and Prairie Initiative with Audubon Dakota.

Pedestrian / Bicycle: There is an off-street shared use path on the east side of 2nd Street North, which connects to the metro area path system.

Bus Route: The subject property is not along a MATbus. MATbus Route 11 has a stop at Broadway and 6th Avenue North, approximately three and a half blocks west of the subject property.

Staff Analysis:

ROW Vacation Approval Criteria: The City of Fargo does not currently have any adopted regulation dealing with the vacation of rights-of-way. However, city policy requires that any applicant wishing to vacate right-of-way must submit a Vacation Application—a one-page form wherein the petitioner provides: a description of the area to be vacated and signatures of all property owners adjoining the area to be vacated. In addition, the applicant must submit a vacation plat (a major subdivision). Notwithstanding the Land Development Code's (LDC) silence on the matter, the North Dakota Century Code (N.D.C.C) does address the opening and vacating of roadways in Chapter 40-39 (inside municipal limits). To that end, the balance of this report will focus on the specific approval criteria outlined within Chapter 40-39 of the N.D.C.C.

N.D.C.C. 40-39-04. Vacation of streets and alleys where sewers, water mains, pipes, and lines located – Conditions. No public grounds, streets, alleys, or parts thereof over, under, or through which have been constructed, lengthwise, any sewers, water mains, gas, or other pipes or telephone, electric, or cable television lines, of the municipality or the municipality's grantees of the right of way thereof, may be vacated unless the sewers, mains, pipes, or lines have been abandoned and are not in use, or unless the grantee consents, thereto, or unless perpetual easements for the maintenance of sewers, water mains, gas, or other pipes, or telephone, electric facilities, whether underground or aboveground, is subject to the continued right of location of such electric facilities in the vacated streets.

There are no City of Fargo utilities installed in this right of way. It is the applicant's responsibility to contact all potential utility providers and submit documentation regarding the presence of utilities and the necessity to retain any easements. The plat depicts an easement for access and utilities over the vacated area for certain private utilities. **(Criteria Satisfied)**

N.D.C.C. 40-39-05. Petition for vacation of streets, alleys, or public grounds – Contents – Verification. No public grounds, streets, alleys, or parts thereof within a municipality shall be vacated or discontinued by the governing body except on a petition signed by all of the owners of the property adjoining the plat to be vacated. Such petition shall set forth the facts and reasons for such vacation, shall be accompanied by a plat of such public grounds, streets, or alleys proposed to be vacated, and shall be verified by the oath of at least one petitioner.

In accordance with the requirement of this section, a petition signed by the adjacent owners has been submitted for review and consideration, along with a plat of such public alley. **(Criteria Satisfied)**

N.D.C.C 40-39-06. Petition filed with city auditor – Notice published – Contents of notice. If the governing body finds that the petition for vacation is in proper form and contains the requisite signatures, and if it deems it expedient to consider such petition, it shall order the petition to be filed with the city auditor who shall give notice by publication in the official newspaper of the municipality at least once each week for four weeks. The notice shall state that a petition has been filed and the object thereof, and that it will be heard and considered by the governing body or a committee thereof on a certain specified day which shall not be less than thirty days after the first publication of the notice.

The vacation plat has been advertised as required by this section prior to the hearing before the City Commission (the City's governing body). (**Criteria Satisfied)**

N.D.C.C. 40-39-07. Hearing on petition – Passage of resolution declaring vacation by governing body. The governing body, or such committee as may be appointed by it, shall investigate and consider the matter set forth in the petition specified in section 40-39-05 and, at the time and place specified in the notice, shall hear the testimony and evidence of persons interested. After hearing the testimony and evidence or upon the report of the committee favoring the granting of the petition, the governing body, by a resolution passed by a two-thirds vote of all its members, may declare the public grounds, streets, alleys, or highway described in the petition vacated upon such terms and conditions as it shall deem just and reasonable.

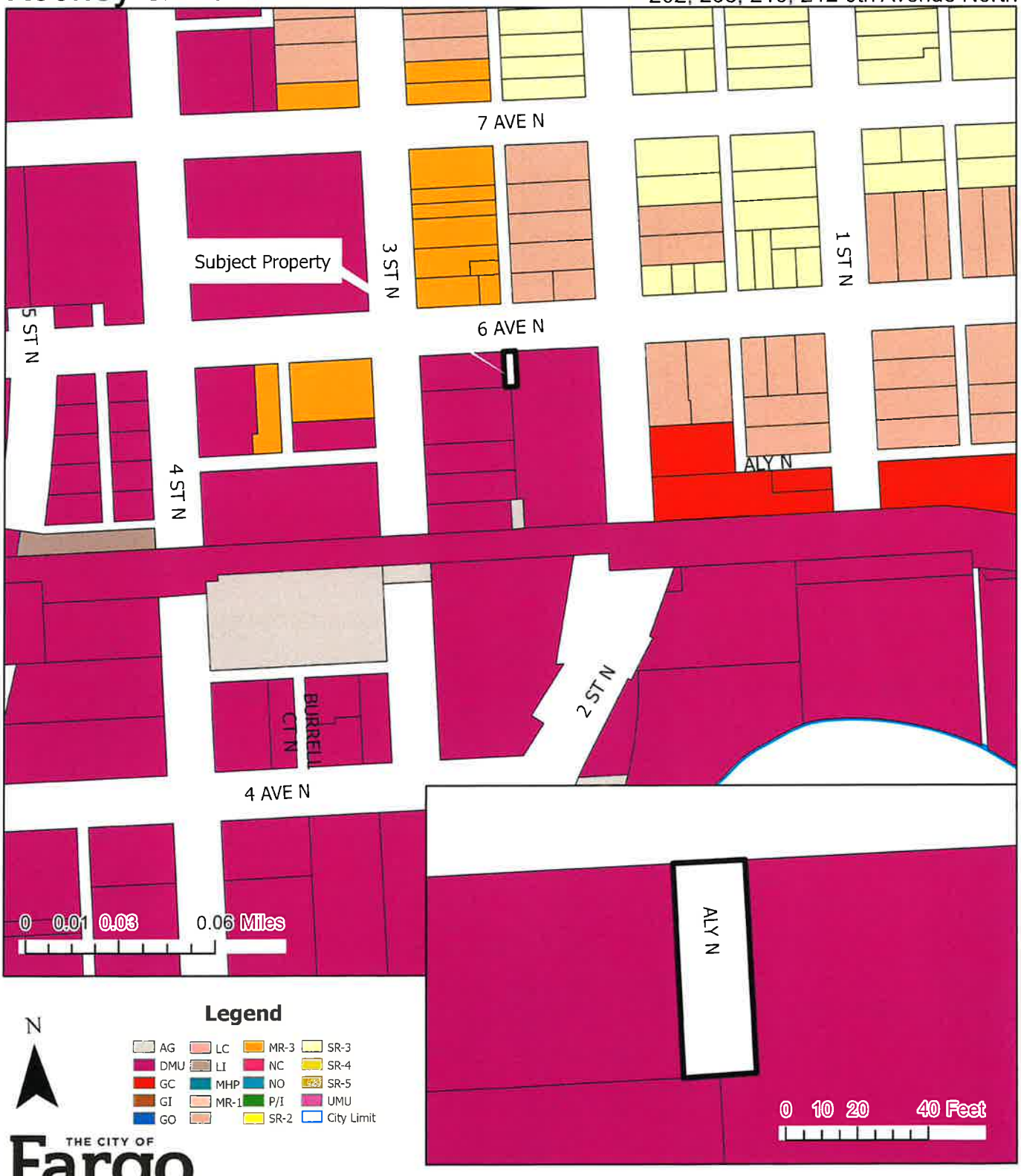
This action will be taken by the City Commission at their November 23rd, 2026 meeting. **(Criteria Satisfied)**

