



THE REGULAR MONTHLY MEETING OF THE BOARD OF COMMISSIONERS OF THE PARK DISTRICT OF THE CITY OF FARGO WILL BE HELD ON **TUESDAY, JULY 11, 2023 AT 5:30 P.M.** IN THE BOARD ROOM OF THE PARK DISTRICT OFFICES AT 701 MAIN AVENUE, FARGO, WITH PRESIDENT DAWN MORGAN, PRESIDING.

Please note: This is an in-person event and streamed virtual. Members of the public and media can view the live meeting at www.fargoparks.com/news/park-board-meeting-july-agenda-2023

- A. Call to Order
- B. Approve Order of Agenda
- C. Approve Representative from Kennelly Business Law to act as Clerk
- D. Election of Officers
 - Open Nominations - President of the Board
 - Open Nominations - Vice-President of the Board

Consent Agenda - approve the following:

- a. Minutes - June 13, 2023
- b. June Bills
- c. Strategic Plan timeline and funding.
- d. Special Limited Alcoholic Beverage Sales Permit for the Foundations VIP event on August 16, 2023.
- e. Bid award to McKays Dodge for 2023 Cargo Van 250/2500 8600 GVWR.
- f. Bid award to Mazda of Fargo for Two 2023 Small SUV 4x4 Vehicles.
- g. Supplement No. 3 to Ground Lease for Southside Library with City of Fargo and Fargo Park District.

Regular Agenda

- 1. Recognition of Audience/Public Comments
- 2. Director's Report
- 3. Board to discuss City of Fargo ROW Acquisition for 44th Street, Dave Bietz, presenter.
- 4. Board to consider approval of updates to Procurement Policy No. 390; Luke Evenson, presenter.
- 5. Board to consider approval of Bank Resolution; Broc Lietz, presenter.
- 6. Adjourn

Individuals who wish to attend Park Board meetings but need special arrangements or would like to address the Board, please contact the Fargo Park District office at 499-6060 by noon on the Monday before the Board Meeting.

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF THE FARGO PARK DISTRICT OF JUNE 13, 2023**

The regular monthly meeting of the Board of Commissioners of the Park District of the City of Fargo was held on Tuesday, June 13, 2023, at 5:30 p.m. at the Fargo Park District office at 701 Main Avenue, Fargo, North Dakota and via Restream. Present at the meeting were Commissioners Dawn Morgan, Aaron Hill, Jerry Rostad, and Vicki Dawson. Commissioner Joe Deutsch appeared via Restream. Also present were: Dave Leker, Carolyn Boutain, Broc Lietz, Dave Bietz, Susan Faus, and Jeffrey Gunkelman.

Approval of Agenda

Commissioner Vicki Dawson moved and Commissioner Aaron Hill seconded a motion to approve the agenda as amended. Upon call of the roll, the motion passed unanimously.

Approval of Consent Agenda

Commissioner Vicki Dawson moved and Commissioner Jerry Rostad seconded a motion to approve the following actions on the consent agenda:

- (a) The minutes from May 16, 2023 meeting;
- (b) The May 2023 bills;
- (c) Award the bid for the Sports Arena Reroof project to Gast Construction for the base bid and Alternatives No. 1, No. 2 and No. 3, for a total combined bid of \$868,600.00.
- (d) Approve of 2024 fees for (i) Programming, Events, and Facilities, (ii) Golf Fees, and (iii) Courts Plus Membership fees, as presented; and
- (e) Approve License Agreements with Growing Together Community Gardens, LLC, for shed at Rabanus Park and McCormick Park

Upon call of the roll, the motion passed unanimously.

Executive Director's Report

Dave Leker presented on this matter and provided an informational update to the Board on the respective departments. No action was taken on this matter.

Fargo Moorhead Community Theater Presentation

Judy Lewis, executive director of Fargo Moorhead Community Theater, presented to the board on its mission, opportunities, and partnership with the Park District. No action was taken on this matter.

Department Update – Aquatics

Dave Klundt and Isabelle Sinkler for the Park District presented to the Board on the activities and facilities of the Fargo Park District aquatics division. No action was taken on this matter.

Receipt of Final Report Regarding Yunker Farm Master Plan Recommendations

Bill Mahar of Norris Design presented on this matter. Mr. Mahar went through the detailed and focused process of establishing the Master Plan for Yunker Farm. Mr. Mahar noted that the process included, but wasn't limited to: an inventory and analysis of the current site structure, public and stakeholder engagement, establishing goals and visions for the property, developing concept diagrams and visualization, master plan report, and high level cost estimates. It was noted that the Master Plan is a plan that will take years to put into place and that will likely happen over several phases.

Commissioner Rostad noted that the master plan could help turn Yunker Farm into a destination spot with an exciting mixture of active and non-active spaces. Commissioner Morgan noted that this shows the Park District has a commitment to North Fargo and that the community response to this progress shows that Yunker Farm is important to the community. Commissioner Hill noted that the great lawn area is very exciting for community gathering and people will be drawn to Yunker Farm as a destination. Commissioner Deutsch noted that the Park District has not fully utilized Yunker Farm and this initial plan is exciting. Commission Dawson noted that the Master Plan is a working document and a starting point for the Park District.

Commissioner Jerry Rostad moved and Commissioner Vicki Dawson seconded a motion to receive and accept the final report regarding the Yunker Farm Master Plan recommendations as presented. Upon call of the roll, the motion passed unanimously.

Approval of Terminating Park District of City of Fargo / Fargo Senior Services Commission Inc. and FM Area Foundation Endowment Fund

Paul Grindeland presented on this matter. It was noted that the fund at issue was founded in 2005 by multiple parties. It was noted that the fund had an initial term of 5 years and that it could be terminated thereafter. It was noted that the fund is an organizational liability fund and outside parties cannot contribute to the fund. It was noted that if the fund is terminated that Valley Senior Services would use the fund to gain interest and then use the interest to further its services.

Commissioner Aaron Hill moved and Commissioner Vicki Dawson seconded the motion to approve the termination of the Park District of the City of Fargo/Fargo Senior Commission Inc. and FM Area Foundation Endowment Fund as presented. Upon call of the roll, the motion passed unanimously.

Completion of Executive Director's Performance Improvement Plan

Joe Deutsch presented on this matter. It was noted that Dave Leker completed his Performance Improvement Plan on May 31, 2023. It was noted that all commissioners have received the packet of information from the process and that special board meeting will be scheduled to discuss the results.

Upon call of the roll, the motion passed unanimously.

At the conclusion of the above agenda items, a motion to adjourn was made and seconded, and upon unanimous consent the meeting adjourned at approximately 7:00 p.m.

Dave Leker, Clerk



MEMORANDUM

DATE: June 29, 2023

TO: Fargo Park Board Commissioners

FROM: Susan Faus, Deputy Director of Administration

RE: Consent Agenda Item (c) – Approve Strategic Plan timeline and funding

Staff would like to discuss moving forward in the strategic planning process, timeline, and funding plan. Staff believe advancing the process will build a solid foundation for the Fargo Park District and will help guide our future by establishing the vision to move the district forward by creating measurable goals and objectives to reach the desired outcomes.

This process would include a collaboration of commissioners, directors, employees, and stakeholders, to help with different components of the process.

