



- A. Pledge of Allegiance
- B. Approve Order of Agenda
- C. Approval of Minutes – July 15, 2019 **(Pg. 2-5)**
- D. Building Permits

**Consent Agenda – Approve the Following:**

- a. Bills **(Pg. 6-12)**
- b. Games of Chance for Blessed Sacrament Catholic Church. Games to be conducted: Bingo, Raffle, Calendar Raffle from 8/6/19 to 6/30/20 at Blessed Sacrament Catholic Church 210 5 Ave W. **(Pg. 13)**
- c. Games of Chance for El Zagal Motor Patrol. Games to be conducted: Raffle from 8/10/19 to 10/26/19 at Speedway, 680 Main Ave W. **(Pg. 14)**
- d. Valley Water Rescue – Financial Agreement **(Pg. 15-18)**
- e. Revised Lights on 32 Plaza Agreement **(Will be added on 8/5/19)**

**Regular Agenda**

*Presentation of the Executive Fire Officer Certification to West Fargo Fire Chief Dan Fuller (Pg 18)*

- 1. Burlington Drive Retention Pond Discussion – **Chris Brungardt, Almir Jupic (Pg. 20-24)**
- 2. FM Diversion Recreation Plan Presentation – **Adam Altenburg (Pg. 25-36)**
- 3. Dale Carnegie Leadership Training Overview – **Jenna Wilm, Bethany Berkeley (Pg. 37)**
- 4. New Payroll Software Platform Discussion – **Jim Larson, Jenna Wilm (Pg. 38)**
- 5. First Reading of Ordinance No. 1140 – Gas Franchise – **John Shockley (Pg. 39-56)**
- 6. First Reading of Ordinance No. 1143 – Gas Franchise – **John Shockley (Pg. 57-58)**
- 7. First Reading of Ordinance No. 1142 – Legislative Updates – **John Shockley (Pg. 59-70)**
- 8. 2020 Budget Presentation – **Jim Larson, Tina Fisk (Pg. 71-111)**
- 9. Final Plat Approval of Woodland Estates 2<sup>nd</sup> Subdivision, Replat – **Tim Solberg (Pg. 112-117)**
- 10. Review Bid Results and Engineer's Statement of Cost for Water Improvement Project No. 1312 (Ph. 2) - **Dustin Scott (Pg. 118-123)**
- 11. Review Petition for Improvements, Approve Creation of and Review Engineer's Report for Sewer, Water, Storm and Street Improvement District No. 1325 – **Dustin Scott (Pg. 124-145)**
- 12. Construction Updates – **Dustin Scott**
- 13. City Administrator's Report – **Tina Fisk**
- 14. Correspondence
- 15. Non-Agenda
  
- 16. *Executive Session pursuant to NDCC § 44-04-19.1 (9) to receive update from NDRIF attorney regarding Vanyo, et. al. v. City of West Fargo – NDRIF Claim #ND-51259-18*
  
- 17. Adjourn



**West Fargo City Commission Meeting  
Monday, July 15, 2019  
Commission Chambers 5:30 P.M.**

The West Fargo City Commission met on Monday July 15, 2019, 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 Olson moved and Commissioner Gjerdevig seconded to approve the Order of Agenda as presented. No opposition. Motion carried.

Commissioner Simmons moved and Commissioner Olson seconded to approve the minutes of July 1, 2019. No opposition. Motion carried.

The Commission reviewed the Building Department Activity Report and Monthly Comparison Reports dated July 15, 2019 and Building Permits #359-385. Commissioner Gjerdevig moved and Commissioner Olson 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. Lights on 32 Plaza Agreement
  - a. Commissioner Dardis requested to clarify section 4.02 city commission and developer agreement and add the City Commission as part of the "City" along with the City Administrator. There was a consensus. City Attorney John Shockley will revise the agreement and it will be added to the next Commission agenda.
- c. Resolution Setting Rates and Charges for Water and Sewer Services
- d. Games of Chance for West Fargo Lions Club. Games to be conducted: raffle from 8/1/19 to 2/1/20 at Silver Dollar Bar, 221 Sheyenne Street.
- e. Addition of the Tracked Vehicle Weight Limit to existing Over dimensional Policy

No opposition. Motion carried.



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City Attorney John Shockley appeared before the Commission for the Awake LLC Appeal. Mr. Shockley stated that the applicant had verbally withdrawn their appeal. Commissioner Dardis opened the hearing. No comments were made. The hearing was closed. After discussion, no action was requested of the Commission.

City Administrator Tina Fisk appeared before the Commission to review the AE2S Proposed Water and Sewer Rate Study. Ryan Grubb and Shawn Gaddie with AE2S appeared before the Commission to present the proposed study. After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded to approve the agreement with AE2S to proceed with the study and the \$90,000 cost. Commissioner Dardis voted in opposition. The majority having voted in favor, the motion passed.

West Fargo Resident Alan Ray appeared before the Commission to address concerns of the sewer mains on 19<sup>th</sup> Ave NW. After discussion, no action was requested of the Commission.

City Attorney John Shockley appeared before the Commission to review the Resolution Finding that the Petition for Vacation is in Proper Form and Contains the Required Signatures. Commissioner Simmons moved and Commissioner Gjerdevig seconded to approve the resolution as presented. No opposition. Motion carried.

City Engineer Dustin Scott appeared before the Commission to review the bid results and Engineer's Statement of Cost for Water Distribution Project No. 1312 (Ph. 1) and Project No. 1313. After discussion, Commissioner Olson moved and Commissioner Simmons seconded to award the bid to KPH for \$2,497,306.70. Commissioner Dardis voted in opposition. The majority having voted in favor, the motion carried.

City Engineer Dustin Scott appeared before the Commission to Review the Amendment to the Engineer's Report for Water Improvement Project No. 1312 (Phases I and II) and Project No. 1313. After discussion, Commissioner Simmons moved and Commissioner Gjerdevig seconded to approve the amendment as presented. No opposition. Motion carried.

Communications Director Melissa Richard and Economic Development Specialist Callie Roth appeared before the Commission for a West Fargo Downtown Rebranding Discussion. After discussion, Commissioner Gjerdevig moved and Commissioner Simmons seconded to approve the West Fargo Downtown Rebranding Discussion, contingent upon a joint effort with the CVB and DBA. No opposition. Motion carried.

Planning & Zoning Director Tim Solberg appeared before the Commission for a Final Plat Approval and PUD Amendment Approval of Eagle Run Plaza 8<sup>th</sup> Addition. After discussion, Commissioner Simmons moved and Commissioner Olson seconded to



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approve the final plat and PUD Amendment with the eight conditions listed in the staff report. No opposition. Motion carried.

Planning & Zoning Director Tim Solberg appeared before the Commission for a Final Plat Approval of Heritage at the Wilds Addition, a replat. After discussion, Commissioner Simmons moved and Commissioner Gjerdevig seconded to approve the final plat as the Wilds 13<sup>th</sup> Addition with the four conditions listed in the staff report. No opposition. Motion carried.

City Engineer Dustin Scott appeared before the Commission to provide an update on construction projects. No action was requested of the Commission.

City Administrator Tina Fisk appeared before the Commission for a Budget Discussion. No action was requested of the Commission. The preliminary budget hearing will take place at the first meeting in August.

City Administrator Tina Fisk appeared before the Commission and discussed the following for the City Administrator's Report:

- Last Thursday, Public Works employee Tom Milner was presented with the Good Samaritan award
- The Police Department's Wellness Program has seen a dramatic decrease in sick hours used by employees
- Melissa is working on the City of the Year application
- The Liquor Control Board meets on 7/16/19 at 8am
- 7/16 at 3pm in Training Room – West Fargo Library event with astronaut
- 7/25pm at 11am in Training Room – Brown Bag Lunch on Core Area Infrastructure Master Plan, more information to follow
- Dale Carnegie leadership training was very successful; Jenna will provide a report at the August meeting
- Preliminary Budget presentation on 8/5

There was no correspondence.

Planning & Zoning Director Tim Solberg appeared before the Commission for a non-agenda item. Austin Morris with Enclave Development appeared before the Commission to ask for a second reading and Final Plat Approval of Highland Meadows 4<sup>th</sup> and 5<sup>th</sup> addition. Commissioner Simmons moved and Commissioner Gjerdevig seconded to amend the agenda to include the second reading and final plat approval. No opposition. Motion carried. After discussion, Commissioner Simmons moved and Commissioner Gjerdevig seconded to approve the Second Reading and Final Plat of Highland Meadows 4<sup>th</sup> and 5<sup>th</sup> addition. Commissioner Olson opposed. The majority having voted in favor, the motion passed.



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There were no other non-agenda items.

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

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Bernie Dardis, Commission President

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Tina Fisk, City Administrator

# Consent Agenda Item: a

07/16/19  
13:24:48

CITY OF WEST FARGO, ND  
Check Register  
For the Accounting Period: 7/19

Page: 1 of 7  
Report ID: AP300

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
83404	S	2954 A-OX WELDING SUPPLY CO INC	38.70	07/16/19			
						CL 85930	38.70
83405	S	887 AIRBORNE CUSTOM SPRAYING, INC	9477.50	07/16/19			
						CL 86096	9477.50
83406	S	3274 ALL-TERRAIN GROUNDS MAINTENANCE	430.00	07/16/19			
						CL 85962	430.00
83407	S	2950 ALPHA TRAINING & TACTICS LLC & SALES	328.00	07/16/19			
						CL 86007	328.00
83408	S	317 AMERICAN WELDING & GAS, INC.	320.34	07/16/19			
						CL 86068	320.34
83409	S	999999 ANNIE BREWER	150.00	07/16/19			
						CL 86008	150.00
83410	S	1069 BAKER GARDEN & GIFT	749.96	07/16/19			
						CL 86071	749.96
83411	S	2704 BRAD'S COFFEE SERVICE	174.00	07/16/19			
						CL 85952	174.00
83412	S	999999 BRANDON ANDERSON	69.50	07/16/19			
						CL 86132	69.50
83413	S	73 BRAUN INTERTEC	71416.25	07/16/19			
						CL 86047	71416.25
83414	S	652 BRENCO CORPORATION	55.90	07/16/19			
						CL 86053	55.90
83415	S	16 BROKERAGE PRINTING	73.50	07/16/19			
						CL 86023	73.50
83416	S	351 BUSINESS ESSENTIALS	549.20	07/16/19			
						CL 86048	159.87
						CL 86103	389.33
83417	S	39 BUTLER MACHINERY	305.50	07/16/19			
						CL 85933	305.50
83418	S	1777 CENTURY LINK	224.54	07/16/19			
						CL 85963	224.54
83419	S	3216 CINTAS	89.33	07/16/19			
						CL 86074	89.33
83420	S	111 CITY OF FARGO	73024.92	07/16/19			
						CL 85953	42763.82
						CL 86062	134.00
						CL 86119	30127.10
83421	S	2880 CITY OF FARGO	352531.30	07/16/19			
						CL 86117	16.80
						CL 86134	352514.50
83422	S	1338 CLARK'S EXCAVATING & SEPTIC PUMPING	175.00	07/16/19			
						CL 85955	175.00
83423	S	999999 COLE LONGTIN	300.00	07/16/19			
						CL 86106	300.00
83424	S	229 CONSOLIDATED COMMUNICATIONS	1513.78	07/16/19			
						CL 86029	1513.78
83425	S	3303 CONTINENTAL LIGHTING SUPPLY	2602.00	07/16/19			
						CL 86051	2602.00

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Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
83426	S	3245 CORE & MAIN	5749.26	07/16/19			
						CL 85928	5749.26
83427	S	3232 CORPORATE TECHNOLOGIES LLC	2135.00	07/16/19			
						CL 86081	2135.00
83428	S	1675 DAKOTA FLUID POWER, INC	34.81	07/16/19			
						CL 85929	34.81
83429	S	90 DAKOTA UNDERGROUND	398156.96	07/16/19			
						CL 86039	1551.00
						CL 86040	106756.00
						CL 86043	119493.90
						CL 86045	170356.06
83430	S	3271 DAN LOEGERING	50.00	07/16/19			
						CL 85958	50.00
83431	S	999999 DANIEL WANG	300.00	07/16/19			
						CL 86099	300.00
83432	S	999999 DANIELLE CHELMO	300.00	07/16/19			
						CL 86109	300.00
83433	S	2890 DATA MANAGEMENT, INC	4500.00	07/16/19			
						CL 86097	4500.00
83434	S	856 DAVE'S WEST FARGO TIRE	149.54	07/16/19			
						CL 86016	29.91
						CL 86111	119.63
83435	S	2948 DELTA 54 AVIATION LLC	3505.00	07/16/19			
						CL 85956	3505.00
83436	S	1243 DEREK CRUFF	315.00	07/16/19			
						CL 86011	315.00
83437	S	2275 DIRT DYNAMICS	102936.78	07/16/19			
						CL 86042	102936.78
83438	S	807 DISCOVERY BENEFITS, INC.	524.75	07/16/19			
						CL 85960	524.75
83439	S	3300 EARTHWORK SERVICES	15370.08	07/16/19			
						CL 86038	15370.08
83440	S	1502 EIDE BAILLY	210.00	07/16/19			
						CL 86033	210.00
83441	S	1991 ELITE K-9, INC	334.78	07/16/19			
						CL 86102	334.78
83442	S	3427 ESS BROTHERS AND SONS INC	1235.00	07/16/19			
						CL 86084	1235.00
83443	S	2862 ESSENTIA HEALTH	1479.00	07/16/19			
						CL 85946	1042.00
						CL 86030	437.00
83444	S	1851 F/S MANUFACTURING INC	184.38	07/16/19			
						CL 86060	184.38
83445	S	660 FARGO FREIGHTLINER	238.58	07/16/19			
						CL 86054	204.89
						CL 86083	33.69
83446	S	131 FARGO TRACTOR	7200.00	07/16/19			
						CL 85938	7200.00

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83447	S	329 FERGUSON WATERWORKS #2516	993.51	07/16/19			
						CL 86080	993.51
83448	S	1812 FIRESTONE	476.80	07/16/19			
						CL 86108	476.80
83449	S	104 FORUM COMMUNICATIONS	1762.23	07/16/19			
						CL 85917	90.20
						CL 85918	569.37
						CL 85949	44.28
						CL 85950	248.57
						CL 86026	576.00
						CL 86125	233.81
83450	S	155 GALLS, LLC	629.60	07/16/19			
						CL 85943	131.94
						CL 86003	497.66
83451	S	1579 GLENN'S BODY REPAIR	966.28	07/16/19			
						CL 86064	966.28
83452	S	2558 GOODYEAR COMMERCIAL TIRE	931.00	07/16/19			
						CL 86061	931.00
83453	S	556 GRAINGER, INC.	48.00	07/16/19			
						CL 86104	48.00
83454	S	939 GRAYBAR	11660.21	07/16/19			
						CL 85934	178.45
						CL 86063	11481.76
83455	S	2318 HABERDASHERY	320.00	07/16/19			
						CL 85916	320.00
83456	S	135 HAWKINS WTR TREATMENT	3048.81	07/16/19			
						CL 85927	3048.81
83457	S	2850 HENRY SCHEIN, INC	94.82	07/16/19			
						CL 86004	83.90
						CL 86107	10.92
83458	S	358 HUBERT OYE-SONS CONST.	2080.00	07/16/19			
						CL 86070	2080.00
83459	S	3087 IBM CORPORATION	280.00	07/16/19			
						CL 86094	280.00
83460	S	999999 IDEMIA IDENTITY & SECURITY	4082.00	07/16/19			
						CL 86113	4082.00
83461	S	687 INFORMATION TECHNOLOGY DEPT	664.05	07/16/19			
						CL 86000	664.05
83462	S	1012 INTERSTATE POWER SYSTEMS, INC	809.74	07/16/19			
						CL 86085	809.74
83463	S	233 J & L SPORTS	331.94	07/16/19			
						CL 85944	303.94
						CL 86056	28.00
83464	S	999999 JUSTIN BEARINGER	300.00	07/16/19			
						CL 86101	300.00
83465	S	2122 KEY CONTRACTING	46263.85	07/16/19			
						CL 86036	21783.85
						CL 86041	24480.00

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Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
83466	S	2752 KOST MATERIALS, LLC	297.00	07/16/19			
83467	S	2085 LANGUAGE LINE SERVICES	101.40	07/16/19		CL 86069	297.00
83468	S	3418 LOFFLER	2838.46	07/16/19		CL 85999	101.40
83469	S	270 LOWE'S	142.89	07/16/19		CL 86135	2838.46
83470	S	2676 LUTHERAN SOCIAL SERVICES	75.00	07/16/19		CL 86098	142.89
83471	S	3304 MAC'S - FARGO	461.42	07/16/19		CL 86019	75.00
83472	S	1223 MARK MORRIS	315.00	07/16/19		CL 86058	257.14
83473	S	3384 MATHESON TRI-GAS INC	290.84	07/16/19		CL 86066	204.28
83474	S	299 MENARDS	189.32	07/16/19		CL 86012	315.00
83475	S	2766 MIDCONTINENT COMMUNICATIONS	200.00	07/16/19		CL 86055	290.84
83476	S	102 MIDSTATES WIRELESS	1184.50	07/16/19		CL 85939	71.08
83477	S	305 MOORE ENGINEERING	206246.32	07/16/19		CL 86087	118.24
83478	S	673 MOORHEAD ELECTRIC	53552.47	07/16/19		CL 86017	200.00
83479	S	3085 MRA-THE MANAGEMENT ASSOCIATION, INC	87.50	07/16/19		CL 86001	62.50
83480	S	298 MVTL LABORATORIES	1895.00	07/16/19		CL 86015	1122.00
83481	S	999999 ND ATTORNEY GENERAL	2514.00	07/16/19		CL 86034	206246.32
83482	S	3428 ND DEPARTMENT OF ENVIORNMENTAL QUALITY	100.00	07/16/19		CL 86037	53552.47
83483	S	335 ND DEPT OF TRANSPORTATION	1230439.43	07/16/19		CL 86037	53552.47
83484	S	370 ND SAFETY COUNCIL	950.06	07/16/19		CL 86131	87.50
83485	S	334 ND STATE RADIO COMM.	1800.00	07/16/19		CL 85926	1895.00
83486	S	364 NELSON INTERNATIONAL	290.11	07/16/19		CL 86018	2514.00
						CL 86086	100.00
						CL 86020	556539.21
						CL 86021	121205.77
						CL 86022	552694.45
						CL 86112	950.06
						CL 86010	1800.00
						CL 86092	290.11

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
83487	S	2261 NETWORK CENTER INCORPORATED	2180.00	07/16/19			
						CL 85947	2180.00
83488	S	999999 NICK MERTENS	300.00	07/16/19			
						CL 86105	300.00
83489	S	348 NORTHERN IMPROVEMENT CO	23498.30	07/16/19			
						CL 86044	23498.30
83490	S	3256 NORTHERN LAKE SERVICE, INC	977.40	07/16/19			
						CL 86078	977.40
83491	S	1715 NORTHWEST TIRE INC	46.81	07/16/19			
						CL 85936	15.00
						CL 86075	31.81
83492	S	1774 O'REILLY AUTOMOTIVE STORES, INC	1082.02	07/16/19			
						CL 86065	1082.02
83493	S	353 OHNSTAD TWICHELL	57547.54	07/16/19			
						CL 86137	41262.05
						CL 86138	16285.49
83494	S	631 ONE CALL CONCEPT	1223.45	07/16/19			
						CL 85925	1223.45
83495	S	563 PETRO SERVE USA	28798.75	07/16/19			
						CL 85923	872.58
						CL 85957	80.54
						CL 86024	27845.63
83496	S	1987 PETSMART	39.47	07/16/19			
						CL 86006	39.47
83497	S	2921 POWDERCOAT SPECIALISTS	256.25	07/16/19			
						CL 85931	256.25
83498	S	411 POWER PLAN OIB	396.83	07/16/19			
						CL 86088	396.83
83499	S	999999 PRAIRIE PROPERTY	17.28	07/16/19			
						CL 86139	17.28
83500	S	1295 PRO-WEST & ASSOCIATES, INC	92.80	07/16/19			
						CL 86133	92.80
83501	S	1166 PRODUCTIVITY PLUS ACCOUNT	1629.94	07/16/19			
						CL 85935	128.00
						CL 86052	98.94
						CL 86067	57.21
						CL 86077	1345.79
83502	S	1472 RAILROAD MANAGEMENT CO III, LLC	1177.05	07/16/19			
						CL 85951	1177.05
83503	S	3204 RECORD KEEPERS	16.00	07/16/19			
						CL 85921	16.00
83504	S	920 RHONDA JORGENSEN	315.00	07/16/19			
						CL 86014	315.00
83505	S	441 S & S LANDSCAPING	895.28	07/16/19			
						CL 86082	895.28
83506	S	2513 SAFETY-KLEEN SYSTEMS, INC.	166.69	07/16/19			
						CL 86073	166.69

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Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
83507	S	3353 SAM'S CLUB MC/SYNCB	59.26	07/16/19			
83508	S	2512 SCOTT DIAMOND	812.50	07/16/19		CL 86118	59.26
83509	S	999999 SHARON MEIDINGER	190.00	07/16/19		CL 85922	812.50
83510	S	459 SHERWIN WILLIAMS	247.43	07/16/19		CL 86110	190.00
83511	S	3150 SKYHAWK TELEMATICS	100.00	07/16/19		CL 86079	247.43
83512	S	2581 STALKER RADAR APPLIED CONCEPTS, INC	5930.00	07/16/19		CL 85937	100.00
83513	S	2935 STEPHEN ROLCZYNSKI	31.43	07/16/19		CL 85948	5930.00
83514	S	88 STREICHER'S	69.97	07/16/19		CL 86089	31.43
83515	S	31 STURDEVANT'S AUTO PARTS	466.39	07/16/19		CL 86005	69.97
83516	S	634 SWEENEY CONTROLS COMPANY	6595.40	07/16/19		CL 86072	466.39
83517	S	2485 SYLVIE SCHWEYEN	150.00	07/16/19		CL 86057	6595.40
83518	S	1900 THE UPS STORE #5998	130.88	07/16/19		CL 86009	150.00
83519	S	2217 TINA FISK	316.89	07/16/19		CL 85932	60.17
83520	S	1135 TODD PEARSON	377.50	07/16/19		CL 86059	70.71
83521	S	999999 TYLER LEHMANN	300.00	07/16/19		CL 86031	316.89
83522	S	2951 TYLER TECHNOLOGIES, INC	194.95	07/16/19		CL 86013	310.00
83523	S	784 UNITED POWER EQUIPMENT	699.24	07/16/19		CL 86114	67.50
83524	S	1267 VERIZON WIRELESS	91.26	07/16/19		CL 86100	300.00
83525	S	3212 VISA ADMINISTRATION	3414.42	07/16/19		CL 86095	194.95
83526	S	2436 VISA FINANCE	3042.58	07/16/19		CL 86090	699.24
83527	S	2439 VISA IT	3346.36	07/16/19		CL 86115	91.26
83528	S	2438 VISA PLANNING	281.93	07/16/19		CL 86126	3414.42
83529	S	2435 VISA POLICE #1	3286.83	07/16/19		CL 86127	3042.58
						CL 86093	3346.36
						CL 86049	281.93
						CL 86124	3286.83

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83530	S	3233 VISA POLICE #2	5527.42	07/16/19			
83531	S	3234 VISA POLICE #3	1138.74	07/16/19		CL 86121	5527.42
83532	S	3244 VISA POLICE #4	1433.42	07/16/19		CL 86122	1138.74
83533	S	2423 VISA PW	949.45	07/16/19		CL 86123	1433.42
83534	S	2740 WASTE MANAGEMENT OF WI-MN	75877.37	07/16/19		CL 86116	949.45
						CL 85959	99.59
						CL 86076	75777.78
83535	S	686 WDAY	1860.00	07/16/19		CL 86091	1860.00
83536	S	2945 WEST FARGO AREA COMMUNITY PROGRAM	1412.29	07/16/19		CL 86046	1412.29
83537	S	569 WF ANIMAL HOSPITAL	2307.15	07/16/19		CL 86002	2307.15
83538	S	549 WF PUB SCHOOLS DIST #6	605.00	07/16/19		CL 85945	605.00
83539	S	338 XCEL ENERGY	28806.34	07/16/19		CL 85961	1561.84
						CL 85964	66.56
						CL 85965	64.82
						CL 86027	12156.38
						CL 86028	8466.47
						CL 86120	6411.15
						CL 86136	79.12
83540	S	2100 EAGLE RUN CROSSING LLC	782.63	07/16/19		CL 85924	782.63
<b>Total for Claim Checks</b>			<b>2910713.59</b>				
Count for Claim Checks			137				

\* denotes missing check number(s)

# of Checks: 137                      Total: 2910713.59



**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 <b>BLESSED SACRAMENT CATHOLIC CHURCH</b>		Date(s) of Activity <b>8-6-19</b> to <b>6-30-20</b>	
Person Responsible for the Gaming Operation and the Disbursement of Net Income <b>Fr. Gary Luiten</b>		Title <b>PRIEST</b>	Business Phone Number <b>701-282-3321</b>
Business Address <b>210 5<sup>TH</sup> AVE WEST</b>	City <b>WEST FARGO</b>	State <b>ND</b>	Zip Code <b>58078</b>
Mailing Address (if different)	City	State	Zip Code
Name of Site Where Game(s) will be Conducted <b>BLESSED SACRAMENT CATHOLIC CHURCH</b>		Site Address <b>210 5<sup>TH</sup> AVE WEST</b>	
City <b>WEST FARGO</b>	State <b>ND</b>	Zip Code <b>58078</b>	County <b>CASS</b>
Check the Game(s) to be Conducted: *Poker, Twenty-one, and Paddlewheels may be Conducted only by a Charity Local Permit.			
<input checked="" type="checkbox"/> Bingo <input checked="" type="checkbox"/> Raffle <input checked="" 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
Total:					(Limit \$12,000 per year) <b>\$ NOT TO EXCEED</b> <b>\$ 12,000</b>

Intended uses of gaming proceeds: \_\_\_\_\_

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 <b>Loren Belts</b>	Date <b>7/11/19</b>	Title <b>PARISH LIFE COORD.</b>	Business Phone Number <b>701-282-3321</b>
--	------------------------	------------------------------------	--

CK# 25351  
 \$25.00  
 7/17/19



**APPLICATION FOR A LOCAL PERMIT OR CHARITY LOCAL PERMIT**  
 OFFICE OF ATTORNEY GENERAL  
 SFN 9338 (08/2016)

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

Name of Non-profit Organization <b>EL ZABAL ESCORT MOTOR PATROL</b>	Date(s) of Activity <b>8-10-19 to 10-26-19</b>	For a raffle, provide drawing date(s): <b>10-26-19</b>	
Person Responsible for the Gaming Operation and Disbursement of Net Income <b>Scotty Uhrich</b>	Title <b>DIRECTOR</b>	Business Phone Number <b>701-371-3640</b>	
Business Address <b>1429 3rd ST N</b>	City <b>FARGO</b>	State <b>ND</b>	Zip Code <b>58102</b>
Mailing Address (if different)	City	State	Zip Code
Name of Site Where Game(s) will be Conducted <b>SPEEDWAY</b>	Site Address <b>680 MAIN AVE WEST</b>		
City <b>WEST FARGO</b>	State <b>ND</b>	Zip Code <b>58078</b>	County <b>CASS</b>
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"/> Raffle Board <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
RAFFLE	10 GUNS	\$5,167.53			
Total:					(Limit \$12,000 per year) <b>\$5,167.53</b>

Intended uses of gaming proceeds: TEMPLE OPERATIONS

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 <b>Scotty Uhrich</b>	Date <b>7-30-19</b>	Title <b>DIRECTOR</b>	Business Phone Number <b>701-371-3640</b>
--	------------------------	--------------------------	--

*Handwritten note:* \$10.00 cash pd 7/30/19

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## AGREEMENT FOR THE FINANCIAL SUPPORT OF VALLEY WATER RESCUE

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This Agreement for the financial support of Valley Water Rescue, a North Dakota 501(c)(3) Corporation is made and entered into by and between the Cass County, ND, the City of Fargo, ND, the City of West Fargo, ND, Clay County, MN, and the City of Moorhead, MN.