Staff Recommendation:
Suggested Motion: "To accept the findings and recommendations of the Planning Commission and staff and move to approve the **Keeney & Devitt's Second Addition** right-of-way vacation plat as presented; as the proposal complies with the North Dakota Century Code Section 40-39: Opening and Vacating Streets, Alleys, and Public Places."
Planning Commission Recommendation: August 4th, 2026
At the August 4th, 2026, Planning Commission hearing, that Commission, by a vote of 10-0 with one Commissioner absent, moved to accept the findings and recommendations of staff and recommended approval to the City Commission of the **Keeney & Devitt's Second Addition** right-of-way vacation plat as presented; as the proposal complies with the North Dakota Century Code Section 40-39: Opening and Vacating Streets, Alleys, and Public Places."
Attachments:
1. Zoning Map 2. Location Map 3. Vacation Plat

Vacation of Right of Way

Keeney & Devitt's Second Addition

214 & 220 6th Avenue North;
202, 208, 210, 212 6th Avenue North



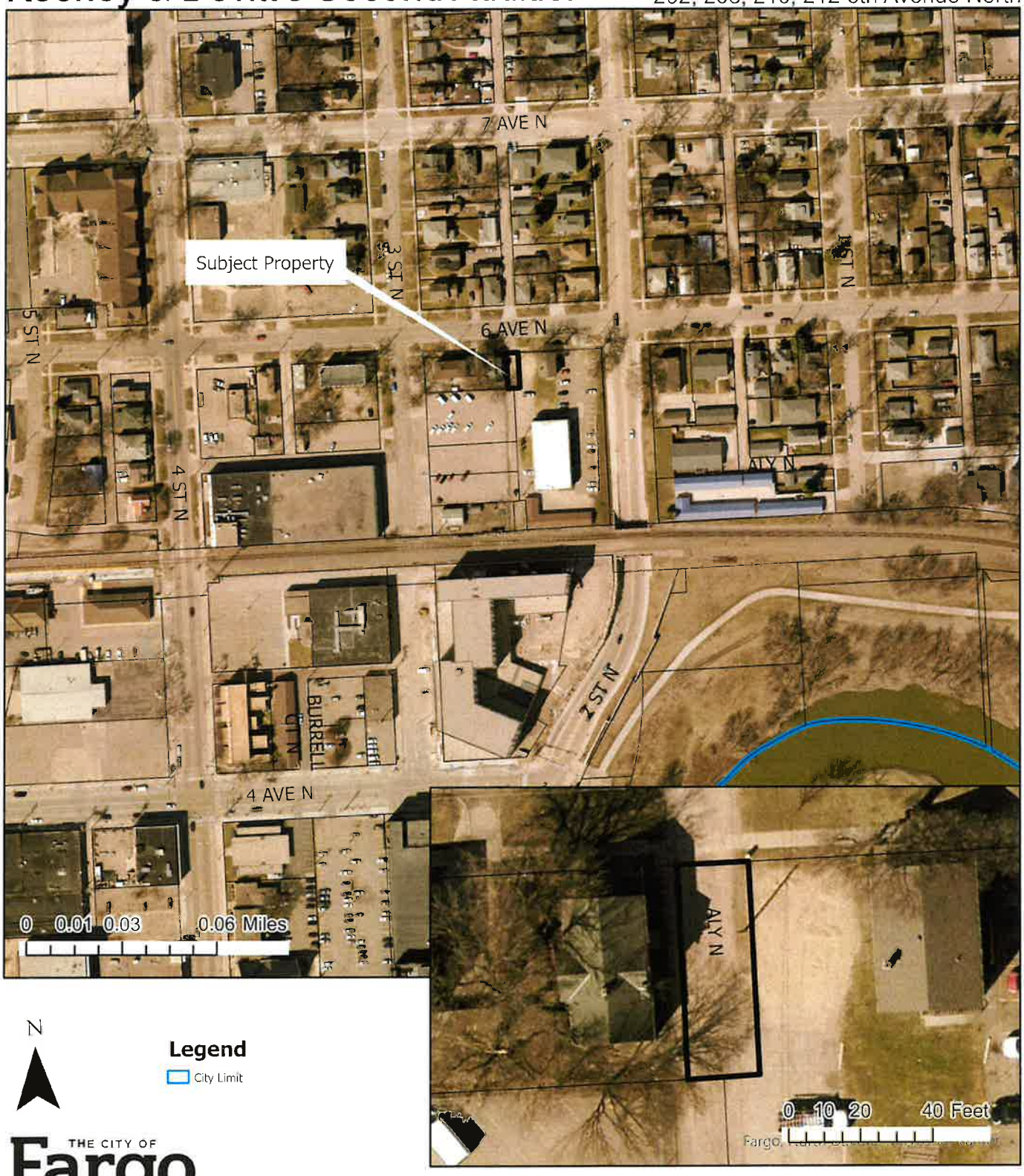
THE CITY OF Fargo FAR MORE

Fargo Planning Commission
August 4, 2026

Vacation of Right of Way

Keeney & Devitt's Second Addition

214 & 220 6th Avenue North;
202, 208, 210, 212 6th Avenue North



N

Legend

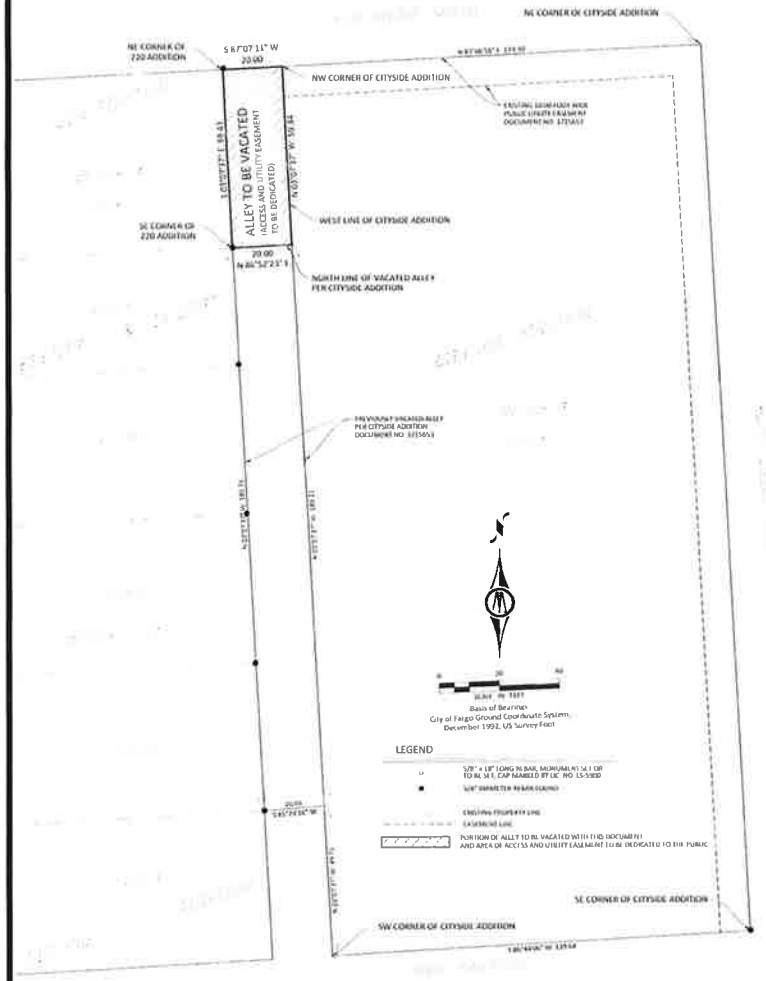
City Limit

THE CITY OF Fargo FAR MORE

Fargo Planning Commission
August 4, 2026

VACATION PLAT

A PORTION OF THE ALLEY ORIGINALLY DEDICATED IN BLOCK 31, KEENEY AND DEVITT'S SECOND ADDITION, IN THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA



DESCRIPTION AREA TO BE VACATED

That part of the alley originally dedicated in Block 31, KEENEY AND DEVITT'S SECOND ADDITION, in the City of Fargo, according to the recorded plat thereof, on file and of record in the office of the Recorder, Cass County, North Dakota, lying north of the alley as vacated in CITYSIDE ADDITION, according to the recorded plat thereof, on file and of record in the office of said Recorder

Said vacated area contains 1,186 square feet, more or less

OWNER'S CERTIFICATE

202 Flats, LLC and MBA Investments, LLC, certify that they are the owners of the property adjoining the area to be vacated, that this plat and description are correct, and said owners do hereby dedicate an access and utility easement across the vacated alley to the public