Timeline:

RFP Release	July 12, 2023
RFP Closing Date	August 4, 2023
Interviews	Aug. 14-16, 2023
Facilities Committee	Aug. 23, 2023
Board Meeting	Sept. 5, 2023

Staff are requesting approval to reallocate budgeted funds from the 2023 budget to pay for the Strategic Plan. Funds would be reallocated from the Metro Wide Indoor and Outdoor Amenities Study to the Strategic Plan.

We would also request approval to solicit RFP (Request for Proposals) for strategic planning services.

It was recommended at the June 28, 2023, Facilities Committee Meeting to bring this to the full board on the Consent Agenda for consideration and approval.

If you should have any questions, please feel free to contact me prior to the Board Meeting.

Thank you.

Sample Motion: I make a motion to approve the Strategic Plan timeline and funding as presented.



REQUEST FOR PROPOSALS

TO DEVELOP COMPREHENSIVE STRATEGIC PLAN

FARGO PARK DISTRICT

Due by: August 4, 2023, at 4:30 pm

Attention: Susan Faus, Deputy Director of Administration

701 Main Avenue, Fargo, ND 58103

Telephone: (701) 499-6096

Email: sfaus@fargoparks.com

Introduction:

Fargo is a city of about 125,000 residents along the eastern border of North Dakota. Fargo is one of several communities that make up the Fargo-Moorhead metro area. Other communities include Moorhead, MN, Dilworth, MN, West Fargo, ND and Horace, ND. The population base of this metro area exceeds 200,000 residents.

The Park District of the City of Fargo (Park District), located at 701 Main Ave, Fargo, ND 58103, is seeking consulting services to facilitate a comprehensive strategic plan for the Park District. This strategic plan will provide guidance for short and long-range planning for the Park District by integrating board members, employees, local user groups and community input. The Park District anticipates the final draft will take 6-8 months from initiation.

The Fargo Park District seeks to produce a Strategic Plan that:

- Is concise and easy-to-understand.
- Relies heavily upon graphics, photos, tables, and charts to convey information.
- Includes a template for a succinct, easy-to-update, easy-to-track Annual Action Plan
- Includes tangible performance measures.
- Includes a method for tracking progress.

The Fargo Park District is a district with its own taxing authority and publicly elected five-member Board of Commissioners. The Park District is not part of the City of Fargo or Cass County. The Fargo Park District started in 1910 with one park (Island Park). The Park District provides recreation programs, facilities, and park resources for District residents.

The Park District employs 138 full-time and 1,100 regular part-time and seasonal staff throughout a year. The Park District maintains over 2,400-acre system consisting of local and regional parks, playgrounds, biking and walking paths, nature parks, campground, river parks, sports complexes, owns and operates 5 golf courses of which there are two 18 – hole courses, an urban park (Broadway Square - public/private partnership) and 5 outdoor pools, 100,000 square-foot fitness center, senior centers and 3 indoor ice facilities. The Park District produces and manages over 500 recreational programs/events.

The Fargo Park District will be opening the Fargo Parks Sports Complex in the spring of 2024. The entire complex will open December of 2024 – January 2025. The scope for the entire complex will consist of 8 hardwood courts, 1 indoor soccer field, elevated 400-meter walking/running track, 2 sheets of ice, 6 pickleball courts, 3 large multipurpose community rooms, 6 small multipurpose community rooms, indoor playground with 4 birthday party rooms, Fargo Park District offices and Sanford Sports Center.

The Fargo Park District plans to develop its new Comprehensive Strategic Plan beginning Sept 2023 – May 2023. The Comprehensive Strategic Plan calls for maintaining a high level of service for residents and should acknowledge the goals the Park District has set forward.

Upon completion, the Comprehensive Strategic Plan will be adopted by the Fargo Park District Board. To facilitate the eventual adoption, staff, with assistance from the consultants, will provide the Board with regular updates throughout the project.

Scope of Services:

Elements to be included in the Final Strategic Plan Document

- Mission, Vision, Values
- Strategic Goals and Objectives
- Measurable Outcomes, Including a Timeline over a 5-year span.
- Annual Operational Plan Template for staff utilization in planning for use of resources and focus staff’s work to achieve the annual targets.
- Executive Summary outlining the final proposed plan, and documenting the process used to complete the Comprehensive Strategic Plan

Elements to be to be included in the process of developing the comprehensive strategic plan.

- Environmental Scan
- SWOT analysis (strengths, weaknesses internal to the organization) and opportunities, threats, which are forces external to the organization.
- Surveys, focus groups, other forms of acquiring input and feedback from/with: Staff, Commissioners, Community Stakeholders. These might overlap with environmental scan and SWOT elements in the process.
- Development/clarification of mission, vision, goals, measures, and implementation strategy.
- Other steps/processes that the consultant(s) might use, for which they should describe in their proposal.

Process Timeline:

<u>Event</u>	<u>Due Date</u>
RFP (Request for Proposals) Release	July 12, 2023
Written Questions Due By	July 21, 2023
Answers to Questions Issued By	July 26, 2023
RFP Closing 4:30pm	August 4, 2023
Review of RFPs (Request for Proposals)	August 7-9, 2023
Interviews	August 14-16, 2023
Review at Facilities Committee	August 23, 2023
Consider for Board Approval	September 5, 2023
Notice to Proceed	September 6, 2023

Proposal and Submission Requirements

To achieve a uniform review process and obtain the maximum degree of comparability, the proposals shall be organized in the manner specified below.

One page shall be interpreted as one side of single-spaced, typed, 8½” x 11” sheet of paper with 1-inch margins. The typeface of all pages in this proposal shall be 12 font or greater. Proposals may be submitted electronically (emailed) to Susan Faus, Deputy Director – sfaus@fargoparks.com by 4:30 pm on August 4, 2023, responses received after 4:30 pm on August 4, 2023, will be considered non-responsive.

Proposal Narrative

All respondents to the Request for Proposals should include the following criteria and be structured accordingly. All the listed items should be addressed completely and should follow, as closely as possible, the order and format in which it is listed below. These categories and criteria will be major considerations in the evaluation and determination of the most qualified and capable firm(s).

1. Cover Letter
2. Firm Information
 - A. Name of Firm/Discipline
 - B. Contact Information
 - C. Staff Size
3. A description of your firm's experience in completing work of this type including three (3) specific examples and project references (including reference name, phone number and email).
4. A description of your firm's experience in completing work of this type in parks/recreation.
5. Provide an overview and description of the firm's total qualifications including any special or unique services it may provide.
6. Specific name and qualifications of the lead member of the project team who will be the primary contact and have full responsibility for the project. Also, complete qualifications must be submitted for other members of the project team.
7. List whether your agency is the sole consultant for the entire project. Include any subcontractors who will be working with your firm on this project, what their responsibilities will be, and a summary of applicable experience and qualifications.
8. A summary of your firm's understanding of the project including your firm's scope of services necessary to perform and fulfill the objectives and methods of how your firm plans to fulfill those objectives.
9. Cost of your services, in detail, including hours dedicated to each area defined within the scope of services. Technical proposals will be evaluated first. Cost will be a factor after the technical evaluation process is completed.
10. Detail meetings and community outreach with Fargo Park District Staff, Fargo Park District Commissioner, stakeholder interviews and public forums.
11. Proposed schedule for the project.

