



THE REGULAR MONTHLY MEETING OF THE BOARD OF COMMISSIONERS OF THE PARK DISTRICT OF THE CITY OF FARGO WILL BE HELD ON **TUESDAY, JANUARY 9, 2024 AT 5:30 P.M.** IN THE BOARD ROOM OF THE PARK DISTRICT OFFICES AT 701 MAIN AVENUE, FARGO, WITH PRESIDENT JOE DEUTSCH, 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-january-agenda-2024

- A. Call to Order
- B. Approve Order of Agenda

Consent Agenda - approve the following:

- a. Minutes - December 12, 2023
- b. December Bills
- c. Request from Southeast Senior Services Board (Richland County) to transfer Southeast Senior Services staff to Fargo Park District employment.
- d. Memorandum of Understanding Agreement with City of Fargo for Easements and Restoration of Parking Surface at Lemke Park.
- e. Amendment No. 1 to the Rose Creek Restaurant Lease between the Fargo Park District and Up North Hospitality, LLC d/b/a CJ's Tavern.
- f. Request of permission to bid Yunker Farm Dog Park Project, Anderson Softball Lighting Replacement, and 2024 Capital Fencing Projects.
- g. Bid award in the amount of \$609,161.00 to MTI Distributing, Inc. for bid package #1 for 2024 Park District Maintenance Equipment, bid award to Acme Electric in the amount of \$155,631.00 for Kubota 130 HP 4wd Tractor w/ Normand Snow Blower and \$1,815.00 alternate for a side discharge for a total amount of \$157,446.00 and a Kubota L5460HST Tractor in the bid amount of \$42,450.00 and bid award in the amount of \$64,999.00 to Butler Machinery for a Snow Wolf Wheel Loader Snow Blower.
- h. Request of permission to apply for a Minnesota Twins Community Fund Grant.
- i. Designation of depositories of public funds for Fargo Park District and Valley Senior Services.

Regular Agenda

- 1. Recognition of Audience/Public Comments
- 2. Director's Report
- 3. Department Update - Events
- 4. 2023 Fargo Park District Foundation Annual Report; Craig Bjur, presenter.
- 5. 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 DECEMBER 12, 2023**

The regular monthly meeting of the Board of Commissioners of the Park District of the City of Fargo was held on Tuesday, December 12, 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, Joe Deutsch, Jerry Rostad and Vicki Dawson. Also present were: Dave Bietz, Susan Faus (virtually), Carolyn Boutain, Broc Lietz, and Jeffrey Gunkelman.

Approval of Agenda

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

Approval of Consent Agenda

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

- (a) The minutes from November 14, 2023 meeting;
- (b) The November 2023 bills;
- (c) Reject Bid from ServiceMaster Moline for Courts Plus Community Fitness Janitorial Services;
- (d) Request from Fargo South High School for placement of a storage shed at the Tharaldson Little League Complex;
- (e) Award bid for Connect Interiors for a total of \$1,095,628.33 (\$1,020,550.47 base bid + \$75,077.67 Approve Alternatives);
- (g) Request to Solicit Bids for the 2024 Concrete Projects; and
- (f) Request to Solicit request for 2024 Playground Replacement Projects.

Upon call of the roll, the motion passed unanimously.

Public Comments

Members of the public were afforded the opportunity to discuss issues with the Board.

Director's Report

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

Presentation from Downtown Community Partnership

Rocky Schneider, executive director of Downtown Community Partnership presented to the Board on the activities and purposes of the Downtown Community Partnership.

Approval of New Lease for Rose Creek Restaurant

Carolyn Boutain presented this matter. Brad Erpelding, Cody Townsend and Jordan Erpelding, representing Up North Hospitality d/b/a CJs Tavern also presented to the Board. It was noted that the tenant would be required to be open for specific hours during the golf season but that the tenant intends to be open year round. It was noted that rent is proposed at 12% of the gross sales for the first three years. It was noted that the tenant intends to provide gaming, bingo, raffles, to attract customers. It was noted that the tenant intends to open in January. It was noted that lease is contingent upon the tenant receiving a liquor license from the City of Fargo.

Commissioner Vicki Dawson moved and Commissioner Dawn Morgan seconded the motion to approve the lease for the restaurant at Rose Creek Public Golf Course as presented. Upon call of the roll, the motion passed 4-0 with Commissioner Hill abstaining from the vote.

Approval of Request for 2024 Budget Adjustment

Broc Lietz presented this matter. It was noted that the 2024 budget adjustment is required due a procedural error when the Park District presented the proposed budget to Cass County. It was noted that the 2023 preliminary budget was emailed to Cass County on error instead of the 2024 preliminary budget. It was noted that the mistaken attachment was not noticed by the Park District or Cass County until November. As a result, the Park District is only able to collect revenues based on the fiscal 2023 budget. The financial impact of this error will result in the Park District collecting approximately \$2.2 million less in tax revenue than approved by the commissioners, and a mill reduction of 4.01 mills rather than 1.35 mill reduction intended. It was noted that the Park District can make up the \$2.2 million shortfall without reducing the budget through the sale of the RDJ Building, short term investments from the issuance of the bonds for the Sports Complex, and through internal transfers. It was noted that the Park District is implementing new procedures and processes to ensure that this does not happen in the future.

Commissioner Rostad noted that there is an opportunity cost in future and this has the potential to slow progress on long term capital plans. Commissioner Morgan noted that this is the best outcome from the difficult situation. Commissioner Hill noted that he is glad to hear that protocols will be put into place to eliminate the chance this happens in the future. Commissioner Dawson noted that thankfully the Park District is in a solid financial position to recover without needing to cut programming or jobs.

Commissioner Aaron Hill moved and Commissioner Dawn Morgan seconded the motion to amend the 2024 annual budget as presented. Upon call of the roll, the motion passed unanimously.

Discussion on Next Steps for Executive Director Position

Commissioner Rostad led the presentation on this matter. Commissioner Rostad noted that he believes there are three possible paths forward: (1) permanently appoint Susan Faus as executive director; (2) conduct an internal search; or (3) conduct an external search. Commissioner Hill commented that he wanted to see the Park District move forward with an application process. Commissioner Hill outlined a timeline where the Park District could have a permanent executive director hired by April. Commissioner Hill noted that this was not about the person but about the process and he believes that an application and interview process is the most appropriate path forward. Commissioner Morgan noted that her preference would be to appoint Susan Faus on a permanent basis. Commissioner Morgan noted that she has been pleased with the change in staff and communication since Susan Faus was appointed on interim basis.

Commissioner Morgan noted that Susan Faus was previously thoroughly vetted at the last hiring round and that Susan Faus rose to the top during that process. Commissioner Dawson noted that Susan Faus was a finalist 3.5 years ago and that she was at the top of the searches when the Park District was hiring deputy directors. Commissioner Dawson noted that Susan Faus collaborates with others, interacts with the community and works with the board. Commissioner Dawson noted that the Park District is rolling along and that it would be a loss of time doing an external search. Commissioner Rostad noted that Susan Faus rose to the top on multiple occasions, including a nationwide search. Commissioner Rostad noted that she Susan Faus displays accountability and transparency. Commissioner Rostad noted that Park District staff is looking for the long term answer. Commissioner Deutsch noted that he agrees with all positive statements made by the other commissioners about Susan Faus's performance. Commissioner Deutsch noted that he also agrees with Commissioner Hill regarding the importance going through the process. Commissioner Deutsch noted that ultimately he believes that Susan Faus will get the job.

Commissioner Jerry Rostad moved and Commissioner Vicki Dawson seconded the motion to make Susan Faus the permanent executive director of the Fargo Park District and to direct the Board president and legal counsel to negotiate the terms of her employment and to present an employment agreement at the January 9, 2024 Board Meeting. Upon call of the roll, the motion passed 4-1 with Commissioners Morgan, Dawson, Rostad and Deutsch voting in favor of the motion and Commissioner Hill voting against the motion.

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 6:40 p.m.

Jeff Gunkelman, Kennelly Business Law, Clerk



MEMORANDUM

DATE: December 29, 2023

TO: Fargo Park Board Commissioners

FROM: Paul W. Grindeland, VSS Director

RE: Consent Agenda Item (c) - Request from Southeast Senior Services Board (Richland County) to transfer Southeast Senior Services staff to Fargo Park District employment

Starting in 1993, Valley Senior Services (VSS) began to administer senior services in other counties than Cass in southeastern North Dakota. When a county became affiliated with VSS, the employees currently working in that county became Fargo Park District employees; the only exception has been our relationship with Southeast Senior Services. Currently, VSS administers senior services and public transit in six-counties of southeastern North Dakota: Cass, Traill, Steele, Richland, Ransom and Sargent Counties.

The Southeast Senior Services Board of Directors, at their November 3rd meeting approved a motion to transfer Southeast Senior Services staff to Fargo Park District/Valley Senior Services employment pending Fargo Park Board approval.

The transfer of the Southeast staff to the Fargo Park District/Valley Senior Services will complete the consolidation of VSS staff in our region and will allow the Richland County employees to enjoy the same benefits as all other regional VSS staff. Additionally, this move will allow our new Richland County Supervisor to spend more time on providing services and managing our Richland County staff rather than payroll responsibilities. After this concept was first brought to a Facilities meeting on May 17, 2023, Fargo Parks Leadership have had on-going discussions concerning the possible on-boarding of Southeast staff.

If approved this employee transfer is expected to be complete by April 1, 2024, and will have an additional benefit and salary cost of approximately \$28,000.00 annually.

It was recommended at the December 27th, 2023, Facilities Committee Meeting to bring this request to the full board on the consent agenda for consideration and approval.

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

Thank you.

Sample Motion: I make a motion to approve the transfer of Southeast Senior Services staff to Fargo Park District employment.

