



West Fargo City Commission Meeting
Monday, January 20, 2020
Commission Chambers 5:30 PM

- A. Pledge of Allegiance
- B. Approve Order of Agenda
- C. Approval of Minutes – January 6, 2020 **(Pg. 2-3)**
- D. Building Permits

Consent Agenda – Approve the Following:

- a. Bills **(Pg. 4-12)**
- b. Gaming Site Authorization for Fargo West Rotary. Games to be conducted: Raffle on 5/9/2020 at Fargo Harley Davidson, 701 Christianson Drive **(Pg. 13)**
- c. Games of Chance for Fargo Ducks Unlimited. Games to be conducted: Raffle on 2/6/2020 at Speedway Event Center, 680 Main Avenue West **(Pg. 14)**
- d. Games of Chance for the West Fargo Lions Club. Games to be conducted: Raffle from 2/2/2020 to 8/2/2020 at the Silver Dollar Bar, 221 Sheyenne Street **(Pg. 15)**
- e. Final Plat Approval of The Wilds 17th Addition, a Replat **(Pg. 16-20)**
- f. Schedule a 5:30pm Public Hearing on the Rezoning from R-R: Rural Residential District to C: Light Commercial at 225 40th Avenue West on Monday, February 3, 2020 **(Pg. 21-22)**
- g. Schedule a 5:30pm Public Hearing on The Wilds 18th Addition, a Replat and Rezoning from R-2: Limited Multiple Dwellings to R-1SM: Mixed One & Two Family Dwellings on Monday, February 3, 2020 **(Pg. 23-24)**
- h. Resolution Directing Assessments to be Levied **(Pg. 25-52)**
 - a. Sewer, Water, Storm and Street Improvement District Numbers 1305, 1314, 1315, 1318, and 1319
 - b. Street Improvement District Numbers 2240, 2241, 2243, 2244, 2251, and 2253
 - c. Infrastructure Replacement District No. 3002
 - d. Storm Sewer Improvement District No. 4064
 - e. Storm Improvement District No. 4065

Regular Agenda

- 1. 5:30pm Public Hearing and First Reading on the Sandhills 4th Addition, a Replat and Rezoning – **Tim Solberg (Pg. 53-58)**
- 2. 5:30pm Public Hearing and Second Reading of the Replacement of Official Zoning Map – **Tim Solberg (Pg. 59-73)**
- 3. Review Off-premise sign within the EMU: Entertainment Mixed Use District – **Tim Solberg (Pg. 74-89)**
- 4. Review Planned Unit Development Amendment at 1360 Prairie Parkway – **Malachi Petersen (Pg. 90-99)**
- 5. Second Reading for Ordinance No. 1146, Bench Sign Franchise – **John Shockley (Pg. 100-102)**
- 6. Presentation of 2018 Audit Report – **Jim Larson (Pg. 103-149)**
- 7. Review Engineer's Report for Sewer, Water, Storm, and Street Improvement District No. 1329 – **Dustin Scott (Pg. 150-163)**
- 8. Review NDDOT Bridge Inspection and Load Rating Services Agreement – **Dustin Scott (Pg. 164-170)**
- 9. Construction Updates – **Dustin Scott**
- 10. City Administrator's Report – **Tina Fisk**
- 11. Correspondence
- 12. Non-Agenda
- 13. Adjourn



**West Fargo City Commission Meeting
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The West Fargo City Commission met on Monday, January 6, 2020, at 5:30 pm. Those present were Bernie Dardis, Eric Gjerdevig, Brad Olson, Mark Simmons, and Mike Thorstad. The President of the Board Bernie Dardis called the meeting to order.

The Pledge of Allegiance was recited.

Commissioner Simmons moved and Commissioner Gjerdevig seconded to approve the Order of Agenda as presented. No opposition. Motion carried.

Commissioner Olson moved and Commissioner Gjerdevig seconded to approve the minutes of December 16, 2019 as presented. No opposition. Motion carried.

The Commission reviewed the Building Department Activity Report dated January 6, 2020 and Building Permits #798-811. Commissioner Gjerdevig moved and Commissioner Simmons seconded to approve the Building Permits as presented. No opposition. Motion carried.

Commissioner Olson moved and Commissioner Thorstad seconded to approve the following items from the Consent Agenda:

- a. Bills
- b. Games of Chance for B&G Beverages II, Inc. Games to be conducted: Raffle from 1/6/20 to 6/30/20 at Town Hall Bar, 103 Main Avenue West
- c. Games of Chance for West Fargo Baseball. Games to be conducted: Raffle, Calendar Raffle from 7/1/20 to 7/31/20 at Western State Bank, 755 13 Avenue East
- d. Purchase of \$13,230 from Asset Forfeiture Account for the West Fargo Police Department
- e. Approval of Renaissance Zone Project Business Incentive Agreement between the City of West Fargo and Restad Industrial Park LLC
- f. 2019-2020 Vacation Rollover Request

No opposition. Motion carried.

City of West Fargo Fire Chief Dan Fuller appeared before the Commission to take the Oath of Office for the appointment as Fire Chief. No action was requested of the Commission.

Planning & Zoning Director Tim Solberg appeared before the Commission for the Second Reading of Zoning Ordinance Amendments to Section 4-400. After discussion, Commissioner Simmons moved and Commissioner Gjerdevig seconded to approve the Zoning Ordinance Amendments with the change to Section 4-434.4.2.B: "Where new construction is adjacent to one and two-family zoned property, the minimum setback from the one and two-family zoned property for the principal structure shall be increased to 20 feet for each additional floor above 35 feet." Commissioners Thorstad and Dardis abstained. Commissioner Simmons, Olson and Gjerdevig voted in favor. The majority having voted in favor, the motion carried.



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Planning & Zoning Director Tim Solberg appeared before the Commission for the First Reading of proposed changes to the Official Zoning Map. After discussion, Commissioner Simmons moved and Commissioner Gjerdevig seconded to approve the First Reading. No opposition. Motion carried.

Planning & Zoning Director Tim Solberg appeared before the Commission to review the proposed concept plan for The Ranch at The Wilds First Addition. Steve Peck with Epcon Communities, Houston Engineering rep Bryan Pattingale and Heritage Homes rep Tyrone Leslie appeared before Commission for a presentation of the proposed concept plans. After discussion, no action was requested of the Commission. Planning & Zoning Director Tim Solberg stated that a Public Hearing would take place at the January 20, 2020 City Commission meeting.

City Attorney John Shockley appeared before the Commission for a First Reading of Ordinance No. 1146, Bench Sign Franchise. After discussion, Commissioner Olson moved and Commissioner Gjerdevig seconded to approve the First Reading of Ordinance NO. 1146, Bench Sign Franchise. No opposition. Commissioners Dardis and Thorstad abstained. The majority having voted in favor, the motion carried.

West Fargo Events Executive Director Mike Amundson appeared before the Commission for a Presentation of West Fargo Events Preliminary Event Planning. No action was requested of the Commission.

There were no construction updates.

City Administrator Tina Fisk appeared before the Commission and provided the following for the City Administrator Report:

- a. Staff busy at City Hall
- b. Introduce new PW Director, Matt Andvik
- c. Three correspondence letters
- d. Public Works Department
 - i. Drove w/ Dan Birnbaum last week looking at snow cleanup
 1. Crews have been working nonstop and doing awesome job

City Administrator Tina Fisk drew the Commission's attention to the correspondence. There were no non-agenda items.

Commissioner Simmons moved and Commissioner Olson seconded to adjourn the meeting. No opposition. Meeting adjourned.

Bernie Dardis, Commission President

Tina Fisk, City Administrator

Consent Agenda Item: a

01/07/20
12:12:50

CITY OF WEST FARGO, ND
Check Register
For the Accounting Period: 1/20

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Report ID: AP300

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
85591	S	289 ACME TOOLS	1699.00	01/07/20			
85592	S	2742 AMBASSADOR INC	7298.59	01/07/20		CL 88669	1699.00
85593	S	999999 ANTOINETTE DEWBERRY	9.50	01/07/20		CL 88617	7298.59
85594	S	2704 BRAD'S COFFEE SERVICE	123.00	01/07/20		CL 88613	9.50
85595	S	351 BUSINESS ESSENTIALS	2563.22	01/07/20		CL 88688	123.00
85596	S	2401 CITIES DIGITAL	14942.00	01/07/20		CL 88624	2563.22
85597	S	3232 CORPORATE TECHNOLOGIES LLC	3698.00	01/07/20		CL 88626	14942.00
85598	S	2100 EAGLE RUN CROSSING LLC	447.57	01/07/20		CL 88620	3698.00
85599	S	1578 ESRI, INC	35000.00	01/07/20		CL 88598	447.57
85600	S	2983 GFOA	250.00	01/07/20		CL 88690	35000.00
85601	S	3331 GOVERNMENTJOBS.COM, INC.	32878.00	01/07/20		CL 88621	250.00
85602	S	3087 IBM CORPORATION	185.00	01/07/20		CL 88627	32878.00
85603	S	3418 LOFFLER	10940.60	01/07/20		CL 88608	185.00
85604	S	102 MIDSTATES WIRELESS	686.00	01/07/20		CL 88628	10940.60
85605	S	2247 MYGOV, LLC	8280.00	01/07/20		CL 88685	686.00
85606	S	2261 NETWORK CENTER INCORPORATED	725.37	01/07/20		CL 88600	8280.00
85607	S	3111 NORTHERN SALT INCORPORATED	36597.60	01/07/20		CL 88678	725.37
85608	S	563 PETRO SERVE USA	39711.58	01/07/20		CL 88625	36597.60
85609	S	999999 SILVER LEAF PROPERTY MGMT	2308.00	01/07/20		CL 88640	39711.58
85610	S	3150 SKYHAWK TELEMATICS	745.50	01/07/20		CL 88599	2308.00
85611	S	274 STEVE MOTTINGER	4750.00	01/07/20		CL 88683	745.50
85612	S	1979 THE CHAMBER	1300.00	01/07/20		CL 88588	4750.00
85613	S	2314 VANGUARD APPRAISALS, INC	16875.00	01/07/20		CL 88691	1300.00
						CL 88623	16875.00
						CL 88619	16875.00

01/07/20
12:12:50

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Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
85614	S	3306 WEST FARGO EVENTS, INC	5000.00	01/07/20	_____	CL 88622	5000.00
85615	S	549 WF PUB SCHOOLS DIST #6	11990.00	01/07/20	_____	CL 88618	11990.00
Total for Claim Checks			239003.53				
Count for Claim Checks							25

* denotes missing check number(s)

of Checks: 25 Total: 239003.53

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
85471	S	2499 FM CONVENTION & VISITORS BUREAU	14152.00	01/07/20			
						CL 88552	14152.00
85472	S	2499 FM CONVENTION & VISITORS BUREAU	7076.00	01/07/20			
						CL 88553	7076.00
85473	S	289 ACME TOOLS	174.40	01/07/20			
						CL 88602	174.40
85474	S	3179 ADVANCED ENGINEERING & ENVIRONMENTAL SER	18393.96	01/07/20			
						CL 88505	4501.20
						CL 88520	13892.76
85475	S	2544 AIRGAS USA, LLC	519.40	01/07/20			
						CL 88565	519.40
85476	S	2947 ALLSTATE PETERBILT OF FARGO	1480.06	01/07/20			
						CL 88639	1345.30
						CL 88648	134.76
85477	S	2950 ALPHA TRAINING & TACTICS LLC & SALES	93.00	01/07/20			
						CL 88671	93.00
85478	S	3490 AMAZON CAPITAL SERVICES	648.01	01/07/20			
						CL 88559	97.41
						CL 88607	34.13
						CL 88653	432.41
						CL 88654	84.06
85479	S	865 AMERICAN ENTERPRISES, INC.	21897.50	01/07/20			
						CL 88650	21897.50
85480	S	1057 AMERICAN SECURITY CABINETS	288.00	01/07/20			
						CL 88491	288.00
85481	S	317 AMERICAN WELDING & GAS, INC.	294.76	01/07/20			
						CL 88581	294.76
85482	S	1695 BAKER & TAYLOR	4688.87	01/07/20			
						CL 88655	2038.68
						CL 88656	2650.19
85483	S	2929 BARBARA KEYES	7.54	01/07/20			
						CL 88657	7.54
85484	S	2826 BCBS OF ND	135.85	01/07/20			
						CL 88510	135.85
85485	S	1127 BIERSCHBACH EQUIPMENT & SUPPLY	597.00	01/07/20			
						CL 88593	597.00
85486	S	3489 BOLTON & MENK, INC	20850.00	01/07/20			
						CL 88535	20850.00
85487	S	26 BORDER STATES INDUSTRIES INC	6348.57	01/07/20			
						CL 88556	6227.58
						CL 88569	120.99
85488	S	3415 BRITTANY ALDAYEL	12.18	01/07/20			
						CL 88658	12.18
85489	S	16 BROKERAGE PRINTING	644.61	01/07/20			
						CL 88472	326.48
						CL 88508	206.38
						CL 88644	36.75
						CL 88659	75.00

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
85490	S	351 BUSINESS ESSENTIALS	3966.52	01/07/20		CL 88501 CL 88502 CL 88503 CL 88539 CL 88547 CL 88566 CL 88660	434.42 86.51 13.79 3069.18 181.58 146.08 34.96
85491	S	39 BUTLER MACHINERY	1140.69	01/07/20		CL 88586 CL 88641	359.21 781.48
85492	S	51 CASS COUNTY ELECTRIC COOP	200.00	01/07/20		CL 88542	200.00
85493	S	61 CASS COUNTY TREASURER	10229.39	01/07/20		CL 88528 CL 88629	139.39 10090.00
85494	S	46 CASS RURAL WATER USERS	28.13	01/07/20		CL 88532	28.13
85495	S	1512 CDW GOVERNMENT, INC	777.85	01/07/20		CL 88570	777.85
85496	S	1669 CENTER POINT LARGE PRINT	17.99	01/07/20		CL 88661	17.99
85497	S	3407 CENTURYLINK/DAMAGE CLAIMS	92890.91	01/07/20		CL 88536	92890.91
85498	S	3417 CHELSEA SIMDORN	18.50	01/07/20		CL 88662	18.50
85499	S	928 CHRISTIANSON'S BUSINESS FURNITURE	23573.70	01/07/20		CL 88521	23573.70
85500	S	3216 CINTAS	178.66	01/07/20		CL 88579 CL 88646	89.33 89.33
85501	S	111 CITY OF FARGO	81064.44	01/07/20		CL 88473 CL 88509 CL 88670	32032.65 48471.79 560.00
85502	S	3303 CONTINENTAL LIGHTING SUPPLY	496.80	01/07/20		CL 88561	496.80
85503	S	3245 CORE & MAIN	3334.69	01/07/20		CL 88550 CL 88560 CL 88575	2525.52 365.04 444.13
85504	S	47 CORWIN CHRYSLER	72.24	01/07/20		CL 88631	72.24
85505	S	65 CURT'S LOCK & KEY	1556.50	01/07/20		CL 88594	1556.50
85506	S	624 DAKOTA SUPPLY GROUP	94.25	01/07/20		CL 88583	94.25

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
85507	S	3326 DIESEL LAPTOPS LLC	1145.00	01/07/20			
85508	S	2100 EAGLE RUN CROSSING LLC	4056.55	01/07/20		CL 88651	1145.00
85509	S	1502 EIDE BAILLY	1179.00	01/07/20		CL 88544	4056.55
85510	S	1302 ERIC HANSON	74.46	01/07/20		CL 88682	1179.00
85511	S	2862 ESSENTIA HEALTH	1994.00	01/07/20		CL 88562	74.46
85512	S	1648 FARSTAD OIL, INC	502.60	01/07/20		CL 88474 CL 88479	358.00 1636.00
85513	S	124 FASTENAL	1362.79	01/07/20		CL 88587 CL 88632	240.00 262.60
85514	S	151 FEDERAL EXPRESS	12.02	01/07/20		CL 88580	1362.79
85515	S	2268 FLAGSHOOTER, LLC	1381.88	01/07/20		CL 88478	12.02
85516	S	104 FORUM COMMUNICATIONS	251.35	01/07/20		CL 88549	1381.88
85517	S	139 FRS WORKS	28.20	01/07/20		CL 88567	251.35
85518	S	155 GALLS, LLC	2538.20	01/07/20		CL 88663	28.20
85519	S	156 GENERAL EQUIP & SUPPLIES	912.20	01/07/20		CL 88480 CL 88525 CL 88674	1009.64 585.20 943.36
85520	S	2558 GOODYEAR COMMERCIAL TIRE	3823.13	01/07/20		CL 88589 CL 88637	836.40 75.80
85521	S	939 GRAYBAR	106.50	01/07/20		CL 88643	3823.13
85522	S	3206 GREAT OUTCOMES CONSULTING LLC	2225.00	01/07/20		CL 88584	106.50
85523	S	2877 GREATAMERICA FINANCIAL SERVICES	1324.03	01/07/20		CL 88630	2225.00
85524	S	1963 GREATER FARGO MOORHEAD EDC	249.38	01/07/20		CL 88506 CL 88507 CL 88664	176.63 704.51 442.89
85525	S	2318 HABERDASHERY	1002.00	01/07/20		CL 88518	249.38
85526	S	135 HAWKINS WTR TREATMENT	11012.00	01/07/20		CL 88517	1002.00
						CL 88574 CL 88595	7877.00 3135.00

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Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
85527	S	999999 HOLIDAY COMPANIES	70.00	01/07/20			
						CL 88672	70.00
85528	S	1226 HP INC.	7239.36	01/07/20			
						CL 88572	7239.36
85529	S	2500 INLAND TRUCK PARTS & SERVICE	729.88	01/07/20			
						CL 88592	729.88
85530	S	3209 INNOVATIVE OFFICE SOLUTIONS, LLC	20465.09	01/07/20			
						CL 88673	20465.09
85531	S	233 J & L SPORTS	697.81	01/07/20			
						CL 88469	697.81
85532	S	344 KARL'S AT THE NODAK CENTER	101.99	01/07/20			
						CL 88554	101.99
85533	S	2122 KEY CONTRACTING	24500.00	01/07/20			
						CL 88519	24500.00
85534	S	705 LAWSON PRODUCTS	1666.34	01/07/20			
						CL 88548	1666.34
85535	S	3418 LOFFLER	4056.95	01/07/20			
						CL 88403	2251.88
						CL 88606	1805.07
85536	S	3491 LOFFLER COMPANIES INC	226.25	01/07/20			
						CL 88675	226.25
85537	S	711 LUTHER FAMILY FORD	205.00	01/07/20			
						CL 88603	3.86
						CL 88616	201.14
85538	S	3304 MAC'S - FARGO	134.99	01/07/20			
						CL 88563	134.99
85539	S	3467 MALLORY SAFETY & SUPPLY LLC	230.00	01/07/20			
						CL 88526	230.00
85540	S	2770 MALLOY FARGO #5	107.14	01/07/20			
						CL 88582	107.14
85541	S	3488 MARK HOUSH	50.00	01/07/20			
						CL 88530	50.00
85542	S	3384 MATHESON TRI-GAS INC	166.00	01/07/20			
						CL 88558	166.00
85543	S	308 MATTHEW BENDER & CO., INC	65.07	01/07/20			
						CL 88679	65.07
85544	S	299 MENARDS	336.77	01/07/20			
						CL 88596	336.77
85545	S	2766 MIDCONTINENT COMMUNICATIONS	125.00	01/07/20			
						CL 88636	125.00
85546	S	1854 MIDWEST TAPE	543.14	01/07/20			
						CL 88665	543.14
85547	S	772 MINNKOTA	75.00	01/07/20			
						CL 88490	75.00
85548	S	3458 MOLLY FLASPOHLER	20.00	01/07/20			
						CL 88666	20.00
85549	S	305 MOORE ENGINEERING	2949.60	01/07/20			
						CL 88531	2949.60

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Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
85550	C S	673 MOORHEAD ELECTRIC	0.00	01/07/20			
85551	* S	3040 MR MANHOLE	1318.91	01/07/20		CL 88576	
85552	S	298 MVTL LABORATORIES	509.00	01/07/20		CL 88564	1318.91
85553	S	1946 ND STATE ELECTRICAL BOARD	100.00	01/07/20		CL 88546	509.00
85554	S	646 ND WATER COALITION	1000.00	01/07/20		CL 88524	100.00
85555	S	571 ND WORKFORCE SAFETY & INSURANCE	250.00	01/07/20		CL 88533	1000.00
85556	S	756 NELCO FIRST AID	265.05	01/07/20		CL 88540	250.00
85557	S	364 NELSON INTERNATIONAL	97.82	01/07/20		CL 88557	265.05
85558	S	271 NETCENTER TECHNOLOGIES	1033.22	01/07/20		CL 88585	97.82
85559	S	2261 NETWORK CENTER INCORPORATED	127610.17	01/07/20		CL 88538 CL 88571	830.72 202.50
85560	S	2523 NEXUS INNOVATIONS, INC	4537.50	01/07/20		CL 88537 CL 88677	127370.17 240.00
85561	S	1210 NORTH DAKOTA WATER USERS ASSOCIATION	600.00	01/07/20		CL 88689	4537.50
85562	S	328 NORTHERN ENGINE & SUPPL	232.34	01/07/20		CL 88534	600.00
85563	S	331 NORTHERN STATES SUPPLY	318.80	01/07/20		CL 88615 CL 88638	170.16 62.18
85564	S	1715 NORTHWEST TIRE INC	25.27	01/07/20		CL 88633	318.80
85565	S	330 NORTHWESTERN EQUIP INC.	193.05	01/07/20		CL 88591	25.27
85566	S	1774 O'REILLY AUTOMOTIVE STORES, INC	671.27	01/07/20		CL 88578	193.05
85567	S	350 OFFICE OF THE STATE AUDITOR	23500.00	01/07/20		CL 88647	671.27
85568	S	399 OLYMPIC SALES	1406.00	01/07/20		CL 88684	23500.00
85569	S	276 OSTROMS ACE HARDWARE	141.89	01/07/20		CL 88649	1406.00
85570	S	563 PETRO SERVE USA	4518.59	01/07/20		CL 88555	141.89
85571	S	1483 PITNEY BOWES RESERVE ACCOUNT	4000.00	01/07/20		CL 88545 CL 88541	4518.59 4000.00

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85572	S	764 POLYGRAPH SERVICES - ROLLIE RUST	875.00	01/07/20			
						CL 88470	875.00
85573	S	1166 PRODUCTIVITY PLUS ACCOUNT	815.43	01/07/20			
						CL 88645	815.43
85574	S	885 RADISSON HOTEL BISMARCK	84.60	01/07/20			
						CL 88686	84.60
85575	S	3204 RECORD KEEPERS	16.00	01/07/20			
						CL 88680	16.00
85576	S	663 ROAD EQUIPMENT PARTS CENTER	117.30	01/07/20			
						CL 88597	117.30
85577	S	3354 SARA ENGLER	11.60	01/07/20			
						CL 88667	11.60
85578	S	2512 SCOTT DIAMOND	50.00	01/07/20			
						CL 88634	50.00
85579	S	3392 STONE PLANNING LLC	13115.00	01/07/20			
						CL 88573	13115.00
85580	S	31 STURDEVANT'S AUTO PARTS	151.85	01/07/20			
						CL 88601	151.85
85581	S	733 SWANSTON EQUIPMENT CORP.	79.20	01/07/20			
						CL 88614	79.20
85582	S	634 SWEENEY CONTROLS COMPANY	7441.80	01/07/20			
						CL 88551	4725.60
						CL 88577	2716.20
85583	S	3487 TEMPLE DISPLAY LTD	23294.00	01/07/20			
						CL 88504	23294.00
85584	S	999999 TESSA HOLT	48.50	01/07/20			
						CL 88475	48.50
85585	S	3043 THE FORUM	204.88	01/07/20			
						CL 88590	204.88
85586	S	2604 TRANSUNION RISK AND ALTERNATIVE	59.60	01/07/20			
						CL 88477	59.60
85587	S	1495 TRAVIS JOHNSON	75.00	01/07/20			
						CL 88481	75.00
85588	S	1267 VERIZON WIRELESS	8521.28	01/07/20			
						CL 88467	8391.68
						CL 88471	129.60
85589	S	338 XCEL ENERGY	10527.36	01/07/20			
						CL 88511	186.35
						CL 88527	45.00
						CL 88568	161.38
						CL 88604	69.86
						CL 88605	57.95
						CL 88609	2306.81
						CL 88610	63.33
						CL 88611	52.14
						CL 88612	146.63
						CL 88687	7437.91

01/07/20
12:14:45

CITY OF WEST FARGO, ND
Check Register
For the Accounting Period: 12/19

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
85590	S	999999 YOURMEMBERSHIP.COM, INC	650.00	01/07/20	_____		
85616	S	673 MOORHEAD ELECTRIC	1760.20	01/07/20	_____	CL 88668	650.00
						CL 88576	1760.20
Total for Claim Checks			658112.12				
Count for Claim Checks			121				

* denotes missing check number(s)

of Checks: 121 Total: 658112.12



GAMING SITE AUTHORIZATION
 OFFICE OF ATTORNEY GENERAL
 SFN 17996 (02/2018)

G - _____ (____)____
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization FARGO WEST ROTARY

The above organization is hereby authorized to conduct games of chance under the license granted by the Attorney General of the State of North Dakota at the following location

Name of Location <u>FARGO HARLEY DAVIDSON</u>			
Street <u>701 CHRISTIANSON</u>	City <u>WEST FARGO</u>	ZIP Code <u>58078</u>	County <u>CASS</u>
Beginning Date(s) Authorized <u>MAY 9, 2020</u>		Ending Date(s) Authorized <u>MAY 9, 2020</u>	
Specific location where games of chance will be conducted and played at the site (required) <u>FARGO HARLEY DAVIDSON</u>			
If conducting Raffle or Poker activity provide date(s) or month(s) of event(s) if known			

RESTRICTIONS (City/County Use Only)

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input type="checkbox"/> Twenty-One
<input checked="" type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheels with Tickets
<input type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input type="checkbox"/> ELECTRONIC Pull Tab Device		

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

INSTRUCTIONS:

1. City/County-Retain a **copy** of the Site Authorization for your files.
2. City/County-Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240

\$100 made out to west fargo \$150 to attorney gen #100 CK# 152 pd 1-13-20



APPLICATION FOR A LOCAL PERMIT OR CHARITY LOCAL PERMIT
 OFFICE OF ATTORNEY GENERAL
 SFN 9338 (9-2009)

Application for: Local Permit * Charity Local Permit (one event per year)

Name of Non-profit Organization West Fargo Lions Club		Date(s) of Activity 2/2/2020 to 8/2/2020	
Person Responsible for the Gaming Operation and the Disbursement of Net Income Justin Buchholz		Title Vp	Business Phone Number (701) 471-0320
Business Address C/o Shannon Dye 409 Sheyenne Street	City West Fargo	State ND	Zip Code 58078-0000
Mailing Address (if different)	City	State	Zip Code
Name of Site Where Game(s) will be Conducted Silver Dollar Bar		Site Address 221 Sheyenne St	
City West Fargo	State ND	Zip Code 58078-0000	County Cass
Check the Game(s) to be Conducted: * Poker, Twenty-one, and Paddlewheels may be Conducted only by a Charity Local Permit. <input type="checkbox"/> Bingo <input checked="" type="checkbox"/> Raffle <input type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool <input type="checkbox"/> Poker * <input type="checkbox"/> Twenty-one * <input type="checkbox"/> Paddlewheels *			

DESCRIPTION AND RETAIL VALUE OF PRIZES TO BE AWARDED

Game Type	Description of Prize	Retail Value of Prize	Game Type	Description of Prize	Retail Value of Prize
Meat Raffle	Meat Bundles	\$300.00			
Meat Raffle	Meat Bundles	\$300.00			
Meat Raffle	Meat Bundles	\$300.00			
Meat Raffle	Meat Bundles	\$300.00			
Meat Raffle	Meat Bundles	\$300.00			
Meat Raffle	Meat Bundles	\$300.00			
Total:					\$ 1,800.00 <small>(Limit \$12,000 per year)</small>

Intended uses of gaming proceeds: Charitable giving in the WF Community (scholarships, eye exams, glasses)

Does the organization presently have a state gaming license? No Yes - If "Yes," the organization is not eligible for a local permit or charity local permit and should call the Office of Attorney General at 1-800-326-9240.

Has the organization received a charity local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," the organization does not qualify for a local permit or charity local permit.

Has the organization received a local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," indicate the total value of all prizes previously awarded: \$ _____. This amount is part of the total prize limit of \$12,000 per year.

Signature of Organization's Top Executive Official 	Date 1-14-20	Title President	Business Phone Number 701 471 0593
--	-----------------	--------------------	---------------------------------------

#10.00/cash
1-16-20



*** Consent Agenda ***

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

Agenda # e

***Please Note: The following information must be completed and submitted to the West Fargo City Auditor's Office by the Thursday noon preceding the City Commission meeting. Failure to comply may result in no action being taken on your request.

1. CONTACT PERSON: Malachi Peterson

2. PHONE NUMBER: 433-5324 DATE: January 15, 2020

3. PLEASE **BRIEFLY** DESCRIBE YOUR REQUEST:

The Wilds 17th Addition, a Replat.

4. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable):

Lots 1-13, Block 1 of the Wilds 11th Addition, City of West Fargo, North Dakota

5. ACTION BEING REQUESTED FROM CITY COMMISSION:

Final Plat Approval subject to the conditions listed in the staff report.

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A19-42		REPLAT	
The Wilds 17 th Addition			
Lots 1-13, Block 1 of the Wilds 11 th Addition, City of West Fargo, North Dakota			
Applicant: EagleRidge Development LLC		Staff Contact: Malachi Petersen	
Owner: Thomsen Homes LLC			
Planning & Zoning Commission Public Hearing:		11-12-2019 - Approval	
City Commission Final Plat Approval:		01-20-2020	

PURPOSE:
Replat for minor lot line adjustments to provide for continued residential development

STATEMENTS OF FACT:	
Existing Land Use:	Residential Development Land
Land Use Classification:	G-2 Sub-Urban - Growth Sector
Current Zoning District(s):	R-1SM: Mixed One & Two Family Dwellings
Zoning Overlay District(s):	CO: Corridor Overlay District
Proposed Lot size(s) or range:	4,680 – 11,541 ft ²
Total area size:	93,200 ft ²
Adjacent Zoning Districts:	North – R-1A: Single Family Dwelling East – R-1: One & Two Family Dwellings South – R-1SM: Mixed One & Two Family Dwellings West – A: Agriculture (Sheyenne Diversion)
Adjacent street(s):	Albert Ct W (Local), 11 th St W (local); 52 nd Ave W (Arterial)
Adjacent Bike/Pedestrian Facilities:	Local sidewalks connecting to paths along 52 nd Ave W and 9 th St W
Available Parks/Trail Facilities:	Wilds parks within ½ mile
Land Dedication Requirements:	Provided with previous subdivision

DISCUSSION AND OBSERVATIONS:
<ul style="list-style-type: none"> • The applicant has submitted an application and proposed plat. • The replat is necessary for minor lot line adjustments to provide for continued development. • The new lots will meet the current zoning district requirements. • The proposed replat does not affect any public easements or right of ways.

NOTICES:
Sent to: Applicable agencies and departments
Comments Received:
<ul style="list-style-type: none"> • None to date.

STAFF REPORT

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- The proposed plan is consistent with City plans and Ordinances.

RECOMMENDATIONS:

It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. An updated drainage plan is approved by the City Engineer.
2. An Attorney Title Opinion to the City of West Fargo is received.
3. Signed Final Plat is received with any necessary easements.
4. A certificate is received showing taxes are current.

PLANNING AND ZONING RECOMMENDATION:

At their November 12, 2019 meeting, the Planning and Zoning Commission recommended approval of the replat, subject to the four conditions listed above.



A19-42
Proposed Subdivision

A19-43
Proposed Subdivision

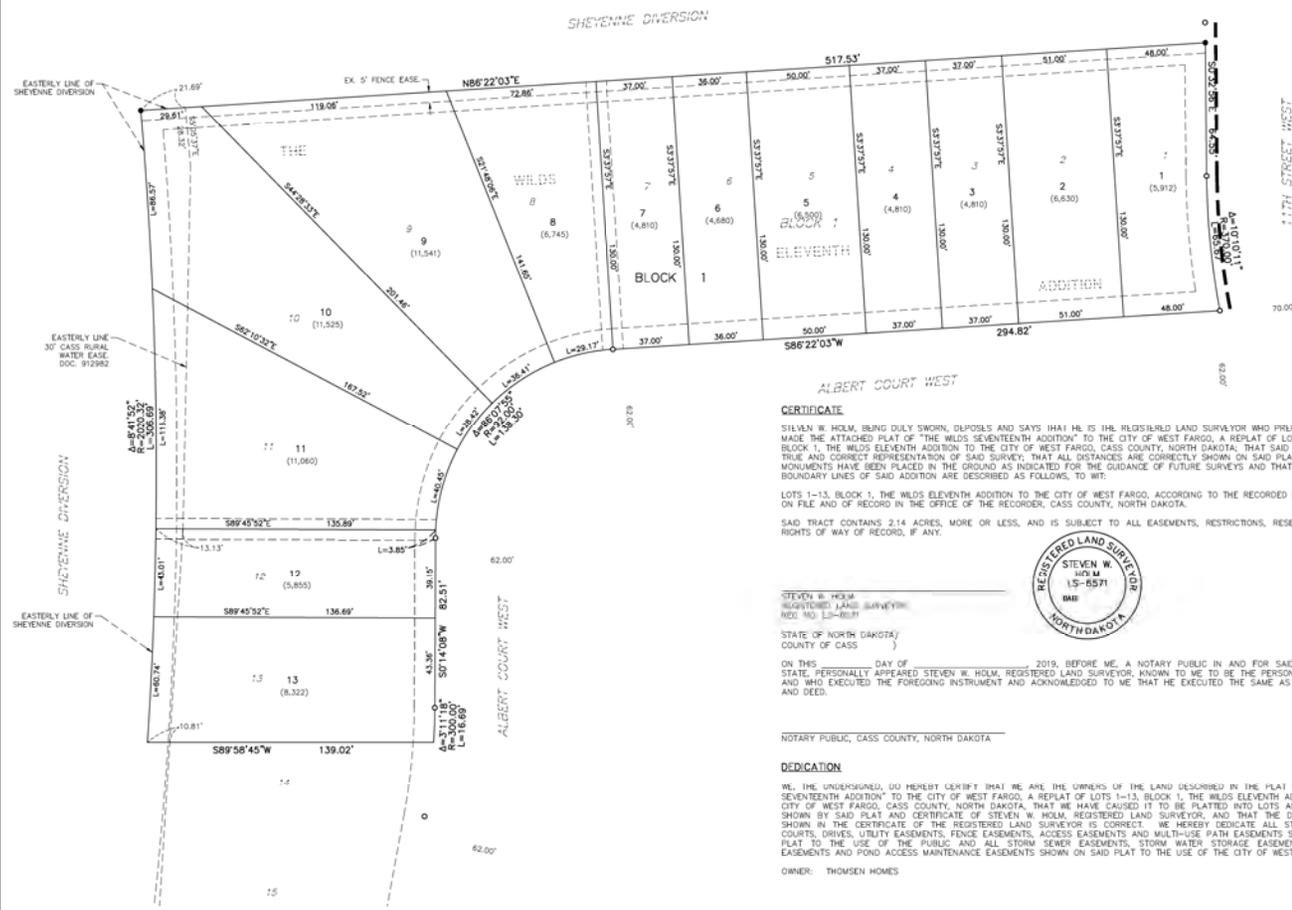
A19-44
Proposed Subdivision



- | | | | | |
|--|---|---|---|--|
| <ul style="list-style-type: none"> □ A: Agricultural □ C: Light Commercial □ C-OP: Commercial Office Park □ HC: Heavy Commercial | <ul style="list-style-type: none"> □ LI: Light Industrial □ M: Heavy Industrial □ P: Public □ PUD: Planned Unit Development | <ul style="list-style-type: none"> □ R-1: One and Two Family □ R-1A: Single Family □ R-1B: Special Single Family □ R-1E: Rural Estate | <ul style="list-style-type: none"> □ R-1S: Special One and Two Family □ R-1SM: Mixed One and Two Family □ R-2: Limited Multiple Dwelling □ R-3: Multiple Dwelling | <ul style="list-style-type: none"> □ R-4: Mobile Home □ R-5: Manufactured Home □ R-L1A: Large Lot Single Family □ R-R: Rural Residential |
|--|---|---|---|--|



**PLAT OF
THE WILDS SEVENTEENTH ADDITION
TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 1-13, BLOCK 1,
THE WILDS ELEVENTH ADDITION
TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA**



- LEGEND**
- IRON MONUMENT FOUND
 - SET 3/8"X1/2" IRON BAR WITH YELLOW PLASTIC CAP #1111
 - (L-110) LOT AREA IN SQ. FT.
 - L ARC LENGTH
 - R RADIUS LENGTH
 - Δ CENTRAL ANGLE
 - ACCESS CONTROL

UTILITY EASEMENTS ARE 10' WIDE ALONG AND ADJACENT TO ALL STREET RIGHT OF WAY AND ARE PROPERTY LINES AS SHOWN UNLESS OTHERWISE NOTED.

STORM SEWER EASEMENTS ARE 10' WIDE ALONG 3' ON EACH SIDE OF EACH PROPERTY LINES AS SHOWN UNLESS OTHERWISE NOTED.

CERTIFICATE

STEVEN W. HOLM, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "THE WILDS SEVENTEENTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 1-13, BLOCK 1, THE WILDS ELEVENTH ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY, THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT, THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT THE EXTERIOR BOUNDARY LINES OF SAID ADDITION ARE DESCRIBED AS FOLLOWS, TO WIT:

LOTS 1-13, BLOCK 1, THE WILDS ELEVENTH ADDITION TO THE CITY OF WEST FARGO, ACCORDING TO THE RECORDED PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, CASS COUNTY, NORTH DAKOTA.

SAID TRACT CONTAINS 2.14 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.



STEVEN W. HOLM
REGISTERED LAND SURVEYOR
LICENSE NO. 13-0371
STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED STEVEN W. HOLM, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "THE WILDS SEVENTEENTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 1-13, BLOCK 1, THE WILDS ELEVENTH ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA, THAT WE HAVE CAUSED IT TO BE PLATED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF STEVEN W. HOLM, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT. WE HEREBY DEDICATE ALL STREETS, LANES, COURTS, DRIVES, UTILITY EASEMENTS, FENCE EASEMENTS, ACCESS EASEMENTS AND MULTI-USE PATH EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC AND ALL STORM SEWER EASEMENTS, STORM WATER STORAGE EASEMENTS, DRAINAGE EASEMENTS AND FRONT ACCESS MAINTENANCE EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE CITY OF WEST FARGO.