Evaluation Criteria:

Selection of the successful proposal will be based on proposal reviews and responses provided by the references. The evaluation committee will score the proposal in the following areas with maximum points available.

	<u>Points Available</u>
a. Completeness of the proposal;	5
b. Project Understand and Approach;	30
c. Prior experience on similar projects;	20
d. Project Personnel;	20
e. Cost of services;	<u>25</u>
	100

The evaluation committee will be the Executive Leadership Team consisting of Deputy Director of Administration, Deputy Director of Operations, and one/two Park District Commissioners.

The Park District reserves the right to reject all proposals.



MEMORANDUM

DATE: June 29, 2023

TO: Fargo Park Board Commissioners

FROM: Susan Faus, Deputy Director of Administration

RE: Consent Agenda Item (d) – Approve Special Limited Alcoholic Beverage Sale Permit for the Foundations VIP Event on August 16, 2023

Staff would like to request the Fargo Park District Board of Commissioners to approve a special Limited Alcoholic Beverage Sale Permit for the Foundations VIP event on August 16, 2023. The Limited Permit will be issued for a maximum of three (3) days, per the Park District's approved Alcoholic Beverage Policy.

A Limited Alcoholic Beverage Sale Permit ("Limited Permit"), together with the Concessions Agreement will allow the applicant/seller to sell beer. Wine, products such as "hard" lemonade, seltzers, and ciders, provided the same are sold in single serving cans or non-glass containers, or in the case of beer, in a keg monitored and serviced by the applicant/seller.

Attached as supporting documentation is the Fargo Park District Alcoholic Beverage Policy.

It was discussed at the June 28, 2023, Facilities Committee Meeting to bring this to the full board on the Consent Agenda for consideration and approval.

If you should have any questions, please feel free to contact me prior to the Board Meeting.

Thank you.

Sample Motion: I make a motion to approve the Special Limited Alcoholic Beverage Sale Permit for the Foundations VIP Event as presented.



MEMORANDUM

DATE: July 5, 2023

TO: Fargo Park Board Commissioners

FROM: Tony Schmitt, Park Director

RE: Consent Agenda Item (e) – Bid award to McKay's Dodge for 2023 Cargo Van
250/2500 8600 GVWR

Bids for the 2023 Cargo Van 250/2500 8600 GVWR were received and opened Thursday, June 15, 2023, at 1:00pm, at the Park District Office. Attached to this memo is the bid tab.

We received two bids, one from Lithia CDJR of Grand Forks with a bid of \$47,299, and the other from McKay's Dodge with a bid of \$48,700. Lithia CDJR of Grand Forks did not meet bid specifications. Our bid specification indicated an 8600 GVWR and Lithia CDJR of Grand Forks provided a spec for an 8550 GVWR. McKay's Dodge bid of \$48,700.00 met all our specifications. We budgeted for two vans but due to pricing increases and what we need to outfit it, we can only purchase one van at this time. We had a total budget of \$42,000/van. Staff recommends awarding the bid to McKay's Dodge for a total bid of \$48,700. The current pool truck will be repurposed into a tool truck for maintenance staff.

This was our second attempt at bidding for the 2023 Cargo Van. On April 11, 2023, we had our first bid opening which we received no submitted bids.

It was recommended at the June 28, 2023, Facilities Committee Meeting to bring this to the full board on the Consent Agenda for consideration and approval.

If you should have any questions, please feel free to contact me prior to the meeting.

Thank you.

Sample Motion: I make a motion to award the bid to McKay's Dodge for the 2023 Cargo Van 250/2500 8600 GVWR, as presented.

Fargo Park District
2023 Cargo Van 250/2500 8600 GVWR
 Bid Opening: 1:00 pm, June 15, 2023

	2023 Cargo Van 250/2500 8600 GVWR	Bid Price	Est. Delivery Date
Bidder			
McKay's Dodge Chrysler Jeep Ram Fiat	2023 Ram 2500 136" WB Promaster - High Roof	\$48,700.00	4-5 Mos.
Lithia CDJR of GF*	2023 Ram ProMaster 1500	\$47,299.00	6.15.23

* Vendor Does Not Meet Spec



MEMORANDUM

DATE: July 5, 2023

TO: Fargo Park Board Commissioners

FROM: Tony Schmitt, Park Director

RE: Consent Agenda Item (f) – Bid award to Mazda of Fargo for two 2023 small SUV 4x4 Vehicles

Bids for two 2023 SUV 4x4 vehicles were received and opened Thursday, June 15, 2023, at 1:30pm, at the Park District Office. Attached to this memo is the bid tab.

We received four bids, (1) Lithia CDJR of Grand Forks with a bid of \$65,853.50 for two, (2) Luther Family Ford of Fargo with a bid of \$32,191/SUV, (3) Mazda of Fargo with a bid of \$28,929/SUV, and (4) Kia of Fargo with a bid of \$29,840/SUV. We had a total budget of \$65,000 for two SUV 4x4 vehicles. Staff recommends awarding the bid to Mazda of Fargo for a bid of \$28,929/SUV for a combined total of \$57,858. The bid meets all specification, is the lowest, and is within our budget. The Facility Manager and Project Manager had use of Park District maintenance pickups. These pickups are needed for use in maintenance operations. The SUV's will be more economical.

This was our second attempt at bidding for the two 2023 small SUV 4x4 vehicles. On April 11, 2023, we had our first bid opening which we received no submitted bids.

It was recommended at the June 28, 2023, Facilities Committee Meeting to bring this to the full board on the Consent Agenda for consideration and approval.

If you should have any questions, please feel free to contact me prior to the meeting.

Thank you.

Sample Motion: I make a motion to award the bid to Mazda of Fargo for two 2023 small SUV 4x4 vehicles, as presented.

Fargo Park District
2023 Two Small SUV 4x4
 Bid Opening: 1:30 pm, June 15, 2023

	2023 Two Small SUV 4x4	Bid Price	Est. Delivery Date
Bidder			
Lithia CDJR of GF	2023 Jeep Compass	\$65,853.00 - combined	6.15.23
Kia of Fargo	2023 Sportage LX AWD	\$29,840.00/SUV	In Stock - end of July
Mazda of Fargo	2023 Mazda CX5 EN	\$28,929.00/SUV	In Stock - end of July
Luther Family Ford *	2023 Escape AWD	\$32,191.00 - only bid 1	6.23.23 Pending Availability
* Only bidding for 1 not 2			



MEMORANDUM

DATE: July 5, 2023

TO: Fargo Park Board Commissioners

FROM: Broc T. Lietz, Finance Director

RE: Consent Agenda Item (g) – Approve Supplement No. 3 to Ground Lease for Southside Library with City of Fargo and Fargo Park District

The Facilities Committee on June 28, 2023 reviewed the attached supplement for the ground lease between the City of Fargo and the Fargo Park District pertaining to the southside Library managed by the City and the southside Senior Center managed by the Fargo Park District.