OWNER Lot 1, Block 1, CITYSIDE ADDITION
202 Flats, LLC

By: Andrew Hanson, Managing Member

State of North Dakota }
County of Cass } ss

On this 29 day of July, in the year 2026, before me, a notary public within and for said County and State, personally appeared Andrew Hanson, Managing Member of 202 Flats, LLC, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of 202 Flats, LLC

Sue E. Nelson
Notary Public

SUE E NELSON
Notary Public
State of North Dakota
My Commission Expires February 24, 2030

OWNER Lot 1, Block 1, 220 ADDITION
MBA Investments, LLC

By: Kevin J. Bartram, President

State of North Dakota }
County of Cass } ss

On this 29 day of July, in the year 2026, before me, a notary public within and for said County and State, personally appeared Kevin J. Bartram, President of MBA Investments, LLC, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of MBA Investments, LLC

Sue E. Nelson
Notary Public

SUE E NELSON
Notary Public
State of North Dakota
My Commission Expires February 24, 2030

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

I, Shawn M. Thomasson, Registered Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify that this plat is a correct representation of the survey, that all distances shown are correct and that the monuments for the guidance of future surveys have been located or placed in the ground as shown, and that the outside boundary lines are correctly designated on the plat

Shawn M. Thomasson, Professional Land Surveyor
North Dakota License Number LS-5900

Date 7-30-26

SHAWN M. THOMASSON LS-5900

State of North Dakota }
County of Cass } ss

On this 30 day of July, 2026, before me, a notary public within and for said County and State, personally appeared Shawn M. Thomasson, Registered Professional Land Surveyor, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same

Notary Public

AMBER COLATHAKE

CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL

Approved by City Engineer this ___ day of _____, 2026

Tom Knakmuhs, P.E., City Engineer

State of North Dakota }
County of Cass } ss

On this ____ day of _____, in the year 2026, before me, a notary public within and for said County and State, personally appeared Tom Knakmuhs, P.E., City Engineer known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same as City Engineer for the City of Fargo

Notary Public

CITY OF FARGO PLANNING COMMISSION APPROVAL

Approved by the City of Fargo Planning Commission this 4th day of August, 2026

Maranda R. Tasa, Planning Commission Chair

State of North Dakota }
County of Cass } ss

On this 4th day of August, in the year 2026, before me, a notary public within and for said County and State, personally appeared Maranda R. Tasa, Planning Commission Chair, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that she executed the same on behalf of the Fargo Planning Commission

Notary Public

FARGO CITY COMMISSION APPROVAL

Approved by the Board of City Commissioners and ordered filed this _____ day of _____, 2026

Joshua A. Boschee, Mayor

Attest _____
Angie Bear, Deputy Auditor on behalf of City Auditor

State of North Dakota }
County of Cass } ss

On this _____ day of _____, in the year 2026, before me, a notary public within and for said County and State, personally appeared Joshua A. Boschee, Mayor, and Angie Bear, known to me to be the persons who are described in and who executed the within instrument, and acknowledged to me that they executed the same as their free act and deed on behalf of the City of Fargo

Notary Public

PREPARED BY
BOLTON & MENK

Bolton & Menk, Inc. 2026. All Rights Reserved

THE CITY OF Fargo FAR MORE

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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

November 18, 2026

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Attached is the Application for Abatement or Refund of Taxes #4673. The application is for a residence located at 6707 54th Ave S. The application requests the following:

2026 - from $691,200 to $629,300

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 conditions and issues of the property, we think the value is well supported.

SUGGESTED MOTION:

#4676 – Retain the 2026 certified value for 6707 54th Ave S.

Sincerely,

Michael Splonskowski

Michael Splonskowski
Fargo City Assessor

Appeal of Property Tax Assessment

City of Fargo Staff Report

General Appeal Information

Tax Year:	2025
Filed Via:	Abatement #4673
Parcel Number:	01-8671-00220-000
Address:	6707 54th Ave S
Owner Name:	Anthony Jacobson
Appellant:	Anthony Jacobson
Requested Value:	$ 629,300

Subject Property



Property Type:	Single Family
Story Height:	2 Story
Year Built:	2021
Size (SF):	2,575 sf
Transaction History:	*10/16/2026 – Sale - $651,000 ($253/SF)*
True and Full Value:	$ 691,200 ($ 268/sf)

Appeal Summary

The value of this property was appealed as part of a requested value recheck, and because of a sale. One of our appraisers was able to review the property and compare it to our information for accuracy.

City of Fargo Staff Analysis

The property has been viewed recently by city staff as part of the requested value recheck. It was found that the information was slightly inaccurate, and adjustments were made to the amount of basement finish, and numbers of bathrooms. Adjustments were made in our system, and a value will be determined for the upcoming assessment year.

Assessment Fairness

To test for assessment fairness, we compare the true and full value to that of similar properties. We identified 6 similar properties. Comparably assessed properties ranged from $228/SF to $311/SF, with a median of $249/SF. The subject is valued at the 75th percentile but is well within the range of similar properties. This list is available from our work file upon request.

Valuation Accuracy

We tested the accuracy of the true and full value by studying comparable sale prices. The following sales are comparable to the subject. The sales range from $211/SF to $306/SF, with the median sales price at $268/SF. The subject was valued at the median sale price of the comparable sales range.

Address	Story Height	Year Built	Baths	Garage Stalls	Size (SF)	Sale Date	Sale Price (w/ SPUN)	Price / SF
4117 47 AVE S	2 Sty	2017	2+	3	2,786	12/16/24	586,600	211
3957 47 AVE S	2 Sty	2018	2+	3	3,021	02/28/25	743,700	246
6751 60 AVE S	2 Sty	2018	2+	3	2,651	07/23/24	716,200	270
3654 VALLEY VIEW DR S	2 Sty	2018	3 – 3.5	3	2,190	05/23/24	591,600	270
2611 70 AVE S	2 Sty	2019	3 – 3.5	3	2,359	05/15/24	598,000	253
5452 66 ST S	2 Sty	2020	3 – 3.5	3	2,369	11/25/24	629,000	266
4794 41 ST S	2 Sty	2023	3 – 3.5	3	2,381	06/03/24	674,700	283
1566 75 AVE S	2 Sty	2023	3 – 3.5	3	2,754	05/22/24	843,300	306
Subject	**2 Sty**	**2021**	**3-3.5**	**3**	**2,575**	**Original**	**$ 691,200**	**$ 268**
						Recommended	**$691,200**	**$ 268**

Sales Approach

A new sales approach with updated information was calculated for the property, considering less basement finish and more bathrooms. The new approach indicates that the assessed value is at the median sale price of similar properties.

Conclusion

The property value is well within the range of values of comparable sales, and withing the range comparable properties for assessment and equalization. The sales that are the most like the subject sold at $253/SF and higher, whereas most of the lower sales have less baths and less basement finish than the subject. While the subject sold at the low end of the sales spectrum, the rest of the sales generally indicate a higher value. Market and individual sales fluctuate constantly, but the assessed value is well supported by the sales range.

Recommended Action:

Retain the value of $691,200 for the 2026 tax year

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

RECEIVED
NOV 02 2026
FARGO ASSESSOR
State of North Dakota

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

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

RECEIVED
CASS CO AUDITOR
NOV 27 2026 PM 3:14

Assessment District: City of Fargo

County of: Cass

Property I.D. No.: 01-8671-00220-000

Name: Anthony Jacobson

Telephone No.: [redacted]

Address: 6707 ~~64th~~ 54th Ave. S. Fargo, ND 58104

Legal description of the property involved in this application:

Lot: 22 Block: 1 GRAYLAND 1ST ADDN LT 22 BLK 1 * *4/5/18 PLAT/FR 01-3517-00030-000 & 00040-000 SPL# 2018-043 DOC# 1533633

Total true and full value of the property described above for the year 2026 (2025) is: Confirmed chg w owner 11-16-2026-MS

Land	$ 94,200
Improvements	$ 597,000
Total	$ 691,200 (1)

Total true and full value of the property described above for the year 2025 (2026) should be:

Land	$ 94,200
Improvements	$ 535,100
Total	$ 629,300 (2)

The difference of $ 61,900.00 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: $ 615,000 Date of purchase: 10/16/2026
   Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
   Was there personal property involved in the purchase price? no (yes/no) Estimated value: $ _____
2. Has the property been offered for sale on the open market? Yes (yes/no). If yes, how long? On and off for a year
   Asking price: $ $650,000 Terms of sale: Arm length Sale
3. The property was independently appraised: Yes (yes/no) Purpose of appraisal: Arms length Sale
   Market value estimate: $ 615,000
   Appraisal was made by whom? Sara Lang Lang apprasials
4. The applicant's estimate of market value of the property involved in this application is $ 615,000
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that The Fargo City Assessor physically inspected the property on 10/21/2026 and determined the property was overvalued. The assessor agreed to adjust the true and full market value down to $629,300. I am requesting the county update their records and refund overpaid property taxes.

