



Meeting Items

- A. Call to Order
- B. Pledge of Allegiance
- C. Approve Order of Agenda
- D. Approval of Minutes – December 19, 2022 (Pages 3-6)
- E. Building Permits (Pages 7-9)

Consent Agenda - Approve the Following:

- a. Bills (Pages 10-19)
- b. Approval of Designated Depositories for the City of West Fargo (Page 20)
- c. Restricted Event Permit for Friends of Leroy Turner. Games to be conducted: Poker on January 7, 2023 at West Fargo Conference Center at 825 E Beaton Dr (Page 21)
- d. Games of Chance for Holy Cross Wild Game Festival. Games to be conducted: Raffle on March 9, 2023 at Holy Cross Catholic Church at 2711 7th St E (Page 22)
- e. Games of Chance for TNT Kids Fitness and Gymnastics. Games to be conducted: Raffle from January 27-29, 2023 at Rustad Recreation Center at 601 26th Ave E (Page 23)
- f. Games of Chance for West Fargo United Girls Hockey. Games to be conducted: Raffle on April 1, 2023 at West Fargo Sports Arena at 520 32nd Ave W (Page 24)

Regular Agenda

- 1. Second Reading of Ordinance No. 1217 relating to the Extermination of Insects and Vermin -- Grant Larson, Fargo Cass Public Health Director of Environmental Health (Pages 25-30)
- 2. Professional Consulting and Engineering Services for Sanitation Utility Rate and Operation Study with Burns & McDonnell Engineering Company, Inc -- Matt Andvik, Public Works Director (Pages 31-52)
- 3. Improvement District No. 2270 - Traffic Signal at 9th St W and 32nd Ave W -- Dan Hanson, City Engineer (Pages 53-59)
 - Public Hearing for the Resolution of Necessity; Approve Resolution of Insufficient Protests and Direct Engineer to prepare Plans and Specifications
- 4. Project No. 1343 - Sanitary Lift Station System Rehabilitation (SA 2,3,12 and 15) -- Dan Hanson, City Engineer (Pages 60-67)
 - Approve Plans and Specifications and Direct Advertisement for Bids
- 5. Project No. 4068 – Storm Lift Station SM-54 & Force Main Rehabilitation -- Dan Hanson, City Engineer (Pages 68-74)
 - Approve Plans and Specifications and Direct Advertisement for Bids
- 6. Wilds 22nd Addition (Improvement District No. 1344) -- Dan Hanson, City Engineer (Pages 75-83)
 - Accept Petition for Improvements and Authorize Preliminary Engineering

7. MetroCOG Surface Transportation Block Grant (STBG) Applications (Pages 84-102)
 - Approve Grant Applications and Authorize the Commission President to Sign Applications
8. Hiring schedule for 2023 Firefighters -- Dan Fuller, Fire Chief (Pages 103)
 - Approve the altered hiring schedule
9. City Administrator's Report
10. Correspondence
11. Non-Agenda Items
12. Adjourn



**West Fargo City Commission Meeting
Monday, December 19, 2022
Commission Chambers 5:30 PM**

The West Fargo City Commission met on Monday, December 19, 2022, at 5:30 p.m. Those present were Commissioners Bernie Dardis, Brad Olson, Mark Simmons, Roben Anderson and Mandy George, who was present via Zoom. No Commissioners were absent. President of the Board Bernie Dardis called the meeting to order at 5:30 p.m.

Commissioner Anderson moved and Commissioner Olson seconded to approve the order of the agenda as distributed. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

Commissioner Olson moved and Commissioner Anderson seconded to approve the minutes from December 5, 2022 as presented. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

Commissioner Olson moved and Commissioner Anderson seconded to approve the Building Permit Reports as presented. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

Commissioner Olson moved and Commissioner Simmons seconded to approve the consent agenda as presented.

- a. Bills (Pages 8-16)
- b. Approval of agreement for EDA Public Space Initiative – Placemaking Planning Grant Award (Pages 17-22)
- c. West Fargo 2023 Hourly I&C Support Services Agreement (Pages 23-29)
- d. Gaming Site Authorization for North Dakota Association for the Disabled, Inc. Games to be conducted: Bingo, Raffles, Pull Tab Jar, Pull Tab Dispensing Device, Electronic Pull Tab Device, Sports Pool, Twenty-One, Poker, and Paddlewheel Table at Bordertown Bar & Grill at 807 Main Ave E from January 1 - June 30, 2023 (Pages 30-31)
- e. Gaming Site Authorization for Horse Race North Dakota. Games to be conducted: Raffles and Poker at DoubleTree at 825 E Beaton Dr from January 20-22, 2023 (Pages 32-33)
- f. Gaming Site Authorization for Minndak RMEF Inc. Games to be conducted: Raffles and Poker at DoubleTree at 825 E Beaton Dr on March 18, 2023 (Pages 34-35)
- g. Games of Chance for Cowboy Up Ride Against Cancer. Games to be conducted: Raffle at Doubletree at 825 E Beaton Dr on January 7, 2023 (Page 36)
- h. Games of Chance for Red River Infinity Volleyball. Games to be conducted: Raffle at Rustad Recreation Center at 601 26th Ave E on July 7, 2023 (Page 37)
- i. Games of Chance for Cowboy Up Ride Against Cancer. Games to be conducted: Poker at West Fargo Conference Center at 825 E Beaton Dr on January 7, 2023 (Page 38)
- j. Games of Chance for St. John Paul II Catholic Schools. Games to be conducted: Raffle Board at Trinity Elementary School at 2811 7th St E on January 29, 2023 (Page 39)



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Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

Casey Sanders-Berglund, Economic Development Manager appeared before the Commission to request three additional members to the Economic Development Advisory Committee. Following discussion, Commissioner Simmons moved and Commissioner Anderson approved the request of three additional members to the Economic Development Advisory Committee, the three would be chosen and brought back to Commission for consideration. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

Tina Fisk, City Administrator appeared before the Commission, in place of Grant Larson, Fargo Cass Public Health Director of Environmental Health, for the first reading of Ordinance No. 1217 relating to Extermination of Insects and Vermin. Following discussion, Commissioner Olson moved and Commissioner Anderson seconded to approve the first reading of Ordinance No. 1217 relating to Extermination of Insects and Vermin. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

Cole Swingen, Assistant Transit Director at MATBUS appeared before the Commission, in place of Julie Bommelman, Fargo Transit Director for approval of an agreement with City of Fargo for MATBUS Transit Services. Following discussion, Commissioner Olson moved and Commissioner George seconded to approve the agreement with City of Fargo for MATBUS Transit Services as presented. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

Aaron Nelson, Planning Director appeared before the Commission for a request to initiate the Downtown Master Plan project and authorize staff to issue an RFP for the project. Following discussion, Commissioner Olson moved and Commissioner Dardis seconded to approve initiating the Downtown Master Plan project and authorize an additional \$80,000 if needed to complete the study with an RFP. Commissioners Anderson, Olson, and Dardis voted aye. Commissioners Simmons and George voted nay, the motion was declared carried on a 3:2 vote.

Matt Andvik, Public Works Director appeared before the Commission to give an update on the lagoon decommissioning. This was informational only; no action was taken.

Mark Simmons, Commissioner brought forth the City of West Fargo Logo. Following discussion Commissioner Simmons moved and Commissioner Anderson seconded to adopt option C of the three logo choices given (A, B, C). Commissioners George, Anderson, and Simmons voted aye. Commissioners Olson and Dardis voted nay, the motion was declared carried on a 3:2 vote.



**West Fargo City Commission Meeting
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Dan Hanson, City Engineer appeared before the Commission for approval of the 2261 – 2023 Asphalt Mill and Overlay (Various Neighborhoods); direct Engineer to prepare Report. Following discussion, Commissioner Olson moved and Commissioner Simmons seconded to approve 2261 – 2023 Asphalt Mill and Overlay (Various Neighborhoods); direct Engineer to prepare Report. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

Dan Hanson, City Engineer appeared before the Commission for an approval of Improvement District No. 2271 – 7th Ave NW & 5th St Ct NW; initiate Public Hearing for the recently approved Resolution Declaring Work Necessary, approve Task Order for "Basic Services" and direct engineer to prepare Plans and Specifications. Following discussion, Commissioner Olson moved and Commissioner Simmons seconded to approve Improvement District No. 2271 – 7th Ave NW & 5th St Ct NW. A Public Hearing was held where no sufficient protests were filed for the recently approved Resolution Declaring Work Necessary, approve Task Order for "Basic Services" and direct engineer to prepare Plans and Specifications. Commissioners George, Olson, Simmons, and Dardis voted aye. Commissioner Anderson voted nay, the motion was declared carried on a 4:1 vote.

Dan Hanson, City Engineer appeared before the Commission for approval of 2275 – 26th Ave W – 5th St NW to Sheyenne St (Roadway Reconstruction and Incidentals); accept Petition for Improvements and approve the Preliminary Improvement Work Agreement. Following discussion, Commissioner Simmons moved and Commissioner George seconded to approve 2275 – 26th Ave W – 5th St NW to Sheyenne St (Roadway Reconstruction and Incidentals); accept Petition for Improvements and approve the Preliminary Improvement Work Agreement. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioner present voted nay, the motion was declared carried.

Dan Hanson, City Engineer appeared before the Commission for approval of Project No. 4068 – Storm Lift Station (SM-54) & Force Main Rehabilitation; approve Task Order No. 65-1 for Basic Services. Following discussion, Commissioner Olson moved and Commissioner Anderson seconded to approve Project No. 4068 – Storm Lift Station (SM-54) & Force Main Rehabilitation; approve Task Order No. 65-1 for Basic Services. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

In regards to the Administrator's Report, Tina Fisk, City Administrator appeared before the Commission:

1. City offices will be closed Friday, December 23, Monday, December 26 and Monday, January 2
2. Request to appoint two Commissioners to the RRRDC Authority Board: following a consensus Commissioner agreed to appoint Commissioner Dardis and Commissioner Simmons

Correspondence were passed out to each Commissioner.



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In regards to non-agenda, Commission President Dardis called on Denis Otterness, Police Chief to speak in regards to the celebration of Greg Warren's retirement that occurred that past Friday.

Commissioner Simmons moved and Commissioner Olson seconded to adjourn the meeting. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the meeting adjourned at 8:05 p.m.

Bernie Dardis, Commission President

Tina Fisk, City Administrator

**WEST FARGO CITY COMMISSION MEETING
BUILDING DEPARTMENT ACTIVITY REPORT
12/30/2022**

	AS OF 12/30/2022			YEAR TO DATE		
	# PERMITS	# UNITS	VALUATION	# PERMITS	# UNITS	VALUATION
<u>BUILDING NEW</u>						
COMMERCIAL				15		\$ 28,040,790.00
RESIDENTIAL DWELLING				195	195	\$ 76,890,806.00
RESIDENTIAL TWINHOME						
RESIDENTIAL TOWNHOME						
RESIDENTIAL MULTIPLE				1	52	\$ 14,000,000.00
PUBLIC				3		\$ 17,867,265.00
CHURCH						
ACCESSORY				220		\$ 5,176,565.00
FOUNDATION ONLY				2		\$ 35,000.00
<u>BUILDING REMODEL</u>						
COMMERCIAL	3		\$ 636,000.00	57		\$ 19,616,817.00
RESIDENTIAL	1		\$ 16,300.00	131		\$ 4,477,253.00
PUBLIC	1		\$ 100,000.00	5		\$ 3,615,330.00
CHURCH				0		\$ -
ACCESSORY				2		\$ 65,975.00
<u>BUILDING OTHER</u>						
DEMOLITION				6		\$ 227,500.00
MOVE				1		\$ 20,000.00
PERMIT CANCELLATION				1		\$ (530,000.00)
TOTALS	5	0	\$ 752,300.00	637	247	\$ 169,503,301.00

Building Department Report - Summary

NO.	CONTRACTOR	ADDRESS	OWNER	VALUATION	PERMIT FOR
221474	Groundworks MN LLC	720 6th Street East	Rita Kuck	\$ 16,300.00	Remodel - Residential
221480	GMD Properties	913 Main Avenue West	GMD Properties	\$ 125,000.00	Remodel - Commercial - Office Area & Façade
221440	Enclave Development	300 23 Avenue East	Enclave HQ LLC	\$ 122,000.00	Remodel - Commercial - Golf Simulator and Restrooms
221492	Enclave Development	300 23 Avenue East	Enclave HQ LLC	\$ 389,000.00	Remodel - Commercial - 2nd Floor Office
221494	Lindemann Concrete Construction	1351 Main Avenue West	Cass County Historical Society	\$ 100,000.00	Remodel - Public - Repair Walls and Roof

**WEST FARGO CITY COMMISSION MEETING
BUILDING PERMIT VALUATION REPORT
01/03/2022**

BUILDING NEW

COMMERCIAL

RESIDENTIAL DWELLING

RESIDENTIAL TWINHOME

RESIDENTIAL TOWNHOME

RESIDENTIAL MULTIPLE

PUBLIC

CHURCH

ACCESSORY

FOUNDATION ONLY

BUILDING REMODEL

COMMERCIAL

RESIDENTIAL

PUBLIC

CHURCH

ACCESSORY

BUILDING OTHER

DEMOLITION

MOVE

PERMIT CANCELLATION

TOTALS

2021 VALUATION			2022 VALUATION			Percentage of Change in Valuation
# PERMITS	# UNITS	VALUATION	# PERMITS	# UNITS	VALUATION	
49		\$ 69,253,919.00	15		\$ 28,040,790.00	-60%
277	277	\$ 92,072,019.00	195	195	\$ 76,890,806.00	-16%
4	4	\$ 837,500.00				
5	38	\$ 7,883,537.00				
1	54	\$ 6,500,000.00	1	52	\$ 14,000,000.00	115%
1		\$ 3,150,550.00	3		\$ 17,867,265.00	
172		\$ 1,713,374.00	220		\$ 5,176,565.00	202%
26		\$ 6,707,700.00	2		\$ 35,000.00	-99%
71		\$ 14,891,207.00	57		\$ 19,616,817.00	32%
181		\$ 5,521,750.00	131		\$ 4,477,253.00	-19%
4		\$ 4,950,400.00	5		\$ 3,615,330.00	-27%
1		\$ 458,900.00				
2		\$ 22,000.00	2		\$ 65,975.00	200%
5		\$ 41,800.00	6		\$ 227,500.00	444%
1		\$ 20,000.00	1		\$ 20,000.00	0%
2		\$ 286,640.00	1		\$ (530,000.00)	
802	373	\$ 214,311,296.00	638	247	\$ 169,503,301.00	-21%

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Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
105454	S	3549 WEX	2533.04	12/19/22		CL 107814	2533.04
105455	S	289 ACME TOOLS	1868.27	12/20/22		CL 107615	748.98
						CL 107682	1119.29
105456	S	3179 ADVANCED ENGINEERING & ENVIRONMENTAL SER	14514.84	12/20/22		CL 107773	14514.84
105457	S	4444 ALEyna LEIBFRIED	150.00	12/20/22		CL 107686	150.00
105458	S	3490 AMAZON CAPITAL SERVICES	274.73	12/20/22		CL 107651	274.73
105459	S	2844 AMERICAN MAIL HOUSE INC	1653.62	12/20/22		CL 107585	1653.62
105460	S	317 AMERICAN WELDING & GAS, INC.	12.60	12/20/22		CL 107738	12.60
105461	S	4635 API GARAGE DOOR INC	381.25	12/20/22		CL 107797	381.25
105462	S	2931 AUTO VALUE PARTS STORES	488.17	12/20/22		CL 107613	100.77
						CL 107667	30.02
						CL 107673	357.38
105463	S	1695 BAKER & TAYLOR	112.60	12/20/22		CL 107700	112.60
105464	S	3469 BENCO EQUIPMENT - WEST FARGO	777.42	12/20/22		CL 107644	777.42
105465	S	3250 BOTTOM LINE EXCAVATING LLC	410.00	12/20/22		CL 107570	410.00
105466	S	3512 BOUND TREE MEDICAL, LLC	120.93	12/20/22		CL 107741	120.93
105467	S	3999 BRADY WOODARD	90.00	12/20/22		CL 107689	90.00
105468	S	652 BRESCO CORPORATION	443.48	12/20/22		CL 107616	443.48
105469	S	3892 BURGGRAF'S ACE FARGO WEST #17458	44.99	12/20/22		CL 107629	44.99
105470	S	3905 BURIAN & ASSOCIATES LLC	10422.50	12/20/22		CL 107661	10422.50
105471	S	351 BUSINESS ESSENTIALS	11073.37	12/20/22		CL 107575	2069.26
						CL 107593	8574.52
						CL 107665	163.63
						CL 107698	265.96
105472	S	39 BUTLER MACHINERY	3351.48	12/20/22		CL 107760	3351.48
105473	S	51 CASS COUNTY ELECTRIC COOP	47795.08	12/20/22		CL 107619	333.33
						CL 107748	1641.21
						CL 107822	22576.00
						CL 107823	18147.00
						CL 107825	356.44
						CL 107826	1116.56
						CL 107827	3624.54

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105474	S	61 CASS COUNTY FINANCE	643.90	12/20/22		CL 107622	643.90
105475	S	4108 CED	1181.79	12/20/22		CL 107617	1181.79
105476	S	1623 CENGAGE GALE	25.89	12/20/22		CL 107695	25.89
105477	S	3417 CHELSEA SIMDORN	17.66	12/20/22		CL 107694	17.66
105478	S	3216 CINTAS	156.34	12/20/22		CL 107637	75.35
						CL 107732	80.99
105479	S	111 CITY OF FARGO	41285.66	12/20/22		CL 107648	41285.66
105480	S	2880 CITY OF FARGO	465480.80	12/20/22		CL 107707	276445.00
						CL 107708	189015.00
						CL 107709	20.80
105481	S	1904 CODE 4 SERVICES, INC	106.40	12/20/22		CL 107552	53.20
						CL 107561	53.20
105482	S	133 COLE PAPER	1445.54	12/20/22		CL 107641	1445.54
105483	S	229 CONSOLIDATED COMMUNICATIONS	2846.35	12/20/22		CL 107749	150.73
						CL 107817	2695.62
105484	S	3245 CORE & MAIN	1574.16	12/20/22		CL 107605	186.08
						CL 107678	1388.08
105485	S	47 CORWIN CHRYSLER	255.00	12/20/22		CL 107596	255.00
105486	S	1675 DAKOTA FLUID POWER, INC	143.22	12/20/22		CL 107603	119.48
						CL 107668	23.74
105487	S	624 DAKOTA SUPPLY GROUP	936.56	12/20/22		CL 107608	625.27
						CL 107681	311.29
105488	S	87 DAKOTA TIRE	38.87	12/20/22		CL 107750	38.87
105489	S	856 DAVE'S WEST FARGO TIRE	202.99	12/20/22		CL 107551	202.99
105490	S	2813 DAVID GUST	120.00	12/20/22		CL 107684	120.00
105491	S	2377 DAVID SAPP	21.49	12/20/22		CL 107754	21.49
105492	S	2948 DELTA 54 AVIATION LLC	3370.00	12/20/22		CL 107620	3370.00
105493	S	3767 DENIS OTTERNESS	860.50	12/20/22		CL 107559	800.00
						CL 107564	60.50

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105494	S	2583 DOUBLETREE BY HILTON	7728.70	12/20/22		CL 107587	7728.70
105495	S	78 DSI AUTOMOTIVE INC	420.87	12/20/22		CL 107599	420.87
105496	S	2225 DTN, LLC	465.00	12/20/22		CL 107658	465.00
105497	S	2100 EAGLE RUN CROSSING LLC	2360.67	12/20/22		CL 107744	2255.93
						CL 107757	104.74
105498	S	1841 EMERGENCY AUTOMOTIVE TECHNOLOGIES, INC	2167.30	12/20/22		CL 107610	2167.30
105499	S	3240 ERIC DODDS	30.00	12/20/22		CL 107683	30.00
105500	S	2862 ESSENTIA HEALTH	4330.00	12/20/22		CL 107761	4330.00
105501	S	1851 F/S MANUFACTURING INC	17.30	12/20/22		CL 107669	17.30
105502	S	660 FARGO FREIGHTLINER	274.57	12/20/22		CL 107602	131.17
						CL 107666	143.40
105503	S	979 FARGO LINE-X	3670.00	12/20/22		CL 107655	3670.00
105504	S	1648 FARSTAD OIL, INC	287.24	12/20/22		CL 107636	287.24
105505	S	151 FEDERAL EXPRESS	22.14	12/20/22		CL 107548	22.14
105506	S	329 FERGUSON WATERWORKS #2516	328.25	12/20/22		CL 107626	328.25
105507	S	1812 FIRESTONE	577.52	12/20/22		CL 107550	577.52
105508	S	3566 FIRST ARRIVING LLC	718.94	12/20/22		CL 107751	718.94
105509	S	3347 FIRST INTERNATIONAL INSURANCE	223.00	12/20/22		CL 107618	223.00
105510	S	104 FORUM COMMUNICATIONS	63.18	12/20/22		CL 107706	63.18
105511	S	155 GALLS, LLC	592.72	12/20/22		CL 107553	80.32
						CL 107591	476.33
						CL 107752	36.07
105512	S	4632 GEAR WASH	1085.75	12/20/22		CL 107762	1085.75
105513	S	156 GENERAL EQUIP & SUPPLIES	882.06	12/20/22		CL 107791	882.06
105514	S	1579 GLENN'S BODY REPAIR INC	6868.64	12/20/22		CL 107763	6868.64
105515	S	556 GRAINGER, INC.	71.06	12/20/22		CL 107731	71.06

