August 11, 2020

Board of City Commissioners
Bismarck, ND

Dear Commissioners:

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, August 11, 2020 at 5:15 p.m. in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota.

Invocation and the Pledge of Allegiance presented by a Chaplain from the Bismarck Police Department.

Watch live meeting coverage on Government Access Channels 2 & 602HD, Listen to Radio Access 102.5 FM Radio, or stream FreeTV.org and RadioAccess.org. Agenda items can be found online at www.bismarcknd.gov/agendacenter.

Future City Commission meetings are scheduled as follows:

- September 8 & 22, 2020
- October 13 & 27, 2020
- November 10 & 24, 2020

MISSION STATEMENT

To provide high-quality public services in partnership with our community to enhance our quality of life.

MEETING OF THE BOARD OF CITY COMMISSION

1. Public comment (restricted to items on the Consent Agenda and Regular Agenda, excluding public hearing items).
2. Consider the approval of the minutes.

   Documents:

   MN072820.pdf
   SM072320.pdf
   SM080420.pdf

3. CONSENT AGENDA

   A. Consider approval of expenditures.

   B. Consider approval of personnel actions.

      Documents:

      HR Personnel Report.pdf

   C. Consider the request for approval from the Administration Department for the following:

      1. Gaming Site Authorization - Sixteen03 Main Events, located at 1603 E. Main Ave.
      2. Introduction of and call for a public hearing on a new Class I-1 Restaurant Full Alcohol Liquor License for Karman & Saiba Inc., doing business as India Clay Oven Bar & Grill, located at 510 E. Main Ave.

Documents:

(C) ADMIN - Gaming Site Authorization - Sixteen03.pdf
(C) ADMIN - Liquor License - India Clay Oven.pdf

D. Consider the request for approval from the Community Development Department for the following:

1. Introduction of and call for a public hearing on Ordinance 6432, a request for a zoning change from the RT - Residential and CA - Commercial zoning districts to the RT - Residential and CA - Commercial zoning districts for Northern Sky Second Addition.

Documents:

(C) CD - Northern Sky Second Addition.pdf

E. Consider the request for approval from the Engineering Department for the following:

1. Approve dedication of and acceptance of an access and utility easement on Lots 3 & 4, Block 38 Northern Pacific Second Addition.
2. Approve placement of street banners on Washington St. for the Bismarck Bobcats by the Bismarck Sports Group.
3. Sewer Improvement SE 577 - Request for resolution creating Water Improvement District WA 333 & Sewer Improvement District SE 577 and ordering preparation of the preliminary report. Request for resolution approving preliminary report and directing preparation of plans and specifications.
4. Street Improvement District No. 539 - Request for resolution declaring petitions for improvements has been received. Request for resolution creating district SI 539 and ordering preparation of the preliminary report. Request for resolution approving preliminary report and directing preparation of plans and specifications.

Documents:

(C) ENG - Access and Utility Easement.pdf
(C) ENG - Bobcats Banners.pdf
(C) ENG - SE 577.pdf
(C) ENG - SI 539.pdf

F. Consider the request for approval from the Finance Department for the following:

1. Approve the Resolution Directing Special Assessment to be levied.
2. Application for abatement, 2020, Church, for Truth Fellowship Live, 2702 E. Rosser Ave. The Assessing Division recommends denial of the application for abatement.

Documents:

(C) FIN - Resolution Directing Special Assessments.pdf
(C) FIN - Abatement.pdf

G. Consider the request for approval from the Human Resources Department for the following:

1. Permission to shred and destroy 24 boxes of Human Resources records.

Documents:

(C) HR - Destruction of Old Files.pdf

H. Consider the request for approval from the Library for the following:

1. Appoint Dianna Kindseth and Mike Fladeland to the Library Board of Trustees.

Documents:

(C) LIB - Library Board Members.pdf

I. Consider the request from the Public Works - Service Operations Department for the following:

1. Approve Change Order 4 for Street Utility Project No. 52.
2. Approve purchase of an SUV for Bismarck-Burleigh Public Health.
3. Permission to provide garbage containers for the Tri-City Community Picnic on Aug. 29, 2020.
4. Permission to purchase a wing mower and offset hitch for the Solid Waste Disposal operations.
5. Permission to purchase roll-off containers for Solid Waste Collections and the Wastewater Treatment Plant.

Documents:

(C) PW-SO - Change Order 4.pdf
(C) PW-SO - Public Health SUV.pdf
(C) PW-SO - Garbage Containers for Tri-City Community Picnic.pdf
(C) PW-SO - Containers for Solid Waste and WWTP.pdf
(C) PW-SO - Solid Waste Disposal Mower.pdf

J. Consider the request from the Public Works - Utility Operations Department for the following:

1. Permission to support Great Plains Housing Authority and Community Action ND in their efforts in applying for the HUD Lead Hazard Reduction Grant.

Documents:

(C) PW-UO - HUD Hazard Reduction Grant.pdf

4. REGULAR AGENDA

5. Consider the request from the Community Development Department for Dennis Wetzel to appeal the July 2, 2020 decision of the Board of Adjustment to uphold an administrative zoning determination made by staff for the construction of a structure to be located on Lots 14 and 15, Block 4, Southbay Fifth Addition (4408 and 4412 Downing Street).

Documents:

(R) CD - Southbay Fifth Addition.pdf

6. Consider the request from the Finance Department for the approval of the 2019 Audited Comprehensive Annual Financial Report, the Schedule of Expenditures of Federal Awards and the Passenger Facility Charges Report.

Documents:

(R) FIN - Comprehensive Annual Report and Audit.pdf

7. Public hearing on Ordinance 6429, a request for a annexation of the North 223 feet of Lot 1, Block 3, Timberlane Place Second Subdivision. The Bismarck Planning and Zoning Commission recommends approval.

Documents:

(R) CD - Timberlane Place.pdf

8. Public hearing on Ordinance 6430, a request for a zoning change from the RM30 - Residential and HM - Medical Facility zoning districts to the HM - Medical Facility zoning district for Tract 500 of Blocks 27 & 38, and Lots 3, 4, the North 20 feet of Lot 5, and Lots 9 & 10, Block 38, Northern Pacific Second Addition, requested by the Bismarck Cancer Center.

Documents:

(R) CD - Northern Pacific.pdf

9. Public hearing on Ordinance 6431, a request for a zoning change from the A - Agricultural, R5 - Residential, R10 - Residential, RM30 - Residential and RT - Residential zoning districts to the P- Public zoning district for part of the S 1/2 of Section 19 and part of the N 1/2 of Section 30, T139N - R80W/Hay Creek Township & City Lands, requested by Clairmont Family Trust.

Documents:

(R) CD - Hay Creek Township.pdf

10. Public hearing on a request from the Community Development Department for a petition from the Bismarck Cancer Center to vacate the dedicated alley over the North 20 feet of Lot 5, the deeded alley over the East 8 feet

of the North 20 feet of Lot 8, the deeded alley over the South 19.3 feet of the East 8 feet of Lot 9, and the deeded alley over the South 19.3 feet of the West 8 feet of Lot 4, all in Block 38, Northern Pacific Second Addition.

Documents:

(R) CD - Bismarck Cancer Center Alley.pdf

11. Consider the request from the Community Development Department for verification on the easement release process.

Documents:

(R) CD - Easement Release.pdf

12. Consider the request from the Community Development Department for discussion on staff's interpretation of Misty Waters Planned Unit Development setback.

Documents:

(R) CD - Misty Waters.pdf

13. Consider the request from the Engineering Department to receive recommendations to convert a two-lane section of roadway to a three-lane section of roadway for HC 125.

Documents:

(R) ENG -HC 125.pdf

14. Receive a May 2020 Financial Update from Finance Director, Dmitriy Chernyak.

Documents:

(R) FIN - May 2020 Financial Update.pdf
Budget Committee Presentation.pdf

15. Consider the request from the Public Works - Utility Operations Department for review of the Wastewater Treatment Plant Facility Plan as part of the requirements for the State Revolving Fund Loan funding.

Documents:

(R) PW-UO - Facility Plan for WWTP.pdf

16. Consider discussion of portfolio assignments.

Documents:

2020 Portfolio Assignments.pdf

Other Business

Adjourn

7/28/2020 - Minutes

MISSION STATEMENT

To provide high-quality public services in partnership with our community to enhance our quality of life.

MEETING OF THE BOARD OF CITY COMMISSION

1. Public comment (restricted to items on the Consent Agenda and Regular Agenda, excluding public hearing items).

   Douglas Schmidt, Tamara Berger, Pat Spilman, Jerry Ketterling and Jeff Carlson, Misty Waters homeowners spoke against the approval of Commission agenda item #6 because it violated their HOA's bylaws.

   Jordan Anderson, owner of Big River Builders, and contractor for the Jason and Krysta Sellers, came before the Commission and addressed several concerns brought to the Commission's attention during the process of having the easement release considered. In addition, he informed them of the efforts that were being taken to get HOA's approval of the easement release.

   Dave Tschider asked for the Commission to table the item because they did not have the HOA's consent at this time.

2. Consider the approval of the minutes.

   Commissioner Marquardt moved to approve the minutes as presented. Commissioner Zenker seconded the motion.

   Upon a roll call vote, all voted aye. M/C.

3. CONSENT AGENDA

   Commissioner Zenker moved to approve the consent agenda as presented. Commissioner Marquardt seconded the motion.

   Upon a roll call vote, all voted aye. M/C.

   A. Consider approval of expenditures.

      Vouchers: 1093987 and 1094198.

   B. Consider approval of personnel actions.

   C. Consider the request for approval from the Administration Department for the following:

      1. Reappoint Robin Thorstenson and Rick Collin to the Dakota Media Access Board of Directors.

   D. Consider the request for approval from the Airport for the following:

1. Award bid to Hawkins Water Treatment Group for runway deicer.
2. Approve purchase of tires for Airport fire truck using State Bid.
3. Defer Airport rents and fees.

E. Consider the request for approval from the Attorney for the following:

1. Ratify the July 13, 2020 State of Emergency Declaration related to COVID-19 by the President of the City Commission and extend its effect to August 12, 2020.

F. Consider the request for approval from the Community Development Department for the following:

1. Approve Deidre Hughes as a TrAMS User and an NTD User Manager.
2. Introduction of and call for a public hearing on Ordinance 6430, a request for a zoning change from the RM30-Residential and HM-Health Medical zoning districts to the HM-Health Medical zoning district for Tract 500 of Blocks 27 & 38, and Lots 3, 4, the North 20 feet of Lot 5, and Lots 9 & 10, Block 38, Northern Pacific Second Addition, requested by Bismarck Cancer Center. The Bismarck Planning and Zoning Commission recommends approval.
3. Introduction of and call for a public hearing on Ordinance 6431, a request for a zoning change from the A-Agricultural, R5-Residential, R10- Residential, RT-Residential and RM30-Residential zoning districts to the P-Public zoning district on part of the S1/2 of Section 19 and the N1/2 of Section 30, T139N-R80W/Hay Creek Township & City Lands, requested by Clairmont Family Trust. The Bismarck Planning and Zoning Commission recommends approval.
4. Request from Steven McNichols to release the Northerly 4 feet of the 10-foot utility easement along the southerly lot line of Lot 29, Block 3, Horizon Heights First Addition. Staff recommends approval.
5. Request from Mark and Miranda Hoffert to release all of the 20-foot access easement over the Easterly 20 feet of Lot 17, Block 1, Tatley Meadows VII. Staff recommends approval.

G. Consider the request for the approval from the Engineering Department for the following:

1. Approve contract with Braun Intertec for geotechnical testing services.
2. Approve contracts and bonds for special assessment projects in 2020.
3. Approve NDDOT Preliminary Engineering Reimbursement Agreement for the Bismarck Expressway Railroad Overpass.
4. Approve NDDOT Preliminary Engineering Reimbursement Agreement for equipment to replace traffic signals.
5. **Approve dedication of storm sewer and drainage easements in Section 1-139-80.**
6. Change Order No. 9 for Sewer Improvement District SE 563.
7. Street Improvement District No. 540 - Request for resolution receiving bids and ordering preparation of the Engineer's statement for SI 540. Request for resolution awarding contract for SI 540.

H. Consider the request for approval from the Finance Department for the following:

1. Application for Abatement for year 2019, Disabled Veteran Credit, at 611 Garden Dr.
2. Application for Abatement for year 2019, Disabled Veteran Credit, 101 Tucson Ave.
3. Application for Abatement for year 2020, Market Value Reduction, 1313

Community Loop.
4. Application for Abatement for year 2020, Market Value Reduction, 2108 Thompson St.
5. Application for Abatement for year 2020, Market Value Reduction, 1203 Community Loop.
6. Application for Abatement for year 2020, Market Value Reduction, 709 Calvert Dr.
7. Application for Abatement for year 2020, Market Value Reduction, 2114 Modesto Circle.
8. **Approve updates to the credit card and food and beverage policies.**

I. Consider the request for approval from the Human Resources Department for the following:

1. Approve exempt City staff to be paid straight time for work beyond regular operations pertaining to the 2020 COVID-19 Pandemic through the Cares Act.

J. Consider the request for approval from the Police Department for the following:

1. Permission to solicit donations and hold the event for the Tri-City Community Picnic.

K. Consider the request for approval from the Public Works - Service Operations Department for the following:

1. Extend the two-year contract with Waste Management for residential curbside recycling.

L. Consider the request for approval from the Public Works - Utility Operations Department for the following:

1. Approve Change Order G1 with PKG Contracting, Inc. and Amendment to Task Order No. 9 with AE2S for the Water Treatment Plant Limeslaker Project.
2. Approve contract with Hach Company for lab data management software for the Water and Wastewater Treatment Plants.
3. Approve purchase of ceramic-lined elbows for the lime transfer system at the Water Treatment Plant.

4. REGULAR AGENDA

5. Consider the request from the Public Works - Utility Operations Department to accept the Hay Creek Interceptor and Lift Station Report with Apex Engineering Group.

Mike Berg, Apex Engineering Group, presented the Hay Creek Interceptor and Lift Station Report to the Commission.

Please see the link for his full presentation.

https://www.bismarcknd.gov/AgendaCenter/ViewFile/Item/5300?fileID=12814

Commissioner Marquardt moved to approve the request with the recommendations from the Public Works Utility Operations Department. Commissioner Guy seconded the motion.

Upon a roll call vote, all voted aye. M/C.

6. Consider the request from the Community Development Department for Jason and Krysta Sellers to release the drainage easement within Lot 36, Block 1, Misty Waters.

   Ben Ehreth, the Director of the Community Development Department, stated that Jason and Krysta Sellers were informed that upon approval of this item, they would be required to release the entire drainage easement over Lot 36, Block 1, Misty Waters, on the condition that a new 20-foot drainage easement will be recorded on the same lot.

   After consulting with the City's Attorney, Jannelle Combs, the Commission determined they do not enforce HOA bylaws or private covenants, as it is a civil agreement between homeowners.

   Commissioner Zenker stated he would not approve the easement because there are other, much larger issues, with this home project.

   Commissioner Zenker moved to deny the request for an easement. Commissioner Splonskowski moved second his motion.

   Upon a roll call vote, Commissioner Marquadt, Zenker, Splonskowski voted aye in denying the easement. Commissioner Guy and President Bakken, nay. M/C.

7. Public hearing on Ordinance 6427 and 6428, to create special assessment districts for annexed properties.

   No member of the public appeared for comment.

   Commissioner Zenker moved to approve the new ordinances as presented. Commissioner Marquardt seconded the motion.

   Upon a roll call vote, all voted aye. M/C.

8. **Consider the request from the Fire Department for Emergency Management to accept bid for the siren activation controller system for the City's outdoor warning system.**

   Emergency Manager Gary Stockert presented the bids opened on July 22, 2020. He informed the Commission that Emergency Management was recommending the two-way full-functional system from Federal Signal for $168,521.62 with an annual maintenance fee for $8,000.00.

   Commissioner Marquardt moved to approve the recommendation and give Emergency Management permission to negotiate installment fees. Commissioner Guy seconded the motion.

   Upon a roll call vote, all voted aye. M/C.

   Testing of the outdoor warning activation system will continue every Friday at noon until the new system is fully installed.

9. **Consider the request from the Attorney for continued discussion regarding the Temporary License to Use Premises Agreement for the August 1, 2020 Medieval**

Rush event.

Attorney Combs informed the Commission that the Medieval Rush's organizer, Tanner Schweitzer, was not able to obtain the $25,000.00 bond requested by the City in the original Temporary License to Use Premises Agreement to use City land for the August 1, 2020 event. Attorney Combs stated Mr. Schweitzer met with the City Engineer and created a new race route. This resulted in changing the requested bond amount from $25,000.00 to $1,500.00.

The new route does not interfere with any of the bike trails, which were discussed at previous City Commission Meetings.

Please see the link for a map of the updated route. https://www.bismarcknd.gov/AgendaCenter/ViewFile/Item/5301?fileID=12812

Commissioner Splonskowski moved to approve the changes to the agreement. Commissioner Zenker seconded the motion.

Upon a roll call vote, Commissioners Splonskowski, Zenker and President Bakken, aye. Commissioners Guy and Marquardt, nay. M/C.

10. Receive a Budget Committee update, regarding Budget 2021, from Dmitriy Chernyak, Finance Director.

Finance Director Dmitriy Chernyak presented the options that the Commission requested to see at the July 23,2020 Special City Commission Meeting.

Please see the link for details on the options. https://www.bismarcknd.gov/AgendaCenter/ViewFile/Item/5297?fileID=12817

Commissioner Marquardt and Director Chernyak stated on behalf of the Budget Committee they felt Option A was the best choice to sustain the budget and continue essential services as the City continues to grow.

Commissioner Zenker suggested moving forward with Option B over the course of five years.

Commissioner Splonskowski stated he was not in favor of moving forward with any of the options. He stated he wanted to see raises for all City employees eliminated for this year, and to see 20 mills raised overall in 3 years.

(A mill is not a million, but a term that represents a value. The value changes yearly, for Budget 2021 a mill is equivalent to about $404,000.00)

President Bakken stated he was not comfortable going over two years because he felt the Commission needed to ensure services were stable.

Commissioner Marquardt reminded the Commission that in the past, they have not followed recommendations made by agencies performing compensation studies, and if they continued not to follow them, the City would lose valuable employees.

Commissioner Marquardt then moved to approve Option A, the budgets for the general fund, special revenue funds and debt service funds as recommended by the Budget Committee, including the following:

A. Mill levy for the general fund and library

B. Salary policy

C. All priority initiatives

D. Capital improvement projects

E. Fees and charges

F. Base operating budgets

Commissioner Guy seconded the motion.

Upon a roll call vote, Commissioner Marquardt, Guy and President Bakken voted, aye. Commissioner Zenker and Splonskowski, nay. M/C.

The budget will be presented and finalized at the Tuesday, August 4, 2020 Special City Commission Meeting.

11. Consider the request from the Attorney for continued discussion regarding fireworks displays within City limits.

At the July 14, 2020 City Commission Meeting the Commission requested Attorney Combs determine a timeline and cost to have this item as a measure on the November, 2020 ballot. Attorney Combs stated she estimated the measure would be $10,000 or more.

Commissioner Guy stated that given what they had just voted on for the 2021 Budget, she did not feel it was necessary for the City to spend $10,000 or more on this.

President Bakken agreed with her, and requested any further discussion on this item be dismissed.

No motion was made for this item.

Other Business

Having completed all the items on the agenda, President Bakken asked if there was any other business.

Adjourn

The meeting was adjourned at 8:09 p.m.

MEETING OF THE BOARD OF CITY COMMISSIONERS

July 23, 2020

On July 23, 2020 at 5:15 p.m., the Board of City Commissioners met in the Tom Baker Meeting Room of the City/County Building, located at 221 N. 5th St. in Bismarck, N.D. This special meeting was held to receive a briefing from the Finance Director, Dmitriy Chernyak, and to hold discussion regarding Budget 2021.

Those present included: Commissioner Guy, Commissioner Splonskowski, Commissioner Zenker and Commissioner/Budget Committee Representative Marquardt were present. Mayor Bakken participated by Zoom. City Administrator Keith Hunke, Assistant City Administrator Jason Tomanek, Attorney Jannelle Combs, Finance Director Dmitriy Chernyak and representatives from several City departments were also in attendance.

Director Chernyak described the City's budget by detailing how funds and revenues are collected through taxes and fees for services and how they are divided up through each department. Director Chernyak stated the areas of focus for the 2021 Budget are not departments that are self-sustaining, such as the Event Center or Airport, but those that rely on the General Fund to maintain services, including Administration, the City Attorney, CenCom, Community Development, Engineering, Finance, Fire, Human Resources, Police, the Library, and Public Work's Road and Street Division.

In addition, Director Chernyak reviewed the Budget Committees recommendations, which were introduced at July 14, 2020 City Commission Meeting. Commissioner Guy's request, of adding the Library's renovations, 1.1 mill was added to the listed recommendations.

Priority initiatives recommended by the Budget Committee with 1 mill equating to about $404,000.00:

1. New/reclassified employees (All Funds) Requested: $547,357 - Recommended: $128,261

2. Additional operations and maintenance (All Funds) Requested: $954,272 - Recommended: $871,047

3. One-Time (All Funds) Requested: $13,672,231 - Recommended: $9,122,944

4. Capital improvement projects, as recommended

5. Fees and charges for services with changes, as recommended

6. 3% increase in employee salaries with an employee cost index adjustment of 2.7%, as recommended in the Condrey plan from 2015.

7. Maintain current health insurance plan for City employees

8. General Fund: Increase property taxes by $8M to sustain General Fund and Roads and Streets Operations going forward, replacement of obsolete equipment, vehicles and machinery for Roads and Streets operations.

9. Bismarck Veterans Memorial Public Library: Increase property taxes by $180K to sustain the Library operations going forward.

Director Chernyak suggested several factors to take into consideration as the Commission moved forward in making budget decisions. These included the City's growth, oil and gas prices, a reduction in state financial aid and the COVID-19 Pandemic. He attributed these factors in causing a drop in for additional finances in the City's General Fund to continue essential services.

Director Chernyak's full presentation is attached to this meeting's agenda.

After some consideration, the Commission inquired about borrowing from the reserve fund. Commissioner Marquardt, informed the Commission this could potentially affect the City's bonds and credit rating.

Commissioner Guy suggested increasing property tax to reach 10 mills and borrowing the additional 9 mills from the reserve, with the intent of paying the full amount (9 mills) back to the reserve within a 2-year time.

Director Chernyak informed the Commission, that mills increase each year, and the City could end up paying a higher amount back to the reserve, even within a two-year time.

President Bakken asked Director Chernyak what a policy change of 5MILL would look like. Director Chernyak stated from his professional financial standpoint, he did not recommend changing the City's policy because unpredictable factors fluctuate the General Fund's needs.

President Bakken then asked Director Chernyak to develop a variety of opinions, outside of the Budget Committee's recommendations. Director Chernyak asked for specifics in what President Bakken would like to see changed in the recommendations. At this time, no suggestions were given. President Bakken then stated that if they move forward in with a property tax increase that he'd prefer an increase that would meet a single-digit mill.

Commissioner Splonskowski suggested taking a deeper look at each department's budget and scaling back on expenses until the following year when the Commission can re-evaluate the budget. Commissioner Marquardt stated the committee and directors had already developed a critical needs list to continue City services as they are offered today.

Commissioner Splonskowski then suggested moving forward with a phased approach and putting a pause on employee raises and health insurance for 2021. Eliminating raises for 2021 is estimated to save 2 mills of the 19 mills needed.

Commissioner Zenker asked Director Chernyak to look at raising property taxes to meet 5 mills and borrowing the additional needed funds from the reserve.

Director Chernyak informed the Commission he will review their requests and present his findings at the next Regular City Commission Meeting on July 28, 2020.

The meeting was adjourned at 7:59 p.m.

MEETING OF THE BOARD OF CITY COMMISSIONERS

August 4, 2020

On August 4, 2020, at 8 a.m. the Board of City Commissioners met in the Tom Baker Meeting Room of the City/County Building, located at 221 N. 5th St. in Bismarck, N.D. This special meeting was held to finalize the 2021 Budget and to discuss the allocation of revenue and other financial matters.

Those present included: Commissioner Guy, Commissioner Splonskowski, Commissioner Zenker, Commissioner/Budget Committee Representative Marquardt, Mayor Bakken, City Administrator Keith Hunke, Assistant City Administrator Jason Tomanek, Attorney Jannelle Combs and representatives from several City departments were also in attendance. Finance Director, Dmitriy Chernyak, participated via Zoom.

During Public Comment, Hilary Balzum, the Administrative Assistant for the Community Development Department and a member of the Employee Representative Committee, stated that on behalf of the Committee, they wanted to thank the Budget Committee and City Commission for looking at so many options regarding Budget 2021. In addition, she requested the Commission keep in mind that many City employees are Bismarck residents and would be affected by any tax increase decided by the Commission. She also expressed how the Committee felt a salary increase, of 3 percent for employees, was justified.

Gale Nicholson, a Senior Administrative Assistant at Public Works Service Operations, asked the Commission to support the staff, their benefits and the need for a salary increase as they voted today.

Commissioner Marquardt reviewed the recommendations the City Commission approved on at the July 28, 2020 City Commission Meeting including to:

1. Approve the 2021 budget appropriations for the General Fund, Special Revenue Funds, and
   Debt Service Funds, as listed in this memo and attached.
2. Approve the 2021 General Fund base budget worksheet.
3. Approve the 2021 Priority Initiatives recommended by the Budget Committee.
4. Approve the 2021 Capital Improvement Projects (CIPs) recommended by the Budget
   Committee.
5. Approve the 2021 Fees and Charges recommended by the Budget Committee.
6. Approve the 2021 3% salary increase.
7. Approve the 2021 mill levy at 68.85 mills at a taxable value of $404,442.

Commissioner Marquardt moved to finalize all items listed. Commissioner Guy seconded his motion.

Commissioner Zenker stated he did not have a problem of the salary increase but wanted to scale back on the specials assessments and that he felt the mill increase was too much for this year.

Commissioner Splonskowski, stated his concerns with moving forward with the recommendations. He said he does not think that this will get fixed in one or two years, and that raising the mills to the proposed amount was too big of a jump at this time.

Mayor Bakken stated that he was not happy about raising property tax, but felt that it was the Commission's job to ensure the mill levy gap is fixed while the current administration is in office. Mayor Bakken stated he felt comfortable with the methodology behind Budget 2021, and acknowledged that this process was essential for sustaining City services.

Commissioner Guy stated she agrees with the Mayor. She then stated that she felt the City has continuously relied on funding from outside entities, such as federal and state funds, and that the City should be more self-reliant to sustain City services.

Mayor Bakken asked Director Chernyak to present what the mill difference was between a 2.75 salary raise, the minimum amount recommended by the Condrey Study, versus a 3 percent salary raise, purposed in the recommendations. Director Chernyak stated it would be about a .19 mill difference, approximately $76,000.

Upon a roll call vote, Commissioner Marquardt, Guy and Mayor Bakken, aye. Commissioner Zenker and Splonskowski, nay. M/C.

The Commission then considered the request for allocations of revenue and other financial matters for the 2021 Budget. These included to:

• Approve a one-year extension of the CVB contract to the end of 2021 and maintain the allocation of the hotel / motel tax revenue at 75% to the CVB and 25% to the City's Event Center.

• Approve the car rental tax allocation of 25% to the Airport and 75% to the Event Center.

• Approve a $1 per ton increase in solid waste hauling fee charged by the Roads and Streets Fund to the Solid Waste Disposal Fund for roads and streets maintenance.

• Approve the continued payment of $12,000 from the liquor, lodging and restaurant tax fund to the Bismarck-Mandan Symphony Orchestra for the professional fireworks display on July 4, 2021.

Commissioner Marquardt moved to approve each bulleted item as presented. Commissioner Zenker seconded it. Upon a roll call vote, all voted aye. M/C.

The meeting was adjourned at 8:29 a.m.

PERSONNEL ACTIONS FOR THE MEETING ON Aug 11, 2020

Full-Time and Part-Time Appointments

Makuei, Madit Building Service Worker	Airport	Probationary appointment @ $16.81/hr. 8/5/2020
Tivis, Payton Accounting Coordinator	Airport	Probationary appointment @ $29.09/hr. 8/10/2020
Kaftan, Heather Community Service Officer	Police	Probationary appointment @ $18.08/hr. 7/27/2020
Comeau, Lance Water Plant Operator	Public Works	Probationary appointment @ $22.00/hr. 8/17/2020
Pfaff, Kenneth Field Service Rep	Public Works	Probationary appointment @ $20.79/hr. 8/10/2020
Theisen, Cullen Field Service Rep	Public Works	Probationary appointment @ $20.79/hr. 9/8/2020

Separations

Neary, Dane Operations Agent	Airport	Resigned. 8/16/2020
Govig, Bruce Assistant City Attorney	Attorney	Resigned. 7/31/2020
Justice, Tracy Communications Specialist	CenCom	Resigned. 7/23/2020
Mundahl, Mike Communications Supervisor	CenCom	Resigned. 7/28/2020
Binder, Darla Concessions	Event Center	Resigned. 7/22/2020
Rudolph, Cynthia Maintenance Attendant I	Event Center	Terminated. 7/23/2020
Setterlund, Kathy Concessions	Event Center	Resigned. 7/22/2020

Jacobson, Randy Heavy Equipment Operator	Public Works	Terminated. 7/21/2020
Skachenko, Roger Mechanic	Public Works	Retired. 9/1/2020

Others

City Administration

DATE: August 3, 2020

FROM: Jason Tomanek, Assistant City Administrator

ITEM: Gaming Site Authorization

REQUEST:

Consider the request for gaming:

- American Legion Mandan Post 40
    - Sixteen03 Main Events – 1603 E. Main Ave.

Please place this item on the 8/11/2020 City Commission meeting agenda.

BACKGROUND INFORMATION:

Gaming site authorizations expire on June 30th of each year. The Bismarck Administration Department and the Police Department work collectively to administer the annual gaming site authorizations and renewals.

RECOMMENDED CITY COMMISSION ACTION:

Consider approving the gaming application for Sixteen03 Main Events.

STAFF CONTACT INFORMATION:

Jason Tomanek | Assistant City Administrator, 355-1300 or jtomanek@bismarcknd.gov

STATE GAMING LICENSE APPLICATION FORM

OFFICE OF ATTORNEY GENERAL

SFN 53839 (Rev. 10-2017)

License Number: (Office Use)
G -

License Year Ending:
June 30, _____

1. Official, Legal Name of Organization (Do Not Abbreviate): Gilbert S. Furness Post 40 - American Legion Mandan		Business Telephone: (701) 202-3421	
Business Address: (Street) 5009 Wagon Wheel Circle	City: Mandan	State: ND	Zip Code: 58554
Mailing Address: 103 S. 3rd Street, No. 1	City: Bismarck	State: ND	Zip Code: 58501
E-mail Address: tre.dkgcpa@midconetwork.com	Contact Person: Tre Kautzman	Official Position of Contact Person: Gaming Manager	

Provide a copy of the non-profit corporation's charter, articles of incorporation, corporate certificate, organizational by-laws and minutes of board meetings for the last two years with the application for a state gaming license.

3. Is organization recognized as tax exempt by the Internal Revenue Service? [x] Yes [ ] No

a) If yes, enclose copy of tax exemption letter received from IRS; if letter has not been received, enclose a letter of explanation. (New applicants only.)

4. Provide Federal Employer Identification Number (EIN): 45-0214217

5. Type of ELIGIBLE Organization (Check One)

- [ ] a) Charitable
- [ ] b) Civic & Service
- [ ] c) Educational
- [ ] d) Fraternal
- [ ] e) Public Safety
- [ ] f) Public Spirited
- [ ] g) Religious
- [x] h) Veterans

6. Is Organization Chartered By:

- [ ] International Organization
- [x] National Organization
- [ ] State Organization
- [ ] None of the above

7. How Long has Organization Existed in North Dakota?
1919

8. Name and Title of Organization's Top Executive Official: (i.e., Cmdr., Pres., etc.) Frank Rothschiller, Commander	Daytime Telephone Number: (701) 225-6382
9. Name of Gaming Manager: Tre Kautzman	Daytime Telephone Number: (701) 255-6290
9a. Signature of Gaming Manager:	Date: 5/13/20

10. **List the Full Governing Board of the Organization** - The full governing board of the organization is primarily responsible and may be held accountable for the proper determination and use of net proceeds.

Name: Frank Rothschiller	Daytime Telephone Number: (701) 255-6382	Name: Kenneth Clouston	Daytime Telephone Number: (701) 663-7876
Name: Arnold Zins	Daytime Telephone Number: (701) 426-1113	Name: Charles Weiand	Daytime Telephone Number: (701) 226-7300
Name: Chuck Miska	Daytime Telephone Number: (701) 222-3752	Name: Mitch Earhardt	Daytime Telephone Number: (701) 202-8479
Name: Aaron Mcferran	Daytime Telephone Number: (701) 663-7774	Name:	Daytime Telephone Number:
Name: Michael Blasco	Daytime Telephone Number: (701) 667-9990	Name:	Daytime Telephone Number:

11. Has the Organization ever been Convicted of a Felony, Class A Misdemeanor Unlawful Gambling or Organized Criminal Activity?
[ ] Yes [x] No

12. Is organization properly registered as a non profit organization with the North Dakota Secretary of State? [x] Yes [ ] No

13. Does the Organization have a Current **Local Permit** to Conduct Raffles/Bingo or Professional Sports Pools from a City or County? [ ] Yes [x] No
If Yes, Please Explain:

14. Does Organization Own or Rent the Premises at Which the Games of Chance will be Conducted? [ ] Own [x] Rent

AFFIDAVIT:

The Top Executive Official declares that the information is correct and authorizes the Attorney General to inspect the organization's bank and accounting records.	Signature of Top Executive Official:	Date: 5/5/20

GAMING SITE AUTHORIZATION

OFFICE OF ATTORNEY GENERAL

SFN 17996 (02/2018)

G - ___ ___ ___ ___ (___ ___ ___)___

Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization: Gilbert S. Furness Post 40 - American Legion Mandan

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

Name of Location: Sixteen03 Main Events			
Street: 1603 E. Main Avenue	City: Bismarck	ZIP Code: 58501	County: Burliegh
Beginning Date(s) Authorized: 8/1/20	Ending Date(s) Authorized: 6/30/21		Number of twenty-one tables if zero, enter "0": 0
Specific location where games of chance will be conducted and played at the site (**required**): Games will be conducted in bar & reception area, excluding the restrooms.			
If conducting **Raffle** or **Poker** activity provide date(s) or month(s) of event(s) if known			

RESTRICTIONS (City/County Use Only)

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

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

- [ ] Bingo
- [ ] **ELECTRONIC** Quick Shot Bingo
- [ ] Raffles
- [ ] **ELECTRONIC** 50/50 Raffle
- [ ] Pull Tab Jar
- [x] Pull Tab Dispensing Device
- [ ] **ELECTRONIC** Pull Tab Device
- [ ] Club Special
- [ ] Tip Board
- [ ] Seal Board
- [ ] Punchboard
- [ ] Prize Board
- [ ] Prize Board Dispensing Device
- [ ] Sports Pools
- [ ] Twenty-One
- [x] Poker
- [ ] Calcuttas
- [ ] Paddlewheels with Tickets
- [ ] Paddlewheel Table

APPROVALS

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

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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

RENTAL AGREEMENT

OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
SFN 9413 (Rev. 08-2019)

License Number (Office Use Only)

Site Owner (Lessor)		Site Name		Site Phone Number
Sixteen03 Main Events, Llc		Sixteen03 Main Events		(701) 255-6246
Site Address	**City**	**State**	**Zip Code**	**County**
1603 E. Main Avenue	Bismarck	ND	58501	Burleigh
Organization (Lessee)	**Rental Period**			**Monthly Rent Amount**
Gilbert S. Furness Post 40 - American Legion Mandan	8/1/2020 to 6/30/2021			

1. Is Bingo going to be conducted at this site?		☒ No ☐ Yes	
1a. If "Yes" to number 1 above, is Bingo the **primary** game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		☐ No ☐ Yes	$
2 Is Twenty-One conducted at this site? Number of Tables with wagers **up to** $5 _____	X Rent per Table $ _____	☒ No ☐ Yes	$
Number of Tables with wagers **over** $5 _____	X Rent per Table $ _____		$
3. Is Paddlewheels conducted at this site? Number of Tables _____	X Rent per Table $ _____	☒ No ☐ Yes	$
4. Is Pull Tabs involving either a jar bar, standard, or electronic dispensing device conducted at this site? Please check: ☐ Jar Bar ☒ Standard Dispensing Device		☐ No ☒ Yes	$ 400.00
☐ Electronic Dispensing Device Number of Electronic Devices _____			$
Total Monthly Rent			$ 400.00

5. If the only gaming activity to be conducted at this site is a raffle drawing, please check here. ☐

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's on call or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, **the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.**

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

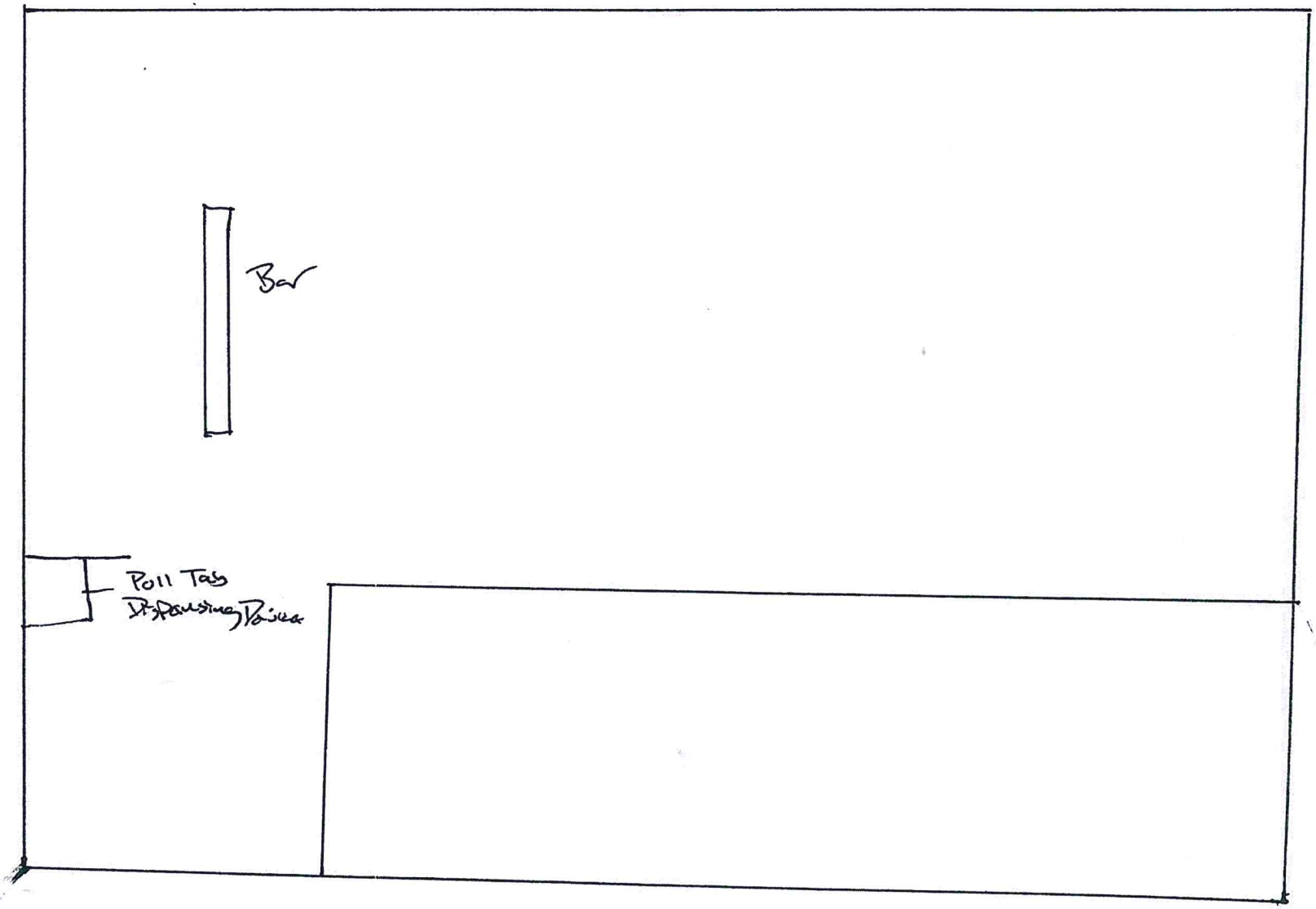
At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor	Title	Date
[signature]	General Manager	7/20/20
Signature of Lessee	**Title**	**Date**
[signature]	Post 40 Sgt. of Arms	7-21-20

(over)

Sixteen03 Main Events

Site Diagram



I. CONSENT BY ELIGIBLE ORGANIZATION

Gilbert S. Furness Post 40 - American Legion Mandan does hereby consent that local
(Write the full legal name of the eligible organization on the above line)

law enforcement officers and officers of the Attorney General and his agents may, at any time Games of Chance are being conducted, enter upon the site to observe the playing of Games of Chance and to enforce the law for any unauthorized game or practice.

7/22/20
Date

Chief Executive (i.e. Cmdr., Pres., etc.)

II. AUTHORIZATION TO INSPECT BANK RECORDS

Gilbert S. Furness Post 40 - American Legion Mandan does hereby give authorization to
(Write the full legal name of the eligible organization on the above line)

local law enforcement officers and officers of the Attorney General and his agents to inspect bank records whenever necessary to fulfill the requirements of Gaming rules and laws.

7/22/20
Date

Chief Executive (i.e. Cmdr., Pres., etc.)

III. ACKNOWLEDGEMENT BY LOCAL LAW ENFORCEMENT OFFICIAL

I hereby acknowledge that I have been informed that the following named organization:

Gilbert S. Furness Post 40 - American Legion Mandan will be conducting
(Write the full legal name of the eligible organization on the above line)

Games of Chance at the following locations: (list full legal name and address below)

NAME OF SITE	ADDRESS OF SITE
1. Sixteen03 Main Events	1603 E. Main Avenue Bismarck, ND 58501
2.	
3.	

Date

City Chief of Police or County Sheriff

City Administration

DATE: August 4, 2020

FROM: Jason Tomanek, Assistant City Administrator

ITEM: Karman & Saiba Inc. (dba) India Clay Oven Bar & Grill Application for a New Class I-1 Restaurant Full Alcohol Liquor License.

REQUEST

Introduction of and call for a public hearing on a request for a new Class I-1 Restaurant Full Alcohol Liquor License for Karman & Saiba Inc. (dba) India Clay Oven Bar & Grill.

Please place this item on the August 11, 2020 City Commission meeting agenda.

BACKGROUND INFORMATION:

Karman & Saiba Inc. (dba) India Clay Oven Bar & Grill is applying for a Class I-1 Restaurant Full Alcohol Liquor License for address, 510 East Main Avenue, Unit 1B.

Class I-To any restaurant applicant for a food and beverage license to sell at retail subject to the following:

Class I-1 – Alcoholic beverages.

1. Gross sales of alcoholic beverages may not be greater than 30% of total gross sales. All Class I license holders shall file with the application for license renewal a sworn statement executed by the licensee and a certified public accountant retained by the licensee certifying that gross food sales and gross liquor sales for the previous calendar year meet the requirements of this section. The board of city commissioners may, in its discretion, discretion, require the licensee to provide such additional proof of the licensee's compliance with this section as the commission deems necessary. All sales of alcoholic beverages by Class I licensees must be separately receipted to the customer by cash register receipt and clearly identified as sales of liquor, beer or wine on all receipts.

2. The license is for on-sale only, and no off-sale is permitted.

3. The restaurant serves, at a tabletop, food that is prepared in a kitchen with at least an indoor grill.

4. Once a license has been established at a particular location, the license may not be transferred to another location.

5. The licensee may not permit public dances or dancing of any kind. Minors are allowed on the licensed premises only as permitted by NDCC Section 5-02-06.

6. Alcoholic beverages may be sold or served only during such times that full menu service is available.

7. For a Class I-1 that has a minimum seating capacity of 100 seats, gross sales of alcoholic beverages may not be greater than 40 percent of total gross sales of food and alcoholic beverages.

RECOMMENDED CITY COMMISSION ACTION

Staff recommends approval of the introduction of and call for a public hearing on the request from Karman & Saiba Inc. (dba) India Clay Oven Bar & Grill with the public hearing scheduled for Tuesday, August 25, 2020. Staff also recommends approval of the new Class I-1 Restaurant Full Alcohol Liquor License.

STAFF CONTACT INFORMATION

Jason Tomanek | Assistant City Administrator, 355-1300 or jtomanek@bismarcknd.gov

CITY OF BISMARCK
ADMINISTRATION DEPARTMENT

Phone: 701-355-1300 • Fax: 701-221-6470 • TDD 711
221 N 5th St • Bismarck, ND 58501

APPLICATION FOR RETAIL ALCOHOL BEVERAGE LICENSE

LAST REVISED: 5/1/2019

Note: The $200 application fee is due when the application is submitted.
(Fee does not apply to renewal applications)

License Type: Individual ☐ Corporation ☑ Partnership ☐

New Application ☑ Renewal ☐ Transfer ☐ Relocation ☐

A-Nationally Organized Fraternal Order or Club ☐	**E**-Sale at Retail of Beer Only ☐	**H**-Commercial vessels on the Missouri River ☐	**K**-Beer and Wine at the Bismarck Event Center ☐	**P**-Event Site ☐
B-Airport Terminal Building ☐	**F1**-Restaurant - Alcoholic Beverages - 55/45 Split ☐	**I1**-Restaurant - Alcoholic Beverages - 70/30 Split ☑	**L**-Beer & Wine at Parks & Recreation Locations ☐	**Q**-Restaurant On-Sale and Off-Sale Wine ☐
C-Hotel or Motel Full Service ☐	**F2**-Restaurant - Beer/Wine Only - 55/45 Split ☐	**I2**-Restaurant - Beer and Wine Only - 70/30 Split ☐	**M**-Catered Retail Beer, Wine, & Liquor ☐	**R**-Commercial Airline ☐
C2-Hotel or Motel ☐	**F3**-Restaurant - Beer Only - 55/45 Split ☐	**I3**-Restaurant - Beer Only - 70/30 Split ☐	**N**-Domestic Winery ☐	**S**-Beer Arcade ☐
D-Sale at Retail of Alcoholic Beverages ☐	**G**-Concession Bismarck Municipal Country Club ☐	**J**-Non-profit Organization Club or Establishment ☐	**O**-Microbrewery ☐	**T**-Senior Living Community ☐

Location Information:

Name of Partnership or Corporation: KARMAN & SAIBA INC.			Date of Incorporation: 8/3/2020	State Business ID Number:
Name of business for which license is requested (DBA): INDIA CLAY OVEN BAR & GRILL			If out of state corporation, is corporation registered in North Dakota? Yes ☐ No ☐	
Location Address: 510 E. MAIN ST. 1B	City: BISMARCK	State: ND	Zip: 58501	Phone Number: 505-930-0734
Owner of Building or Premises:				

Correspondence Information (Where correspondence is to be sent):

Primary Contact: MANPREET SINGH	Phone Number: 417-425-9203	Email Address: JIT.SAROYA12@GMAIL.COM	
Mailing Address: ~~P.O. BOX 3317 MINOT ND 58702~~	City: ~~MINOT~~	State: ~~ND~~	Zip: ~~58702~~

* 510 E MAIN ST 1B BISMARCK ND. 58501

List all officers or director of corporation or partners and percentage of ownership:

Manager's Name:			Date of Birth:	Race:
MANPREET SINGH			05/28/1971	ASIAN
Driver's License Number:			State Issued:	Gender:
SIN-71-0832			ND.	MALE
Home Address:		City:	State:	Zip:
2717 5th ST NW 104E		MINOT	ND	58703
Occupation:	Phone Number:	Title:	Email Address:	
CHEF	417-425-9203	OWNER	JIT.SAROYA 12@GMAIL.COM	

Name:			Date of Birth:	Race:
SURJIT SAROYA			06/29/1984	ASIAN
Driver's License Number:			State Issued:	Gender:
Y084275001			MO	MALE
Home Address:		City:	State:	Zip:
145 LOYALBERRY RD.		BRANSON	MO	65616
Occupation:	Phone Number:	Title:	Email Address:	
CHEF	505-930-0734	OWNER	SSURJIT 98@ ICLOUD.COM	

Name:			Date of Birth:	Race:
Driver's License Number:			State Issued:	Gender:
Home Address:		City:	State:	Zip:
Occupation:	Phone Number:	Title:	Email Address:	

Name:			Date of Birth:	Race:
Driver's License Number:			State Issued:	Gender:
Home Address:		City:	State:	Zip:
Occupation:	Phone Number:	Title:	Email Address:	

The undersigned states that the following information is true and correct.

1. Are manager and partners legal residents of the United States and the State of North Dakota, and are all officers or directors legal residents o the United States? Yes ☑ No ☐ If not, please explain:

2ND OWNER WILL MOVE TO ND NEXT WEEK.

2. Have any of the persons listed above been convicted of any crime within the past five years? Yes ☐ No ☑
If yes, list all convictions and the dates, locations and sentence of disposition of each:

3. Does the building meet all state and local sanitation and safety requirements? Yes ☑ No ☐

4. Has applicant, or any of the persons listed above, within the past five years had any license to engage in sale of alcoholic beverages revoked or suspended? Yes ☐ No ☑ If yes, please give details:

5. If a new application, has applicant or any of the persons listed above, engaged in the sale or transportation of alcoholic beverages previously? Yes ☑ No ☐ If yes, please give details:

SURJIT SAROYA OWNS A RESTAURANT IN MO AND SELLS ALCOHOLIC

6. Has applicant, or any of the persons listed above, within the past five years, had an application for any federal or state or local license of any type rejected or denied? Yes ☐ No ☑ If yes, please give details:

7. Is there any agreement or understanding, or proposed agreement or understanding to obtain the license for another, or to operate the business for another, or as an agent for another? Yes ☐ No ☑ If yes, please give details:

8. Has the business been sold or leased, or is there any intention to sell or lease the business to another? Yes ☐ No ☑
If yes, please give details:

9. Has the applicant, or any of the persons listed above, shown interest in whatsoever, directly or indirectly, any other license liquor establishment within or without the State of North Dakota? Yes ☐ No ☑ If yes, please give details:

10. Will the applicant, or any of the persons listed above, be engaged in any other business other than the sale of liquor under the license applied for? Yes ☐ No ☑ If yes, please give details:

11. Have all property taxes and special assessments currently due been paid? Yes ☑ No ☐
If not, please explain:

I agree that I will not transfer or sell this license, if granted, without the prior approval of the governing body and in accordance with applicable ordinances.

I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform city officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership or management during the period of the license, prior approval of the Board of City Commissioners is required.

I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

NORTH DAKOTA
State of

Signature of Applicant

BURLEIGH
County of

MANPREET SINGH
Print Name

License transfers require signatures from both parties.

The Class _____ license owned by me is transferred to Applicant upon successful application.

Signature of Current Owner of Liquor License

Signature of Applicant

WHITNIE L. OLSEN
Notary Public
State of North Dakota
My Commission Expires May 15, 2023

Subscribed and sworn to before me this 4th

day of August, 2020

Whitnie L. Olsen
Notary Public

Note: Each application needs to be signed and notarized.

Restaurant Requirements:

All applications for Class "F", Class "I" (restaurants), Class "M" (caterer), Class "P" (event site) and Class "Q" (Restaurant On-Sale and Off-Sale) licenses MUST be accompanied by a sworn statement executed by the licensee and a certified public accountant retained by the licensee certifying that gross food sales and liquor sales for the previous calendar year meet the requirements of Chapter 5-01-04 of the City Code of Ordinances.

Liquor License Site Diagram Requirements:

□ Site diagrams are to be submitted on a plain sheet of paper, 8½ x 11-inch size. There shall be one-inch margin left clear on all edges of the diagram.

□ The licensed area shall be identified within the margins.

□ The agency name shall be included on the diagram.

□ The direction "North" shall be included on the diagram.

□ The interior design of the licensed area shall be represented. This should include entrances, exits, interior doors, windows, tables, coolers, storage offices and room dividers.

□ The diagram may be hand drawn, but it must be neat and reasonably accurate. Do not submit copies of construction blueprints.

□ If the licensed site is part of a larger complex such as a restaurant, areas such as mixing, serving and storage must be identified.

□ Do not use reference or hi-lite markers to identify areas as they do not reproduce when copied.

Community Development Department

DATE: August 4, 2020

FROM: Ben Ehreth, AICP, Community Development Director

ITEM: Northern Sky Second Addition – Major Subdivision Final Plat and Zoning Change

REQUEST

Wilment Development, LLC is requesting approval of a zoning change from the RT – Residential and CA – Commercial zoning districts to the RT – Residential and CA – Commercial zoning districts and a major subdivision final plat for Northern Sky Second Addition. The request considered by the Planning and Zoning Commission also included a request for partial annexation; however, that portion of the request has now been withdrawn by the applicant. The requests are being made to allow the future development of the property.

The withdrawal of the annexation request means that the planned construction of Northern Sky Drive in the proposed plat would not be allowed until the applicant resubmits an application for annexation. A previously approved development agreement for the construction of Northern Sky Drive was approved by the City Commission on February 25, 2020 with the understanding that the applicant is required to also submit a petition for the annexation of all lots adjacent to Northern Sky Drive no later than 10 years from the executed development agreement.

The property is located in northwest Bismarck, along the west side of North Washington Street and the north side of Ash Coulee Drive.

Please place this item on the August 11, 2020 and August 25, 2020 City Commission meeting agendas.

BACKGROUND INFORMATION

The Planning and Zoning Commission held final consideration of the partial annexation and a public hearing on the zoning change and minor subdivision final plat requests on July 22, 2020.

No residents spoke at the public hearing and no written comments were received.

At the conclusion of the final consideration and public hearing, and based on the findings contained in the staff report, the Planning & Zoning Commission unanimously recommended approval of the partial annexation (subsequently withdrawn), the zoning change from the RT – Residential and CA – Commercial zoning districts to the RT – Residential and CA – Commercial zoning districts and a major subdivision final plat for Northern Sky Second Addition.

RECOMMENDED CITY COMMISSION ACTION

August 11th meeting of the Board of City Commissioners – consider the zoning change as outlined in Ordinance 6432 and call for a public hearing on this item for the August 25th meeting of the Board of City Commissioners.

August 25th meeting of the Board of City Commissioners – hold a public hearing on the zoning change as outlined in Ordinance 6432, consider the major subdivision final hearing, and take final action on these two related request.

STAFF CONTACT INFORMATION

Ben Ehreth, AICP | Community Development Director, 355-1842 or behreth@bismarcknd.gov

Kim L. Lee, AICP | Planning Manager, 355-1846 or klee@bismarcknd.gov

Will Hutchings | Planner, 355-1854 or whutchings@bismarcknd.gov

ORDINANCE NO. 6432

Introduced by	_____
First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____
Publication Date	_____

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE 1986 CODE OF ORDINANCES, OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

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

Section 1. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the RT-Residential and CA-Commercial zoning districts and included in the RT-Residential zoning district:

Lot 1, Block 1, Northern Sky Second Addition.

The following described property shall be excluded from the RT-Residential and CA-Commercial zoning districts and included in the CA-Commercial zoning district:

Lot 1, Block 2 and Lot 1, Block 3, Northern Sky Second Addition.

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

STAFF REPORT

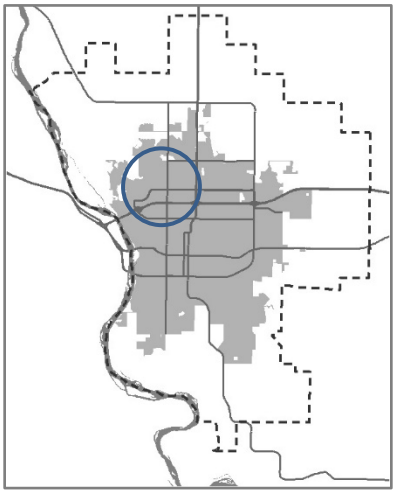
City of Bismarck
Community Development Department
Planning Division

July 22, 2020

Application for: Major Subdivision Final Plat — *TRAKiT Project ID:* FPLT2020-008
Zoning Change — ZC2020-003
Annexation — ANNX2020-003

Project Summary

Title:	Northern Sky Second Addition
Status:	Planning & Zoning Commission – Public Hearing
Owner(s):	Wilment Development, LLC
Project Contact:	Landon Niemiller, Swenson, Hagen & Co.
Location:	Northwest Bismarck, along the west side of North Washington Street and the north side of Ash Coulee Drive (a replat of Lot 2, Block 2, Northern Sky Addition and part of Lot 3, Block 1, Replat of Millennium Addition and part of Lot C-3 of the SE¼ of Section 17, T139N-R80W/Hay Creek Township)
Project Size:	23.4 acres
Request:	Plat, zone, and partially annex property to allow the construction of Northern Sky Drive



Site Information

Existing Conditions		**Proposed Conditions**	
Number of Lots:	2 parcels	*Number of Lots:*	3 lots in 3 blocks
Land Use:	Undeveloped	*Land Use:*	Residential/Office and Light Commercial
Designated GMP Future Land Use:	Already zoned. Not in Future Land Use Plan	*Designated GMP Future Land Use:*	Already zoned. Not in Future Land Use Plan
Zoning:	RT – Residential CA – Commercial	*Zoning:*	RT – Residential CA – Commercial
Uses Allowed:	RT – Offices and multi-family residential CA – Neighborhood commercial	*Uses Allowed:*	RT – Offices and multi-family residential CA – Neighborhood commercial
Max Density Allowed:	RT – 30 units / acre CA – 30 units / acre	*Max Density Allowed:*	RT – 30 units / acre CA – 30 units / acre

(continued)

Property History

Zoned:	*04/2015*	*Platted:*	*08/2012 (Northern Sky Add)* *05/2003 (Millennium Add Replat)*	Annexed:	N/A

Staff Analysis

Wilment Development, LLC is requesting approval of a zoning change from the RT – Residential and CA – Commercial zoning districts to the RT – Residential and CA – Commercial zoning districts, a major subdivision final plat for Northern Sky Second Addition and partial annexation.