PURPOSE. The purpose of this Agreement is to establish financial support of Valley Water Rescue necessary to provide dive team services to the area to assist the member entities in conducting water search, rescue and recovery services.

Witnesseth

Whereas, Valley Water Rescue is a non-profit corporation established for the purpose of providing water search, rescue and recovery services to Cass and Clay counties;

Whereas, Valley Water Rescue has provided water search, rescue and recovery services to the City of Fargo, City of Moorhead, City of West Fargo, and Cass and Clay Counties for several years; and

Whereas, the parties to this Agreement train with and use the service provided by Valley Water Rescue; and

Whereas, the parties to this Agreement individually do not possess all the necessary resources to cope with water search, rescue and recovery; and

Whereas, the parties to this Agreement have determined it is in their best interests to share in the financial support that is necessary for Valley Water Rescue to provide these services.

Now, therefore, for good and valuable consideration hereby acknowledged, it is hereby agreed by and between each and all of the parties hereto as follows:

1. Valley Water Rescue personnel shall be identified as Reserve Officers of the Cass County Sheriff's Office ("Cass County") for purposes of joint response efforts. Cass County shall provide Liability Insurance Coverage, for all activities of Valley Water Rescue personnel while engaged in services contemplated in this Agreement in the State of North Dakota. Clay County shall provide Worker's Compensation coverage for Valley Water Rescue personnel, as well as Liability Insurance Coverage, for all activities of Valley Water Rescue personnel while engaged in services contemplated in this Agreement in the State of Minnesota. The party requesting Valley Water Rescue services is not responsible for its actions while engaged in services on behalf of the requesting entity. When services contemplated in this Agreement involve the Red River and there is a bona fide dispute as to whether the services were rendered in the State of North Dakota, the State of Minnesota, or both, the party requesting the services shall be responsible for Worker's Compensation and Liability Insurance Coverage for all activities of Valley Water Rescue personnel. The parties to this agreement do not intend for this agreement to create a joint powers entity or a joint venture. The limitation of liability for each party to this agreement shall not be added together or stacked to increase the maximum amount of liability of any party to this agreement.
2. Cass County agrees to provide oversight and approval of funds requested by Valley Water Rescue.
3. Each party to this Agreement will provide financial support to Valley Water Rescue in an amount to be determined based on the established Metropolitan Council of Government ("MetroCog") formula established from time to time by the participating entities. No entity shall be responsible for any additional funds in the fund year. This Agreement is several only, and no party shall be responsible for any others' share of the support. Payment shall be made to Cass County on or before January 31 of the budget year. No refunds or pro ration will occur in the event of an early termination by any party, except in the event Valley Water Rescue ceases to operate the services provided herein.
4. EFFECTIVE DATE AND DURATION OF AGREEMENT. This Agreement shall become effective when approved and executed by each participating jurisdiction. The Agreement shall remain in effect until terminated by any party as provided herein, or by agreement of all participating jurisdictions. Termination of participation in this Agreement by one or more participating jurisdiction shall not affect the continued operation of this Agreement between the remaining participating jurisdictions.
5. TERMINATION. Any party to this Agreement may terminate participation upon thirty days written notice addressed to the other participating jurisdictions under this Agreement. This Agreement shall automatically renew for successive one year periods unless otherwise terminated in accordance with this section.

6. EQUIPMENT. Valley Water Rescue shall be responsible for providing all necessary equipment utilized by its personnel to engage in the services contemplated herein.
7. MERGER. This Agreement constitutes the entire agreement between the participating agencies. No waiver, consent, modification, or change of terms of this Agreement shall bind the participating jurisdiction unless in writing and signed by the parties. Any waiver, consent, modification or change, if made, shall be effective only for the specific purposes given. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. The parties, by their signatures below of their authorized representatives, hereby acknowledge that they have read this Agreement, understand it, and agree to be bound by its terms and conditions.
8. OVERSIGHT COMMITTEE. An oversight committee, consisting of the following representatives: one each from Cass County, the Fargo Police Department, the Fargo Fire Department, the West Fargo Police Department, the West Fargo Fire Department, Clay County and the City of Moorhead, will meet to review Valley Water Rescue's budget and financial position. Meetings will occur semi-annually, in February to review year end financials and in the spring to approve the coming year's budget request. The Committee's oversight is limited to financial and budgetary activities.
9. SEVERABILITY. The participating agencies agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligation of the participating agencies shall be construed and enforced as if the agreement did not contain the particular term or provision.
10. VENUE & JURISDICTION. The laws of North Dakota shall apply to this Agreement. Any court action involving this Agreement shall be commenced in North Dakota.

In witness whereof, this Agreement has been executed and approved and is effective and operative as to each of the parties as herein provided.

**CITY OF WEST FARGO**

This Agreement has been approved by the West Fargo City Commission, this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Bernie Dardis, Mayor

Attest:

  
\_\_\_\_\_  
Tina Fisk  
West Fargo City Administrator



**FEMA**

June 17, 2019

Tina Fisk, City Administrator  
City of West Fargo  
800 40th Avenue East, Suite 1  
West Fargo, North Dakota 58078

Dear Ms. Fisk:

Please accept my sincere thanks for your support of Daniel R. Fuller during his participation in the U.S. Fire Administration's National Fire Academy's (NFA) "Executive Fire Officer Program" (EFOP).

Chief Fuller has now successfully completed the EFOP and the required applied research. On behalf of the NFA, the enclosed EFOP certificate has been forwarded to you for formal presentation to this dedicated member of your department.

I respectfully request that you present the certificate at a formal ceremony, inviting your community's elected officials and members of the local media to attend, along with Chief Fuller's family. This is an ideal opportunity to celebrate the department's commitment to its personnel, and to demonstrate the success of its members.

The Academy appreciates your commitment to this 4-year program and continued support of the NFA.

Sincerely,

A handwritten signature in blue ink that reads "Tonya L. Hoover".

Tonya L. Hoover  
Superintendent  
National Fire Academy  
U.S. Fire Administration

Enclosure

# Regular Agenda Item #1



## 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: \***

Almir Jupic

**Phone Number: \***

701-219-1898

**Email Address:**

almir.jupic@gmail.com

**Date \***

7/23/2019

**Topic for Consent or Regular Agenda?**

Please select one option:

Consent Agenda

Regular Agenda

**Please Briefly Describe Your Request \***

Condition of Burlington Drive Retention Pond,, aerators have been off causing algae growth, pond needs attention as well as installation of fountain(s)

**Site Address or Legal Description (if applicable)**

Burlington Drive Retention Pond

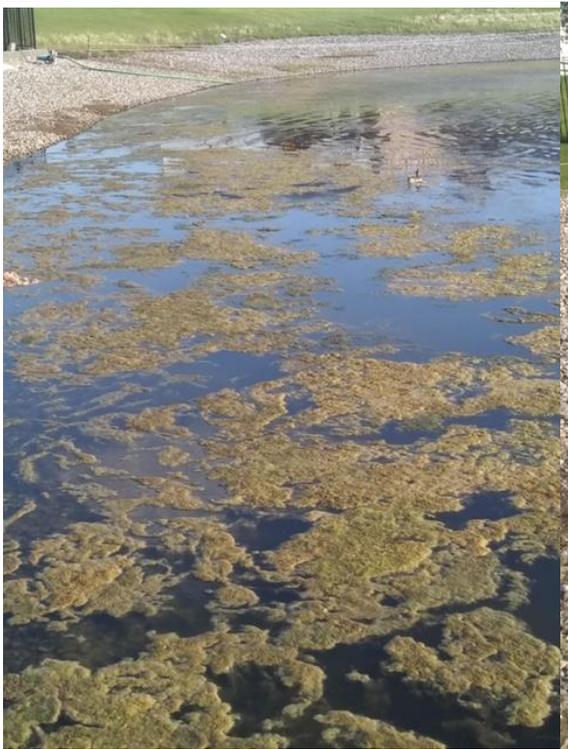
**Action Being Requested from City Commission \***

Keep water high, clean up, fix aerators and fix the existing fountain.

**Upload Additional Documentation (Optional):**

IMG_20190722_191922861.jpg	1.66MB
IMG_20190722_191924726.jpg	2.51MB
IMG_20190722_191926513.jpg	1.61MB
IMG_20190722_191930140.jpg	3.14MB
IMG_20190722_191932483.jpg	1.99MB
IMG_20190722_191936363.jpg	1.64MB
IMG_20190722_191943421.jpg	2.1MB
IMG_20190722_191945463.jpg	1.75MB
IMG_20190722_191948074.jpg	1.69MB
IMG_20190722_191957926.jpg	1.43MB









## Regular Agenda Item #2



### 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: \***

Adam Altenburg

**Phone Number: \***

701-532-5105

**Email Address:**

altenburg@fmmetrocog.org

**Date \***

8/5/2019

**Topic for Consent or Regular Agenda?**

Please select one option:

Consent Agenda

Regular Agenda

**Please Briefly Describe Your Request \***

Present brief project introduction and slideshow for the FM Diversion Recreation Plan; we don't anticipate the presentation taking more than 7-8 minutes.

**Site Address or Legal Description (if applicable)**

**Action Being Requested from City Commission \***

Information only

**Upload Additional Documentation (Optional):**

Fargo-Moorhead Diversion Rec Plan - West Fargo City Commission.pdf

5.28MB

**To:** West Fargo City Commission  
**From:** Adam Altenburg, Fargo-Moorhead Metropolitan Council of Governments  
Joni Giese, SRF Consulting Group  
**Date:** July 26, 2019  
**Re:** **Fargo-Moorhead Diversion Recreation Plan**

The Metro Flood Diversion Authority and the Fargo-Moorhead Metropolitan Council of Governments (Metro COG) have teamed up with SRF Consulting Group, Contour Design Studio, and HR&A to develop the Fargo-Moorhead Diversion Recreation Plan.

In addition to gaining protection from future flood events, the FM Area Diversion Project has the potential to create a significant, interconnected system of recreation features, cultural resource interpretation areas, and natural landscapes that link communities, expand regional trail networks, improve access to local rivers, create habitat for wildlife, and provide vital recreational opportunities within or adjacent to the Red River diversion corridor.

The intended outcome of this project is to develop an implementation plan for future recreation trail needs and other investment priorities, identify partner agencies and organizations for operations and maintenance activities, and provide guidance for future recreational, educational, and ecological decisions.

More information on the project can be found on Metro COG's website at [www.fmmetrocog.org](http://www.fmmetrocog.org).

As part of the project kick-off, Metro COG and SRF Consulting Group are meeting with area jurisdictions and park boards in the metropolitan area to briefly discuss project approach, goals and objectives, key messaging areas, and public outreach activities.

**Requested Action: None**



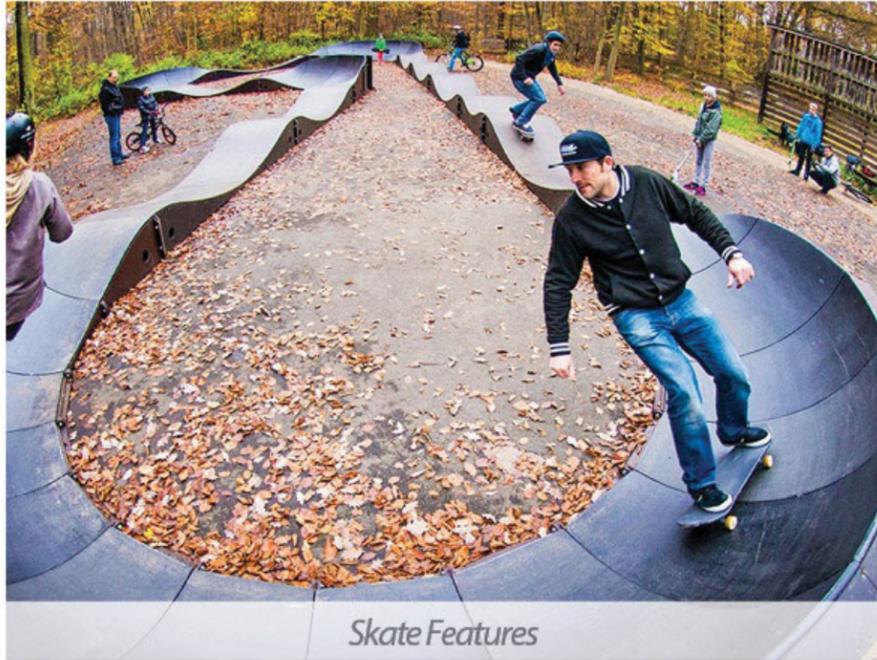
# FARGO-MOORHEAD DIVERSION RECREATION PLAN

Fargo-Moorhead Metropolitan Council of Governments

FARGO-MOORHEAD DIVERSION RECREATION PLAN



# POTENTIAL PROGRAMMING/USERS



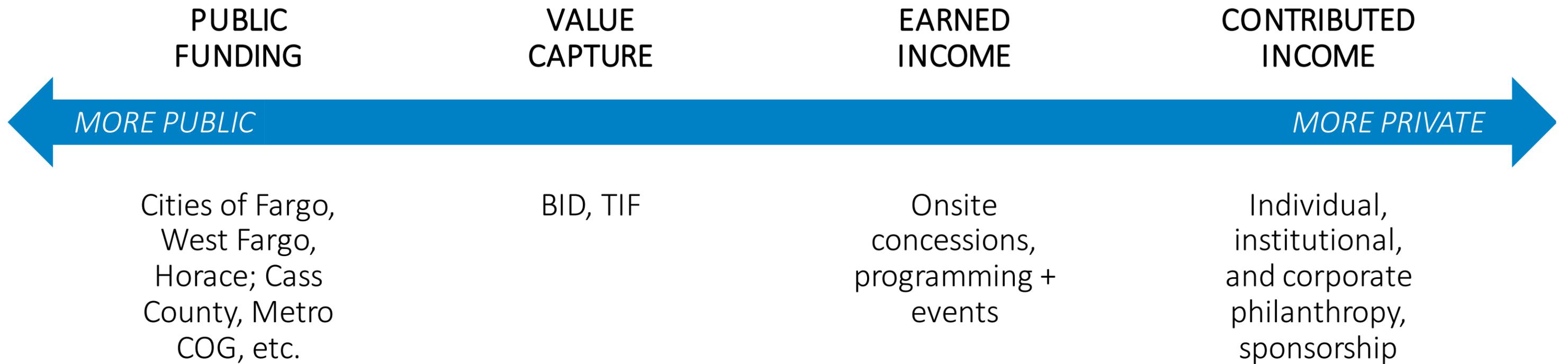
# POTENTIAL PROGRAMMING/USERS





## OPERATIONS AND MAINTENANCE FUNDING

The Fargo Diversion Project will need to draw upon a combination of funding sources to support operations, which in turn will guide the optimal governance approach



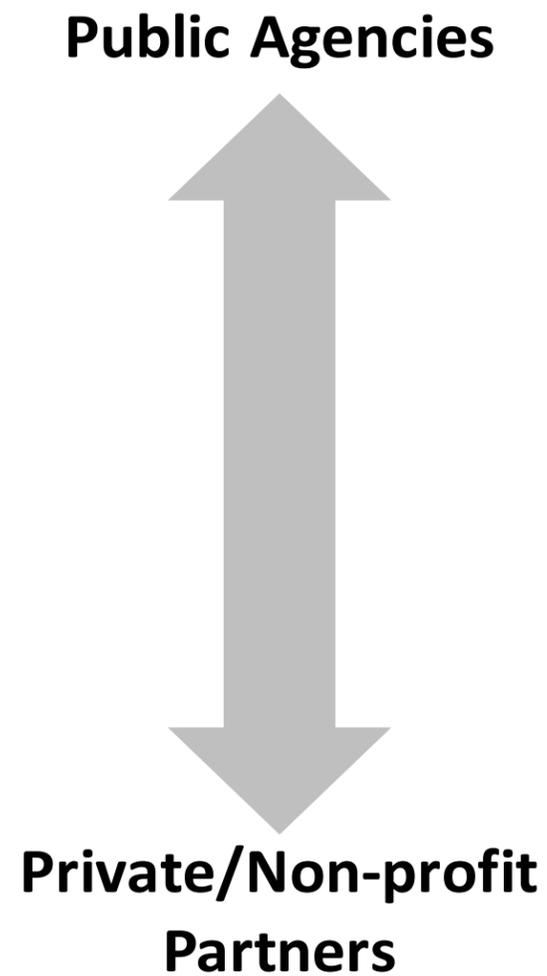
### Key questions that will drive operations and funding opportunities:

What is legally permissible?  
Politically palatable?

What is the appetite for risk?  
Strength and commitment of leadership?

# GOVERNANCE STRATEGY

Successful governance strategies consider partners' respective strengths, with the range of responsibilities allocated to public, nonprofit, and other entities



Construction & Development

Capital Maintenance

Routine O&M

Security

Management

Earned Income Program

Fundraising

Advocacy

Programming

# PUBLIC OUTREACH

## Public Engagement Plan

	Key Messages	Communication Outlets
Phase 1	<ul style="list-style-type: none"><li>• Project purpose and intent</li><li>• Project vision, goals and objectives</li><li>• Solicit recreation suggestions</li></ul>	Pop-up Events (4) Public Meeting #1 Online Survey #1
Phase 2	<ul style="list-style-type: none"><li>• Proposed recreation alternatives</li><li>• Alternatives evaluation</li></ul>	Pop-up Events (2) Public Meeting #2 Online Survey #2
Phase 3	<ul style="list-style-type: none"><li>• Recommended recreation features</li><li>• Recommended implementation strategy</li></ul>	Public Meeting #3

## PROJECT GOALS



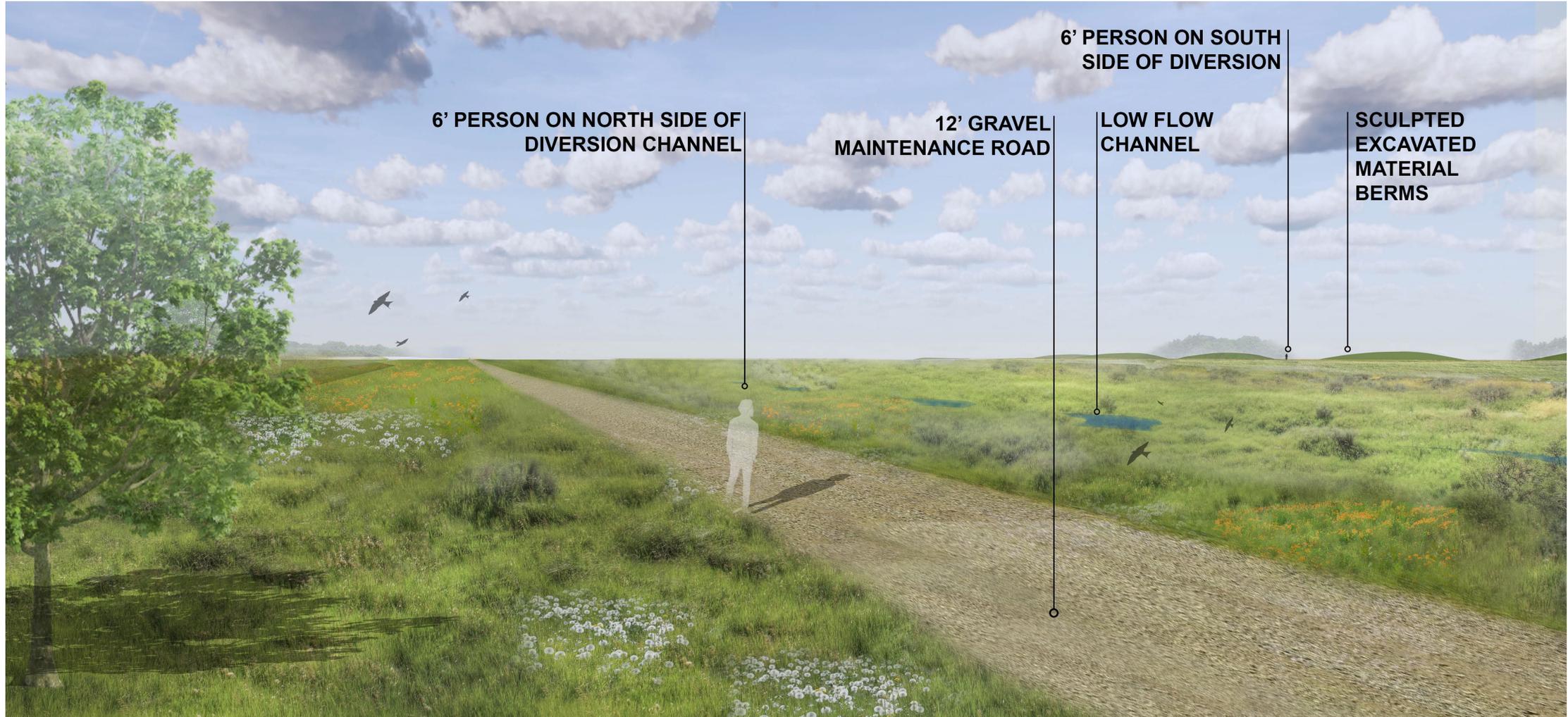
- ◆ Provide a wide range of year-round recreation activities
- ◆ Restore native plant communities and create habitat
- ◆ Create a distinct and branded attraction
- ◆ Provide connectivity

## PROJECT GOALS



- ◆ Complements adjacent existing and/or planned land uses
- ◆ Complements permanent flood protection
- ◆ Supports economic vitality
- ◆ Contributes to quality of life/workforce attraction
- ◆ Supports public health

# Thank You!



## Regular Agenda Item #3



### 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: \***

Bethany Berkeley/Jenna Wilm

**Phone Number: \***

7014335335

**Email Address:**

jenna.wilm@westfargond.gov

**Date \***

7/30/2019

**Topic for Consent or Regular Agenda?**

Please select one option:

Consent Agenda

Regular Agenda

**Please Briefly Describe Your Request \***

Overview of Dale Carnegie Leadership Training

**Site Address or Legal Description (if applicable)**

N/A

**Action Being Requested from City Commission \***

N/A

**Upload Additional Documentation (Optional):**

## Regular Agenda Item #4



### 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/Jenna Wilm

**Phone Number: \***

7014335335

**Email Address:**

jenna.wilm@westfargond.gov

**Date \***

7/30/2019

**Topic for Consent or Regular Agenda?**

Please select one option:

Consent Agenda

Regular Agenda

**Please Briefly Describe Your Request \***

Request new payroll software platform

**Site Address or Legal Description (if applicable)**

**Action Being Requested from City Commission \***

Approve new payroll platform software

**Upload Additional Documentation (Optional):**

Regular Agenda Item #5

ORDINANCE NO. 1140

AN ORDINANCE TO REPEAL AND REENACT CHAPTER 14-01 OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO ERECT A GAS DISTRIBUTION SYSTEM FOR THE PURPOSES OF CONSTRUCTING, OPERATING, REPAIRING AND MAINTAINING IN THE CITY OF WEST FARGO, NORTH DAKOTA, THE NECESSARY GAS PIPES, MAINS AND APPURTENANCES FOR THE TRANSMISSION OR DISTRIBUTION OF GAS TO THE CITY AND ITS INHABITANTS AND OTHERS AND TRANSMITTING GAS INTO AND THROUGH THE CITY AND TO USE THE PUBLIC WAYS AND PUBLIC GROUNDS OF THE CITY FOR SUCH PURPOSES.