SOUTHEAST SENIOR SERVICES BUDGET
2014 Employer Paid Benefit Expenses

	Current Employment						Fargo Park District Employment								
	Monthly Salary	HEALTH	DENTAL	401K	LI	LTD	HEALTH	DENTAL	401K	LI	LTD	EAP	COBRA	BC	
7 FT 40 hour a week employees	\$3,422.97	\$11,489.32	\$893.78	\$1,304.18	\$0.00	\$0.00	\$14,864.52	\$423.98	\$3,043.08	\$99.00	\$148.88	\$30.00	\$18.48	\$30.00	
	\$3,412.92	\$10,339.44	\$321.30	\$1,229.88	\$0.00	\$0.00	\$8,184.24	\$423.98	\$2,898.40	\$99.00	\$141.24	\$30.00	\$18.48	\$26.00	
	\$1,139.08	\$9,497.62	\$321.30	\$1,139.04	\$0.00	\$0.00	\$8,184.24	\$423.98	\$2,838.88	\$99.00	\$128.12	\$30.00	\$18.48	\$30.00	
	\$1,144.26	On Husband's	\$321.30	\$1,139.96	\$0.00	\$0.00	On Husband's	\$423.98	\$2,641.30	\$99.00	\$130.08	\$30.00	\$18.48	\$30.00	
	\$3,003.83	\$8,184.32	\$321.30	with employer	\$0.00	\$0.00	\$8,184.24	\$423.98	\$2,823.24	\$99.00	\$124.20	\$30.00	\$18.48	\$30.00	
	\$2,003.83	\$6,821.00	\$321.30	part employer	\$0.00	\$0.00	\$8,184.24	\$423.98	\$2,623.24	\$99.00	\$124.20	\$30.00	\$18.48	\$30.00	
TOTAL		\$48,309.60	\$2,410.60	\$4,794.84	\$0.00	\$0.00	TOTAL	\$47,301.48	\$2,643.78	\$10,234.44	\$894.00	\$788.72	\$180.00	\$110.88	\$176.00
6 Permanent PT Employees		HEALTH	DENTAL	401K	LI	LTD	HEALTH	DENTAL	401K	LI	LTD	EAP	COBRA	BC	
				\$828.47										\$26.00	
				\$243.42										\$30.00	
TOTAL		\$0.00	\$0.00	\$608.89	\$0.00	\$0.00	TOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$160.00
8 Full In Staff - Work As		HEALTH	DENTAL	401K	LI	LTD	HEALTH	DENTAL	401K	LI	LTD	EAP	COBRA	BC	
														\$26.00	
														\$26.00	
														\$26.00	
														\$26.00	
														\$26.00	
														\$30.00	
														\$26.00	
TOTAL		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	TOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$210.00
GRAND TOTAL SESS				\$54,182.89			GRAND TOTAL FARGO PARKS				\$68,305.28				
				DIFFERENCE		\$13,922.39									

1. We have two part time employees that take part in our employer matched to 3% 401K.
 2. We have one Permanent Part Time employee who takes part in the Vision plan. This benefit is 100% paid for by the employee but is ran through payroll.
 3. We have Full Time and Permanent Part Time employees that have AF LAC and COLONIAL LIFE - These are paid for by employees but also are ran through payroll.

SOUTHEAST SENIOR SERVICES 2024 WAGES

JOB TITLE	STATUS	WAGE	2024 PD/VSS Ranges			below low range	Annual Cost
			LOW	MID	HIGH		
Office Assistant	FT	20.90	\$22.38	\$27.97	\$33.57	\$1.48	\$3,078.40
Transit/Site Assistant	FT	17.33	\$16.63	\$20.78	\$24.94	in range	
Driver	FT	18.14	\$16.00		\$20.00	in range	
Driver	FT	17.33	\$16.00		\$20.00	in range	
Fill in Driver/Meal Delivery	PT	15.75	\$16.00		\$20.00	\$0.25	\$375.00
Fill in Driver/Meal Delivery	PT	15.75	\$16.00		\$20.00	\$0.25	\$375.00
Fill in Driver/Meal Delivery	PT	15.75	\$16.00		\$20.00	\$0.25	\$375.00
Fill in driver/Meal Delivery	PT	15.94	\$16.00		\$20.00	\$0.06	\$90.00
Wahpeton Cook	FT	19.69	\$16.63	\$20.78	\$24.94	in range	
Wahpeton Cook	FT	18.11	\$16.63	\$20.78	\$24.94	in range	
Aber Cook	PT	17.82	\$16.63	\$20.78	\$24.94	in range	
Hankinson Cook	PT	17.04	\$16.63	\$20.78	\$24.94	in range	
Lidgerwood Cook	PT	16.49	\$16.63	\$20.78	\$24.94	\$0.14	\$210.00
Site Assistant Wyndmere	PT	14.86	\$15.00		\$18.00	\$0.14	\$210.00
Fill in Site Assistant	PT	13.65	\$15.00		\$18.00	\$1.35	\$2,025.00
Fill in Cook	PT	15.44	\$16.63	\$20.78	\$24.94	\$1.19	\$1,785.00
Fill in Cook	PT	15.44	\$16.63	\$20.78	\$24.94	\$1.19	\$1,785.00
Fill in Cook	PT	15.44	\$16.63	\$20.78	\$24.94	\$1.19	\$1,785.00
Fill in Cook	PT	15.44	\$16.63	\$20.78	\$24.94	\$1.19	\$1,785.00
Fill in Cook	PT	16.49	\$16.63	\$20.78	\$24.94	\$0.14	\$210.00
							<u>\$14,088.40</u>

*** The PD/VSS would have an additional cost of \$14,088.40 annually to bring the Southeast Senior Services wages up to the PD/VSS pay ranges

** used 1,500 working hours for the PT employees, used 2,080 working hours for the FT employees

** working with Shelly Tollefson, the Office Assistant role would be comparable to the PD Admin Specialist role, because of the dispatching component.

** working with Shelly Tollefson, the Transit/Site Assistant role would be comparable to the PD County Assistant role

Vacation Accrual Schedule Can Carry Over 240 on Anniversary Date	Sick Leave Accrual Schedule Can Carry Over 480 on Anniversary Date	Employees who receive Vacation/Sick Leave	Employee Anniversary Date	VL & SL Hrs Employee Will Receive on Anniversary Date
2-3 years = 12 days/96 hrs 4-7 years=16 days/128 hrs 8-12 years = 20 days/160 hrs 13-18 years=23 days/184 hrs 19 years and up = 26 days/208 hrs	2 years and up - 12 Days/96 hrs	Deanna Nelson 6 years Viola Score 11 years Christine Bischoff 8 years Sharron Durbin 5 years Dawn Jarvis new Shari Schmidt new	10/1/2017 9/1/2012 10/19/2015 8/13/2018 7/18/2023 7/19/2023	128 hrs of VL and 96 of SL 160 hrs of VL and 96 of SL 160 hrs of VL and 96 of SL 128 hrs of VL and 96 of SL on 7/18/2023 and then it would be 96 hrs VL and 96 hrs SL on 7/19/2024 and then it would be 96 hrs VL and 96 hrs SL

Expected Vacation Amounts on 12-31-23	Expected Sick Leave Amounts on 12-31-23
Hours	Hours
118.5	172.25
392	441.5
179.5	413
105.75	468.25
0	0
0	0



MEMORANDUM

DATE: January 3, 2024

TO: Fargo Park Board Commissioners

FROM: Dave Bietz, Deputy Director of Operations

RE: Consent Agenda Item (d) - Memorandum of Understanding Agreement with the City of Fargo for Easements and Restoration of Parking Surface at Lemke Park

The City of Fargo has requested easements to assemble and store construction related materials upon a portion of the parking surface located at 1000 32nd Avenue South, which is known as Lemke Park, during construction of the lift station. With this MOU the Park District also agrees that it will grant unto City of Fargo a street and utility easement allowing construction and installation of the intended cul-de-sac and underground public utilities.

In exchange for the above-described easements, City of Fargo hereby agrees to replace the parking surface located at 1000 32nd Avenue South at Lemke Park. City of Fargo will replace the entire parking surface as soon as reasonably practicable after completion of construction of the storm sewer lift station but agrees to complete the repaving by no later than December 1, 2024. City of Fargo agrees the parking surface will be replaced with six (6) inches of asphalt with an eight (8) inch base to its existing surface area and to the same dimensions as the parking surface exists as of the date of this MOU.

The project will impact two trees, one cottonwood tree and one spruce tree. Sam Demaris, Park Forester has said these trees are in moderate to poor condition and removing them to achieve the project is acceptable as long as the city agrees to replant these trees at a two to one ratio in the locations determined by Sam.

The construction project is anticipated to begin in the Spring of 2024, during this time we would not have access to the parking area at the park. Access would be restored prior to the winter to allow for the use of the parking lot for our wintertime ice rink and warming house. The cul-de-sac portion of the project would not be completed until the construction season of 2026, this is to coincide with the reconstruction of the East portions of 32nd Ave S. During 2026 we would again see an impact, but that impact is anticipated to be a smaller timeframe, but the exact timeframe will not be known until that design and project is established.

The current parking lot is in moderate to poor condition. The city's estimate to remove and replace this parking lot is \$85,000. Additionally, we asked the city to add a trail connection from 32nd Ave S. to connect with our trail within the park and they have agreed to add that to the project. Currently this parking lot is not on a schedule for replacement as there are several other priorities within our parking lot repair list.

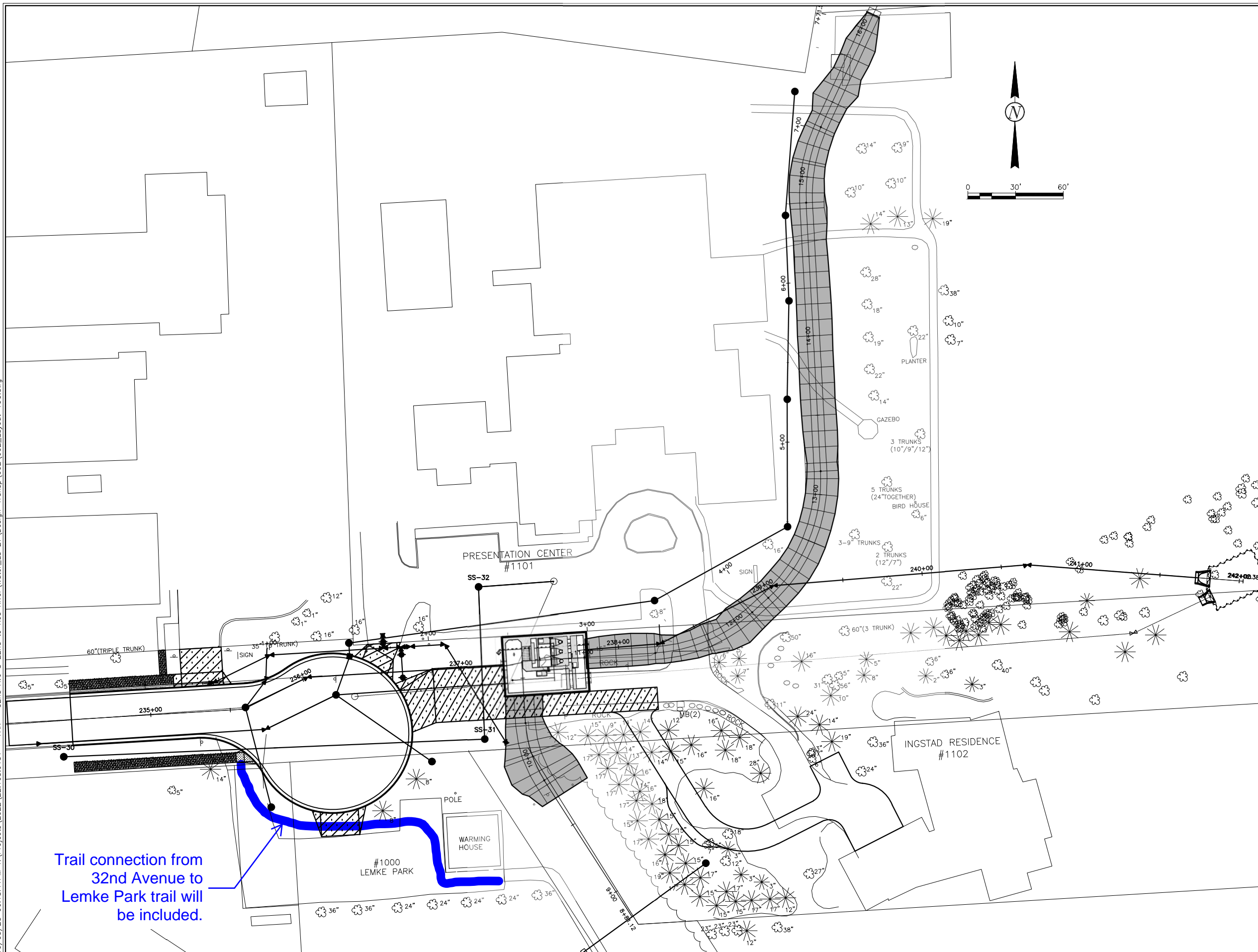
Included in the packet are a site plan, an aerial image of the current parking lot, the memo of understanding, an image of the two trees to be removed as well as the easements that are being requested.