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on July 10, 2020 and July 17, 2020, and 29 letters were mailed to the owners of nearby properties on July 10, 2020.

Adjacent uses include offices and a convenience store with a filling station to the north, undeveloped property to the east across North Washington Street, developing neighborhood commercial and residential uses to the south across Ash Coulee Drive, and a City-owned water tower and Horizon Middle School to the west.

The proposed plat and zoning change would allow the owner to annex and construct the remainder of Northern Sky Drive to create a connection from Durango Drive to Ash Coulee Drive. The City Commission, at their regular meeting on February 25, 2020, approved a development agreement for the construction of Northern Sky Drive and the partial annexation of the proposed plat with the understanding that the developer shall file a petition for the annexation of all lots adjacent to Northern Sky Drive no later than 10 years from the executed development agreement.

The north half of Ash Coulee Drive adjacent to the proposed plat would also be annexed in conjunction with annexation of Northern Sky Drive.

The proposed zoning change will not be a substantial change compared to the current zoning but is required to ensure that each zoning district aligns with the proposed lots and right-of-way.

Utility Capital Charges

The creation of any new lots in the City of Bismarck is subject to utility capital charges for municipal utilities. Utility capital charges are due at the latter of three points; annexation and platting; water and sewer escrow; or petition for street improvement.

Required Findings of Fact (relating to land use)

Zoning Change

1. The proposed zoning change is in a developed area of the community and is outside of the Future Land Use Plan in the 2014 Growth Management Plan, as amended;
2. The proposed zoning change is compatible with adjacent land uses and zoning;
3. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the new zoning classification at the time the property is developed;
4. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map;
5. The zoning change is in the public interest and is not solely for the benefit of a single property owner;
6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance;
7. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice; and

(continued)

8. The proposed zoning change would not adversely affect the public health, safety, and general welfare.

Final Plat

1. All technical requirements for approval of a final plat have been met;
2. The final plat generally conforms to the preliminary plat for the proposed subdivision that was tentatively approved by the Planning and Zoning Commission;
3. The proposed subdivision generally conforms to the 2014 Fringe Area Road Master Plan, as amended;
4. The City Engineer has conditionally approved the Post-Construction Stormwater Management Permit (PCSMP)
5. The proposed subdivision plat includes sufficient easements and rights-of-way to provide for orderly development and provision of municipal services beyond the boundaries of the subdivision.
6. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the proposed subdivision at the time the property is developed;
7. The proposed subdivision is not located within the Special Flood Hazard Area (SFHA), also known as the 100-year floodplain, an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or an area that is topographically unsuited for development;
8. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
9. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
10. The proposed subdivision would not adversely affect the public health, safety and general welfare.

Annexation

1. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the annexation at the time the property is developed;
2. The proposed annexation is a logical and contiguous extension of the current corporate limits of the City of Bismarck;
3. The proposed annexation is consistent with the general intent and purpose of the zoning ordinance;
4. The proposed annexation is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
5. The proposed annexation would not adversely affect the public health, safety and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of a zoning change from the RT – Residential and CA – Commercial zoning districts zoning district to the RT – Residential and CA – Commercial zoning districts, final plat of Northern Sky Second Addition and the annexation of Northern Sky Drive and the north half of Ash Coulee Drive adjacent to Northern Sky Second Addition.

Attachments

1. Location Map
2. Annexation Location Map
3. Aerial Map
4. Zoning and Plan Reference Map
5. Final Plat
6. Preliminary Plat

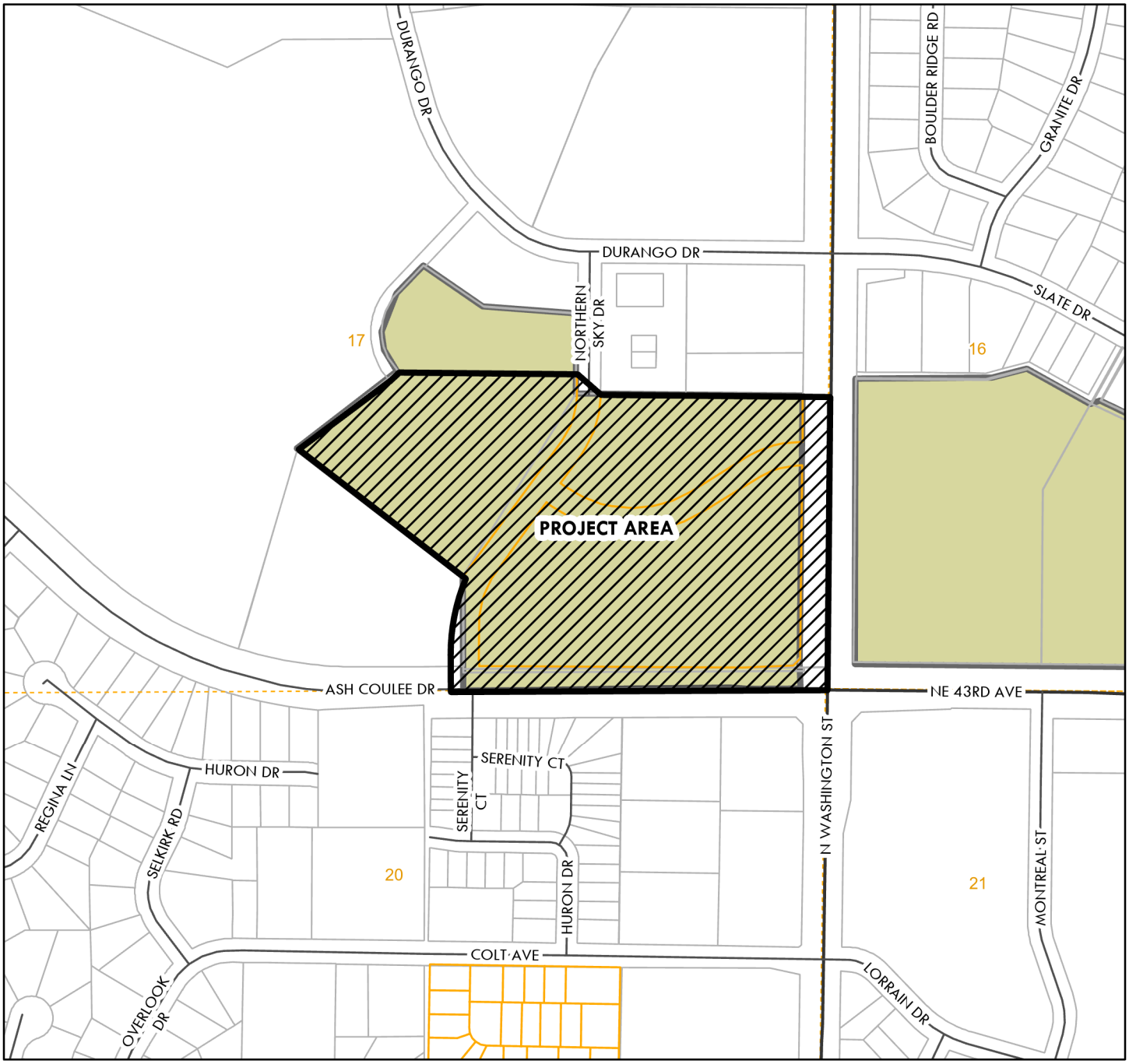
(continued)

Staff report prepared by: Will Hutchings, Planner
701-355-1850 | whutchings@bismarcknd.gov

Location Map

NORTHERN SKY SECOND ADDITION

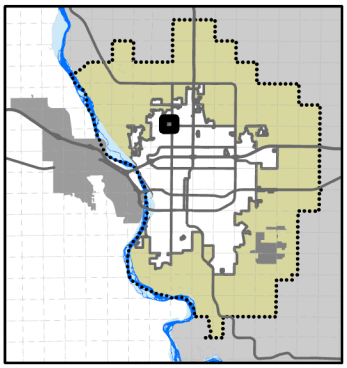
PPLT2020-002
ANNX2020-003
ZC2020-003
FPLT2020-008



0 0.07 0.15 0.3 Miles

City Limits
Bismarck ETA Jurisdiction
County Outside ETA
Lots Pending Approval

Section, township, and range indicated in orange



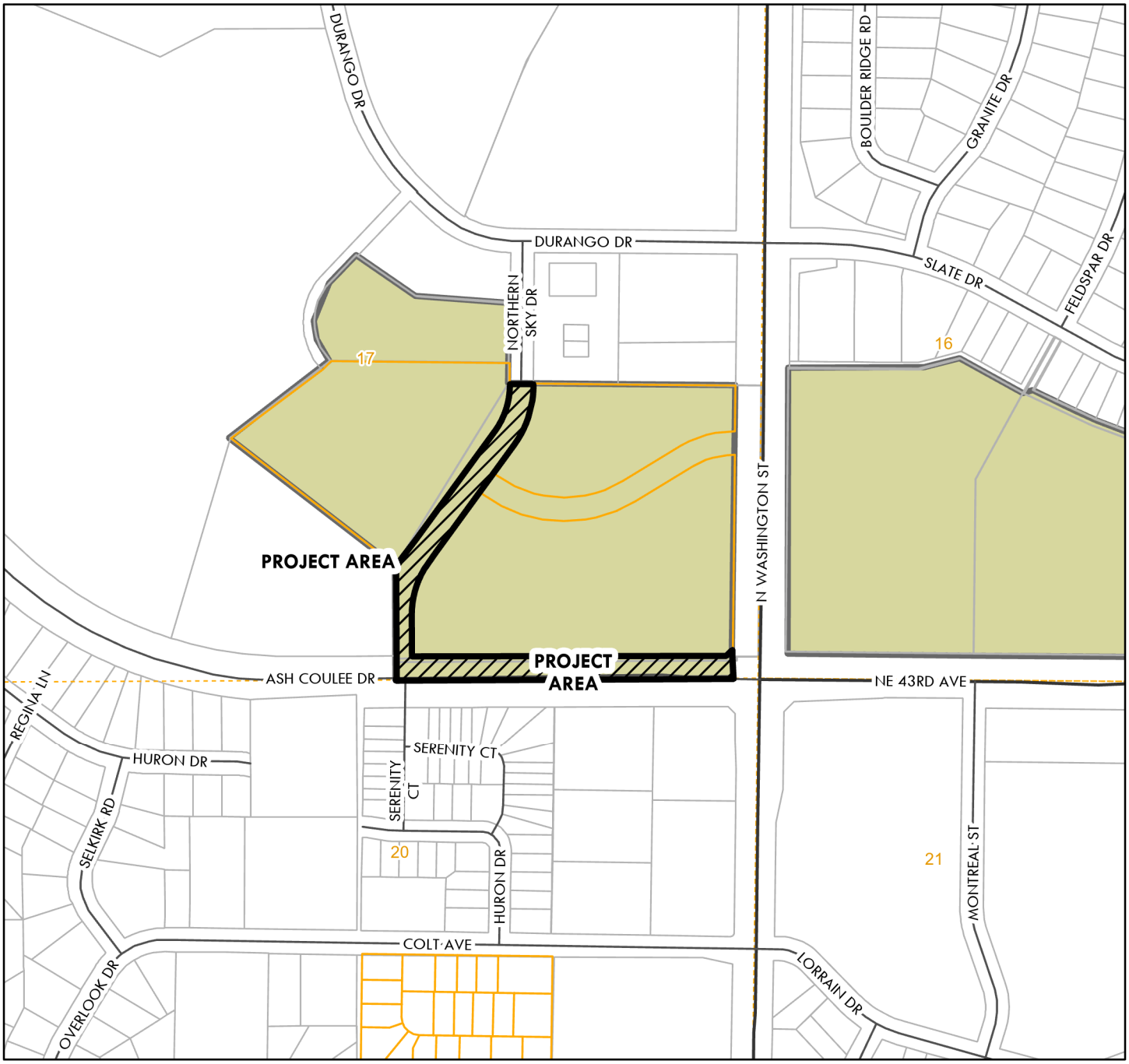
City of Bismarck
Community Development Department
Planning Division
July 15, 2020 (HLB)

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

Location Map

ANNEXATION
NORTHERN SKY SECOND ADDITION

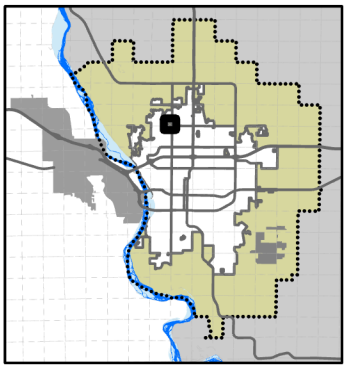
ANNX2020-003



0 0.07 0.15 0.3 Miles

City Limits
Bismarck ETA Jurisdiction
County Outside ETA
Lots Pending Approval

Section, township, and range indicated in orange



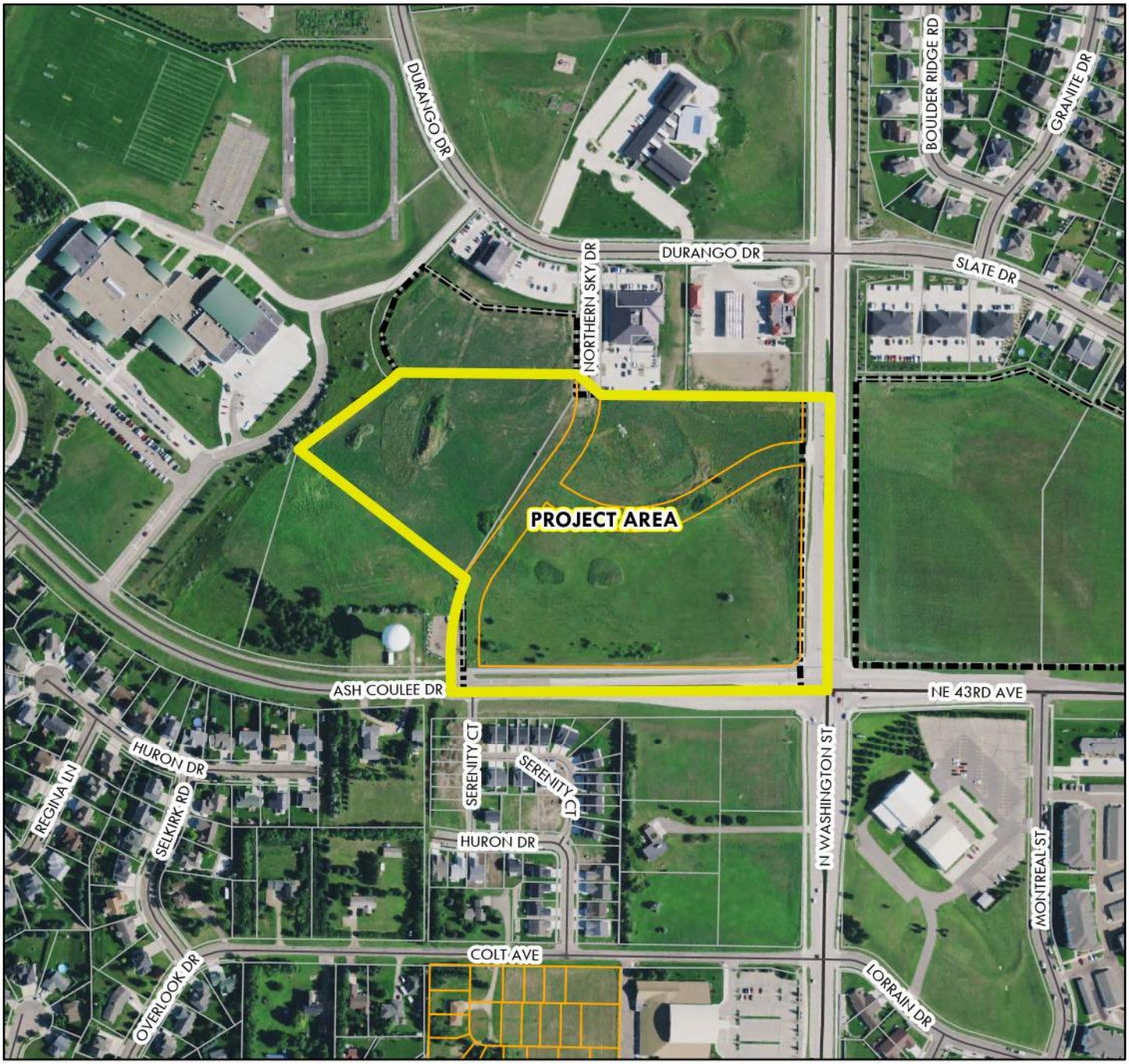
City of Bismarck
Community Development Department
Planning Division
July 15, 2020 (HLB)

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

Aerial Map

NORTHERN SKY SECOND ADDITION

PPLT2020-002
ANNX2020-003
ZC2020-003
FPLT2020-008



0 0.1 0.2 0.4 Miles

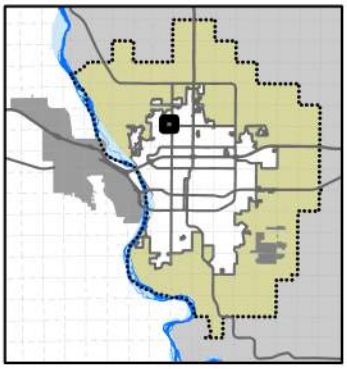
Lots Pending Approval

City Limits

Bismarck ETA Jurisdiction

Aerial Imagery from 2019

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.



City of Bismarck
Community Development Department
Planning Division
July 15, 2020

Zoning and Plan Reference Map

NORTHERN SKY SECOND ADDITION

PPLT2020-002
ANNX2020-003
ZC2020-003
FPLT2020-008

Zoning Districts

A	Agriculture
RR	Rural Residential
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

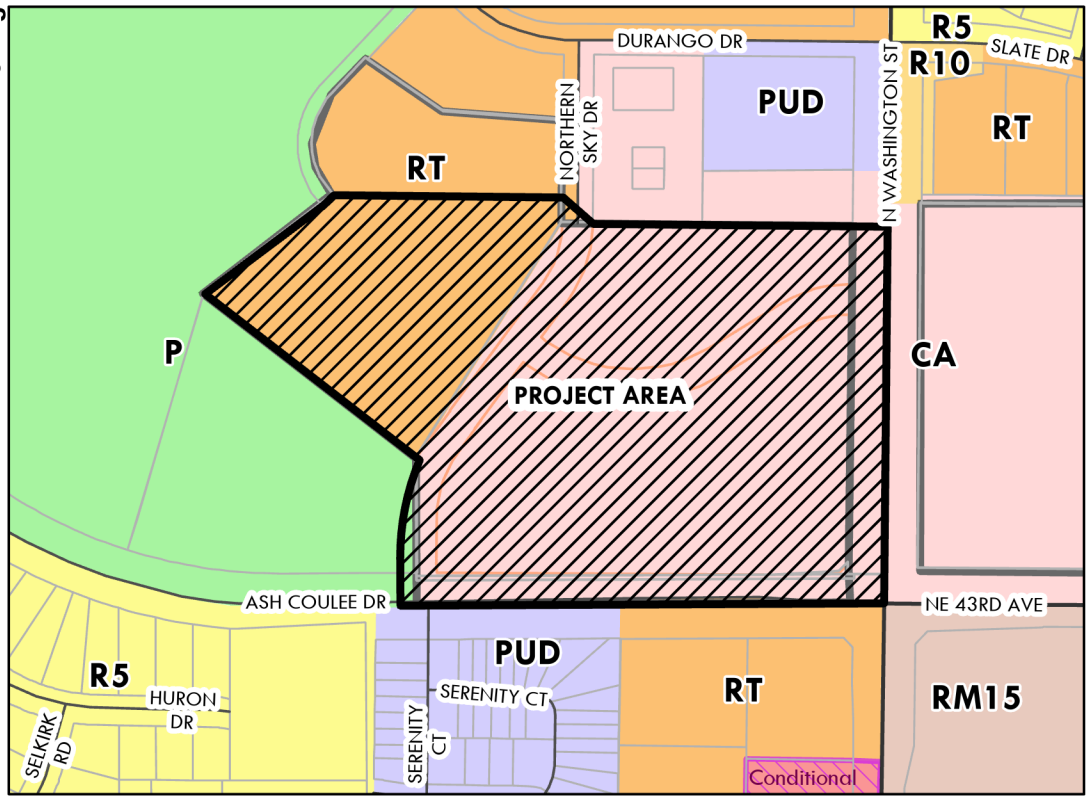
Future Land Use Plan

CONSRV	Conservation
BP	Business Park
C	Commercial
C/MU	Commercial/ Mixed Use
CIVIC	Civic
HDR	High Density Residential
I	Industrial
LDR	Low Density Residential
MDR	Medium Density Residential
MDR-/MU	Medium Density Residential/ Mixed Use
O/MU	Office/ Mixed Use
RR-C	Clustered Rural Residential
RR	Standard Rural Residential
UR	Urban Reserve

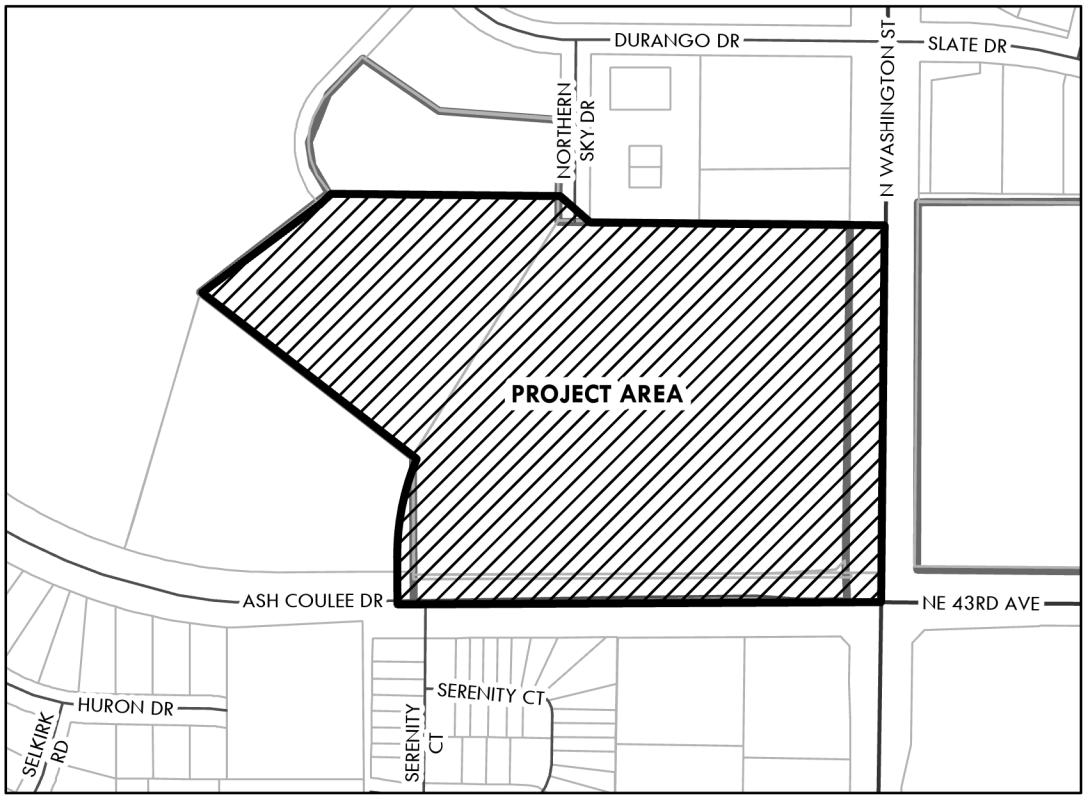
Fringe Area Road Master Plan

- Future Arterial Road
- Future Collector Road

Zoning



Future Land Use Plan



This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

0 0.05 0.1 0.2 Miles

City of Bismarck
Community Development Dept.
Planning Division
July 15, 2020

NORTHERN SKY SECOND ADDITION

BEING A REPLAT OF LOT 2 BLOCK 2 NORTHERN SKY ADDITION AND PART OF LOT 3 BLOCK 1 REPLAT OF MILLENNIUM ADDITION AND THE WEST HALF OF NORTH WASHINGTON STREET AND THE NORTH HALF OF ASH COULEE DRIVE RIGHTS-OF-WAY, AND AUDITOR'S LOT C-3 OF THE SE 1/4 OF SECTION 17, TOWNSHIP 139 NORTH, RANGE 80 WEST

BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

DESCRIPTION

BEING A REPLAT OF LOT 2 BLOCK 2 NORTHERN SKY ADDITION AND PART OF LOT 3 BLOCK 1 REPLAT OF MILLENNIUM ADDITION AND PART OF THE WEST HALF OF NORTH WASHINGTON STREET AND THE NORTH HALF OF ASH COULEE DRIVE RIGHTS-OF-WAY AND AUDITOR'S LOT C-3 OF THE SE 1/4 OF SECTION 17, TOWNSHIP 139 NORTH, RANGE 80 WEST

DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2 BLOCK 1 NORTHERN SKY ADDITION; THENCE SOUTH 89 DEGREES 27 MINUTES 15 SECONDS EAST, ALONG THE SOUTH LINE OF NORTHERN SKY ADDITION, A DISTANCE OF 638.72 FEET TO THE EAST LINE OF THE SE 1/4 OF SECTION 17, TOWNSHIP 139 NORTH, RANGE 80 WEST; THENCE SOUTH 00 DEGREES 32 MINUTES 16 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 817.18 FEET TO THE SOUTH LINE OF SAID SE 1/4; THENCE SOUTH 89 DEGREES 43 MINUTES 28 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1049.24 FEET; THENCE NORTH 00 DEGREES 23 MINUTES 39 SECONDS WEST, A DISTANCE OF 187.22 FEET; THENCE NORTHEASTERLY AND TO THE RIGHT, ON A 250.00 FOOT RADIUS CURVE, AN ARC LENGTH OF 139.66 FEET; THENCE NORTH 52 DEGREES 16 MINUTES 05 SECONDS WEST, ALONG THE NORTHEASTERLY LINE OF LOT 3 BLOCK 1 MILLENIUM ADDITION REPLAT, A DISTANCE OF 582.03 FEET TO THE EASTERLY LINE OF LOT 2 BLOCK 1 MILLENIUM ADDITION REPLAT; THENCE NORTH 53 DEGREES 10 MINUTES 53 SECONDS EAST, ALONG SAID EASTERLY LINE, A DISTANCE OF 319.92 FEET; THENCE NORTH 46 DEGREES 29 MINUTES 40 SECONDS EAST, CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 32.98 FEET TO THE SOUTH LINE OF LOT 1A OF LOT 1 BLOCK 2 NORTHERN SKY ADDITION; THENCE SOUTH 89 DEGREES 25 MINUTES 44 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 496.99 FEET; THENCE SOUTH 48 DEGREES 48 MINUTES 41 SECONDS EAST, A DISTANCE OF 86.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 23.38 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE APPROVED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON _____ 2020, THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

STATE OF NORTH DAKOTA)
)SS
COUNTY OF BURLEIGH)

SWENSON, HAGEN & CO. P.C.
909 BASIN AVENUE
BISMARCK, NORTH DAKOTA
58504

_____
TERRY BALTZER
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 3595

APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE APPROVED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK, ON THE _____ 2020, IN ACCORDANCE WITH LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

_____
MICHAEL J. SCHWARTZ – CHAIRMAN

_____
ATTEST
BEN EHRETH – SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT, HAS ACCEPTED THE RE-DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE ANNEXED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE ANNEXED PLAT.

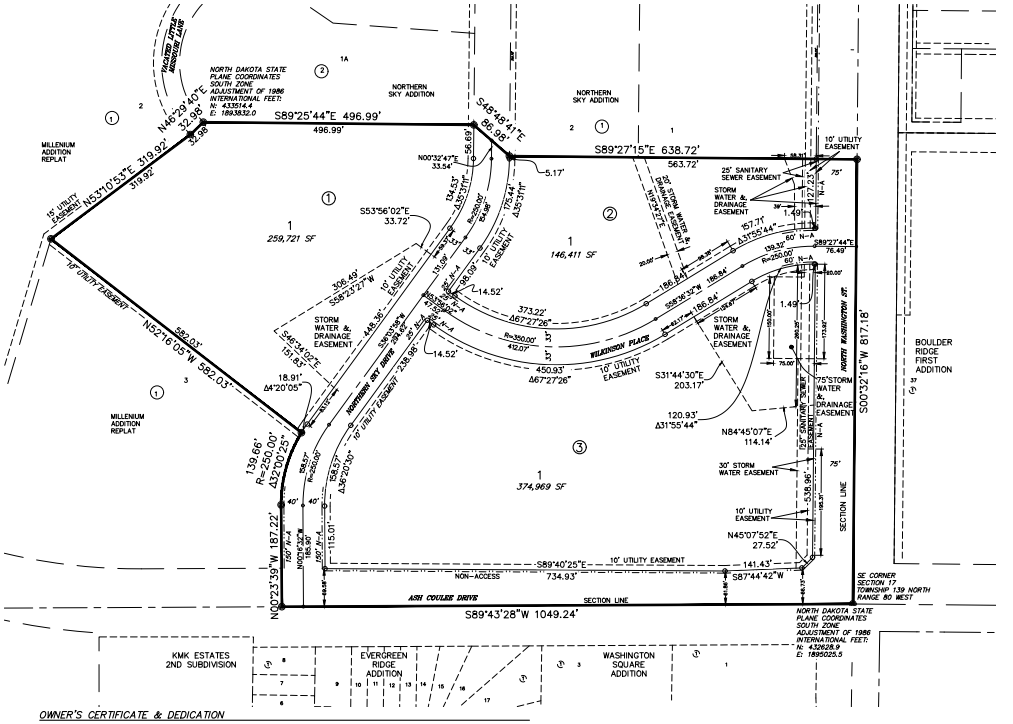
THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE _____ DAY OF _____, 2020.

_____
ATTEST
KEITH J. HUNKE – CITY ADMINISTRATOR

APPROVAL OF CITY ENGINEER

I, GABRIEL J. SCHELL, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE "NORTHERN SKY SECOND ADDITION", BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

_____
GABRIEL J. SCHELL
CITY ENGINEER



OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WILMENT DEVELOPMENT, LLC, BEING THE OWNER AND PROPRIETOR OF THE PROPERTY SHOWN HEREON HAS CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "NORTHERN SKY SECOND ADDITION", BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, AND DO SO DEDICATE AND RE-DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL SEWER, CULVERTS, WATER AND OTHER PUBLIC UTILITY LINES WHETHER SHOWN HEREON OR NOT TO THE PUBLIC USE FOREVER.

THEY ALSO DEDICATE EASEMENTS TO THE CITY OF BISMARCK TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS UTILITY EASEMENTS.

THEY FURTHERMORE DEDICATE UNTO THE CITY OF BISMARCK "STORM WATER AND DRAINAGE EASEMENTS" TO RUN WITH THE LAND FOR THE PURPOSE OF STORM SEWER AND SURFACE WATER DRAINAGE UNDER, OVER, THROUGH AND/OR ACROSS THOSE AREAS DEDICATED HEREON AS "STORM WATER AND DRAINAGE EASEMENTS" FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, ENLARGING AND MAINTAINING STORM WATER MANAGEMENT FACILITIES TOGETHER WITH NECESSARY APPURTENANCES THERETO FOR STORM WATER, STORM SEWER AND SURFACE WATER DRAINAGE AND MANAGEMENT OF SAID STORM WATER FLOW IN A MANNER THAT WILL PERMIT THE FREE AND UNOBSTRUCTED FLOW OF WATER UNDER, OVER AND/OR ACROSS THE EASEMENT AREA.

STATE OF NORTH DAKOTA)
)
COUNTY OF _____)

_____
DON CLEMENT
WILMENT DEVELOPMENT, LLC
3250 ROCK ISLAND PLACE, STE. 4
BISMARCK, ND 58504

ON THIS _____ DAY OF _____, 2020, BEFORE ME PERSONALLY APPEARED DON CLEMENT OF WILMENT DEVELOPMENT, LLC, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

_____
NOTARY PUBLIC
_____ COUNTY, _____
MY COMMISSION EXPIRES _____

STATE OF NORTH DAKOTA)
)
COUNTY OF _____)

_____
CITY OF BISMARCK
221 N 5TH ST
BISMARCK, ND 58503

IN THIS _____ DAY OF _____, 2020, BEFORE ME PERSONALLY APPEARED DON CLEMENT OF WILMENT DEVELOPMENT, LLC, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

_____
NOTARY PUBLIC
_____ COUNTY, _____
MY COMMISSION EXPIRES _____

NOTES

BASIS OF BEARING:
NORTH DAKOTA STATE PLANE, SOUTH ZONE BY CITY ORDINANCE

COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE SYSTEM
NAD 83 SOUTH ZONE
ADJUSTMENT OF 1986
UNITS ARE INTERNATIONAL FEET

BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENTS.

VERTICAL DATUM
NGVD 29

N

JULY 16, 2020
SCALE 1" = 100'
0 50' 100'

AREA DATA

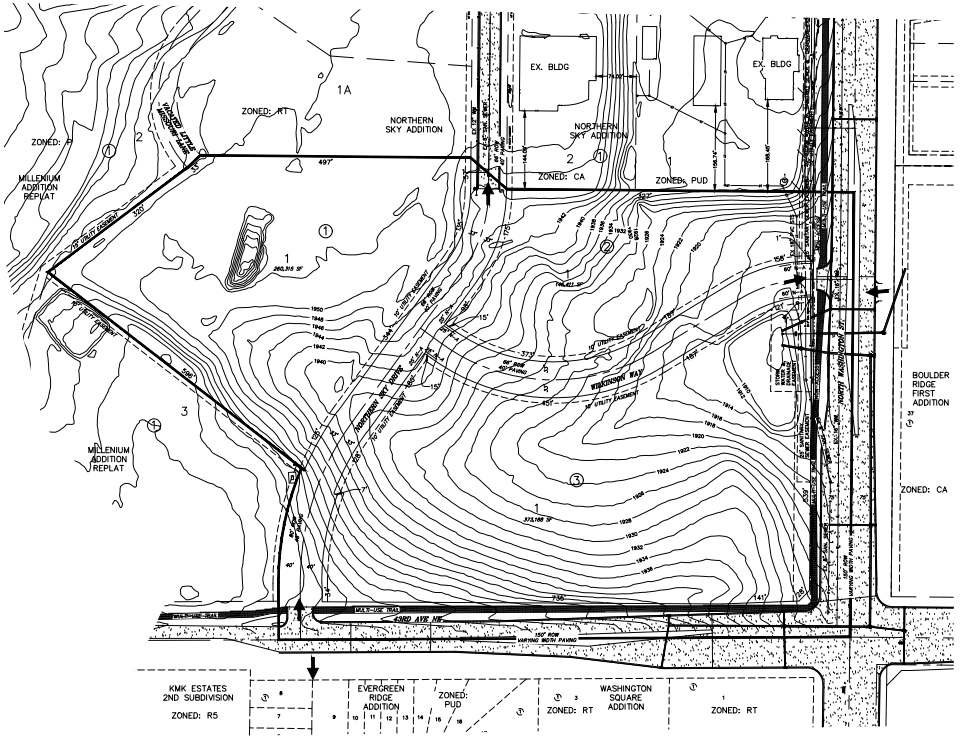
LOTS	781,102 S.F.	17.9 ACRES
STREETS	237,291 S.F.	5.4 ACRES
TOTAL	1,018,393 S.F.	23.3 ACRES

SWENSON, HAGEN & COMPANY P.C.
Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management
909 Basin Avenue
Bismarck, North Dakota 58504
shcmp@swensonhagen.com
Phone (701) 223 - 2600
Fax (701) 223 - 2606

NORTHERN SKY SECOND ADDITION

BEING A REPLAT OF LOT 2 BLOCK 2 NORTHERN SKY ADDITION AND PART OF LOT 3 BLOCK 1 REPLAT OF MILLENNIUM ADDITION AND PART OF LOT C-3 OF THE SE 1/4 OF SECTION 17, TOWNSHIP 139 NORTH, RANGE 80 WEST

BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



LOCATION MAP

23.34 ACRES
EXISTING ZONING: RT/CA

3 LOTS
3 BLOCKS

OWNER: WILMENT DEVELOPMENT, LLC

ADDRESS: 3250 ROCK ISLAND PL
STE. 4
BISMARCK, ND 58504

N
W E
S

0 100' 200'

SCALE – 1" = 100"

VERTICAL DATUM: NAVD 88

FEBRUARY 17, 2020

SWENSON, HAGEN & COMPANY P.C.
Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management
909 Basin Avenue
Bismarck, North Dakota 58504
shcmp@swensonhagen.com
Phone (701) 223 - 2600
Fax (701) 223 - 2606

Engineering Department

DATE: August 4, 2020

FROM: Gabe Schell, City Engineer

ITEM: Access & Utility Easement – Northern Pacific Second Addition

REQUEST

Request dedication of and acceptance of an access and utility easement on Lots 3 & 4, Block 38 Northern Pacific Second Addition.

Please place this item on the 8/11/2020 City Commission meeting agenda.

BACKGROUND INFORMATION

This proposed access and utility easement would serve as an alley and would connect the north-south alley located between N 7th St and N 8th St south of E Ave B to N 8th St to the east. This easement would replace the existing deeded alley located to the south of this proposed alley location within Lot 5 and currently in process to be considered for vacation. Allowing the acceptance of the replacement access and utility easement prior to vacation of the existing easement, would allow for some construction activity to begin associated with a building addition in the area.

RECOMMENDED CITY COMMISSION ACTION

Approve dedication of and acceptance of an access and utility easement on Lots 3 & 4, Block 38 Northern Pacific Second Addition.

STAFF CONTACT INFORMATION

Gabe Schell, PE | City Engineer, 355-1505 or gschell@bismarcknd.gov

ACCESS & UTILITY EASEMENT

Know all men by these presents, that **BISMARCK CANCER CARE CENTER** (Grantor), being the owner and proprietor of the property described herein, does hereby grant an access & utility easement on that part of Northern Pacific Second Addition for and in consideration of the benefit to the City of Bismarck (Grantee, and the Grantee's franchised utilities), to pass, and repass along said easement, described hereon, said easement to include the full and free right for said parties, their tenants, visitors and licensees, in common with all others having like right at all times hereafter for all purposes connected with the use of said parties, pass and repass along said easement and to hold said easement to said parties, their heirs and assigns and appurtenant to the land of said parties. It also dedicates said access easement to and for the use of any governmental subdivision, its officers and employees for any other governmental use or uses it deems necessary or advisable, provided agency shall not be responsible in any way to furnish any services if such access easements are not properly maintained or are obstructed by the owners of property. Said easement is also dedicated to construct, operate, maintain, repair, replace and remove such equipment and facilities as necessary to provide franchised utility services including, but not limited to, gas, electric, telephone, cable TV, or other franchised utility services to all land owning parties supplied by the utility company. Grantor hereby grants to the Grantee and the Grantee's franchised utilities, jointly and severally, their successors and assigns, the right of ingress and egress at all reasonable times over and across the lands of the Grantor, to and from said easement to construct, operate, maintain, repair, replace, and remove such equipment, appurtenances, and facilities. The Grantee and the Grantee's franchised utilities shall be responsible for any and all damages arising from the construction and maintenance of their facilities or their use of the easement.

The easement is described as:

ALL THAT PART OF LOTS 3 & 4 BLOCK 38 OF NORTHERN PACIFIC SECOND ADDITION OF THE SOUTH 1/2 OF SECTION 33, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID LOT 4 THAT IS NORTH 01 DEGREE 10 MINUTES 07 SECONDS EAST, A DISTANCE OF 14.75 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 4; THENCE NORTH 88 DEGREES 49 MINUTES 44 SECONDS WEST, A DISTANCE OF 51.80 FEET; THENCE NORTHWESTERLY AND TO THE LEFT, ON A 10.00 FOOT RADIUS CURVE,

THE RADIUS OF WHICH BEARS SOUTH 57 DEGREES 48 MINUTES 15 SECONDS WEST, AN ARC LENGTH OF 9.88 FEET; THENCE NORTH 88 DEGREES 49 MINUTES 44 SECONDS WEST, A DISTANCE OF 82.07 FEET TO THE EAST LINE OF QUIT CLAIM DEED DOC. #317304 OF LOTS 3 & 4 BLOCK 38 NORTHERN PACIFIC SECOND ADDITION; THENCE NORTH 01 DEGREES 07 MINUTES 04 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 36.98 FEET; THENCE SOUTHEASTERLY AND TO THE LEFT, ON A 17.00 FOOT RADIUS CURVE, THE RADIUS OF WHICH BEARS SOUTH 88 DEGREES 52 MINUTES 57 SECONDS EAST, AN ARC LENGTH OF 26.69 FEET; THENCE SOUTH 88 DEGREES 49 MINUTES 44 SECONDS EAST, A DISTANCE OF 125.26 FEET TO THE EAST LINE OF SAID LOT 4; THENCE SOUTH 01 DEGREE 10 MINUTES 07 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 24.50 FEET TO THE POINT OF BEGINNING.

Description prepared by Landon Niemiller; Swenson, Hagen & Co. P.C.; 909 Basin Ave, Bismarck, ND 58504.

IN WITNESS WHEREOF, this instrument is executed by the undersigned on this 16 day of July, 2020.

Grantor: BISMARCK CANCER CENTER
PO BOX 5598
BISMARCK, ND 58506

By: Amy J Gross

Amy J. Gross
Print Name

its Executive Director

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF BURLEIGH)

On this 16th day of July, 2020, before me personally appeared Amy J Gross, who executed the within instrument, and acknowledged to me that they executed the same.

Joy Backman
Notary Public
State of North Dakota

JOY BACKMAN
Notary Public
State of North Dakota
My Commission Expires May 28, 2021

Acceptance and dedicated lands by the **City of Bismarck:**

_____
Steve Bakken, President
Board of City Commissioners

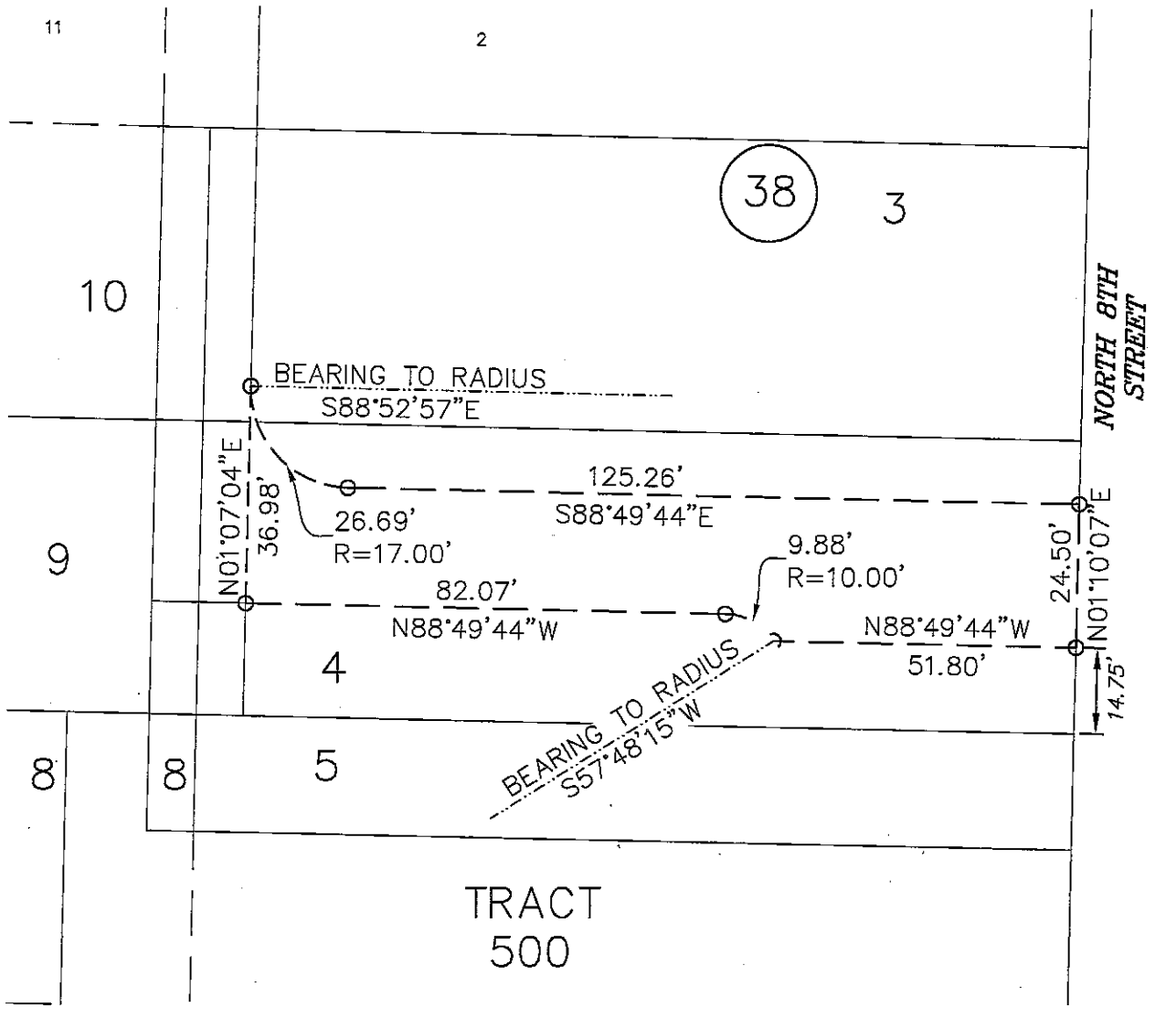
Attest:_____
Keith J. Hunke
City Administrator

STATE OF NORTH DAKOTA)
) SS
COUNTY OF BURLEIGH)

On this _____ day of _____, 2020, before me personally appeared Steve Bakken, President of Board of City Commissioners, and Keith J. Hunke, City Administrator, known to me to be the persons who are described in, and who executed the within and foregoing instrument and who severally acknowledged to me that they executed the same.

_____
Notary Public

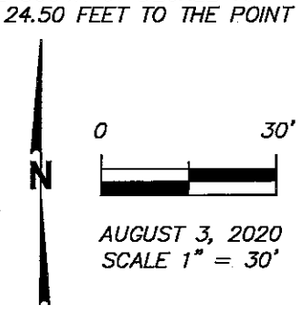
ACCESS & UTILITY EASEMENT EXHIBIT



ACCESS & UTILITY EASEMENT

ALL THAT PART OF LOTS 3 & 4 BLOCK 38 OF NORTHERN PACIFIC SECOND ADDITION OF THE SOUTH 1/2 OF SECTION 33, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID LOT 4 THAT IS NORTH 01 DEGREE 10 MINUTES 07 SECONDS EAST, A DISTANCE OF 14.75 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 4; THENCE NORTH 88 DEGREES 49 MINUTES 44 SECONDS WEST, A DISTANCE OF 51.80 FEET; THENCE NORTHWESTERLY AND TO THE LEFT, ON A 10.00 FOOT RADIUS CURVE, THE RADIUS OF WHICH BEARS SOUTH 57 DEGREES 48 MINUTES 15 SECONDS WEST, AN ARC LENGTH OF 9.88 FEET; THENCE NORTH 88 DEGREES 49 MINUTES 44 SECONDS WEST, A DISTANCE OF 82.07 FEET TO THE EAST LINE OF QUIT CLAIM DEED DOC. #317304 OF LOTS 3 & 4 BLOCK 38 NORTHERN PACIFIC SECOND ADDITION; THENCE NORTH 01 DEGREES 07 MINUTES 04 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 36.98 FEET; THENCE SOUTHEASTERLY AND TO THE LEFT, ON A 17.00 FOOT RADIUS CURVE, THE RADIUS OF WHICH BEARS SOUTH 88 DEGREES 52 MINUTES 57 SECONDS EAST, AN ARC LENGTH OF 26.69 FEET; THENCE SOUTH 88 DEGREES 49 MINUTES 44 SECONDS EAST, A DISTANCE OF 125.26 FEET TO THE EAST LINE OF SAID LOT 4; THENCE SOUTH 01 DEGREE 10 MINUTES 07 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 24.50 FEET TO THE POINT OF BEGINNING.



AUGUST 3, 2020
SCALE 1" = 30'

SWENSON, HAGEN & COMPANY P.C.
Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management
909 Basin Avenue
Bismarck, North Dakota 58504
sheng@swensonhagen.com
Phone (701) 223 - 2600
Fax (701) 223 - 2606

Engineering Department

DATE: August 4, 2020

FROM: Gabe Schell, City Engineer

ITEM: Banner Placement

REQUEST

Request for street banner placement on Washington Street between Divide Ave and Boulevard Ave for the promotion of the Bismarck Bobcats by Bismarck Sports Group.

Please place this item on the 8/11/2020 City Commission meeting agenda.

BACKGROUND INFORMATION

Bismarck Sports Group is requesting an encroachment agreement to place banners on the light poles between Cherokee Avenue and Arikara Avenue, see attached map. The banners would only be placed on the west side of Washington Street. The agreement would allow the banners to be installed from August 15, 2020 to May 31, 2021 and a new encroachment would be required each year for the placement of the banners. The Encroachment Committee has reviewed and approves the agreement as submitted.

RECOMMENDED CITY COMMISSION ACTION

Approve placement of banners as requested.

STAFF CONTACT INFORMATION

Gabe Schell, PE | City Engineer, 355-1505 or gschell@bismarcknd.gov

ENCROACHMENT AGREEMENT AND WAIVER

The City of Bismarck hereby grants Bismarck Sports Group, LLC (Grantee) the right to install and maintain privately-owned banners & hardware attached to City owned light poles and overhanging the public right-of-way, adjacent to VFW All Seasons Arena located at 1200 North Washington Street. The banners would be located only on the west side of Washington Street and only on the light poles as shown (5 locations) on the attached Exhibit and only with the approved attached banner designs, subject to the following conditions:

1. The Grantee shall comply with all rules regarding the placement of banners & hardware overhanging the public right-of-way as set by the City Engineer, City Ordinance 10-05.1-02 (1) and City Ordinance Chapter 14-03.1.

2. The term of this grant shall be from August 15, 2020 until May 31, 2020.

3. The Grantee shall maintain a minimum of seventeen (17) feet of unobstructed space between the lowest point of the banners & hardware and the top of the highest point in the roadway below the banners & hardware. The banners may not obstruct any part of the roadway signing attached to the light poles. The attached hardware must protect the pole from damage. Any damage to the poles shall be repaired or replaced at the Grantee's expense.

4. Upon the end of the term or termination of this agreement, or prior abandonment by the Grantee, the Grantee shall, at its own expense, remove the banners & hardware and restore the public right-of-way to its original condition.

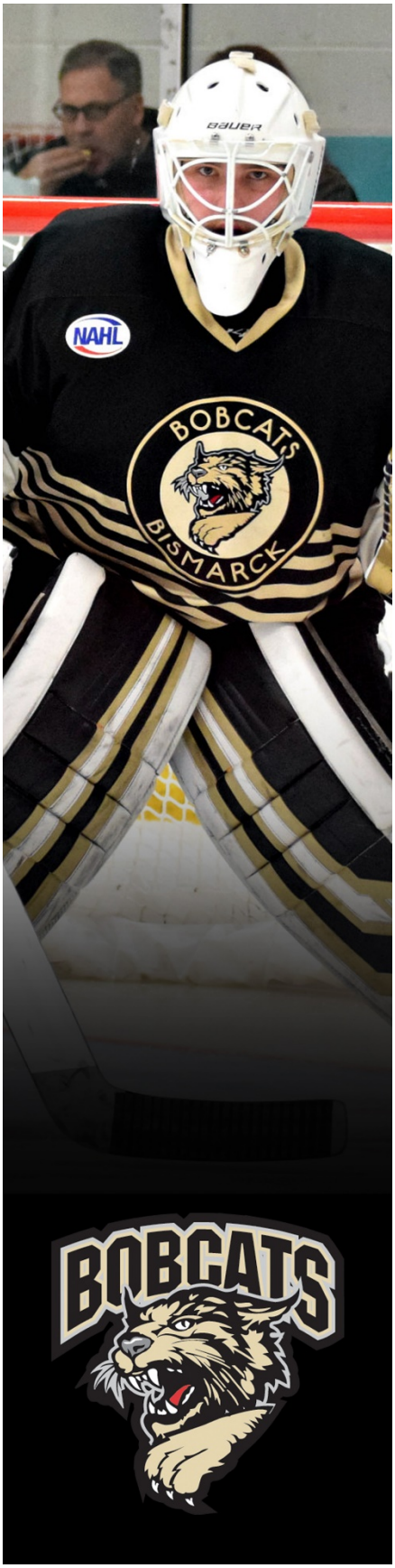
5. For and in consideration of the sum of One Dollar ($1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, in exchange for the City's permission to operate and maintain banners & hardware overhanging the right-of-way, Grantee agrees to release the City, its assigns, or other franchised utilities from and waive any and all claims relating to said banners & hardware, but not limited to, damages arising from damage to the banners & hardware, loss of business, or other personal injury or property damage resulting from damage to the banners & hardware by the City, its assigns, or other franchised utilities. Grantee agrees that it is using the public right-of-way at its own risk. Grantee shall not look to the City, its assigns, or other franchised utilities to pay for any expense or damage to the banners & hardware by the City, its assigns, or other franchised utilities. Grantee agrees that it will hold harmless and indemnify the City, its assigns, or other franchised utilities from any and all claims in any way resulting from the placement of the banners & hardware overhanging the public right-of-way. In the event the City is required to perform maintenance or construction on the right-of-way at the

location of the banners & hardware, Grantee shall cooperate with the City in temporarily protecting the banners & hardware and accommodating the City's project, at Grantee's sole expense.

6. In the event of the commission of any breach of the terms of this Agreement by a party, the non-breaching party may cause this Agreement to be terminated on ten (10) days written notice. All obligations contained in paragraphs 4 and 5 will survive the termination of this Agreement, including but not limited to, the restoration of the property to the original condition.

Print Name & Title Bismarck Sports Group, LLC	Signature
Address	Date
Gabe Schell, P.E. City Engineer	Date
Keith Hunke City Administrator Bismarck	Steve Bakken, President Bismarck City Commission
	Date

RYAN DR
W DIVIDE AVE
E DIVIDE AVE
OSAGE AVE
CHEROKEE AVE
N 2ND ST
MEREDITH DR
N WASHINGTON ST
N MANDAN ST
W ARIKARA AVE
E ARIKARA AVE
SEMINOLE AVE
N 1ST ST
SIOUX AVE
W BOULEVARD AVE


BAUER
NAHL
BOBCATS
BISMARCK

7
BAUER
NAHL

BAUER
NAHL

Engineering Department

DATE: August 3, 2020

FROM: Gabe Schell, City Engineer

ITEM: Water Improvement WA 333 & Sewer Improvement SE 577

REQUEST

Request for Resolution Creating Water Improvement District WA 333 & Sewer Improvement District SE 577 and Ordering Preparation of the Preliminary Report.

Request for Resolution Approving Preliminary Report and Directing Preparation of Plans and Specifications.

Please place this item on the 8/11/2020 City Commission meeting agenda.

BACKGROUND INFORMATION

In 2019, a request was made by a group of property owners of the undeveloped properties west of 26th Street in Stein's Fourth Addition for the City to design, construct and assess the municipal facilities and the roadway improvements within the right of way in order to develop their lots for sale. The municipal facilities would consist of extensions of sanitary sewer previously stubbed into the right of way and looping of watermain stubbed into both ends of the right of way. However, the City's special assessment policy was modified in early 2019 to no longer allow water and sewer improvements to be assessed to the lots in areas of non-unified ownership.

On August 27, 2019, at the property owners' requests, the Board of City Commissioners agreed to create an assessment district for the municipal facilities provided the City received petitions for roadway improvements for more than 50% properties (by area) within the proposed street improvement district.

To date the City has received petitions for street improvements from eight property owners which accounts for 57% of the protestable area. This district will be bid and constructed in conjunction with Street Improvement District SI 529.