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

SECTION 1. Chapter 14-01 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed and reenacted to read as follows:

~~CHAPTER 14 01~~

~~NORTHERN STATES POWER COMPANY GAS~~

~~SECTIONS:~~

- ~~14 0101. Definitions.~~
- ~~14 0102. Grant of Franchise.~~
- ~~14 0103. Restrictions.~~
- ~~14 0104. Service and Rates.~~
- ~~14 0105. Relocating.~~
- ~~14 0106. Indemnification.~~
- ~~14 0107. Vacation of Public Ways.~~
- ~~14 0108. Written Acceptance.~~
- ~~14 0109. General Provisions.~~
- ~~14 0110. Effective Date.~~



~~14 0101. Definitions~~

- ~~1. "City" means the City of West Fargo, County of Cass, State of North Dakota.~~
- ~~2. "City Utility System" means the facilities used for providing non-energy related public utility~~

~~service owned or operated by City or agency thereof, including sewer and water service, but excluding facilities for providing heating, lighting or other forms of energy.~~

~~3. "Company" means Northern States Power Company, a Minnesota corporation, its successors and assigns.~~

~~4. "Gas" as used herein shall be held to include natural gas, manufactured gas, or other form of gaseous energy.~~

~~5. "Notice" means a writing served by any party or parties on any other party or parties. Notice to Company shall be mailed to the General Manager and Chief Executive, NSP North Dakota, P.O. Box 2747, Fargo, ND 58108. Notice to the City shall be mailed to the City Auditor; 800 Fourth Avenue East, West Fargo, ND 58078. Either party may change its respective address for the purpose of this Ordinance by written notice to the other party.~~

~~6. "Public Way" means any street, alley, walkway or other public right of way within the City.~~

~~14-0102. Grant of Franchise. City hereby grants Company, for a period of 20 years from the date passed and approved by the City, the non exclusive right and privilege of erecting a gas distribution system and using the Public Ways of City for the purpose of constructing, operating, repairing, and maintaining in, on, over, under and across the same, all gas pipes, mains and appurtenances usually, conveniently, or necessarily used in connection therewith, for the purpose of the transmission of gas, or the distribution of gas, for public and private use within and through the limits of City as its boundaries exist or as they may be extended in the future. Company may also do all reasonable things necessary or customary to accomplish these purposes, subject, however, to the further provisions of this franchise agreement.~~

~~14-0103. Restrictions.~~

~~1. All gas pipes, mains, regulators, and other property and facilities shall be located and constructed so as not to interfere with the safety and convenience of ordinary travel along~~

~~and over said Public Ways. Company's construction, operation, repair, maintenance and location of such facilities shall be subject to permits, including excavation permits, required by ordinance, and other reasonable regulations of the City to the extent not inconsistent with the terms of this franchise agreement. Company may abandon underground gas facilities in place, provided at City's request Company removes abandoned metal pipe and other inflexible structures interfering with a City improvement project to the extent Company can so remove without doing additional excavation to that already done by the City.~~

- ~~2. In constructing, removing, replacing, repairing, or maintaining said gas pipes, mains and appurtenances, Company shall, in all cases, place the Public Ways in, on, under or across which the same are located in as good condition as they were prior to said operation and maintain any restored paved surface in such condition for two years thereafter.~~

~~14 0104. Service and Rates. The service to be provided and the rates to be charged by Company for gas service in City are subject to the jurisdiction of the Public Service Commission of this State or its successor agency.~~

~~14 0105. Relocating.~~

- ~~1. Whenever the City, at its cost, including by assessment to property owners, shall grade, regrade, or change the line of any Public Way, or construct or reconstruct any City Utility System therein and shall, in the proper exercise of its police power, and with due regard to seasonable working conditions, when necessary, and after approval of its final plans have been obtained, order Company to relocate permanently its mains, services, and other property located in said Public Way, Company shall relocate its facilities at its own expense. City shall give Company reasonable notice of plans to grade, regrade or change the line of any Public Way or to construct or reconstruct any City Utility System therein. However, after Company has so relocated, if a subsequent relocation or relocations shall be~~

~~ordered within five (5) years from and after first relocation, City shall reimburse Company for such non-betterment relocation expense which Company may incur on a time and material basis; provided, if subsequent relocations are required because of the extension of City Utility System to previously unserved area, Company may be required to relocate at its own expense at any time.~~

~~2. Nothing contained in this franchise shall require Company to relocate, remove, replace or reconstruct at its own expense its facilities where such relocation, removal, replacement or reconstruction is solely for the convenience of the City and is not reasonably necessary for the construction or reconstruction of a Public Way or City Utility System or other City improvement.~~

~~3. Any relocation, removal, or rearrangement of any Company facilities made necessary because of the extension into or through City of a federally-aided highway project or federally aided improvement thereto shall be governed by the provisions of North Dakota law as supplemented or amended.~~

~~4. The provisions of this franchise shall not be construed to waive or modify any rights obtained by Company for installations within a Company right of way acquired by easement or prescriptive right before the applicable Public Way or Public Ground was established, or Company's rights under state or county permit.~~

~~14-0106. Indemnification.~~

~~1. Company shall indemnify, keep and hold the City free and harmless from any and all liability on account of injury to persons or damage to property occasioned by the construction, maintenance, repair, inspection, the issuance of permits, or the operation of the gas facilities located in the Public Ways. The City shall not be indemnified for losses or claims occasioned through its own negligence except for losses or claims arising out of or alleging the City's negligence as to the issuance of permits for, or~~

~~inspection of, Company's plans or work. The City shall not be indemnified if the injury or damage results from the performance in a proper manner of acts reasonably deemed hazardous by Company, and such performance is nevertheless ordered or directed by City after notice of Company's determination.~~

~~2. In the event a suit is brought against the City under circumstances where this agreement to indemnify applies, Company at its sole cost and expense shall defend the City in such suit if written notice thereof is promptly given to Company within a period wherein Company is not prejudiced by lack of such notice. If Company is required to indemnify and defend, it will thereafter have control of such litigation, but Company may not settle such litigation without the consent of the City, which consent shall not be unreasonably withheld. This section is not, as to third parties, a waiver of any defense or immunity otherwise available to the City; and Company, in defending any action on behalf of the City shall be entitled to assert in any action every defense or immunity that the City could assert in its own behalf.~~

~~14-0107. Vacation of Public Ways. The City shall give Company at least two weeks prior written notice of a proposed vacation of a Public Way. Except where required primarily for a City improvement project, the vacation of any Public Way, after the installation of gas facilities, shall not operate to deprive Company of its rights to operate and maintain such gas facilities, until the reasonable cost of relocating the same and the loss and expense resulting from such relocation are first paid to Company. In no case, however, shall City be liable to Company for failure to specifically preserve a right-of-way under North Dakota law.~~

~~14-0108. Written Acceptance. Company shall, if it accepts this Ordinance and the rights and obligations hereby granted, file a written acceptance of the rights hereby granted with the City Auditor after the final passage and any required publication of this Ordinance. The City, by resolution, may revoke this franchise agreement if Company does not file a written acceptance within 90 days after publication.~~

~~14 0109. General Provisions.~~

- ~~1. Every section, provision, or part of this Ordinance is declared separate from every other section, provision, or part; and if any section, provision, or part shall be held invalid, it shall not affect any other section, provision, or part. Where a provision of any other City ordinance conflicts with the provisions of this Ordinance, the provisions of this Ordinance shall prevail.~~
- ~~2. If either party asserts that the other party is in default in the performance of any obligation hereunder, the complaining party shall notify the other party of the default and the desired remedy. The notification shall be written. Representatives of the parties must promptly meet and attempt in good faith to negotiate a resolution of the dispute. If the dispute is not resolved within 30 days of the written notice, the parties may jointly select a mediator to facilitate further discussion. The parties will equally share the fees and expenses of this mediator. If a mediator is not used or if the parties are unable to resolve the dispute within 30 days after first meeting with the selected mediator, either party may commence an action in District Court to interpret and enforce this franchise or for such other relief as may be permitted by law or equity for breach of contract, or either party may take any other action permitted by law.~~
- ~~3. This Ordinance constitutes a franchise agreement between the City and Company as the only parties and no provision of this franchise shall in any way inure to the benefit of any third person (including the public at large) so as to constitute any such person as a third party beneficiary of the agreement or of any one or more of the terms hereof or otherwise give rise to any cause of action in any person not a party hereto.~~
- ~~4. Any change in the form of government of the City shall not affect the validity of this Ordinance. Any governmental unit succeeding the City shall,~~

~~without the consent of Company, succeed to all of the rights and obligations of the City provided in this Ordinance.~~

~~5. Nothing in this Ordinance relieves any person from liability arising out of the failure to exercise reasonable care to avoid damaging Company's facilities while performing any activity.~~

~~14-0110. Effective Date. This Ordinance is effective as provided by statute or charter and upon acceptance by Company as provided in Section 14-0108.~~

#### CHAPTER 14-01

#### NORTHERN STATES POWER COMPANY - GAS

#### SECTIONS:

- 14-0101. Definitions.
- 14-0102. Adoption of Franchise.
- 14-0103. Location, Other Regulations.
- 14-0104. Relocations.
- 14-0105. Tree Trimming.
- 14-0106. Indemnification.
- 14-0107. Vacation of Public Ways.
- 14-0108. Change in Form of Government.
- 14-0109. Provisions of Ordinance.
- 14-0110. Amendment Procedure.
- 14-0111. Previous Franchises Superseded.
- 14-0112. Franchise Fee.

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#### 14-0101. DEFINITIONS.

1. City. The City of West Fargo, County of Cass, State of North Dakota.
2. City Utility System. Facilities used for providing non-energy related public utility service owned or operated by City or agency thereof, including sewer and water service, but excluding facilities for providing heating, lighting or other forms of energy.
3. Commission. The North Dakota Public Service Commission, or any successor agency or agencies, including an agency

of the federal government which preempts all or part of the authority to regulate Gas retail rates now vested in the North Dakota Public Service Commission.

4. Company. Northern States Power Company, a Minnesota corporation, its successors and assigns.
5. Gas. "Gas" as used herein shall be held to include natural gas, manufactured gas, or other form of gaseous energy.
6. Gas Facilities. Pipes, mains, regulators, and other facilities owner or operated by Company for the purpose of providing gas service for public use.
7. Notice. A written notice served by one party on the other party referencing one or more provisions of this Ordinance. Notice to Company shall be mailed to the General Counsel, 401 Nicollet Mall, 8<sup>th</sup> Floor, Minneapolis, MN 55401. Notice to the City shall be mailed to the City Administrator, 800 Fourth Avenue East, Suite 1, West Fargo, ND 58078. Either party may change its respective address for the purpose of this Ordinance by written notice to the other party.
8. Public Ground. Land owned by the City for park, open space or similar purpose, which is held for use in common by the public.
9. Public Way. Any street, alley, walkway or other public right-of-way within the City.

14-0102. ADOPTION OF FRANCHISE.

1. Grant of Franchise. City hereby grants Company, for a period of 20 years from the date passed and approved by the City, the right to transmit and furnish Gas energy for light, heat, power and other purposes for public and private use within and through the limits of the City as its boundaries now exist or as they may be extended in the future. For these purposes, Company may construct, operate, repair and maintain Gas Facilities in, on, over, under and across the Public Ways and Public Grounds of City, subject to the provisions of this Ordinance. Company may do all reasonable things necessary or customary to accomplish these purposes, subject, however, to such reasonable regulations as may

be imposed by the City pursuant to ordinance and to the further provisions of this franchise agreement.

2. Effective Date; Written Acceptance. This franchise agreement shall be in force and effect from and after passage of this Ordinance, its acceptance by Company, and its publication as required by law. The City by resolution may revoke this franchise agreement if Company does not file a written acceptance with the City within 90 days after publication.
3. Service and Rates. The service to be provided and the rates to be charged by Company for Gas service in City are subject to the jurisdiction of the Commission.
4. Publication Expense. The expense of publication of this Ordinance will be paid by City and reimbursed to City by Company.
5. Dispute Resolution. If either party asserts that the other party is in default in the performance of any obligation hereunder, the complaining party shall notify the other party of the default and the desired remedy. The notification shall be written. Representatives of the parties must promptly meet and attempt in good faith to negotiate a resolution of the dispute. If the dispute is not resolved within 30 days of the written notice, the parties may jointly select a mediator to facilitate further discussion. The parties will equally share the fees and expenses of this mediator. If a mediator is not used or if the parties are unable to resolve the dispute within 30 days after first meeting with the selected mediator, either party may commence an action in District Court to interpret and enforce this franchise or for such other relief as may be permitted by law or equity for breach of contract, or either party may take any other action permitted by law.

14-0103. LOCATION, OTHER REGULATIONS.

1. Location of Facilities. Gas Facilities shall be located, constructed and maintained so as not to interfere with the safety and convenience of ordinary travel along and over Public Ways and so as not to disrupt normal operation of any City Utility System previously installed therein. Gas Facilities shall be located on Public Grounds as determined by the City. Company's construction, reconstruction, operation,

repair, maintenance and location of Gas Facilities shall be subject to permits if required by separate ordinance and to other reasonable regulations of the City to the extent not inconsistent with the terms of this franchise agreement. Company may abandon underground gas facilities in place, provided, at City's request, Company, at Company's sole cost and expense, will remove abandoned metal pipe interfering with a City improvement project, but only to the extent such metal pipe is uncovered by excavation as part of the City's improvement project.

2. Street Openings. Company shall not open or disturb any Public Way or Public Ground for any purpose without first having obtained a permit from the City, if required by a separate ordinance, for which the City may impose a reasonable fee. Permit conditions imposed on Company shall not be more burdensome than those imposed on other utilities for similar facilities or work. Company may, however, open and disturb any Public Way or Public Ground without permission from the City where an emergency exists requiring the immediate repair of Gas Facilities. In such event Company shall notify the City by telephone to the office designated by the City as soon as practicable. Not later than the second working day thereafter, Company shall obtain any required permits and pay any required fees.
3. Restoration. After undertaking any work requiring the opening of any Public Way or Public Ground, Company, at Company's sole cost and expense, shall restore the same, including paving and its foundation, to as good a condition as formerly existed, and shall maintain any paved surface in good condition for two years thereafter. The work shall be completed as promptly as weather permits, and if Company shall not promptly perform and complete the work, remove all dirt, rubbish, equipment and material, and put the Public Way or Public Ground in the said condition, the City shall have, after demand to Company to cure and the passage of a reasonable period of time following the demand, but not to exceed five days, the right to make the restoration at the expense of Company. Company shall pay to the City the cost of such work done for or performed by the City. This remedy shall be in addition to any other remedy available to the City for noncompliance with this Section 3.4, but the City hereby waives any requirement for Company to post a construction performance bond,

certificate of insurance, letter of credit or any other form of security or assurance that may be required, under a separate existing or future ordinance of the City, of a person or entity obtaining the City's permission to install, replace or maintain facilities in a Public Way.

4. Avoid Damage to Gas Facilities. Nothing in this Ordinance relieves any person from liability arising out of the failure to exercise reasonable care to avoid damaging Gas Facilities while performing any activity.
5. Notice of Improvements. The City must give Company reasonable notice of plans for improvements to Public Ways or Public Ground where the City has reason to believe that Gas Facilities may affect or be affected by the improvement. The notice must contain: (i) the nature and character of the improvements, (ii) the Public Ways and Public Grounds upon which the improvements are to be made, (iii) the extent of the improvements, (iv) the time when the City will start the work, and (v) if more than one Public Way or Public Ground is involved, the order in which the work is to proceed. The notice must be given to Company a sufficient length of time in advance of the actual commencement of the work to permit Company to make any necessary additions, alterations or repairs to its Gas Facilities.
6. Franchise Fee.
  - 6.1 Fee Schedule. During the term of the franchise hereby granted, and in lieu of any permit or other fees being imposed on Company, the City may impose on Company a franchise fee by collecting the amounts indicated in a Fee Schedule set forth in a separate ordinance from each customer in the designated Company Customer Class. The parties have agreed that the franchise fee collected by the Company and paid to the City in accordance with this Section 9 shall not exceed two percent (2%) of the Company's Gross Revenues, as hereinafter defined.
  - 6.2 Separate Ordinance. The franchise fee shall be imposed by a separate ordinance duly adopted by the City Council, which ordinance shall not be adopted until at least 90 days after written

notice enclosing such proposed ordinance has been served upon Company by certified mail. The fee shall not become effective until the beginning of a Company billing month at least 90 days after written notice enclosing such adopted ordinance has been served upon Company by certified mail. Section 2.5 shall constitute the sole remedy for solving disputes between Company and the City in regard to the interpretation of, or enforcement of, the separate ordinance. No action by the City to implement a separate ordinance will commence until this Ordinance is effective. A separate ordinance which imposes a lesser franchise fee on the residential class of customers than the maximum amount set forth in Section 6.1 above shall not be effective against Company unless the fee imposed on each other customer classification is reduced proportionately in the same or greater amount per class as the reduction represented by the lesser fee on the residential class.

6.3 Terms Defined. For the purpose of this Section 9, the following definitions apply:

6.3.1 "Customer Class" shall refer to the classes listed on the Fee Schedule and as defined or determined in Company's electric tariffs on file with the Commission.

6.3.2 "Fee Schedule" refers to the schedule in Section 9.1 setting forth the various customer classes from which a franchise fee would be collected if a separate ordinance were implemented immediately after the effective date of this franchise agreement. The Fee Schedule in the separate ordinance may include new Customer Class added by Company to its electric tariffs after the effective date of this franchise agreement.

6.3.3 "Gross Revenues" means all sums, excluding the added charge, received during the term of this franchise by Company from the sale of electricity

within the corporate limits of the City provided, however, that there shall be expressly excluded from the computation of gross revenues all sums received by the Company for electricity sold for municipal street and highway lighting, municipal water pumping, municipal sewage pumping, municipal traffic signal, and municipal fire siren services.

6.4 Collection of the Fee. The franchise fee shall be payable quarterly and shall be based on the amount collected by Company during complete billing months during the period for which payment is to be made by imposing a surcharge equal to the designated franchise fee for the applicable customer classification in all customer billings for electric service in each class. The payment shall be due the last business day of the month following the period for which the payment is made. The franchise fee may be changed by ordinance from time to time; however, each change shall meet the same notice requirements and not occur more often than annually and no change shall require a collection from any customer for electric service in excess of the amounts specifically permitted by this Section 6. The time and manner of collecting the franchise fee is subject to the approval of the Commission. No franchise fee shall be payable by Company if Company is legally unable to first collect an amount equal to the franchise fee from its customers in each applicable class of customers by imposing a surcharge in Company's applicable rates for electric service. Company may pay the City the fee based upon the surcharge billed subject to subsequent reductions to account for uncollectibles, refunds and correction of erroneous billings. Company agrees to make its records available for inspection by the City at reasonable times provided that the City and its designated representative agree in writing not to disclose any information which would indicate the amount paid by any identifiable customer or customers or any other information regarding identified customers.

6.5 Equivalent Fee Requirement. The separate ordinance imposing the fee shall not be effective against

Company unless it lawfully imposes and the City monthly or more often collects a fee or tax of the same or greater equivalent amount on the receipts from sales of energy within the City by any other energy supplier, provided that, as to such a supplier, the City has the authority to require a franchise fee or to impose a tax. The "same or greater equivalent amount" shall be measured, if practicable, by comparing amounts collected as a franchise fee from each similar customer, or by comparing, as to similar customers the percentage of the annual bill represented by the amount collected for franchise fee purposes. The franchise fee or tax shall be applicable to energy sales for any energy use related to heating, cooling or lighting, or to run machinery and appliances, but shall not apply to energy sales for the purpose of providing fuel for vehicles. If the Company specifically consents in writing to a franchise or separate ordinance collecting or failing to collect a fee from another energy supplier in contravention of this Section 9.5, the foregoing conditions will be waived to the extent of such written consent.

14-0104. RELOCATIONS.

1. Relocation of Gas Facilities in Public Ways. If the City determines to vacate a Public Way for a City improvement project, or at City's cost to grade, regrade, or change the line of any Public Way, or construct or reconstruct any City Utility System in any Public Way, it may order Company to relocate its Gas Facilities located therein if relocation is reasonably necessary to accomplish the City's proposed public improvement. Except as provided in paragraph 3 below, Company shall relocate its Gas Facilities at its own expense. The City shall give Company reasonable notice of plans to vacate for a City improvement project, or to grade, regrade, or change the line of any Public Way or to construct or reconstruct any City Utility System. If a relocation is ordered within five years of a prior relocation of the same Gas Facilities, which was made at Company expense, the City shall reimburse Company for non-betterment €costs on a time and material basis, provided that if a subsequent relocation is required because of

the extension of a City Utility System to a previously unserved area, Company may be required to make the subsequent relocation at its expense. Nothing in this Ordinance requires Company to relocate, remove, replace or reconstruct at its own expense its Gas Facilities where such relocation, removal, replacement or reconstruction is solely for the convenience of the City and is not reasonably necessary for the construction or reconstruction of a Public Way or City Utility System or other City improvement.

2. Relocation of Gas Facilities in Public Ground. City may require Company at Company's expense to relocate or remove its Gas Facilities from Public Ground upon a finding by City that the Gas Facilities have become or will become a substantial impairment to the existing or proposed public use of the Public Ground.
3. Projects with Federal Funding. Relocation, removal, or rearrangement of any Company Gas Facilities made necessary because of the extension into or through City of a federally-aided highway project shall be governed by the provisions of North Dakota Century Code, Chapter 24-01-41, as supplemented or amended. It is understood that the right herein granted to Company is a valuable right. City shall not order Company to remove or relocate its Gas Facilities when a Public Way is vacated, improved or realigned because of a renewal or a redevelopment plan which is financially subsidized in whole or in part by the Federal Government or any agency thereof, unless the reasonable non-betterment costs of such relocation and the loss and expense resulting therefrom are first paid to Company, but the City need not pay those portions of such for which reimbursement to it is not available.
4. No Waiver. The provisions of this franchise apply only to facilities constructed in reliance on a franchise from the City and shall not be construed to waive or modify any rights obtained by Company for installations within a Company right-of-way acquired by easement or prescriptive right before the applicable Public Way or Public Ground was

established, or Company's rights under state or county permit.

5. Failure to Relocate. Upon Company's receipt of notice from City to relocate its Gas Facilities, Company must comply with said notice within a reasonable timeframe. Failure to comply may result in City, after providing notice, relocating said Gas Facilities and charging Company for any and all costs and expenses related thereto.

14-0105. TREE TRIMMING. Company is also granted the permission and authority to trim all shrubs and trees, including roots, in the Public Ways of City to the extent Company finds necessary to avoid interference with the proper construction, operation, repair and maintenance of Gas Facilities, provided that Company shall save City harmless from any liability in the premises.

14-0106. INDEMNIFICATION.

1. Indemnity of City. Company shall indemnify, keep and hold the City free and harmless from any and all liability on account of injury to persons or damage to property occasioned by the construction, maintenance, repair, inspection, the issuance of permits, or the operation of the Gas Facilities located in the Public Ways and Public Grounds. The City shall not be indemnified for losses or claims occasioned through its own negligence except for losses or claims arising out of or alleging the City's negligence as to the issuance of permits for, or inspection of, Company's plans or work. The City shall not be indemnified if the injury or damage results from the performance in a proper manner of acts reasonably deemed hazardous by Company, and such performance is nevertheless ordered or directed by City after notice of Company's determination.
2. Defense of City. In the event a suit is brought against the City under circumstances where this agreement to indemnify applies, Company at its sole cost and expense shall defend the City in such suit if written notice thereof is promptly given to Company within a period wherein Company is not prejudiced by lack of such notice. If Company is required to indemnify and defend, it will

thereafter have control of such litigation, but Company may not settle such litigation without the consent of the City, which consent shall not be unreasonably withheld. This section is not, as to third parties, a waiver of any defense or immunity otherwise available to the City; and Company, in defending any action on behalf of the City shall be entitled to assert in any action every defense or immunity that the City could assert in its own behalf.