The original lease was not clear regarding insurance coverage for each party. This supplement clarifies coverage and provides indemnification to the Fargo Park District by the City, clarifies the City is carrying Worker's Compensation coverage as required by law and public liability for property damage arising out of their occupancy of the premises, and shall name the Park District as an additional insured on their policy.

Jeff Gunkleman has worked with the City attorney to clarify this language and draft the supplement.

The Committee recommended to bring this to the full board on the Consent Agenda for consideration and approval.

If you should have any questions, please feel free to contact me prior to the board meeting.

Thank you.

Sample Motion: I make a motion to approve Supplement No. 3 to Ground Lease for Southside Library with City of Fargo and Fargo Park District.

SUPPLEMENT NO. 3 TO GROUND LEASE

This Supplement No. 3 to Ground Lease (“Supplement No. 3”) is made this ____ day of _____, 2023 (the “Effective Date”) between **Park District of the City of Fargo** (“Park District”), a park district under the laws of the State of North Dakota, and **The City of Fargo, North Dakota**, a municipal corporation (“City”).

RECITALS

WHEREAS, The Park District and the City entered into a Ground Lease dated December 15, 2025, a true and correct copy of which is incorporated by reference here, for the construction of a southside Library managed by the City and a southside Senior Center managed by the Park District.

WHEREAS, the Park District and the City amended the Ground Lease pursuant to the terms of Supplement No. 1 to the Ground Lease.

WHEREAS, the Park District and the City amended the Ground Lease pursuant to the terms of Supplement No. 2 to the Ground Lease.

WHEREAS, the Park District and City desire to modify the terms of the Ground Lease as further detailed in this Supplement No. 3.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. Section 10.A. shall be deleted and replaced as follows:
 - A. City agrees to indemnify and save forever harmless Park District from any and all claims for damages of any kind or nature which may hereafter be made against Park District on account of any personal injuries or property damage arising out of or resulting from City’s use of the Leased Premises. For this purpose, City hereby agrees to carry and keep in force Worker’s Compensation coverage as required by the laws of North Dakota and public liability for property damage arising out of their occupancy of the premises along with All Risk property insurance coverage on the structure itself at a minimum of full replacement cost, all policies to be acceptable to Park District, who shall be named as an additional insured and furnished a copy of each policy or policies as follows:

The remainder of Section 10, including but not limited to Sections 10.A.i. and 10.A.ii. shall remain in full force and effect as written in the Ground Lease.

2. All terms and conditions of the Ground Lease, as amended pursuant to Supplement No. 1 and Supplement No. 2, shall remain in full force and effect except as herein amended this Supplement No. 3. Any inconsistency between Supplement No 3 and the initial Ground Lease, Supplement No. 1 and Supplement No. 2 shall be construed in favor of this Supplement No. 3.

Park District of the City of Fargo

By:
Its: President

By:
Its: Clerk

The City of Fargo, North Dakota

By: Timothy Mahoney
Its: Mayor

By: Steven Sprague
Its: City Auditor



MEMORANDUM

DATE: July 5, 2023

TO: Fargo Park Board Commissioners

FROM: Dave Bietz, Deputy Director of Operations

RE: Agenda Item No. 3 – Board to discuss City of Fargo ROW Acquisition for 44th Street

History:

This item was discussed at the June 26, 2023, Facilities Committee Meeting and was recommended to be brought ahead to the board meeting for further discussion and a decision. We have been working with the City of Fargo and EPIC Companies over the course of the last two years on a potential road right of way (ROW) at our Anderson/Tharaldson Complex. The initial request was to put a public road that would cut through the complex, that plan was not supported for various reasons. More recently we have been working on a potential public road on the East side of EPIC's development and the far west side of our property. A site plan showing the proposed road is included with this memo.

Obstacles of this request for the Park District includes our current maintenance building. The building falls within the ROW request. This building is our maintenance headquarters for our complex as well as serves as our irrigation building for the west portion of our complex. If the purchase is granted, we would need to relocate our building as well as our irrigation.

The costs associated with this move are estimated as follows:

Relocate and update maintenance building	\$450,000
Relocate and upgrade site irrigation	\$100,000

These costs reflect not only moving these items but also upgrading them. Our current maintenance building is original to the site and needs some renovations and is no longer sized appropriately for our maintenance needs in this area. We would recommend building a new building that better serves our needs if the purchase is approved. The location we reviewed was adding on to the Southwest corner of Cornerstone Bank Arena.

Another obstacle is the cost of the road. Initially we were told the City had funds to cover the construction of the road, but that information wasn't accurate, and we now know the Park District would need to pay for a portion of the road construction and that cost is estimated to be \$1,070,000 million dollars. This is one third of the total cost of the road which is estimated to cost 3.2 million to construct.

The total area of the ROW is shown to be 34,658 Square feet. The attached plan shows the area of the ROW as well as the square footage that the city would purchase. The total area for the ROW that the city would purchase is 30,120 sq ft @ \$8.24 per sq ft = \$248,188.80.

EPIC has been open to discussions on paying for the remaining 4,538 feet for approximately \$37,000. EPIC has also been open to discussion on helping with the costs associated with our irrigation and demolition of the building. The amount discussed has been \$100,000. If these values are accurate, we would anticipate \$137,000 from EPIC. EPIC is also planning to build a parking ramp on the Northeast corner of their property and as part of this proposal they would be willing to tie a drive isle from our Cornerstone Bank Arena parking lot to their parking ramp. Additionally, the parking ramp is planned to be free and open to public parking which would benefit all the surrounding amenities.

In total it is estimated this sale of the ROW to the City will impact the Park District in the approximate amount of \$1,620,000. If we reduce this number by the amount of the sale of the ROW to the city and the amount of EPIC's contribution, we would be left with an approximate cost of \$1,234,811.20.

The roadway construction cost of \$1,070,000 could be assessed to the Park District over the course of 20 years, the total cost of that assessment would be approximately \$450,000, this is calculated at a rate of 3.75%.

If this were to be approved, we would need to identify the appropriate funds in our 2024 budget.

Current:

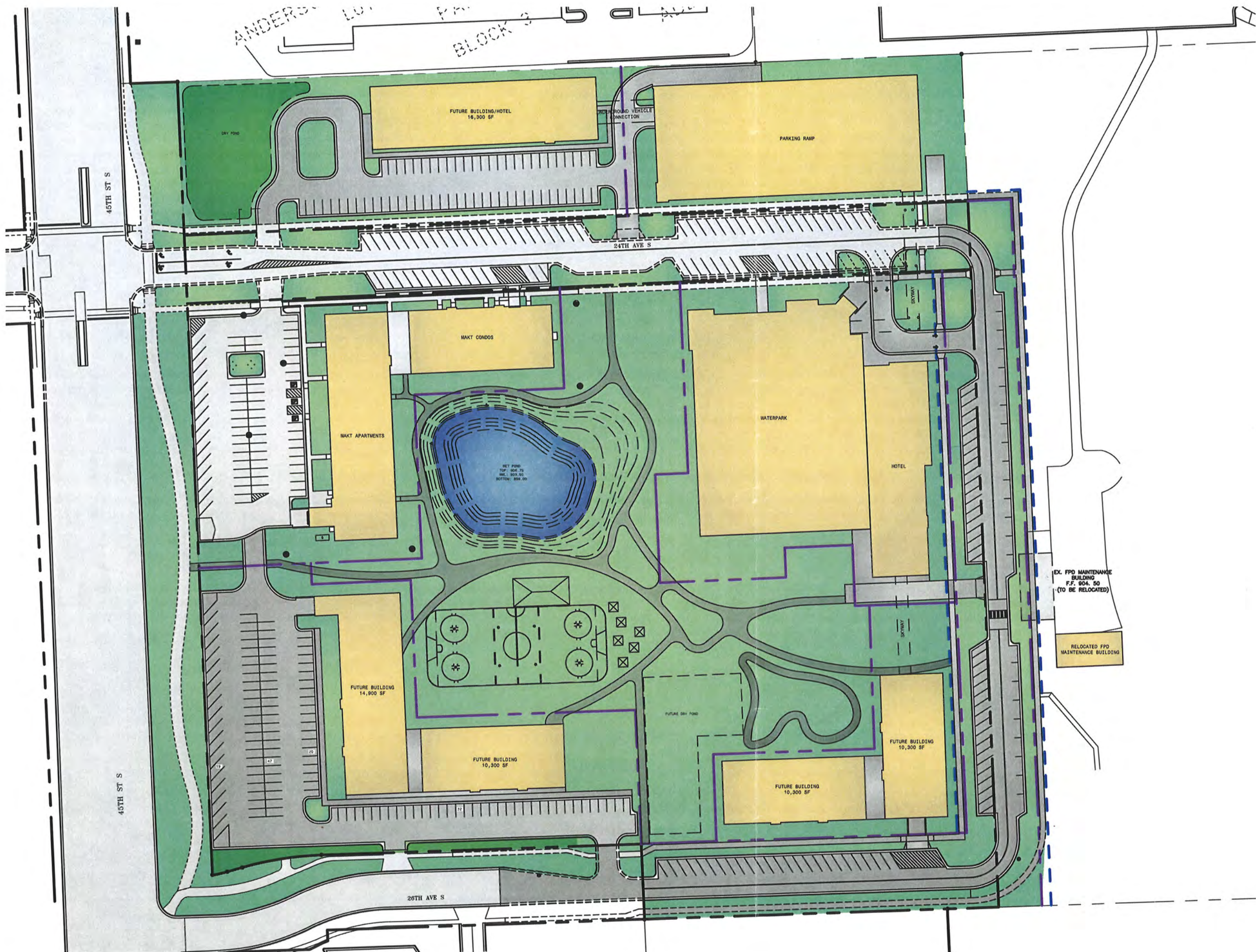
The two options we will have at this time are:

1. Accept the ROW purchase from the City.
2. Reject the ROW purchased from the City.

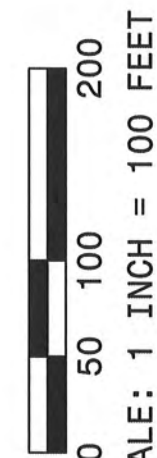
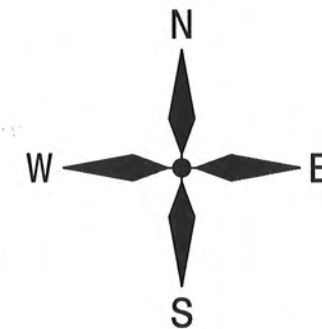
If you should have any questions, please feel free to contact me prior to the board meeting.

Thank you.

Sample Motion: I make a motion to approve/reject the ROW Acquisition for 44th Street from the City as presented.



MECHANICAL * ELECTRICAL * CIVIL
 503 7TH ST. N
 SUITE 200
 FARGO, ND 58102
 PHONE: 701.478.6336
 FAX: 701.478.6340



SCALE: 1 INCH = 100 FEET

EPIC COMPANIES
 EOLA

FARGO, ND

NOT FOR CONSTRUCTION

MBN JOB #: 22-199 DATE: 4-12-23

THE WAVE SITE SCHEMATIC

SITE

EOLA SECOND ADDITION

A REPLAT OF LOTS 1 THROUGH 5, BLOCK 2 OF EOLA ADDITION AND PART OF LOT 1, BLOCK 1 OF ANDERSON PARK SECOND ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA (A MAJOR SUBDIVISION)

OWNER'S CERTIFICATE

KNOW ALL PERSONS BY THESE PRESENTS, That the Fargo Park District and MAKT LLC, do hereby certify that we are the owners of the land located in that part of the Northwest Quarter of Section 22, Township 139 North, Range 49 West, Cass County, North Dakota described as follows:

All of Lots 1 through 5, Block 2 of EOLA ADDITION to the City of Fargo, situated in the County of Cass and the State of North Dakota.

AND

That part of Lot 1, Block 1 of ANDERSON PARK SECOND ADDITION to the City of Fargo situated in the County of Cass and the State of North Dakota described as follows:

Beginning at the southwest corner of said Lot 1: thence North 88 degrees 04 minutes 18 seconds East on the south line of said lot, a distance of 46.00 feet; thence North 02 degrees 28 minutes 18 seconds West on a line parallel to the west line of said lot, a distance of 753.73 feet; thence South 87 degrees 31 minutes 42 seconds West, a distance of 46.00 feet to the west line of said lot; thence South 02 degrees 28 minutes 18 seconds East on the west line of said lot a distance of 753.73 feet to the south line of said lot and the point of beginning.

Containing 13.01 acres, more or less, and is subject to Easements, Reservations, Restrictions and Rights-of-Way of record.

Said owners of the above described property, have caused the same to be surveyed and platted as "EOLA SECOND ADDITION" to the City of Fargo, Cass County, North Dakota, and does hereby dedicate to the public for public use the streets and utility easements shown on this plat for purposes specified.

OWNER: MAKT LLC

Lots 1 through 5, Block 2 and Lots 1 and 2, Block 1 of EOLA ADDITION

Todd Berning, President
State of North Dakota)
County of Cass) SS

On this ___ day of _____, 20___, appeared before me, Todd Berning, President, MAKT LLC, a North Dakota Limited Liability Company, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that they executed the same on behalf of EOLA Landholdings, LLC.

Notary Public: _____

MORTGAGE HOLDER: Western State Bank

Lots 1 through 5, Block 2 and Lots 1 and 2, Block 1 of EOLA ADDITION

Matt Oachs, Loan Officer
State of North Dakota)
County of Cass) SS

On this ___ day of _____, 20___, appeared before me, Matt Oachs, Loan Officer, Western State Bank, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that they executed the same on behalf of Western State Bank.

Notary Public: _____

OWNER: Fargo Park District

Lot 1, Block 1 of ANDERSON PARK SECOND ADDITION

Dawn Morgan, President
State of North Dakota)
County of Cass) SS

On this ___ day of _____, 20___, appeared before me, Dawn Morgan, President, Fargo Park District, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that they executed the same on behalf of the Fargo Park District.

Notary Public: _____

FARGO CITY COMMISSION APPROVAL

Approved by the Board of Commissioners and ordered filed this ___ day of _____, 20___.

Timothy J. Mahoney
Mayor
Attest: Steven Sprague, City Auditor

State of North Dakota)
County of Cass) SS

On this ___ day of _____, 20___, before me, a notary public in and for said county, personally appeared Timothy J. Mahoney, Mayor, and Steven Sprague, City Auditor, known to me to be the persons described in and who executed the same as a free act and deed.