Project Schedule

Authorization to Advertise:	August 25, 2020
Receipt and Opening of Bids:	September 15, 2020
Award of Bid:	September 22, 2020
Project Completion:	June 2021

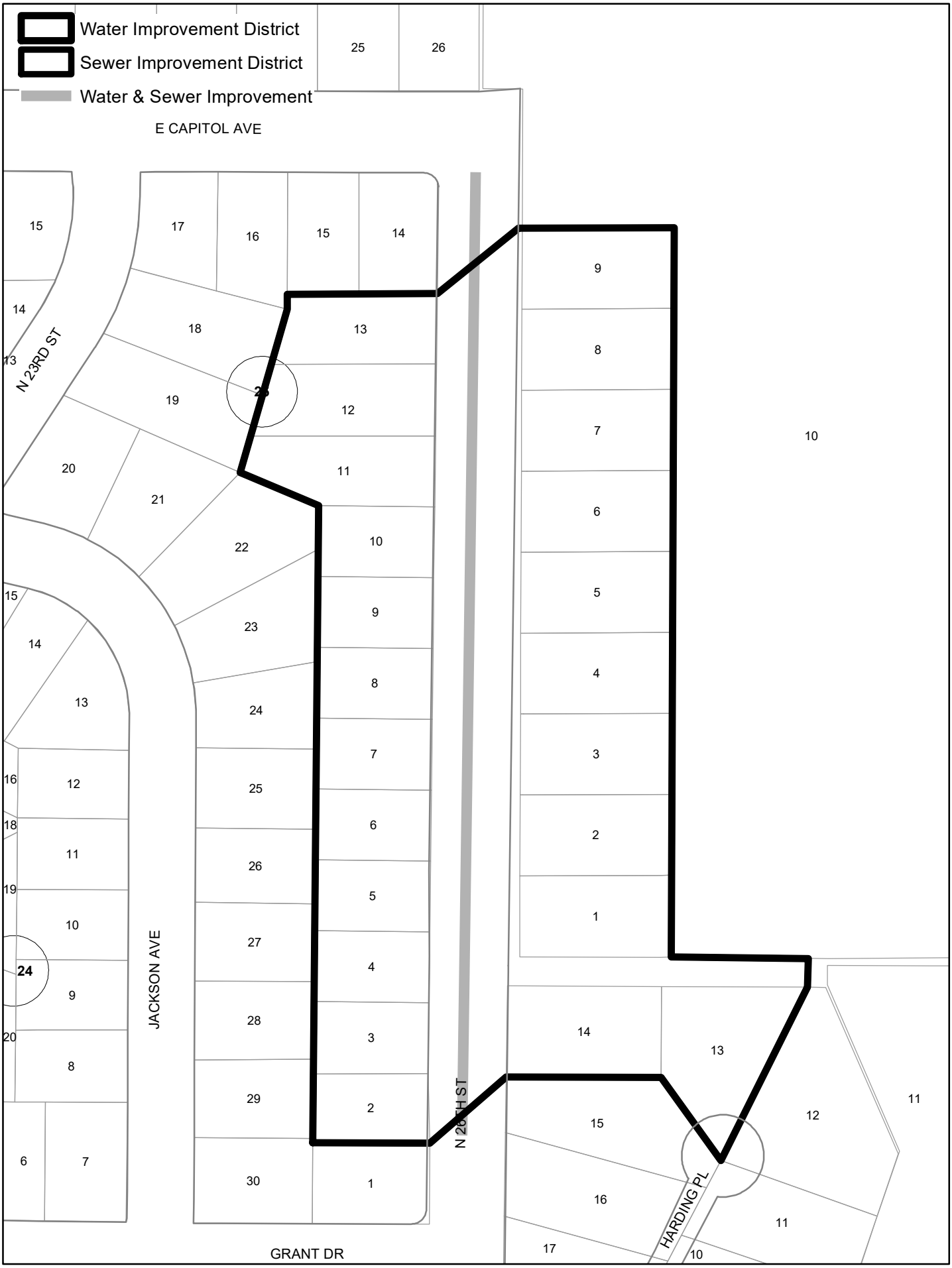
RECOMMENDED CITY COMMISSION ACTION

Consider request Creating Water Improvement District WA 333 and Sewer Improvement District SE 577, Ordering Preparation of the Preliminary Report, Approving Preliminary Report, and Directing Preparation of Plans and Specifications.

STAFF CONTACT INFORMATION

Linda Oster, PE, Design & Construction Engineer, 355-1505, loster@bismarcknd.gov

WA 333 & SE 577 - UNIT 1



Engineering Department

DATE: August 3, 2020

FROM: Gabe Schell, City Engineer

ITEM: Street Improvement District No. 539

REQUEST

Request for Resolution Declaring Petitions for Improvements has been Received.

Request for Resolution Creating District SI 539 and Ordering Preparation of the Preliminary Report.

Request for Resolution Approving Preliminary Report and Directing Preparation of Plans and Specifications.

Please place this item on the 8/11/2020 City Commission meeting agenda.

BACKGROUND INFORMATION

Street Improvement District No. 539 consists of 1 unit of new asphalt roadway in Stein's Fourth Addition and Hay Creek Park Addition of approximately 1100 LF of street improvements with new asphalt pavement, curb and gutter and related items (see attached map).

The street improvement district was petitioned by the adjoining landowners. This district will be bid and constructed in conjunction with Water Improvement District WA 333 and Sewer Improvement District SE 577.

<u>Unit No. 1 (57.0% petitioned of protestable properties)</u>

26th Street – 65' north of Grant Drive to Capitol Avenue

<u>Project Schedule</u>

Authorization to Advertise:	August 25, 2020
Receipt and Opening of Bids:	September 15, 2020
Award of Bid:	September 22, 2020
Project Completion:	July 2022

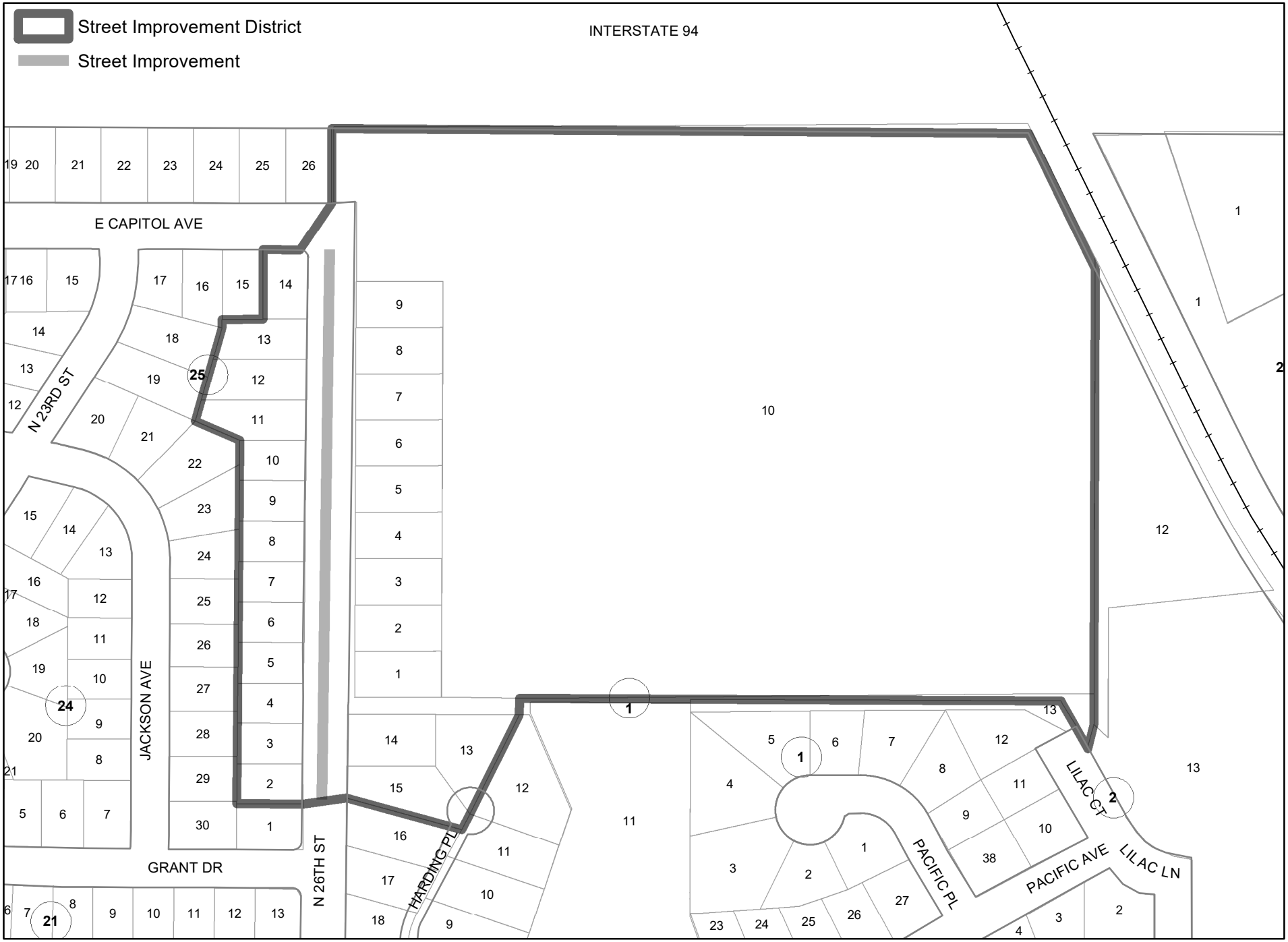
RECOMMENDED CITY COMMISSION ACTION

Consider request Creating Street Improvement District SI 539, Ordering Preparation of the Preliminary Report, Approving Preliminary Report, and Directing Preparation of Plans and Specifications.

STAFF CONTACT INFORMATION

Linda Oster, PE, Design & Construction Engineer, 355-1505, loster@bismarcknd.gov

SI 539 - UNIT 1


Street Improvement District
Street Improvement
INTERSTATE 94
E CAPITOL AVE
N 23RD ST
JACKSON AVE
GRANT DR
N 26TH ST
HARDING PL
PACIFIC PL
PACIFIC AVE
LILAC CT
LILAC LN

FINANCE DEPARTMENT

DATE: August 3, 2020

FROM: Dmitriy Chernyak, Director of Finance

ITEM: Resolution Directing Special Assessments to be Levied

REQUEST

Approve the Resolution Directing Special Assessments to be Levied.

Please place this item on the August 11, 2020 City Commission meeting agenda.

BACKGROUND INFORMATION

The assessment lists will be published in the Bismarck Tribune as required. Approval of this resolution allows the Special Assessment Commission to meet August 19, 2020 to hear objections to these assessments and confirm the assessment lists for these districts.

	Total Assessment
Sewer Improvement District No. 100	$47,243.05
Street Improvement District No. 100	$15,824.33
Street Improvement District No. 525	$3,917,414.67
Street Improvement District No. 526	$537,989.25
Street Improvement District No. 527	$453,126.41
Street Improvement District No. 528	$492,852.15

Following the action of the Special Assessment Committee, the assessment list will be brought before the City Commission for the final public hearing and confirmation.

RECOMMENDED CITY COMMISSION ACTION

Approve resolution to direct special assessments to be levied.

STAFF CONTACT INFORMATION

Tawny Wagner, Financial Analyst, 355-1604, twagner@bismarcknd.gov

Bismarck

Finance Department

DATE: August 4, 2020

FROM: Dmitriy Chernyak, Finance Director DChayak

ITEM: Application for Abatement

REQUEST

Please schedule the attached application for abatement on the agenda for City Commission consideration.

Application for Abatement for 2020 – Church
Property Owner – Truth Fellowship Live
Property Address – 2702 E Rosser Ave (655-001-025)

Please place this item on the 8/11/2020 City Commission meeting agenda.

BACKGROUND INFORMATION

The applicant Truth Fellowship Live has applied for the property tax exemption.

RECOMMENDED CITY COMMISSION ACTION

The Assessing Division recommends denial of the application for abatement as presented. The property should be valued/ taxed for one month.

STAFF CONTACT INFORMATION

Allison Jensen / ajensen@bismarcknd.gov
355-1630

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota

Assessment District #1

County of BURLEIGH

Property I.D. No. 0655-001-025

Name TRUTH FELLOWSHIP LIVE

Telephone No.

Address 2702 E ROSSER AVE, BISMARCK

Legal description of the property involved in this application:

EASTDALE
Block: 1
LOTS 2-3-4 LESS EAST 80.63' OF LOT 4

Total true and full value of the property described above for the year 2020 **is:**

Land $ 149,200
Improvements $ 291,900
Total $ 441,100
(1)

Total true and full value of the property described above for the year 2020 **should be:**

Land $ 0
Improvements $ 0
Total $ 0
(2)

The difference of $ 441,100.00 **true and full value between (1) and (2) above is due to the following reason(s):**

- ☐ 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- ☐ 2. Residential or commercial property's true and full value exceeds the market value
- ☐ 3. Error in property description, entering the description, or extending the tax
- ☐ 4. Nonexisting improvement assessed
- ☒ 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- ☐ 6. Duplicate assessment
- ☐ 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- ☐ 8. Error in noting payment of taxes, taxes erroneously paid
- ☐ 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- ☐ 10. Other (explain) _____

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: $_____ Date of purchase: _____
   Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
   Was there personal property involved in the purchase price? _____ (yes/no) Estimated value: $_____
2. Has the property been offered for sale on the open market? _____ (yes/no). If yes, how long? _____
   Asking price: $_____ Terms of sale: _____
3. The property was independently appraised: _____ (yes/no) Purpose of appraisal: _____
   _____ Market value estimate: $_____
   Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is $_____
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that the application be approved as presented.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) — Date — Signature of Applicant — 7/14/2020 Date

24775
(2-2016)

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of City Commission

On ~~July 20, 2020~~ August 11, 2020 the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this ~~20th~~ 11th day of ~~July~~ August 2020

City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ by action of _____ County Board of Commissioners.
Approved/Rejected

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from $ _____ to $ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of $ _____. The Board accepts $ _____ in full settlement of taxes for the tax year _____.

We reject this application in whole or in part for the following reason(s). Written explanation of the rationale for the decision must be attached. _____

Dated _____, _____

County Auditor

Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid (if paid)	Payment Made Under Written Protest?
				yes/no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of County Commissioner are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

County Auditor

Date

Application For Abatement Or Refund Of Taxes

Name of Applicant: Truth Fellowship

County Auditor's File No.: 20-155

Date Application Was Filed With The County Auditor: 7/20/2020

Date County Auditor Mailed Application to Township Clerk or City Auditor (must be within five business days of filing date): Allan Uetmeier by EOB

Bismarck

Human Resources Department

DATE: August 3, 2020

FROM: Robert McConnell, Director Human Resources

ITEM: Destruction of Old Human Resources Files

REQUEST

Please place this item on the consent agenda for the City Commission Meeting on August 11, 2020.

BACKGROUND INFORMATION

The Human Resources Department has identified a number of records dating from 2009 to 2016 to be destroyed in accordance with the ND State Retention Records. This consists of – 4 boxes of 2013 payroll files, 9 boxes of 2013 termed employee files, 4 boxes of 2013 hiring processes, 1 box of unused Law Enforcement exams, 6 boxes of past BCBS, FMLA, WSI files, United Way pledge forms, statements and receipts.

RECOMMENDED CITY COMMISSION ACTION

Requesting approval to have 24 boxes of Human Resources records shredded and destroyed.

STAFF CONTACT INFORMATION

Robert McConnell | Director Human Resources – 355-1330 or rmcconnell@bismarcknd.gov

VETERANS MEMORIAL PUBLIC LIBRARY

DATE: July 23, 2020

FROM: Christine Kujawa, Library Director

ITEM: Approval of Appointment - Incoming Library Board Members

REQUEST

Approve appointment of Dianna Kindseth and Mike Fladeland to the Library Board of Trustees.

Please place this item on the August 11, 2020 City Commission meeting.

BACKGROUND INFORMATION

Library Board Trustees Joyce Hinman and Patricia Grantier are completing their second three-year terms. We are grateful for their service and dedication to the Library Board this past six years. At the July 22, 2020 Library Board meeting, the Board of Trustees elected Dianna Kindseth and Mike Fladeland to three-year terms to fill the open positions.

RECOMMENDED CITY COMMISSION ACTION

August 11, 2020 meeting of the Board of City Commissioners - consider request to approve appointment of Dianna Kindseth and Mike Fladeland to the Library Board of Trustees for three-year terms.

STAFF CONTACT INFORMATION

Christine Kujawa | ckujawa@bismarcklibrary.org | 355-1482

Bismarck
Veterans Memorial
Public Library

July 23, 2020

Mayor Bakken and Commissioners
P.O. Box 5503
Bismarck, North Dakota 58506-5503

Mayor Bakken and Commissioners:

At the June 25, 2020 Library Board meeting, the Board of Trustees elected Board Trustee Bob Bartosh as Board President, which serves as the designated municipal representative in accordance with NDCC 40-38-03, to ensure continued qualification for State Aid to Public Libraries funding as outlined in NDCC 54-24.2-01.

Library Board Trustees Joyce Hinman and Patricia Grantier are completing their second three-year term. We are grateful for their service and dedication to the Library Board this past six years.

At the July 22, 2020 Library Board meeting, the Board of Trustees elected Dianna Kindseth and Mike Fladeland to three-year terms to fill the open positions.

Please consider the appointment of Dianna Kindseth and Mike Fladeland to three-year terms on the Library Board.

Ms. Kindseth is a retired accountant from Brady Martz & Associates.

Mr. Fladeland is retired and served as the Manager of Energy Business Development at the ND Department of Commerce for several years.

Thank you for your consideration.

Sincerely,

Christine Kujawa
Library Director

Bob Bartosh
Library Board President

Copy: Keith Hunke
D.Kindseth
M.Fladeland

OFFICIAL OATH

STATE OF NORTH DAKOTA)
)
COUNTY OF BURLEIGH)

I, **Michael Fladeland,** of Bismarck, N.D., do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of North Dakota and that I will faithfully discharge the duties of the office of the **Bismarck Veterans Memorial Public Library Board of Trustees** for the City of Bismarck in the County of Burleigh and State of North Dakota according to the best of my ability. I so affirm.

I further swear that I am under no direct or indirect obligation to elect or appoint any person to any office, position or employment under the City Government.

MFladeland
Signature of Office Holder

State of North Dakota

County of Burleigh

Subscribed and sworn to before me this 22 day of July, A.D. 2020

Notary Public

NOTARY SEAL/STAMP

BEA KAISER
Notary Public
State of North Dakota
My Commission Expires April 13, 2021

To be filled out by the office of City Administration:

TO THE OFFICE OF

Filed this _____ day of _____, A.D. 20_____ , in the office of the City Administrator of the City of Bismarck.

Official oaths may be taken before any officer duly authorized to administer oaths.

Term Expires: June 1, 2023

OFFICIAL OATH

STATE OF NORTH DAKOTA)
)
COUNTY OF BURLEIGH)

I, **Dianna Kindseth,** of Bismarck, N.D., do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of North Dakota and that I will faithfully discharge the duties of the office of the **Bismarck Veterans Memorial Public Library Board of Trustees** for the City of Bismarck in the County of Burleigh and State of North Dakota according to the best of my ability. I so affirm.

I further swear that I am under no direct or indirect obligation to elect or appoint any person to any office, position or employment under the City Government.

Dianna Kindseth
Signature of Office Holder

State of North Dakota

County of Burleigh

Subscribed and sworn to before me this 22 day of July, A.D. 20 20

Notary Public

NOTARY SEAL/STAMP

BEA KAISER
Notary Public
State of North Dakota
My Commission Expires April 13, 2021

To be filled out by the office of City Administration:

TO THE OFFICE OF

Filed this _____ day of _____, A.D. 20_____ , in the office of the City Administrator of the City of Bismarck.

Official oaths may be taken before any officer duly authorized to administer oaths.

Term Expires: June 1, 2023

Public Works Service Operations Department

DATE: August 4, 2020

FROM: Jeff Heintz, Service Operations Director

ITEM: Approval of Change Order 4 with Edling Electric for Street Utility Project No. 52

REQUEST

Approve Change Order 4 with Edling Electric for Street Utility Project No. 52.

Please place this item on the 8/11/2020 City Commission meeting agenda.

BACKGROUND INFORMATION

Change Order 4 requests a time extension to meet final payment of the project.

RECOMMENDED CITY COMMISSION ACTION

Approve Change Order 4 with Edling Electric for Street Utility Project No. 52.

STAFF CONTACT INFORMATION

Jeff Heintz | Service Operations Director, 355-1700 or jheintz@bismarcknd.gov

CONTRACT CHANGE ORDER FORM

DEPARTMENT

City Department	Public Works - Service		
Contractor	Edling Electric, Inc.		
Contract Number	2019-12	Change Order Number	4
Project Number		Change Order Date	7/20/2020
Project Description	STLGHTSC.TRAFFICSIGNAL.SV52		
Original Contract Amount	$ 158,350.00	Approved Contract Budget	$ 174,185.00
Previous Contract Amount	$ 163,428.97		
Change Order Amount	$0		ACTION REQUIRED (SEE BELOW)
Proposed Contract Amount	$ 163,428.97		
Within Project Scope	YES	Within Project Funding	YES
Completion Date	4/30/2020	Change in Completion Date	YES
Revised Completion Date*	9/1/2020	REV COMP DATE REQ'D	*If completion date changed on this Change Order*
Type of Change Order	Non Design-related	Work Order No(s).	

Description:

Change Order 4 requests a time extension to meet final payment.

Project Manager Signature (≤$15,000) _____ SIGN HERE

Send to Fiscal if change is ≤$15,000, completion date ≤5 days, no scope change or no revised budget

Date

Department Head Signature (≤$25,000) _____

Send to Fiscal if change is ≤$25,000, completion date ≤15 days, no scope change or no revised budget

Date

ADMINISTRATION

City Administrator Signature (≤$50,000) _____

Add to Commission Agenda

Date

COMMISSION APPROVAL

Commission Approval Date _____

Attach Commission approval memo and send to Fiscal

COMMISSION APPROVAL REQUIRED

If not within project scope or funding, attach revised description and/or revised Project Budget for Board Approval

CONTRACT CHANGE ORDER FORM

FISCAL

Comments

If not within project scope or funding, attach revised description and/or revised Project Budget for Board Approval

Bismarck Engineering Department

July 20, 2020

MEMORANDUM

To: The Honorable Board of City Commissioners
Bismarck, North Dakota

Re: Street Utility Project No. 52
Original Contract Amount $158,350.00
Estimate No. 3 - Final to Contractor

Commissioners:

I hereby certify that the contract for the construction of traffic signal replacement and related work in the referenced project, under contract with Edling Electric, Inc., appears to have been completed according to the plans and specifications, and the final contract costs are shown in the enclosure. This acceptance and final payment by the City is not intended to certify that the contractor's work is without fault or relieve the contractor from its obligations under the contract but does begin the warranty period as specified in the contract.

Respectfully submitted,

Gabe J. Schell, PE
City Engineer

GJS/ds
Enc.
cc: Edling Electric, Inc. (by email w/enc.)
Jeff Heintz (w/enc.)

Amount due Edling Electric, Inc. for Estimate No. 3 - Final to Contractor - $3,167.00

Gabriel J. Schell, PE, City Engineer
Phone: 701-355-1505 • TDD: 711 • Fax: 701-222-6593 • 221 N. Fifth St. • PO Box 5503 • Bismarck, ND 58506-5503
Email: bisengd@bismarcknd.gov • www.bismarcknd.gov

Contractor	**Edling Electric**		Project Budget
Contract Number			
Project Number	**SV - 52**		
Project Description	**Traffic Signal - Washington and Boulevard**		
Original Completion Date	**12/6/2019**	Revised Completion Date	
Original Contract Amount	**$158,350.00**	Approved Contract Budget	**$174,185.00**
Current Contract Amount	**$163,428.97**		

Change Orders

No.	WO#	Date	Amount	Revised Completion Date (If time ext granted)	To Fiscal	Pay Estimate No.
1	1	12/20/2019	$5,078.97		☐	
2					☐	
3					☐	
4					☐	
5					☐	
					☐	
Total Change Order Amount			$5,078.97			
Current Contract Amount			**$163,428.97**			

CITY OF BISMARCK ENGINEERING DEPARTMENT

PROGRESSIVE ESTIMATE NUMBER 3

For Period Beginning 3/20/2020 and Ending 7/20/2020

* Final Payment to Contractor, Edling Electric, Inc*

P.O. Box 1451, Bismarck, ND, 58502-1451

Street Utility Project Fifty-Two (52)

Original Bid Amount: $158,350.00

PSL 7/24/20

PCS 7/24/2020

DESCRIPTION: 2019 Traffic Signal Replacement Project

Unit No. 1 Washington St. & Boulevard Ave.

ITEM NO	DESCRIPTION	UNITS	ESTIMATED QUANTITY	CONTRACT PRICE	CONTRACT TOTAL	CURRENT USED	USED TO DATE	TOTAL AMOUNT	OF % EST.
	- Contractor Bid Items-								
1211-4.1	TRAFFIC CONTROL	LS	1.00	3,200.00	3,200.00		1.00	3,200.00	100.0
SP No 2	Remove and Replace Concrete	LS	1.00	5,750.00	5,750.00		1.00	5,750.00	100.0
SP No 4	Install New Traffic Signal System	LS	1.00	149,400.00	149,400.00		1.00	149,400.00	100.0
	Unit No. :Contractor Items - Subtotal			Bid:	**$158,350.00**		Completed:	**$158,350.00**	100.0
	-Added Work by Contractor-								
WO 1	Additional work on SW foundation	LS		5,078.97			1.00	5,078.97	
	Unit No. :Change Orders & Added Work							**$5,078.97**	
	TOTAL OF WORK COMPLETED - UNIT NO. 1							**$163,428.97**	

Street Utility Project No. 52 - CONTRACT WORK COMPLETE **$163,428.97**

CITY OF BISMARCK ENGINEERING DEPARTMENT

PROGRESSIVE ESTIMATE NUMBER 3

* Final Payment to Contractor, Edling Electric, Inc*
P.O. Box 1451, Bismarck, ND, 58502-1451
Street Utility Project Fifty-Two (52)
Original Bid Amount: $158,350.00

DESCRIPTION: 2019 Traffic Signal Replacement Project

Contract Work Completed 07/20/2020	Contract Work Completed	$158,350.00	
	Subtotal	$158,350.00	
	Work Orders	$5,078.97	
	Total Amount Due Contractor	$163,428.97	
	Less Amount Paid on Previous Estimates	160,261.97	
	Less Amount Paid for Stockpiled Items	$0.00	
	CURRENT AMOUNT DUE CONTRACTOR	$3,167.00	<<AMOUNT TO BE PAID

Total Contract Cost, Street Utility Project No. 52 **$163,428.97**

ESTIMATE APPROVED

Contractor 7-27-20 Date

PROGRESSIVE ESTIMATE NUMBER 3

* Final Payment to Contractor, Edling Electric, Inc*
P.O. Box 1451, Bismarck, ND, 58502-1451
Street Utility Project Fifty-Two (52)
Original Bid Amount: $158,350.00

DESCRIPTION: 2019 Traffic Signal Replacement Project

Unit	Description	Account	Current Cost	Cost to Date
1	Washington St. & Boulevard Ave.			
			0.00	155,150.00
		5600-375	0.00	5,078.97
		5600-650	0.00	3,200.00

PROGRESSIVE ESTIMATE NUMBER 3

* Final Payment to Contractor, Edling Electric, Inc*
P.O. Box 1451, Bismarck, ND, 58502-1451
Street Utility Project Fifty-Two (52)
Original Bid Amount: $158,350.00

DESCRIPTION: 2019 Traffic Signal Replacement Project

	EST # 1	EST # 2	EST # 3
0	0.00	0.00	0.00
1	163,428.97	163,428.97	163,428.97
2	0.00	0.00	0.00
EST AMT TOTAL	163,428.97	163,428.97	163,428.97
EST RETAINAGE	7,917.50	3,167.00	0.00

	PMT EST # 1	PMT EST # 2	PMT EST # 3
0	0.00	0.00	0.00
1	155,511.47	4,750.50	3,167.00
2	0.00	0.00	0.00
NET PAY AMT	155,511.47	4,750.50	3,167.00

PUBLIC WORKS – SERVICE OPERATIONS

DATE: August 4, 2020

FROM: Jeff Heintz, Director of Service Operations

ITEM: Permission to purchase an SUV for Bismarck-Burleigh Public Health.

REQUEST

Permission to purchase an SUV for Bismarck-Burleigh Public Health.

Please place this item on the August 11, 2020 City Commission meeting.

BACKGROUND INFORMATION

Request to purchase one 2021 Ford Explorer SUV from the Cooperative-Purchasing Connection Contract No. 18.3 VHL for Bismarck-Burleigh Public Health for $29,936.33. The City is a member of the North Dakota Educators Service Cooperative which qualifies the City to use the connection. Funds for this purchase will be procured from the 2020 budget approved by the Commission.

RECOMMENDED CITY COMMISSION ACTION

Permission to purchase one 2021 Ford Explorer SUV from the Cooperative-Purchasing Connection Contract No. 18.3 VHL for Bismarck-Burleigh Public Health for $29,936.33.

STAFF CONTACT INFORMATION

Jeff Heintz, Director of Service Operations, 355-1700, jheintz@bismarcknd.gov.

Public Works Service Operations Department

DATE: August 4, 2020

FROM: Jeff Heintz, Service Operations Director

ITEM: Permission to Provide 96-Gallon Garbage Containers for the Tri-City Community Picnic at Capitol Grounds on Saturday, August 29, 2020

REQUEST

Request to provide 96-gallon garbage containers to be used during the Tri-City Community Picnic at the Capitol Grounds on Saturday, August 29, 2020.

Please place this item on the 8/11/2020 City Commission meeting agenda.

BACKGROUND INFORMATION

The Tri-City Community Picnic is scheduled for Saturday, August 29, 2020. The volunteers for this event would like the City to place 15 96-gallon garbage containers at the Capitol Grounds on Friday, August 28, 2020 and collect them on Sunday, August 30, 2020.

RECOMMENDED CITY COMMISSION ACTION

Permission to provide 15 96-gallon garbage containers for the Tri-City Community Picnic at the Capitol Grounds that is scheduled for Saturday, August 29, 2020.

STAFF CONTACT INFORMATION

Jeff Heintz | Service Operations Director, 355-1700 or jheintz@bismarcknd.gov

PUBLIC WORKS – SERVICE OPERATIONS

DATE: August 4, 2020

FROM: Jeff Heintz, Director of Service Operations

ITEM: Permission to purchase roll-off containers for Solid Waste Collections and the Wastewater Treatment Plant.

REQUEST

Permission to purchase roll-off containers for Solid Waste Collections and the Wastewater Treatment Plant.

Please place this item on the August 11, 2020 City Commission meeting.

BACKGROUND INFORMATION

Request to purchase two 30-yard bathtub-style containers and 20-yard HD rectangle box for Solid Waste Collections for $30,280 from Source-well Contract No. 041217-WQI; one 30-yard bathtub-style container with two 20-yard sealed design boxes for the Wastewater Treatment Plant for $23,986 from Source-well Contract No. 041217-WQI. Funds for these purchases will be procured from the respective 2020 budgets approved by the Commission.

RECOMMENDED CITY COMMISSION ACTION

Permission to purchase two 30-yard bathtub-style containers and 20-yard HD rectangle box for Solid Waste Collections for $30,280; one 30-yard bathtub-style container with two 20-yard sealed design boxes for the Wastewater Treatment Plant for $23,986.

STAFF CONTACT INFORMATION

Jeff Heintz, Director of Service Operations, 355-1700, jheintz@bismarcknd.gov.

PUBLIC WORKS – SERVICE OPERATIONS

DATE: August 4, 2020

FROM: Jeff Heintz, Director of Service Operations

ITEM: Permission to purchase a 15-foot wing mower and offset hitch for Solid Waste Disposal operations.

REQUEST

Permission to purchase a 15-foot wing mower and offset hitch for Solid Waste Disposal operations.

Please place this item on the August 11, 2020 City Commission meeting.

BACKGROUND INFORMATION

Request to purchase a 15-foot wing mower and offset hitch for Solid Waste Disposal operations at the Source Well Contract No. 062117-SCI for $39,564.04. Funds for these purchases will be procured from the 2020 budget approved by the Commission.

RECOMMENDED CITY COMMISSION ACTION

Permission to purchase a15-foot wing mower and offset hitch for Solid Waste Disposal operations at the Source Well Contract No. 062117-SCI for $39,564.04.

STAFF CONTACT INFORMATION

Jeff Heintz, Director of Service Operations, 355-1700, jheintz@bismarcknd.gov.

Public Works Utility Operations Department

DATE: August 4, 2020

FROM: Michelle Klose, Utility Operations Director

ITEM: Permission to support Great Plains Housing Authority and Community Action ND in their efforts in applying for the HUD Lead Hazard Reduction Grant

REQUEST

Permission to support Great Plains Housing Authority and Community Action ND in their efforts in applying for the HUD Lead Hazard Reduction Grant.

Please place this item on the 8/11/2020 City Commission meeting agenda.

BACKGROUND INFORMATION

Great Plains Housing Authority (GPHA) is applying for a $3 million HUD Lead Hazard Reduction grant to begin next year. The grant would allow for testing and removal of lead hazards in single family, multi-family, owner, rental, and multi-use (housing & commercial) buildings. In addition, HUD allows grant funds to expand education and training. The grant will require matches either from other funding or the ownership contribution. GPHA is partnering with Community Action ND to help roll this program out across North Dakota. This would be the first time any North Dakota agency applied for the Lead Hazard Reduction grant and Healthy Homes funding through HUD.

RECOMMENDED CITY COMMISSION ACTION

Permission to support Great Plains Housing Authority and Community Action ND in their efforts in applying for the HUD Lead Hazard Reduction Grant.

STAFF CONTACT INFORMATION

Michelle Klose, PE | Utility Operations Director, 355-1700 or mklose@bismarcknd.gov.
I will be available at the meeting to respond to questions.

Bismarck City Administration

August 11, 2020

HUD

RE: Lead Hazard Reduction Grant

To Whom It May Concern:

The City of Bismarck is in support of the Great Plains Housing Authority and Community Action ND in their efforts in applying for the HUD Lead Hazard Reduction Grant. North Dakota has never received a Lead Hazard Reduction Grant.

Community Action Partnership North Dakota (CAPND) provides numerous programs across the state including weatherization, Head Start, financial counseling, energy assistance, housing rehab, and much more.

Great Plains Housing Authority (GPHA) administers Section 8 Housing Choice Voucher Programs across six counties in North Dakota.

Housing reinvestments help improve communities. Reducing lead hazards could open more affordable housing across the state and help mitigate health risks for families. According to HUD, for every $1 invested into lead hazard reduction, there is a return on investment of $17 to $221. The return is based on rehab investments made by the HUD and other agencies and reductions in healthcare costs caused by lead hazards.

While our drinking water system provides corrosion control to reduce lead exposure, we do see the variation of lead levels in the many homes we test. In Bismarck, the property owner is financially responsible for the water service line from the water main into the home. For lower income residents and business owners, and daycare providers providing care for children in their homes, the availability of grant funding to reduce the exposure of lead levels is beneficial. We have been working with residents in older areas of town with our water main replacement projects, and providing community information on the potential changes to the federal Lead and Copper Rule. We have seen a much greater interest in the past few years from the residents with interest in replacing their lead service line and many are concerned with the ability to afford the replacement.

The City of Bismarck is in support of grant funding to Great Plains Housing Authority for Lead Hazard Reduction.

Sincerely,

CITY OF BISMARCK

By: Steve Bakken
Its: President of Board of City Commissioners

Phone: 701-355-1300 ● Fax: 701-221-6470 ● 221 North 5th Street ● P.O. Box 5503 ● Bismarck, ND 58506-55033
www.bismarcknd.gov ● TDD 711 ● An Equal Opportunity-Affirmative Action Employer

EQUAL HOUSING OPPORTUNITY

Bismarck

Community Development Department

DATE: August 4, 2020

FROM: Ben Ehreth, AICP, Community Development Director

ITEM: Appeal of Board of Adjustment Decision – Lots 14 & 15, Block 4, Southbay Fifth Addition

REQUEST

Dennis Wetzel is appealing the decision of the Board of Adjustment to uphold an administrative zoning determination made in regard to the proposed construction of a structure to be located on Lots 14 & 15, Block 4, Southbay Fifth Addition (4408 and 4412 Downing Street).

The property is located in south Bismarck, between West Burleigh Avenue and 48th Avenue SW along the west side of Downing Street Avenue B, and between North 7th Street and North 8th Street.

Please place this item on the August 11, 2020 City Commission meeting agenda.

BACKGROUND INFORMATION

On April 13, 2020, the Planning Manager, in her role as Zoning Administrator, determined that the residential building proposed by Mr. Wetzel was a three-unit building rather than a two-unit building and would not be permitted within the R10 – Residential zoning district.

In accordance with Section 14-06-03(1) of the City Code of Ordinances (Appeal Procedure / Appeal – How Taken), Mr. Wetzel appealed staff's administrative decision on June 8, 2020 and the appeal was forwarded to the Board of Adjustment for consideration.

The appeal was heard by the Board of Adjustment on July 2, 2020. Staff presented an overview of the determination made and the subsequent appeal. The Board members asked questions of both Mr. Wetzel and staff during their consideration of the appeal. At the conclusion of their discussion, the Board of Adjustment, on a 4-2 vote, voted to uphold staff's determination.

Mr. Wetzel was informed that he could appeal the decision of the Board of Adjustment to the Board of City Commissioner and such an appeal was filed on July 17, 2020.

RECOMMENDED CITY COMMISSION ACTION

Consider Mr. Wetzel's appeal of the Board of Adjustment's decision to uphold a determination made by the Planning Manager, in her role as Zoning Administrator, that the residential building proposed for construction on Lots 14 & 15, Block 4, Southbay Fifth Addition is a three-unit building and not allowed in the R10 – Residential zoning district.

STAFF CONTACT INFORMATION

Ben Ehreth, AICP | Community Development Director, 355-1842 or behreth@bismarcknd.gov

Kim L. Lee, AICP | Planning Manager, 355-1846 or klee@bismarcknd.gov

Jenny Wollmuth, AICP, CFM | Planner, 355-1845 or jwollmuth@bismarcknd.gov

From: Jenny Wollmuth
To: Jason Tomanek; Kristine Kostuck
Cc: Kim Lee; Hilary Balzum
Subject: FW: Re[2]: APPL2020-001 4408 DOWNING ST
Date: Friday, July 17, 2020 1:05:17 PM

Jason –

Dennis Wetzel would like to appeal the Board of Adjustment's July 2, 2020 decision to uphold an administrative zoning determination made by Planning staff. In doing so the Board of Adjustment found that a structure Mr. Wetzel is proposing to construct at 4408 and 442 Downing Street in the R10 – Residential zoning district is a three-unit dwelling. A three-unit building is not a permitted use within the R10 – Residential zoning district which allows for the construction of one and two-family dwellings.

Per Mr. Wetzel's email below, please schedule this appeal for the August 11, 2020 meeting of the Bismarck City Commission.

Hilary – please set up an appeal project in TRAKiT.

Thanks,

Jenny Wollmuth, AICP, CFM
Planner | Planning Division
Community Development Department
701.355.1840-Department
701.355.1845- Direct
www.bismarcknd.gov

From: [mailto:]
Sent: Friday, July 17, 2020 12:58 PM
To: Jenny Wollmuth <jwollmuth@bismarcknd.gov>
Subject: Re[2]: APPL2020-001 4408 DOWNING ST

yes

On Fri, Jul 17, 2020 at 12:16 PM, Jenny Wollmuth <jwollmuth@bismarcknd.gov> wrote:

Dennis –

I am sure we can schedule you for the first meeting in August (8/11/20). Would you like to appeal?

Bismarck

STAFF MEMO

City of Bismarck
Community Development Department
Planning Division

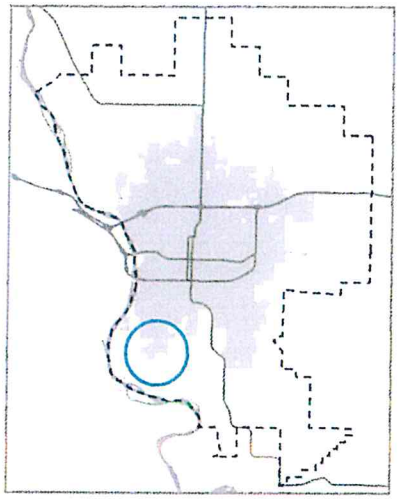
Agenda Item #2
July 2, 2020

Application for: Appeal of Zoning Determination

TRAKiT Project ID: APPL2020-001

Project Summary

Title:	Lots 14 and 15, Block 4, Southbay Fifth Addition (4408 and 4412 Downing Street)
Status:	Board of Adjustment
Owner(s):	Dennis Wetzel
Project Contact:	Dennis Wetzel
Location:	In south Bismarck, between West Burleigh Avenue and 48th Avenue SW along the west side of Downing Street
Request:	Appeal of Zoning Determination



Dennis Wetzel is requesting an appeal of a zoning determination made in April 2020 by the Planning Manager / Zoning Administrator in accordance with Section 14-06-03 of the City Code of Ordinances (Board of Adjustment / Appeal Procedure) for properties located in the R10 – Residential zoning district legally described as Lots 14 and 15, Block 4, Southbay Fifth Addition.

Applicable Sections of the Zoning Ordinance

Section 14-02-03 of the City Code of Ordinances (General Provisions and Definitions/Definitions) defines a dwelling unit as, "A building or portion thereof providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, easting, cooking and sanitation."

Section 14-04-06(1) of the City Code of Ordinances (R10 – Residential District / General Description) states, "The R10 – Residential district is established as a district in which the principal use of land is for single-family and two-family dwellings. For the R10 – Residential district, in promoting the general purposes of this article, the specific intent of the section is: a. To encourage the construction or placement of and the continued use of the land for single-family and two-family dwelling on urban lots, b. To prohibit commercial and industrial use of the land and to prohibit any other use which would substantially interfere with development or continuation of single-family and two-family dwellings in the district, c. To encourage the discontinuation of existing uses that would not be permitted as new uses under the provisions of this ordinance, d. to discourage any use which would generate traffic on minor streets other than normal traffic to serve residences of those streets, e. To discourage any use which because of its character of size would create requirements and costs for public services such as police and fire protection, water supply and sewerage, substantially in excess of such requirements and costs if the district were development solely for single-family and two-family dwellings."

Section 14-04-06(2) of the City Code of Ordinances (R10 – Residential/Uses Permitted) states, "The following uses are permitted: a. Single-family dwelling, b. Two-family dwelling, c. Education group, d. Public recreation group, e. Row house, attached single-family dwelling in groups of two (2)."

(continued)

Section 14-06-03(1) of the City Code of Ordinances (Appeal Procedure / Appeal – How Taken) states, "An appeal to the board of adjustment may be taken by any aggrieved applicant, including any person, firm, or corporation aggrieved, or by any governmental officer, department, board, or bureau affected by any decision of the Zoning Administrator based in whole or in part upon the provisions of this article. Such appeal shall be taken within such time as shall be prescribed by the board of adjustment by general rule, by filing with the Zoning Administrator and with the board of adjustment at the community development department, a notice of appeal and specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken. An appeal stays all proceedings in furtherance of the action appealed from unless the Zoning Administrator certifies to the board of adjustment, after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application, and notice to the Zoning Administrator and on due cause shown."

Staff analysis and determination

Staff have reviewed the building plans for the proposed structure and have found that all of the features that indicate a separate dwelling unit including independent access, separate sanitation facilities, and separate eating/or cooking facilities are present in each of the units. Therefore, the Planning Manager / Zoning Administrator has determined that the proposed structure is a three-unit dwelling. A three-unit dwelling is not permitted within the R10 – Residential zoning district and cannot be constructed as proposed by the applicant on Lots 14 and 15, Block 4, Southbay Fifth Addition.

Attachments

1. Location Map
2. Aerial Map
3. Appeal of Zoning Determination
4. Building Plans Submitted with Appeal
5. Zoning Determination Email
6. Original Building Plans – Version 1
7. Original Building Plans – Version 2
8. Zoning Interpretation – Definition of a Dwelling Unit
9. Section 14-04-06 of the City Code of Ordinances (R10 Zoning District)

Staff report prepared by: Jenny Wollmuth, AICP, CFM, Planner
701-355-1845 | jwollmuth@bismarcknd.gov

Bismarck

Location Map

AAPL2020-001

0 0.05 0.1 0.2 Miles

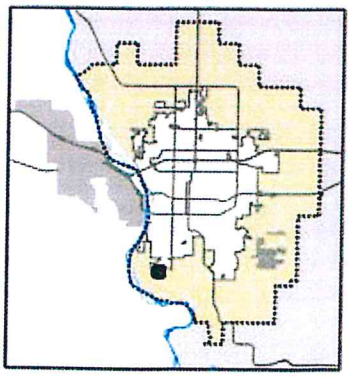
City Limits

Bismarck ETA Jurisdiction

County Outside ETA

Lots Pending Approval

Section, township, and range indicated in orange



City of Bismarck
Community Development Department
Planning Division
June 15, 2020 (HLB)

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

Bismarck

Aerial Map

APPL2020-001

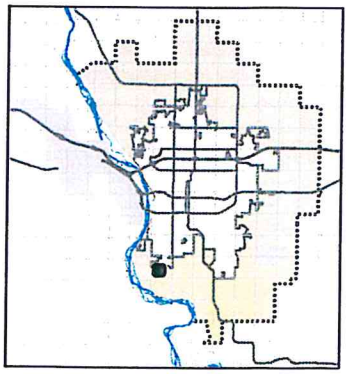
Lot 14 and Lot 15, Block 4, Southbay 5th Addition

0 0.05 0.1 0.2 Miles

City Limits

Bismarck ETA Jurisdiction

Aerial Imagery from 2018



City of Bismarck
Community Development Department
Planning Division
June 24, 2020

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

June 7, 2020

To: Board of Adjustmet

From: Dennis Wetzel

Subject: Lots 14 and 15 Block 4 Southbay 5th addition

I am not requesting a variance but to appeal a determination by the Planning Department regarding my proposed project. I want to build a 2 unit twin home, townhouse, row house, whatever you call it on a R10 zoned property. This is a slab on grade structure and I am building the left portion as one unit to account for the fact there is no basement. The left part has a family room, a 2nd kitchen and additional bedrooms along with a 3 stall garage. There is no door the separates this townhome. There will be an address of 4412 Downing Street, one water line, sewer line, electrical service etc. Lot 14 will be a separate townhome with it own entrance, water and sewer line, electrical, heating, etc.

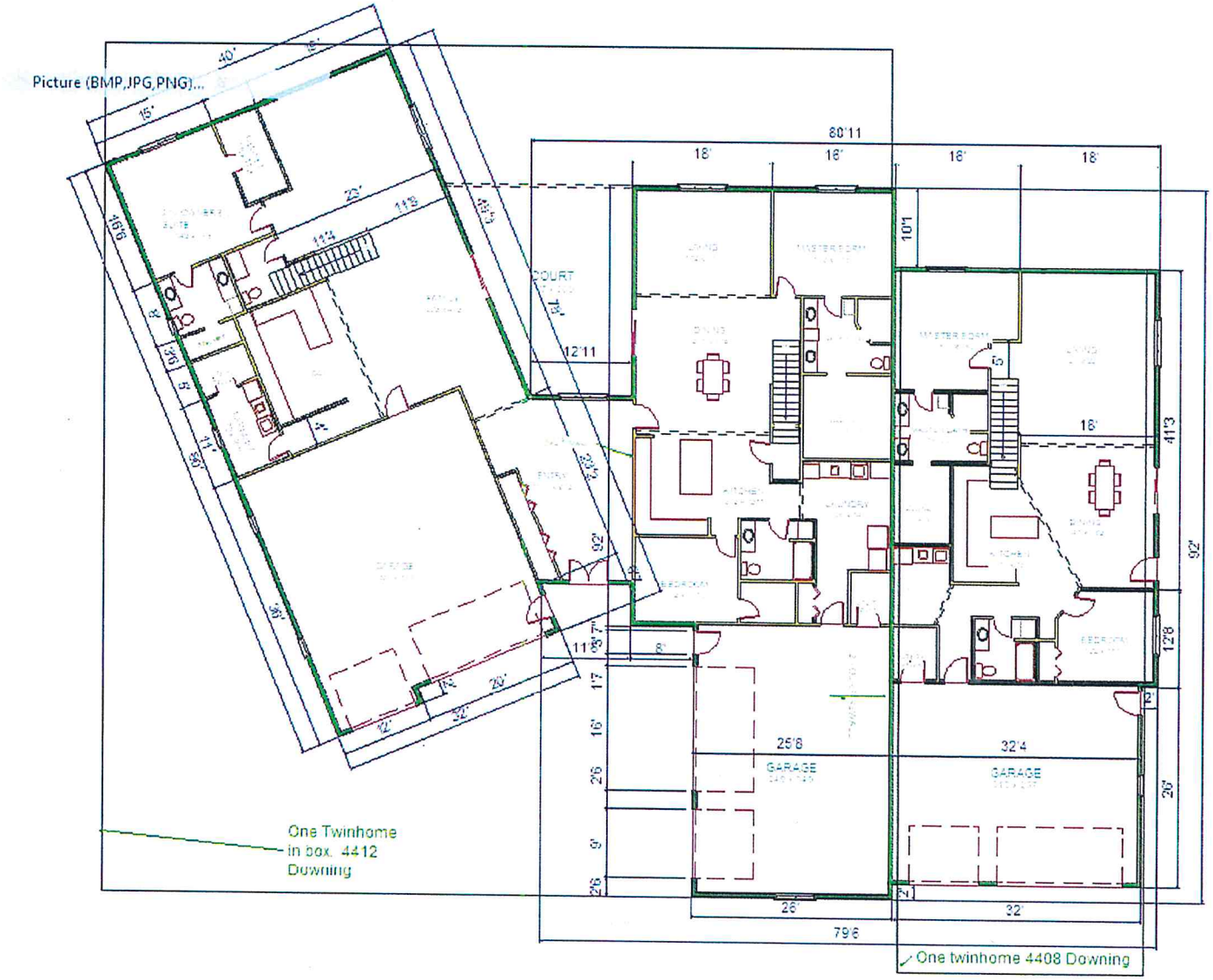
The project fits under the row house/townhouse definition. The definition states "each unit in a townhouse has a private front entrance". A row house states "each unit in a row house has private front and rear entrances". I disagree with item 2 in Kim Lee's letter and left townhome 4412, Downing is designed to only have one private entrance. If it will make the planning department happy, I can remove the one door that separates 4412. I put a door in just because one side will be used more than the other and a lot of homes have an interior door leading to the basement.

Please review the information below specifically section 14-04-06. This project fits the requirements for lot size, width, depth and other requirements and I don't feel a variance is required. I want an independent party to review the project, existing zoning. I have received little to no assistance from the planning department and I first met with the planning department back in March. I have had Swenson Hagen do the site plan etc. I can't find the language in item 2 of Kim's letter she has stated in section 14. The plan is designed to be a 2 unit townhome, with only 2 private entrances consistent with 14-04-06..

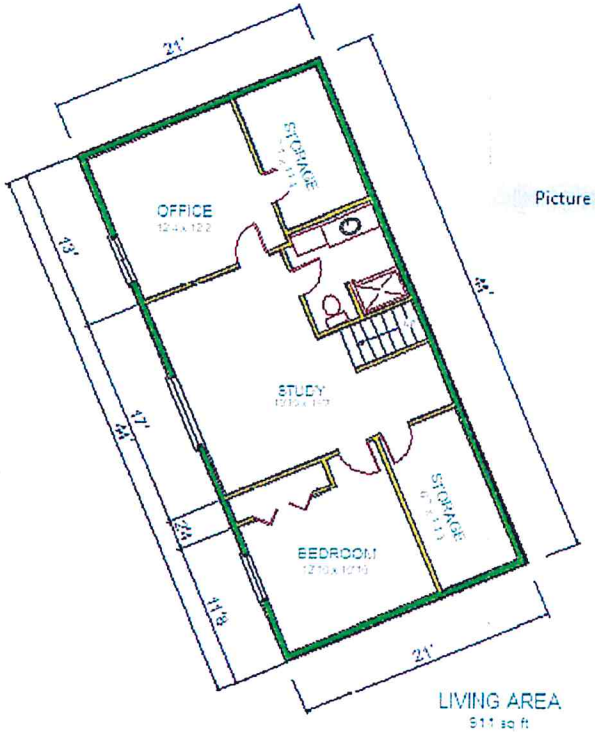
I have copied sections from an overview of the purpose of the Board of Adjustment, an email IO received from Kim Lee and section 14-04-06 regarding R10 residential district.

1. The Board of Adjustment is a six member board appointed by the Bismarck City Commission to decide appeals from an order, requirement or determination made by an administrative official of the City of Bismarck. The Board of Adjustment is empowered to make interpretations and grant variances related to zoning regulations.

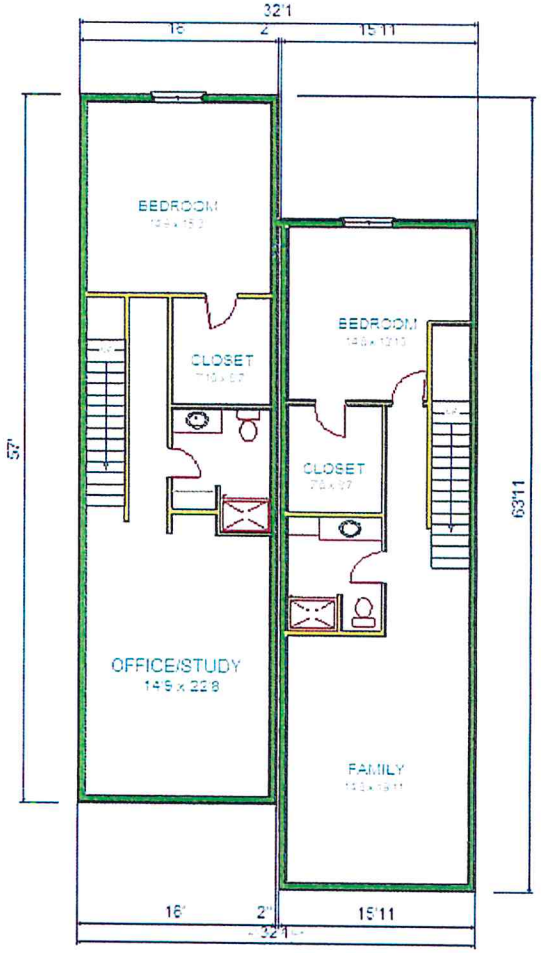
Building Plans - First Floor
Submitted with Appeal



Building Plans - Second Floor
Submitted with Appeal



Picture (BMP,JPG,PNG)...



Original Email from Kim Lee

Kim Lee

From: Kim Lee <klee@bismarcknd.gov>
Sent: Monday, April 13, 2020 3:41 PM
To: dennisw@bis.midco.net
Cc: Brady Blaskowski; Ben Ehreth
Subject: RE: Re[2]: Two unit house plan

Mr. Wetzel –

Please accept my apologies for a delayed response, but I was checking with others in the office before I provided you with a written response.

Based on the information submitted, we have determined that the proposed building on Lots 14 & 15, Block 4, SouthBay 5th Addition is a three-unit dwelling. As the R10 – Residential zoning district only allows one and two-family dwellings, this building would not be permitted in this location.

Section 14-02-03 of the City Code of Ordinances (General Provisions and Definitions/ Definitions) defines a dwelling unit as, "a building or portion thereof providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation."

It is our opinion that the presence of three dwelling units is apparent in the building plans submitted. In making this determination, we also found that all of the following features, which would indicate a separate dwelling unit, are present in each of the three units:

1. Independent Living - The building or portion thereof is capable of being utilized for independent living and has complete and permanent provisions sufficient for living, sleeping, eating, cooking and sanitation;
2. Independent Access - The building or portion thereof has independent access to the exterior, either directly or through a separate garage or a common foyer or lobby;
3. Separate Sanitation Facilities - The building or portion thereof has separate sanitation facilities, including a full bathroom with a sink, toilet, bathtub and/or shower or plumbing rough-ins for a full bath or shower; and
4. Separate Eating and/or Cooking Facilities - The building or portion thereof has separate eating or cooking facilities, including a kitchen with at least a stove and sink, separate from the full bath or laundry sinks, or rough-ins for a stove and sink, such as a gas line and/or 220 electric outlet for a stove or a plumbing connection for a separate sink.

You have the right to appeal any interpretation or determination made by the Zoning Administrator or other administrative official to the City's Board of Adjustment.

Please let me know if you have any questions, need any additional information, or if you would prefer this same information in a letter format.

Kim L. Lee, AICP | Planning Manager
City of Bismarck | Community Development Department
221 North 5th Street | PO Box 5503
Bismarck, ND 58506-5503
Office: 701.355.1840
Direct: 701.355.1846
Website: www.bismarcknd.gov
Facebook: www.facebook.com/bismarcknd.gov
Twitter: www.twitter.com/BismarckNDGov

This e-mail, including attachments, is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510 et seq., may be confidential, or may contain confidential material. It is intended for use only by the person(s) to whom it is directed. If you are not the intended recipient and/or received it in error, you should (1) reply by e-mail to the sender; (2) delete this e-mail, including deletion of all associated text files from all storage locations including individual and network storage devices; and (3) refrain from disseminating or copying this communication. The media in which any electronic data files are transmitted can deteriorate over time and under various conditions. The City does not warrant the accuracy of any information contained in electronic data files transmitted by e-mail.

please consider the environment before printing this e-mail

From: dennisw@bis.midco.net [mailto:dennisw@bis.midco.net]
Sent: Wednesday, April 8, 2020 9:56 AM
To: Kim Lee <klee@bismarcknd.gov>
Subject: Re[2]: Two unit house plan

In your email you stated you would get back to me on March 26 or 27th. It has almost 2 weeks since your last email. In part this may be due to the COVID-19 but I understand all staff at the City is still working either in the office or at home.

I see the mayor's portfolio includes Community Development and I plan on copying him in on the communication I have had with your office regarding this project. I have spent a considerable amount of time and money to build this twinhome for our family. It is not a 3 unit.

I would appreciate a response and it seems your office is trying to find a reason to deny my proposed project.