14-0107. VACATION OF PUBLIC WAYS. The City shall give Company at least two weeks prior written notice of a proposed vacation of a Public Way. Except where required for a City improvement project, the vacation of any Public Way, after the installation of Gas Facilities, shall not operate to deprive Company of its rights to operate and maintain such Gas Facilities, until the reasonable cost of relocating the same and the loss and expense resulting from such relocation are first paid to Company. In no case, however, shall City be liable to Company for failure to specifically preserve a right-of-way under North Dakota Century Code, Chapter 40-39.

14-0108. CHANGE IN FORM OF GOVERNMENT. Any change in the form of government of the City shall not affect the validity of this Ordinance. Any governmental unit succeeding the City shall, without the consent of Company, succeed to all of the rights and obligations of the City provided in this Ordinance.

14-0109. PROVISIONS OF ORDINANCE.

1. Severability. Every section, provision, or part of this Ordinance is declared separate from every other section, provision, or part; and if any section, provision, or part shall be held invalid, it shall not affect any other section, provision, or part. Where a provision of any other City ordinance conflicts with the provisions of this Ordinance, the provisions of this Ordinance shall prevail.
2. Limitation on Applicability. This Ordinance constitutes a franchise agreement between the City and Company as the only parties and no provision of this franchise shall in any way inure to the benefit of any third person (including the public at large) so as to constitute any such person as a third party

beneficiary of the agreement or of any one or more of the terms hereof, or otherwise give rise to any cause of action in any person not a party hereto.

14-0110. AMENDMENT PROCEDURE. Either party to this franchise agreement may at any time propose that the agreement be amended to address a subject of concern and the other party will consider whether it agrees that the amendment is mutually appropriate. If an amendment is agreed upon, this Ordinance may be amended at any time by the City passing a subsequent ordinance declaring the provisions of the amendment, which amendatory ordinance shall become effective upon the filing of Company's written consent thereto with the City Clerk within 90 days after the date of final passage by the City of the amendatory ordinance.

14-0111. PREVIOUS FRANCHISES SUPERSEDED. This franchise supersedes any previous Gas franchise granted to Company or its predecessor.

14-0112. FRANCHISE FEE.

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

\_\_\_\_\_  
President of the Board of City  
Commissioners

Attest:

\_\_\_\_\_  
City Auditor

Date of First Reading:

Date of Second Reading:

Date of Publication:

## Regular Agenda Item #6

### ORDINANCE NO. 1143

AN ORDINANCE TO CREATE AND ENACT CHAPTER 14-01A OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO RELATING TO A GAS SERVICE FRANCHISE FEE.

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

SECTION 1. Chapter 14-01A of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby created and enacted to read as follows:

#### CHAPTER 14-01A

#### GAS SERVICE FRANCHISE FEE

#### SECTIONS:

- 14-0101A. Purpose.
- 14-0102A. Franchise Fee Statement.
- 14-0103A. Payment.
- 14-0104A. Enforcement.
- 14-0105A. Effective Date of Franchise Fee.

14-0101A. PURPOSE. The West Fargo City Commission has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide natural gas services within the City of West Fargo.

1. Pursuant to City Ordinance 1140, a Franchise Agreement between the City of West Fargo and Northern States Power Company, a Minnesota corporation, its successors and assigns, the City has the right to impose a franchise fee on Northern States Power Company, a Minnesota corporation (the "Company"), its successors and assigns, in an amount and fee design as set forth in Section 6 of the Northern States Power Company Franchise and in the fee schedule attached hereto as Schedule A.

14-0102A. FRANCHISE FEE STATEMENT. A franchise fee is hereby imposed on Northern States Power Company, a Minnesota Corporation, its successors and assigns, under its gas franchise in accordance with the schedule attached here to and made a part of this Ordinance, commencing with the Company's \_\_\_\_\_, 2019 billing month.

This fee is an account-based fee on each premise and not a meter-based fee. In the event that an entity covered by this ordinance has more than one meter at a single premise, but only one account, only one fee shall be assessed to that account. If a

premise has two or more meters being billed at different rates, the Company may have an account for each rate classification, which will result in more than one franchise fee assessment for gas service to that premise. If the Company combines the rate classifications into a single account, the franchise fee assessed to the account will be the largest franchise fee applicable to a single rate classification for energy delivered to that premise. In the event any entities covered by this ordinance have more than one premise, each premise (address) shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any premise, the Company's manner of billing for energy used at all similar premises in the city will control.

14-0103A. PAYMENT. The said franchise fee shall be payable to the City in accordance with the terms set forth in Section 6 of the Franchise Agreement.

14-0104A. ENFORCEMENT. Any dispute, including enforcement of a default regarding this Ordinance will be resolved in accordance with the Franchise Agreement.

14-0105A. EFFECTIVE DATE OF FRANCHISE FEE. The effective date of this Ordinance shall be after its publication and ninety (90) days after the sending of written notice enclosing a copy of this adopted Ordinance to the Company by certified mail. Collection of the fee shall commence as provided above.

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

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

ATTEST:

\_\_\_\_\_  
City Auditor

Date of First Reading:

Date of Second Reading:

Date of Publication:

ORDINANCE NO. 1142

AN ORDINANCE TO AMEND AND REENACT SECTIONS 1-0211, 10-0134, 11-0101, 12-0306, 12-0307, 12-0308, 12-0309, 12-0402, 12-0403, 12-0407, 12-0501.3, 12-0709, 13-2204, 13-2206.2, 13-2207 AND 13-2209; TO CREATE AND ENACT SECTIONS 11-0110, 12-0214, 12-0310 AND 13-1627; AND TO REPEAL CHAPTER 10-04 AND SECTION 12-0405 OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO RELATING TO PENALTY FOR VIOLATION, REMOVAL OF WINE FROM RESTAURANT, SERVICE ANIMALS, POSSESSION AND DISCHARGE OF FIREARMS OR DANGEROUS WEAPONS, POSSESSION OF MARIJUANA, INGESTING A CONTROLLED SUBSTANCE, PUBLIC INTOXICATION, TRAFFIC PENALTIES, SUNDAY OPENING, PENALTY FOR AIDING AND ABETTING SEXUAL ABUSE AND PARKING IN ELECTRIC VEHICLE STALL OR SPACE.

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

SECTION 1. Section 1-0211 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

1-0211. PENALTY FOR VIOLATION. Any violation of an ordinance of the City of West Fargo shall be an infraction unless another penalty is specifically provided for the violation in these ordinances, or unless state law defines an offense in language similar to the ordinance as a class B misdemeanor, in which case the violation of the ordinance shall be penalized as a class B misdemeanor. An infraction may be punished by a maximum fine of \$1,000. The Municipal Judge shall have the authority to establish the penalty for each infraction which is an offense up to a maximum of \$1,000, except for offenses for which a penalty is set by State law, in which case the court must sentence in accordance with State law. Any person convicted of an infraction who has, within one year before commission of the infraction of which the person was convicted, been convicted previously at least twice of the same offense classified as an infraction, may be sentenced as though convicted of a class B misdemeanor ~~prior to the commission of the infraction of which he was convicted, been previously convicted of an offense classified as an infraction may be sentenced as though convicted of a class B misdemeanor.~~ If the prosecution contends that the infraction is punishable as a class B misdemeanor, the complaint or citation shall specify that the offense is a misdemeanor.

A class B misdemeanor may be punished by a maximum fine of \$1,500, or 30 days imprisonment, or both.

SECTION 2. Section 10-0134 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

10-0134. REMOVAL OF WINE FROM RESTAURANT. If a full bottle of wine has been opened and the contents partially consumed, a retail alcoholic beverage licensee whose gross sales of food are at least thirty percent (30%) of the gross sales of alcoholic beverages that are consumed on the premises may permit an individual purchasing the bottle ~~in conjunction with the purchase of a meal~~ to remove the bottle ~~on~~ when leaving the Licensed Premises if the licensee ~~recorks~~ reseals the bottle, ~~seals the bottle~~ with a seal that must be made conspicuously inoperative to reopen the bottle, and places a receipt of sale with the bottle. The removal of the bottle under these conditions is not an off sale of wine and is permitted without an additional license.

SECTION 3. Section 11-0101 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted by adding the definition of "Service Animal" to read as follows:

11-0101. DEFINITIONS.

\* \* \*

7. "Service animal" means any guide dog, signal dog, or other animal trained to do work, perform tasks, or provide assistance for the benefit of an individual with a disability. The term includes an animal trained to provide assistance or protection services to an individual with a disability, pull a wheelchair, lend balance support, retrieve dropped objects, or provide assistance in a medial crisis.

SECTION 4. Section 12-0306 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

12-0306. DISCHARGE OF FIREARMS OR DANGEROUS WEAPONS.

1. Except as provided herein, it is unlawful for any person to discharge a firearm or dangerous weapon within the city limits. Violation of this section is a class B misdemeanor.

2. This section does not apply to the lawful discharge of firearms or dangerous weapons by 1) law enforcement officers, 2) persons at an indoor or outdoor target range licensed or permitted by conditional use by the City Commission, 3) indoor target competition, which competition has been approved by the Police Department, or 4) the lawful discharge by persons in defense of a person or property.

SECTION 5. Section 12-0307 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

12-0307. POSSESSION OF A FIREARM AT A PUBLIC GATHERING.

1. An individual who possesses a firearm at a public gathering is guilty of an infraction. For the purpose of this section, "public gathering" includes athletic or sporting events, schools or school functions, political rallies or functions, musical concerts, and individuals in publicly owned parks where hunting is not allowed by proclamation and publicly owned or operated buildings.
2. This section does not apply to:
  - a. A law enforcement officer;
  - b. A member of the armed forces of the United States or national guard, organized reserves, state defense forces, or state guard organizations, when on duty;
  - c. A competitor participating in an organized sport shooting event;
  - d. A gun or antique show;
  - e. A participant using a blank cartridge firearm at a sporting or theatrical event;
  - f. A firearm or dangerous weapon carried in a temporary residence or motor vehicle;
  - g. A student and an instructor at a hunter safety class;
  - h. private security personnel while on duty;
  - i. A state or federal park;

- j. An individual possessing a valid Class 1 concealed weapons license from this state or who has reciprocity under Section 62.1-04-03.1 of the North Dakota Century Code authorizing the individual to carry a dangerous weapon concealed if the individual is in a church building or other place of worship and has the approval to carry in the church building or other place of worship by a primary religious leader of the church or other place of worship or the governing body of the church or other place of worship. If a church or other place of worship authorizes an individual to carry a concealed weapon, local law enforcement must be informed of the name of the authorized individual;
- k. An instructor, a test administrator, an official, or a participant in educational, training, cultural, or competitive events involving the authorized use of a dangerous weapon if the event occurs with permission of the person or entity with authority over the function or premises in question; and
- l. A municipal court judge, a district court judge, a staff member of the office of attorney general, and a retired North Dakota law enforcement officer, if the individual maintains the same level of firearms proficiency as is required by the peace officer standards and training board for law enforcement officers. A local law enforcement agency shall issue a certificate of compliance under this section to an individual who is proficient.

SECTION 6. Section 12-0308 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

12-0308. CARRYING LOADED FIREARMS IN VEHICLE.

- 1. An individual may not keep or carry a loaded firearm in or on any motor vehicle, including an off-highway vehicle or snowmobile. An individual violating this section is guilty of an infraction.
- 2. This prohibition does not apply to:
  - a. A member of the armed forces of the United States or national guard, organized reserves, state defense forces, or state guard organizations while

possessing the firearm issued to the member by the organization and while on official duty.

- b. A law enforcement officer, except while the officer is engaged in hunting or trapping activities with a rifle or shotgun.
- c. An individual possessing a valid North Dakota concealed weapons license or a valid license issued by another state authorizing the individual to carry a firearm or dangerous weapon concealed if that state permits a holder of a valid North Dakota concealed weapons license to carry a firearm or dangerous weapon concealed in that state without obtaining a similar license from that state, except while that individual is in the field engaged in hunting or trapping activities.
- d. An individual in the field engaged in lawful hunting or trapping of non-game species or furbearing animals.
- e. A security guard or private investigator properly licensed to carry firearms.
- f. An individual possessing a valid special permit issued pursuant to Section 20.1-02-05 of the North Dakota Century Code.

SECTION 7. Section 12-0309 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

12-0309. DEFINITIONS, ~~PENALTIES.~~

1. The definition of "firearms" and "dangerous weapons," for purposes of this Chapter, is as defined in Chapter 62.1-01 of the North Dakota Century Code.
- ~~2. The penalty for violations of Sections 12-0306 through 12-0308 is a class B misdemeanor.~~

SECTION 8. Section 12-0402 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

12-0402. POSSESSION OF MARIJUANA AND DRUG PARAPHERNALIA.

1. It shall be unlawful to possess marijuana within the jurisdiction of the City of West Fargo, North Dakota, unless permitted under Chapter 19-24.1 of the N.D.C.C. For purposes of this section, possession includes actual or constructive possession. Constructive possession shall mean the power and capability to exercise dominion and control over the marijuana. A person in possession of less than one-half ounce [14.175 grams] of marijuana is guilty of an infraction. A person in possession of at least one-half ounce [14.175 grams] but not more than 500 grams of marijuana is guilty of a class B misdemeanor.
2. It shall be unlawful to use or possess with the intent to use drug paraphernalia to ingest, inhale, or otherwise introduce marijuana into the human body or possess with the intent to use drug paraphernalia to store or contain marijuana, unless permitted under Chapter 19-24.1 of the N.D.C.C. Any person violating this section shall be guilty of ~~a class B misdemeanor~~ an infraction.

SECTION 9. Section 12-0403 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

12-0403. JURISDICTION. The Municipal Court of the City of West Fargo shall have jurisdiction over persons possessing not more than ~~one (1) ounce (28.35 grams)~~ 500 grams of marijuana, as defined in this chapter.

SECTION 10. Section 12-0407 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

12-0407. ~~INGESTING A CONTROLLED SUBSTANCE - VENUE FOR VIOLATION - PENALTY. A person who is under twenty-one years of age and intentionally ingests, inhales, injects, or otherwise takes into the body a controlled substance that is marijuana, unless the substance was medical marijuana obtained in accordance with the law, unless the substance was obtained directly from a practitioner or pursuant to a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, is guilty of a class B misdemeanor if the controlled substance is marijuana. Otherwise, the offense is a class A misdemeanor. The venue for a violation of this section exists in either the jurisdiction in which the controlled substance was ingested, inhaled, injected, or otherwise taken into the body or the jurisdiction in which the controlled substance was detected in the body of the accused.~~

SECTION 11. Section 12-0501.3 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

12-0501. INDIVIDUALS UNDER TWENTY-ONE YEARS OF AGE PROHIBITED FROM USING ALCOHOLIC BEVERAGES OR ENTERING LICENSED PREMISES - PENALTY.

\* \* \*

- 3. A violation of this section is a class B misdemeanor. For a violation of subsection 1 or 2, the court also shall sentence a violator to ~~alcohol and drug education~~ an evidence-based alcohol and drug education program under the rules adopted by the department of human services under section 50-06-44 of the North Dakota Century Code.

SECTION 12. Section 12-0709 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

12-0709. PUBLIC INTOXICATION - ASSISTANCE. As used in this section "intoxicated" means a state in which an individual is under the influence of alcoholic beverages, drugs, or controlled substances, or a combination of alcoholic beverages, drugs, and controlled substances. A peace officer has authority to take any apparently intoxicated person to the person's home, to a local hospital, to a detoxification center, or, whenever that person constitutes a danger to that person or others, to a jail for purposes of detoxification. A duly licensed physician of a local hospital or a licensed addiction counselor of a detoxification center has authority to hold that person for treatment up to seventy-two (72) hours. That intoxicated person may not be held in jail because of intoxication more than twenty-four (24) hours. An intoxicated person may not be placed in a jail unless a jailer is constantly present within hearing distance and medical services are provided when the need is indicated. Upon placing that person in a hospital, detoxification center, or jail, the peace officer shall make a reasonable effort to notify the intoxicated person's family as soon as possible. Any additional costs incurred by the City or county on account of an intoxicated person shall be recoverable from that person.

SECTION 13. Section 13-2204 of the Revised Ordinances of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

13-2204. TRAFFIC VIOLATIONS NON-CRIMINAL - EXCEPTIONS PROCEDURES. Any person cited, in accordance with the provisions of Sections 39-07-07 and 39-07-08 of the North Dakota Century Code, for a traffic violation under state law or municipal ordinance, other than an offense listed in Section 39-06.1-05 of the North Dakota Century Code, is deemed to be charged with a non-criminal offense. The person may appear before the designated official and pay the ~~statutory~~ fee for the violation charged at or before the time scheduled for a hearing. If the person has posted bond in person or by mail, the person may forfeit bond by not appearing at the designated time. If the person appears at the time scheduled in the citation, the person may make a statement in explanation of the person's action, and the official may at that time waive, reduce or suspend the ~~statutory~~ fee or bond, or both. If the person cited follows the foregoing procedures, the person is deemed to have admitted the violation and to have waived his right to a hearing on the issue of commission of the violation. The bond required to secure appearance before the official designated in the citation must be identical equal to the fee allowed by cities to impose under state law and as set by resolution of the City Commission ~~to the statutory fee established by Section 39-06.1-06 of the North Dakota Century Code~~. Within ten (10) days after forfeiture of bond or payment of the ~~statutory~~ fee, the official having jurisdiction over the violation shall certify to the licensing authority:

1. Admission of the violation; and
2. In speeding violations, whether the speed charged was in excess of the lawful speed limit by more than nine (9) miles (14.8 kilometers) per hour and the miles (kilometers) per hour by which the speed limit was exceeded.

This section shall not be construed as allowing a halting officer to receive the ~~statutory~~ fee or bond, unless he is otherwise authorized by law to do so.

SECTION 14. Section 13-2206.2 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

13-2206. ADMINISTRATIVE HEARING - PROCEDURES - APPEALS STATE ORDERS.

\* \* \*

2. At the time of a request for a hearing on the issue of commission of the violation, the person charged shall deposit with the official having jurisdiction an appearance bond equal to the ~~statutory~~ fee for the violation charged.

SECTION 15. Section 13-2207 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

13-2207. FAILURE TO APPEAR, PAY ~~STATUTORY~~ FEE, POST BOND PROCEDURE. If a person fails to choose one of the methods of proceeding set forth in Sections 13-2204 or 13-2206, the person must be deemed to have admitted to commission of the violation charged, and the official having jurisdiction shall report such fact to the licensing authority within ten (10) days after the date set for the hearing. Failure to appear at the time designated, after signing a promise to appear, without paying the ~~statutory~~ fee or posting and forfeiting bond is a class B misdemeanor. Failure to appear without just cause at the hearing must also be deemed an admission of commission of the violation charged.

SECTION 16. Section 13-2209 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

13-2209. AMOUNT OF ~~STATUTORY~~ FEE. The fees required for a disposition pursuant to either Section 13-2204 or Section 13-2206 shall be as follows:

1. The amount set by resolution of the City Commission, as allowed by the State Legislature in Section 40-50-06 and Section 39-06.1-06 of the North Dakota Century Code, or elsewhere in the North Dakota Century Code for the same offense.
2. For violations not covered by subsection 1 which constitute a class B misdemeanor, a fine of any amount not to exceed \$1,500 or 30 days imprisonment, or both.
3. For violations not covered by subsection 1 which constitute an infraction, a penalty not to exceed \$1,000, as determined by the discretion of the Municipal Judge.

SECTION 17. Section 11-0110 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby created and enacted to read as follows:

11-0110. Service Animal - Misrepresentation - Penalty. An individual is guilty of an infraction of the individual, in an attempt to gain admission to a public place or obtain reasonable housing accommodation under section 47-16-07.5 of the North Dakota

Century Code, knowingly makes a false claim that a pet is a service animal.

SECTION 18. Section 12-0214 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby created and enacted to read as follows:

12-0214. AIDING AND ABETTING SEXUAL ABUSE - PENALTY. Any individual who is a school district employee, contractor, or agent convicted of aiding and abetting sexual abuse as described in section 15.1-19-26 of the North Dakota Century Code is guilty of a class B misdemeanor.

SECTION 19. Section 12-0310 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby created and enacted to read as follows:

12-0310. PRODUCING LICENSE UPON REQUEST.

1. Every individual while carrying a concealed firearm or dangerous weapon, for which a license to carry concealed is required, shall have on one's person the license issued by this or another state or a digital image of one's concealed firearm or dangerous weapon license issued by this state on an electronic device and shall give it to any active law enforcement officer for an inspection upon request by the officer. The failure of any individual to give the license or digital image of the license to the officer is prima facie evidence the individual is illegally carrying a firearm or dangerous weapon concealed.

SECTION 21. Section 13-1627 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby created and enacted to read as follows:

13-1627. PARKING IN ELECTRIC VEHICLE STALL OR SPACE.

1. If a public or private entity designates a parking space for charging an electric vehicle, the reserved space must be indicated by an approved sign. The sign must be consistent with the manual of uniform traffic control devices authorized under section 39-10-50.1 of the North Dakota Century Code, as may amended, and indicate:

a. Use of the reserved space if for charging electric vehicles only; and

- b. Unauthorized use of the spaces is a nonmoving violation for which a fee of fifty dollars must be imposed.
- 2. An individual may not park or leave standing a vehicle in a stall or space designated for charging and parking a vehicle, unless the individual's vehicle is connected for electric charging purposes.
- 3. An individual may not obstruct, block, or otherwise bar access to a space designated for charging a vehicle.

SECTION 22. Chapter 10-04 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety and will be reserved for future use.

~~10-04~~  
~~SUNDAY OPENING — FOOD STORES~~

~~SECTIONS:—~~

~~10-0401. Opening Food Stores on Sunday.~~

~~10-0401. OPENING FOOD STORES ON SUNDAY. Food stores may be operated on Sunday as provided in Subsection 30 of Section 12.1-30-03 of the North Dakota Century Code, without limitation as to the number of employees which may work at any one time on a Sunday.~~

SECTION 23. Section 12-0405 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety and will be reserved for future use.

~~12-0405. PENALTY. Every person, firm or corporation violating any of the provisions of this article shall be guilty of a class B misdemeanor and subject to the imposition of penalties under Section 1-0211 of the Revised Ordinances of 1990 of the City of West Fargo, and the court to have power to suspend said sentence and to revoke the suspension thereof.~~

SECTION 24. Effective Date. This ordinance shall be in full force and effect from and after the date of its final passage and publication.