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 — 10/26/2026 Date

24775
(2-2018)

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of _____

On _____, _____, the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

_____

_____

_____

Dated this _____ day of _____, _____.

_____
City Auditor or Township Clerk

Action by the Board of County Commissioners

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

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from $ _____ to $ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of $ _____. The Board accepts $ _____ in full settlement of taxes for the tax year _____.

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 _____, _____

_____
County Auditor

_____
Chairperson

Certification of County Auditor

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

_____ _____
County Auditor Date

Application For Abatement Or Refund Of Taxes

Name of Applicant: Anthony Jacobson

County Auditor's File No.: 4628

Date Application Was Filed With The County Auditor: 10/27/2016

Date County Auditor Mailed Application to Township Clerk or City Auditor: 10/27/2016
(must be within five business days of filing date)

REPORT OF ACTION

PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

30

Type: 2031 Federal Aid Transportation Alternatives Project Applications

Location: Citywide

Date of Hearing: 11/2/2026

Routing	Date
City Commission	11/23/2026
PWPEC File	X
Project File	Jeremy Gorden

The Committee reviewed a communication from Transportation Division Engineer, Jeremy Gorden, regarding recommendations for the Transportation Alternatives Program (TAP) for the year 2031. Our recommendations are as follows:

Transportation Alternatives Program (TA) — an assumed $890,000 available in 2031

Construction of New Shared Use Path on north side of 13th Avenue South from 34th Street/Fiechtner Drive to 38th Street/Fiechtner Drive to 38th Street.

Construction of a New Shared Use Path on the south side of 19th Avenue North from Dakota Drive to the I-29 East Ramp intersection, which would include a grade separation of the BNSF Hillsboro Subdivision.

Reconstruction of the existing asphalt shared use path located in 47th Avenue South area, between 32nd Street and 36th Street.

After discussion, the Committee agreed to remove the 19th Avenue North project from the application. While recognizing the importance of this connection, the Committee determined that the estimated cost of the project was considerably higher than the anticipated funding available and that it would be best to omit it from the application at this time.

On a motion by Tom Knakmuhs, seconded by Mike Redlinger, the Committee voted to direct staff to prepare the necessary State and Federal grant applications for submission to Metro COG and NDDOT for the shared use path on the north side of 13th Avenue South and the reconstruction of the existing asphalt shared use path in the 47th Avenue South area.

RECOMMENDED MOTION

Direct staff to prepare the necessary State and Federal grant applications for submission to Metro COG and NDDOT for the shared use path on the north side of 13th Avenue South and the reconstruction of the existing asphalt shared use path in the 47th Avenue South area.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: N/A

	Yes	No
Developer meets City policy for payment of delinquent specials	N/A	
Agreement for payment of specials required of developer	N/A	
Letter of Credit required (per policy approved 5-28-13)	N/A	

COMMITTEE

	Present	Yes	No	Unanimous
				☑
Joshua Boschee, Mayor	☑	☑	☐	
Nicole Crutchfield, Director of Planning	☑	☑	☐	
Gary Lorenz, Fire Chief	☑	☑	☐	
Michael Redlinger, City Administrator	☑	☑	☐	
Ben Dow, Director of Operations	☑	☑	☐	
Tom Knakmuhs, City Engineer	☑	☑	☐	
Susan Thompson, Finance Director	☑	☑	☐	Wyatt Papenfuss

ATTEST:

Tom Knakmuhs, P.E.
City Engineer

THE CITY OF Fargo
FAR MORE

Engineering Department
225 4th Street North
Fargo, ND 58102
Phone: 701.241.1545 | Fax: 701.241.8101
Email feng@FargoND.gov
www.FargoND.gov

Memorandum

To: Members of PWPEC

From: Jeremy Gorden, PE, PTOE
Division Engineer – Transportation

Date: October 29, 2026

Re: Recommendations for Transportation Alternatives Program Project Applications for Year 2031

The FM Metro Council of Governments is currently soliciting project applications for the Transportation Alternatives Program, or TAP, for the year 2031. Our recommendations are as follows:

Transportation Alternatives Program (TA) — an assumed $890,000 available in 2031

Construction of New Shared Use Path on north side of 13th Avenue South from 34th Street/Fiechtner Drive to 38th Street.

Construction of a New Shared Use Path on the south side of 19th Avenue North from Dakota Drive to the I-29 East Ramp intersection, which would include a grade separation of the BNSF Hillsboro Subdivision.

Reconstruction of the existing asphalt shared use path located in the 47th Avenue South area, between 32nd Street and 36th Street.

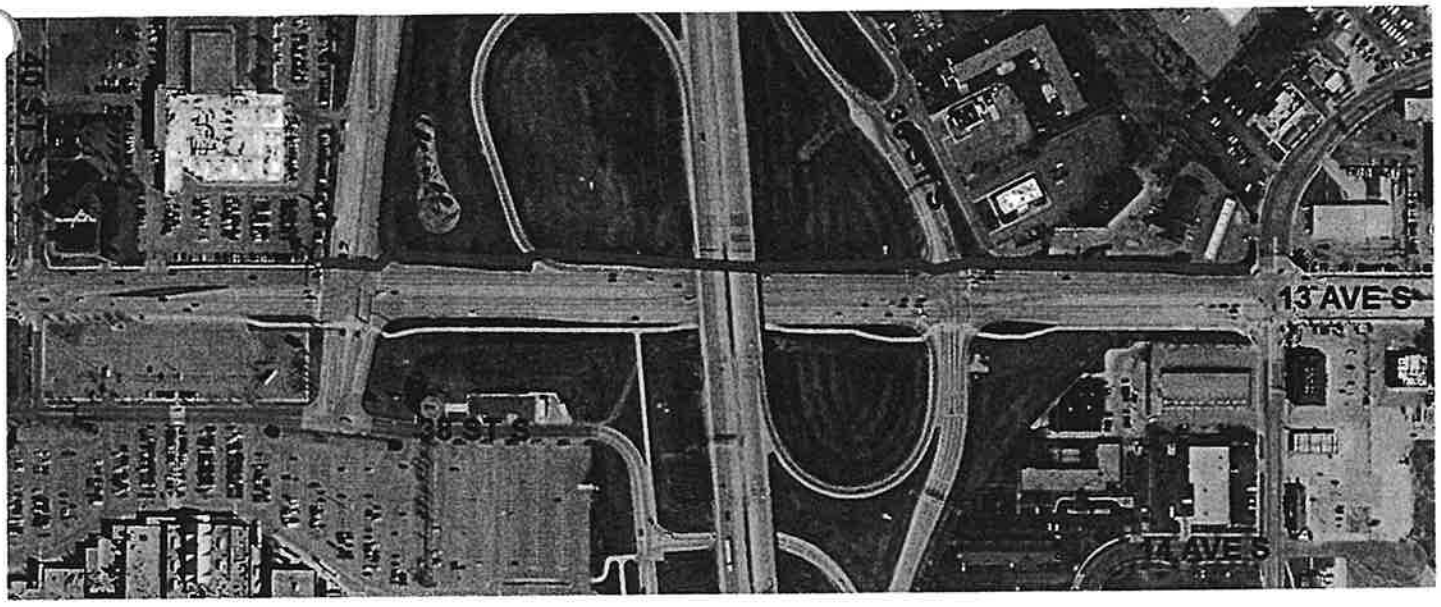
Please refer to the attached maps and spreadsheet. I look forward to a good discussion on these projects.