On Thu, Mar 26, 2020 at 02:47 PM, Kim Lee <klee@bismarcknd.gov> wrote:

> Dennis -
>
> I received your email and will get back to you later today or tomorrow.
>
> Kim
>
> Sent from my iPad
>
> On Mar 26, 2020, at 2:45 PM, "dennisw@bis.midco.net" <dennisw@bis.midco.net> wrote:
>
>> I have attached two plans. The first plan should be similar to the one I gave Will with a courtyard in the front and back. The second plan has a bigger entrance area with a courtyard in the back. Both only have one common entrance with no doorway to one of the units. The one also has a closet in front that would make it almost impossible to add a separate

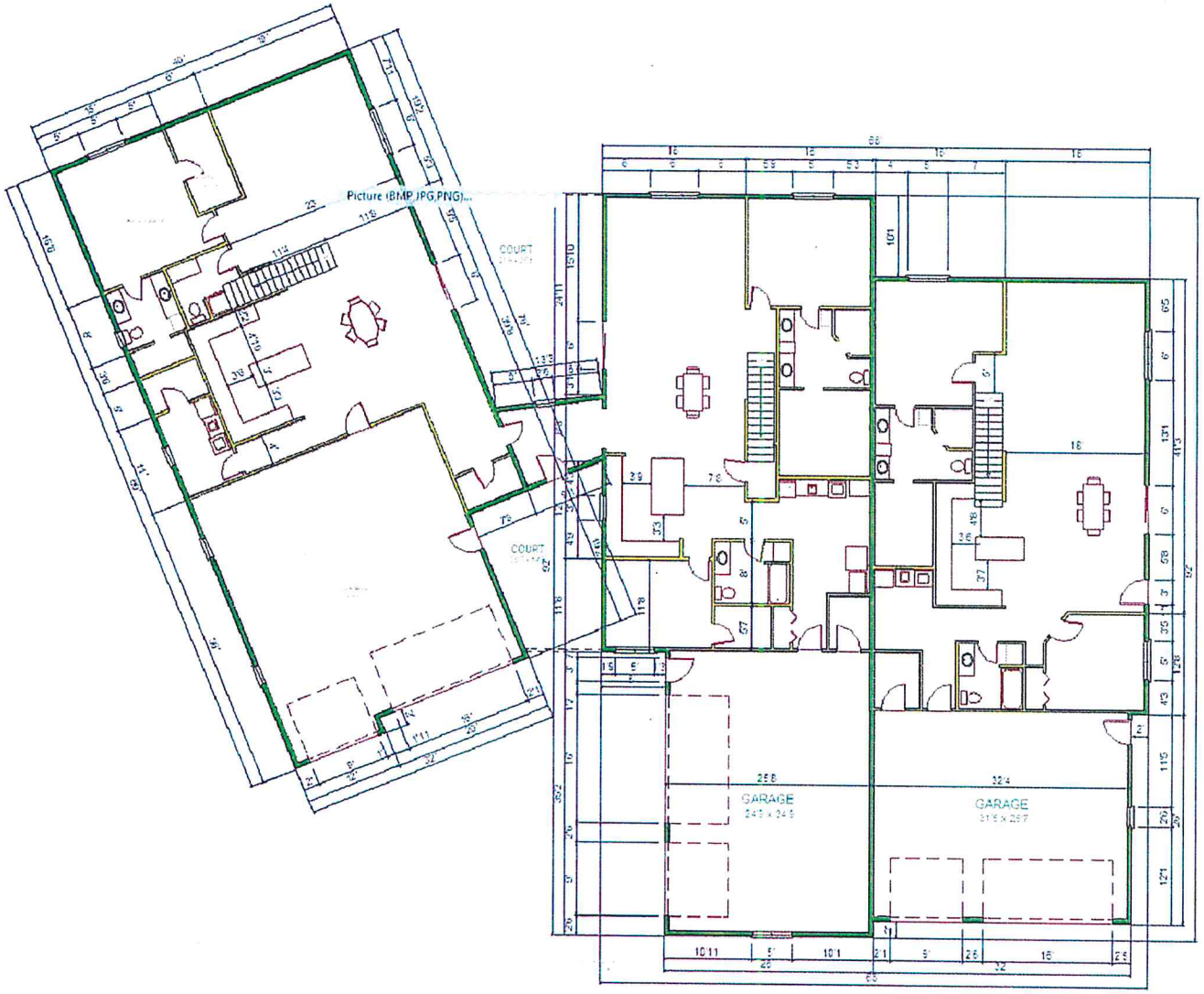
entrance. Both designs are basically the same square footage, with the exception of the bigger entrance.

Please send me a message to confirm you have received. I want to build this as two units with one entrance to the middle and left unit. This will have one address and the right unit will have a separate address.

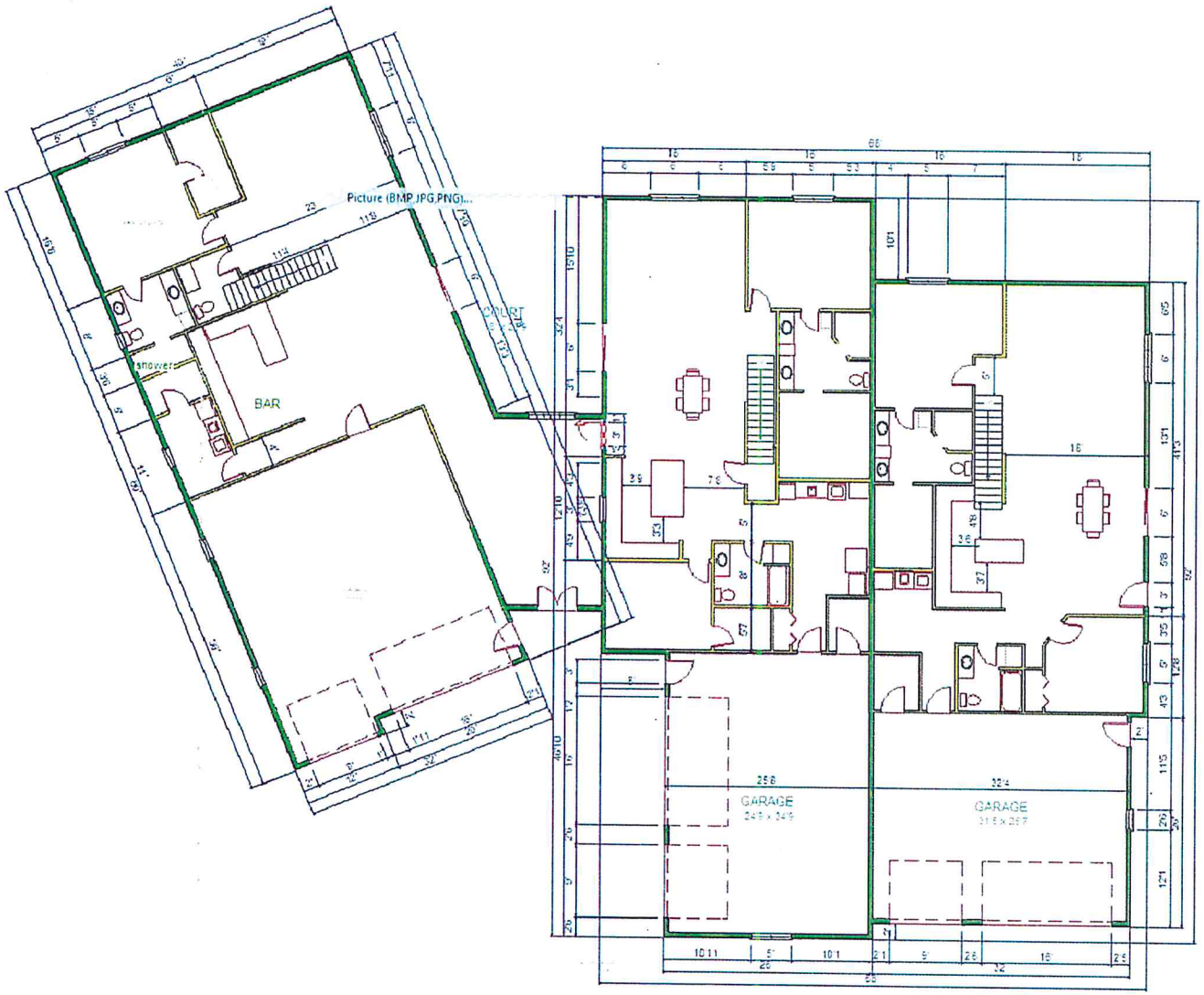
<southbaybiggarageshorterfirstfloor.bmp>

<southbaybiggarageshorterfirstfloorbiggerentrance.bmp>

Original Building Plans - Version 1



Original Building Plans - Version 2



ZONING INTERPRETATION - Definition of Dwelling Unit

Purpose
The purpose of this interpretation is to define what elements constitute a separate dwelling unit for purposes of compliance with limitations in the zoning ordinance on the number of dwelling units allowed by zoning district.

Definition
Section 14-02-03 of the City Code of Ordinances (General Provisions and Definitions/ Definitions) defines a dwelling unit as, "a building or portion thereof providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation."

Interpretation
Generally, the presence of a separate dwelling unit is apparent based on building plans or the use of a building or portion thereof by a separate household. However, if there is a question as to whether or not a building or portion thereof is a separate dwelling unit, the presence of all of the following features should be considered indicative of a separate dwelling unit:

1. Independent Living - The building or portion thereof is capable of being utilized for independent living and has complete and permanent provisions sufficient for living, sleeping, eating, cooking and sanitation;
2. Independent Access - The building or portion thereof has independent access to the exterior, either directly or through a separate garage or a common foyer or lobby;
3. Separate Sanitation Facilities - The building or portion thereof has separate sanitation facilities, including a full bathroom with a sink, toilet, bathtub and/or shower or plumbing rough-ins for a full bath or shower; and
4. Separate Eating and/or Cooking Facilities - The building or portion thereof has separate eating or cooking facilities, including a kitchen with at least a stove and sink, separate from the full bath or laundry sinks, or rough-ins for a stove and sink, such as a gas line and/or 220 electric outlet for a stove or a plumbing connection for a separate sink.

The following factors shall not be considered in determining whether a separate dwelling unit exists:

1. Utility connections – The configuration of water and sewer mains into the building shall not be considered. A building with a single water meter and single sewer connection may contain multiple dwelling units.
2. Addressing – The current or future address(es) shall not be considered. A building seeking or granted a single address may contain multiple dwelling units.
3. Intended tenure – The intention stated by the property owner for future occupation, whether or not rent would be collected, is not considered as a factor.

A building or portion thereof that meets the City's definition of a dwelling unit and includes the above features will be considered a dwelling unit regardless of how it is labeled on the building plans.

04/09/2020
Kim L. Lee, AICP, Planning Manager

f. Site Plan. No community storage building or buildings shall be constructed until a site plan has been approved by the Zoning Administrator.

5. Additional Manufactured Home Requirements. All mobile and manufactured homes shall be installed in conformance with the requirements of Chapter 4-12 of the Code of Ordinances.

(Ord. 4756, 05-14-96; Ord. 4936, 09-08-98; Ord. 5728, 05-26-09; Ord. 6028, 01-28-14; Ord. 6235, 10-25-16; Ord. 6287, 10-24-17)

14-04-06. R10 Residential District. In any R10 residential district, the following regulations shall apply:

1. General description. The R10 residential district is established as a district in which the principal use of land is for single-family and two-family dwellings. For the R10 residential district, in promoting the general purposes of this article, the specific intent of this section is:

a. To encourage the construction or placement of and the continued use of the land for single-family and two-family dwellings on urban lots.

b. To prohibit commercial and industrial use of the land and to prohibit any other use which would substantially interfere with development or continuation of single-family and two-family dwellings in the district.

c. To encourage the discontinuation of existing uses that would not be permitted as new uses under the provisions of this ordinance.

d. To discourage any use which would generate traffic on minor streets other than normal traffic to serve residences of those streets.

e. To discourage any use which because of its character or size would create requirements and costs for public services such as police and fire protection, water supply and sewerage, substantially in excess of such requirements and costs if the district were developed solely for single-family and two-family dwellings.

2. Uses permitted. The following uses are permitted:

a. Single-family dwelling.

b. Two-family dwelling.

c. Education group.

d. Public recreation group.

e. Row house. Attached single-family dwelling in groups of two (2).

1) Density. The maximum allowable density shall be ten (10) families per gross acre.

2) Lot area.

a) Lot and yard requirement regulations for row house, townhouse or zero lot line attached units. Each attached single-family dwelling hereafter erected shall conform to the following minimums:

Lot area in square feet--not less than 3,500 feet per unit;

Lot width of front building line-not less than 30 feet, provided, however, that on a record lot corresponding to a plat or deed recorded prior to 1953, the minimum lot width measured along the front building line may be reduced to not less than twenty-five (25) feet;

Width of each side yard in feet--not less than 6 feet, except 25 feet shall be maintained at corner lots.

Depth of rear yard in feet—not less than 20 feet.

3) Height regulations. The maximum height of any principal building shall be forty (40) feet.

4) Safety provisions. Row house, townhouse or zero lot line attached units shall have wall separations between each dwelling unit of at least a two-hour, fire-resistant wall which shall extend from the footing to and through the

roof at least thirty (30) inches except as may be allowed by the city building code pertaining to area separation walls.

5) Off-street parking. Off-street parking spaces shall be provided for each dwelling unit in compliance with Section 14-03-10 hereof.

6) Regulations Imposed on Overall Structure. The lot coverage requirements and the minimum front, side and rear yard setbacks shall be imposed on the overall structure rather than on each individual unit.

f. Family foster home for adults.

g. Family child care, when located in a detached single family dwelling.

The following special uses are permitted as per Section 14-03-08 hereof:

a. Child care center.

b. Religious institution.

c. Accessory dwelling unit.

3. Density. The maximum allowable density is ten (10) families per gross acre.

4. Lot area. Each permitted structure hereafter erected, together with its accessory buildings, shall be located on a lot having an area of not less than seven thousand (7,000) square feet. Provided, however, that on a record lot corresponding to a plat recorded prior to 1953, a single-family or two-family dwelling and accessory buildings may be erected, provided said lot contains not less than five thousand (5,000) square feet.

5. Lot width. Each lot shall have a front property line width of not less than forty (40) feet, and in addition, shall have a width of not less than sixty (60) feet, measured along a line approximately parallel to and forty (40) feet back from the front property line. Provided, however, that on a record lot corresponding to a plat or deed recorded prior to 1953, the minimum lot width measured along the front building line may be reduced to not less than fifty (50) feet.

6. Lot coverage. The ground area occupied by the principal and accessory buildings shall not exceed forty (40) per cent of the total area of the lot. In computing lot coverage, off-street parking areas complying with Section 14-03-10 hereof shall be added to the actual area of the buildings, if such parking space is not furnished within a building.

7. Front yard. Each lot or parcel shall have a front yard for principal or accessory structures of not less than twenty-five (25) feet in depth, provided, however, that on a record lot corresponding to a plat recorded prior to 1979, the following setback standards apply:

a. Reference Lots. A sample of reference lots in the vicinity of the proposed activity are used as the basis for front yard setbacks. Reference lots shall be selected as follows:

1. Reference lots are the three (3) closest adjacent lots or parcels on either side of the proposed activity, for a total of six (6) reference lots.

2. Reference lots are on the same side of the same street.

3. Reference lots contain residential structures, irrespective of the orientation of the structure. Vacant lots or lots with non-residential structures are skipped over for the next closest lot or parcel.

4. Reference lots may be selected across local streets, but may not be selected across collector or arterial streets.

5. Reference lots must be in the same zoning district as the proposed activity.

6. If three (3) lots or parcels that comply with the rules of this section are not available on any side, a corresponding number of lots or parcels are selected on the opposite side of the proposed activity, so that a total number of six (6) reference lots are selected.

7. The zoning administrator may adjust the number of reference lots, if necessary to determine a sample representative of the context.

b. Contextual Setback. The required front yard for principal or accessory structures shall be the median of all existing front yards measured from reference lots, plus or minus three (3) feet, but no less than the shortest front yard setback or more than the longest front yard setback measured from all reference lots.

c. Garage Exception. Notwithstanding the requirements of this section, no front face of a garage or vehicle storage unit shall be closer than twenty (20) feet from a right-of-way line to allow an additional parking spot in front of the garage without encroaching into the right-of-way.

8. Side yards. Each lot shall have two (2) side yards, one on each side of the principal building. Each side yard shall be no less than six (6) feet in width. No building on a corner lot shall have a side yard on the side street less than twenty-five (25) feet in width.

9. Rear yard. Each lot shall have a rear yard not less than twenty (20) feet in depth.

10. Height limits. No single-family dwelling and no two-family dwelling shall exceed forty (40) feet in height. No principal building for any other permitted use shall exceed fifty (50) feet in height. No accessory buildings shall exceed twenty-five (25) feet in height.

(Ord. 4486, 04-27-93; Ord. 4564, 11-23-93; Ord. 4610, 05-24-94; Ord. 4649, 12-06-94; Ord. 4703, 06-13-95; Ord. 4756, 05-14-96; Ord. 4828, 03-25-97; Ord. 4991, 06-22-99; Ord. 5027, 02-08-00; Ord. 5666, 05-27-08; Ord. 5958, 03-26-13; Ord. 6040, 04-22-14; Ord. 6176, 11-24-15; Ord. 6218, 07-26-16; Ord. 6287, 10-24-17; Ord. 6361, 01-22-19)

14-04-07. RM Residential District. In any RM residential district, the following regulations shall apply:

1. General description. The RM residential district is established as a district in which the principal use of land is for multifamily dwellings and similar high density residential development. For the RM residential district, in promoting the general purposes of this title, the specific intent of this section is:

BISMARCK BOARD OF ADJUSTMENT
MEETING MINUTES EXCERPT
July 2, 2020

The Bismarck Board of Adjustment met on July 2, 2020, at 5:00 p.m. in the Tom Baker Meeting Room in the City-County Office Building, 221 North 5th Street. Due to ongoing public health concerns related to COVID-19, the meeting was also held via Zoom. Chair Marback presided and was present in the Tom Baker Meeting Room.

Members present were Jennifer Clark, Ken Hoff, Michael Marback, Curtis Janssen, Chris Seifert and Rick Wohl.

Staff members present were Ben Ehreth – Community Development Director, Kim Lee – Planning Manager, Brady Blaskowski – City Building Official, Jannelle Combs – City Attorney, Bruce Govig – Assistant City Attorney, Jenny Wollmuth – Planner and Hilary Balzum – Community Development Administrative Assistant.

*****

APPEAL OF ZONING DETERMINATION – LOTS 14 AND 15, BLOCK 4, SOUTHBAY FIFTH ADDITION (4408 AND 4412 DOWNING STREET)

Ms. Wollmuth said Dennis Wetzel is appealing a zoning determination made in April 2020 by the Planning Manager/Zoning Administrator in accordance with Section 14-06-03 of the City Code of Ordinances (Board of Adjustment/Appeal Procedure) for properties located in the R10 – Residential zoning district legally described as Lots 14 and 15, Block 4, Southbay Fifth Addition.

Ms. Wollmuth reviewed the proposed building plans for the structure as well as the applicable sections in the zoning ordinance, referring to dwelling units and permitted uses within the R10 – Residential zoning district, and have found that all of the features that indicate a separate dwelling unit, including independent access, separate sanitation facilities, and separate eating/or cooking facilities are present in each of the units within the proposed structure. Therefore, the Planning Manager / Zoning Administrator has determined that the proposed structure is a three-unit building.

Ms. Wollmuth also stated that as three-unit building is not permitted within the R10 – Residential zoning district, which allows single and two-family dwellings, it cannot be constructed as proposed by the applicant.

Dennis Wetzel, 6111 Apple Creek Drive, said he wants to build this twinhome and when looking for a lot to purchase for that purpose this was the biggest one he could find. He said he wants to move into town and the structure would not have a door leading to the left side unit. He said he would live in one side and sell the other half. He added that Planning staff is calling it a three-unit structure and the R10-Residential zoning district only allows one and two-unit rowhouses or

townhouses, which require private entrances. He said this building would only have two private entrances.

Ms. Lee said the interpretation does identify access as being allowed through a garage, which the additional unit is proposed to have.

Mr. Wetzel said if he were to build a twinhome elsewhere in Bismarck everything would be required to be kept separate, including the permits. He said Ms. Lee referenced the utilities and he has always been required to have all utilities separate as well as the addresses. He then said there would not be a firewall on that side because one is only required between the two units.

Mr. Wohl asked why there is a goal of having an extra kitchen.

Mr. Wetzel said the stove can be removed and he had wanted a bar area there but he can eliminate it if he needs to. He said he would live in 4412, the southernmost unit, and it is designed and separated in a way that would require a major remodel in order to separate out the westernmost part of the building as a third unit.

Mr. Wohl said he makes some good points, but it does look like an additional unit; however, in some ways it would not be a far stretch to separate another unit if he decided to.

Mr. Wetzel said that would require a building permit review and he can take out the kitchen. He said the lot is large and he can modify the structure as needed.

Mr. Wohl asked if there is the intention of having it as a living area for other family members.

Mr. Wetzel said that could be a possibility as they get older and have caretaking needs.

Mr. Hoff asked if one unit could be made bigger and still have the same amount of garage space.

Mr. Wetzel said it would be a gabled roof and he would also like to have a kitchen behind the foyer with a gazebo while keeping the middle area private and protected.

Chair Marback asked if that would be the area labeled court in the back.

Mr. Wetzel said that is correct and added that he cannot detach any of the garages because of the restrictive covenants of the subdivision.

Mr. Janssen said his perspective is that this is a three-unit. He said there is not a twinhome with six garages and said all it would take is a partition to be built and a separate unit could be created. He said the lot is not zoned to handle this type of a use and he sees a three-unit dwelling with this proposal. He said if it was zoned correctly it could work, but the zoning is in place to help avoid anomalies such as this. He said this does not fit the area and there is just too much separation for it to be considered a twinhome.

Mr. Wohl said he sees the potential for this to cause problems; however, he is not sure the interpretation is correct either. He said there is not a private entrance on the one side with the exception of that in the garage. He said this could have some features of a single-family home and nobody would call it a two-unit dwelling. He said it does not meet the definition of a three-unit building, but it does look like one.

Mr. Wetzel provided building specifications from his title insurance company at this time and explained that the garage and the connecting point would have one fire wall and one roof each.

Mr. Wohl said a dwelling unit is defined is that for eating, sleeping, living and sanitation, but it is not defined anywhere that there is a maximum number of how many of each of those needs is allowed. He said they are getting hung up on the entrance points and the semantics of an entrance versus an exit are not one in the same.

Mr. Janssen said with the two layouts it is critical to realize it could be changed to a different dwelling size, which is not within the allowances of the R10-Residential zoning district. He said he is concerned this could be a trend tough to handle and, since staff made the determination, he would like to know if there is a similar situation anywhere else like this one.

Ms. Lee said there are some properties that are questionable and suspected by staff that they are aware of, but she does not want to point them out publicly. She said a staff discussion was had as to what to put in the written opinion to the owner that they could all agree on.

Mr. Wohl asked if there is a different opinion of if there could be a door or not to the supposed third unit or kitchen area.

Ms. Lee said based on it being three very similar floor plans and the impact of the units on each other it was felt that if the owner wanted to change that part into a third unit they could easily do so.

MOTION: A motion was made by Mr. Seifert to uphold the zoning determination made by staff and found that the proposed structure, located in the R10 – Residential zoning district, is a three-unit and is not permitted to be constructed in the R10 – Residential zoning district which allows for the construction of one and two-family dwelling units. The motion was seconded by Mr. Hoff and with Board Members Clark, Hoff, Janssen, and Seifert voting in favor of the motion and Board Members Wohl and Marback opposing the motion, the motion was approved and the appeal of the administrative determination was denied.

Chair Marback informed Mr. Wetzel that he could appeal the decision of the Board of Adjustment to the City Commission, and that staff would help him with that process.

Finance Department

DATE: August 11, 2020

FROM: Dmitriy Chernyak, Finance Director

ITEM: 2019 Audited Comprehensive Annual Financial Report (CAFR), Schedule of Expenditures of Federal Awards (SEFA), and Passenger Facility Charges (PFC) Report

REQUEST

Accept and approve the 2019 audit opinions, CAFR, SEFA, and PFC Report

Please place this item on the 8/11/2020 City Commission meeting agenda.

BACKGROUND INFORMATION

The City is required to participate in an annual financial audit of its financial and accounting records in order to report the City's financial status to its citizens, debtors, and other organizations that rely on the City.

Eide Bailly, the City's auditors, performed various procedures in accordance with required various accounting and auditing principles, worked closely with City's Finance Department staff, and issued a "clean" audit opinion on the City's financial statements. In addition, the auditors performed a "single audit" on the City's federal awards based on compliance requirements from the federal, state, and other government organizations.

Once again, the City received an "unmodified" or "clean" audit opinion WITHOUT any audit adjustments, audit findings, or auditor comments.

RECOMMENDED CITY COMMISSION ACTION

Please accept and approve the 2019 audit opinions and the audited CAFR, SEFA, and PFC Report.

STAFF CONTACT INFORMATION

Dmitriy Chernyak, CPA | Finance Director, (701) 355-1600 or dchernyak@bismarcknd.gov

City of
Bismarck
North Dakota

COMPREHENSIVE ANNUAL FINANCIAL REPORT

For the Fiscal Year Ended December 31, 2019

CITY OF BISMARCK, NORTH DAKOTA

COMPREHENSIVE ANNUAL FINANCIAL REPORT

For the fiscal year ended

December 31, 2019

Prepared by Fiscal Services

CITY OF BISMARCK, NORTH DAKOTA
COMPREHENSIVE ANNUAL FINANCIAL REPORT
FOR THE FISCAL YEAR ENDED DECEMBER 31, 2019

TABLE OF CONTENTS

I. INTRODUCTORY SECTION	Page
Letter of Transmittal	1
Certificate of Achievement for Excellence in Financial Reporting	5
City of Bismarck Organizational Chart	6
List of Elected and Appointed Officials	7
II. FINANCIAL SECTION	
Independent Auditor's Report	8
MANAGEMENT'S DISCUSSION AND ANALYSIS	11
A. BASIC FINANCIAL STATEMENTS	
Government-wide Financial Statements	
Statement of Net Position	20
Statement of Activities	21
Governmental Fund Financial Statements	
Balance Sheet	22
Reconciliation of Balance Sheet to the Statement of Net Position	23
Statement of Revenues, Expenditures, and Changes in Fund Balances	24
Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund Balances of to the Statement of Activities	25
Proprietary Fund Financial Statements	
Statement of Net Position	26
Statement of Revenues, Expenses, and Changes in Net Position	27
Statement of Cash Flows	28
Fiduciary Fund Financial Statements	
Statement of Fiduciary Net Position	29
Statement of Changes in Fiduciary Net Position	30
Notes to the Basic Financial Statements	31
Required Supplementary Information	
Budgetary Comparison Schedule - General Fund	72
Budgetary Comparison Schedule - Sales Tax Fund	73
City of Bismarck Employees' Pension Plan Schedules	74
City of Bismarck Police Pension Plan Schedules	75
Bismarck Firefighters' Relief Association Pension Plan Schedules	77

TABLE OF CONTENTS, Continued

	Page
B. SUPPLEMENTARY INFORMATION - COMBINING FUND STATEMENTS AND SCHEDULES	
Nonmajor Governmental Funds - Summary	
Combining Balance Sheet	79
Combining Statement of Revenues, Expenditures, and Changes in Fund Balances	80
Nonmajor Special Revenue Funds	
Combining Balance Sheet	81
Combining Statement of Revenues, Expenditures, and Changes in Fund Balances	82
Budgetary Comparison Schedule - Public Transit System Fund	83
Budgetary Comparison Schedule - Library Fund	84
Budgetary Comparison Schedule - Police Asset Forfeiture Fund	85
Budgetary Comparison Schedule - Roads and Streets Fund	86
Budgetary Comparison Schedule - Street Lights and Traffic Signals Fund	87
Budgetary Comparison Schedule - Hotel / Motel Tax Fund	88
Budgetary Comparison Schedule - Lodging, Liquor, and Food Tax Fund	89
Budgetary Comparison Schedule - Vision Fund	90
Budgetary Comparison Schedule - Government Grants and Activities Fund	91
Major Debt Service Funds	
Budgetary Comparison Schedule - Street Improvement Bonds	92
Budgetary Comparison Schedule - Sewermain Bonds	93
Nonmajor Debt Service Funds	
Combining Balance Sheet	94
Combining Statement of Revenues, Expenditures, and Changes in Fund Balances	95
Budget Comparison Schedule - Watermain Bonds	96
Budget Comparison Schedule - Sidewalk Bonds	97
Nonmajor Capital Project Funds	
Combining Balance Sheet	98
Combining Statement of Revenues, Expenditures, and Changes in Fund Balances	99
Nonmajor Enterprise Funds	
Combining Statement of Net Position	100
Combining Statement of Revenues, Expenses, and Changes in Net Position	101
Combining Statement of Cash Flows	102
Internal Service Funds	
Combining Statement of Net Position	103
Combining Statement of Revenues, Expenses, and Changes in Net Position	104
Combining Statement of Cash Flows	105
Capital Assets Used in the Operation of Governmental Funds	
Comparative Schedule by Source	106
Schedule by Function and Activity	107
Schedule of Changes by Function and Activity	108

TABLE OF CONTENTS, Continued

III. STATISTICAL SECTION

	Page
Net Position by Component	109
Changes in Net Position	110
Fund Balances of Governmental Funds	112
Changes in Fund Balances of Governmental Funds	113
Governmental Activities Tax Revenues by Source	114
Assessed Value and True and Full Value of Taxable Property	115
Property Tax Rates - Direct and Overlapping Governments	116
Principal "Single Property" Taxpayers	117
Property Tax Levies and Collections	118
Ratios of Outstanding Debt by Type	119
Legal Debt Margin Information	120
Direct and Overlapping Governmental Activities Debt	121
Pledged-Revenue Coverage	122
Demographic and Economic Statistics	123
Principal Employers	124
Full-time Equivalent City Government Employees by Function	125
Operating Indicators by Function	126
Capital Asset Statistics by Function	128

INTRODUCTORY SECTION

Bismarck

Finance Department

July 29, 2020

To the Honorable Mayor, Members of the City Commission, and citizens of the City of Bismarck, North Dakota

The Comprehensive Annual Financial Report (CAFR) of the City of Bismarck, North Dakota for the fiscal year ended December 31, 2019 is hereby presented. This complete set of financial statements has been prepared by the Fiscal Services Division of the City of Bismarck's (the City) Finance Department in accordance with generally accepted accounting principles (GAAP) and audited by an independent licensed certified public accounting firm in accordance with the generally accepted auditing standards and applicable laws.

GAAP requires management to provide a narrative introduction overview and analysis to accompany the basic financial statements in the form of Management Discussion and Analysis (MD&A). The MD&A section follows the report of the independent auditors. This transmittal letter is designed to complement the MD&A and should be read in conjunction with it.

Management is responsible for the accuracy, completeness and, reliability of the financial statements. Management believes the financial statements present fairly, in all material respects, the financial position and results of operations of various funds, including all disclosures necessary to enable the reader to achieve a full understanding of the City of Bismarck's activities.

Management is responsible for establishing and maintaining an internal control framework. Internal control is designed to provide reasonable and not absolute assurance regarding the safeguarding of assets against loss, theft, or misuse, and the reliability of financial records for preparing financial statements and maintaining accountability for assets. The concept of reasonable assurance recognizes that the cost of control should not outweigh the benefits derived and that the valuation of cost and benefits require management's judgment and estimates. Management believes that the City's internal control over financial reporting provides reasonable assurance of proper recording and assets are adequately safeguarded.

State statutes and local ordinances require an annual audit by independent certified public accountants. The firm of Eide Bailly, LLP has audited the financial statements of the City. The audit provides reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management as well as evaluating the overall financial statement presentation. Eide Bailly, LLP concluded that the audit provides a reasonable basis for an unmodified opinion, and the City's financial statements for the fiscal year ending December 31, 2019 are in conformity with generally accepted accounting principles (GAAP). The auditor's report is presented in the financial section of this report.

Federal funds received by the City are also subject to an independent audit under the requirements of the Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance)".

Finance Department ★ Fiscal Services Division
Phone: 701-355-1600 ★ Fax: 701-222-6606 ★ TDD: 711 ★ Website: www.bismarcknd.gov
221 N. Fifth Street ★ P.O. Box 5503 ★ Bismarck, ND 58506-5503

City Profile

Incorporated in 1875, the City is the State of North Dakota's capitol and is located in the center of the State in Burleigh County, bounded on the west by the Missouri River. The City currently has a land area of 34.91 square miles and a 2010 census population of 61,272. The City is empowered to levy a property tax on real estate located within its boundaries. The City also has the power by state statute to extend its corporate limits by annexation, which is performed periodically by the City Commission.

The City operates under a commission form of government, consisting of a president and four commissioners. The governing commission is responsible, among other things, for passing ordinances, adopting the budget, appointing committees, the city administrator, assistant city administrator and city attorney, and hiring department directors. The city administrator is responsible for carrying out policies and ordinances of the governing body and for overseeing the day-to-day operations of the City. Commission members are elected to a four year staggered term with two commission members elected every two years. The president is elected to a four-year term and also serves as the Mayor of the City.

The financial reporting entity includes all funds of the primary government, the City of Bismarck. The City of Bismarck provides a full range of services, such as police and fire protection, sanitation services, construction and maintenance of highways, streets and infrastructure, water, wastewater and storm water utility services, solid waste disposal, municipal airport, library, and cultural centers and events.

The City adopts an annual budget ordinance approved by the City's Commission. Activities of the General Fund, Special Revenue Funds and Debt Service Funds are included in the annually appropriated budget in accordance with the North Dakota Century Code (N.D.C.C.) and the City's Home Rule Charter. Charges for fees and services are reviewed and adjusted at the time of budget approval by the governing board. A five-year capital projects budget is also updated and approved by the governing board.

Local Economic Condition and Statistics

Although the area's largest industry is farming, the City is also a major medical center for the region. The City continues to seek economic diversification and is committed to new as well as current initiatives that support the economic growth of our City.

The Commission was granted a five-year extension for the Renaissance Zone (RZ) program which was established in 2001 to encourage reinvestment through property and income tax incentives in a 39 block area of downtown properties. This program has contributed to revitalization of downtown with numerous new business including retail, services and residential units. A total of 131 projects have been completed which includes 47 new downtown housing units. The projects have created 599.25 new jobs to date and the initial building value of RZ projects of $22.6 million has more than tripled to $77 million. The RZ projects reflect the commitment of the City Commission to strengthen the core of our community by stimulating new development and increased tax base in the downtown.

The Bismarck MSA continued a low unemployment rate of 2.6% in December 2019, which continues to be lower than the national rate of approximately 3.9%. The local economic outlook remains positive as the City continues to create and sustain jobs. Census population estimates in June 2019 identify the City as one of the top three largest fastest growing cities in the State. The City had a gain of 664 residents, a 0.9% increase, for a total of 73,529, which reflects an increase of 19.9% from 2010.

The City's real estate market continues to remain active. The average sale price was $274,000, which is an increase from the average sale price of $272,987 for 2018. This is supported by a number of accolades City received in 2019. Wallethub's ranked Bismarck in the top ten in the nation as the Best State Capital to live in, Best City to Start a Business, Best City for People with Disabilities and ranked #6 for the Best Place to Rent. Livability.com also ranked Bismarck in the Top 100 Best Places to Live for small to mid-sized cities in the US. Bismarck was also included in Forbes' Best Small Place for Business and Careers.

With the stabilization of the economy in the State and despite the impact of internet sales on local retail, the taxable sales and services increased in 2019 as compared to 2018.

The City continues to experience growth in its tax base through both property value enhancement and new construction. In 2019, 940 building permits were issued within the City's corporate limits. Residential construction in the City's extraterritorial jurisdiction and the adjacent zoned areas of Burleigh County also continued to grow in 2019. Commercial growth also increased which included the construction of new retail services, banks, restaurants, grocery store, medical and dental clinics, apartments, a new parochial school complex, and public school additions. The Growth in the property tax base for the year 2019 was 2.3%.

Major Initiatives

The City Commission continued the Infrastructure Task Force to review the City's road infrastructure ten-year capital improvement plan which totals $246 million and develop funding recommendations. The City Commission also continued the Special Assessment Task Force (SATF) to consider funding recommendations for infrastructure maintenance as well as new development. The City Commission then established a Joint Task with representatives from each Task Force to meet and consider all the recommendations. Based on the Joint Task recommendations, in 2018, the City Commission approved ballot measures to cap the sales tax used for the 25 mill levy property tax reduction to the 2019 level and add an additional ½ cent sales tax dedicated to a specific list of arterial street project with a ten-year sunset. The City began collection of the ½ cent sales tax in the amount of approximately $8 million annually to be used for the restricted projects, as noted in the ballot measure. The City Commission also authorized the introduction of legislation for cities to utilize a street maintenance fee in lieu of special assessments. With this option, property owners would pay a monthly fee on the utility bill and special assessments for street maintenance would be eliminated. This would be similar to the funding used for maintenance of water and sewer. The bill is currently being considered during the 2021 legislative session.

Burleigh County authorized a ballot measure to increase the 9-1-1 fee by $0.50 for the purpose of purchasing, leasing or constructing and operating a new joint Central Dakota Communications (CenCom) public safety center. The measure passed in the June of 2018 and plans for developing the new center are in process. CenCom serves Bismarck, Mandan and Burleigh County. In 2019, the City entered into a lease agreement for the use of the building by CenCom upon construction completion estimated around August 2020.

The City Commission approved a space needs study to identify needs and uses of City buildings to account for growth and additional space for public safety, public health, and public works functions within the City. The study is estimated to begin around September 2020.

The City Commission completed the process to update the City's strategic plan. A project team of city employees co-chaired by Commissioners Zenker and Commissioner Oban continued their work with a consultant to gather public input to develop the vision of the community. The project theme is "Imagine Bismarck" for the future. Input has been solicited from the public at the annual Downtowners Street Fair, surveys, focus groups, school classrooms, and an interactive town hall meeting. In addition, the mission and values were modified to identify the strategic focus areas for the next five years. These will be used to develop specific objectives and goals. The plan was approved in 2019 and used as a basis of the 2020 and 2021 budgets.

The Metropolitan Planning Organization initiated the development of the transportation plan "Arrive 2045." The plan will address all transportation issues and opportunities for improvements in the region for the next 25 years. Ideas from community leaders and public input sessions will be used to identify projects for streets, public transit, bikes, freight and pedestrian and strategies. The plan includes Bismarck, Lincoln, Mandan and Morton and Burleigh counties and expected to be completed in 2020.

All of these initiatives reflect the Commission's commitment to the key areas of the Strategic Plan for economic vitality, community character, civic engagement and community services.

Awards and Acknowledgements

The Government Finance Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the City for its comprehensive annual financial report for the year ended December 31, 2018. In order to be awarded a Certificate of Achievement, a government unit must publish an easily readable and efficiently organized the comprehensive annual financial report (CAFR), whose contents conform to program standards. This report must satisfy both generally accepted accounting principles and applicable legal requirements.

A Certificate of Achievement is valid for a period of one year only. We believe our current report continues to conform to the Certificate of Achievement program requirements, and we are submitting it to the GFOA to determine its eligibility for another certificate.

The preparation of this report could not have been accomplished without the dedicated services of the Fiscal Services staff and the various department heads. Appreciation is expressed to all personnel who assisted and contributed to its preparation. We acknowledge the thorough and professional manner in which the audit was conducted by our independent auditors, Eide Bailly LLP. Appreciation is also expressed to the Mayor and to all members of the City Commission for their interest and support in planning and conducting the financial operation of the City of Bismarck in an exemplary manner throughout the year.

Respectfully submitted,

Dmitriy Chernyak, CPA
Finance Director

Government Finance Officers Association

Certificate of Achievement for Excellence in Financial Reporting

Presented to

City of Bismarck

North Dakota

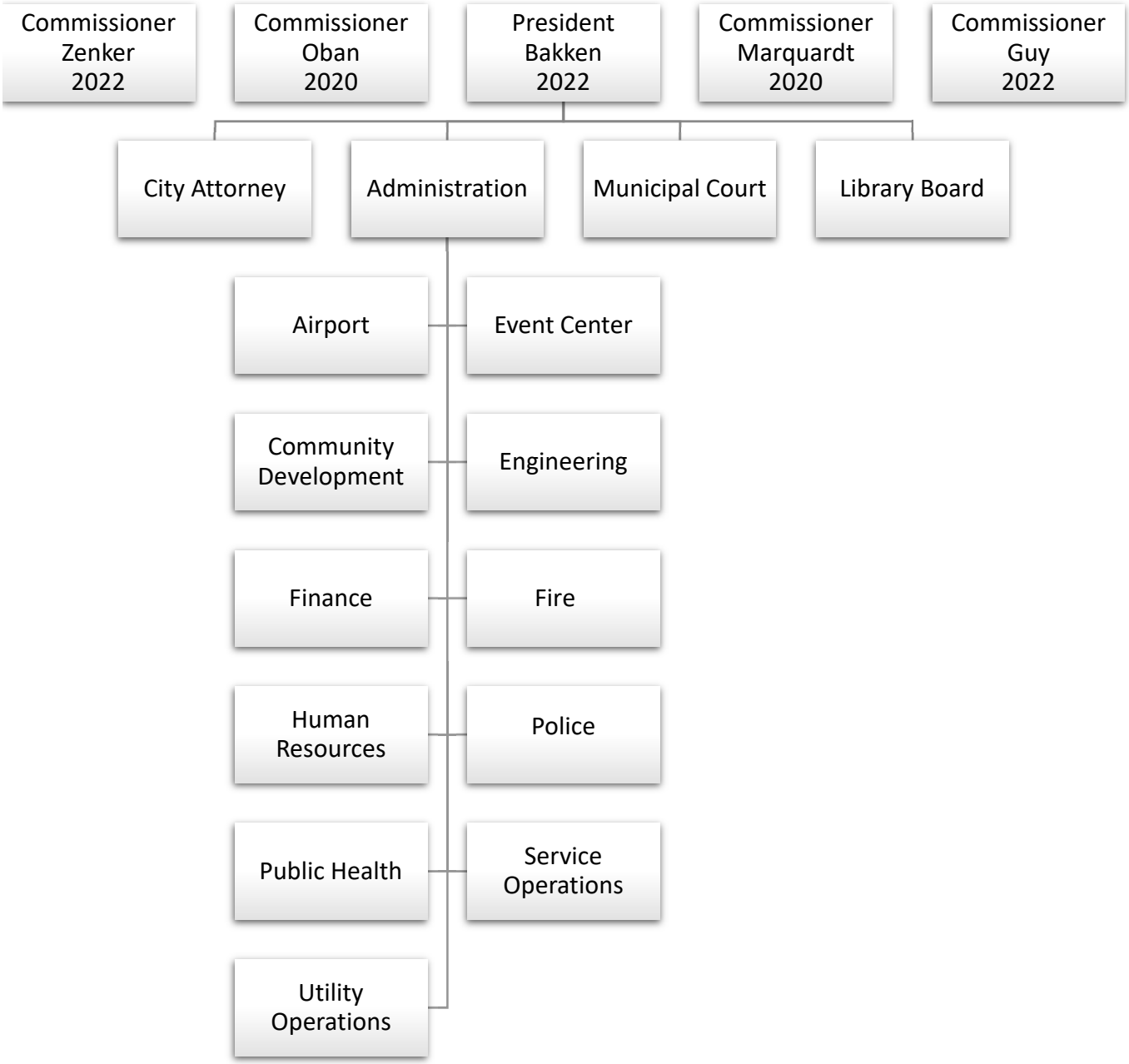
For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

December 31, 2018

Christopher P. Morrill

Executive Director/CEO

City of Bismarck



CITY OF BISMARCK, NORTH DAKOTA
LIST OF ELECTED AND APPOINTED OFFICIALS

Mayor-Commissioners:

	Initial Term Commenced	Current Term Expires 2nd Tuesday of June
Mayor, Steven Bakken	2018	2022
Commissioner, Steven Zenker	2018	2022
Commissioner, Shawn Oban	2016	2020
Commissioner, Steve Marquardt	2014	2020
Commissioner, Nancy Guy	2014	2022

Other Elected Officials:

Municipal Judge…… William Severin

Appointed Officials:

City Administrator…… Keith Hunke
City Attorney……Jannelle Combs
Assistant City Administrator……Jason Tomanek

Department Directors:

Airport…… Greg Haug
Event Center…… Charlie Jeske
Engineering…… Gabe Schell
Finance…… Dmitriy Chernyak
Fire Department…… Joel Boespflug
Human Resources…… Robert McConnell
Library…… Christine Kujawa
Public Health…… Renae Moch
Community Development……Ben Ehreth
Police Department…… Dave Draovitch
Public Works Service Operations…… Jeff Heintz
Public Works Utility Operations…… Michelle Klose

FINANCIAL SECTION

EideBailly

CPAs & BUSINESS ADVISORS

Independent Auditor's Report

To the Honorable Mayor
and Board of City Commissioners
City of Bismarck
Bismarck, North Dakota

Report on the Financial Statements
We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Bismarck, North Dakota as of and for the year ended December 31, 2019, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

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

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

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

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

Opinions
In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Bismarck, North Dakota, as of December 31, 2019, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information
Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparisons for the General Fund and Sales Tax Fund, and the pension schedules be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information
Our audit was conducted for the purpose of forming opinions on the financial statements that collectively compromise the City of Bismarck, North Dakota's basic financial statements. The introductory section, combining nonmajor fund financial statements, budget and actual comparisons, capital asset schedules and statistical section are presented for purposes of additional analysis and are not a required part of the financial statements.

The combining nonmajor fund financial statements, budget and actual comparisons, and capital asset schedules are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining nonmajor fund financial statements, budget to actual comparisons, and capital asset schedules are fairly stated in all material respects in relation to the basic financial statements as a whole.

The introductory section and statistical section have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued a report dated July 24, 2020 on our consideration of the City of Bismarck's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City of Bismarck's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City of Bismarck's internal control over financial reporting and compliance.

Eide Bailly LLP

Bismarck, North Dakota
July 24, 2020

MANAGEMENT'S

DISCUSSION

AND

ANALYSIS

CITY OF BISMARCK, NORTH DAKOTA

MANAGEMENT'S DISCUSSION AND ANALYSIS

The City of Bismarck (the City) offers the readers the City's narrative overview and analysis of the financial activities for the fiscal year ended December 31, 2019. The City encourage readers to consider the information presented in conjunction with additional information that was furnished in the letter of transmittal, which can be found on pages 1 – 4 of this report.

FINANCIAL HIGHLIGHTS

- The assets and deferred outflows of resources of the City exceeded its liabilities and deferred inflows of resources at the close of the most recent fiscal year by $936,240,663 (net position). Of this amount, $197,540,023 may be used to meet the City's ongoing obligations to its citizens and creditors.
- Total net position increased by $26,903,629, which was a decrease of $9,006,248 from 2018. The overall increase is attributed to the philosophy of the City to finance projects through accumulated revenue instead of any form of debt. The current year decrease in funding is the result of the capital contributions of infrastructure due to water, sewer, and streets.
- At the close of the current fiscal year, the City's governmental activities reported combined ending net position of $463,036,071, an increase of $10,704,861 in comparison with the prior year. The unrestricted net position of $145,803,806, or 31.49% of the governmental net position, is available for spending at the government's discretion.
- As of December 31, 2019, unassigned fund balance for the general fund was $35,556,939 and the assigned fund balance was $4,765,734. The assigned and unassigned fund balance is 87.03% of total general fund expenditures and 85.04% of total general fund revenues, including transfers.
- Revenue from all sources totaled $159,296,631 which was a decrease of $14,867,059 from 2018. This decrease is mainly attributed to reduced grant reimbursement for the airport runway construction project completion.

OVERVIEW OF THE FINANCIAL STATEMENTS

This discussion and analysis are intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-wide financial statements

The government-wide financial statements are designed to provide readers with a broad overview of the City's finances in a manner similar to a private-sector business.

The statement of net position presents information on all of the City's assets, deferred outflows of resources, deferred inflows of resources, and liabilities, with the difference between the them reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The statement of activities presents information showing how the City's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused annual leave).

Both of the government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activities). The governmental activities of the City include general government, public safety, highways and streets, health and welfare, culture and recreation, and public works. The business-type activities of the City include the Bismarck Municipal Airport, Event Center, Solid Waste Disposal, Solid Waste Collections, Water, Sanitary Sewer, Storm Water, Commercial Property and the Parking Authority.

The government-wide financial statements can be found on pages 19 - 20 of this report.

Fund financial statements

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, similar to other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City can be divided into three categories: governmental funds, proprietary funds, and fiduciary funds.

Governmental funds: Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, and balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The City maintains 25 individual governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund, sales tax fund, street improvement construction fund, sewermain bond fund, and street improvement bond fund, which are considered to be major funds. Data from the other 20 governmental funds are combined into a single, aggregated presentation. Individual fund data for each of these nonmajor governmental funds is provided in the form of combining statements in the supplemental information section of this report.

The City adopts an annual appropriated budget for its governmental funds, except for capital project funds. A budgetary comparison statement has been provided for the required funds based on state statute to demonstrate compliance.

The basic governmental fund financial statements can be found on pages 21 - 24 of this report.

Proprietary funds: The City maintains two different types of proprietary funds. Enterprise funds are used to report activities that charge customers for services provided. The enterprise funds are presented as business-type activities in the government-wide financial statements. Internal service funds are an accounting device used to accumulate and allocate costs internally among the City's various functions. The internal service funds are reported with the governmental activities or business-type activities in the government-wide financial statements.

The proprietary fund financial statements provide separate information for the Airport, Event Center, Solid Waste Disposal, Solid Waste Collections, Water, Sanitary Sewer, Storm Water, Commercial Property, Northern Plains Commerce Centre and Parking Authority. Airport, Event Center, Water, Sanitary Sewer, and Storm Water are considered major proprietary funds. Data from the nonmajor proprietary funds are combined into a single aggregated presentation. Individual fund data for each of these nonmajor proprietary funds is provided in the form of combining statements in the supplemental information section of this report.

The basic proprietary fund financial statements can be found on pages 25 - 27 of this report.

Fiduciary funds: Fiduciary funds are used to account for resources held for the benefit of external parties. Fiduciary funds are not reflected in the government-wide financial statement because the resources of those funds are not available to support the City's own programs. The full-accrual and economic resources basis was used as the accounting method used for fiduciary funds. The basic fiduciary fund financial statements can be found on pages 28 - 29 of this report.

Notes to the financial statements: The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found on pages 30 - 70 of this report.

Other information: In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information concerning the City's progress in funding its obligation to provide pension benefits to its employees. Required supplementary information can be found on pages 73 – 92 of this report.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. In the case of the City, assets and deferred outflows of resources exceeded liabilities and deferred inflows of resources by $936,240,663 as of December 31, 2019.

The following table presents condensed financial information on the City's Net Position as of December 31, 2018 and December 31, 2019.

	Governmental Activities		Business-Type Activities		Total	
	2018	2019	2018	2019	2018	2019
Current and Other Non-Capital Assets	$246,877,776	$248,336,041	$ 66,175,283	$ 75,557,208	$ 313,053,059	$ 323,893,249
Capital Assets	361,009,276	362,141,710	489,989,499	491,879,549	850,998,775	854,021,259
Total Assets	607,887,052	610,477,751	556,164,782	567,436,757	1,164,051,834	1,177,914,508
Deferred Outflows of Resources	11,822,414	5,166,643	3,279,566	1,447,000	15,101,980	6,613,643
Long-Term Liabilities Outstanding	156,051,825	139,566,065	96,774,316	89,396,656	252,826,141	228,962,721
Other Liabilities	10,435,246	7,498,561	5,474,004	5,023,282	15,909,250	12,521,843
Total Liabilities	166,487,071	147,064,626	102,248,320	94,419,938	268,735,391	241,484,564
Deferred Inflows of Resources	891,185	5,543,697	190,204	1,259,225	1,081,389	6,802,922
Net Position:						
Net Investment in Capital Assets	230,739,569	238,971,819	401,875,951	409,059,784	632,615,520	648,031,603
Restricted	55,329,012	78,260,446	11,195,951	12,408,591	66,524,963	90,669,037
Unrestricted	166,262,629	145,803,806	43,933,922	51,736,217	210,196,551	197,540,023
Total Net Position	$452,331,210	$463,036,071	$457,005,824	$473,204,592	$ 909,337,034	$ 936,240,663

By far the largest portion of the City's net position (69.2%) reflects its investment in capital assets (e.g., land, buildings, machinery and equipment); less any related outstanding debt used to acquire those assets. The City uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other resources, since the capital assets themselves cannot be used to liquidate these liabilities. The City's ratio of long-term liabilities to capital assets is 26.8%. The ratio reflects the City's strategy of using current resources and cash balance to finance capital assets with the exception of special assessment districts.

The City's net position represents resources that are subject to external restrictions (9.7%) for specific purposes. The remaining balance of unrestricted net position of $197,540,023 may be used to meet the City's ongoing services to the citizens.

At the end of the current fiscal year, the surplus of $145,803,806 in the unrestricted governmental activities can be attributed to the funding of capital assets, one-time expenditures, economic development, financing debt and prepaying the cost of the infrastructure in the capital project funds.

As capital projects are finalized and closed, the majority of infrastructure improvements are financed through the issuance of bonds, which are then repaid through special assessments from the benefiting property owners. As the bonds are issued and special assessments are approved, the special assessments are recorded as receivables. However, many infrastructure projects remain open at year-end, resulting in a deficit net position in certain governmental funds (capital projects).

The City's current ratio (current assets/current liabilities, including debt payments due in less than one year) for the governmental activities is 9.13 and for the business-type activities is 6.26 which represents a strong capacity to meet current obligations.

The following table presents condensed financial information on the City's Changes in Net Position for the fiscal year ending December 31, 2018 and December 31, 2019.

	Governmental Activities		Business-Type Activities		Total	
	2018	2019	2018	2019	2018	2019
Revenues:						
Program Revenues:						
Charges for Services	$ 12,046,294	$ 11,333,254	$ 54,341,063	$ 53,147,164	$ 66,387,357	$ 64,480,418
Operating Grants and Contributions	12,039,864	10,374,465	11,319	38,307	12,051,183	10,412,772
Capital Grants and Contributions	20,673,170	15,828,761	24,121,524	13,085,359	44,794,694	28,914,120
General Revenues:						
Taxes	47,486,655	54,389,208	36,465	45,071	47,523,120	54,434,279
Investment Earnings	2,342,382	4,277,125	535,407	1,660,326	2,877,789	5,937,451
Gain (Loss) on Disposal of Capital Assets	352,053	(30,697)	177,494	(4,851,712)	529,547	(4,882,409)
Total Revenues	94,940,418	96,172,116	79,223,272	63,124,515	174,163,690	159,296,631
Expenses:						
General Government	18,290,495	16,227,336	-	-	18,290,495	16,227,336
Public Safety	29,185,109	29,579,689	-	-	29,185,109	29,579,689
Highways and Streets	11,430,676	11,597,897	-	-	11,430,676	11,597,897
Health and Welfare	3,486,093	3,506,605	-	-	3,486,093	3,506,605
Culture and Recreation	3,524,975	3,610,946	-	-	3,524,975	3,610,946
Public Works	14,626,171	12,980,551	-	-	14,626,171	12,980,551
Interest and Fiscal Charges	3,849,896	3,835,971	-	-	3,849,896	3,835,971
Airport	-	-	7,735,107	8,008,832	7,735,107	8,008,832
Event Center	-	-	11,108,512	9,947,984	11,108,512	9,947,984
Solid Waste Disposal	-	-	2,600,476	3,068,343	2,600,476	3,068,343
Solid Waste Collections	-	-	4,275,343	4,185,101	4,275,343	4,185,101
Water	-	-	13,347,820	12,825,126	13,347,820	12,825,126
Sanitary Sewer	-	-	8,601,984	8,776,175	8,601,984	8,776,175
Storm Water	-	-	4,239,065	2,313,297	4,239,065	2,313,297
Commercial Property	-	-	88,130	26,593	88,130	26,593
Northern Plains Commerce Centre	-	-	288,724	286,817	288,724	286,817
Parking Authority	-	-	1,575,237	1,615,739	1,575,237	1,615,739
Total Expenses	84,393,415	81,338,995	53,860,398	51,054,007	138,253,813	132,393,002
Increase in Net Position Before Transfers	10,547,003	14,833,121	25,362,874	12,070,508	35,909,877	26,903,629
Transfers	(3,187,460)	(4,128,260)	3,187,460	4,128,260	-	-
Increase in Net Position	7,359,543	10,704,861	28,550,334	16,198,768	35,909,877	26,903,629
Net Position, Beginning of Year	444,971,667	452,331,210	428,455,490	457,005,824	873,427,157	909,337,034
Net Position, End of Year	$452,331,210	$463,036,071	$457,005,824	$473,204,592	$909,337,034	$936,240,663

Governmental Activities

The City's net position in governmental activities increased by $10,704,861, accounting for 39.8% of the total increase in the net position of the City. The increase is attributed to the philosophy of The City to fund projects through accumulative revenue instead of financing. Projects included $8.1 million in special assessment improvement revenue.

Business-Type Activities

Business-Type activities increased the City's net position by $16,198,768, accounting for 60.2% of the total growth in the City's net position. An increase in revenue from federal and state grants for the airport runway construction project was a significant factor in the net position increase.

FINANCIAL ANALYSIS OF THE GOVERNMENT'S FUNDS

As noted earlier, the City uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds

The focus of the City's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the City's financing requirements. In particular, unreserved fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.