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

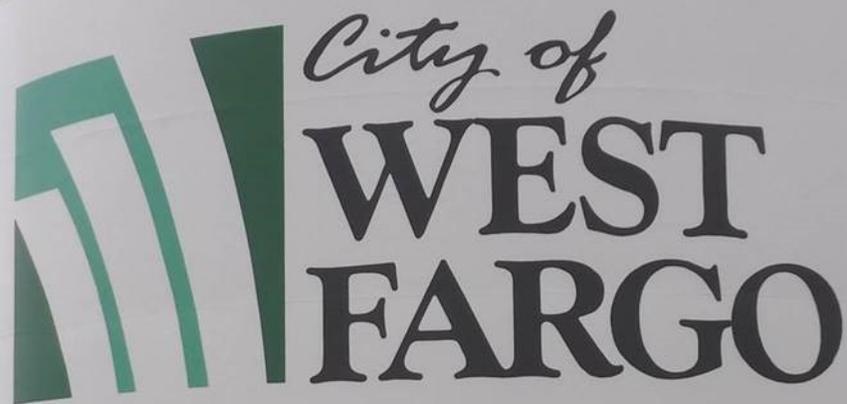
ATTEST:

\_\_\_\_\_  
City Auditor

Date of First Reading:

Date of Second Reading:

Date of Publication:



2020 PRELIMINARY

# BUDGET REPORT

*Presented to the Board of City Commissioners*

*Monday, Aug. 5, 2019*

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# INTRODUCTION

# SUMMARIES

- **Summary of All Budgeted Funds**
- **Preliminary 2020 Budget by Functional Area**
- **Mill Levy Overview**
- **Budget 2020 Property Tax/Mill Levy**

## City of West Fargo, North Dakota - Summary of All Budgeted Funds

FISCAL YEAR 2020	Governmental Funds			Proprietary Funds		Agency	Consolidated Totals
	General Fund	Debt Service	Special Revenue	Water Utility	Non-Major Utilities	Park	
<b>Revenues and Transfers In</b>							
• Property Taxes	9,014,017		4,017,186				13,031,203
• Sales Taxes			10,287,400				10,287,400
• Other Taxes		2,001,993	1,941,428				3,943,421
• Special Assessments	225,000	22,943,612	30,000			371,100	23,569,712
• Franchise Fees	1,070,000						1,070,000
• License and Permits	1,034,900						1,034,900
• Intergovernmental	2,140,000		804,980				2,944,980
• Charges for Services	883,997		581,380				1,465,377
• Fines and Forfeits	485,000						485,000
• Investment Income	1,358,700		167,300				1,526,000
• Miscellaneous	20,000		162,200				182,200
• Transfers In	3,955,989	960,000	10,497,400				15,413,389
• Public Utility				8,442,000	7,856,210		16,298,210
<b>Revenues and Transfers In Total:</b>	<b>20,187,603</b>	<b>25,905,605</b>	<b>28,489,274</b>	<b>8,442,000</b>	<b>7,856,210</b>	<b>371,100</b>	<b>91,251,792</b>
<b>Financial Uses</b>							
• General Government	6,946,852		5,574,252				12,521,104
• Public Safety	8,949,652		2,672,223				11,621,875
• Public Works	3,211,993						3,211,993
• Public Transportation	386,000						386,000
• Unallocated						371,100	371,100
• Public Utilities				7,614,057	5,813,733		13,427,790
• Capital Outlay	187,200		505,000	59,500	243,000		994,700
• Debt Service - Normal Redemption		17,540,813			690,000		18,230,813
• Debt Service - Interest and Fees		8,972,718			582,478		9,555,196
• Transfers Out	236,815		20,220,421	184,734	111,970		20,753,940
<b>Financial Uses Total:</b>	<b>19,918,512</b>	<b>26,513,531</b>	<b>28,971,896</b>	<b>7,858,291</b>	<b>7,441,181</b>	<b>371,100</b>	<b>91,074,511</b>
Surplus (Deficit)	269,091	(607,926)	(482,622)	583,709	415,029	-	177,281
Fund/Equity Balance - Beginning							-
Fund/Equity Balance - Ending	269,091	(607,926)	(482,622)	583,709	415,029	-	177,281

## City of West Fargo, North Dakota - Preliminary 2020 Budget by Functional Area

	Account	2018 Actual	2019 Budget	2020 Budget	% Change
<b>General Funds</b>					
• Court	1000-412000	\$ 543,017	\$ 498,767	\$ 668,974	34%
• Administration	1000-414000	\$ 231,396	\$ 257,269	\$ 317,216	23%
• Finance	1000-414100	\$ 376,425	\$ 364,576	\$ 468,451	28%
• Assessor	1000-414101	\$ 468,120	\$ 505,599	\$ 542,455	7%
• Economic Development	1000-414102	\$ 219,697	\$ 230,001	\$ 231,043	0%
• Human Resources	1000-414103	\$ 182,613	\$ 232,056	\$ 315,335	36%
• Information Technology	1000-414104	\$ 617,084	\$ 691,132	\$ 597,528	-14%
• Engineering	1000-414200	\$ -	\$ 346,528	\$ 487,699	41%
• Non-Departmental	1000-415000	\$ 1,596,920	\$ 1,427,496	\$ 1,298,005	-9%
• Building Inspections	1000-416000	\$ 960,363	\$ 960,000	\$ 1,000,000	4%
• Communications	1000-416200	\$ -	\$ -	\$ 383,005	
• Planning	1000-418000	\$ 520,412	\$ 338,059	\$ 899,141	166%
• Police Department	1000-421000	\$ 7,181,200	\$ 7,686,870	\$ 9,060,852	18%
• Streets	1000-430000	\$ 2,399,356	\$ 2,892,650	\$ 2,799,829	-3%
• Buildings and Grounds	1000-455000	\$ 331,976	\$ 388,330	\$ 412,164	6%
• Transfers Out	1000-521000	\$ 12,000	\$ 12,000	\$ -	-100%
• Reserve	1001-415000	\$ 123,564	\$ 100,000	\$ 436,815	337%
<b>Total General Funds</b>		\$ 15,764,143	\$ 16,931,333	\$ 19,918,512	18%

<b>Other Levied Special Funds</b>					
• City's Share of Specials	2030-490000	\$ 127,457	\$ 130,000	\$ 188,907	45%
• Fire Department	2060-415200	\$ 153,074	\$ 2,168,283	\$ 2,744,223	27%
• Library	1000-411600	\$ 1,130,113	\$ 1,382,644	\$ 1,440,688	4%
• Airport Authority	7050-500000	\$ 115,970	\$ 205,000	\$ 176,150	-14%
<b>Total Other Levied Special Funds</b>		\$ 1,526,614	\$ 3,885,927	\$ 4,549,968	17%

<b>Total Levied Funds</b>		\$ 17,290,757	\$ 20,817,260	\$ 24,468,480	18%
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<b>Special Funds</b>					
• Sales Tax	2000-521000	\$ 16,525,538	\$ 10,000,000	\$ 10,287,400	3%
• Park	2050-451000	\$ 733,904	\$ 680,000	\$ 804,980	18%
• Gaming Funds	2110-521000	\$ -	\$ 60,000	\$ 12,000	-80%
• Municipal Highway Fund	2130-510000	\$ 1,652,788	\$ 1,600,000	\$ 1,731,428	8%
• Tourism and Events	2140, etc	\$ 14,334	\$ 32,500	\$ 32,750	1%
• FM Convention Visitor's Bureau	2141-411500	\$ 241,638	\$ 210,000	\$ 210,000	0%
• Vector Control	2200-427500	\$ 115,454	\$ 100,000	\$ 100,000	0%
• Forestry	2210-428000	\$ 243,661	\$ 345,091	\$ 368,067	7%
• City Utility	2230-454000	\$ 120,144	\$ 150,000	\$ 130,000	-13%
• Night to Unite	2500-415000	\$ 3,570	\$ 5,500	\$ 5,200	-5%
• West Fest	2800-415000	\$ 27,444	\$ 27,000	\$ 26,500	-2%
• Cruise Night	2900-415000	\$ 15,315	\$ 14,000	\$ 14,000	0%
• Asset Forfeitures	2950-415000	\$ 16,096	\$ 50,000	\$ 30,000	-40%
• Economic Development	2960-411900	\$ 1,197,512	\$ 2,060,500	\$ 2,459,053	19%
• Capital Improvements	2970-480000	\$ 1,432,625	\$ 7,620,000	\$ 7,960,550	4%
• South Facilities Hookup	2980-480000	\$ -	\$ 50,000	\$ 50,000	0%
<b>Total Special Funds</b>		\$ 22,340,023	\$ 23,004,591	\$ 24,221,928	5%

<b>Debt Service</b>					
• Debt Service	3000's	\$ 44,376,455	\$ 25,801,195	\$ 26,513,531	3%

<b>Proprietary Funds</b>					
• Health and Sanitation Enterprise	6010-450200	\$ 3,343,855	\$ 3,480,565	\$ 4,052,278	16%
• Water Enterprise	6020-450000	\$ 9,005,898	\$ 7,552,686	\$ 7,858,291	4%
• Sewer Enterprise	6025-450000	\$ 681,877	\$ 3,165,363	\$ 3,388,903	7%
<b>Total Proprietary Funds</b>		\$ 13,031,630	\$ 14,198,614	\$ 15,299,472	8%

<b>Tree Planting</b>					
• Tree Planting	5000-422000	\$ 32,854	\$ 40,000	\$ 200,000	400%

<b>WF Park District Districts</b>					
• WF Park District Districts	8XXX-451000	\$ 425,646	\$ -	\$ 371,100	

<b>Total All Funds</b>		\$ 97,497,365	\$ 83,861,660	\$ 91,074,511	9%
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## City of West Fargo, North Dakota - Mill Levy Overview

### Mill Value

2019		2020		Change from Prior Year	
Mill	Value	Mill	Value	Mill	Value Change
1.00	\$ 165,740.00	1.00	\$ 173,597.00	1.00	\$ 7,857.00

### Mill Levy Schedule

Funds	2019		2020		Change from Prior Year	
	Mills	Total \$	Base Mills	Total \$	Mills	Total \$
• General Fund	54.07	\$ 8,961,601	53.92	\$ 9,360,350	(0.15)	\$ 398,749
• Share of Specials	0.79	\$ 130,935	1.13	\$ 196,165	0.34	\$ 65,230
• Fire	11.94	\$ 1,978,944	15.50	\$ 2,690,754	3.56	\$ 711,810
• Library	5.49	\$ 909,916	6.47	\$ 1,123,173	0.98	\$ 213,257
• Airport	0.93	\$ 154,139	0.93	\$ 161,445	-	\$ 7,306
<b>Totals</b>	<b>73.22</b>	<b>\$ 12,135,535</b>	<b>77.95</b>	<b>\$ 13,531,887</b>	<b>4.73</b>	<b>\$ 1,396,352</b>

### Mill Levy Increase Impacts

	4.73
• Increase for owner per \$100,000 of property value	\$ 21.29
• Increase for owner per \$200,000 of property value	\$ 42.57
• Increase for owner per \$300,000 of property value	\$ 63.86
• Increase for owner per \$400,000 of property value	\$ 85.14

## City of West Fargo, North Dakota - Budget 2020 Property Tax/Mill Levy

Mills	2015 Actual	2016 Actual	2017 Actual	2018 Actual	2019 Actual	2020 Requested
General Fund	60.07	57.28	53.16	53.49	54.07	53.92
Share of Specials	1.84	1.00	0.85	0.83	0.79	1.13
Building & Technology	4.00	4.25	-	-	-	-
Fire	7.71	6.74	5.68	10.53	11.94	15.50
Library	9.71	9.40	9.29	7.28	5.49	6.47
Airport	1.72	1.41	1.26	0.95	0.93	0.93
<b>Totals</b>	<b>85.05</b>	<b>80.08</b>	<b>70.24</b>	<b>73.08</b>	<b>73.22</b>	<b>77.95</b>

<b>Change from Prior Year</b>	<b>(4.97)</b>	<b>(9.84)</b>	<b>2.84</b>	<b>0.14</b>	<b>4.73</b>
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Dollars	2015 Actual	2016 Actual	2017 Actual	2018 Actual	2019 Actual	2020 Requested
General Fund	\$ 5,940,382	\$ 6,514,913	\$ 7,458,082	\$ 8,343,028	\$ 8,961,601	\$ 9,360,350
Share of Specials	181,959	113,738	119,251	129,333	130,935	196,165
Building & Technology	395,564	483,387	-	-	-	-
Fire	762,450	766,594	796,876	1,640,819	1,978,944	2,690,754
Library	960,232	1,069,137	1,303,341	1,134,393	909,916	1,123,173
Airport	170,093	160,371	176,772	148,032	154,139	161,445
<b>Totals</b>	<b>\$ 8,410,680</b>	<b>\$ 9,108,140</b>	<b>\$ 9,854,322</b>	<b>\$ 11,395,605</b>	<b>\$ 12,135,535</b>	<b>\$ 13,531,887</b>

<b>Change from Prior Year</b>	<b>\$ 697,460</b>	<b>\$ 746,182</b>	<b>\$ 1,541,283</b>	<b>\$ 739,930</b>	<b>\$ 1,396,352</b>
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# MILL LEVY FUNDS

- **Municipal Court**
- **Administration**
- **Finance**
- **Assessor**
- **Economic Development**
- **Human Resources**
- **Information Technology**
- **Engineering**
- **Non-Departmental**
- **Building Inspections**
- **Communications**
- **Planning**
- **Police**
- **Streets**
- **Building and Grounds**
- **Fire**
- **Library**
- **Municipal Airport**

<b>MUNICIPAL COURT (1000-412000)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
110 Salaries	57,270	79,000	165,358	
111 Judge Salaries	48,000	48,000	49,939	
220 Social Security	7,334	9,800	12,650	
230 Retirement	8,256	12,000	17,613	
240 Workforce Safety Insurance	200	250	531	
304 Interpreter Service	623	750	750	
309 Alternate Judge Salaries	3,375	4,000	5,000	
310 Court Appointed Attorneys	51,000	50,000	57,000	
311 Attorney - County Court	1,167	15,000	15,000	
312 Attorney	340,092	240,000	300,000	
315 Subpoenas	-	600	-	
316 Complaints	-	500	-	
320 Health Insurance	12,617	30,000	31,633	
340 Travel & Education	157	1,500	1,500	
399 Recruitment	143			
410 Office Supplies	4,292	3,000	4,000	
420 Operation & Maintenance	930		3,000	
497 Technology	7,561	5,000	5,000	
	<u>\$ 543,017</u>	<u>\$ 499,400</u>	<u>\$ 668,974</u>	34%
Number of FTE's	2	2	4	

<b>ADMINISTRATION (1000-414000)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
110 Salaries	\$ 169,937	\$ 175,000	\$ 202,571	
220 Social Security	12,015	15,000	15,497	
230 Retirement	25,163	27,000	30,912	
240 Safety Insurance		-	932	
245 Continuing Education			7,975	
320 Health Insurance	18,338	21,000	23,029	
340 Travel	5,344	5,000	5,000	
356 Telephone	-	2,400	2,200	
410 Office Supplies	599	1,000	750	
418 Professional Services			25,000	
497 Technology			3,000	
640 Equipment	-	-	350	
	<u>\$ 231,396</u>	<u>\$ 246,400</u>	<u>\$ 317,216</u>	29%
Number of FTE's	2	2	2	

<b>FINANCE (1000-414100)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
110 Salaries	\$ 230,601	\$ 219,960	\$ 310,544	
220 Social Security	15,941	18,400	23,757	
230 Retirement	32,799	35,000	47,389	
240 Safety Insurance	798	1,000	1,428	
245 Continuing Education	820	1,000	4,950	
320 Health Insurance	35,118	42,500	48,218	
340 Travel & Education	5,255	5,000	1,000	
356 Telephone	4,784	3,000	3,000	
360 Printing & Mailing	16,118	12,000	12,000	
387 Medical	58	200	200	
399 Recruitment	225	500	-	
410 Office Supplies	9,486	8,000	8,000	
420 Operations	-	2,500	2,500	
428 Contract Services	18,896	-	-	
497 Technology	4,406	4,000	4,000	
640 Furniture & Equipment	-	1,000	1,000	
667 Memberships & Licenses	1,120	1,000	465	
	<u>\$ 376,425</u>	<u>\$ 355,060</u>	<u>\$ 468,451</u>	32%
Number of FTE's	5	2.75	5	

<b>ASSESSOR (1000-414101)</b>		<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
110	Salaries	\$ 314,363	\$ 320,000	\$ 357,448	
220	Social Security	21,279	25,000	27,345	
230	Retirement	45,538	50,000	54,547	
240	Safety Insurance	639	800	1,644	
245	Continuing Education	3,259	7,000	10,681	
320	Health Insurance	44,792	55,000	55,880	
340	Travel & Education	4,895	4,500	500	
356	Telephone	1,881	2,400	2,000	
360	Printing & Mailing	3,320	5,500	4,000	
410	Office Supplies	2,449	3,500	3,000	
497	Technology	25,705	24,500	24,500	
667	Memberships	-	-	910	
		<u>\$ 468,120</u>	<u>\$ 498,200</u>	<u>\$ 542,455</u>	9%
	Number of FTE's	5	5	5	

<b>ECONOMIC DEVELOPMENT (1000-414102)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
110 Salaries	\$ 146,849	\$ 147,000	\$ 149,427	
220 Social Security	10,534	11,500	11,431	
230 Retirement	21,338	24,000	22,803	
240 Safety Insurance	319	500	687	
245 Continuing Education	424			
250 Unemployment	8,947	-	-	
320 Health Insurance	18,315	23,000	22,875	
340 Travel & Education	4,500	12,000	12,000	
356 Telephone	1,572	2,400	2,400	
360 Printing & Mailing	243	300	300	
410 Office Supplies	5	500	500	
497 Technology	1,141	700	720	
500 Supplies	71	400	400	
602 Marketing	4,070	5,000	5,000	
667 Memberships	1,369	2,500	2,500	
	<u>\$ 219,697</u>	<u>\$ 229,800</u>	<u>\$ 231,043</u>	1%
Number of FTE's	2	2	2	

<b>HUMAN RESOURCES (1000-414103)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
110 Salaries	\$ 116,355	\$ 133,000	\$ 147,950	
205 Advertising	-	500	-	
220 Social Security	7,582	10,200	11,318	
230 Retirement	17,097	20,500	22,577	
240 Safety Insurance	160	300	681	
245 Continuing Education	1,134	10,000	10,000	
307 Contract Services	8,727	9,800	7,600	
320 Health Insurance	23,990	15,000	22,871	
340 Travel & Education	1,137	5,000	9,800	
356 Cell Phone Service	-	500	1,460	
360 Printing & Mailing	865	300	500	
378 Employee Relations	25	12,000	12,000	
399 Recruiting/Employment	306		500	
410 Office Supplies	726	1,200	1,200	
418 Professional Services	250	500	500	
497 Technology	1,870	500	62,608	
640 Furniture & Equipment	-	700	500	
667 Memberships	2,389	750	3,270	
	<u>\$ 182,613</u>	<u>\$ 220,750</u>	<u>\$ 315,335</u>	43%
Number of FTE's	2	2	2	

<b>INFORMATION TECHNOLOGY (1000-414104)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
110 Salaries	\$ 232,997	\$ 205,000	\$ 270,025	
110 On-Call			9,332	
220 Social Security	17,099	15,500	20,657	
230 Retirement	33,107	30,500	41,206	
240 Safety Insurance	399	500	1,242	
320 Health Insurance	19,918	20,000	51,890	
340 Travel & Education	7,195	7,500	7,500	
356 Telephone	(167)	2,400	2,400	
387 Medical/Vaccines	-	-	-	
410 Office Supplies	2,137	2,000	2,000	
420 Operation & Maintenance	-	-	-	
497 Technology	304,399	275,000	187,776	
640 Furniture and Equipment			2,500	
667 Memberships			1,000	
852 Website	-	-	-	
	<u>\$ 617,084</u>	<u>\$ 558,400</u>	<u>\$ 597,528</u>	7%

Number of FTE's	3	3	4
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<b>ENGINEERING (1000-414200)</b>		<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
110	Salaries		\$ 200,000	\$ 285,168	
220	Social Security		15,300	21,815	
230	Retirement		30,520	43,517	
240	Safety Insurance			1,311	
245	Continuing Education			6,400	
307	Contract Services		50,000	50,000	
320	Health Insurance		30,000	55,488	
340	Travel		3,000	3,000	
356	Telephone			2,400	
360	Printing & Mailing			4,000	
410	Office Supplies		2,000	2,000	
418	Professional Services			1,500	
497	Technology		25,000	5,000	
640	Equipment		2,000	5,000	
667	Memberships			1,100	
		-	-	1,100	
		<u>\$ -</u>	<u>\$ 357,820</u>	<u>\$ 487,699</u>	36%
	Number of FTE's		2	3.5	



<b>BUILDING INSPECTIONS (1000-416000)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
307 Contract Services	\$ 960,000	\$ 960,000	\$ 1,000,000	
360 Printing & Mailing	363	-	-	
	<u>\$ 960,363</u>	<u>\$ 960,000</u>	<u>\$ 1,000,000</u>	4%

<b>COMMUNICATION (1000-416200)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
110 Salaries			\$ 173,618	
220 Social Security			13,282	
230 Retirement			26,464	
240 Safety Insurance			799	
245 Continuing Ed/Prof Dev			7,500	
320 Health Insurance			23,008	
340 Travel & Education			500	
356 Telephone			2,560	
410 Office Supplies			1,500	
440 Advertising			\$5,000	
497 Technology			14,814	
602 Marketing			111,000	
641 Equipment			2,000	
667 Memberships			960	
	-	-		
	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 383,005</u>	

Number of FTE's	2	2	3
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<b>STREET (1000-430000)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
110 Salaries	\$ 768,542	\$ 748,000	\$ 689,624	
110 Overtime	32,700	40,907	30,000	
114 Part-time Salaries	15,321	18,500	18,500	
220 Social Security	54,874	58,000	55,051	
230 Retirement	97,910	115,000	105,237	
240 Safety Insurance	24,712	25,000	3,172	
318 Metro COG Dues & Contracts	9,325	55,000	-	
320 Health Insurance	96,199	130,000	136,600	
323 Liability Insurance	33	10,000	10,000	
340 Travel & Education	-	2,000	2,000	
352 Heat	2,119	2,000	2,000	
356 Telephone	679	1,000	1,000	
358 Landscaping	-	10,000	12,000	
360 Printing & Mailing	167	1,000	1,000	
373 Training	300	15,000	15,000	
377 Snow/Ice Treatment	160,450	155,000	160,000	
381 Snow Removal/Mowing	19,703	6,000	20,000	
382 Radio Repair	449	1,000	1,000	
387 Medical/Vaccines	-	1,000	1,000	
391 Street Lighting	369,446	450,000	450,000	
392 Street Light Repair	25,720	30,000	30,000	
394 Gravel & Mix	27,366	68,000	68,000	
399 Recruitment/Employee Testing	1,338	1,000	1,500	
410 Office Supplies	1,506	3,500	4,000	
422 Uniforms	5,496	6,000	6,500	
424 Gas & Oil	103,533	82,500	120,000	
427 Repairs	58,915	60,000	60,000	
432 Tools	6,999	14,000	14,000	
433 Shop Supplies	10,430	10,000	12,000	
444 Property Damage	4,674			
485 Street Sweeping	30,648	70,000	70,000	
486 Street Striping	15,111	60,000	60,000	
487 Signs/Signal Lights	52,674	45,000	50,000	
488 Paint/Maintenance	-	2,000	2,000	
490 Miscellaneous	1,160	1,000	1,000	
497 Technology	446	-	10,000	
639 Safety Expenses	7,859	8,500	10,000	
653 Capital Improvements			50,000	
657 Equipment Lease	249,492	394,000	412,645	
667 Memberships & Licenses	-	6,000	6,000	
722 Street Repairs	45,892	50,000	60,000	
751 Pub/Tech Manuals/Software	127	3,000	3,000	
870 Capitalized Assets	122,249	169,500	24,000	
913 Tire Purchase & Repair	7,452	9,500	12,000	
	<u>\$ 2,432,016</u>	<u>\$ 2,937,907</u>	<u>\$ 2,799,829</u>	-5%

Number of FTE's

13

13

14

<b>BUILDINGS AND GROUNDS (1000-455000)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
110 Salaries	\$ 109,018	\$ 125,000	\$ 132,330	
110 Overtime	1,106	762	1,600	
220 Social Security	7,319	10,000	10,123	
230 Retirement	15,454	19,000	20,193	
307 Contract Services	103,328	110,000	114,000	
320 Health Insurance	21,195	30,000	33,418	
340 Travel & Education	57	3,000	3,000	
352 Heat	-	1,000	1,000	
356 Telephone	1,079	2,000	2,000	
358 Landscaping	2,440	5,000	5,000	
360 Printing & Mailing	333	500	500	
387 Medical/Vaccines	-	500	500	
389 Recruitment	176	500	500	
420 Operation & Maintenance	52,957	63,000	67,000	
432 Tools	3,889	4,000	4,000	
500 Supplies	9,731	10,000	12,000	
802 Building Repair	-	4,500	5,000	
864 Equipment over \$5,000	5,000	-	-	
	<u>\$ 333,082</u>	<u>\$ 388,762</u>	<u>\$ 412,164</u>	6%
Number of FTE's	2	3	3	

<b>FIRE (2060-415200)</b>		<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
<i>Expenses</i>					
110	Salary		\$ 983,000	\$ 1,447,740	
220	Social Security		75,200	110,752	
230	Retirement		230,000	220,925	
240	Workforce Safety Insurance			6,660	
245	Continuing Education			65,380	
320	Health Insurance		176,000	186,807	
323	Liability Insurance			27,500	
360	Misc Printing/Mailing			8,380	
375	Public Relations			9,800	
387	Medical/Vaccines			18,900	
410	Office Supplies			1,500	
420	Operations & Maintenance			14,349	
422	Uniforms			15,625	
424	Gas and Oil			25,639	
427	Repairs			40,664	
428	Service Agreemetns		744,205	-	
440	Advertising			2,000	
497	Technology			12,849	
500	Supplies			10,000	
527	Utilities			54,815	
610	Vehicle Purchases-Depreciated			105,000	
640	Furniture & Equipment			1,850	
641	Equipment- Non Depreciated			72,000	
657	Equipment Lease			189,295	
667	Memberships			890	
710	Principal			84,960	
802	Building Repair			9,943	
	Total Expenses	\$ -	\$ 2,208,405	\$ 2,744,223	24%
<i>Revenue</i>					
310001	Mill Levy		\$ 1,978,205	\$ 2,690,754	
310002	Levy Discounts			(99,558)	
320000	License & Permits			5,000	
360000	Misc. Revenues			90,000	
	Total Revenues	\$ -	\$ 1,978,205	\$ 2,686,196	36%
	<i>Fire Department Net</i>	\$ -	\$ (230,200)	\$ (58,027)	-75%
	Number of FTE's		18	21	