OWNER: THOMSEN HOMES

NIELS THOMSEN, PRESIDENT
STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED NIELS THOMSEN, PRESIDENT, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THOMSEN HOMES.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO PLANNING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2019.

TOM MCDUGALL, CHAIRMAN
STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TOM MCDUGALL, CHAIRMAN OF THE WEST FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WEST FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2019.

BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION
TINA FISK, CITY AUDITOR
STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND TINA FISK, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2019.



DUSTIN T. SCOTT, CITY ENGINEER
STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DUSTIN T. SCOTT, CITY ENGINEER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY ATTORNEY APPROVAL

I HEREBY CERTIFY THAT PROPER EVIDENCE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS _____ DAY OF _____, 2019.

JOHN T. SHOOKLEY, CITY ATTORNEY
STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN T. SHOOKLEY, CITY ATTORNEY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THE CITY ATTORNEY.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

*** Consent Agenda ***

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

Agenda # f

***Please Note: The following information must be completed and submitted to the West Fargo City Auditor's Office by the Thursday noon preceding the City Commission meeting. Failure to comply may result in no action being taken on your request.

1. CONTACT PERSON: Lisa Sankey

2. PHONE NUMBER: 433-5320 DATE: January 15, 2020

3. PLEASE **BRIEFLY** DESCRIBE YOUR REQUEST:

Rezoning from R-R: Rural Residential District to C: Light Commercial.

4. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable):

Located at 225 40th Avenue West (Lot 1, Block 1 of Nelson Acres 5th Addition),
City of West Fargo, North Dakota.

5. ACTION BEING REQUESTED FROM CITY COMMISSION:

Schedule a public hearing on the rezoning at 5:30 pm on February 3, 2020.



www.westfargond.gov

*Larry M. Weil, Community Development Director
Tim Solberg, Director of Planning and Zoning, AICP
Malachi Peterson, Planner
Lisa Sankey, Planner*

NOTICE OF PUBLIC HEARING

A public hearing will be held on the 3rd Day of February 2020, at 5:30 P.M. at the City Hall of West Fargo, North Dakota, concerning the enactment of a proposed zoning ordinance. The proposed ordinance involves the following:

225 40th Avenue West (Lot 1, Block 1 of Nelson Acres 5th Addition), City of West Fargo, North Dakota

The ordinance is for the purpose of rezoning from an R-R: Rural Residential District to a C: Light Commercial District

A copy of the proposed ordinance is available for public inspection and copying at the office of the City Auditor between the hours of 8:00 A.M.-5:00 P.M. all days except weekends and holidays.

BY ORDER OF THE CITY COMMISSION OF THE CITY OF WEST FARGO, NORTH DAKOTA

Bernie L. Dardis
President of the Board of City
Commissioners of the City of
West Fargo, North Dakota

(Please Publish January 20 and 27, 2020)

*** Consent Agenda ***

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

Agenda # 9

***Please Note: The following information must be completed and submitted to the West Fargo City Auditor's Office by the Thursday noon preceding the City Commission meeting. Failure to comply may result in no action being taken on your request.

1. CONTACT PERSON: Malachi Peterson

2. PHONE NUMBER: 433-5324 DATE: January 15, 2020

3. PLEASE **BRIEFLY** DESCRIBE YOUR REQUEST:

The Wilds 18th Addition, a Replat and Rezoning from R-2: Limited Multiple Dwellings to R-1SM: Mixed One & Two Family Dwellings.

4. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable):

Lots 24-43 and 52, Block 1 of The Wilds 11th Addition, City of West Fargo, North Dakota

5. ACTION BEING REQUESTED FROM CITY COMMISSION:

Schedule a public hearing on the rezoning at 5:30 pm on February 3, 2020.



www.westfargond.gov

*Larry M. Weil, Community Development Director
Tim Solberg, Director of Planning and Zoning, AICP
Malachi Peterson, Planner
Lisa Sankey, Planner*

NOTICE OF PUBLIC HEARING

A public hearing will be held on the 3rd Day of February 2020, at 5:30 P.M. at the City Hall of West Fargo, North Dakota, concerning the enactment of a proposed zoning ordinance. The proposed ordinance involves the following:

A portion of Lot 52, Block 1 of The Wilds 11th Addition, City of West Fargo, North Dakota (Proposed The Wilds 18 Addition)

The ordinance is for the purpose of rezoning from an R-2: Limited Multiple Dwelling District to an R-1SM: Mixed One & Two Family Dwelling District

A copy of the proposed ordinance is available for public inspection and copying at the office of the City Auditor between the hours of 8:00 A.M.-5:00 P.M. all days except weekends and holidays.

BY ORDER OF THE CITY COMMISSION OF THE CITY OF WEST FARGO, NORTH DAKOTA

Bernie L. Dardis
President of the Board of City
Commissioners of the City of
West Fargo, North Dakota

(Please Publish January 20 and 27, 2020)

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION DIRECTING ASSESSMENTS TO BE LEVIED

Be it resolved by the Board of City Commissioners of the City of West Fargo that the City Commission has estimated the cost in Sewer, Water, Storm and Street Improvement District No. 1314 and does hereby direct assessments to be levied for the payment of such cost as follows:

Total Construction	\$ 848,082.40
Engineering	93,289.06
Construction Interest	26,782.40
Capitalized Interest	39,616.64
Underwriter's Discount	10,168.99
Testing	12,659.50
Legal	895.60
Advertising/Misc.	243.90
Land/Easements	342,190.00
Administration	25,442.00
Engineering Administration	8,481.00
Bond Counsel/Rating Fees	1,107.23
Fiscal Agent	369.08
Contingencies	<u>1,011.20</u>
TOTAL:	\$1,410,339.00
LESS: Bond Premium	<u>55,339.00</u>
TOTAL TO BE ASSESSED:	\$1,355,000.00

and that the City Auditor be and she is hereby directed to notify the Chairman of the Special Assessment Commission and shall certify to the Chairman of the Special Assessment Commission the items of the total cost set forth herein.

Dated: January 20, 2020.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____, and upon vote being taken thereon, the following voted in favor thereof: _____ . The following commissioners were absent and not voting: _____. The following commissioners voted nay: _____. 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 ASSESSMENTS TO BE LEVIED

Be it resolved by the Board of City Commissioners of the City of West Fargo that the City Commission has estimated the cost in Sewer, Water, Storm and Street Improvement District No. 1305 and does hereby direct assessments to be levied for the payment of such cost as follows:

Total Construction	\$ 6,592,937.86
Engineering	754,597.24
Construction Interest	242,729.72
Capitalized Interest	228,308.63
Underwriter's Discount	58,603.38
Testing	65,461.00
Legal	2,699.00
Advertising/Misc.	338.66
Land/Easements	408,423.00
Administration	197,788.00
Engineering Administration	65,929.00
Bond Counsel/Rating Fees	6,380.91
Fiscal Agent	2,126.97
Contingencies	<u>7,442.41</u>
TOTAL:	\$ 8,633,765.78
LESS: Other Contributions	504,868.78
LESS: Bond Premium	<u>318,897.00</u>
TOTAL TO BE ASSESSED:	\$ 7,810,000.00

and that the City Auditor be and she is hereby directed to notify the Chairman of the Special Assessment Commission and shall certify to the Chairman of the Special Assessment Commission the items of the total cost set forth herein.

Dated: January 20, 2020.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____, and upon vote being taken thereon, the following voted in favor thereof: _____ . The following commissioners were absent and not voting: _____. The following commissioners voted nay: _____. 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 ASSESSMENTS TO BE LEVIED

Be it resolved by the Board of City Commissioners of the City of West Fargo that the City Commission has estimated the cost in Sewer, Water, Storm and Street Improvement District No. 1315 and does hereby direct assessments to be levied for the payment of such cost as follows:

Total Construction	\$ 262,655.11
Engineering	28,892.06
Construction Interest	7,777.84
Capitalized Interest	9,312.61
Underwriter's Discount	2,390.41
Testing	8,266.50
Legal	967.70
Advertising/Misc.	240.66
Administration	7,880.00
Engineering Administration	2,627.00
Bond Counsel/Rating Fees	260.27
Fiscal Agent	86.76
Contingencies	<u>1,654.08</u>
TOTAL:	\$ 333,011.00
LESS: Bond Premium	<u>13,011.00</u>
TOTAL TO BE ASSESSED:	\$ 320,000.00

and that the City Auditor be and she is hereby directed to notify the Chairman of the Special Assessment Commission and shall certify to the Chairman of the Special Assessment Commission the items of the total cost set forth herein.

Dated: January 20, 2020.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____, and upon vote being taken thereon, the following voted in favor thereof: _____ . The following commissioners were absent and not voting: _____. The following commissioners voted nay: _____. 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 ASSESSMENTS TO BE LEVIED

Be it resolved by the Board of City Commissioners of the City of West Fargo that the City Commission has estimated the cost in Sanitary Sewer, Water and Storm Sewer Improvement District No. 1318 and does hereby direct assessments to be levied for the payment of such cost as follows:

Total Construction	\$ 77,626.92
Engineering	8,538.96
Construction Interest	217.43
Capitalized Interest	2,699.98
Underwriter's Discount	693.04
Testing	2,231.00
Legal	754.90
Advertising/Misc.	165.33
Administration	2,329.00
Engineering Administration	776.00
Bond Counsel/Rating Fees	75.46
Fiscal Agent	<u>25.15</u>
TOTAL:	\$ 96,133.17
LESS: City Funds	2,358.17
LESS: Bond Premium	<u>3,775.00</u>
TOTAL TO BE ASSESSED:	\$ 90,000.00

and that the City Auditor be and she is hereby directed to notify the Chairman of the Special Assessment Commission and shall certify to the Chairman of the Special Assessment Commission the items of the total cost set forth herein.

Dated: January 20, 2020.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____, and upon vote being taken thereon, the following voted in favor thereof: _____.

The following commissioners were absent and not voting: _____. The following commissioners voted nay: _____. 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 ASSESSMENTS TO BE LEVIED

Be it resolved by the Board of City Commissioners of the City of West Fargo that the City Commission has estimated the cost in Sanitary Sewer Improvement District No. 1319 and does hereby direct assessments to be levied for the payment of such cost as follows:

Total Construction	\$ 1,016,193.05
Engineering	111,781.24
Construction Interest	19,970.18
Capitalized Interest	23,552.11
Underwriter's Discount	6,045.47
Testing	11,545.25
Legal	1,866.50
Advertising/Misc.	315.99
Utility	87.10
Administration	30,486.00
Engineering Administration	10,162.00
Bond Counsel/Rating Fees	658.25
Fiscal Agent	219.42
Contingencies	<u>17.44</u>
TOTAL:	\$ 1,232,900.00
LESS: Other Contributions	395,000.00
LESS: Bond Premium	<u>32,900.00</u>
TOTAL TO BE ASSESSED:	\$ 805,000.00

and that the City Auditor be and she is hereby directed to notify the Chairman of the Special Assessment Commission and shall certify to the Chairman of the Special Assessment Commission the items of the total cost set forth herein.

Dated: January 20, 2020.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____, and upon vote being taken thereon, the following voted in favor thereof: _____ . The following commissioners were absent and not voting: _____. The following commissioners voted nay: _____. 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 ASSESSMENTS TO BE LEVIED

Be it resolved by the Board of City Commissioners of the City of West Fargo that the City Commission has estimated the cost in Street Improvement District No. 2240 and does hereby direct assessments to be levied for the payment of such cost as follows:

Total Construction	\$ 3,597,190.80
Engineering	395,690.99
Construction Interest	196,971.64
Capitalized Interest	99,218.78
Underwriter's Discount	25,467.96
Testing	53,041.75
Legal	2,523.06
Advertising/Misc.	296.55
Land/Easements	211,500.00
Administration	107,916.00
Engineering Administration	35,972.00
Bond Counsel/Rating Fees	2,773.03
Fiscal Agent	924.34
Contingencies	<u>4,102.10</u>
TOTAL:	\$ 4,733,589.00
LESS: Other Contributions	1,200,000.00
LESS: Bond Premium	<u>138,589.00</u>
TOTAL TO BE ASSESSED:	\$ 3,395,000.00

and that the City Auditor be and she is hereby directed to notify the Chairman of the Special Assessment Commission and shall certify to the Chairman of the Special Assessment Commission the items of the total cost set forth herein.

Dated: January 20, 2020.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____, and upon vote being taken thereon, the following voted in favor thereof: _____ . The following commissioners were absent and not voting: _____. The following commissioners voted nay: _____. 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 ASSESSMENTS TO BE LEVIED

Be it resolved by the Board of City Commissioners of the City of West Fargo that the City Commission has estimated the cost in Street Improvement District No. 2241 and does hereby direct assessments to be levied for the payment of such cost as follows:

Total Construction	\$ 437,289.07
Engineering	78,391.85
Construction Interest	23,670.60
Capitalized Interest	16,705.24
Underwriter's Discount	4,287.98
Testing	13,918.75
Legal	1,725.74
Advertising/Misc.	222.84
Administration	13,119.00
Engineering Administration	4,373.00
Bond Counsel/Rating Fees	466.89
Fiscal Agent	<u>155.63</u>
TOTAL:	\$ 594,326.59
LESS: City Funds	989.59
LESS: Bond Premium	<u>23,337.00</u>
TOTAL TO BE ASSESSED:	\$ 570,000.00

and that the City Auditor be and she is hereby directed to notify the Chairman of the Special Assessment Commission and shall certify to the Chairman of the Special Assessment Commission the items of the total cost set forth herein.

Dated: January 20, 2020.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____, and upon vote being taken thereon, the following voted in favor thereof: _____ . The following commissioners were absent and not voting: _____. The following commissioners voted nay: _____. 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 ASSESSMENTS TO BE LEVIED

Be it resolved by the Board of City Commissioners of the City of West Fargo that the City Commission has estimated the cost in Street Improvement District No. 2243 and does hereby direct assessments to be levied for the payment of such cost as follows:

Total Construction	\$ 4,732,490.59
Engineering	765,707.02
Construction Interest	170,892.63
Capitalized Interest	159,697.55
Underwriter's Discount	40,991.95
Testing	71,188.00
Legal	38,511.65
Advertising/Misc.	5,051.55
Land/Easements	233,838.36
Administration	141,975.00
Engineering Administration	47,325.00
Bond Counsel/Rating Fees	4,463.33
Fiscal Agent	1,487.78
Contingencies	<u>19,442.59</u>
TOTAL:	\$ 6,433,063.00
LESS: Other Contributions	750,000.00
LESS: Bond Premium	<u>223,063.00</u>
TOTAL TO BE ASSESSED:	\$ 5,460,000.00

and that the City Auditor be and she is hereby directed to notify the Chairman of the Special Assessment Commission and shall certify to the Chairman of the Special Assessment Commission the items of the total cost set forth herein.

Dated: January 20, 2020.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____, and upon vote being taken thereon, the following voted in favor thereof: _____ . The following commissioners were absent and not voting: _____. The following commissioners voted nay: _____. 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 ASSESSMENTS TO BE LEVIED

Be it resolved by the Board of City Commissioners of the City of West Fargo that the City Commission has estimated the cost in Street Improvement District No. 2244 and does hereby direct assessments to be levied for the payment of such cost as follows:

Total Construction	\$ 6,166,184.00
Engineering	1,249,937.95
Construction Interest	66,070.79
Capitalized Interest	718,957.51
Underwriter's Discount	101,570.08
Testing	86,427.25
Legal	57,968.29
Advertising/Misc.	5,969.04
Utility	70,294.93
Land/Easements	211,177.00
Administration	184,986.00
Engineering Administration	61,662.00
Bond Counsel/Rating Fees	6,012.67
Fiscal Agent	<u>2,004.22</u>
TOTAL:	\$ 8,989,221.73
LESS: Contingencies	17,810.00
LESS: Other Contributions	1,272,296.00
LESS: City Funds	21,802.73
LESS: Bond Premium	<u>302,313.00</u>
TOTAL TO BE ASSESSED:	\$ 7,375,000.00

and that the City Auditor be and she is hereby directed to notify the Chairman of the Special Assessment Commission and shall certify to the Chairman of the Special Assessment Commission the items of the total cost set forth herein.

Dated: January 20, 2020.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____, and upon vote being taken thereon, the following voted in favor thereof: _____ . The following commissioners were absent and not voting: _____. The following commissioners voted nay: _____. 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 ASSESSMENTS TO BE LEVIED

Be it resolved by the Board of City Commissioners of the City of West Fargo that the City Commission has estimated the cost in Street Improvement District No. 2251 and does hereby direct assessments to be levied for the payment of such cost as follows:

Total Construction	\$ 4,044,767.73
Engineering	676,067.87
Construction Interest	96,337.93
Capitalized Interest	140,576.87
Underwriter's Discount	36,083.96
Legal	28,476.92
Advertising/Misc.	8,347.50
Utility	181.00
Land/Easements	301,132.00
Administration	121,343.00
Engineering Administration	40,448.00
Bond counsel/Rating Fees	3,928.93
Fiscal Agent	1,309.64
Contingencies	<u>7,354.65</u>
TOTAL:	\$ 5,506,356.00
LESS: Other Contributions	500,000.00
LESS: Bond Premium	<u>196,356.00</u>
TOTAL TO BE ASSESSED:	\$ 4,810,000.00

and that the City Auditor be and she is hereby directed to notify the Chairman of the Special Assessment Commission and shall certify to the Chairman of the Special Assessment Commission the items of the total cost set forth herein.

Dated: January 20, 2020.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____, and upon vote being taken thereon, the following voted in favor thereof: _____ . The following commissioners were absent and not voting: _____. The following commissioners voted nay: _____. 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 ASSESSMENTS TO BE LEVIED

Be it resolved by the Board of City Commissioners of the City of West Fargo that the City Commission has estimated the cost in Street Improvement District No. 2253 and does hereby direct assessments to be levied for the payment of such cost as follows:

Total Construction	\$ 249,942.00
Engineering	27,493.62
Construction Interest	8,529.56
Capitalized Interest	8,954.82
Underwriter's Discount	2,298.57
Testing	9,577.75
Legal	1,266.68
Advertising/Misc.	235.80
Administration	7,498.00
Engineering Administration	2,499.00
Bond Counsel/Rating Fees	250.27
Fiscal Agent	<u>83.42</u>
TOTAL:	\$ 318,629.49
LESS: City Funds	1,118.49
LESS: Bond Premium	<u>12,511.00</u>
TOTAL TO BE ASSESSED:	\$ 305,000.00

and that the City Auditor be and she is hereby directed to notify the Chairman of the Special Assessment Commission and shall certify to the Chairman of the Special Assessment Commission the items of the total cost set forth herein.

Dated: January 20, 2020.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____, and upon vote being taken thereon, the following voted in favor thereof: _____.

The following commissioners were absent and not voting: _____. The following commissioners voted nay: _____. 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 ASSESSMENTS TO BE LEVIED

Be it resolved by the Board of City Commissioners of the City of West Fargo that the City Commission has estimated the cost in Infrastructure Replacement District No. 3002 and does hereby direct assessments to be levied for the payment of such cost as follows:

Total Construction	\$ 160,104.75
Engineering	22,252.07
Construction Interest	3,184.68
Capitalized Interest	777.10
Underwriter's Discount	199.47
Testing	964.75
Legal	4,330.10
Advertising/Misc.	244.16
Administration	4,803.00
Engineering Administration	1,601.00
Bond Counsel/Rating Fees	21.72
Fiscal Agent	<u>7.24</u>
TOTAL:	\$ 198,490.04
LESS: Other Contributions	170,757.00
LESS: City Funds	1,644.04
LESS: Bond Premium	<u>1,089.00</u>
TOTAL TO BE ASSESSED:	\$ 25,000.00

and that the City Auditor be and she is hereby directed to notify the Chairman of the Special Assessment Commission and shall certify to the Chairman of the Special Assessment Commission the items of the total cost set forth herein.

Dated: January 20, 2020.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____, and upon vote being taken thereon, the following voted in favor thereof: _____.

The following commissioners were absent and not voting: _____. The following commissioners voted nay: _____. 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 ASSESSMENTS TO BE LEVIED

Be it resolved by the Board of City Commissioners of the City of West Fargo that the City Commission has estimated the cost in Storm Sewer Improvement District No. 4064 and does hereby direct assessments to be levied for the payment of such cost as follows:

Total Construction	\$ 705,866.60
Engineering	108,275.58
Construction Interest	27,652.48
Capitalized Interest	34,745.29
Underwriter's Discount	8,918.59
Legal	8,079.00
Advertising/Misc.	9,390.33
Land/Easements	308,312.23
Administration	21,176.00
Engineering Administration	7,059.00
Bond Counsel/Rating Fees	971.08
Fiscal Agent	323.69
Contingencies	<u>2,950.13</u>
TOTAL:	\$1,243,720.00
LESS: Bond Premium	<u>48,720.00</u>
TOTAL TO BE ASSESSED:	\$ 1,195,000.00

and that the City Auditor be and she is hereby directed to notify the Chairman of the Special Assessment Commission and shall certify to the Chairman of the Special Assessment Commission the items of the total cost set forth herein.

Dated: January 20, 2020.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____, and upon vote being taken thereon, the following voted in favor thereof: _____ . The following commissioners were absent and not voting: _____. The following commissioners voted nay: _____. 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 ASSESSMENTS TO BE LEVIED

Be it resolved by the Board of City Commissioners of the City of West Fargo that the City Commission has estimated the cost in Storm Improvement District No. 4065 and does hereby direct assessments to be levied for the payment of such cost as follows:

Total Construction	\$ 406,163.51
Engineering	97,744.49
Construction Interest	34,456.52
Capitalized Interest	35,320.90
Underwriter's Discount	9,066.34
Testing	2,498.00
Legal	2,758.90
Advertising/Misc.	315.99
Land/Easements	650,632.50
Administration	12,185.00
Engineering Administration	4,062.00
Bond Counsel/Rating Fees	987.17
Fiscal Agent	329.06
Contingencies	<u>2,817.62</u>
TOTAL:	\$1,259,338.00
LESS: Bond Premium	<u>49,338.00</u>
TOTAL TO BE ASSESSED:	\$1,210,000.00

and that the City Auditor be and she is hereby directed to notify the Chairman of the Special Assessment Commission and shall certify to the Chairman of the Special Assessment Commission the items of the total cost set forth herein.

Dated: January 20, 2020.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

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

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

Agenda # 1

***Please Note: The following information must be completed and submitted to the West Fargo City Auditor's Office by the Thursday noon preceding the City Commission meeting. Failure to comply may result in no action being taken on your request.

1. CONTACT PERSON: Tim Solberg
2. PHONE NUMBER: 433-5321 DATE: January 15, 2020
3. PLEASE **BRIEFLY** DESCRIBE YOUR REQUEST:
Sandhills 4th Addition, a Replat and Rezoning from A: Agricultural to LI: Light Industrial.
4. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable):
Lots 1-4 and 20-22, Block 8 of Meadow Brook Park Subdivision, City of West Fargo, North Dakota.
5. ACTION BEING REQUESTED FROM CITY COMMISSION:
Hold First Reading and Public Hearing on the Rezoning at 5:30 pm on January 20, 2020.

STAFF REPORT

A19-45		REPLAT & REZONE	
Sandhills 4 th Addition			
Lots 1-4 and 20-22 Block 8 of the Meadow Brook Park Subdivision, City of West Fargo, North Dakota			
Owner/Applicant: Ryan Restad		Staff Contact: Lisa Sankey	
Planning & Zoning Commission Public Hearing:		11-12-2019 – Tabled; 12-10-2019 – Approved	
City Commission Introduction:		12-16-2019	
Public Hearing & 1 st Reading:		01-20-2020	
2 nd Reading & Final Plat Approval			

PURPOSE:

Platting and Zoning seven lots into one for Light Industrial Development

STATEMENTS OF FACT:

Existing Land Use:	Vacant
Land Use Classification:	G-3 Employment Growth Sector
Current Zoning District(s):	A: Agricultural
Zoning Overlay District(s):	N/A
Proposed Lot size(s) or range:	75,600 square feet
Total area size:	3.12 Acres
Adjacent Zoning Districts:	North & East - LI : Light Industrial South, East & West – A: Agricultural
Adjacent street(s):	4 th Ave NW (local), Park Blvd NW (local), Gress Ave NW (local)
Adjacent Bike/Pedestrian Facilities:	Paths along Main Ave W – no sidewalks available
Available Parks/Trail Facilities:	Nearest park is Armour Park located 2.33 miles to the southeast – no public park within ½ mile
Land Dedication Requirements:	Dedication Required

DISCUSSION AND OBSERVATIONS:

- The applicant has submitted applications for a proposed replat and rezoning.
- The rezoning is necessary for construction of light industrial facilities.
- The new lot will meet the current zoning district requirements.
- The proposed replat shows an additional 30 feet of dedicated right-of-way along what is now Park Blvd for alignment with 28th Ct NW. Right-of-way needs for commercial/industrial roadways are required to be a minimum of 80 feet. Additional right of way will be required on the other side of what will become 28th St NW in the future.
- Gress Avenue to the south of the plat is an existing right of way that has informally been considered for future vacation. Although that is not part of this plat, staff would simply like to note it for the record and in consideration of future area planning.

STAFF REPORT

NOTICES:

Sent to: Property owners within 150' and applicable agencies and departments

Comments Received:

- During the public hearing a property owner indicated concern with lines for a community well running through the middle of the property.

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- The proposed plan is consistent with City plans and Ordinances.

RECOMMENDATIONS:

It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. An updated drainage plan is approved by the City Engineer.
2. An Attorney Title Opinion to the City of West Fargo is received.
3. Signed Final Plat is received with any necessary easements.
4. A signed subdivision agreement is received.
5. A signed public dedication agreement is received.
6. A certificate is received showing taxes are current.

UPDATE:

- At the November Planning and Zoning Commission the Planning and Zoning Commission tabled this item after an area property owner expressed concern with a waterline easement for a community well running through the middle of the lots and potential for a building being placed on top of it.
- The updated Attorney Title Opinion should disclose whether there is an easement. The applicant indicated if there was an easement, they may be able to place one of their proposed structures such that it would not encroach on it.

PLANNING AND ZONING RECOMMENDATION:

At their December 10, 2019 meeting, the Planning and Zoning Commission recommended approval of the replat and rezoning, subject to the six conditions listed above, with an additional condition that the water service line be located and not interrupted.



A19-45
Proposed Subdivision



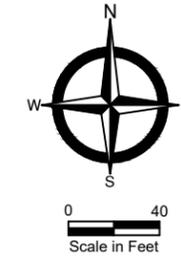
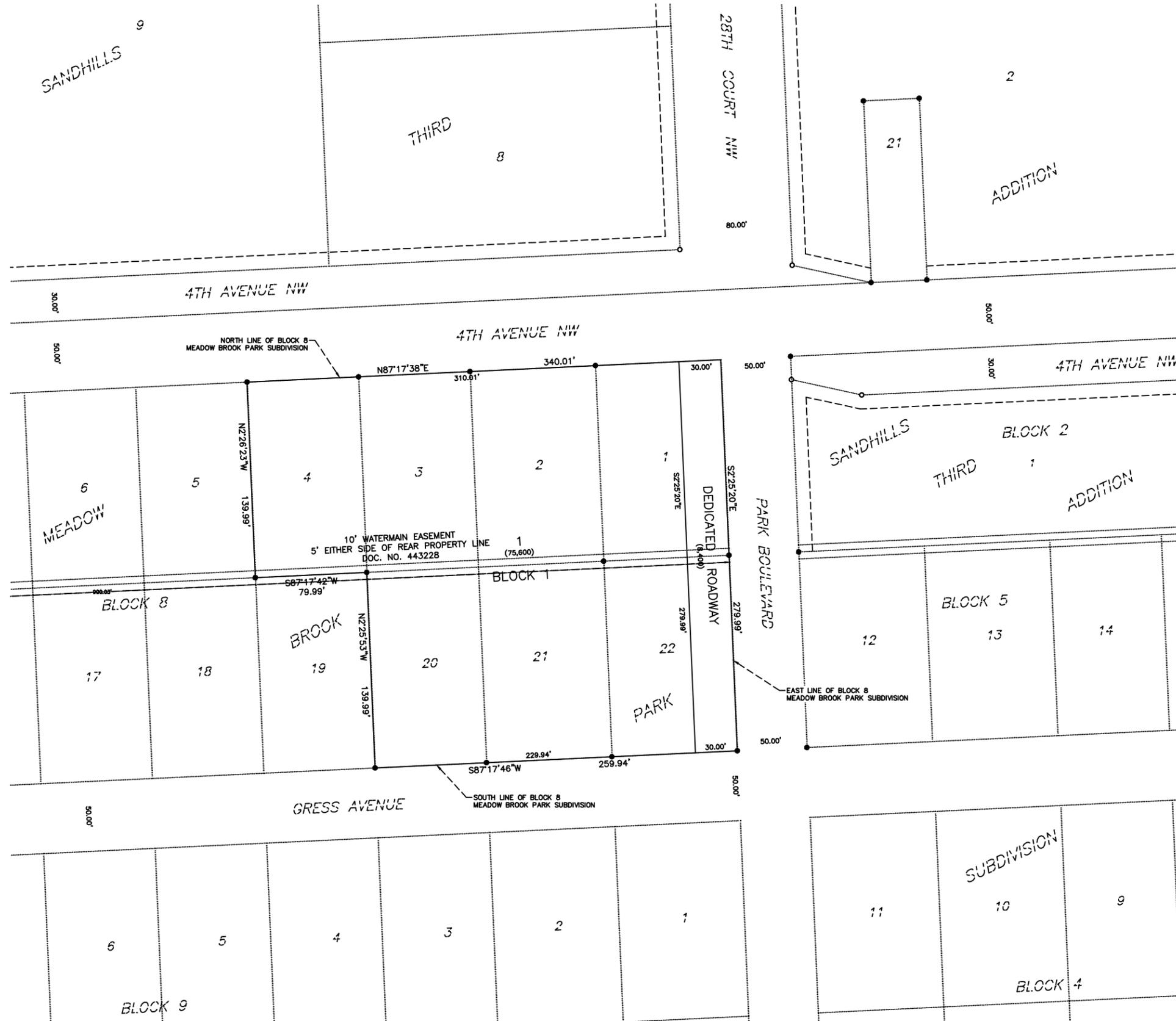
A19-45
Proposed Subdivision



- | | | | | |
|--------------------------------|---------------------------------|-------------------------------|------------------------------------|----------------------------------|
| □ A: Agricultural | □ LI: Light Industrial | □ R-1: One and Two Family | □ R-1S: Special One and Two Family | □ R-4: Mobile Home |
| □ C: Light Commercial | □ M: Heavy Industrial | □ R-1A: Single Family | □ R-1SM: Mixed One and Two Family | □ R-5: Manufactured Home |
| □ C-OP: Commercial Office Park | □ P: Public | □ R-1B: Special Single Family | □ R-2: Limited Multiple Dwelling | □ R-L1A: Large Lot Single Family |
| □ HC: Heavy Commercial | □ PUD: Planned Unit Development | □ R-1E: Rural Estate | □ R-3: Multiple Dwelling | □ R-R: Rural Residential |



PLAT OF
SANDHILLS FOURTH ADDITION
 TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 1-4, AND LOTS 20-22 ALL IN BLOCK 8,
 MEADOW BROOK PARK SUBDIVISION
 TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA.



- LEGEND**
- IRON MONUMENT FOUND
 - SET 5/8"X18" REBAR WITH YELLOW PLASTIC CAP #6571
 - (4,810) LOT AREAS IN SQ. FT.

BASIS OF BEARINGS:
 MEADOW BROOK PARK
 SUBDIVISION TO THE CITY OF
 WEST FARGO ACCORDING TO
 THE RECORDED PLAT THEREOF.

UTILITY EASEMENTS ARE 10' WIDE ALONG AND ADJACENT
 TO ALL STREET RIGHT OF WAYS AND REAR PROPERTY
 LINES AS SHOWN UNLESS OTHERWISE NOTED.

STORM SEWER EASEMENTS ARE 10' WIDE LYING 5' ON
 EACH SIDE OF SIDE PROPERTY LINES AS SHOWN UNLESS
 OTHERWISE NOTED.

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

Agenda # 2

***Please Note: The following information must be completed and submitted to the West Fargo City Auditor's Office by the Thursday noon preceding the City Commission meeting. Failure to comply may result in no action being taken on your request.

1. CONTACT PERSON: Tim Solberg, AICP

2. PHONE NUMBER: 433-5321 DATE: January 16, 2020

3. PLEASE **BRIEFLY** DESCRIBE YOUR REQUEST:

Replacement of Official Zoning Map per 4-302 of City Ordinances. Please see attached staff report for proposed changes to the Official Zoning Map.

4. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable):

N/A.

5. ACTION BEING REQUESTED FROM CITY COMMISSION:

Hold Public Hearing and 2nd Reading.

STAFF REPORT

A19-50 Adoption of Official Zoning Map	
Adoption of Official Zoning Map	
City of West Fargo	Staff Contact: Tim Solberg, AICP
Planning & Zoning Commission Introduction:	12-10-2019
Public Hearing:	12-10-2019 – Continued to 01-14-2020; Approval
Planning & Zoning Commission:	01-14-2020
City Commission Introduction & 1 st Reading:	01-06-2020
Public Hearing & 2 nd Reading:	01-20-2020

PURPOSE:

Replacement of the Official Zoning Map to reflect amendments and make necessary changes to reflect new districts and cleanup of other issues.

DISCUSSION AND OBSERVATIONS:

- The zoning map for the City was last updated in July 16, 2018. A number of rezonings have taken place since that time, as the City has experienced tremendous growth.
- Under 4-302. Replacement of Official Zoning Map, the West Fargo Zoning Ordinance provides for the replacement of the Official Zoning Map as follows:
 - In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the City Commission may by resolution or ordinance adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof. The new Official Zoning Map shall be identified by the signature of the President of the Board of the City Commissioners attested by the City Auditor, and bearing the seal of the City under the following words: “This is to certify that this Official Zoning Map adopted as part of Ordinance 1125 on July 16, 2018, supersedes and replaces the Official Zoning Map adopted March 16, 2015, as part of the Ordinance 1031 of the City of West Fargo, North Dakota.” Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment.
- Along with the updated map, staff is proposing to provide for the rezoning of some properties to reflect the established use of the properties to conforming uses and also to rezone areas to reflect the removal of the Sheyenne Street Corridor Overlay and Main Avenue Overlay and newly created Downtown Mixed Use District and Entertainment Mixed Use Districts. More specifically:
 - Staff proposes to rezone the following addresses from C: Light Commercial to R-2: Limited Multiple Dwelling to reflect the long term established residential use of the properties. The properties have a very difficult time being financed due to their current zoning:
 - 126 1 AVE E
 - 122 1 AVE E
 - 118 1 AVE E
 - 114 1 AVE E
 - 110 1 AVE E

STAFF REPORT

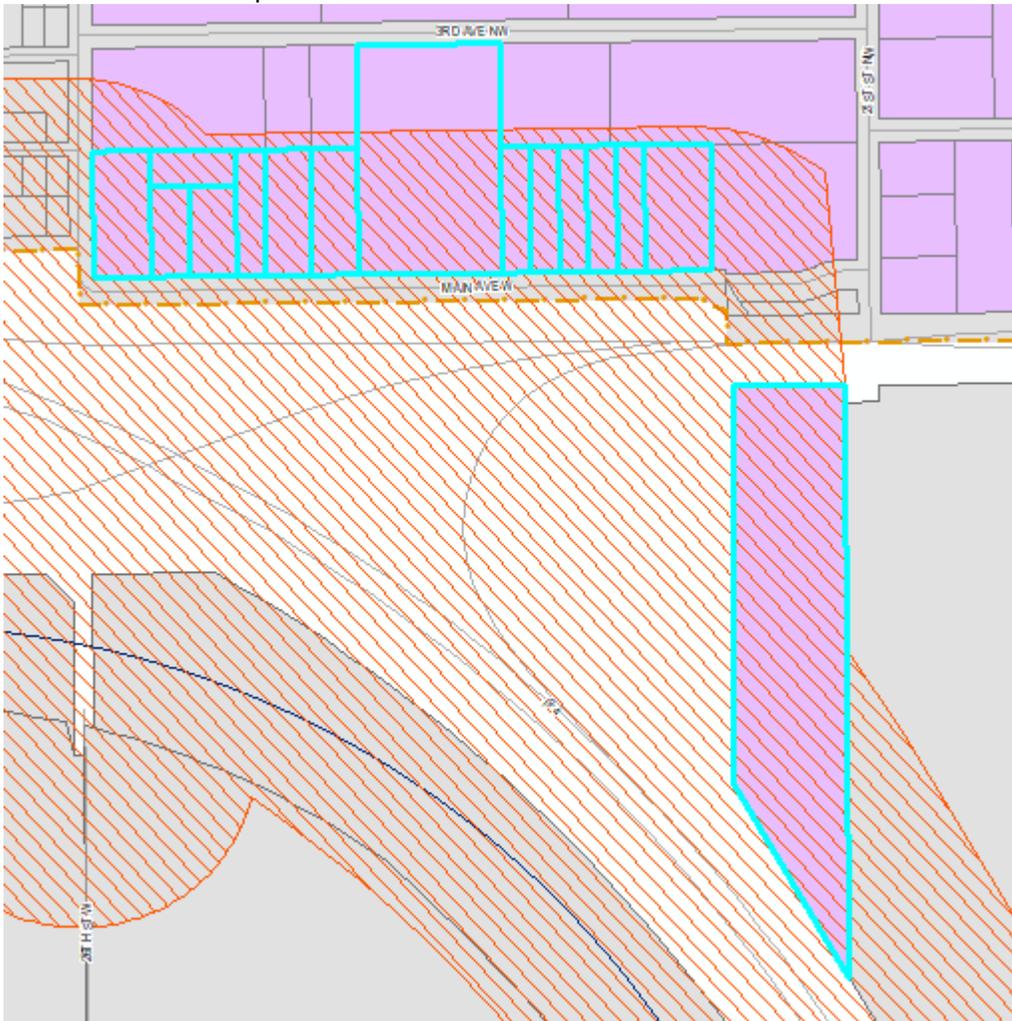
- 106 1 AVE E
- 236 1 AVE E
- 18 3 ST E
- 14 3 ST E
- 206 2 AVE W
- 234 2 AVE W
- 210 2 AVE W
- 218 2 AVE W
- 214 2 AVE W
- 230 2 AVE W
- 226 2 AVE W
- 202 2 AVE W
- 222 2 AVE W
- 338 1 AVE E
- 334 1 AVE E
- 330 1 AVE E
- 326 1 AVE E
- 322 1 AVE E
- 318 1 AVE E
- 314 1 AVE E
- 310 1 AVE E
- 306 1 AVE E
- 302 1 AVE E



- Staff proposes to rezone the following properties from PUD: Planned Unit Development to LI: Light Industrial. There exists two Corridor Overlay districts which staff feels provides sufficient protection to provide for the intended effect along the Main Avenue corridor and the Interstate Corridor which the PUD's intended to protect. This is a way to simplify land use decisions as well as allow for redevelopment of the sites with clear instruction from City Ordinances. Of note, one property has an off-premise sign which is currently non-conforming due to the PUD in place, which has left it in disrepair. If rezoned, the property owner would be able to replace the off-premise sign, if not rezoned the sign would remain on site in disrepair.
 - 2210 MAIN AVE W
 - 2536 MAIN AVE W
 - 2504 MAIN AVE W
 - 2438 MAIN AVE W
 - 2426 MAIN AVE W
 - 2324 MAIN AVE W

STAFF REPORT

- 2316 MAIN AVE W
- 2308 MAIN AVE W
- 2234 MAIN AVE W
- 2226 MAIN AVE W
- 2218 MAIN AVE W
- 2520 MAIN AVE W
- 2512 MAIN AVE W
- 2528 MAIN AVE W
- Parcel ID: 53-0000-09068-000, which is an Extraterritorial Zoned parcel south of Main Avenue West at the intersection of Main and Interstate Highway 94. The parcel was in the process of subdivision and rezoning to PUD. The rezone was completed; however, a plat was never recorded. Prior to issuance of future building permits, the platting will need to be completed.



