

FARGO CITY COMMISSION AGENDA  
Monday, August 5, 2024 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at [www.FargoND.gov/Streaming](http://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](http://www.FargoND.gov/CityCommission).

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, July 22, 2024).

**CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. Resolution Establishing the Wildlife Management Program for the 2024-2025 season.
- 2. Receive and file an Ordinance Amending Section 23-0211 of Article 23-02 of Chapter 23 of the Fargo Municipal Code Relating to the Electrical Code.
- 3. Second Amendment to the Findings of Fact, Conclusions and Order regarding 1710 1st Avenue South, Fargo, North Dakota.
- 4. Direct the City Attorney to amend Fargo Municipal Code 25-1512(D) waiving compliance failure penalty if licensee agrees to use ID Scanner.
- 5. Extension of a Class “F” Alcoholic Beverage License for Mango’s, Inc. d/b/a/ Mango’s until building repairs are made.
- 6. Applications for Games of Chance:
  - a. HERO Healthcare Equipment Recycling Organization for a raffle and raffle board on 9/27/24.
  - b. Legacy Children’s Foundation for a raffle on 8/19/24.
  - c. Nativity Church of Fargo for bingo and a raffle on 11/3/24.
  - d. North Dakota Long Term Care Association for a raffle on 9/26/24.
  - e. United Republican Committee of Cass County for a raffle on 8/14/24.
- 7. Change Order No. 1 in the amount of \$66,647.96 for Improvement District No. PR-24-G1.
- 8. Utility Relocation Reimbursement in the amount of \$12,816.95 for Improvement District No. BN-23-A1.
- 9. Developer Agreement with 202 Flats, LLC for Cityside Addition.
- 10. Developer Agreement with ProCore Development, LLC for Legacy 1 Eighth Addition.
- 11. Memorandum of Understanding Regarding Storm Sewer and Street Maintenance, Repairs and Reconstruction with the City of Horace (Deer Creek Addition).

12. Easement (Temporary Construction Easement) with Global Development, LLC (Improvement District No. BR-25-F1).
13. Memorandum of Offer to Landowner for Permanent Easement (Street and Utility) and Permanent Easement (Utility) with JLB South, Inc. (Improvement District No. PR-24-A1).
14. Contract and bond for Improvement District No. BN-24-C1.
15. Change Order No. 4 in the amount of \$20,800.00 and time extensions to interim completion date 3 and interim completion date 4 for Project No. NR-23-A2.
16. Change Order No. 1 in the amount of \$4,085.00 for Project No. UR-24-H1.
17. Final Balancing Change Order No. 1 in the amount of \$0.00 for Project No. ER-24-A1.
18. Final Balancing Change Order No. 1 in the amount of \$0.00 for Project No. ER-24-B1.
19. Bid award to Industrial Builders Inc. in the amount of \$169,060.00 for Project No. DR-21-A1.
20. Bid award to Key Contracting Inc. in the amount of \$393,470.00 for Project No. UR-24-A1.
21. Contract and bond for Project No. PR-24-F2.
22. Contract and bond for Project No. WA2451 (ITB24209).
23. Master Service Agreements for HVAC and Plumbing Services, as presented (RFP24229).
24. Items from the FAHR Staff meeting:
  - a. Sales tax update.
  - b. NP Avenue/Red River tree removal.
25. Taxable Annual Appropriation Bond (NP Parking), Series 2024E (Infrastructure Revolving Loan Fund) Term Bond, Closing Certificate, Loan Agreement (Infrastructure Revolving Loan Fund) and Financing Resolution.
26. Agreement between Fargo Cass Public Health Department and Doyle's Yellow Checker Cab (RFP24232).
27. Application for Title V/Maternal and Child Health Program.
28. Addendum C to Cass Human Service Zone Agreement with Fargo Cass Public Health.
29. Purchase of the Phosphorus Unified xIoT Security Management Platform from Doosan Digital Innovation America, LLC.
30. Resolution approving Plat of University South Fifth Addition.
31. Bid award to RDO Equipment in the amount of \$25,000.00 for the 2024 rental wheel loader contract (RFP24268).
32. Bid award to RDO Equipment in the amount of \$65,000.00 for the 2024 rental wheel loaders contract (RFP24267).

33. Bid award to Butler Machinery Company in the amount of \$42,500.00 for the 2024 rental motor grader contract (RFP24266).
34. Bid award to Sanitation Products in the amount of \$612,298.00 for the purchase of two auto side load refuse trucks (RFP24269).
35. Joint Powers Agreement for School Resource Officers Amendment Number One.
36. Agreement for Transit Services and 2024-2025 Amendment to Joint Powers Agreement for Transit Support with North Dakota State University.
37. Change Order No. 4 from PKG Contracting, Inc. in the amount of \$127,486.00 for emergency repairs to West Side Interceptor Project WW1701 (Phase II B Improvements).
38. Bills.

#### **REGULAR AGENDA:**

39. Recommendation to adopt the Resolution Authorizing Sale of Property west of the landfill.

#### **PUBLIC HEARINGS - 5:15 pm:**

40. **PUBLIC HEARING** - Hearing to consider a Renewal Plan and Developer Agreement with JS2L Partners, LLP for the Tax Increment Financing District No. 2024-01 (600 Block of 4th Street North); continued from the 6/10/24, 6/24/24, 7/8/24 and 7/22/24 Regular Meetings.
41. **PUBLIC HEARING** – YWCA Addition and Presentation Addition (3000 University Drive South; 3014 12th Street South; 3000, 3001, 3003 and 3004 11th Street South; 1120 30th Avenue South; 1001 and 1101 32nd Avenue South); approval recommended by the Planning Commission on 7/2/24:
  - a. Zoning Change from MR-1, Multi-Dwelling Residential, MR-2, Multi-Dwelling Residential and SR-2, Single-Dwelling Residential to P/I, Public and Institutional.
  - b. 1st reading of rezoning Ordinance (YWCA Addition).
  - c. 1st reading of rezoning Ordinance (Presentation Addition).
42. FARGODOME Remodeling Project:
  - a. Letter of recommendation from the Fargo Dome Authority.
  - b. Recommendation to adopt a Resolution (Amendment of Home Rule Charter for Sales, Use and Gross Receipts Tax) and to approve ballot language for the November 5th election.
43. Recommendation to adopt a Resolution amending the Home Rule Charter to place a measure on the November 5th ballot to allow for an additional 3% City lodging tax.
44. Construction update.
45. Receive and file an Ordinance Enacting Article 10-14 of Chapter 10 of the Fargo Municipal Code Relating to Camping on Public Property.
46. Recommendation to approve the Mayor's 2025 Preliminary Budget and set the Public Hearing date for Monday, September 16, 2024 at 5:15 p.m.

47. Recommendation for appointments to the Human Rights Commission.
48. Liaison Commissioner Assignment Updates.
49. **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](http://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](http://www.FargoND.gov/CityCommission).