

FARGO CITY COMMISSION AGENDA  
Monday, August 10, 2009 - 5:00 P.M.

CITY COMMISSION MEETINGS ARE BROADCAST LIVE ON TV FARGO (Channel 99). They are broadcast each Monday at 5:00 p.m., Thursday at 7:00 p.m. and Saturday at 8:00 a.m.; and are also included in our video archive at [www.cityoffargo.com/commission](http://www.cityoffargo.com/commission)

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, July 27, 2009).

\* \* \* Consent Agenda - Approve the Following \* \* \*

- a. 1st reading of an Ordinance Relating to Imposition of a Sales, Use and Gross Receipts Tax (Flood Risk Mitigation and Reduction Improvements).
- b. Third party claims administrator contract award to Analytics Incorporated in the amount of \$58,437 for the Sauby vs. City of Fargo lawsuit.
- c. Police Department budget adjustment in the amount of \$1,405,915 and COPS Hiring Recovery Program Grant award (CFDA #16.710).
- d. Grant award from the North Dakota Department of Health for Tobacco Prevention and Control activities (CFDA #93.283).
- e. Expenditure of Neighborhood Stabilization Program funds for the acquisition of 222 21st Avenue North for \$105,900 and 123 16th Street South for \$54,664.
- f. Allocation of \$2.5 million in transit capital funds to GTC Deck Repair, the Park District Transit Storage Building, 2 hybrid buses and 3 mini-vans for the Senior Rider Program.
- g. Receive and file Year to Date – Budget to Actual Report for July 2009.
- h. Application filed by Jana McShurley for a 5-year tax exemption for improvements made to a building at 1622 6th Avenue South.
- i. Applications for Games of Chance:
  - (1) Church of the Holy Spirit for bingo and a raffle on 10/25/09.
  - (2) Fargo Jaycees for a raffle on 9/10/09.
  - (3) Spartan Boosters, Inc. for raffles at the Fargodome from 12/29/09 to 2/20/10.
  - (4) Spartan Boosters, Inc. for raffles at Fargo North High School from 8/21/09 to 3/13/10.
  - (5) Spartan Boosters, Inc. for raffles at the Urban Plains Center from 11/27/09 to 2/27/10.
- j. Claim of Permanent Easement for property at the corner of 25th Street and 1st Avenue North.
- k. Purchase Agreement with the Rommesmo Family Limited Partnership for the Westside Corridor project (Improvement District No. 5729).

- l. Bid award for rental of 2 front end loaders for the Landfill and a vacuum excavator for Public Works Operations.
- m. Consultant selection and contract with Houston Engineering, Inc. for Project Nos. 5609 and 5827.
- n. Engineering Contract Amendment with Ulteig Engineers in the amount of \$390,000 for Project No. 5657.
- o. Scope of work and contract for storm sewer modeling for the FM Metro Flood Control Feasibility Study (Project No. 5683-04).
- p. Professional Services Agreement with Houston Engineering, Inc. for Project No. 5902.
- q. Change Orders for various Projects: No. 1 for an increase of \$39,806 for No. 5725; No. 2 for an increase of \$5,591 for No. 5726; No. 3 for an increase of \$7,760.00 for No. 5726; No. 1 for an increase of \$14,821.25 for No. 5729; No. 5 for an increase of \$10,689.95 for No. 5798; No. 6 for an increase of \$3,681.21 for No. 5798; No. 7 for an increase of \$14,896.84 for No. 5798; No. 8 for a time extension for No. 5798; No. 1 for an increase of \$37,690 for No. 5656; No. 3 for an increase of \$10,192 for the 64th Avenue South water tower.
- r. Bid awards for Project SW 09-02 and Project Nos. 5871, 5873 and 5879.
- s. Bid advertisement for Project No. 5874.
- t. Contract and bond for deck repair at the GTC and Project No. 5747-14.
- u. Bills.
- v. Final Balancing Change Orders for the following Improvement Districts: No. 1 for an increase of \$45,608.29 for No. 5314-12; No. 1 for an increase of \$124,470.43 for No. 5749-02.
- w. Contract time extension for Improvement District No. 5855.
- x. Bid award for Improvement District No. 5898.
- y. Contract and bond for Improvement District Nos. 5660, 5706-1, 5863 and 5865.

\* \* \* Regular Agenda \* \* \*

- 1. Determine protests sufficient to terminate Improvement District No. 5890.
- 2. Determine protests sufficient to terminate Improvement District No. 5891.
- 3. Recommendations for appointments to the following Boards and Commissions:
  - (a) Planning Commission.
  - (b) Human Relations Commission.
  - (c) Fargo Access Channel Board (alternate member).

4. Public Hearings - 5:15 p.m.:
  - a. Application filed by Swanson Health Products, Inc. for a new or expanding industry property tax exemption for an expansion to their operation at 4055 40th Avenue South where the applicant is engaged in manufacturing, testing, distribution and bottling of vitamin supplements.
  - b. SHP Second Addition; approval recommended by the Planning Commission on 7/8/09 (4055 and 4075 40th Avenue South):
    - (1) Petition for a zoning change from AG, Agricultural and GC, General Commercial to GC, General Commercial on the existing Lot 1, Block 1, SHP Addition and an unplatted portion of the Southeast Quarter of Section 27, Township 139 North, Range 49 West.
    - (2) 1st reading of rezoning Ordinance.
    - (3) Plat of SHP Second Addition.
5. Receive Flood Issues Status Report and consider proposed mitigation projects and financing plan.
6. Recommendations regarding the 2009 Flood Mitigation Property Acquisition Program.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 241-1310 or TDD 241-8258. Please contact us at least three business days in advance of public meetings to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo Web site at [www.cityoffargo.com/commission](http://www.cityoffargo.com/commission)