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105516	S	3534 GRAND FORKS FIRE EQUIPMENT LLC	463.11	12/20/22		CL 107777	463.11
105517	S	3535 GREAT PLAINS FIRE	1266.59	12/20/22		CL 107764	1266.59
105518	S	2318 HABERDASHERY	40.99	12/20/22		CL 107573	40.99
105519	S	769 HARBOR FREIGHT TOOLS	66.96	12/20/22		CL 107595	66.96
105520	S	135 HAWKINS WTR TREATMENT	5591.39	12/20/22		CL 107743	5591.39
105521	S	180 HAZERS	1470.00	12/20/22		CL 107656	1470.00
105522	S	2820 HIGH POINT NETWORKS	4750.00	12/20/22		CL 107810	4750.00
105523	S	4358 HOLIDAY OUTDOOR DECOR	35034.65	12/20/22		CL 107574	35034.65
105524	S	4623 HOMEWARD ANIMAL SHELTER	2000.00	12/20/22		CL 107576	2000.00
105525	S	3285 HOUSTON ENGINEERING INC.	82053.22	12/20/22		CL 107580	82053.22
105526	S	1226 HP INC.	163.00	12/20/22		CL 107818	163.00
105527	S	358 HUBERT OYE-SONS CONST.	3234.00	12/20/22		CL 107611	3234.00
105528	S	2102 IACP	190.00	12/20/22		CL 107563	190.00
105529	S	4144 ICMA MEMBERSHIP RENEWALS	1200.00	12/20/22		CL 107802	1200.00
105530	S	4634 IMAGINATION PLAYGROUND LLC	2809.41	12/20/22		CL 107794	2809.41
105531	S	3894 INTERNATIONAL CODE COUNCIL, INC	145.00	12/20/22		CL 107767	145.00
105532	S	211 INTERSTATE BATTERIES	21.40	12/20/22		CL 107632	21.40
105533	S	233 J & L SPORTS	2076.00	12/20/22		CL 107657	2076.00
105534	S	1765 J.J. KELLER & ASSOC, INC	842.00	12/20/22		CL 107788	842.00
105535	S	4597 JAKE MILLER	149.97	12/20/22		CL 107660	149.97
105536	S	2886 JENNA WILM	158.16	12/20/22		CL 107567	158.16
105537	S	2747 JOE KOLB	120.00	12/20/22		CL 107685	120.00
105538	S	344 KARL'S AT THE NODAK CENTER	127.47	12/20/22		CL 107601	127.47
105539	S	4574 KARVONEN PROPERTIES	10031.03	12/20/22		CL 107690	10031.03

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105540	S	4598 KUSSMAUL ELECTRONICS	466.20	12/20/22		CL 107768	466.20
105541	S	2325 KUSTOM KONCEPTS	5345.11	12/20/22		CL 107631	312.31
						CL 107769	5032.80
105542	S	3645 LANA RAKOW	90.00	12/20/22		CL 107687	90.00
105543	S	2085 LANGUAGE LINE SERVICES	43.21	12/20/22		CL 107624	43.21
105544	S	260 LAR'S BODY SHOP	3983.34	12/20/22		CL 107560	3983.34
105545	S	277 LARSONS WELDING/MACHINE	1376.84	12/20/22		CL 107634	384.00
						CL 107659	992.84
105546	S	705 LAWSON PRODUCTS	587.11	12/20/22		CL 107635	587.11
105547	S	4432 LIBERTY BUSINESS SYSTEMS INC	836.96	12/20/22		CL 107813	606.40
						CL 107816	230.56
105548	S	3109 LIBRARY IDEAS, INC	637.32	12/20/22		CL 107699	637.32
105549	S	4636 LINDSEY ROSTER	70.00	12/20/22		CL 107804	70.00
105550	S	3418 LOFFLER	49.91	12/20/22		CL 107815	49.91
105551	S	711 LUTHER FAMILY FORD	86.23	12/20/22		CL 107597	86.23
105552	S	3502 M &T Fire	808.16	12/20/22		CL 107770	288.16
						CL 107828	520.00
105553	S	3304 MAC'S - FARGO	154.53	12/20/22		CL 107609	97.84
						CL 107733	54.90
						CL 107785	1.79
105554	S	2191 MARK SIMMONS	117.59	12/20/22		CL 107572	117.59
105555	S	3119 MATT RETKA	50.00	12/20/22		CL 107621	50.00
105556	S	299 MENARDS	124.21	12/20/22		CL 107759	37.91
						CL 107776	86.30
105557	S	4622 MENARDS PW	418.63	12/20/22		CL 107592	220.66
						CL 107680	197.97
105558	S	2766 MIDCONTINENT COMMUNICATIONS	2081.26	12/20/22		CL 107594	305.84
						CL 107819	1775.42

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CITY OF WEST FARGO, ND
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For the Accounting Period: 12/22

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Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
105559	S	102 MIDSTATES WIRELESS	3549.98	12/20/22		CL 107555 CL 107725 CL 107779	612.50 2802.48 135.00
105560	S	4633 MIDWEST SPECIALS INSTRUMENTS	10875.00	12/20/22		CL 107772	10875.00
105561	S	1854 MIDWEST TAPE	4550.07	12/20/22		CL 107701 CL 107705	2082.25 2467.82
105562	S	3998 MIKE THORSTAD	150.00	12/20/22		CL 107688	150.00
105563	S	298 MVTL LABORATORIES	3981.26	12/20/22		CL 107646 CL 107789	1819.04 2162.22
105564	S	2882 NARDINI FIRE EQUIPMENT	450.00	12/20/22		CL 107780	450.00
105565	S	3684 ND DEPARTMENT OF ENVIRONMENTAL QUALITY	300.00	12/20/22		CL 107630	300.00
105566	S	335 ND DEPT OF TRANSPORTATION	22347.87	12/20/22		CL 107579	22347.87
105567	S	3860 NDSCS FOUNDATION	120000.00	12/20/22		CL 107586	120000.00
105568	S	756 NELCO FIRST AID	348.93	12/20/22		CL 107663	348.93
105569	S	364 NELSON INTERNATIONAL	155.17	12/20/22		CL 107670	155.17
105570	S	271 NETCENTER TECHNOLOGIES	1408.43	12/20/22		CL 107809	1408.43
105571	S	1252 NORTH DAKOTA STATE LIBRARY	45.00	12/20/22		CL 107702	45.00
105572	S	3111 NORTHERN SALT INCORPORATED	23810.38	12/20/22		CL 107677	23810.38
105573	S	331 NORTHERN STATES SUPPLY	18.08	12/20/22		CL 107607	18.08
105574	S	1715 NORTHWEST TIRE INC	19.26	12/20/22		CL 107606	19.26
105575	S	330 NORTHWESTERN EQUIP INC.	241.54	12/20/22		CL 107734	241.54
105576	S	753 O'DAY EQUIPMENT	567.50	12/20/22		CL 107829	567.50
105577	S	1774 O'REILLY AUTOMOTIVE STORES, INC	495.94	12/20/22		CL 107598 CL 107674 CL 107735 CL 107781	64.08 67.78 342.61 21.47
105578	S	352 OK TIRE STORE - COM CTR	1200.00	12/20/22		CL 107612	1200.00

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CITY OF WEST FARGO, ND
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Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
105579	S	631 ONE CALL CONCEPT INC	420.65	12/20/22			
105580	S	276 OSTROMS ACE HARDWARE	177.35	12/20/22		CL 107647	420.65
105581	S	3739 PARADIGM FIBER SPLICING LLC	20214.09	12/20/22		CL 107549	40.74
						CL 107623	136.61
105582	S	563 PETRO SERVE USA	4631.49	12/20/22		CL 107730	19614.09
						CL 107812	600.00
105583	S	4034 PETRO SERVE USA #63	2092.96	12/20/22		CL 107571	188.13
						CL 107746	3430.28
						CL 107783	1013.08
105584	S	1987 PETSMART	118.22	12/20/22		CL 107745	1819.73
105585	S	1310 PETTYS CONSULTING, LLC	162.00	12/20/22		CL 107758	214.05
105586	S	3276 PREMIUM WATERS INC	82.79	12/20/22		CL 107786	59.18
105587	S	1610 RADCO, A DIVISION OF SILVER STAR INDUSTR	2311.60	12/20/22		CL 107547	118.22
105588	S	2977 RAMKOTA HOTEL & CONFERENCE CENTER	396.00	12/20/22		CL 107766	162.00
105589	S	2982 RDO EQUIPMENT CO	250.73	12/20/22		CL 107697	82.79
105590	S	1016 RED WING BUSINESS ADVANTAGE	186.99	12/20/22		CL 107640	2311.60
105591	S	3655 RIGELS	17907.50	12/20/22		CL 107650	396.00
105592	S	3522 RJ'S TESORO	1699.95	12/20/22		CL 107600	250.73
105593	S	4064 ROYAL TIRE INC	2606.00	12/20/22		CL 107645	186.99
105594	S	3353 SAM'S CLUB MC/SYNCB	1373.08	12/20/22		CL 107803	17907.50
						CL 107784	1699.95
						CL 107672	2530.05
						CL 107739	75.95
105595	S	437 SANDY'S DONUTS & COFFEE SHOP	91.80	12/20/22		CL 107556	31.16
						CL 107625	594.16
						CL 107798	747.76
105596	S	140 SANFORD AMBULANCE	587.50	12/20/22		CL 107558	45.90
						CL 107562	22.95
						CL 107590	22.95
						CL 107792	587.50

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Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
105597	S	454 SANITATION PRODUCTS	148.90	12/20/22		CL 107639	148.90
105598	S	450 SCHEELS	150.00	12/20/22		CL 107554	150.00
105599	S	999999 SCOTT COLE	76.71	12/20/22		CL 107778	76.71
105600	S	2885 SHORTPRINTER	29.90	12/20/22		CL 107584	29.90
105601	S	3642 SIGN PRO	1485.00	12/20/22		CL 107565	1485.00
105602	S	91 SIGN SOLUTIONS USA	2047.83	12/20/22		CL 107614	97.83
						CL 107679	1950.00
105603	S	440 SRF CONSULTING GROUP, INC	568.00	12/20/22		CL 107582	568.00
105604	S	176 SUMMIT FIRE PROTECTION	447.25	12/20/22		CL 107569	250.25
						CL 107664	197.00
105605	S	2187 SWANK MOVIE LICENSING USA	533.00	12/20/22		CL 107693	533.00
105606	S	733 SWANSTON EQUIPMENT CORP.	1161.50	12/20/22		CL 107604	34.97
						CL 107676	980.40
						CL 107736	146.13
105607	S	1225 T.R.S. INDUSTRIES, INC	48.00	12/20/22		CL 107633	16.00
						CL 107737	32.00
105608	S	3829 TARGETSOLUTIONS LEARNING, LLC	7192.23	12/20/22		CL 107793	7192.23
105609	S	2491 TEAM LABORATORY CHEMICAL, LLC	11668.00	12/20/22		CL 107787	11668.00
105610	S	3995 TENTS & EVENTS RENTALL INC	268.80	12/20/22		CL 107774	268.80
105611	S	3043 THE FORUM	230.89	12/20/22		CL 107800	230.89
105612	S	1900 THE UPS STORE #5998	70.92	12/20/22		CL 107643	70.92
105613	S	3411 THE UPS STORE #6740	343.80	12/20/22		CL 107805	343.80
105614	S	906 TI-ZACK CONCRETE, INC.	28048.56	12/20/22		CL 107566	28048.56
105615	S	665 TWIN CITY GARAGE DOOR	475.00	12/20/22		CL 107642	475.00
105616	S	2951 TYLER TECHNOLOGIES, INC	422.77	12/20/22		CL 107583	422.77
105617	S	3833 VALLEY GREEN	97.50	12/20/22		CL 107662	97.50

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Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
105618	S	2478 VALLI	6560.67	12/20/22		CL 107577	5481.65
						CL 107578	1079.02
105619	S	1553 VARITECH INDUSTRIES, INC	203.08	12/20/22		CL 107638	203.08
105620	S	3668 VERIZON WIRELESS	11238.33	12/20/22		CL 107726	11238.33
105621	S	4625 VISA PUBLIC WORKS #3	757.00	12/20/22		CL 107704	757.00
105622	S	544 WALLWORK TRUCK CENTER	77.00	12/20/22		CL 107671	77.00
105623	S	576 WALMART COMMUNITY CARD	34.70	12/20/22		CL 107589	34.70
105624	S	3062 WELK'S LAWN CARE LLC	900.00	12/20/22		CL 107627	900.00
105625	S	3306 WEST FARGO EVENTS, INC	33336.58	12/20/22		CL 107581	33336.58
105626	S	4231 WEST FARGO FIRE DEPARTMENT	156.00	12/20/22		CL 107728	130.00
						CL 107729	26.00
105627	S	566 WEST FARGO PARK DISTRICT	16716.76	12/20/22		CL 107806	16716.76
105628	S	378 WEST FARGO POSTMASTER	120.00	12/20/22		CL 107692	120.00
105629	S	2184 WEST SIDE STEEL	589.94	12/20/22		CL 107628	104.03
						CL 107675	338.00
						CL 107747	147.91
105630	S	807 WEX HEALTH, INC	651.10	12/20/22		CL 107568	651.10
105631	S	569 WF ANIMAL HOSPITAL	2452.00	12/20/22		CL 107557	2452.00
105632	S	4003 WM CORPORATE SERVICES INC	95660.49	12/20/22		CL 107782	95660.49
105633	S	338 XCEL ENERGY	29212.68	12/20/22		CL 107652	181.49
						CL 107653	10507.10
						CL 107710	15854.03
						CL 107775	1882.63
						CL 107820	449.53
						CL 107821	192.15
						CL 107830	64.23
						CL 107831	62.68
						CL 107832	18.84
105634	S	1777 CENTURY LINK	68.04	12/20/22		CL 107833	68.04
105635	S	3547 EQUITABLE UNIT ANNUITY COLLECTIONS	200.00	12/21/22		CL 107836	200.00

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CITY OF WEST FARGO, ND
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Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
105636	S	3542 MAINSTAY FUNDS	860.00	12/21/22			
105637	S	3630 MATRIX TRUST COMPANY	4481.00	12/21/22		CL 107841	860.00
105638	S	3541 ND FRATERNAL ORDER OF POLICE	1625.00	12/21/22		CL 107840	4481.00
105639	S	3543 NEW YORK LIFE INSURANCE & ANNUITY CORP	7922.04	12/21/22		CL 107839	1625.00
105640	S	3548 PERSHING	500.00	12/21/22		CL 107842	7922.04
105641	S	1464 RED RIVER VALLEY FOP LODGE #1	715.00	12/21/22		CL 107835	500.00
105642	S	3544 VICKI PETERS TEAMSTERS LOCAL NO 120	25.00	12/21/22		CL 107838	715.00
105643	S	3827 WF IAFF	520.00	12/21/22		CL 107834	25.00
105644	S	1765 J.J. KELLER & ASSOC, INC	842.00	12/22/22		CL 107837	520.00
105645	S	4616 CONVERDIA HEALTH STAFFING LLC	30756.00	12/22/22		CL 107850	842.00
105646	S	566 WEST FARGO PARK DISTRICT	693.36	12/28/22		CL 107871	30756.00
105647	S	338 XCEL ENERGY	9112.49	12/28/22		CL 107953	693.36
						CL 107961	8407.81
						CL 107962	704.68
Total for Claim Checks			1384073.29				
Count for Claim Checks			194				

* denotes missing check number(s)

of Checks: 194 Total: 1384073.29

City of West Fargo
Designated Depositories
NDCC 21-04-13
January 2023

Depository	Address
Alerus	901 13th Ave E, West Fargo
First International Bank & Trust	1350 13th Ave E, West Fargo
Choice Financial	210 Sheyenne St, West Fargo
Bell Bank	320 32nd Ave W, Ste 100, West Fargo
LPL Financial***	4707 Executive Dr, San Diego, CA

*** LPL Financial is a custodian bank that holds the City securities for safekeeping

Prepared by: Judith Afdahl



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

LICENSING SECTION

SFN 9338 (09-2021)

Applying for (check one)			
☐ Local Permit	☒ Restricted Event Permit*		
Games to be Conducted			
☐ Bingo	☐ Raffle	☐ Raffle Board	☐ Calendar Raffle
☐ Sports Pool	☒ Poker*	☐ Twenty-One*	☐ Paddlewheels*

Poker, Twenty-One, and Paddlewheels may be conducted **Only** with a Restricted Event Permit. Only one permit allowed per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS.

Name of Organization or Group of People permit is issued to	Dates of Activity	If raffle, provide drawing date	
Friends of Leroy Turner	01/07/2023		
Organization or Group Contact Person	Title or Position	Telephone Number	
Leroy Turner			
Business Address	City	State	ZIP Code
Mailing Address (if different)	City	State	ZIP Code
1514 170th Avenue	Wolverton	MT	56594
Site Name (where gaming will be conducted)			
West Fargo Conference Center			
Site Address	City	ZIP Code	County
825 E. Beaton Dr.	West Fargo	58078	Cass

Description and Retail Value of Prizes to be Awarded

Game Type	Description of Prize	Retail Value of Prize
NL Texas Hold'em	80% of game buy-ins for prizes	
Poker		
	\$150 buy-in	
Total (limit \$40,000 per year)		

Intended Uses of Gaming Proceeds
Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)
☐ Yes ☒ No
Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1-June 30? (If yes, the organization or group does not qualify for a local permit or restricted event permit)
☐ Yes ☒ No
Has the organization or group received a local permit from any city or county for the fiscal year July 1-June 30? (If yes, indicate the total retail value of all prizes previously awarded)
☒ No ☐ Yes - Total Retail Value: (This amount is part of the total prize limit of \$40,000 per year)
Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be used for political purposes.)
☐ Yes ☒ No

Organization or Group Contact Person			
Name	Title	Telephone Number	E-mail Address
Cory Eslinger		701-640-1742	caeslinger@yahoo.com
Signature of Organization or Group's Top Official	Title	Date	
		12/28/2022	



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

LICENSING SECTION

SFN 9338 (09-2021)

Rec'd 12-29-22

Applying for (check one)	
☒ Local Permit	☐ Restricted Event Permit*
Games to be Conducted	
☐ Bingo	☒ Raffle
☐ Raffle Board	☐ Calendar Raffle
☐ Sports Pool	☐ Poker*
☐ Twenty-One*	☐ Paddlewheels*

Poker, Twenty-One, and Paddlewheels may be conducted **Only** with a Restricted Event Permit. Only one permit allowed per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS.

Name of Organization or Group of People permit is issued to	Dates of Activity	If raffle, provide drawing date	
Holy Cross Wild Game Festival	March 9 2023	March 9, 2023	
Organization or Group Contact Person	Title or Position	Telephone Number	
Willie Gartner	Co Chair	701-799-0601	
Business Address	City	State	ZIP Code
2211 7th St. E.	West Fargo	ND	58078
Mailing Address (if different)	City	State	ZIP Code
Site Name (where gaming will be conducted)			
Holy Cross Catholic Church			
Site Address	City	ZIP Code	County
2211 7th St E	West Fargo ND	58078	Cass

Description and Retail Value of Prizes to be Awarded

Game Type	Description of Prize	Retail Value of Prize
Raffle - drawings	Guns - Hunting eqpt - Sports eqpt. Meat Raffle	\$6,000
Add Row	Delete Row	
Total (limit \$40,000 per year)		8,200

Intended Uses of Gaming Proceeds
3 Charities Honor The Range, Project Genesis Park, St. George's County Unwed mothers
Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)
☐ Yes ☒ No
Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1-June 30? (If yes, the organization or group does not qualify for a local permit or restricted event permit)
☐ Yes ☒ No
Has the organization or group received a local permit from any city or county for the fiscal year July 1-June 30? (If yes, indicate the total retail value of all prizes previously awarded)
☐ No ☒ Yes - Total Retail Value: \$2,500 (This amount is part of the total prize limit of \$40,000 per year)
Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be used for political purposes.)
☐ Yes ☒ No

Organization or Group Contact Person

Name	Title	Telephone Number	E-mail Address
Willie Gartner	Co Chair	799 0601	gartner.willie@gmail.com
Signature of Organization or Group's Top Official	Title	Date	
Willie Gartner	Co Chair	12-29-22	

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APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT
 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
 LICENSING SECTION
 SFN 9338 (09-2021)

Applying for (check one)

☒ Local Permit ☐ Restricted Event Permit*
Games to be Conducted ☐ Raffle by a Political or Legislative District Party
☐ Bingo ☒ Raffle ☐ Raffle Board ☐ Calendar Raffle ☐ Sports Pool ☐ Poker* ☐ Twenty-One* ☐ Paddlewheels*
Poker, Twenty-One, and Paddlewheels may be conducted **Only** with a Restricted Event Permit. Only one permit allowed per year.**LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS.**

Name of Organization or Group of People permit is issued to TNT Kids Fitness and Gymnastics	Dates of Activity 1-27-23 - 1-29-23	If raffle, provide drawing date Jan 27th / 28th / 29th	
Organization or Group Contact Person Aaron Crone	Title or Position Meet Director	Telephone Number 701-866-6896	
Business Address 2800 Main Ave	City Fargo	State ND	ZIP Code 58103
Mailing Address (if different)	City	State	ZIP Code
Site Name (where gaming will be conducted) Rustad Center			
Site Address 601 26th Ave E	City West Fargo	ZIP Code 58078	County CASS

Description and Retail Value of Prizes to be Awarded

Game Type	Description of Prize	Retail Value of Prize
50/50 Raffle	raffle winner will win 50% of dollar amount of tickets purchased	No Retail Value
Add Row	Delete Row	
Total (limit \$40,000 per year)		

Intended Uses of Gaming Proceeds	Equipment, coaches training, program needs
Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)	
☐ Yes ☒ No	
Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1-June 30? (If yes, the organization or group does not qualify for a local permit or restricted event permit)	
☐ Yes ☒ No	
Has the organization or group received a local permit from any city or county for the fiscal year July 1-June 30? (If yes, indicate the total retail value of all prizes previously awarded)	
☒ No ☐ Yes - Total Retail Value: (This amount is part of the total prize limit of \$40,000 per year)	
Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be used for political purposes.)	
☐ Yes ☒ No	

Organization or Group Contact Person

Name Aaron Crone	Title Meet Director	Telephone Number 701-866-6896	E-mail Address meetdirector@tntkidsfitness.org
Signature of Organization or Group's Top Official 		Title Meet Director	Date 12/28/22

\$10.00
CK# 4014
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APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
SFN 9338 (09-2021)

Rec'd
12-29-22

Applying for (check one)							
☐ Local Permit		☒ Restricted Event Permit*					
Games to be Conducted							
☐ Raffle by a Political or Legislative District Party							
☐ Bingo	☒ Raffle	☐ Raffle Board	☐ Calendar Raffle	☐ Sports Pool	☐ Poker*	☐ Twenty-One*	☐ Paddlewheels*

Poker, Twenty-One, and Paddlewheels may be conducted **Only** with a Restricted Event Permit. Only one permit allowed per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS.