- Staff proposed to rezone the following properties from PUD: Planned Unit Development to R-1SM: Mixed One and Two-Family Dwelling. The PUD here was created prior to the City adopting the R-1SM district. The R-1SM District was based upon the development of this PUD and rezoning is providing cleanup and more clear instruction for redevelopment or additions and accessory buildings.

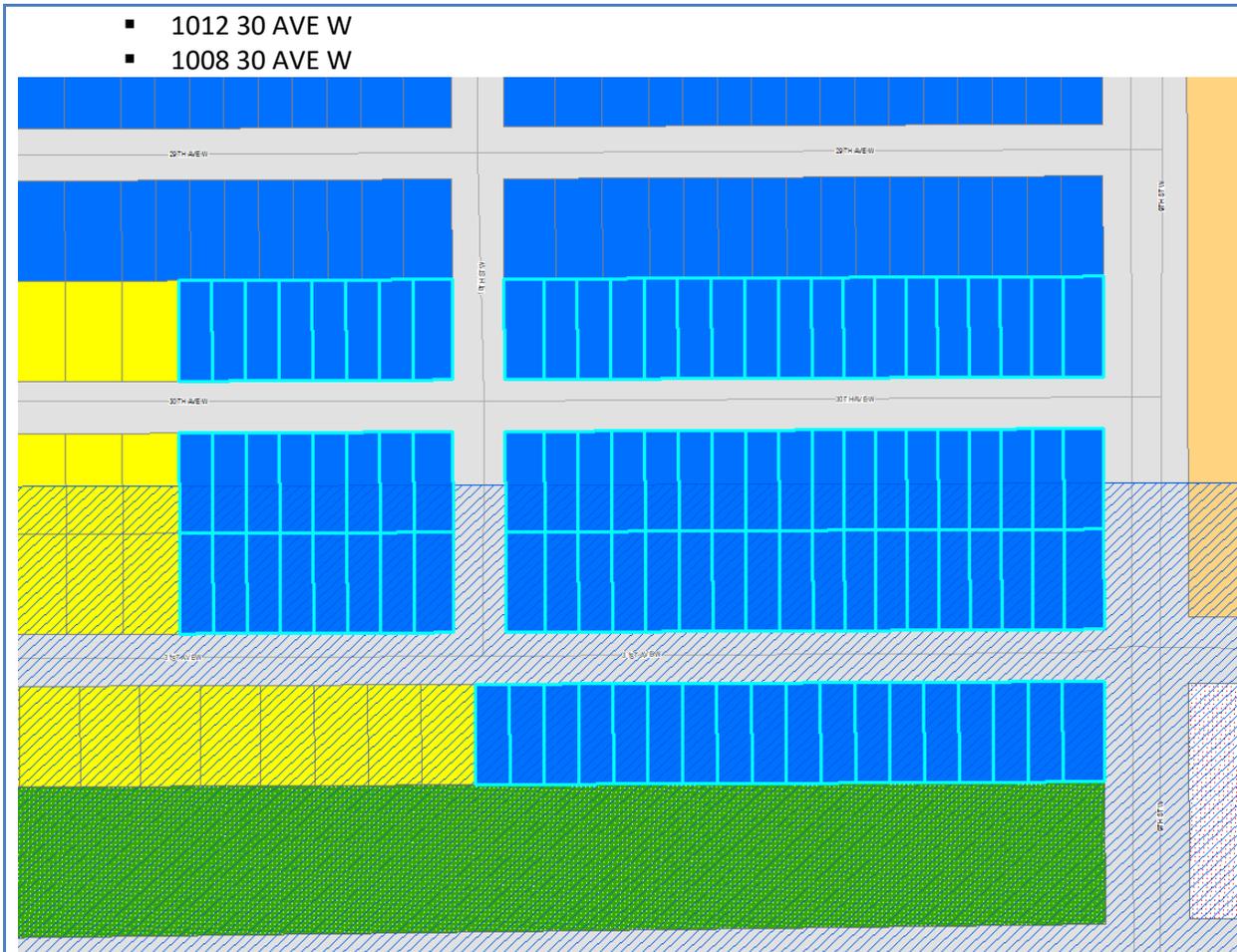
STAFF REPORT

- 972 30 AVE W
- 968 30 AVE W
- 964 30 AVE W
- 960 30 AVE W
- 956 30 AVE W
- 952 30 AVE W
- 948 30 AVE W
- 944 30 AVE W
- 940 30 AVE W
- 936 30 AVE W
- 932 30 AVE W
- 928 30 AVE W
- 924 30 AVE W
- 920 30 AVE W
- 916 30 AVE W
- 912 30 AVE W
- 908 30 AVE W
- 904 30 AVE W
- 975 30 AVE W
- 971 30 AVE W
- 967 30 AVE W
- 963 30 AVE W
- 959 30 AVE W
- 955 30 AVE W
- 951 30 AVE W
- 947 30 AVE W
- 943 30 AVE W
- 939 30 AVE W
- 935 30 AVE W
- 931 30 AVE W
- 927 30 AVE W
- 923 30 AVE W
- 919 30 AVE W
- 915 30 AVE W
- 911 30 AVE W
- 907 30 AVE W
- 902 31 AVE W
- 906 31 AVE W
- 910 31 AVE W
- 914 31 AVE W
- 918 31 AVE W
- 922 31 AVE W
- 926 31 AVE W
- 930 31 AVE W
- 934 31 AVE W
- 938 31 AVE W
- 942 31 AVE W

STAFF REPORT

- 946 31 AVE W
- 950 31 AVE W
- 954 31 AVE W
- 958 31 AVE W
- 962 31 AVE W
- 966 31 AVE W
- 970 31 AVE W
- 973 31 AVE W
- 969 31 AVE W
- 965 31 AVE W
- 961 31 AVE W
- 957 31 AVE W
- 953 31 AVE W
- 949 31 AVE W
- 945 31 AVE W
- 941 31 AVE W
- 937 31 AVE W
- 933 31 AVE W
- 929 31 AVE W
- 925 31 AVE W
- 921 31 AVE W
- 917 31 AVE W
- 913 31 AVE W
- 909 31 AVE W
- 905 31 AVE W
- 1039 30 AVE W
- 1035 30 AVE W
- 1031 30 AVE W
- 1027 30 AVE W
- 1023 30 AVE W
- 1019 30 AVE W
- 1015 30 AVE W
- 1011 30 AVE W
- 1010 31 AVE W
- 1014 31 AVE W
- 1018 31 AVE W
- 1022 31 AVE W
- 1026 31 AVE W
- 1030 31 AVE W
- 1034 31 AVE W
- 1038 31 AVE W
- 1036 30 AVE W
- 1032 30 AVE W
- 1028 30 AVE W
- 1024 30 AVE W
- 1020 30 AVE W
- 1016 30 AVE W

STAFF REPORT



- 1012 30 AVE W
 - 1008 30 AVE W

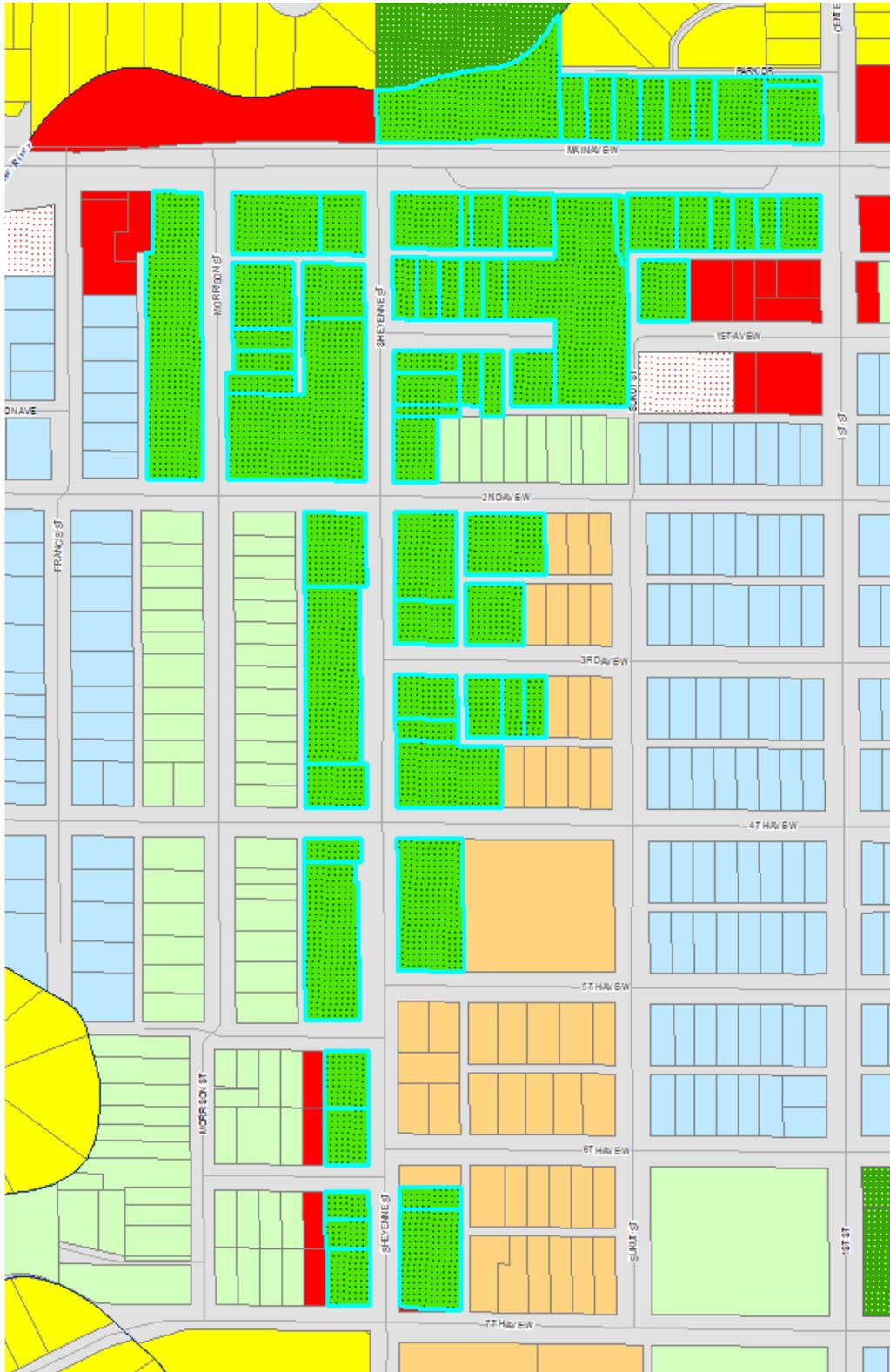
- Staff is proposing to rezone any property that is currently within the CO-S: Sheyenne Street Corridor Overlay that are zoned C: Light Commercial and a select area of the current CO-M: Main Avenue Overlay district to the new DMU: Downtown Mixed Use district. Following are the properties proposed to be rezoned.
 - 400 SHEYENNE ST
 - 444 SHEYENNE ST UNIT A
 - 444 SHEYENNE ST UNIT B
 - 300 SHEYENNE ST
 - 313 MAIN AVE W
 - 301 MAIN AVE W
 - 100 SHEYENNE ST
 - 110 SHEYENNE ST
 - PARKING LOT
 - 101 MORRISON ST
 - 35 MORRISON ST
 - 35 MORRISON ST
 - 102 MORRISON ST
 - 210 SHEYENNE ST
 - 322 SHEYENNE ST
 - 502 SHEYENNE ST

STAFF REPORT

- 306 6 AVE W
- 602 SHEYENNE ST
- SHEYENNE ST
- 620 SHEYENNE ST
- 232 7 AVE W
- 605 SHEYENNE ST
- 239 MAIN AVE W
- 227 MAIN AVE W
- 231 MAIN AVE W
- 219 MAIN AVE W
- 228 1 AVE W
- 232 1 AVE W
- 236 1 AVE W
- 240 1 AVE W
- 29 SHEYENNE ST
- 133 MAIN AVE W
- 127 MAIN AVE W
- 119 MAIN AVE W
- 117 MAIN AVE W
- 113 MAIN AVE W
- 103 MAIN AVE W
- 109 SHEYENNE ST
- 121 SHEYENNE ST
- 227 1 AVE W
- 237 1 AVE W
- 219 1 AVE W
- 101 SHEYENNE ST
- 107 SHEYENNE ST
- 219 2 AVE W
- 220 3 AVE W
- 221 SHEYENNE ST
- 205 SHEYENNE ST
- 225 3 AVE W
- 217 3 AVE W
- 213 3 AVE W
- 321 SHEYENNE ST
- 309 SHEYENNE ST
- 301 SHEYENNE ST
- 409 SHEYENNE ST
- 207 MAIN AVE W
- MAIN AVE W
- 144 PARK DR
- 150 PARK DR
- 138 PARK DR
- 132 PARK DR
- 126 PARK DR
- 120 PARK DR

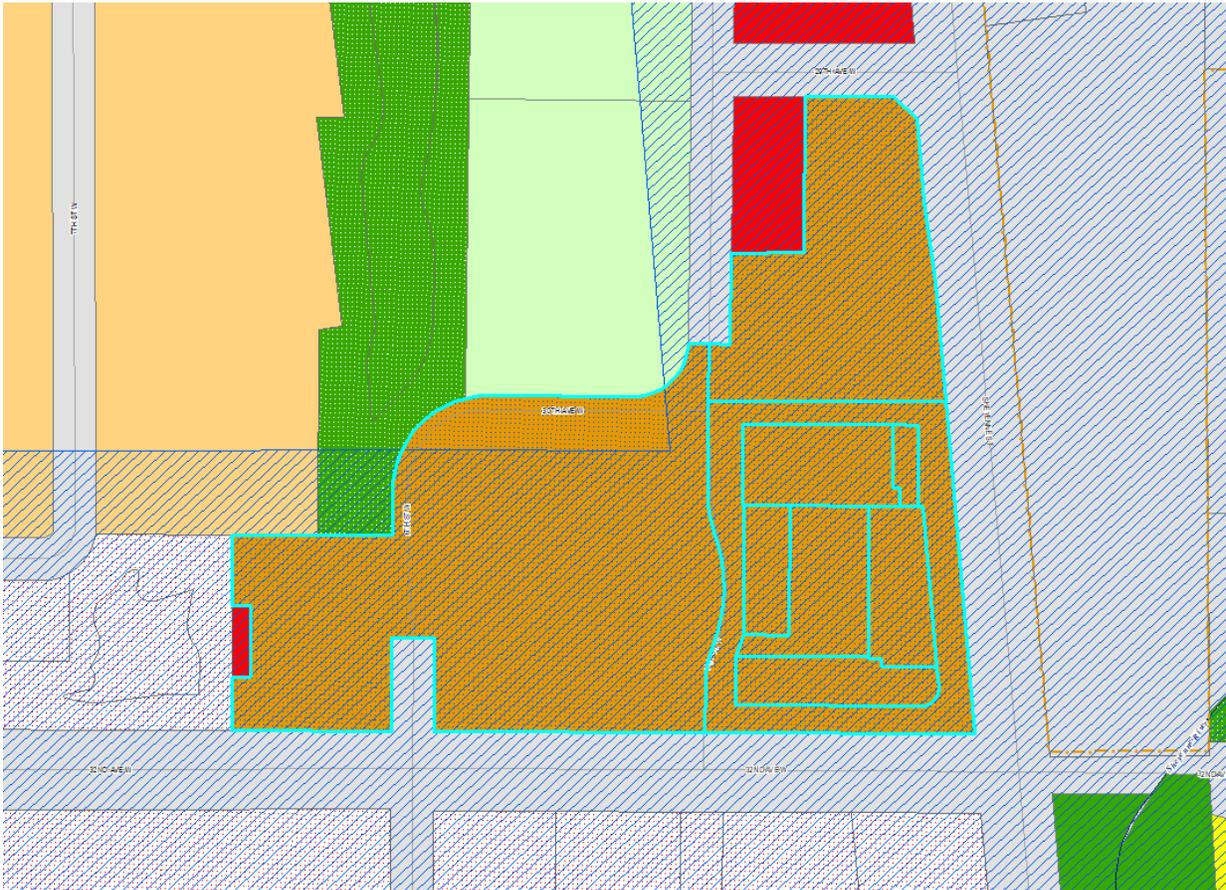
STAFF REPORT

- 160 MAIN AVE W
- 108 MAIN AVE W
- 100 MAIN AVE W



STAFF REPORT

- Staff is proposing to rezone the PUD: Planned Unit Development of Eagle Run Plaza 6th Addition (otherwise known as the “Lights at Sheyenne 32” to the new EMU: Entertainment Mixed Use district. Below are the following properties:
 - 520 32 AVE W
 - 2920 SHEYENNE ST
 - 3070 SHEYENNE ST
 - 3050 SHEYENNE ST
 - 360 32 AVE W
 - 300 32 AVE W
 - 3150 SHEYENNE ST
 - 320 32 AVE W



- Staff has incorporated on a map the rezonings that have taken place since July 2018. A notice will be placed in the paper to inform the public that map revisions are being undertaken, and a public hearing will be held to address any zoned areas which might be questioned. The staff recommends that the map be adopted by ordinance as the new Official Zoning Map with the following certificate:
 - This is to certify that this Official Zoning Map adopted as part of Ordinance ___ on ____, 2020, supersedes and replaces the Official Zoning Map adopted July 16, 2018, as part of the Ordinance 1125 of the City of West Fargo, North Dakota.”

STAFF REPORT

NOTICES:

Sent to: Notice in the newspaper and City Departments and to property owners within 150' of substantially altered zoning districts.

Comments Received:

- None to date.

RECOMMENDATIONS:

Following the public hearing and obtaining public comments, consider recommending approval of the ordinance amendments.

PLANNING AND ZONING RECOMMENDATION:

At their December 10, 2019 meeting, the Planning and Zoning Commission continued the public hearing to allow for notification of property owners within the areas being considered for rezoning. Staff is proposing a first reading of the new zoning map at the January 6, 2020 meeting. Planning Commission will close the public hearing at their January 14 meeting and provide a recommendation to the City Commission for consideration at the January 20, 2020 meeting where an additional public hearing will be held. If favorable, at that time a 2nd reading could be held.

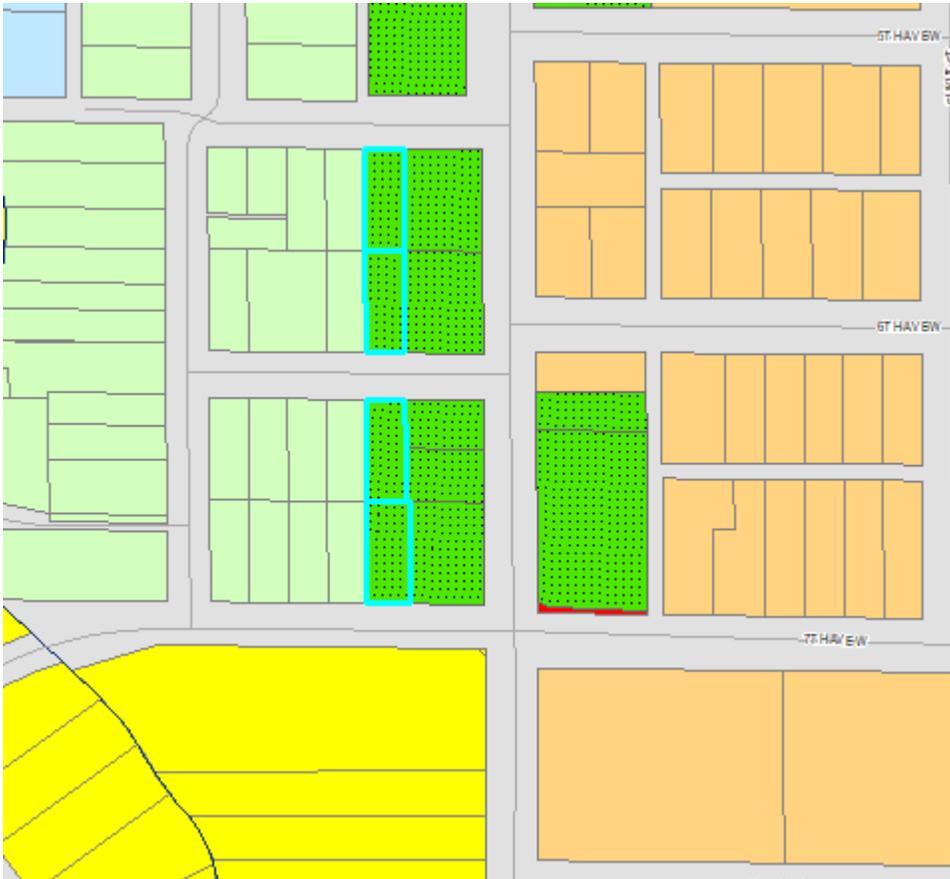
PLANNING AND ZONING RECOMMENDATION – JANUARY 14, 2020 UPDATE:

At their January 14, 2020 meeting the Planning and Zoning Commission held a public hearing and heard from a number of people with requests for consideration and explanation on some of the proposed zoning changes. After the public hearing, the Planning Commission provided recommendations for three additional groups of properties to be included in the proposed amendment to the Official Zoning Map. The additional groups are listed and highlighted below:

STAFF REPORT

The following properties adjacent to Sheyenne properties which are currently zoned C: Light Commercial were recommended to be added to the zoning map change to DMU: Downtown Mixed Use:

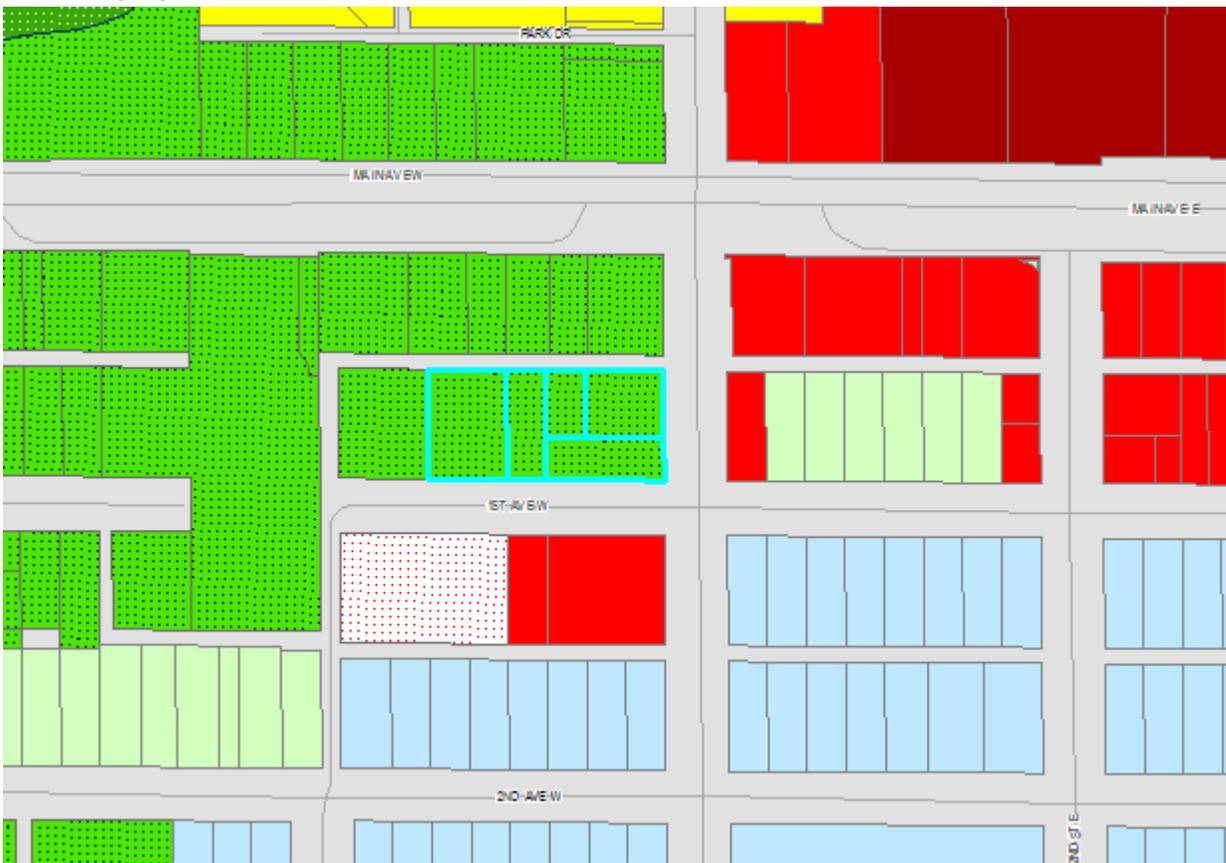
- 309 5 AVE W
- 310 6 AVE W
- 309 6 AVE W
- 310 7 AVE W



STAFF REPORT

The following properties in the vicinity of 1st St E and south of Main Avenue which are currently zoned C: Light Commercial were recommended to be added to the zoning map change to DMU: Downtown Mixed Use:

- 118 1 AVE W
- 114 1 AVE W
- 110 1 AVE W
- 18 1 ST
- 20 1 ST



STAFF REPORT

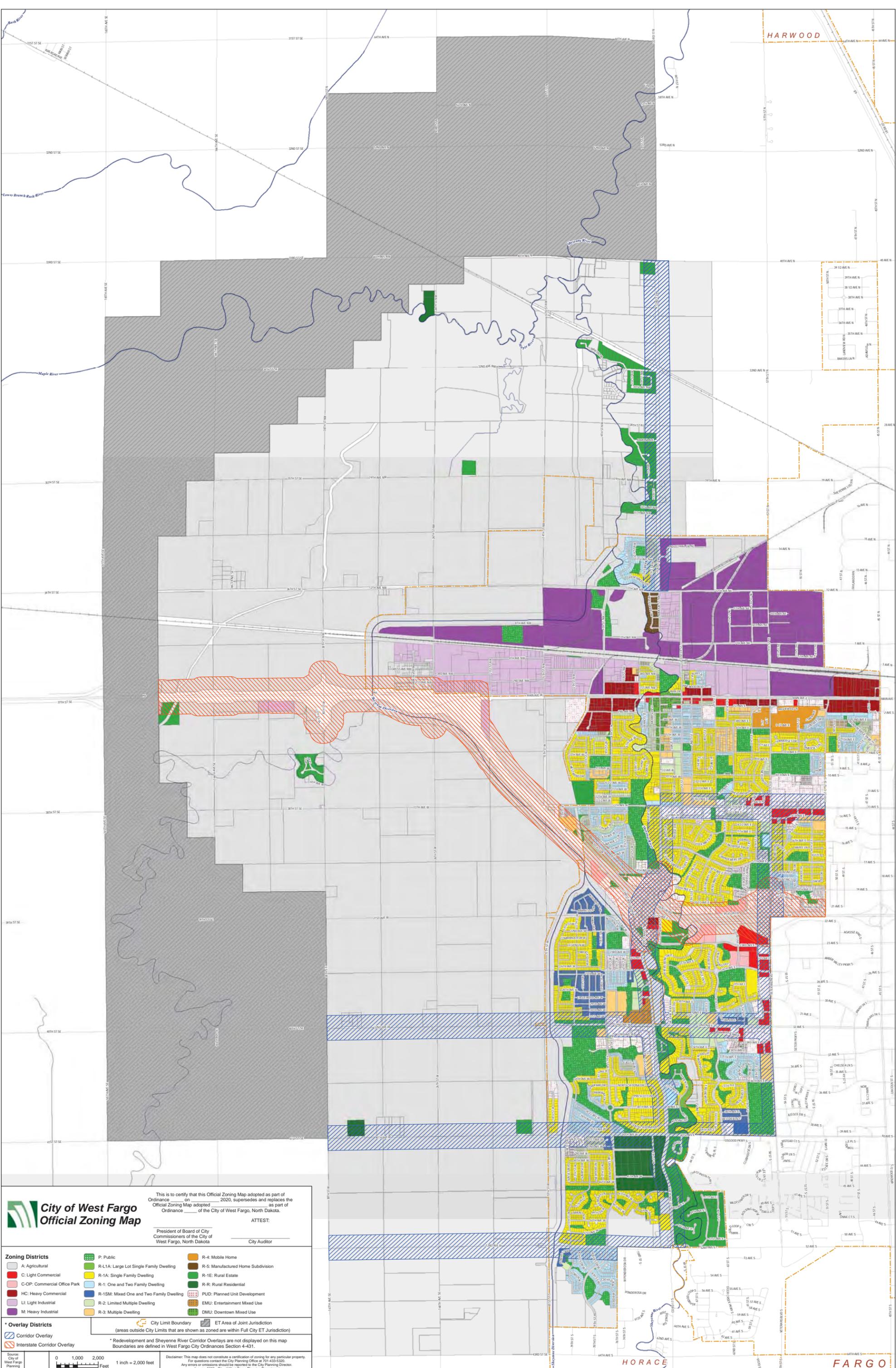
The following properties adjacent to proposed DMU properties along 2nd Ave W which are currently zoned R3: Multiple Family Dwelling were recommended to be added to the zoning map change to R-1:

One and Two Family Dwelling:

- 201 2 AVE W
- 205 2 AVE W
- 209 2 AVE W



Staff has reviewed the proposed recommendations and concurs with the Planning and Zoning Commission to recommend adoption of the presented Official Zoning Map. It is recommended that following the public hearing and obtaining public comments, that the City Commission approve and adopt of the Official Zoning Map and associated ordinance amendments which apply to the formal adoption.



City of West Fargo Official Zoning Map

This is to certify that this Official Zoning Map adopted as part of Ordinance _____ on _____ 2020, supersedes and replaces the Official Zoning Map adopted _____ as part of Ordinance _____ of the City of West Fargo, North Dakota.

ATTEST:

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

City Auditor

Zoning Districts

A: Agricultural	P: Public	R-4: Mobile Home
C: Light Commercial	R-L1A: Large Lot Single Family Dwelling	R-5: Manufactured Home Subdivision
C-OP: Commercial Office Park	R-1A: Single Family Dwelling	R-1E: Rural Estate
HC: Heavy Commercial	R-1: One and Two Family Dwelling	R-R: Rural Residential
LI: Light Industrial	R-15M: Mixed One and Two Family Dwelling	PUD: Planned Unit Development
M: Heavy Industrial	R-2: Limited Multiple Dwelling	EMU: Entertainment Mixed Use
	R-3: Multiple Dwelling	DMU: Downtown Mixed Use

Overlay Districts

- City Limit Boundary
- ET Area of Joint Jurisdiction (areas outside City Limits that are shown as zoned are within Full City ET Jurisdiction)
- Corridor Overlay
- Interstate Corridor Overlay

* Redevelopment and Sheyenne River Corridor Overlays are not displayed on this map. Boundaries are defined in West Fargo City Ordinances Section 4-431.

Source: City of West Fargo Planning and GIS

0 1,000 2,000 Feet
1 inch = 2,000 feet

Disclaimer: This map does not constitute a certification of zoning for any particular property. For questions contact the City Planning Office at 701-433-5200. Any errors or omissions should be reported to the City Planning Director, January 2020 - City of West Fargo Planning Department

HARWOOD

HORACE

FARGO

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

Agenda # 3

***Please Note: The following information must be completed and submitted to the West Fargo City Auditor's Office by the Thursday noon preceding the City Commission meeting. Failure to comply may result in no action being taken on your request.

1. CONTACT PERSON: Tim Solberg

2. PHONE NUMBER: 433-5321 DATE: January 16, 2020

3. PLEASE **BRIEFLY** DESCRIBE YOUR REQUEST:

Off-premise sign within the EMU: Entertainment Mixed Use District.

4. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable):

320 32nd Avenue West (Lot 8, Block 1 of Eagle Run Plaza 6th Addition), City of West Fargo, North Dakota.

5. ACTION BEING REQUESTED FROM CITY COMMISSION:

Approval based on conditions listed in the Staff Report.

STAFF REPORT

A20-2		CONDITIONAL USE PERMIT	
320 32 nd Ave W			
Lot 8, Block 1 of Eagle Run Plaza 6 th Addition			
Applicant: Lance Johnson – Epic Events Owner: Sheyenne 32 South LLC		Staff Contact: Tim Solberg, AICP	
Planning & Zoning Commission Introduction:		01-14-2020	
Public Hearing:		01-14-2020 – Approval	
City Commission:		01-20-2020	

PURPOSE:

Constructing an off premise sign within the Entertainment Mixed Use District.

STATEMENTS OF FACT:

Land Use Classification:	G-4A Core Retrofit Growth Area
Existing Land Use:	Mixed Use
Current Zoning District(s):	EMU: Entertainment Mixed Use District (final consideration at 01-14-2020 City Commission Meeting)
Zoning Overlay District(s):	CO: Corridor Overlay District
Total area size:	32,725 Square Feet
Adjacent Zoning Districts:	North, South & West – PUD: Planned Unit Development (Commercial) East – A: Agricultural
Adjacent street(s):	Sheyenne Street (Arterial); 32 nd Avenue West (Arterial)
Adjacent Bike/Pedestrian Facilities:	Multi-use path along 32 nd Ave W and Sheyenne St.
Available Parks/Trail Facilities:	Plaza under construction within the development

DISCUSSION AND OBSERVATIONS:

- EMU: Entertainment Mixed Use District zoning district allows for off-premise signage as a conditional use with the statement that “Signage within the district should take into account the characteristics of its surrounding area and the intent and context of a vibrant entertainment environment. The Commission should deliberate such items as size, intensity of light or color, and motion to avoid nuisance factors to the public and neighboring uses.”
- The applicant has submitted an application, as well as site and building plans and elevations of the proposed sign. The proposed sign is a 19.2’ x 48.8’ (898.56 ft²) video board to promote sponsors, events taking place in the district and for commercial tenants of the properties located within the Entertainment district.
- The property is developed with a multi-tenant mixed building with varying general commercial and residential uses as well as a community plaza.
- The specific conditions for off-premise signs in the EMU District are that:
 - Off-premise signage within the district is allowed as a conditional use following the provisions set forth in Section 4-550 of City Ordinances. Signage within the district should take into account the characteristics of its surrounding area and the intent and context of a vibrant

STAFF REPORT

- entertainment environment. The Commission should consider such items as size, intensity of light or color, and motion to avoid nuisance factors to the public and neighboring uses
- Off-premise signs are allowed in “HC”: Heavy Commercial, “LI”: Light Industrial, “M”: Heavy Industrial, “DMU”: Downtown Mixed Use, and “EMU”: Entertainment Mixed Use Districts. No off-premise sign shall exceed seven hundred fifty (750) square feet in area, unless otherwise approved through the conditional use permit process. No two off-premise signs may be placed less than two hundred fifty (250) feet apart, unless said signs are separated by buildings or other obstructions in such a manner that only one sign is visible from the roadway at any time.
 - In reviewing the application information, the plans adequately address the ordinance conditions for off-premise signs, but the increased size as well as district regulations require consideration and review as a conditional use.
 - A conditional use permit agreement is required to be signed prior to issuance of a building permit and may include conditions deemed appropriate by the Commission.

CRITERIA FOR GRANTING CONDITIONAL USE PERMIT:

With reference to the criteria for granting conditional uses, the following is noted:

1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - No concerns noted.
2. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.
 - No concerns noted.
3. Refuse and service areas, with particular reference to the items in (1) and (2) above.
 - No concerns noted.
4. Utilities, with reference of locations, availability, and compatibility.
 - No concerns noted.
5. Screening and buffering with reference to type, dimensions, and character.
 - No concerns noted.
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
 - Discretion and discernment should be given by the Commission taking into account scale of the sign against the adjacent properties as well as concerns from neighboring properties notified as well as the general public.
7. Required yards and other open space.
 - No concerns noted.
8. Soil conditions, as they relate to on-site sewage disposal, water supply, basement excavating, road construction and related land use.
 - No concerns noted.
9. General compatibility with adjacent properties and other property in the district.
 - The land adjacent to this area is Entertainment Mixed Use Zoning District and compatible uses and buildings have been previously approved within the subdivision.

STAFF REPORT

NOTICES:

Sent to: Property owners within 350' and applicable agencies and departments.

Comments Received: A resident of Maple Ridge at the Preserve 4th Addition expressed disappointment that the City does not notify property owners directly outside of the required 350'. He did not express any concern with the sign.