As of the end of the current fiscal year, the City's governmental funds reported combined ending fund balances of $145,547,824, an increase of $12,001,761, in comparison with the prior year. A part of the fund balance is known as non-spendable, which specifically refers to the notes receivable balance in the amount of $1,234,481. The total restricted due to external limitations is $78,260,447, or 53.7%, of the total fund balance. These limitations include $4,718,231 for building construction reserve, $44,943,099 for debt service, $271,867 for weather-related operations, and $28,327,250 for capital projects. The committed funds of $38,626,753 and assigned funds of $4,765,734 are limited to its intended use. $16,061,146 is committed to special programs in the special revenue funds and $22,565,607 is committed for capital project use in the sales tax, special deficiency, building improvements, street lights and traffic signals, highway construction and community development funds. The assigned uses include contingencies of $825,000, department equipment reserve of $1,950,415, fire truck and equipment reserve of $494,841, technology equipment reserve of $126,565, computer expansion reserve of $416,329, parking lot reserve of $96,293 and payroll reserve of $856,291.

The General Fund is the chief operating fund of the City. At the end of the current fiscal year, unassigned fund balance of the general fund was $35,556,939, while total fund balance reached $45,040,904. The fund balance increased by $1,085,307 as compared to 2018. The increase can be largely attributed to a reduction in expenditures for vacant salaries due to turnover and higher than anticipated revenue received for state aid distribution of $250,579 and investment income of $478,037.

The construction project fund accounts for a majority of the improvements to the street, water and sewermains. The construction projects have a positive fund balance of $5,265,555. The special deficiency and assumptions was $3,666,154, highway construction fund was $11,642,606, building improvements was $1,318,324, street lights/signals were $520, and community development was $300,000 while the construction for street, sewer, water and sidewalk had a combined negative fund balance of $11,662,049. The City initially cash flows the construction improvement districts which results in negative fund balances. The City funds the construction projects through a sale of special assessment bonds for these expenses in the following fiscal year and receives reimbursement for costs incurred in the previous fiscal year. In addition, the highway construction fund receives funding from sales tax to construct and rehabilitate existing roads and streets. The special deficiency and assumptions receives one mill levy and an administration fee to repair a portion of the existing roads and streets.

Proprietary Funds

The City's proprietary fund statements provide similar information found in the government-wide financial statements.

Unrestricted net position of the proprietary funds at the end of the year amounted to a $51,545,489. All individual proprietary funds reported increases in net position, except for Commercial Property of $98,160 due to a decrease in rental revenue along with the sale of the property and closing of the fund, Northern Plains Commerce Centre of $162,423, and Event Center of $421,439 all in part to the operating costs exceeding generated revenues.

GENERAL FUND BUDGETARY HIGHLIGHTS

During 2019, the General Fund had an overall increase between the original and final amended budget of $55,326 due to 2018 encumbrances carried over into 2019 and budget amendments reducing the 2019 budget to be utilized in the 2020 budget. Significant variances between budget and actual are as follows:

- Taxes decreased by $993,761 which is largely due to the 5% discount on early payment.
- Intergovernmental revenue increased by $858,944 which is mainly attributed to an increase in the state aid contribution from the State of North Dakota.
- Investment Income exceeded budget by $738,474 due in large part to market turn around and City's ability to get better rates of return on banking investments.
- General Government surplus of $833,921 was partly attributed to unexpended wages, insurance premiums due to vacant positions and staff turnover as well as unexpended service fees.
- Public Safety surplus of $689,900 is largely a result of vacant positions and staff turnover resulting in reduction of wages and insurance premiums.
- Highways and Streets surplus of $225,741 is due largely to vacant positions and staff turnover resulting in unexpended wages and benefits.
- Health and Welfare surplus of $256,314 is largely a result of vacant positions and staff turnover as well as a reduction in vaccination supplies purchased.
- Transfers of $876,637 was largely the result of transfers from the General fund to the special revenue funds not being needed, as originally expected and budgeted.

CAPITAL ASSET AND DEBT ADMINISTRATION

Capital Assets – The City's net investment in capital assets for its governmental and business type activities as of December 31, 2019, amounts to $648,031,603 (net of accumulated depreciation). This investment in capital assets includes land, buildings, improvements, machinery and equipment, infrastructure, and construction in progress. Major capital asset events during the current fiscal year included the following:

- Construction began on Phase III of the airport runway replacement project.
- Construction of special assessment projects throughout the City.

City of Bismarck
Capital Assets
(net of depreciation)

	Governmental Activities		Business-Type Activities		Total	
	2018	2019	2018	2019	2018	2019
Land	$ 2,767,950	$ 2,767,950	$ 15,849,073	$ 18,576,528	$ 18,617,023	$ 21,344,478
Construction in Progress	1,672,107	2,870,631	51,806,427	4,061,597	53,478,534	6,932,228
Buildings	20,115,490	19,001,256	177,478,541	171,039,513	197,594,031	190,040,769
Improvements Other Than Buildings	16,768	14,282	224,322,252	277,535,991	224,339,020	277,550,273
Machinery and Equipment	13,866,122	13,958,167	20,533,206	20,665,919	34,399,328	34,624,086
Infrastructure	322,570,839	323,529,424	-	-	322,570,839	323,529,424
Total	$ 361,009,276	$ 362,141,710	$ 489,989,499	$ 491,879,548	$ 850,998,775	$ 854,021,258

Additional information on the City's capital assets can be found in Note IV.D on pages 44 – 45 of this report.

Long-term debt – At the end of the current fiscal year, the City had total long-term debt outstanding of $227,928,783. Of this amount, $118,080,000 is bonds related to special assessments for which the government is liable in the event of default by the property owners subject to the assessment. The City revenue bonds are secured by Water Revenue, Sanitary Sewer Revenue and Lodging, Liquor and Restaurant Tax.

City of Bismarck Outstanding Debt

	Governmental Activities		Business-Type Activities		Total	
	2018	2019	2018	2019	2018	2019
Net Pension Liability	$ 22,677,534	$ 13,040,343	$ 4,978,877	$ 2,574,151	$ 27,656,411	$ 15,614,494
Special Assessment Bonds	125,165,000	118,080,000	-	-	125,165,000	118,080,000
Plus Unamortized Premiums	4,696,275	4,752,538	-	-	4,696,275	4,752,538
Compensated Absences	3,004,326	3,197,602	883,069	928,183	3,887,395	4,125,785
Claims and Judgments	508,690	495,582	165,814	150,418	674,504	646,000
Closure and Postclosure Costs	-	-	2,843,240	3,065,981	2,843,240	3,065,981
Event Center Revenue Bonds	-	-	22,770,000	21,695,000	22,770,000	21,695,000
Less Unamortized Discount	-	-	(20,945)	(19,611)	(20,945)	(19,611)
Water Revenue Bonds-2012	-	-	2,245,000	1,515,000	2,245,000	1,515,000
Plus Unamortized Premium	-	-	19,958	11,404	19,958	11,404
Water Revenue Bonds-2013	-	-	6,515,000	5,945,000	6,515,000	5,945,000
Plus Unamortized Premium	-	-	918	825	918	825
Water Revenue Bonds-2014	-	-	10,175,000	9,370,000	10,175,000	9,370,000
Less Unamortized Discount	-	-	(93,392)	(84,281)	(93,392)	(84,281)
Water Treatment-2009	-	-	9,930,000	9,095,000	9,930,000	9,095,000
Wastewater Revenue Bonds-2006	-	-	10,415,000	9,390,000	10,415,000	9,390,000
Wastewater Revenue Bonds-2015	-	-	26,010,000	24,785,000	26,010,000	24,785,000
Less Unamortized Discount	-	-	(63,222)	(59,352)	(63,222)	(59,352)
Total	$156,051,825	$139,566,065	$ 96,774,317	$ 88,362,718	$252,826,142	$227,928,783

The City issued new special assessments debt of $9,370,000 which was issued in December of 2019 to finance the special assessment projects completed in 2018.

The existing revenue bonds are secured by water and sewer revenue and lodging, liquor and restaurant tax which matures in 2035. More detailed information about the debt position of the City can be found in Note IV.F on page 47.

The City has received an Aa2 bond rating from Moody's. These ratings are consistent with previous ratings received from this agency.

State statutes limit the amount of general obligation debt a governmental entity may issue to 5% of its total assessed valuation. The City has no outstanding general obligation debt.

In addition, the net pension liability as of December 31, 2019 was $15,614,494, a decrease of $12,041,917 from 2018.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES

Growth has continued in the property tax base with new construction and improvements in both residential and commercial properties with an estimated increase of 2.64% in 2019. The number of residential properties sales were 343 through May 2020. There are also 78 new residential building permits issued for that same time period. The continued growth also leads to an increase in the need for the expansion of infrastructure improvements for streets and utilities. In 2019 there were nine special assessment improvement districts.

The State Aid contribution in first quarter of 2020 reflects a 4.6% increase over the prior year which is a result of the growth in the oil and gas industries. However, due to downturn in the oil and gas industries during the first quarter of 2020, the City projects a 10% reduction for the remainder of the year. The unemployment rate was continuing to be low at a rate of 2.4%, until the COVID-19 pandemic began, which has caused the unemployment rates to increase to 7.8%. The economy in the City continues to remain steady at this time.

With the onset of the COVID-19 Pandemic in March 2020, the effects on budgeted revenues and expenditures are unknown. The City anticipates revenue shortfalls and some reduction in expenditures due to the temporary closing of facilities and lack of public program income during the quarantine period. The City continues to provide essential services to the residents of Bismarck and is making plans for the long-term economic recovery of the Community. The City has maintained strong reserve balances which will help bridge financial gaps in revenue projections. This global pandemic has created unprecedented challenges for Federal, State and Local Government operations, creating uncertainty in the outcome of the 2020 budget.

REQUEST FOR INFORMATION

This financial report is designed to provide a general overview of the City's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the Finance Director, 221 North 5th Street, Bismarck, ND, 58506, or visit the City's web site at www.bismarcknd.gov.

BASIC FINANCIAL STATEMENTS

CITY OF BISMARCK, NORTH DAKOTA
STATEMENT OF NET POSITION
DECEMBER 31, 2019

	Governmental Activities	Business-Type Activities	Total
ASSETS:			
Current Assets			
Cash and Investments	$ 132,921,516	$ 49,095,132	$ 182,016,648
Taxes	341,523	-	341,523
Accounts Receivable	11,089,190	2,795,610	13,884,800
Special Assessments Receivable	101,449,802	10,472,753	111,922,555
Interest Receivable	981,523	442,155	1,423,678
Notes Receivable	1,234,481	-	1,234,481
Inventories	335,500	164,607	500,107
Prepaid Items	5,436	155,430	160,866
Internal Balances	(22,930)	22,930	-
Total Current Assets	248,336,041	63,148,617	311,484,658
Noncurrent Assets			
Restricted Cash and Investments	-	12,408,591	12,408,591
Land	2,767,950	18,576,529	21,344,479
Construction in Progress	2,870,631	4,061,597	6,932,228
Building and Building Improvements	19,001,256	171,039,513	190,040,769
Improvements Other Than Buildings	14,282	277,535,991	277,550,273
Machinery and Equipment	13,958,167	20,665,919	34,624,086
Infrastructure	323,529,424	-	323,529,424
Total Noncurrent Assets	362,141,710	504,288,140	866,429,850
Total Assets	610,477,751	567,436,757	1,177,914,508
DEFERRED OUTFLOWS OF RESOURCES			
Pensions	5,166,643	1,447,000	6,613,643
LIABILITIES			
Current Liabilities			
Accounts Payable	4,136,071	2,201,118	6,337,189
Retainage Payable	337,353	1,175,780	1,513,133
Salaries Payable	1,613,384	443,442	2,056,826
Accrued Interest Payable	626,070	598,055	1,224,125
Unearned Revenue	685,524	1,569	687,093
Customer Deposits	100,159	-	100,159
Due Within One Year	20,111,985	7,173,736	27,285,721
Total Current Liabilities	27,610,546	11,593,700	39,204,246
Noncurrent Liabilities			
Customer Deposits	-	1,637,256	1,637,256
Due in More Than One Year	106,413,737	78,614,831	185,028,568
Net Pension Liability	13,040,343	2,574,151	15,614,494
Total Noncurrent Liabilities	119,454,080	82,826,238	202,280,318
Total Liabilities	147,064,626	94,419,938	241,484,564
DEFERRED INFLOWS OF RESOURCES			
Pensions	5,543,697	1,259,225	6,802,922
NET POSITION			
Net Investment in Capital Assets	238,971,819	409,059,784	648,031,603
Restricted For			
Building Construction	4,718,231	-	4,718,231
Capital Projects	28,327,250	-	28,327,250
Debt Service	44,943,098	12,408,591	57,351,689
Highway Weather Related Projects	271,867	-	271,867
Unrestricted	145,803,806	51,736,219	197,540,025
Total Net Position	$ 463,036,071	$ 473,204,594	$ 936,240,665

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

CITY OF BISMARCK, NORTH DAKOTA
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2019

		PROGRAM REVENUES			NET REVENUES (EXPENSE) AND CHANGES IN NET POSITION PRIMARY GOVERNMENT		
Functions / Programs	**Expenses**	**Charges for Services**	**Operating Grants and Contributions**	**Capital Grants and Contributions**	**Governmental Activities**	**Business-Type Activities**	**Total**
Primary Government							
Governmental Activities							
General Government	$ 16,227,336	$ 4,105,318	$ 2,397,313	$ -	$ (9,724,705)	$ -	$ (9,724,705)
Public Safety	29,579,689	2,034,483	1,840,361	-	(25,704,845)	-	(25,704,845)
Highways and Streets	11,597,897	4,435,164	4,143,443	-	(3,019,290)	-	(3,019,290)
Health and Welfare	3,506,605	608,216	1,629,145	-	(1,269,244)	-	(1,269,244)
Culture and Recreation	3,610,946	123,921	364,203	-	(3,122,822)	-	(3,122,822)
Public Works	12,980,551	26,152	-	15,828,761	2,874,362	-	2,874,362
Interest and Fiscal Charges	3,835,971	-	-	-	(3,835,971)	-	(3,835,971)
Total Governmental Activities	81,338,995	11,333,254	10,374,465	15,828,761	(43,802,515)	-	(43,802,515)
Business-Type Activities							
Airport	8,008,830	7,625,965	-	10,699,361	-	10,316,496	10,316,496
Event Center	9,947,984	7,447,339	38,307	-	-	(2,462,338)	(2,462,338)
Water	12,825,126	13,963,761	-	1,287,566	-	2,426,201	2,426,201
Sanitary Sewer	8,776,175	11,695,570	-	896,623	-	3,816,018	3,816,018
Storm Water	2,313,297	1,484,594	-	201,809	-	(626,894)	(626,894)
Solid Waste Disposal	3,068,343	4,213,453	-	-	-	1,145,110	1,145,110
Solid Waste Collections	4,185,101	4,978,616	-	-	-	793,515	793,515
Commercial Property	26,593	11,058	-	-	-	(15,535)	(15,535)
Northern Plains Commerce Centre	286,817	67,717	-	-	-	(219,100)	(219,100)
Parking Authority	1,615,739	1,659,091	-	-	-	43,352	43,352
Total Business-Type Activities	51,054,005	53,147,164	38,307	13,085,359	-	15,216,825	15,216,825
Total Primary Government	$ 132,393,000	$ 64,480,418	$ 10,412,772	$ 28,914,120	(43,802,515)	15,216,825	(28,585,690)
	General Revenues						
	Property Taxes				21,198,684	-	21,198,684
	Sales Tax				21,833,317	-	21,833,317
	Occupancy Tax				1,031,410	-	1,031,410
	Lodging, Liquor, and Food Tax				3,036,341	-	3,036,341
	Car Rental Tax				81,482	-	81,482
	State Aid Distribution				4,784,709	-	4,784,709
	Franchise Taxes				1,093,964	-	1,093,964
	Other Taxes				1,329,301	45,071	1,374,372
	Investment Earnings				4,277,125	1,660,326	5,937,451
	Gain (Loss) on Disposal of Capital Assets				(30,697)	(4,851,712)	(4,882,409)
	Transfers				(4,128,260)	4,128,260	-
	Total General Revenues, Gain (Loss) on Disposal of Capital Assets, and				54,507,376	981,945	55,489,321
	Change in Net Position				10,704,861	16,198,770	26,903,631
	Net Position, Beginning of Year				452,331,210	457,005,824	909,337,034
	Net Position, End of Year				$ 463,036,071	$ 473,204,594	$ 936,240,665

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

CITY OF BISMARCK, NORTH DAKOTA
BALANCE SHEET
GOVERNMENTAL FUNDS
DECEMBER 31, 2019

	General Fund	Sales Tax	Sewermain Bonds	Street Improvement Bonds	Street Improvement Construction	Total Nonmajor Funds	Total Governmental Funds
ASSETS							
Cash and Investments	$ 44,910,611	$ 28,856,088	$ 3,702,225	$ 16,856,101	$ -	$ 34,998,584	$ 129,323,609
Taxes Receivable	284,144	-	-	-	-	57,379	341,523
Accounts Receivable	1,934,821	5,109,165	-	-	178	3,665,321	10,709,485
Special Assessments Receivable	-	-	17,695,492	74,914,048	-	8,840,262	101,449,802
Notes Receivable	-	-	-	-	-	1,234,481	1,234,481
Interfund Receivables	4,847	-	3,319,435	6,460,638	-	1,485,202	11,270,122
Total Assets	$ 47,134,423	$ 33,965,253	$ 24,717,152	$ 98,230,787	$ 178	$ 50,281,229	$ 254,329,022
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCE							
LIABILITIES							
Accounts Payable	$ 550,071	$ -	$ 4,530	$ 45,512	$ -	$ 2,325,726	$ 2,925,839
Retainage Payable	-	-	-	-	236,207	101,146	337,353
Interfund Payables	-	-	-	-	6,460,638	4,832,414	11,293,052
Salaries Payable	1,322,451	-	-	-	-	258,500	1,580,951
Customer Deposits	100	-	-	-	-	100,059	100,159
Unearned Revenue	-	-	-	-	-	685,528	685,528
Total Liabilities	1,872,622	-	4,530	45,512	6,696,845	8,303,373	16,922,882
DEFERRED INFLOWS OF RESOURCES							
Special Assessment Taxes	-	-	16,280,571	67,575,554	-	7,736,691	91,592,816
Property Taxes	220,897	-	-	-	-	44,603	265,500
Total Deferred Inflows of Resources	220,897	-	16,280,571	67,575,554	-	7,781,294	91,858,316
FUND BALANCE							
Nonspendable	-	-	-	-	-	1,234,481	1,234,481
Restricted	4,718,231	28,327,250	8,432,051	30,609,721	-	6,173,194	78,260,447
Committed	-	5,638,003	-	-	-	32,739,772	38,377,775
Assigned	4,765,734	-	-	-	-	-	4,765,734
Unassigned	35,556,939	-	-	-	(6,696,667)	(5,950,885)	22,909,387
Total Fund Balance	45,040,904	33,965,253	8,432,051	30,609,721	(6,696,667)	34,196,562	145,547,824
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	$ 47,134,423	$ 33,965,253	$ 24,717,152	$ 98,230,787	$ 178	$ 50,281,229	$ 254,329,022

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

CITY OF BISMARCK, NORTH DAKOTA
Reconciliation of Balance Sheet
To the Statement of Net Position
December 31, 2019

Fund Balances of Governmental Funds	$145,547,824
Amounts reported for governmental activities in the statement of net position are different because:	
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds.	362,141,710
Other assets are not available to pay for current period expenditures and, therefore, are deferred in the funds.	92,839,843
The net pension liability is not due and payable in the current period and, therefore, is not reported in the funds. Deferred outflows and inflows of resources related to pensions are applicable to future periods, and, therefore, are not reported in the funds.	(13,417,397)
Long-term liabilities, including bonds payable, are not due and payable in the current period and, therefore, are not reported in the funds.	(126,656,210)
Internal service funds are used by management to charge the cost of employee insurance, liability insurance, unemployment insurance, and revolving cost to the individual funds. The assets and liabilities of the internal service funds are included in governmental activities in the statement of net position.	2,580,301
Net Position of Governmental Activities	$463,036,071

CITY OF BISMARCK, NORTH DAKOTA
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2019

	General Fund	Sales Tax	Sewermain Bonds	Street Improvement Bonds	Street Improvement Construction	Total Nonmajor Funds	Total Governmental Funds
REVENUES							
Taxes	$ 18,700,632	$ 21,833,317	$ -	$ -	$ -	$ 7,699,304	$ 48,233,253
Special Assessments Revenue	-	-	3,811,769	15,963,743	66,285	2,676,271	22,518,068
Intergovernmental	7,550,194	-	-	-	-	9,628,910	17,179,104
Charges for Services	3,629,414	-	-	-	-	3,560,557	7,189,971
Licenses and Permits	2,019,372	-	-	-	-	1,200	2,020,572
Fines and Forfeitures	1,370,764	-	-	-	-	198,570	1,569,334
Investment Income	1,136,974	437,118	157,391	505,575	-	755,791	2,992,849
Rentals	291,163	-	-	-	-	81,871	373,034
Miscellaneous	61,840	-	-	-	26,152	230,045	318,037
Total Revenues	34,760,353	22,270,435	3,969,160	16,469,318	92,437	24,832,519	102,394,222
EXPENDITURES							
Current							
General Government	10,691,315	254	-	-	39,589	3,569,198	14,300,356
Public Safety	26,325,440	-	-	-	-	1,147,283	27,472,723
Highways and Streets	2,580,558	-	-	-	-	8,157,470	10,738,028
Health and Welfare	2,322,031	-	-	-	-	1,057,766	3,379,797
Culture and Recreation	441,841	-	-	-	-	2,465,097	2,906,938
Public Works	-	-	-	-	264,579	1,041,608	1,306,187
Capital Outlay	625,864	-	-	-	9,061,806	10,033,355	19,721,025
Debt Service							
Principal	-	-	2,792,299	12,085,894	-	1,576,807	16,455,000
Interest and Fiscal Charges	-	-	667,149	2,811,817	-	273,852	3,752,818
Total Expenditures	42,987,049	254	3,459,448	14,897,711	9,365,974	29,322,436	100,032,872
Excess (Deficiency) of Revenues Over (Under) Expenditures	(8,226,696)	22,270,181	509,712	1,571,607	(9,273,537)	(4,489,917)	2,361,350
OTHER FINANCING SOURCES (USES)							
Proceeds from Special Assessment Bonds	-	-	-	-	7,437,926	1,932,074	9,370,000
Premium on Special Assessment Bonds	-	-	-	-	363,080	95,767	458,847
Transfers In	12,654,416	10,284,624	304,622	1,759,073	4,419,100	10,301,830	39,723,665
Transfers Out	(3,342,413)	(15,816,240)	-	(116,804)	(1,864,312)	(18,772,332)	(39,912,101)
Total Other Financing Sources (Uses)	9,312,003	(5,531,616)	304,622	1,642,269	10,355,794	(6,442,661)	9,640,411
Net Change in Fund Balance	1,085,307	16,738,565	814,334	3,213,876	1,082,257	(10,932,578)	12,001,761
Fund Balance, Beginning of Year	43,955,597	17,226,688	7,617,717	27,395,845	(7,778,924)	45,129,140	133,546,063
Fund Balance, End of Year	$ 45,040,904	$ 33,965,253	$ 8,432,051	$ 30,609,721	$ (6,696,667)	$ 34,196,562	$ 145,547,824

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

CITY OF BISMARCK, NORTH DAKOTA
Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances to the Statement of Activities
For the Year Ended December 31, 2019

Net change in fund balances - total governmental funds	$12,001,761
Amounts reported for governmental activities in the statement of net position are different because:	
Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.	1,429,798
The net effect of various miscellaneous transactions involving capital assets (i.e. sales, disposals, and donations) is to decrease net position.	(297,364)
Revenues in the statement of activities that do not provide current financial resources are reported as deferred inflows of resources in governmental funds between fiscal years.	(8,223,188)
The issuance of long-term debt (i.e. bonds, leases) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net position. Also, governmental funds report the effect of premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities. This amount is the net effect of these differences in the treatment of long-term debt and related items.	6,626,153
Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.	(1,435,145)
Internal service funds are used by management to charge the cost of health insurance, liability insurance, unemployment insurance, and revolving cost to the individual funds. A portion of the net revenue in the internal service funds is reported with governmental activities.	602,846
Change in net position of governmental activities	$10,704,861

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

CITY OF BISMARCK, NORTH DAKOTA
STATEMENT OF NET POSITION
PROPRIETARY FUNDS
DECEMBER 31, 2019

	BUSINESS-TYPE ACTIVITIES - ENTERPRISE FUNDS							GOVERNMENTAL ACTIVITIES
	Airport	Event Center	Water	Sanitary Sewer	Storm Water	Nonmajor Enterprise	Total	Internal Service Funds
ASSETS								
Current Assets:								
Cash and Cash Equivalents	$ 7,298,383	$ 152,947	$ 5,963,252	$ 9,033,863	$ 4,038,777	$ 22,161,828	$ 48,649,050	$ 4,043,986
Accounts Receivable	366,390	153,397	662,091	766,644	91,175	755,913	2,795,610	379,723
Special Assessments Receivable	-	-	4,004,485	4,185,337	2,282,931	-	10,472,753	-
Interest Receivable	52,882	-	72,267	109,470	31,644	175,892	442,155	-
Interfund Receivables	-	22,930	-	-	-	-	22,930	-
Inventories	-	-	164,607	-	-	-	164,607	335,500
Prepaid Items	11,918	64,304	37,599	17,568	3,506	20,535	155,430	5,436
Total Current Assets	7,729,573	393,578	10,904,301	14,112,882	6,448,033	23,114,168	62,702,535	4,764,645
Noncurrent Assets:								
Restricted Cash and Cash Equivalents	-	-	6,927,114	5,481,477	-	-	12,408,591	-
Land	8,469,631	912,100	877,279	337,375	4,972,397	3,007,747	18,576,529	-
Construction in Progress	994,214	-	516,056	616,946	1,875,899	58,482	4,061,597	-
Building and Building Improvements	13,454,184	27,261,789	57,785,343	51,392,472	-	21,145,725	171,039,513	-
Improvements Other Than Buildings	96,147,532	-	77,446,143	48,778,330	45,829,743	9,334,243	277,535,991	-
Machinery and Equipment	1,525,518	1,695,670	5,596,469	6,769,450	101,773	4,977,039	20,665,919	4,665
Total Noncurrent Assets	120,591,079	29,869,559	149,148,404	113,376,050	52,779,812	38,523,236	504,288,140	4,665
Total Assets	128,320,652	30,263,137	160,052,705	127,488,932	59,227,845	61,637,404	566,990,675	4,769,310
DEFERRED OUTFLOWS OF RESOURCES								
Pensions	234,161	215,216	414,052	237,133	55,084	291,354	1,447,000	121,414
LIABILITIES								
Current Liabilities:								
Accounts Payable	290,127	193,666	673,572	276,004	353,708	309,107	2,096,184	1,315,189
Retainage Payable	1,054,792	-	36,580	84,408	-	-	1,175,780	-
Accrued Interest Payable	-	99,208	234,461	264,386	-	-	598,055	-
Compensated Benefits Payable	106,600	108,092	159,327	71,728	23,156	134,415	603,318	-
Salaries Payable	78,487	91,040	110,308	56,745	15,361	91,501	443,442	32,433
Unearned Revenue	-	-	-	-	-	1,569	1,569	-
Claims and Judgments Payable	-	-	-	-	-	-	-	646,000
Debt Payable, Current	-	1,105,000	3,015,000	2,300,000	-	-	6,420,000	-
Total Current Liabilities	1,530,006	1,597,006	4,229,248	3,053,271	392,225	536,592	11,338,348	1,993,622
Noncurrent Liabilities:								
Compensated Benefits Payable	54,727	45,541	48,301	37,662	9,005	129,629	324,865	-
Net Pension Liability	412,748	374,771	733,042	419,823	97,522	536,245	2,574,151	210,525
Customer Deposits	-	633,496	977,500	-	-	26,260	1,637,256	-
Debt Payable, Noncurrent	-	20,570,389	22,837,948	31,815,648	-	-	75,223,985	-
Closure and Post-Closure Liability	-	-	-	-	-	3,065,981	3,065,981	-
Total Noncurrent Liabilities	467,475	21,624,197	24,596,791	32,273,133	106,527	3,758,115	82,826,238	210,525
Total Liabilities	1,997,481	23,221,203	28,826,039	35,326,404	498,752	4,294,707	94,164,586	2,204,147
DEFERRED INFLOWS OF RESOURCES								
Pensions	203,565	188,023	330,523	189,295	43,972	303,847	1,259,225	94,778
NET POSITION								
Net Investment in Capital Assets	119,536,287	8,194,170	116,331,762	73,694,517	52,779,812	38,523,236	409,059,784	4,665
Restricted for Debt Service	-	161,676	6,765,438	5,481,477	-	-	12,408,591	-
Unrestricted	6,817,480	(1,286,719)	8,212,995	13,034,372	5,960,393	18,806,968	51,545,489	2,587,134
Total Net Position	$ 126,353,767	$ 7,069,127	$ 131,310,195	$ 92,210,366	$ 58,740,205	$ 57,330,204	473,013,864	$ 2,591,799
						Difference between business-type adjustments to assets and liabilities	190,730	
						Net position of business-type activities	$ 473,204,594	

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

CITY OF BISMARCK, NORTH DAKOTA
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
PROPRIETARY FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2019

	BUSINESS-TYPE ACTIVITIES - ENTERPRISE FUNDS							GOVERNMENTAL ACTIVITIES
	Airport	Event Center	Water	Sanitary Sewer	Storm Water	Nonmajor Enterprise	Total	Internal Service Funds
OPERATING REVENUES								
Event Sales	$ -	$ 6,838,339	$ -	$ -	$ -	$ -	$ 6,838,339	$ -
Sale of Gas and Oil	-	-	-	-	-	-	-	965,244
Sale of Parts and Labor	116,702	-	163,231	4,725	-	-	284,658	2,334,182
Water Sales	1,542	-	13,016,735	-	-	-	13,018,277	-
Sanitation Fees	-	-	15,576	11,251,413	1,453,480	9,066,976	21,787,445	-
Landing and Airport Fees	3,026,437	-	-	-	-	-	3,026,437	-
Miscellaneous Sales	18,304	47,129	30,585	426,176	31,114	35,085	588,393	297,804
Rentals	4,462,979	598,492	737,634	13,257	-	1,827,874	7,640,236	14,420
Employer Contributions	-	-	-	-	-	-	-	10,988,530
Employee Contributions	-	-	-	-	-	-	-	123,475
Total Operating Revenues	7,625,964	7,483,960	13,963,761	11,695,571	1,484,594	10,929,935	53,183,785	14,723,655
OPERATING EXPENSES								
Cost of Goods Sold	-	3,700,065	101,679	-	-	-	3,801,744	2,008,003
Personnel Services - Salaries and Wages	1,432,377	2,220,696	2,109,015	1,220,007	302,360	1,883,050	9,167,505	653,573
Personnel Services - Fringe Benefits	685,123	779,378	1,155,974	649,725	149,337	1,055,311	4,474,848	387,165
Professional Legal and Contracted Services	1,229,552	134,117	209,397	275,090	82,948	768,081	2,699,185	2,288
Building Equipment and Vehicle Services	948,951	879,651	1,961,084	1,219,891	526,257	1,668,126	7,203,960	335,882
Travel and Training	10,669	11,192	48,192	25,151	8,445	2,717	106,366	9,498
Operating Services	234,265	185,687	592,248	106,577	28,884	1,590,724	2,738,385	10,856,883
Operating Supplies	264,327	94,988	1,068,973	501,219	34,092	352,890	2,316,489	15,358
Depreciation Expense	3,231,226	1,106,271	4,786,923	3,703,690	1,187,210	1,907,010	15,922,330	1,006
Total Operating Expenses	8,036,490	9,112,045	12,033,485	7,701,350	2,319,533	9,227,909	48,430,812	14,269,656
Net Operating Income (Loss)	(410,526)	(1,628,085)	1,930,276	3,994,221	(834,939)	1,702,026	4,752,973	453,999
NONOPERATING REVENUES (EXPENSES)								
Grants Revenue	45,072	-	-	-	-	-	45,072	-
Special Assessment Taxes	-	-	819,489	777,336	167,061	-	1,763,886	-
Investment Income	145,383	16,935	530,677	332,347	93,659	535,409	1,654,410	58,440
Gain (Loss) on Disposal of Capital Assets	(5,165,370)	-	5,608	(3,271)	(15,332)	326,653	(4,851,712)	132,414
Interest and Fiscal Charges	-	(863,429)	(839,050)	(1,101,034)	-	-	(2,803,513)	-
Total Nonoperating Revenues (Expenses)	(4,974,915)	(846,494)	516,724	5,378	245,388	862,062	(4,191,857)	190,854
Net Income (Loss) Before Capital Charges, Capital Grants, Capital Contributions, and Transfers	(5,385,441)	(2,474,579)	2,447,000	3,999,599	(589,551)	2,564,088	561,116	644,853
Capital Charges	-	-	206,013	98,970	-	-	304,983	-
Capital Grants	10,699,361	-	-	-	-	-	10,699,361	-
Capital Contributions	-	-	729,522	20,316	3,608,522	-	4,358,360	5,442
Transfers In	20,371	2,278,633	177,621	-	143,007	150,000	2,769,632	330,000
Transfers Out	(159,175)	(225,493)	(869,205)	(177,852)	(103,849)	(1,119,733)	(2,655,307)	(255,889)
Change in Net Position	5,175,116	(421,439)	2,690,951	3,941,033	3,058,129	1,594,355	16,038,145	724,406
Net Position, Beginning of Year	121,178,651	7,490,566	128,619,244	88,269,333	55,682,076	55,735,849		1,867,393
Net Position, End of Year	$ 126,353,767	$ 7,069,127	$ 131,310,195	$ 92,210,366	$ 58,740,205	$ 57,330,204		$ 2,591,799

Adjustment to reflect the consolidation of internal service fund activities related to enterprise funds	160,625
Changes in net position of business-type activities	$ 16,198,770

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

CITY OF BISMARCK, NORTH DAKOTA
STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2019

	BUSINESS-TYPE ACTIVITIES - ENTERPRISE FUNDS							GOVERNMENTAL ACTIVITIES
	Airport	Event Center	Water	Sanitary Sewer	Storm Water	Nonmajor	Total	Internal Service Funds
CASH FLOWS FROM OPERATING ACTIVITIES								
Receipts from customers and users	$ 8,246,323	$ 7,033,043	$ 13,999,193	$ 11,691,545	$ 1,554,635	$ 10,812,920	$ 53,337,659	$ 3,447,544
Receipts from employer	-	-	-	-	-	-	-	10,988,530
Other receipts	-	-	-	-	-	-	-	297,804
Payments to suppliers	(3,119,453)	(5,227,471)	(3,520,983)	(2,472,906)	(539,833)	(4,847,072)	(19,727,718)	(13,162,339)
Payments to employees	(2,004,606)	(2,928,733)	(3,079,989)	(1,791,828)	(284,610)	(2,134,059)	(12,223,825)	(608,825)
Net cash provided (used) by operating activities	3,122,264	(1,123,161)	7,398,221	7,426,811	730,192	3,831,789	21,386,116	962,714
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES								
Payment on advance	-	-	-	-	-	(1,930,000)	(1,930,000)	-
Payments from other funds	20,371	2,278,633	177,621	-	143,007	150,000	2,769,632	330,000
Payments to other funds	(159,175)	(225,493)	(869,205)	(177,852)	(103,849)	(1,119,733)	(2,655,307)	(255,889)
Net cash provided (used) by noncapital financing activities	(138,804)	2,053,140	(691,584)	(177,852)	39,158	(2,899,733)	(1,815,675)	74,111
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES								
Grants received	10,699,361	-	-	-	-	-	10,699,361	-
Taxes received	45,072	-	-	-	-	-	45,072	-
Debt principal paid	-	(1,075,000)	(2,940,000)	(2,250,000)	-	-	(6,265,000)	-
Debt interest paid	-	(868,130)	(861,508)	(1,124,175)	-	-	(2,853,813)	-
Proceeds from sale of capital assets	-	-	-	351	-	1,725,870	1,726,221	8,790
Proceeds from insurance recoveries	-	-	11,333	-	-	-	11,333	123,624
Special assessments collected	-	-	585,619	619,687	316,309	-	1,521,615	-
Capital charges collected	-	-	206,013	98,970	-	-	304,983	-
Acquisition / construction of capital assets	(11,323,589)	(124,992)	(3,580,627)	(1,940,760)	(50,041)	(2,057,728)	(19,077,737)	-
Net cash provided (used) by capital and related financing activities	(579,156)	(2,068,122)	(6,579,170)	(4,595,927)	266,268	(331,858)	(13,887,965)	132,414
CASH FLOWS FROM INVESTING ACTIVITIES								
Investment income	98,035	16,935	481,796	246,357	68,487	401,850	1,313,460	58,440
Net increase (decrease) in cash and cash equivalent	2,502,339	(1,121,208)	609,263	2,899,389	1,104,105	1,002,048	6,995,936	1,227,679
Cash and cash equivalents, beginning of year	4,796,044	1,274,155	12,281,103	11,615,951	2,934,672	21,159,780	54,061,705	2,816,307
Cash and cash equivalents, end of year	$ 7,298,383	$ 152,947	$ 12,890,366	$ 14,515,340	$ 4,038,777	$ 22,161,828	$ 61,057,641	$ 4,043,986
Reconciliation of net operating income (loss) to net cash provided (used) by operating activities								
Net operating income (loss)	$ (410,526)	$ (1,628,085)	$ 1,930,276	$ 3,994,221	$ (834,943)	$ 1,702,026	$ 4,752,969	$ 453,999
Adjustments to reconcile net operating income (loss) to net cash provided (used) by operating activities:								
Depreciation expense	3,231,226	1,106,271	4,786,923	3,703,690	1,187,210	1,907,010	15,922,330	1,006
Change in deferred outflows of resources	256,054	293,516	489,519	296,263	76,074	421,144	1,832,570	141,572
Change in deferred inflows of resources	162,703	166,079	298,214	170,224	39,282	232,519	1,069,021	85,604
Change in net pension liability	(341,137)	(384,918)	(630,518)	(385,113)	(100,399)	(562,641)	(2,404,726)	(183,679)
(Increase) decrease in accounts receivable	620,359	27,879	35,432	9,874	70,041	(98,887)	664,698	10,223
(Increase) decrease in due from other funds	-	(475)	-	-	-	-	(475)	-
(Increase) decrease in inventories	-	-	2,330	-	-	-	2,330	(53,045)
(Increase) decrease in prepaid items	(384)	(30,280)	(2,631)	(1,676)	(524)	(419)	(35,914)	(627)
Increase (decrease) in customer deposits	-	(478,796)	-	(13,900)	-	(17,117)	(509,813)	-
Increase (decrease) in accounts payable	(431,305)	49,398	460,427	(337,668)	290,658	3,664	35,174	525,410
Increase (decrease) in revenue bonds payable	-	1,334	464	3,870	-	-	5,668	-
Increase (decrease) in compensated benefits payable	24,290	(3,732)	12,311	(6,646)	515	18,376	45,114	-
Increase (decrease) in salaries payable	10,984	396	15,474	3,176	2,278	4,384	36,692	1,251
Increase (decrease) in due to other funds	-	(241,748)	-	-	-	-	(241,748)	-
Increase (decrease) in deferred revenue	-	-	-	-	-	(1,011)	(1,011)	-
Increase (decrease) in claims and judgments payable	-	-	-	(9,504)	-	-	(9,504)	(19,000)
Increase in accrued closure and post-closure liability	-	-	-	-	-	222,741	222,741	-
Total adjustments	3,532,790	504,924	5,467,945	3,432,590	1,565,135	2,129,763	16,633,147	508,715
Net cash provided (used) by operating activities	$ 3,122,264	$ (1,123,161)	$ 7,398,221	$ 7,426,811	$ 730,192	$ 3,831,789	$ 21,386,116	$ 962,714
NONCASH INVESTING, CAPITAL, AND FINANCE ACTIVITIES:								
Construction of capital assets contributed through capital project funds	$ -	$ -	$ 467,457	$ -	$ 3,573,774	$ -	$ 4,041,231	$ -
Contribution of capital assets from developers	-	-	258,441	17,144	34,747	-	310,332	-

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

CITY OF BISMARCK, NORTH DAKOTA
FIDUCIARY FUNDS
STATEMENT OF FIDUCIARY NET POSITION
FOR THE YEAR ENDED DECEMBER 31, 2019

ASSETS		
Receivables:		
Accrued Interest and Dividends	$	310,494
Investments at Fair Value:		
International Equities		72,106,754
International Fixed Income		50,095,699
Real Estate		29,863,185
Mutual Funds		191,306
Certificates of Deposit		199,726
Invested Cash		842,792
Invested Securities Lending		260,635
Total Assets		153,870,591
LIABILITIES		
Accounts Payable		88,237
Securities Lending Collateral		260,635
Total Liabilities		348,872
NET POSITION		
Restricted For:		
Pensions		152,517,794
Participants		1,003,925
Total Net Position	$	153,521,719

CITY OF BISMARCK, NORTH DAKOTA
FIDUCIARY FUNDS
STATEMENT OF FIDUCIARY NET POSITION
FOR THE YEAR ENDED DECEMBER 31, 2019

ADDITIONS		
Contributions:		
Employers	$	4,207,864
Employees		2,131,275
Total Contributions		6,339,139
Investment Income:		
Net Increase (Decrease) in Fair Value of Investments		18,801,593
Interest and Dividends		3,295,853
Securities Lending Income		12,961
Total Investment Income		22,110,407
Investment Expense:		
Investment Activity Expense		388,895
Securities Lending Expense		2,593
Net Investment Income (Loss)		21,718,919
Total Additions		28,058,058
DEDUCTIONS		
Benefits Paid to Participants		8,251,653
Refunds		406,678
Administration		132,053
Total Deductions		8,790,384
Change in Net Position		19,267,674
Net Position, Beginning of Year		134,254,045
Net Position, End of Year	$	153,521,719

NOTES TO THE BASIC FINANCIAL STATEMENTS

	Page
I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES	
A. REPORTING ENTITY	31
B. GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS	31
C. MEASUREMENT FOCUS, BASIS OF ACCOUNTING, AND FINANCIAL STATEMENT PRESENTATION	31
D. ASSETS, LIABILITIES, AND NET POSITION OR FUND BALANCE	33
1. Cash and Investments	33
2. Inventories and Prepaid Items	33
3. Capital Assets	34
4. Deferred Outflows of Resources	34
5. Unearned Revenues	34
6. Long-Term Liabilities	34
7. Compensated Absences / Termination Benefits	35
8. Pensions	36
9. Deferred Inflows of Resources	36
10. Net Position and Fund Balance	36
II. RECONCILIATION OF GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS	
A. EXPLANATION OF CERTAIN DIFFERENCES BETWEEN THE GOVERNMENTAL FUND BALANCE SHEET AND STATEMENT OF NET POSITION IN THE GOVERNMENTAL ACTIVITIES	38
B. EXPLANATION OF CERTAIN DIFFERENCES BETWEEN THE GOVERNMENTAL FUND STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES AND THE STATEMENT OF ACTIVITIES	39
III. STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY	
A. BUDGETARY INFORMATION	40
B. DEFICIT FUND BALANCE	41
IV. DETAILED NOTES ON ALL FUNDS	
A. DEPOSITS	41
B. INVESTMENTS	42
C. NOTES RECEIVABLE	44
D. CAPITAL ASSETS	45
E. INTERFUND RECEIVABLES, PAYABLES, AND TRANSFERS	46
F. LONG-TERM DEBT	48
G. CONDUIT DEBT	51
H. COMMITMENTS	52
I. TAX ABATEMENTS	52
J. RISK MANAGEMENT	53
K. LANDFILL CLOSURE AND POST-CLOSURE LIABILITY	54
L. COST-SHARING ARRANGMENT	54
M. EMPLOYEE RETIREMENT PLANS	55
N. SUBSEQUENT EVENTS	71

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The City of Bismarck (the City) was incorporated in 1875. The City operates under a city commission form of government under the Home Rule Charter. The City is governed by a mayor and four city commissioners elected by the residents. The accompanying financial statements present the activities of the City.

The accounting policies of the City conform to generally accepted accounting principles as applicable to government entities. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles.

A. REPORTING ENTITY

The financial reporting entity consists of the City, organizations for which the City is financially accountable, and organizations that raise and hold economic resources for the direct benefit of the City. All funds, organizations, institutions, agencies, departments and offices that are not legally separate are part of the City. Legally separate organizations for which the City is financially accountable are considered part of the reporting entity. Financial accountability exists if the City appoints a voting majority of the organization's governing board and is able to impose its will on the organization, or if there is a potential for the organization to provide benefits to, or impose financial burdens on, the City.

B. GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all activities of the City. For the most part, the effect of interfund activity has been removed from these financial statements to avoid duplication. Exceptions to this general rule are charges for interfund services that are reasonably equivalent to the services provided. Governmental activities, which are normally supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which are normally financed through user fees and charges for goods or services.

The statement of activities demonstrates the degree to which the direct expenses of the given function or segment are offset of program revenues. The statement of activities compares the direct expenses and program revenues for both the functions of the governmental activities and the business-type activities of the City. Direct expenses are those that are clearly identifiable with a specific function. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for governmental funds, proprietary funds, and fiduciary funds, even though the latter are excluded from the City's government-wide financial statements. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

C. MEASUREMENT FOCUS, BASIS OF ACCOUNTING, AND FINANCIAL STATEMENT PRESENTATION

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the proprietary fund and fiduciary fund financial statements. The economic resources measurement focus and the accrual basis of accounting records revenues when earned and expenses are recorded when a liability is incurred, regardless of the timing of the related cash flows. Fiduciary funds have no measurement focus. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current year or soon enough thereafter to pay liabilities of the current year. For this purpose, the City considers revenues to be available if they are collected within 60 days of the end of the current year, except for reimbursement revenues yet to be received from federal grants. These revenue sources are considered current for reimbursement of current liabilities in the respective fiscal year.

Taxes, intergovernmental revenues, and interest associated with the current year are considered to be susceptible to accrual and so have been recognized as revenues in the current year. All other revenues are considered to be measurable and available only when cash is received by the City.

Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

Proprietary funds distinguish between operating and nonoperating revenues and expenses. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The operating revenues of the City's enterprise funds and the internal service funds are charges to customers for sales and services. Similarly, operating expenses include the cost of goods and services sold, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

Amounts reported as program revenues include 1) charges to customers for goods, services, or privileges provided, 2) operating grants and contributions, and 3) capital grants and contributions, including special assessments. Revenues that do not meet the previous criteria are reported as general revenues, including all taxes.

Interfund transactions that are representative of lending or borrowing arrangements subsequently to the fiscal year-end are reported as advances. Other outstanding interfund balances are reported as interfund receivables and payables. Residual interfund balances outstanding between governmental activities and business-type activities are reported in the government-wide financial statements as internal balances.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements. Exceptions to this rule are when various charges exist between different functions of the government (i.e. water and sewer charges to other various functions of the City). Elimination of these charges would distort direct revenues and expenses reported from various City functions.

Property value is assessed as of the second Tuesday in April of each year. Property taxes are levied and attached as an enforceable lien by January 1st of the preceding year. A 5% discount is applied if payment is received by February 15th subsequent the year for which the tax is levied. The tax levy is divided into two payments due March 1st and October 15th. Penalty and interest is assessed on any delinquent payment.

In the fund financial statements, the City reports the following major governmental funds:

General Fund – This fund is the general operating fund of the City. It is used to account for all financial resources except those accounted for in another fund.

Sales Tax Fund – This is a special revenue fund that accounts for the collection of the City-imposed one and a half percent sales tax revenue used for voter-approved eligible expenditures.

Sewermain Bond Fund – This fund accounts for the collection of the special assessment revenue and the payment of special assessment bonds for sewermain improvements.

Street Improvement Bond Fund – This fund accounts for the collection of the special assessment revenue and the payment of special assessment bonds related to street improvements.

Street Improvement Construction Fund – This fund accounts for the expenditures related to construction of street improvements. The street improvement expenditures are financed by special assessment bond proceeds.

The City reports the following major proprietary funds:

Airport – This fund accounts for the operations of the Bismarck Municipal Airport.

Event Center – This fund accounts for the operations of the Bismarck Event Center.

Water Utility – This fund accounts for the operations of water treatment and distribution.

Sanitary Sewer Utility – This fund accounts for the operations of sanitary sewers and wastewater treatment.

Storm Water Utility – This fund accounts for the operations of storm sewers.

Additionally, the City reports the following fund types:

Internal Service Funds – These funds are used by the City to charge for internal fleet services, health insurance, liability insurance, unemployment insurance, and revolving expenditures allocated to individual City funds.

Fiduciary Funds – These are trust funds used to account for the activities of the City Employees' Pension Plan, the Police Pension Plan, and Employee Excess Retirement. These activities accumulate resources for pension benefit payments made to retirees. The Deferred Sick Leave Plan accumulates resources for the payment of sick leave accumulated prior to the change in the City's sick leave policy as of December 31, 1992.

D. ASSETS, DEFERRED OUTFLOWS OF RESOURCES, LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND NET POSITION OR FUND BALANCE

1. Cash and Investments

Deposits and investments are displayed on the statement of net position as cash and investments. Deposits and investments of the Public Trustee are held separately from County resources. Investments are reported at fair value, net asset value, and amortized cost, as applicable. The City's cash and cash equivalents are considered to be cash on hand, demand deposits and short-term investments with original maturities of three months or less from the date of acquisition. Highly liquid investments are readily convertible and near their maturity.

2. Inventories and Prepaid Items

Inventories are valued at cost, using the first-in / first-out (FIFO) method. The costs of governmental fund-type inventories are recorded as expenditures when consumed.

Enterprise Funds record any payments made to vendors for services that will benefit periods beyond December 31, 2019, as prepaid items. The cost of services to governmental type funds is recorded as expenditures when paid rather than the benefited period.

3. Capital Assets

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items) are, reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the City as assets with an initial, individual cost of $5,000, except for infrastructure networks which are capitalized if the total cost exceeds $50,000. Capital assets are valued at historical or estimated historical cost. Donated capital assets are recorded at estimated acquisition value at the date of donation. The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized.

Property, plant, and equipment of the City are depreciated using the straight line method over the following estimated useful lives:

Buildings and building improvements	10 - 50 Years
Improvements other than buildings	25 - 50 Years
Infrastructure	20-100 Years
Equipment	2 - 15 Years

4. Deferred Outflows of Resources

Deferred outflows of resources represent a consumption of net position by the government that would not be recognized as an outflow of resources (expense/expenditure) until future period(s) in which it is applicable. Deferred outflows are recorded in the government-wide Statement of Net Position under the governmental or business-type columns. Deferred outflows of resources of proprietary and internal service funds are reported in detail in their respective fund statements.

The City reports defined benefit pension plans in this category.

5. Unearned Revenues

Unearned revenues include revenues that have been collected but the corresponding expenditures have not been incurred and the eligibility criteria have not been met.

6. Long-Term Liabilities

In the government-wide financial statements and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type statement of net position. Premiums and discounts are deferred and amortized over the life of the debt issuance on a straight-line basis. Long-term debt payable is reported net of the related debt premium or discount.

In the fund financial statements, governmental fund types recognize related debt premiums and discounts during the current period. The face amount of debt issued is reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs are reported as debt service expenditures or expenses.

Internal service funds predominately serve the governmental funds. At year end, $646,000 of claims and judgments are included in governmental and business-type activities.

7. Compensated Absences / Termination Benefits

Annual Leave

The annual leave plan allows employees to accrue annual leave with pay based on their years of service with the City as follows:

0 - 3 years	8 hours per month
4 - 7 years	10 hours per month
8 -12 years	12 hours per month
13 - 18 years	14 hours per month
over 18 years	16 hours per month

Regular part-time employees shall earn a prorated number of annual leave hours paid at their current rate of compensation. Fire department employees who have a regular workweek in excess of forty hours per week are granted annual leave at a rate adjusted to take into account additional hours to make their annual leave comparable to the leave granted for regular full-time employees.

Annual leave accrued during the calendar year may be accumulated up to a maximum of 360 hours for eligible employees, except for fire department employees that work a regular work week in excess of 40 hours may accumulate up to a maximum of 477 hours. On January 1 of each year, annual leave in excess of the maximum annual leave hours are forfeited without compensation.

Remaining annual leave hours are paid upon termination at the employee's current pay rate up to a maximum of 360 hours for regular employees and 477 hours for fire department employees.

Accumulated annual leave hours are calculated at the current pay rate on December 31 to determine the liability. Annual leave is accrued when incurred in the government-wide, proprietary, and fiduciary fund financial statements. In the governmental funds, a liability is incurred only when payable in the respective fund. Governmental activities compensated absences are liquidated by the General Fund and various Special Revenue Funds.

Sick Leave

The current sick leave policy was established on December 31, 1992. Employees may accumulate a maximum of 960 and 1,272 hours annually for 40-hour per week and 53-hour per week employees, respectively. Excess sick leave will be paid to all employees at 40% of their excess hours over 960 or 1272. Sick leave is not paid upon termination, except for employees hired and accumulated sick leave prior to December 31, 1992.

Employees that had accumulated sick leave prior to December 31, 1992 were allowed to accumulate outstanding sick leave hours for payment upon termination. For these employees, on December 31, 1992, any hours in excess of the maximum 960 or 1272 hours were reduced by 25%. The remaining sick leave hours, in excess of the maximum, at the rate of pay on December 31, 1992 determined the liability held in the Deferred Sick Leave Fiduciary Fund. In addition, any employee with a sick leave balance less than the 960 or 1272-hour maximum was allowed to choose an option to either reduce the sick leave hours by 25% or retain the hours in order to reach the maximum at a faster pace. The employees that chose to reduce the sick leave by 25% were allowed to be paid upon termination at the pay rate on December 31, 1992 held in the Deferred Sick Leave Fiduciary Fund, a pension (and other employee benefit) trust fund.

8. Pensions

The City participates and majority member of the City of Bismarck Employees' Pension Plan (City Employees' Pension Plan). The Employees' Pension Plan is a multiple employer cost-sharing defined benefit pension plan. The City is required to report a proportionate share of the net pension liability (asset), deferred outflows and inflows of resources, and pension expense using the economic resources measurement focus and accrual basis of accounting. The City also maintains and participates in the Bismarck Police Employees' Pension Plan (Police Employees' Pension Plan), a single employer defined benefit pension plan. The City is required to report related net pension liability (asset), deferred outflows and inflows of resources, and pension expense for the Police Employees' Pension Plan using the economic resources measurement focus and accrual basis of accounting. For this purpose, benefits and refunds of employee contributions are recognized when due and payable in accordance with the benefit terms and statutes governing the City Employees' Pension Plan and the Police Employees' Pension Plan, accordingly. Expenses are recognized when the liability is incurred, regardless of when payment is made.

Benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with benefit terms. The City's proportionate share is allocated among governmental activities, business-type activities, proprietary funds, and internal service funds based on the present value of future payroll.

The City Employees' Pension Plan employer and plan member contributions are recognized when due pursuant to the City ordinance and requirements. Investment income is recognized as revenue when earned. Retirement benefits and refunds are recognized when due and payable in accordance with the terms of the Plan. Other expenses are recognized when the corresponding liabilities are incurred. The net appreciation or depreciation in fair value of investments is recorded as an increase or decrease to investment income. The entire expense of the City Employees' Pension Plan administration is charged against the earnings.

9. Deferred Inflows of Resources

Deferred inflows of resources represent an acquisition of net position that would not be recognized as an inflow of resources (revenue) until a future period(s). Deferred inflows of resources are recorded in the Statement of Net Position under the governmental or business-type columns. Deferred inflows of resources of governmental funds, proprietary funds, and internal service funds are reported in detail in their respective fund statements.

Property taxes and special assessment revenues that are measurable and met the eligibility criteria but not available within 60 days after the fiscal year-end are classified as deferred inflows of resources in the governmental fund financial statements, but recognized as revenues in the government-wide financial statements. The City also reports defined benefit pension plans in this category.

10. Net Position and Fund Balance

Net position represents the difference between assets, deferred outflows of resources, liabilities, and deferred inflows of resources on the government-wide, proprietary, and fiduciary fund financial statements and fund balance on the governmental fund financial statements.

In 2011, the City approved a policy that defined fund balance categories and the constraints placed on the City's fund balances. Governmental funds report fund balances based on the extent of the purpose and constraints placed on the available resources. The following classifications describe the relative strength of spending constraints of fund balance:

Nonspendable – Balances that cannot be spent either because they are not in spendable form or legally or contractually required to be maintained intact.

Restricted fund balance – Balances that are subject to externally enforceable legal purpose imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation.

Committed fund balance – Balances that are subject to a purpose constraint imposed by formal action of the City's Board of Commission. The City's Board of Commission is the highest level of decision-making authority. The City's Board of Commissioners has authorized to set aside funds for a specific purpose based on a single majority vote. The formal motion must take place prior to December 31 of the applicable fiscal year and be recorded in the official minutes. If the actual amount of the commitment is not available by December 31st, the motion must state the process or formula necessary to calculate the actual amount as soon as information is available. Commitments may be established, modified, or rescinded by the same formal action that imposed the original commitment by the City's Board of Commissioners. The City Commission establishes, modifies or rescinds fund balance commitments by passage of a resolution.

Assigned fund balance – Balances that are subject to a purpose constraint that represents an intended use, but do not meet the criteria to be classified as restricted or committed. The Board has delegated the authority to assign unrestricted fund balance to the City's Finance Director. Assigned fund balance is established through adoption or amendment of the budget for its intended specific purpose.

Unassigned fund balance – Represents the residual classification of balances that are not subject to external restrictions and not committed or assigned. The General Fund is the only fund that reports a positive fund balance. This represents the resources available for future spending and amounts that are not nonspendable, restricted, committed, or assigned to a specific purpose.