It was recommended at the December 27, 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.

Sample Motion: I make a motion to approve the Memo of Understanding with the City of Fargo and the easements described within it as presented.

10/05/23 06:18:41 PM T:\Projects\2022\22.103.0151 - FAR - 32nd Ave S 22nd to Red River\Water_LS 27\Design-Transp\002_Layout-TOC.dwg



Trail connection from 32nd Avenue to Lemke Park trail will be included.

Sheet Index	
Sheet No.	Sheet Title
001 - Cover Sheet	
1	Cover
002 - Overall Layout & Table of Contents	
1	Sheet Layout & Index
004 - Overall Layout	
1	Overall Utility/Paving Layout
020 - General Details	
1	General Details
030 - Typical Sections	
1	24th Ave S Paving
040 - Removals	
1	Removals
50 - Pipe & Structure Schedules	
1	Pipe & Structure Schedules
55 - Underground Utilities	
1	Underground Utilities
60 - Paving	
1	Paving
75 - Erosion & Sediment Control	
1	ESC Plan
90 - Jointing & Reinforcing	
1	Jointing Plan
100 - Work Zone Traffic Control	
1	Traffic Control
110 - Signing	
1	Signing
120 - Pavement Marking	
1	Striping
140 - Street Lighting	
1	Street Lighting Layout
2	Street Lighting Details
3	Street Lighting Notes
150 - Traffic Signals	
1	Traffic Signals
210 - Special Instructions to Bidders	
1	Special Instructions to Bidders
220 - Assessment Plat & Quantities	
1	Assessment and Materials

ALL ELEVATIONS ARE BASED ON NAVD 88 DATUM (PRE-GEOD18). (UNLESS NOTED OTHERWISE)

ADDENDUM & CONSTRUCTION REVISIONS		
③	②	①

SEAL

PRELIMINARY

Overall Layout & Table of Contents

Storm LS #27, Storm, Sanitary, Water, Street Reconstruction, Incidentals

Improvement District **NR-24-A0**

DESIGN BY: DB1 CHECKED BY: CB1

DRAWN BY: MGJ ORIG DATE: PlanDate

Fargo SECTION NO. **002** SHEET NO. **1**

32 AVE S



MEMORANDUM OF UNDERSTANDING
REGARDING EASEMENTS AND RESTORATION OF PARKING SURFACE

This Memorandum of Understanding ("MOU" or "Agreement") is entered into between the City of Fargo, whose address is 225 4th Street North, Fargo, North Dakota 58102 ("Fargo"), and the Park District of the City of Fargo, whose address is 701 Main Avenue, Fargo, North Dakota 58103 (the "Park District").

WHEREAS, North Dakota Century Code § 40-05.1-6 and Article 3 of Fargo's Home Rule Charter authorizes Fargo to enter into contracts; and

WHEREAS, North Dakota Century Code § 40-49-04 authorizes the Park District to enter into contracts; and

WHEREAS, Fargo is planning to construct a storm sewer lift station and related appurtenances on the north side of 32nd Avenue South near Lemke Park in 2024; and

WHEREAS, Fargo has a need to obtain a temporary construction easement from the Park District to assemble and store construction materials upon a portion of the parking surface and green space located at Lemke Park; and

WHEREAS, Fargo also intends in the future to construct a cul-de-sac on 32nd Avenue South near Lemke Park; and

WHEREAS, Fargo has a need to obtain from the Park District a permanent street and utility easement for a portion of the future intended cul-de-sac; and

WHEREAS, because the parking surface at Lemke Park is near the end of its useful life, upon completion of construction of the storm sewer lift station Fargo is willing to reconstruct the parking surface.

NOW THEREFORE, in consideration of the mutual terms, covenants, conditions, and agreements contained herein, it is hereby agreed by and between the parties as follows:

1. Easements. The Park District hereby agrees to grant unto Fargo a temporary construction easement effective until December 1, 2024, or a later date as mutually agreed by the parties, allowing Fargo to assemble and store construction related materials upon a portion of the parking surface located at 1000 32nd Avenue South, which is known as Lemke Park, during construction of the lift station. The temporary easement area is more particularly described in Exhibit _____ attached hereto. The Park District also hereby agrees that it will grant unto Fargo a street and utility easement allowing construction and installation of the intended cul-de-sac and underground public utilities. The street and utility easement is more particularly described in Exhibit ____ attached hereto. The parties acknowledge that construction of the cul-de-sac is anticipated for the year 2026.

2. Restoration of Parking Surface. In exchange for the above-described easements, Fargo hereby agrees to replace the parking surface located at 1000 32nd Avenue South at Lemke

Park. Fargo will replace the entire parking surface as soon as reasonably practicable after completion of construction of the storm sewer lift station but agrees to complete the repaving by not later than December 1, 2024. Fargo agrees the parking surface will be replaced with six (6) inches of asphalt with an eight (8) inch base to its existing surface area and to the same dimensions as the parking surface exists as of the date of this MOU.

3. Construction. Fargo shall be solely responsible for the construction of the storm sewer lift station and related appurtenances. Fargo shall also be responsible for the future construction and maintenance of the cul-de-sac and underlying public utilities.

4. Park District General Maintenance. Park District shall remain responsible for all futures repair and maintenance of its parking surface, including snow and debris removal, after Fargo completes replacement of the parking surface as required by this MOU.

5. Release and Waiver. To the extent allowed by law, Fargo shall hold the Park District and its agents, employees, and designees, harmless as a result of any injury or death and property damage or loss arising as a result of Fargo's use of the Park District parking surface for storage of construction materials, the construction and installation of the storm sewer lift station and related appurtenances, and the intended cul-de-sac.

6. Notice. Any notice or election required or permitted to be given or served by any party to this MOU upon any other will be deemed given or served in accordance with the provisions of this MOU if said notice or election is (a) delivered personally, or (b) mailed by United States certified mail, return receipt requested, postage prepaid, and in any case properly addressed as follows:

If to Fargo:

City of Fargo
ATTN: City Auditor
Fargo City Hall
225 Fourth Street North
Fargo, ND 58102

If to the Park District:

Park District of the City of Fargo
ATTN: Finance Director
701 Main Avenue
Fargo, ND 58103

Each such mailed notice or communication will be deemed to have been given on the date the same is deposited in the United States mail. Each such delivered notice or communication will be deemed to have been given upon the delivery. Any party may change its address for service of notice in the manner specified in this MOU.

7. Time is of the Essence. Time is of the essence of each provision of this MOU and of all the conditions thereof.

8. Entire Agreement. This MOU constitutes the entire and complete agreement between the parties with respect to the subject matter hereof and supersedes any prior oral or written agreements between the parties. It is expressly agreed that there are no verbal understandings or agreements which in any way change the terms, covenants and conditions set forth herein, and that no modification of this MOU and no waiver of any of its terms and conditions will be effective unless in writing and duly executed by the parties. It does not negate the parties' rights, duties and obligations under prior agreements related to the shared use path construction and operation, maintenance, and flood control system.

9. Amendments. No amendment, modification, or waiver of any condition, provision or term will be valid or of any effect unless made in writing signed by the party or parties to be bound, or a duly authorized representative, and specifying with particularity the extent and nature of such amendment, modification or waiver.

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

11. Remedies. Except as expressly and specifically stated otherwise, nothing herein will limit the remedies and rights of the parties under and pursuant to this MOU.

12. Binding Effect. All covenants, agreements, warranties and provisions of this MOU will be binding upon and inure to the benefit of the parties and their respective representatives, successors and assigns.

13. Governing Law. This MOU has been made and entered into under the laws of the State of North Dakota, and said laws will control its interpretation. Any litigation arising out of this MOU will be venued in State District Court in Cass County, North Dakota, and the parties waive any objection to venue or personal jurisdiction.

14. Rules of Construction. The parties acknowledge that they have had the opportunity to review this MOU, and that they have an equal bargaining position in this transaction. No rule of construction that would cause any ambiguity in any provision to be construed against the drafter of this document will be operative against any party to this MOU.

15. Representation. The parties, having been represented by counsel or having waived the right to counsel, have carefully read and understand the contents of this MOU, and agree they have not been influenced by any representations or statements made by any other parties.

16. Headings. Headings in this MOU are for convenience only and will not be used to interpret or construe its provisions.

Dated this _____ day of _____, 2024.

CITY OF FARGO, NORTH DAKOTA, a
municipal corporation

By: _____
Timothy J. Mahoney, Mayor

ATTEST:

Steve Sprague, City Auditor

Dated this _____ day of _____, 2024.