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- Billboards are not specifically addressed in the Comprehensive Plan, but should be considered in context to the approved district. Staff is of the belief that the proposal, albeit large, should be considered for its scale adjacent to the buildings and the district to which it is in. Outside of the Entertainment Mixed Use District and where adjacent to smaller scaled buildings, this sign would be inappropriate and not compatible. In its current proposal the sign appears to be appropriately sized, however staff is cautious to ensure that the surrounding properties and general public will not be negatively affected by the proposal. These are considerations that should be carefully deliberated by both Planning Commission and City Commission.

RECOMMENDATIONS:

If it is found through deliberation by the Commission that the proposal will not generate a nuisance to adjacent properties and the general public, it is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. The sign is accessory to the surrounding buildings in their current scale of multiple stories and within the Entertainment Mixed Use District present at Eagle Run Plaza 6th Addition and should either the buildings or the zoning district change, then the sign would require review and potential removal.
2. A Signed Conditional Use Permit Agreement is received.

PLANNING AND ZONING RECOMMENDATION:

At their January 14, 2020 meeting, the Planning and Zoning Commission held a public hearing and reviewed the application. Just prior to the meeting an email with photos was submitted for record to object to the proposal stating that the proposed sign would negatively impact their property. Discussion was held with regard to light intensity. Staff referenced the following facts for review:

- The proposed sign at 100% intensity can emit up to 30,780 lumens
- The applicant stated that they would limit the sign to no more than 15% intensity at night which would emit up to 4,617 lumens
- The existing lighting at the intersection of 32nd Avenue and Sheyenne Street emits 7,500 lumens for lanterns which face downward and 13,600 lumens for the lanterns which face all directions on the top of the light poles.
- The signal lights at the intersection of 32nd Avenue and Sheyenne Street emit between 1,000 and 2,000 lumens.

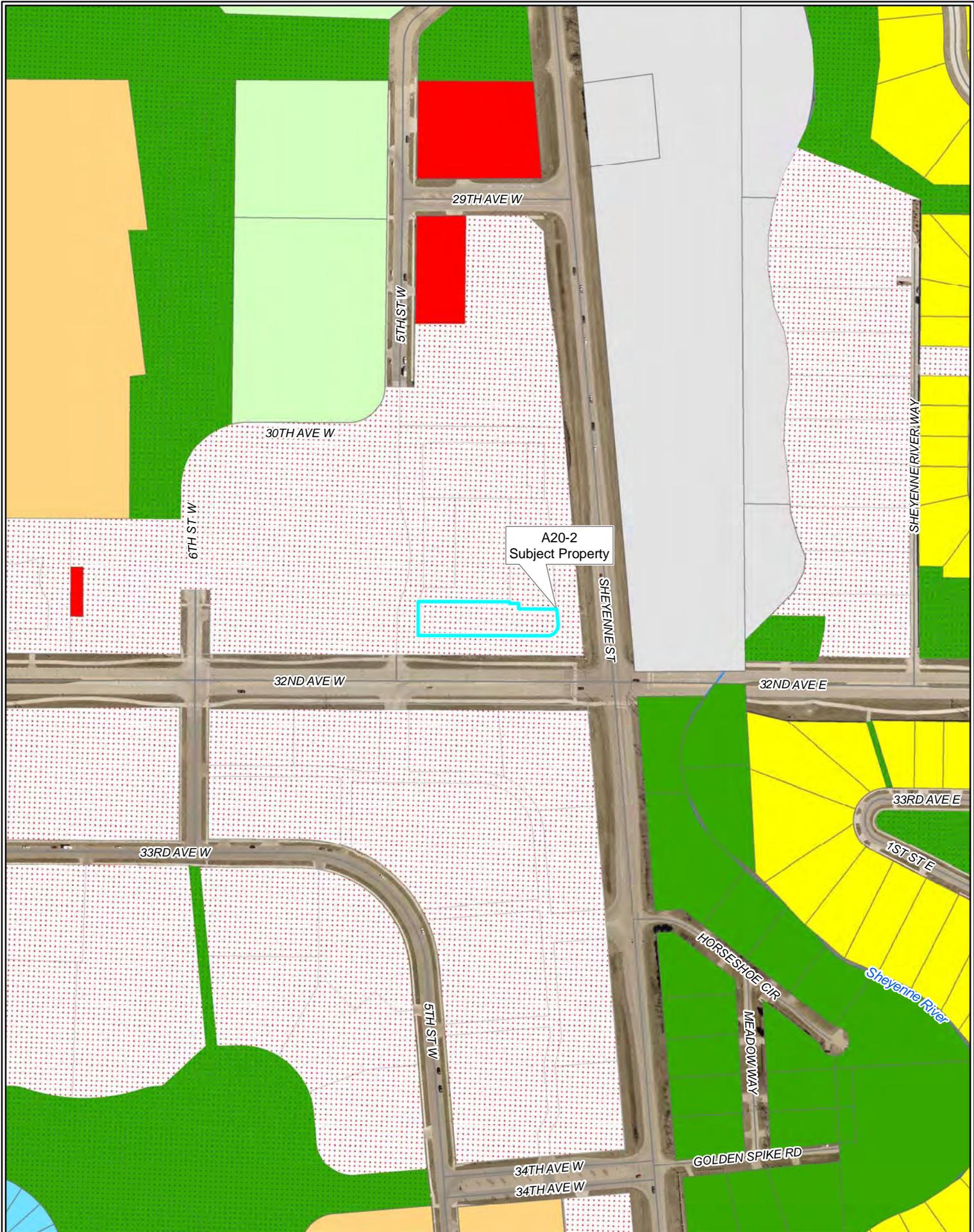
Upon consideration, the Planning Commission recommended approval of the conditional use permit, subject to the two conditions listed above as well as the following:

STAFF REPORT

3. Status report be received within two months after construction of sign regarding intensity of lighting and to discuss any nuisance factors associated.
4. Ensure sign operations are generally timed with street light timing to ensure the intensity of the lighting is reduced during dark.

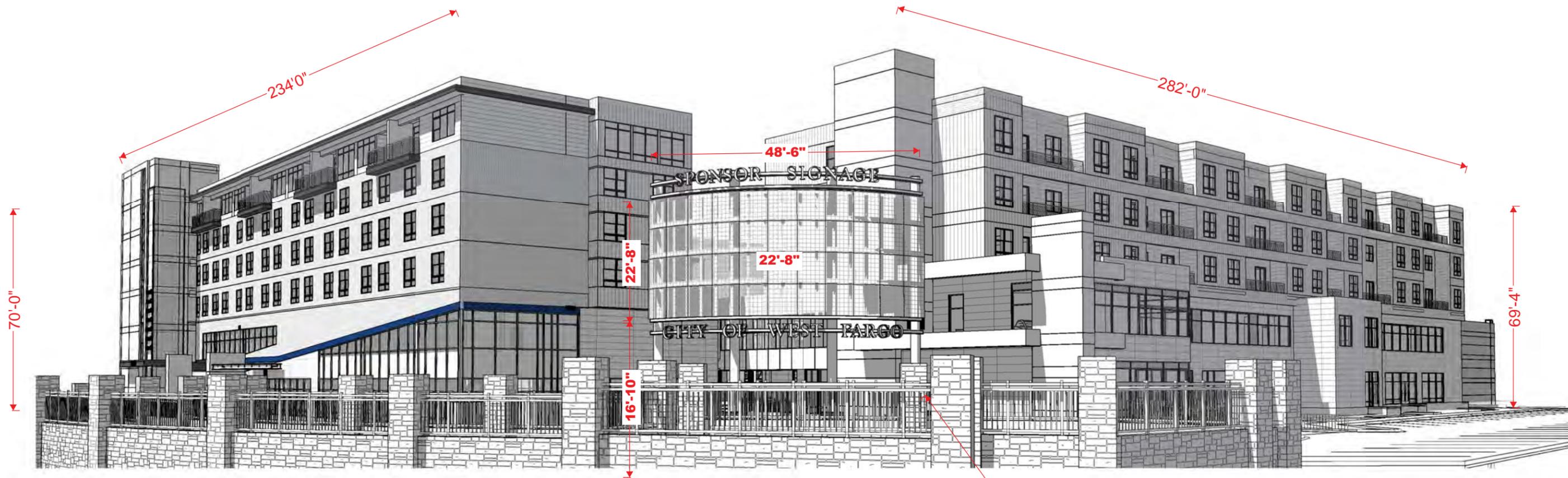


A20-2
Subject Property



City of
WEST FARGO

<ul style="list-style-type: none"> A: Agricultural C: Light Commercial C-OP: Commercial Office Park HC: Heavy Commercial LI: Light Industrial M: Heavy Industrial P: Public PUD: Planned Unit Development 	<ul style="list-style-type: none"> R-1: One and Two Family R-1A: Single Family R-1B: Special Single Family R-1E: Rural Estate R-1S: Special One and Two Family R-1SM: Mixed One and Two Family R-2: Limited Multiple Dwelling R-3: Multiple Dwelling R-4: Mobile Home R-5: Manufactured Home R-L1A: Large Lot Single Family R-R: Rural Residential 	<ul style="list-style-type: none"> R-4: Mobile Home R-5: Manufactured Home R-L1A: Large Lot Single Family R-R: Rural Residential
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PERSPECTIVE VIEW FROM MIDDLE OF 32ND AND SHEYENNE INTERSECTION APPROX. 4FT ABOVE ROAD. THE GROUND ELEVATION OF SIGN IS ALSO APPROX. 2-3FT BELOW THE ROAD.



- 15mm Video Display
384 lines of resolution x
936 columns of resolution
Active Area: 19'2.4" x 46'9.6"
- Opt: 10mm Video Display
576 lines of resolution x
1404 columns of resolution
Active Area: 19'2.4" x 46'9.6"

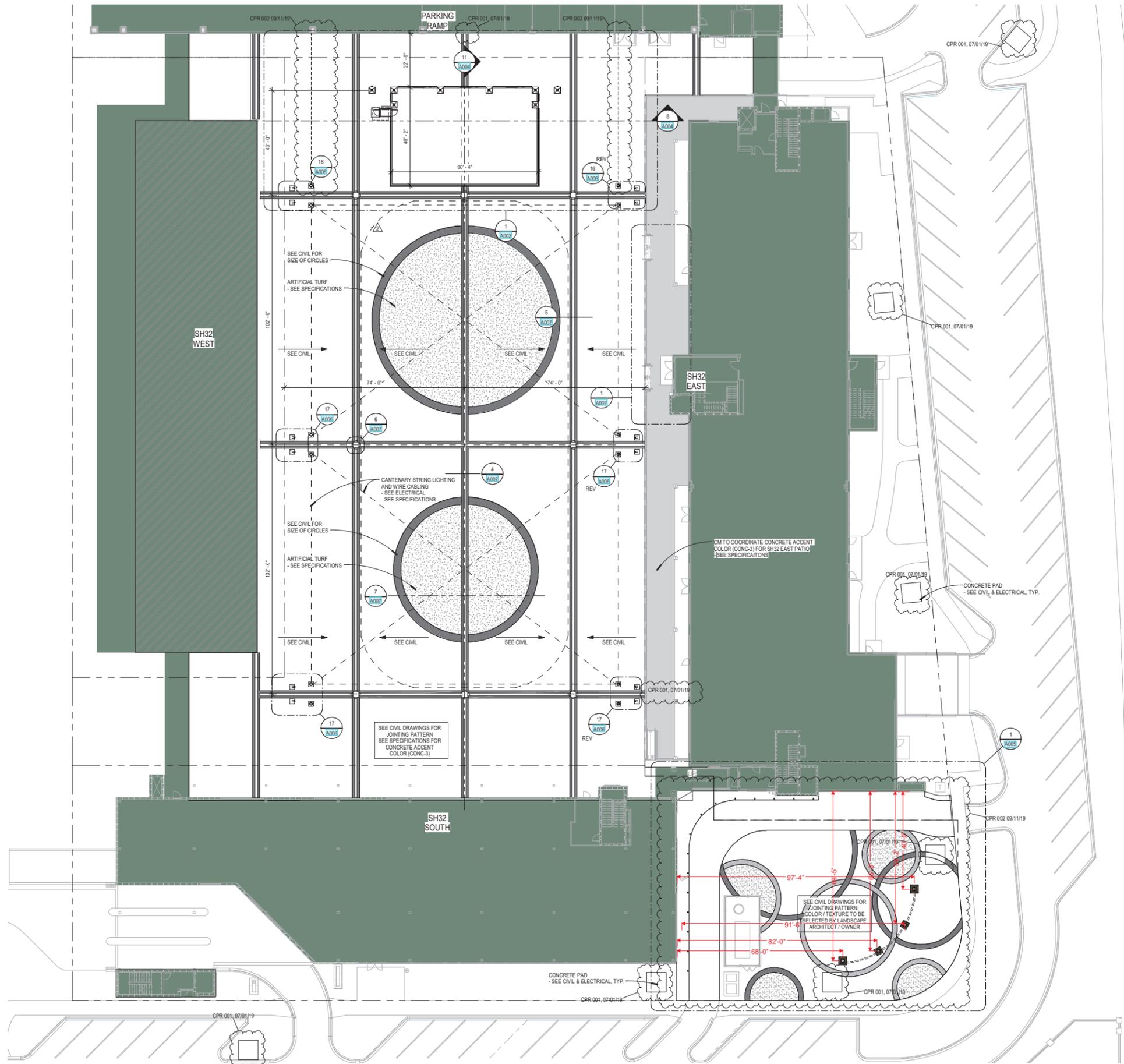
THE LIGHTS AT SHEYENNE 32

Copyright © 2019 Daktronics DD4170168 (DWG# 4250154 Rev 1; 08-01-19)

Do not use for design/engineering or ad copy approval.

The details and expressions shown are conceptual in nature, confidential and proprietary. Final design and appearance may differ from artwork shown.
Do not reproduce by any means without the expressed written consent of Daktronics, Inc.

10/7/2019 9:05:51 AM BIM 360://16-023 - Sheyenne 32 Plaza/16-023 West Fargo, Sheyenne32 Plaza.rvt



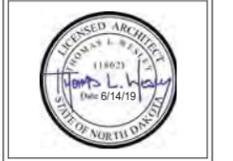
1 Site Plan - Enlarged Detailed Plan
A002 1" = 20'-0"

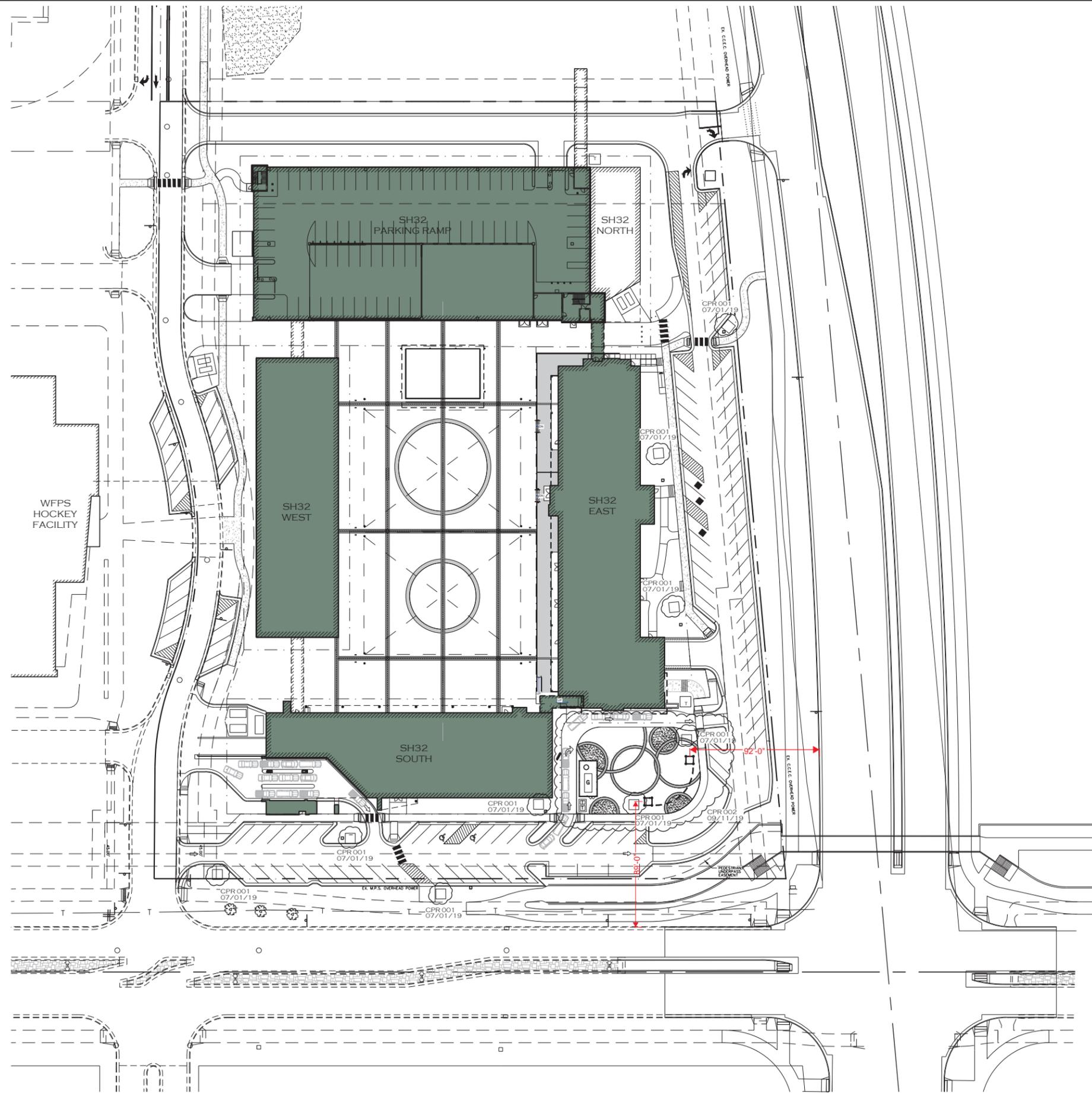
Sheyenne 32 Plaza
West Fargo, ND

Drawing History

No.	Description	Date
1	BP#1 Bid Set	06/14/19
2	BP#1 Addendum #1	06/25/19
3	CA	10/01/19

DRAWN BY: LS/TA JN: 16-023





1 SITE PLAN
1" = 40'-0"

Sheyenne 32 Plaza

West Fargo, ND

Drawing History

No.	Description	Date
1	BP#1 Bid Set	06/14/19
	CA	09/11/19

DRAWN BY: LSKD JN: 16-023



FOR
REFERENCE
ONLY

Site Plan

SHEET
A001

Tim P. Solberg

From: delight swingen <dswingen@gmail.com>
Sent: Sunday, January 12, 2020 2:44 PM
To: Tim P. Solberg
Subject: Proposed conditional use permit
Attachments: IMG_20200112_141952702_HDR.jpg; IMG_20200112_141800336_HDR.jpg; IMG_20200112_141855063_HDR.jpg; IMG_20200112_141720085_HDR.jpg

The sign being proposed for the permit will definitely negatively impact our property. We have nine windows that would be affected by the sign. Five of them being bedroom windows. Three of them kitchen windows and one bathroom. Four of the window pictures are attached. I will send emails with the others.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



From: [Lance Johnson](#)
To: [Tim P. Solberg](#)
Cc: [Todd Berning](#); [Brian Kounovsky](#)
Subject: Re: Light and Signal Brightness
Date: Monday, January 13, 2020 7:11:18 PM

Gentleman,

I spoke with Brock, our contact at Daktronics to discuss the lumens of the curved video board. The curved board has a 100% nit value of about 9,000. One nit = approximately 3.42 Lumens (the 100% capacity = 30,780 lumens). The maximum brightness we would use at night would approximately be 15% (4,617 Lumens).

Just thought I would pass on the info.

Thx!
Lance

Sent from my iPhone

On Jan 13, 2020, at 1:11 PM, Tim P. Solberg <Tim.Solberg@westfargond.gov> wrote:

*Tim Solberg, AICP
Director of Planning and Zoning - City of West Fargo
800 4th Ave E - West Fargo, ND 58078
701-433-5321 (direct) - 701-388-4925 (mobile)*

Have you seen our new interactive GIS App?
Check it out here: <http://map.westfargond.gov/TaxParcels/>

From: Andrew J. Wrucke <Andrew.Wrucke@westfargond.gov>
Sent: Monday, January 13, 2020 1:08 PM
To: Tim P. Solberg <Tim.Solberg@westfargond.gov>
Subject: RE: Light and Signal Brightness

The specified street lights on the Sheyenne Street project have been in the 7,500 (Lantern style) to 13,600 (teardrop style) lumens minimum. The traffic light specs don't include a specific brand of traffic signal, but most LED traffic signal lights are in the 1,000 to 2,000 lumen range.

I can send plan sheets showing the requirements if you would like. Jerry has been dealing with some citizen complaints on the corridor of the lighting being too bright in their backyards, so that is also something to be aware of.

Andrew Wrucke, P.E.
City of West Fargo Engineering

Andrew.Wrucke@westfargond.gov

Ph: 701-433-5428

C: 701-566-3164

From: Tim P. Solberg <Tim.Solberg@westfargond.gov>
Sent: Monday, January 13, 2020 12:44 PM
To: Andrew J. Wrucke <Andrew.Wrucke@westfargond.gov>
Subject: RE: Light and Signal Brightness

Both please.

Tim Solberg, AICP
Director of Planning and Zoning - City of West Fargo
800 4th Ave E - West Fargo, ND 58078
701-433-5321 (direct) - 701-388-4925 (mobile)

Have you seen our new interactive GIS App?
Check it out here: <http://map.westfargond.gov/TaxParcels/>

From: Andrew J. Wrucke <Andrew.Wrucke@westfargond.gov>
Sent: Monday, January 13, 2020 12:15 PM
To: Tim P. Solberg <Tim.Solberg@westfargond.gov>
Subject: RE: Light and Signal Brightness

Are you looking for the traffic signals or street lights at this location? Or both?

Andrew Wrucke, P.E.
City of West Fargo Engineering

Andrew.Wrucke@westfargond.gov

Ph: 701-433-5428

C: 701-566-3164

From: Tim P. Solberg <Tim.Solberg@westfargond.gov>
Sent: Monday, January 13, 2020 9:23 AM
To: Andrew J. Wrucke <Andrew.Wrucke@westfargond.gov>
Subject: Light and Signal Brightness

Andrew – are you able to get me specs on signal and light brightness on any of our facilities at the Sheyenne St and 32nd Ave Intersection?

Thank you,

Tim Solberg, AICP
Director of Planning and Zoning - City of West Fargo
800 4th Ave E - West Fargo, ND 58078
701-433-5321 (direct) - 701-388-4925 (mobile)

Have you seen our new interactive GIS App?
Check it out here: <http://map.westfargond.gov/TaxParcels/>

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AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

Agenda # 4

***Please Note: The following information must be completed and submitted to the West Fargo City Auditor's Office by the Thursday noon preceding the City Commission meeting. Failure to comply may result in no action being taken on your request.

1. CONTACT PERSON: Malachi Peterson

2. PHONE NUMBER: 433-5324 DATE: January 16, 2020

3. PLEASE **BRIEFLY** DESCRIBE YOUR REQUEST:

Planned Unit Development Amendment for an office building.

4. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable):

Located at 1360 Prairie Parkway (Lot 2, Block 1 of KASS 1st Addition), City of West Fargo, North Dakota.

5. ACTION BEING REQUESTED FROM CITY COMMISSION:

Approval based on conditions listed in the staff report.

STAFF REPORT

A20-4		PLANNED UNIT DEVELOPMENT AMENDMENT	
1360 Prairie Parkway			
Lot 2, Block 1 of KASS 1 ST Addition			
Applicant: BC Contracting Owner: Darin Hersch		Staff Contact: Malachi Petersen	
Planning & Zoning Commission Introduction:		01-14-2020	
Public Hearing:		01-14-2020 – Approval	
City Commission:		01-20-2020	

PURPOSE:

Development of an office building for a construction company.

STATEMENTS OF FACT:

Land Use Classification:	G-2: Sub-Urban – Growth Sector
Existing Land Use:	Vacant
Current Zoning District(s):	PUD: Planned Unit Development
Zoning Overlay District(s):	CO: Corridor Overlay District
Total area size:	34,000 ft ²
Adjacent Zoning Districts:	South – R-1: One & Two Family Dwellings North & East – PUD: Planned Unit Development (Commercial) West – R-2: Limited Multiple Dwelling
Adjacent street(s):	13 th Avenue East (Arterial); 14 th Avenue East (Local) Prairie Parkway (Local)
Adjacent Bike/Pedestrian Facilities:	13 th Ave E multi-use path; 9 th St E multi-use path
Available Parks/Trail Facilities:	Charleswood Park/Bikeways within ½ mile and accessible by multi-use path along 13 th Ave E and 9 th St E
Park Dedication Requirements:	Have been provided in previous subdivision.

DISCUSSION AND OBSERVATIONS:

- Applicant intends to construct a two-story 15,000 ft² office building on a vacant property that will be identical to the office building that was built in Phase I to the north.
- Detailed site plan, floor plan, and building elevations have been submitted.
- The preliminary site plan shows setbacks and yard requirements of the CO: Corridor Overlay to be met.
- The site plan includes 57 parking stalls. The City Off-Street Parking regulations found in 4-450 of the City Ordinances would require 75 spaces based on the area of the proposed office building (1 space per 200 square feet of gross floor area). According to the permit review, 93 parking spaces were provided with the original building to the north; however, the detailed development plans are indicating 133 spaces for the combined sites, rather than the 150 required.
 - If it can be demonstrated by the property owner through market studies or other means that the required off-street parking is excessive and/or a lower parking demand is supported by

STAFF REPORT

the Institute of Traffic Engineers (ITE) Parking Generation manual and a lesser requirement justifiable, the City Commission may reduce the number of required spaces by passage of a resolution approved by a majority of the members of the City Commission which could be handled with consideration of the PUD approval.

- ITE average parking demand for a suburban office building is 2.84 vehicles per 1,000 ft² which is far less than the City’s required parking leaving staff to believe a reduced parking requirement may be justified due to ITE Parking Generation manual and the ability of the two properties to share parking between the two lots.
- Building materials proposed include a mix of stone, EIFS, glass, and cement fiber panel, which meets the increased building construction requirements of the CO: Corridor Overlay District.
- The City’s landscaping standards require a buffer yard between the property and the residential uses in the west portion of the lot.
 - Under these guidelines along the west side they would have the option of providing either a 15’ buffer yard with a 6’ architectural screen with alternating small evergreen and deciduous trees OR a 30’ buffer yard with alternating small evergreen and deciduous trees with one row of shrubs. This requirement appears to be able to be met by a proposed 6’ “opaque vinyl fence” and 15’ landscape buffer.
- Regarding the buffer requirements on the south side of the lot adjacent to 14th Ave E, according to 4-449-A, Section 9 “Buffer Yards” subsection B. subparagraph 2(b), a buffer yard is not required on the “front side” of the building as a “buffer yard shall not be required on the front of the higher intensity use where the front abuts the public right-of-way.”

NOTICES:	
Sent to:	Property owners within 150’ and applicable agencies and departments
Comments Received:	
<ul style="list-style-type: none"> ● None to date. 	

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:
<ul style="list-style-type: none"> ● The proposed PUD Amendment is consistent with the City’s Land Use Plan, which depicts the area developing as Office Park.

RECOMMENDATIONS:
<p>It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:</p> <ol style="list-style-type: none"> 1. Buffer yard and trash collection be considered in coordination with adjacent neighbors and sanitation manager prior to permitting and included in PUD agreement if necessary. 2. Signage would be subject to the provisions of the C-OP: Commercial Office Park zoning district regulations. 3. Development will be subject, but not limited to CO: Corridor Overlay, 4-440 Supplementary District Regulations, 4-450 Off-Street Parking and Loading Requirements, and 4-460 Sign Regulations. 4. A signed PUD Agreement is received.

STAFF REPORT

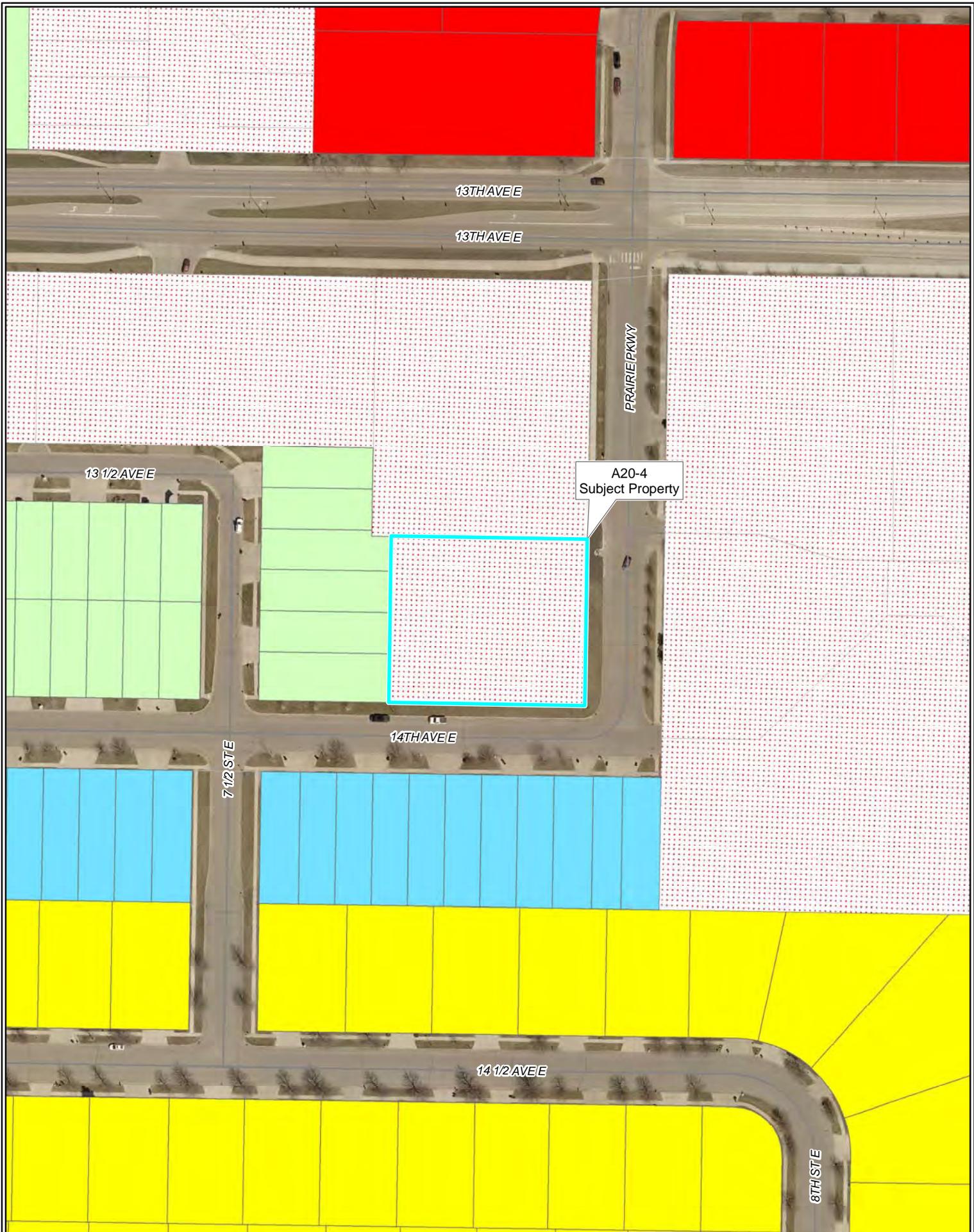
PLANNING AND ZONING RECOMMENDATION:

At their January 14, 2020 meeting, the Planning and Zoning Commission recommended approval of the Planned Unit Development Amendment, subject to the four conditions listed above as well a condition that a reduction in parking be approved by the City Commission.



A20-4
Subject Property





BC CONTRACTING OFFICE II

705 13th AVE. E. WEST FARGO, ND

OPTION C

SITE REQUIREMENTS - PHASE I
 LAND USE PLAN: OFFICE PARK
 ZONING: PUD
 C-OP COMMERCIAL OFFICE PARK
 CO - COMMERCIAL OVERLAY
 AREA = 58,300 SF (1.34 ACRES)
 MAX HEIGHT = NONE
 40% MAX BUILDING COVERAGE = 23,320 SF
 15% MIN. PERVIOUS SURFACE = 8,745 SF
 10% LANDSCAPING = 5,830 SF

SITE REQUIREMENTS - PHASE II
 LAND USE PLAN: OFFICE PARK
 ZONING: PUD
 C-OP COMMERCIAL OFFICE PARK
 CO - COMMERCIAL OVERLAY
 AREA = 34,000 SF (.78 ACRES)
 MAX HEIGHT = NONE
 40% MAX BUILDING COVERAGE = 13,600 SF
 15% MIN. PERVIOUS SURFACE = 1,312 SF
 10% LANDSCAPING = 3,400 SF

PARKING SUMMARY

PARKING CRITERIA
 OFFICE = 1 PARKING SPACE / 250 S.F.

PARKING REQUIRED
 OFFICE 15,000 SF / 250 x 2 = 120 SPACES

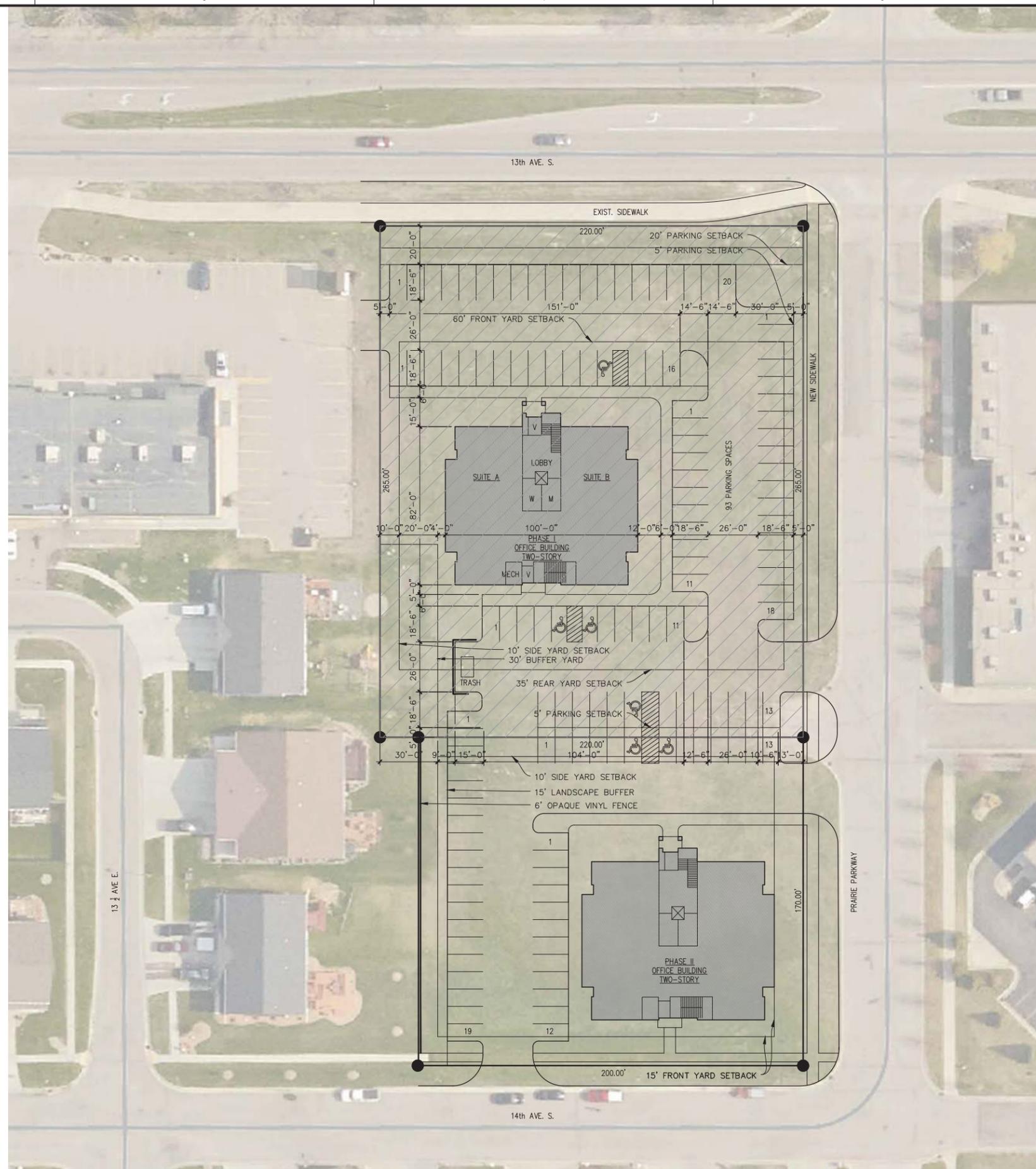
PARKING PROVIDED
 TOTAL PARKING PROVIDED = 133 SPACES

BUFFER YARD

BUFFER YARD C-OP/R-2 DISTRICTS - 4-449-A
ARCHITECTURAL BUFFER YARD B
 6' SCREEN
 15' BUFFER YARD
 SMALL EVERGREEN TREES
VEGETATIVE BUFFER YARD B
 30' BUFFER YARD
 SMALL EVERGREEN TREES
 ROW OF EVERGREEN SHRUBS

SETBACK CRITERIA
 AS PER PLANNING CODE 4-427-4.A

SETBACKS
 15' FRONT YARD
 10' SIDE YARD



RHET ARCHITECTURE, LLC
 ATTN: RHET FISKNESS, AIA
 27 11th ST. N. FARGO, ND 58102
 PHONE: 701.388.2867
 EMAIL: RHET@RHET-ARCH.COM
 WEB: WWW.RHET-ARCH.COM

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Registered Architect under the laws of the State of North Dakota.