Name of Organization or Group of People permit is issued to WEST FARGO UNITED GIRLS HOCKEY		Dates of Activity 31DEC2022 - 01APR2023		If raffle, provide drawing date 01APR2023	
Organization or Group Contact Person DOUGLAS SAILER		Title or Position ORGANIZER		Telephone Number 7014123559	
Business Address 2401 34TH AVE S		City FARGO		State ND	ZIP Code 58103
Mailing Address (if different)		City		State	ZIP Code
Site Name (where gaming will be conducted) WEST FARGO SPORTS ARENA					
Site Address 520 32nd Ave W		City West Fargo		ZIP Code 58078	County CASS

Description and Retail Value of Prizes to be Awarded

Game Type	Description of Prize	Retail Value of Prize
RAFFLE	WINCHESTER SHOTGUN	1200 ⁰⁰
RAFFLE	RUGER RIFLE	749 ⁸⁸
RAFFLE	HENRY REPEATING ARMS RIFLE	999 ⁸⁸
Total (limit \$40,000 per year)		

Intended Uses of Gaming Proceeds FUND THE WEST FARGO UNITED (WEST FARGO HS/SHEYENNE) VARSITY WOMENS HOCKEY TEAM EXPENSES	
Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240) ☐ Yes ☒ No	
Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1-June 30? (If yes, the organization or group does not qualify for a local permit or restricted event permit) ☐ Yes ☒ No	
Has the organization or group received a local permit from any city or county for the fiscal year July 1-June 30? (If yes, indicate the total retail value of all prizes previously awarded) ☐ No ☒ Yes - Total Retail Value: (This amount is part of the total prize limit of \$40,000 per year)	
Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be used for political purposes.) ☒ Yes ☐ No	

Organization or Group Contact Person			
Name DOUGLAS SAILER	Title ORGANIZER	Telephone Number 701-412-5841	E-mail Address DOUGLASSAILER@GMAIL.COM
Signature of Organization or Group's Top Official 		Title ORGANIZER	Date 27 Dec 2022

CASH \$10.00
12-29-22

ORDINANCE NO. 1217

AN ORDINANCE TO CREATE AND ENACT CHAPTER 10-08 OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO RELATING TO EXTERMINATION OF INSECTS AND VERMIN.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WEST FARGO, NORTH DAKOTA:

SECTION 1. Chapter 10-08 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby created and enacted to read as follows:

CHAPTER 10-08

EXTERMINATION OF INSECTS AND VERMIN

Sections:

- 10-0801. Operations Prohibited Without License.
- 10-0802. License Required.
- 10-0803. Issuance of License.
- 10-0804. Fees for Licenses.
- 10-0805. Notification of Officers.
- 10-0806. Regulations.
- 10-0807. Penalty for Violation.

10-0801. OPERATIONS PROHIBITED WITHOUT LICENSE. No person, firm, or corporation shall fumigate with any poisonous or dangerous gases, fumes, vapors, or other agents that are liable to endanger the health and lives of human beings when used for the extermination or control of disease germs, household insects, vermin, rodents, or other household pests in any place of domestic habitation, office buildings, stores, markets, warehouses, places of public assembly, asylums, hospitals, or other similar places without first obtaining a license as hereinafter required. No person, firm, or corporation shall commercially engage in the business of exterminating with powders, liquids, sprays, poisonous baits, or other insecticides without first obtaining a license.

10-0802. LICENSE REQUIRED. Any person, firm, or corporation, desiring a license to engage in the business of extermination of disease germs, household insects, vermin, rodents, or other household pests in the City shall make a written application for such a license to the health officer on a form provided for such purpose. Such application shall state whether hydrocyanic acid gas or similar dangerous gases or fumigants, or exterminators, or insecticides are to be used for fumigating purposes. The term

"fumigant" shall mean and include any substance which by itself or in combination with any other substance emits or liberates a gas, fumes, or vapors, which gas, fumes, or vapors when liberated and used for the destruction or control of insects, vermin, germs, rodents, or other pests is lethal, poisonous, noxious, or dangerous to human life. The terms "exterminator" or "insecticide" as used herein shall mean and include any substance, not a fumigant, under whatever name known, used for the destruction or control of insects, vermin, germs, rodents, or other pests. In addition, the applicant shall file with the health officer, a sworn statement, listing the training and experience tending to qualify the applicant desiring to engage in the business of exterminating with dangerous and poisonous gases, fumes, vapors, or other agents. The health officer may also examine applicants by giving such oral or written examination as he deems necessary. The health officer is authorized to appoint an advisory board of three representatives of the fumigating industry to confer with him upon matters of technical information with reference to said business and to assist him in drafting questions for such examinations as he deems necessary to determine the fitness and reliability of the applicant and to ascertain his knowledge of the requirements of said business as set forth in this ordinance. Every person and every firm or corporation, by an officer or agent, engaged in exterminating work shall be required to obtain a license for such work, and no employee of such person, firm, or corporation shall be permitted to do any work for the person, firm, or corporation while engaged in exterminating work unless such employee is under the immediate supervision of a licensed exterminator employed by the person, firm, or corporation.

10-0803. ISSUANCE OF LICENSE. The health officer shall issue a license to applicants when he believes them to be qualified to engage in the business of exterminating or fumigating with dangerous and poisonous gases, fumes, vapors, or other agents.

10-0804. FEE FOR LICENSES. The annual license fee for any person, firm, or corporation engaging in the exterminating business shall be as established by resolution of the Board of City Commissioners. The approval of the health officer for the renewal of the licenses as provided for by this section shall be obtained before such a license is renewed.

10-0805. NOTIFICATION OF OFFICERS. It shall be the duty of every person, firm, or corporation holding a license under this article for fumigating with dangerous gases, fumes and vapors, to notify in writing the health department, fire department, and police department at least 24 hours before starting to fumigate any premises, except that in case of emergency, notification may be made by telephone immediately preceding fumigation, to be followed by written notice. Such notice shall give the location of the building or enclosed space to be fumigated, as well as the day and hour when the work will be performed. Representatives of these

departments may or may not inspect such premises before, during, or after the fumigation, but under no circumstances will the representatives of such departments or the city assume any responsibility for the work of the licensee. Greenhouses, specially constructed vaults, and other places performing their own fumigation are not required to obtain a license under the provisions of this article and are not required to notify the above-named departments whenever they fumigate, providing these places are so located or so constructed as not to endanger the health or lives of occupants or frequenters of these places and nearby buildings or persons in the vicinity.

10-0806. REGULATIONS. When dangerous gases, fumes, or vapors are used for exterminating purposes, the following procedure shall be followed:

1. Notification of occupants and vacating of premises. Before fumigation, the operator shall personally inspect the premises, and shall serve notice, over his signature, upon all responsible occupants of each room or apartment within the danger area, stating the danger of the process and the precautions to be observed, designating the rooms or apartments which must be vacated, and indicating the time when the gas is to be generated and liberated. The form of this notice shall be approved by the health officer. Every room in the danger area shall be vacated. In the case of a building in which there is an inner court, vent shaft, or light well, or a lot-line court with a partywall, or in the case of two buildings having adjacent lot-line courts, upon which any room being gassed opens, every room, with windows or other apertures opening to such inner or lot-line courts, vent shafts or light wells, shall be vacated or the windows remain closed until the fumigation room is thoroughly ventilated. Where the walls of any adjoining buildings are located within 10 feet of the rooms or apartments being gassed, the operator shall notify, over his signature, all responsible occupants of rooms or apartments with window openings in such wells that such windows are directly opposite or above the area of the adjoining building which is under gas and must remain closed, or the rooms vacated, during the time the building gassed is being flushed or aired. All rooms or apartments ordered vacated but not under gas shall be ventilated during the process by keeping the windows or rooms or apartment open.

The operator placing or liberating toxic gas during the process of fumigation and while he is entering and airing out the premises during said process and immediately thereafter shall be properly protected and safeguarded by

being equipped with a mask approved by the health officer and suitable gloves.

Vacating of premises and notification of occupants shall not be necessary where the fumigation is done in special rooms or vaults in furniture stores, secondhand stores, or household goods warehouses, when such special rooms or vaults are approved as to their location, construction, and gas-tightness by the fire department and a provision is made for the airing of such vaults so as to allow the escape of gases, fumes, or vapors at such location where it is not dangerous, by a system of ducts and ventilation approved by the fire department.

2. The danger area. The danger area is those portions of any structure or dwelling which lie within the boundary of the outside of the building under gas, the roof, the basement or cellar floor, and such cutoff or firewalls as may exist in the structure in question. Such cutoff or fire walls shall be of solid masonry, gas tight, at least eight inches in thickness, extending from the basement through the attic, with all openings locked and guarded against entry and effectively sealed against gas leakage.
3. Sealing rooms. Before fumigation with dangerous gases, fumes, or vapors, it is required that the operator shall securely seal all cracks, holes, crevices, openings, and apertures in walls, ceilings, and floors in such a way as to confine the gas to the premises intended to be fumigated.
4. Locking rooms and adjoining rooms or apartments. Before fumigation, it is required that the operator shall personally inspect all rooms and apartments ordered vacated under subdivision (A) above, and be assured that they are unoccupied by persons or domestic animals, and that all fish and growing plants have been removed; afterward all doors to all apartments, excepting one exit door to the rooms or apartments to be gassed, shall be securely locked; in addition, such windows or other wall openings as might possibly be used to gain entrance shall be locked or barred in such a way as to prevent entrance while still permitting thorough airing of the room. Immediately upon generating or liberating the gas, the door through which the operator leaves shall be securely locked and sealed, and all keys obtainable to all rooms or apartments ordered vacated shall be retained by the operator until all danger is past. As an additional precaution, all rooms and apartments vacated shall be placarded.

5. Warning card. Prior to releasing the gas, suitable warning signs shall be posted on all entrances or doors to the premises to be fumigated:

Skull and Crossbones Symbol	DANGER Fumigating With Poisonous Gas KEEP OUT	Skull and Crossbones Symbol
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By order of the West Fargo Fire Department (name and address of licensee as well as telephone number).

Such signs shall be printed in red ink on white cardboard. The letters in the word "DANGER" shall be at least two inches high, all others except signature, at least three-fourths of an inch high. At night, whenever possible, such signs shall be illuminated so as to make the reading matter thereon plainly legible.

6. Guards. Whenever dangerous gases, fumes, or vapors are generated or liberated in any room or portion of a structure in the city, a sufficient number of capable, alert watchmen shall remain on duty at the entrance to the building, room, or other enclosed space to prevent people from entering or attempting to enter while gas is present and for two hours after the room or area gassed is open for aeration and ventilation. All guards or watchmen shall be reliable persons and must be acceptable as proper guards by the health officer. The licensee shall be held strictly responsible and accountable for the conduct of the guards or watchmen. In every case where the entire building is not vacated, the licensee or his approved representative shall remain on the job during the progress of fumigation and airing and shall constantly supervise the occupancy of the structure to ensure that no person will be endangered or inconvenienced by gas leakage. Guards are not compulsory when one- or two-family residences are fumigated.
7. Opening of rooms after gassing. At the conclusion of the gassing process, it shall be the duty of the operator to throw open doors and windows of the premises until all rooms have been opened for free access of air. No person other than the operator shall be permitted to enter the premises until all traces of the gas have disappeared. No room or space, except where the whole building is vacated, shall be left under gas after the time of sunset. Warnings posted where the natural light between sunrise and sunset is dim shall be artificially illuminated.

8. Disposal of chemical residue. The operator shall pour the residue left in the jars or containers which held the chemicals and the water used for cleaning such jars or containers down the toilet bowl, which shall then be flushed thoroughly with water to remove all traces of the chemicals.
9. Powers of health officer. The health officer is further authorized and directed to give 30 days' notice of his intention to add or change rules and regulations with reference to the fumigating industry to representatives of said industry.
10. Separability. It is the intent of the Board of City Commissioners that the provisions of this chapter are separable, and if any provision or part of this Chapter shall be held unconstitutional by any court having competent jurisdiction, such decision shall not affect the validity of any other part of this Chapter. Such other parts shall remain in full force and effect.

10-0807. PENALTY FOR VIOLATION. The license of any person, firm, or corporation violating any of the provisions of this Chapter may be revoked by the Board of City Commissioners, who shall give due hearing to the licensee before such revocation. The licensee shall be given 10 days' certified mail notice of any such hearing.

SECTION 2. Effective Date. This ordinance shall be in full force and effect from and after the date of its final passage and publication.

President of Board of City
Commissioners of the City of
West Fargo, North Dakota

ATTEST:

City Auditor

Date of First Reading:

Date of Second Reading:

Date of Publication:



LETTER AGREEMENT FOR PROFESSIONAL SERVICES

December 13, 2022

Mr. Matt Andvik, Public Works Director
City of West Fargo
810 12th Ave NW
West Fargo, ND 58078

Re: Professional Consulting and Engineering Services for Sanitation Utility Rate and Operation Study

Dear Mr. Andvik,

In accordance with your request, we are pleased to submit our proposed letter agreement for professional services on the referenced Project as follows. If acceptable, please sign where indicated and return a fully executed copy to the undersigned. Any proposed changes are subject to our acceptance in writing. For purposes of this Agreement, City of West Fargo is hereafter referred to as the CLIENT and Burns & McDonnell Engineering Company, Inc. is hereafter referred to as the CONSULTANT.

PROJECT:

CLIENT requests CONSULTANT to provide Services as set out in this Letter Agreement on the following Project.

- A. Sanitation Utility Rate and Operation Study

SCOPE OF SERVICES:

The Services to be provided by CONSULTANT for CLIENT are as follows:

- A. The services are described in detailed in the attached Exhibit A.

RESPONSIBILITIES OF CLIENT:

It is our understanding CLIENT will provide the following:

- A. Assistance by placing at CONSULTANT's disposal all available information pertinent to the Scope of Services on this Project, including previous reports and any other data relative thereto. CONSULTANT shall rely on information made available by CLIENT as accurate.

COMPENSATION:

- A. Amount of Payment

1. For Services performed, CLIENT shall pay CONSULTANT as follows:
 - a. For time spent by personnel, payment at the hourly rates indicated in the attached "Schedule of Hourly Professional Service Billing Rates" Form WestFargo22 in Exhibit B. Such rates include overhead and profit. The rate schedule is effective to December 31, 2023, and will be increased annually thereafter.
 - b. For photocopy, telephone, fax, normal computer usage and computer-aided drafting (CAD), and mail, a technology charge per labor hour as specified on the rate schedule in effect at the time the Service is provided.



City of West Fargo
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- c. For expenses incurred by CONSULTANT, such as authorized travel and subsistence, including airfare, food, lodging, automobile rental, commercial services, and incidental expenses, the cost to CONSULTANT.
 - d. For Services rendered by other firms or individuals as subcontractors to CONSULTANT, the CLIENT will be billed at the hourly rates indicated in the "Schedule of Hourly Professional Service Billing Rates" Form WestFargo22 in Exhibit B. Expenses incurred by such outside consultants in service to CLIENT shall be reimbursable in accordance with 1.c. above.
- 2. Taxes: Any sales or use taxes, or their equivalent, imposed by state, local or other authorities shall be in addition to the compensation stated under "Amount of Payment."
 - 3. Total payment for the Scope of Services described herein, not including expenses, is estimated to be One hundred five thousand, five hundred Dollars (\$105,500), but is not a guaranteed maximum, however this amount shall not be exceeded without prior written consent of CLIENT.
 - 4. Statements:
 - a. Monthly statements shall be submitted by CONSULTANT to CLIENT covering Services performed and expenses incurred during preceding month.
 - b. Statements will set forth: hours worked by each staff person, total hours worked and total labor billing, and a summary of expenses and charges. Upon request, documentation of reimbursable expenses included in the statement will be provided.

TERMS AND CONDITIONS:

The attached Terms and Conditions for Professional Services is incorporated and made a part of this Agreement.

We appreciate the opportunity to present this proposed agreement. If it is acceptable, please sign and return one copy for our file.

Sincerely,

Robert W. Craggs
Project Manager

Stephen R. Hoffine
Principal

Enclosures:

Exhibit A: Scope of Services
Exhibit B: Schedule of Hourly Professional Service Billing Rates
Terms and Conditions for Professional Services



City of West Fargo
December 13, 2022
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ACCEPTED:

CITY OF WEST FARGO

By: _____

Title: _____

Date: _____

Exhibit A

Scope of Work

Work Plan and Project Methodology

Detailed Work Plan

Task 1: Project Initiation and Management

Subtask 1A: Project Scoping Meeting

Upon being selected, the Project Manager will work with City representatives to schedule an in-person meeting (virtual if preferred) to finalize the proposed scope of work, schedule, and fee. The outcomes of this meeting will provide the basis for the finalized contract for services.

Subtask 1B: Initial Data Request and Review

Following receipt of the Notice to Proceed, Burns & McDonnell will provide the City with a Request for Information (RFI) that will encompass data needs for completing the Study including program, operational, and financial items to be addressed. This task also includes compiling and preliminary review of the data and information received. We recognize that the City may not have all the information requested, readily available or may track information differently than requested. We will work with City representatives to identify reasonable substitutes for the key data, if needed.

Subtask 1C: Kick-off Meeting and Project Management

An in-person kick-off meeting (virtual if preferred) will be scheduled following receipt of a notice to proceed. Because the project scoping meeting will provide an opportunity to finalize the detailed scope of work, the kick-off meeting will focus on discussing the project objectives, key issues, and the data and information provided in response to the RFI. Burns & McDonnell will provide the meeting agenda and any handout materials at least two days in advance of the kick-off meeting. During the meeting, we will also identify primary contacts for our Project Team and the City and establish protocol for the exchange of information and the resolution of issues that arise in the normal course of the project.

To provide effective communication between Project Team members and the City, the project manager will schedule and participate in monthly virtual meetings with the City throughout the project. Key staff will also participate in these meetings when appropriate. Virtual meetings will be facilitated using Microsoft Teams. An agenda will be developed for each meeting addressing ongoing project work, project needs, schedule update, budget status, and other relevant issues. A summary of each meeting will be prepared and forwarded to the City after each meeting. In addition, we propose to invoice the City on a monthly basis.

Deliverables:

- ▶ Executed Professional Services Agreement
- ▶ Kick-off meeting agenda and summary
- ▶ Monthly meeting agendas and summaries

Task 2: Existing Conditions

To develop an understanding of the City's current solid waste management program, we propose to meet with the City's study committee representatives, review the City's responses provided to the RFI, conduct facility site visits, and observe program operations. This proven approach offers both an efficient, but thorough approach to gaining an understanding of the City's Sanitation Division's policies, facilities, and operations.

It is our understanding the City has the following operations and facilities:

- ▶ Residential refuse, bulky, and brush collection via City staff
- ▶ Residential recycling collection via contract vendor

- ▶ Commercial refuse collection via City staff, contract vendors, and open market
- ▶ Commercial recycling through open market
- ▶ Household hazardous waste collection
- ▶ Transfer Station owned and operated by the City
- ▶ MSW Disposal via contract
- ▶ Inert Landfill owned and operated by the City

An in-person meeting (virtual if preferred) with the City's study committee will be scheduled to discuss the City's services and facilities. In conjunction with this meeting, the Project team will complete the following:

- ▶ Observe up to two City residential and up to two commercial refuse collection routes
- ▶ Conduct a site visit of the City's transfer station
- ▶ Conduct a site visit of the inert landfill
- ▶ Site visits of potential sites

The objectives of the collection observations are to gain an understanding of routing, number of households served, and overall collection densities. We propose to meet with the City's lead collection staff prior to undertaking observations to select routes, gain buy-in, and gather feedback surrounding current operational challenges. It is our understanding the City recently purchased commercial routing software. As part of our review, we will observe and comment on the City's application of the software to increase collection efficiencies. The objectives of the site visits are to gain an understanding of the respective facilities' site layouts, staffing, equipment, materials handling, and overall operational concerns. We anticipate these activities would be conducted over a two-day timeframe using up to three project team members.

We will develop a written description of the existing solid waste program and services based on the review activities described above and the responses to the RFI. This description will be forwarded to the City Study Committee for review and comment. An in-person working session (virtual if preferred) will be scheduled to review and finalize the description of the current system.

Deliverable:

- ▶ Description of existing program and services

Task 3: Operation and Service Analysis

Subtask 3A: Community Benchmarking

To initiate this task, we will identify up to five communities to benchmark the City's services. Through our internal database and extensive work in the region, we will provide the City with a shortlist of communities to consider. This list of benchmark communities will be composed of similar sized communities as well as communities offering similar type of services within the region. Other factors to consider will include available private vendor service offerings, market pricing, and access to materials processing and disposal options. Potential benchmark communities include Minot, Williston, Dickinson, and Grand Forks and other communities throughout the Midwest. We previously assisted or are currently assisting all of these cities with their solid waste management program challenges.

Subtask 3B: Options Analysis

Based on our industry experience and the outcomes from Task 2 and Subtask 3A, we will identify opportunities for improving the services and operations provided to the residential, commercial, and City facilities' customers.