FARGO PARK DISTRICT

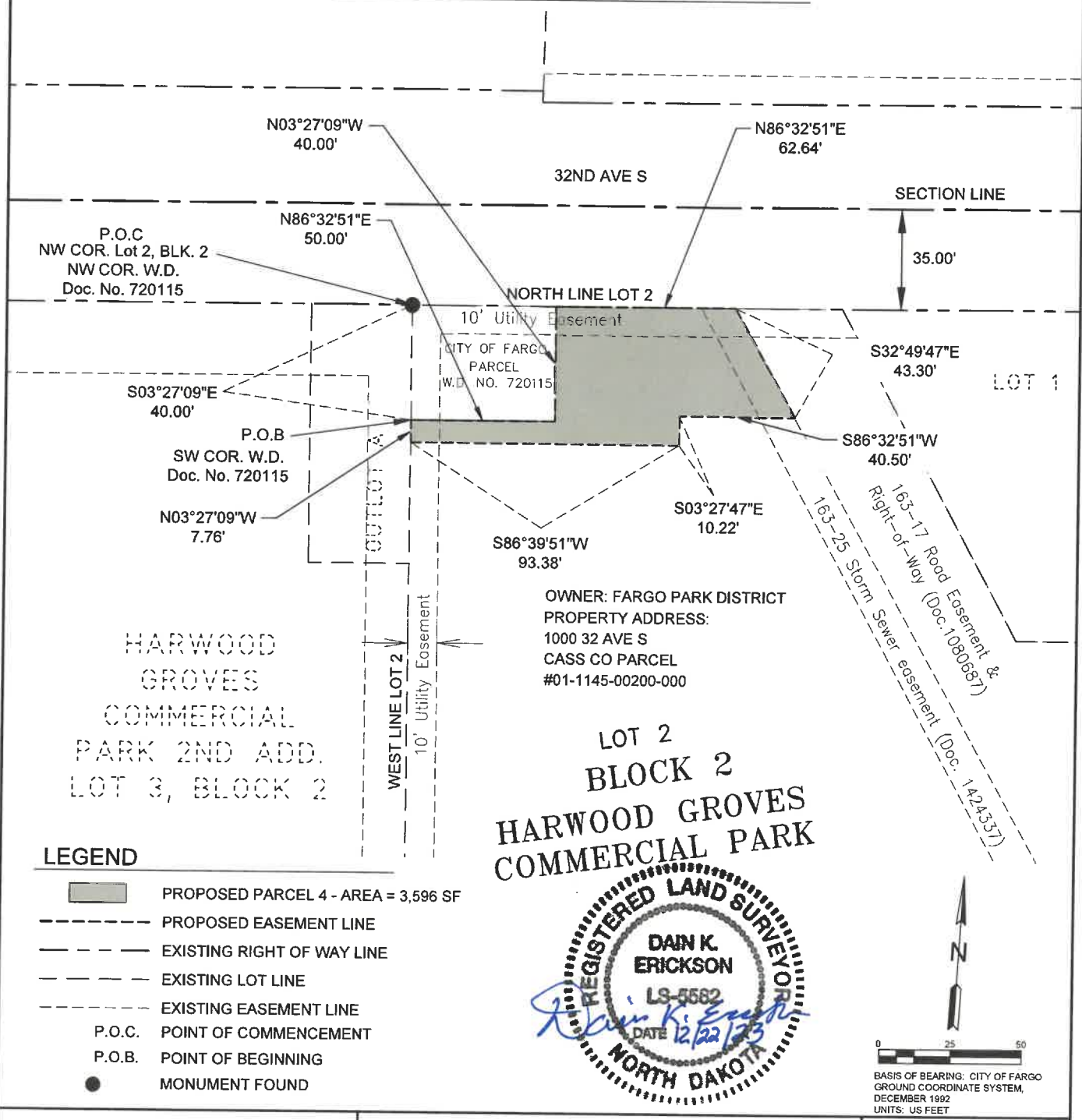
By: _____
Dr. Joe Deutsch, President

ATTEST:

Susan Faus, Executive Director



EASEMENT EXHIBIT "A"



LEGEND

- PROPOSED PARCEL 4 - AREA = 3,596 SF
- PROPOSED EASEMENT LINE
- EXISTING RIGHT OF WAY LINE
- EXISTING LOT LINE
- EXISTING EASEMENT LINE
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- MONUMENT FOUND



PERPETUAL EASEMENT - PARCEL 4
32ND AVE S - LIFT STATION #27
LOT 2, BLOCK 2,
HARWOOD GROVES COMMERCIAL PARK
SECTION 30, T139N, R48W
FARGO, NORTH DAKOTA

Apex Project #: 22.103.0151
 Date: 12/22/2023
 Drawn By: Aaron H
 Checked By: Dain E
 Approved By: Dain E

EASEMENT EXHIBIT "A"

Parcel 4

(Perpetual Easement)

A perpetual easement, over, under and across that part of Lot 2, Block 2, HARWOOD GROVES COMMERCIAL PARK to the City of Fargo, Cass County North Dakota described as follows:

Commencing at the northwest corner of said Lot 2, also being the northwest corner of a parcel of land which was granted to the City of Fargo by a Warranty Deed, described in Document No. 720115 which is of record in the office of the Cass County Recorder in said Cass County, and herein referred to as the City of Fargo Parcel; thence South 03 degrees 27 minutes 09 seconds East, along the west line of said Lot 2 and the west line of said City of Fargo Parcel, a distance of 40.00 feet to the southwest corner of said City of Fargo Parcel and the point of beginning; thence North 86 degrees 32 minutes 51 seconds East, along the south line of said City of Fargo Parcel, a distance of 50.00 feet to the southeast corner of said City of Fargo Parcel; thence North 03 degrees 27 minutes 09 seconds West, along the east line of said City of Fargo Parcel, a distance of 40.00 feet to the northeast corner of said City of Fargo Parcel and the north line of said Lot 2; thence North 86 degrees 32 minutes 51 seconds East, along the north line of said Lot 2, a distance of 62.64 feet to the westerly line of a road access easement which was granted to the City of Fargo in Document No. 1080687 and is of record in the office of the Cass County Recorder in said Cass County; thence South 32 degrees 49 minutes 47 seconds East along said westerly line, a distance of 43.30; thence South 86 degrees 32 minutes 51 seconds West, a distance of 40.50 feet; thence South 03 degrees 27 minutes 47 seconds East, a distance of 10.22 feet; thence South 86 degrees 39 minutes 51 seconds West, a distance of 93.38 feet to the west line of said Lot 2; thence North 03 degrees 27 minutes 09 seconds West, along the west line of said Lot 2, a distance of 7.76 feet to the southwest corner of said City of Fargo Parcel and the point of beginning.

Said perpetual easement contains 3,596 square feet, more or less, and is subject to all existing easements of record.

CERTIFICATION

I, Dain K. Erickson, hereby certify that I am a Licensed Land Surveyor in the State of North Dakota, that this survey was made by me or under my direction and supervision and that the survey is true and complete as shown.



Signed Dain K. Erickson
 Dain K. Erickson
 North Dakota Professional Land Surveyor
 License Number LS-5582

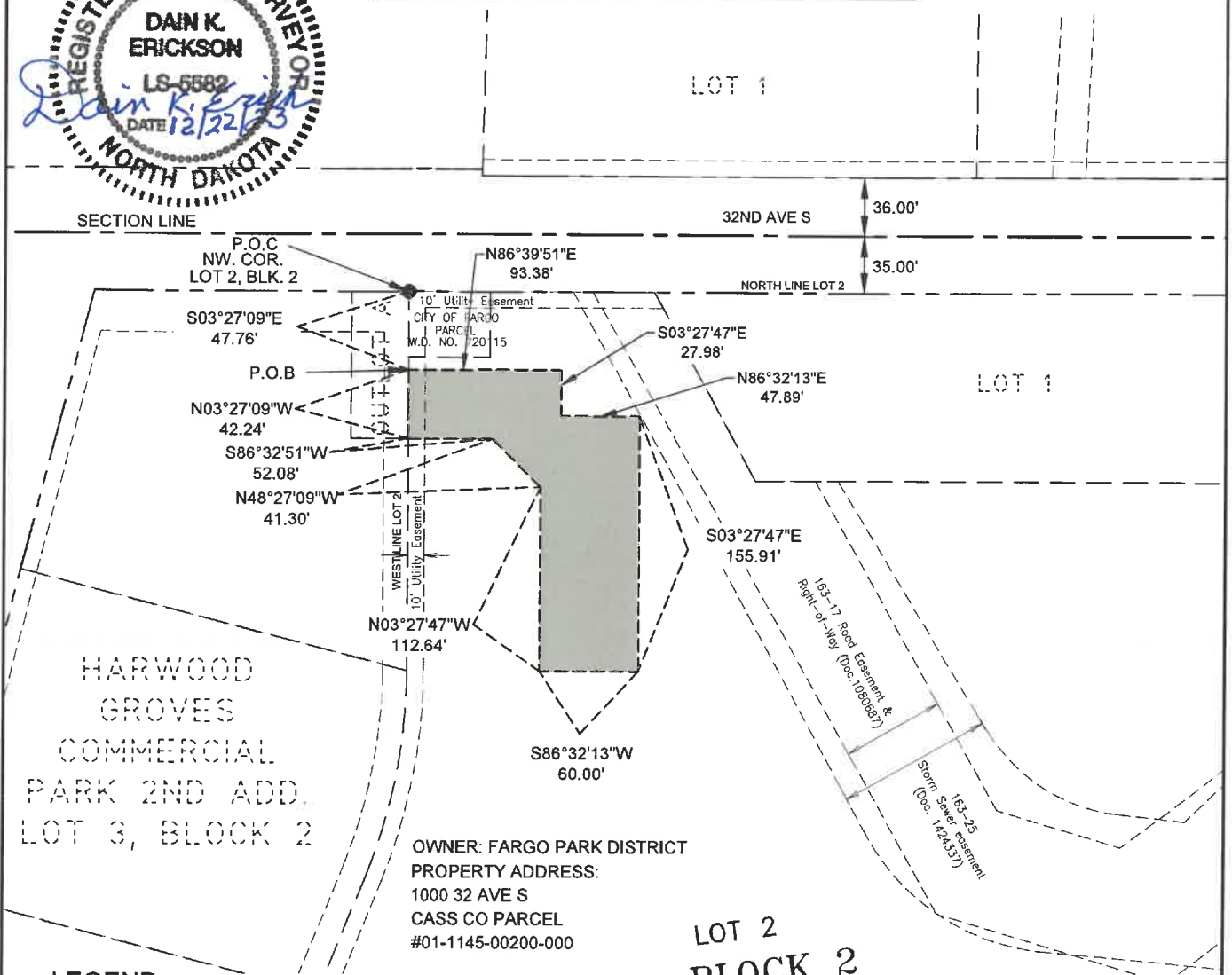
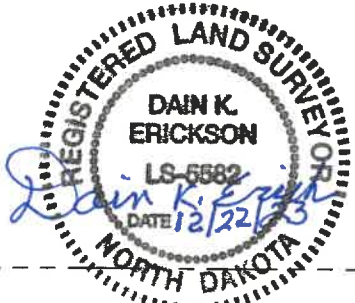
Date 12/22/2023



PERPETUAL EASEMENT - PARCEL 4
 32ND AVE S - LIFT STATION #27
 LOT 2, BLOCK 2,
 HARWOOD GROVES COMMERCIAL PARK
 SECTION 30, T139N, R48W
 FARGO, NORTH DAKOTA