Signature: _____
 Date: 00/00/2019 REG. NO.: 1811

NOT FOR CONSTRUCTION

PROJECT:
BC CONTRACTING OFFICE II
 PRAIRIE PKWY & 14th AVE.
 WEST FARGO, ND 58078

OWNER:
BC CONTRATING
 ATTN: TREVOR DEYO
 705 13th AVENUE E.
 SUITE 202
 WEST FARGO, ND
 PHONE: 701.551.0354

PD	PRELIMINARY DESIGN	08/02/2019
MARK	DESCRIPTION	DATE

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PROJECT NO:	19-102902
DRAWN BY:	RF
CHECKED BY:	RF
DRAWING TITLE:	SITE PLAN

1 SITE PLAN
 A001 SCALE: 1"=30'-0"

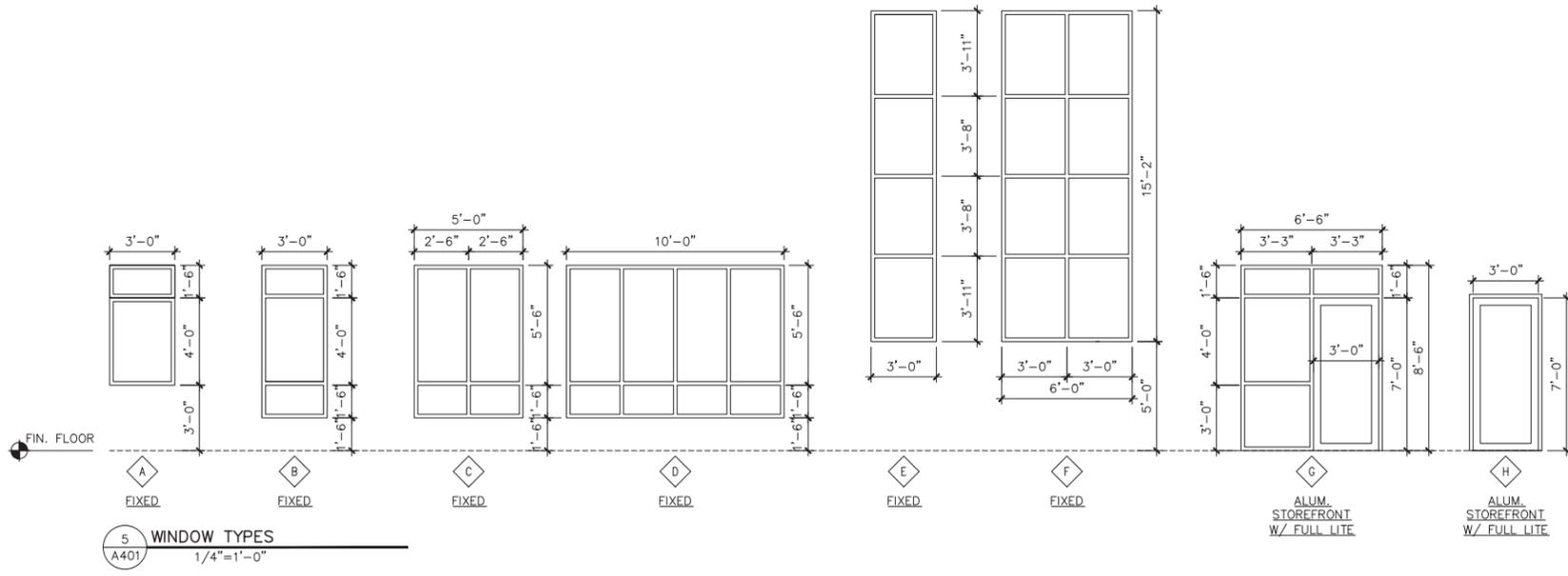
A001

Rhet Fiskness Architect
 901 5th Avenue South
 Fargo, ND 58103
 Phone: 701.388.2867
 Email: rhet@rhetfiskness.com

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Registered Architect under the laws of the State of North Dakota.



Signature: _____
 Date: 10/12/2016 REG. NO.: 1811



TYPICAL ELEVATION NOTES

- ASPHALT SHINGLES
- PRE-FIN. MTL. FASCIA, SOFFIT, & GUTTER, COLOR #1
- EIFS COLOR #4
- PRECAST STONE CAP
- THIN VENEER STONE
- NICHIHA CEMENT FIBER PANEL COLOR #2
- EIFS COLOR #4
- PRECAST STONE CAP
- PRE-FIN. MTL. DOWNSPOUT COLOR #1
- SPLASH BLOCK AT ALL DOWNSPOUT LOCATIONS, TYP.

PROJECT:
BC CONTRACTING OFFICE
 705 13th AVENUE E.
 WEST FARGO, ND

CLIENT:
BC CONTRACTING
 Attn: Trevor Deyo
 700 South 7th Street
 Fargo, ND 58103
 701.551.0354 office

REVISION	DATE
2	10/24/2016
CD CONSTRUCTION DOCUMENTS	10/12/2016
MARK DESCRIPTION	DATE

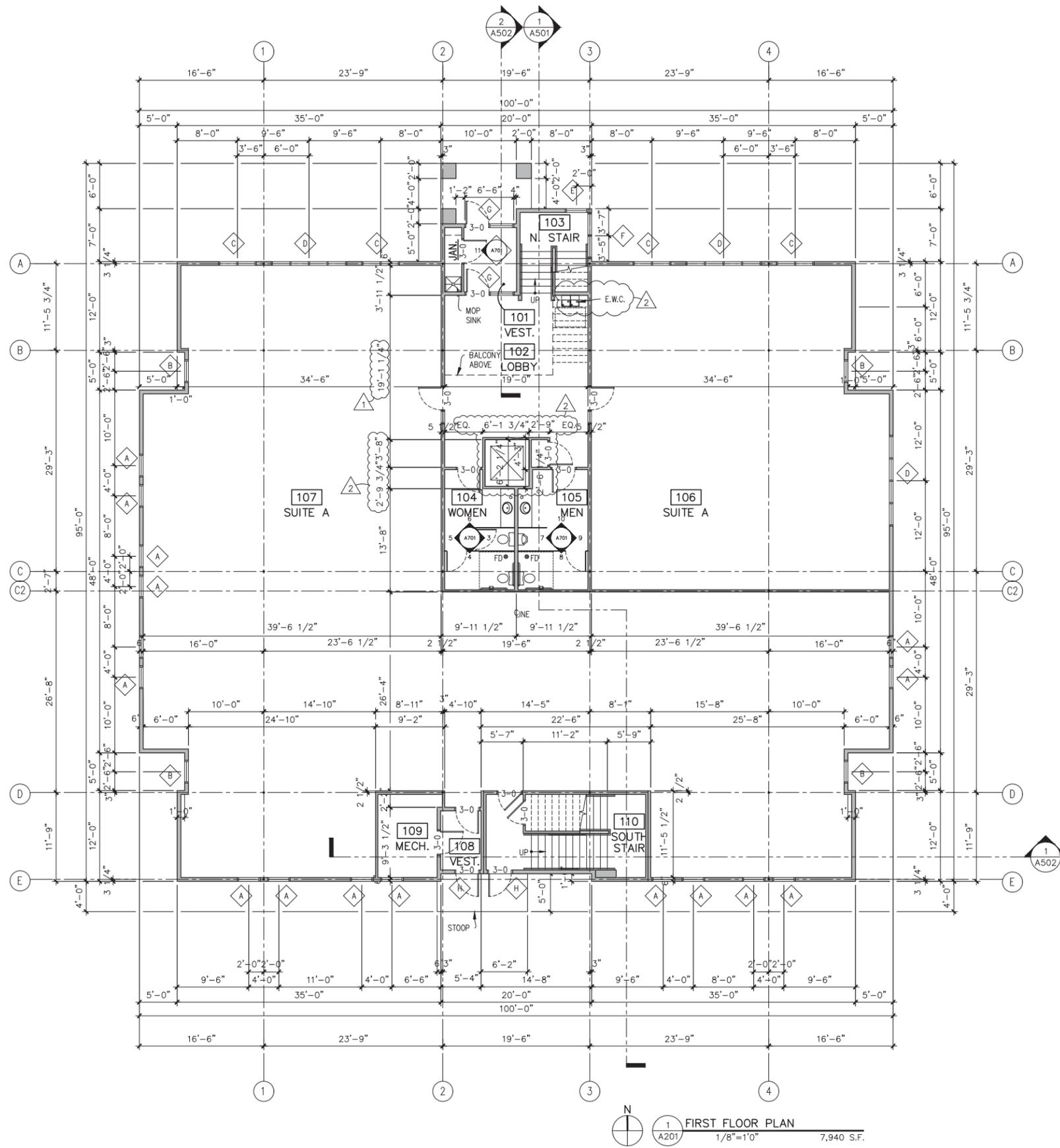
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PROJECT NO: 16-102907
 DRAWN BY: RF
 CHECKED BY: RF
 DRAWING TITLE:
ELEVATIONS

A401

NOTES

1. ALL INTERIOR WALLS ARE 2X4 WOOD STUD WITH 5/8" G.W.B. UNLESS OTHERWISE NOTED.
2. ALL DIMENSION TO FACE OF STUD.
3. CENTERLINE OF ALL SINKS & APPLIANCES SHALL BE MIN. OF 24" O.C. FROM FACE OF G.W.B.
4. CENTERLINE OF THE WATER CLOSETS SHALL BE 18" FROM THE SIDEWALL FACE OF G.W.B..
5. ALL OFFICE, MEETING, & RESTROOMS WALLS SHALL INCLUDE SOUND BATT. INSUL.



RHET FISKNESS ARCHITECT

Rhet Fiskness Architect
901 5th Avenue South
Fargo, ND 58103
Phone: 701.388.2867
Email: rhet@rhetfiskness.com

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Registered Architect under the laws of the State of North Dakota.

Rhet Fiskness

Signature: _____

Date: 10/12/2016 REG. NO.: 1811

PROJECT:
**BC CONTRACTING
OFFICE**
705 13th AVENUE E.
WEST FARGO, ND

CLIENT:
BC CONTRACTING
Attn: Trevor Deyo
700 South 7th Street
Fargo, ND 58103
701.551.0354 office

MARK	DESCRIPTION	DATE
2	REVISION	10/24/2016
1	REVISION	10/19/2016
CD	CONSTRUCTION DOCUMENTS	10/12/2016

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PROJECT NO:	16-102907
DRAWN BY:	PA
CHECKED BY:	RF
DRAWING TITLE:	FIRST FLOOR PLAN

A201

1 FIRST FLOOR PLAN
1/8"=1'-0" 7,940 S.F.

Rhet Fiskness Architect
 901 5th Avenue South
 Fargo, ND 58103
 Phone: 701.388.2867
 Email: rhet@rhetfiskness.com

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Registered Architect under the laws of the State of North Dakota.

Rhet Fiskness

Signature: _____
 Date: 10/12/2016 REG. NO.: 1811

PROJECT:
**BC CONTRACTING
 OFFICE**
 705 13th AVENUE E.
 WEST FARGO, ND

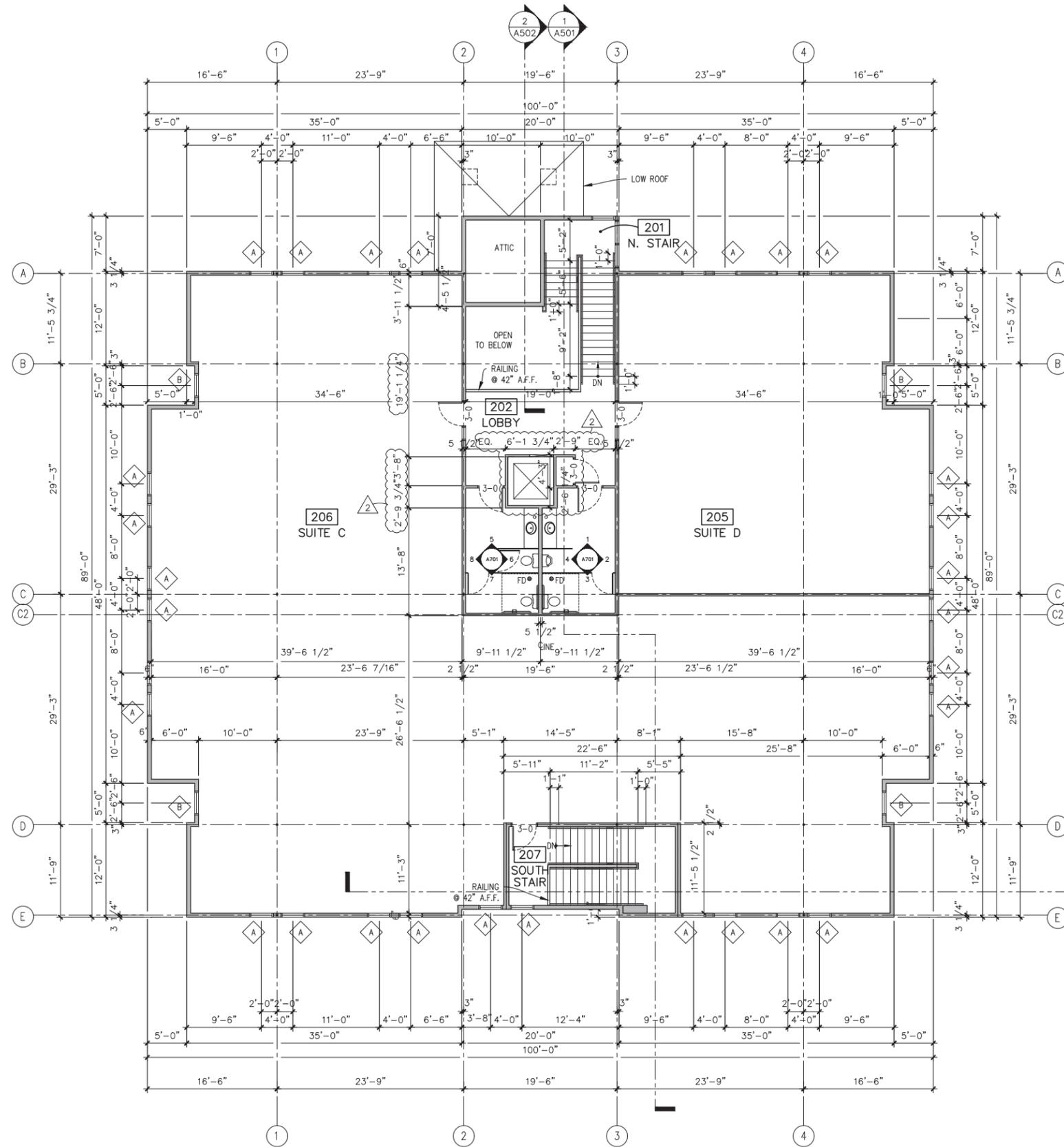
CLIENT:
BC CONTRACTING
 Attn: Trevor Deyo
 700 South 7th Street
 Fargo, ND 58103
 701.551.0354 office

MARK	DESCRIPTION	DATE
2	REVISION	10/24/2016
1	REVISION	10/19/2016
CD	CONSTRUCTION DOCUMENTS	10/12/2016

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PROJECT NO:	16-102907
DRAWN BY:	PA
CHECKED BY:	RF
DRAWING TITLE:	SECOND FLOOR PLAN

A202



1 SECOND FLOOR PLAN
 1/8" = 1'-0" 7,538 S.F.

ORDINANCE NO. 1146

AN ORDINANCE TO REPEAL CHAPTER 14-05 OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO RELATING TO BENCH SIGN FRANCHISE.

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

SECTION 1. Chapter 14-05 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety and reserved for future use.

CHAPTER 14-05
BENCH SIGN FRANCHISE
(Source: Ord. 854, Sec. 1 [2009])

SECTIONS:

- ~~14-0501. Permit for Benches.~~
- ~~14-0502. Construction and Design.~~
- ~~14-0503. Five-Year Permit and Revocation Thereof.~~
- ~~14-0504. Regulations Governing Location of Bench Signs.~~
- ~~14-0505. Removal of Benches.~~
- ~~14-0506. Advertising Revenue.~~
- ~~14-0507. Indemnity.~~
- ~~14-0508. Liability Insurance.~~
- ~~14-0509. Default.~~
- ~~14-0510. Named Representative.~~

~~14-0501. Permit for Benches. The City may grant the exclusive right, privilege, and permission to an entity, at its own expense, to install, place and maintain courtesy benches on that portion of the public street between the curb and the property line, subject, however, to the obtaining of a permit and following other regulations contained in this chapter. Provided, however, from the enactment of this Ordinance through January 7, 2016, the City may grant a second temporary franchise to an entity subject to the same terms as the current franchise for a maximum of 15 benches, at sites other than where first franchisee has benches located.~~

~~14-0502. Construction and Design. The material, construction and design of such benches shall be approved by the Zoning Administrator of the City of West Fargo. A denial of a bench under this section may be appealed to the Planning and Zoning Commission.~~

~~14-0503. Five-Year Permit and Revocation Thereof. The bench sign permit granted July 1, 2010, prior to the enactment of this ordinance, shall remain in full force and effect under the terms of the ordinance in effect at the time it was granted through January 7, 2016. On September 8, 2015, the Zoning Administrator will open any sealed bids received for a five-year bench sign franchise commencing January 8, 2016, and terminating on June 30, 2020. The bid shall be in a form provided by the Zoning Administrator which will set forth that the bidder will comply with all of the terms of Chapter 14-05 of the West Fargo Ordinances and set forth the annual payment the bidder will make each year for each bench placed into service under a bench sign permit. The price per bench shall be constant for the full five-year period, and, at a minimum, be for 20 benches, even if 20 bench~~

~~signs are not placed. The exclusive five-year franchise will be granted to the bidder with the highest bid price per bench by resolution of the City Commission. The Zoning Administrator shall grant a permit effective January 8, 2016, which permit shall set forth the approved sites for the bench signs. Prior to January 8, the franchisee shall pay the City the price per bench in their bid for every bench sign covered by the permit, but in no event less than 20 bench signs. If additional bench signs are added after the first payment, the payment for additional bench sign(s) must be received by the Zoning Administrator prior to installation of additional bench signs, and those locations will be added to the permit. On or before each July 1 thereafter during the term of the franchise, the franchisee shall pay the Zoning Administrator the price per each bench covered by the permit then in effect. Four months before the expiration of the five-year franchise expires, the Zoning Administrator shall open sealed bids for the next five-year period, and the City Commission shall award the new franchise by resolution. Provided, that if for any reason the franchise is revoked prior to the end of the five-year period, the Zoning Administrator shall request sealed bids for a new five-year period.~~

~~14-0504. Regulations Governing Location of Bench Signs. The Zoning Administrator must approve all proposed locations for bench signs under this Chapter pursuant to the policy approved by the Planning and Zoning Commission. All locations previously approved will be automatically approved unless removed from the permit pursuant to Section 14-0505. The franchisee may appeal the denial of a location by the Zoning Administrator to the Planning and Zoning Commission. The Planning Commission may amend the policy from time to time, after giving notice to current holder of franchise of proposed changes. The franchisee may appeal the policy set by the Planning and Zoning Commission to the City Commission and request the City Commission amend or revise such policy. No more than 35 bench signs may be permitted under a permit.~~

~~14-0505. Removal of Benches. The franchisee agrees to remove any courtesy bench which is not included in the permit within sixty (60) days of the granting of the permit. In addition, after a particular bench location has been included in the permit, the Planning and Zoning Commission may request its removal for just cause after providing the franchisee an opportunity to appear at a meeting to discuss that particular sign. Any such sign ordered to be removed must also be removed within sixty (60) days of the date of such order. There shall be a right of the franchisee to appeal the decision of the Planning Commission to remove a bench sign to the West Fargo City Commission, provided notice of appeal is submitted within thirty (30) days of the decision of the Planning Commission ordering the removal of any sign. The franchisee shall not have the right to place any new benches in the City unless such location is included in the permit that has been granted. If the franchisee places a bench for which there is no permit, such bench must be immediately removed, and is grounds for termination of the entire permit and franchise.~~

~~14-0506. Advertising Revenue. The franchisee shall have the right to place and maintain on its benches display advertising and materials subject to the limitations of this ordinance, and shall receive all revenue received therefrom.~~

~~14-0507. Indemnity. The franchisee agrees that it will defend, save harmless and indemnify the City of West Fargo, its officer, agents and employees, from any claim, demand, action, liability, damage, or judgment which may arise out of the operation, location, maintenance and use of said benches.~~

~~14-0508. Liability Insurance. The franchisee shall obtain and deposit with the City Auditor of the City of West Fargo policies covering public liability and property damage insurance for the protection of patrons and other users of said courtesy benches, including the City of West Fargo, in responsible insurance companies; the amount of indemnity of such policies shall be not less than \$350,000 for injury to one or more persons in any one accident; the amount of indemnity for property damage in such insurance policy shall not be less than \$100,000. Such a policy shall also contain a~~

~~provision requiring the insurer to notify the City Auditor of the City of West Fargo at least fifteen (15) days before the expiration of such policy either by cancellation or limitation.~~

~~14-0509. Default. This franchise is made upon the expressed condition that if the franchisee fails to keep any or all of the covenants and agreements contained in this franchise ordinance, then the franchise shall become null and void at the option of the City, provided that the City shall first give written notice to the franchisee at least thirty (30) days prior to its intention to terminate the franchise and shall set forth therein the specific breach of the franchise and the City's intention to declare the franchise forfeited if such breach not be corrected within the 30-day period.~~

~~14-0510. Named Representative. The franchisee hereby agrees to file a written notice with the City Planning Commission of a name of a representative of the franchisee to whom all calls, correspondence, etc., may be referred to as it relates to the purposes of this franchise. Said notice shall contain the name, address and phone number of said representative. Any notice that the City is required to give to the franchisee is sufficient if it is given to the person set forth as named representative at the address filed with the City. If the franchisee fails to supply the City Planning Commission with the named representative pursuant to this section, franchisee shall be deemed to have waived all notice requirements of this ordinance or other law.~~

SECTION 2. Effective Date. This ordinance shall be in full force and effect from and after July 1, 2020.

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:



City Commission Agenda Item Request

Please Note: The following information must be completed and submitted before noon on the Thursday preceding the City Commission Meeting. Failure to comply may delay action being taken on your request.

Office Use:

Regular Agenda Item #:

Consent Agenda Item #:

Agenda Item Information:

Contact Name: *

Jim Larson

Phone Number: *

701-433-5302

Email Address:

Jim.Larson@WestFargoND.gov

Date *

1/16/2020

Topic for Consent or Regular Agenda?

Please select one option:

Consent Agenda

Regular Agenda

Please Briefly Describe Your Request *

Presentation of 2018 Audit Report

Site Address or Legal Description (if applicable)

Action Being Requested from City Commission *

No action, informational only.

Upload Additional Documentation (Optional):

2018 West Fargo, City of.pdf

491.42KB

North Dakota Office of the State Auditor Division of Local Government

City of West Fargo

Audit Report for the Year Ended December 31, 2018
Client Code PS9120



North Dakota State Auditor
Joshua C. Gallion

CITY OF WEST FARGO

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CITY OF WEST FARGO

City Officials and Audit Personnel
December 31, 2018

CITY OFFICIALS

President/Mayor	Bernie Davis
Vice-President	Mike Thorstad
Commissioner	Eric Gjerdevig
Commissioner	Mark Simmons
Commissioner	Brad Olson
City Administrator	Tina Fisk
Finance Director	Jim Larson
Police Chief	Heith Janke
Public Works Director	Chris Brungardt
Planning Director	Tim Solberg
Human Resources Administrator	Jenna Wilm
City Attorney	John Shockley

AUDIT PERSONNEL

Audit Manager	Craig Hashbarger, CPA, CIA, CFE
Lead Auditor	Rick Kremer

STATE AUDITOR

JOSHUA C. GALLION
Phone (701) 328-2241



Local Government Division
FARGO OFFICE
MANAGER – CRAIG HASHBARGER
Phone (701)239-7250

STATE OF NORTH DAKOTA
OFFICE OF THE STATE AUDITOR
FARGO OFFICE BRANCH
1655 43RD STREET SOUTH, SUITE 203
FARGO, NORTH DAKOTA 58103

INDEPENDENT AUDITOR'S REPORT

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

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of West Fargo, North Dakota, as of and for the year ended December 31, 2018, and the related notes to the financial statements, which collectively comprise the City of West Fargo's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of West Fargo, North Dakota, as of December 31, 2018, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the *budgetary comparison schedules, schedule of employer's share of net pension liability and employer contributions, schedule of employer's share of net OPEB liability and employer contributions, and the notes to the required supplementary information*, as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Management has omitted the *management's discussion and analysis* that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated December 31, 2019 on our consideration of the City of West Fargo's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering City of West Fargo's internal control over financial reporting and compliance.

/S/

Joshua C. Gallion
State Auditor

Fargo, North Dakota
December 31, 2019

CITY OF WEST FARGO

Statement of Net Position
December 31, 2018

	Governmental Activities	Business-type Activities	Total
ASSETS			
Cash And Investments	\$ 77,920,234	\$ 12,282,945	\$ 90,203,179
Restricted Cash	1,758,181	-	1,758,181
Accounts Receivable	225,377	904,916	1,130,293
Intergovernmental Receivable	1,744,574	-	1,744,574
Storefront Loans Receivable	79,976	-	79,976
TIF Loans Receivable	1,762,289	-	1,762,289
Taxes Receivable	142,612	-	142,612
Due From County	278,152	-	278,152
Special Assessments Receivable	235,845,007	-	235,845,007
Capital Assets			
Nondepreciable	109,709,619	1,857,610	111,567,229
Depreciable	106,432,655	283,578,752	390,011,407
Total Assets	\$ 535,898,676	\$ 298,624,223	\$ 834,522,899
DEFERRED OUTFLOWS OF RESOURCES			
Derived from Pension and OPEB	\$ 5,908,239	\$ 1,553,109	\$ 7,461,348
LIABILITIES			
Accounts & Accrued Expenses Payable	\$ 352,673	\$ 236,176	\$ 588,849
Construction Payable	1,126,938	-	1,126,938
Salaries & Benefits Payable	496,837	133,334	630,171
Court Deposits Payable	76,520	-	76,520
Retainages Payable	1,481,282	-	1,481,282
Interest Payable	1,813,998	98,839	1,912,837
Long-Term Liabilities			
Due Within One Year			
Long-Term Debt	18,163,402	665,000	18,828,402
Compensated Absences	190,450	48,400	238,850
Due Outside One Year			
Long-Term Debt	312,191,890	11,935,000	324,126,890
Compensated Absences	1,714,051	435,600	2,149,651
Net Pension & OPEB Liability	12,105,146	3,182,100	15,287,246
Total Liabilities	\$ 349,713,187	\$ 16,734,449	\$ 366,447,636
DEFERRED INFLOWS OF RESOURCES			
Derived from Pension and OPEB	\$ 639,484	\$ 168,102	\$ 807,586
NET POSITION			
Net Investment In Capital Assets	\$ 119,881,651	\$ 272,836,362	\$ 392,718,013
Restricted			
Culture & Recreation	539,108	-	539,108
Economic Development	1,776,576	-	1,776,576
Other Special Purposes	476,483	-	476,483
Capital Projects	12,064,789	-	12,064,789
Debt Service	36,990,313	-	36,990,313
Loans	1,842,265	-	1,842,265
Unrestricted	17,883,059	10,438,419	28,321,478
Total Net Position	\$ 191,454,244	\$ 283,274,781	\$ 474,729,025

The notes to the financial statements are an integral part of this statement.

CITY OF WEST FARGO

Statement of Activities

For the Year Ended December 31, 2018

Functions/Programs	Expenses	Program Revenues			Net (Expense) Revenue and Changes in Net Position		Total
		Fees, Fines, and Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-type Activities	
Governmental Activities							
General government	\$ 4,234,991	\$ 1,646,394	\$ 85,777	\$ -	\$ (2,502,820)		\$ (2,502,820)
Public safety	10,456,325	342,380	268,470	-	(9,845,475)		(9,845,475)
Public works/streets	14,128,091	2,069,128	2,246,091	39,796,467	29,983,595		29,983,595
Economic development	1,679,183	-	-	-	(1,679,183)		(1,679,183)
Conserv. of natural resources	245,719	-	-	-	(245,719)		(245,719)
Culture and recreation	2,023,100	2,670	-	-	(2,020,430)		(2,020,430)
Interest & costs on long-term debt	9,414,660	-	-	-	(9,414,660)		(9,414,660)
Total Governmental Activities	\$ 42,182,069	\$ 4,060,572	\$ 2,600,338	\$ 39,796,467	\$ 4,275,308		\$ 4,275,308
Business-Type Activities							
Water and sewer	\$ 16,856,019	\$ 9,210,405	\$ -	\$ -		\$ (7,645,614)	
Health and sanitation	3,540,327	3,449,175	-	-		(91,152)	
Total Business-Type Activities	\$ 20,396,346	\$ 12,659,580	\$ -	\$ -		\$ (7,736,766)	\$ -
Total Primary Government	\$ 62,578,415	\$ 16,720,152	\$ 2,600,338	\$ 39,796,467	\$ 4,275,308	\$ (7,736,766)	\$ 4,275,308
General Revenues							
Taxes							
Property taxes					\$ 13,278,291	\$ -	\$ 13,278,291
Sales taxes					10,669,380	-	10,669,380
Unrestricted Revenues					2,782,956	-	2,782,956
Unrestricted investment interest earnings					869,986	61,902	931,888
Miscellaneous income					461,285	189,486	650,771
Capital Asset Transfers					(15,967,803)	15,967,803	-
Net Cash Transfers					1,704,785	(1,704,785)	-
Total General Revenues and Transfers					\$ 13,798,880	\$ 14,514,406	\$ 28,313,286
Change in Net Position					\$ 18,074,188	\$ 6,777,640	\$ 24,851,828
Net Position - January 1					\$ 173,994,209	\$ 276,824,840	\$ 450,819,049
Prior Period Adjustments					(614,153)	(327,699)	(941,852)
Net Position - January 1, as restated					\$ 173,380,056	\$ 276,497,141	\$ 449,877,197
Net Position - December 31					\$ 191,454,244	\$ 283,274,781	\$ 474,729,025

The notes to the financial statements are an integral part of this statement.

CITY OF WEST FARGO

Balance Sheet – Governmental Funds
December 31, 2018

	General Fund	Sales Tax Fund	Debt Service Funds	Capital Projects Funds	Other Governmental Funds	Total Governmental Funds
ASSETS						
Cash and Investments	\$ 24,747,512	\$ 2,619,903	\$ 38,532,711	\$ 7,548,700	\$ 4,471,408	\$ 77,920,234
Restricted Cash	-	-	-	1,754,586	3,595	1,758,181
Accounts Receivable	152,032	-	-	4,600	68,745	225,377
Intergovernmental Receivable	569,706	994,882	-	-	179,986	1,744,574
TIF Loans Receivable	-	-	-	-	1,762,289	1,762,289
Storefront Loans Receivable	-	-	-	-	79,976	79,976
Taxes Receivable	91,026	-	19,143	-	32,443	142,612
Special Assessments Receivable	-	-	235,575,951	269,056	-	235,845,007
Due From County	18,901	-	252,457	-	6,794	278,152
Due From Other Funds	36,516	-	-	-	-	36,516
Total Assets	\$ 25,615,693	\$ 3,614,785	\$ 274,380,262	\$ 9,576,942	\$ 6,605,236	\$ 319,792,918
LIABILITIES AND DEFERRED INFLOWS OF RESOURCES						
Liabilities						
Accounts Payable	\$ 335,884	\$ -	\$ -	\$ -	\$ 16,789	\$ 352,673
Salaries Payable	414,509	-	-	-	82,328	496,837
Construction Payable	-	-	-	1,126,938	-	1,126,938
Municipal Court Bonds Payable	-	-	-	-	76,520	76,520
Due To Other Funds	-	-	-	-	36,516	36,516
Total Liabilities	\$ 750,393	\$ -	\$ -	\$ 1,126,938	\$ 212,153	\$ 2,089,484
Deferred Inflows of Resources						
Deferred Taxes & Special Assmts. Rec.	\$ 91,026	\$ -	\$ 235,595,094	\$ -	\$ 32,443	\$ 235,718,563
Total Liabilities & Deferred Inflows of Resources	\$ 841,419	\$ -	\$ 235,595,094	\$ 1,126,938	\$ 244,596	\$ 237,808,047
Fund Balances						
Non-Spendable						
Loans Receivable	\$ -	\$ -	\$ -	\$ -	\$ 1,842,265	\$ 1,842,265
Restricted						
Debt Service	-	-	38,785,168	-	-	38,785,168
Capital Project Funds	-	-	-	8,450,004	-	8,450,004
General Government	-	-	-	-	163,320	163,320
Public Safety	-	-	-	-	235,652	235,652
Public Works/Streets	-	-	-	-	556,904	556,904
Culture & Recreation	-	-	-	-	954,163	954,163
Economic Development	-	-	-	-	1,956,412	1,956,412
Other	-	-	-	-	473,315	473,315
Committed						
Sales Tax Fund	-	3,614,785	-	-	-	3,614,785
Culture & Recreation	-	-	-	-	42,688	42,688
Public Safety	-	-	-	-	4,197	4,197
Future Building Fund	-	-	-	-	131,724	131,724
Unassigned						
General Fund	24,774,274	-	-	-	-	24,774,274
Total Fund Balances	\$ 24,774,274	\$ 3,614,785	\$ 38,785,168	\$ 8,450,004	\$ 6,360,640	\$ 81,984,871
Total Liabilities and Fund Balances	\$ 25,615,693	\$ 3,614,785	\$ 274,380,262	\$ 9,576,942	\$ 6,605,236	\$ 319,792,918

The notes to the financial statements are an integral part of this statement.

CITY OF WEST FARGO

Reconciliation of the Balance Sheet – Governmental Funds to the Statement of Net Position December 31, 2018

Total Fund Balances of Governmental Funds		\$ 81,984,871
Total Net Position reported for governmental activities in the statement of Net Position is different because:		
Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds.		216,142,274
Property taxes and special assessments will be collected after year- end, but are not available soon enough to pay for the current period's expenditures and therefore are reported as deferred revenue in the funds.		
Special Assessments Receivable	\$ 235,575,951	
Uncollected Taxes Receivable	<u>142,612</u>	235,718,563
Retainages payable are not a fund liability, but are accrued for government-wide purposes as those liabilities will be liquidated at the completion of capital projects.		(1,481,282)
Deferred outflows and inflows of resources related to pensions & OPEB are applicable to future periods and, therefore, are not reported in the governmental funds.		
Pension & OPEB Deferred Inflows of Resources	\$ (639,484)	
Pension & OPEB Deferred Outflows of Resources	<u>5,908,239</u>	5,268,755
Long-term liabilities are not due and payable in the current period and accordingly are not reported as fund liabilities. All liabilities, both current and long-term, are reported in the Statement of Net Position.		
Long-Term Debt	\$ (330,355,292)	
Interest Payable	(1,813,998)	
Compensated Absences	(1,904,501)	
Net Pension & OPEB Liability	<u>(12,105,146)</u>	<u>(346,178,937)</u>
Total Net Position - Governmental Activities		<u><u>\$ 191,454,244</u></u>

The notes to the financial statements are an integral part of this statement.

CITY OF WEST FARGO

Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds For the Year Ended December 31, 2018

	General Fund	Sales Tax Fund	Debt Service Funds	Capital Projects Funds	Other Governmental Funds	Total Governmental Funds
REVENUES						
Property Taxes	\$ 8,110,494	\$ -	\$ 1,955,595	\$ -	\$ 3,180,813	\$ 13,246,902
Special Assessments	244,048	-	26,084,475	22,818	-	26,351,341
Sales Taxes	-	10,669,380	-	-	-	10,669,380
Licenses, Permits and Fees	3,372,761	-	-	-	3,371	3,376,132
Charges for Services	-	-	-	-	190,205	190,205
Intergovernmental	2,358,491	-	-	585,287	2,439,516	5,383,294
Fines, Forfeitures and Penalties	494,235	-	-	-	-	494,235
Interest	302,267	45,038	233,041	155,902	133,738	869,986
Miscellaneous	53,557	-	-	156,436	251,292	461,285
Total Revenues	\$ 14,935,853	\$ 10,714,418	\$ 28,273,111	\$ 920,443	\$ 6,198,935	\$ 61,042,760
EXPENDITURES						
Current						
General Government	\$ 5,704,101	\$ -	\$ -	\$ -	\$ 246,823	\$ 5,950,924
Public Safety	7,193,233	-	-	-	1,593,726	8,786,959
Public Works	2,676,633	-	-	-	121,849	2,798,482
Economic Development	214,690	-	-	79,999	1,316,576	1,611,265
Culture and Recreation	-	-	-	-	1,898,274	1,898,274
Conservation of Natural Resources	-	-	-	-	245,719	245,719
Capital Outlay	-	-	377,507	44,523,121	-	44,900,628
Debt Service						
Principal	-	-	28,317,888	-	-	28,317,888
Interest	-	-	9,365,958	-	-	9,365,958
Fiscal Charges & Fees	-	-	55,987	-	-	55,987
Total Expenditures	\$ 15,788,657	\$ -	\$ 38,117,340	\$ 44,603,120	\$ 5,422,967	\$ 103,932,084
Excess (Deficiency) of Revenues Over Expenditures	\$ (852,804)	\$ 10,714,418	\$ (9,844,229)	\$ (43,682,677)	\$ 775,968	\$ (42,889,324)
OTHER FINANCING SOURCES (USES)						
Bond Proceeds	\$ -	\$ -	\$ 9,275,000	\$ 75,290,000	\$ -	\$ 84,565,000
Bond Premium	-	-	547,384	1,763,832	-	2,311,216
Bond Discount	-	-	(92,750)	(774,123)	-	(866,873)
Transfers In	3,408,384	-	10,201,243	14,996,856	2,476,513	31,082,996
Transfers Out	(19,068)	(16,285,604)	(7,886,197)	(3,542,790)	(1,644,552)	(29,378,211)
Total Other Financing Sources and Uses	\$ 3,389,316	\$ (16,285,604)	\$ 12,044,680	\$ 87,733,775	\$ 831,961	\$ 87,714,128
Net Change in Fund Balances	\$ 2,536,512	\$ (5,571,186)	\$ 2,200,451	\$ 44,051,098	\$ 1,607,929	\$ 44,824,804
Fund Balances - January 1	\$ 22,237,762	\$ 9,185,971	\$ 36,584,717	\$ (35,601,094)	\$ 4,752,711	\$ 37,160,067
Fund Balances - December 31	\$ 24,774,274	\$ 3,614,785	\$ 38,785,168	\$ 8,450,004	\$ 6,360,640	\$ 81,984,871

The notes to the financial statements are an integral part of this statement.

CITY OF WEST FARGO

Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds to the Statement of Activities For the Year Ended December 31, 2018

Net Change in Fund Balances - Total Governmental Funds \$ 44,824,804

The change in Net Position reported for governmental activities in the statement of activities is different because:

Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.