In the General Fund, the City of Bismarck will strive to maintain a minimum unrestricted fund balance equal to 60% of the General Fund revenue. This will assist in maintaining an adequate level of fund balance to provide for large future expenditures, cash flow requirements, and contingencies. If spending in designated circumstances has reduced unrestricted fund balance to a point below the minimum target, the replenishment will be within five years.

When expenditures are incurred for purposes for which both restricted and unrestricted fund balances are available, the County considers restricted funds to have been spent first. When expenditures are incurred for which committed, assigned, or unassigned fund balances are available, the County considers committed balances to have been spent first, then assigned, and, finally, unassigned, as needed, unless the Board has provided otherwise in its commitment or assignment actions. As of December 31, 2019, fund balances are composed of the following:

	General Fund	Sales Tax	Sewermain Bonds	Street Improvement Bonds	Street Improvement Construction	Nonmajor Governmental Funds	Total Governmental Funds
Nonspendable:							
Notes Receivable	$ -	$ -	$ -	$ -	$ -	$ 1,234,481	$ 1,234,481
Restricted:							
Building construction	4,718,231	-	-	-	-	-	4,718,231
Highway weather projects	-	-	-	-	-	271,867	271,867
Capital projects	-	28,327,250	-	-	-	-	28,327,250
Debt payments	-	-	8,432,051	30,609,721	-	5,901,327	44,943,099
Committed:							
Public health programs	-	-	-	-	-	968,226	968,226
Transit system	-	-	-	-	-	4,005	4,005
Public library	-	-	-	-	-	893,054	893,054
Drug enforcement	-	-	-	-	-	396,402	396,402
Highways and streets	-	-	-	-	-	4,973,658	4,973,658
Street light operations	-	-	-	-	-	3,047,239	3,047,239
Economic development	-	-	-	-	-	1,712,191	1,712,191
Capital projects	-	5,638,003	-	-	-	20,744,997	26,383,000
Assigned:							
Contingencies	825,000	-	-	-	-	-	825,000
Department equipment	1,950,415	-	-	-	-	-	1,950,415
Fire Truck/Equipment	494,841	-	-	-	-	-	494,841
Technology equipment	126,565	-	-	-	-	-	126,565
Computer expansion	416,329	-	-	-	-	-	416,329
Parking lot	96,293	-	-	-	-	-	96,293
Payroll reserve	856,291	-	-	-	-	-	856,291
Unassigned	35,556,939	-	-	-	(6,696,667)	(5,950,885)	22,909,387
Total Fund Balances	$ 45,040,904	$ 33,965,253	$ 8,432,051	$ 30,609,721	$ (6,696,667)	$ 34,196,562	$ 145,547,824

II. RECONCILIATION OF GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS

A. EXPLANATION OF CERTAIN DIFFERENCES BETWEEN FUND BALANCE AND NET POSITION IN THE GOVERNMENTAL ACTIVITIES

The governmental funds balance sheet includes a reconciliation between total governmental fund balance and net position in the governmental activities. Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the funds. The detail of this reconciliation is as follows:

	2019
Bonds payable	$ (118,080,000)
Less: unamortized bond discount	-
Plus: unamortized bond premium	(4,752,538)
Accrued interest payable	(626,070)
Compensated absences	(3,197,602)
Net adjustment to reduce fund balance - total governmental funds to arrive at net position - governmental activities	$ (126,656,210)

B. EXPLANATION OF CERTAIN DIFFERENCES BETWEEN THE GOVERNMENTAL FUND STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES AND STATEMENT OF ACTIVITIES

The governmental funds statement of revenues, expenditures and changes in fund balances includes a reconciliation between the changes in fund balances in governmental funds and changes in net position in the statement of activities. Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.

The detail of this reconciliation is as follows:

Capital outlay	$ 19,721,025
Contributed capital	1,558,669
Capital outlay transferred to Enterprise Funds	(4,041,231)
Depreciation expense	(15,808,665)
Net adjustment to increase net changes in fund balances - total governmental funds to arrive at changes in net position of governmental activities	$ 1,429,798

The net effect of various miscellaneous transactions involving capital assets is to increase net position. The detail of this reconciliation is as follows:

In the statement of activities, only the gain/(loss) on the sale of capital assets is reported. However, in the governmental funds, the proceeds from the sale increase/(decrease) financial resources. Thus, the change in net position differs from the change in fund balance by the cost of the capital assets sold.	$ (297,364)
Net adjustment to increase/(decrease) net changes in fund balances - total governmental funds to arrive at changes in net position of governmental activities	$ (297,364)

Another element of that reconciliation states that “the issuance of long-term debt (e.g., bonds, leases) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net position. Also, governmental funds report the effect of premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities.”

The details of this $6,626,153 difference are as follows:

Debt issued or incurred:	
Issuance of special assessment debt	$ (9,370,000)
Plus: bond premium	(458,847)
Principal repayments:	
General obligation debt	16,455,000
Net adjustment to increase/(decrease) net changes in fund balances - total governmental funds to arrive at changes in net position of governmental activities	$ 6,626,153

Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in the governmental funds. The detail of this reconciliation is as follows:

Compensated absences	$ (193,276)
Accrued interest	26,639
Amortization of bond premium & interest on escrow	433,580
Amortization of bond discounts	(30,996)
Net pension liability and related deferred outflows and inflows	(1,671,092)
Net adjustment to increase net changes in fund balances - total governmental funds to arrive at changes in net postion of governmental activities	$ (1,435,145)

III. STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY

A. BUDGETARY INFORMATION

The City adopts an annual budget approved by the Board of City Commissioners. The budget is adopted on a generally accepted accounting principles (GAAP) basis. Activities of the General Fund, Special Revenue Funds, and Debt Service Funds are included in the annual appropriated budget in accordance with the N.D.C.C.

The level of budgetary control is established at the department level. The department is allowed to transfer appropriations within a department. City's Board of Commissioners approval is required for the transfer of appropriations between departments. The entire budget can be amended by City's Board of Commissioner approval of the amendment. Annually, the proposed budget is presented to the City's Board of Commissioners for review and approval by August 7th. The City's Board of Commissioners hold public hearings and may modify the proposed budget before the annual budget is officially adopted on October 7th.

The City also maintains an encumbrance system as a technique of accomplishing budgetary control. Encumbrances represent commitments related to uncompleted contracts for goods or services. Encumbrance accounting, under which purchase orders, contracts and other commitments for the expenditure of resources are recorded to reserve that portion of the applicable appropriation, is utilized in the General Fund. For budgetary purposes appropriations lapse at year end except for that portion related to encumbered amounts. Encumbrances outstanding at year-end are reported as reservations of fund balances and do not constitute expenditures or liabilities because the commitments will be honored during the subsequent year.

B. DEFICIT FUND BALANCE

The following individual funds had deficits at December 31, 2019, in the fund balance of the following funds:

Capital Projects Funds:	Deficit
Sewermain Construction	$ (3,449,357)
Sidewalk Construction	(1,516,025)
Street Improvement Construction	(6,696,667)

Sewermain Construction, Sidewalk Construction, and Street Improvement Construction will be funded from the issuance of special assessment bonds in following fiscal year.

IV. DETAILED NOTES ON ALL FUNDS

A. DEPOSITS

The City maintains cash and investments in accordance with the North Dakota state statutes, also known as the North Dakota Century Code (N.D.C.C. 21-06-07).

Cash and Investments

As of December 31, 2019 the City's cash and investments are as follows:

Petty Cash	$ 41,609
Deposits	110,056,035
Investments	237,887,692
Total Cash and Investments	$ 347,985,336

The cash and investments presented in the Financial Statements December 31, 2019 are as follows:

Primary Government	
Unrestricted	$ 182,016,648
Restricted	12,408,591
Fiduciary Funds	153,560,097
Total Cash and Investments	$ 347,985,336

Custodial Credit Risk

Custodial credit risk is associated with the failure of a depository financial institution to recover its deposits or collateralized securities that are in the possession of outside parties. The City does not have a formal policy that addresses custodial credit risk for deposits. However, in accordance with state statutes, the City maintains deposits at financial institutions authorized by the Board of City Commissioners. State statutes also require that the deposits be protected by insurance, collateral, or surety bond. The fair value of the collateral pledged

by the financial institution must be equal to or greater than 110% of the deposits not covered by FDIC insurance or surety bonds. The only exception is deposits with the Bank of North Dakota, which is owned and backed by the full faith and credit of the State of North Dakota. At December 31, 2019, the carrying amount of the City's deposits was $110,056,035 and the bank balance was $110,503,391, which was FDIC insured and collateralized.

B. INVESTMENTS

As of December 31, 2019, the City had the following investments:

		Investment Maturities						
	S & P Rating	Less Than One Year	1-5 Years	6-10 Years	More Than 10 Years	Fair Value	Percent of Investments	Fair Value Hierarchy
US Government Agency	AA+	$ 10,226,980	$ 3,589,318	$ -	$ -	13,816,298	6%	Level 2
US Treasury STRIPS	Not Rated	141,554	696,782	4,679,771	-	5,518,107	2%	Level 2
US Treasury Notes	AA+	12,046,544	2,032,229	-	-	14,078,773	6%	Level 1
Negotiable CD	Not Rated	1,469,927	-	-	-	1,469,927	1%	Level 2
Commercial Paper	A-1+	45,420,785	-	-	-	45,420,785	19%	Level 2
Money Market Fund	AAAm	4,569,436	-	-	-	4,569,436	2%	Level 2
Local Gov't Pool (Pension)	Not Rated	153,014,366	-	-	-	153,014,366	64%	NAV
Total Investments		$ 226,889,592	$ 6,318,329	$ 4,679,771	$ -	$ 237,887,692	100%	

State statutes authorize the City to invest in the following:

- Bonds, treasury bills and notes, or other securities that are a direct obligation of, or an obligation insured or guaranteed by, the treasury of the United States, or its agencies, instrumentalities, or organizations created by an act of Congress
- Securities sold under agreements to repurchase written by a financial institution in which the underlying securities for the agreement to repurchase are of the type listed above
- Certificates of deposit fully insured by the Federal Deposit Insurance Corporation (FDIC) or the State of North Dakota
- Securities of any state and local government
- Commercial paper issued by a United States corporation

Pension trust funds in the fiduciary funds are authorized to be invest their surplus funds outside of N.D.C.C. 21-06-07 by selecting a funding agent or agents to hold and invest such funds and shall be placed for investment only with a firm whose primary endeavor is money management. The City invests pension trust funds with the North Dakota State Investment Board.

Interest Rate Risk

Interest rate risk is the risk that changes in interest rates of debt securities will adversely affect the fair value of an investment. The price of a debt security typically moves in the opposite direction of the change in interest rate. The City does not have a formal investment policy that limits investment maturities as a means of managing its exposure to potential fair value losses arising from future changes in interest rates.

Investments in the Deferred Sick, City Pension and Police Pension funds are generally managed by the North Dakota Retirement and Investment Office (NDRIO) under the authority of the State Investment Board. The N.D.C.C. 21-10 allows the State Investment Board to apply the prudent investor rule in investing funds under its supervision. The investments must be exclusively for the benefit of their members and in accordance with the respective funds' investment goals and objectives. For more information, refer to the NDRIO financial reports as follows: http://www.state.nd.us/rio/SIB/Publications/default.htm.

Credit Risk

Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. The City does not have a formal investment policy that specifically addresses credit risk.

Concentration of Credit Risk

Concentration of credit risk is the risk of loss attributed to the magnitude of a government's investment in a single issuer. The City does not have an investment policy that specifically addresses concentrations of credit risk in a single issuer.

Fair Value Measurement

Investments are stated at fair value based on quoted market prices.

The fair value measurements are categorized by the fair value hierarchy based on the generally accepted accounting principles. Valuation inputs are used measure the fair value of the asset to determine the appropriate category. The categories range from level 1 which is the highest priority to level 3 which is the lowest priority and are based on the following categories:

Level 1 Unadjusted quoted prices for identical instruments in active markets.

Level 2 Quoted prices for similar instruments in the active markets; quoted prices for identical or similar instruments in markets that are not active; and model-derived valuations in which all significant inputs are observable.

Level 3 Valuations derived from valuation techniques in which significant inputs are unobservable.

Investments that are measured at fair value using net asset value per share (or its equivalent) as a practical expedient are not classified in the fair value hierarchy. The fair value leveling of the City of Bismarck's investment portfolio are as of December 31, 2019.

The Level 1 securities are valued using the quoted prices in active markets for identical assets. Level 2 and Level 3 securities are valued based on methodologies such as bid evaluations, market averages, and other matrix pricing techniques as well as values derived from associated traded securities or last trade data. In instances where inputs used to measure fair value fall into different levels, the fair value is categorized based on the lowest level input that is significant to the valuation.

The State Investment Board is regulated by an eleven-member board. The audited financial statements may be found at https://www.nd.gov/rio/SIB/Publications/default.htm or on the North Dakota State Government website. Several agencies whose investments are under the supervision of the State Investment Board participates in the pooled investments. The agencies transfer money into the investment pools and receive an appropriate percentage ownership of the pooled portfolio based upon fair value. All activities of the investment pools are allocated to the agencies based upon their respective ownership percentages. Each participant unit is valued at $1.00 per unit.

C. NOTES RECEIVABLE

Notes receivable as of December 31, 2019 were:

	INTEREST RATE	MATURITY DATE	RECEIVABLE BALANCE
HUD Abused Adult Resource Bonnie's House	0%	7/24/2013 - 9/20/2033	100,563
HUD Habitat Home Ownership Project	0%	7/8/2009 -7/8/2024	30,326
HUD Home Dakota Apartments Project	0%	12/20/2011 - 12/20/2031	347,000
HUD Neighborhood Stabilization Program	0%	3/30/2010 - 3/30/2025	14,171
HUD NSP Dakota Apartments	0%	12/20/2011 - 12/20/2031	193,443
HUD Patterson Place Apartments Loan	0%	12/31/2039	300,000
Laughing Sun Brewing Company, LLC	2%	5/18/2018 - 12/1/2030	103,337
JB Lozensky Properties, LLP	2%	12/31/2018 - 6/1/2036	39,627
ND Safety Council	2%	5/24/2018 - 1/1/2024	106,014
TOTAL NOTES RECEIVABLE			$ 1,234,481

Repayments of the HUD loans are forgivable when the terms of the agreement are met.

The City has entered into four notes receivable with the Department of Housing and Urban Development (HUD) for the HOME Investment Partnerships Program and Neighborhood Stabilization Programs. This includes projects the Dakota Apartments Home Program. The Neighborhood Stabilization Program is forgiven after 20 years or due if ownership changes beginning December 20, 2011. Habitat Home Ownership project is forgivable at 10% annually beginning on July 8, 2015 and 100% forgiven if owned for at least 15 years. The Abused Adult Resource Center for Bonnie's House is forgiven after 20 years or if ownership changes starting as of July 24, 2013. The Neighborhood Stabilization Program loan is forgivable at 10% per year after 6 years. The Patterson Place Apartment Loan is a non-forgivable loan with a payment due from surplus cash from the sale of the property, if ownership changes, or when a change in the façade easement is made. The original 1983 loan was subordinated on December 16, 2013 with an extended term until April 1, 2024. On March 24, 2019, the note was assumed by new ownership, and the term was extended to December 31, 2039. The Brandon Heights II Home Project remaining balance of $109,650 was paid in full in 2019.

Notes receivable authorized from the Vision fund to Laughing Sun Brewing Company, LLC, JB Lozensky Properties, LLP, and ND Safety Council promote economic and job development in the City. The Vision Fund currently has three outstanding loans. The Laughing Sun Brewing Company, LLC, loan accrues interest at 2% and payments are required starting 97 months from the promissory date. Monthly payments of $2,320 will begin on June 1, 2026. The JB Lozensky Properties, LLP loan payment is required starting 127 months from the promissory date. Monthly payments will begin July 1, 2029 in the amount of $610. The ND Safety Council loan of $106,014 accrues interest at 2% and payments are required starting 32 months from the promissory date. Monthly payments will begin June 1, 2021 in the amount of $3,194.

D. CAPITAL ASSETS

Capital asset activity for the year ended December 31, 2019 was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Governmental Activities:				
Capital assets, Not Being Depreciated:				
Land	$ 2,767,950	$ -	$ -	$ 2,767,950
Construction in Progress	1,672,107	2,061,474	(862,950)	2,870,631
Total Capital Assets, Not Being Depreciated	4,440,057	2,061,474	(862,950)	5,638,581
Capital Assets, Being Depreciated:				
Buildings and Building Improvements	40,349,224	100,000	-	40,449,224
Improvements Other Than Buildings	85,349	-	-	85,349
Machinery and Equipment	41,424,013	2,994,137	(1,471,664)	42,946,486
Infrastructure	440,519,705	12,707,391	-	453,227,096
Total Capital Assets, Being Depreciated	522,378,291	15,801,528	(1,471,664)	536,708,155
Less Accumulated Depreciation:				
Buildings and Building Improvements	(20,233,734)	(1,214,234)	-	(21,447,968)
Improvements Other Than Buildings	(68,581)	(2,486)	-	(71,067)
Machinery and Equipment	(27,557,891)	(2,843,139)	1,412,711	(28,988,319)
Infrastructure	(117,948,866)	(11,748,806)	-	(129,697,672)
Total Accumulated Depreciation	(165,809,072)	(15,808,665)	1,412,711	(180,205,026)
Total Capital Assets, Being Depreciated, Net	356,569,219	(7,137)	(58,953)	356,503,129
Governmental Activities Capital Assets, Net	$ 361,009,276	$ 2,054,337	$ (921,903)	$ 362,141,710

	Beginning Balance	Increases	Decreases	Ending Balance
Business-Type Activities:				
Capital Assets, Not Being Depreciated:				
Land	$ 15,849,073	$ 2,998,582	$ (271,127)	$ 18,576,528
Construction in Progress	51,806,427	2,990,174	(50,735,004)	4,061,597
Total Capital Assets, Not Being Depreciated	67,655,500	5,988,756	(51,006,131)	22,638,125
Capital Assets, Being Depreciated:				
Buildings and Building Improvements	279,561,803	1,055,444	(1,591,000)	279,026,247
Improvements Other Than Buildings	345,576,888	66,091,797	(13,183,348)	398,485,337
Machinery and Equipment	37,877,745	2,232,142	(1,590,702)	38,519,185
Total Capital Assets, Being Depreciated	663,016,436	69,379,383	(16,365,050)	716,030,769
Less Accumulated Depreciation:				
Buildings and Building Improvements	(102,083,262)	(6,354,255)	450,783	(107,986,734)
Improvements Other Than Buildings	(121,254,636)	(7,713,354)	8,018,644	(120,949,346)
Machinery and Equipment	(17,344,539)	(1,854,721)	1,345,994	(17,853,266)
Total Accumulated Depreciation	(240,682,437)	(15,922,330)	9,815,421	(246,789,346)
Total Capital Assets, Being Depreciated, Net	422,333,999	53,457,053	(6,549,629)	469,241,423
Business-Type Activities Capital Assets, Net	$ 489,989,499	$ 59,445,809	$(57,555,760)	$ 491,879,548

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

Governmental Activities:		
General Government	$	1,283,196
Public Safety		1,574,329
Highways and Streets		597,062
Health and Welfare		28,679
Culture and Recreation		616,170
Public Works		11,709,229
Total Depreciation Expense, Governmental Activities	$	15,808,665

Business-Type Activities:		
Airport	$	3,231,226
Event Center		1,106,271
Water		4,786,923
Sanitary Sewer		3,703,690
Storm Water		1,187,210
Solid Waste Disposal		665,440
Solid Waste Collections		296,554
Commercial Property		13,258
Northern Plains Commerce Centre		215,235
Parking Authority		716,523
Total Depreciation Expense, Business-Type Activities	$	15,922,330

In 2019, the City transferred $3,939,824 of machinery and equipment from the business-type funds to the governmental activities, and reported as a transfer on the statement of activities.

E. INTERFUND RECEIVABLES, PAYABLES, AND TRANSFERS

The interfund receivable and interfund payable balances as of December 31, 2019 were as follows:

	Interfund Payable:		
Interfund Receivable	Street Improvement Construction Fund	Nonmajor Governmental Funds	Total
General Fund	$ -	$ 4,847	$ 4,847
Sewermain Bonds Fund	-	3,319,435	3,319,435
Street Improvement Bonds Fund	6,460,638	-	6,460,638
Nonmajor Governmental Funds	-	1,485,202	1,485,202
Event Center Fund	-	22,930	22,930
Total	$ 6,460,638	$ 4,832,414	$ 11,293,052

Interfund receivables and interfund payables resulted primarily from short-term timing of cash flows. These balances are expected to be eliminated in the subsequent fiscal year.

The interfund transfers during fiscal year ended December 31, 2019 were as follows:

	Transfers In					
Transfers Out	General Fund	Sales Tax	Sewermain Bonds	Street Improvement Bonds	Street Improvement Construction	Nonmajor Governmental Funds
General Fund	$ -	$ -	$ -	$ -	$ 7,050	$ 3,005,363
Sales Tax	9,680,464	-	-	-	-	6,135,776
Street Improvement Bonds	-	-	-	-	116,804	-
Street Improvement Construction	19,635	-	-	1,759,073	-	85,604
Nonmajor Governmental Funds	1,399,353	10,284,624	304,622	-	3,777,996	563,726
Airport	159,175	-	-	-	-	-
Event Center	225,493	-	-	-	-	-
Water	351,955	-	-	-	517,250	-
Sanitary Sewer	145,208	-	-	-	-	2,761
Storm Water	74,717	-	-	-	-	-
Nonmajor Enterprise Funds	344,916	-	-	-	-	506,211
Internal Service Funds	253,500	-	-	-	-	2,389
Total	$ 12,654,416	$ 10,284,624	$ 304,622	$ 1,759,073	$ 4,419,100	$ 10,301,830

	Transfers In						
Transfers Out	Airport Fund	Event Center Fund	Water Fund	Storm Water Fund	Nonmajor Enterprise Funds	Internal Service Funds	Total
General Fund	$ -	$ -	$ -	$ -	$ -	$ 330,000	3,342,413
Sales Tax	-	-	-	-	-	-	15,816,240
Street Improvement Bonds	-	-	-	-	-	-	116,804
Street Improvement Construction	-	-	-	-	-	-	1,864,312
Nonmajor Governmental Funds	20,371	2,278,633	-	143,007	-	-	18,772,332
Airport	-	-	-	-	-	-	159,175
Event Center	-	-	-	-	-	-	225,493
Water	-	-	-	-	-	-	869,205
Sanitary Sewer	-	-	29,883	-	-	-	177,852
Storm Water	-	-	29,132	-	-	-	103,849
Nonmajor Enterprise Funds	-	-	118,606	-	150,000	-	1,119,733
Internal Service Funds	-	-	-	-	-	-	255,889
Total	$ 20,371	$ 2,278,633	$ 177,621	$ 143,007	$ 150,000	$ 330,000	$ 42,823,297

Transfers are primarily for internal charges related to general administrative support, distribution of payroll and related benefits for grant reimbursement, budgeted interfund contributions, and distributions to the related capital projects funds for budgeted capital improvement.

F. LONG-TERM DEBT

Long-term liabilities for the year ended December 31, 2019, were as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
GOVERNMENTAL ACTIVITIES:					
Special Assessment Bonds	$ 125,165,000	$ 9,370,000	$ 16,455,000	$ 118,080,000	$ 16,710,000
Bond Premiums, Net	4,696,275	458,847	402,584	4,752,538	-
Compensated Absences	3,004,326	2,929,697	2,736,421	3,197,602	2,906,403
Claims and Judgments	508,690	5,938,634	5,951,742	495,582	495,582
Total Governmental Activities	$ 133,374,291	$ 18,697,178	$ 25,545,747	$ 126,525,722	$ 20,111,985

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
BUSINESS-TYPE ACTIVITIES:					
Event Center Revenue Bonds, Series 2013	$ 22,770,000	$ -	$ 1,075,000	$ 21,695,000	$ 1,105,000
Bond Discount, Net	(20,945)	1,334		(19,611)	-
Water Revenue Bonds, Series 2012	2,245,000	-	730,000	1,515,000	750,000
Bond Premium, Net	19,958	-	8,554	11,404	-
Water Revenue Bonds, Series 2013	6,515,000	-	570,000	5,945,000	580,000
Bond Premium, Net	918	-	93	825	-
Water Revenue Bonds, Series 2014	10,175,000	-	805,000	9,370,000	820,000
Bond Discount, Net	(93,392)	9,111	-	(84,281)	-
Water Treatment Loan, 2009	9,930,000	-	835,000	9,095,000	865,000
Wastewater Loan, 2006	10,415,000	-	1,025,000	9,390,000	1,055,000
Wastewater Loan, 2015	26,010,000	-	1,225,000	24,785,000	1,245,000
Loan Discount, Net	(63,222)	3,870	-	(59,352)	-
Landfill Closure and Post-Closure	2,843,240	222,741	-	3,065,981	-
Compensated Absences	883,069	638,339	593,225	928,183	603,318
Claims and Judgments	165,814	1,814,103	1,829,499	150,418	150,418
Total Business-Type Activities	$ 91,795,440	$ 2,689,498	$ 8,696,371	$ 85,788,567	$ 7,173,736
Total Long-Term Liabilities	$ 225,169,731	$ 21,386,676	$ 34,242,118	$ 212,314,289	$ 27,285,721

General Obligation Bonds

The City issues general obligation bonds to finance the acquisition and construction of major capital facilities. General obligation bonds are direct obligations and pledge the full faith and credit of the City. The legal debt margin as of December 31, 2019 was $209,851,482 with a remaining non-obligated margin of $209,851,482. The City has not issued any general obligation bonds as of December 31, 2019.

Special assessment bonds outstanding at December 31, 2019 are as follows:

Governmental Activities

Special Assessment Bonds	Issuance Date	Date of Final Payment	Interest Rates	Original Par Value	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
Series W Refunding	12/23/2008	5/1/2023	3.5% - 4.45%	$ 8,915,000	$ 2,910,000	$ -	$ 600,000	$ 2,310,000	$ 590,000
Series X Refunding	1/1/2009	5/1/2023	3.5% - 5.375%	8,210,000	50,000	-	10,000	40,000	10,000
Series Y Refunding	1/6/2010	5/1/2024	2% - 4%	9,615,000	2,500,000	-	420,000	2,080,000	420,000
Series A Refunding	3/25/2010	5/1/2019	2% - 3%	3,855,000	130,000	-	130,000	-	-
Series B Refunding	12/8/2010	5/1/2025	0.70% - 4.25%	9,630,000	3,000,000	-	500,000	2,500,000	420,000
Series C Refunding	12/14/2011	5/1/2026	2% - 2.75%	9,065,000	2,945,000	-	405,000	2,540,000	400,000
Series D Refunding	12/14/2011	5/1/2020	1% - 2%	1,605,000	245,000	-	160,000	85,000	85,000
Series E Refunding	4/15/2012	5/1/2021	2% - 2.2%	4,365,000	1,065,000	-	365,000	700,000	355,000
Series F Refunding	12/19/2012	5/1/2027	1% - 1.8%	9,465,000	5,500,000	-	685,000	4,815,000	635,000
Series G Refunding	1/3/2013	5/1/2022	1.5 - 2%	3,790,000	680,000	-	515,000	165,000	55,000
Series H Refunding	11/14/2013	5/1/2028	1% - 1.8%	15,755,000	8,375,000	-	1,470,000	6,905,000	1,445,000
Series I Refunding	12/1/2014	5/1/2029	0.05% - 3%	24,725,000	15,490,000	-	2,430,000	13,060,000	2,375,000
Series J Refunding	3/25/2015	5/1/2022	2% - 3%	6,510,000	3,430,000	-	930,000	2,500,000	875,000
Series K Refunding	11/10/2015	5/1/2030	2.5% - 5%	31,905,000	23,605,000	-	2,850,000	20,755,000	2,850,000
Series L Refunding	11/22/2016	5/1/2031	2% - 5%	18,365,000	15,575,000	-	1,625,000	13,950,000	1,590,000
Series M Refunding	12/5/2017	5/1/2032	2% - 2.5%	17,790,000	17,175,000	-	1,490,000	15,685,000	1,510,000
Series N Refunding	11/27/2018	5/1/2033	3% - 5%	13,815,000	13,815,000	-	525,000	13,290,000	1,375,000
Series O Refunding	11/26/2019	5/1/2034	2% - 5%	8,235,000	-	8,235,000	-	8,235,000	355,000
Total Improvement Special Assessment Bonds				$ 205,615,000	$ 116,490,000	$ 8,235,000	$ 15,110,000	$ 109,615,000	$ 15,345,000
Sidewalk, 2008	1/6/2010	5/1/2019	1% - 3.1%	$ 810,000	$ 80,000	$ -	$ 80,000	$ -	$ -
Sidewalk, 2009	12/8/2010	5/1/2020	0.9% - 3%	665,000	130,000	-	65,000	65,000	65,000
Sidewalk, 2010	12/14/2011	5/1/2021	0.5% - 2%	935,000	280,000	-	95,000	185,000	95,000
Sidewalk, 2011	1/3/2013	5/1/2022	1.2% - 1.7%	915,000	360,000	-	90,000	270,000	90,000
Sidewalk, 2012	11/14/2013	5/1/2023	2% - 2.75	2,145,000	1,090,000	-	225,000	865,000	220,000
Sidewalk, 2013	12/1/2014	5/1/2024	2% - 3%	1,835,000	1,120,000	-	190,000	930,000	190,000
Sidewalk, 2014	12/1/2015	5/1/2025	2% - 3%	1,950,000	1,380,000	-	200,000	1,180,000	200,000
Sidewalk, 2015	12/15/2016	5/1/2026	2% - 4%	1,970,000	1,615,000	-	205,000	1,410,000	200,000
Sidewalk, 2016	12/5/2017	5/1/2027	2% - 2.5%	1,535,000	1,420,000	-	150,000	1,270,000	150,000
Sidewalk, 2017	11/27/2018	5/1/2028	3% - 5%	1,200,000	1,200,000		45,000	1,155,000	115,000
Sidewalk, 2018	11/29/2019	5/1/2029	2% - 5%	1,135,000	-	1,135,000	-	1,135,000	40,000
Total Sidewalk Special Assessment Bonds				$ 15,095,000	$ 8,675,000	$ 1,135,000	$ 1,345,000	$ 8,465,000	$ 1,365,000
Total Long-Term Debt, Governmental Activities				$ 220,710,000	$ 125,165,000	$ 9,370,000	$ 16,455,000	$ 118,080,000	$ 16,710,000

On December 17, 2019, the City issued Refunding Improvement Bonds, Series 2019, in the amount of $9,370,000 to finance the construction of street lights, streets, sewermains, watermains, sidewalks, and public parking lots. The annual installment of principal and interest is paid by special assessments levied against the benefiting property owners. Principal and interest for the current year was $20,120,505. Special assessment revenue totaled $21,638,771 for the year. In the event special assessment taxes are insufficient to meet principal and interest payments due on these bonds, the City is required to levy an additional general fund tax on all taxable property within the City for the payment of the assumption upon the maturity of the last bond principal installment pursuant to City ordinance and N.D.C.C.

Special assessment bond debt service requirements to maturity are as follows:

	GOVERNMENTAL ACTIVITIES	
Years	Principal	Interest
2020	$ 16,710,000	$ 3,478,135
2021	16,150,000	2,963,196
2022	14,430,000	2,442,439
2023	12,655,000	1,938,895
2024	11,475,000	1,515,384
2025-2029	36,635,000	3,707,172
2030-2034	10,025,000	465,121
Total	$118,080,000	$16,510,342

Revenue Bonds

In 2013, the City issued $27,695,000 in Lodging and Restaurant Tax Revenue Bonds, Series 2013, to finance the construction of the Event Center Exhibit Hall expansion. The City dedicated the future Lodging, Liquor, and Restaurant Tax revenue to meet the annual and future debt service requirements. This bond contains a provision that if proceeds of the Lodging and Restaurant Tax Fund are insufficient to make principal and interest payments on the bond, such deficiencies shall be restored out of the next net proceeds from the Lodging, Liquor, and Restaurant Tax Fund. In addition, the City has purchased a surety issued by Assured Guaranty Municipal Corporation (AGM) to fund a lodging, liquor, and restaurant tax reserve, which may be drawn in the event of default. The City must repay any draws made on this surety and pay all reasonable expenses incurred including interest at the per annum rate of interest plus 3%. Current year principal and interest was $1,942,356. In 2019, lodging, liquor, and restaurant tax revenue totaled $3,234,421.

In 2012, 2013, and 2014, the City issued three revenue bonds totaling $28,950,000. The City pledged future water revenues to finance the standby power, the water softening expansion project, and the water treatment plant intake project, respectively.

In 2015, the City has issued $29,000,000 in Sanitary Sewer Revenue Bonds, Series 2015, to finance the construction of a new wastewater pumping station for delivery of wastewater to trickling filters. The City dedicated the future sanitary sewer fees and revenue to meet the annual and future debt service requirements.

For the revenues bond issues that dedicated water and sanitary sewer revenues, the City's agreed to comply with similar covenants and requirements. If net revenues on hand at any time are insufficient to pay principal and interest payments, such deficiencies shall be restored from revenues collected thereafter. The City is required to own and maintain the capital assets resulting from this construction. However, the City may dispose of any water or sanitary sewer property not essential to the operation in order to meet debt service requirements on these bonds. Principal and interest for the current year was $2,590,414 for the water revenue bonds and $2,031,750 for the sanitary sewer revenue bond.

In 2006 and 2009, the City entered into two loan agreement with the North Dakota Public Finance Authority in the amount of $16,320,000 and $18,400,000, respectively. The City pledged sanitary sewer revenues to finance an upgrade to the wastewater treatment plant intake system and the water treatment facility's sludge plant expansion. In the event of default, the North Dakota Public Finance Authority may take any action permitted within state statutes to collect revenues to meet the necessary debt service requirements. Principal and interest for the current year was $2,550,783.

In 2019, the City's revenues for water and sanitary sewer were $13,963,761 and $11,695,571, respectively. Revenue bonds outstanding as of December 31, 2019 are as follows:

	Issuance Date	Date of Final Payment	Interest Rate	Original Par Value	Beginning Balance	Reductions	Ending Balance	Due Within One Year
Business-Type Activities								
Lodging, Liquor, Food Tax Bonds (Event Center)	10/16/2013	12/1/2034	3% - 4.25%	$ 27,695,000	$ 22,770,000	$ 1,075,000	21,695,000	$ 1,105,000
Water Utility Bonds, 2012	4/26/2012	4/1/2021	2% - 2.5%	6,415,000	2,245,000	730,000	1,515,000	750,000
Water Utility Bonds, 2013	10/10/2013	4/1/2028	1% - 4%	9,000,000	6,515,000	570,000	5,945,000	580,000
Water Utility Bonds, 2014	11/1/2014	4/1/2029	0.05% - 3%	13,535,000	10,175,000	805,000	9,370,000	820,000
Water Treatment Loan, 2009	6/15/2009	9/1/2028	3.31%	16,320,000	9,930,000	835,000	9,095,000	865,000
Wastewater Loan, 2006	11/14/2006	9/1/2027	2.5%	18,400,000	10,415,000	1,025,000	9,390,000	1,055,000
Wastewater Bonds, 2015	11/1/2015	5/1/2035	2% - 5%	29,000,000	26,010,000	1,225,000	24,785,000	1,245,000
Total Long-Term Debt, Business-Type Activities				$120,365,000	$ 88,060,000	$ 6,265,000	$ 81,795,000	$ 6,420,000

Annual debt service requirements to maturity for revenue bonds are as follows:

	BUSINESS-TYPE ACTIVITIES	
Years	Principal	Interest
2020	$ 6,420,000	$ 2,556,252
2021	6,590,000	2,353,196
2022	6,005,000	2,145,068
2023	6,190,000	1,940,173
2024	6,380,000	1,753,753
2025-2029	30,660,000	5,523,766
2030-2034	17,585,000	1,792,869
2035	1,965,000	19,650
Total	$ 81,795,000	$ 18,084,727

G. CONDUIT DEBT

In the past, the City has approved issuance of Industrial Revenue Bonds in the form of conduit debt to provide financial assistance to private-sector entities for the acquisition and construction of industrial and commercial facilities deemed to be in the public interest. The bonds are secured by the financed property and are payable solely from payments received on the underlying mortgage loans. Ownership of the acquired facilities will transfer to the private-sector entity upon repayment of the bonds. Neither the City, State of North Dakota, nor

any political subdivision thereof is obligated in any manner for repayment of the bonds. Accordingly, the bonds are not reported as liabilities in the accompanying financial statements. As of December 31, 2019, three series of industrial revenue bonds were outstanding. The aggregate principal balance is unknown. Neither the State of North Dakota nor the City has a central repository. The only requirement for this type of issue is to request the amount needed for City approval. This amount is most often in excess of the actual amount issued. The City will be notified once the industrial revenue bonds are completely paid or called.

H. COMMITMENTS

As of December 31, 2019, the City had commitments on various contracts totaling $16,036,473.

I. TAX ABATEMENTS

The City allows for five tax abatement programs, such as the Commercial and Residential Renaissance Zone Program, New or Expanding Business Exemptions, and a Commercial and Residential Remodeling Exemption.

In accordance with N.D.C.C. 40-63, the Renaissance Zone Property Tax Exemptions Program is available for commercial and residential buildings located within the renaissance zone, which allows for the property to be excluded from property taxes for a maximum of five years pending City approval. A renaissance zone is a geographical area that the City applies to the North Dakota Department of Commerce for designation.

The Renaissance Zone Program for commercial and residential properties was established in March 2001 and encompasses a 39-block area in the City's downtown area. The purpose of the renaissance zone is to encourage reinvestment in downtown properties by providing property tax incentives to commercial and residential property owners. Four different types of Renaissance Zone projects that qualify for property tax exemptions include rehabilitation, purchase with major improvements, purchase only, and historical preservation and renovation. A renaissance zone project must be approved by both the City and the North Dakota Department of Commerce.

In accordance with N.D.C.C. 40-57.1, the New or Expanding Business Exemption Program allows property tax abatements by assisting in the establishment of industrial plants and expanding and retaining existing businesses. A property tax exemption allows for properties to be excluded for a maximum of five years. The property must have prior certification as a primary sector business by the State of North Dakota Commerce Department. A partial or complete exemption from ad valorem taxation under this section for retail sector projects may receive a partial or complete exemption.

In accordance with N.D.C.C. 40-57-02.2, the Commercial and Residential Remodeling Exemption Program allows for property tax abatements by providing incentives for remodeling properties that are 30 years or older. This exemption is available for commercial and residential remodeling projects that only include additions for residential structures. This exemption is available for a maximum of three years pending City approval.

Taxes abated for the year ending December 31, 2019, were as follows:

Tax Abatement Programs		
Renaissance Zone Exemption - Commercial	$	260,360
Renaissance Zone Exemption - Residential		40,342
Remodeling Exemption - Commercial		173,848
Remodeling Exemption - Residential		17,141
Total Tax Abatement	$	491,691

J. RISK MANAGEMENT

The City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters. The City pays an annual premium to the North Dakota Insurance Reserve Fund (NDIRF) for its general, personal injury, and auto insurance. The coverage by NDIRF is limited to losses of $2,000,000 per occurrence for general liability and $2,000,000 per occurrence for errors and omissions with a deductible of $1,000 per insurance claim. The City has purchased a separate airport liability policy that provides coverage for the Bismarck Municipal Airport.

In addition, the City has established a general liability self-insurance fund. This fund is structured to only cover liabilities under $2,500. The self-insurance fund does not provide collision or comprehensive automotive coverage for the City.

In accordance with N.D.C.C. 32-12.1, the City has a liability limitation of $250,000 per claim with a $500,000 aggregate limit for actions in tort.

As of December 31, 2019, the City did not have any estimated liability claims incurred; however, any sewer backup claims have been recorded as a liability in the Sanitary Sewer Fund, as follows:

City-Wide Liability Claims

	Beginning Liability	Claims and Changes in Estimates	Claim Payments	Ending Liability
2019	$ -	$ -	$ -	$ -
2018	-	-	-	-
2017	200	840	1,040	-

Sewer Backup Claims

	Beginning Liability	Claims and Changes in Estimates	Claim Payments	Ending Liability
2019	$ 9,504	$ 11,618	$ 21,122	$ -
2018	3,770	118,018	112,284	9,504
2017	-	80,404	76,634	3,770

Employee Insurance

The City has established a medical self-insurance fund. The purpose of medical self-insurance fund is to cover medical claims for employees and covered dependents of the two members, the City and the Bismarck Parks and Recreation District, and to minimize the total cost of annual medical insurance premiums. Medical claims exceeding $50,000 per individual per year is covered by the stop-loss insurance provided by Blue Cross and Blue Shield of North Dakota. This medical plan has paid an excess of stop-loss coverage of $2,383,199 for 2019. Settled claims have not exceeded the commercial coverage in any of the past three fiscal years. As of December 31, 2019, incurred but not reported (IBNR) liability was estimated by a third-party administrator and reported in the financial statements in the amount of $646,000. A summary of the IBNR claim reserve liabilities and related claim payments is shown below:

	Beginning Liability	Claims and Changes in Estimates	Claim Payments	Ending Liability
2019	$ 665,000	$ 7,741,119	$ 7,760,119	$ 646,000
2018	672,000	7,054,210	7,061,210	665,000
2017	508,000	6,467,817	6,303,817	672,000

State Fire and Tornado and Bonding Fund

The City participates in the North Dakota Fire and Tornado Fund and the State of North Dakota Bonding Fund. The City pays an annual premium for the North Dakota Fire and Tornado Fund to cover damage to buildings and contents. Replacement cost is estimated in consultation with the North Dakota Fire and Tornado Fund to provide replacement cost coverage. The North Dakota Fire and Tornado Fund is reinsured by a third-party insurance carrier for losses in excess of $1,000,000 per occurrence during a 12-month period. The State of North Dakota Bonding Fund currently provides the City with blanket fidelity bond coverage in the amount of $5,000,000 for employees. The State of North Dakota Bonding Fund does not currently charge a premium for this insurance coverage.

Worker's Compensation

The City participates in the North Dakota Workforce Safety and Insurance Bureau. The North Dakota Workforce Safety and Insurance Bureau is a State of North Dakota insurance fund and a 'no fault' insurance system covering employees. North Dakota Workforce Safety and Insurance Bureau is financed by premiums assessed to state-wide businesses that maintain employees. The premiums are available for the payment of claims to employees injured in the course of employment.

K. LANDFILL CLOSURE AND POST-CLOSURE LIABILITY

The City maintains the Bismarck Municipal Solid Waste Facility that acts in the form of a landfill. Federal and state regulations require the City to place a final cover and perform certain maintenance and monitoring functions at the site for 30 years after closure. The City reports a portion of these closure and post-closure care costs as an operating expense annually based on landfill capacity used. As of December 31, 2019, the City reported a $3,065,981 liability as future landfill closure and post-closure, which represents the cumulative costs with an inflation factor on the use of 98.84% of the estimated capacity of the landfill, as provided by the North Dakota Department of Environmental Quality. Actual costs may be higher due to inflation, various economic factors, changes in technology, or changes in regulations.

In addition, the City is required by federal and state regulations to determine the method to finance this liability. The City is required to manage an annual financial test, in accordance with N.D.C.C. 33-20-14-07, to ensure compliance. The City expects that future inflation costs will be covered by the City's operating revenue. However, if the revenues are inadequate or additional post-closure requirements are established, this liability and related costs may be covered by the City's future tax revenues and the sale of general obligation bonds.

L. COST-SHARING ARRANGEMENT

Central Dakota Communications Center and Emergency Management

The City operates the Central Dakota Communications Center (CenCom) and the Emergency Management Department under a joint powers agreement with Burleigh County. CenCom is administered by a board, which is comprised of six members. The board includes three members from the City, a City commissioner, the chief of police, and the chief of fire; three members from Burleigh County, a Burleigh County commissioner, Burleigh County sheriff, and a rural fire district representative; and representative from a local ambulance service that

is appointed by a majority of the members of the Board of City Commissioners. The City Emergency Management reports to the City Chief of Fire.

On October 27, 2015, the City entered into a charter agreement with the City of Mandan effective January 1, 2016 as a member of CenCom. CenCom will dispatch all emergency calls for law enforcement, fire, and emergency medical services in the City, City of Mandan, and Burleigh County, including Wilton.

In 2019, the City contributed 52%, County contributed 28%, and the City of Mandan contributed 20% of the annual expenditures net of fee revenues collected to CenCom, excluding easements which Burleigh County contributed to CenCom. The City approves the annual budget for CenCom and the City's Emergency Management Department. The City manages, hires, and provides benefits to CenCom employees. CenCom and the Emergency Management Department is a part of the City's General Fund. CenCom assets are reported in the Governmental Activities in the Statement of Net Position. Depreciation expense is reported in the Statement of Activities.

CenCom Total Assets:	
Property and Equipment	$ 382,655
Less: Accumulated Depreciation	(352,252)
Change in Net Position	$ 30,403
Total Operating Expenditures	$ 2,989,265

M. EMPLOYEE RETIREMENT PLANS

The City administers the City Employees' Pension Plan, a multiple-employer cost sharing defined benefit pension plan, for full-time City and Bismarck Parks and Recreation District employees. The City also administers the Bismarck Police Employees' Pension Plan, a single-employer defined benefit pension plan. These pension plans are reported as fiduciary funds in the City's financial statements as pension trust funds. Actuarial reports are available by contacting:

City of Bismarck
Finance Department
P.O. Box 5506
Bismarck, ND 58506-5506

In addition, the City contributes to the Bismarck Firefighters' Relief Association Pension Plan (Firefighters' Pension Plan) administered by the Firefighters' Relief Association, which is a separate legal entity and not included in the City's financial statements. The Firefighters' Pension Plan is a single-employer public employee retirement system governed by N.D.C.C. 18-05 and 18-07. The Firefighters' Pension Plan is organized, operated and maintained in accordance with its own articles of incorporation and by-laws. Participating employees contribute to the plan at a minimum of $237 per bi-weekly payroll or 8% of their covered payroll, whichever is greater. In 2019, the City contributed $785,423 as approved by the City. The complete audited financial and pension information can be obtained by contacting:

Firefighters' Relief Association
P.O. Box 5503
Bismarck, ND 58506-5503

City of Bismarck Employees' Pension Plan

Plan Description - The City of Bismarck Employees' Pension Plan (City Employees' Pension Plan) is a multiple-employer cost-sharing defined benefit pension plan. The City and the Bismarck Parks and Recreation District (the District) full-time employees are the members of the City Employees' Pension Plan, excluding sworn police officers and non-sworn members of the City's police department who began employment before December 31, 2006 and members of the firefighter's relief fund.

Plan Membership – Employees begin participation at the first day of employment with a vesting period of five years. As of December 31, 2019, the City Employees' Pension Plan membership was as follows:

Retirees and Beneficiaries Receiving Benefits	241
Terminated Employees - Vested	67
Active Employees:	
Vested	303
Non-Vested	168
Total Members	779

Plan Administration – The City Employees' Pension Plan is managed by the board of trustees, which consists of the City Administrator and the City department directors, except for the chief of police. The City administers the pension plan and related investments.

Benefits Provided - Benefit provisions, amendments, and requirements are established under the authority of the City Board of Commissioners. Employees may be eligible for early or normal retirement, as well as death benefits. Normal retirement age for full benefits is age 62. Employees who retire at or after age 62 with 5 years of credited service are entitled to an annual retirement benefit, payable monthly for life, in an amount equal to 1.75% of the average of the member's highest 36-month base salary for each full and fractional year of contributing service before January 2005 and 2.25% for contributing service on or after January 2005. Married participants receive a joint and two-thirds to survivor annuity while single participants receive a life-only annuity. There are no provisions with respect to automatic and post-retirement benefit increases. Employees with five years of credited service may retire at an earlier age and receive actuarially reduced retirement benefit. Benefit terms may be amended in accordance with on N.D.C.C. 40-46. Chapter 9-07 of the City's Code of Ordinance grants the authority to the Board of City Commissioners to establish and amend the benefit terms.

Prior to January 2005, City employees directed the investment of their contribution utilizing a contracted City investment manager. These employees were eligible to receive a distribution of the interest earned on the contributions in excess of 5% upon retirement. Effective January 1, 2005, employee contributions are invested with the City pension trust funds and self-directed accounts were discontinued. As of December 31, 2004, interest earned in excess of 5% for the individual employee accounts has been transferred to an Employee Excess Retirement Fund as a Fiduciary Fund. Employee excess retirement accounts continue to be self-directed by the employees but administered by the City in custodial capacity.

Employees or designated beneficiary that separate from the City before attaining the five-year service credit are refunded the employee's accumulated contribution plus interest earnings at 5% per annum.

Contributions

Employee Contributions - Participating active employees contribute to the plan at a rate of 5% of covered payroll. Employees or designated beneficiary that separate from the City before attaining the five-year service credit are refunded the employee's accumulated contribution plus interest earnings at 5% per annum. Member contributions are made through deductions applied to the regular bi-weekly payroll.

Employer Contributions – Employer contributions are based on an actuarial formula identified as entry age normal cost method. This method produces an employer contribution rate consisting of an amount for normal cost and an amount for amortization of the net pension liability over a closed period of 30 years. The annual contribution is approved in the annual adopted budget.

Net Position – As of December 31, 2019, the net position is $108,921,100 and the entire amount is restricted for employee pension benefits.

	2019
Actuarially Determined Contributions	$ 3,181,564
Contributions in Relation to the Actuarially Determined Contribution	2,565,468
Contribution Deficiency (Excess)	$ 616,096
Covered Payroll	$ 24,652,588
Contributions as a Percentage of Covered Payroll	10.4%

Investments

Investment Policy – The City Employees' Pension Plan investment policy and asset class allocations are established and may be amended by the Board of Trustees by a majority vote of its members. The policy of the City Employees' Pension Plan is to pursue an investment strategy to improve the funding status to protect and sustain current and future benefits, minimize the employee and employer contributions, avoid substantial volatility in required contribution rates and fluctuations in the funding status, and accumulate a funding surplus to provide increases in retiree payments to preserve the purchasing power of their retirement benefits.

The City Employees' Pension Plan Board has entered into a contract with the North Dakota State Investment Board (SIB) for investment services, in accordance with N.D.C.C. 21-10-06, and implement these policies by investing the City Employees' Pension Plan assets in the manner described in N.D.C.C. 21-10-07, the prudent investor rule. Management's responsibility that is not assigned to the SIB in N.D.C.C. 21-10 is delegated to the SIB. SIB must establish written policies for the operation of the investment program consistent with the City Employees' Pension Plan investment policy.

The City Employees' Pension Plan Board of Trustees adopted a long-term investment horizon and asset allocation policy for the management of these assets. Asset allocation targets are established using an asset-liability analysis designed to determine an acceptable volatility target for the plan and an optimal asset allocation policy mix. The asset-liability analysis considers both sides of the plan balance sheet, utilizing both quantitative and qualitative inputs, in order to estimate the potential impact of various asset class mixes on key measures of total plan risk. The following was the plan's asset allocation as of December 31, 2019:

Asset Class	Target Allocation
Large Domestic Equity	15%
Small Domestic Equity	10%
Developed International Equity	12%
Emerging International Equity	5%
Private Equity	4%
Domestic Fixed Income	30%
International Fixed Income	4%
Real Estate	10%
Infrastructure	5%
Timber	5%
	100%

Investment Valuation – Investments are recorded at fair value determined by reference to published market data for publicly traded securities and using independent valuation services and appraisals for other investments. The net increase in fair value of investments consists of the realized gains or losses and the unrealized increase or decrease in fair value of investments during the year. Realized gains and losses on sales of investments are computed based on the difference between the sales price and the original cost of the investment. Unrealized increases or decreases are computed based on changes in the fair value of investment between years. Security transactions are accounted for on a trade date basis. Interest income is recognized when earned. Dividend income is recorded on the ex-dividend date.

Long-term Expected Return on Plan Assets – The long-term expected rate of return of 7.5% on plan investments was determined using a building-block method in which best-estimates ranges of expected future real rates of return were developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighing the expected future real rates to return by the target asset allocation percentage.

The projected 10 year geometric real rates of return by asset class are summarized in the following table:

Asset Class	Long-Term Expected Real Rate of Return
Large Domestic Equity	7.60%
Small Domestic Equity	7.90%
Developed International Equity	7.60%
Emerging International Equity	8.00%
Private Equity	8.80%
Domestic Fixed Income	3.25%
International Fixed Income	2.85%
Real Estate	6.40%
Infrastructure	7.50%
Timber	7.10%

Actuarial Assumptions

City Employees' Pension Plan	
Valuation Date	January 1, 2020
Actuarial Cost Method	Entry Age Normal
Amortization Method	Level % of Payroll Over Remaining Amortization Period-Closed
Remaining Amortization Period	19
Mortality Rate	Based on RP-2014 Generational Mortality Projected with Scale MF
Asset Valuation Method	Market
Valuation Method:	
Inflation Rate	3.00%
Investment Rate of Return	7.50%
Projected Salary Increases:	
0-9 Years of Service	5.00%
10+ Years of Service	4.00%
Post Retirement Cost of Living Adjustments	None

Measurements – Presented below are the Schedule of Net Pension Liability, Schedule of Changes in Net Pension Liability, Schedule of Changes in Plan Fiduciary Net Position, and the Schedule of Investment Returns for the City Employees' Pension Plan.

Schedule of Net Pension Liability	2019
Total Pension Liability	$ 118,861,965
Plan Fiduciary Net Position	108,921,100
Net Pension Liability (Asset)	$ 9,940,865
Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	91.64%
Covered Payroll	$ 28,170,781
Net Pension Liability (Asset) as a Percentage of Covered Payroll	35.3%

Schedule of Changes in Total Pension Liability	2019
Service Cost	$ 3,062,376
Interest	8,559,224
Differences between expected and actual experience	(1,040,109)
Benefit payments, including refunds of member contributions	(5,560,276)
Net change in total pension liability	$ 5,021,215
Total pension liability, Beginning of Year	113,840,750
Total pension liability, End of Year	$ 118,861,965

Schedule of Changes in Plan Fiduciary Net Position	2019
Contributions-employer	$ 2,939,200
Contributions-member	1,365,868
Net investment income	15,519,785
Benefit payments, including refunds of member contributions	(5,560,276)
Administrative expense	(367,130)
Net change in fiduciary net position	$ 13,897,447
Plan fiduciary net position, Beginning of Year	95,023,653
Plan fiduciary net position, End of Year	$ 108,921,100

Schedule of Investment Returns	2019
Annual money-weighted rate of return, net of investment expense	16.5%

Sensitivity of the Net Pension Liability to changes in the Discount Rate – The net pension liability of the City Employees' Pension Plan is calculated at a discount rate of 7.5%, as well as what the City Employees' Pension Plan net pension liability would be if calculated using a discount rate that is 1% lower (6.5%) or 1% higher (8.5 %) than the current rate:

Sensitivity of the Net Pension Liability to Changes in the Discount

	1% Decrease (6.5%)	Current Discount Rate (7.5%)	1% Increase (8.5%)
Total pension liability	$ 133,722,960	$ 118,861,965	$ 106,393,911
Plan fiduciary net position	108,921,100	108,921,100	108,921,100
Net pension liability (asset)	$ 24,801,860	$ 9,940,865	$ (2,527,189)
City Share	$ 21,095,676	$ 8,455,386	$ (2,149,545)

Proportionate Share of the Net Pension Liability – As of December 31, 2019, the City's proportionate share of the net pension liability for the City Employees' Pension Plan was $8,455,386. The calculation was determined by an actuarial valuation based on the City's share of present value of future payroll. The City's proportionate share was 85.06%.

Net Pension Liability	**2019**
Employer's proportion of the net pension liability	85.06%
Employer's proportionate share of the net pension liability	8,455,386
Employer's covered payroll	24,652,588
Plan fiduciary net position	108,921,100
Employer's proportionate share of the net pension liability as a percentage of its covered payroll	34.30%
Plan fiduciary net position as a percentage of the total pension liability	91.64%

Deferred Inflows and Outflows of Resources – As of December 31, 2019, the City recognized the pension expense of $1,647,282. Deferred inflows and outflows of resources related to pensions are as a result of the following:

	Primary Government	
	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	$ 1,595,598	$ 911,325
Changes of assumptions	2,998,421	-
Net difference between projected and actual earnings on pension plan investments	-	2,853,512
Changes in proportionate and differences between employer contributions and proportionate share of contributions	376,977	454,603
Employer contributions subsequent to the measurement date	-	-
Total	$ 4,970,996	$ 4,219,440

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

Pension Expense	
2020	$ 329,054
2021	257,060
2022	990,177
2023	(858,057)
2024	168,494
Thereafter	(135,172)
Total	$ 751,556

City of Bismarck Police Pension

Plan Description - The Bismarck City Police Pension Plan (BCPPP) is a single employer public employee retirement system. The BCPPP document provides for all full-time sworn police officers and non-sworn members of the police department who began employment before December 31, 2006.

Plan Membership - Memberships begin with their hire date before December 31, 2019 and are vested after five years of service. Membership in the BCPPP on December 31, 2019 is as follows:

Retirees and beneficiaries receiving benefits	86
Terminated employees - vested	29
Active employees:	
Vested	84
Non-vested	51
Number of participating employers:	1

Plan Administration – North Dakota Century Code (NDCC) 40-45 and in accordance with Chapter 9-08 of the Bismarck Code of Ordinance grants the authority to establish and amend the benefit terms to the City Commission. Management of the BCPPP plan is vested in the Board of Trustees which consists of the Chief of Police, 2 members of the police department appointed by the chief of police with no less than eight years of service and two elected members of the police department with no less than eight years of service. Each appointed trustee shall serve a two-year term.