<b>LIBRARY (7000-411600)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
<i>Expenses</i>				
110 Salaries	\$ 429,373	\$ 607,366	\$ 608,944	
114 Part-time Salaries	91,332	85,000	121,413	
220 Social Security	37,860	53,372	55,872	
230 Retirement	62,845	86,706	91,727	
240 Workforce Safety Insurance	692	1,800	3,360	
245 Continuing Education	2,953	2,500	3,000	
312 Attorney	-	1,000	1,000	
250 Unemployment	-	1,000	1,000	
320 Health Insurance	49,746	72,000	76,888	
333 Building Rental	143,880	144,000	144,000	
340 Travel & Education	4,246	5,000	2,980	
356 Telephone	1,194	2,500	2,400	
360 Miscellaneous Printing	3,971	7,000	9,245	
387 Medical and Vaccines	-	500	500	
399 Recruitment	2,093	3,000	3,000	
410 Office Supplies	19,030	18,000	18,000	
428 Service Agreement Contracts	26,897	15,000	17,500	
497 Technology	40,084	50,000	51,962	
640 Furniture & Equipment	26,676	12,000	17,500	
644 Postal Meter Rent	887	1,500	1,500	
648 Professional Publications	1,122	1,200	1,200	
649 Programming	7,583	11,000	11,000	
650 Electronic Resources	25,211	32,000	30,250	
661 Shipping	6,472	-	-	
662 Books	90,884	100,750	100,750	
663 Magazines	5,684	6,500	6,500	
664 Audio and Video	24,402	31,500	31,500	
667 Memberships	648	1,200	1,247	
669 Insurance	729	1,750	1,750	
672 Emergency Medical Supplies	137	250	250	
673 Cleaning Supplies	434	500	500	
689 Promotional Activities	9,197	12,000	11,400	
724 Consulting/Testing Fees	1,125	500	-	
750 Miscellaneous	490	750	750	
852 Website	650	-	-	
901 Cataloguing	6,727	6,000	2,300	
903 History Room	856	2,500	2,500	
994 ODIN	4,003	5,000	7,000	
	<u>\$ 1,130,113</u>	<u>\$ 1,382,644</u>	<u>\$ 1,440,688</u>	4%
<i>Revenue</i>				
310001 Taxes	\$ 1,093,593	\$ 908,850	\$ 1,081,616	
335600 Intergovernmental	35,154	40,000	-	
345200 Charges for Services	471	500	500	
360000 Miscellaneous	35,505	21,200	21,200	
375000 Pledges	2,823	2,000	2,000	
	<u>\$ 1,167,546</u>	<u>\$ 972,550</u>	<u>\$ 1,105,316</u>	14%
Number of FTE's	9	10	11	
Number of PTE's	14	13	15	

<b>AIRPORT (7050)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
<i>Expenses</i>				
120 Salaries	\$ 600	\$ 600	\$ 600	
307 Contract Services	36,300	40,400	39,600	
312 Attorney	-	1,000	1,000	
321 Property Insurance	731	750	750	
323 Liability Insurance	3,032	3,200	3,200	
340 Travel & Education	150	2,000	-	
356 Telephone	756	700	800	
360 Miscellaneous Printing	-	200	200	
420 Operation & Maintenance	28,841	65,000	40,000	
426 Machinery and Parts	-	40,000	5,000	
653 Capital Improvements	45,560	51,150	85,000	
	<u>\$ 115,970</u>	<u>\$ 205,000</u>	<u>\$ 176,150</u>	-14%
<i>Revenue</i>				
Property Taxes	\$ 148,650	\$ 154,000	\$ 155,472	
Miscellaneous Revenue	28,800	21,000	21,000	
Transfer in From Reserve	-	30,000	-	
	<u>\$ 177,450</u>	<u>\$ 205,000</u>	<u>\$ 176,472</u>	-14%

# **SPECIAL REVENUE FUNDS**

- **Sales Tax**
- **Park**
- **Vector Control**
- **Forestry**
- **Tourism & Events**
  - **Cruise Nights**
  - **West Fest**
  - **Taste of West Fargo**
  - **Arts Social**
  - **Tree Lighting**
  - **Street Fair**

<b>SALES TAX (2000-521000)</b>		<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
<i>Expenses</i>					
890	Transfers Out	<u>16,285,604</u>	<u>10,000,000</u>	<u>10,500,000</u>	5%
<i>Revenue</i>					
312000	Sales Taxes	\$ 10,387,248	\$ 10,000,000	\$ 10,500,000	
361000	Miscellaneous Revenue	<u>45,037</u>	<u>10,000</u>	<u>35,000</u>	
		<u>\$ 10,432,285</u>	<u>\$ 10,010,000</u>	<u>\$ 10,535,000</u>	5%

<b>PARK (2050-451000)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
<i>Expenses</i>				
992 Share of State Aid	\$ <u>733,904</u>	\$ <u>680,000</u>	\$ <u>740,000</u>	101%
 <i>Revenue</i>				
335600 State Aid Revenue	\$ <u>733,904</u>	\$ <u>680,000</u>	\$ <u>740,000</u>	101%

<b>VECTOR CONTROL (2200-427500)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
<i>Expenses</i>				
395 Mosquito Control	\$ <u>115,454</u>	\$ <u>100,000</u>	\$ <u>100,000</u>	0%
<i>Revenue</i>				
Vector Collections	\$ <u>94,999</u>	\$ <u>-</u>	\$ <u>100,000</u>	0%

<b>FORESTRY (2210-428000)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
<i>Expenses</i>				
110 Salaries	\$ 39,685	\$ 80,000	\$ 96,325	
110 Overtime	290	1,224	1,000	
114 Part Time Salaries	68,553	100,000	100,000	
220 Social Security	8,275	6,100	15,096	
230 Retirement	5,789	12,100	14,699	
240 Work Force Safety Insurance	4,436	-	-	
320 Health Insurance	716	2,000	2,016	
340 Travel & Education	75	-	-	
358 Landscaping	11,967	12,000	15,000	
360 Miscellaneous Printing	204	3,000	4,000	
370 Public Participation/outreach			2,000	
373 In Service Training	1,261	2,000	10,500	
387 Medical/Vaccines	-	1,000	1,000	
399 Recruiting	3,540	1,000	1,000	
410 Office Supplies	134	250	500	
426 Machinery Parts	3,584	3,000	3,500	
427 Repairs	1,061	1,000	1,500	
446 Tree Purchase	35,816	20,000	20,000	
487 Signs/Signal Lights	203	300	300	
641 Equipment - non depreciated	6,189	8,000	9,000	
657 Equipment Lease	20,025	54,000	46,091	
667 Memberships	195	500	540	
758 Tree Removal Fee	-	5,000	5,000	
870 Capitalized Assets over \$5,000	31,953	31,500	19,000	
	<u>\$ 243,951</u>	<u>\$ 343,974</u>	<u>\$ 368,067</u>	7%
<i>Revenue</i>				
Forestry	\$ 117,577	\$ 100,000	\$ 100,000	
Miscellaneous	-	2,500	2,500	
Transfer In	-	-	200,000	
	<u>\$ 117,577</u>	<u>\$ 102,500</u>	<u>\$ 302,500</u>	195%
Number of FTE's	1.00	2.00	2.00	

<b>TOURISM AND EVENTS</b>		<b>Fund 2900</b>	<b>Fund 2800</b>	<b>Fund 2805</b>	<b>Fund 2810</b>	<b>Fund 2815</b>	<b>Fund 2820</b>	<b>Fund 2140</b>	<b>Total Funds</b>
<b>Acct Code</b>	<b>Cruise Night</b>	<b>West Fest</b>	<b>Taste of West Fargo</b>	<b>Arts Social</b>	<b>Tree Lighting</b>	<b>Street Fair</b>	<b>Tourism &amp; Events</b>		
<u>Revenues:</u>									
Interest	361000							340	340
Sponsorships	360100	12,000	17,000				5,000		34,000
Parade Participation Fees	375300		8,000						8,000
Softball Registration	375400		1,375						1,375
Vendor Fees	382000	2,000	1,300				5,000		8,300
Ticket Sales	336400			2,500					2,500
<b>Total Revenues</b>		<b>14,000</b>	<b>27,675</b>	<b>2,500</b>	<b>0</b>	<b>0</b>	<b>10,000</b>	<b>340</b>	<b>54,515</b>
<u>Expenditures: (456000)</u>									
Advertising	440	4,300	7,000	1,000	1,000	1,000	2,500	4,250	21,050
Donations	300	2,500						10,000	12,500
Misc Printing & Mailing	360	500	500	500				1,500	3,000
Culture & Recreation	517	6,700	19,000	500	1,500	1,500	5,000	2,500	36,700
<b>Total Expenditures</b>		<b>14,000</b>	<b>26,500</b>	<b>2,000</b>	<b>2,500</b>	<b>2,500</b>	<b>7,500</b>	<b>18,250</b>	<b>73,250</b>
Excess (Deficiency) of Revenues Over Expenditures		0	1,175	500	(2,500)	(2,500)	2,500	(17,910)	(18,735)
<u>Other Financing Sources (Uses):</u>									
Transfers in	383000							10,000	10,000
		0	0	0	0	0	0	10,000	10,000
<b>Net Change in Fund Balances</b>		<b>0</b>	<b>1,175</b>	<b>500</b>	<b>(2,500)</b>	<b>(2,500)</b>	<b>2,500</b>	<b>(7,910)</b>	<b>(8,735)</b>

# DEBT SERVICE FUNDS

DEBT SERVICE (3XXX-490000)		318000	710	720	740
Fund	Description	Revenue	Principal	Interest	Fees
3339	RIB 2011C	\$ 570,000	\$ 430,000	\$ 221,625	\$ 1,232
3340	RIB 2011B	200,000	175,000	2,800	1,168
3341	RIB 2011A	200,000	550,000	11,000	1,068
3344	2006 Sidewalk	7,000			
3349	RIB 2008C	373,000	465,000	64,170	612
3360	RIB 2012B	285,000	610,000	16,040	1,172
3368	GO 2009	960,000	780,000	173,108	1,004
3369	NDPFA 2009	26,000	15,000	20,678	133
3370	RIB 2009C	380,000	345,000	140,709	612
3371	RIB 2010 A (refund of 2003E)	550,000			
3372	RIB 2010B	366,000	300,000	147,363	1,228
3373	2010 Sidewalk	12,000	50,000	300	1,218
3375	RIB 2012A	825,000	715,000	336,763	1,232
3376	2012 Sidewalk	11,500	20,000	1,125	1,226
3377	RIB 2012C (Ref 2006B & 20C)	750,000			
3378	RIB 2012D	1,880,000	1,525,000	657,320	1,236
3379	2012 Sales Tax	212,605	185,000	26,375	1,230
3381	RIB 2013A	966,000	725,000	298,300	1,236
3382	RIB 2013B	849,000	620,000	353,734	1,240
3383	2012 Sidewalk Districdt (60:	29,000			
3384	RIB 2014A	1,225,000	845,000	412,775	1,240
3385	RIB 2014B	1,453,000	925,000	561,860	1,244
3386	RIB 2015A	1,810,000	1,325,000	865,875	1,248
3387	RIB 2015B	1,700,000	1,050,000	697,350	1,248
3388	RIB 2016A	1,840,000	1,310,000	766,669	1,252
3389	RIB 2017A	3,450,000	1,150,000	1,359,913	1,256
3389	Definitive Warrants 2017 \$10M		328,987	289,620	-
		3,450,000	1,478,987	1,649,533	1,256
3391	2018A Refunding	1,666,500	2,015,000	198,338	1,180
3392	Definitive Warrants 2017 \$5M		161,826	98,461	-
3392	RIB 2018B	1,360,000	880,000	1,210,788	1,260
		1,360,000	1,041,826	1,309,248	1,260
3979	TIF WF 2nd & 3rd	95,000			
3981	TIF Sterling	320,000			
3982	TIF Butler	1,100,000			
3983	TIF Titan	400,000	40,000	11,755	1,238
3987	TIF Meadow Brook/Sandhil	34,000			
****	2019A Refunding, funds 3349 & 3370				

### Other Debt Service

4391	2018 RIB Temp Financiing			789,564	
4491	2018 RIB Temp Financiing			179,226	
6020	W&S Rev Bonds of 2012		455,000.00	207,897	1,028
6020	W&S Rev Bonds of 2009		235,000.00	372,509	1,044
			\$ 690,000	580,406	2,072

# **ENTERPRISE/ UTILITY FUNDS**

- **Health and Sanitation Enterprise**
- **Water Enterprise**
- **Sewer Enterprise**



<b>WATER ENTERPRISE (6020-450000)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
<i>Revenue</i>				
Fees	\$ 118,090	\$ 120,000	\$ 120,000	
Water Charges	7,267,586	8,000,000	8,000,000	
BAB Interest Buy down	64,515	127,000	127,000	
Miscellaneous	62,171	70,000	70,000	
Rent	20,255	20,000	20,000	
SE Cass Water Resources	38,684	50,000	50,000	
Sump Pump Variance	38,363	40,000	40,000	
Permits	12,285	15,000	15,000	
<b>Total Revenues</b>	<b>\$ 7,621,949</b>	<b>\$ 8,442,000</b>	<b>\$ 8,442,000</b>	<b>0%</b>
<i>Expenses</i>				
110 Salaries	\$ 1,291,170	\$ 1,339,000	\$ 1,377,938	
110 Overtime	34,729	40,907	30,000	
114 Part-time Salaries	10,511	18,500	18,500	
209 Classified ads	-	500	500	
220 Social Security	92,571	102,600	109,122	
230 Retirement	171,008	208,000	210,273	
240 Workforce Safety Insurance	14,981	15,000	6,338	
250 Unemployment	4,169	-	-	
313 Engineering	10,609	-	-	
320 Health Insurance	165,506	217,500	211,882	
323 Liability Insurance	128,503	-	-	
335 Water Testing	5,850	39,000	40,000	
340 Travel & Education	142	-	-	
345 Water Purchases	3,268,935	3,605,000	3,800,000	
351 Lights/Electricity	390,880	-	-	
356 Telephone	40,215	13,250	23,000	
360 Misc Printing & Mailing	97,833	93,000	93,000	
373 In Service Training	14,758	10,000	15,000	
382 Radio Repair	419	500	500	
387 Medical/Vaccines	169	375	375	
394 Gravel and Mix	6,249	40,000	40,000	
399 Recruitment	3,307	500	500	
410 Office Supplies	5,030	2,000	2,500	
412 Locates	37,118	20,000	20,000	
419 Operation/Maintenance new	-	10,000	10,000	
420 Operation/Maintenance new	13,222	30,000	30,000	
422 Uniforms	6,470	4,625	4,625	
423 Chemicals	-	30,000	-	
424 Gas and Oil	85,302	67,500	85,000	
427 Repairs	79,712	40,000	65,000	
430 Alarms/Scada	17,395	5,000	15,000	
431 Lab Supplies	2,893	1,000	1,500	
432 Tools	20,925	15,000	15,000	
433 Shop Supplies	17,345	9,000	13,000	
438 Repair to Water Lines	128,342	135,000	150,000	
444 Property Damage-Repairs	10	-	-	
448 Diversion Expense	1,523	-	-	
490 Miscellaneous	4,716	2,500	4,000	

<b>WATER ENTERPRISE (6020-450000)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
497 Technology	78,451	32,500	35,000	
527 Utilities	768	-	-	
639 Safety Expenses	4,693	7,500	8,000	
641 Equipment-Non Depreciated	-	4,500	4,500	
653 Capital Improvements	-	10,000		
657 Equipment Lease	10,013	25,000	20,025	
667 Memberships	8,813	5,000	9,000	
751 Pub/tech manuals/software	-	3,250	3,250	
822 Fees for State Health Dept.	160	2,500	2,500	
825 Lift Station Repair	1,336	-	-	
826 Storm sewer Lift station	2,373	-	-	
864 Equipment over \$5,000	166,201	-	-	
865 Vehicles - over \$5,000	-	95,000	-	
870 Capitalized Assets - Over \$5,00	-	-	55,000	
890 Transfers Out	1,704,785	-	55,985	
913 Tire Purchase and Repair	4,161	-	-	
420 Building & Grounds Ops	37,661	30,000	-	
<b>Total Operating Expenses</b>	<b>\$ 8,191,932</b>	<b>\$ 6,330,507</b>	<b>\$ 6,585,813</b>	<b>4%</b>
<i>Debt Services</i>				
710 Principal	430,000	665,000	690,000	
720 Interest	430,271	605,500	580,406	
740 Service Charges	1,646	3,000	2,072	
<b>Total Debt Service</b>	<b>\$ 861,917</b>	<b>\$ 1,273,500</b>	<b>\$ 1,272,478</b>	<b>0%</b>
<b>Total Expenses</b>	<b>\$ 9,053,849</b>	<b>\$ 7,604,007</b>	<b>\$ 7,858,291</b>	<b>3%</b>
<b>Net Surplus/(Deficit)</b>	<b>\$ (1,431,900)</b>	<b>\$ 837,993</b>	<b>\$ 583,709</b>	

Number of FTE's	24	22	23
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<b>SEWER ENTERPRISE (6025-450000)</b>	<b>2018 Actual</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>% Change</b>
<i>Revenue</i>				
Sewer Charges	1,571,387	3,200,000	3,200,000	
<b>Total Revenues</b>	<b>\$ 1,571,387</b>	<b>\$ 3,200,000</b>	<b>\$ 3,200,000</b>	<b>0%</b>
<i>Expenses</i>				
110 Salaries	\$ 304,433	\$ 376,000	\$ 451,173	
110 Overtime	33,321	32,644	35,000	
114 Part-time Salaries	-	9,250	9,250	
160 Lagoon misc.	5,882	35,000	35,000	
209 Classified ads	-	500	500	
220 Social Security	21,557	30,000	37,900	
230 Retirement	36,607	60,000	68,849	
240 Workforce Safety Insurance	6,448	7,000	2,075	
250 Unemployment	-	-	-	
312 Attorney	-	-	-	
313 Engineering	-	-	-	
320 Health Insurance	42,108	70,000	78,671	
321 Property Insurance	-	20,000	20,000	
323 Liability Insurance	31	-	-	
335 Water Testing	18,550	-	12,000	
347 Sewer Treatment Purchases	-	1,250,000	1,250,000	
351 Lights/Electricity	-	460,000	460,000	
352 Heat and Natural Gas	-	40,000	40,000	
356 Telephone	-	13,500	13,500	
360 Misc Printing & Mailing	517	-	5,000	
373 In Service Training	130	10,000	15,000	
382 Radio Repair	-	500	500	
387 Medical/Vaccines	-	375	375	
394 Gravel and Mix	-	25,000	25,000	
399 Recruitment	-	500	500	
410 Office Supplies	2,605	2,000	2,000	
419 Operation/Maintenance new	-	10,000	10,000	
422 Uniforms	357	4,625	4,625	
423 Chemicals	107,699	15,000	75,000	
424 Gas and Oil	2,670	67,750	67,750	
427 Repairs	11,531	40,000	40,000	
430 Alarms/Scada	2,923	50,000	50,000	
431 Lab Supplies	518	1,000	1,500	
432 Tools	-	15,000	15,000	
433 Shop Supplies	-	9,000	10,000	
437 Repairs to Manholes	18,806	100,000	100,000	
439 repair to Sewer Lines	30,310	50,000	40,000	
490 Miscellaneous	157	2,500	2,500	
497 Technology	18,137	32,500	32,500	
639 Safety Expenses	10,000	7,500	10,000	
641 Equipment-Non Depreciated	-	-	26,000	
657 Equipment Lease	-	115,000	75,500	
667 Memberships	-	5,000	5,000	
751 Pub/tech manuals/software	-	3,250	3,250	
822 Fees for State Health Dept.	-	2,500	2,500	
825 Lift Station Repair	34,526	55,000	75,000	
826 Storm sewer Lift station	-	40,000	40,000	
827 Retention Pond Repair	-	20,000	30,000	
864 Equipment over \$5,000	15,375	26,000	-	
865 Vehicles - over \$5,000	-	90,000	54,500	
890 Transfers Out	-	-	55,985	
<b>Total Expenses</b>	<b>\$ 725,198</b>	<b>\$ 3,203,894</b>	<b>\$ 3,388,903</b>	<b>6%</b>
<b>Net Surplus/(Deficit)</b>	<b>\$ 846,189</b>	<b>\$ (3,894)</b>	<b>\$ (188,903)</b>	

Number of FTE's

8

9

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: Tim Solberg

2. PHONE NUMBER: 433-5320 DATE: August 1, 2019

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

Woodland Estates 2<sup>nd</sup> Subdivision, Replat.

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

Lot 6, Block 1 of Woodland Estates Subdivision, 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

A19-2		REPLAT	
Woodland Estates 2 <sup>nd</sup> Subdivision			
Lot 6, Block 1 of Woodland Estates Subdivision, Cass County, North Dakota			
Owner/Applicant: Steven & Karen Kraft		Staff Contact: Tim Solberg, AICP	
Planning & Zoning Commission Introduction:		02-12-2019	
Public Hearing:		02-12-2019 - Approved	
City Commission:			

**PURPOSE:**

Replat previously subdivided lot into two for sale and development.

**STATEMENTS OF FACT:**

Land Use Classification:	G-1 – Sub Urban – Restricted Growth Sector (ETJ)
Existing Land Use:	Single Family Dwelling
Current Zoning District(s):	R-1E: Rural Estate District
Zoning Overlay District(s):	CO: Corridor Overlay District (County Hwy 17N)
Proposed Lot size(s) or range:	46,557 ft <sup>2</sup> – 111,326 ft <sup>2</sup>
Total area size:	3.56 Acres
Adjacent Zoning Districts:	R-1E: Rural Estate District
Adjacent street(s):	Ann Street (Local); Cass County Hwy 17N; 19 <sup>th</sup> Avenue NW
Adjacent Bike/Pedestrian Facilities:	None
Available Parks/Trail Facilities:	None
Park Dedication Requirements:	N/A

**DISCUSSION AND OBSERVATIONS:**

- The applicant has submitted an application for replat and a preliminary plat for property located in the City’s extraterritorial (ET) area about 1 mile north of West Fargo City Limits.
- The applicant owns a lot on the NW corner of Cass County Hwy 17N and 19<sup>th</sup> Avenue NW and proposes subdividing into two lots for sale of the vacant lot.
- The area is within a Special Flood Hazard Area (SFHA). Any development will be required to meet all applicable Federal, State, and Local regulations, which may have changed since the existing home was constructed.
- There have been concerns noted previously by Fargo/Cass Public Health with regard to on-site septic systems being built on smaller lots in the floodplain. The addition of fill required to build homes sometimes does not leave adequate undisturbed soil for placement of a proper drainfield.

**NOTICES:**

Sent to: Applicable Agencies and Departments, including Reed Township officials, Cass County Planning and the Cass County Sanitarian.

Comments Received:

- Fargo/Cass Public Health provided the following regarding on-site septic for the proposed split:

STAFF REPORT

Floodplain issues can be considerable as a septic system cannot be installed in fill dirt. They must be placed in undisturbed soil. Most of the time, lots of this nature can pretty easily get past issues with fill/possible flooding by installing pressurized mound systems, which can incorporate raised fill in their design. This type of system is able to mitigate seasonal groundwater issues as well as any overland flooding. Our office recommends that developers with these types of lots anticipate the need for an above ground pressurized mound system in their planning.

- A call was received from an adjacent property owner that believed the subdivision had restrictive covenants that do not allow the subdivision of property. The City does not enforce covenants and believes this a matter between the property owner and the subdivision.

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

- The Sub-Urban - Restricted Growth Sector includes areas between the current and proposed diversion that may have new development potential should the new diversion be built. The G-1 area identifies significant tracts of land that are currently rural, but where directed and well-planned new development could occur around the identified potential Future Mixed-Use and Employment Centers.
- The property is currently zoned for Rural Estate residential development. Increasing the density of an existing residential lot may be seen as a benefit provided it does not increase the burden to agencies which may service the property.

**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. Any concerns from Fargo/Cass Public Health with regard to on-site septic system on the newly proposed lot is addressed and/or reviewed by the applicant prior to consideration of final plat.
2. The applicant is to meet all Federal, State and local requirements for improvements to the site and structures.
3. An Attorney Title Opinion is received and counsel is provided regarding the comments from the neighbors that subdivision is not allowed for within the restrictive covenants.
4. A drainage plan is approved by the City Engineer.
5. Final Plat is received with any necessary easements.
6. A certificate is received showing taxes are current.