Apex Project #: 22.103.0151
 Date: 12/22/2023
 Drawn By: Aaron H
 Checked By: Dain E
 Approved By: Dain E

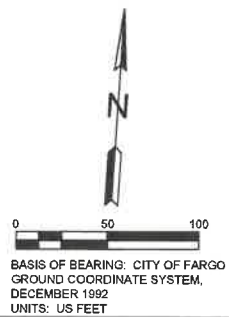
EASEMENT EXHIBIT "A"



LEGEND

- PROPOSED PARCEL 5 - AREA = 13,546 SF
- PROPOSED EASEMENT LINE
- EXISTING RIGHT OF WAY LINE
- EXISTING LOT LINE
- EXISTING EASEMENT LINE
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- MONUMENT FOUND

**LOT 2
 BLOCK 2
 HARWOOD GROVES
 COMMERCIAL PARK**



**TEMPORARY EASEMENT - PARCEL 5
 32ND AVE S - LIFT STATION #27
 LOT 2, BLOCK 2,
 HARWOOD GROVES COMMERCIAL PARK
 SECTION 30, T139N, R48W
 FARGO, NORTH DAKOTA**

Apex Project #: 22.103.0151
 Date: 12/22/2023
 Drawn By: Aaron H
 Checked By: Dain E
 Approved By: Dain E

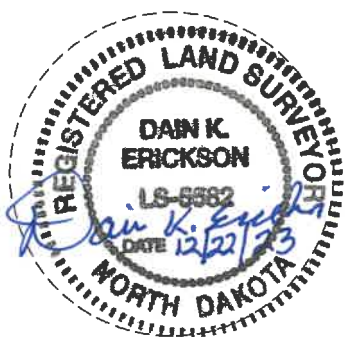
EASEMENT EXHIBIT "A"

Parcel 5
(Temporary Easement)

A temporary easement, over, under and across that part of Lot 2, Block 2, HARWOOD GROVES COMMERCIAL PARK to the City of Fargo, situate in the County of Cass and the State of North Dakota described as follows:

Commencing at the northwest corner of said Lot 2; thence South 03 degrees 27 minutes 09 seconds East, along the west line of said Lot 2, a distance of 47.76 feet to the point of beginning; thence North 86 degrees 39 minutes 51 seconds East, a distance of 93.38 feet; thence South 03 degrees 27 minutes 47 seconds East, a distance of 27.98 feet; thence North 86 degrees 32 minutes 13 seconds East, a distance of 47.89 feet; thence South 03 degrees 27 minutes 47 seconds East, a distance of 155.91 feet; thence South 86 degrees 32 minutes 13 seconds West, a distance of 60.00 feet; thence North 03 degrees 27 minutes 47 seconds West, a distance of 112.64 feet; thence North 48 degrees 27 minutes 09 seconds West, a distance of 41.30 feet; thence South 86 degrees 32 minutes 51 seconds West, a distance of 52.08 feet to the west line of said Lot 2; thence North 03 degrees 27 minutes 09 seconds West, along the west line of said Lot 2, a distance of 42.24 feet to the point of beginning.

Said parcel contains 13,546 square feet, more or less, and is subject to all existing easements of record.



CERTIFICATION

I, Dain K. Erickson, hereby certify that I am a Licensed Land Surveyor in the State of North Dakota, that this survey was made by me or under my direction and supervision and that the survey is true and complete as shown.

Signed Dain K. Erickson
Dain K. Erickson
North Dakota Professional Land Surveyor
License Number LS-5582

Date 12/22/2023



TEMPORARY EASEMENT - PARCEL 5
32ND AVE S - LIFT STATION #27
LOT 2, BLOCK 2,
HARWOOD GROVES COMMERCIAL PARK
SECTION 30, T139N, R48W
FARGO, NORTH DAKOTA

Apex Project #: 22.103.0151
Date: 12/22/2023
Drawn By: Aaron H
Checked By: Dain E
Approved By: Dain E



MEMORANDUM

DATE: January 2, 2024

TO: Fargo Park Board Commissioners

FROM: Carolyn Boutain, Community Relations Director

RE: Consent Agenda Item (e)- Amendment No. 1 to the Rose Creek Restaurant Lease between the Fargo Park District and Up North Hospitality, LLC d/b/a CJ's Tavern

As staff has negotiated the current lease agreement with CJs Tavern, the question of ownership of the assets has been brought up. There are items that each party currently own that could be considered "attached" to the facility including tables and chairs, and kitchen equipment. There are other assets that would fall in the category of "service providing" amenities. The flatware, dishes, glassware, tvs, and other items that are needed by the restaurant to provide their services.

The attached agreement has been drafted by our legal counsel to help clarify the responsible party for the long-term purchase and replacement of those assets. This document defines when the transfer of those assets would take place. It is scheduled for the beginning of the 4th year of the lease term. Staff recommends that as an appropriate time because the current lease rent payment increases at that time. Also, this timeline provides the tenant an opportunity to establish their business and prove themselves as dedicated to Rose Creek restaurant operations.

It was recommended at the December 27, 2023, Facilities Committee Meeting to bring this to the full board on the Consent Agenda for consideration and approval.

Thank you.

Sample Motion: I make a motion to approve the Amendment No. 1 to the Rose Creek Restaurant Lease between the Fargo Park District and Up North Hospitality, LLC d/b/a CJ's Tavern, as presented.

FIRST AMENDMENT TO LEASE

This **First Amendment to Lease** the (“First Amendment”) is effective the ____ day of January, 2024, by and between by and between **Park District of the City of Fargo**, 701 Main Avenue, Fargo, North Dakota 58103 ("Landlord"), and **Up North Hospitality, LLC d/b/a CJ’s Tavern**, a North Dakota limited liability company whose post off address is 201 5th Street North, Suite 1600, Fargo ND 58102 (“Tenant”).

Whereas, Landlord and Tenant entered into a lease dated January 1, 2024, wherein Tenant agreed to lease (the “Lease”) from Landlord a portion of the main clubhouse at the Rose Creek Golf Course for the operation of a bar and restaurant.

Whereas, the parties desire to enter into this First Amendment to certain terms to the Lease as described in this First Amendment.

Now, therefore, for good and valuable consideration, the parties hereby agree as follows:

1. Section 15 of the Lease is amended by adding a new Section 15.4 as follows:

15.4 Due to the need to by Tenant to replace the “Service Assets” (as defined in this Section) on a regular basis and under the condition that Tenant is not in default of any terms of this Agreement at the time, ownership of the Service Assets shall be transferred from Landlord to Tenant on December 31, 2026. No cash consideration will be payable by Tenant to Landlord at the time of transfer. Tenant shall be responsible to replace all Service assets at Tenants sole expense after December 31, 2026.

For the purposes of this Section, Service Assets shall include all glassware, flatware, dishes, used by Tenant for provided food and beverages to customers. Televisions used in the restaurant are also included. At the time of transfer, the parties shall conduct an inventory of the Service Assets being transferred.

2. Except as amended hereby, all other terms and conditions of the Lease remain in full force and effect.

Tenant: **Up North Hospitality, LLC d/b/a CJ’s Tavern**

By: _____

Its: _____

Landlord: **Park District to the City of Fargo**

By: Dr. Joe Deutsch

Its: President



MEMORANDUM

DATE: January 3, 2024

TO: Fargo Park Board Commissioners

FROM: Tyler Kirchner, Project Manager, and Tony Schmitt, Park Director

RE: Consent Agenda Item (f) – Request permission to bid Yunker Farm Dog Park Project, Anderson Softball Lighting replacement, and 2024 Capital Fencing Projects

In alignment with our Procurement Policy, Policy No. 390, we are requesting permission to publicly bid Yunker Farm Dog Park Project, Anderson Softball Lighting Replacement, and 2024 Capital Fencing Projects.

Yunker Farm Dog Park Project will consist of a new parking lot, fencing, seating, dog waste stations, water stations, shade structures, and obstacle course equipment. This project was identified in the master plan to be moved to the north side of the park. From a strategic, as it must be relocated before other components of the master plan can be executed. Funds for this project are budgeted in 2024.

Anderson Softball Lighting Replacement will consist of replacing field lights at Anderson Softball Complex. The project involves the removal and replacement of two to four fields, contingent on the estimates. Funds for this project are budgeted in 2024.

2024 Capital Fencing Projects will consist of fencing projects at Rheault Farm, South Park Maintenance Shop Yard, and North Softball Complex Shop Yard. These projects were identified as a priority within the park district to improve security and aesthetics at these areas. Funds for this project are budgeted in 2024.

It was recommended at the December 27, 2023, Facilities Committee to bring this to the full board on the Consent Agenda for consideration and approval.

Thank you.

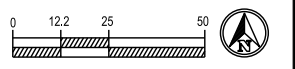
Sample Motion: I grant permission to publicly bid Yunker Farm Dog Park Project; Anderson Softball Lighting Replacement; and 2024 Capital Fencing Projects, as presented.

11/13/23 08:13:46AM C:\Users\TKRCH-1\AppData\Local\Temp\AcPublish_1520\Yunker Farm Dog Park Concept 2023.dwg



YUNKER FARM DOG PARK CONCEPT

XXXXXX
XXXXXX
Fargo, ND 58102



THIS SET OF PLANS SHOULD BE CONSIDERED PRELIMINARY AND NOT FOR ANY BIDDING, FINAL ESTIMATE OR CONSTRUCTION. THIS SET OF PLANS SHALL NOT BE DEEMED FINAL UNTIL ALL APPROVALS HAVE BEEN OBTAINED FROM ALL CODE AUTHORITIES HAVING JURISDICTION. ANY BID SUBMITTED, BASED ON THIS SET OF PRELIMINARY PLANS, IS SUBJECT TO CHANGE AND IS INCOMPLETE.

FP JOB #: XXXXX

SITE PLAN

L100

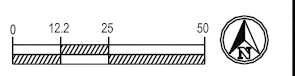


NOT FOR ANY BIDDING, FINAL ESTIMATE OR CONSTRUCTION.
THIS SET OF PLANS SHALL NOT BE DEEMED FINAL UNTIL ALL

APPROVALS HAVE BEEN OBTAINED FROM ALL CODE AUTHORITIES HAVING JURISDICTION. ANY BID SUBMITTED, BASED ON THIS SET OF PRELIMINARY PLANS, IS SUBJECT TO CHANGE AND IS INCOMPLETE.