Benefits Provided - Benefit provisions, amendments, and all requirements are established under the authority of the City Commission. Employees who retire at or after age 55 with 5 years of credited service are entitled to an annual retirement benefit, payable monthly for life, in an amount equal to two and one-half percent of their final average salary, for each full and fractional year of contributing service. Final average salary is the employees' average salary, excluding overtime and longevity pay, of the highest 36-month period of credited service. Married participants receive a joint and two-thirds to survivor annuity while single participants receive a life only annuity. There are no provisions with respect to automatic and ad hoc post-retirement benefit increases. Employees with 5 years of credited service may retire at an earlier age and receive an actuarially reduced retirement benefit. Benefit provision is established under the authority of the City Commission.

Pension benefits available under this plan are funded in part from the accumulation of the employees' contribution. Prior to January 2005, employees directed the investment of their contribution utilizing a contracted City investment manager and were eligible to receive a distribution of the interest earned on the contributions in excess of five percent upon retirement. Effective January 1, 2005, all employee contributions are invested with the City pension funds and individual self-directed accounts were discontinued. Interest earned in excess of five percent for the individual employee accounts as of December 31, 2004 has been transferred to an Employee Excess Retirement Fund and the excess funds in the individual employee accounts continue to be self-directed.

Contributions

Employee Contributions - Participating active employees contribute to the plan at a rate of 9.4% of covered payroll. If an employee leaves covered employment before attaining the five-year service credit, the accumulated contributions plus interest earnings at 5% per annum are refunded to the employee or designated beneficiary. All member contributions are made by payroll deductions applied to regular bi-weekly pay.

Employer Contributions – Employer contributions are based on an actuarial formula identified as entry age normal cost method. This method produces an employer contribution rate consisting of an amount for normal cost and an amount for amortization of the unfunded accrued liability over a closed period of 30 years. The annual contribution is recommended to the City Commission and considered for approval and adoption.

Net Position - The net position at December 31, 2019 is $43,596,695 and the entire amount is restricted for employee pension benefits.

Schedule of Contributions

	2019
Actuarially Determined Contributions	$ 1,339,670
Contributions in Relation to the Actuarially Determined Contribution	1,268,664
Contribution Deficiency (Excess)	$ 71,006
Covered Payroll	$ 8,570,539
Contributions as a Percentage of Covered Payroll	14.8%

Measurement Focus and Basis of Accounting – The City's Pension financial statements are accounted for on an economic resources measurement focus and the accrual basis of accounting. Employer and plan member contributions are recognized when due pursuant to formal commitments, as well as ordinance requirements. Investment income is recognized as revenue when earned. Retirement benefits and refunds are recognized when due and payable in accordance with the terms of the Plan. Other expenses are recognized when the corresponding liabilities are incurred. The net appreciation/depreciation in fair value of investments is recorded as and increase/decrease to investment income based on the fair market value of the investments. The entire expense of the Plan administration is charged against the earnings of the Plan.

Investments

Investment Policy – The BCPPP investment policy and asset class allocations are established and may be amended by the Board of Trustees by a majority vote of its members. It is the policy of the BCPPP to pursue an investment strategy to improve the Plan's funding status to protect and sustain current and future benefits, minimize the employee and employer contributions needed to fund the Plan over the long-term, avoid substantial volatility in required contribution rates and fluctuations in the Plan's funding status and to accumulate a funding surplus to provide increases in retiree payments to preserve the purchasing power of their retirement benefits.

BCPPP Board has entered into a contract with the North Dakota State Investment Board (SIB) for investment services as allowed under NDCC 21-10-06 and to implement these policies by investing the assets of the Fund in the manner provided in NDCC 21-10-07, the prudent investor rule. Management's responsibility that is not assigned to the SIB in Chapter 21-10 of the NDCC is delegated to the SIB who must establish written policies for the operation of the investment program consistent with this investment policy.

The BCPPP Board of Trustee's adopted a long-term investment horizon and asset allocation policy for the management of the fund assets. Asset allocation targets are established using an asset-liability analysis designed to determine an acceptable volatility target for the plan and an optimal asset allocation policy mix. The asset-liability analysis considers both sides of the plan balance sheet, utilizing both quantitative and qualitative inputs, in order to estimate the potential impact of various asset class mixes on key measures of total plan risk.

The following was the plans asset allocation as of December 31, 2019:

Asset Class	Target Allocation
Large Domestic Equity	16%
Small Domestic Equity	11%
Developed International Equity	13%
Emerging International Equity	6%
Private Equity	5%
Domestic Fixed Income	25%
International Fixed Income	4%
Real Estate	10%
Infrastructure	5%
Timber	5%
	100%

Investment Valuation – Investments are recorded at fair value determined by reference to published market data for publicly traded securities and using independent valuation services and appraisals for other investments. The net increase in fair value of investments consists of the realized gains or losses and the unrealized increase or decrease in fair value of investments during the year. Realized gains and losses on sales of investments are computed based on the difference between the sales price and the original cost of the investment. Unrealized increases or decreases are computed based on changes in the fair value of investment between years. Security transactions are accounted for on a trade date basis. Interest income is recognized when earned. Dividend income is recorded on the ex-dividend date.

Long-term Expected Return on Plan Assets – The long-term expected rate of return of 7.5% on plan investments was determined using a building-block method in which best-estimates ranges of expected future real rates of return are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighing the expected future real rates to return by the target asset allocation percentage.

The projected 10-year geometric real rates of return by asset class are summarized in the following table:

Asset Class	Long-Term Expected Real Rate of Return
Large Domestic Equity	7.60%
Small Domestic Equity	7.90%
Developed International Equity	7.60%
Emerging International Equity	8.00%
Private Equity	8.80%
Domestic Fixed Income	3.25%
International Fixed Income	2.85%
Real Estate	6.40%
Infrastructure	7.50%
Timber	7.10%

Actuarial Assumptions

Actuarial Cost Method	Entry Age Normal
Amortization Method	Level % of Payroll Over Remaining Amortization Period-Closed
Remaining Amortization Period	19
Mortality Rate	Based on RP-2014 Generational Mortality Projected with Scale MF
Asset Valuation Method	Market
Valuation Method:	
Inflation Rate	3.00%
Investment Rate of Return	7.50%
Projected Salary Increases:	
0-9 Years of Service	5.00%
10+ Years of Service	4.00%
Post Retirement Cost of Living Adjustments	None

Measurements – Presented below are the Schedule of Net Pension Liability, Schedule of Changes in Net Pension Liability, Schedule of Changes in Plan Fiduciary Net Position and the Schedule of Investment Returns.

Schedule of Net Pension Liability	2019
Total Pension Liability	$ 50,755,803
Plan fiduciary net position	43,596,695
Net pension liability (asset)	$ 7,159,108
Plan fiduciary net position as a percentage of the total pension liability	85.9%
Covered payroll	$ 8,570,539

Schedule of Changes in Total Pension Liability	2019
Service Cost	$ 1,087,564
Interest	3,702,797
Changes of benefit terms	-
Differences between expected and actual experience	(681,291)
Changes of assumptions	(200,460)
Benefit payments, including refunds of member contributions	(2,871,752)
Net change in total pension liability	$ 1,036,858
Total pension liability-beginning	49,718,945
Total pension liability-ending	$ 50,755,803

Schedule of Changes in Plan Fiduciary Net Position	2019
Contributions-employer	$ 1,268,664
Contributions-member	765,408
Net investment income	6,430,799
Benefit payments, including refunds of member contributions	(2,871,752)
Administrative expense	(154,132)
Other	
Net change in fiduciary net position	$ 5,438,987
Plan fiduciary net position-beginning	38,157,708
Plan fiduciary net position-ending	$ 43,596,695

Schedule of Investment Returns	2019
Annual money-weighted rate of return, net of investment expense	17.1%

Sensitivity of the Net Pension Liability to changes in the Discount Rate – The net pension liability of the BCPPP is calculated at a discount rate of 7.5 percent, as well as what the BCPPP net pension liability would be if it were calculated using a discount rate that is 1 percent lower (6.5 percent) or 1 percent higher (8.5 percent) than the current rate:

Sensitivity of the Net Pension Liability to Changes in the Discount

	1% Decrease (6.5%)	Current Discount Rate (7.5%)	1% Increase (8.5%)
Total pension liability	$ 57,493,061	$ 50,755,803	$ 45,186,617
Plan fiduciary net position	43,596,695	43,596,695	43,596,695
Net pension liability	$ 13,896,366	$ 7,159,108	$ 1,589,922

Deferred Inflows and Outflows of Resources – The City recognized a reduction in pension expense of $509,023 for the CITY EMPLOYEES' PENSION PLAN as of December 31, 2019. Deferred inflows and outflows of resources related to pensions are from the following sources:

	Primary Government	
	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actural experience	$ 548,796	$ 839,637
Changes of assumptions	1,093,851	172,226
Net difference between projected and actual earnings on pension plan investments	-	1,571,619
Total	$ 1,642,647	$ 2,583,482

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

Pension Expense	
2020	$ (98,501)
2021	(187,585)
2022	244,877
2023	(645,560)
2024	(118,067)
Thereafter	(135,999)
Total	$ (940,835)

Bismarck Firefighters' Relief Association Plan

Plan Description - The Fire pension plan is a single employer defined benefit plan governed by Section 18-05 of the North Dakota State Century Code. The Bismarck Firefighters' Relief Association is organized, operated, and maintained in accordance with its own articles of incorporation and by-laws and is not administered by the City. The plan is not included in the reporting entity. The note disclosures and the required supplementary information for the Fire plan as of January 1, 2018 are included in the report.

Plan Membership - All full-time firefighters are eligible members. Membership in the plan on December 31, 2018 is as follows:

Retirees, beneficiaries and disabled receiving benefits	55
Terminated employees - vested	2
Active employees:	
Vested	43
Non-vested	38

Benefits Provided - Employees who retire at or after age 55 with 10 years of credited services or age plus credited service equal to 80 and at least 50 years of age are entitled to an annual retirement benefit. This is payable as a monthly annuity for the life of the member with the first 144 monthly payments guaranteed. Other optional forms of payment are also available. The benefit is based on 2% for the first fifteen years of service and 3% for each additional year times the average final compensation (AFC). The AFC for credited service through 12/31/2005 is the average rate of salary for a first class firefighter paid over the 36 months prior to termination. The AFC for credited service beginning 1/1/2006 is the greater of the average monthly salary or average rate of salary for a first class firefighter paid over the 36 months prior to termination. The maximum benefit is 90% of AFC. Employees with 10 years of credited service may retire at age 50 at a reduced rate of 6% per year for each year prior to the normal retirement date. A cost-of-living adjustment (COLA) up to 2% is made each January 1st effective at age 62. The plan also provides for death and disability benefits.

Benefit provisions and changes to benefit formulas are established under the authority of the plan's Board of Directors.

An employee who leaves is eligible to receive a lump sum payment of 100% of employee contribution without interest.

Contributions

Employee Contributions - Participating employees contribute to the plan at a rate of 8% of the greater salary of the First Class Firefighter's salary, as set annually by the City Commission or the actual salary.

Employer Contributions - The employer contributes at a rate set by the City Commission. This amount includes an amount the City receives from the State for the assessed revenue from the 1.125% of the premiums assessed to insurance companies for fire and multi-peril insurance on property within the City is contributed to the plan.

Net Position – The net position at December 31, 2018 is $27,984,679 and the entire amount is restricted for employee pension benefits.

	2018
Actuarially Determined Contributions	$ 971,052
Contributions in Relation to the Actuarially Determined Contribution	889,438
Contribution Deficiency (Excess)	$ 81,614
Covered Payroll	$ 5,244,976
Contributions as a Percentage of Covered Payroll	17.0%

Investments

Assumed Asset Allocation – The target asset allocation and best estimates of arithmetic real rates of return for each major asset class can be obtained from the Plan's investment consultant – Innovest Portfolio Solutions LLC.

Long-term Expected Return on Plan Assets – The long-term expected rate of return on pension plan investments was determined using a log-normal distribution analysis in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation.

Actuarial Assumptions

Firefighters' Association Pension Plan	
Valuation Date	12/31/2018
Actuarial Cost Method	Entry Age
Amortization method	Layered Closed Level Percentage of Payroll
Remaining Amortization Period	22 - 25 Years
Mortality Rate	Healthy Mortality: 1983 Group Annuity Mortality Table Disability Mortality: 1983 Railroad Retirement Board Disabled Life Mortality
Asset Valuation Method	5-Year Smoothed Market
Valuation Method:	
Inflation Rate	3.50%
Investment Rate of Return	7.5%, Net of Pension Plan Investment Expense, including Inflation
Projected Salary Increases	4.50%
Post Retirement Cost of Living Adjustments	up to 2% of CPI

Measurements – Presented below are the Schedule of Net Pension Liability, Schedule of Changes in Net Position Liability, Schedule of Changes in Plan Fiduciary Net Position and the Schedule of Investment Returns for the Firefighters' Relief Association Pension Plan.

Schedule of Net Pension Liability	2018
Total Pension Liability	$ 44,587,400
Plan fiduciary net position	27,984,679
Net pension liability (asset)	$ 16,602,721
Plan fiduciary net position as a percentage of the total pension liability	62.8%
Covered payroll	$ 5,244,976
Net pension liability (asset) as a percentage of covered payroll	316.5%

Schedule of Changes in Total Pension Liability	2018
Service Cost	$ 1,040,835
Interest	2,651,837
Changes of benefit terms	-
Differences between expected and actual experience	(489,105)
Changes of assumptions	6,815,827
Benefit payments, including refunds of member contributions	(1,579,618)
Net change in total pension liability	$ 8,439,776
Total pension liability-beginning	36,147,624
Total pension liability-ending	$ 44,587,400

Schedule of Changes in Plan Fiduciary Net Position	2018
Contributions-employer	$ 889,438
Contributions-member	479,589
Net investment income	(1,771,490)
Benefit payments, including refunds of member contributions	(1,579,618)
Administrative expense	(51,871)
Other	-
Net change in fiduciary net position	$ (2,033,952)
Plan fiduciary net position-beginning	30,018,631
Plan fiduciary net position-ending	$ 27,984,679

Schedule of Investment Returns	2018
Annual money-weighted rate of return, net of investment expense	6.0%

Sensitivity of the Net Pension Liability to changes in the Discount Rate – The net pension liability of the Firefighters' Relief Association Pension Fund is calculated at a discount rate of 6.0%, as well as what the net pension liability would be if it were calculated using a discount rate that is 1 percent lower (5.0%) or 1 percent higher (7.0%) than the current rate:

Sensitivity of the Net Pension Liability to Changes in the Discount

	1% Decrease (5.0%)	Current Discount Rate (6.0%)	1% Increase (7.0%)
Net pension liability	$ 22,366,463	$ 16,602,721	$ 11,805,566

N. SUBSEQUENT EVENTS

Coronavirus Pandemic

Subsequent to year-end, the City has been negatively impacted by the effects of the world-wide coronavirus pandemic. The City is closely monitoring its operation, liquidity and capital resources and is actively working to minimize the current and future impact of this unprecedented situation. As of the date of the issuance of these financial statements, the full impact to the City's financial position is not known.

Adoption of GASB Statement No. 84, Fiduciary Activities

Subsequent to year-end and in response to the coronavirus pandemic, the Governmental Accounting Standards Board (GASB) approved the issuance of GASB Statement No. 95, *Postponement of the Effective Dates of Certain Authoritative Guidance* (GASB-95). The primary objective of this Statement is to provide temporary relief from certain new accounting and financial reporting requirements to governments in light of the coronavirus pandemic by postponing the effective dates of certain Statements and Implementation guides by one year. The City has elected to delay implementation of GASB-84 to its calendar year beginning January 1, 2020. The effect of the delay on the City's financial statements for the year ended December 31, 2019 was not significant.

REQUIRED SUPPLEMENTARY INFORMATION

CITY OF BISMARCK, NORTH DAKOTA
GENERAL FUND
BUDGETARY COMPARISON SCHEDULE
FOR THE YEAR ENDED DECEMBER 31, 2019

	Budgeted Amounts			Variance with
	Original	Final	Actual	Final Budget
REVENUES				
Taxes	$ 19,694,393	$ 19,694,393	$ 18,700,632	$ (993,761)
Licenses and Permits	1,479,425	1,479,425	2,019,372	539,947
Intergovernmental	6,691,250	6,691,250	7,550,194	858,944
Charges for Services	3,665,483	3,665,483	3,629,414	(36,069)
Fines and Forfeitures	1,465,200	1,465,200	1,370,764	(94,436)
Investment Income	398,500	398,500	1,136,974	738,474
Rentals	294,193	294,193	291,163	(3,030)
Miscellaneous	42,900	42,900	61,840	18,940
Total Revenues	33,731,344	33,731,344	34,760,353	1,029,009
EXPENDITURES				
Current				
General Government	11,575,361	11,525,236	10,691,315	833,921
Public Safety	27,402,883	27,015,340	26,325,440	689,900
Highways and Streets	2,806,299	2,806,299	2,580,558	225,741
Health and Welfare	2,578,345	2,578,345	2,322,031	256,314
Culture and Recreation	441,841	441,841	441,841	-
Capital Outlay	254,684	605,243	625,864	(20,621)
Total Expenditures	45,059,413	44,972,304	42,987,049	1,985,255
Excess (Deficiency) of Revenues Over (Under) Expenditures	(11,328,069)	(11,240,960)	(8,226,696)	3,014,264
OTHER FINANCING SOURCES (USES)				
Transfers In	12,619,344	12,619,344	12,654,416	35,072
Transfers Out	(4,076,435)	(4,219,050)	(3,342,413)	876,637
Total Other Financing Sources (Uses)	8,542,909	8,400,294	9,312,003	911,709
Change in Fund Balance	(2,785,160)	(2,840,666)	1,085,307	3,925,973
Fund Balance, Beginning of Year	43,955,597	43,955,597	43,955,597	-
Fund Balance, End of Year	$ 41,170,437	$ 41,114,931	$ 45,040,904	$ 3,925,973

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

CITY OF BISMARCK, NORTH DAKOTA
SALES TAX FUND
BUDGETARY COMPARISON SCHEDULE
FOR THE YEAR ENDED DECEMBER 31, 2019

	Budgeted Amounts			Variance with
	Original	Final	Actual	Final Budget
REVENUES				
Taxes	$ 15,500,000	$ 15,500,000	$ 21,833,317	$ 6,333,317
Investment Income	61,317	61,317	437,118	375,801
Total Revenues	15,561,317	15,561,317	22,270,435	6,709,118
EXPENDITURES				
Current				
General Government	100	100	254	(154)
Excess (Deficiency) of Revenues Over (Under) Expenditures	15,561,217	15,561,217	22,270,181	6,708,964
OTHER FINANCING SOURCES (USES)				
Transfers In	-	-	10,284,624	10,284,624
Transfers Out	(15,839,404)	(15,866,404)	(15,816,240)	50,164
Total Other Financing Sources (Uses)	(15,839,404)	(15,866,404)	(5,531,616)	10,334,788
Change in Fund Balance	(278,187)	(305,187)	16,738,565	17,043,752
Fund Balance, Beginning of Year	17,226,688	17,226,688	17,226,688	-
Fund Balance, End of Year	$ 16,948,501	$ 16,921,501	$ 33,965,253	$ 17,043,752

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

City of Bismarck Employee's Pension

Proportionate Share of the Net Pension Liability

	2014	2015	2016	2017	2018	2019
Employer's proportion of the net pension liability	87.64%	87.29%	86.57%	85.48%	85.53%	85.06%
Employer's proportionate share of the net pension liability	847,444	8,022,941	8,478,413	7,555,249	16,095,175	8,455,386
Employer's covered payroll	21,850,884	23,069,097	23,633,534	23,747,865	23,757,750	24,652,588
Plan fiduciary net position	81,274,325	81,585,449	86,746,756	98,665,938	95,023,653	108,921,100
Employer's proportionate share of the net pension liability as a percentage of its covered payroll	3.88%	34.78%	35.87%	31.81%	67.75%	34.30%
Plan fiduciary net position as a percentage of the total pension liability	98.82%	89.88%	89.88%	91.78%	83.47%	91.64%

* Complete data for this schedule is not available prior to 2014. The 2014, 2015, 2016, 2017, 2018 & 2019 information presented has a measurement date of December 31.

Schedule of Contributions

	2014	2015	2016	2017	2018	2019
Actuarially determined contributions	$ 981,273	$ 1,082,266	$ 1,806,842	$ 2,187,386	$ 2,467,685	$ 3,181,564
Contributions in relation to the actuarially determined contribution	2,181,183	2,071,677	2,263,240	2,477,572	2,541,349	2,565,468
Contribution deficiency (excess)	$ (1,199,910)	$ (989,411)	$ (456,398)	$ (290,186)	$ (73,664)	$ 616,096
Covered Payroll	$21,850,884	$23,069,097	$23,633,534	$23,747,865	$23,757,750	$24,652,588
Contributions as a percentage of covered payroll	10.0%	9.0%	9.6%	10.4%	10.7%	10.4%

* Complete data for this schedule is not available prior to 2014. The 2014, 2015, 2016, 2017, 2018 & 2019 information presented has a measurement date of December 31.

Notes to the Required Supplementary Information

Actuarial Assumptions

Valuation date	1/1/2020
Actuarial cost method	Entry Age Normal
Amortization method	Level % of payroll over remaining amortization period-closed
Remaining amortization period	19
Mortality Rate	Based on RP-2014 generational mortality projected with Scale MP-2019
Asset Valuation Method	Market
Valuation Method	
Inflation rate	3.00%
Investment rate of return	7.50%
Projected salary increases	
0-9 years of service	5.00%
10 + years of service	4.00%
Post retirement cost of living adjustments	None

City of Bismarck Police Pension

Net Pension Liability

Schedule of Net Pension Liability	2014	2015	2016	2017	2018	2019
Total Pension Liability	$39,959,458	$42,555,764	$44,459,890	$47,688,313	$49,718,945	$50,755,803
Plan fiduciary net position	34,525,350	33,861,051	35,395,974	40,136,438	38,157,708	43,596,695
Net pension liability (asset)	$ 5,434,108	$ 8,694,713	$ 9,063,916	$ 7,551,875	$11,561,237	$ 7,159,108
Plan fiduciary net position as a percentage of the total pension liability	86.4%	79.6%	79.6%	84.2%	76.7%	85.9%
Covered payroll	$ 6,214,690	$ 7,101,508	$ 7,643,499	$ 7,942,900	$ 8,152,505	$ 8,570,539
Net pension liability (asset) as a percentage of covered payroll	87.4%	122.4%	118.6%	95.1%	141.8%	83.5%

* Complete data for this schedule is not available prior to 2014. The 2014, 2015, 2016, 2017, 2018 & 2019 information presented has a measurement date of December 31.

Schedule of Contributions

	2014	2015	2016	2017	2018	2019
Actuarially determined contributions	$ 481,480	$ 576,620	$ 837,641	$1,033,660	$1,042,573	$1,339,670
Contributions in relation to the actuarially determined contribution	941,815	892,803	961,513	1,091,295	1,208,939	1,268,664
Contribution deficiency (excess)	$ (460,335)	$ (316,183)	$ (123,872)	$ (57,635)	$ (166,366)	$ 71,006
Covered Payroll	$6,214,690	$7,101,508	$7,643,499	$7,942,900	$8,152,505	$8,570,539
Contributions as a percentage of covered payroll	15.2%	12.6%	12.6%	13.7%	14.8%	14.8%

* Complete data for this schedule is not available prior to 2014. The 2014, 2015, 2016, 2017, 2018 & 2019 information presented has a measurement date of December 31.

Notes to the Required Supplementary Information

Actuarial Assumptions

Valuation date	1/1/2020
Actuarial cost method	Entry Age Normal
Amortization method	Level % of payroll over remaining amortization period-closed
Remaining amortization period	19
Mortality Rate	Based on RP-2014 generational mortality projected with Scale MP-2019
Asset Valuation Method	Market
Valuation Method	
Inflation rate	3.00%
Investment rate of return	7.50%
Projected salary increases	
0-9 years of service	5.00%
10 + years of service	4.00%
Post retirement cost of living adjustments	None

Bismarck Firefighters' Relief Association Plan

Net Pension Liability

Schedule of Net Pension Liability	2014	2015	2016	2017	2018
Total Pension Liability	$ 30,361,363	$ 38,265,498	$ 39,452,878	$ 36,147,624	$ 44,587,400
Plan fiduciary net position	25,759,416	24,921,808	26,218,697	30,018,631	27,984,679
Net pension liability (asset)	$ 4,601,947	$ 13,343,690	$ 13,234,181	$ 6,128,993	$ 16,602,721
Plan fiduciary net position as a percentage of the total pension liability	84.8%	65.1%	66.5%	83.0%	62.8%
Covered payroll	$ 4,351,776	$ 4,797,251	$ 4,988,601	$ 5,197,344	$ 5,244,976
Net pension liability (asset) as a percentage of covered payroll	105.7%	278.2%	265.3%	117.9%	316.5%

* Complete data for this schedule is not available prior to 2014. The 2014, 2015, 2016, 2017 & 2018 information presented has a measurement date of December 31.

Schedule of Contributions

	2014	2015	2016	2017	2018
Actuarially determined contributions	$ 788,987	$ 779,482	$ 937,868	$ 950,095	$ 971,052
Contributions in relation to the Actuarially determined contributions	702,664	619,751	785,431	848,277	889,438
Contribution deficiency (excess)	$ 86,323	$ 159,731	$ 152,437	$ 101,818	$ 81,614
Covered Payroll	$ 4,351,776	$ 4,797,251	$ 4,988,601	$ 5,197,344	$ 5,244,976
Contributions as a percentage of covered payroll	16.1%	12.9%	15.7%	16.3%	17.0%

Notes to the Required Supplementary Information

Actuarial Assumptions

Valuation date	12/31/2018
Actuarial cost method	Entry Age
Amortization method	Layered closed level percentage of payroll
Remaining amortization period	22 - 25 years
Mortality Rate	Healthy mortality: 1983 group annuity mortality table Disability Mortality: 1983 railroad retirement board disabled life mortality
Asset Valuation Method	5 year smoothed market
Valuation Method	
Inflation rate	3.50%
Investment rate of return	7.5%, net of pension plan investment expense; including inflation
Projected salary increases, including inflation	4.50%
Post retirement cost of living adjustments at age 62	up to 2% of CPI

COMBINING & INDIVIDUAL FUND STATEMENTS & SCHEDULES

CITY OF BISMARCK, NORTH DAKOTA
BALANCE SHEET
SUMMARY OF NONMAJOR GOVERNMENTAL FUNDS
DECEMBER 31, 2019

	Nonmajor Special Revenue Funds	Nonmajor Debt Service Funds	Nonmajor Capital Projects Funds	Total Nonmajor Governmental Funds
ASSETS				
Cash and Investments	$ 17,364,533	$ 771,507	$ 16,862,544	$ 34,998,584
Taxes Receivable	51,375	-	6,004	57,379
Accounts Receivable	3,520,615	-	144,706	3,665,321
Special Assessments Receivable	-	8,635,861	204,401	8,840,262
Notes Receivable	248,978	-	985,503	1,234,481
Interfund Receivable	-	1,485,202	-	1,485,202
Total Assets	$ 21,185,501	$ 10,892,570	$ 18,203,158	$ 50,281,229
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCE				
LIABILITIES				
Accounts Payable	$ 1,886,733	$ 12,209	$ 426,784	$ 2,325,726
Retainage Payable	-	-	101,146	101,146
Interfund Payables	22,930	-	4,809,484	4,832,414
Salaries Payable	258,500	-	-	258,500
Customer Deposits	73,559	-	26,500	100,059
Unearned Revenue	25	-	685,503	685,528
Total Liabilities	2,241,747	12,209	6,049,417	8,303,373
DEFERRED INFLOWS OF RESOURCES				
Special Assessment Taxes	-	7,549,837	186,854	7,736,691
Property Taxes	39,938	-	4,665	44,603
Total Deferred Inflow of Resources	39,938	7,549,837	191,519	7,781,294
FUND BALANCE				
Nonspendable	248,978	-	985,503	1,234,481
Restricted	2,842,670	3,330,524	-	6,173,194
Committed	15,812,168	-	16,927,604	32,739,772
Unassigned	-	-	(5,950,885)	(5,950,885)
Total Fund Balance	18,903,816	3,330,524	11,962,222	34,196,562
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	$ 21,185,501	$ 10,892,570	$ 18,203,158	$ 50,281,229

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

CITY OF BISMARCK, NORTH DAKOTA
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
SUMMARY OF NONMAJOR GOVERNMENTAL FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2019

	Nonmajor Special Revenue Funds	Nonmajor Debt Service Funds	Nonmajor Capital Projects Funds	Total Nonmajor Governmental Funds
REVENUES				
Taxes	$ 7,326,959	$ -	$ 372,345	$ 7,699,304
Special Assessments	-	1,863,259	813,012	2,676,271
Intergovernmental	8,814,661	-	814,249	9,628,910
Charges for Services	3,363,437	-	197,120	3,560,557
Licenses and Permits	1,200	-	-	1,200
Fines and Forfeitures	198,570	-	-	198,570
Investment Income	293,096	54,728	407,967	755,791
Rentals	81,871	-	-	81,871
Miscellaneous	230,045	-	-	230,045
Total Revenues	20,309,839	1,917,987	2,604,693	24,832,519
EXPENDITURES				
Current				
General Government	3,377,388	-	191,810	3,569,198
Public Safety	1,147,283	-	-	1,147,283
Highways and Streets	8,157,470	-	-	8,157,470
Health and Welfare	1,057,766	-	-	1,057,766
Culture and Recreation	2,465,097	-	-	2,465,097
Public Works	-	-	1,041,608	1,041,608
Capital Outlay	2,370,395		7,662,960	10,033,355
Debt Service				
Principal	-	1,576,807	-	1,576,807
Interest and Fiscal Charges	-	273,852	-	273,852
Total Expenditures	18,575,399	1,850,659	8,896,378	29,322,436
Excess (Deficiency) of Revenues Over (Under) Expenditures	1,734,440	67,328	(6,291,685)	(4,489,917)
OTHER FINANCING SOURCES (USES)				
Proceeds from Special Assessment Bonds	-	-	1,932,074	1,932,074
Premium on Special Assessment Bonds	-	-	95,767	95,767
Transfers In	2,837,089	100,209	7,364,532	10,301,830
Transfers Out	(2,969,348)	(87,696)	(15,715,288)	(18,772,332)
Total Other Financing Sources (Uses)	(132,259)	12,513	(6,322,915)	(6,442,661)
Change In Fund Balance	1,602,181	79,841	(12,614,600)	(10,932,578)
Fund Balance, Beginning of Year	17,301,635	3,250,683	24,576,822	45,129,140
Fund Balance, End of Year	$ 18,903,816	$ 3,330,524	$ 11,962,222	$ 34,196,562

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

NONMAJOR SPECIAL REVENUE FUNDS

Special revenue funds are established to account for specific revenue sources (other than Expendable Trusts or Major Capital Projects) that are legally restricted to expenditures for specified purposes.

PUBLIC TRANSIT SYSTEM - This fund accounts for the pass through of federal funds and a tax levy of 3 mills to the Bismarck-Mandan Transit Board. These funds are used to operate a bus system for the elderly and handicapped citizens and a fixed route for general transportation in Bismarck and Mandan.

LIBRARY - This fund accounts for the operation of the Public Library. Financing is provided by a specific annual property tax levy.

POLICE DRUG ENFORCEMENT - This fund accounts for programs related to drug enforcement that is funded through forfeitures.

ROADS AND STREETS - This fund accounts for the maintenance of all public streets. Financing is provided by motor vehicle license and gasoline tax collected by the State and reimbursed on a per capita basis. Snow gating activities are funded by Sales Tax.

STREET LIGHTS - This fund accounts for the cost of providing electricity and maintenance of the City's residential street lights and traffic signals. Financing is provided by a monthly fee billed to each property owner.

HOTEL/MOTEL TAX - This fund accounts for the distribution of 85% of the hotel/motel two percent tax collections. Revenues from this fund are passed through to Bismarck/Mandan Convention Visitors Bureau to promote tourism.

LODGING, LIQUOR AND FOOD TAX - This fund accounts for the collection of the one percent lodging, liquor and food tax used for visitor's promotion capital projects.

VISION FUND - This fund accounts for the economic development activities for the City of Bismarck and is funded by Sales Tax.

GOVERNMENT GRANTS AND ACTIVITIES - This fund accounts for federal and state grants, self-funded activities, and donations.

CITY OF BISMARCK, NORTH DAKOTA
COMBINING BALANCE SHEET
NONMAJOR SPECIAL REVENUE FUNDS
DECEMBER 31, 2019

	Public Transit System	Library	Police Asset Forfeiture	Roads and Streets	Street Lights and Traffic Signals	Hotel / Motel Tax	Lodging, Liquor, and Food Tax	Vision	Government Grants and Activities	Total Nonmajor Special Revenue
ASSETS										
Cash and Investments	$ 22,831	$ 936,902	$ 395,627	$ 4,711,159	$ 2,961,045	$ -	$ 5,842,402	$ 1,712,191	$ 782,376	$ 17,364,533
Taxes Receivable	18,004	33,371	-	-	-	-	-	-	-	51,375
Accounts Receivable	1,405,613	96,414	1,128	751,087	171,780	152,868	545,794	-	395,931	3,520,615
Notes Receivable	-	-	-	-	-	-	-	248,978	-	248,978
Total Assets	$ 1,446,448	$ 1,066,687	$ 396,755	$ 5,462,246	$ 3,132,825	$ 152,868	$ 6,388,196	$ 1,961,169	$ 1,178,307	$ 21,185,501
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCE										
LIABILITIES										
Accounts Payable	$ 1,428,446	$ 78,253	$ 353	$ 32,447	$ 63,613	$ 129,938	$ -	$ -	$ 153,683	$ 1,886,733
Interfund Payables	-	-	-	-	-	22,930	-	-	-	22,930
Salaries Payable	-	69,439	-	110,715	21,973	-	-	-	56,373	258,500
Customer Deposits	-	-	-	73,559	-	-	-	-	-	73,559
Unearned Revenue	-	-	-	-	-	-	-	-	25	25
Total Liabilities	1,428,446	147,692	353	216,721	85,586	152,868	-	-	210,081	2,241,747
DEFERRED INFLOWS OF RESOURCES										
Property Taxes	13,997	25,941	-	-	-	-	-	-	-	39,938
FUND BALANCE										
Nonspendable	-	-	-	-	-	-	-	248,978	-	248,978
Restricted	-	-	-	271,867	-	-	2,570,803	-	-	2,842,670
Committed	4,005	893,054	396,402	4,973,658	3,047,239	-	3,817,393	1,712,191	968,226	15,812,168
Total Fund Balance	4,005	893,054	396,402	5,245,525	3,047,239	-	6,388,196	1,961,169	968,226	18,903,816
Total Liabilities, Deferred Inflows of Resources, and Fund Balance	$ 1,446,448	$ 1,066,687	$ 396,755	$ 5,462,246	$ 3,132,825	$ 152,868	$ 6,388,196	$ 1,961,169	$ 1,178,307	$ 21,185,501

CITY OF BISMARCK, NORTH DAKOTA
COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
NONMAJOR SPECIAL REVENUE FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2019

	Public Transit System	Library	Police Asset Forfeiture	Roads and Streets	Street Lights and Traffic Signals	Hotel / Motel Tax	Lodging, Liquor, and Food Tax	Vision Fund	Government Grants and Activities	Total Nonmajor Special Revenue
REVENUES										
Taxes	$ 1,114,933	$ 2,062,793	$ -	$ -	$ -	$ 1,031,410	$ 3,117,823	$ -	$ -	$ 7,326,959
Intergovernmental	1,786,399	643,318	-	4,132,793	-	-	-	-	2,252,151	8,814,661
Charges for Services	-	80,067	-	90,001	2,622,430	-	-	-	570,939	3,363,437
Licenses and Permits	-	-	-	1,200	-	-	-	-	-	1,200
Fines and Forfeitures	-	34,001	159,902	-	-	-	-	-	4,667	198,570
Investment Income	1,776	32,616	5,238	71,352	53,960	-	87,798	33,795	6,561	293,096
Rentals	-	9,477	-	39,371	4,223	-	28,800	-	-	81,871
Miscellaneous	-	377	2,516	66,847	59,218	-	-	4,179	96,908	230,045
Total Revenues	2,903,108	2,862,649	167,656	4,401,564	2,739,831	1,031,410	3,234,421	37,974	2,931,226	20,309,839
EXPENDITURES										
Current										
General Government	1,668,210	-	-	-	-	876,847	12,106	200,000	620,225	3,377,388
Public Safety	-	-	58,831	-	-	-	-	-	1,088,452	1,147,283
Highways and Streets	-	-	-	6,315,829	1,829,952	-	-	-	11,689	8,157,470
Health and Welfare	-	-	-	-	-	-	-	-	1,057,766	1,057,766
Culture and Recreation	-	2,385,375	-	-	-	-	-	-	79,722	2,465,097
Capital Outlay	1,346,668	330,239	19,997	540,326	-	-	-	-	133,165	2,370,395
Total Expenditures	3,014,878	2,715,614	78,828	6,856,155	1,829,952	876,847	12,106	200,000	2,991,019	18,575,399
Excess (Deficiency) of Revenues Over (Under) Expenditures	(111,770)	147,035	88,828	(2,454,591)	909,879	154,563	3,222,315	(162,026)	(59,793)	1,734,440
OTHER FINANCING SOURCES (USES)										
Transfers In	112,000	67,119	-	2,530,324	-	-	125,257	-	2,389	2,837,089
Transfers Out	-	(71,437)	-	(157,438)	(412,564)	(154,563)	(2,173,346)	-	-	(2,969,348)
Total Other Financing Sources (Uses)	112,000	(4,318)	-	2,372,886	(412,564)	(154,563)	(2,048,089)	-	2,389	(132,259)
Net Change in Fund Balances	230	142,717	88,828	(81,705)	497,315	-	1,174,226	(162,026)	(57,404)	1,602,181
Fund Balance, Beginning of Year	3,775	750,337	307,574	5,327,230	2,549,924	-	5,213,970	2,123,195	1,025,630	17,301,635
Fund Balance, End of Year	$ 4,005	$ 893,054	$ 396,402	$ 5,245,525	$ 3,047,239	$ -	$ 6,388,196	$ 1,961,169	$ 968,226	$ 18,903,816

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

CITY OF BISMARCK, NORTH DAKOTA
PUBLIC TRANSIT SYSTEM FUND
BUDGETARY COMPARISON SCHEDULE
FOR THE YEAR ENDED DECEMBER 31, 2019

	Budgeted Amounts			Variance with
	Original	Final	Actual	Final Budget
REVENUES				
Taxes	$ 1,173,533	$ 1,173,533	$ 1,114,933	$ (58,600)
Intergovernmental	2,324,945	2,324,945	1,786,399	(538,546)
Investment Income	1,000	1,000	1,776	776
Total Revenues	3,499,478	3,499,478	2,903,108	(596,370)
EXPENDITURES				
Current				
General Government	3,499,478	3,611,478	1,668,210	1,943,268
Capital Outlay	-	-	1,346,668	(1,346,668)
Total Expenditures	3,499,478	3,611,478	3,014,878	596,600
Excess (Deficiency) of Revenues Over (Under) Expenditures	-	(112,000)	(111,770)	230
OTHER FINANCING SOURCES (USES)				
Transfers In	-	112,000	112,000	-
Change in Fund Balance	-	-	230	230
Fund Balance, Beginning of Year	3,775	3,775	3,775	-
Fund Balance, End of Year	$ 3,775	$ 3,775	$ 4,005	$ 230

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

CITY OF BISMARCK, NORTH DAKOTA
LIBRARY FUND
BUDGETARY COMPARISON SCHEDULE
FOR THE YEAR ENDED DECEMBER 31, 2019

	Budgeted Amounts			Variance with
	Original	Final	Actual	Final Budget
REVENUES				
Taxes	$ 2,173,738	$ 2,173,738	$ 2,062,793	$ (110,945)
Intergovernmental	614,441	614,441	643,318	28,877
Charges for Services	96,000	96,000	80,067	(15,933)
Fines and Forfeitures	40,500	40,500	34,001	(6,499)
Investment Income	10,100	10,100	32,616	22,516
Rentals	8,700	8,700	9,477	777
Miscellaneous	5,800	5,800	377	(5,423)
Total Revenues	2,949,279	2,949,279	2,862,649	(86,630)
EXPENDITURES				
Current				
Culture and Recreation	2,881,266	2,863,526	2,385,375	478,151
Capital Outlay	-	17,740	330,239	(312,499)
Total Expenditures	2,881,266	2,881,266	2,715,614	165,652
Excess (Deficiency) of Revenues Over (Under) Expenditures	68,013	68,013	147,035	79,022
OTHER FINANCING SOURCES (USES)				
Transfers In	61,519	61,519	67,119	5,600
Transfers Out	(271,437)	(271,437)	(71,437)	200,000
Total Other Financing Sources (Uses)	(209,918)	(209,918)	(4,318)	205,600
Change in Fund Balance	(141,905)	(141,905)	142,717	284,622
Fund Balance, Beginning of Year	750,337	750,337	750,337	-
Fund Balance, End of Year	$ 608,432	$ 608,432	$ 893,054	$ 284,622

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

CITY OF BISMARCK, NORTH DAKOTA
POLICE ASSET FORFEITURE FUND
BUDGET COMPARISON SCHEDULE
FOR THE YEAR ENDED DECEMBER 31, 2019

	Budgeted Amounts			Variance with
	Original	Final	Actual	Final Budget
REVENUES				
Fines and Forfeitures	$ 65,000	$ 65,000	$ 159,902	$ 94,902
Investment Income	1,000	1,000	5,238	4,238
Miscellaneous	-	-	2,516	2,516
Total Revenues	66,000	66,000	167,656	101,656
EXPENDITURES				
Current				
Public Safety	88,317	88,317	58,831	29,486
Capital Outlay	24,999	24,999	19,997	5,002
Total Expenditures	113,316	113,316	78,828	34,488
Change in Fund Balance	(47,316)	(47,316)	88,828	67,168
Fund Balance, Beginning of Year	307,574	307,574	307,574	-
Fund Balance, End of Year	$ 260,258	$ 260,258	$ 396,402	$ 67,168

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

CITY OF BISMARCK, NORTH DAKOTA
ROADS AND STREETS FUND
BUDGET COMPARISON SCHEDULE
FOR THE YEAR ENDED DECEMBER 31, 2019

	Budgeted Amounts			Variance with
	Original	Final	Actual	Final Budget
REVENUES				
Intergovernmental	$ 4,010,411	$ 4,010,411	$ 4,132,793	$ 122,382
Charges for Services	92,964	92,964	90,001	(2,963)
Licenses and Permits	1,050	1,050	1,200	150
Investment Income	10,650	10,650	71,352	60,702
Rentals	69,000	69,000	39,371	(29,629)
Miscellaneous	52,553	52,553	66,847	14,294
Total Revenues	4,236,628	4,236,628	4,401,564	164,936
EXPENDITURES				
Current				
Highways and Streets	6,938,563	6,914,563	6,315,829	598,734
Capital Outlay	563,700	563,700	540,326	23,374
Total Expenditures	7,502,263	7,478,263	6,856,155	622,108
Excess (Deficiency) of Revenues Over (Under) Expenditures	(3,265,635)	(3,241,635)	(2,454,591)	787,044
OTHER FINANCING SOURCES (USES)				
Transfers In	2,492,891	2,492,891	2,530,324	37,433
Transfers Out	(133,438)	(157,438)	(157,438)	-
Total Other Financing Sources (Uses)	2,359,453	2,335,453	2,372,886	37,433
Change in Fund Balance	(906,182)	(906,182)	(81,705)	824,477
Fund Balance, Beginning of Year	5,327,230	5,327,230	5,327,230	-
Fund Balance, End of Year	$ 4,421,048	$ 4,421,048	$ 5,245,525	$ 824,477

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

CITY OF BISMARCK, NORTH DAKOTA
STREET LIGHTS AND TRAFFIC SIGNALS FUND
BUDGETARY COMPARISON SCHEDULE
FOR THE YEAR ENDED DECEMBER 31, 2019

	Budgeted Amounts			Variance with
	Original	Final	Actual	Final Budget
REVENUES				
Charges for Services	$ 2,461,600	$ 2,461,600	$ 2,622,430	$ 160,830
Investment Income	15,100	15,100	53,960	38,860
Rentals	2,000	2,000	4,223	2,223
Miscellaneous	91,608	91,608	59,218	(32,390)
Total Revenues	2,570,308	2,570,308	2,739,831	169,523
EXPENDITURES				
Current				
Highways and Streets	2,233,452	2,233,452	1,829,952	403,500
Capital Outlay	123,060	-	-	-
Total Expenditures	2,356,512	2,233,452	1,829,952	403,500
Excess (Deficiency) of Revenues Over (Under) Expenditures	213,796	336,856	909,879	573,023
OTHER FINANCING SOURCES (USES)				
Transfers Out	(379,465)	(502,525)	(412,564)	89,961
Change in Fund Balance	(165,669)	(165,669)	497,315	662,984
Fund Balance, Beginning of Year	2,549,924	2,549,924	2,549,924	-
Fund Balance, End of Year	$ 2,384,255	$ 2,384,255	$ 3,047,239	$ 662,984

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

CITY OF BISMARCK, NORTH DAKOTA
HOTEL / MOTEL TAX FUND
BUDGETARY COMPARISON SCHEDULE
FOR THE YEAR ENDED DECEMBER 31, 2019

	Budgeted Amounts			Variance with
	Original	Final	Actual	Final Budget
REVENUES				
Taxes	$ 900,000	$ 900,000	$ 1,031,410	$ 131,410
EXPENDITURES				
Current				
General Government	765,100	892,600	876,847	15,753
Excess (deficiency) of Revenues Over (Under) Expenditures	134,900	7,400	154,563	147,163
OTHER FINANCING SOURCES (USES)				
Transfers Out	(134,900)	(157,400)	(154,563)	2,837
Change in Fund Balance	-	(150,000)	-	150,000
Fund Balance, Beginning of the Year	-	-	-	-
Fund Balance, End of the Year	$ -	$ (150,000)	$ -	$ 150,000

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

CITY OF BISMARCK, NORTH DAKOTA
LODGING, LIQUOR, AND FOOD TAX FUND
BUDGETARY COMPARISON SCHEDULE
FOR THE YEAR ENDED DECEMBER 31, 2019

	Budgeted Amounts			Variance with
	Original	Final	Actual	Final Budget
REVENUES				
Taxes	$ 2,852,000	$ 2,852,000	$ 3,117,823	$ 265,823
Investment Income	1,395	1,395	87,798	86,403
Rentals	28,800	28,800	28,800	-
Total Revenues	2,882,195	2,882,195	3,234,421	352,226
EXPENDITURES				
Current				
General Government	12,100	12,100	12,106	(6)
Excess (Deficiency) of Revenues Over (Under) Expenditures	2,870,095	2,870,095	3,222,315	352,220
OTHER FINANCING SOURCES (USES)				
Transfers In	-	-	125,257	125,257
Transfers Out	(2,897,394)	(2,927,394)	(2,173,346)	754,048
Total Other Financing Sources (Uses)	(2,897,394)	(2,927,394)	(2,048,089)	879,305
Change in Fund Balance	(27,299)	(57,299)	1,174,226	1,231,525
Fund Balance, Beginning of Year	5,213,970	5,213,970	5,213,970	-
Fund Balance, End of Year	$ 5,186,671	$ 5,156,671	$ 6,388,196	$ 1,231,525

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

CITY OF BISMARCK, NORTH DAKOTA
VISION FUND
BUDGETARY COMPARISON SCHEDULE
FOR THE YEAR ENDED DECEMBER 31, 2019

	Budgeted Amounts			Variance with
	Original	Final	Actual	Final Budget
REVENUES				
Investment Income	$ 12,000	$ 12,000	$ 33,795	$ 21,795
Miscellaneous	-	-	4,179	4,179
Total Revenues	12,000	12,000	37,974	25,974
EXPENDITURES				
Current				
General Government	250,000	250,000	200,000	50,000
Change in Fund Balance	(238,000)	(238,000)	(162,026)	(24,026)
Fund Balance, Beginning of Year	2,123,195	2,123,195	2,123,195	-
Fund Balance, End of Year	$ 1,885,195	$ 1,885,195	$ 1,961,169	$ (24,026)

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

CITY OF BISMARCK, NORTH DAKOTA
GOVERNMENT GRANTS AND ACTIVITIES FUND
BUDGETARY COMPARISON SCHEDULE
FOR THE YEAR ENDED DECEMBER 31, 2019

	Budgeted Amounts			Variance with
	Original	Final	Actual	Final Budget
REVENUES				
Intergovernmental	$ 2,922,171	$ 2,922,171	$ 2,252,151	$ (670,020)
Charges for Services	874,246	874,246	570,939	(303,307)
Fines and Forfeitures	1,500	1,500	4,667	3,167
Investment Income	1,854	1,854	6,561	4,707
Miscellaneous	166,230	166,230	96,908	(69,322)
Total Revenues	3,966,001	3,966,001	2,931,226	(1,034,775)
EXPENDITURES				
Current				
General Government	1,006,837	1,006,837	620,225	386,612
Public Safety	1,530,483	1,421,077	1,088,452	332,625
Highways and Streets	40,000	40,000	11,689	28,311
Health and Welfare	1,259,495	1,259,495	1,057,766	201,729
Culture and Recreation	97,939	117,021	79,722	37,299
Capital Outlay	48,500	138,824	133,165	5,659
Total Expenditures	3,983,254	3,983,254	2,991,019	992,235
Excess (Deficiency) of Revenues Over (Under) Expenditures	(17,253)	(17,253)	(59,793)	(42,540)
OTHER FINANCING SOURCES (USES)				
Transfers In	-	-	2,389	2,389
Transfers Out	(2,200)	(2,200)	-	2,200
Total Other Financing Sources (Uses)	(2,200)	(2,200)	2,389	4,589
Change in Fund Balance	(19,453)	(19,453)	(57,404)	(37,951)
Fund Balance, Beginning of Year	1,025,630	1,025,630	1,025,630	-
Fund Balance, End of Year	$ 1,006,177	$ 1,006,177	$ 968,226	$ (37,951)

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

MAJOR DEBT SERVICE FUNDS

The debt service funds are established to account for the accumulation of resources and the payment of general long-term debt principal and interest.

STREET IMPROVEMENT BONDS - This fund accounts for the collection of special assessments and payment of special assessment bonds.

SEWERMAIN BONDS - This fund accounts for the collection of special assessments and payment of special assessment bonds.

CITY OF BISMARCK, NORTH DAKOTA
STREET IMPROVEMENT BONDS
BUDGETARY COMPARISON SCHEDULE
FOR THE YEAR ENDED DECEMBER 31, 2019

	Budgeted Amounts			Variance with
	Original	Final	Actual	Final Budget
REVENUES				
Special Assessments	$ 14,928,500	$ 14,928,500	$ 15,963,743	$ 1,035,243
Investment Income	350,000	350,000	505,575	155,575
Total Revenues	15,278,500	15,278,500	16,469,318	1,190,818
EXPENDITURES				
Debt Service:				
Principal	13,718,720	13,718,720	12,085,894	1,632,826
Interest	9,102,189	9,102,189	2,811,817	6,290,372
Total Expenditures	22,820,909	22,820,909	14,897,711	7,923,198
Excess (Deficiency) of Revenues Over (Under) Expenditures	(7,542,409)	(7,542,409)	1,571,607	9,114,016
OTHER FINANCING SOURCES (USES)				
Proceeds from Special Assessment Bonds	6,000,000	6,000,000	-	(6,000,000)
Premium on Special Assessment Bonds	75,000	75,000	-	(75,000)
Transfers In	1,500,000	1,500,000	1,759,073	259,073
Transfers Out	(1,000,000)	(1,000,000)	(116,804)	883,196
Total Other Financing Sources (Uses)	6,575,000	6,575,000	1,642,269	(4,932,731)
Change in Fund Balance	(967,409)	(967,409)	3,213,876	4,181,285
Fund Balance, Beginning of Year	27,395,845	27,395,845	27,395,845	-
Fund Balance, End of Year	$ 26,428,436	$ 26,428,436	$ 30,609,721	$ 4,181,285

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

CITY OF BISMARCK, NORTH DAKOTA
SEWERMAIN BONDS
BUDGETARY COMPARISON SCHEDULE
FOR THE YEAR ENDED DECEMBER 31, 2019

	Budgeted Amounts			Variance with
	Original	Final	Actual	Final Budget
REVENUES				
Special Assessments	$ 3,740,000	$ 3,740,000	$ 3,811,769	$ 71,769
Investment Income	78,000	78,000	157,391	79,391
Total Revenues	3,818,000	3,818,000	3,969,160	151,160
EXPENDITURES				
Debt Service:				
Principal	2,984,483	2,984,483	2,792,299	192,184
Interest and Fiscal Charges	4,195,962	4,195,962	667,149	3,528,813
Total Expenditures	7,180,445	7,180,445	3,459,448	3,720,997
Excess (Deficiency) of Revenues Over (Under) Expenditures	(3,362,445)	(3,362,445)	509,712	3,872,157
OTHER FINANCING SOURCES (USES)				
Proceeds from Special Assessment Bonds	3,500,000	3,500,000	-	(3,500,000)
Premium on Special Assessment Bonds	45,000	45,000	-	(45,000)
Transfers In	500,000	500,000	304,622	(195,378)
Transfers Out	(500,000)	(500,000)	-	500,000
Total Other Financing Sources (Uses)	3,545,000	3,545,000	304,622	(3,240,378)
Change in Fund Balance	182,555	182,555	814,334	631,779
Fund Balance, Beginning of Year	7,617,717	7,617,717	7,617,717	-
Fund Balance, End of Year	$ 7,800,272	$ 7,800,272	$ 8,432,051	$ 631,779

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

NONMAJOR DEBT SERVICE FUNDS

The debt service funds are established to account for the accumulation of resources and the payment of general long-term debt principal and interest.

WATERMAIN BONDS - This fund accounts for the collection of special assessments and payment of special assessment bonds.

SIDEWALK BONDS - This fund accounts for the collection of special assessments and payment of special assessment bonds.

CITY OF BISMARCK, NORTH DAKOTA
COMBINING BALANCE SHEET
NONMAJOR DEBT SERVICE FUNDS
DECEMBER 31, 2019

	Watermain Bonds	Sidewalk Bonds	Total Nonmajor Debt Service
ASSETS			
Cash and Investments	$ 500,059	$ 271,448	$ 771,507
Special Assessments Receivable	1,203,691	7,432,170	8,635,861
Interfund Receivables	-	1,485,202	1,485,202
Total Assets	$ 1,703,750	$ 9,188,820	$ 10,892,570
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES			
LIABILITIES			
Accounts Payable	$ -	$ 12,209	$ 12,209
DEFERRED INFLOWS OF RESOURCES			
Special Assessment Taxes	1,124,617	6,425,220	7,549,837
FUND BALANCES			
Restricted	579,133	2,751,391	3,330,524
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	$ 1,703,750	$ 9,188,820	$ 10,892,570

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

CITY OF BISMARCK, NORTH DAKOTA
COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
NONMAJOR DEBT SERVICE FUNDS
DECEMBER 31, 2019

	Watermain Bonds	Sidewalk Bonds	Total Nonmajor Debt Service
REVENUES			
Taxes	$ -	$ -	$ -
Special Assessments	235,817	1,627,442	1,863,259
Investment Income	10,286	44,442	54,728
Total Revenues	246,103	1,671,884	1,917,987
EXPENDITURES			
Debt Service:			
Principal	231,807	1,345,000	1,576,807
Interest and Fiscal Charges	53,942	219,910	273,852
Total Expenditures	285,749	1,564,910	1,850,659
Excess (Deficiency) of Revenues Over (Under) Expenditures	(39,646)	106,974	67,328
OTHER FINANCING SOURCES (USES)			
Transfers In	-	100,209	100,209
Transfers Out	-	(87,696)	(87,696)
Total Other Financing Sources (Uses)	-	12,513	12,513
Change in Fund Balance	(39,646)	119,487	79,841
Fund Balance, Beginning of Year	618,779	2,631,904	3,250,683
Fund Balance, End of Year	$ 579,133	$ 2,751,391	$ 3,330,524

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

CITY OF BISMARCK, NORTH DAKOTA
WATERMAIN BONDS
BUDGET COMPARISON SCHEDULE
FOR THE YEAR ENDED DECEMBER 31, 2019

	Budgeted Amounts			Variance with
	Original	Final	Actual	Final Budget
REVENUES				
Investment Income	$ 5,000	$ 5,000	$ 10,286	$ 5,286
Special Assessments	325,900	325,900	235,817	(90,083)
Total Revenues	330,900	330,900	246,103	(84,797)
EXPENDITURES				
Debt Service:				
Principal	266,811	266,811	231,808	35,003
Interest and Fiscal Charges	536,182	536,182	53,941	482,241
Total Expenditures	802,993	802,993	285,749	517,244
Excess (Deficiency) of Revenues Over (Under) Expenditures	(472,093)	(472,093)	(39,646)	432,447
OTHER FINANCING SOURCES (USES)				
Proceeds from Special Assessment Bonds	450,000	450,000	-	(450,000)
Premium on Special Assessment Bonds	10,000	10,000	-	(10,000)
Transfers In	250,000	250,000	-	(250,000)
Transfers Out	(250,000)	(250,000)	-	250,000
Total Other Financing Sources (Uses)	460,000	460,000	-	(460,000)
Change in Fund Balance	(12,093)	(12,093)	(39,646)	(27,553)
Fund Balance, Beginning of Year	618,779	618,779	618,779	-
Fund Balance, End of Year	$ 606,686	$ 606,686	$ 579,133	$ (27,553)

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

CITY OF BISMARCK, NORTH DAKOTA
SIDEWALK BONDS
BUDGET COMPARISON SCHEDULE
FOR THE YEAR ENDED DECEMBER 31, 2019

	Budgeted Amounts			Variance with
	Original	Final	Actual	Final Budget
REVENUES				
Investment Income	$ 43,000	$ 43,000	$ 44,442	$ 1,442
Special Assessments	1,744,600	1,744,600	1,627,442	(117,158)
Total Revenues	1,787,600	1,787,600	1,671,884	(115,716)
EXPENDITURES				
Debt Service:				
Principal	1,520,000	1,520,000	1,345,000	175,000
Interest and Fiscal Charges	246,108	246,108	219,910	26,198
Total Expenditures	1,766,108	1,766,108	1,564,910	201,198
Excess (Deficiency) of Revenues Over (Under) Expenditures	21,492	21,492	106,974	85,482
OTHER FINANCING SOURCES (USES)				
Premium on Special Assessment Funds	15,000	15,000	-	(15,000)
Transfers In	50,000	50,000	100,209	50,209
Transfers Out	(50,000)	(50,000)	(87,696)	(37,696)
Total Other Financing Sources (Uses)	15,000	15,000	12,513	(2,487)
Change in Fund Balance	36,492	36,492	119,487	82,995
Fund Balance, Beginning of Year	2,631,904	2,631,904	2,631,904	-
Fund Balance, End of Year	$ 2,668,396	$ 2,668,396	$ 2,751,391	$ 82,995

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

NONMAJOR CAPITAL PROJECTS FUNDS

The capital projects funds are established to account for the acquisition or construction of major capital facilities and improvements (other than those financed by Proprietary Funds and Trust Funds).