Notary Public: _____

CITY OF FARGO PLANNING COMMISSION APPROVAL

Approved by the City of Fargo Planning Commission this ___ day of _____, 20___.

Rocky Schneider
Planning Commission Chair

State of North Dakota)
County of Cass) SS

On this ___ day of _____, 20___, before me, a notary public in and for said county, personally appeared Rocky Schneider, Planning Commission Chair, known to me to be the person described in and who executed the same as a free act and deed.

Notary Public: _____

CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL

Approved by the City Engineer this ___ day of _____, 20___.

Brenda E. Derrig, P.E.
City Engineer

State of North Dakota)
County of Cass) SS

On this ___ day of _____, 20___, before me, a notary public in and for said county, personally appeared Brenda E. Derrig, P.E., City Engineer, known to me to be the person described in and who executed the same as a free act and deed.

Notary Public: _____

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

I, Joshua J. Nelson, Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify that this plat is a true and correct representation of the survey of said subdivision; that the monuments for the guidance of future surveys have been located or placed in the ground as shown.

Dated this ___ day of _____, 20___.

Joshua J. Nelson, PLS
Professional Land Surveyor
Registration No. LS-27292

State of North Dakota)
County of Cass) SS

On this ___ day of _____, 20___, appeared before me, Joshua J. Nelson, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that he executed the same as his own free act and deed.

Notary Public: _____

OWNER: EOLA Landholdings, LLC

Lots 1 through 5, Block 2 and Lots 1 and 2, Block 1 of EOLA ADDITION

Todd Berning, President
State of North Dakota)
County of Cass) SS

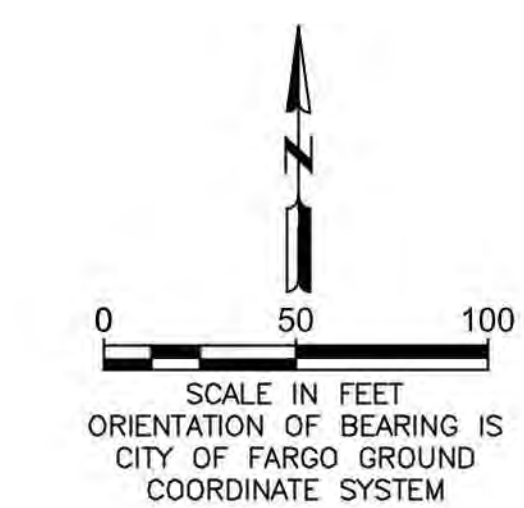
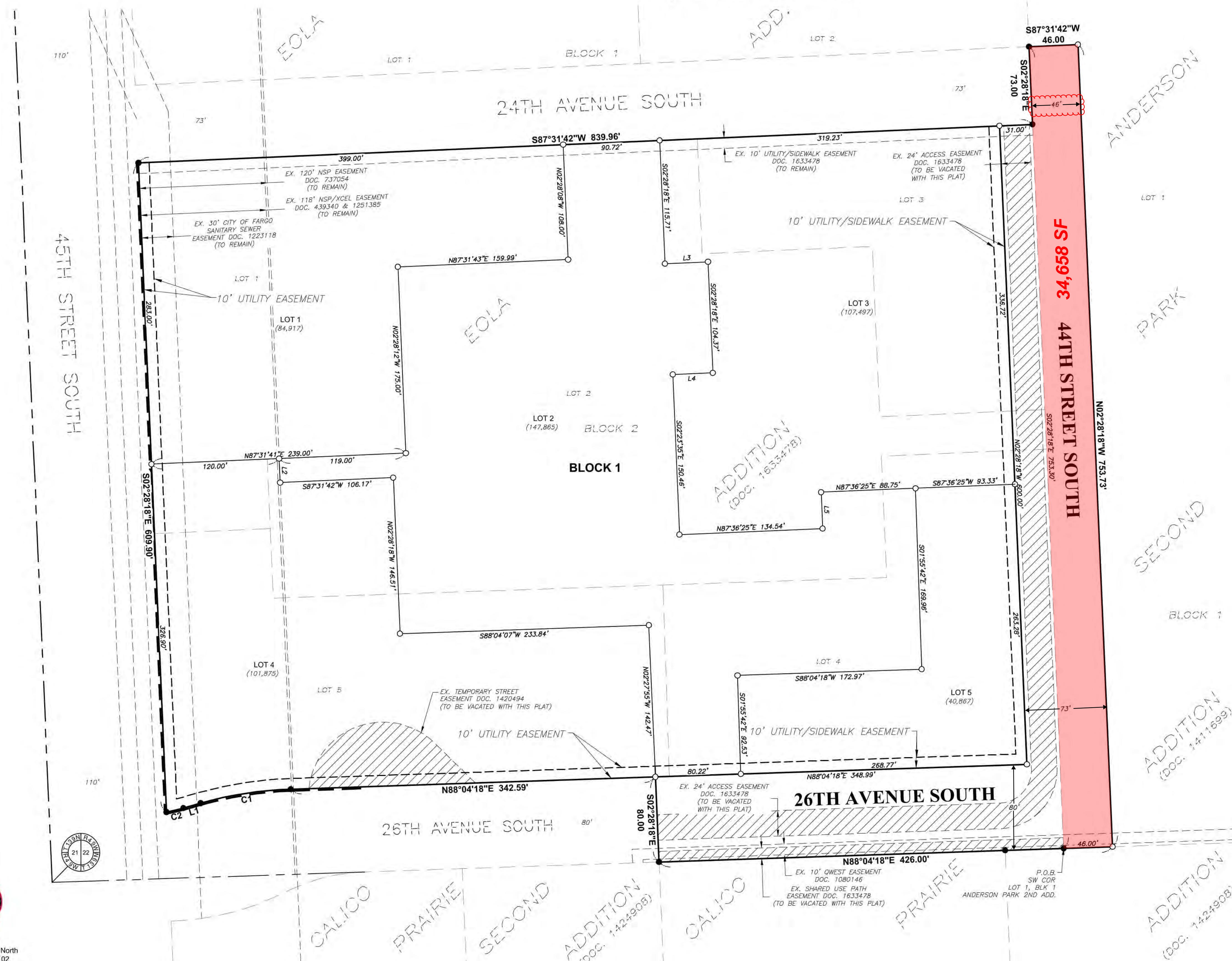
On this ___ day of _____, 20___, appeared before me, Todd Berning, President, EOLA Holdings, LLC, a North Dakota Limited Liability Company, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that they executed the same on behalf of EOLA Landholdings, LLC.