FP JOB #: XXXXX

L100



Cornerstone Bank Arena

Anderson Softball Lighting Replacement

Helling Field

McCormick Field

Anderson Park

Pkwy S

Anderson Softball Complex

Starion Field

Tha

Google Earth

Image © 2023 Airbus



600 ft





**RHEAULT FARM
FENCE REPLACEMENT**

XXXXXX
XXXXXX
Fargo, ND 58102



THIS SET OF PLANS SHOULD BE CONSIDERED PRELIMINARY AND NOT FOR ANY BIDDING, FINAL ESTIMATE OR CONSTRUCTION. THIS SET OF PLANS SHALL NOT BE DEEMED FINAL UNTIL ALL APPROVALS HAVE BEEN OBTAINED FROM ALL CODE AUTHORITIES HAVING JURISDICTION. ANY BID SUBMITTED, BASED ON THIS SET OF PRELIMINARY PLANS, IS SUBJECT TO CHANGE AND IS INCOMPLETE.

FP JOB #: XXXXX

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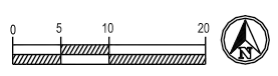
SITE PLAN



SITE PLAN

**NORTH SOFTBALL
COMPLEX FENCE**

XXXXXX
XXXXXX
Fargo, ND 58102



THIS SET OF PLANS SHOULD BE CONSIDERED PRELIMINARY AND NOT FOR ANY BIDDING, FINAL ESTIMATE OR CONSTRUCTION. THIS SET OF PLANS SHALL NOT BE DEEMED FINAL UNTIL ALL APPROVALS HAVE BEEN OBTAINED FROM ALL CODE AUTHORITIES HAVING JURISDICTION. ANY BID SUBMITTED, BASED ON THIS SET OF PRELIMINARY PLANS, IS SUBJECT TO CHANGE AND IS INCOMPLETE.

FP JOB #: XXXXX

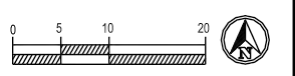
L100



SITE PLAN

SOUTH SHOP FENCE

XXXXXX
XXXXXX
Fargo, ND 58102



THIS SET OF PLANS SHOULD BE CONSIDERED PRELIMINARY AND NOT FOR ANY BIDDING, FINAL ESTIMATE OR CONSTRUCTION. THIS SET OF PLANS SHALL NOT BE DEEMED FINAL UNTIL ALL APPROVALS HAVE BEEN OBTAINED FROM ALL CODE AUTHORITIES HAVING JURISDICTION. ANY BID SUBMITTED, BASED ON THIS SET OF PRELIMINARY PLANS, IS SUBJECT TO CHANGE AND IS INCOMPLETE.

FP JOB #: XXXXX

L100



M E M O R A N D U M

DATE: January 3, 2024

TO: Fargo Park Board Commissioners

FROM: Tony Schmitt, Park Director

RE: Consent Agenda Item (g) – Bid award in the amount of \$609,161.00 to MTI Distributing, Inc., for bid package #1 for 2024 Park District Park Maintenance Equipment; bid award to Acme Electric in the amount of \$155,631.00 for Kubota 130 HP 4WD Tractor w/Normand Snow Blower, and \$1,815.00 alternate for a side discharge for a total amount of \$157,446.00; and a Kubota L5460HST Tractor in the bid amount of \$42,450.00; and bid award in the amount of \$64,999.00 to Butler Machinery for a Snow Wolf Wheel Loader Snow Blower

The 2024 Parks Department equipment bids were received and opened Tuesday, December 13, 2023, at 1:00pm, at the Park District Office. Attached to this memo is the bid tab, equipment photos and staff recommendations narrative.

<u>Item#</u>	<u>Quantity</u>	<u>Description</u>
1	1	16 ft. Rotary Mower 2024 or Current Model Year
2	1	130-150 Horsepower 4WD Tractor with Front Mounted 3 Point/PTO System and Front Mounted Snow Blower 2024 or Current Model Year
3	1	2024 Medium Duty Long Box Utility Vehicle
4	1	Wheel Loader Snow Blower 2024 or Current Model Year
5	1	12.5 ft. Rotary Mower 2024 or Current Model Year
6	1	2024 Tractor
7	2	2024 Commercial Tri-Plex Greens Mower with 14 Blade Electric Reels
8	1	2024 Electric Medium Duty Utility Vehicle
9	1	2024 100" Fairway Mower
10	1	2024 Medium Duty Utility Vehicle
11	1	2024 Self Contained Engine Driven Debris Blower
12	1	2024 Sand Bunker Maintenance Rake
13	1	2024 300 Gallon Sprayer Unit

After review of the bid information, staff recommends:

Accepting the bid package #1 from MTI Distributing, Inc. in the amount of \$609,161 for the following. By purchasing these 10 items as a package, versus individually the park district would realize a savings of \$18,726.

Susan Faus, Executive Director
 PARK COMMISSIONERS – Vicki Dawson * Joe Deutsch * Aaron Hill * Dawn Morgan * Jerry Rostad
 Clerk – Jeff Gunkelman

- Item #1 – Toro 5910-D Groundsmaster Rotary Mower w/16 ft. deck in the bid amount of \$158,328
- Item #3- Toro Workman GTX Long Box Utility Vehicle in the bid amount of \$14,973
- Item #5- Toro 4700-D Groundsmaster Rotary Mower w/12.5 ft. deck in the bid amount of \$108,703.
- Item #7 (2)-Toro Greensmaster 3320 Triflex Greens Mowers in the bid amount of \$53,041 for a total of \$106,092
- Item #8-Toro Workman MDX Lithium Electric Medium Duty Utility Vehicle in the bid amount of \$22,551
- Item #9-Toro 5410-D Groundsmaster Reel Mower w/100” deck in the bid amount of \$83,689
- Item #10-Toro Workman MDX Utility Vehicle in the bid amount of \$13,951
- Item #11-Toro Proforce Debris Blower in the bid amount of \$10,242
- Item #12-Toro Sandpro 5040 Sand Bunker Rake in the bid amount of \$31,188
- Item #13-Toro Multipro 5800 300 Gallon Sprayer in the bid amount \$78,170

Accepting the following items from Acme Electric:

- Item #2-Kubota 130 HP 4wd Tractor w/ Normand Snow Blower in the bid amount of \$155,631 and \$1,815 alternate for a side discharge for a total amount of \$157,446
- Item #6- Kubota L5460HST Tractor in the bid amount of \$42,450

Accepting the following item from Butler Machinery:

- Item #4- Snow Wolf Wheel Loader Snow Blower in the bid amount of \$64,999

We had a total budget amount of \$902,450 for the above 2024 Park District Capital Equipment purchases. Total purchase price if all bids of accepted as presented above is \$874,056.

It was recommended at the December 27, 2023, Facilities Committee Meeting to bring this the full board on the Consent Agenda for consideration and approval.

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

Thank you.

Sample Motion: I award bid package #1 from MTI Distributing, Inc. with a bid award in the amount of \$609,161.00 for the 2024 Park District Park Maintenance Equipment; bid award to Acme Electric in the amount of \$155,631.00 for Kubota 130 HP 4WD Tractor w/Normand Snow Blower, and \$1,815.00 alternate for a side discharge for a total amount of \$157,446.00; and a Kubota L5460HST Tractor in the bid amount of \$42,450.00; and bid award in the amount of \$64,999.00 to Butler Machinery for a Snow Wolf Wheel Loader Snow Blower, as presented.

Item. 1
16ft Rotary Mower

MTI Distributing, Inc.
Toro 5910-D
\$ 158,328



Item. 2
**130 – 150 HP FWD Tractor with
Front Mounted 3 point and PTO system and
Snow blower**

Acme Tools
M6-1310DTC-F Tractor & N102-342H Blower
\$ 157,446



Item. 3
Medium Duty Long Box Utility Vehicle

MTI Distributing, Inc.
Toro Workman GTX
\$ 14,973



Item. 4
Wheel Loader Snow Blower

Butler Machinery, Co.
HitchDoc HDS 9200
\$ 64,999



Item. 5
12.5 Rotary Mower

MTI Distributing, Inc.
Toro 4700-D
\$ 108,703



Item. 6
Tractor

Acme Tool.
Kubota L5460HST
\$ 42,450



Item. 7
2 Commercial Tri-Plex Greens Mower 14 Blade Electric Blades

MTI Distributing, Inc.
Toro Greensmaster 3320 TriFlex
\$ 53,041
Ext. \$ 106,092



Item. 8
Electric Medium Utility Vehicle

MTI Distributing, Inc.
Toro Workman MDX-Lithium
\$ 22,551



Item. 9
100" Fairway Mower

MTI Distributing, Inc.
Toro 5410-D
\$ 83,689



Item. 10
Medium Duty Utility Vehicle

MTI Distributing, Inc.
Toro Workman MDX
\$ 13,951



Item. 11
Self-Contained Engine Driven Debris Blower

MTI Distributing, Inc.
Toro Proforce Debris Blower
\$ 10,242



Item. 12
Sand Bunker Rake

MTI Distributing, Inc.
Toro Sandpro 5040
\$ 31,188



Item. 13

300 Gallon Sprayer Unit

MTI Distributing, Inc.

Toro MultiPro 5800

\$ 78,170 + \$34,939 GPS Alternate = \$113,109



Fargo Park District Equipment Recommendations

Item. 1 – 16ft. Rotary Mower 2024 or Current Model

Staff recommends accepting the bid submitted by MTI in the amount of \$158,328.00 for the Toro 5910-D. This unit meets or exceeds all specifications. This was the only bid received for this item.

Item. 2 – 130-150 Horsepower 4WD Tractor with Front Mounted 3/Point PTO System and From Mounted Snow Blower 2024 or Current Model

Staff recommends accepting the bid submitted by Acme Tools in the amount of \$155,631.00 for the Kubota M6-1310DTC-F with N102-342H Snow Blower. This unit meets or exceeds all specifications. This was the cheaper of two bids received for this bid.

Item. 2 - Add Alternate 1 – Side Discharge

Staff recommends accepting this add alternate for the side discharge for the price of \$1,815.00 on the snowblower for the tractor that was specified. This feature allows more snow to be blown out of the snowblower when needed.

Item. 3 – Medium Duty Long Box Utility Vehicle 2024 or Current Model

Staff recommends accepting the bid submitted by MTI in the amount of \$14,973.00 for the Toro Workman GTX. This unit meets or exceeds all specifications. This was the cheaper of two bids received.

Item. 4 – Wheel Loader Snow Blower 2024 or Current Model

Staff recommends accepting the bid submitted by Butler Machinery in the amount of \$64,999 for the HitchDoc HDS 9200. This unit meets or exceeds all specifications. This was the more expensive bid. This unit comes factory with side discharge and truck loading chute features standard. The other bid doesn't allow for side discharge, and we would need to add the alternate of a truck loading chute. In conclusion this does not meet add alternate specifications for the type of equipment desired.

Item. 5 – 12.5ft Rotary Mower 2024 or Current Model

Staff recommends accepting the bid submitted by MTI in the amount of \$108,703.00 for the Toro 4700-D. This unit meets or exceeds all specifications. This was the only bid received for this item.