Capital Asset Outlay	\$ 45,094,961	
Transfer of Capital Assets to Enterprise Activities	(15,967,803)	
Current Year Depreciation Expense	<u>(8,531,277)</u>	20,595,881

In the statement of activities, the gain and loss on sales or disposals of capital assets is recognized. The fund financial statements recognize only the proceeds from these sales.

(84,239)

Repayment of long-term debt is an expenditure in the governmental funds, but reduces long-term liabilities in the statement of net position. Proceeds from long-term debt provides financial resources to the governmental funds, but increases long-term liabilities in the statement of net position.

Repayment of Debt	\$ 28,317,888	
Debt Proceeds	(84,565,000)	
Bond Premium	(2,311,216)	
Bond Discount	<u>866,873</u>	(57,691,455)

Bond premium amortization is a reduction to interest expense as it is amortized over the life of the outstanding bonds using the straight-line method. Bond discounts are amortized over the life of the bond using the straight-line method (as interest expense):

Discount Amortization	\$ (158,683)	
Premium Amortization	<u>422,596</u>	263,913

Some expenses reported in the statement of activities do not require the use of current financial resources and are not reported as expenditures in governmental funds.

Net Change in Compensated Absences	\$ (753,852)	
Net Change in Retainages Payable	(520,317)	
Net Change in Interest Payable	<u>(256,628)</u>	(1,530,797)

The net pension & OPEB liability and related deferred outflows of resources and deferred inflows of resources are reported in the government wide statements; however, activity related to these pension items do not involve current financial resources, and are not reported in the funds.

Net Change in Pension & OPEB Liability	\$ (2,512,349)	
Net Change in Deferred Inflows of Resources for Pensions & OPEB	(359,807)	
Net Change in Deferred Outflows of Resources for Pensions & OPEB	<u>1,091,722</u>	(1,780,434)

Some revenues reported on the statement of activities are not reported as revenues in the governmental funds since they do not represent available resources to pay current expenditures.

Net Change in Taxes Receivable		31,389
Net Change in Special Assessments Receivable		<u>13,445,126</u>

Change in Net Position of Governmental Activities \$ 18,074,188

The notes to the financial statements are an integral part of this statement.

CITY OF WEST FARGOStatement of Net Position – Proprietary Funds
December 31, 2018

	Business-Type Activities - Enterprise Funds		
	Water & Sewer Funds	Sanitation & Health Fund	Total
ASSETS			
Current Assets			
Cash and investments	\$ 10,823,794	\$ 1,459,151	\$ 12,282,945
Accounts receivable	605,934	298,982	904,916
Total Current Assets	<u>\$ 11,429,728</u>	<u>\$ 1,758,133</u>	<u>\$ 13,187,861</u>
Noncurrent Assets			
Capital Assets			
Depreciable	\$ 1,857,610	\$ -	\$ 1,857,610
Nondepreciable	281,425,150	2,153,602	283,578,752
Total Noncurrent Assets	<u>\$ 283,282,760</u>	<u>\$ 2,153,602</u>	<u>\$ 285,436,362</u>
Total Assets	<u>\$ 294,712,488</u>	<u>\$ 3,911,735</u>	<u>\$ 298,624,223</u>
DEFERRED OUTFLOWS OF RESOURCES			
Derived from Pension and OPEB	\$ 943,300	\$ 609,809	\$ 1,553,109
Total Assets & Deferred Outflows of Resources	<u>\$ 295,655,788</u>	<u>\$ 4,521,544</u>	<u>\$ 300,177,332</u>
LIABILITIES			
Current Liabilities			
Accounts payable	\$ 228,080	\$ 8,096	\$ 236,176
Salaries & benefits payable	84,604	48,730	133,334
Interest payable	98,839	-	98,839
Bonds payable	665,000	-	665,000
Compensated absences	31,538	16,862	48,400
Total Current Liabilities	<u>\$ 1,108,061</u>	<u>\$ 73,688</u>	<u>\$ 1,181,749</u>
Noncurrent Liabilities			
Bonds payable	\$ 11,935,000	\$ -	\$ 11,935,000
Compensated absences	283,842	151,758	435,600
Net Pension and OPEB Liability	1,932,688	1,249,412	3,182,100
Total Noncurrent Liabilities	<u>\$ 14,151,530</u>	<u>\$ 1,401,170</u>	<u>\$ 15,552,700</u>
Total Liabilities	<u>\$ 15,259,591</u>	<u>\$ 1,474,858</u>	<u>\$ 16,734,449</u>
DEFERRED INFLOWS OF RESOURCES			
Derived from Pension and OPEB	\$ 102,099	\$ 66,003	\$ 168,102
Total Liabilities & Deferred Inflows of Resources	<u>\$ 15,361,690</u>	<u>\$ 1,540,861</u>	<u>\$ 16,902,551</u>
NET POSITION			
Net investment in capital assets	\$ 270,682,760	\$ 2,153,602	\$ 272,836,362
Unrestricted	9,611,338	827,081	10,438,419
Total Net Position	<u>\$ 280,294,098</u>	<u>\$ 2,980,683</u>	<u>\$ 283,274,781</u>

The notes to the financial statements are an integral part of this statement.

CITY OF WEST FARGOStatement of Revenues, Expenses, and Changes in Fund Net Position – Proprietary Funds
For the Year Ended December 31, 2018

	Business-Type Activities - Enterprise Funds		
	Water & Sewer Funds	Sanitation & Health Fund	Total
OPERATING REVENUES			
Charges for Services	\$ 9,210,405	\$ 3,449,175	\$ 12,659,580
OPERATING EXPENSES			
Salaries	\$ 1,975,602	\$ 1,224,970	\$ 3,200,572
Water Purchases	3,268,935	-	3,268,935
Utilities	431,095	-	431,095
Landfill	-	1,068,006	1,068,006
Recycle Expense	-	764,828	764,828
Other Operating	1,346,428	323,128	1,669,556
Depreciation	9,209,839	159,395	9,369,234
Total Operating Expenses	\$ 16,231,899	\$ 3,540,327	\$ 19,772,226
Operating Income	\$ (7,021,494)	\$ (91,152)	\$ (7,112,646)
NONOPERATING REVENUES (EXPENSES)			
Investment Earnings	\$ 43,803	\$ 18,099	\$ 61,902
Miscellaneous	189,486	-	189,486
Interest on Long-Term Debt	(624,120)	-	(624,120)
Total Nonoperating Revenue (Expenses)	\$ (390,831)	\$ 18,099	\$ (372,732)
Income Before Transfers	\$ (7,412,325)	\$ (73,053)	\$ (7,485,378)
Transfers In	\$ 15,967,803	\$ -	\$ 15,967,803
Transfers Out	(1,704,785)	-	(1,704,785)
Total Net Transfers	\$ 14,263,018	\$ -	\$ 14,263,018
Changes in Net Position	\$ 6,850,693	\$ (73,053)	\$ 6,777,640
Net Position - January 1	\$ 273,771,104	\$ 3,053,736	\$ 276,824,840
Prior Period Adjustments	(327,699)	-	(327,699)
Net Position - January 1, as restated	\$ 273,443,405	\$ 3,053,736	\$ 276,497,141
Net Position - December 31	\$ 280,294,098	\$ 2,980,683	\$ 283,274,781

The notes to the financial statements are an integral part of this statement.

CITY OF WEST FARGO

Statement of Cash Flows – Proprietary Funds
For the Year Ended December 31, 2018

	Business-Type Activities - Enterprise Funds		
	Water & Sewer Operating	Sanitation & Health Fund	Total Funds
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts from Customers and Users	\$ 9,244,768	\$ 3,450,334	\$ 12,695,102
Payments to Suppliers	(5,103,874)	(2,255,596)	(7,359,470)
Payments to Employees	(1,888,843)	(1,021,183)	(2,910,026)
Net Cash Provided by Operating Activities	\$ 2,252,051	\$ 173,555	\$ 2,425,606
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES			
Miscellaneous Receipts	\$ 189,486	\$ -	\$ 189,486
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES			
Transfer to Other funds	\$ (1,704,785)	\$ -	\$ (1,704,785)
Principal Paid on Capital Debt	(640,000)	-	(640,000)
Interest & Fees Paid on Capital Debt	(629,885)	-	(629,885)
Construction & Purchases of Capital Assets	(228,200)	(58,981)	(287,181)
Net Cash Used by Capital and Related Financing Activities	\$ (3,202,870)	\$ (58,981)	\$ (3,261,851)
CASH FLOWS FROM INVESTING ACTIVITIES			
Interest Income	\$ 43,803	\$ 18,099	\$ 61,902
Net Increase in Cash and Cash Equivalents	\$ (717,530)	\$ 132,673	\$ (584,857)
Cash and Cash Equivalents - January 1	\$ 11,541,324	\$ 1,326,478	\$ 12,867,802
Cash and Cash Equivalents - December 31	\$ 10,823,794	\$ 1,459,151	\$ 12,282,945
Reconciliation of Operating Income to Net Cash Provided (Used) by Operating Activities			
Operating Income (Loss)	\$ (6,821,896)	\$ (91,152)	\$ (6,913,048)
Adjustments to Reconcile Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities			
Depreciation Expense	9,010,241	159,395	9,169,636
Change in Assets and Liabilities			
Accounts Receivable	34,363	1,159	35,522
Deferred Pension and OPEB Outflows	39,054	(87,599)	(48,545)
Accounts Payable	(57,416)	(99,634)	(157,050)
Salaries Payable	3,054	8,832	11,886
Compensated Absences	23,407	37,519	60,926
Net Pension and OPEB Liability	(23,813)	209,355	185,542
Deferred Pension and OPEB Inflows	45,057	35,680	80,737
Net Cash Provided (Used) by Operating Activities	\$ 2,252,051	\$ 173,555	\$ 2,425,606

The notes to the financial statements are an integral part of this statement.

CITY OF WEST FARGO

Statement of Fiduciary Assets and Liabilities – Agency Funds
December 31, 2018

	<u>Agency Funds</u>
ASSETS	
Cash and investments	<u>\$ 1,326,316</u>
LIABILITIES:	
Due to others	<u>\$ 1,326,316</u>

The notes to the financial statements are an integral part of this statement.

CITY OF WEST FARGO

Notes to the Financial Statements
For the Year Ended December 31, 2018

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The City of West Fargo, North Dakota ("City") operates under a Home Rule Charter and various applicable sections in Title 40 of the North Dakota Century Code. The financial statements of the City have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to government units. The Governmental Accounting Standards Board (GASB) is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The more significant of the government's accounting policies are described below.

Reporting Entity

The accompanying financial statements present the activities of the City. The City has considered all potential component units for which it is financially accountable and other organizations for which the nature and significance of their relationships with the City are such that exclusion would cause its financial statements to be misleading or incomplete. The Governmental Accounting Standards Board has set forth criteria to be considered in determining financial accountability. This criteria includes appointing a voting majority of an organization's governing body and (1) the ability of the City to impose its will on that organization or (2) the potential for the organization to provide specific financial benefits to, or impose specific financial burdens on the City.

Based on these criteria, there are no component units to be included within the City as a reporting entity.

Basis of Presentation

Government-Wide Statements. The statement of net position and the statement of activities display information about the primary government. These statements include the financial activities of the overall government, except for fiduciary activities. Eliminations have been made to minimize the double-counting of internal activities. Governmental activities generally are financed through taxes, intergovernmental revenues, and other non-exchange transactions.

The statement of activities presents a comparison between direct expenses and program revenues for each function of the City's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Program revenues include (a) fees and charges paid by the recipients of goods or services offered by the programs and (b) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including all taxes, interest, and non-restricted grants and contributions, are presented as general revenues.

Fund Financial Statements: The fund financial statements provide information about the City's funds including its fiduciary funds. Separate statements for each fund category-*governmental, proprietary* and *fiduciary*-are presented. The emphasis of fund financial statements is on major governmental and enterprise funds, each displayed in a separate column. All remaining governmental and enterprise funds are aggregated and reported as non-major funds.

Proprietary fund operating revenues, such as charges for services, result from exchange transactions associated with the principal activity of the fund. Exchange transactions are those in which each party receives and gives up essentially equal values. Non-operating revenues, such as subsidies and investment earnings, result from non-exchange transactions or ancillary activities.

The city reports the following major governmental funds:

General Fund - This is the City's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

Capital Project Funds - Capital projects funds are used to account for financial resources, including special assessments, to be used for the acquisition or construction of major capital facilities, (other than those financed by proprietary funds and trust funds).

Debt Service Funds - Debt service funds are used to account for the accumulation of resources for, and the payment of, long-term debt principal, interest, and related costs. Revenue sources in this fund are restricted solely for debt retirement.

CITY OF WEST FARGO

Notes to the Financial Statements – Continued

The City reports the following major enterprise funds:

Water & Sewer Fund – This fund accounts for the provisions of water and sewer services to residents of the City.

Health & Sanitation Fund – This fund accounts for the provisions of garbage pickup and landfill services to residents of the City.

Additionally, the City reports the following fund type.

Agency Funds – These funds account for assets by the City in a custodial capacity as an agent on behalf of others. The City's agency funds are used to account for property taxes collected on behalf of other governments.

Measurement Focus, Basis of Accounting, and Financial Statement Presentation

Government-wide, Proprietary, and Fiduciary Fund Financial Statements. The government-wide, proprietary, and fiduciary fund financial statements are reported using the economic resources measurement focus. The government-wide and proprietary fund financial statements are reported using the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flows take place. Non-exchange transactions, in which the City gives (or receives) value without directly receiving (or giving) equal value in exchange, include property taxes, grants, entitlements and donations. On an accrual basis, revenue from property taxes is recognized in the fiscal year for which the taxes are levied. Revenue from grants, entitlements, and donations is recognized in the fiscal year in which all eligibility requirements have been satisfied.

Governmental Fund Financial Statements. Governmental funds are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. The City considers all revenues reported in the governmental funds to be available if the revenues are collected within sixty days after year-end. special assessments, intergovernmental revenues, charges for services and investment income are considered susceptible to accrual. Expenditures are recorded when the related fund liability is incurred, except for principal and interest on general long-term debt, claims and judgments, and compensated absences, which are recognized as expenditures to the extent they have matured. General capital asset acquisitions are reported as expenditures in governmental funds. Proceeds of long-term debt and acquisitions under capital leases are reported as other financing sources.

Under the terms of grant agreements, the City funds certain programs by a combination of specific cost-reimbursement grants and general revenues. Thus, when program expenses are incurred, there is both restricted and unrestricted net position available to finance the program. It is the City's policy to first apply cost-reimbursement grant resources to such programs, and then by general revenues.

When both restricted and unrestricted resources are available for use, it is the City's policy to use unrestricted resources first, and then restricted resources as they are needed.

Cash and Investments

Cash includes amounts in demand deposits and money market accounts.

The investments of the City consist of certificates of deposit stated at cost with maturities in excess of three months.

Capital Assets

Capital assets for the primary government are reported in the governmental activities column in the government-wide financial statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$5,000. Such assets are recorded at historical cost or estimated historical cost if purchased constructed. Donated capital assets are recorded at estimated fair market value at the date of donation. The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized. Interest incurred during the construction phase of capital assets is not capitalized.

CITY OF WEST FARGO

Notes to the Financial Statements – Continued

Capital assets are depreciated using the straight-line method over the following estimated useful lives (amounts in years):

Buildings	30 - 50
Land Improvements	30
Machinery & Equipment	5 - 20
Infrastructure	20 - 40

Compensated Absences

Vacation and Sick leave accruals are based on 26 pay periods. Employees not within the police department accrue vacation leave at a rate of 3.25 to 7.5 hours per pay period depending on years of service. Employees within the police department accrue vacation leave at a rate of 3.75 to 8.5 hours per pay period depending on years of service. Up to 240 hours of vacation leave may be carried over at each year-end. Upon termination vacation benefits that have accrued through the last day of work will be paid.

Sick leave is accrued at a rate of 3.75 to 5.75 hours per pay period for all employees. Up to 960 hours of sick leave may be carried over at each year-end. Upon termination employees with ten continuous years of service will be paid 50% of accumulated sick leave, not to exceed 480 hours. Employees hired prior to January 1, 2017 with 10 or more years of continuous service will receive an annual sick leave payout of 50% of any hours over 960 and 50% of sick leave paid out at time of termination unless the employee selected a full sick leave payout option.

A liability for vested or accumulated vacation and sick leave is reported in the statement of net position.

Long-Term Obligations

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the governmental activities statement of net position.

In the fund financial statements, the face amount of the debt is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources. Issuance costs are reported as debt service expenditures.

Pension

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the North Dakota Public Employees Retirement System (NDPERS) and additions to/deductions from NDPERS fiduciary net position have been determined on the same basis as they are reported by NDPERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Other Post-Employment Benefits (OPEB)

For purposes of measuring the net OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB, OPEB expense, information about the fiduciary net position of the North Dakota Public Employees Retirement System (NDPERS), and additions to/deductions from NDPERS' fiduciary net position have been determined on the same basis as they are reported by NDPERS. For this purpose, benefit payments are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Fund Balances

Fund Balance Spending Policy. It is the policy of the City to spend restricted resources first, followed by unrestricted resources. It is also the policy of the Board to spend unrestricted resources of funds in the following order: committed, assigned and then unassigned.

Non-spendable Fund Balances. Non-spendable fund balances are reported for loans receivable in the Debt Service and Economic Development funds.

CITY OF WEST FARGO

Notes to the Financial Statements – Continued

Restricted Fund Balances. Restricted fund balances are shown by primary function on the balance sheet. Restricted fund balances are restricted by tax levies (enabling legislation) and by outside 3rd parties (state and federal governments for various grants & reimbursements).

Committed Fund Balances. Committed fund balances are shown by primary function on the balance sheet. They have been committed by the governing boards City council action. They are committed in various special revenue funds.

Unassigned Fund Balances. Unassigned fund balances are reported in the general fund and for negative fund balances at year-end.

Net Position

When both restricted and unrestricted resources are available for use, it is the City's policy to use restricted resources first, then unrestricted resources as they are needed.

Net investment in capital assets is reported for capital assets less accumulated depreciation, as well as net of any related debt to purchase or finance the capital assets. These assets are not available for future spending.

Restrictions of net position in the statement of net position are due to restricted tax levies and restricted Federal & State grants/reimbursements.

Unrestricted net position is primarily unrestricted amounts related to the general fund and negative fund balances.

Interfund Transactions

In the governmental fund statements, transactions that constitute reimbursements to a fund for expenditures initially made from it that are properly applicable to another fund, are recorded as expenditures in the reimbursing fund and as reductions of expenditures in the fund that is reimbursed.

All other interfund transactions, except reimbursements, are reported as transfers.

In the government-wide financial statements, interfund transactions have been eliminated.

NOTE 2 PRIOR PERIOD ADJUSTMENTS

Net position as of January 1, 2018 has been restated as follows for the correction of previously reported depreciation in the governmental and business-type activities.

Adjustments to beginning net position are outlined as follows:

	Governmental Activities	Business-Type Activities	Water & Sewer Fund
Beginning Net Position, as Previously Reported	\$ 173,994,209	\$ 276,824,840	\$ 273,771,104
Adjustments to restate the January 1, 2018 net position Depreciation	(614,153)	(327,699)	(327,699)
Net Position January 1, as Restated	\$ 173,380,056	\$ 276,497,141	\$ 273,443,405

NOTE 3 DEPOSITS**Custodial Credit Risk**

Custodial credit risk is the risk associated with the failure of a depository institution, such that in the event of a depository financial institution's failure, the City would not be able to recover the deposits or collateralized securities that in the possession of the outside parties. The City does not have a formal policy regarding deposits that limits the amount they may invest in any one issuer.

CITY OF WEST FARGO

Notes to the Financial Statements – Continued

In accordance with North Dakota statutes, deposits must either be deposited with the Bank of North Dakota or in other financial institution situated and doing business within the state. Deposits, other than with the Bank of North Dakota, must be fully insured or bonded. In lieu of a bond, a financial institution may provide a pledge of securities equal to 110% of the deposits not covered by insurance or bonds.

Authorized collateral includes bills, notes, or bonds issued by the United States government, its agencies or instrumentalities, all bonds and notes guaranteed by the United States government, federal land bank bonds, bonds, notes, warrants, certificates of indebtedness, insured certificates of deposit, shares of investment companies registered under the Investment Companies Act of 1940, and all other forms of securities issued by the state of North Dakota, its boards, agencies or instrumentalities or by any county, city, township, school district, park district, or other political subdivision of the state of North Dakota. Whether payable from special revenues or supported by the full faith and credit of the issuing body and bonds issued by another state of the United States or such other securities approved by the banking board.

At December 31, 2018, the City's carrying amount of deposits was \$93,288,218 and the bank balances were \$95,557,946. Of the bank balances, \$75,599,248 was covered by Federal Depository Insurance, while the remaining balances were collateralized with securities held by the pledging financial institution's agent in the government's name.

NOTE 4 PROPERTY TAXES

Property taxes are levied as of January 1. The property taxes attach as an enforceable lien on property on January 1. The tax levy may be paid in two installments: the first installment includes one-half of the real estate taxes and all the special assessments; the second installment is the balance of the real estate taxes. The first installment is due by March 1 and the second installment is due by October 15. A 5% discount is allowed if all taxes and special assessments are paid by February 15. After the due dates, the bill becomes delinquent and penalties are assessed.

NOTE 5 CAPITAL ASSETS

Governmental Activities

The following is a summary of changes in capital assets for the year ended 2018:

Governmental Activities	Bal. Restated Jan 1	Increases	Decreases	Transfers	Balance Dec 31
Capital Assets Not Being Depreciated					
Land	\$ 14,752,650	\$ 2,500,567	\$ -	\$ -	\$ 17,253,217
Construction in Progress	87,240,598	41,546,825	-	(36,331,021)	92,456,402
Total Capital Assets Not Being Depreciated	\$ 101,993,248	\$ 44,047,392	\$ -	\$ (36,331,021)	\$ 109,709,619
Capital Assets Being Depreciated					
Buildings	\$ 13,039,517	\$ -	\$ -	\$ -	\$ 13,039,517
Equipment	4,754,832	1,047,569	330,402	-	5,471,999
Land Improvements	13,687	-	-	-	13,687
Infrastructure	138,556,500	-	-	20,363,218	158,919,718
Total Capital Assets Being Depreciated	\$ 156,364,536	\$ 1,047,569	\$ 330,402	\$ 20,363,218	\$ 177,444,921
Less Accumulated Depreciation					
Buildings	\$ 1,696,908	\$ 287,415	\$ -	\$ -	\$ 1,984,323
Equipment	2,470,097	510,808	246,163	-	2,734,742
Land Improvements	3,193	456	-	-	3,649
Infrastructure	58,556,954	7,732,598	-	-	66,289,552
Total Accumulated Depreciation	\$ 62,727,152	\$ 8,531,277	\$ 246,163	\$ -	\$ 71,012,266
Total Capital Assets Being Depreciated, Net	\$ 93,637,384	\$ (7,483,708)	\$ 84,239	\$ 20,363,218	\$ 106,432,655
Governmental Activities Capital Assets, Net	\$ 195,630,632	\$ 36,563,684	\$ 84,239	\$ (15,967,803)	\$ 216,142,274

CITY OF WEST FARGO

Notes to the Financial Statements – Continued

Depreciation expense was charged to functions/programs of the City as follows:

Governmental Activities	
General Government	\$ 330,589
Public Safety	267,606
Public Works	7,933,082
Total Depreciation Expense	\$ 8,531,277

Business-Type Activities

The following is a summary of changes in capital assets for the year ended 2018:

Business-Type Activities	Bal. Restated Jan 1	Increases	Decreases	Transfers	Balance Dec 31
Capital Assets Not Being Depreciated					
Land	\$ 1,857,610	\$ -	\$ -	\$ -	\$ 1,857,610
Capital Assets Being Depreciated					
Buildings	\$ 3,817,134	\$ -	\$ -	\$ -	\$ 3,817,134
Equipment	8,542,551	287,182	388,482	-	8,441,251
Land Improvements	3,751,796	-	-	-	3,751,796
Infrastructure	341,127,344	-	-	15,967,803	357,095,147
Total Capital Assets Being Depreciated	\$ 357,238,825	\$ 287,182	\$ 388,482	\$ 15,967,803	\$ 373,105,328
Less Accumulated Depreciation					
Buildings	\$ 510,943	\$ 77,371	\$ -	\$ -	\$ 588,314
Equipment	5,755,926	341,448	388,482	-	5,708,892
Land Improvements	3,751,796	-	-	-	3,751,796
Infrastructure	70,527,159	8,950,415	-	-	79,477,574
Total Accumulated Depreciation	\$ 80,545,824	\$ 9,369,234	\$ 388,482	\$ -	\$ 89,526,576
Total Capital Assets Being Depreciated, Net	\$ 276,693,001	\$ (9,082,052)	\$ -	\$ 15,967,803	\$ 283,578,752
Business-Type Activities Capital Assets, Net	\$ 278,550,611	\$ (9,082,052)	\$ -	\$ 15,967,803	\$ 285,436,362

Depreciation expense was charged to the following business-type functions:

Business-Type Activities	
Water & Sewer	\$ 9,209,839
Sanitation & Health	159,395
Total Depreciation Expense	\$ 9,369,234

CITY OF WEST FARGO

Notes to the Financial Statements – Continued

NOTE 6 LONG-TERM LIABILITIES

Governmental Activities

The following changes occurred in long-term liabilities for the year ended 2018:

Governmental Activities	Balance Jan 1	Increases	Decreases	Balance Dec 31	Due Within One Year
Long Term Debt					
G.O. Bonds	\$ 5,715,000	\$ -	\$ 730,000	\$ 4,985,000	\$ 755,000
Special Assessment Bonds	246,915,000	84,565,000	27,060,000	304,420,000	16,515,000
Revenue Bonds	2,135,000	-	220,000	1,915,000	230,000
BND Drawdown	14,611,432	-	307,888	14,303,544	399,490
Bond Premium	4,788,489	2,311,216	422,595	6,677,110	422,595
Bond Discount	(1,237,171)	(866,874)	(158,683)	(1,945,362)	(158,683)
Total Long Term Debt	\$ 272,927,750	\$ 86,009,342	\$ 28,581,800	\$ 330,355,292	\$18,163,402
Compensated Absences *	\$ 1,150,649	\$ 753,852	\$ -	\$ 1,904,501	\$ 190,450
Net Pension & OPEB Liability	9,592,797	2,512,349	-	12,105,146	-
Total Governmental Activities	\$ 283,671,196	\$ 89,275,543	\$ 28,581,800	\$ 344,364,939	\$18,353,852

* The change in compensated absences is shown as a net change.

Debt service requirements on long-term debt is as follows:

GOVERNMENTAL ACTIVITIES						
Year Ending Dec. 31	G.O. Bonds		Special Assmt. Bonds		Revenue Bonds	
	Principal	Interest	Principal	Interest	Principal	Interest
2019	\$ 755,000	\$ 198,778	\$ 16,515,000	\$ 10,152,983	\$ 230,000	\$ 66,403
2020	780,000	173,108	16,005,000	9,380,743	240,000	58,808
2021	810,000	144,248	59,280,000	8,331,759	245,000	50,949
2022	845,000	111,848	13,390,000	7,300,880	260,000	42,828
2023	880,000	77,203	12,695,000	6,784,650	470,000	31,095
2024 - 2028	915,000	39,803	57,235,000	27,260,238	185,000	88,213
2029 - 2033	-	-	55,310,000	17,189,712	105,000	58,600
2034 - 2038	-	-	50,230,000	7,794,137	145,000	27,375
2039 - 2043	-	-	23,760,000	1,538,325	35,000	875
Total	\$ 4,985,000	\$ 744,988	\$ 304,420,000	\$ 95,733,427	\$ 1,915,000	\$ 425,146

GOVERNMENTAL ACTIVITIES				
Year Ending Dec. 31	Drawdown Payable		Bond Premium	Bond Discount
	Principal	Interest		
2019	\$ 399,490	\$ 369,404	\$ 422,595	\$ (158,683)
2020	490,813	278,081	422,595	(158,683)
2021	500,629	268,265	422,595	(150,723)
2022	510,642	258,252	353,584	(88,089)
2023	520,855	248,039	353,584	(88,089)
2024 - 2028	2,764,759	1,079,711	1,311,766	(363,155)
2029 - 2033	3,052,517	791,953	1,311,766	(363,155)
2034 - 2038	3,370,225	474,244	1,309,740	(363,155)
2039 - 2043	2,693,614	133,641	768,885	(211,630)
Total	\$ 14,303,544	\$ 3,901,590	\$ 6,677,110	\$ (1,945,362)

CITY OF WEST FARGO

Notes to the Financial Statements – Continued

Business-Type Activities

The following changes occurred in long-term liabilities for the year ended 2018:

Business-Type Activities	Balance Jan 1	Increases	Decreases	Balance Dec 31	Due Within One Year
Long Term Debt					
Sewer Bonds	\$ 13,240,000	\$ -	\$ 640,000	\$ 12,600,000	\$ 665,000
Compensated Absences *	\$ 423,073	\$ 60,927	\$ -	\$ 484,000	\$ 48,400
Net Pension & OPEB Liability	2,996,558	185,542	-	3,182,100	-
Total Business-Type Activities	\$ 16,659,631	\$ 246,469	\$ 640,000	\$ 16,266,100	\$ 713,400

* The change in compensated absences is shown as a net change.

Debt service requirements on long-term debt is as follows:

BUSINESS-TYPE ACTIVITIES		
Year Ending Dec. 31	Sewer Bonds	
	Principal	Interest
2019	\$ 665,000	\$ 605,300
2020	690,000	580,400
2021	715,000	554,060
2022	745,000	523,840
2023	775,000	489,793
2024 - 2028	4,415,000	1,913,099
2029 - 2033	3,455,000	882,927
2034 - 2038	1,140,000	72,675
Total	\$ 12,600,000	\$ 5,622,094

NOTE 7 OPERATING LEASES

The City is involved in an operating lease for two copiers. Total lease payments made during 2018 totaled \$8,454. Future lease payments are as follows:

2019	\$ 8,454
2020	8,454
2021	6,341

NOTE 8 PENSION PLAN

General Information about the NDPERS Pension Plan

North Dakota Public Employees Retirement System (Main System)

The following brief description of NDPERS is provided for general information purposes only. Participants should refer to NDCC Chapter 54-52 for more complete information.

NDPERS is a cost-sharing multiple-employer defined benefit pension plan that covers substantially all employees of the State of North Dakota, its agencies and various participating political subdivisions. NDPERS provides for pension, death and disability benefits. The cost to administer the plan is financed through the contributions and investment earnings of the plan.

Responsibility for administration of the NDPERS defined benefit pension plan is assigned to a Board comprised of nine members. The Board consists of a Chairman, who is appointed by the Governor; one member appointed by the Attorney

CITY OF WEST FARGO

Notes to the Financial Statements – Continued

General; one member appointed by the State Health Officer; three members elected by the active membership of the NDPERS system, one member elected by the retired public employees and two members of the legislative assembly appointed by the chairman of the legislative management.

Pension Benefits

Benefits are set by statute. NDPERS has no provisions or policies with respect to automatic and ad hoc post-retirement benefit increases. Member of the Main System are entitled to unreduced monthly pension benefits beginning when the sum of age and years of credited service equal or exceed 85 (Rule of 85), or at normal retirement age (65). For members hired on or after January 1, 2016 the Rule of 85 was replaced with the Rule of 90 with a minimum age of 60. The monthly pension benefit is equal to 2.00% of their average monthly salary, using the highest 36 months out of the last 180 months of service, for each year of service. The plan permits early retirement at ages 55-64 with three or more years of service.

Members may elect to receive the pension benefits in the form of a single life, joint and survivor, term-certain annuity, or partial lump sum with ongoing annuity. Members may elect to receive the value of their accumulated contributions, plus interest, as a lump sum distribution upon retirement or termination, or they may elect to receive their benefits in the form of an annuity. For each member electing an annuity, total payment will not be less than the members' accumulated contributions plus interest.

Death and Disability Benefits

Death and disability benefits are set by statute. If an active member dies with less than three years of service for the Main System, a death benefit equal to the value of the member's accumulated contributions, plus interest, is paid to the member's beneficiary. If the member has earned more than three years of credited service for the Main System, the surviving spouse will be entitled to a single payment refund, life-time monthly payments in an amount equal to 50% of the member's accrued normal retirement benefit, or monthly payments in an amount equal to the member's accrued 100% Joint and Survivor retirement benefit if the member had reached normal retirement age prior to date of death. If the surviving spouse dies before the member's accumulated pension benefits are paid, the balance will be payable to the surviving spouse's designated beneficiary.

Eligible members who become totally disabled after a minimum of 180 days of service, receive monthly disability benefits equal to 25% of their final average salary with a minimum benefit of \$100. To qualify under this section, the member has to become disabled during the period of eligible employment and apply for benefits within one year of termination. The definition for disabled is set by the NDPERS in the North Dakota Administrative Code.

Refunds of Member Account Balance

Upon termination, if a member of the Main System is not vested (is not 65 or does not have three years of service), they will receive the accumulated member contributions and vested employer contributions, plus interest, or may elect to receive this amount at a later date. If the member has vested, they have the option of applying for a refund or can remain as a terminated vested participant. If a member terminated and withdrew their accumulated member contribution and is subsequently reemployed, they have the option of repurchasing their previous service.

Member and Employer Contributions

Member and employer contributions paid to NDPERS are set by statute and are established as a percent of salaries and wages. Member contribution rates are 7% and employer contribution rates are 7.12% of covered compensation.

The member's account balance includes the vested employer contributions equal to the member's contributions to an eligible deferred compensation plan. The minimum member contribution is \$25 and the maximum may not exceed the following:

1 to 12 months of service	Greater of one percent of monthly salary or \$25
13 to 24 months of service	Greater of two percent of monthly salary or \$25
25 to 36 months of service	Greater of three percent of monthly salary or \$25
Longer than 36 months of service	Greater of four percent of monthly salary or \$25

CITY OF WEST FARGO

Notes to the Financial Statements – Continued

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

At December 31, 2018, the following net pension liability was reported:

	Net Pension Liability
Main System	\$ 14,645,578

The net pension liability was measured as of June 30, 2018, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The proportion of the net pension liability was based on their respective share of covered payroll in the main system pension plan relative to the covered payroll of all participating main system employers. At June 30, 2018, the entities had the following proportion, change in proportion, and pension expense:

	Proportion of Net Pension Liability	Change in Proportion	Pension Expense
Main System	0.867830%	0.119341%	\$ 2,752,535

At December 31, 2018, the following deferred outflows of resources and deferred inflows of resources were reported related to pension from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences Between Expected and Actual Experience	\$ 38,768	\$ 498,271
Changes of Assumptions	5,286,748	209,037
Net Difference Between Projected and Actual Investment Earnings on Pension Plan Investments	-	71,252
Changes in Proportion and Differences Between Employer Contributions and Proportionate Share of Contributions	1,274,204	(2)
District Contributions Subsequent to the Measurement Date	624,360	-
Total	\$ 7,224,080	\$ 778,558

\$624,360 reported as deferred outflows of resources related to pensions resulting from City contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended December 31, 2019.

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

2019	\$ 1,833,822
2020	1,638,491
2021	1,392,131
2022	835,419
2023	121,229

CITY OF WEST FARGO

Notes to the Financial Statements – Continued

Actuarial Assumptions

The total pension liability in the July 1, 2018 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.50%	
Salary increases	Service at Beginning of year:	Increase Rate:
	0	15.00%
	1	10.00%
	2	8.00%
	Age*	
	Under 30	10.00%
	30 – 39	7.50%
	40 – 49	6.75%
	50 – 59	6.50%
	60+	5.25%
	* Age-based salary increase rates apply for employees with three or more years of service	
Investment rate of return	7.75%, net of investment expenses	
Cost-of-living adjustments	None	

For active members, inactive members and healthy retirees, mortality rates were based on the RP-2000 Combined Healthy Mortality Table set back two years for males and three years for females, projected generationally using the SSA 2014 Intermediate Cost scale from 2014. For disabled retirees, mortality rates were based on the RP-2000 Disabled Mortality Table set back one year for males (no setback for females) multiplied by 125%.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of arithmetic real rates of return for each major asset class included in the Fund’s target asset allocation are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Domestic Equity	30%	6.05%
International Equity	21%	6.71%
Private Equity	7%	10.20%
Domestic Fixed Income	23%	1.45%
International Fixed Income	0%	0.00%
Global Real Assets	19%	5.11%
Cash Equivalents	0%	0.00%

Discount rate

For PERS, GASB Statement No. 67 includes a specific requirement for the discount rate that is used for the purpose of the measurement of the Total Pension Liability. This rate considers the ability of the System to meet benefit obligations in the future. To make this determination, employer contributions, employee contributions, benefit payments, expenses and investment returns are projected into the future. The current employer and employee fixed rate contributions are assumed to be made in each future year. The Plan Net Position (assets) in future years can then be determined and compared to its obligation to make benefit payments in those years. In years where assets are not projected to be sufficient to meet benefit payments, which is the case for the PERS plan, the use of a municipal bond rate is required.

The Single Discount Rate (SDR) is equivalent to applying these two rates to the benefits that are projected to be paid during the different time periods. The SDR reflects (1) the long-term expected rate of return on pension plan investments (during the period in which the fiduciary net position is projected to be sufficient to pay benefits) and (2) a tax-exempt municipal

CITY OF WEST FARGO

Notes to the Financial Statements – Continued

bond rate based on an index of 20-year general obligation bonds with an average AA credit rating as of the measurement date (to the extent that the contributions for use with the long-term expected rate of return are not met).

For the purpose of this valuation, the expected rate of return on pension plan investments is 7.75%; the municipal bond rate is 3.62%; and the resulting Single Discount Rate is 6.32%.

Sensitivity of the Employer's proportionate share of the net pension liability to changes in the discount rate

The following presents the City's proportionate share of the net pension liability calculated using the discount rate of 6.32 percent, as well as what the City's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (5.32 percent) or 1-percentage-point higher (7.32 percent) than the current rate:

	1% Decrease (6.75%)	Current Discount Rate (7.75%)	1% Increase (8.75%)
City's Proportionate Share of the Net Pension Liability	\$ 19,900,618	\$ 14,645,578	\$ 10,260,416

Pension Plan Fiduciary Net Position

Detailed information about the pension plan's fiduciary net position is available in a separately issued NDPERS financial report.