Recommended Motion:
To approve the 'Project Submittal List' as shown and direct staff to prepare necessary state and federal grant applications for both Metro COG and NDDOT consideration.

Attachments

Project Location Maps

13th Avenue S Shared Use Path – 34th Street to 38th Street



19th Avenue N Shared Use Path – I-29 East Ramp to Dakota Drive (under BNSF RR)



47th Avenue S Shared Use Path Reconstruction Project – 32nd Street to 36th Street



THE CITY OF Fargo FAR MORE

TRANSIT OFFICE

31

TRANSIT OFFICE
650 23RD St. N.
Fargo, ND 58102
Phone: 701.241.8140 | Fax: 701.241.8558
FargoND.gov

November 23, 2026

Board of City Commissioners
City Hall – 225 4th St N
Fargo, ND 58102

RE: 2027 MATBUS Staffing Reorganization

Background:
Since bringing bus operations in-house in 2025, MATBUS has managed a larger City workforce and combined fleet operations. The reorganization clarifies reporting and responsibilities, strengthens day-to-day coordination, and prepares MATBUS for Moorhead's January 4, 2027, microtransit launch. All changes use positions already authorized in the 2027 budget. City Administration approved the fleet manager change on September 24 and early operator recruitment and training on November 6.

Position	Change and timing	Annual cost change
Assistant Transit Director	Grade 18 to 20 effective Dec. 21, 2026. Oversees consolidated functions and a larger City workforce.	$9,556
Transit Fleet and Facilities Manager	Grade 16 replaces the vacant Grade 18 assistant director position and directly supports the fleet and facilities team.	($17,801)
Transit Procurement and Project Manager	Grade 15 replaces one approved Grade 12 Road Supervisor position for 2027. Oversees procurement, contracts, and capital projects.	$20,402
Transit Operations Coordinator	Grade 10 replaces a Grade 9 Dispatcher vacancy effective Jan. 1, 2027. Supports scheduling, service coordination, and reporting.	$4,912
Mobility Manager	Grade 14 to 15 on the employee's 2027 anniversary date to align pay with comparable positions.	$9,532
Bus Operator I (8 positions)	Eight Grade 9 positions. Seven start Dec. 7, 2026, to train for Moorhead's Jan. 4 microtransit launch. The eighth will be hired in 2027. Bus Operator II fixed-route positions and current paratransit operators stay at Grade 10. Operator I hires advance to Grade 10 based on department need and upon meeting CDL requirements.	($39,293)
Net annual change		**($12,691)**

Funding:
The reorganization uses existing and previously approved full-time equivalent (FTE) positions and is projected to save $12,691 annually in wages and payroll taxes. Moorhead will cover the December 2026 personnel and training costs for the seven early hires.

Requested Action:
Approve the proposed 2027 MATBUS staffing reorganization.

Sincerely,

Jordan Smith
Transit Director

Memorandum

To: Human Resources

From: Jordan Smith – Transit Director

Date: November 13, 2026

RE: ***Assistant Transit Director Reclassification***

Purpose

The Transit Department is requesting approval to reclassify the Assistant Transit Director position to Grade 20, effective December 21, 2026, which coincides with the first pay period of the 2027 budget year.

This request reflects the significant expansion of the position's responsibilities resulting from the consolidation of departmental leadership functions, increased staffing levels, and the transition to fully in-house transit operations.

Background and Justification

Historically, MATBUS operated with two Assistant Transit Director positions, with responsibilities divided between Operations and Fleet and Facilities. As part of the department's organizational restructuring, these responsibilities have been realigned, consolidating higher-level administrative and operational oversight under a single Assistant Transit Director position.

This restructuring has substantially increased the scope, complexity, and level of responsibility associated with the position.

Additionally, the transition to fully in-house transit operations has significantly increased the number of City of Fargo employees under the Transit Department's organizational structure. With bus operators now employed directly by the City, the Assistant Transit Director has greater responsibility for workforce management, employee supervision, operational performance, and coordination of personnel-related matters.

The Assistant Transit Director plays a critical leadership role in managing the department's day-to-day operations, supporting supervisory personnel, addressing operational challenges, and ensuring the safe and efficient delivery of transit services throughout the Fargo-Moorhead metropolitan area.

The position also has increased responsibility for coordinating with multiple municipal partners, overseeing service delivery, implementing operational improvements, and supporting the Transit Director in departmental planning and decision-making.

Increased Responsibilities

The proposed reclassification recognizes several significant changes to the position:

- **Consolidation of Leadership Responsibilities:** The organizational restructuring combines responsibilities previously distributed between two Assistant Transit Director positions into one senior leadership role, increasing the scope of departmental oversight and decision-making.
- **Increased Employee Oversight:** The transition to in-house operations has substantially increased the number of City employees within the Transit Department, particularly bus operators, creating additional responsibilities related to staffing, employee performance, workforce development, and operational management.
- **Expanded Operational Responsibilities:** The position provides leadership and oversight of fixed-route, paratransit, and emerging microtransit services, including service coordination, scheduling, staffing, and operational performance.
- **Greater Administrative Complexity:** The Assistant Transit Director has increased involvement in departmental budgeting, policy development, regulatory compliance, service planning, and coordination with municipal partners.
- **Departmental Leadership and Continuity:** As the department's senior operational leadership position, the Assistant Transit Director serves as a key resource to the Transit Director and provides continuity of leadership in the Director's absence.

These responsibilities represent a substantial increase in the position's organizational impact and level of accountability, supporting reclassification to Grade 20.

Financial Impact

The proposed reclassification to Grade 20 was identified and incorporated into the Transit Department's 2027 budget restructuring process.

The anticipated additional personnel expense associated with this reclassification is approximately $9,556 annually, as identified during the 2027 budget development process.

This request does not increase the number of authorized FTEs and is intended to appropriately align compensation with the expanded responsibilities and organizational significance of the position.

Effective Date

The Transit Department requests that the reclassification become effective **December 21, 2026**, coinciding with the beginning of the first pay period of the 2027 budget year.

This effective date will align the compensation adjustment with the department's approved 2027 budget and payroll schedule.

Recommendation

The Transit Department respectfully requests approval to reclassify the Assistant Transit Director position to Grade 20, effective December 21, 2026.

This reclassification recognizes the significant expansion of responsibilities resulting from the consolidation of two Assistant Transit Director roles, the increased number of employees under direct City management, and the growing operational and administrative complexity of MATBUS.

Approval will ensure that the position's classification appropriately reflects its responsibilities, level of authority, and importance to the effective management of the regional transit system.

MEMORANDUM

To: Amy Rissman
From: Jordan Smith, Transit Director
Date: September 16, 2026
Subject: Reinstatement of Transit Fleet and Facilities Manager Position

I am requesting to reinstate the Transit Fleet and Facilities Manager position rather than fill the vacant Transit Assistant Director – Fleet and Facilities position.

Following my transition to Transit Director, I reviewed the department's organizational structure and believe the Fleet and Facilities Manager position appropriately reflects the responsibilities needed to oversee MATBUS fleet and facility operations. Filling the Assistant Director position is no longer necessary under the proposed structure.

I am in agreement with HR's evaluation of the Transit Fleet and Facilities Manager position at Grade 16 and would like to move forward with the job description as submitted.

This change will also result in a cost reduction compared with filling the vacant Transit Assistant Director – Fleet and Facilities position, while maintaining appropriate management and oversight of MATBUS fleet and facility functions.

I am requesting approval to move forward with reinstating and filling the Transit Fleet and Facilities Manager position at Grade 16 and to discontinue recruitment or filling of the Transit Assistant Director – Fleet and Facilities position.

Jordan Smith

Transit Director

Memorandum

To: Human Resources

From: Jordan Smith – Transit Director

Date: November 13, 2026

RE: ***Road Supervisor Reclassification to Transit Procurement and Project Manager***

Purpose

The Transit Department is requesting approval to reclassify one Road Supervisor position approved in the 2027 Transit budget to a Transit Procurement and Project Manager position. This request represents a reallocation of an existing, approved full-time equivalent (FTE) position and does not increase the department's authorized staffing levels.