Item. 6 – Tractor 2024

Staff recommends accepting the bid submitted by Acme Tools in the amount of \$42,450.00 for the Kubota L5460HST. This unit meets or exceeds all specifications. This was the middle price of three bids received. This unit has more features and capabilities (speed control and gear selections) for the jobs we need it to perform.

Item. 7 – 2 Commercial Tri-Plex Greens Mower with 14 Blade Electric Blades 2024 or Current Model

Staff recommends accepting the bid submitted by MTI in the amount of \$53,041.00 for a total of \$106,092.00 for the two Toro Greensmaster 3320 TriFlex's. This unit meets or exceeds all specifications. This was the cheaper of two bids.

Item. 8 – Electric Medium Utility Vehicle 2024 or Current Model

Staff recommends accepting the bid submitted by MTI in the amount of \$22,551.00 for the Toro Workman MDX-Lithium. This unit meets or exceeds all specifications. This unit is cheaper in the overall bid package pricing from MTI.

Item. 9 – 100” Fairway Mower 2024 or Current Model

Staff recommends accepting the bid submitted by MTI in the amount of \$83,689.00 for the Toro 5410-D. This unit meets or exceeds all specifications. This unit is cheaper in the overall bid package pricing from MTI.

Item. 10 – Medium Duty Utility Vehicle 2024 or Current Model

Staff recommends accepting the bid submitted by MTI in the amount of \$13,951.00 for the Toro Workman MDX. This unit meets or exceeds all specifications. This unit is cheaper in the overall bid package pricing from MTI.

Item. 11 – Self Contained Engine Driven Deris Blower 2024 or Current Model

Staff recommends accepting the bid submitted by MTI in the amount of \$10,242.00 for the Toro Proforce Debris Blower. This unit meets or exceeds all specifications. This unit is cheaper in the overall bid package pricing from MTI.

Item. 12 – Sand Bunker Rake 2024 or Current Model

Staff recommends accepting the bid submitted by MTI in the amount of \$31,188.00 for the Toro Sandpro 5040. This unit meets or exceeds all specifications. This unit is cheaper in the overall bid package pricing from MTI.

Item. 13 – 300 Gallon Sprayer Unit 2024 or current Model

Staff recommends accepting the bid submitted by MTI in the amount of \$78,170.00 for the Toro Multi Pro 5800. This unit meets or exceeds all specifications. This unit is cheaper in the overall bid package pricing from MTI.

Item 13-Add Alternate 1-GPS Unit

Staff recommends accepting this add alternate as its included in the bid package provided by MTI. Individual purchase cost is \$34,939.00.

	Item 1	Item 2	Item 3	Item 4	Item 5	Item 6	Item 7	Item 8	Item 9	Item 10	Item 11	Item 12	Item 13	Item 16-Alternate	Item 17-Alternate	Item 18-Alternate	Addendum 1		
	16 ft Rotary Mower 2024 or Current Model	130-150 Horsepower 4WD Tractor with Front Mounted 3/Point PTO System and From Mounted Snow Blower 2024 or Current Model	2024 Medium Duty Long Box Utility Vehicel	Wheel Loader Snow Blower 2024 or Current Model Year	12.5 ft Rotary Mower 2024 or Current Model Year	2024 Tractor	2024 Commercial Tri-Plex Greens Mower with 14 Blade Electric Blades (2)	2024 Electric Medium Utility Vehicle	2024 100" Fairway Mower	2024 Medium Duty Utility Vehicle	2024 Self Contained Engine Driven Debris Blower	2024 Sand Bunker Rake	2024 300 Gallon Sprayer Unit	130-150 Horsepower 4WD Tractor with Front Mounted 3/Point PTO System and From Mounted Snow Blower 2024 or Current Model	Wheel Loader Snow Blower 2024 or Current Year Model	2024 300 Gallon Sprayer Unit		Est. Delivery Date	All Equipment Bid
Bidder																			
Bulter Machinery Cppany				\$64,999.00														In Stock	
				HitchDoc HDS 9200 Work Tool															
Acme Equipment		\$155,631.00		\$62,779.00		\$42,450.00								\$1,815.00	\$5,500.00			Item 1 - June 2024 Item 4 - 4-6 weeks Item 6 - April 2024	
		Kubota MG-1310TC-F Normand N102-342H		Snow Wolf 330-100-H		Kubota L5460HST													
Acme Equipment		\$206,473.00				\$36,550.00								\$1,815.00				Item 2 - October 2024 Item 6 - April 2024	
		Kubota M7-154D Normand N112-342H				Kubota MX5400HST													
MTI Distributing, Inc. Bid#1	\$158,328.00		\$14,973.00		\$108,703.00		\$53,041.00	\$22,551.00	\$83,689.00	\$13,951.00	\$10,242.00	\$31,188.00	\$78,170.00					Spring 2024	\$609,161.00
	Toro 5910-D		Toro Workman GTX		Toro 4700-D		Toro Greensmaster 3320 TriFlex	Toro Workman MDX-Lithium	Toro Reelmaster 5410-D	Toro Workman MDX	Toro Proforce Debris Blower	Toro Sandpro 5040	Toro MultiPro 5800						
Above Par Tech of Iowa, LLC													\$112,000.00					Aug.1, 2024	
													Above Par Tech River 300						
VanWall			\$34,814.77			\$48,075.28	\$55,192.41	\$15,749.15	\$81,964.82	\$13,799.97	\$9,600.00	\$28,964.79	\$65,782.80						\$62,000.00
			John Deere ProGator 2020A In Stock			John Deere 4066R 4-6 mos. delivery	John Deere 2700 Ecut 12-16 mos. Delivery	John Deere Gator GS Electric 6-12 mos. delivery	John Deere 7500 A Precision Cut 12-16 mos. delivery	John Deere TX Turf Gator In Stock	Buffalo Turbine KB6 1-2 mos.	John Deere TruFinish 1220 2-3 mos. Delivery	John Deere 2030A w/HD300 Selectspray 12-16 mos. Delivery						
Dakota Custom Turf, LLC											\$9,444.00							In Stock Ready to Deliver	
											Buffalo Turbine KB6								



MEMORANDUM

DATE: January 3, 2024

TO: Fargo Park Board Commissioners

FROM: Tony Schmitt, Park Director

RE: Consent Agenda Item (h) - Request of permission to apply for a Minnesota Twins Community Fund Grant

Staff is requesting permission to apply for a Minnesota Twins Community Fund Grant in January 2024.

The Twins Community Fund's Twins Fields for Kids program provides financial support to improve baseball and/or softball facilities for youth in the Upper Midwest and Southwest Florida. The program makes matching grants to nonprofit organizations and local government units that operate baseball and/or softball programs.

Matching grants up to \$15,000 are available for the renovation or construction of baseball and/or softball fields used primarily by youth. Eligible renovation projects include the upgrading of essential field components, such as new sod, infield, fencing and dugouts. If awarded, the matching funds would allow for the purchase of players benches for the 2024 softball field dugout upgrade and/or portable pitching mounds for bullpens areas at the baseball fields at the Anderson/Tharaldson Complex.

It was recommended at the December 27, 2023, Facilities Committee to bring this to the full board on the Consent Agenda for consideration and approval.

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

Thank you.

Sample Motion: I grant permission to apply for a Minnesota Twins Community Fund Grant, as presented.



MEMORANDUM

DATE: December 29, 2023

TO: Fargo Park Board Commissioners

FROM: Broc Lietz, Finance Director

RE: Consent Agenda Item (i) - Consider approving the designation of depositories of public funds for Fargo Park District and Valley Senior Services

As discussed at the Facilities Committee meeting, the Fargo Park District is required in each even-numbered year to designate depositories as prescribed in NDCC 21-04-13. The District currently utilizes the following financial institutions as depositories for its funds:

- Bell Bank
- Starion Bank
- Wells Fargo Bank
- KodaBank
- Bremer Bank
- Cornerstone Bank
- Bank North
- Stock Growers Bank
- The Goose River Bank
- Lincoln State Bank
- Bravera Bank

If you have any questions prior to the meeting, please feel free to reach out to me for further discussion.

Thank you.

Sample Motion: I move to approve the designated depositories as presented above.



MEMORANDUM

DATE: January 3, 2024

TO: Fargo Park Board Commissioners

FROM: Kevin Boe, Recreation Director

RE: Agenda Item No. 3 – Department Update - Events

For the January Board Meeting, the Events Department will share information on the Events department and give an update on current and upcoming events.

Please contact me with questions.

Thank you.



MEMORANDUM

DATE: January 3, 2024

TO: Fargo Park Board Commissioners

FROM: Craig Bjur, Executive Director, Fargo Park District Foundation

RE: Agenda Item No. 4 – 2023 Fargo Park District Foundation Annual Report

At the Park Board Meeting on January 9, 2024, I will be presenting the 2023 Fargo Park District Foundation Annual Report highlighting our fundraising efforts in support of the Fargo Parks Sports Center, Island Park Pool, adaptive golf carts, scholarship program and Foundation events.

Please contact me in advance of the meeting if you have questions or need additional information.

Thank you.

Attachment:
2023 Fargo Park District Foundation Annual Report

A YEAR OF GROWTH AND COMMUNITY

20

ANNUAL REPORT

23

Our Purpose

Our purpose is to pursue unique fundraising opportunities and increase private sector support to further the development, growth and excellence of the Park District in providing modernized facilities and quality recreation services.



Our Mission

To enhance the quality of life in the metro area through the development of modernized facilities, new programs and by offering great opportunities for all in the community.

FARGO PARKS

At a Glance



110 MILES OF TRAILS
2,400 ACRES OF PARKLAND



125 FULL-TIME STAFF
1,100 PART-TIME EMPLOYEES



70+ SPECIAL EVENTS
OVER 1,000 PROGRAMS



5 OUTDOOR PUBLIC POOLS
3 INDOOR ICE ARENAS
5 PUBLIC GOLF COURSES



THE DIFFERENCE YOU MAKE

In 2023, the Fargo Park District Foundation received \$1,148,000 in donations and another \$300,000 of in-kind gifts for a total of \$1,448,000 all thanks to our amazing community, sponsors and donors.



Giving Hearts Day

| Named top fundraiser for Giving Hearts Day 2023

A word from our Executive Director

I am honored to present the 2023 Annual Report of the Fargo Park District Foundation, a testament to the remarkable achievements and collaborative spirit that have defined our efforts this year. As we reflect on the past year, it is with great pride that I share the progress and successes we have achieved together in fostering a thriving community through our shared commitment to collaboration.