NOTE 9 OPEB PLAN

General Information about the OPEB Plan

North Dakota Public Employees Retirement System

The following brief description of NDPERS is provided for general information purposes only. Participants should refer to NDAC Chapter 71-06 for more complete information.

NDPERS OPEB plan is a cost-sharing multiple-employer defined benefit OPEB plan that covers members receiving retirement benefits from the PERS, the HPRS, and Judges retired under Chapter 27-17 of the North Dakota Century Code a credit toward their monthly health insurance premium under the state health plan based upon the member's years of credited service. Effective July 1, 2015, the credit is also available to apply towards monthly premiums under the state dental, vision and long-term care plan and any other health insurance plan. The Retiree Health Insurance Credit Fund is advance-funded on an actuarially determined basis.

Responsibility for administration of the NDPERS defined benefit OPEB plan is assigned to a Board comprised of nine members. The Board consists of a Chairman, who is appointed by the Governor; one member appointed by the Attorney General; one member appointed by the State Health Officer; three members elected by the active membership of the NDPERS system, one member elected by the retired public employees and two members of the legislative assembly appointed by the chairman of the legislative management.

OPEB Benefits

The employer contribution for the PERS, the HPRS and the Defined Contribution Plan is set by statute at 1.14% of covered compensation. The employer contribution for employees of the state board of career and technical education is 2.99% of covered compensation for a period of eight years ending October 1, 2015. Employees participating in the retirement plan as part-time/temporary members are required to contribute 1.14% of their covered compensation to the Retiree Health Insurance Credit Fund. Employees purchasing previous service credit are also required to make an employee contribution to the Fund. The benefit amount applied each year is shown as "prefunded credit applied" on the Statement of Changes in Plan Net Position for the OPEB trust funds.

CITY OF WEST FARGO

Notes to the Financial Statements – Continued

Retiree health insurance credit benefits and death and disability benefits are set by statute. There are no provisions or policies with respect to automatic and ad hoc post-retirement benefit increases. Employees who are receiving monthly retirement benefits from the PERS, the HPRS, the Defined Contribution Plan, the Chapter 27-17 judges or an employee receiving disability benefits, or the spouse of a deceased annuitant receiving a surviving spouse benefit or if the member selected a joint and survivor option are eligible to receive a credit toward their monthly health insurance premium under the state health plan.

Effective July 1, 2015, the credit is also available to apply towards monthly premiums under the state dental, vision and long-term care plan and any other health insurance plan. The benefits are equal to \$5.00 for each of the employee's, or deceased employee's years of credited service not to exceed the premium in effect for selected coverage. The retiree health insurance credit is also available for early retirement with reduced benefits.

OPEB Liabilities, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB

At December 31, 2018, the following net OPEB liabilities were reported:

	Net OPEB Liability
Main System	\$ 641,668

The net OPEB liability was measured as of June 30, 2018, and the total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation as of that date. The proportion of the net OPEB liability was based on its respective share of covered payroll in the main system OPEB plan relative to the covered payroll of all participating main system employers. At June 30, 2018, the entity had the following proportion, change in proportion, and OPEB expense:

	Proportion of Net OPEB Liability	Change in Proportion	OPEB Expense
Main System	0.814772%	0.108485%	\$ 89,327

At December 31, 2018, the following deferred outflows of resources and deferred inflows of resources were reported related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Total Entity		
Differences Between Expected and Actual Experience	\$ 19,212	\$ 13,258
Changes of Assumptions	52,651	-
Net Difference Between Projected and Actual Investment Earnings on Pension Plan Investments	-	13,804
Changes in Proportion and Differences Between Employer Contributions and Proportionate Share of Contributions	65,437	1,966
District Contributions Subsequent to the Measurement Date	99,968	-
Total	\$ 237,268	\$ 29,028

\$99,968 reported as deferred outflows of resources related to OPEB resulting from Employer contributions subsequent to the measurement date will be recognized as a reduction of the net OPEB liability in the year ended December 31, 2019

CITY OF WEST FARGO

Notes to the Financial Statements – Continued

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

2018	\$	161
2019		161
2020		161
2021		304
2022		278
2023		176
Thereafter		35

Actuarial assumptions

The total OPEB liability in the July 1, 2018 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.50%
Salary Increases	Not applicable
Investment rate or return	7.50%, net of investment expenses
Cost of living adjustments	None

For active members, inactive members and healthy retirees, mortality rates were based on the RP-2000 Combined Healthy Mortality Table set back two years for males and three years for females, projected generationally using the SSA 2014 Intermediate Cost scale from 2014. For disabled retirees, mortality rates were based on the RP-2000 Disabled Mortality Table set back one year for males (no setback for females) multiplied by 125%.

The long-term expected investment rate of return assumption for the RHIC fund was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of RHIC investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Estimates of arithmetic real rates of return, for each major asset class included in the RHIC's target asset allocation as of July 1, 2018 are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Large Cap Domestic Equities	37%	7.15%
Small Cap Domestic Equities	9%	14.42%
International Equities	14%	8.83%
Core-Plus Fixed Income	40%	.10%

Discount rate

The discount rate used to measure the total OPEB liability was 7.5%. The projection of cash flows used to determine the discount rate assumed plan member and statutory/Board approved employer contributions will be made at rates equal to those based on the July 1, 2018, and July 1, 2017, HPRS actuarial valuation reports. For this purpose, only employer contributions that are intended to fund benefits of current RHIC members and their beneficiaries are included. Projected employer contributions that are intended to fund the service costs of future plan members and their beneficiaries are not included. Based on those assumptions, the RHIC fiduciary net position was projected to be sufficient to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on RHIC investments was applied to all periods of projected benefit payments to determine the total OPEB liability.

CITY OF WEST FARGO

Notes to the Financial Statements – Continued

Sensitivity of the Employer's proportionate share of the net OPEB liability to changes in the discount rate

The following presents the net OPEB liability of the Plans as of June 30, 2018, calculated using the discount rate of 7.50%, as well as what the RHIC net OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (6.5 percent) or 1-percentage-point higher (8.5 percent) than the current rate:

	1% Decrease (6.75%)	Current Discount Rate (7.75%)	1% Increase (8.75%)
City's Proportionate Share of the OPEB Liability	\$ 19,034	\$ 15,044	\$ 11,623

NOTE 10 TRANSFERS

Transfers are used to move unrestricted general revenue to finance programs that the City accounts for in other funds in accordance with budget authority and to subsidize other programs.

NOTE 11 RISK MANAGEMENT

The City is exposed to various risks of loss relating to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters.

In 1986, state agencies and political subdivisions of the state of North Dakota joined together to form the North Dakota Insurance Reserve Fund (NDRF), a public entity risk pool currently operating as a common risk management and insurance program for the state and over 2,000 political subdivisions. The City pays an annual premium to NDRF for its general liability, automobile, and inland marine insurance coverage. The coverage by NDRF is limited to losses of \$10,000,000 per occurrence for general liability and automobile, and up to \$7,340,995 for public assets (mobile equipment and portable property).

The City also participates in the North Dakota Fire and Tornado Fund and the State Bonding Fund. The City pays an annual premium to the Fire and Tornado Fund to cover property damage to buildings and personal property. Replacement cost coverage is provided by estimating replacement cost in consultation with the Fire and Tornado Fund. The Fire and Tornado Fund is reinsured by a third-party insurance carrier for losses in excess of \$1,000,000 per occurrence during a 12-month period. The State Bonding Fund currently provides the City with blanket fidelity bond coverage in the amount of \$2,000,000 for its employees. The State Bonding Fund does not currently charge any premium for this coverage.

The City has worker's compensation with the North Dakota Workforce Safety and Insurance.

Settled claims resulting from these risks have not exceeded insurance coverage in any of the past three years.

CITY OF WEST FARGO

Notes to the Financial Statements – Continued

NOTE 12 CONSTRUCTION COMMITMENTS

The City had open commitments as of December 31, 2018 as follows:

Project	Contract Amount	Change Order	Total Contract	Total Completed	Remaining Balance
Street Improvements					
Pioneer Place Alley Improvements	\$ 174,598	\$ 4,792	\$ 179,390	\$ 140,810	\$ 38,580
2241 5th St West Ext. (27th Ave W to 28th Ave W)	435,390	1,900	437,290	431,639	5,651
2243 Intersection at 9th & 13th - NDDOT project	5,050,939	-	5,050,939	3,438,903	1,612,036
2250 Sheyenne (Beaton to 40th) Improvement District	939,546	-	939,546	321,117	618,429
2251 13th Avenue (12th to 45th Street) Reconstruct	4,218,363	-	4,218,363	4,105,312	113,051
Eagle Run Plaza 6th	756,474	13,376	769,850	442,247	327,603
Sheyenne St Main to 7th (Road Diet)	249,942	-	249,942	229,649	20,293
Sidewalk Improvement District	291,724	10,457	302,181	250,023	52,158
2244 Shenne St. CIP (South of I94)	5,443,981	187,979	5,631,960	4,588,942	1,043,018
32 & 40th Ave West to Diversion	262,318	-	262,318	259,622	2,696
Storm Sewer					
4059 Storm Lift Rehab - SM 33	151,000	1,626	152,626	151,866	760
Halvorson Pond	719,541	17,607	737,148	538,238	198,910
1310 South Regional Sanitary Sewer Forcemain	2,265,750	297	2,266,047	1,428,679	837,368
Water and Sewer					
1273 Main Avenue Ph III NHU-8010(032)932	22,198,834	-	22,198,834	7,546,976	14,651,858
1302 Water Tank Rehab - 12th Ave E (WT-3) & Meadow Ridge	935,535	-	935,535	927,035	8,500
1305 Wilds 9th Addition Sanitary Lift Station (SA46)	5,218,551	1,060,671	6,279,222	5,739,855	539,367
1305 Wilds 9th Addition Sanitary Lift Station (SA46)	501,921	(44,451)	457,470	233,776	223,694
1308 Fargo Wastewater Connection Project	4,664,455	826,021	5,490,476	4,142,325	1,348,151
1311 Brooks Harbor Water Tower	2,230,900	1,420	2,232,320	1,642,998	589,322
Sanitary Sewer District	859,963	21,950	881,913	756,878	125,035
Total	\$ 57,569,725	\$ 2,103,645	\$ 59,673,370	\$ 37,316,890	\$ 22,356,480

CITY OF WEST FARGOBudgetary Comparison Schedule – General Fund
For the Year Ended December 31, 2018

	Original Budget	Final Budget	Actual	Variance with Final Budget
REVENUES				
Taxes	\$ 8,363,028	\$ 8,363,028	\$ 8,110,494	\$ (252,534)
Special Assessments	110,000	110,000	244,048	134,048
Licenses, Permits & Fees	2,244,500	2,244,500	3,372,761	1,128,261
Intergovernmental	2,274,000	2,274,000	2,358,491	84,491
Fines, Forfeitures, & Penalties	325,000	325,000	494,235	169,235
Interest Income	30,000	30,000	302,267	272,267
Miscellaneous	15,000	15,000	53,557	38,557
Total Revenues	<u>\$ 13,361,528</u>	<u>\$ 13,361,528</u>	<u>\$ 14,935,853</u>	<u>\$ 1,574,325</u>
EXPENDITURES				
Current				
General Government	\$ 5,160,728	\$ 5,160,728	\$ 5,704,101	\$ (543,373)
Public Safety	6,772,300	7,272,464	7,193,233	79,231
Public Works/Streets	2,900,100	2,900,100	2,676,633	223,467
Economic Development	228,400	228,400	214,690	13,710
Total Expenditures	<u>\$ 15,061,528</u>	<u>\$ 15,561,692</u>	<u>\$ 15,788,657</u>	<u>\$ (226,965)</u>
Excess (Deficiency) of Revenues Over Expenditures	<u>\$ (1,700,000)</u>	<u>\$ (2,200,164)</u>	<u>\$ (852,804)</u>	<u>\$ 1,347,360</u>
OTHER FINANCING SOURCES (USES)				
Transfers In	\$ 1,500,000	\$ 1,500,000	\$ 3,408,384	\$ 1,908,384
Transfers Out	-	-	(19,068)	(19,068)
Total Other Financing Sources and Uses	<u>\$ 1,500,000</u>	<u>\$ 1,500,000</u>	<u>\$ 3,389,316</u>	<u>\$ 1,889,316</u>
Net Changes in Fund Balances	<u>\$ (200,000)</u>	<u>\$ (700,164)</u>	<u>\$ 2,536,512</u>	<u>\$ 3,236,676</u>
Fund Balance - January 1	<u>\$ 22,237,762</u>	<u>\$ 22,237,762</u>	<u>\$ 22,237,762</u>	<u>\$ -</u>
Fund Balance - December 31	<u>\$ 22,037,762</u>	<u>\$ 21,537,598</u>	<u>\$ 24,774,274</u>	<u>\$ 3,236,676</u>

The accompanying required supplementary information notes are an integral part of this schedule.

CITY OF WEST FARGOBudgetary Comparison Schedule – Sales Tax Fund
For the Year Ended December 31, 2018

	Original Budget	Final Budget	Actual	Variance with Final Budget
REVENUES				
Taxes	\$ 8,000,000	\$ 8,000,000	\$ 10,669,380	\$ 2,669,380
Interest Income	10,000	10,000	45,038	35,038
Total Revenues	<u>\$ 8,010,000</u>	<u>\$ 8,010,000</u>	<u>\$ 10,714,418</u>	<u>\$ 2,704,418</u>
OTHER FINANCING SOURCES (USES)				
Transfers Out	<u>\$ (9,165,000)</u>	<u>\$ (9,165,000)</u>	<u>\$ (16,285,604)</u>	<u>\$ (7,120,604)</u>
Net Changes in Fund Balances	<u>\$ (1,155,000)</u>	<u>\$ (1,155,000)</u>	<u>\$ (5,571,186)</u>	<u>\$ (4,416,186)</u>
Fund Balance - January 1	<u>\$ 9,185,971</u>	<u>\$ 9,185,971</u>	<u>\$ 9,185,971</u>	<u>\$ -</u>
Fund Balance - December 31	<u>\$ 8,030,971</u>	<u>\$ 8,030,971</u>	<u>\$ 3,614,785</u>	<u>\$ (4,416,186)</u>

The accompanying required supplementary information notes are an integral part of this schedule.

CITY OF WEST FARGO

Schedule of Employer's Share of Net Pension Liability and Employer Contributions
For the Year Ended December 31, 2018

**Schedule of Employer's Share of Net Pension Liability
ND Public Employee's Retirement System
Last 10 Fiscal Years**

	Proportion of the Net Pension Liability (Asset)	Proportionate Share of the Net Pension Liability (Asset)	Covered-Employee Payroll	Proportionate Share of the Net Pension Liability (Asset) as a Percentage of its Covered-Employee Payroll	Plan Fiduciary Net Position as a Percentage of the Total Pension Liability
2018	0.867830%	\$ 14,645,578	\$ 8,915,372	164.27%	62.80%
2017	0.748489%	12,030,675	7,640,904	157.45%	61.98%
2016	0.712207%	6,941,151	7,177,366	96.71%	70.46%
2015	0.665753%	4,527,007	5,931,052	76.33%	77.15%
2014	0.655469%	4,160,402	5,521,525	75.35%	77.15%

**Schedule of Employer Contributions
ND Public Employees Retirement System
Last 10 Fiscal Years**

	Statutory Required Contribution	Contributions in Relation to the Statutory Required Contribution	Contribution Deficiency (Excess)	Covered-Employee Payroll	Contributions as a Percentage of Covered-Employee Payroll
2018	\$ 656,655	\$ 609,328	\$ 47,327	\$ 8,915,372	6.83%
2017	519,630	546,659	(27,029)	7,177,366	7.62%
2016	450,511	451,207	(696)	5,931,052	7.61%
2015	393,133	393,133	-	5,521,525	7.12%
2014	328,555	328,555	-	4,614,538	7.12%

The accompanying required supplementary information notes are an integral part of this schedule.

CITY OF WEST FARGO

Schedule of Employer's Share of Net OPEB Liability and Employer Contributions
 For the Year Ended December 31, 2018

**Schedule of Employer's Share of Net OPEB Liability
 ND Public Employees Retirement System
 Last 10 Fiscal Years**

	Proportion of the Net OPEB Liability (Asset)	Proportionate Share of the Net OPEB (Asset)	Covered-Employee Payroll	Proportionate Share of the Net OPEB (Asset) as a Percentage of its Covered-Employee Payroll	Plan Fiduciary Net Position as a Percentage of the Total OPEB Liability
2018	0.814772%	\$ 641,668	\$ 8,915,372	7.20%	61.89%
2017	0.706287%	558,681	7,640,904	7.31%	59.78%

**Schedule of Employer Contributions
 ND Public Employees Retirement System
 Last 10 Fiscal Years**

	Statutory Required Contribution	Contributions in Relation to the Statutory Required Contribution	Contribution Deficiency (Excess)	Covered-Employee Payroll	Contributions as a Percentage of Covered-Employee Payroll
2018	\$ 104,572	\$ 97,561	\$ 7,011	\$ 8,915,372	1.09%
2017	88,820	86,124	2,696	7,640,904	1.13%

The accompanying required supplementary information notes are an integral part of this schedule.

CITY OF WEST FARGO

Notes to the Required Supplementary Information
For the Year Ended December 31, 2018

NOTE 1 STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY

Budgetary Information:

The governing board adopts an annual budget on a basis consistent with GAAP, and state law as outlined in various sections of North Dakota Century Code (NDCC) Chapter 40-40 for the general fund, each special revenue fund and each debt service fund of the municipality. The City is required to present the adopted and final amended revenues and expenditures for each of these funds.

The following procedures are followed in establishing the budgetary data reflected in the financial statements:

- The governing body of each municipality, annually or before August 10th, shall make an itemized statement known as the preliminary budget statement showing the amounts of money which, in the opinion of the governing body, will be required for the proper maintenance, expansion, or improvement of the municipality during the year (NDCC 40-40-04).
- The preliminary budget must include a detailed breakdown of the estimated revenues and appropriations requested for the ensuing year for the general fund, each special revenue fund, and each debt service fund of the municipality. The revenue and expenditure items for the preceding year and estimates of the revenue and expenditures for the current year must be included for each fund to assist in determining the estimated revenues and appropriation requested for the ensuing year. The budget must also include any transfers in or out and the beginning and ending fund balance for each of the funds. The budget must be prepared on the same basis of accounting used by the municipality for its annual financial reports (NDCC 40-40-05).
- After the governing body has prepared the preliminary budget statement, the auditor of the municipality shall give notice that: the preliminary budget is on file in the office of the auditor and may be examined by anyone upon request; the governing body shall meet no later than October 7th at the time and place specified in the notice for the purpose of adopting the final budget and making the annual tax levy; and, the governing shall hold a public session at the time and place designated in the notice of the hearing at which any taxpayer may appear and discuss with the body any item of proposed expenditure or may object to any item or amount (NDCC 40-40-06).
- After the budget hearing, the final budget must be prepared on or before October 7th in accordance with provisions outlined in detail in NDCC 40-40-08.
- After completing the final budget on or before October 7th, the governing body shall proceed to make the annual tax levy in an amount sufficient to meet the expenses for the ensuing year as determined at the budget meeting (NDCC 40-40-09).
- Immediately after completion of the final budget and adoption of the annual tax levy by the governing body of a municipality in accordance with provisions, and in no case later than October 10th, the auditor of the municipality shall send to the county auditor a certified copy of the final budget (NDCC 40-40-10).
- No municipal expenditure may be made nor liability incurred, and no bill may be paid for any purposes in excess of the appropriation made therefor in the final budget. Expenditures made liabilities incurred, or warrants issued in excess of the appropriations are a joint and several liability the members of the governing body (NDCC 40-40-15).
- At the end of the fiscal year, the balance to credit of each annual appropriation becomes a part of the general unappropriated balance in the municipal treasury, but no special appropriation lapses until the work for which it was made has been completed, the bills paid, and the accounts closed. He governing body of a city may elect, at the end of the fiscal year, to carry over the unencumbered cash balance in the general fund or other budgeted funds and designate the balances for subsequent years (NDCC 40-40-21).

CITY OF WEST FARGO

Notes to the Required Supplementary Information - Continued

NOTE 2 LEGAL COMPLIANCE - BUDGETS

Budget Amendments

The board of commissioners amended the City budget for various funds as follows:

EXPENDITURES & TRANSFERS OUT			
	Original Budget	Budget Amendment	Amended Budget
Governmental Funds			
Major Funds			
General Fund	\$ 15,061,528	\$ 500,164	\$ 15,561,692

NOTE 3 SCHEDULE OF PENSION AND OPEB LIABILITY AND CONTRIBUTIONS

GASB Statements No. 68 and 75 require ten years of information to be presented in these tables. However, until a full 10-year trend is compiled, the City will present information for those years for which information is available.

NOTE 4 PENSION AND OPEB - CHANGES OF ASSUMPTIONS

Amounts reported in 2018 reflect actuarial assumption changes effective July 1, 2018 based on the results of an actuarial experience study completed in 2015. This includes changes to the mortality tables, disability incidence rates, retirement rates, administrative expenses, salary scale, and percent married assumption.



STATE OF NORTH DAKOTA
OFFICE OF THE STATE AUDITOR
FARGO OFFICE BRANCH
1655 43RD STREET SOUTH, SUITE 203
FARGO, NORTH DAKOTA 58103

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON
COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Independent Auditor's Report

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

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of West Fargo as of and for the year ended December 31, 2018, and the related notes to the financial statements, which collectively comprise City of West Fargo's basic financial statements, and have issued our report thereon dated December 31, 2019.

Internal Control Over Financial Reporting

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that have not been identified. However, as described in the accompanying *schedule of audit findings*, we did identify certain deficiencies in internal control that we consider to be material weaknesses and significant deficiencies.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. We consider the deficiency described in the accompanying *schedule of audit findings* as item 2018-001 to be a material weakness.

A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the deficiency described in the accompanying *schedule of audit findings* as item 2018-002 to be a significant deficiency.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether City of West Fargo's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

CITY OF WEST FARGO

Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards* - Continued

City of West Fargo's Response to Findings

City of West Fargo's response to the findings identified in our audit is described in the accompanying *schedule of audit findings*. City of West Fargo's response was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

/S/

Joshua C. Gallion
State Auditor

Fargo, North Dakota
December 31, 2019

CITY OF WEST FARGO

Summary of Auditor's Results
For the Year Ended December 31, 2018

Financial Statements

Type of Report Issued?	
Governmental Activities	Unmodified
Business-Type Activities	Unmodified
Major Funds	Unmodified
Aggregate Remaining Fund Information	Unmodified

Internal control over financial reporting

Material weaknesses identified?	<u> X </u> Yes	<u> </u> None Noted
Significant deficiencies identified not considered to be material weaknesses?	<u> X </u> Yes	<u> </u> None Noted
Noncompliance material to financial statements noted?	<u> </u> Yes	<u> X </u> None Noted

CITY OF WEST FARGO

Schedule of Audit Findings

For the Year Ended December 31, 2018

2018-001 FINANCIAL STATEMENT PREPARATION

Condition

The City of West Fargo does not have an internal control system over financial reporting designed to provide for the preparation of the financial statements, including the accompanying note disclosures, as required by Generally Accepted Accounting Principles (GAAP). Thus, management has elected to have the financial statements and note disclosures be prepared by the auditors.

Criteria

Management of the City of West Fargo is responsible for establishing proper internal control over the preparation of the City of West Fargo's annual financial statements to ensure that financial statements and note disclosures are reliable, accurate, free of material misstatement, and in accordance with GAAP.

Cause

With the change in staff, management did not have adequate time to prepare the financial statements and note disclosures and has chosen to have the auditors assist in the preparation of the financial statements and note disclosures.

Effect

There is an increased risk of material misstatement to the City of West Fargo's financial statements.

Repeat Finding

No.

Recommendation

We recommend the City of West Fargo design and implement internal controls over financial reporting to ensure financial statements are presented in accordance with GAAP. We further recommend management continue to obtain sufficient knowledge to ensure the financial statements are free from material misstatement.

City of West Fargo's Response

Agree. The City of West Fargo is aware that there is a risk having the State Auditor's Office prepare and approve our financial statements and note disclosures. We may attempt to prepare the financial statements and note disclosures in the future.

2018-002 FRAUD RISK ASSESSMENT

Condition

The City of West Fargo does not currently prepare a fraud risk assessment of the entire entity.

Criteria

Fraud risk governance is a key component of entity-wide governance and the internal control environment according to the COSO framework principles. This entity-wide governance addresses the manner in which the board of directors and management meet their respective obligations to achieve the entities goals in reporting, reliance, and accountability.

Cause

The City may not have considered preparing a fraud risk assessment.

Effect

If the City does not prepare an adequate fraud risk assessment, there is an increased risk of fraudulent financial reporting, asset misappropriation, and corruption.

Repeat Finding

No.

Recommendation

We recommend the City of West Fargo prepare a fraud risk assessment in order to identify areas of concern within the entity to appropriately mitigate the risk of fraudulent financial reporting, misappropriation of assets, and corruption.

City of West Fargo's Response

Agree. We will perform a fraud risk assessment.

STATE AUDITOR

JOSHUA C. GALLION
Phone (701) 328-2241



Local Government Division
FARGO OFFICE
MANAGER – CRAIG HASHBARGER
Phone (701)239-7250

STATE OF NORTH DAKOTA
OFFICE OF THE STATE AUDITOR
FARGO OFFICE BRANCH
1655 43RD STREET SOUTH, SUITE 203.
FARGO, NORTH DAKOTA 58103

GOVERNANCE COMMUNICATION

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

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of West Fargo, North Dakota, for the year ended December 31, 2018 which collectively comprise the City of West Fargo’s basic financial statements, and have issued our report thereon dated December 31, 2019. Professional standards require that we provide you with the following information related to our audit.

Our Responsibility Under Auditing Standards Generally Accepted in The United States of America, Government Auditing Standards and by the Uniform Guidance

As stated in our engagement letter dated May 9, 2019, our responsibility, as described by professional standards, is to plan and perform our audit to obtain reasonable, but not absolute, assurance about whether the basic financial statements are free of material misstatement. Because of the concept of reasonable assurance and because we did not perform a detailed examination of all transactions, there is a risk that material errors, or fraud may exist and not be detected by us.

In planning and performing our audit, we considered the City of West Fargo’s internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the basic financial statements and not to provide an opinion on internal control over financial reporting.

As part of obtaining reasonable assurance about whether the City of West Fargo’s financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit.

Significant Accounting Policies/Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. In accordance with the terms of our engagement letter, we will advise management about the appropriateness of accounting policies and their application. The significant accounting policies used by the City of West Fargo are described in Note 1 to the financial statements. Application of existing policies was not changed during the year ended December 31, 2018. We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. There are no significant transactions that have been recognized in the financial statements in a different period than when the transaction occurred.

Accounting estimates are an integral part of the financial statements presented by management and are based on management’s knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the financial statements is useful lives of capital assets.

CITY OF WEST FARGO

Governance Communication – Continued

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and report them to the appropriate level of management. Management has corrected all such misstatements. The schedule below lists all misstatements detected as a result of audit procedures that were corrected by management.

	<u>Client Provided Adjustments</u>	
	<u>Debit</u>	<u>Credit</u>
Governmental Activities		
Intergovernmental Receivable	1,744,574	
Due from County	278,152	
Revenue		2,022,726
Expenditures	1,700,350	
Accounts Payable		496,837
Salaries Payable		148,800
Construction Payable		1,054,713
Business-Type Activities		
Expenditures	345,795	
Accounts Payable		212,461
Salaries Payable		133,334

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, or reporting matter that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated December 31, 2019.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

CITY OF WEST FARGO

Governance Communication – Continued

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit’s auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the use of the Board of City Commissioners and management of the City of West Fargo, and is not intended to be, and should not be, used for any other purpose. We would be happy to meet with you and any member of your staff to discuss any of the items in this letter in more detail if you so desire.

Thank you and the employees of the City of West Fargo for the courteous and friendly assistance we received during the course of our audit. It is a pleasure for us to be able to serve the City of West Fargo.

/S/

Joshua C. Gallion
State Auditor

Fargo, North Dakota
December 31, 2019

You may obtain audit reports on the internet at:

www.nd.gov/auditor/

or by contacting the
Division of Local Government Audit

Office of the State Auditor
600 East Boulevard Avenue – Department 117
Bismarck, ND 58505-0060

(701) 328-2220



ENGINEERING DEPARTMENT

800 4 Ave E, Suite 1
West Fargo, ND 58078
701.433.5300
www.westfargond.gov

AGENDA ITEM REQUEST
BOARD OF CITY COMMISSIONERS
WEST FARGO, NORTH DAKOTA

OFFICE USE: AGENDA ITEM # <u>7</u>

1. CONTACT PERSON(s):
 - Dustin T. Scott, City Engineer (433-5425)
2. DATE OF MEETING: **January 20, 2020**

*** Proposed "Consent" or "Regular" Item? **[Regular]** ***

3. DESCRIPTION OF REQUEST:
 - Review Engineer's Report for Sewer, Water, Storm, and Street Improvement District No. 1329, prepared by Moore Engineering as directed and reviewed by Dustin T. Scott, City Engineer.
4. LOCATION (address; legal; etc.):
 - Southeast corner of 32nd Ave and 9th St. W.
5. ACTION(S) REQUESTED:
 1. Approve the Engineer's Report and direct the Engineer to prepare detailed plans and specifications for the construction of "Sewer, Water, Storm, and Street Improvement District No. 1329" (*pursuant to N.D.C.C. 40-22-11*).

City of West Fargo, North Dakota

Sewer, Water, Storm and Street Improvement

District No. 1329

Eagle Run Plaza 9th Addition

Engineer's Report

This document was originally issued and sealed by Anthony J. Sommerfeld, Registration No. PE-27750, on 01/16/2020 and the original document is stored at Moore Engineering, Inc., West Fargo, N.D.



January 2020
Project No. 20932

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APPENDIX A

Exhibit 1: Vicinity Map

Exhibit 2: Preliminary Plat

Exhibit 3: Existing City Infrastructure

Exhibit 4: Engineer’s Opinion of Probable Cost

Exhibit 5: Proposed Improvements

INTRODUCTION

The purpose of this project is to install new City of West Fargo (“City”) infrastructure (“Improvements”) to service the proposed Eagle Run 9th Addition plat (“Property”) (see Preliminary Plat attached in Appendix A) as petitioned by Four Horsemen LLC (“Developer”) on November 21, 2019. The purpose of this preliminary engineer’s report is to establish the general nature, purpose, and feasibility of the proposed Improvements as well as to estimate the probable costs of the Improvements. Additionally, this report will discuss the existing City infrastructure and existing conditions of the Property, the need for the project, Improvement alternatives considered, preliminary opinions of construction costs associated with the preferred alternative, and recommendations of City Improvements associated with the Property.

1. EXISTING FACILITIES

1.1. Land Use

The proposed project location is concurrently being re-platted and re-zoned from a planned unit development (“PUD”) to general commercial. The Property is currently vacant and owned by the Developer. The Property currently has an excess stockpile located near the center of the lot, but outside of any construction limits for the proposed Improvements. Current development is ongoing for a daycare in the southwest corner of the plat, but assumed will not impact the construction of the proposed Improvements. To the south and west are residential homes consisting of townhomes and apartments. To the east is general commercial properties.

1.2. Main City Infrastructure

Accessible City right-of-way abuts the Property on all sides which provide the ability for sanitary sewer, watermain, storm sewer and street connections. After construction has been completed and upon acceptance of the infrastructure the City will operate and maintain the utilities installed to service Eagle Run 9th Addition. These responsibilities will be detailed in the Developer’s Agreement.

1.2.1. Sanitary Sewer

There is one sanitary service connection provided to this property, however it will not be utilized due to the location with the proposed plat. There are three gravity sanitary sewer mains (10” & 12” PVC) adjacent to the property where one connection point will be determined to serve the

Property. All three options gravity flow to the existing sanitary sewer infrastructure which flows south on 9th Street West to regional lift station SA-28. This regional lift then pumps the flow north to the City's lagoon wastewater system.

1.2.2. Water Main

There is one water service provided to this property, however it will not be utilized due to the location with the proposed plat. There are water mains available adjacent to the project on all streets (8", 10", 12" and 16" PVC C900), however connections will only be made to the east (8" PVC C900), south (10" PVC C900) and west (12" PVC C900). The additional connections will increase redundancy, improve water quality and provide additional fire protection to the area.

1.2.3. Storm Sewer and Storm Water Retention

There is no storm sewer services to this property, however the existing storm sewer on 33rd Avenue West was sized for this Property and connections will be made appropriately. Storm Water Retention is provided in Eagle Run East ponds for up to 70% impervious surface for the property.

1.2.4. Streets

Adjacent streets that will collect traffic coming to and from the proposed development include 32nd Avenue West (Arterial Roadway), 9th Street West (Collector Roadway), 33rd Avenue West (Local Roadway) and 6th Street West (Local Roadway). Full access will be granted on 9th Street West, 6th Street West and 33rd Avenue West. A 3/4 Access will be granted on 32nd Avenue West. Currently the City is working on a Traffic Impact Study with KLJ to determine impacts of the proposed development on the adjacent Arterial and Collector Roadways.

2. NEED FOR PROJECT

The Developer's market analysis has determined additional commercial development is necessary in the area due to the existing commercial properties to the east being close to full occupancy.

3. RIGHT OF WAY

All proposed roadways and utilities will be constructed within easements that are being platted. Due to the plat being completed concurrently with the Improvements, all necessary additional right-of-way will be accommodated by the plat if needed.

4. ALTERNATIVES CONSIDERED

At the time of this report no alternatives were considered.

5. PROPOSED IMPROVEMENTS

5.1. Sanitary Sewer

All sanitary sewer mains will be PVC pipe designed and constructed in accordance with City of West Fargo design standards and will be a diameter of 8 inches with 6 inch services extended in to the properties. Sanitary sewer services will be 6" and provided to each lot.

5.2. Water Main

All water main will be PVC C900 and will be designed and constructed in accordance with City of West Fargo design standards and will have a diameter of 8 inches with 8 inch service lines extended into the lots. The service lines will be 8 inches to accommodate unknown use of the proposed site developments which may require fire protection.

5.3. Storm Sewer

Storm sewer will be Reinforced Concrete Pipe (RCP) of various sizes to collect runoff in the streets and flows will be directed into the existing drainage system on 33rd Avenue West. All pipes will be sized using the rational method based on a 5 year storm event and a runoff coefficient of 0.7. Storm sewer stubs will be provided to each site from the drainage manholes in the roadway.

5.4. Streets

The new streets to be constructed within the Property are intended to be unreinforced concrete section of 7 inches of concrete on top of 9 inches of aggregate base. The width of the streets are proposed in this report to be a total of 30 feet wide and will accommodate two driving lanes, parking lane and curb & gutters. Streets will be illuminated with LED Street Lights similar to Dist. 1303 Oak Ridge 11th Addition, height of light pole is to be determined during design phase.

Upon completion of the Eagle Run 9th Addition, it is our understanding that the streets and street lighting constructed will be operated and maintained privately. More information regarding this arrangement will be detailed in the Developer's Agreement.

5.5. Sidewalk

The sidewalks will be constructed to 6' in width per City ordinance 2-0118. For the purpose of this report, two sidewalk connections will be made completing an east/west route from 33rd Avenue West to 9th Street West and the second dividing the development approximately in the middle north/south connecting 32nd Avenue West to 33rd Avenue West. All lots within the development will be required to connect to adjacent sidewalk. Final sidewalk locations and timing of installation are yet to be determined and will be detailed in the Developers Agreement.

6. ESTIMATED PROJECT COSTS AND FUNDING

The proposed project would involve constructing private concrete streets and City of West Fargo utilities consisting of sanitary sewer, water and storm sewer improvements. The total project cost is estimated to be \$1,360,000.00 to be assessed directly to the lots contained within the Eagle Run Plaza 9th Addition Development.

The Improvements are intended to be funded through the special assessment district 'Sewer, Water, Storm and Street Improvement District No. 1329.' A detailed Preliminary Engineer's Opinion of Probable Cost has been provided in Appendix B.

As detailed in the estimated assessment breakdown document, there are a total of 9 lots being platted within the Eagle Run Plaza 9th Addition. For the purposes of this report, it is showing that the proposed project will be assessed on per lot basis. This equates to an estimated special assessment amount of \$151,111.11 per lot.

In addition to this, there are existing special assessments on the property are approximately \$155,874.95 for Assessment Districts 2153, 2170, 2182, 2225, 2233, 2239, 7064, 6050 and 4060 that when distributed to the new plat would result in an additional estimated average of \$17,319.44 per lot. The pending specials of \$123,029.49 for the Assessment District 2250 project for an estimated \$13,669.94 per lot. These costs assume that the special Assessment Committee approves a per lot assessment method.