Background and Justification

As MATBUS continues to expand and modernize its operations, the department has experienced an increasing need for dedicated oversight of procurement activities, capital projects, contract administration, and grant-funded initiatives.

MATBUS manages a significant number of federally funded projects, including vehicle replacements, facility improvements, technology upgrades, and other capital investments. These projects require extensive coordination, procurement documentation, contract management, and compliance with Federal Transit Administration (FTA) requirements.

Currently, many of these responsibilities are distributed among existing management staff, limiting the time available for other operational and administrative responsibilities.

Establishing a Transit Procurement and Project Manager position will provide dedicated oversight of these activities, improve project coordination, strengthen procurement compliance, and support the timely completion of capital projects.

Proposed Reclassification

The approved 2027 Transit budget includes an additional Road Supervisor FTE. Following further evaluation of departmental staffing needs and operational priorities, Transit Administration has determined that reallocating this position to a Transit Procurement and Project Manager would provide greater organizational benefit.

The proposed position would be responsible for:

- Coordinating procurement activities in accordance with City of Fargo policies and applicable federal and state requirements.
- Managing capital projects, including vehicle purchases, facility improvements, and technology implementations.
- Overseeing contract development, administration, and vendor coordination.
- Monitoring project schedules, budgets, and deliverables.
- Supporting grant administration, procurement documentation, and FTA compliance requirements.
- Coordinating with internal departments, consultants, contractors, and regional partners.

This position will strengthen the department's administrative capacity and allow existing management personnel to focus more directly on transit operations, employee supervision, and service delivery.

Financial Impact

The Transit Procurement and Project Manager position will be established through the reclassification of an already approved Road Supervisor FTE in the 2027 budget.

The proposed reclassification is anticipated to increase personnel costs by approximately $20,402 annually compared to the originally budgeted Road Supervisor position. This additional expense was identified and incorporated into the Transit Department's 2027 budget restructuring adjustments.

The request does not add any new FTEs beyond those already approved for 2027.

Recommendation

The Transit Department respectfully requests approval to reclassify one approved 2027 Road Supervisor FTE to a Transit Procurement and Project Manager position, effective with the 2027 budget year.

This reclassification will better align staffing resources with the department's current and future needs while improving procurement oversight, project management, and compliance with federal and state funding requirements.

Jordan Smith

Transit Director

Memorandum

To: Human Resources

From: Jordan Smith – Transit Director

Date: November 13, 2026

RE: ***Dispatcher Reclassification to Operations Coordinator***

Purpose

The Transit Department is requesting approval to reclassify one existing Transit Dispatcher position from Grade 9 to a Transit Operations Coordinator position at Grade 10, effective upon the vacancy of the current Dispatcher position on December 31, 2026.

This request is part of the department's ongoing organizational restructuring and is intended to better align staffing resources with the evolving operational needs of MATBUS. The reclassification will utilize an existing authorized full-time equivalent (FTE) position and will not increase the department's overall staffing levels.

Background and Justification

As MATBUS continues to expand its services and manage a larger workforce following the transition to fully in-house operations, the complexity of coordinating daily transit operations has increased significantly.

The department currently utilizes Transit Dispatchers primarily to coordinate daily fixed-route operations, communicate with bus operators, monitor service delivery, and respond to operational issues. While these responsibilities remain essential, the department has identified a need for a position with broader administrative and operational coordination responsibilities.

The proposed Transit Operations Coordinator position will build upon the existing Dispatcher responsibilities while providing additional support to Transit management in areas such as

employee scheduling, service coordination, operational reporting, workforce management, and administrative functions.

With the addition of microtransit services, continued oversight of paratransit operations, and an increased number of directly employed bus operators, the department requires additional coordination and administrative support to maintain efficient operations.

Reclassifying an existing Dispatcher position provides an opportunity to address these needs without adding another FTE.

Proposed Reclassification

The Transit Department anticipates a vacancy in one of its existing Grade 9 Transit Dispatcher positions effective December 31, 2026.

Rather than filling the vacancy under the existing classification, the department proposes reclassifying the position to Transit Operations Coordinator at Grade 10.

This approach allows MATBUS to address an identified operational need through the reallocation of an existing position while maintaining the department's approved staffing levels.

Financial Impact

The proposed reclassification from Grade 9 to Grade 10 was included in the Transit Department's 2027 budget restructuring adjustments.

The anticipated additional personnel expense associated with this reclassification is approximately $4,201.40 annually, as identified during the 2027 budget development process.

Because the request involves reclassifying an existing authorized position, there will be no increase in the department's total FTE count.

Effective Date

The Transit Department requests authorization to reclassify the position upon the vacancy of the existing Transit Dispatcher position on December 31, 2026, with the new Transit Operations Coordinator classification becoming effective January 1, 2027.

This timing will allow the department to transition the position into its new classification as part of the 2027 organizational restructuring.

Recommendation

The Transit Department respectfully requests approval to reclassify one existing Transit Dispatcher position from Grade 9 to a Transit Operations Coordinator position at Grade 10, effective January 1, 2027, following the vacancy of the existing position on December 31, 2026.

Memorandum

To: Human Resources

From: Jordan Smith – Transit Director

Date: November 13, 2026

RE: ***Mobility Manager Market Adjustment***

Purpose

The Transit Department is requesting approval for a market adjustment to reclassify the Mobility Manager position from Grade 14 to Grade 15, effective on the employee's anniversary date, consistent with the implementation of other market adjustments previously approved by the City for 2027.

This request is based on a review of comparable positions within the transit industry.

Market Comparison

A review of comparable mobility management and paratransit administration positions within the transit industry indicates that the current Grade 14 classification is below the prevailing market compensation for positions with similar responsibilities.

The market analysis identified that the current compensation range is approximately 16% below comparable positions, supporting the need for an adjustment to better align the position with industry standards.

Financial Impact

The proposed market adjustment from Grade 14 to Grade 15 was identified and incorporated into the Transit Department's 2027 budget restructuring adjustments.

The anticipated additional personnel expense associated with this adjustment is approximately $9,532 annually, as identified during the 2027 budget development process.

This request does not increase the department's authorized FTE count and is intended to bring the position's compensation into closer alignment with comparable positions in the transit industry.

Effective Date

The Transit Department requests that the market adjustment from Grade 14 to Grade 15 become effective on the employee's anniversary date in 2027.

This effective date is consistent with the implementation schedule already approved by the City for other position market adjustments included in the 2027 budget.

Recommendation

The Transit Department respectfully requests approval to reclassify the Mobility Manager position from Grade 14 to Grade 15, effective on the employee's anniversary date in 2027.

Memorandum

To: Human Resources

From: Jordan Smith – Transit Director

Date: November 13, 2026

RE: ***Bus Operator Position Classifications***

Purpose

The Transit Department is requesting authorization to frontload seven (7) full-time equivalent (FTE) Bus Operator positions approved in the 2027 Transit budget, with an effective date of December 7, 2026. This will allow MATBUS to recruit, hire, and train personnel in preparation for the implementation of microtransit services in the City of Moorhead, scheduled to begin January 4, 2027.

Additionally, the Transit Department is requesting approval to establish two Bus Operator classifications based on service responsibilities and commercial driver's license (CDL) requirements.

Proposed Bus Operator Classifications

Bus Operator I – Grade 9 (Non-CDL)

Bus Operator I positions will be responsible for providing microtransit and paratransit services using vehicles that do not require a CDL.

Establishing these positions at Grade 9 recognizes the different licensing and operational requirements associated with smaller transit vehicles. Removing the CDL requirement will also expand the available applicant pool and reduce barriers to employment.

Bus Operator II – Grade 10 (CDL Required)

Bus Operator II positions will be responsible for operating fixed-route transit buses requiring a CDL with the appropriate endorsements.

These positions will remain at Grade 10, reflecting the additional licensing, training, and operational responsibilities associated with operating larger transit vehicles.

Compensation and Existing Employees

Current Paratransit Bus Operators will retain their existing Grade 10 classification and compensation. This ensures that existing employees are not negatively impacted by the implementation of the new classification structure.

Newly hired Bus Operator I employees will begin at Grade 9 and advance to Grade 10 upon obtaining their CDL and meeting the applicable licensing requirements.