**PLANNING AND ZONING RECOMMENDATION:**

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



A19-2  
Proposed Subdivision

WOODLAND PL NW

ANN ST

CO RD 17 N

19TH AVE NW

19TH AVE N

SHORT ST

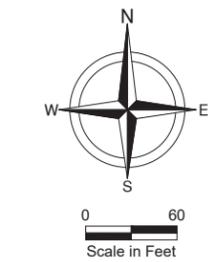
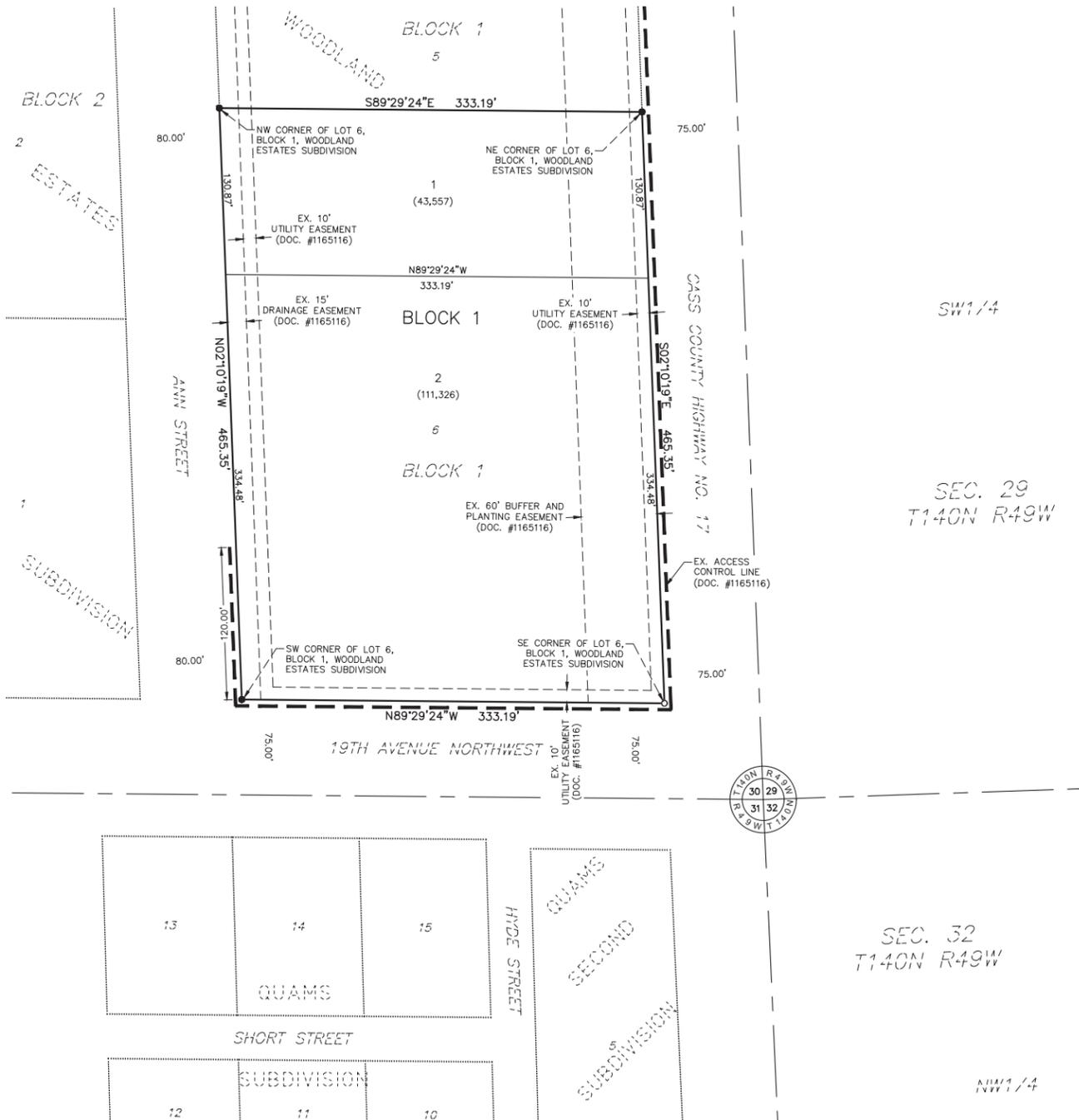
HYDE ST

Sheyenne River





**PLAT OF  
WOODLAND ESTATES SECOND SUBDIVISION  
IN THE EXTRATERRITORIAL LIMITS OF THE CITY OF WEST FARGO, A  
REPLAT OF LOT 6, BLOCK 1, WOODLAND ESTATES SUBDIVISION TO  
THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA.**



BASIS OF BEARINGS: WOODLAND ESTATES SUBDIVISION TO THE CITY OF WEST FARGO ACCORDING TO THE RECORDED PLAT THEREOF.

- LEGEND**
- IRON MONUMENT FOUND
  - SET 5/8"X18" REBAR WITH YELLOW PLASTIC CAP #5900
  - EXISTING ACCESS CONTROL LINE

**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 "WOODLAND ESTATES SECOND SUBDIVISION" IN THE EXTRATERRITORIAL LIMITS OF THE CITY OF WEST FARGO, A REPLAT OF LOT 6, BLOCK 1, WOODLAND ESTATES SUBDIVISION 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:

ALL OF LOT 6, BLOCK 1, WOODLAND ESTATES SUBDIVISION 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 3.56 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  
REG. NO. LS-5900

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 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 )

**DEDICATION**

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "WOODLAND ESTATES SECOND SUBDIVISION" IN THE EXTRATERRITORIAL LIMITS OF THE CITY OF WEST FARGO, A REPLAT OF LOT 6, BLOCK 1, WOODLAND ESTATES SUBDIVISION 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.

OWNERS:

STEVEN A. KRAFT ) KAREN A. KRAFT )

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 A. KRAFT AND KAREN A. KRAFT, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA )

MORTGAGEE: WELLS FARGO BANK, N.A.

XXXXXX, 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 XXXX, PRESIDENT, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF WELLS FARGO BANK, N.A.

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 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 )

**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. SHOCKLEY, CITY ATTORNEY

STATE OF NORTH DAKOTA )  
COUNTY OF CASS )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018, 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 )



**ENGINEERING DEPARTMENT**

800 4 Ave E, Suite 1  
West Fargo, ND 58078  
701.433.5300  
[www.westfargond.gov](http://www.westfargond.gov)

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

**OFFICE USE:**

**AGENDA ITEM #** 10

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

1. CONTACT PERSON(s):

- Dustin T. Scott, City Engineer (433-5425)

2. DATE OF MEETING: August 5, 2019

3. DESCRIPTION OF REQUEST:

- Review letter prepared by Moore Engineering including bid results and a recommendation to award a construction contract for "Water Improvement Project No. 1312 (Ph. 2) Water Distribution Loop- 15<sup>th</sup> St W (13<sup>th</sup> Ave W to 21<sup>st</sup> Ave W)".
- Review Engineer's Statement of Cost for "Water Improvement Project No. 1312 (Ph. 2)" (pursuant to N.D.C.C. 40-22-29 NOTE: this requirement only applies to improvements funded by special assessments).

4. LOCATION (address; legal; etc.):

- Project No. 1312 (Ph. 2) Water Distribution Loop- 15<sup>th</sup> St NW (13<sup>th</sup> Ave W to 21<sup>st</sup> Ave W) and

5. ACTION(S) REQUESTED:

- Award construction contractor for "Water Improvement Project No. 1312 (Ph. 2)" to **KPH, Inc.** in the amount of **\$1,523,497.00**.

**ADDITIONAL INFORMATION:**

- The Board of City Commissioners reviewed the Amended Engineer's Report and authorized Advertisement of Bid Documents on July 15, 2019.
- The total estimated construction cost identified in the Engineer's Report was \$1,602,179.00 (including contingencies) and the total estimated construction in the attached Engineer's Statement of Cost is \$1,600,000 (including contingencies), which is a difference of (-)0.15 (below the 40% threshold requirement of N.D.C.C. 40-22-29...NOTE: this requirement only applies to improvements funded by special assessments).



925 10<sup>th</sup> Avenue East  
Suite 1  
West Fargo, ND 58078

P: 701.282.4692  
F: 701.282.4530



July 31, 2019

Dustin T. Scott, PE  
City Engineer  
City of West Fargo  
800 4th Avenue East  
West Fargo ND 58078

Re: Water Improvement Project No. 1312 - Phase II  
Water Distribution Loop – 15th St W (13th Ave W to 21st Ave W)  
West Fargo, ND

Dear Dustin:

Bids were opened for the above referenced project on July 18, 2019 at 10:00 a.m. at West Fargo City Hall. The bids were compiled and the bid tabulation is enclosed for your review.

I hereby recommend award of contract to KPH, Inc. for their bid of \$1,523,497.00.

Our Engineer's Opinion of Probable Cost with the Engineer's Report and our final engineer's estimate was \$1,602,179.00 (including contingencies).

Please review and provide comment at your earliest convenience. If you do not have any questions or comments, please present it to the West Fargo City Commission. To meet the project's proposed schedule, the Contract is anticipated to be awarded by the City Commission on August 5, 2019. If the Contract is awarded by the Commission, please sign, date, and return the enclosed Notice of Award.

Also enclosed is the Engineer's Statement of Cost for your review and approval. Please sign the letter and return upon your approval.

Sincerely,

Erik Gilbertson, PE  
Project Engineer

Enclosures:  
Bid Tabulations  
Notice of Award  
Engineer's Statement of Cost



Water Improvement Project No. 1312 - Phase II  
 Addendum 1  
 West Fargo ND  
 Project No. 19922A

KPH, Inc.  
 9530 39th St S  
 Fargo, ND 58104

Dakota Underground Company  
 4001 15th Ave NW  
 Fargo, ND 58102

Reiner Contracting, Inc.  
 21541 Hwy 7 W  
 Hutchinson, MN 55350

Bid Date: July 18, 2019 at 10:00 A.M.

[C] = Corrected Amount

BID ITEM NO. & DESCRIPTION	UNIT	ESTIMATED QUANTITY	BID UNIT PRICE	BID PRICE						
1. 261.0112 Fiber Rolls 12In	LF	1,225	\$3.50	\$4,287.50	\$3.00	\$3,675.00	\$3.73	\$4,569.25		\$4,569.25
2. 265.01 Stabilized Construction Access	EA	1	\$700.00	\$700.00	\$1,500.00	\$1,500.00	\$5,836.38	\$5,836.38		\$5,836.38
3. 202.0114 Removal of Concrete Pavement	SY	19	\$16.00	\$304.00	\$15.00	\$285.00	\$15.70	\$298.30		\$298.30
4. 752.0922 Fence Remove & Reset	LF	40	\$185.00	\$7,400.00	\$165.00	\$6,600.00	\$119.25	\$4,770.00		\$4,770.00
5. 24200 Removal of Gate Valve	EA	1	\$1,000.00	\$1,000.00	\$500.00	\$500.00	\$218.64	\$218.64		\$218.64
6. 24200 Removal of Hydrant	EA	1	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$218.64	\$218.64		\$218.64
7. 330507 Jacked Pipe - 24"	LF	1,241	\$675.00	\$837,675.00	\$700.00	\$868,700.00	\$849.40	\$1,054,105.40		\$1,054,105.40
8. 331413 Fittings	LBS	5,782	\$8.00	\$46,256.00	\$6.00	\$34,692.00	\$11.71	\$67,707.22		\$67,707.22
9. 331413 Water Main - 16"	LF	7,644	\$63.00	\$481,572.00	\$73.00	\$558,012.00	\$72.13	\$551,361.72		\$551,361.72
10. 331413 Water Main - 6"	LF	40	\$45.00	\$1,800.00	\$28.00	\$1,120.00	\$53.57	\$2,142.80		\$2,142.80
11. 331419 Gate Valve & Box - 16"	EA	7	\$9,400.00	\$65,800.00	\$7,400.00	\$51,800.00	\$8,137.95	\$56,965.65		\$56,965.65
12. 331419 Gate Valve & Box - 6"	EA	6	\$1,750.00	\$10,500.00	\$1,360.00	\$8,160.00	\$1,525.08	\$9,150.48		\$9,150.48
13. 331419 Hydrant - 6"	EA	4	\$5,100.00	\$20,400.00	\$4,600.00	\$18,400.00	\$5,352.94	\$21,411.76		\$21,411.76
14. Plan Blow-Off Hydrant	EA	2	\$3,600.00	\$7,200.00	\$5,600.00	\$11,200.00	\$3,603.11	\$7,206.22		\$7,206.22
15. Plan Bollard Post	EA	6	\$1,000.00	\$6,000.00	\$700.00	\$4,200.00	\$941.42	\$5,648.52		\$5,648.52
16. 302.0320 Aggregate Surface Course CI 5	TON	55	\$24.00	\$1,320.00	\$1,320.00	\$1,320.00	\$35.49	\$1,951.95		\$1,951.95
17. 709.0151 Geosynthetic Material Type R1	SY	167	\$2.50	\$417.50	\$3.00	\$501.00	\$2.41	\$402.47		\$402.47
18. 251.0100 Seeding Class I	ACRE	3	\$1,700.00	\$5,100.00	\$1,600.00	\$4,800.00	\$1,831.63	\$5,494.89		\$5,494.89
19. 251.0300 Seeding Class III	ACRE	1	\$1,700.00	\$1,700.00	\$1,600.00	\$1,600.00	\$1,831.62	\$1,831.62		\$1,831.62
20. 253.01 Straw Mulch	ACRE	3	\$700.00	\$2,100.00	\$650.00	\$1,950.00	\$751.60	\$2,254.80		\$2,254.80
21. 253.02 Hydraulic Mulch	ACRE	1	\$2,550.00	\$2,550.00	\$2,400.00	\$2,400.00	\$2,715.87	\$2,715.87		\$2,715.87
22. 255.0101 Ecb Type 1	SY	3,650	\$2.00	\$7,300.00	\$2.00	\$7,300.00	\$2.21	\$8,066.50		\$8,066.50
23. 750.0115 Sidewalk Concrete 4In	SY	19	\$85.00	\$1,615.00	\$50.00	\$950.00	\$170.51	\$3,239.69	[C]	\$3,239.69
24. 704.1100 Traffic Control	L SUM	1	\$6,000.00	\$6,000.00	\$3,000.00	\$3,000.00	\$2,715.87	\$2,715.87		\$2,715.87
25. 15000 Storm Water Management	L SUM	1	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00	\$4,156.97	\$4,156.97		\$4,156.97
<b>TOTAL OF ALL BID PRICES</b>				<b>\$1,523,497.00</b>		<b>\$1,597,220.00</b>		<b>\$1,824,441.61</b>	[C]	<b>\$1,824,441.61</b>



**NOTICE OF AWARD**

---

Date of Issuance: August 5, 2019

Owner: City of West Fargo

Owner's Contract No.:

Engineer: Moore Engineering, Inc.

Engineer's Project No.: 19922A

Project: Water Distribution Loop – 15th St W (13th Ave Contract Name: Water Improvement Project No. 1312 -  
W to 21st Ave W) Phase II

Bidder: KPH, Inc.

Bidder's Address: 9530 39th St S, Fargo, ND 58104

**TO BIDDER:**

You are notified that Owner has accepted your Bid dated July 18, 2019 for the above Contract, and that you are the Successful Bidder and are awarded a Contract for: Water Improvement Project No. 1312- Phase II.

The Contract Price of the awarded Contract is: \$1,523,497.00

3 unexecuted counterparts of the Agreement accompany this Notice of Award, and three copies of the Contract Documents accompanies this Notice of Award, or has been transmitted or made available to Bidder electronically.

3 sets of the Drawings will be delivered separately from the other Contract Documents.

You must comply with the following conditions precedent within 10 days of the date of receipt of this Notice of Award:

1. Deliver to Owner 3 counterparts of the Agreement, fully executed by Bidder.
2. Deliver with the executed Agreement(s) the Contract security [e.g., performance and payment bonds] and insurance documentation as specified in the Instructions to Bidders and General Conditions, Articles 2 and 6.
3. Other conditions precedent (if any):

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

---

Owner: City of West Fargo

\_\_\_\_\_  
Authorized Signature

By: Bernie L. Dardis

Title: President of the Board of City Commissioners

---

Copy: Engineer



**ENGINEERING DEPARTMENT**

800 4 Ave E, Suite 1  
West Fargo, ND 58078  
701.433.5330  
[www.westfargond.gov](http://www.westfargond.gov)

August 1, 2019

Board of City Commissioners  
City of West Fargo  
800 4<sup>th</sup> Avenue East  
West Fargo, ND

Re: Water Improvement Project No. 1312 - Phase II  
Water Distribution Loop – 15th St W (13th Ave W to 21st Ave W)

WHEREAS, bids were opened and filed for Water Improvement Project No. 1312 - Phase II for the City of West Fargo, North Dakota; and

WHEREAS, the engineer for the City of West Fargo, North Dakota is required to make a careful and detailed statement of the estimated cost of work (*pursuant to N.D.C.C. 40-22-29*);

NOW THEREFORE, I, Dustin T. Scott, do hereby certify as follows:

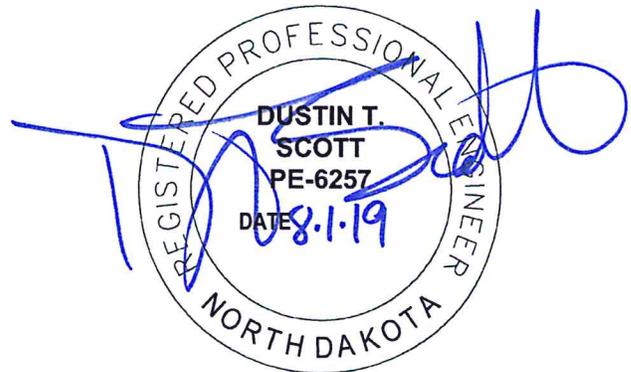
That I am the City Engineer for the City of West Fargo, North Dakota;

That the following (and/or attached hereto) is a detailed statement of the estimated cost for work described as Water Improvement Project No. 1312 - Phase II of the City of West Fargo, North Dakota.

IN WITNESS THEREOF, I have hereunto set my hand and seal this 1<sup>st</sup> day of AUGUST, 2019.

DUSTIN T. SCOTT  
ND REG. NO. 6257

  
\_\_\_\_\_  
Engineer for the City of West Fargo  
West Fargo, North Dakota



Water Improvement Project No. 1312 - Phase II  
Addendum 1  
West Fargo ND  
Project No. 19922A  
ENGINEER'S STATEMENT OF ESTIMATED COST

BID ITEM NO. & DESCRIPTION	UNIT	ESTIMATED QUANTITY	BID UNIT PRICE	BID PRICE
<b>0.</b>				
1. 261.0112 Fiber Rolls 12In	LF	1,225	\$3.50	\$4,287.50
2. 265.01 Stabilized Construction Access	EA	1	\$700.00	\$700.00
3. 202.0114 Removal of Concrete Pavement	SY	19	\$16.00	\$304.00
4. 752.0922 Fence Remove & Reset	LF	40	\$185.00	\$7,400.00
5. 24200 Removal of Gate Valve	EA	1	\$1,000.00	\$1,000.00
6. 24200 Removal of Hydrant	EA	1	\$1,000.00	\$1,000.00
7. 330507 Jacked Pipe - 24"	LF	1,241	\$675.00	\$837,675.00
8. 331413 Fittings	LBS	5,782	\$8.00	\$46,256.00
9. 331413 Water Main - 16"	LF	7,644	\$63.00	\$481,572.00
10. 331413 Water Main - 6"	LF	40	\$45.00	\$1,800.00
11. 331419 Gate Valve & Box - 16"	EA	7	\$9,400.00	\$65,800.00
12. 331419 Gate Valve & Box - 6"	EA	6	\$1,750.00	\$10,500.00
13. 331419 Hydrant - 6"	EA	4	\$5,100.00	\$20,400.00
14. Plan Blow-Off Hydrant	EA	2	\$3,600.00	\$7,200.00
15. Plan Bollard Post	EA	6	\$1,000.00	\$6,000.00
16. 302.0320 Aggregate Surface Course CI 5	TON	55	\$24.00	\$1,320.00
17. 709.0151 Geosynthetic Material Type R1	SY	167	\$2.50	\$417.50
18. 251.0100 Seeding Class I	ACRE	3	\$1,700.00	\$5,100.00
19. 251.0300 Seeding Class III	ACRE	1	\$1,700.00	\$1,700.00
20. 253.01 Straw Mulch	ACRE	3	\$700.00	\$2,100.00
21. 253.02 Hydraulic Mulch	ACRE	1	\$2,550.00	\$2,550.00
22. 255.0101 Ecb Type 1	SY	3,650	\$2.00	\$7,300.00
23. 750.0115 Sidewalk Concrete 4In	SY	19	\$85.00	\$1,615.00
24. 704.1100 Traffic Control	L SUM	1	\$6,000.00	\$6,000.00
25. 15000 Storm Water Management	L SUM	1	\$3,500.00	\$3,500.00
			Construction Subtotal	\$1,523,497.00
			Contingencies	\$76,503.00
			<b>Total Construction</b>	<b>\$1,600,000.00</b>
			Study & Report	\$3,000.00
			Land Acquisition	\$64,000.00
			Engineering	\$184,340.00
			Additional Consultanting Services	\$44,000.00
			Legal & Administration	\$83,800.00
			<b>TOTAL COST</b>	<b>\$1,979,140.00</b>



**ENGINEERING DEPARTMENT**

800 4 Ave E, Suite 1  
West Fargo, ND 58078  
701.433.5300  
[www.westfargond.gov](http://www.westfargond.gov)

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

<b>OFFICE USE:</b> <b>AGENDA ITEM #</b> <u>    11    </u>
--

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

1. CONTACT PERSON(s):
  - Dustin T. Scott, City Engineer (433-5425)
2. DATE OF MEETING: August 5, 2019
3. DESCRIPTION OF REQUEST:
  - Review Petition for Improvements to serve Oak Ridge 18<sup>th</sup> Addition
  - Review map and legal description for the creation of an improvement district, which is to be designated as "Sewer, Water, Storm and Street Improvement District No. 1325"
  - Review Engineer's Report for Sewer, Water, Storm and Street Improvement District No. 1325, prepared by Moore Engineering as directed and reviewed by Dustin T. Scott, City Engineer.
4. LOCATION (address; legal; etc.):
  - Oak Ridge 18<sup>th</sup> Addition
5. ACTION(S) REQUESTED:
  - Approve the creation of "Sewer, Water, Storm and Street Improvement District No. 1325" (*pursuant to N.D.C.C. 40-22-08 & 40-22-09*).
  - Direct the Engineer to prepare Engineer's Report for "Sewer, Water, Storm and Street Improvement District No. 1325" (*pursuant to N.D.C.C. 40-22-10*).
  - 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. 1325" (*pursuant to N.D.C.C. 40-22-11*).



925 10th Avenue East  
West Fargo, ND 58078

P: 701.282.4692  
F: 701.282.4530



August 2, 2019

Mr. Dustin Scott, PE  
City of West Fargo – City Engineer  
800 4<sup>th</sup> Avenue East Suite 1  
West Fargo, ND 58078

**RE: Sewer, Water, Storm and Street Improvement District 1325  
Oak Ridge 18<sup>th</sup> Addition  
Moore Project No. 20875**

Dear Mr. Scott:

On behalf of Oak Ridge Office Condos and Verity Homes of Fargo LLC, attached herein find the Petition for public improvements to service the aforementioned project, proposed Improvement District Map. Per your request, we have also attached the Engineer's Report. Please review and provide comments at your earliest convenience. If you do not have any questions or comments, please present the document to the City Commission. To meet the project's proposed schedule, this report is anticipated to be approved by the City Commission on August 5, 2019. If this is not possible, please let me know.

Should you have any questions or need additional information, please contact me by phone at 701-499-5840 or by email at [dan.hanson@mooreengineeringinc.com](mailto:dan.hanson@mooreengineeringinc.com).

Sincerely,

*Dan Hanson*

Dan Hanson, PE  
Senior Project Manager

Enclosures: Petition for Improvements  
Improvement District Map  
Engineer's Report

We Mike Graham dba Oak Ridge Office Condos and Arthur Goldammer dba Verity Homes of Fargo LLC are the legal and equitable owners of the following described property, to-wit:

Oak Ridge Eighteenth Addition, a replat of Lots 1-13 and 15-38 inclusive of Block 3 Oak Ridge Tenth Addition and Lot 10 Block 1 Oak Ridge Eleventh Addition, hereinafter the "**Property**"

I/we hereby petition the City Commission of the City of West Fargo, Cass County, North Dakota, to create an improvement district for the purpose of constructing the following municipal improvements: sewer and water mains and services, storm sewer, concrete paving, sidewalks, and shared use paths, and street lights (hereinafter the "**Improvements**")

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

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

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

Dated this 16 day of July, 2019.

OWNERS:

Cambridge Office Condos

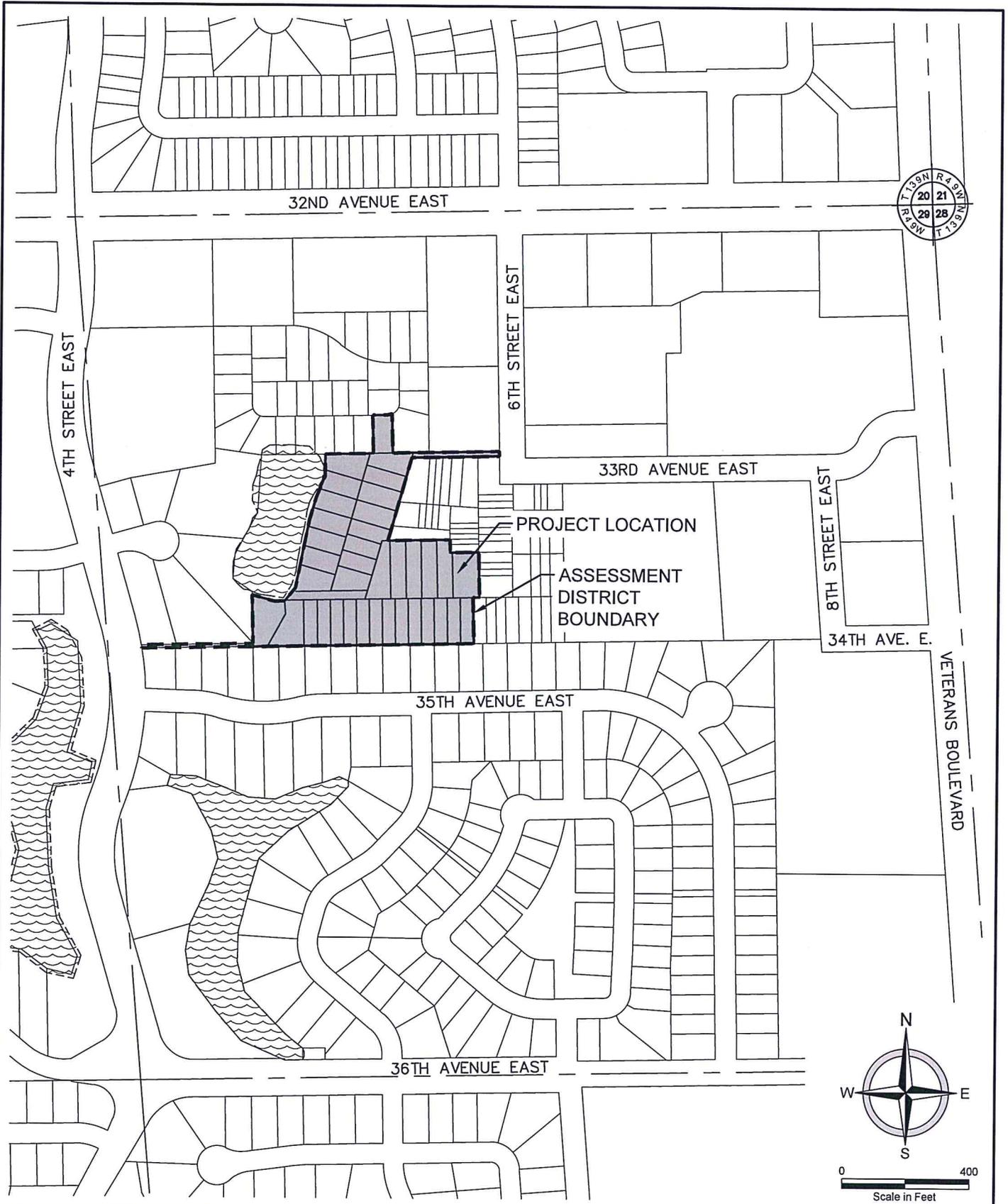
M. Le Graham  
(Pres)

OWNERS:

Verity Homes of Fargo LLC

[Signature]  
(Pres)

**This petition must be accompanied by evidence of ownership of the Property. Such evidence can include the following items: (a) title opinion; (b) O & E report; or (c) a copy of the vesting deed.**



SEWER, WATER, STORM AND STREET  
 IMPROVEMENT DISTRICT NO. 1325  
 OAK RIDGE 18TH ADDITION  
 WEST FARGO, NORTH DAKOTA

PROJECT No.	20875
DATE:	08.01.19
REVISED:	-
DRAFTER:	KAG
REVIEWER:	AJS



# City of West Fargo, North Dakota

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## *Sewer, Water, Storm and Street Improvement*

### *District No. 1325*

### *Engineer's Report*

This document was originally issued and sealed by Daniel R. Hanson, Registration No. PE-4962, on 8/2/2019 and the original document is stored at Moore Engineering, Inc., West Fargo, N.D.



[mooreengineeringinc.com](http://mooreengineeringinc.com)

August 2019  
Project No. 20875

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Engineer's Estimated Average Assessment Allocations

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## INTRODUCTION

The purpose of this project is to install new City of West Fargo (“City”) infrastructure (“Improvements”) to service the proposed Oak Ridge 18<sup>th</sup> Addition plat (“Property”) (see Preliminary Plat attached in Appendix A) as petitioned by Oak Ridge Office Condos and Verity Homes of Fargo LLC (“Developer”) on July 16, 2019. The proposed development is the final phase of the existing Oak Ridge development which is nearing full occupancy. 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. Private Installation of Public Infrastructure*

City infrastructure was designed and installed privately by the Developer between 2015 and 2017 using plans prepared by Moore Engineering Inc. titled “The Preserve at Hadley Meadows” (“Hadley Meadows”). The infrastructure was installed as the market demanded expansion of the Hadley Meadows development and there currently remains a portion of Hadley Meadows that has not been installed. Thus, the remaining portion of the Property is being replatted into Oak Ridge 18<sup>th</sup> Addition as petitioned by the Developer.

#### *1.2. Land Use*

The proposed project location is currently platted and zoned a planned unit development (“PUD”) and will remain as part of the PUD established under the Hadley Meadows project. The Property is currently vacant and all lots are owned by Osgood Investments LLC. The Property currently has multiple excess stockpiles located on many of the vacant lots. It is assumed that the Developer will be removing the stockpiles from the Property to a relative flat elevation prior to construction of Project. In addition to being an extension of the existing PUD development, the Property is adjacent to another PUD development in Oak Ridge 11<sup>th</sup> Addition to the north. To the south and west are the residential developments of Strawberry Fields and Shadow Creek.

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### **1.3. Main City Infrastructure**

Accessible City right-of-way abuts the Property on the east side and according to City record drawings, east of the property, two access points directly abutting the Property provide the ability for sanitary sewer, watermain, and street connections. Per City record drawings there is an existing storm sewer main line stub which runs from the proposed property right-of-way to the west and discharges into the Strawberry Fields Addition conveyance pond. These existing utility and roadway stubs shall be utilized for the Improvements to install new City infrastructure in order to service the Property.

It should be noted that where existing utility stubs are located to be connected to in the location of the easterly extension of 33<sup>rd</sup> Way East bisect the proposed platted lot located on the northeast corner of the Oak Ridge 18<sup>th</sup> Addition. If any structure is to ever be constructed on this lot, it needs to be disclosed where the utility lines are located as well as make the owner/contractor aware of the previously disturbed ground for footing preparation.

After construction has been completed and upon acceptance of the infrastructure, the City of West Fargo will operate and maintain the utilities installed to service Oak Ridge 18<sup>th</sup> Addition. These responsibilities will be detailed in the Developer's Agreement.

#### **1.3.1. Sanitary Sewer**

There are two gravity sanitary sewer main (8" PVC) connection points provided by the Hadley Meadows project that are accessible to serve the Property to the east. One connection point is on the northeast corner of the Project, with the other in the southeast corner. The Project will connect to both of these pipes where it will discharge to 6<sup>th</sup> Street East and 33<sup>rd</sup> Avenue East system which turns and runs west to 4<sup>th</sup> St. E. and flows south to the existing sanitary sewer lift station (SA38). This lift station discharges into a force main which conveys flows to the South Regional Lift Station (SA 27). This regional lift then pumps the flow north to the City's lagoon wastewater system.

#### **1.3.2. Water Main**

There are two water main (8" PVC C900) connection points provided by the Hadley Meadows project that are accessible to serve the Property and, adjacent to the sanitary sewer, are also located in the northeast and southeast corners of the Project. Additionally, there is a water main

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(8" PVC C900) located to the north in Oak Ridge 11<sup>th</sup> Addition that is available to connect to provide additional looping benefitting the Property with improved water pressures and fire demands. Exact locations of connection are to be determined during final design.

### **1.3.3. Storm Sewer and Storm Water Retention**

An existing discharge to the adjacent pond located to the west of the Property was provided under the Hadley Meadows project to be connected onto by the proposed Project. All storm water retention is accounted for in the existing Shadow Wood Ponds. The adjacent pond is used for conveyance and aesthetics.

### **1.3.4. Streets**

Adjacent streets that will collect traffic coming to and from the proposed development include 33<sup>rd</sup> Avenue East for east access to Veterans Boulevard and 6<sup>th</sup> Street East, which provides connectivity to 32<sup>nd</sup> Avenue East. At the intersection of these two roadways, the local streets within this and surrounding PUD developments are provided access via easement.

## **2. NEED FOR PROJECT**

The Developer's market analysis has determined a new style of development as a marketable strategy for the development for the Property. This new style of development is similar in concept to the Oak Ridge 11<sup>th</sup> development located to the north of the Property and has proven to be successful in this region. The change in the development concept has resulted in the replatting the Property and due to Oak Ridge 11<sup>th</sup> Addition currently close to full occupancy, the demand for additional lots and the development of the Property is necessary.

## **3. RIGHT OF WAY**

As stated previously, the utilities and roadways being proposed are to be constructed within easements to be platted. It should be noted that with the intended connection to Oak Ridge Loop East in Oak Ridge 11<sup>th</sup> Addition and based on the preliminary design there will need to be an additional easement provided. Most notably this will occur in the northeast corner of the current proposed plat to accommodate horizontal alignment of the roadway. This could be accomplished by revising the current proposed plat or providing additional easement. Furthermore, as the design progresses, there may be need for additional easements or rights-of-way within the Property for the proposed Improvements.

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#### **4. ALTERNATIVES CONSIDERED**

Few alternatives were reviewed and analyzed due to this area being previously platted for development and it being a fill-in area of the last part of the overall development of the area. These factors narrow the potential options for development. The only alternative to what has been proposed would be a “Do Nothing” approach which is explained below.

##### ***4.1. ALTERNATIVE 1 – Do Nothing***

Due to the Property being platted previously, doing nothing would essentially be accepting the development as it was proposed in the Oak Ridge 10<sup>th</sup> Addition. There are not significant cost differences between the two proposed plans for development, therefore, allowing the Developer to modify the current plat to what they determine is necessary in the market eliminates this alternative.

#### **5. SELECTION OF AN ALTERNATIVE**

Given the nature and history of this site being the last fill-in development for the area, it has been determined that the proposed design submitted with the new proposed Oak Ridge 18<sup>th</sup> Addition plat and the utility and roadway infrastructure as called out in this report is selected as the preferred alternative.

We believe the proposed Oak Ridge 18<sup>th</sup> Addition is an acceptable and recommended alternative. While we cannot speak to the marketability of the Property, we believe that the project is feasible with respect to the City’s ability to service the development with utility and roadway infrastructure.

#### **6. PROPOSED IMPROVEMENTS**

##### ***6.1. 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.

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## **6.2. 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 1 inch service lines extended into the lots.

## **6.3. 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 previously installed structure and pipe that conveys stormwater west to the conveyance pond on the west of the Property. As stated previously, in Section 1.3.3, this pond is for conveyance of stormwater only and, therefore, it is not proposed to be modeled in conjunction with the design of this project.

## **6.4. Streets**

The new streets to be constructed within the Property are intended to be unreinforced concrete section of 6 inches of concrete on top of 6 inches of aggregate base. The width of the streets are proposed in this report to be a total of 64 feet wide which will accommodate two driving lanes and on-street parking. In the event that the Developer decides to install the parking areas privately in lieu of being installed along with this proposed City sponsored project, the concrete street width will be reduced to 30 feet wide. This decision will need to be made as the design process progresses.

The preliminary street design layout also has included the connection between the Oak Ridge 18<sup>th</sup> Addition and Oak Ridge Loop East roadway in Oak Ridge 11<sup>th</sup> Addition. The connection would be made through the existing platted Lot 10, Block 1 of Oak Ridge 11<sup>th</sup> Addition.

Upon completion of the Oak Ridge 18<sup>th</sup> Addition, it is our understanding that the streets constructed will be operated and maintained privately. More information regarding this arrangement will be detailed in the Developer's Agreement.

## **6.5. Sidewalk**

A 6 foot wide concrete sidewalk is proposed to be installed through the Property. From the west, it is intended to connect to an existing multi-use path along 4<sup>th</sup> Street East. From there, it will be installed within a right of way or sidewalk easement and run east and north through the Property until it connects to the existing sidewalk system on 6<sup>th</sup> Street East.

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It is our understanding that funding for this sidewalk has been previously paid by the Developer to the West Fargo Park District during a previous phase of development. This information needs to be verified.

## **6.6. Proposed Improvements Summary**

### **6.6.1. Main Infrastructure**

- 8 inch gravity sanitary sewer mains and 6 inch services to all assumed developable lots within the Property
- 8 inch water mains and 1 inch services to all assumed developable lots within the Property
- Fire Hydrants to assist with fire protection of the Property
- Various sized storm sewer to accommodate drainage of the Property
- Concrete streets with additional width to accommodate on street parking

### **6.6.2. General Items**

- LED street lighting

## **7. ESTIMATED PROJECT COSTS AND FUNDING**

The proposed project would involve constructing private concrete streets with on street parking and City of West Fargo utilities consisting of sanitary sewer, water and storm sewer improvements. The total project cost is estimated to be \$1,400,000 to be assessed directly to the lots contained within the Oak Ridge 18th Addition Development upon confirmation of West Fargo Park District's sidewalk funding.

The Improvements are intended to be funded through the special assessment district 'Sewer, Water, Storm and Street Improvement District No. 1325.' A detailed Preliminary Engineer's Opinion of Probable Cost has been provided in Appendix B. Additionally, Appendix B includes an Engineer's Estimated Average Special Assessment Breakdown.

In summary, as detailed in the estimated assessment breakdown document, there are a total of 39 lots being platted within the Oak Ridge 18<sup>th</sup> Development. Of those lots, it is assumed in this report that lots 1, 2, 15, 16, 24, 25, 26 and 39 are non-benefitting, leaving 31 lots to be specially assessed equal amounts on a per unit basis. This equates to an estimated special assessment amount of \$42,100 per lot for the proposed improvements. In addition to this, there are existing special assessments on the property for

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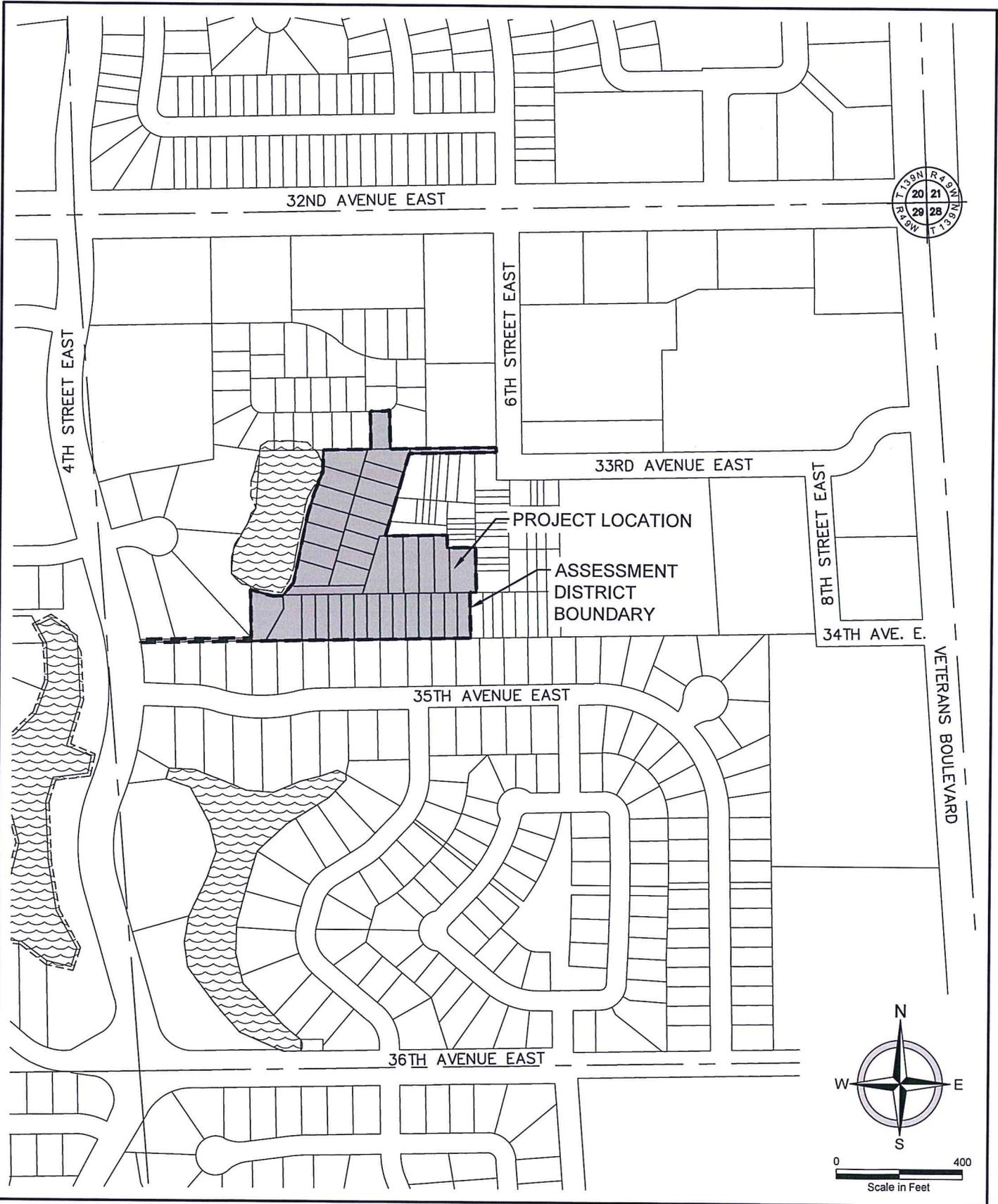
Assessment Districts 1189, 1193, 1201, 1202, 1219, 1252, 1257, 1266, 1278, 2189, 2193, 2216, 2233, 2239, 4039, 4046, and 2011-1 that when distributed to the new plat would result in an additional estimated average of \$8,500 per lot and pending specials for the Assessment District 2250 project for an estimated \$3,200 per lot. This equates to a total combined final estimated assessment of \$53,800 per lot. During design there is potential to modify existing utilities in lot 26 to potentially make this a developable lot as well.

## **8. 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 PUD improvements for the 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.

# APPENDIX A



SEWER, WATER, STORM AND STREET  
 IMPROVEMENT DISTRICT NO. 1325  
 OAK RIDGE 18TH ADDITION  
 WEST FARGO, NORTH DAKOTA

PROJECT No.	20875
DATE:	08.01.19
REVISED:	-
DRAFTER:	KAG
REVIEWER:	AJS







GENERAL LAYOUT  
S.W.S AND ST. IMPROVEMENT DISTRICT 1325  
OAK RIDGE 18TH ADDITION  
WEST FARGO, ND

PROJECT No.	2017
DATE	8/10/18
DESIGNED	
CHECKED	
REVIEWER	
DATE	



# APPENDIX B

**SEWER, WATER, STORM AND STREET IMPROVEMENT DIST. NO. 1325  
OAK RIDGE 18TH ADDITION  
WEST FARGO ND**

*Engineer's Opinion of Probable Cost*

		<i>ESTIMATED</i>				
<u>ITEM</u>	<u>UNIT</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>		
<b><u>Sanitary Sewer Items</u></b>						
1.	Sanitary Sewer - 8" PVC SDR 35	LF	1,000	\$35.00	\$35,000.00	
2.	Sanitary Sewer Manhole - 48"	Each	5	\$5,000.00	\$25,000.00	
3.	External Manhole Chimney Seal	Each	5	\$250.00	\$1,250.00	
4.	Sanitary Sewer Cleanout	Each	1	\$500.00	\$500.00	
5.	Sanitary Sewer Service Connection - 6" PVC SDR 26	Each	36	\$150.00	\$5,400.00	
6.	Sanitary Sewer Service - 6" PVC SDR 26	LF	1,080	\$20.00	\$21,600.00	
7.	Televising - Sanitary Sewer Main	LF	1,000	\$2.00	\$2,000.00	
8.	Televising - Sanitary Sewer Service	Each	36	\$150.00	\$5,400.00	
<b><u>Water Main Items</u></b>						
1.	Water Main - 8" PVC C900	LF	1,100	\$25.00	\$27,500.00	
2.	Gate Valve & Box - 6"	Each	3	\$1,100.00	\$3,300.00	
3.	Gate Valve & Box - 8"	Each	5	\$1,600.00	\$8,000.00	
4.	Hydrant	Each	3	\$5,000.00	\$15,000.00	
5.	Corporation - 1"	Each	36	\$300.00	\$10,800.00	
6.	Curb Stop & Box - 1"	Each	36	\$300.00	\$10,800.00	
7.	Water Service Line - 1"	LF	1,080	\$17.00	\$18,360.00	
<b><u>Storm Sewer Items</u></b>						
1.	Storm Sewer - 4" Perforated PVC	LF	160	\$5.00	\$800.00	
2.	Storm Sewer - 15" RCP	LF	300	\$40.00	\$12,000.00	
3.	Storm Sewer - 24" RCP	LF	400	\$60.00	\$24,000.00	
4.	Storm Sewer Manhole	Each	4	\$3,000.00	\$12,000.00	
5.	External Manhole Chimney Seal	Each	4	\$250.00	\$1,000.00	
<b><u>Roadway Items</u></b>						
1.	Excavation & Embankment	LSum	1	\$20,000.00	\$20,000.00	
2.	Subgrade Preparation	SY	7,850	\$2.50	\$19,625.00	
3.	Reinforcement Fabric	SY	7,850	\$2.00	\$15,700.00	
4.	Gravel - 6" NDDOT Class 5	CY	1,250	\$35.00	\$43,750.00	
5.	Concrete Pavement - 6" Non-Reinforced	SY	7,200	\$55.00	\$396,000.00	
6.	Sidewalk - 5" Concrete	SY	1,500	\$40.00	\$60,000.00	
7.	Signing	LSum	1	\$2,500.00	\$2,500.00	
8.	Cluster Box Unit - 8 Unit	Each	5	\$1,500.00	\$7,500.00	
9.	Speed Table	LSum	1	\$10,000.00	\$10,000.00	
<b><u>General Items</u></b>						
1.	Cleaning	LSum	1	\$1,500.00	\$1,500.00	
2.	Storm Water Management	LSum	1	\$5,000.00	\$5,000.00	
3.	Traffic Control	LSum	1	\$500.00	\$500.00	
4.	Excavation - 6" Topsoil Stripping	CY	5,000	\$3.00	\$15,000.00	
5.	Turf Establishment	LSum	1	\$15,000.00	\$15,000.00	
<b><u>Electrical Items</u></b>						
1.	Conductor - #6 USE/Cu.	LF	2,700	\$1.50	\$4,050.00	
2.	Tracer Wire - #12	LF	900	\$1.00	\$900.00	
3.	Innerduct - 1.5" PVC	LF	900	\$4.00	\$3,600.00	
4.	Concrete Base - 5'	Each	7	\$1,000.00	\$7,000.00	
5.	Light Standard - Single LED and 14' Post	Each	7	\$1,600.00	\$11,200.00	
					Construction Subtotal	\$878,535.00
					Construction Contingencies	\$87,853.50
					Design Contingencies	\$183,611.50
					<b>Construction Subtotal</b>	<b>\$1,150,000.00</b>
					Study & Report	\$4,000.00
					Engineering (11%)	\$126,500.00
					Additional Consultanting Services	\$17,500.00
					Legal & Administration	\$57,000.00
					Bond Discount	\$45,000.00
					<b>TOTAL PROJECT COST</b>	<b>\$1,400,000.00</b>
<b>Funding Summary</b>						
					Park Cash-In-Lie (Sidewalk)	\$95,613.72
					Local Special Assessment	\$1,304,386.28
					<b>\$1,400,000.00</b>	

**SEWER, WATER, STORM AND STREET IMPROVEMENT DIST. NO. 1325  
OAK RIDGE 18TH ADDITION  
WEST FARGO ND**

*Engineer's Estimated Average Assessment Allocations*

Total Lots in Oak Ridge 18th Addition Plat	39
Total Benefitting Lots	31

Item	Estimated Project Cost	Average Cost Per Lot
Sanitary Sewer	\$153,220.99	\$4,942.61
Water Main	\$149,412.37	\$4,819.75
Storm Sewer	\$79,359.39	\$2,559.98
Street	\$820,803.95	\$26,500.57
General	\$58,961.79	\$1,901.99
Electrical	\$42,627.78	\$1,375.09
<b>TOTAL</b>	<b>\$1,304,386.28</b>	<b>\$42,100.00</b>

Dist. 1325 Average Assessment Per Lot	\$42,100.00
Average Existing Assessment Per Lot	\$8,500.00
Average "Pending" Assessment Per Lot	\$3,200.00
<b>Total Average Assessment</b>	<b>\$53,800.00</b>

Assumed Non-Benefitting Lots

- Lot 1
- Lot 2
- Lot 15
- Lot 16
- Lot 24
- Lot 25
- Lot 26
- Lot 39