As we near the eagerly anticipated grand opening of Phase I of the Fargo Parks Sports Center, I can't help but be amazed by the generosity of our community which is constantly exceeding our expectations. Through partnerships with over 30 community contributors, we have secured an impressive \$34.1 million in private donations and \$12.3 million in in-kind gifts and services. These outstanding contributions have played an instrumental role in transforming our vision into reality and have turned the Fargo Parks Sports Center into a symbol of community pride and shared achievement.

Our dedication to community well-being is perhaps most evident in our work with the Fargo Parks Scholarship Program. Through this program, we work tirelessly to ensure that every child in our community has equal access to recreational activities, regardless of household income. The numbers speak volumes – through the generosity

of donors, over 300 children were awarded scholarships allowing them the opportunity to participate in enriching activities and programming.

Throughout the year, we had several opportunities to gather and celebrate our achievements. Among these, the Beam Signing Ceremony marked a symbolic milestone, allowing community members and supporters an opportunity to leave a lasting mark on the legacy of the Fargo Parks Sports Center. Our VIP Tour event offered an exclusive glimpse into the state-of-the-art facilities and fostered a sense of excitement and anticipation among supporters. Finally, the Foundation Golf Classic, a highlight of our fundraising efforts, celebrated its fourth year with over 100+ golfers joining to raise funds for the Fargo Parks Scholarship Program.

The Fargo Park District Foundation remains steadfast in its commitment to enhance the quality of life in our community. The milestones achieved this year serve as a testament to the power of collective action and the impact we can make when united in purpose. As we look forward to 2024 and what lies ahead, I extend my deepest gratitude to each member of our community, our dedicated partners and our generous donors. Together we will continue to create a legacy of excellence through the community and region.

Sincerely,



Executive Director

Fargo Park District Foundation

Leading the way

The impact of the Fargo Park District Foundation is able to go further thanks to the staff and Board of directors who keep it running. We're happy to introduce you to our team who is always here to chat!



Craig Bjur
Foundation Executive Director



Mike Erickson
Foundation Board
President



Stacey Griggs
Foundation Board
Vice President



Chad Marsden
Foundation Board
Treasurer



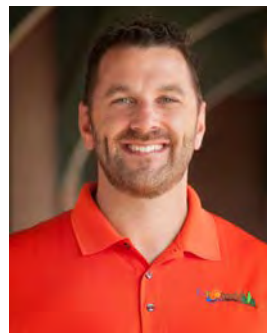
Rock Messerschmidt
Foundation Board



Melissa Brandt
Foundation Board



Darren Dunlop
Foundation Board



Joe Deutsch
Fargo Park Board
Representative



Becky Bjornson
Administrative
Specialist



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FARGO PARKS **SPORTS CENTER**

The longtime vision for Fargo's own destination indoor sporting, event and activity facility will soon be realized with Phase I of the Fargo Parks Sports Center slated to be completed in the Spring of 2024 and Phase II expected in January of 2025. This multipurpose community recreation facility will accommodate nearly any indoor sport, activity, tournament or special event.

PROVIDING SPACE FOR

20,000 local children
20+ local organizations
1,000,000 visitors annually

COMMUNITY COLLABORATION

30+ community partners
\$34.1 million in private donations
\$12.3 million of in-kind gifts and services

At a Glance

IT'S IN THE NUMBERS

390,000+ sq ft of indoor space
123+ acres of outdoor space
8 hardwood courts
6 pickleball courts
6 community rooms
4 party rooms
3 multi-purpose rooms
2 sheets of ice
1 full-size turf field
1 elevated walking track



ISLAND PARK POOL

KEEPING IT COOL SINCE 1941

The Island Park Pool project, is a transformative community project, is anticipated to be completed in fall of 2024 and open for public use by summer 2025. The project stands as a testament to the Fargo Park District's commitment to community vitality and progress. The updated Island Park Pool will prove to be a blend of cherished tradition and modern amenities.

The current pool, a central Fargo fixture since 1977, will undergo a visionary renovation to better cater to the evolving needs of the growing community based on extensive community research and input. The new facility will boast a 50-meter competition pool, diving boards and platforms, a leisure pool, lazy river, and FlyTyme and tube slides.

Timeline

SPRING
2023

Construction
Began

NOW

Currently
Fundraising

FALL
2024

Construction
Completion

SUMMER
2025

Facility Grand
Opening



High Impact Giving

SCHOLARSHIPS

The Fargo Park District strives to serve the needs of all citizens regardless of income level with the help of the Fargo Park District Youth Scholarship Program, which was established in 1998. Support of the Youth Scholarship Program helps create a healthy community and build a foundation of wellness for local youth.

300+

SCHOLARSHIPS PROVIDED

\$17,600

DONOR SUPPORTED SCHOLARSHIPS





Growing the game

NEW ADAPTIVE GOLF CARTS

This year marked an exciting collaboration between Dare 2 Stand Out and the Fargo Park District Foundation that resulted in a game-changing addition to the community – a new adaptive golf cart. The cart was an addition to the three SoloRider carts already available for use at Fargo Park District Public Courses.



We had the incredible opportunity to partner with Josh Duhamel to promote the new equipment





A year of gathering

The Fargo Park District Foundation hosted a variety of events in 2023 to honor and recognize the generosity of donors and supporters.

Beginning with the symbolic Beam Signing ceremony, where donors and partners had the opportunity to leave their mark on the Fargo Parks Sports Center and its ongoing legacy before the final beam was placed. Over 30 community partners, donors and stakeholders again gathered in August for in-depth tours of the Sports Center and construction progress. The Fargo Park District Foundation Golf Classic celebrated it's 4th year with over 100 golfers joining at Rose Creek to raise funds for the Fargo Parks Scholarship Program.



Thank you to our donors

Aaron Hill
Abby Swegarden
Adam Pankow
Alden J Hvidston
Alex Silbernagel
Alex Stern Family Foundation
Alexis Swenson
Alison Dye
Allison Larson
Amanda Kosior
Amber Blomberg
Amy Barglof
Amy Cusher
Andrea Haugen
Angela Skyberg
Angels Hockey
Ardell Olson
Arnold Stebleton
Ashley Bosh
Ashley Gunkelman
Ashlynn Wagner
Autumn Branca
Barb & Jim Johnson
Barry Amundson
Becky Bakke
Bekey Hicks
Bell Bank
Beth & Erik Johnson
Beverage Wholesalers, Inc.
Blake Nelson
Bobcat Company
Border Bank
Border States Electric
Brady Blomberg
Brandt Family Ventures
Brandy Chaffee
Brenda Kava
Brent & Michelle Hella
Brett & Sara Olson
Brian Arett
Brian Stavenger
Brian Halverson
Brian & Stacy Roney
Broc & Karen Lietz
Bruce Seibel
Bruce Furness
Carissa Stirling
Carolyn Boutain
Chad Marsden
Chelsea Gilster
Chris Mapes
Chris & Lisa Giese
Christianson Companies
Property Resources Group
Christopher Mogard
Chuck & Dorothy Erstad
Cole Papers
Corey Henry
Cornerstone Bank
Craig & Liz Bjur
Dakota Medical Foundation
Dan Carey
Dan Feir
Dana Woodruff
Daniel Armbrust
Daniel Ness
Dare 2 Stand Out
Darin Daby
Dave Bietz
David Berg
Dawn Boom
Deanna Magnuson
Debra Laber
Denise Geffre
Denise Musland
Dennis Hoff
Denny Stinar
Dick & Paula Larsen
Doug Huber
EagleRidge Companies
Elizabeth Olson
Emily Richard
EPIC Companies
Erin Gigstad
Erv Inniger
Fargo Youth Hockey
Fargo-Moorhead CVB
First Western Bank & Trust
FM Gators
Fred Williams
Fred Hector Foundation
Furness Family
George Topp
Geraldine Flaig
Greg McCullough
Greg & Pam Selbo
Heather & Brandon Hanson
Hector Family Foundation
Howard Dahl
Hulbert Family
J. Patrick Traynor
Jacob Strinden
James Wieland
Jason Schmidt
Jeff Schatz
Jeff & Becky Bjornson
Jennah Kelly
Jennifer Kelly
Jennifer Olson
Jennifer Thompson
Jerald Rostad
Jerry & Tami Rostad
Jim Hambrick
Jim Bullis Family
JLG Architects
Joanne Drenkow
Jody Norstedt
Joe & Brandi Deutsch
John Nelson
John Rader
Jon Machayya
Jordan & Katie McCormick
Juli Muehler
Juli Munro
Julie Oster
Justin Gravalin
Kari Thompson
Kathleen Bergseth
Katie Nilson
Katie Doeden
Kayce Halley
Kelly Kuntz
Kenneth Regan
Kevin Boe
Kevin Christianson
Kevin & Lora Elfstrum
Kim Burud
Kim O'Neil
Kimberly Peterson
Knutson Family
Korianne Mortenson
Koyla Vierkant
Kramer Stuth
Kris Overby
Kriss Burns
Kristy Soular
Kvalvog Family
L&L Distributing
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Laurie A Elhard
Leonid Vilenski
Linnea Dimich
Lisa Giese
Lisa Brown
Lora & Brent Stebleton
Luke Robertsdahl
Luke Evenson
Luke Ouradnik
Madisen Anderson
Marcil Family Foundation
Marjorie Olson
Mark Carlson
Marlys Sunderland
Marsh McLennan Agency
Matthew Delaney
Maureen Bucholz
Maureen Bartelt
MBN Engineering
Melissa Christianson
Melissa Zuel
Michael Jablon
Michael & Jayne Gust
Michelle Swanson
MIDCO
Mike & Nichole Erickson
Mike Lorz Family
MinnKota EnviroServices, Inc.
Myron & Jean Knutson
Nancy Slotten
Nancy & Bill Wey
Next Generation Gaming
Pace Maier
Patricia Horner
Paul Ostby
Paul Ferrie
Rachel Hanson
Reed Stock
Reed & Tamara Hofmann
Reggie MacMaster
Richard Wiemken
Robert Schultz
Robert & Doris Alin
Rock & Brenda Messerschmidt
Ross Manson
Roxanne Keene
Roxanne Mairs Ellis
Ryan Duval
Ryan Kava
Ryan & Chrissy Nelson
Sandra Horner
Sandra Wagner
Sanford Health
Sarah Anderson
Sarah Knutson
SCHEELS
Scott Holman
Scott Seiler
Shayna Mertz
Stacey & Wes Griggs
Stacy Stenerson
Stephanie Bares
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Steve Hulbert Family
Sue Nilson
Susan Faus
Susan Mathison
Susan Wojcik
Tadeusz Komorowski
Tammi Sundby
Tammy Bernhardt
Tara DuBord
Terry Porter
Tim Mathern
Timothy Mahoney
Tina Amerman
Todd Medd
Tom Barnhart
Tom Pence
Town & Country Credit Union
Trisha Bothum
Tyler Brandt
Vicki & Steve Dawson



 Craig Bjur | Executive Director

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