Key issues to review but are not limited to include:

- ▶ Should the City continue to provide commercial refuse and roll-off collection or defer to the open market?
- ▶ What benefits are associated with delivery of residential recycling collection using City staff as opposed to the current approach via private contract?
- ▶ How should the City mitigate customer out-of-cart set-outs to improve collection efficiencies and maintain customer satisfaction with overall service?

- ▶ Are there more efficient alternatives for the City to deliver curbside collection services, such as a 4-day work schedule, alternative types of automated vehicles, separate bulky materials collection?
- ▶ What is the optimal number of yard waste and recycling drop-sites? How has the increase in the number of individuals working at home because of COVID 19 impacted these sites? What are best practices for operating these sites?
- ▶ As the City continues to grow, what methods should be used to efficiently add routes and optimize existing collection routes?

Overall, we will develop a preliminary list of strategies and options for the City to consider.

Deliverables:

- ▶ Benchmarking of community solid waste management programs
- ▶ Preliminary list of options for improving operations and services

Task 4: Infrastructure Analysis

Based on our industry experience and the outcomes from Task 2, we will develop a baseline of the existing solid waste facilities – transfer station and inert landfill. The baseline will include a description of each of these facilities, site layout, operations, characterize the current quantities of materials handled at each facility, and applicable customer rates. It is our understanding the City recently initiated a study to estimate the remaining airspace capacity at the inert landfill. Using the baseline quantities, historical growth in materials generated, population projections from the North Dakota Department of Commerce, and other relevant sources, we will estimate 10-year materials flow projections for each facility.

These projections will be used to determine the capacity and operational needs for both the transfer station and inert landfill. We will identify opportunities for improvement based on the infrastructure needs for the future.

Key issues to consider include the following:

- ▶ With the inert landfill having limited remaining capacity, using historical levels of receipts, what alternatives should be considered? Permit increased capacity at existing facility? Develop a new facility at an alternative location? Co-locate with other Public Works facilities to increase operational efficiencies? Other options?
- ▶ With the City discontinuing the curbside collection of building materials, how has this impacted materials handling at the inert landfill and the transfer station? Are best management practices being used to handle the materials?
- ▶ With continued population growth expected in the community, does the current transfer station have adequate capacity to handle the projected increase in refuse collected by the City? Should the current transfer station be expanded? What are the projected space needs for staff and equipment storage? Develop a new facility at an alternative site? Co-locate with other Public Works facilities to increase operational efficiencies?
- ▶ The transfer station is open to residents for the drop-off of household refuse, demolition materials, appliances and bulky items. Is the facility site optimally designed for increased use by both by City commercial vehicles and self-haul residents? What design changes should be considered to improve safety for customers and staff? Are best management practices being used to handle and consolidate the materials?

Overall, we will develop a preliminary list of strategies and options for the City to consider.

Deliverable:

- ▶ Preliminary list of options for improving infrastructure

Task 5: Utility Rate Analysis

The cost-of-service analysis methodology must provide a clear understanding of the current program costs to provide a sound basis for developing a utility forecast and rate recommendations. Our proposed methodology provided below is consistent with industry best practices for completing solid waste costs of service and

ratemaking and is consistent with work we have completed for communities across the United States, as highlighted below in the project experience section.

Subtask 5A: Baseline Cost-of-Service

A “Test Year” is a common term in cost-of-service studies that refers to an adjusted fiscal year budget that is used as a basis for determining cost-of-service. The Test Year should be representative of typical conditions, with adjustments for any unusual or one-time expenses. Any projected non-recurring expenses or revenues will be identified and incorporated into the financial forecast. The Project Team will work with the City to develop an accurate Test Year revenue requirement reflecting the revenue required to meet all operating and maintenance (O&M) costs, debt service, and capital expenditures.

The goal of this task will be to document the current full cost of the City’s various solid waste services and to allocate these costs to the appropriate cost centers to establish the baseline cost-of-service. As part of this task, the Project Team will complete the following:

- ▶ Review current and historical financial data collected as part of the RFI.
- ▶ Summarize and analyze the current solid waste fees to benchmark with other communities. Solid waste management customer rates from benchmark communities will be collected in Subtask 3A for comparison. For example, it is our understanding that the West Fargo single family residence monthly solid waste rate is \$17.50 for garbage and recycling collection with no volume restrictions. We will compare this single-family rate with similar services to the West Fargo rate. For some communities, bulky items and recycling collection are offered as additional services with additional costs to respective customers beyond refuse collection. Therefore, we may need align fees and services for an accurate comparison.
- ▶ Develop revenue requirements for the Test Year, which includes, but not limited to, the following types of costs:
 - Operational and maintenance
 - General fund and administrative overhead
 - Capital equipment and facility costs (current and future needs)
 - Current and anticipated long-term liabilities and debt obligations
 - Working capital and reserve funds requirements
- ▶ Work with the City to define cost centers: Cost centers will be based on the primary services provided by the Sanitation Division and will be refined based on input from City staff. A preliminary listing of cost centers may include Residential Collection, Residential Recycling, Commercial Collection, Yard Waste Management, Transfer Station, Inert Landfill Disposal, MSW Landfill Disposal, Administration.
- ▶ Work with the City to allocate Test Year costs to the cost centers in the cost allocation model.
- ▶ Develop an infrastructure and vehicle/equipment replacement analysis to account for growth and replacement using the current fleet plan.
- ▶ Assist the City in developing or modifying a cost allocation strategy that captures capital, debt, operations, and maintenance costs, as well as indirect costs (administration and overhead) for each of the targeted services.
- ▶ Allocate cost centers to customer classes.
- ▶ Determine billing units and calculate the cost-of-service.

Subtask 5B: Forecasted Cost-of-Service

In addition to calculating the current costs-of-service for the Test Year, the Project Team will project the future costs-of-service for a 10-year time frame and will allocate these costs to the appropriate cost centers. The Project Team will work in conjunction with the City to develop an accurate forecast for the status quo. To develop the forecast, we will examine historical budgets and audited financials and, utilizing input from City staff, will develop a forecast that incorporates projected changes for the forecasted period. We will work with the City to identify key assumptions in developing the projected revenue requirements including, but not limited to projected growth rate, inflation rates, operational changes, and capital improvement plans for fleet, equipment, and facilities.

Subtask 5C: Ratemaking

Upon selecting the preferred strategies and options in Task 6, we will finalize the key cost-of-service assumptions and develop projected revenue requirements over the 10-year planning period. The revenues generated with the current residential, commercial, and inert landfill rates will be used to estimate current revenues. The difference between the current and projected revenues over the 10-year planning period will be calculated to determine the anticipated revenue gap. Using this information, recommended rate adjustments will be provided to cover the revenue gaps throughout the planning period. The results of this analysis will be presented to the City Study Committee for review and comment.

Deliverable:

- ▶ Cost-of-services analysis
- ▶ Recommended program rate adjustments

Task 6: Goals, Objectives, and Policies

An in-person work session (virtual if preferred) will be scheduled with the City's Study Committee to review the outcomes of Tasks 3, 4, and 5 (excluding the ratemaking). The purpose of the work session will be to identify program goals, policies, and objectives to provide a basis for selecting the preferred options to incorporate into the utility rate analysis for consideration. The Project Manager will lead a facilitated discussion to capture the Study Committee's overall vision for the future. Using this vision, the City Team will select its preferred options. These options may address the following:

- ▶ Changes to program services
- ▶ Adjustments to service delivery (e.g., staffing, schedule changes)
- ▶ Modifications of current the transfer station and inert landfill facilities
- ▶ Permitting of new facilities
- ▶ Alternative equipment
- ▶ Others

Upon selecting the preferred options, the cost assumptions will be developed for each preferred option and incorporated into Task 5C: Ratemaking. The outcomes of the analysis will then be used to finalize the selected options and accompanying recommended fee adjustments over the 10-year planning period.

Then, a summary description of the goals, objectives, policies, recommended program and service changes, and recommended rate adjustments will be drafted and forwarded to the City for review and comment.

Deliverable:

- ▶ Description of solid waste management program goals, objectives, policies, recommended program changes, and accompanying rate adjustments

Task 7: Implementation Plan

Based on the outcomes of Task 6, a draft implementation plan will be developed identifying the specific action items, recommended schedule within the 10-year planning period, and the responsible staff leads. A matrix will be developed depicting this plan to easily convey the "blueprint" for achieving the City's goals and objectives. A set of qualitative and quantitative key performance indicators (KPIs) will be proposed (if applicable) to the City and finalized to monitor the progress of implementing the plan. To monitor plan implementation, a sample visual "dashboard" will be created for use by City staff and, potentially, to share selective components with residents on the City's website.

Deliverable:

- ▶ Matrix depicting the recommended actions, timeframe, and responsible staff
- ▶ Recommended key performance indicators (KPIs)
- ▶ Sample visual dashboard to monitor progress

Task 8: Report

The deliverables from Tasks 2 through 7 will be compiled into a draft report and forwarded to the City study committee for review and comment. The draft report will be organized as follows:

- ▶ Executive Summary
- ▶ Introduction and Study Background
- ▶ Current Solid Waste Management Programs and Facilities
- ▶ Operations and Services Evaluation
- ▶ Infrastructure Evaluation
- ▶ Costs of Services Analysis
- ▶ Future Program Goals, Objectives and Policies
- ▶ Recommendations and Implementation Plan

Upon receiving consolidated comments from the City, a virtual meeting will be scheduled to discuss the City's comments and finalize the report. An electronic PDF version will be forwarded to the City and the Project Manager will present the findings and results at one in-person meeting.

Deliverable:

- ▶ Draft report
- ▶ Final report
- ▶ Presentation in PowerPoint format summarizing findings and recommendations

Project Meetings

The proposed scope of work includes five in-person meetings and monthly update meetings which may be virtual or "hybrid" with in-person and virtual project team participation.

Milestones

**City of West Fargo
Utility Rate and Operations Study Schedule**

Task	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
Project Management						
Existing Conditions						
Operation and Service Analysis						
Infrastructure Analysis						
Utility Rate Analysis						
Goals, Objectives, and Policies						
Implementation Plan						
Report						

Upon receiving a notice to proceed, we propose to complete this project in 6 months. In addition, we understand the City will initiate its annual budgeting process prior to this project being completed and, thus, we will work with the City to provide key financial inputs to support its process.

Exhibit B
Schedule of Hourly Professional Service Billing Rates

<u>Position Classification</u>	<u>Classification Level</u>	<u>Team Member</u>	<u>Hourly Billing Rate</u>
General Office *	5		\$65.00
Technician *	6		\$90.00
Assistant *	7		\$105.00
	8	Charlie Knack Cindy Picka	\$142.00
	9	Cassidy Tieman Eric Clapper	\$165.00
Staff *	10	Jonathan Ghysels	\$195.00
	11		\$205.00
Senior	12		\$220.00
	13		\$230.00
Associate	14		\$250.00
	15	Matt Evans Seth Cunningham	\$255.00
	16		\$260.00
	17	Robert Craggs Fred Doran Steve Burian	\$265.00

NOTES:

1. Position classifications listed above refer to the firm's internal classification system for employee compensation. For example, "Associate", "Senior", etc., refer to such positions as "Associate Engineer", "Senior Architect", etc. For any specific personnel not listed above, the Client will be billed at the applicable position classification.
2. For any nonexempt personnel in positions marked with an asterisk (*), overtime will be billed at 1.5 times the hourly labor billing rates shown.
3. For outside expenses incurred by Burns & McDonnell, such as authorized travel and subsistence, the client shall pay the cost to Burns & McDonnell. For services rendered by subcontractors, the client shall pay the applicable hourly rates identified above.
4. A charge will be applied at a rate of \$8.00 per labor hour for technology usage, software, hardware, printing & reprographics, shipping and telecommunications. Specialty items are not included in the technology charge.
5. Monthly invoices will be submitted for payment covering services and expenses during the preceding month. Invoices are due upon receipt. A late payment charge of 1.5% per month will be added to all amounts not paid within 30 days of the invoice date.
6. The services of contract/agency and/or any personnel of a Burns & McDonnell subsidiary or affiliate shall be billed to Owner according to the rate sheet as if such personnel is a direct employee of Burns & McDonnell.
7. The rates shown above are effective for services through December 31, 2023, and are subject to revision thereafter.



TERMS AND CONDITIONS FOR PROFESSIONAL SERVICES

Project: Sanitation Utility Rate and Operation Study	Date of Letter, Proposal, or Agreement: December 13, 2022
Client: City of West Fargo	Client Signature:

1. SCOPE OF SERVICES

For the above-referenced Project, Burns & McDonnell Engineering Company, Inc. (BMcD) will perform the services set forth in the above-referenced Letter, Proposal, or Agreement, in accordance with these Terms and Conditions. BMcD has relied upon the information provided by Client in the preparation of the Proposal, and shall rely on the information provided by or through Client during the execution of this Project as complete and accurate without independent verification.

2. PAYMENTS TO BMCD

A. Compensation will be as stated in the above-referenced Letter, Proposal, or Agreement. Statements will be in BMcD's standard format and are payable upon receipt. Time is of the essence in payment of statements, and timely payment is a material part of the consideration of this Agreement. A late payment charge will be added to all amounts not paid within 30 days of statement date and shall be calculated at 1.5 percent per month from statement date. Client shall reimburse any costs incurred by BMcD in collecting any delinquent amount, including reasonable attorney's fees. If a portion of BMcD's statement is disputed, Client shall pay the undisputed portion by the due date. Client shall advise BMcD in writing of the basis for any disputed portion of any statement.

B. Taxes as may be imposed on professional consulting services by state or local authorities shall be in addition to the payment stated in the above-referenced Letter, Proposal, or Agreement.

3. INSURANCE

A. During the course of performance of its services, BMcD will maintain Worker's Compensation insurance with limits as required by statute, Employer's Liability insurance with limits of \$1,000,000, Commercial General Liability with limits of \$1,000,000 per occurrence and \$2,000,000 general aggregate, and Automobile Liability insurance with combined single limit of \$1,000,000 per accident.

B. If the Project involves on-site construction, construction contractors shall be required to provide (or Client may provide) Owner's Protective Liability Insurance naming Client as a Named Insured and BMcD as an Additional Insured or to endorse Client and BMcD using ISO forms CG 20 10 0704 & CG 20 37 0704 endorsements or their equivalents as Additional Insureds on all construction contractor's liability insurance policies covering claims for personal injuries and property damage in at least the amounts required of BMcD in 3A above. Construction contractors shall be required to provide certificates evidencing such insurance to Client and BMcD. Contractor's compensation shall include the cost of such insurance including coverage for contractual and indemnification obligations herein.

C. Client and BMcD release each other and waive all rights of subrogation against each other and their officers, directors, agents, or employees for damage covered by property insurance and self-insurance during and after the completion of BMcD's services. A provision similar to this shall be incorporated into all construction contracts entered into by Client, and all construction contractors shall be required to provide additional insured coverage and waivers of subrogation in favor of Client and BMcD for damage covered by any construction contractor's policies of insurance.

4. INDEMNIFICATION

A. To the extent allowed by law, Client will require all construction contractors to indemnify, defend, and hold harmless Client and BMcD from any and all loss where loss is caused or alleged to be caused in whole or in part by the construction contractors, their employees, agents, subcontractors or suppliers.

B. If this Project involves construction and BMcD does not provide consulting services during construction including, but not limited to, on-site monitoring, site visits, site observation, shop drawing review, and/or design clarifications, Client agrees to indemnify and hold harmless BMcD from any liability arising from this Project or Agreement, except to the extent caused by BMcD's negligence.

5. PROFESSIONAL RESPONSIBILITY- LIMITATION OF REMEDIES

A. BMcD will exercise reasonable skill, care, and diligence in the performance of its services and will carry out its responsibilities in accordance with customarily accepted professional practices. If BMcD fails to meet the foregoing standard, BMcD will perform at its own cost, the professional services necessary to correct errors and omissions reported to BMcD in writing within one year from the completion of BMcD's services for the Project. No warranty, express or implied, is included in this Agreement or regarding any drawing, specification, or other work product or instrument of service.

B. In no event will BMcD be liable for any special, indirect, or consequential damages including, without limitation, damages or losses in the nature of increased Project costs, loss of revenue or profit, lost production, claims by customers of Client, and/or governmental fines or penalties. Nothing herein shall be deemed a waiver by Client of the limits of liability set forth in N.D.C.C. § 32-12.1-03 or a waiver of any available immunities or defenses. The Client's obligation to hold and save BMcD harmless shall be limited by the limitations of liability set forth in N.D.C.C. § 32-12.1-03 as amended from time to time.

C. BMcD's aggregate liability for all damages connected with its services for the Project not excluded by the preceding subparagraph, whether or not covered by BMcD's insurance, will not exceed \$100,000.

D. These mutually negotiated obligations and remedies stated in this Paragraph 5, Professional Responsibility – Limitation of Remedies, are the sole and exclusive obligations of BMcD and remedies of Client, whether liability of BMcD is based on contract, warranty, strict liability, tort (including negligence), indemnity, or otherwise.

6. PERIOD OF SERVICE AND SCHEDULE

The provisions of this Agreement have been agreed to in anticipation of the orderly and continuous progress of the Project through completion of the services stated in the Proposal. BMcD's obligation to render services hereunder will extend for a period that may reasonably be required for the completion of said services. BMcD shall make reasonable efforts to comply with deliverable schedules (if any) and consistent with BMcD's professional responsibility.

7. COMPUTER PROGRAMS OR MODELS

Any use, development, modification, or integration by BMcD of computer models or programs does not constitute ownership or a license to Client to use or modify such computer models or programs.

8. ELECTRONIC MEDIA AND DATA TRANSMISSIONS

A. Any electronic media (computer disks, tapes, etc.) or data transmissions furnished (including Project Web Sites or CAD file transmissions) are for Client information and convenience only. Such media or transmissions are not to be considered part of BMcD's instruments of service. BMcD, at its option, may remove all indicia of its ownership and involvement from each electronic display.

B. BMcD shall not be liable for loss or damage directly or indirectly, arising out of Client's use of electronic media or data transmissions.

9. DOCUMENTS

A. All documents prepared by BMcD pursuant to this Agreement are instruments of service in respect of the Project specified herein. They are not intended or represented to be suitable for reuse by Client or others in extensions of the Project beyond that now contemplated or on any other Project. Any reuse, extension, or completion by Client or others without written verification, adaptation, and permission by BMcD for the specific purpose intended will be at Client's sole risk and without liability or legal exposure to BMcD.

B. In the event that BMcD is to reuse, copy or adapt all or portions of reports, plans, or specifications prepared by others, Client represents that Client either possesses or will obtain permission and necessary rights in copyright, patents, or other proprietary rights and will be responsible for any infringement claims by others. Client warrants the completeness, accuracy, and efficacy of the information, data, and design provided by or through Client (including prepared for Client by others), for which BMcD shall rely on to perform and complete its services.

10. ESTIMATES, SCHEDULES, FORECASTS, AND PROJECTIONS

Estimates, schedules, forecasts, and projections prepared by BMcD relating to loads, interest rates and other financial analysis parameters, construction costs and schedules, operation and maintenance costs, equipment characteristics and performance, and operating results are opinions based on BMcD's experience, qualifications, and judgment as a professional. Since BMcD has no control over weather, cost and availability of labor, cost and availability of material and equipment, cost of fuel or other utilities, labor productivity, construction contractor's procedures and methods, unavoidable delays, construction contractor's methods of determining prices, economic conditions, government regulations and laws (including the interpretation thereof), competitive bidding or market conditions, and other factors affecting such estimates or projections, BMcD does not guarantee that actual rates, costs, quantities, performance, schedules, etc., will not vary significantly from estimates and projections prepared by BMcD.

11. POLLUTION

In view of the uncertainty involved in investigating and recommending solutions to environmental problems and the abnormal degree of risk of claims imposed upon BMcD in performing such services, notwithstanding the responsibility of BMcD set forth in Paragraph 5A to the maximum extent allowed by law, Client agrees to release, defend, indemnify and hold harmless BMcD and its officers, directors, employees, agents, consultants and subcontractors from all liability, claims, demands, damages, losses, and expenses including, but not limited to, claims of Client and other persons and organizations, reasonable fees and expenses of attorneys and consultants, and court costs, except where there has been a final adjudication that the damages were caused by BMcD's willful disregard of its obligations under this Agreement. Such indemnification includes claims arising out of, or in any way relating to, the actual, alleged, or threatened dispersal, escape, or release of, or failure to detect or contain, chemicals, wastes, liquids, gases, or any other material, irritant, contaminant, or pollutant. Nothing herein shall be deemed a waiver by Client of the limits of liability set forth in N.D.C.C. § 32-12.1-03 or a waiver of any available immunities or defenses. The Client's obligation to hold and save BMcD harmless shall be limited by the limitations of liability set forth in N.D.C.C. § 32-12.1-03 as amended from time to time.

12. ON-SITE SERVICES

A. Project site visits by BMcD during investigation, observation, construction or equipment installation, or the furnishing of Project representatives shall not make BMcD responsible for construction means, methods, techniques, sequences, or procedures; for construction safety precautions or programs; or for any construction contractor(s)' failure to perform its work in accordance with the contract documents.

B. Client shall disclose to BMcD the location and types of any known or suspected toxic, hazardous, or chemical materials or wastes existing on or near the premises upon which work is to be performed by BMcD's employees or subcontractors. If any hazardous wastes not identified by Client are discovered after a Project is undertaken, Client and BMcD agree that the scope of services, schedule, and compensation may be adjusted accordingly. Client agrees to release

BMcD from all damages related to any pre-existing pollutant, contaminant, toxic, or hazardous substance at the site.

13. CHANGES

Client shall have the right to make changes within the general scope of BMcD's services, with an appropriate change in compensation and schedule, upon execution of a mutually acceptable amendment or change order signed by authorized representatives of Client and BMcD.

14. TERMINATION

Services may be terminated by Client or BMcD by seven (7) days' written notice in the event of substantial failure to perform in accordance with the terms hereof by the other party through no fault of the terminating party. If so terminated, Client shall pay BMcD all amounts due BMcD for all services properly rendered and expenses incurred to the date of receipt of notice of termination, plus reasonable costs incurred by BMcD in terminating the services. In addition, Client may terminate the services for Client's convenience upon payment of twenty percent of the yet unearned and unpaid estimated, lump sum, or not-to-exceed fee, as applicable.

15. DISPUTES, NEGOTIATIONS, MEDIATION

A. If a dispute arises relating to the performance of the services to be provided and, should that dispute result in litigation, it is agreed that the substantially prevailing party (as determined in equity by the court) shall be entitled to recover all reasonable costs of litigation, including staff time, court costs, attorney's fees and other related expenses.

B. The parties shall participate in good faith negotiations to resolve any and all disputes. Should negotiations fail, the parties agree to submit to and participate in a third party-facilitated mediation as a condition precedent to resolution by litigation. Unless otherwise agreed to, mediation shall be conducted under the rules of the American Arbitration Association and shall be held in Kansas City, Missouri.

C. The parties agree that any dispute between them, including any action against an officer, director or employee of a party, arising out of or related to this Agreement, whether in contract or tort, not resolved through direct negotiation and mediation, shall be resolved by litigation in the state or federal courts located in Jackson County, Missouri, and each party expressly consents to jurisdiction therein. Any litigation to compel or enforce, or otherwise affect the mediation shall be in state or federal courts located in Jackson County, Missouri, and each party expressly consents to jurisdiction therein.

D. Causes of action between the parties shall accrue, and applicable statutes of limitation shall commence to run the date BMcD's services are substantially complete.

16. WITNESS FEES

A. BMcD's employees shall not be retained as expert witnesses, except by separate written agreement.

B. Client agrees to pay BMcD pursuant to BMcD's then current schedule of hourly labor billing rates for time spent by any employee of BMcD responding to any subpoena by any party in any dispute as an occurrence witness or to assemble and produce documents resulting from BMcD's services under this Agreement.

17. CONTROLLING LAW

This Agreement shall be subject to, interpreted and enforced according to the laws of the State of North Dakota without regard to any conflicts of law provisions.

18. RIGHTS AND BENEFITS – NO ASSIGNMENT

BMcD's services will be performed solely for the benefit of Client and not for the benefit of any other persons or entities. Neither Client nor BMcD shall assign or transfer interest in this Agreement without the written consent of the other.

19. ENTIRE CONTRACT

These Terms and Conditions and the above-referenced Letter, Proposal, or Agreement contain the entire agreement between BMcD and Client relative to BMcD's services for the Project herein. All previous or contemporaneous agreements, representations, promises, and conditions relating to BMcD's services for the Project are superseded. Since terms contained in purchase orders do not generally apply to professional services, in the event Client issues to BMcD a purchase order, no preprinted terms thereon shall become

part of this Agreement. Said purchase order documents, whether or not signed by BMcD, shall be considered only as an internal document of Client to facilitate administrative requirements of Client's operations.

20. SEVERABILITY

Any unenforceable provision herein shall be amended to the extent necessary to make it enforceable; if not possible, it shall be deleted and all other provisions shall remain in full force and affect.

- END -



To: West Fargo City Commission

From: Matt Andvik, Public Works Director

Date: Tuesday January 3, 2023

Subject: West Fargo Sanitation Operations Study

Action: Approve the Sanitation Operations Study and Award the contract to Burns McDonnell and Burian Associates LLC.

Commission President

Bernie Dardis

Primary Portfolio:
Administration/Finance

Secondary Portfolio:
Street, Water and Sewer

Commission Vice President

Brad Olson

Primary Portfolio:
Street, Water and Sewer

Secondary Portfolio:
Sanitation

Commissioner

Eric Gjerdevig

Primary Portfolio:
Planning, Zoning and Engineering

Secondary Portfolio:
Administration/Finance

Commissioner

Mark Simmons

Primary Portfolio:
Police and Fire

Secondary Portfolio:
Planning, Zoning and Engineering

Commissioner

Mandy George

Primary Portfolio:
Sanitation

Secondary Portfolio:
Police and Fire

City Administrator

Tina Fisk

Summary and Recommendation:

Summary:

Our community has experienced significant growth over the last decade, growing from 25,830 people in 2010 to over 38,626 people in 2020, which has caused challenges and some strain to the operations of our Sanitation Department. To help our Sanitation Department accommodate the existing growth and appropriately plan for the future, the Public Works Department wishes to conduct a Sanitation Operations Study.

Some of the main drivers for this study include an upcoming contract expiration with Waste Management for recycling services, extended lead times for procuring sanitation equipment, permitting requirements at the Inert Landfill, future facility needs, and known operational inefficiencies (but no clear way for improving while still providing the service our customers have come to know and appreciate). Another driver for this study includes the need for a deeper understanding of the basis and justification for the City's current and future sanitation rates.

This study will provide recommendations and strategies for enhancing our Sanitation Departments operations, as well as a 10-year financial plan for analyzing revenue adequacies and expenses to help us transparently implement sanitation rate adjustments when needed. This study will also look at what the City's options are regarding recycling, as well as exploring nearby county and community partnership potential (similar to the water and wastewater regionalization efforts with the City of Fargo). The Study will result in a transparent report and actionable 10-year improvement plan where Sanitation finances and operational improvements are aligned.

Recommendation:

In January of 2022, the City issued a public RFP soliciting proposals to conduct the Study. We received five proposals for this study. Our five-person selection committee, made up of, Commissioner Amanda George, Public Director Matt Andvik, Finance Director Jim Larson, Sanitation Manager Logan Jacobson, and Operations Manager Brian Matzke reviewed and scored the proposals. Burns & McDonnell and Burian & Associates LLC was selected as the most qualified consultant to perform the work.

We recommend approving the Sanitation Operations Study and awarding the contract to Burns & McDonnell and Burian & Associates LLC.

Policy Analysis:

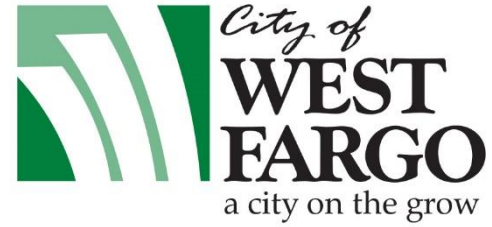
The Sanitation Operations Study will help us better understand where and how we can improve our day-to-day operations and streamline our process to be more efficient. It will give us a plan for our rates, so we can adequately fund operational activities as well as maintain our fleet. This will also give us guidance to future needs in buildings, equipment, and employees to continue to grow with the city. We have not had a Sanitation rate increase since 2019. The study will provide a basis for any rate adjustments and an actionable plan to implement study recommendations.

Financial Analysis:

The agreement with to Burns & McDonnell and Burian & Associates LLC is for the amount of \$105,500. \$100,000 was in the 2023 Sanitation budget for this study. The remaining \$5,500 will be covered by the contract services line item, in the Sanitation Budget.

Process/Timeline:

Once approved, staff will work with to Burns & McDonnell and Burian & Associates LLC. to start the study as soon as possible, with the goal of completing within six months of awarding the contract.



SANITATION OPERATIONS STUDY

CITY OF WEST FARGO



WHY A STUDY?

Need an aligned operational and financial framework for the West Fargo Sanitation Department

ACCOMODATING GROWTH & MEETING FUTURE NEEDS

- How do we catch up to our past City growth and plan for future growth and needs of the City?
- What will be our future staffing, equipment and infrastructure needs? **How much will this cost?**
- How can we eliminate / minimize inefficiencies, and what it means in terms of level of service provided and costs.

APPROPRIATE & TRANSPARENT SANITATION RATES

- Our Sanitation Department should stand on its own – rates need to be able to fund sanitation expenses.
- Need a **strong understanding** and **transparent process** of how rates are calculated.
- Rates have not been changed since 2019.

FUTURE VISION

- How do we work towards the recommendations in the **West Fargo 2.0 Plan**.
 - Evaluate the City's recycling program and identify opportunities to maximize its ROI
 - Be Innovative with Waste Management



HOW DO WE:

- **Optimize** existing and future operations
- **Plan** appropriately for funding sanitation expenses
- **Justify** and establish sanitation rates
- **Work** with regional sanitation partners
- Set up West Fargo sanitation for **continued success**

WHY NOW?

CONTRACTS AND EQUIPMENT LEAD TIMES ARE THE DRIVING FACTOR

- The recycling contract with Waste Management ends in **April 2024**. If we decide to change our approach to recycling, we will need to negotiate a new contract, order equipment, or send out an RFP for services. We would need this done by April 2024.
- Recycling Compactor model, compactor trailer, lead times **24 months**.
- Lead times for ordering trucks is **18 -24+ months**.
- A study at this time would allow us to add any changes or recommendations from the study to the 2024 budget and future years.



ENCOURAGING REDUCE, REUSE, AND RECYCLE

RFP PROCESS AND AWARD

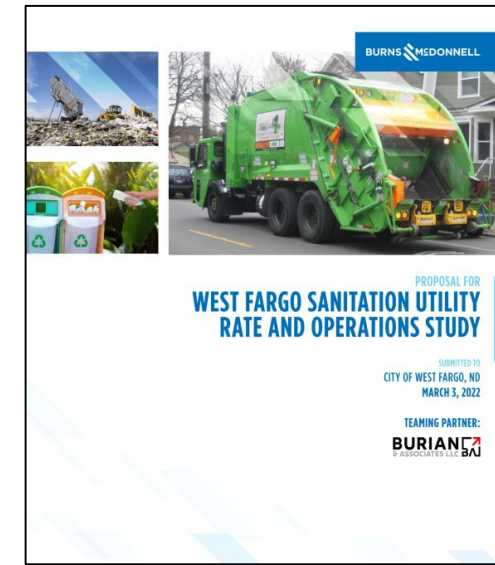
- We received 5 proposals for the study.
- **Burns & McDonnell/Burian & Associates** was the consultant chosen by a selection committee of Commissioner George, the Public Works Director, Finance Director, Operations Manager, and the Sanitation Manager.
- The proposal price for the study is \$105,500.
- The funding for this study would come from the Sanitation fund.
- The Study would be completed 6 months after they are given the notice to proceed.
- Presentation of the Study Findings to the Commission for review and comment.



WHY HIRE A CONSULTANT?

WHAT ARE THE BENEFITS OF USING A CONSULTANT OVER STAFF?

- Burns & McDonnell/Burian & Associates have conducted studies like this throughout the region.
- Proven and industry recognized approach for conducting operational and utility rate studies.
- Consultant team pairs national expertise and deep bench of sanitation and financial professionals *with* a local presence and understanding of localized issues and needs.
- Consultant team has allocated staff time to complete project in the defined schedule. Frequent progress check-ins with City team are planned throughout Project.
- Deliverables will include a comprehensive and defendable report with a cost model.



- If staff conducted the study, we would need to research and create a process to conduct the study.
- Our staff is unsure of the time commitment required to complete a study of this nature in-house.

PROVEN AND INDUSTRY RECOGNIZED APPROACH

CORE STUDY COMPONENTS: WHAT'S INCLUDED

Existing Conditions Review and Assessment

- Essential in fully understanding the existing operations of the City's Sanitation Department. Includes reviewing existing data and information pertaining to Sanitation operations.

Operation and Service Analysis

- Includes conducting a benchmarking exercise where the City's operations and financial elements will be compared to similar peer communities.
- Also included is an options analysis, which will outline methods for optimizing operational activities and enhancing sanitation service delivery.

Infrastructure Analysis

- Includes a comprehensive analysis of the Inert Landfill and Transfer Station, as well as identification of future improvement/optimization strategies.

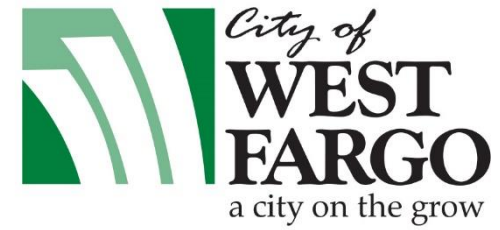
Utility Rate Analysis

- Includes conducting a baseline and forecasted cost of service analysis, outlining revenue requirements, and proposing rate adjustments, as needed.

Implementation Plan and Report Preparation

- Includes the appropriate documentation and packaging everything into an actionable plan that will guide the Sanitation Department for the next 10-years.

At the kickoff meeting and throughout the Project, **goals, objectives, and policies** will be reviewed, discussed, and recommended, which will help determine and guide future capital and operational improvements.



THANK YOU | QUESTIONS?

✉ MATTHEW.ANDVIK@WESTFARGOND.GOV

🌐 WWW.WESTFARGOND.GOV



“Consent” or “Regular” Agenda
Item?
[Regular]

To: West Fargo City Commission

From: Dan Hanson, City Engineer

Date: January 3, 2023

Subject: Improvement District No. 2270 - Traffic Signal at 9th St W and 32nd Ave W

Action: Conduct the Resolution of Necessity Public Hearing; Approve Resolution of Insufficient Protests and Direct Engineer to prepare Plans and Specifications.

Commission President

Bernie Dardis

Primary Portfolio:

Administration/Finance

Secondary Portfolio:

Street, Water and Sewer

Commission

Vice President

Brad Olson

Primary Portfolio:

Street, Water and Sewer

Secondary Portfolio:

Sanitation

Commissioner

Roben Anderson

Primary Portfolio:

Planning, Zoning and
Engineering

Secondary Portfolio:

Administration/Finance

Commissioner

Mark Simmons

Primary Portfolio:

Police and Fire

Secondary Portfolio:

Planning, Zoning and
Engineering

Commissioner

Mandy George

Primary Portfolio:

Sanitation

Secondary Portfolio:

Police and Fire

City Administrator

Tina Fisk

Assistant City Administrator

Dustin T. Scott

New Information and Recommendation:

9th Street W is currently a two way stop at 32nd Ave W. Traffic at peak hours backs up in both north and south directions, causing delay. Recently, traffic counts warranted the installation of a traffic signal. Installing a traffic signal will improve traffic flow at the intersection, and will allow for additional growth of traffic. Additionally, this project will improve the geometrics of the left turn lanes on 32nd Ave. W. to provide better safety and the ability to have a flashing yellow left turn arrow function on the proposed signal.

At this commission meeting, the required Public Hearing will take place and afterwards, to proceed with the project the Commission will consider directing the Plans and Specifications to be created.

The following documents are attached for review/consideration:

- Preliminary Assessment District Map
- Affidavit of Publication
- Resolution of Insufficient Protests that determines that any protests received are not sufficient to stop Improvement District No. 2270 from moving forward.
- Resolution Directing Plans and Specifications

Staff Recommendation: Initiate Public Hearing for the recently approved Resolution Declaring Work Necessary, and Direct Engineer to prepare Plans and Specifications.

Background and Project Summary:

Project will add a traffic signal and update the geometry of the intersection of 9th Street W and 32nd Ave W. This will be the first traffic signal added to 9th St W, and will require additional infrastructure installation to service the signal.

Policy Analysis:

Project will improve traffic flow on 9th Street W during peak hours.

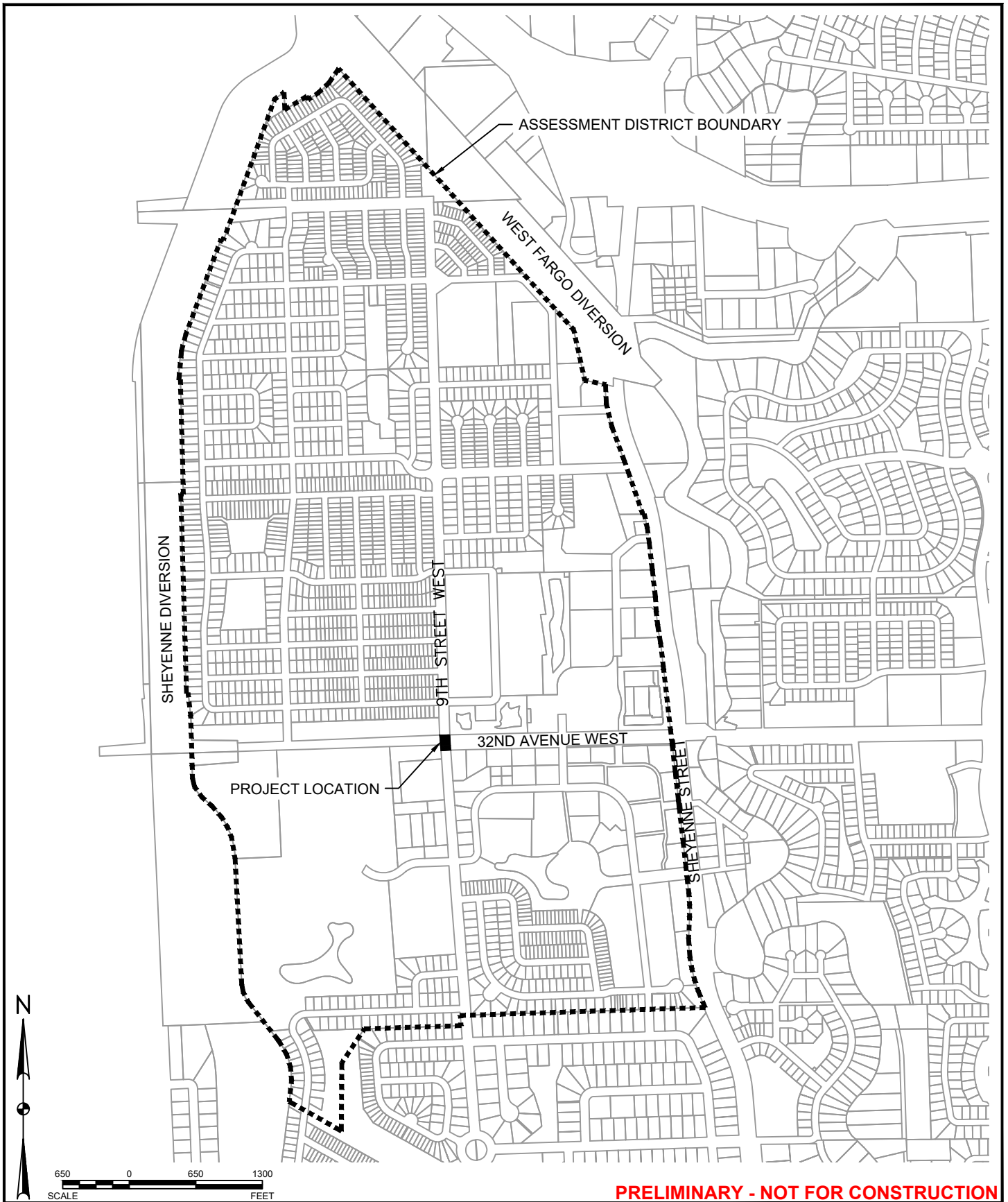
Financial Analysis:

Per the Engineer's Report, this project is estimated to cost \$860,000 and is scheduled to be funded using a combination of CIP sales tax and Special Assessments.

Previously Presented Information and Commission Actions:

November 21, 2023-

- Staff Recommendation: Create Improvement District No. 2270, Approve Engineer's Report and Authorize Resolution of Necessity
- Commission Action: Commissioner Simmons moved and Commissioner Olson seconded to approve, Commissioner George voted nay, motion carried on a 4 to 1 vote.



PRELIMINARY - NOT FOR CONSTRUCTION

DRAWN BY: C. VLAMINCK	ASSESSMENT DISTRICT MAP STREET IMPROVEMENT DISTRICT NO. 2270	 800 Fourth Avenue East, Suite #1 West Fargo, ND 58078	SCALE: 1"=1300'
CHECKED BY: A. WRUCKE			PROJECT NUMBER: 2270
REVISION DATE: N/A	9TH STREET WEST AND 32ND AVENUE WEST WEST FARGO, NORTH DAKOTA		SHEET NUMBER:
REVISION DATE: N/A			1 OF 1

AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA

ss.

COUNTY OF CASS

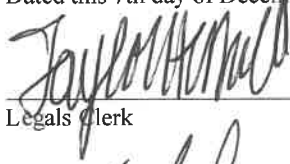
Taylor Herhold, The Forum of Fargo-Moorhead, being duly sworn, states as follows:

1. I am the designated agent of The Forum of Fargo-Moorhead, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspaper listed on the attached exhibit.

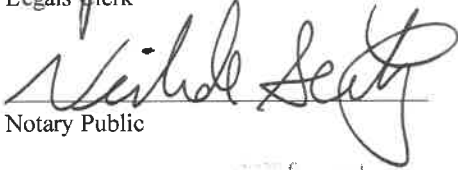
2. The newspaper listed on the exhibit published the advertisement of: ***Legal Notice***; (2) *time: Wednesday November 30, 2022, Wednesday December 7, 2022*, as required by law or ordinance.

3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

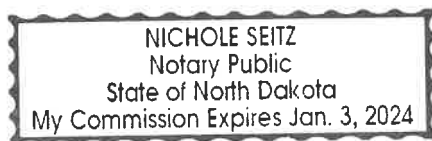
Dated this 7th day of December, 2022



Legals Clerk



Notary Public



RESOLUTION DECLARING WORK NECESSARY

BE IT RESOLVED by the Board of City Commissioners of the City of West Fargo, North Dakota that it is hereby found and declared that it is necessary to construct an improvement in and for Improvement District No. 2270 - New Traffic Control System, Street Reconstruction; and Incidentals. Improvements will consist of a four way traffic signal system, connections into existing fiber, roadway networks and surface reconstruction to configure crosswalks and turn lane geometry and any other miscellaneous installations necessary to service the intersection in connection with the above specified improvements, in accordance with and as described in the resolution creating said district, and the Engineer's Report which has been prepared by the Engineer for the City of West Fargo and approved by this commission which resolution and Engineer's Report together with an estimate of the probable cost of the work, are now on file in the office of the City Auditor and are open to public inspection.

BE IT FURTHER RESOLVED that a portion of the cost of said improvement be specially assessed against the benefited property in said improvement district in amounts proportionate to and not exceeding the benefits to be derived by them respectively from said improvement.

BE IT FURTHER RESOLVED that the owners of the property liable to be specially assessed for said improvements may file written protests against the said improvements within thirty (30) days after first publication of this resolution, and this Board shall at its next meeting after the expiration of said period, to-wit: On the 3rd day of January, 2023, at 5:30 p.m. meet at the City Commission Chamber in City Hall, 800 fourth Avenue East, West Fargo, for the purpose of hearing and determining the sufficiency of any protests so filed and of taking any such further action with respect to said improvements as may then deemed necessary and expedient.

BE IT FURTHER RESOLVED that the City Auditor is hereby authorized and directed to cause this resolution, including a map of the improvements directed, to be published once each week for two consecutive weeks in The Forum, the official newspaper of the City of West Fargo, North Dakota.

Dated: November 21, 2022

APPROVED:

Bernie L. Dardis

President of Board of City Commissioners

ATTEST:

Tina Fisk

City Auditor

STATE OF NORTH DAKOTA

COUNTY OF CASS

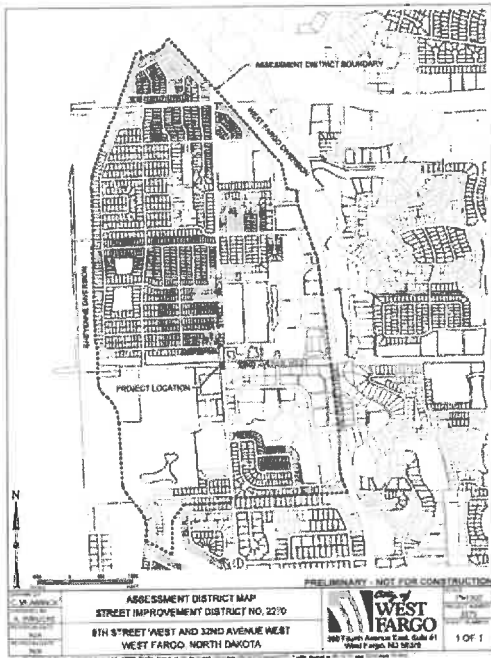
I, Tina Fisk, the duly appointed, qualified and acting City Auditor of the City of West Fargo, do hereby certify the foregoing to be a full, true and correct copy of the resolution adopted by the Board of City Commissioners of the City of West Fargo, at the meeting of the Board held on the 21st day of November, 2022, and that such Resolution is now a part of the permanent records of the City of West Fargo, as such records are filed in the office of the City Auditor. IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of November, 2022.

Tina Fisk

City Auditor

West Fargo, North Dakota

(Nov. 30; Dec. 7, 2022) 124574



The City Auditor presented an affidavit showing publication in the official newspaper of the City of the Resolution of Necessity heretofore adopted to the improvement proposed to be made in Improvement District No. 2270 – New Traffic Control System, Street Reconstruction, and Incidentals, as directed by the provisions of said Resolution which affidavit was examined, found to be satisfactory and ordered to be placed on file.

The City Auditor reported that no less than thirty days having expired since the first publication of said Resolution, there were not sufficient property owners liable to be specially assessed for said improvement who filed protests against the making thereof in the office of said City Auditor within the said thirty day period as provided by law.

Commissioner _____ introduced the following Resolution and moved its adoption:

**RESOLUTION DETERMINING THAT NOT SUFFICIENT PROTESTS
WERE FILED ON IMPROVEMENT IN IMPROVEMENT DISTRICT NO. 2270 - NEW
TRAFFIC CONTROL SYSTEM, STREET RECONSTRUCTION, AND INCIDENTALS**

BE IT RESOLVED by the Board of City Commissioners of the City of West Fargo, North Dakota, that said Board of City Commissioners has heretofore by Resolution determined and declared it necessary to construct an improvement in Improvement District No. 2270 – New Traffic Control System, Street Reconstruction, and Incidentals of the City of West Fargo, consisting of a four-way traffic signal system, connections into existing fiber, roadway networks and surface reconstruction to configure crosswalks and turn lane geometry, and any other miscellaneous installations, and all other appurtenances, contrivances and structures used or useful in connection with the above specified improvements and that said Resolution has been duly published as required by law, and that not less than thirty days have expired since the first publication thereof, and the opportunity having been afforded as provided by law for the property owners liable to be specially assessed for said improvement to file protests against the making thereof, and this Board having duly met to consider all protests so filed, and being fully advised in the premises, it is hereby determined that not sufficient protests were filed within the time and manner provided by law against the making of said improvement; therefore, the Board of City Commissioners and this City are authorized to proceed with the construction of the same and to pay the cost thereof by the levy of special assessments.

Dated: January 3, 2023

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____. On roll call vote, the following commissioners voted aye: _____
_____. The following commissioners voted nay: _____.
The following commissioners were absent and not voting: _____. The majority having voted aye, the motion carried and the resolution was duly adopted.

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION DIRECTING ENGINEER
TO PREPARE PLANS AND SPECIFICATIONS

BE IT RESOLVED by the Board of City Commissioners of the City of West Fargo, deeming it necessary to make certain improvements consisting of a four-way traffic signal system, connections into existing fiber, roadway networks and surface reconstruction to configure crosswalks and turn lane geometry necessary, and any other miscellaneous installations be constructed and made in Improvement District No. 2270 – New Traffic Control System, Street Reconstruction, and Incidentals of the City of West Fargo, the City hereby directs Daniel Hanson, the Engineer for the City of West Fargo and being a competent engineer, to prepare plans and specifications for such work.

Dated: January 3, 2023

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____. Upon roll call vote being taken thereon, the following commissioners voted in favor thereof: _____. The following commissioners were absent and not voting: _____. The following commissioners voted nay: _____. The majority having voted aye, the motion was carried and the resolution was duly adopted.



"Consent" or "Regular" Agenda
Item?
[Regular]

Commission President

Bernie Dardis

Primary Portfolio:

Administration/Finance

Secondary Portfolio:

Street, Water and Sewer

**Commission
Vice President**

Brad Olson

Primary Portfolio:

Street, Water and Sewer

Secondary Portfolio:

Sanitation

Commissioner

Roben Anderson

Primary Portfolio:

Planning, Zoning and
Engineering

Secondary Portfolio:

Administration/Finance

Commissioner

Mark Simmons

Primary Portfolio:

Police and Fire

Secondary Portfolio:

Planning, Zoning and
Engineering

Commissioner

Mandy George

Primary Portfolio:

Sanitation

Secondary Portfolio:

Police and Fire

City Administrator

Tina Fisk

Assistant City Administrator

Dustin T. Scott

To: West Fargo City Commission

From: Dan Hanson, City Engineer

Date: January 3, 2023

Subject: Project No. 1343 - Sanitary Lift Station System Rehabilitation (SA 2,3,12, &15)

Action: Approve Plans and Specifications, and Direct Advertisement for bids

New Information and Recommendation:

As previously directed by the City Commission, staff has been working with our consultant Moore Engineering to complete plans and specifications for the next priority group of sanitary sewer lift station rehabilitations. Plans and specifications have been completed and are ready to be advertised for bids.

The following documents are attached for review/consideration:

- Plan Cover Sheets
- Draft Bid Advertisement – Will be published for three weeks and bid in conjunction with Project No. 4068
- Resolution Approving Plans and Specifications
- Resolution Directing Advertisement for Bids

Staff Recommendation: Approve Plans and Specifications, and Direct Advertisement for bids.

Financial Analysis:

The 2022 CIP listed the project with a cost of \$1,250,000 and identified project funding to be sewer bonds; however final project financing will be determined which could also include Capital Improvement Sales Tax. We do not anticipate any special assessments associated with this project.

Previously Presented Information and Commission Actions:

October 3, 2022-

- **Staff Recommendation:** Create Project No. 1343, Approve Engineer's Report, Direct Engineer to prepare plans and specifications and a Task Order for Basic Services.
- **Commission Action:** Commissioner Simmons moved and Commissioner Anderson seconded. Commissioner George was absent and not voting. No opposition, motion carried.

October 17, 2022-

- **Staff Recommendation:** Approve Task Order No. 63-1 in the amount of \$126,500 for Project No. 1343.
- **Commission Action:** Commissioner moved and Commissioner George seconded. No opposition, motion carried.



PROJECT NO. 1343

SANITARY LIFT STATION SYSTEM REHABILITATION AND INCIDENTALS



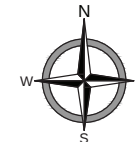
Sanitary Lift Stations SA-2, 3, 12, 13, & 25 [Part A]

VICINITY MAP



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PROJECT No. 22772

PRELIMINARY

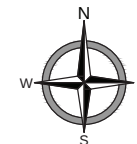
PROJECT NO. 4068

REPLACEMENT OF SEWERAGE SYSTEMS AND INCIDENTALS



(STORM SEWER LIFT STATION (SM-54) & FORCE MAIN REHABILITATION)

VICINITY MAP



PROJECT No. 22794

PRELIMINARY

CITY OF WEST FARGO, NORTH DAKOTA

PART A: PROJECT NO. 1343; SANITARY LIFT STATIONS SA-2, 3, 12, 13, & 25

PART B: PROJECT NO. 4068; STORM SEWER LIFT STATION SM-54

ADVERTISEMENT FOR BIDS

City of West Fargo is requesting Bids for the construction of the project listed above.

Bids for the construction of the Project will be received and accepted via electronic bid (vBid) through QuestCDN until February 2, 2023 at 10:00 a.m. local time. Bids will be viewed and read via video/phone conference at 10:30 a.m. Mailed or hand delivered bids will not be opened or considered. Link for the video/phone conference is provided at www.mooreengineeringinc.com by clicking the Bid Information tab, or at www.questcdn.com.

The Project consists of rehabilitation of wastewater and storm sewer lift stations including piping and valve replacement, sanitary sewer and force main extension, sanitary sewer and force main cured in place pipe lining, electrical control panel replacement, painting and coatings, incidental road repair, and associated surface restoration.

Separate Bids will be received for Contract No. 1 – General Construction and Contract No. 2 – Electrical Construction. Bids shall be on a unit price basis. Bids may be submitted for either single Contract or for all Work under a prime Contract.

Digital project bidding documents will be available at www.mooreengineeringinc.com by clicking the Bid Information tab, or at www.questcdn.com. You may download the complete set of digital documents for a nonrefundable fee of \$40.00 by locating eBidDoc™ Number 8358857 on the website. Contact QuestCDN Customer Support at 952-233-1632 or info@questcdn.com for assistance in membership registration, downloading digital project information, and vBid online bid submittal questions.

Each bid must be accompanied by a bidder's bond in a sum equal to 5% of the full amount of the bid executed by the bidder as principal and by a surety, conditioned that if the principal's bid is accepted and a contract is awarded to the principal, the principal, within ten (10) days after the notice of the award, shall execute a contract in accordance with the terms of the bid and the bid bond, and any conditions of the City of West Fargo, as required by law. A countersignature of a bid bond is not required. If the City of West Fargo elects to award a contract to the lowest responsible bidder, and the lowest responsible bidder does not execute a contract within ten (10) days, the bidder's bond will be forfeited to the City of West Fargo, and the City of West Fargo may award the project to the next lowest responsible bidder.

Each bidder must possess a valid North Dakota contractor's license for the full amount of their bid, as required by N.D.C.C. § 43-07-7. Each bidder MUST enclose a copy of their Contractor's License or Certificate of Renewal, issued by the North Dakota Secretary of State, and each license must be valid and dated at least 10 days prior to the date set for bid opening, as required under N.D.C.C. § 43-07-12.

The City of West Fargo will not read or consider any bid that does not fully comply with the requirements above, or the requirements of N.D.C.C. § 48-01.2-05

Owner: City of West Fargo

By: Tina Fisk

Title: City Administrator

Date: January 3, 2023

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR
IMPROVEMENTS IN PROJECT NO. 1343- SANITARY SEWER SYSTEM
REHABILITATIONS, REPLACEMENTS; AND INCIDENTALS

BE IT RESOLVED by the Board of City Commissioners of the City of West Fargo, North Dakota, that the plans and specifications and estimates of cost for improvements in Project No. 1343 - Sanitary Sewer System Rehabilitations, Replacements; and Incidentals of the City of West Fargo heretofore prepared by Daniel Hanson, Engineer for the City, be and the same hereby are approved, ratified and confirmed as the plans and specifications and estimates of cost in accordance with which said improvements shall be constructed and the City Auditor shall file the same in her office open to public inspection.

Dated: January 3, 2023

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____. On roll call vote the following commissioners voted aye: _____.
_____. The following commissioners voted nay: _____.

The following commissioners were absent and not voting: _____. The majority having voted aye, the motion carried and the resolution was duly adopted.

Commissioner _____ introduced the following resolution and moved for its adoption:

RESOLUTION DIRECTING AUDITOR TO
ADVERTISE FOR BIDS

WHEREAS, this Board has heretofore created Project No. 1343 - Sanitary Sewer System Rehabilitations, Replacements; and Incidentals of the City of West Fargo; and

WHEREAS, plans and specifications and estimates of costs for said Project No. 1343 have heretofore been directed to be prepared by the Engineer for the City of West Fargo; and

WHEREAS, said plans, specifications and estimates of cost have been prepared and have been approved by the Board of City Commissioners of the City of West Fargo; and

WHEREAS, it is necessary to advertise for bids for the work in said project.

NOW THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of West Fargo, Cass County, North Dakota, that the City Auditor be, and she is hereby authorized and directed to cause notice of Advertisement for Bids for the construction of the work heretofore directed to be made in Project No. 1343 - Sanitary Sewer System Rehabilitations, Replacements; and Incidentals to be published once each week for **three** consecutive weeks in *The Forum*, and that the City Auditor and Engineer will meet at the City Hall in the City of West Fargo, at a time and date to be determined by the City Auditor, for the purpose of opening sealed bids received prior to the time of such meeting in accordance with such published advertisement for bids for the purpose of taking such other and further action with reference thereto as shall then be deemed necessary and expedient. Such advertisements shall be published in form as provided in Section 48-01.2 of the North Dakota Century Code as amended.

Dated: January 3, 2023

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____. On roll call vote the following commissioners voted aye: _____. The following commissioners voted nay: _____. The following commissioners were absent and not voting: _____. The majority having voted aye, the motion carried and the resolution was duly adopted.



"Consent" or "Regular" Agenda
Item?
[Regular]

Commission President

Bernie Dardis

Primary Portfolio:

Administration/Finance

Secondary Portfolio:

Street, Water and Sewer

Commission

Vice President

Brad Olson

Primary Portfolio:

Street, Water and Sewer

Secondary Portfolio:

Sanitation

Commissioner

Roben Anderson

Primary Portfolio:

Planning, Zoning and
Engineering

Secondary Portfolio:

Administration/Finance

Commissioner

Mark Simmons

Primary Portfolio:

Police and Fire

Secondary Portfolio:

Planning, Zoning and
Engineering

Commissioner

Mandy George

Primary Portfolio:

Sanitation

Secondary Portfolio:

Police and Fire

City Administrator

Tina Fisk

Assistant City Administrator

Dustin T. Scott

To: West Fargo City Commission

From: Dan Hanson, City Engineer

Date: January 3, 2023

Subject: Project No. 4068 - Storm Lift Station SM-54 & Force Main
Rehabilitation

Action: Approve Plans and Specifications and Direct Advertisement for
bids.

New Information and Recommendation:

As previously directed by the City Commission, staff has been working with our consultant Moore Engineering to complete plans and specifications for rehabilitating storm lift station SM-54 as well as upgrading the control panel and radio system to current City of West Fargo Standards as well as relining an existing 24" RCP force main along 63rd Street S. from 52nd Ave S. north to the SM-54. Plans and specifications have been completed and are ready to be advertised for bids.

The following documents are attached for review/consideration:

- Plan Cover Sheet
- Draft Bid Advertisement – Will be published for 3 weeks and bid in conjunction with Project No. 1343.
- Resolution Approving Plans and Specifications
- Resolution Directing Advertisement for Bids

Staff Recommendation: Approve Plans and Specifications and Direct
Advertisement for bids.

Policy Analysis:

This project will rehabilitate critical infrastructure that evacuates storm water from the McMahon Estates 2nd and 3rd Additions that has been known to leak. Leaks in this force main pose a threat to the integrity of the system and adjacent roadways and boulevards.

Financial Analysis:

This project was listed in the 2022 CIP with a planned construction year of 2023 and a \$900,000 budget. The Preliminary Engineering Report provided by the Consultant estimates this project to cost \$680,000 and funding is anticipated to be provided utilizing Capital Improvement Sales Tax funds. No special assessments are anticipated with this project.

Previously Presented Information and Commission Actions:

November 21, 2022-

- **Staff Recommendation:** Create Project No. 4068, Approve Engineer's Report and Authorize Engineering to Prepare a Task Order for Basic Services.
- **Commission Action:** Commissioner Anderson moved and Commissioner Olson seconded to approve. No opposition, motion carried.

December 19, 2022-

- **Staff Recommendation:** Approve Task Order No. 65-1 for "Basic Services, and Direct Engineer to prepare Plans and Specs.

· **Commission Action:** Commissioner Olson moved and Commissioner Anderson seconded to approve. No opposition, motion carried.

A portion of the work was performed under Project No. 4066:

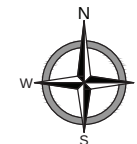


PROJECT NO. 4068

REPLACEMENT OF SEWERAGE SYSTEMS AND INCIDENTALS



**(STORM SEWER LIFT STATION (SM-54) & FORCE MAIN
REHABILITATION)**

VICINITY MAP

PROJECT No. 22794

PRELIMINARY

CITY OF WEST FARGO, NORTH DAKOTA

PART A: PROJECT NO. 1343; SANITARY LIFT STATIONS SA-2, 3, 12, 13, & 25

PART B: PROJECT NO. 4068; STORM SEWER LIFT STATION SM-54

ADVERTISEMENT FOR BIDS

City of West Fargo is requesting Bids for the construction of the project listed above.

Bids for the construction of the Project will be received and accepted via electronic bid (vBid) through QuestCDN until February 2, 2023 at 10:00 a.m. local time. Bids will be viewed and read via video/phone conference at 10:30 a.m. Mailed or hand delivered bids will not be opened or considered. Link for the video/phone conference is provided at www.mooreengineeringinc.com by clicking the Bid Information tab, or at www.questcdn.com.

The Project consists of rehabilitation of wastewater and storm sewer lift stations including piping and valve replacement, sanitary sewer and force main extension, sanitary sewer and force main cured in place pipe lining, electrical control panel replacement, painting and coatings, incidental road repair, and associated surface restoration.

Separate Bids will be received for Contract No. 1 – General Construction and Contract No. 2 – Electrical Construction. Bids shall be on a unit price basis. Bids may be submitted for either single Contract or for all Work under a prime Contract.

Digital project bidding documents will be available at www.mooreengineeringinc.com by clicking the Bid Information tab, or at www.questcdn.com. You may download the complete set of digital documents for a nonrefundable fee of \$40.00 by locating eBidDoc™ Number 8358857 on the website. Contact QuestCDN Customer Support at 952-233-1632 or info@questcdn.com for assistance in membership registration, downloading digital project information, and vBid online bid submittal questions.

Each bid must be accompanied by a bidder's bond in a sum equal to 5% of the full amount of the bid executed by the bidder as principal and by a surety, conditioned that if the principal's bid is accepted and a contract is awarded to the principal, the principal, within ten (10) days after the notice of the award, shall execute a contract in accordance with the terms of the bid and the bid bond, and any conditions of the City of West Fargo, as required by law. A countersignature of a bid bond is not required. If the City of West Fargo elects to award a contract to the lowest responsible bidder, and the lowest responsible bidder does not execute a contract within ten (10) days, the bidder's bond will be forfeited to the City of West Fargo, and the City of West Fargo may award the project to the next lowest responsible bidder.

Each bidder must possess a valid North Dakota contractor's license for the full amount of their bid, as required by N.D.C.C. § 43-07-7. Each bidder MUST enclose a copy of their Contractor's License or Certificate of Renewal, issued by the North Dakota Secretary of State, and each license must be valid and dated at least 10 days prior to the date set for bid opening, as required under N.D.C.C. § 43-07-12.

The City of West Fargo will not read or consider any bid that does not fully comply with the requirements above, or the requirements of N.D.C.C. § 48-01.2-05

Owner: City of West Fargo

By: Tina Fisk

Title: City Administrator

Date: January 3, 2023

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR
IMPROVEMENTS IN PROJECT NO. 4068- SEWERAGE; AND INCIDENTALS OF
THE CITY OF WEST FARGO

BE IT RESOLVED by the Board of City Commissioners of the City of West Fargo, North Dakota, that the plans and specifications and estimates of cost for improvements in Project No. 4068 Sewerage; and Incidentals of the City of West Fargo heretofore prepared by Daniel Hanson, Engineer for the City, be and the same hereby are approved, ratified and confirmed as the plans and specifications and estimates of cost in accordance with which said improvements shall be constructed and the City Auditor shall file the same in her office open to public inspection.

Dated: January 3, 2023

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____. On roll call vote the following commissioners voted aye: _____.
_____. The following commissioners voted nay: _____.
The following commissioners were absent and not voting: _____. The majority having voted aye, the motion carried and the resolution was duly adopted.

Commissioner _____ introduced the following resolution and moved for its adoption:

RESOLUTION DIRECTING AUDITOR TO
ADVERTISE FOR BIDS

WHEREAS, this Board has heretofore created Project No. 4068 - Sewerage; and Incidentals of the City of West Fargo; and

WHEREAS, plans and specifications and estimates of costs for said Project No. 4068 have heretofore been directed to be prepared by the Engineer for the City of West Fargo; and

WHEREAS, said plans, specifications and estimates of cost have been prepared and have been approved by the Board of City Commissioners of the City of West Fargo; and

WHEREAS, it is necessary to advertise for bids for the work in said project.

NOW THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of West Fargo, Cass County, North Dakota, that the City Auditor be, and she is hereby authorized and directed to cause notice of Advertisement for Bids for the construction of the work heretofore directed to be made in Project No. 4068 - Sewerage; and Incidentals to be published once each week for three consecutive weeks in *The Forum*, and that the City Auditor and Engineer will meet at the City Hall in the City of West Fargo, at a time and date to be determined by the City Auditor, for the purpose of opening sealed bids received prior to the time of such meeting in accordance with such published advertisement for bids for the purpose of taking such other and further action with reference thereto as shall then be deemed necessary and expedient. Such advertisements shall be published in form as provided in Section 48-01.2 of the North Dakota Century Code as amended.

Dated: January 3, 2023

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____. On roll call vote the following commissioners voted aye: _____. The following commissioners voted nay: _____. The following commissioners were absent and not voting: _____. The majority having voted aye, the motion carried and the resolution was duly adopted.



“Consent” or “Regular” Agenda
Item?
[Regular]

To: West Fargo City Commission

From: Dan Hanson, City Engineer

Date: January 3, 2023

Subject: Wilds 22nd Addition

Action: Accept Petition for Improvements and Authorize Preliminary Engineering

Commission President

Bernie Dardis

Primary Portfolio:

Administration/Finance

Secondary Portfolio:

Street, Water and Sewer

Commission

Vice President

Brad Olson

Primary Portfolio:

Street, Water and Sewer

Secondary Portfolio:

Sanitation

Commissioner

Roben Anderson

Primary Portfolio:

Planning, Zoning and
Engineering

Secondary Portfolio:

Administration/Finance

Commissioner

Mark Simmons

Primary Portfolio:

Police and Fire

Secondary Portfolio:

Planning, Zoning and
Engineering

Commissioner

Mandy George

Primary Portfolio:

Sanitation

Secondary Portfolio:

Police and Fire

City Administrator

Tina Fisk

Assistant City Administrator

Dustin T. Scott

New Information and Recommendation:

Westport Investments, LLC is requesting improvements to service the proposed The Wilds 22nd Addition (plat pending) located along the north side of 52nd Ave W and East of 9th St W. The preliminary plat indicates there are 6 Blocks which contains 61 residential lots and two larger lots.

If the Commission approves, staff will engage a consultant to begin Preliminary Engineering work which would include a Feasibility Study to determine the nature of the improvements, estimated costs and design requirements. An Engineering Report will be brought back to the Commission for consideration to move forward with the design of the improvements at a later date.

The following documents are attached for review/consideration:

- Preliminary Plat
- Petition for Improvements with evidence of ownership

Staff Recommendation: Accept Petition for Improvements and Authorize Preliminary Engineering

Policy Analysis:

The improvements will be administrated in accordance with city policies and standards as well as applicable local, state, and federal laws and regulations.

Financial Analysis:

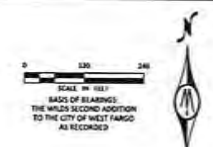
The project will be funded with special assessments.

Previously Presented Information and Commission Actions:

None

THE WILDS TWENTY SECOND ADDITION

TO THE CITY OF WEST FARGO
AN UNPLATTED PORTION OF THE SOUTH HALF OF SECTION 31, T139N, R49W, CASS COUNTY, NORTH DAKOTA



LEGEND

○	5/8" x 1/8" ALUMINUM PIN
●	5/8" x 1/8" ALUMINUM PIN
—	SUBJECT PROPERTY LINE
- - -	EXISTING PROPERTY LINE
- - -	EASEMENT LINE
—	P.O.B.
—	POINT OF BEGINNING
—	ACCESS CONTROL

Public Utility Easements are shown thus:

 Being 10 feet in width and adjoining street right of way lines as shown on the plat, unless otherwise indicated.

Public Drainage and Utility Easements are shown thus:

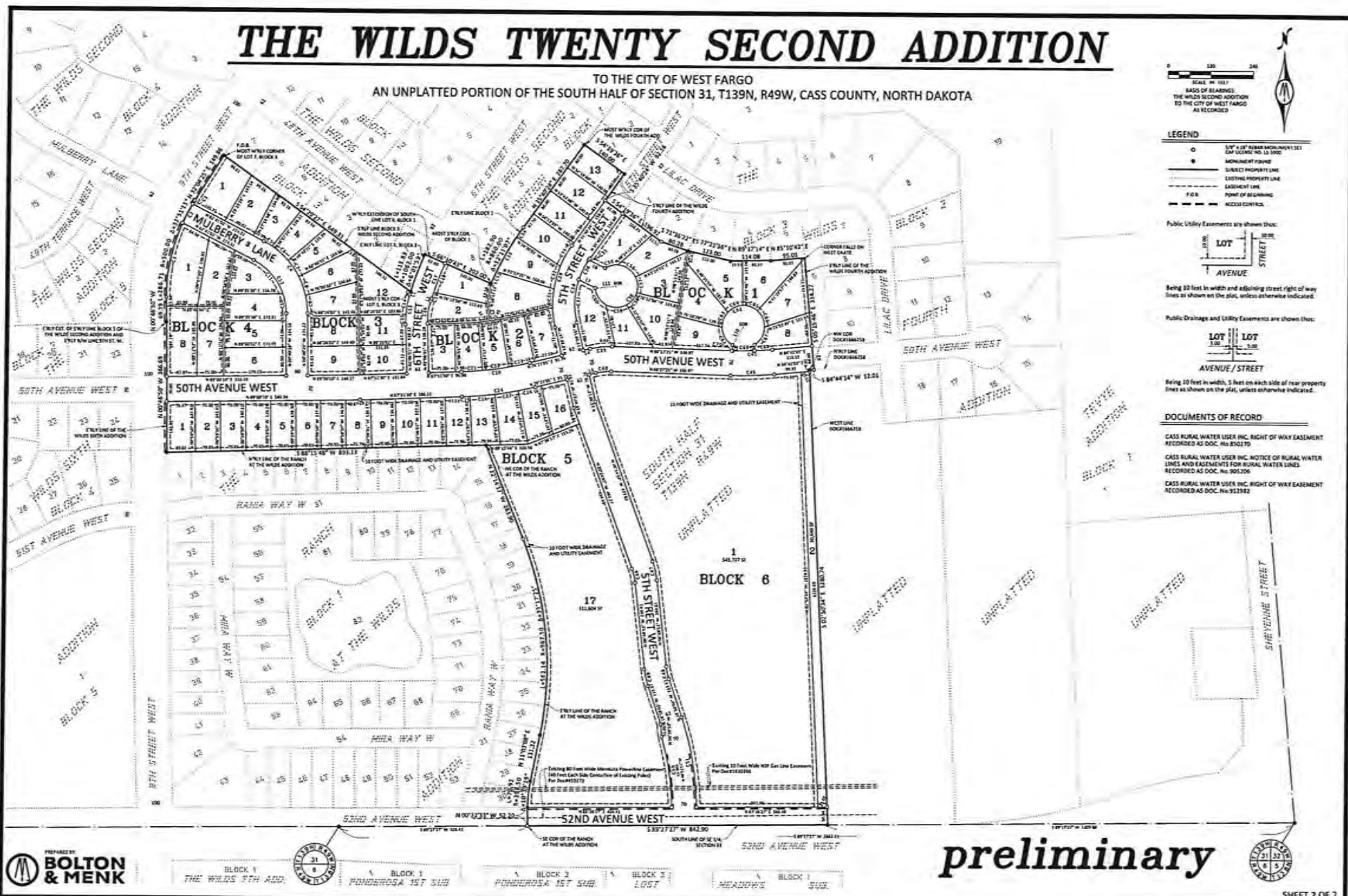
 Being 10 feet in width, 5 feet on each side of rear property lines as shown on the plat, unless otherwise indicated.

DOCUMENTS OF RECORD

CASS RURAL WATER USER INC. RIGHT OF WAY EASEMENT
RECORDED AS DOC. NO. 850270

CASS RURAL WATER USER INC. NOTICE OF RURAL WATER LINES AND EASEMENTS FOR RURAL WATER LINES
RECORDED AS DOC. NO. 900206

CASS RURAL WATER USER INC. RIGHT OF WAY EASEMENT
RECORDED AS DOC. NO. 912282



SHEET 2 OF 2

I/ we Westport Investments, LLC are the legal and equitable owners of the following described property, to-wit:

All of 22nd Wilds 22nd Addition to the City of West Fargo

(hereinafter the "**Property**")

I/we hereby petition the City Commission of the City of West Fargo, Cass County, North Dakota, to create an improvement district for the purpose of constructing the following municipal improvements: underground municipal utilities, streets, sidewalks and streetlights (hereinafter the "**Improvements**")

I/We hereby request that the City Commission of the City of West Fargo, Cass County, North Dakota, determine by resolution that a written petition for the **Improvements** signed by the owners of a majority of the area of the **Property** included within the district, has been received and that the resolution declaring work necessary shall not be required for said improvement district.

I/we hereby certify that I/we am/are the legal and equitable owner(s) of the **Property** and have the authority to grant the City of West Fargo all necessary easements, rights of ways, fee simple, dedications and other interests in the **Property** that may be required to complete the construction of the **Improvements**.

I/We agree that pursuant to North Dakota Century Code Chapters 40-23 through 40-32 that the City shall assess the entire cost of the Improvements against my/our Property and hereby agree to pay the entire cost as levied and apportioned by the city.

Dated this 10 day of October, 2022.

OWNERS:
Westport Investments, LLC


Kyle Freier, Treasurer

Wheeler McCartney, PC
Attorneys and Counselors at Law

Lisa J. Wheeler
Dane McCartney
dane@thetitlecompany.com
Post Office Box 2194
Fargo, North Dakota 58108-2194
(701)232-2653
Fax (701)232-7340

October 28, 2022

City of West Fargo
800 4th Ave E, Suite 1
West Fargo, ND 58078

RE: CASS COUNTY ABSTRACT NO. 71685
PRELIMINARY OPINION

Pursuant to your request, I have examined Abstract of Title No. 71685 which consists of 156 entries and which has been certified to October 17, 2022, at 6:59 a.m., covering the following described real estate:

That part of the South Half of Section 31, Township 139 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows: Beginning at the most westerly corner of Lot 7, Block 3, THE WILDS SECOND ADDITION, according to the recorded plat thereof, on file and of record in the office of the Recorder, said Cass County; thence South 54 degrees 20 minutes 27 seconds East on a record bearing along the southerly line of said Block 3 for a distance of 649.31 feet to the most southerly corner of Lot 1, said Block 3; thence northeasterly along the easterly line of said Lot 1 on a non-tangential curve concave to the east, having a radius of 1062.00 feet, a central angle of 06 degrees 01 minute 59 seconds and a chord bearing of North 20 degrees 28 minutes 18 seconds East for an arc distance of 111.83 feet to a point of intersection with the westerly extension of the south line of Lot 8, Block 1, said plat of THE WILDS SECOND ADDITION; thence South 66 degrees 30 minutes 43 seconds East along the south line of said Lot 8 and the westerly extension thereof for a distance of 202.00 feet to the most southerly corner of said Block 1; thence northeasterly along the easterly line of said Block 1 on a non-tangential curve concave to the east, having a radius of 860.00 feet, a central angle of 12 degrees 11 minutes 07 seconds and a chord bearing of North 29 degrees 34 minute 50 seconds East for an arc distance of 182.90 feet; thence North 35 degrees 40 minutes 24 seconds East along the easterly line of said Block 1 for a distance of 287.70 feet to the most westerly corner of THE WILDS FOURTH ADDITION, according to the recorded plat thereof, on file and of record in the office of said Recorder; thence South 54 degrees 19 minutes 36 seconds East along the southerly line of said plat of THE WILDS FOURTH ADDITION for a distance of 140.00 feet; thence South 35 degrees 40 minutes 24 seconds West continuing along said southerly line for a distance of 92.16 feet;

thence South 54 degrees 19 minutes 36 seconds East continuing along said southerly line for a distance of 196.92 feet; thence South 71 degrees 36 minutes 22 seconds East continuing along said southerly line for a distance of 80.28 feet; thence South 77 degrees 21 minutes 36 seconds East continuing along said southerly line for a distance of 123.00 feet; thence North 89 degrees 17 minutes 14 seconds East continuing along said southerly line for a distance of 114.08 feet; thence North 85 degrees 10 minute 42 seconds East continuing along said southerly line for a distance of 95.01 feet; thence South 05 degrees 15 minutes 46 seconds East continuing along said southerly line for a distance of 314.27 feet to the northerly line of a tract described in Document No. 1666258, on file and of record in the office of said Recorder; thence South 84 degrees 44 minutes 14 seconds West along said northerly line for a distance of 12.01 feet to the northwest corner thereof; thence South 02 degrees 50 minutes 34 seconds East along the west line of said tract for a distance of 1280.74 feet to the south line of the Southeast Quarter of said Section 31; thence South 89 degrees 27 minutes 27 seconds West along said south line for a distance of 842.90 feet to the southeast corner of THE RANCH AT THE WILDS ADDITION, according to the recorded plat thereof, on file and of record in the office of said Recorder; thence North 00 degrees 32 minutes 33 seconds West along the easterly line of said plat of THE RANCH AT THE WILDS ADDITION for a distance of 52.20 feet; thence northerly, continuing along said easterly line on a non-tangential curve concave to the east, having a radius of 397.50 feet, a central angle of 10 degrees 39 minutes 19 seconds and a chord bearing of North 05 degrees 43 minutes 28 seconds East for an arc distance of 73.92 feet; thence North 11 degrees 03 minutes 08 seconds East continuing along said easterly line for a distance of 131.32 feet; thence northerly, continuing along said easterly line on a tangential curve concave to the west, having a radius of 967.50 feet and a central angle of 33 degrees 17 minutes 25 seconds for an arc distance of 562.14 feet; thence North 22 degrees 14 minutes 17 seconds West continuing along said easterly line for a distance of 283.90 feet to the northeast corner of said plat of THE RANCH AT THE WILDS ADDITION; thence South 88 degrees 15 minutes 48 seconds West along the northerly line of said plat of THE RANCH AT THE WILDS ADDITION for a distance of 893.13 feet to easterly line of THE WILDS SIXTH ADDITION, according to the recorded plat thereof, on file and of record in the office of said Recorder; thence North 00 degrees 46 minutes 50 seconds West along said easterly line for a distance of 366.69 feet to a point of intersection with the easterly extension of the southerly line of Block 5 of said plat of THE WILDS SECOND ADDITION, said point along being on the easterly right of way line of 9th Street West according to said plat of THE WILDS SECOND ADDITION; thence North 00 degrees 46 minutes 50 seconds West along said easterly right of way line for a distance of 69.39 feet; thence northeasterly continuing along said easterly right of way line on a tangential curve to the east, having a radius of 500.00 feet and a central angle of 32 degrees 51 minutes 15 seconds for an arc distance of 286.71 feet; thence North 32 degrees 04 minutes 25 seconds East continuing on said easterly right of way line for a distance of 149.86 feet to the point of beginning.

From my examination, I am of the opinion that record title to said property is in the name of Westport Investments, LLC, and subject to the following liens, defects, and exceptions:

1. I have not examined any court actions involved in this title and to the extent the same exist, their regularity is presumed.
2. This opinion does not cover oil, gas, and other minerals which have been severed from the surface by conveyances to third parties or reserved by prior grantors in the chain of title.
3. Right of Way Easement to Northwestern Bell Telephone Company recorded January 20, 1972 at 10:02 a.m., in Book R-5 of Misc., page 393, as Document #455264.
4. Easement to Minnkota Power Cooperative, Inc. recorded June 16, 1972 at 9:01 a.m., in Book U-5 of Misc., page 58, as Document #459273.
5. Easement to Minnkota Power Cooperative, Inc. recorded June 16, 1972 at 9:00 a.m., in Book U-5 of Misc., page 56, as Document #459272.
6. Right of Way Easement to Cass Rural Water Users, Inc. recorded April 2, 1996 at 2:58 p.m., as Document #850270.
7. Cass Rural Water Users, Inc. Notice of Rural Water Lines and Easements for Rural Water Lines recorded July 13, 1998 at 8:00 a.m., as Document #905206.
8. Right of Way Easement to Cass Rural Water Users, Inc. recorded October 9, 1998 at 1:00 p.m., as Document #912982.
9. Any and all matters that may affect the subject property as shown on the Plat of The Wilds Second Addition recorded May 24, 2012 at 4:00 p.m., as Document #1353353.
10. Any and all matters that may affect the subject property as shown on the Plat of The Wilds Fourth Addition recorded October 1, 2013 at 3:49 p.m., in Book Z-1 of Plats, page 25, as Document #1401105.
11. Any and all matters that may affect the subject property as shown on the Plat of The Wilds Sixth Addition recorded March 5, 2014 at 8:59 a.m., in Book Z-1 of Plats, page 62, as Document #1412101.
12. Gas Pipeline Easement to Northern States Power Company d/b/a Xcel Energy, recorded October 22, 2014 at 10:15 a.m., as Document #1430398.
13. Any and all matters that may affect the subject property as shown on the Plat of the Ranch at The Wilds Addition recorded May 29, 2020 at 11:46 a.m., as Document #1592078.

14. The 2021 real estate taxes are paid.

No search has been made for financing statements filed pursuant to the Uniform Commercial Code.

This opinion is based upon an examination of the abstract only and the court files of any proceedings that may appear, such as foreclosure, quiet title actions, probate proceedings or tax sales have not been examined. As stated, according to the abstract there appear to be none.

You must satisfy yourself by survey or other proper investigation that all buildings or other improvements located upon the above captioned property lie within the boundaries of the real estate described in this abstract.

You are charged with notice of the rights of persons in possession of the premises as well as easements, encroachments and the like which, though not appearing of record, are capable of ascertainment through inspection or survey.

No opinion is rendered as to the presence or absence of asbestos, radon gas or any other environmentally dangerous product or substance. Additionally, no opinion is rendered as to the adequacy or inadequacy of any sewer or septic system which may service the property as to its compliance with any applicable ordinances or regulations.

Information relative to zoning restrictions is beyond the scope of this opinion, but may be obtained from the building inspector of the municipality in which the property is located.

Mechanic's liens must be filed for record within ninety days in North Dakota or one hundred twenty days in Minnesota after improvements or construction on the premises have been accomplished. Therefore, if there have been any recent improvements, the possibility exists that liens for such work may yet be filed although they do not appear in the abstract at this time. In North Dakota, failure to file a mechanic's lien within the ninety day period does not defeat the lien except as against purchasers or encumbrances in good faith and for value whose rights accrue after the ninety days and before any claim for the lien is filed. In Minnesota, the lien must be filed for record within the one hundred twenty day period. In either state, however, you should satisfy yourself that there has been no labor performed or material furnished which would subject the property to mechanic's liens or, if so, that the same have been fully paid.

Special assessments are not usually shown in abstracts until they have been extended in the tax lists by the County Auditor. Consequently, it is possible for property to be subject to special assessments which do not appear in the abstract. If local improvements have recently been made, inquiry should be made as to special assessments of the county or city (municipal) auditor involved.

This opinion is based upon the assumption that any and all requirements of municipal, state and federal laws and regulations have been duly complied with and no independent review of such compliance has been made or undertaken by this examiner.

Sincerely,

A handwritten signature in black ink, appearing to read "Dane T. McCartney". The signature is written in a cursive, flowing style.

Dane McCartney
Attorney

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION RELATING TO WRITTEN PETITION BY OWNERS
OF A MAJORITY OF THE AREA OF PROPERTY
WITHIN THE DISTRICT

BE IT RESOLVED by the Board of City Commissioners of the City of West Fargo, Cass County, North Dakota, that it is hereby determined that a written petition for the improvement within Wilds 22nd Addition – New Water Supply, Sewerage, Street Systems; and Incidentals signed by owners of a majority of the area of the property included within the district, has been received.

BE IT FURTHER RESOLVED that the improvement consists of New Water Supply, Sewerage, Street Systems; and Incidentals nessessary to service The Wilds 22nd Addition .

BE IT FURTHER RESOLVED that the Resolution Declaring Improvements Necessary shall not be required.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____. On roll call vote, the following commissioners voted aye: _____.
_____. The following commissioners voted nay: _____.
The following were absent and not voting: _____. The majority having voted aye, the motion carried and the resolution was duly adopted.



"Consent" or "Regular" Agenda Item?

[Regular]

Commission President

Bernie Dardis

Primary Portfolio:

Administration/Finance

Secondary Portfolio:

Street, Water and Sewer

Commission

Vice President

Brad Olson

Primary Portfolio:

Street, Water and Sewer

Secondary Portfolio:

Sanitation

Commissioner

Roben Anderson

Primary Portfolio:

Planning, Zoning and Engineering

Secondary Portfolio:

Administration/Finance

Commissioner

Mark Simmons

Primary Portfolio:

Police and Fire

Secondary Portfolio:

Planning, Zoning and Engineering

Commissioner

Mandy George

Primary Portfolio:

Sanitation

Secondary Portfolio:

Police and Fire

City Administrator

Tina Fisk

Assistant City Administrator

Dustin T. Scott

To: West Fargo City Commission

From: Andrew Wrucke, Assistant City Engineer

Date: January 3, 2023

Subject: MetroCOG Surface Transportation Block Grant (STBG) Applications

Action: Approve STBG Applications

New Information and Recommendation:

Staff prepared three (3) grant applications for projects eligible for MetroCOG Surface Transportation Block Grant program. The grant program replaces the NDDOT Urban Grant Program, which 9th Street NE reconstruction is being funded through. The program will award up to 80% of eligible construction costs for road projects. These applications will be reviewed and considered by MetroCOG, who then awards grant funding based on qualifications and funding availability. If/When a project is awarded a grant, it will be brought back to the City Commission for acceptance, and will be brought back again to proceed with design/construction. These applications are for the 2026 and 2027 construction seasons.

The three projects are:

- 9th Street NW from Main Ave W to approximately 8th Ave NW
- Center Street from Main Ave W to 12th Ave NW
- Sheyenne Street from 40th Ave W to 52nd Ave W and 52nd Ave W from Sheyenne Street to City Limits (Projects combined)

The following documents are attached for review/consideration:

- STBG Applications

Staff Recommendation: *Approve Grant Applications and Authorize Commission President to sign applications.*

Policy Analysis:

Projects were developed in conjunction with the Planning department and are identified in previous studies.

The projects will be added/updated in the CIP upon acceptance of the awards.

Financial Analysis:

If approved each project will be added to the City's Capital Improvement Plan (CIP). In the past, the local share of these projects were funded through a combination of Capital Improvement Sales Tax and Special Assessments. The City Commission will have the opportunity to set funding amounts for each project if they decide to move forward with design/construction.

Previously Presented Information and Commission Actions:

None

APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

Instructions

The Fargo-Moorhead Metropolitan Council of Government (Metro COG) is soliciting projects for use of its direct suballocation of Surface Transportation Block Grant (STBG) program funds annual for federal fiscal years (FFY) 2024-2027.

Table 1: Funding Amounts Available by Year Included in the Solicitation

State	FY 2024	FY 2025	FY 2026	FY 2027
North Dakota	\$0	\$0	\$4,318,064	\$10,484,210
Minnesota				\$1,071,608

Please complete the following form with all applicable information. This information will be used to assess and prioritize the project versus other project applications received by Metro COG. Completing all elements of this form thoroughly will help Metro COG staff to review projects and work with the TTC and Policy Board to prioritize projects.

Project Eligibility

Projects eligible for STBG funding must be within the Metro COG Urbanized Area Boundary (UZA), be consistent with Metro Grow: 2045 FM Area Metropolitan Transportation Plan (MTP), and meet general eligibility requirements for use of federal aid dollars under Title 23 of the US Code.

Process

After project applications are submitted to Metro COG, staff will review each application. This review will take eligibility, ability to fund, need, Title VI & EJ impacts, conformance with plans, and priority in the MTP as well as other factors into consideration. Staff will prepare a rough prioritization based upon these and other factors, and will consider various funding scenarios if multiple projects are able to be funded in a single fiscal year. This information will be presented to Metro COG's Transportation Technical Committee (TTC). The TTC will recommend a prioritized list of projects for funding to Metro COG's Policy Board. The Policy Board will then determine which projects are funded and how much funding will be allotted to each project in each of the fiscal years during which funding is available.

Schedule

- | | |
|-------------------|--|
| November 10, 2022 | • Begin project solicitation process |
| January 12, 2023 | • End application process. Metro COG staff begin reviewing projects. |
| February 9, 2023 | • The Transportation Technical Committee (TTC) reviews and prioritizes projects. TTC makes a funding recommendation to the Policy Board. |
| February 16, 2023 | • Policy Board reviews projects and awards funding. |

After funding is awarded, Metro COG will begin working with each local jurisdiction to monitor and track project progress to ensure projects are able to stay on track for the year funded, or to ensure that we know, far enough in advance, about scheduling or cost issues that could affect project programming the timely obligation of federal funds.

APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

Step 1: Project Information

Project Summary:

Project Location:							
Lead Jurisdiction:							
Project Contact:				Contact Phone:			
Contact Email Address:							
Project Limits:		From:			To:		
Project Length:		Construction Year:			AC:	☐ Y	☐ N
Funding FY:	☐ FY2024	☐ FY2025	☐ FY2026		☐ FY2027		
Funding Requested:							

Work Activities:

Please indicate which project phases will be federally funded (check all that apply).

- ☐ Planning
- ☐ Right-of-Way Acquisition
- ☐ Construction Engineering
- ☐ Construction

Project Narrative:

Below please describe the work being funded. Please go into detail about each element of the project including: proposed cross section, pavement type, lighting, traffic control, bicycle & pedestrian infrastructure, utility work, etc. Please try to include all relevant information.

Project Map:

Please provide a map detailing the limits of the project on aerial imagery. Include all details on the map that are relevant to the overall project.

- ☐ A project map has been included as an attachment to the application

APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

Project Classification:

Given the project types below, please characterize the extent of the proposed project.

- | | |
|---|--|
| ☐ Rehabilitation (mill & overlay, Concrete Crack Repair, etc)
☐ Bridge Repair
☐ Roadway Capacity Expansion
☐ Transit Capital Purchase
☐ Safety Improvement
☐ Intelligent Transportation Systems Deployment | ☐ Reconstruction
☐ New Roadway
☐ Bicycle & Pedestrian
☐ Transit Bus Replacement
☐ Congestion Management |
|---|--|

Project Cost Estimate:

Please detail the cost of the project based upon its individual elements. Please also indicate the amount of federal funds being requested for each element or amount of local funds that will be used. Be as precise as possible in your estimation.

Activity	Federal STBG Requested	Local Funding Provided
ROW Acquisition		
Planning		
Utilities		
Construction Engineering		
Roadway Construction		
Bike/Ped Infrastructure		
Lighting		
Traffic Control		
Transit Capital Purchase		
Other: (Please Specify)		
Total:		

APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

Step 2: Planning Conformance

Plan Inclusion:

Please indicate plans in which this project is listed (check all that apply).

- Metro COG Plans:
 - ☐ Metro Transportation Plan
 - ☐ Corridor Study
 - ☐ Bike/Ped Plan
 - ☐ Subarea Plan
 - ☐ TIP
 - ☐ Transit Development Plan
- Local Plans:
 - ☐ Comprehensive Plan
 - ☐ Corridor Study
- Other (please specify): _____

Project Need:

Please describe the need for the project (utilize language from any applicable plan).

ADA Compliance:

Will this project incorporate all necessary requirements of the American with Disabilities Act of 1990 as well as your local ADA Transition Plan?

- ☐ Yes
- ☐ No

Please describe ADA elements of this project (if applicable).

**APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM
BLOCK GRANT (STBG) PROGRAM FUNDS**

Step 3: Signature

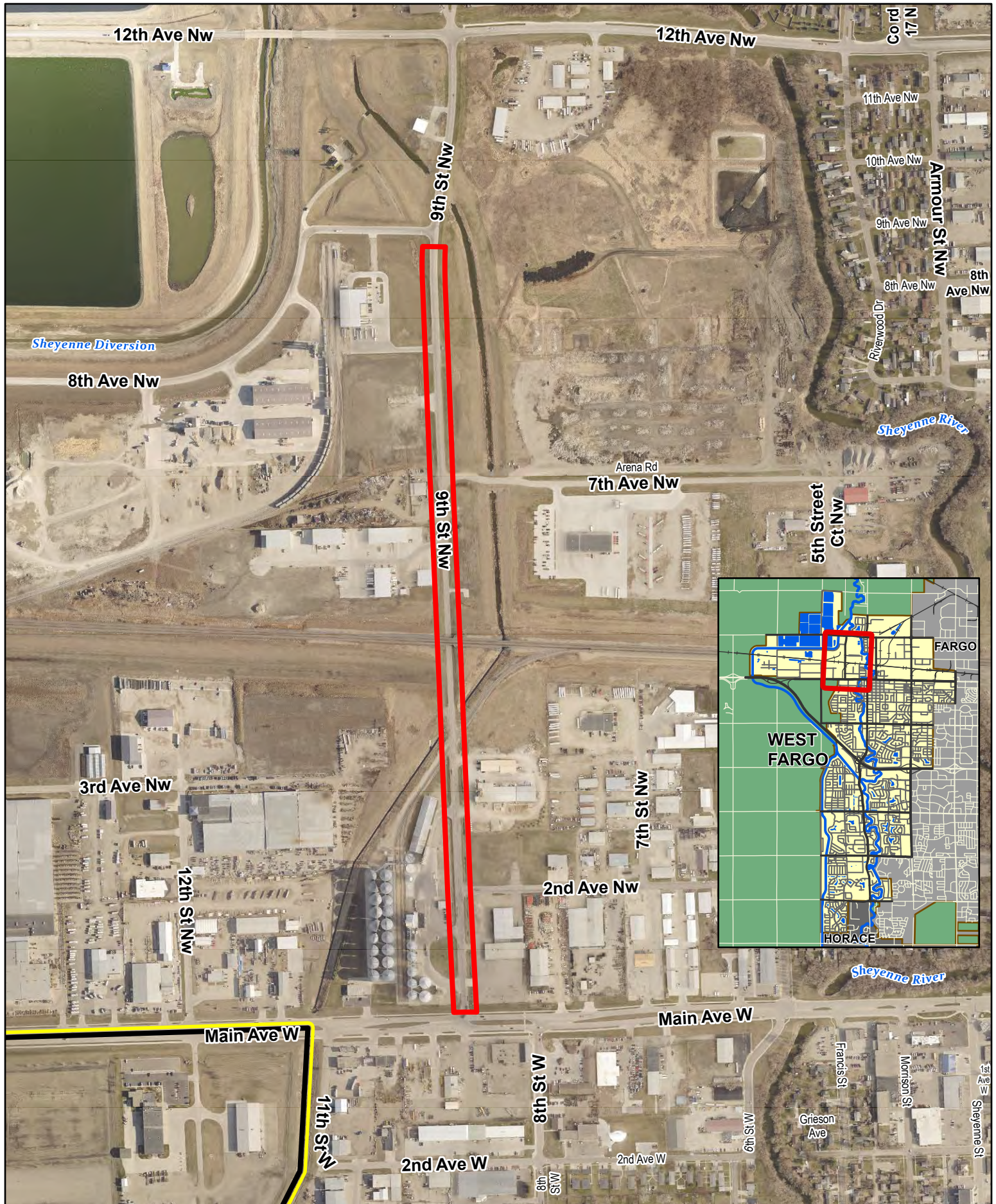
To the best of my knowledge, information in this application is true and correct. I understand that determinations made by state and federal partners may limit the amount of federal eligibility. Based upon eligibility determinations or other factors, federal funding levels may change. Your local unit of government may then have to supplement funding for the project by local means. Furthermore, it is understood that the development and delivery of the project must align with the fiscal year in which funds are requested. If, for whatever reason, the project cannot be constructed according to that timeline, Metro COG reserves the right to revoke project funding authorization at which time it will seek to program those funds onto an alternate project.

I due hereby formally submit the aforementioned project to Metro COG for federal funding on this day ____ of _____(month), _____(year).

In Witness Thereof:

(Mayor) Date

(City Engineer) Date



MetroCOG Construction Application **9th Street NW**



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APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

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APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

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Project Location:							
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Project Contact:				Contact Phone:			
Contact Email Address:							
Project Limits:		From:			To:		
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Funding FY:	☐ FY2024	☐ FY2025	☐ FY2026		☐ FY2027		
Funding Requested:							

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Please indicate which project phases will be federally funded (check all that apply).

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- ☐ Right-of-Way Acquisition
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APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

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- | | |
|---|--|
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☐ Bridge Repair
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☐ Safety Improvement
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☐ Bicycle & Pedestrian
☐ Transit Bus Replacement
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|---|--|

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Traffic Control		
Transit Capital Purchase		
Other: (Please Specify)		
Total:		

APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

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Project Need:

Please describe the need for the project (utilize language from any applicable plan).

ADA Compliance:

Will this project incorporate all necessary requirements of the American with Disabilities Act of 1990 as well as your local ADA Transition Plan?

- ☐ Yes
- ☐ No

Please describe ADA elements of this project (if applicable).

**APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM
BLOCK GRANT (STBG) PROGRAM FUNDS**

Step 3: Signature

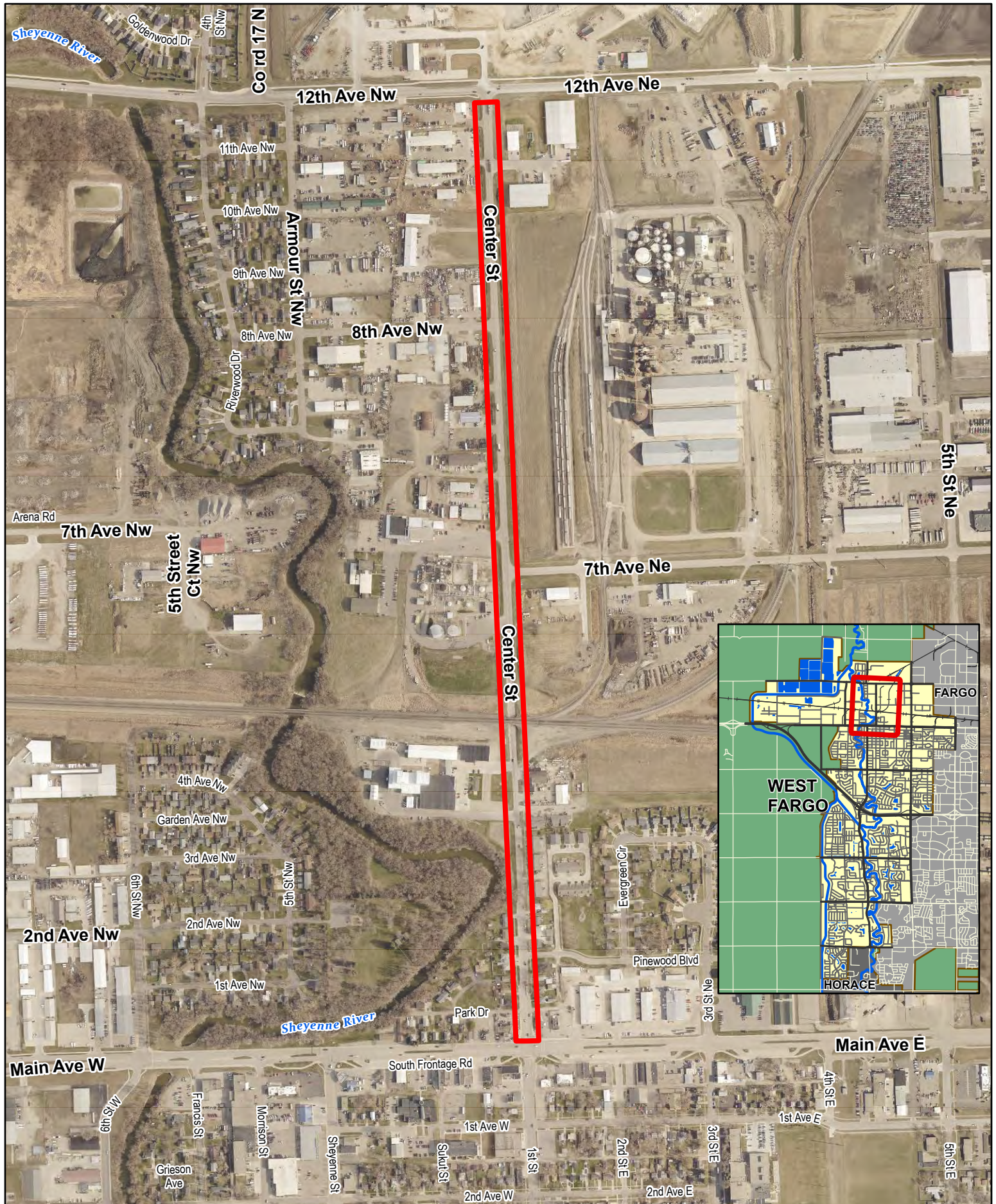
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I due hereby formally submit the aforementioned project to Metro COG for federal funding on this day ____ of _____(month), _____(year).

In Witness Thereof:

(Mayor) Date

(City Engineer) Date



MetroCOG Construction Application **Center Street**



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APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

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Projects eligible for STBG funding must be within the Metro COG Urbanized Area Boundary (UZA), be consistent with Metro Grow: 2045 FM Area Metropolitan Transportation Plan (MTP), and meet general eligibility requirements for use of federal aid dollars under Title 23 of the US Code.

Process

After project applications are submitted to Metro COG, staff will review each application. This review will take eligibility, ability to fund, need, Title VI & EJ impacts, conformance with plans, and priority in the MTP as well as other factors into consideration. Staff will prepare a rough prioritization based upon these and other factors, and will consider various funding scenarios if multiple projects are able to be funded in a single fiscal year. This information will be presented to Metro COG's Transportation Technical Committee (TTC). The TTC will recommend a prioritized list of projects for funding to Metro COG's Policy Board. The Policy Board will then determine which projects are funded and how much funding will be allotted to each project in each of the fiscal years during which funding is available.

Schedule

- | | |
|-------------------|--|
| November 10, 2022 | • Begin project solicitation process |
| January 12, 2023 | • End application process. Metro COG staff begin reviewing projects. |
| February 9, 2023 | • The Transportation Technical Committee (TTC) reviews and prioritizes projects. TTC makes a funding recommendation to the Policy Board. |
| February 16, 2023 | • Policy Board reviews projects and awards funding. |

After funding is awarded, Metro COG will begin working with each local jurisdiction to monitor and track project progress to ensure projects are able to stay on track for the year funded, or to ensure that we know, far enough in advance, about scheduling or cost issues that could affect project programming the timely obligation of federal funds.

APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

Project Classification:

Given the project types below, please characterize the extent of the proposed project.

- | | |
|---|--|
| ☐ Rehabilitation (mill & overlay, Concrete Crack Repair, etc)
☐ Bridge Repair
☐ Roadway Capacity Expansion
☐ Transit Capital Purchase
☐ Safety Improvement
☐ Intelligent Transportation Systems Deployment | ☐ Reconstruction
☐ New Roadway
☐ Bicycle & Pedestrian
☐ Transit Bus Replacement
☐ Congestion Management |
|---|--|

Project Cost Estimate:

Please detail the cost of the project based upon its individual elements. Please also indicate the amount of federal funds being requested for each element or amount of local funds that will be used. Be as precise as possible in your estimation.

Activity	Federal STBG Requested	Local Funding Provided
ROW Acquisition		
Planning		
Utilities		
Construction Engineering		
Roadway Construction		
Bike/Ped Infrastructure		
Lighting		
Traffic Control		
Transit Capital Purchase		
Other: (Please Specify)		
Total:		

APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM BLOCK GRANT (STBG) PROGRAM FUNDS

Step 2: Planning Conformance

Plan Inclusion:

Please indicate plans in which this project is listed (check all that apply).

- Metro COG Plans:
 - ☐ Metro Transportation Plan
 - ☐ Subarea Plan
 - ☐ Corridor Study
 - ☐ TIP
 - ☐ Bike/Ped Plan
 - ☐ Transit Development Plan
- Local Plans:
 - ☐ Comprehensive Plan
 - ☐ Corridor Study
- Other (please specify): _____

Project Need:

Please describe the need for the project (utilize language from any applicable plan).

ADA Compliance:

Will this project incorporate all necessary requirements of the American with Disabilities Act of 1990 as well as your local ADA Transition Plan?

- ☐ Yes
- ☐ No

Please describe ADA elements of this project (if applicable).

**APPLICATION FOR FM METRO COG SURFACE TRANSPORTATION PROGRAM
BLOCK GRANT (STBG) PROGRAM FUNDS**

Step 3: Signature

To the best of my knowledge, information in this application is true and correct. I understand that determinations made by state and federal partners may limit the amount of federal eligibility. Based upon eligibility determinations or other factors, federal funding levels may change. Your local unit of government may then have to supplement funding for the project by local means. Furthermore, it is understood that the development and delivery of the project must align with the fiscal year in which funds are requested. If, for whatever reason, the project cannot be constructed according to that timeline, Metro COG reserves the right to revoke project funding authorization at which time it will seek to program those funds onto an alternate project.

I due hereby formally submit the aforementioned project to Metro COG for federal funding on this day ____ of _____(month), _____(year).

In Witness Thereof:

(Mayor) Date

(City Engineer) Date



To: West Fargo City Commission

From: Fire Chief Dan Fuller

Date: 1/3/2023

Subject: Altering the hiring schedule for 2023 firefighters

Action: Approve the altered hiring schedule

Commission President

Bernie Dardis

Primary Portfolio:
Administration/Finance

Secondary Portfolio:
Street, Water and Sewer

Commission

Vice President

Brad Olson

Primary Portfolio:
Street, Water and Sewer

Secondary Portfolio:
Administration/Finance

Commissioner

Roben Anderson

Primary Portfolio:
Planning, Zoning and
Engineering

Secondary Portfolio:
Sanitation

Commissioner

Mark Simmons

Primary Portfolio:
Police and Fire

Secondary Portfolio:
Planning, Zoning and
Engineering

Commissioner

Mandy George

Primary Portfolio:
Sanitation

Secondary Portfolio:
Police and Fire

Administration

Tina Fisk, Administrator

Dustin Scott, Assistant
City Administrator

Summary and Recommendation:

I am requesting to alter our hiring schedule for 2023. Currently, the department is slated to hire 1 new firefighter in January, 2 Battalion Chiefs in January, 9 new firefighters in July, a Receptionist in July, and a Fire Inspector in October.

Policy Analysis:

I am requesting to move the hiring date of three firefighters from July to February, and the remaining six firefighters from July to May. In making this change, it will allow our instructor cadre of the Joint Fire Academy to balance the number of probationary firefighters over three classes for 2023 and allow the fire department to staff the first fire company (Engine 76) from the new Fire Headquarters by August 2023. With the current projected academy dates, half of the firefighters assigned to that company will not be out of the academy before December 2023.

Financial Analysis:

The maximum financial impact of these changes would be \$146,840 in additional salary for the entire change. This cost would be absorbed by the fire department budget.

Process/Timeline:

If approved, three of the nine new firefighters for the 2023 budget would begin the Joint Fire Academy in February 2023. The remaining six would begin the Joint Fire Academy in May 2023. All nine would be in the new Fire HQ staffing Engine Co. 76 in August of 2023.