Notary Public: _____



EOLA SECOND ADDITION

A REPLAT OF LOTS 1 THROUGH 5, BLOCK 2 OF EOLA ADDITION AND PART OF LOT 1, BLOCK 1 OF ANDERSON PARK SECOND ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA (A MAJOR SUBDIVISION)



LEGEND

- SET 5/8" REBAR W/CAP LS-27292
- FOUND MONUMENT
- PLAT OVERALL BOUNDARY
- PLAT BLOCK LINES
- PLAT INTERIOR LOT LINES
- PLAT NEW EASEMENT
- EXISTING NEGATIVE ACCESS EASEMENT
- EXISTING PROPERTY LINE
- EXISTING EASEMENT LINE
- EXISTING EASEMENT TO BE VACATED
- SECTION LINE
- QUARTER LINE

- NOTES**
- GROUND DISTANCES ARE SHOWN AND ARE IN TERMS OF U.S. SURVEY FEET.
 - UTILITY EASEMENTS ARE 10' WIDE ALONG AND ADJACENT TO ALL STREET RIGHT-OF-WAYS AND REAR PROPERTY LINES AS SHOWN UNLESS OTHERWISE NOTED.
 - BENCHMARK SEFB HYDRANT LOCATED IN THE SOUTHEAST QUADRANT OF 45TH STREET SOUTH AND 26TH AVENUE SOUTH, BM-111011 PUBLISHED ON SHEET #111 OF THE CITY OF FARGO BENCHMARK BOOK (2021 EDITION) ELEVATION = 906.63 (NAVD88).
 - BASE FLOOD ELEVATION (BFE) IS 905.7 (NAVD88) PER CITY OF FARGO GIS.
 - ELEVATION CONTOURS DERIVED FROM CITY OF FARGO LIDAR DATA

CURVE TABLE

#	LENGTH	RADIUS	DELTA	CRD. LENGTH	CRD. BRG.
C1	85.81	355.00	13°50'57"	85.60	N81°08'50"E
C2	16.32	195.00	4°47'44"	16.32	N76°37'48"E

LINE TABLE

#	DISTANCE	BEARING
L1	16.76	N74°13'21"E
L2	22.50	N02°28'21"W
L3	40.42	N87°31'42"E
L4	37.63	S87°36'25"W
L5	34.19	N02°23'35"W

Plot Date & Time: 25 May 2023 1:45 PM
 C:\Users\jrn\Documents\Surveys\01 - Projects\2023\31-048 MBN EPLC EOLA Second Addition - Fargo\Drawings\31-048 EOLA Second Addition-Fargo.dwg
 1218 55th Street North
 Fargo, ND 58102
 Email: josh@rjnsurvey.com





MEMORANDUM

DATE: July 5, 2023

TO: Fargo Park Board Commissioners

FROM: Luke Evenson, Controller

RE: Agenda Item No. 4 – Board to consider approval of updates to Procurement Policy No. 390

The current Procurement Policy that the Park District has specific steps, rules and guidelines for Park District employees to use when making purchases for goods or services. The original policy was adopted in 2020, and it is attached. The changes are outlined with the red markings, and detailed below.

The changes being made:

- All purchases will need supervisor approval (Step 1)
- Director approval is required for any purchases that exceed \$2,500 (Step 1)
- Delete the wording of "Department" (Step 2)
- Adding that the Department making the purchase must retain copies of quotes (Step 3)
- All purchases from \$10,000 and up must be reviewed and approved by Director and Finance Director (Step 3)
- Updated wording for State Cooperative Purchasing Agreement section
- Updated wording for Internal Controls/Approval Process

It was recommended at the June 14, 2023, Administration Committee Meeting to bring this to the full board for consideration and approval.

If you have any questions, please feel free to contact me prior the Board meeting.

Thanks.

Sample Motion: I make a motion to approve the updates to Procurement Policy No. 390 as presented.

PARK DISTRICT OF THE CITY OF FARGO
PROCUREMENT POLICY
POLICY NO. 390

Date Approved by Park Board: 10/13/20

Date Reviewed by Staff: 6/1/23

The procurement policy has been developed for the purpose of obtaining the best possible price of goods and services for the Park District while ensuring compliance with state law. The procurement policy provides contractors and vendors an equitable method of providing the goods and services on a competitive basis. It is recommended to obtain quotes if the goods or services are common items and it would be in the Park District's best interest to obtain competitive quotes.

1. Purchases up to \$5,000 for routine and reoccurring items may be made by employees that have been designated with purchasing authority for a department. Staff must ensure the purchase is made at the best value possible. ~~Department Director approval is required for any purchases that exceed \$750; Supervisor approval is required for any purchase. Director approval is required for any purchases that exceed \$2,500~~
2. For purchases of \$5,001 to \$10,000 it is required to obtain quotes. Quotes must be documented with date, name of vendor, vendor's contact person and price. The purchasing department will retain copies of the quotes for three years. ~~Department~~ Director approval is required.
3. A purchase of \$10,001 to \$50,000 requires written specifications and a minimum of three informal price quotes must be obtained. Quotes must document the date, name of vendor, vendor's contact person and price. The purchasing department making the purchase will retain copies of the quotes for three years. All purchases from \$10,001 to \$50,000 and up must be reviewed and approved by ~~the Department Supervisor,~~ Director, and Finance Director.
- 3.4 All formal requests for written quotes and specifications must be reviewed and approved by the Department Director prior to distributing requests to vendors.
- 4.5 In the event only one price quote is available, a sole source purchase may be used. Sole source shall be allowed only in the following situations:
 - Material, product, or item is regarded as one-of-a-kind and is the only known source;
 - The item or product is a manufacturer direct sale with no distributors;
 - The item or product is a patented or proprietary item; or
 - The purchase is necessary for repairing or replacing parts or components of existing assets or equipment.
 - One for which users have had extensive training and experience and the use of any other similar piece of equipment would require considerable reorientation and training.
- 5.6 Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase, however, no procurement may be artificially divided or structured to avoid the effect of a certain procurement method established in this policy.

STATE COOPERATIVE PURCHASING AGREEMENT

~~Supervisors/Directors~~ Staff, Supervisors, and/or Directors may purchase commodities or services through the State's cooperative purchasing agreement under section 54-44.4-13 (5). All purchases made through State Cooperative Purchasing Agreement less than \$50,000 must be approved in the same direction as laid out in steps 1, 2, and/or 3 above by the Department Director. Purchases exceeding \$50,000 must be approved by the Board of Park Commissioners through the annual budget process or by Board action. The State's cooperative purchasing agreement is awarded through full and open competition.

Formatted: Indent: Left: 0.05", Right: 0.17", Line spacing: single, Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.17" + Indent at: 0.42", Tab stops: 0.42", Left

CONTRACTS EXCEEDING \$50,000

1. A purchase with an estimated cost in excess of \$50,000 must be made in accordance with Section 40-49-14 of the North Dakota Century Code.
2. Bids must be reviewed by staff and the Executive Director. A recommendation is then presented to the Board of Park Commissioners for their review and action.
3. The Board of Park Commissioners awards the contract to the lowest responsible bidder. The Board of Park Commissioners may reject any or all bids (NDCC 40-49-14).
4. An emergency situation is an exception to these bid requirements (NDCC 40-49-14 (1)). An emergency situation, as used in this section of the law, means a sudden or unexpected occurrence that requires immediate action to protect public health, safety, or property.
5. If the Board of Park Commissioners declares an emergency situation, the Board of Park Commissioners may contract for the construction of a public improvement without seeking bids.

PUBLIC IMPROVEMENT PROJECTS OVER \$200,000

1. When the construction of a public improvement is estimated to cost in excess of two hundred thousand dollars, the Board of Park Commissioners shall advertise for bids by publishing for three consecutive weeks. (NDCC 48-01.2-04)
2. The publication of advertisement for bids and the contents of the advertisements must be in accordance with the North Dakota Century Code at sections 48-01.2-04 and 48-01.2-05.
3. Multiple prime bids for the general, electrical, and mechanical portions of a project are required when any individual general, electrical, or mechanical contract or any combination of individual contracts is in excess of two hundred thousand dollars. If a general, mechanical, or electrical contract is estimated to be less than twenty-five percent of the threshold established under section 48-01.2-02.1, the contract may be included in one of the other prime contracts. The Board of Park Commissioners may allow submission of a single prime bid for the complete project or bids for other specialized portions of the project. The Board of Park Commissioners may not accept the single prime bid unless that bid is lower than the combined total of the lowest responsible multiple bids for the project. (NDCC 48-01.2-06)
4. Bids must be reviewed by professional consultants, staff and the Executive Director. A recommendation is then presented to the Board of Park Commissioners for their review and action.
5. At the time and place specified in the notice, a governing body shall open publicly and read aloud each responsible bid received and award the contract to the lowest responsible bidder. The Board of Park Commissioners may reject any and all bids and re-advertise for bids if no bid is satisfactory. (NDCC 48-01.2-07)
6. If the Board of Park Commissioners declares an emergency situation, the Board of Park Commissioners may contract for the construction of a public improvement without seeking bids. (NDCC 48-01.2-04)
7. For public improvement projects with estimates costs that do not exceed \$200,000, if there is reason to believe that engineering or architectural services are necessary to protect the health, safety, or welfare of the public, the Board of Park Commissioners shall consider consulting with an engineer or architect.

Financial Budget Expenditure Accounts and Coding Standards

All transactions shall be coded to the correct budget lines as established during the budget process. Departmental budget accountability levels are measured at the department total so it is permissible to overrun individual line items as long as budget appropriations are not exceeded in total. No expenditure shall be made with respect to a particular fund unless supported by total appropriations in the fund in the annual budget.

Capital Asset Purchases

Capital assets purchases are for capital items with a value of at least \$5,000 per unit. All capital asset purchases have special reporting requirements which include adding related asset description data to our accounting software. An Asset Inventory Sheet is completed for each asset which includes an asset number. A corresponding asset tag is assigned to the piece of equipment and attached to the Asset Inventory Sheet. The information from this sheet is keyed into our accounting program for tracking, insurance, and depreciation purposes. The Asset Inventory Sheet is sent to the relevant Park District staff and the tag is applied to the equipment. The Asset Inventory Sheet is then returned to the Business Office for record keeping.

Internal Controls/Approval Process

The ~~purchase order and~~ purchase card payment systems have been established with a reasonable level of internal controls. ~~Staff, Supervisor,~~ and/or Director approvals are required and essential in this approval process. Staff, Supervisors, and Directors certify that budgetary resources have been appropriated where required, that goods and supplies have been delivered when ordered, and that all purchases follow the procurement policy.



MEMORANDUM

DATE: July 5, 2023

TO: Fargo Park Board Commissioners

FROM: Broc T. Lietz, Finance Director

RE: Agenda Item No. 5 – Board to consider approval of Bank Resolution

Attached is the bank resolution regarding who is allowed to sign on various bank accounts with Bremer Bank.

The banking resolution is updated annually with the change in officers.

Please let me know if you have any questions.

Thank you.

Sample Motion: I make the motion to approve the bank resolution, designating the President and the Clerk as signers on the general checking account.

BANKING RESOLUTION

The Park District of the City of Fargo, a park district under the laws of the State of North Dakota (“Park District”) (TIN: 45-6002070), at a regularly scheduled meeting of the Board of Park Commissioners held on July 11, 2023, hereby adopted the following Resolutions with regard to the Park District’s banking relationship with Bremer Bank, N.A. (“Bremer”) as follows:

BE IT RESOLVED, that Bremer has been designated as a depository and banking institution for and on behalf of the Park District for funds of the Park District and to provide other financial services as may be otherwise indicated in these Resolutions.

BE IT FURTHER RESOLVED, that the banking designation of Bremer shall continue in effect until either rescinded or modified in accordance with the appropriate resolution of the Board of Park Commissioners.

BE IT FURTHER RESOLVED, that Bremer, by the Board of Park Commissioner’s action previously, had been designated as the banking institution for and on behalf of the Park District with regard to the accounts herein described, all transactions, if any, with respect to deposits or withdrawals, for and on behalf of the Park District with Bremer prior to the adoption of these Resolutions, are hereby ratified, approved and confirmed.

BE IT FURTHER RESOLVED, that the Park District acknowledges and agrees that Bremer may furnish, at its discretion, certain automated access devices to signatories of the Park District as described in these Resolutions to facilitate the powers authorized by these Resolutions.

BE IT FURTHER RESOLVED, that the Park District acknowledges and agrees that Bremer may rely on alternative signature and verification codes issued to or obtained from signatories herein described or otherwise named in this Resolution, including a facsimile of signatures on file with Bremer and, if necessary, any personal identification numbers.

BE IT FURTHER RESOLVED, that Broc Lietz, the Treasurer of the Park District, is authorized to change the following accounts with Bremer and the persons herein designated and signing below are authorized to exercise the following powers pertaining to each of the separate accounts:

1. Checking Account (General), Account No. 5157146:

President _____

Broc Lietz, Treasurer _____

Clerk _____

- All three (3) are required to sign
- Facsimile signatures are allowed
- Signed and authorized checks, drafts, withdraw slips and other order of payment of money, whether by paper, electronic or by other means.
- Sign account agreements and sign contracts for deposit-related services and authorize issuance of debit and/or check cards.

2. Checking Account (Courts Plus), Account No. 5157170:

Broc Lietz, Treasurer _____

- Facsimile signatures are not allowed
- Signed and authorized checks, drafts, withdraw slips and other order of payment of money, whether by paper, electronic or by other means.
- Sign account agreements and sign contracts for deposit-related services and authorize issuance of debit and/or check cards

3. Checking Account (Payroll), Account No. 5157154:

Broc Lietz, Treasurer _____

- Facsimile signature is allowed
- Signed and authorized checks, drafts, withdraw slips and other order of payment of money, whether by paper, electronic or by other means.
- Sign account agreements and sign contracts for deposit-related services and authorize issuance of debit and/or check cards.

4. Checking Account (Medical Insurance), Account No. 5157162:

Broc Lietz, Treasurer _____

- Facsimile signatures are not allowed
- Signed and authorized checks, drafts, withdraw slips and other order of payment of money, whether by paper, electronic or by other means.
- Sign account agreements and sign contracts for deposit-related services and authorize issuance of debit and/or check cards.

5. Money Market Account, Account No. 5157189:

Broc Lietz, Treasurer _____

- Facsimile signatures are not allowed
- Signed and authorized checks, drafts, withdraw slips and other order of payment of money, whether by paper, electronic or by other means.
- Sign account agreements and sign contracts for deposit-related services and authorize issuance of debit and/or check cards.

THE PARK DISTRICT OF THE CITY OF FARGO

By: _____
President

By: _____
Clerk