Establishing the non-CDL Bus Operator I classification at Grade 9 will result in lower personnel expenses than originally anticipated in the approved 2027 budget, which assumed the higher compensation level for the additional positions.

Request to Frontload Approved Positions

The approved 2027 Transit budget includes seven additional Bus Operator positions to support Moorhead's new microtransit service.

MATBUS is requesting authorization to frontload these seven positions with an effective date of December 7, 2026, rather than the currently authorized December 21, 2026, date.

This earlier start date will provide approximately four weeks for employee onboarding, safety training, vehicle familiarization, passenger assistance training, and operational training specific to microtransit services before the January 4, 2027, launch.

Beginning employment on December 21 would significantly limit the available training period, particularly with the Christmas and New Year's holidays occurring during that timeframe.

Approval would allow MATBUS to immediately begin recruitment and extend employment offers with a December 7, 2026, start date.

Financial Impact

The seven requested positions have already been approved as part of the 2027 Transit budget. This request does not increase the number of authorized FTEs.

All personnel expenses associated with these seven positions during December 2026, including wages, benefits, and training expenses, will be billed directly to the City of Moorhead as costs associated with implementing its microtransit service.

Accordingly, the additional December expenses will be offset by revenue from Moorhead and will not increase the net 2026 Transit operating expenses funded by the City of Fargo.

Furthermore, establishing the seven positions at Grade 9 rather than Grade 10 will reduce the anticipated personnel costs compared to the amounts originally approved in the 2027 budget.

Recommendation

The Transit Department respectfully requests approval to:

1. Establish the Bus Operator I classification at Grade 9 for non-CDL microtransit and paratransit operations.
2. Establish the Bus Operator II classification at Grade 10 for CDL-required fixed-route operations.
3. Maintain current Paratransit Bus Operators at Grade 10 and allow newly hired Bus Operator I employees to advance to Grade 10 upon obtaining their CDL and meeting applicable requirements.
4. Frontload the seven (7) previously approved microtransit Bus Operator FTEs, effective December 7, 2026.
5. Authorize MATBUS to immediately begin recruitment and extend employment offers for these positions with a December 7, 2026, start date.

Approval of this request will allow MATBUS to adequately prepare for the January 4, 2027, implementation of Moorhead microtransit services while maintaining fiscal responsibility and establishing an appropriate classification and compensation structure for transit operations.

Jordan Smith

Transit Director

Title	Dept	Qu	cation	D	sions	Prob	Solvi	Rel	nship		rt A	E	t B	H	rds	Env	nment	Total
Transit Operations Coordinator	Transit	q25	63	d16	36	p10	41	r14	59	ea5	4	eb11	12	h2	5	n5	8	228
Transit Procurement and Project Manager	Transit	q55	109	d31	63	p15	74	r23	85	ea5	4	eb15	17	h2	5	n5	8	365
Assistant Transit Director - Operations	Transit	q58	145	d33	93	p20	131	r24	105	ea5	4	eb14	12	h17	13	n5	8	512
Fixed Route - Bus Operator II	Transit	q21	43	d16	36	p10	41	r14	59	ea13	8	eb8	12	h18	25	n14	22	246
Paratransit- Bus Operator I	Transit	q21	43	d16	36	p6	31	r14	59	ea14	12	eb7	8	h18	25	n14	22	236
Microtransit- Bus Operator I	Transit	q21	43	d9	29	p6	31	r14	59	ea13	8	eb7	8	h18	25	n14	22	225

January 2027 Transit Reorganization Request

Existing								New Hourly	Proposed					Annual Increase	
	Title	Grade	Step	Hourly Rate	Annual Salary	Reason for Change	$/h	Rate	Title	Grade	Step	Annual Salary	Annual Salary Cost	(incl. payroll taxes)	
Cole Swingen	Assistant Transit Director	18	7	$60.51	$ 125,860	Reclassification	$ 152,153.84	$63.54	Assistant Transit Director	20	4	$ 134,659	$ 6,174.20	$ 9,596	
Vacant	Bus Operator - approved 2027 Budget	10	1	$27.69	$ 57,595	Reclassification			Bus Operator I	9	1	$ 53,394	$ (4,201.20)	$ (4,912)	Approved 11/6/25 by Admin due to need to recruit and start training
Vacant	Bus Operator - approved 2027 Budget	10	1	$27.69	$ 57,595	Reclassification			Bus Operator I	9	1	$ 53,394	$ (4,201.20)	$ (4,912)	Approved 11/6/25 by Admin due to need to recruit and start training
Vacant	Bus Operator - approved 2027 Budget	10	1	$27.69	$ 57,595	Reclassification			Bus Operator I	9	1	$ 53,394	$ (4,201.20)	$ (4,912)	Approved 11/6/25 by Admin due to need to recruit and start training
Vacant	Bus Operator - approved 2027 Budget	10	1	$27.69	$ 57,595	Reclassification			Bus Operator I	9	1	$ 53,394	$ (4,201.20)	$ (4,912)	Approved 11/6/25 by Admin due to need to recruit and start training
Vacant	Bus Operator - approved 2027 Budget	10	1	$27.69	$ 57,595	Reclassification			Bus Operator I	9	1	$ 53,394	$ (4,201.20)	$ (4,912)	Approved 11/6/25 by Admin due to need to recruit and start training
Vacant	Bus Operator - approved 2027 Budget	10	1	$27.69	$ 57,595	Reclassification			Bus Operator I	9	1	$ 53,394	$ (4,201.20)	$ (4,912)	Approved 11/6/25 by Admin due to need to recruit and start training
Vacant	Bus Operator - approved 2027 Budget	10	1	$27.69	$ 57,595	Reclassification			Bus Operator I	9	1	$ 53,394	$ (4,201.20)	$ (4,912)	Approved 11/6/25 by Admin due to need to recruit and start training
Vacant	Bus Operator - approved 2027 Budget	10	1	$27.69	$ 57,595	Reclassification			Bus Operator I	9	1	$ 53,394	$ (4,201.20)	$ (4,912)	Approved 11/6/25 by Admin due to need to recruit and start training
Vacancy	Paratransit Dispatcher	9	1	$25.67	$ 53,394	Reclassification	$ 58,063.28	$26.95	Transit Operations Coordinator	10	1	$ 57,595	$ 4,201.40	$ 4,912	
Shaun Criswell	Mobility Manager	14	11	$49.01	$ 101,941	Market Adjustment	$ 102,037.84	$51.46	Mobility Manager	15	11	$ 107,064	$ 4,124.20	$ 8,532	Cost includes market adjustment and 4.0 next step
Vacant	Road Supervisor	12	1	$32.31	$ 67,205	Reclassification	$ 70,569.04	$33.03	Procurement and Project Manager	15	1	$ 84,636	$ 17,431.20	$ 20,402	
Vacant	Assistant Transit Director - Fleet and Facilities	18	1	$51.25	$ 106,600	Reclassification			Transit Fleet and Facilities Manager	16	7	$ 92,374	$ (15,226.00)	$ (17,831)	Approved 9/24/2026 by Admin due to decrease in cost and the need to fill the position
	Total Wage Cost				$ 915,783				Total Wage Cost			$ 804,906	$ (110,877.60)	$ (12,691.28)	

THE CITY OF Fargo FAR MORE

OFFICE OF THE CITY ATTORNEY

CITY ATTORNEY
Ian R. McLean

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Fargo, ND 58102
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ASSISTANT CITY ATTORNEYS
Alissa R. Farol Czapiewski • William B. Wischer
• Kasey D. McNary • Elijah P. Hartsell

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November 19, 2026

Board of City Commissioners
225 Fourth Street North
Fargo, ND 58102

Re: Proposed Ordinance Enacting Article 3-25 – Motor Vehicle Rental Tax

Dear Mayor and Commissioners:

Attached for the City Commission's review and consideration is a proposed ordinance enacting Article 3-25 of the Fargo Municipal Code, which would establish a one percent (1%) motor vehicle rental tax on qualifying rental vehicles at Hector International Airport.

