

FARGO CITY COMMISSION AGENDA
Monday, December 8, 2025 - 5:00 p.m.

Executive Session at 4:30 p.m.

Roll Call.

PLEASE NOTE: The Board of City Commissioners will convene in the City Commission Chambers at 4:30 p.m. and retire into Executive Session in the Red River Room for the purposes of discussing negotiating strategy and/or providing negotiating instructions to its attorney or other negotiator regarding contractual negotiations and/or reasonably predictable litigation regarding annexation with the City of Harwood, Applied Digital Corporation and/or Fercho Properties, LLP; and to receive its attorney's advice and guidance on the legal risks, strengths and weaknesses of an action of a public entity and regarding reasonable predictable and/or threatened litigation relating to annexation with the City of Harwood, Applied Digital Corporation and/or Fercho Properties, LLP. Discussing these items in an open meeting would have a negative fiscal effect on the bargaining and/or litigation position of the City. Thus, an Executive Session for this matter is authorized pursuant to North Dakota Century Code § 44-04-19.1, subsections 2, 5 and 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 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, November 24, 2025).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 2nd reading, waive reading and final adoption of an Ordinance Amending Section 16-0201, 16-0204, 16-0206, 16-0213, 16-0214 and 16-0216 and Repealing Section 16-0205 of Article 16-02 of Chapter 16 of the Fargo Municipal Code Relating to Waterworks System; 1st reading 11/24/25.
- 2. 2nd reading, waive reading and final adoption of an Ordinance Amending Section 22-0301 of Article 22-03 of Chapter 22 of the Fargo Municipal Code Relating to Plumbing Code; 1st reading 11/24/25.
- 3. Findings of Fact, Conclusions and Order, and Notice of Entry of Order of the Board of City Commissioners of the City of Fargo for property located at 1544 3rd Avenue South.
- 4. Resolution Establishing Water Meter Charge for Failure to Replace Meter and Opt Out Charge.

5. Applications for Games of Chance.
6. Amended Consulting Agreement with Bloomberg Consulting LLC.
7. Receive and file the fully executed Lease Agreement with Bullinger Enterprises, L.L.L.P. and City of Fargo - Resources and Recovery Center, and Fiscal Sponsorship and Administrative Fee Agreements with FM Area Foundation.
8. Agreement with Catalis Tax & CAMA, Inc. for the replacement of the Computer Assisted Mass Appraisal System (RFP25088).
9. Bid award to Q3 Contracting, Inc. in the amount of \$234,808.72 for Project No. BR-27-E4.
10. Bid advertisement for Project No. FM-15-J.
11. Final Balancing Change Order No. 7 in the amount of \$0.00 for Project No. NR-23-A2.
12. Negative Final Balancing Change Order No. 1 in the amount of -\$8,641.80 for Project No. PR-25-B1.
13. Bridge Cost-Share Agreement with the City of Moorhead for Project No. QR-25-B0.
14. Negative Final Balancing Change Order No. 3 in the amount of -\$32,731.00 for Project No. SR-25-B1.
15. Change Order No. 1 in the amount of \$34,950.00 for Project No. TM-25-B1.
16. Change Order No. 2 in the amount of \$46,657.00 and a time extension to the substantial and final completion dates to 11/21/25 and 12/10/25 for Project No. UR-24-C1.
17. Negative Final Balancing Change Order No. 7 in the amount of -\$194,304.38 for Improvement District No. BN-23-F1.
18. Change Order No. 3 in the amount of \$15,625.38 for Improvement District No. BN-25-C1.
19. Negative Final Balancing Change Order No. 7 in the amount of -\$21,859.66 for Improvement District No. BR-25-E1.
20. Change Order No. 1 in the amount of \$30,195.48 and time extension to substantial and final completion dates to 10/24/25 and 5/15/26 for Improvement District No. BR-25-H1.
21. Final Balancing Change Order No. 2 in the amount of \$72,846.74 for Improvement District No. PN-25-A1.
22. Final Balancing Change Order No. 2 in the amount of \$57,808.58 for Improvement District No. PR-25-E1.
23. Negative Final Balancing Change Order No. 2 in the amount of -\$50,212.31 for Improvement District No. PR-25-H1.
24. Direct the City Attorney to work with Engineering on possible updates to the Municipal Code Related to Event Permitting.
25. Contract and bond for Improvement District No. BN-25-F1.

26. Items from the FAHR Meeting:
 - a. Receive and file Sales Tax Update.
 - b. Budget amendment for emergency sanitary sewer line repair at the FARGODOME.
 - c. Fargo Moorhead Convention and Visitors Bureau 2026 budget.
27. Resolution approving Plat of Veterans Industrial Park Second Addition.
28. Lease Agreement between the City of Fargo and the Office of the Adjutant General for the Fargo Regional Law Enforcement Training Center.
29. Bid award to Code 4 Services as the primary vendor with Guardian Fleet Safety as the emergency vendor for Emergency Vehicle Squad Set-ups (RFP25293).
30. Negative Final Balancing Change Order No. 4 in the amount of -\$256,733.51 for Project No. SW 23-04.
31. Amendment No. 4 to Agreement between City of Fargo and First Transit, Inc. (a/k/a Transdev U.S.).
32. Task Order No. 25-03 with Houston Engineering, Inc in the amount of \$121,846.00 for Project No. WA2403.
33. Resolution Prescribing Rates and Charges for Hauled Liquid Waste.
34. Amendment No. 1 to Task Order No. 14 with AE2S, LLC in the amount of \$35,500.00 for Improvement District No. BN-25-F1.
35. Bills.

REGULAR AGENDA:

PUBLIC HEARINGS - 5:05 pm:

36. **PUBLIC HEARING** – 45th Street Park Second Addition and 45th Street Park Sixth Addition (200, 300, 330 and 400 45th Street South, and 4414 and 4428 2nd Avenue South); approval recommended by the Planning Commission on 9/4/25:
 - a. Zoning Change from LI, Limited Industrial with a C-O, Conditional Overlay and GC, General Commercial to GC, General Commercial with a PUD, Planned United Development Overlay.
 - b. PUD, Planned Unit Development Master Land Use Plan.
 - c. 1st reading of rezoning Ordinance (45th Street Park Second Addition).
 - d. 1st reading of rezoning Ordinance (45th Street Park Sixth Addition).
 - c. Plat of 45th Street Park Sixth Addition.
37. **PUBLIC HEARING** – Plat of Borg Addition (2502 7th Avenue North); approval recommended by the Planning Commission on 10/7/25.
38. **PUBLIC HEARING** – Annexation of 303.23 acres, more or less located in the West Half of Section 3, Township 140 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota; continued from 11/10/25 and 11/24/25 Regular Meetings.
39. **PUBLIC HEARING** – Annexation of 256.87 acres, more or less East Half of Section 3, Township 140 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota, less those parcels lying within said East Half legally described in those instruments

recorded at the Office of the Recorder, Cass County, North Dakota; continued from the 11/10/25 and 11/24/25 Regular Meetings.

40. **PUBLIC HEARING – CONTINUE to 12/22/25** – Annexation of 236.16 acres, more or less in the Southeast Quarter and the East One-Half of the Southwest Quarter of Section 35, Township 141 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota; continued from the 11/10/25 and 11/24/25 Regular Meetings.
41. Construction Update.
42. Recommendation to approve the City of Fargo Total Compensation Philosophy and Strategy.
43. Discussion regarding Resident Comment Policy.
44. Applications for Property Tax Exemptions for Improvements Made to Buildings:
 - a. Luke and Madison Morman (5 years).
 - b. Benjamin and Rachael Kohlhaas (5 years).
45. Liaison Commissioner Assignment Updates.
46. **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 at [FargoND.gov/VirtualCommission](https://www.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](https://www.fargoND.gov/CityCommission).