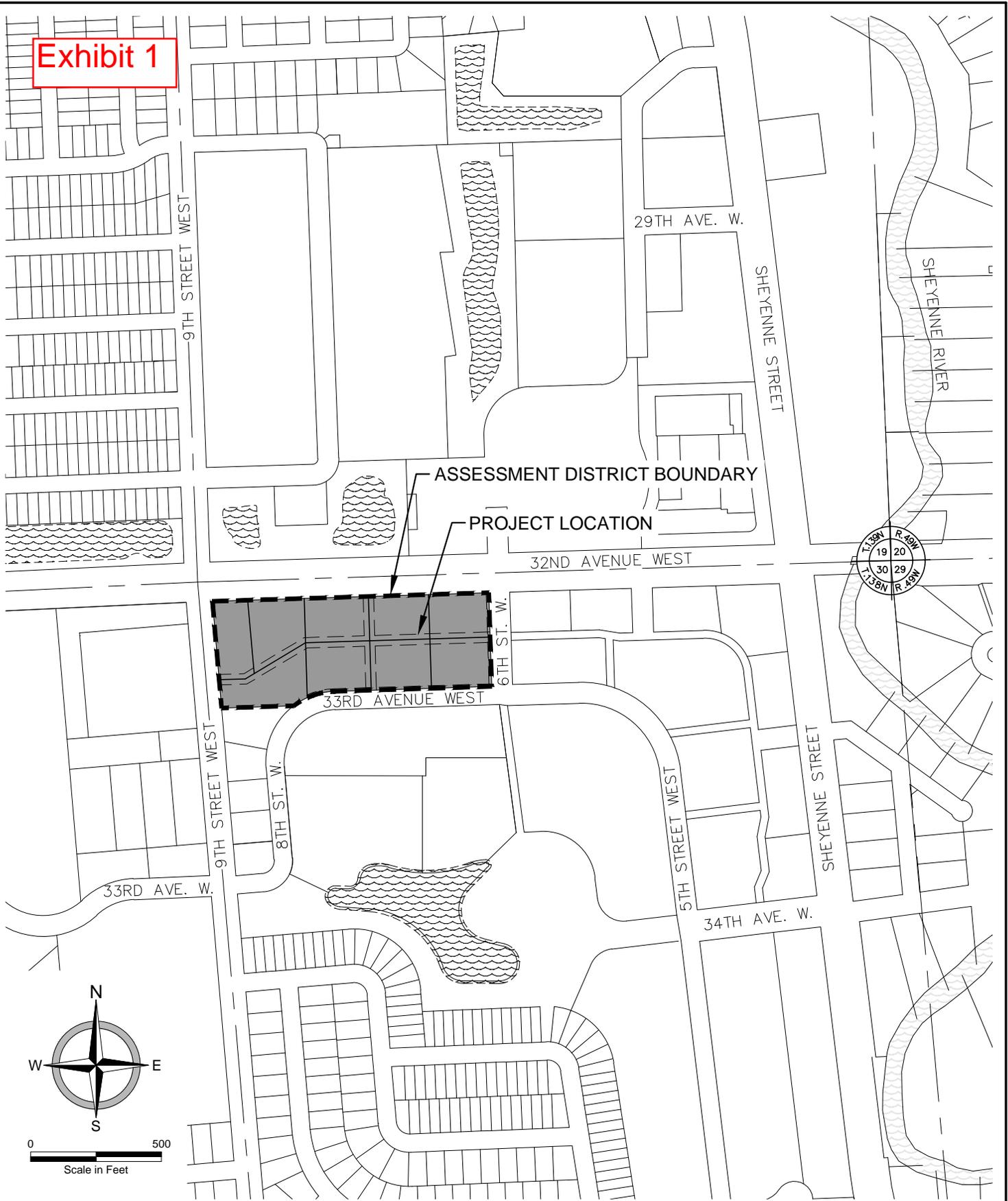
In summary, this equates to a total combined final estimated assessment of \$182,100.49 per lot.

7. CONCLUSION

The proposed improvements are necessary to service the property and would be in accordance with the City of West Fargo design standards for public improvements with respect to utilities and roadways. Additionally, the proposed improvements generally fall in line with previous design assumptions as well as the overall master plan to service the development and property.

Based on the information contained within this report, we recommend approval of the improvements as presented.

Exhibit 1



IMPROVEMENT DISTRICT MAP
 SEWER, WATER, STORM AND STREET
 IMPROVEMENT DISTRICT NO. 1329
 EAGLE RUN PLAZA 9TH ADDITION
 WEST FARGO, NORTH DAKOTA

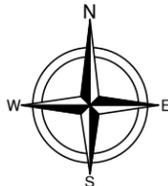
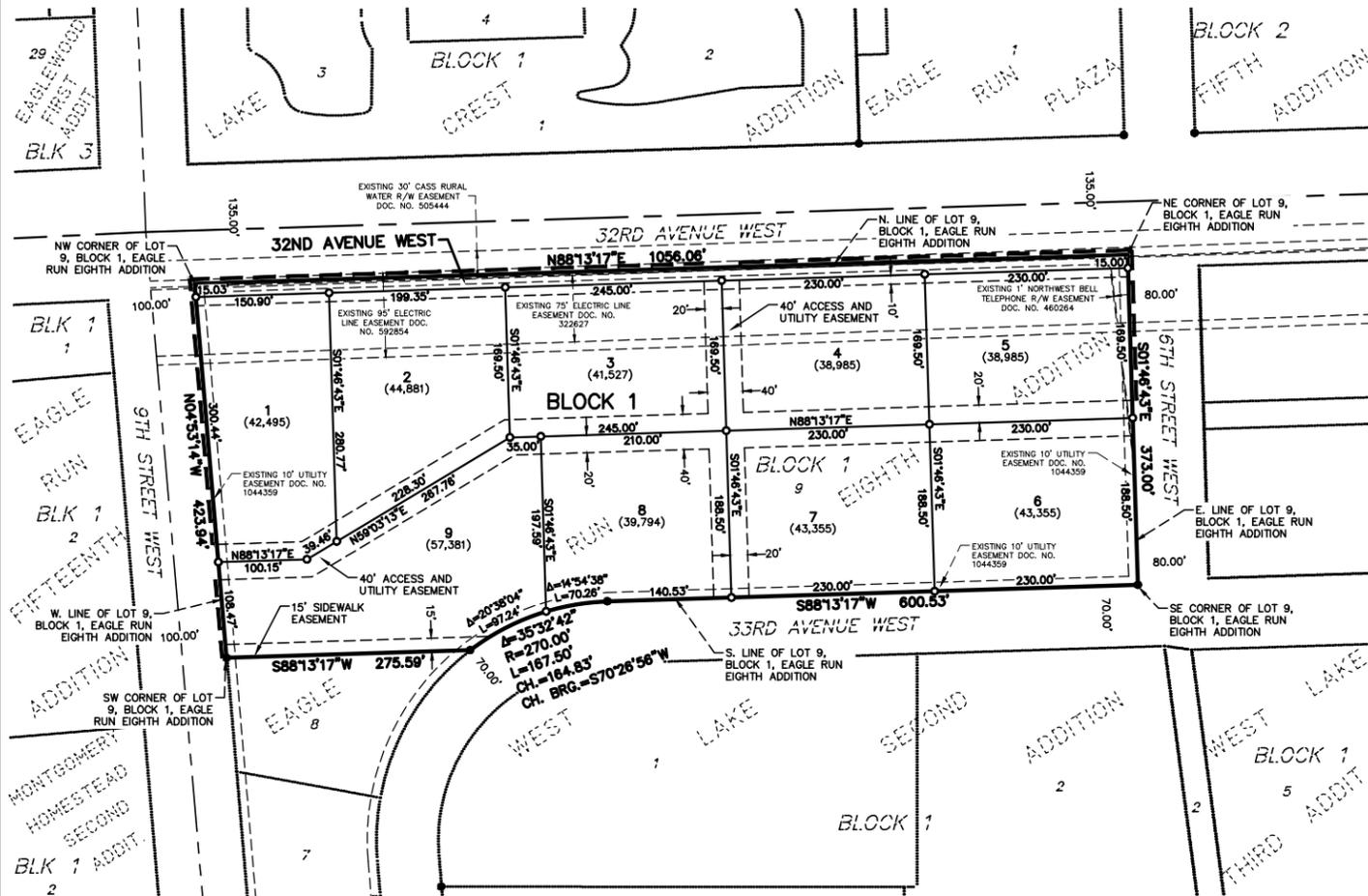
PROJECT No.	20932
DATE:	12.11.19
REVISED:	-
DRAFTER:	KAG
REVIEWER:	AJS



Exhibit 2

**PLAT OF
EAGLE RUN PLAZA NINTH ADDITION**

TO THE CITY OF WEST FARGO, A REPLAT OF LOT 9, BLOCK 1, EAGLE RUN EIGHTH ADDITION
TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA.



0 100
Scale in Feet

LEGEND

- IRON MONUMENT FOUND
- SET 5/8"x18" REBAR WITH YELLOW PLASTIC CAP #5900
- L ARC LENGTH
- R RADIUS LENGTH
- Δ CENTRAL ANGLE
- CH. BRG. CHORD BEARING
- CH. CHORD DISTANCE
- (31,963) LOT AREA IN SQ. FT.
- ACCESS CONTROL

BASIS OF BEARINGS: EAGLE RUN EIGHTH ADDITION TO THE CITY OF WEST FARGO ACCORDING TO THE RECORDED PLAT THEREOF.

UTILITY EASEMENTS ARE 10' WIDE ALONG AND ADJACENT TO ALL STREET RIGHT OF WAYS AS SHOWN UNLESS OTHERWISE NOTED.

EASEMENT OF RECORD

1. RIGHT OF WAY EASEMENT TO CASS COUNTY ELECTRIC COOPERATIVE, INC., RECORDED DECEMBER 27, 1971 AS DOCUMENT NO. 454482.

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "EAGLE RUN PLAZA NINTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOT 9, BLOCK 1, EAGLE RUN EIGHTH ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF SHAWN M. THOMASSON, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT. WE HEREBY DEDICATE ALL AVENUES, UTILITY, ACCESS AND SIDEWALK EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC.

OWNER: LOTS 1 THROUGH 9
FOUR HORSEMEN, LLC

BY: _____
TITLE: _____

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN THE NAME OF FOUR HORSEMEN, LLC.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

OWNER: 32ND AVENUE WEST
CITY OF WEST FARGO

BERNIE L. DARDIS, MAYOR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BERNIE L. DARDIS, CITY OF WEST FARGO MAYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

CERTIFICATE

SHAWN M. THOMASSON, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "EAGLE RUN PLAZA NINTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOT 9, BLOCK 1, EAGLE RUN EIGHTH ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY THEREOF; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT SAID ADDITION IS DESCRIBED AS FOLLOWS, TO WIT:

LOT 9, BLOCK 1, EAGLE RUN EIGHTH ADDITION TO THE CITY OF WEST FARGO, ACCORDING TO THE RECORDED PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, CASS COUNTY, NORTH DAKOTA.

SAID TRACT CONTAINS 9.33 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

SHAWN M. THOMASSON
REGISTERED LAND SURVEYOR
NO. LS-5900

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED SHAWN M. THOMASSON, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY ATTORNEY APPROVAL

I HEREBY CERTIFY THAT PROPER EVIDENCE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS _____ DAY OF _____, 2020.

JOHN T. SHOCKLEY, CITY ATTORNEY

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN T. SHOCKLEY, CITY ATTORNEY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THE CITY ATTORNEY.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO PLANNING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2020.

TOM MCDUGALL, CHAIRMAN

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TOM MCDUGALL, CHAIRMAN OF THE WEST FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WEST FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

MORTGAGEE:
FIRST INTERNATIONAL BANK AND TRUST

BY: _____
TITLE: _____

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN THE NAME OF FIRST INTERNATIONAL BANK AND TRUST.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2020.



DUSTIN T. SCOTT, CITY ENGINEER

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DUSTIN T. SCOTT, CITY ENGINEER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2020.

BERNIE L. DARDIS, PRESIDENT OF
THE WEST FARGO CITY COMMISSION

TINA FISK, CITY AUDITOR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND TINA FISK, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

Legend

Water System - Points

Type

- Hydrant
- Valve
- Fitting
- Curb Stop
- Meter Pit
- Structure
- Abandoned Features
- Water System - Water Storage

Water System - Lines

Type

- Public Main
- Private Main
- Public Service
- Private Service
- Municipal Abandoned
- Rural Water Main
- Rural Water Abandoned

Storm Sewer System - Points

Type

- Fittings
- Manhole
- Inlet
- Cleanout
- Control Structure
- Valve
- End Treatment
- Check Valve
- Lift Station
- Abandoned Features

Storm Sewer System - Lines

Type

- Public Gravity
- Private Gravity
- Public Force
- Public Drain Tile
- Private Drain Tile
- Private Culvert
- Public Culvert
- Abandoned Line

Sanitary Sewer System - Points FEATURE

- MANHOLE
- CLEANOUT
- VALVE
- FITTINGS
- SANITARY FACILITY
- REGIONAL LIFT STATION
- ABANDONED FEATURE

Sanitary Sewer System - Lines OWNER, TYPE

- PUBLIC, GRAVITY
- PRIVATE, GRAVITY
- PUBLIC, SERVICE
- PRIVATE, SERVICE
- PUBLIC, FORCE
- Abandoned Line
- Parcels

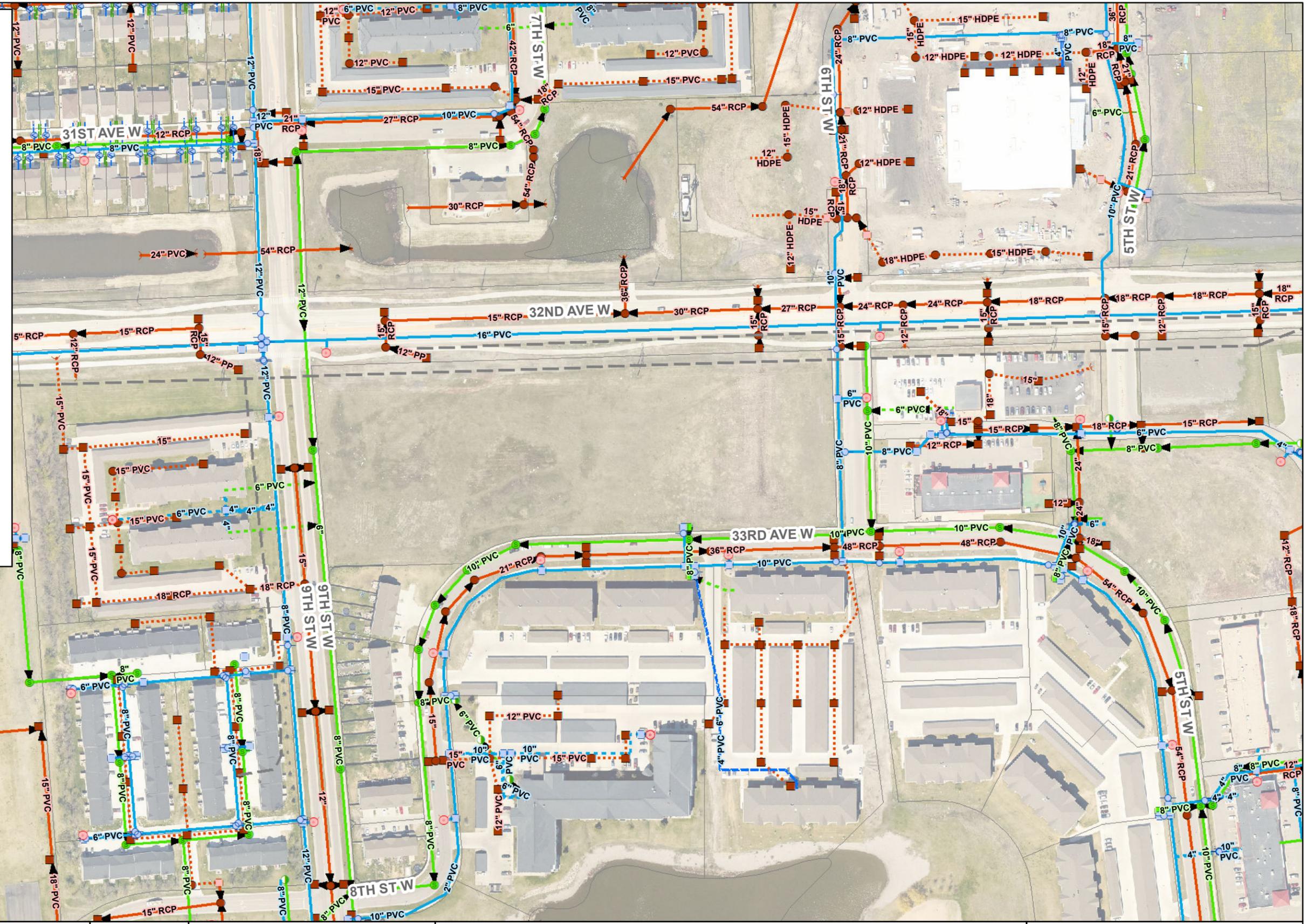
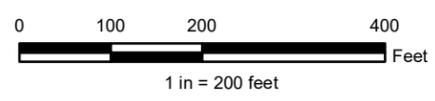


EXHIBIT 3
EXISTING CITY INFRASTRUCTURE
SEWER, WATER, STORM & STREET IMP. DIST. NO 1329
EAGLE RUN PLAZA 9TH ADDITION



Created By: TJS Date Created: 03/08/19 Date Saved: 01/15/20 Date Plotted: NEVER Date Exported: 01/15/20
 Plotted By: tanner.schmidt Parcel Date: 03/08/18 Aerial Image: 2018 County NAIP SIDS Elevation Data: Lidar
 Horizontal Datum: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet Vertical Datum: NAVD1988
 T:\Projects\Events\Non_Proj_Numbers\Eagle_Run_Plaza_9th_Addition.mxd



EXHIBIT 4

**SEWER, WATER, STORM AND STREET IMPROVEMENT DIST. NO. 1329
EAGLE RUN PLAZA 9TH ADDITION
WEST FARGO ND**

Engineer's Opinion of Probable Cost

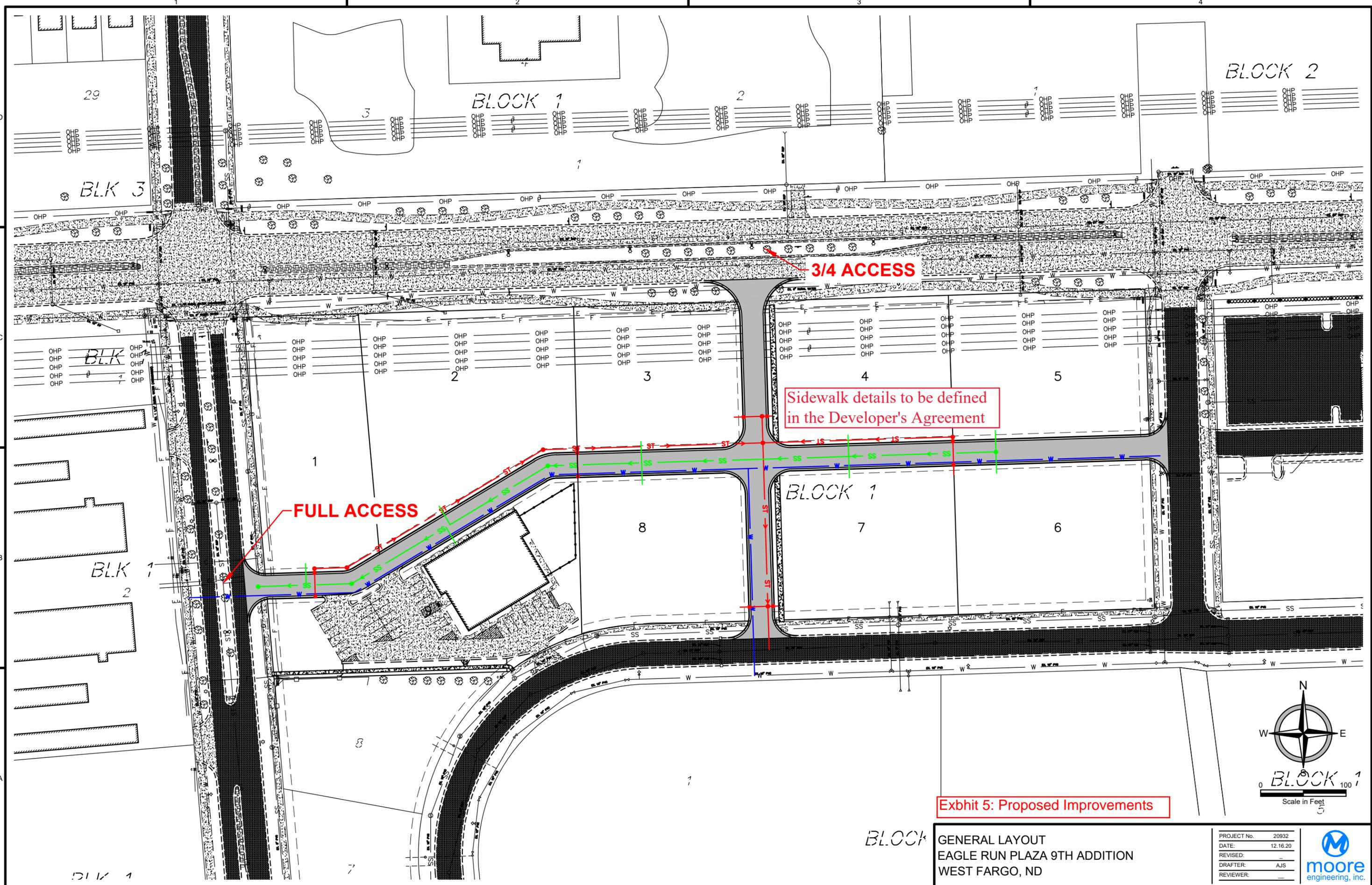
(Prepared on 1/16/2020)

		ESTIMATED			
ITEM	UNIT	QUANTITY	UNIT PRICE	TOTAL	
<u>Sanitary Sewer Items - OPTION 1</u>					
1.	Sanitary Sewer - 8" PVC SDR 35	LF	900	\$30.00	\$27,000.00
2.	Sanitary Sewer Manhole - 48"	Each	4	\$4,500.00	\$18,000.00
3.	External Manhole Chimney Seal	Each	4	\$250.00	\$1,000.00
4.	Sanitary Sewer Service Connection - 6" PVC SDR 26	Each	9	\$250.00	\$2,250.00
5.	Sanitary Sewer Service - 6" PVC SDR 26	LF	270	\$25.00	\$6,750.00
6.	Televising - Sanitary Sewer Main	LF	900	\$1.00	\$900.00
7.	Televising - Sanitary Sewer Service	Each	9	\$100.00	\$900.00
<u>Water Main Items</u>					
1.	Tapping Sleeve & Valve - 8" x 8"	Each	1	\$4,500.00	\$4,500.00
2.	Tapping Sleeve & Valve - 10" x 8"	Each	1	\$4,750.00	\$4,750.00
3.	Tapping Sleeve & Valve - 12" x 8"	Each	1	\$5,000.00	\$5,000.00
4.	Water Main - 8" PVC C900	LF	1,500	\$25.00	\$37,500.00
5.	Gate Valve & Box - 6"	Each	2	\$1,000.00	\$2,000.00
6.	Gate Valve & Box - 8"	Each	12	\$1,500.00	\$18,000.00
7.	Hydrant	Each	2	\$4,000.00	\$8,000.00
8.	Water Service - 8"	Each	9	\$750.00	\$6,750.00
9.	Water Service Line - 8"	LF	270	\$30.00	\$8,100.00
<u>Storm Sewer Items</u>					
1.	Storm Sewer - 4" Perforated PVC	LF	2,900	\$3.50	\$10,150.00
2.	Storm Sewer - 18" RCP	LF	1,000	\$35.00	\$35,000.00
3.	Storm Sewer - 24" RCP	LF	500	\$40.00	\$20,000.00
4.	Storm Sewer - 36" RCP	LF	250	\$50.00	\$12,500.00
5.	Storm Sewer Manhole	Each	19	\$3,500.00	\$66,500.00
6.	External Manhole Chimney Seal	Each	19	\$250.00	\$4,750.00
<u>Roadway Items</u>					
1.	Excavation & Embankment	LSum	1	\$10,000.00	\$10,000.00
2.	Subgrade Preparation	SY	4,500	\$2.00	\$9,000.00
3.	Reinforcement Fabric	SY	4,500	\$1.50	\$6,750.00
4.	Gravel - 9" NDDOT Class 5	CY	1,200	\$30.00	\$36,000.00
5.	Curb & Gutter - Remove	LF	750	\$5.00	\$3,750.00
1.	Curb & Gutter	LF	3,300	\$16.00	\$52,800.00
2.	Concrete Pavement - Removal	SY	55	\$10.00	\$550.00
3.	Concrete Pavement - 7"	SY	4,500	\$60.00	\$270,000.00
4.	Concrete Pavement - 10"	SY	250	\$75.00	\$18,750.00
5.	Median Nose Apron	Each	4	\$1,000.00	\$4,000.00
6.	Asphalt Pavement - Removal	SY	300	\$10.00	\$3,000.00
7.	Asphalt Pavement - 5.5"	SY	550	\$30.00	\$16,500.00
8.	Sidewalk - Removal	SY	250	\$10.00	\$2,500.00
9.	Sidewalk - 4"	SY	25	\$45.00	\$1,125.00
10.	Sidewalk - 5"	SY	600	\$50.00	\$30,000.00
11.	Signing & Stripping	LSum	1	\$5,000.00	\$5,000.00
12.	Tree - Remove & Reset	Each	14	\$500.00	\$7,000.00
<u>General Items</u>					
1.	Cleaning	LSum	1	\$2,500.00	\$2,500.00
2.	Storm Water Management	LSum	1	\$10,000.00	\$10,000.00
3.	Traffic Control	LSum	1	\$7,500.00	\$7,500.00
4.	Excavation - 6" Topsoil Stripping	CY	3,500	\$2.00	\$7,000.00
5.	Turf Establishment & Stabilization	LSum	1	\$15,000.00	\$15,000.00

Electrical Items

1.	Conductor - #6 USE/Cu.	LF	6,000	\$1.25	\$7,500.00
2.	Tracer Wire - #12	LF	2,000	\$0.30	\$600.00
3.	Innerduct - 1.5" PVC	LF	2,000	\$3.50	\$7,000.00
4.	Concrete Base - 5'	Each	9	\$400.00	\$3,600.00
5.	Light Standard - Single LED and 14' Post	Each	9	\$2,250.00	\$20,250.00
6.	Light Standard - Remove and Reset	Each	2	\$3,000.00	\$6,000.00
7.	Feedpoint	Each	1	\$7,500.00	\$7,500.00
				Base Construction Subtotal	\$871,475.00
				Contingencies	\$228,525.00
				Total Construction	\$1,100,000.00
				Studies and Report	\$8,865.00
				Engineering (11%)	\$121,000.00
				Additional Consultanting Services	\$31,135.00
				Legal & Administration	\$55,000.00
				Bond Discount	\$44,000.00
				TOTAL PROJECT	\$1,360,000.00

FILE LOCATION: R:\Civil 3D Projects\20932\DRAWINGS\PRESENTATION\20932_General Layout_20191122.dwg



BLOCK 2

BLOCK 1

BLK 3

3/4 ACCESS

Sidewalk details to be defined in the Developer's Agreement

FULL ACCESS

BLOCK 1

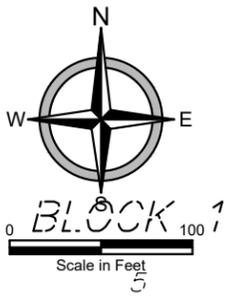


Exhibit 5: Proposed Improvements

BLOCK

GENERAL LAYOUT
 EAGLE RUN PLAZA 9TH ADDITION
 WEST FARGO, ND

PROJECT No. 20932
 DATE: 12.16.20
 REVISED:
 DRAFTER: AJS
 REVIEWER:





ENGINEERING DEPARTMENT

800 4 Ave E, Suite 1
West Fargo, ND 58078
701.433.5300
www.westfargond.gov

AGENDA ITEM REQUEST
BOARD OF CITY COMMISSIONERS
WEST FARGO, NORTH DAKOTA

OFFICE USE:
AGENDA ITEM # 8

** "Consent" or "Regular" Agenda Item? **Regular** **

1. CONTACT PERSON(s):
 - Dustin T. Scott, City Engineer (433-5425)
2. DATE OF MEETING: **January 20, 2020**
3. DESCRIPTION OF REQUEST:
 - Review "Bridge Inspection and Load Rating Services Agreement" with the North Dakota Department of Transportation for citywide bridge inspection services.
4. LOCATION (address; legal; etc.):
 - Citywide
5. ACTION(S) REQUESTED:
 1. Approve Agreement for Bridge Inspection services.

ADDITIONAL INFORMATION:

The NDDOT will no longer be conducting bridge inspection services using their staff and will retain a consultant engineering firm to conduct future bridge inspections in compliance with Federal code. The NDDOT has given each local agency the opportunity to use their consultant to conduct bridge inspections on the required 2 year cycle. If the local agency does not opt to use the NDDOT selected consultant, they must retain their own inspectors and provide documentation of the required inspections. The attached agreement assigns the obligations for both the NDDOT and local agency.

The fee per bridge is to be determined once Request for Proposal has been completed and consultant has been retained by NDDOT. Historically, the NDDOT has completed these inspections using their internal staff and billing the standard 80/20 Federal/Local split for this labor, which has come out to less than \$100 per bridge. This opt in will allow for local agencies the ability to continue to leverage the federal dollars from the NDDOT for these inspections. West Fargo has 9 bridges that require regular inspection.

January 7, 2020

City Engineer/City Administrator

BRIDGE INSPECTION AND LOAD RATING SERVICES AGREEMENT

Attached you will find an agreement for Bridge Inspection and Load Rating Services to be performed by North Dakota Department of Transportation (NDDOT) and/or a consultant engineering firm hired by NDDOT.

You are receiving this agreement as a result of federal requirements (23 CFR 650), that requires all bridges 20.0' or greater in length need to be inspected for the safety of the traveling public. According to our records, your agency owns a bridge(s) open to the traveling public. NDDOT has been performing this service on all publicly owned bridges in the state since the federal requirement was established.

Please sign and return this agreement at your next council meeting. If you do not want NDDOT to continue to provide this service, your agency will be responsible to provide the necessary inspections and all documentation as required in 23 CFR 650 and notify NDDOT in writing that your agency will now be responsible for performing this task.

If you need any further assistance from NDDOT on this matter or have any questions, please give me a call at 328-2516.

Sincerely,



BRYON FUCHS, P.E.
Assistant Local Government Engineer-Rural Programs

38/blf

Enclosure

c: Steve Salwei, Office of Transportation Programs
Chad Orn, Office of Project Development
Paul Benning, Local Government Engineer
Jon Ketterling, Bridge Division Engineer
Blake Crosby, Executive Director - NDLC

**North Dakota Department of Transportation
LPA BRIDGE INSPECTION AND LOAD RATING AGREEMENT**

This agreement is between the state of North Dakota, acting by and through its Director of Transportation, hereinafter referred to as NDDOT, whose address is 608 East Boulevard Avenue, Bismarck, North Dakota 58505-0700, and the Local Public Agency (LPA) of city of West Fargo, North Dakota, hereinafter referred to as the LPA, whose address is 800 4th Ave. E. Suite 1, West Fargo, ND 58078, who agree that:

It is in the best interest of both parties to have the NDDOT provide bridge inspection and/or load rating Services on LPA owned bridges that are greater than 20.0' in span length in accordance with the National Bridge Inspection Standards (NBIS), 23 CFR 650. NDDOT will provide this service either with internal staff and/or acting through a qualified Engineering Consulting Firm hired by NDDOT.

PART I

LPA Obligation:

1. The LPA will reimburse NDDOT for all costs associated with performing this service less the amount paid by Federal Highway Administration (FHWA). The federal funds will come from the LPA's allocation of federal funds.

If the LPA fails to reimburse NDDOT within 60 days after billing, this document will constitute an assignment of funds now or hereafter coming into the hands of the state treasurer, which would otherwise be distributed to the LPA out of the highway tax distribution fund, NDCC 54-27-19. The state treasurer is hereby directed to pay NDDOT all such funds until the total equals the sum billed pursuant to this agreement.

2. The LPA will provide or perform the following task(s) to assist NDDOT in meeting the requirements list in the NBIS (to include but not limited to):
 - a. Allow NDDOT or consultant access to the bridge to perform the inspection(s) as deemed necessary.
 - b. Notify NDDOT if a bridge has been repaired, rehabilitated, replaced, a new bridge constructed, or damaged in order to perform the required inspection and/or load rating as necessary.
 - c. Post bridge load ratings within the required timeframe when notified by NDDOT.
 - d. Return Alert code 3 notifications and scour and channel profiles when due.
 - e. Close bridges when recommended by NDDOT so the traveling public cannot remove or go around the bridge closure.
 - f. And comply with any other requirements as federal regulations are revised.
3. Provide any bridge plans, shop drawings, etc. if available when requested.



PART II

NDDOT obligation:

1. NDDOT or consultant will perform the necessary bridge inspection(s) and/or load rating on said LPA bridge(s) in accordance with NBIS, 23 CFR 650.
2. NDDOT will secure the federal funds to perform the bridge inspection(s) and load rating on all LPA owned bridges that are required to be inspected in accordance with NBIS, 23 CFR 650.
3. NDDOT will submit the following information to the LPA for their use or action as required, but is not limited to the following:
 - a. Completed inspection report for each bridge.
 - b. Updated Structural Inventory and Appraisal (SI&A) sheet(s) for each bridge.
 - c. Bridge Load postings as required.
 - d. Bridge Alert Code 3's as required.
 - e. Bridge scour and channel profiles that need to be completed.
 - f. Bridge Critical Findings as required.
 - g. And any other requirements as federal regulations are revised.

PART III

1. This agreement will remain in place for all current and future inspections and/or load rating of LPA owned bridges unless the agreement is terminated in writing. This agreement can be terminated at any time by either party. If either party terminates this agreement, sufficient time will be provided so the other party can make the necessary arrangements to provide the necessary bridge inspection(s) and/or load ratings in accordance with NBIS, 23 CFR 650. Any costs incurred prior to and up to the termination date will be reimbursed by the applicable party.
2. The Risk Management Appendix, attached, is hereby incorporated and made a part of this agreement.
3. If any part of this agreement is determined to be invalid, illegal, or unenforceable, the determination does not affect the validity, legality, or enforceability of any other part of this agreement, and the remaining parts of this agreement shall be carried out by each party.



Executed by the LPA of city of West Fargo, North Dakota, the date last below signed.

APPROVED:

CITY/STATES ATTORNEY (TYPE OR PRINT)

SIGNATURE

DATE

LPA of city of West Fargo

*

NAME (TYPE OR PRINT)

SIGNATURE

*

TITLE

DATE

ATTEST:

AUDITOR (TYPE OR PRINT)

SIGNATURE

DATE

Executed by the North Dakota Department of Transportation the date last below signed.

APPROVED as to substance:

NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION

LOCAL GOVERNMENT ENGINEER (TYPE OR PRINT)

DIRECTOR (TYPE OR PRINT)

SIGNATURE

SIGNATURE

DATE

DATE

*Mayor, President or Chairperson of Commission

CLA 1097 (Div. 38)
L.D. Approved 1-6-20



**NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
APPENDIX A OF THE TITLE VI ASSURANCES**

During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees as follows:

1. Compliance with Regulations: The Contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. Non-discrimination: The Contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the Contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Contractor of the Contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. Information and Reports: The Contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish the information, the Contractor will so certify to the Recipient or the Federal Highway Administration as appropriate, and will set forth what efforts it has made to obtain the information.
5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the Contractor under the contract until the Contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. Incorporation of Provisions: The Contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the Contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the Contractor may request the United States to enter into the litigation to protect the interests of the United States.



**NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
APPENDIX E OF THE TITLE VI ASSURANCES**

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.P.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).



Risk Management Appendix

Routine* Service Agreements With Sovereign Entities and Political Subdivisions of the State of North Dakota:

Parties: **State** – State of North Dakota, its agencies, officers and employees

Governmental Entity – The Governmental Entity executing the attached document, its agencies, officers and employees

Governments – State and Government Entity, as defined above

Each party agrees to assume its own liability for any and all claims of any nature including all costs, expenses and attorney's fees which may in any manner result from or arise out of this agreement.

Each party shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds, authorized to do business in North Dakota, the following insurance coverages:

- 1) **Commercial general liability and automobile liability** insurance – minimum limits of liability required of the Governmental Entity are **\$250,000 per person** and **\$500,000 per occurrence**. The minimum limits of liability required of the State are **\$250,000 per person** and **\$1,000,000 per occurrence**.
- 2) **Workers compensation** insurance meeting all statutory limits.
- 3) The policies and endorsements may not be canceled or modified without **thirty (30) days prior written notice** to the undersigned State representative.

The State reserves the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time.

Each party that hires subcontractors shall require any non-public subcontractors, prior to commencement of work set out under an agreement between that party and the non-public subcontractor, to:

Defend, indemnify, and hold harmless the Governments, its agencies, officers and employees, from and against claims based on the vicarious liability of the Governments or its agents, but not against claims based on the Government's contributory negligence, comparative and/or contributory negligence or fault, sole negligence, or intentional misconduct. The legal defense provided by the Subcontractor to the Governments under this provision must be free of any conflicts of interest, even if retention of separate legal counsel for the Governments is necessary. Subcontractor also agrees to defend, indemnify, and hold the Governments harmless for all costs, expenses and attorneys' fees incurred if the Governments prevail in an action against Subcontractor in establishing and litigating the indemnification coverage provided herein. This obligation shall continue after the termination of this agreement.

Subcontractor shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds authorized to do business in North Dakota: 1) commercial general liability; 2) automobile liability; and 3) workers compensation insurance all covering the Subcontractor for any and all claims of any nature which may in any manner arise out of or result from this agreement. The minimum limits of liability required are \$250,000 per person and \$1,000,000 per occurrence for commercial general liability and automobile liability coverages, and statutory limits for workers compensation. The Governments shall be endorsed on the commercial general liability policy and automobile liability policy as additional insureds. The Governments shall have all the benefits, rights and coverages of an additional insured under these policies that shall not be limited to the minimum limits of insurance required by this agreement or by the contractual indemnity obligations of the Contractor. Said endorsement shall contain a "Waiver of Subrogation" waiving any right of recovery the insurance company may have against the Governments as well as provisions that the policy and/or endorsement may not be canceled or modified without thirty (30) days prior written notice to the undersigned representatives of the Governments, and that any attorney who represents the State under this policy must first qualify as and be appointed by the North Dakota Attorney General as a Special Assistant Attorney General as required under N.D.C.C. Section 54-12-08. Subcontractor's insurance coverage shall be primary (i.e., pay first) as respects any insurance, self-insurance or self-retention maintained by the Governments. Any insurance, self-insurance or self-retention maintained by the Governments shall be excess of the Contractor's insurance and the Subcontractor's insurance and shall not contribute with them. The insolvency or bankruptcy of the insured Subcontractor shall not release the insurer from payment under the policy, even when such insolvency or bankruptcy prevents the insured Subcontractor from meeting the retention limit under the policy. Any deductible amount or other obligations under the Subcontractor's policy(ies) shall be the sole responsibility of the Subcontractor. This insurance may be in policy or policies of insurance, primary and excess, including the so-called umbrella or catastrophe form and be placed with insurers rated "A-" or better by A.M. Best Company, Inc. The Governments will be indemnified, saved, and held harmless to the full extent of any coverage actually secured by the Subcontractor in excess of the minimum requirements set forth above. The Government Entity that hired the Subcontractor shall be held responsible for ensuring compliance with the above requirements by all Subcontractors. The Governments reserve the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time.

*See *North Dakota Risk Management Manual*, section 5.1 for discussion of "unique" and "routine" agreements.

RM Consulted 2007
Revised 11-19