Under N.D.C.C. § 40-57.3-01.2, cities are expressly authorized to impose this tax by ordinance. State law requires that the proceeds from a motor vehicle rental tax to be deposited into the City's visitors' promotion fund and used to promote tourism and attract visitors. In Fargo, this fund is administered by the Fargo-Moorhead Convention and Visitors Bureau (CVB). The cities of Bismarck, Grand Forks, and Minot currently impose a 1% motor vehicle rental tax on qualifying rentals at their respective airports.

The proposed ordinance includes the following key provisions:

- **Tax Rate:** Imposes a 1% tax on qualifying short-term motor vehicle rentals.
- **Airport Rentals Only:** Applies only to vehicles rented at Hector International Airport or delivered to renters who were picked up at the Airport by the rental company. The tax would not apply to vehicle rentals originating elsewhere in Fargo.
- **Short-Term Rentals Only:** Applies only to vehicle rentals for periods of fewer than 30 days.
- **Rental Charges Only:** The tax applies to the vehicle rental charges, rather than separately stated charges for items such as fuel, optional insurance or protection coverage, and airport authority fees.
- **Administration:** The North Dakota State Tax Commissioner would administer and collect the tax, with the proceeds remitted to the City to be used deposited into the City's visitors'' promotion fund, less the State's 3% administrative fee.
- **Effective Date:** The tax would begin applying to qualifying rentals on April 1, 2027.

The proposed tax is estimated to generate approximately $200,000 annually, which would be deposited into the City's visitors' promotion fund administered by the CVB, less applicable administrative fees. The CVB would then be allowed to utilize those funds to promote tourism and any other legal purpose. The intent is for the CVB to utilize these funds in connection with its operations at the proposed convention center to promote tourism and attract visitors to Fargo. However, the funds would not be restricted to promoting tourism and attracting visitors for the convention center, and the City and CVB could agree to utilize the funds for other purposes, provided those expenditures are consistent with state law and promote tourism and attract visitors to Fargo.

POTENTIAL MOTION: Move to receive and file the proposed ordinance enacting Article 3-25 of the Fargo Municipal Code relating to a motor vehicle rental tax and place the ordinance on the agenda for first reading at the next regularly scheduled City Commission meeting.

Sincerely,

Ian R. McLean
City Attorney

Encl.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

AN ORDINANCE ENACTING ARTICLE 3-25
OF CHAPTER 3 OF THE FARGO MUNICIPAL CODE
RELATING TO A MOTOR VEHICLE RENTAL TAX

WHEREAS, the electorate of the city of Fargo has adopted a home rule charter in accordance with Chapter 40-05.1 of the North Dakota Century Code; and

WHEREAS, Section 40-05.1-06 of the North Dakota Century Code provides that the City shall have the right to implement home rule powers by ordinance; and

WHEREAS, Section 40-05.1-05 of the North Dakota Century Code provides that said home rule charter and any ordinances made pursuant thereto shall supersede state laws in conflict therewith and shall be liberally construed for such purpose; and

WHEREAS, Section 40-57.3-01.2 of the North Dakota Century Code authorizes the governing body of any city, by ordinance, to impose a tax not exceeding one percent (1%) upon the gross receipts from qualifying short-term rentals of motor vehicles at an airport, and further requires that all proceeds from such tax be deposited into the City's visitors' promotion fund; and

WHEREAS, Section 40-57.3-02 of the North Dakota Century Code provides that monies deposited into the visitors' promotion fund shall be used generally to promote, encourage, and attract visitors to the City and to encourage their use of travel and tourism facilities within the City; and

WHEREAS, Section 40-57.3-03 of the North Dakota Century Code authorizes the City to contract with other entities to carry out the purposes of the visitors' promotion fund; and

WHEREAS, the City of Fargo has established a visitors' promotion fund pursuant to Section 3-1304 of the Fargo Municipal Code, and Section 3-1305 of the Fargo Municipal Code provides that said fund shall be administered by the Fargo-Moorhead Convention and Visitors Bureau; and

WHEREAS, the Board of City Commissioners desires to impose the motor vehicle rental tax authorized by state law and direct the proceeds thereof, less applicable administrative fees, into the existing visitors' promotion fund administered by the Fargo-Moorhead Convention and Visitors Bureau, to support its operations and activities consistent with the purposes authorized by state law; and

WHEREAS, the Board of City Commissioners deems it necessary and appropriate to impose such motor vehicle rental tax and to provide for its administration and disposition;

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

NOW, THEREFORE, Be it Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. Enactment. Article 3-25 of Chapter 3 of the Fargo Municipal Code, is hereby enacted as follows:

ARTICLE 3-25. MOTOR VEHICLE RENTAL TAX

3-2501. Sales tax on short-term rentals of motor vehicles.

(1) There is hereby imposed a one percent (1%) tax on the gross receipts of a retailer in the business of renting any motor vehicles for fewer than thirty (30) days if that vehicle is delivered to a renter at the Hector International Airport or is delivered to an individual who was picked up by the retailer at Hector International Airport for purpose of facilitating such rental.
(2) The tax imposed by this article shall be in addition to all other sales taxes or other taxes that may be imposed on the rental of a motor vehicle for fewer than thirty (30) days.
(3) The tax imposed under this article and any penalty or interest shall constitute a debt of the retailer, whether collected from patrons or not.
(4) For purposes of this article, "motor vehicle" means a motorized passenger vehicle designed to be operated on highways, and "retailer" means a company for which the primary business is the renting of motor vehicles for periods of fewer than thirty (30) days, as provided in N.D.C.C. § 40-57.3-01.2.

3-2502. Report; tax payment; when due. The motor vehicle rental tax imposed hereunder is due and payable at the same time the person is required to file a return under N.D.C.C. chapter 57-39.2. In addition, such person shall file with the tax payment a report showing the consideration paid for all short-term motor vehicle rentals for the reporting period and any other information as the tax administrator may reasonably require. The State Tax Commissioner shall collect the tax and prepare such schedules and forms as may be reasonably necessary or convenient for the administration of this tax.

3-2503. Administration of tax. The State Tax Commissioner is hereby charged with the administration of this article and the taxes imposed by this article. The amount remitted monthly to the city as taxes collected by the Tax Commissioner shall be reduced by an administrative fee as provided by N.D.C.C. § 40-57.3-04.

3-2504. Rules and Regulations. The State Tax Commissioner shall have the authority to make such rules and regulations as are necessary or convenient to effectively collect the tax levied by this article.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

3-2505. Records Required.

(1) Every retailer who is required to make a report and pay any tax under this article shall preserve the records of the gross proceeds of the transactions which are subject to the tax imposed by this article.

(2) The City Auditor or State Tax Commissioner shall, upon reasonable notice, have access to all books and records necessary to enable the City Auditor or State Tax Commissioner to determine the correctness of any report filed or required by this article and the amount of taxes due under the provisions of this article.

3-2506. Penalties, criminal and civil. Penalties and liabilities provided in N.D.C.C. 40-57.3-04 shall specifically apply to all returns and the administration of taxes imposed hereunder.

3-2507. Officer Liability. If a corporation, limited liability company, or other business entity fails for any reason to file the required returns or to pay the tax due pursuant to this article, the president, vice president, secretary, or treasurer of the corporation, the governor, manager, or responsible member of a limited liability company, or other comparable principal of another business entity, jointly or severally, having control or supervision of, or charged with the responsibility for, making the returns and payments shall be personally liable for the failure to the extent provided by applicable state law. The dissolution of a corporation, limited liability company, or other business entity shall not discharge any such liability arising before dissolution.

3-2508. Use of proceeds. The proceeds of the tax imposed and collected under this article, less administrative reimbursements, shall be deposited in the City of Fargo visitors promotion fund established under Section 3-1304 of the Fargo Municipal Code, to be administered pursuant to Section 3-1305 of the Fargo Municipal Code and used for such purposes as permitted by law, including N.D.C.C. chapter 40-57.3.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

Section 2. Effective Date.

This ordinance shall be in full force and effect from and after its passage and approval, provided that the tax imposed under Article 3-25 shall first apply to qualifying rentals on and after April 1, 2027.

_____
Joshua A. Boschee, Mayor

(SEAL)

Attest:

_____
Angie Bear, Deputy City Auditor on behalf of the City Auditor

First Reading:
Second Reading:
Final Passage: