



Meeting Items

- A. Call to Order
- B. Pledge of Allegiance
- C. Approve Order of Agenda
- D. Approval of Minutes – January 3, 2023 (Pages 2-4)
- E. Building Permits (no report)

Consent Agenda - Approve the Following:

- a. Bills (Pages 5-11)
- b. Games of Chance for Fargo Ducks Unlimited. Games to be conducted: Raffle on February 9, 2023 at Speedway Event Center at 680 Main Ave W (Page 12)
- c. Games of Chance for West Fargo Baseball 2031. Games to be conducted: Sports Pool on February 12, 2023 at the residence of 1030 51st Ave W (Page 13)

Regular Agenda

- 1. Brief Promotional/Swearing-In ceremony for Lieutenant Randy Burkhartsmeier and Sergeant Grant Richardson -- Denis Otterness, Police Chief
- 2. PUBLIC HEARING for Vanna Adventure Vans Five-Year PILOT -- Casey Sanders-Berglund, Economic Development Manager (Pages 14-18)
- 3. Noble Hare Enterprise Grant -- Casey Sanders, Economic Development Manager
 - Approval of Enterprise Grant at \$75,000 (Pages 19-25)
- 4. Water Rate Adjustment 2023 -- Tina Fisk, City Administrator
 - Discussion and approval of City of Fargo contractual rate increase (Pages 26-41)
- 5. Improvement District No. 2271 – 7th Ave NW & 5th St Ct NW -- Dan Hanson, City Engineer
 - Project Update (Pages 42-43)
- 6. Concrete Pavement Repair – (Various City Locations) -- Dan Hanson, City Engineer
 - Create Project No. 2272, Approve Engineer's Report; and Direct Engineer to prepare Plans and Specifications (Pages 44-50)
- 7. City Administrator's Report
 - City offices will be closed on February 20 (Presidents Day)
- 8. Correspondence
- 9. Non-Agenda Items
- 10. Adjourn



West Fargo City Commission Meeting
Tuesday, January 3, 2023
Commission Chambers 5:30 PM

The West Fargo City Commission met on Tuesday, January 3, 2023, at 5:30 p.m. Those present were Commissioners Bernie Dardis, Brad Olson, Mandy George, Roben Anderson, and Mark Simmons, 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 Olson moved and Commissioner Anderson 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 George moved and Commissioner Olson seconded to approve the minutes from December 19, 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 George seconded to approve the consent agenda as presented.

- 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)

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

Grant Larson, Fargo Cass Public Health Director of Environmental Health appeared before the Commission for approval of the second reading of Ordinance No. 1217 relating to Extermination of Insects and Vermin. Following discussion, Commissioner Olson moved and Commissioner Anderson seconded to approve the second 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.



West Fargo City Commission Meeting
Tuesday, January 3, 2023
Commission Chambers 5:30 PM

Matt Andvik, Public Works Director appeared before the Commission for approval of the Professional Consulting and Engineering Services for Sanitation Utility Rate and Operation Study with Burns & McDonnell Engineering Company, Inc. Following discussion, Commissioner Simmons moved and Commissioner George seconded to approve the Professional Consulting and Engineering Services for Sanitation Utility Rate and Operation Study with Burns & McDonnell Engineering Company, Inc. 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 a Public Hearing for approval of the Resolution of Necessity; approval of Resolution of Insufficient Protests and direct Engineer to prepare Plans and Specifications for Improvement District No. 2270 - Traffic Signal at 9th St W and 32nd Ave W. Following discussion, Commissioner Simmons moved and Commissioner Olson seconded to approve the Resolution of Necessity; approval of Resolution of Insufficient Protests and direct Engineer to prepare Plans and Specifications for Improvement District No. 2270 - Traffic Signal at 9th St W and 32nd Ave W. Commissioners Anderson, Olson, Simmons, and Dardis voted aye. Commissioner George voted nay, the motion was declared carried.

Dan Hanson, City Engineer appeared before the Commission for approval of Plans and Specifications and Direct Advertisement for Bids for Project No. 1343 - Sanitary Lift Station System Rehabilitation (SA 2,3,12 and 15). Following discussion, Commissioner Olson moved and Commissioner Anderson seconded to approve Plans and Specifications and Direct Advertisement for Bids for Project No. 1343 - Sanitary Lift Station System Rehabilitation (SA 2,3,12 and 15). Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners voted nay, the motion was declared carried.

Dan Hanson, City Engineer appeared before the Commission for approval of Plans and Specifications and Direct Advertisement for Bids for Project No. 4068 – Storm Lift Station SM-54 & Force Main Rehabilitation. Following discussion, Commissioner George moved and Commissioner Olson seconded to approve Plans and Specifications and Direct Advertisement for Bids for Project No. 4068 – Storm Lift Station SM-54 & Force Main Rehabilitation. 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 to accept Petition for Improvements and authorize Preliminary Engineering for Wilds 22nd Addition (Improvement District No. 1344). Following discussion, Commissioner Olson moved and Commissioner Simmons seconded to accept Petition for Improvements and authorize Preliminary Engineering for Wilds 22nd Addition (Improvement District No. 1344). Commissioners Anderson, Olson, Simmons, and Dardis voted aye. Commissioner George voted nay, the motion was declared carried.



West Fargo City Commission Meeting
Tuesday, January 3, 2023
Commission Chambers 5:30 PM

Dan Hanson, City Engineer appeared before the Commission for approval of Grant applications and authorize the Commission President to sign the MetroCOG Surface Transportation Block Grant (STBG) applications. Following discussion, Commissioner Simmons moved and Commissioner Anderson seconded to approve the Grant applications and authorize the Commission President to sign the MetroCOG Surface Transportation Block Grant (STBG) applications. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

Dan Fuller, Fire Chief appeared before the Commission requesting approval of an altered hiring schedule for 2023 West Fargo Firefighters. Following discussion, Commissioner Simmons moved and Commission Anderson seconded to approve the altered hiring schedule for 2023 West Fargo Firefighters. 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. Update on department staffing
2. Staff is continuing discussion on P3s and other developments
3. Economic Development Manager has been meeting with developers and other businesses
4. Assessing is ready to move to their new location

There were no non-agenda items.

In regards to non-agenda, Commission President Dardis called on Matt Andvik, Public Works Director to give an update on how is doing with the storms and the weather.

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 6:42 p.m.

Bernie Dardis, Commission President

Tina Fisk, City Administrator

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CITY OF WEST FARGO, ND
Check Register
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
105648	S	2201 NDIRF	44.59	11/22/22			
105649	S	2499 FM CONVENTION & VISITORS BUREAU	26671.47	12/29/22		CL 107117	44.59
105650	S	2499 FM CONVENTION & VISITORS BUREAU	13335.73	12/29/22		CL 107988	26671.47
105651	S	61 CASS COUNTY FINANCE	21.00	12/29/22		CL 107989	13335.73
105652	S	4482 ND CHILD SUPPORT DIVISION	802.63	12/29/22		CL 107990	21.00
105653	S	566 WEST FARGO PARK DISTRICT	89528.86	12/30/22		CL 107991	802.63
105656	S	289 ACME TOOLS	1598.52	01/04/23		CL 108004	89528.86
						CL 107859	39.77
						CL 107866	65.12
						CL 107891	925.66
						CL 107897	567.97
105657	S	2947 ALLSTATE PETERBILT OF FARGO	680.72	01/04/23		CL 107855	680.72
105658	S	317 AMERICAN WELDING & GAS, INC.	1200.73	01/04/23		CL 107917	1200.73
105659	S	4549 ANDAX	519.57	01/04/23		CL 106018	519.57
105660	S	3494 ASCAP	421.25	01/04/23		CL 107975	421.25
105661	S	2931 AUTO VALUE PARTS STORES	261.42	01/04/23		CL 107846	65.78
						CL 107915	3.26
						CL 107921	112.68
						CL 107928	65.06
						CL 107950	14.64
105662	S	1695 BAKER & TAYLOR	3953.25	01/04/23		CL 107979	3953.25
105663	S	3149 BEE SEEN GEAR	28.00	01/04/23		CL 108007	28.00
105664	S	36 BERT'S TRUCK EQUIPMENT	68.80	01/04/23		CL 107901	68.80
105665	S	3489 BOLTON & MENK, INC	925.00	01/04/23		CL 107982	925.00
105666	S	73 BRAUN INTERTEC	7080.00	01/04/23		CL 107904	6177.50
						CL 107966	902.50
105667	S	2811 BROCK ACKERMAN	621.00	01/04/23		CL 107874	621.00
105668	S	3892 BURGGRAF'S ACE FARGO WEST #17458	225.07	01/04/23		CL 107914	49.16
						CL 107993	175.91

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Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
105669	S	351 BUSINESS ESSENTIALS	818.05	01/04/23		CL 107973	220.00
						CL 107994	160.00
						CL 108014	438.05
105670	S	39 BUTLER MACHINERY	807.67	01/04/23		CL 107900	807.67
105671	S	1403 CAPITAL ONE TRADE CREDIT	299.98	01/04/23		CL 107896	299.98
105672	C S	3605 CASS COUNTY CIVIL ASSET FORFEITURE FUND	0.00	01/04/23		CL 107967	
105673	* S	61 CASS COUNTY FINANCE	7236.95	01/04/23		CL 107906	1966.95
						CL 108011	5270.00
105674	S	46 CASS RURAL WATER USERS	30.62	01/04/23		CL 107908	30.62
105675	S	2909 CC STEEL LLC	27221.75	01/04/23		CL 107971	27221.75
105676	S	1777 CENTURY LINK	299.30	01/04/23		CL 107880	299.30
105677	S	3216 CINTAS	80.99	01/04/23		CL 107937	80.99
105678	S	111 CITY OF FARGO	20620.48	01/04/23		CL 107865	20620.48
105679	S	999999 CITY OF WEST FARGO	73.00	01/04/23		CL 107958	73.00
105680	S	3245 CORE & MAIN	1197.90	01/04/23		CL 107916	1197.90
105681	S	3640 COREY MARKEL	25.00	01/04/23		CL 107992	25.00
105682	S	4059 DAKOTA FENCE - ACCT REC	62919.00	01/04/23		CL 107947	62919.00
105683	S	1675 DAKOTA FLUID POWER, INC	560.31	01/04/23		CL 107853	423.41
						CL 107863	13.40
						CL 107933	123.50
105684	S	2514 DAKOTA MAILING & SHIPPING EQUIPMENT, INC	186.67	01/04/23		CL 107879	186.67
105685	S	87 DAKOTA TIRE	1715.71	01/04/23		CL 108000	1715.71
105686	S	90 DAKOTA UNDERGROUND	301371.67	01/04/23		CL 107970	301371.67
105687	S	3767 DENIS OTTERNESS	245.51	01/04/23		CL 107872	245.51
105688	S	4075 DOYLE'S YELLOW CHECKER CAB INC	28.24	01/04/23		CL 107878	28.24
105689	S	78 DSI AUTOMOTIVE INC	431.99	01/04/23		CL 107922	431.99

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105690	S	2100 EAGLE RUN CROSSING LLC	5397.05	01/04/23		CL 107870 CL 107892 CL 107909 CL 107913 CL 107926	4361.05 110.00 62.30 771.50 92.20
105691	S	4049 EAPC ARCHITECTS ENGINEERS	10125.00	01/04/23		CL 107996	10125.00
105692	S	3410 ENGRAPHIX	78.00	01/04/23		CL 107876	78.00
105693	S	3722 ENVIROTECH	10768.89	01/04/23		CL 107886	10768.89
105694	S	4638 EQUIPMENT MANAGEMENT COMPANY	267.00	01/04/23		CL 107995	267.00
105695	S	2862 ESSENTIA HEALTH	18141.53	01/04/23		CL 107883	18141.53
105696	S	1979 FARGO MHD WEST FARGO CHAMBER OF COMMERCE	2500.00	01/04/23		CL 107905	2500.00
105697	S	1648 FARSTAD OIL, INC	415.80	01/04/23		CL 107856 CL 107941	222.75 193.05
105698	S	155 GALLS, LLC	2423.61	01/04/23		CL 107877 CL 107884 CL 108003 CL 108022	537.13 774.56 483.42 628.50
105699	S	2558 GOODYEAR COMMERCIAL TIRE	1084.60	01/04/23		CL 107893	1084.60
105700	S	556 GRAINGER, INC.	229.62	01/04/23		CL 107939	229.62
105701	S	3534 GRAND FORKS FIRE EQUIPMENT LLC	3012.68	01/04/23		CL 108002	3012.68
105702	S	3535 GREAT PLAINS FIRE	122.93	01/04/23		CL 108006	122.93
105703	S	2877 GREATAMERICA FINANCIAL SERVICES	442.89	01/04/23		CL 107974	442.89
105704	S	2713 HAMPTON INN & SUITES	352.80	01/04/23		CL 107882	352.80
105705	S	3557 HESI	87.00	01/04/23		CL 107997	87.00
105706	S	3593 HOLIDAY COMPANIES	30.00	01/04/23		CL 108013	30.00
105707	S	2500 INLAND TRUCK PARTS & SERVICE	1233.63	01/04/23		CL 107847 CL 107857	834.03 399.60
105708	S	211 INTERSTATE BATTERIES	299.99	01/04/23		CL 107938	299.99

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Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
105709	S	2750 JIM'S TOWING INC	240.00	01/04/23		CL 107903	240.00
105710	S	2122 KEY CONTRACTING	40158.00	01/04/23		CL 107972	40158.00
105711	S	693 KPH, INC	683944.61	01/04/23		CL 107968	564234.71
						CL 107969	119709.90
105712	S	4385 KRISTIN KANE	88.22	01/04/23		CL 107861	88.22
105713	S	3491 LOFFLER COMPANIES INC	136.46	01/04/23		CL 107987	136.46
105714	S	3502 M &T Fire	107.99	01/04/23		CL 107998	107.99
105715	S	3304 MAC'S - FARGO	324.45	01/04/23		CL 107852	13.53
						CL 107902	310.92
105716	S	3536 MACQUEEN EMERGENCY	1252.39	01/04/23		CL 108001	1252.39
105717	S	3488 MARK HOUSH	87.50	01/04/23		CL 107956	87.50
105718	S	2903 MATT OLDHAM	621.00	01/04/23		CL 107873	621.00
105719	S	299 MENARDS	120.42	01/04/23		CL 107907	120.42
105720	S	4622 MENARDS PW	809.69	01/04/23		CL 107862	33.57
						CL 107867	384.25
						CL 107889	7.50
						CL 107911	329.68
						CL 107927	16.74
						CL 107948	37.95
105721	S	323 METRO COG	45084.55	01/04/23		CL 107983	45084.55
105722	S	102 MIDSTATES WIRELESS	74.25	01/04/23		CL 107981	74.25
105723	S	1854 MIDWEST TAPE	1816.39	01/04/23		CL 107978	1816.39
105724	S	772 MINNKOTA	56.64	01/04/23		CL 107976	56.64
105725	S	298 MVTL LABORATORIES	1100.11	01/04/23		CL 107919	1100.11
105726	S	1031 NASETH CONSTRUCTION	33481.67	01/04/23		CL 107851	33481.67
105727	S	3428 ND DEPARTMENT OF ENVIORNMENTAL QUALITY	1006.32	01/04/23		CL 107887	1006.32
105728	S	335 ND DEPT OF TRANSPORTATION	36829.48	01/04/23		CL 107965	36829.48

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Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
105729	S	999999 ND DHS EMERGENCY RENT BRIDGE	81.00	01/04/23		CL 108026	81.00
105730	S	571 ND WORKFORCE SAFETY & INSURANCE	250.00	01/04/23		CL 108023	250.00
105731	S	364 NELSON INTERNATIONAL	662.31	01/04/23		CL 107849	45.05
						CL 107924	222.55
						CL 107951	394.71
105732	S	271 NETCENTER TECHNOLOGIES	7448.00	01/04/23		CL 107984	7448.00
105733	S	2261 NETWORK CENTER INCORPORATED	410.00	01/04/23		CL 107986	410.00
105734	S	691 NEWMAN SIGNS INC	14330.00	01/04/23		CL 107843	14330.00
105735	S	2035 NORTH CENTRAL RENTAL & LEASING, LLC	14885.50	01/04/23		CL 107952	14885.50
105736	S	3111 NORTHERN SALT INCORPORATED	75569.40	01/04/23		CL 107864	40189.14
						CL 107894	27995.94
						CL 107895	4269.60
						CL 107918	3114.72
105737	S	1477 NORTHERN STATES EXCAVATING	14.23	01/04/23		CL 107932	14.23
105738	S	1028 NORTHERN TRUCK EQUIPMENT CORP.	25.50	01/04/23		CL 107931	25.50
105739	S	1774 O'REILLY AUTOMOTIVE STORES, INC	548.42	01/04/23		CL 107854	235.50
						CL 107923	25.73
						CL 107940	287.19
105740	S	352 OK TIRE STORE - COM CTR	1630.40	01/04/23		CL 107929	1630.40
105741	S	399 OLYMPIC SALES	375.00	01/04/23		CL 107935	375.00
105742	S	276 OSTROMS ACE HARDWARE	109.39	01/04/23		CL 107860	78.39
						CL 107954	7.47
						CL 107999	23.53
105743	S	673 PARSONS ELECTRIC	22124.82	01/04/23		CL 107945	22124.82
105744	S	903 PETE NIELSEN	276.00	01/04/23		CL 107875	276.00
105745	S	4034 PETRO SERVE USA #63	6428.96	01/04/23		CL 107869	4576.23
						CL 107912	1482.90
						CL 107925	369.83
105746	S	1483 PITNEY BOWES RESERVE ACCOUNT	400.00	01/04/23		CL 107977	400.00

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105747	S	999999 PRAIRIE PROPERTY MGMT	138.00	01/04/23		CL 107959	138.00
105748	S	3519 PREMIERE SHORTLINE USA LLC	920.00	01/04/23		CL 107930	920.00
105749	S	1166 PRODUCTIVITY PLUS ACCOUNT	95.10	01/04/23		CL 107898	95.10
105750	S	2982 RDO EQUIPMENT CO	945.02	01/04/23		CL 107934	945.02
105751	S	3204 RECORD KEEPERS	27.50	01/04/23		CL 108025	27.50
105752	S	3522 RJ'S TESORO	211.18	01/04/23		CL 107888	211.18
105753	S	1881 SAM'S CLUB/SYNCHRONY BANK	462.58	01/04/23		CL 108005	462.58
105754	S	2512 SCOTT DIAMOND	330.00	01/04/23		CL 108021	330.00
105755	S	2885 SHORTPRINTER	539.50	01/04/23		CL 107881	539.50
105756	S	91 SIGN SOLUTIONS USA	423.24	01/04/23		CL 107844	160.66
						CL 107890	262.58
105757	S	4637 SILVERSTAR CAR WASH	459.54	01/04/23		CL 107955	459.54
105758	S	3325 SPHERION STAFFING LLC	12546.56	01/04/23		CL 107957	12546.56
105759	S	176 SUMMIT FIRE PROTECTION	1918.25	01/04/23		CL 107910	1619.75
						CL 107946	298.50
105760	S	733 SWANSTON EQUIPMENT CORP.	504.29	01/04/23		CL 107858	205.48
						CL 107920	298.81
105761	S	3411 THE UPS STORE #6740	318.21	01/04/23		CL 107868	295.91
						CL 107944	22.30
105762	S	3733 TIMECLOCK PLUS	600.00	01/04/23		CL 107963	600.00
105763	S	3352 TITAN MACHINERY-FARGO CASE	26095.72	01/04/23		CL 107943	26095.72
105764	S	3093 TRACKER PRODUCTS LLC	6705.30	01/04/23		CL 107980	6705.30
105765	S	544 WALLWORK TRUCK CENTER	1586.67	01/04/23		CL 107848	634.08
						CL 107899	20.65
						CL 107936	931.94
105766	S	2184 WEST SIDE STEEL	934.73	01/04/23		CL 107845	479.89
						CL 107885	454.84

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
105767	S	338 XCEL ENERGY	1088.97	01/04/23		CL 107960	64.27
						CL 107964	163.24
						CL 108008	377.75
						CL 108009	140.62
						CL 108010	343.09
Total for Claim Checks			1680930.85				
Count for Claim Checks			118				

* denotes missing check number(s)

of Checks: 118 Total: 1680930.85



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
SFN 9338 (04-2020)

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.*

Name of Organization or Group of People permit is issued to Fargo Ducks Unlimited	Dates of Activity 2-9-23	If raffle, provide drawing date 2-9-23	
Organization or Group Contact Person Terry Lassiter	Title or Position Regional Director	Telephone Number 701-890-5770	
Business Address 834 7th St NW	City Valley City	State ND	ZIP Code 58072
Mailing Address (if different) 834 7th St NW	City	State	ZIP Code
Site Name (where gaming will be conducted) Speedway Event Center			
Site Address 680 Main Ave W	City West Fargo	ZIP Code ND	County Cass

58078

Description and Retail Value of Prizes to be Awarded

Game Type	Description of Prize	Retail Value of Prize
Raffle	Guns & outdoor gear	15,000
Add Row	Delete Row	
Total (limit \$40,000 per year)		15,000

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)

Organization or Group Contact Person

Name Terry Lassiter	Title Regional Director	Telephone Number 701-890-5770	E-mail Address tlassiter@ducks.org
Signature of Organization or Group's Top Official 		Title	Date 1-6-23

\$10⁰⁰ check #1239



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 <i>WF Baseball 2031</i>	Dates of Activity <i>2-12-23</i>	If raffle, provide drawing date <i>2-12-23</i>	
Organization or Group Contact Person <i>Ryan Gellner</i>	Title or Position <i>DBA</i>	Telephone Number <i>701-793-8716</i>	
Business Address <i>1030 51st Ave W</i>	City <i>West Fargo</i>	State <i>ND</i>	ZIP Code <i>58078</i>
Mailing Address (if different)	City	State	ZIP Code
Site Name (where gaming will be conducted) <i>(House)</i>			
Site Address <i>1030 51st Ave W</i>	City <i>West Fargo</i>	ZIP Code <i>58078</i>	County <i>Cass</i>

Description and Retail Value of Prizes to be Awarded

Game Type	Description of Prize	Retail Value of Prize
<i>Super Bowl Board</i>	<i>50% of Winnings given out</i>	<i>\$200 - \$500</i>
Add Row	Delete Row	
Total (limit \$40,000 per year)		<i>\$2500</i>

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 <i>Ryan Gellner</i>	Title	Telephone Number <i>701-793-8716</i>	E-mail Address <i>rgellner@ndaco.org</i>
Signature of Organization or Group's Top Official <i>[Signature]</i>		Title	Date <i>12-30-22</i>

\$1000 cash prize



To: West Fargo City Commission

From: Casey Sanders-Berglund, Economic Development Manager

Date: January 16, 2023

Subject: Vanna Adventure Vans Five-Year PILOT

Action: Approval of Five-year PILOT

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

Summary:

Vanna Adventure Vans LLC is requesting a 5-year PILOT incentive worth \$140,533.70 to expand to West Fargo. Vanna Adventure Vans builds and manufactures a seemingly simple van into a camper, workstation, high tech, mobile home away from home. There is additional interest from an investor to use the originally designed Van and create a mobile medical unit. In approximately 18 months of business the growth of this business and need for expansion in order to accept additional orders. The need for space for more equipment, staff, and production will allow for the business to work more efficiently, on more projects, and increase production and sales.

Policy Analysis:

Vanna Adventure Vans is a primary sector certified business with the state of North Dakota. They will be infilling a currently existing structure and brining new business to the city of West Fargo. Additionally, with this expansion there will be the addition of approximately 30 jobs with 20 jobs remaining in West Fargo as the company grows.

Financial Analysis:

Upon analysis of the proposed five-year PILOT totaling \$140,533.70 compared to the potential sales tax revenue of the projected sales over the five-year period the property tax compared to the sales tax is projected to be returned in 18 months or less. With 2023's projected sales being 86 units at approximately \$120,000 each unit and at the time of EDAC's meeting 36 units were already committed to for 2023 which is approximately \$100,465.

Economic Development Advisory Committee Recommendation:

At their December 1st meeting the Economic Development Advisory Committee unanimously voted to recommend approval of the proposed project with no objections. During the discussion most notably the committee mentioned the projected sales tax revenue as well as the expansion of an entrepreneur group which already has local ties and wants to be good neighbors with potential to expand.

CITY OF WEST FARGO ECONOMIC DEVELOPMENT

STAFF REPORT

Vanna Adventure Vans Expansion		PILOT
Address: 311 21 st St NW West Fargo, ND 58078		
Legal Description: LOT 2 BLK 2 Butlers 3rd		
Applicant: Vanna Adventure Vans Owner: Christianson Companies		Staff Contact: Economic Development Casey Sanders
Economic Development Advisory Committee:		December 1 st 2022
West Fargo Public School District:		N/A (5 Years – notified)
Cass County Board of Commissioners:		N/A (5 Years- notified)
Public Notice:		Complete
Public Hearing:		January 16 th , 2023
City Commission:		January 16 th , 2023

PURPOSE:

The applicant is proposing an expansion project for an existing business founded in Moorhead, MN. Expanding into West Fargo would establish this unique business in the state of North Dakota. Vanna Adventure Vans is a primary sector certified business.

Vanna Adventure Vans builds and manufactures a seemingly simple van into a camper, workstation, high tech, mobile home away from home. There is additional interest from an investor to use the originally designed Van and create a mobile medical unit. In approximately 18 months of business the growth of this business and need for expansion in order to accept additional orders. The need for space for more equipment, staff, and production will allow for the business to work more efficiently, on more projects, and increase production and sales.

STATEMENTS OF FACT:

Existing Land Use:	Light Industrial
Current Property Tax:	\$28,106.74
Identified Blight or Slum:	No
Relocation Requirements:	Current occupant (Diversified Welding) moving out
Current Zoning District(s):	Light Industrial
Zoning Overlay District(s):	None
Adjacent street(s):	21 st St NW
Adjacent Bike/Pedestrian Facilities:	N/A
Available Parks/Trail Facilities:	N/A
Previous / Current Incentives -Applicant	None
Previous / Current Incentives -Property	None

PROPERTY OWNERSHIP, VALUES, & LOT SIZES:

Total number of properties	1
Property ID:	02-0032-00040-000
Legal Description:	LOT 2 BLK 2 Butlers 3rd
Address:	311 21 St NW West Fargo, ND 58078
Lot Size:	2.57 Acres or 111,999.42 Sq Ft

CITY OF WEST FARGO ECONOMIC DEVELOPMENT

STAFF REPORT

Owner:	DWM Properties LLC (Current) -
Improvement Value:	1,818,500.00
Total Property Value:	2,210,500.00

DISCUSSION AND OBSERVATIONS:

- Primary Sector Certified Business.
- The project will allow for this expanding business to grow and become established in North Dakota.
- The project will provide 30+ jobs with on average of \$40,000 in salary for the entire company. Conservatively we estimate 20 or more jobs to remain in West Fargo as the company grows to additional sites.
- This industry is unique and close to one of a kind and is looking to enhance production opportunities. This continues to diversify our business industries and tax base.
- Vanna Adventure Vans is connected with multiple entrepreneur groups locally and regionally and would like to have West Fargo part of their journey and be able to share that West Fargo is supportive of entrepreneurs and business expansion and growth.
- The proposed project will ensure the infill of an industrial building in which the current tenant is vacating. Bringing people and jobs to West Fargo.
- “But For” this incentive will Vanna Adventure Vans move to West Fargo. Vanna Adventure Vans has looked at areas to expand and would like to choose West Fargo due to this location and the supportive community. They intend on expanding and growing but have the opportunity to look at a location located where the community will approve for them to bring this unique business through incentivization. Additionally, as this business has seen rapid growth it is an indicator for future expansion.
- The sales will take place in the West Fargo Facility. All pick ups will take place in the City of West Fargo. Sales are projected for year 1 at 80-100 conversions (sales are on conversations of the vans not of the van itself). Each conversion averages \$120,000-\$140,000. Below is a breakdown of projected sales, approximate sales tax, and a comparison difference of sales tax minus the tax abatement amount each year of \$28,106.

18 Mo	Projected Sales	Approximate Sales Tax	Difference of Sales Tax less PILOT incentive
1	86 units	\$240,000	\$211,893
	36 committed	100,465	

Years	Projected Sales	Approximate Sales Tax	Difference of Sales Tax less PILOT incentive
1	80-100 units	\$192,000-\$240,00	\$163,894-211,893
2	200 units	\$480,000	\$451,894
3	300 units	\$720,000	\$691,894
4	400 units	\$960,000	\$931,894
5	500 units	\$1,200,000	\$1,171,894
Total			\$3,411,470- \$3,459,469

STAFF REPORT

PUBLIC PARTICIPATION:

Public assistance for this project will consist of a five-year Payment In Lieu of Taxes in which the payment each year would consist of \$100.00. After the five-year PILOT the total is \$140,533.70.

Breakdown of Public Participation:

Current property tax 28,106.74 annually
 $\$28,106.74 \times \text{Five years} = \mathbf{\$140,533.70}$

Other forms of assistance from the state are still under evaluation at the state level.

Years	% of Abatement	PILOT	Est. Taxes Saved on Improvements
1	100%	\$100	\$28,106.74
2	100%	\$100	\$28,106.74
3	100%	\$100	\$28,106.74
4	100%	\$100	\$28,106.74
5	100%	\$100	\$28,106.74
Total		\$500	\$140,533.70

**LAND USE, ZONING, STREET PLANS, DISPLACEMENT OF RESIDENCE OR BUSINESSES:**

There would currently be no zoning changes, displacements, or street concerns with this business expanding into this existing location.

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE RECOMMENDATION:

At their December 3, 2022 meeting, the Economic Development Advisory Committee met and is recommending approval of the application with no objections.

The highlights of the discussion was around the sales tax compared to the property tax loss. The opportunity to welcome a primary sector certified business into West Fargo that has local ties and will be infilling a potentially vacant building. There as some discussion around how many smaller cities have sought them out to build there as they became primary sector certified “but for” this incentive they have more of an appetite for West Fargo as they also prefer to stay closer to this region.

RECOMMENDATIONS:

Upon analysis of the Vana Adventure Vans business plans and proposal I recommend approval of a five-year PILOT as presented. The PILOT will consist of \$140,533.70 of property tax abatement however, the potential for sales tax increase from what this property has been used for in the past or could be used for offers a one to two-year return on this investment. Additionally, this business is on the grow and has other opportunities and communities vying for their presence. It would be great to get this Minnesota founded company to land in the city of West Fargo to expand their operations. As of the EDAC meeting in December of 2022 they already had 36 of their 86-unit goal committed for the year of 2023.



To: West Fargo City Commission
From: Casey Sanders-Berglund, Economic Development Manager
Date: January 16, 2023
Subject: Noble Hare Enterprise Grant
Action: Approval of Enterprise Grant at \$75,000

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

Summary:

Noble Hare is an experience driven cocktail bar that will have a focus on whiskey and wine. This new space will offer a sectioned off area that will feature a wall of whiskey lockers as well as an egomatic wine service. The owner aims to have small foods that are not found commonly in our community. With education, some unique events, and a space that can be enjoyed for meetings or conversations this space strives to be a destination. The ideal open after construction would be April of 2023.

Policy Analysis:

Noble Hare is working with EPIC on fitting up the corner lot at THE FIRM which looks out to the POW/MIA plaza. This is within the DMU zone and the overall construction cost is projected to be \$366,331.00 with furniture costs projected at over 100,000 as well.

Financial Analysis:

With the overall project cost estimated at over \$450,000 this meets the maximum threshold of \$150,000 with 50% or \$75,000 potential award.

Economic Development Advisory Committee Recommendation:

At their January 5th meeting the Economic Development Advisory Committee unanimously voted to recommend approval of the proposed project with no objections.

The highlight of the discussion was activating a vacant space, the uniqueness of the operations, and that it supports the goals of the Downtown Mixed Use area. There were concerns about parking in the Downtown space. When discussing parking the hours of operation (Tue-Sat 11am-12am and Sundays 4pm-11pm) where a large part of the discussion and that many of the businesses will not be open during a large chunk of their potential peek times which will lean towards shared parking. The owner stated that he plans to have parking suggestions and walk routes prepared to share with customers. Lastly, the discussion centered around parking and how we need business to activate the area and continue the city lead parking discussions to support continued growth.

CITY OF WEST FARGO ECONOMIC DEVELOPMENT

STAFF REPORT

Noble Hare – Enterprise Grant (Within the FIRM)

344 Sheyenne St Unit C

LOT 2 BLK 1 PIONEER PLACE 2ND UNIT C

Applicant: Noble Hare

Owner: Isaac Olson

Staff Contact: Economic Development

Casey Sanders

Economic Development Advisory Committee:

January 5th 2023

West Fargo Public School District:

N/A

Cass County Board of Commissioners:

N/A

Public Hearing:

N/A

City Commission:

January 16th 2023**PURPOSE:**

The applicant is proposing an infill project which would renovate the corner lot overlooking the POW/MIA plaza. The project would aim to offer a unique experience driven bourbon and wine bar in the heart of downtown West Fargo. From a sectioned off bourbon room with liquor lockers available, specialty events, wine tasting and endless handcrafted cocktails. The goal here is to have a space in which conversations can be enjoyed and education about flavors and pairing can be shared about the specialty beverages. There will be small foods served like charcuterie boards, lefse and flat breads.

STATEMENTS OF FACT:

Land Use Classification:

G-4A: Core-Retrofit Growth Sector

Existing Land Use:

N/A

Existing Improvements:

N/A

Identified Blight or Slum:

No

Relocation Requirements:

None

Current Zoning District(s):

DMU: Downtown Mixed Use

Zoning Overlay District(s):

None

Total area size:

2,300 SF (rough number from Zach @ Epic)

Adjacent Zoning Districts:

North and West: DMU: Downtown Mixed Use District
South and East: R-3: Multiple Family Dwelling District

Adjacent street(s):

4th Ave W (Local); 5th Ave W (Local); Sheyenne Street
(Arterial)

Adjacent Bike/Pedestrian Facilities:

Sidewalks and Plaza

Available Parks/Trail Facilities:

POW/MIA Plaza is located directly outside

PROPERTY OWNERSHIP, VALUES, & LOT SIZES:

Total number of properties

1

Property ID:

02-0581-00020-030

Legal Description:

LOT 2 BLK 1 PIONEER PLACE 2ND UNIT C

Address:

344 Sheyenne St Unit C

Lot Size:

2,300 SF (rough number from Zach @ Epic)

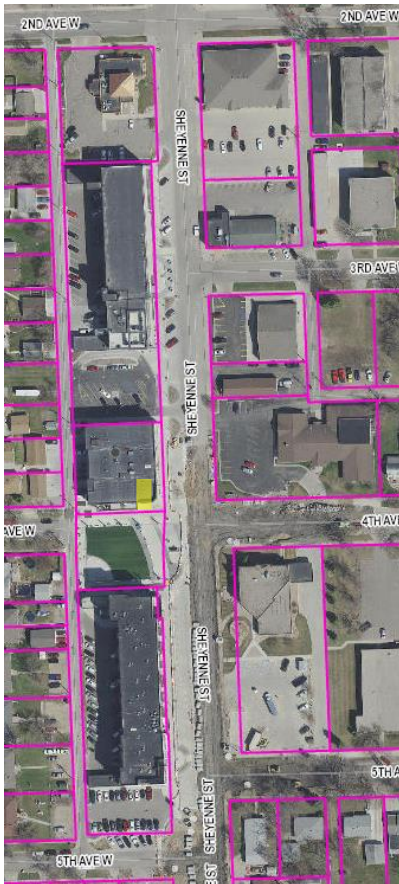
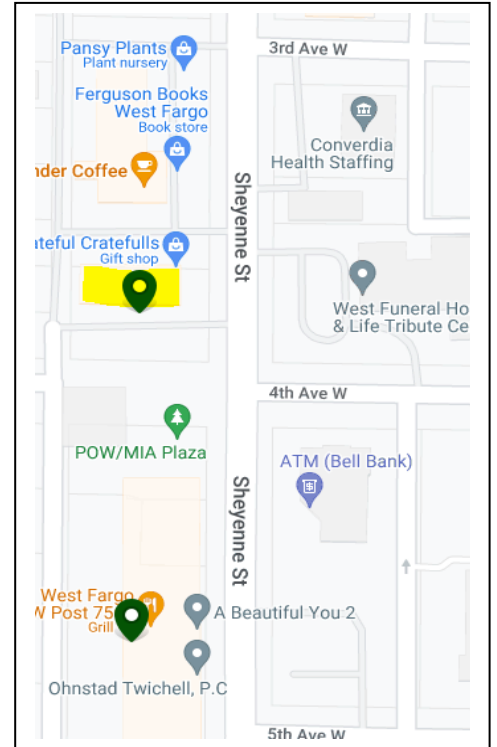
Owner:

SAD Downtown LLC - EPIC

CITY OF WEST FARGO ECONOMIC DEVELOPMENT

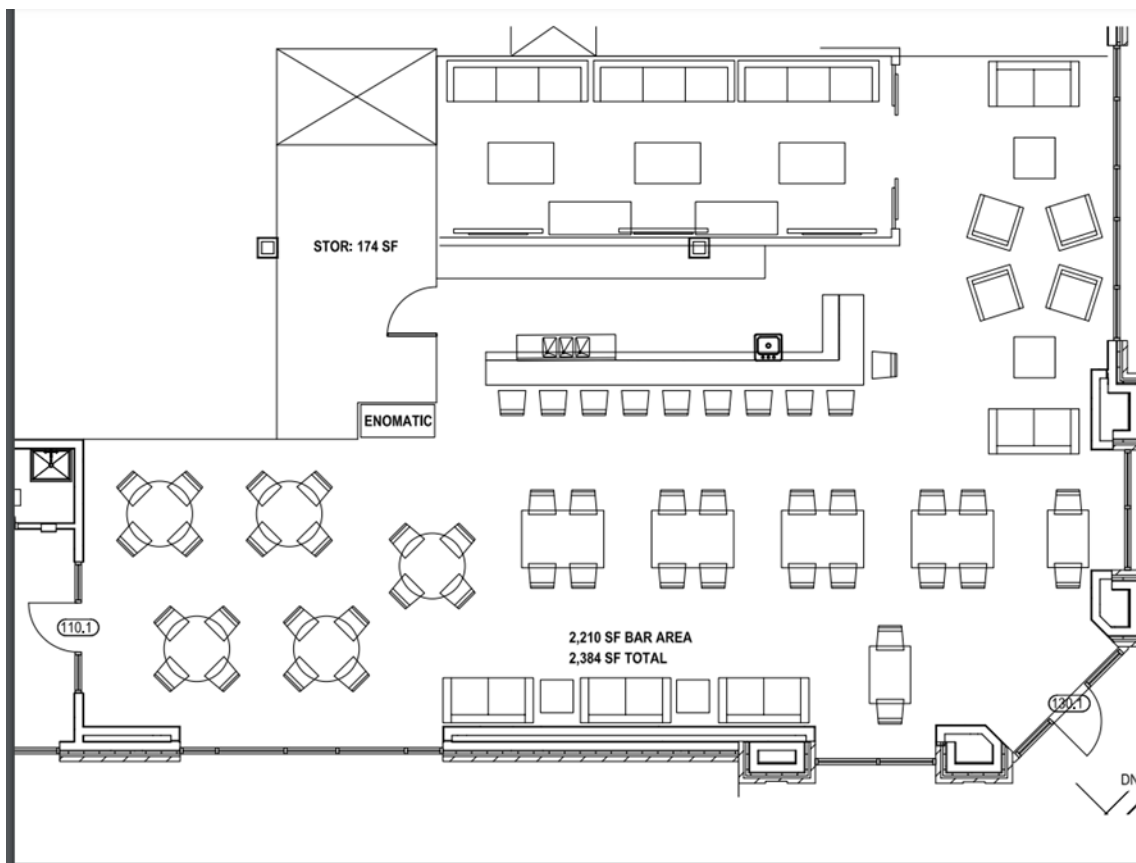
STAFF REPORT

True & Full Value:	N/A
Assessed Value:	N/A



DISCUSSION AND OBSERVATIONS:

- The proposed project will provide Downtown West Fargo with a unique place to have specialty cocktails, good conversations, client meetings, etc.
- The operations will plan on needing approximately 60 parking spots during peak times with a capacity of around 120 people. Given the majority of surrounding businesses are closed during the planned open times for The Noble Hare there are no immediate concerns.
- Cost of construction (outlined below) \$366,331 / Furniture Cost is estimated at over \$120,000
- Ideal opening time with construction and fit up would be April 2023 to ensure the first open season with summer and higher volume of people learning about this new venue.
- This venue is the first of its specific kind. The owner has worked with SBDC to complete financial analysis and business modeling as well as planning and marketing.
- Open with 6 employees with two owners as the majority shift holders. Current plan for open hours: Tuesday through Saturday from 11am until 12am and Sundays from 4pm until 11pm.
- Target market age is between 24-54 based on market analysis.



STAFF REPORT

The Noble Hare
West Fargo, ND
CM - Opinion of Probable Cost



Project No.

Bid Package		Contractor	Contract
1	General Conditions	CBE, LLC	\$17,470.00
5C	Misc. Metals		\$2,000.00
6B-1	Misc. Materials		\$11,500.00
6B-2	Misc. Labor		\$1,000.00
6D-1	Finish Carpentry		\$12,000.00
6D-2	Finish Carpentry - Materials		\$6,000.00
8A	Hardware/Doors/Frames/Trim		\$6,000.00
9A	Metal Stud Framing/Drywall		\$47,730.00
9C	Tile		\$9,660.00
9D	Acoustical Ceilings		\$14,400.00
9F	Painting and Wall Coverings		\$12,500.00
9G	Floor Coatings		\$36,000.00
10A	Interior Signage		\$500.00
10B	Monument Signage	By Owner	\$0.00
11B	Food Service Equipment	By Owner	\$0.00
12B	Custom Cabinets		\$12,000.00
12C	Window Treatments	By Owner	\$0.00
12D-1	Countertops & Sills		\$11,550.00
21	Fire Sprinkler System		\$5,400.00
22	Plumbing		\$33,900.00
23	HVAC		\$24,000.00
26A	Electrical		\$57,600.00
Total Bid Packages			\$ 321,210.00
10.00%	Construction Management	CBE, LLC	32,121.00
Total Construction Cost			\$ 353,331.00
3.00%	Architecy/Engineering	CBE, LLC	\$ 2,400.00
	Contingency		10,600.00
TOTAL PROJECT COST			\$ 366,331.00

STAFF REPORT

PUBLIC PARTICIPATION:

Public assistance for this project will be proposed to consist of an Enterprise Grant of up to \$75,000 considering the full fit up cost is projected to exceed the \$150,000 max threshold to receive 50% of that total.

LAND USE, ZONING, STREET PLANS, DISPLACEMENT OF RESIDENCE OR BUSINESSES :

There are no zoning, street, displacement, or land concerns with the fit up of this business in the DMU zone.

It opens directly to the corner of the POW/MIA plaza and currently the owner plans to work to ensure that there is great synergy with the events and current happenings that take place at this plaza.

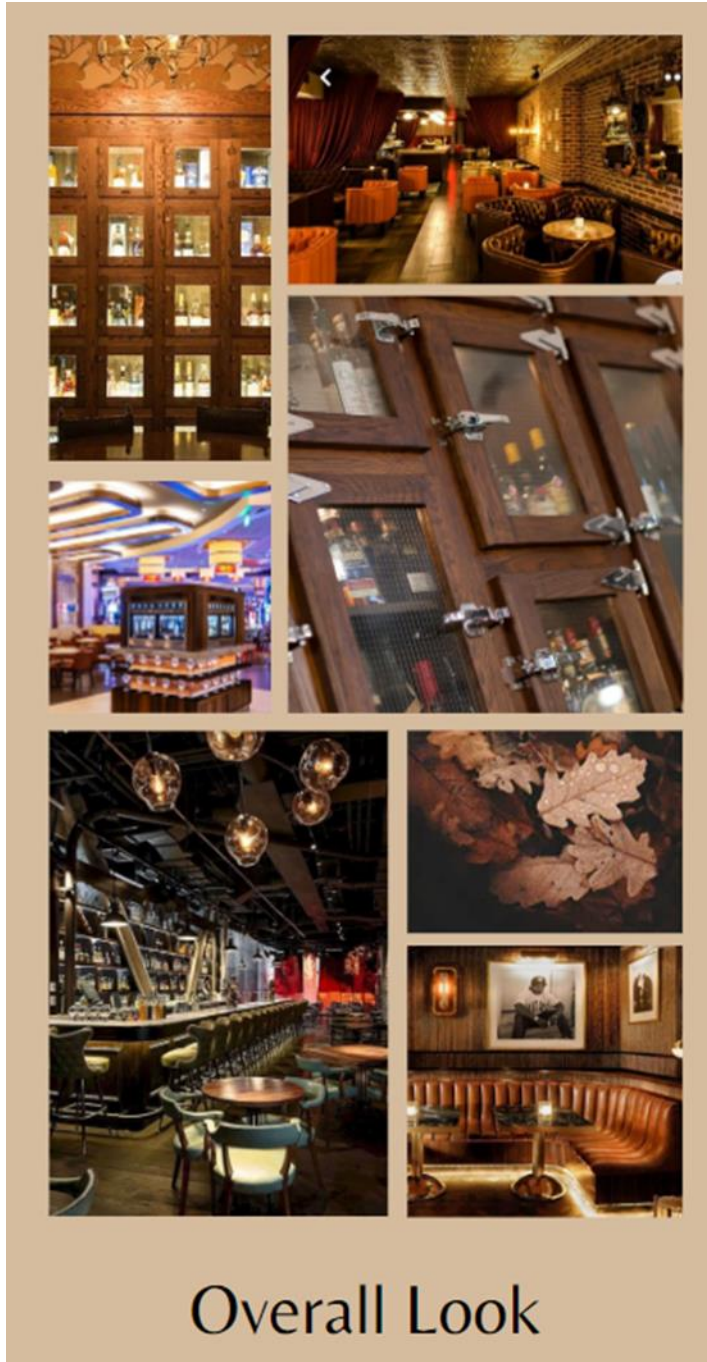
RECOMMENDATIONS:

The proposed project would continue the development of the downtown area while increasing the commercial tax base. As the owners aim to have an experience driven and several unique opportunities locally this will also help diversify the offerings not only in The Yards but in the city as a whole. The DMU offers the enterprise grant to assist in fit ups for businesses such as this. This project will take over a currently vacant area of THE FIRM building.

As the Economic Development Manager I recommend this Enterprise Grant for review and feedback from the Economic Development Advisory Committee and City Commission and approval to the City Commission.

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE RECOMMENDATION:

Economic Development Advisory Committee met on January 5th 2023 and approved the grant at \$75,000 with no objections.





To: West Fargo City Commission
From: Administrator Tina Fisk
Date: January 16, 2023
Subject: Water Rate Adjustment 2023
Action: Discussion and Approval of City of Fargo contractual rate increase.

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:

The City of West Fargo has received a notice of increase in water rates from the City of Fargo by forty cents per thousand. The recommendation is to accept the letter of change and direct staff to adjust our rates charged to our customers equally, forty cents per thousand.

Policy Analysis:

The City of West Fargo entered into a contract to purchase water from the City of Fargo June 1, 2016 at \$3.25/1000 gallons. This was based on the formula attached and included a twenty-cent cost reduction from the calculated rate of \$3.45. The contract stated the rate would stay at \$3.25 until at least June 1, 2020. Staff started meeting with the City of Fargo representatives in September of 2022 to discuss changes to their cost to produce water and how that potentially would affect rates.

Per the contract they have presented the attached letter adjusting the water rate from \$3.25/1000 gallons to \$3.65/1000 gallons effective January 1, 2023. The water cost is based on the formula you will see attached.

Financial Analysis:

The increase in the wholesale rate charged by the City of Fargo will require the City of West Fargo to increase rates by forty-cents per 1000 to our users. Any other potential increases in our costs due to inflation and funding of water projects will be brought forward at a later date.

January 11, 2023

Tina Fisk, City Administrator
City of West Fargo
800 4th Ave. E.
West Fargo, ND 58078

Re: Wholesale Water Rate Adjustment for 2023

Dear Tina,

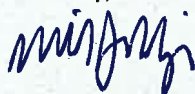
Please accept this letter as formal notification of a wholesale water rate adjustment to \$3.65 per thousand gallons effective January 1, 2023. Section 6 of the Water Service Agreement between West Fargo and Fargo requires a good faith negotiation between the parties to establish an appropriate wholesale rate.

6. **Wholesale Water Rate.** Fargo will provide treated drinking water to West Fargo at the above referenced interconnection locations. The water provided to West Fargo will be measure through flow meters. West Fargo will pay for the metered water at a wholesale rate of \$3.25 per thousand gallons. It is agreed that the wholesale rate of \$3.25 per thousand gallons will remain fixed for four years from the initial purchase of water. After four years, the parties agree to negotiate in good faith to establish an appropriate wholesale rate. The wholesale rate is based on the costs for water supply, treatment, and transmission to West Fargo. Fargo will provide West Fargo with supporting documentation justifying the wholesale rate.

Section 6 required that the \$3.25 wholesale water rate be fixed for four years from the initial purchase of water. After the four year period, the parties would agree to negotiate in good faith to establish an appropriate wholesale rate. The date of initial purchase of water was June 1, 2016.

On September 26, 2022, representatives from West Fargo and Fargo met to review the supporting documentation justifying the adjusted wholesale rate. Based on those negotiations, the new wholesale water rate was established at \$3.65 per thousand gallons. For your reference, a fully executed copy of the Water Service Agreement has been attached to this notification letter. Your consideration in this matter is greatly appreciated.

Sincerely,



Michael Redlinger
City Administrator

C: Judy Afdahl, West Fargo Finance Director
Steve Sprague, Fargo City Auditor
Troy Hall, Water Utility Director

2015 Wholesale Water Rate Calculation

2013 Total Water Billed = 3,835,675,000 gal. (actual)

2013 Year-End Budget Actuals			
Cost Allocation		Annual Amount	\$/1,000 gallons
3050	Water Operating	\$ 979,687	\$ 0.26
3051	Water Treatment	\$ 6,707,698	\$ 1.75
3052	Mains & Hydrants	\$ 1,407,239	\$ 0.37
3053	Water Meters	\$ 744,443	\$ 0.19
3054	Water Transfers	\$ 9,575,230	\$ 2.50
General Fund		\$ 3,114,417	\$ 0.81
Capital Projects Fund		\$ 2,273,182	\$ 0.59
Debt Service Fund		\$ 4,187,631	\$ 1.09
Total		\$ 19,414,297	\$ 5.07

2013 Wholesale Rate		\$/1,000 gallons
Cost per 1,000		\$ 5.07
3050	Water Operating	\$ (0.25)
3052	Mains & Hydrants	\$ (0.37)
3053	Water Meters	\$ (0.19)
3054	General Fund Transfer	\$ (0.81)
Total		\$ 3.45

2013 RA Model Discount		\$/1,000 gallons
Wholesale Rate		\$ 3.45
RA Model Discount		\$ 0.20
2015 Wholesale Water Rate		\$ 3.25

2023 Wholesale Water Rate Calculation

2021 Total Water Billed = 5,613,402,000 gal. (actual)

2021 Year-End Budget Actuals			
Cost Allocation		Annual Amount	\$/1,000 gallons
3050	Water Operating	\$ 5,568,700	\$ 0.99
3051	Water Treatment	\$ 11,458,524	\$ 2.04
3052	Mains & Hydrants	\$ 1,889,226	\$ 0.34
3053	Water Meters	\$ 741,182	\$ 0.13
3054	Water Transfers	\$ 12,836,356	\$ 2.29
General Fund		\$ 3,834,074	\$ 0.68
Capital Projects Fund		\$ 1,898,082	\$ 0.34
Enterprise Funds		\$ 529,000	\$ 0.09
Debt Service Fund		\$ 6,575,200	\$ 1.17
Total		\$ 32,493,988	\$ 5.79

2021 Wholesale Rate		\$/1,000 gallons
Cost per 1,000		\$ 5.79
3050	Water Operating	\$ (0.99)
3052	Mains & Hydrants	\$ (0.34)
3053	Water Meters	\$ (0.13)
3054	General Fund Transfer	\$ (0.68)
Total		\$ 3.65

2021 RA Model Discount		\$/1,000 gallons
Wholesale Rate		\$ 3.65
RA Model Discount		\$ -
2023 Wholesale Water Rate		\$ 3.65

WATER SERVICE AGREEMENT

THIS AGREEMENT is executed this 6th day of July, 2015, by and between the City of West Fargo, North Dakota, a North Dakota municipal corporation ("West Fargo") whose address is 800 4th Avenue East, West Fargo, ND 58078; and the City of Fargo, North Dakota, a North Dakota municipal corporation ("Fargo") whose address is 200 3rd Street North, Fargo, ND 58102.

RECITALS

- A. WHEREAS, West Fargo and Fargo have agreed that it is in the parties' best interests that an AGREEMENT be formalized to address the issue of treated water supply for the two cities;
- B. WHEREAS, the formalized AGREEMENT, set forth herein, contains the terms by which the parties intend to cooperate in providing water service to consumers within the respective corporate boundaries of the parties;
- C. WHEREAS, the parties recognize that this AGREEMENT is intended to allow both parties to satisfy the needs of their respective customers and to provide an appropriate supply of treated drinking water to said customers; and
- D. WHEREAS, West Fargo intends to purchase water from Fargo to provide water service to its customers and Fargo intends to sell water to West Fargo for that purpose.

NOW THEREFORE, in consideration of the mutual covenants contained in this AGREEMENT, and other good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, the parties agree as follows:

AGREEMENT

- 1. **Purpose.** This Agreement is made pursuant to N.D.C.C. § 54-40-1, which authorizes the joint and cooperative exercise of power common to the contracting parties. This agreement is for the purpose of providing wholesale water service to the City of West Fargo.
- 2. **Not a Separate Political Subdivision.** This Agreement does not create a joint venture, partnership or a separate political subdivision.
- 3. **Interconnection Infrastructure.** The Fargo water distribution system will interconnect with the West Fargo water distribution system at two locations initially. The two interconnection locations will be at:
 - a. Main Avenue
 - b. 32nd Avenue South

A future third interconnection location has been identified at 52nd Avenue South to be completed as needed by the Fargo and West Fargo water distribution systems and water demands. A schematic illustration of the initial and future interconnection locations is included in Exhibit A.

Hydraulic modeling of the combined Fargo and West Fargo distribution systems has indicated that Fargo can supply West Fargo with a peak demand of 6.9 million gallons per day (MGD) through the two initial interconnections at Main Avenue and 32nd Avenue South. The third interconnection point at 52nd Avenue South will provide capacity to deliver up to 10.8 MGD. If it is determined by the parties that above described interconnection locations are insufficient to provide capacity to deliver up to 10.8 MGD, then the parties agree to meet and negotiate to determine and implement a technical solution to provide the necessary capacity.

The interconnection infrastructure at each connection point will include a booster pump station and buried water transmission piping to the West Fargo service area, along with any required operating components such as flow meters and telemetry systems.

When additional interconnection points are necessary at some point in the future, Fargo and West Fargo will work cooperatively to make the necessary interconnections.

The booster pump stations will boost Fargo's water pressure to match that in the West Fargo distribution system. West Fargo will supply water tower level set points to Fargo for operation of the booster pump stations.

The two initial interconnections at Main Avenue and 32nd Avenue South will consist of 16-inch C900 PVC water main pipe.

Other water system infrastructure upgrades within each party's corporate boundaries will remain the responsibility of each respective party. In addition, the parties shall maintain an accurate and calibrated hydraulic model of its respective distribution system.

West Fargo will continue to provide and maintain elevated water storage for diurnal water demand variations, peak hour demands, fire flow, and fire storage for fire protection purposes within its service area. The water service interconnections will enable Fargo to maintain water tower levels within the West Fargo distribution system. West Fargo shall install necessary level controls within its water towers to ensure adequate operation and cycling of the water level in the tower.

4. **Capital Costs.** All capital costs associated with the interconnection infrastructure associated with the three interconnection points between the Fargo and West Fargo water distribution systems will be paid by Fargo. All costs associated with installing and maintaining the meter pits and meters located at the interconnection locations shall be the responsibility of Fargo. Fargo will engineer, design, and construct the necessary booster pump stations and interconnection infrastructure. Other costs associated with infrastructure required within each entity's corporate boundaries to ensure the functionality of the interconnections will remain the responsibility of each respective party.

5. **Operating and Maintenance Costs.** The necessary operating and maintenance costs associated with the interconnection infrastructure will be paid by Fargo. Other water system operating and maintenance costs within each entity's corporate boundaries will remain the responsibility of each respective party.

6. **Wholesale Water Rate.** Fargo will provide treated drinking water to West Fargo at the above referenced interconnection locations. The water provided to West Fargo will be measured through flow meters. West Fargo will pay for the metered water at a wholesale rate of \$3.25 per thousand gallons. It is agreed that the wholesale rate of \$3.25 per thousand gallons will remain fixed for four (4) years from the initial date that West Fargo purchases of water from Fargo (hereinafter the "Initial Date"). For purposes of this Agreement the Initial Date is defined as the date that water is distributed by Fargo to West Fargo through the interconnection points. Three (3) years from the Initial Date, the parties agree to meet and negotiate in good faith to establish an appropriate wholesale rate for the next four (4) year period. Thereafter the parties agree to meet and negotiate in good faith at least one (1) year prior to the expiration of each four year rate period to establish an appropriate wholesale rate for subsequent four (4) year periods. The wholesale rate is based solely on the costs for water supply, treatment, and transmission to West Fargo and does not include any costs associated with Fargo's distribution of water to City of Fargo Residents. Fargo will provide West Fargo with supporting documentation justifying the wholesale rate.

7. **Minimum Water Purchase Obligation.** The minimum monthly volume of water to be purchased by West Fargo shall be thirty million (30,000,000) gallons. In the event that Fargo is unable to provide water due to drought conditions as more fully set forth in paragraph twelve (12) of this agreement, West Fargo's obligation to purchase a minimum of thirty million (30,000,000) gallons per month shall be suspended until such time as normal conditions return as determined by the parties.

8. **No Maximum Water Volume Limitation.** Except as set forth in paragraph twelve (12) of this Agreement and subject to the interconnection infrastructure capacity outlined in paragraph three (3) of this agreement, there is no limitation on the amount of water that West Fargo may purchase per month.

9. **Water for Initial West Fargo System Flushing.** It is estimated that the initial flushing the West Fargo water distribution system will require twenty million (20,000,000) gallons. Fargo will provide 20 million gallons of flush water to West Fargo at no charge. The value of this water is \$65,000 based on the wholesale rate. The party's representatives shall meet and determine the time and location of the initial West Fargo System Flushing.

10. **Public Outreach.** Fargo will assist West Fargo in developing public outreach materials for distribution to West Fargo water users. The materials may include information related to the water flushing process and timing, changing water quality, and instructions for home owners.

11. **Term of AGREEMENT.** The effective date of this AGREEMENT is the date the last signatory signs the AGREEMENT. The AGREEMENT will be in effect unless and until terminated by either party. Termination will require one (1) year written notice which must be given prior to the commencement of a four (4) year rate period. In the event that written notice is not given at least one (1) year prior to a four (4) year rate period, then the written notice of termination must be give five (5) years prior to the date of termination. Any termination will be

without prejudice to any obligations incurred prior to termination.

12. **Drought Management and Water Service Restrictions.** Fargo's obligation to provide water to West Fargo shall be based upon Fargo having a sufficient supply of source water to treat and infrastructure ability to deliver to West Fargo. To ensure equitable water use restrictions are applied to Fargo and West Fargo, West Fargo agrees to adopt and enforce an equivalent Drought and Water Service Management Plan (City of Fargo's attached hereto as Exhibit B), and equivalent Drought and Water Service Response Measures Ordinances (City of Fargo's attached hereto as Exhibit C) so that in the event of source water shortages, treatment plant limitations, or transmission system limitations, the same water use restrictions will be placed on all users of the Fargo and West Fargo water systems. The parties agree to cooperate in development, adoption, and enforcement of any amendments to drought and water service response measures ordinances.

13. **Water Rights.** Fargo will not try to obtain water rights, including but not limited to Sheyenne River rights, from West Fargo, and vice versa, without prior mutual agreement approved and consented to by both the West Fargo and Fargo City Commissions.

14. **Water Quality and Testing.** Fargo and West Fargo shall be responsible for conducting their own drinking water sampling program and reporting the analytical results within their respective corporate limits. Fargo and West Fargo will cooperate, at each party's own expense, with the North Dakota Department of Health ("NDDH") regarding water quality and testing requirements in accordance with North Dakota law. Testing and sampling will require adherence with the Surface Water Treatment Rule, Interim Enhanced Surface Water Treatment Rule, Total Coliform Rule, the Lead and Copper Rule, and any other current or future applicable rules and regulations.

15. **Red River Valley Water Supply Project.** The water supply provisions of this AGREEMENT are strictly related to Fargo's presently permitted source water supplies including the Red River, Sheyenne River, and Lake Ashtabula. If the Red River Valley Water Supply Project proceeds, Fargo will nominate for an amount that will meet the needs of Fargo and West Fargo, so that the water supply provides the same percentage for both cities. The local costs of the Red River Valley Water Supply Project for the Fargo and West Fargo nominations will be built into the water rates as a component of the wholesale rate.

16. **Future Water Treatment Facilities.** It is understood and agreed by the parties that both Fargo and West Fargo have secured suitable property for the construction of a future water treatment plant. At some point in the future when water demands are nearing the capacity of the Fargo water treatment plant of 45 MGD, the parties agree to give objective evaluation of both sites as to the advantages and disadvantages. The evaluation to include such items as capital costs for source water supply, treatment, and distribution; source water redundancy; ability to secure source water permits; operation and maintenance costs; regulatory requirements; or other relevant technical factors.

17. **Water Billing.** Fargo will bill West Fargo in accordance with the wholesale rate for monthly water usage for each metered interconnection. Wholesale water use bills shall be

payable to Fargo within 15 days of receipt of the bill. West Fargo will be responsible for billing its users for water use.

18. **No Lobbying Efforts.** The parties agree that they shall not utilize this Agreement to lobby, stop or prevent the North Dakota State Water Commission from considering or granting funding or partial cost sharing of future water treatment facilities or other projects related to water treatment sponsored or undertaken by either party.

19. **Indemnification and Release.** Each party shall defend and hold harmless the other party, its officer and agents from and against any and all claims by or on behalf of any person or persons for damages or injury against that party that relate to or arise from the conduct of, or service provided by, the indemnifying party. Nothing herein shall be deemed a waiver by either Fargo or West Fargo of the limitations on liability set forth in N.D.C.C. § 32-12.1-03, as amended from time to time, and Fargo and West Fargo's obligation to indemnify, hold harmless and defend shall be limited by the limitations on liability set forth in N.D.C.C. § 32-12.1-03.

20. **Right of Way.** The parties mutually agree to grant all necessary temporary and permanent easements or other documents of permission regarding Fargo's ownership, construction, reconstruction, operation, management, repair, improvement, or maintenance of the interconnection infrastructure over any property owned or controlled by West Fargo.

21. **Force Majeure.** Neither party shall be liable for damages or deemed in default of the Agreement to the extent that any delay or failure in the performance of its obligations (other than the payment of money) results, without its fault or negligence, from any cause beyond its reasonable control, such as acts of God, acts of civil or military authority, embargoes, epidemics, war, riots, insurrections, fires, explosions, earthquakes, floods, adverse weather conditions, union activity, strikes or lock-outs, or such as changes in laws, statutes, regulations, or ordinances.

22. **No Forbearance.** The failure or delay of any party to insist on the performance of any of the terms of this AGREEMENT, or the waiver of any breach of any of the terms of this Agreement, will not be construed as a waiver of those terms, and those terms will continue and remain in full force and effect as if no forbearance or waiver had occurred and will not affect the validity of this AGREEMENT, or the right to enforce each and every term of this AGREEMENT.

23. **No Stacking of Liability Limits.** For the purposes of Chapter 32-12.1 of the North Dakota Century Code, the employees and officers of a party are deemed to be employees) of that party. Under no circumstances will a party, irrespective of whether it may have waived the limit on liability set forth in N.D.C.C. § 32-12.1-03, be required to pay on behalf of itself or the other party, any amounts in excess of the limits on liability established in N.D.C.C. § 32-12.1-03 applicable to any one party. The limits of liability for some or all of the parties may not be added together to determine the maximum amount of liability for each party.

24. **Workers Compensation.** Each party will be responsible for injuries or death of its own personnel. Each party will maintain workers' compensation insurance or self-insurance coverage, covering its own personnel while they are providing assistance pursuant to this

agreement. Each party waives the right to sue the other party for any workers' compensation benefits paid to its own employee or volunteer or their dependents, even if the injuries were caused wholly or partially by the negligence of any other party or its officers, employees, or volunteers.

25. **Damages to Equipment.** Each party will be responsible for damages to or loss of its own equipment. Each party waives the right to sue any other party for any damages to or loss of its equipment, even if the damages or losses were caused wholly or partially by the negligence of any other party or its officers, employees, or volunteers.

26. **Notice.** All notices, certificates or other communications required under this Agreement will be deemed sufficiently given when delivered or deposited in the United States mail in certified form with postage fully prepaid and addressed as follows:

If to City of Fargo:

City Auditor
City of Fargo
200 N 3rd St.
Fargo, ND 58102

If to West Fargo:

City Auditor
City of West Fargo
800 4th Avenue East
West Fargo, ND 58078

27. **Governing Law.** This AGREEMENT will be construed and enforced in accordance with North Dakota law and any litigation arising out of this AGREEMENT will be venued in North Dakota State District Court in Cass County, North Dakota.

28. **Assignment.** Neither party may transfer or assign this AGREEMENT or any rights or obligations under this AGREEMENT without the express written consent of the other party.

29. **Successors.** The covenants, terms, conditions, provisions, and undertakings in this AGREEMENT, or in any amendment, will be binding upon the parties' successors and assigns.

30. **Survival of AGREEMENT.** If any court of competent jurisdiction finds any provision or part of this AGREEMENT is invalid, illegal, or unenforceable, that portion will be deemed severed from this AGREEMENT, and all remaining terms and provisions of this AGREEMENT will remain binding and enforceable; however, the parties will reconvene negotiations and will reform or replace any invalid, illegal, or unenforceable provision or portion of this AGREEMENT with an alternative provision that is enforceable and bears as close resemblance as possible to any provision determined invalid, illegal, or unenforceable.

31. **Amendments.** Any modifications or amendments of this AGREEMENT must be in writing and signed by both parties to this AGREEMENT.

32. **Interpretation.** This AGREEMENT will be construed as if it was prepared by both parties.

33. **Headings.** Headings in this AGREEMENT are for convenience only and will not be used to interpret or construe its provisions.

34. **Waiver of Jury Trial/Venue/Selection.** Fargo and West Fargo hereby knowingly, irrevocably, voluntarily and intentionally waive and rights either may have to a trial by jury in respect of any action, proceeding, counterclaim or defense based on this contract, or in arising out of, under or in any connection with this contract, or any course of conduct, course of dealing, statements (whether oral or written) or actions or any party hereto relating to this contract. The parties stipulate and agree that the district court of Cass County, North Dakota, shall be the sole and exclusive venue for any lawsuit pertaining to this contract and consent to the personal jurisdiction in said court in the event of any such lawsuit.

35. **Merger Clause.** This Agreement constitutes the entire agreement by and between the parties, and any other prior representations or agreements are deemed merged herein, and those not specified herein do not represent any agreements or promises or covenants or representations on the part of either party hereto.

36. **Grammatical Construction.** Whenever the singular number is used herein, the same shall include the plural where appropriate, and the words of any gender shall include any other genders where appropriate.

37. **Authority to Execute.** The individuals signing on behalf of Fargo and West Fargo have been duly authorized by the Fargo City Commission and the West Fargo City Commission to execute this agreement on behalf of the City of Fargo and the City of West Fargo.

38. **Execution in Counterparts.** This Agreement may be executed in counterparts with both Fargo and West Fargo having a fully-executed counterpart.

(Signatures appear on the following pages.)

IN WITNESS WHEREOF, the parties executed this Agreement on the date written above.

CITY OF WEST FARGO

A handwritten signature in black ink, appearing to read "Rich Mattern", written over a horizontal line.

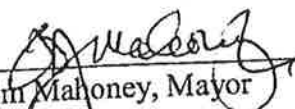
Rich Mattern, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Tina Fisk", written over a horizontal line.

Tina Fisk, Finance Director

CITY OF FARGO


Tim Mahoney, Mayor

ATTEST:


Steven Sprague, City Auditor

EXHIBIT A

MAP OF THE INTERCONNECTION LOCATION POINTS BETWEEN FARGO AND WEST FARGO

(1 page attached)

EXHIBIT B

CITY OF FARGO DROUGHT AND WATER SERVICE MANAGEMENT PLAN

(AS OF THE DATE OF THIS AGREEMENT)

(54 pages attached)

EXHIBIT C

CITY OF FARGO DROUGHT AND WATER SERVICE RESPONSE MEASURES ORDINANCES

(AS OF THE DATE OF THIS AGREEMENT)

(5 pages attached)



"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 16, 2023

Subject: Improvement District No. 2271 - 7th Ave NW & 5th St Ct NW

Action: Project Update – No action requested

New Information and Recommendation:

The Commission directed Engineering Staff to see if there is any value engineering that can be done to the street design to save project costs.

The following are options to implement:

- Narrow roadway from 41' to 35' measured from back of curb to back of curb
- City Ordinance states that the width needs to be 41'
- Re-use the existing aggregate base.
- Design the paved cul-de-sac to be smaller than existing gravel cul-de-sac and bid the cul-de-sac as an Alternate

The following documents are attached for information purposes:

- General Layout exhibit showing narrow roadway and reduced size cul-de-sac

Staff Recommendation: Project Update – No Action Requested

Previously Presented Information and Commission Actions:

December 19, 2022

- **Staff Recommendation:** 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.
- **Commission Action:** Commissioner Olson moved and Commissioner Simmons seconded to approve. Commissioner Anderson voted no. Motion carried on a 4 to 1 vote.

November 7, 2022

- **Staff Recommendation:** Create Improvement District No. 2271, Approve Engineer's Report, and Authorize Resolution of Necessity.
- **Commission Action:** Commissioner Olson moved and Commissioner Anderson seconded to approve. Commissioner Dardis voted nay and Commissioner George was absent, motion carried on a 3 to 1 vote.



GENERAL LAYOUT
7TH AVE NW & 5TH ST CT NW
WEST FARGO, ND

PROJECT No.	22824
DATE:	01.11.23
REVISED:	-
DRAFTER:	DJD
REVIEWER:	MJP





“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

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

Assistant City Administrator

Dustin T. Scott

To: West Fargo City Commission

From: Andrew Wrucke, Assistant City Engineer

Date: January 16, 2023

Subject: Concrete Pavement Repair – Various City Locations

Action: Create Project No. 2272, Approve Engineer’s Report; and Direct Engineering to prepare Plans and Specifications

New Information and Recommendation:

This project seeks to improve pavement conditions and preserve integrity of the city’s collector and arterial roadway network. Public Works and Engineering have worked together to identify and evaluate locations where concrete pavement is in critical need of full depth repairs. A full-depth repair replaces the concrete section as well as addresses any underlying issues with subgrade materials, which varies due to nature and severity of failures.

City staff have prepared the attached Engineer’s Report and supporting documentation. If approved, our intent is to have city staff will prepare final plans and manage the construction of this project.

The following documents are attached for review/consideration:

- Engineer’s Report
- Associated Resolutions for approval

Staff Recommendation: Create Project No. 2722 – Concrete Pavement Repair, Approve Engineer’s Report; and Direct Engineer to prepare plans and specification.

Policy Analysis:

A concrete repair project of a similar scope was conducted in 2020, 2021 and 2022. As part of a proactive pavement management philosophy, we anticipate similar projects to continue annually. The Engineering Department will continue to collaborate pavement management projects with Public Works and strive to improve the quality and sustainability of our public streets.

Financial Analysis:

The total estimated cost is \$750,000. Proposed funding is capital improvement sales tax. The 2022 CIP has a budget of \$500,000 for construction costs.

Previously Presented Information and Commission Actions:

None



Dan Hanson, City Engineer
Jerry Wallace, Asst. City Engineer
Andrew Wrucke, Asst. City Engineer
Kayla Volness, Office Manager

Engineering Department
800 4th Ave E, West Fargo, ND
(701) 515-5100
westfargond.gov/Engineer

Engineer's Report

(Pursuant to N.D.C.C. 40-22-10)

Project No. 2272

2023 Citywide Concrete Pavement Repair

General Nature (Scope)

The project will complete full depth concrete patching across the entire city. Full depth patching is required on concrete roadways at limited locations where the concrete panels have been damaged. Public Works has helped determine the locations, focusing on critical arterial corridors as much as possible. Public Works has also identified additional locations that need paving that cannot be done by their forces.

Purpose

This project will fix a portion of existing broken concrete panels across the city. This project is necessary because many concrete panels near castings and along major and minor corridors have become damaged or cracked. Similar projects will continue to be completed in future years as new locations of pavement damage are identified by Public Works and Engineering.

Feasibility

This project has had preliminary engineering and design completed by West Fargo Engineering Department. Project will be designed by the Engineering Department and bid using City of West Fargo online bidding process. This project will be administered using existing Engineering Department resources. Similar projects were completed in 2020, 2021, and 2022 using the department's resources.

Estimate of Probable Cost

Construction		\$750,000
Bid Proposal Items	\$680,000	
Contingency (~10%)	\$70,000	
Consultant (Design/Construction)		\$0
Legal		\$0
Administration		\$0
Land Acquisition		\$0
Utility Relocation		\$0
Bonding/Interest		\$0
Total Estimated Cost		\$750,000

Source of Funds

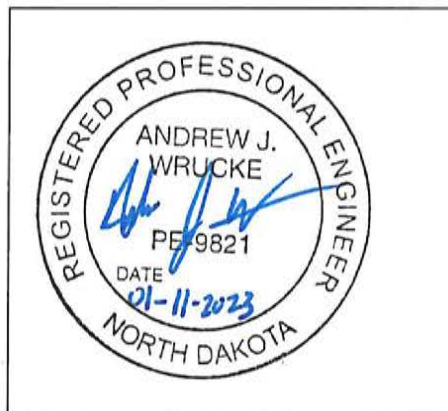
Special Assessments		\$0
City Funds		\$750,000
Capital Impr. Sales Tax	\$750,000	
Water/Sewer Revenue	\$0	
Water/Sewer Bond	\$0	
Total		\$750,000

Supporting Documents (available upon request)

- A. Itemized Estimate of Probable Cost
- B. Maps, Drawings, Etc.

The proposed improvements are cost effective and will adhere to city policies as well as applicable state and/or federal regulations.


Andrew Wrucke, P.E.
ND Registration No. 9821



Commissioner ____ introduced the following resolution and moved its adoption:

RESOLUTION CREATING PROJECT NO. 2272 – CONCRETE PAVEMENT REPAIR
OF THE CITY OF WEST FARGO, NORTH DAKOTA

WHEREAS, Daniel Hanson, a Registered Professional Engineer, is the Engineer for the City of West Fargo, and the Board of City Commissioners has consulted with him relating to repairing large portions of existing broken concrete pavement panels across the City to be constructed and made in Project No. 2272 – Concrete Pavement Repair of the City of West Fargo; and

WHEREAS, it is deemed necessary to establish a concrete pavement repair project within the said City of West Fargo;

NOW THEREFORE, be it resolved as follows:

That there is hereby created Project No. 2272 – Concrete Pavement Repair of the City of West Fargo, North Dakota, and the project location shall be City wide.

Dated: January 16, 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 REPORT

BE IT RESOLVED by the Board of City Commissioners of the City of West Fargo, deeming it necessary to make certain repairs to existing broken concrete pavement panels across the City of West Fargo in connection with the above specified improvements, be constructed and made in Project No. 2272 – Concrete Pavement Repair 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 a report as to the general nature, purpose and feasibility of the proposed project and an estimate of the probable cost of the work.

Dated: January 16, 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 APPROVING ENGINEER'S REPORT

BE IT RESOLVED by the Board of City Commissioners of the City of West Fargo, North Dakota, that the report of the Engineer for the City of West Fargo as to the general nature, purpose and feasibility along with an estimate of the probable cost of the work has been filed with this Board and that the same is hereby approved for Project No 2272 – Concrete Pavement Repair.

Dated: January, 16 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.

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 repairs to existing broken concrete pavement panels across the City of West Fargo in connection with the above specified improvements, be constructed and made in Project No. 2272 – Concrete Pavement Repair of the City of West Fargo, the City hereby directs Daniel Hanson, the Engineer for the City of West Fargo as being a competent engineer, to prepare plans and specifications for such work.

Dated: January 16, 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.