SPECIAL DEFICIENCY/ASSUMPTION – This fund is used for the deficiencies in the special assessment funds and accounts for the city's share of the special assessment improvements and taxes on public property.

COMMUNITY DEVELOPMENT - This fund accounts for capital improvement expenditures financed with HUD Grant Funds.

BUILDING IMPROVEMENTS - This fund accounts for major improvements made to the City of Bismarck buildings and is funded by Sales Tax or General Fund Revenues.

STREET LIGHT/SIGNALS - This fund accounts for the construction and improvements to the street lights and traffic signals systems. Financing is provided by the General Fund and Street Light/Traffic Signal Special Revenue Fund.

HIGHWAY CONSTRUCTION - This fund accounts for improvements made to the arterial streets and the traffic signal lights system. Financing is provided by Sales Tax and the North Dakota Department of Transportation.

SEWERMAIN CONSTRUCTION - This fund accounts for the construction of sewermains. Financing is provided by the proceeds from the special assessment bonds.

WATERMAIN CONSTRUCTION - This fund accounts for the construction of watermains. Financing is provided by the proceeds from the special assessment bonds.

SIDEWALK CONSTRUCTION - This fund accounts for the construction of sidewalks. Financing is provided by the proceeds from the special assessment bonds.

CITY OF BISMARCK, NORTH DAKOTA
COMBINING BALANCE SHEET
NONMAJOR CAPITAL PROJECT FUNDS
DECEMBER 31, 2019

	Special Deficiency	Community Development	Building Improvements	Street Light and Signals	Highway Construction	Sewermain Construction	Watermain Construction	Sidewalk Construction	Total Capital Projects
ASSETS									
Cash and Investments	$ 3,654,982	$ -	$ 1,318,324	$ 170,579	$ 11,718,659	$ -	$ -	$ -	$ 16,862,544
Taxes Receivable	6,004	-	-	-	-	-	-	-	6,004
Accounts Receivable	-	140,333	-	-	-	-	-	4,373	144,706
Special Assessments Receivable	35,326	-	-	-	169,075	-	-	-	204,401
Notes Receivable	-	985,503	-	-	-	-	-	-	985,503
Total Assets	$ 3,696,312	$ 1,125,836	$ 1,318,324	$ 170,579	$ 11,887,734	$ -	$ -	$ 4,373	$ 18,203,158
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES									
LIABILITIES									
Accounts Payable	$ 1,895	$ 135,486	$ -	$ 155,511	$ 81,872	$ 51,324	$ -	$ 696	426,784
Retainage Payable	-	-	-	14,548	-	78,598	-	8,000	101,146
Interfund Payables	-	4,847	-	-	-	3,319,435	-	1,485,202	4,809,484
Customer Deposits	-	-	-	-	-	-	-	26,500	26,500
Unearned Revenue	-	685,503	-	-	-	-	-	-	685,503
Total Liabilities	1,895	825,836	-	170,059	81,872	3,449,357	-	1,520,398	6,049,417
DEFERRED INFLOWS OF RESOURCES									
Special Assessment Taxes	23,598	-	-	-	163,256	-	-	-	186,854
Property Taxes	4,665	-	-	-	-	-	-	-	4,665
Total Deferred Inflows of Resources	28,263	-	-	-	163,256	-	-	-	191,519
FUND BALANCES									
Nonspendable	-	985,503	-	-	-	-		-	985,503
Committed	3,666,154	300,000	1,318,324	520	11,642,606	-	-	-	16,927,604
Unassigned	-	(985,503)	-	-	-	(3,449,357)	-	(1,516,025)	(5,950,885)
Total Fund Balances	3,666,154	300,000	1,318,324	520	11,642,606	(3,449,357)	-	(1,516,025)	11,962,222
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	$ 3,696,312	$ 1,125,836	$ 1,318,324	$ 170,579	$ 11,887,734	$ -	$ -	$ 4,373	$ 18,203,158

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

CITY OF BISMARCK, NORTH DAKOTA
COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
NONMAJOR CAPITAL PROJECT FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2019

	Special Deficiency	Community Development	Building Improvements	Street Lights and Signals	Highway Construction	Sewermain Construction	Watermain Construction	Sidewalk Construction	Total Capital Projects
REVENUES									
Taxes	$ 372,345	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 372,345
Special Assessments	24,474	-	-	-	482,086	-	-	306,452	813,012
Intergovernmental	8,671	804,856	-	-	722	-	-	-	814,249
Charges for Services	197,120	-	-	-	-	-	-	-	197,120
Investment Income	85,321	-	5,827	-	316,819	-	-	-	407,967
Miscellaneous	-	-	-	-	-	-	-	-	-
Total Revenues	687,931	804,856	5,827	-	799,627	-	-	306,452	2,604,693
EXPENDITURES									
Current:									
General Government	177,376	-	-	-	-	4,190	-	10,244	191,810
Public Works	-	762,818	-	80,085	106,607	56,494	-	35,604	1,041,608
Capital Outlay	-	-	240,327	597,121	1,598,295	3,573,774	-	1,653,443	7,662,960
Total Expenditures	177,376	762,818	240,327	677,206	1,704,902	3,634,458	-	1,699,291	8,896,378
Excess (Deficiency) of Revenues Over (Under) Expenditures	510,555	42,038	(234,500)	(677,206)	(905,275)	(3,634,458)	-	(1,392,839)	(6,291,685)
OTHER FINANCING SOURCES (USES)									
Special Assessment Bonds Issued	-	-	-	-	-	797,074	-	1,135,000	1,932,074
Premium on Special Assessment Bonds	-	-	-	-	-	38,909	-	56,858	95,767
Transfers In	24,000	-	1,100,000	345,634	5,791,208	15,918	76	87,696	7,364,532
Transfers Out	(1,460,946)	(42,038)	(86,140)	-	(13,589,648)	(436,307)	-	(100,209)	(15,715,288)
Total Other Financing Sources (Uses)	(1,436,946)	(42,038)	1,013,860	345,634	(7,798,440)	415,594	76	1,179,345	(6,322,915)
Net Change in Fund Balances	(926,391)	-	779,360	(331,572)	(8,703,715)	(3,218,864)	76	(213,494)	(12,614,600)
Fund Balance, Beginning of Year	4,592,545	300,000	538,964	332,092	20,346,321	(230,493)	(76)	(1,302,531)	24,576,822
Fund Balance, End of Year	$ 3,666,154	$ 300,000	$ 1,318,324	$ 520	$ 11,642,606	$ (3,449,357)	$ -	$ (1,516,025)	$ 11,962,222

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

NONMAJOR ENTERPRISE FUNDS

Enterprise funds are established to account for operations that are financed and operated in a manner similar to private business enterprises. The intent of the governing body is to see that the costs of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges.

SOLID WASTE DISPOSAL - This fund accounts for the disposal of solid waste.

SOLID WASTE COLLECTIONS - This fund accounts for the operations of solid waste collections.

COMMERCIAL PROPERTY - This fund accounts for the retail properties at the Bowen Avenue Commercial Center.

NORTHERN PLAINS COMMERCE CENTRE - This fund accounts for the operations of the northern plains commerce centre.

PARKING AUTHORITY - This fund accounts for the operations of the parking lots under the jurisdiction of the Parking Authority Board.

CITY OF BISMARCK, NORTH DAKOTA
STATEMENT OF NET POSITION
NONMAJOR ENTERPRISE FUNDS
DECEMBER 31, 2019

	Solid Waste Disposal	Solid Waste Collections	Commercial Property	Northern Plains Commerce Centre	Parking Authority	Total Nonmajor Enterprise
ASSETS						
Current Assets:						
Cash and Cash Equivalents	$ 13,717,891	$ 3,772,268	$ -	$ 3,412,609	$ 1,259,060	$ 22,161,828
Accounts Receivable	426,430	315,992	-	-	13,491	755,913
Interest Receivable	110,610	29,220	-	27,367	8,695	175,892
Prepaid Items	15,584	3,683	-	-	1,268	20,535
Total Current Assets	14,270,515	4,121,163	-	3,439,976	1,282,514	23,114,168
Noncurrent Assets:						
Land	978,045	603,338	-	223,212	1,203,152	3,007,747
Construction In Progress	6,262	-	-	-	52,220	58,482
Building and Building Improvements	3,224,012	-	-	-	17,921,713	21,145,725
Improvements Other Than Buildings	3,037,727	4,524	-	6,278,424	13,568	9,334,243
Machinery and Equipment	2,389,746	2,164,680	-	-	422,613	4,977,039
Total Noncurrent Assets	9,635,792	2,772,542	-	6,501,636	19,613,266	38,523,236
Total Assets	23,906,307	6,893,705	-	9,941,612	20,895,780	61,637,404
DEFERRED OUTFLOWS OF RESOURCES						
Pensions	105,020	186,334	-	-	-	291,354
LIABILITIES						
Current Liabilities:						
Accounts Payable	56,051	108,440	-	68,127	76,489	309,107
Compensated Benefits Payable	56,509	77,906	-	-	-	134,415
Salaries Payable	36,056	55,445	-	-	-	91,501
Unearned Revenue	-	-	-	-	1,569	1,569
Total Current Liabilities	148,616	241,791	-	68,127	78,058	536,592
Noncurrent Liabilities:						
Compensated Benefits Payable	46,018	83,611	-	-	-	129,629
Net Pension Liability	193,293	342,952	-	-	-	536,245
Customer Deposits	-	-	-	-	26,260	26,260
Accrued Closure and Post-Closure Liability	3,065,981	-	-	-	-	3,065,981
Total Noncurrent Liabilities	3,305,292	426,563	-	-	26,260	3,758,115
Total Liabilities	3,453,908	668,354	-	68,127	104,318	4,294,707
DEFERRED INFLOWS OF RESOURCES						
Pensions	109,524	194,323	-	-	-	303,847
NET POSITION						
Net Investment in Capital Assets	9,635,792	2,772,542	-	6,501,636	19,613,266	38,523,236
Unrestricted	10,812,103	3,444,820	-	3,371,849	1,178,196	18,806,968
Total Net Position	$ 20,447,895	$ 6,217,362	$ -	$ 9,873,485	$ 20,791,462	$ 57,330,204

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

CITY OF BISMARCK, NORTH DAKOTA
COMBINING STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
NONMAJOR ENTERPRISE FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2019

	Solid Waste Disposal	Solid Waste Collections	Commercial Property	Northern Plains Commerce Centre	Parking Authority	Total Nonmajor Enterprise
OPERATING REVENUES						
Sanitation Fees	$ 4,096,391	$ 4,970,585	$ -	$ -	$ -	$ 9,066,976
Miscellaneous Sales	27,084	8,001	-	-	-	35,085
Rentals	89,978	30	11,058	67,717	1,659,091	1,827,874
Total Operating Revenues	4,213,453	4,978,616	11,058	67,717	1,659,091	10,929,935
OPERATING EXPENSES						
Personnel Services - Salaries and Wages	660,626	1,222,424	-	-	-	1,883,050
Personnel Services - Fringe Benefits	364,791	690,520	-	-	-	1,055,311
Professional Legal and Contracted Services	278,521	12,562	4,150	1,049	471,799	768,081
Building Equipment and Vehicle Services	638,150	587,113	8,649	68,125	366,089	1,668,126
Travel and Training	2,717	-	-	-	-	2,717
Operating Services	303,272	1,238,143	534	2,408	46,367	1,590,724
Operating Supplies	170,066	167,864	-	-	14,960	352,890
Depreciation Expense	665,440	296,554	13,258	215,235	716,523	1,907,010
Total Operating Expenses	3,083,583	4,215,180	26,591	286,817	1,615,738	9,227,909
Net Operating Income (Loss)	1,129,870	763,436	(15,533)	(219,100)	43,353	1,702,026
NONOPERATING REVENUES						
Investment Income	339,089	86,405	3,553	84,150	22,212	535,409
Gain (loss) on Disposal of Assets	102,395	19,119	205,139	-	-	326,653
Total Nonoperating Revenues	441,484	105,524	208,692	84,150	22,212	862,062
Net Income (Loss) Before Transfers	1,571,354	868,960	193,159	(134,950)	65,565	2,564,088
Transfers In	-	-	-	-	150,000	150,000
Transfers Out	(627,979)	(150,643)	(291,319)	(27,473)	(22,319)	(1,119,733)
Change in Net Position	943,375	718,317	(98,160)	(162,423)	193,246	1,594,355
Net Position, Beginning of Year	19,504,520	5,499,045	98,160	10,035,908	20,598,216	55,735,849
Net Position, End of Year	$ 20,447,895	$ 6,217,362	$ -	$ 9,873,485	$ 20,791,462	$ 57,330,204

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

CITY OF BISMARCK , NORTH DAKOTA
COMBINING STATEMENT OF CASH FLOWS
NONMAJOR ENTERPRISE FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2019

	Solid Waste Disposal	Solid Waste Collections	Commercial Property	Northern Plains Commerce Center	Parking Authority	Total Nonmajor Enterprise
CASH FLOWS FROM OPERATING ACTIVITIES						
Receipts From Customers and Users	$ 4,104,079	$ 4,973,169	$ 8,108	$ 72,342	$ 1,655,222	$ 10,812,920
Payments to Suppliers	(1,166,688)	(2,725,352)	(20,505)	(73,488)	(861,039)	(4,847,072)
Payments to Employees	(972,131)	(1,161,928)	-	-	-	(2,134,059)
Net Cash Provided (used) by Operating Activities	1,965,260	1,085,889	(12,397)	(1,146)	794,183	3,831,789
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES						
Payments on Advance	-	-	(1,780,000)	-	(150,000)	(1,930,000)
Payments From Other Funds	-	-	-	-	150,000	150,000
Payments to Other Funds	(627,979)	(150,643)	(291,319)	(27,473)	(22,319)	(1,119,733)
Net Cash Provided (used) by Noncapital Financing Activities	(627,979)	(150,643)	(2,071,319)	(27,473)	(22,319)	(2,899,733)
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES						
Proceeds From Sale of Capital Assets	102,395	19,119	1,604,356	-	-	1,725,870
Acquistion / Construction of Capital Assets	(1,492,445)	(239,463)	-	-	(325,820)	(2,057,728)
Net Cash Provided (used) by Capital and Related Financing Activities	(1,390,050)	(220,344)	1,604,356	-	(325,820)	(331,858)
CASH FLOWS FROM INVESTING ACTIVITIES						
Investment Income	255,867	62,938	4,491	63,661	14,893	401,850
Net Increase (decrease) in Cash and Cash Equivalents	203,098	777,840	(474,869)	35,042	460,937	1,002,048
Cash and Cash Equivalents, Beginning of Year	13,514,793	2,994,428	474,869	3,377,567	798,123	21,159,780
Cash and Cash Equivalents, End of Year	$ 13,717,891	$ 3,772,268	$ -	$ 3,412,609	$ 1,259,060	$ 22,161,828
Reconciliation of Net Operating Income (loss) to Net Cash Provided (used) by Operating Activities						
Net Operating Income (loss)	$ 1,129,870	$ 763,436	$ (15,533)	$ (219,100)	$ 43,353	$ 1,702,026
Adjustments to Reconcile Net Operating Income to Net Cash Provided by Operating Activities:						
Depreciation Expense	665,440	296,554	13,258	215,235	716,523	1,907,010
Change in Deferred Outfllows of Resources	144,572	276,572	-	-	-	421,144
Change in Deferred Inflows of Resources	84,536	147,983	-	-	-	232,519
Change in Net Pension Liability	(191,653)	(370,988)	-	-	-	(562,641)
(Increase) Decrease in Accounts Receivable	(96,409)	(5,447)	-	4,625	(1,656)	(98,887)
(Increase) Decrease in Prepaid Items	(1,615)	(78)	1,104	-	170	(419)
Increase (decrease) in Customer Deposits	(12,965)	-	(2,950)	-	(1,202)	(17,117)
Increase (decrease) in Accounts Payable	4,912	(29,072)	(8,276)	(1,906)	38,006	3,664
Increase (decrease) in Compensated Benefits Payable	11,227	7,149	-	-	-	18,376
Increase (decrease) in Salaries Payable	4,604	(220)	-	-	-	4,384
Increase (decrease) in Unearned Revenue	-	-	-	-	(1,011)	(1,011)
Increase (decrease) in Closure and Post-Closure Liability	222,741	-	-	-	-	222,741
Total Adjustments	835,390	322,453	3,136	217,954	750,830	2,129,763
Net Cash Provided (used) by Operating Activities	$ 1,965,260	$ 1,085,889	$ (12,397)	$ (1,146)	$ 794,183	$ 3,831,789
NONCASH INVESTING, CAPITAL, AND FINANCE ACTIVITIES:						
Construction of Capital Assets Contributed Through Capital Projects Funds	$ -	$ -	$ -	$ -	$ -	$ -
Contribution of Capital Assets From Developers	-	-	-	-	-	-
Increase in Fair Value of Investments	$ 74,851	$ 18,002	$ 1,907	$ 18,601	$ 4,215	$ 117,576

NONMAJOR INTERNAL SERVICE FUNDS

Internal Service Funds are used to account for the financing of goods or services provided by one department or agency to other departments or agencies on a cost reimbursement basis.

FLEET SERVICES - This fund accounts for the distribution of vehicle maintenance and fuel sales to the departments.

LIABILITY INSURANCE - This fund provides general liability and vehicle insurance coverage for all non-enterprise funds through the North Dakota Insurance Fund.

WORKFORCE SAFETY INSURANCE - This fund provides workers compensation coverage for all employees through the North Dakota Workforce Safety.

EMPLOYEE INSURANCE - This fund accounts for the employee health, life and disability plans. This is a self-insurance fund with funding provided from each department based on a pre-established rate per employee.

REVOLVING - This fund accounts for the expenditures of goods and services that are redistributed to other departments.

CITY OF BISMARCK, NORTH DAKOTA
COMBINING STATEMENT OF NET POSITION
INTERNAL SERVICE FUNDS
DECMEBER 31, 2019

	Fleet Services	Liability Insurance	Workforce Safety Insurance	Employee Insurance	Revolving	Total Internal Service
ASSETS						
Current Assets:						
Cash and Cash Equivalents	$ 959,564	$ 169,340	$ 676,731	$1,915,780	$ 322,571	$4,043,986
Accounts Receivable	12,123	-	-	-	367,600	379,723
Inventories	335,500	-	-	-	-	335,500
Prepaid Items	5,436	-	-	-	-	5,436
Total Current Assets	1,312,623	169,340	676,731	1,915,780	690,171	4,764,645
Noncurrent Assets:						
Machinery and Equipment	4,665	-	-	-	-	4,665
Total Assets	1,317,288	169,340	676,731	1,915,780	690,171	4,769,310
DEFERRED OUTFLOWS OF RESOURCES						
Pensions	121,414	-	-	-	-	121,414
LIABILITIES						
Current Liabilities:						
Accounts Payable	233,493	-	2,805	450,682	628,209	1,315,189
Salaries Payable	31,409	-	-	-	1,024	32,433
Claims and Judgments Payable	-	-	-	646,000	-	646,000
Total Current Liabilities	264,902	-	2,805	1,096,682	629,233	1,993,622
Noncurrent Liabilities:						
Net Pension Liability	210,525	-	-	-	-	210,525
Total Liabilities	475,427	-	2,805	1,096,682	629,233	2,204,147
DEFERRED INFLOWS OF RESOURCES						
Pensions	94,778	-	-	-	-	94,778
NET POSITION						
Net Investment in Capital Assets	4,665	-	-	-	-	4,665
Unrestricted	863,832	169,340	673,926	819,098	60,938	2,587,134
Total Net Position	$ 868,497	$ 169,340	$ 673,926	$ 819,098	$ 60,938	$2,591,799

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

CITY OF BISMARCK, NORTH DAKOTA
COMBINING STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
INTERNAL SERVICE FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2019

	Fleet Services	Liability Insurance	Workforce Safety Insurance	Employee Insurance	Revolving	Total Internal Service
OPERATING REVENUES						
Event Sales						
Sale of Gas and Oil	$ 965,244	$ -	$ -	$ -	$ -	$ 965,244
Sale of Parts and Labor	2,334,182	-	-	-	-	2,334,182
Miscellaneous Sales	1,703	-	2,304	282,537	11,260	297,804
Rentals	14,420	-	-	-	-	14,420
Employer Contributions	-	-	17,655	10,970,875	-	10,988,530
Employee Contributions	-	-	-	123,475	-	123,475
Total Operating Revenues	3,315,549	-	19,959	11,376,887	11,260	14,723,655
OPERATING EXPENSES						
Cost of Goods Sold	2,008,003	-	-	-	-	2,008,003
Personal Services - Salaries and Wages	653,736	-	-	-	(163)	653,573
Personal Services - Fringe Benefits	329,343	-	-	57,822	-	387,165
Professional Legal and Contracted Services	643	439	68	1,138	-	2,288
Building Equipment and Vehicle Services	226,822	-	-	-	109,060	335,882
Travel & Training	9,498	-	-	-	-	9,498
Operating Services	20,083	300,951	-	10,535,849	-	10,856,883
Operating Supplies	14,933	-	-	425	-	15,358
Depreciation Expense	1,006	-	-	-	-	1,006
Total Operating Expenses	3,264,067	301,390	68	10,595,234	108,897	14,269,656
Net Operating Income (Loss)	51,482	(301,390)	19,891	781,653	(97,637)	453,999
NONOPERATING REVENUES (EXPENSES)						
Investment Income	15,638	5,843	11,560	25,399	-	58,440
Gain (Loss) on Disposal of Capital Assets	8,790	-	-	-	123,624	132,414
Total Nonoperating Revenues (Expenses)	24,428	5,843	11,560	25,399	123,624	190,854
Net Income (Loss) Before Contributions and Transfers	75,910	(295,547)	31,451	807,052	25,987	644,853
Capital Contributions	5,442	-	-	-	-	5,442
Transfers In	-	330,000	-	-	-	330,000
Transfers Out	(78,986)	(50,987)	(7,509)	(116,018)	(2,389)	(255,889)
Change in Net Position	2,366	(16,534)	23,942	691,034	23,598	724,406
Net Position, Beginning of Year	866,131	185,874	649,984	128,064	37,340	1,867,393
Net Position, End of Year	$ 868,497	$ 169,340	$ 673,926	$ 819,098	$ 60,938	$ 2,591,799

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

CITY OF BISMARCK , NORTH DAKOTA
INTERNAL SERVICE FUNDS
COMBINING STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED DECEMBER 31, 2019

	Fleet Services	Liability Insurance	Workforce Safety	Employee Insurance	Revolving	Total Internal Service
CASH FLOWS FROM OPERATING ACTIVITIES						
Receipts from customers and users	$ 3,307,949	$ 19	$ -	$ 126,323	$ 13,253	$ 3,447,544
Receipts from employer	-	-	17,655	10,970,875	-	10,988,530
Other receipts	1,703	-	2,304	282,537	11,260	297,804
Payments to suppliers	(2,515,942)	(301,390)	(5,254)	(10,180,837)	(158,916)	(13,162,339)
Payments to employees	(608,825)	-	-	-	-	(608,825)
Net cash provided (used) by operating activities	184,885	(301,371)	14,705	1,198,898	(134,403)	962,714
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES						
Payments from other funds	-	330,000	-	-	-	330,000
Payments to other funds	(78,986)	(50,987)	(7,509)	(116,018)	(2,389)	(255,889)
Net cash provided (used) by noncapital financing activities	(78,986)	279,013	(7,509)	(116,018)	(2,389)	74,111
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES						
Proceeds from sale of capital assets	8,790	-	-	-	-	8,790
Proceeds from insurance recoveries	-	-	-	-	123,624	123,624
Net cash provided (used) by capital and related financing activities	8,790	-	-	-	123,624	132,414
CASH FLOWS FROM INVESTING ACTIVITIES						
Investment income	15,638	5,843	11,560	25,399	-	58,440
Net increase (decrease) in cash and cash equivalents	130,327	(16,515)	18,756	1,108,279	(13,168)	1,227,679
Cash and cash equivalents, beginning of year	829,237	185,855	657,975	807,501	335,739	2,816,307
Cash and cash equivalents, end of year	$ 959,564	$ 169,340	$ 676,731	$ 1,915,780	$ 322,571	$ 4,043,986
Reconciliation of net operating income (loss) to net cash provided (used) by operating activities:						
Net operating income (loss)	$ 51,482	$ (301,390)	$ 19,891	$ 781,653	$ (97,637)	$ 453,999
Adjustments to reconcile net operating income (loss) to net cash provided (used) by operating activities:						
Depreciation expense	1,006	-	-	-	-	1,006
Change in deferred outflows of resources	141,572	-	-	-	-	141,572
Change in deferred inflows of resources	85,604	-	-	-	-	85,604
Change in net pension liability	(183,679)	-	-			(183,679)
(Increase) decrease in accounts receivable	(5,897)	19	-	2,848	13,253	10,223
(Increase) decrease in inventories	(53,045)	-	-	-	-	(53,045)
(Increase) decrease in prepaid items	(627)	-	-	-	-	(627)
Increase (decrease) in accounts payable	147,055	-	(5,186)	433,397	(49,856)	525,410
Increase (decrease) in salaries payable	1,414	-	-	-	(163)	1,251
Increase (decrease) in claims and judgments payable	-	-	-	(19,000)	-	(19,000)
Total adjustments	133,403	19	(5,186)	417,245	(36,766)	508,715
Net cash provided (used) by operating activities	$ 184,885	$ (301,371)	$ 14,705	$ 1,198,898	$ (134,403)	$ 962,714

CAPITAL ASSETS

USED IN THE OPERATION

OF GOVERNMENTAL FUNDS

CITY OF BISMARCK, NORTH DAKOTA
CAPITAL ASSETS USED IN THE OPERATION OF GOVERNMENTAL FUNDS
COMPARATIVE SCHEDULES BY SOURCE
DECEMBER 31, 2019

GOVERNMENTAL FUNDS CAPITAL ASSETS:	
Land	2,767,950
Buildings and building improvements	40,449,224
Improvements other than buildings	85,349
Machinery and equipment	42,946,486
Infrastructure	453,227,096
Construction in progress	2,870,631
Total governmental funds capital assets	542,346,736

INVESTMENTS IN GOVERNMENTAL FUNDS CAPITAL ASSETS BY SOURCE:	
General fund	8,090,138
Special revenue funds	21,842,126
Federal and state grants	131,725,771
Capital projects funds	371,686,163
Enterprise funds	15,210
Donations	8,987,328
Total governmental funds capital assets	542,346,736

CAPITAL ASSETS USED IN THE OPERATION OF GOVERNMENTAL FUNDS
SCHEDULE BY FUNCTION AND ACTIVITY
DECEMBER 31, 2019

FUNCTION AND ACTIVITY	Land	Buildings	Improvements Other than Buildings	Machinery and Equipment	Infrastructure	Total
General government:						
Administration and management	$ -	$ -	$ -	$ 48,439	$ -	$ 48,439
Fiscal, assessing and information services	-	-	-	1,459,946	-	1,459,946
Common software	-	-	-	1,058,423	-	1,058,423
City/county office building	-	10,785,685	18,411	886,349	-	11,690,445
Bismarck-mandan visitor bureau	200,000	804,475	-	-	-	1,004,475
Human resources	-	-	-	21,229	-	21,229
Attorney	-	-	-	8,423	-	8,423
Municipal court	-	269,509	-	-	-	269,509
Community development	-	-	-	179,785	-	179,785
Building maintenance	-	-	-	163,829	-	163,829
E/H transit system	108,421	3,311,836	-	6,499,726	-	9,919,983
Total general government	308,421	15,171,505	18,411	10,326,149	-	25,824,486
Public safety:						
Police	499,500	7,982,930	37,078	7,572,228	319,359	16,411,095
Fire	580,688	9,158,075	15,790	7,839,807	101,099	17,695,459
Combined communication center	-	-	-	382,655	-	382,655
Total public safety	1,080,188	17,141,005	52,868	15,794,690	420,458	34,489,209
Highways and streets:						
Roads and streets	50,923	-	-	10,211,818	65,184	10,327,925
Engineering	-	-	-	600,880	-	600,880
Forestry	-	-	-	1,220,327	-	1,220,327
Total highways and streets	50,923	-	-	12,033,025	65,184	12,149,132
Health:						
Bismarck burleigh public health	-	170,524	-	322,003	220,000	712,527
Total health	-	170,524	-	322,003	220,000	712,527
Culture and recreation:						
Centenniel beach	-	-	-	29,956	-	29,956
Library	324,000	7,966,190	-	4,424,903	104,274	12,819,367
Total culture and recreation	324,000	7,966,190	-	4,454,859	104,274	12,849,323
Public works:						
Sales tax fund	22,721	-	-	-	-	22,721
Highway construction	980,937	-	-	-	100,684,796	101,665,733
Sidewalk construction	-	-	14,070	-	34,531,617	34,545,687
Street lights construction	-	-	-	15,760	2,163,919	2,179,679
Street improvements	760	-	-	-	315,036,848	315,037,608
Total public works	1,004,418	-	14,070	15,760	452,417,180	453,451,428
Construction in progress:	-	222,841	-	7,440	2,640,350	2,870,631
Total governmental funds capital assets	$ 2,767,950	$ 40,672,065	$ 85,349	$ 42,953,926	$ 455,867,446	$ 542,346,736

CITY OF BISMARCK, NORTH DAKOTA
CAPITAL ASSETS USED IN THE OPERATION OF GOVERNMENTAL FUNDS
SCHEDULE OF CHANGES BY FUNCTION AND ACTIVITY
FOR THE YEAR ENDED DECEMBER 31, 2019

FUNCTION AND ACTIVITY	Balance January 1, 2019	Additions	Deductions	Transfers	Balance December 31, 2019
General government:					
Administration and management	$ 57,638	$ -	$ 9,199	$ -	$ 48,439
Fiscal, assessing and information services	1,480,665	12,195	32,914	-	1,459,946
Common software	1,058,423	-	-	-	1,058,423
City/county office buildings	11,690,445	-	-	-	11,690,445
Bismarck-mandan visitors bureau	1,004,475	-	-	-	1,004,475
Human resources	21,229	-	-	-	21,229
Attorney	8,423	-	-	-	8,423
Municipal court	269,509	-	-	-	269,509
Community development	208,645	-	10,233	(18,627)	179,785
Building maintenance	69,766	-	-	94,063	163,829
E/H transit system	9,062,310	1,346,668	488,995	-	9,919,983
Total general government	24,931,528	1,358,863	541,341	75,436	25,824,486
Public safety:					
Police	15,903,181	248,405	367,854	627,363	16,411,095
Fire and inspections	18,167,272	619,494	215,446	(895,861)	17,675,459
Combined communications center	391,350	-	8,695	-	382,655
Total public safety	34,461,803	867,899	591,995	(268,498)	34,469,209
Highways and streets:					
Roads and streets	10,397,070	540,326	241,955	(367,516)	10,327,925
Engineering	609,211	-	26,958	18,627	600,880
Forestry	737,337	-	-	502,990	1,240,327
Total highways and streets	11,743,618	540,326	268,913	154,101	12,169,132
Health:					
Bismarck burleigh public health	729,082	8,400	24,955	-	712,527
Total health	729,082	8,400	24,955	-	712,527
Culture and recreation:					
Centenniel beach	29,956	-	-	-	29,956
Library	12,470,856	354,011	5,500	-	12,819,367
Total culture and recreation	12,500,812	354,011	5,500	-	12,849,323
Public works:					
Sales tax fund	22,721	-	-	-	22,721
Highway construction	99,110,639	2,555,094	-	-	101,665,733
Sidewalk construction	32,892,244	1,653,443	-	-	34,545,687
Street light construction	1,883,918	295,761	-	-	2,179,679
Street improvements	306,869,877	8,167,731	-	-	315,037,608
Total public works	440,779,399	12,672,029	-	-	453,451,428
Construction in progress:	1,672,107	2,061,474	862,950	-	2,870,631
Total governmental funds capital assets	$ 526,818,349	$ 17,863,002	$ 2,295,654	$ (38,961)	542,346,736

STATISTICAL SECTION

CITY OF BISMARCK, NORTH DAKOTA
NET POSITION BY COMPONENT
LAST TEN FISCAL YEARS
(ACCRUAL BASIS OF ACCOUNTING)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Governmental activities										
Net investment in capital assets	$ 156,675,941	$ 148,375,719	$ 166,974,373	$ 180,195,611	$ 192,652,784	$ 197,951,649	$ 218,218,040	$ 225,240,744	$ 230,739,569	$ 238,971,819
Restricted	13,913,204	25,072,759	17,512,811	22,540,504	20,182,943	25,205,341	31,075,288	49,167,595	55,329,012	78,260,446
Unrestricted	111,526,195	110,261,833	120,115,806	136,188,454	148,773,677	171,295,399	181,422,256	170,563,328	166,262,629	145,803,806
Total governmental activities net position	$ 282,115,340	$ 283,710,311	$ 304,602,990	$ 338,924,569	$ 361,609,404	$ 394,452,389	$ 430,715,584	$ 444,971,667	$ 452,331,210	$ 463,036,071
Business-type activities										
Net investment in capital assets	$ 226,357,253	$ 261,533,235	$ 280,053,990	$ 289,017,006	$ 319,745,687	$ 319,247,440	$ 341,955,183	$ 374,421,127	$ 401,875,951	$ 409,059,784
Restricted	11,788,078	6,991,320	8,419,928	7,264,652	9,941,852	36,089,113	12,175,717	11,138,729	11,195,951	12,408,591
Unrestricted	36,359,215	44,055,121	40,723,027	52,359,095	59,056,335	38,560,107	51,133,751	42,895,634	43,933,922	51,736,219
Total business-type activities net position	$ 274,504,546	$ 312,579,676	$ 329,196,945	$ 348,640,753	$ 388,743,874	$ 393,896,660	$ 405,264,651	$ 428,455,490	$ 457,005,824	$ 473,204,594
Primary government										
Net investment in capital assets	$ 383,033,194	$ 409,908,954	$ 447,028,363	$ 469,212,617	$ 512,398,471	$ 517,199,089	$ 560,173,223	$ 599,661,871	$ 632,615,520	$ 648,031,603
Restricted	25,701,282	32,064,079	25,932,739	29,805,156	30,124,795	61,294,454	43,251,005	60,306,324	66,524,963	90,669,037
Unrestricted	147,885,410	154,316,954	160,838,833	188,547,549	207,830,012	209,855,506	232,556,007	213,458,962	210,196,551	197,540,025
Total primary government net position	$ 556,619,886	$ 596,289,987	$ 633,799,935	$ 687,565,322	$ 750,353,278	$ 788,349,049	$ 835,980,235	$ 873,427,157	$ 909,337,034	$ 936,240,665

CITY OF BISMARCK, NORTH DAKOTA
CHANGES IN NET POSITION
LAST TEN FISCAL YEARS
(ACCRUAL BASIS OF ACCOUNTING)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Expenses										
Governmental activities:										
General government	$ 13,379,249	$ 28,399,400	$ 15,456,780	$ 15,602,062	$ 17,017,718	$ 18,265,605	$ 16,888,611	$ 16,268,593	$ 18,290,495	$ 16,227,336
Public safety	17,956,779	18,250,946	19,192,839	19,578,855	20,852,897	24,641,875	26,286,801	27,502,752	29,185,109	29,579,689
Highways and streets	8,567,797	8,099,656	8,061,851	8,324,951	8,727,481	10,413,928	10,407,454	10,946,367	11,430,676	11,597,897
Health and welfare	2,911,995	2,915,310	3,024,156	3,068,043	2,782,462	3,201,291	3,201,853	3,329,632	3,486,093	3,506,605
Culture and recreation	9,664,609	2,538,849	2,727,686	2,755,016	2,757,172	2,953,530	3,182,488	3,336,676	3,524,975	3,610,946
Interest and fiscal charges	2,350,187	2,174,135	2,067,666	2,245,752	2,063,752	2,400,187	3,041,297	5,144,125	3,849,896	3,835,971
Public works	7,262,546	7,145,379	16,242,401	9,248,433	9,243,920	9,972,223	11,551,442	13,945,500	14,626,171	12,980,551
Total governmental activities expenses	62,093,162	69,523,675	66,773,379	60,823,112	63,445,402	71,848,639	74,559,946	80,473,645	84,393,415	81,338,995
Business-type activities:										
Airport	5,695,428	5,706,324	6,419,847	6,852,348	8,361,929	8,679,828	7,588,752	7,399,832	7,735,107	8,008,830
Event center	-	7,271,580	7,943,750	8,270,394	9,594,634	11,436,810	11,043,455	10,718,816	11,108,512	9,947,984
Solid waste disposal	2,525,468	2,480,955	2,385,838	2,655,380	2,694,350	2,453,612	4,340,662	2,997,121	2,600,476	3,068,343
Solid waste collections	1,964,611	2,194,976	2,165,553	2,198,750	3,118,929	4,065,304	3,872,531	4,018,808	4,275,343	4,185,101
Water	8,036,750	8,501,442	9,118,635	9,516,385	10,581,458	11,722,982	11,896,989	12,867,647	13,347,820	12,825,126
Sanitary sewer	5,237,690	6,059,940	5,832,427	6,000,337	6,401,858	7,014,055	7,691,135	8,772,088	8,601,984	8,776,175
Storm water	1,215,570	1,517,382	1,701,198	1,828,442	2,167,522	1,993,037	2,697,316	3,076,950	4,239,065	2,313,297
Northern Plains Commerce Centre	-	-	-	-	-	-	-	-	-	286,817
Commercial property	33,312	151,021	339,567	379,303	385,053	441,991	293,168	399,710	376,854	26,593
Parking authority lots	873,209	905,461	990,948	1,030,182	1,114,692	1,608,473	1,639,973	1,596,137	1,575,237	1,615,739
Total business-type activities expenses	25,582,038	34,789,081	36,897,763	38,731,521	44,420,425	49,416,092	51,063,981	51,847,109	53,860,398	51,054,005
Total primary government expenses	$ 87,675,200	$ 104,312,756	$ 103,671,142	$ 99,554,633	$ 107,865,827	$ 121,264,731	$ 125,623,927	$ 132,320,754	$ 138,253,813	$ 132,393,000
Program Revenues										
Governmental activities:										
Charges for Services:										
General government	$ 2,999,341	$ 3,905,967	$ 4,158,680	$ 4,951,446	$ 4,803,514	$ 4,903,933	$ 4,141,666	$ 4,282,664	$ 4,155,262	$ 4,105,318
Public safety	1,351,519	1,236,829	1,315,180	1,221,973	1,165,470	1,122,078	1,382,234	1,471,580	1,636,966	2,034,483
Highways and streets	3,370,465	4,083,149	4,002,264	5,312,152	6,219,938	6,310,840	6,306,131	5,306,563	5,496,307	4,435,164
Health and welfare	511,601	554,209	473,245	554,942	446,889	446,618	474,109	575,029	607,188	608,216
Culture and recreation	5,015,681	150,215	137,179	127,966	121,094	131,868	135,435	131,136	130,571	123,921
Public works	-	-	-	300,235	-	-	-	-	20,000	26,152
Operating grants and contributions	10,113,555	27,284,007	11,335,009	13,663,676	12,042,851	11,067,383	13,162,314	11,751,542	12,039,864	10,372,987
Capital grants and contributions	16,781,232	22,787,617	21,559,092	27,917,289	39,286,234	39,485,749	36,180,257	25,081,772	20,673,170	15,830,239
Total governmental activities program revenues	40,143,394	60,001,993	42,980,649	54,049,679	64,085,990	63,468,469	61,782,146	48,600,286	44,759,328	37,536,480
Business-type activities:										
Charges for services:										
Airport	4,559,948	4,903,504	5,680,205	5,813,095	5,688,130	6,004,126	5,880,634	6,581,900	6,988,947	7,625,965
* Event center	-	5,019,304	5,627,000	5,400,169	6,178,766	7,106,440	6,817,419	6,904,800	7,293,652	7,447,339
Solid waste disposal	2,544,702	2,796,433	2,842,790	3,739,199	4,201,932	4,307,855	4,355,606	4,375,408	3,902,953	4,213,453
Solid waste collections	2,170,392	2,390,337	2,360,138	3,271,983	3,250,198	3,899,855	4,003,128	4,609,120	4,768,732	4,978,616
Water	10,320,520	9,468,281	12,276,473	11,600,535	12,320,934	14,179,792	13,918,492	16,101,327	16,504,992	13,963,761
Sanitary sewer	5,428,006	5,667,907	6,167,542	5,840,563	6,719,385	7,224,309	8,917,828	10,209,905	10,963,919	11,695,570

CITY OF BISMARCK, NORTH DAKOTA
CHANGES IN NET POSITION
LAST TEN FISCAL YEARS*
(ACCRUAL BASIS OF ACCOUNTING)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Storm water	900,844	920,664	983,176	1,183,703	1,242,126	1,352,712	1,390,903	1,825,511	2,305,184	1,484,594
Northern Plains Commerce Centre	-	-	-	-	-	-	-	-	-	67,717
Commercial property	54,103	201,831	424,361	346,142	235,951	255,917	180,632	104,430	102,109	11,058
Parking authority lots	883,751	941,990	963,953	1,063,898	1,230,561	1,561,998	1,460,754	1,550,277	1,510,575	1,659,091
Operating grants and contributions	-	1,856	-	68,057	1,212,522	227,245	40,360	6,666	11,319	38,307
Capital grants and contributions	3,675,261	10,680,059	11,361,611	9,212,197	13,475,408	9,924,565	6,748,212	17,502,063	24,121,524	13,085,359
Total business-type activities program revenues	30,537,527	42,992,166	48,687,249	47,539,541	55,755,913	56,044,814	53,713,968	69,771,407	78,473,906	66,270,830
Total primary government program revenues	$ 70,680,921	$ 102,994,159	$ 91,667,898	$ 101,589,220	$ 119,841,903	$ 119,513,283	$ 115,496,114	$ 118,371,693	$ 123,233,234	$ 103,807,310
Net (expense)/revenue										
Government activities	(21,949,768)	(9,521,682)	(23,792,730)	(6,773,433)	640,588	(8,380,170)	(12,777,800)	(31,873,359)	(39,634,087)	(43,802,515)
Business-type activities	4,955,489	8,203,085	11,789,486	8,808,020	11,335,488	6,628,722	2,649,987	17,924,298	24,613,508	15,216,825
Total primary government net expense	$ (16,994,279)	$ (1,318,597)	$ (12,003,244)	$ 2,034,587	$ 11,976,076	$ (1,751,448)	$ (10,127,813)	$ (13,949,061)	$ (15,020,579)	$ (28,585,690)
General Revenues and Other Changes in Net Position										
Governmental activities:										
Taxes										
Property taxes	$ 16,200,763	$ 17,162,429	$ 17,230,221	$ 17,801,629	$ 18,398,151	$ 19,270,501	$ 20,253,570	$ 21,250,283	$ 20,628,624	$ 21,198,684
Sales tax	12,403,143	13,955,767	16,388,127	17,271,062	17,238,016	17,436,203	16,747,940	15,849,579	15,543,636	21,833,317
Occupancy tax	753,860	914,599	1,066,817	1,174,646	1,219,152	1,188,853	1,086,064	1,014,964	965,445	1,031,410
Lodging/liquor/food tax	1,984,688	2,217,379	2,498,156	2,672,862	2,809,757	2,910,312	2,848,332	2,877,076	2,919,682	3,036,341
Car rental tax	58,898	75,119	87,310	77,142	72,999	71,808	73,046	78,262	66,121	81,482
State aid distribution	2,975,302	3,773,172	4,882,955	4,958,139	5,539,292	5,069,954	3,902,315	3,888,355	4,498,092	4,784,709
Franchise taxes	1,082,874	1,182,709	1,246,491	1,341,007	1,427,837	1,123,478	1,243,287	1,218,141	1,158,319	1,093,964
Other taxes	535,798	665,151	2,776,357	932,923	1,239,000	1,333,130	1,247,280	1,225,954	1,706,736	1,329,301
Investment earnings	901,297	579,687	632,739	362,192	837,497	675,796	690,481	2,954,251	2,342,382	4,277,125
Gain (loss) on disposal of assets	244,748	31,259	49,510	107,871	(416,026)	-	178,109	121,371	352,053	(30,697)
Transfers	(464,636)	(29,440,618)	(2,173,274)	(5,604,461)	(26,321,428)	1,959,501	(3,580,283)	(4,348,794)	(3,187,460)	(4,128,260)
Total governmental activities	36,676,735	11,116,653	44,685,409	41,095,012	22,044,247	51,039,536	44,690,141	46,129,442	46,993,630	54,507,376
Business-type activities:										
Taxes										
Other taxes	63,107	60,524	61,658	56,441	43,158	39,923	40,714	33,643	36,465	45,071
Investment earnings	299,907	352,646	189,974	82,393	543,817	419,227	375,048	576,858	535,407	1,660,326
Gain (loss) on disposal of assets	60,728	18,257	2,402,877	4,892,493	1,859,230	487,056	1,445,890	307,246	177,494	(4,851,712)
Transfers	464,636	29,440,618	2,173,274	5,604,461	26,321,428	(2,153,088)	3,580,283	4,348,794	3,187,460	4,128,260
Total business-type activities	888,378	29,872,045	4,827,783	10,635,788	28,767,633	(1,206,882)	5,441,935	5,266,541	3,936,826	981,945
Total primary government	$ 37,565,113	$ 40,988,698	$ 49,513,192	$ 51,730,800	$ 50,811,880	$ 49,832,654	$ 50,132,076	$ 51,395,983	$ 50,930,456	$ 55,489,321
Change in Net Position										
Governmental activities	$ 14,726,967	$ 1,594,971	$ 20,892,679	$ 34,321,579	$ 22,684,835	$ 42,659,366	$ 31,912,341	$ 14,256,083	$ 7,359,543	$ 10,704,861
Business-type activities	5,843,867	38,075,130	16,617,269	19,443,808	40,103,121	5,421,840	8,091,922	23,190,839	28,550,334	16,198,770
Total primary government	$ 20,570,834	$ 39,670,101	$ 37,509,948	$ 53,765,387	$ 62,787,956	$ 48,081,206	$ 40,004,263	$ 37,446,922	$ 35,909,877	$ 26,903,631

*Event Center was reported in the General Fund and Arena & Exhibit Operations as a Special Revenue Fund prior to 2011.

CITY OF BISMARCK, NORTH DAKOTA
FUND BALANCES OF GOVERNMENTAL FUNDS
LAST TEN FISCAL YEARS
(MODIFIED ACCRUAL BASIS OF ACCOUNTING)

	2010	*2011	2012	2013	2014	2015	2016	2017	2018	2019
General Fund										
Reserved	$ 574,778	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Unreserved	20,369,528	-	-	-	-	-	-	-	-	-
Nonspendable	-	-	-	-	200,000	230,000	230,000	230,000	150,000	-
Restricted	-	197,703	387,263	1,138,547	423,884	2,414,706	2,741,315	2,553,106	3,128,667	4,718,231
Committed	-	22,043	-	1,243,193	-	-	-	-	-	-
Assigned	-	3,966,827	4,656,009	5,654,308	4,928,903	4,236,860	4,555,285	3,622,460	4,316,068	4,765,734
Unassigned	-	18,424,444	23,284,261	24,868,320	30,743,043	31,714,584	32,800,155	34,269,492	36,360,862	35,556,939
Total general fund	$ 20,944,306	$ 22,611,017	$ 28,327,533	$ 32,904,368	$ 36,295,830	$ 38,596,150	$ 40,326,755	$ 40,675,058	$ 43,955,597	$ 45,040,904
All other governmental funds										
Reserved	$ 2,399,083	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Unreserved, reported in:										
Special revenue funds	18,673,953	-	-	-	-	-	-	-	-	-
Debt service funds	13,036,782	-	-	-	-	-	-	-	-	-
Capital project funds	14,760,167	-								
Nonspendable	-	2,707,591	2,379,957	2,243,109	2,112,390	-	1,880,000	-	-	-
Restricted	-	26,179,564	23,020,798	27,802,558	31,603,572	10,503,322	40,936,613	46,614,489	52,200,345	73,542,216
Committed	-	36,269,194	39,415,488	42,338,892	40,212,743	76,137,429	55,295,682	56,097,547	46,702,145	38,626,753
Unassigned	-	(11,628,605)	(20,370,554)	(18,379,791)	(28,128,497)	(21,204,601)	(22,506,461)	(19,880,207)	(9,312,024)	(11,662,049)
Total all other governmental funds	$ 48,869,985	$ 53,527,744	$ 44,445,689	$ 54,004,768	$ 45,800,208	$ 65,436,150	$ 75,605,834	$ 82,831,829	$ 89,590,466	$ 100,506,920

*Implemented GASB #54 with 2011 CAFR.

CITY OF BISMARCK, NORTH DAKOTA
CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS
LAST TEN FISCAL YEARS
(MODIFIED ACCRUAL BASIS OF ACCOUNTING)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
REVENUES										
Taxes	$ 30,578,360	$ 33,189,580	$ 38,399,225	$ 38,060,526	$ 40,918,256	$ 42,010,581	$ 44,000,157	$ 42,252,472	$ 41,694,759	$ 48,233,253
Licenses and permits	1,508,083	1,956,383	2,552,169	3,195,879	2,478,578	2,333,947	2,023,147	1,861,177	1,897,424	2,020,572
Special assessments	11,445,698	12,107,061	13,253,134	18,157,172	17,717,047	18,539,363	21,449,838	21,849,733	22,334,763	22,518,068
Intergovernmental	15,704,913	38,165,942	17,763,798	21,041,079	20,549,194	17,854,293	18,299,828	17,743,566	18,335,857	17,179,104
Charges for services	7,390,191	5,724,439	5,788,168	7,378,274	8,373,154	8,660,788	8,631,635	7,795,507	7,919,450	7,189,971
Fines and forfeits	868,997	869,714	1,018,317	1,082,254	1,382,099	1,193,693	1,263,594	1,510,695	1,557,451	1,569,334
Investment income	968,974	770,749	789,381	633,343	1,099,991	1,142,573	1,087,639	1,406,656	1,896,794	2,995,049
Rentals	799,489	914,901	423,403	476,051	404,790	427,935	410,379	402,562	390,677	373,034
Miscellaneous	456,451	710,737	628,557	612,875	418,866	398,792	543,337	263,390	448,997	315,837
Total revenues	69,721,156	94,409,506	80,616,152	90,637,453	93,341,975	92,561,965	97,709,554	95,085,758	96,476,172	102,394,222
EXPENDITURES										
General government	11,995,913	26,460,346	13,785,186	13,967,053	15,750,318	15,715,568	15,192,348	14,432,957	15,767,436	14,299,862
Public safety	16,134,498	16,520,641	17,040,285	17,392,151	19,993,552	21,529,929	23,883,543	25,619,157	25,730,050	27,472,723
Highways and streets	7,919,024	7,757,762	7,923,168	8,103,587	8,656,321	9,131,659	10,243,511	10,734,028	9,974,139	10,738,028
Health and welfare	2,804,458	2,819,958	2,862,728	2,892,536	2,786,465	2,904,894	3,167,152	3,247,464	3,191,344	3,379,797
Culture and recreation	4,369,646	1,954,030	2,091,326	2,078,185	2,184,841	2,230,807	2,600,315	2,740,879	2,748,969	2,906,938
Public works	1,244,878	1,260,901	9,866,920	2,404,256	1,975,649	1,703,421	2,931,214	3,788,925	3,502,262	1,306,187
Capital outlays	24,112,934	28,295,435	27,843,527	42,597,079	58,509,103	44,750,179	33,359,349	31,585,615	20,099,187	19,721,519
Debt service										
Principal	9,020,000	9,355,000	9,690,000	9,715,000	10,660,000	11,730,000	14,415,000	15,755,000	16,170,001	16,455,001
Interest and fiscal charges	2,356,595	2,230,206	2,040,805	1,840,051	2,108,120	2,315,618	3,248,717	3,412,221	3,778,000	3,752,817
Total expenditures	79,957,946	96,654,279	93,143,945	100,989,898	122,624,369	112,012,075	109,041,149	111,316,246	100,961,388	100,032,872
Excess (deficiency) of revenues over (under) expenditures	(10,236,790)	(2,244,773)	(12,527,793)	(10,352,445)	(29,282,394)	(19,450,110)	(11,331,595)	(16,230,488)	(4,485,216)	2,361,350
OTHER FINANCING SOURCES (USES)										
Transfer in	21,050,225	23,187,603	23,914,275	23,576,359	26,863,375	49,932,949	33,181,033	34,653,793	32,490,879	39,723,665
Transfer out	(19,472,373)	(24,505,560)	(23,275,607)	(22,206,862)	(28,710,635)	(43,395,802)	(33,590,238)	(32,157,306)	(33,410,422)	(39,912,101)
Refunding bonds issued	3,855,000	1,605,000	4,365,000	-	-	6,510,000	-	-	-	-
Premium on special assessment debt	240,378	150,391	118,586	521,142	18,507	1,889,225	762,423	1,983,299	428,935	458,847
Discount on special assessment debt	(131,597)	(18,189)	-	(7,278)	(261,951)	-	-	-	-	-
Payment to refunded bond escrow agent	(3,880,000)	(1,850,000)	(5,425,000)	-	-	(7,405,000)	-	-	-	-
Special assessment bonds issued	20,720,000	10,000,000	9,465,000	22,605,000	26,560,000	33,855,000	20,335,000	19,325,000	15,015,000	9,370,000
Total other financing sources (uses)	22,381,633	8,569,245	9,162,254	24,488,361	24,469,296	41,386,372	20,688,218	23,804,786	14,524,392	9,640,411
Net changes in fund balances	12,144,843	6,324,472	(3,365,539)	14,135,916	(4,813,098)	21,936,262	9,356,623	7,574,298	10,039,176	12,001,761
Debt service as a percentage of noncapital expenditures	20.4%	16.9%	18.0%	19.8%	19.9%	20.9%	23.3%	24.0%	24.7%	25.2%

Source: Fiscal Services

CITY OF BISMARCK, NORTH DAKOTA
GOVERNMENTAL ACTIVITIES TAX REVENUES BY SOURCE
LAST TEN FISCAL YEARS
(ACCRUAL BASIS OF ACCOUNTING)

Fiscal Year	Property[1] Taxes	Sales Tax	Occupancy Tax	Lodging/ Liquor/Food Tax	Car Rental Tax	State Aid Distribution	Franchise Tax	Other Taxes	Total
2010	16,200,763	12,403,143	753,860	1,984,688	58,898	2,975,302	1,082,874	535,798	35,995,326
2011	17,162,429	13,955,767	914,599	2,217,379	75,119	3,773,172	1,182,709	665,151	39,946,325
2012	17,230,221	16,388,127	1,066,817	2,498,156	87,310	4,882,955	1,246,491	2,776,357	46,176,434
2013	17,801,629	17,271,062	1,174,646	2,672,862	77,142	4,958,139	1,341,007	932,923	46,229,410
2014	18,398,151	17,238,016	1,219,152	2,809,757	72,999	5,539,292	1,427,837	1,239,000	47,944,204
2015	19,270,501	17,436,203	1,188,853	2,910,312	71,808	5,069,954	1,123,478	1,333,130	48,404,239
2016	20,253,570	16,747,940	1,086,064	2,848,332	73,046	3,902,315	1,243,287	1,247,280	47,401,834
2017	21,250,283	15,849,579	1,014,964	2,877,076	78,262	3,888,355	1,218,141	1,225,954	47,402,614
2018	20,628,624	15,543,636	965,445	2,919,682	66,121	4,498,092	1,158,319	1,706,736	47,486,655
2019	21,198,684	21,833,317	1,031,410	3,036,341	81,482	4,784,709	1,093,964	1,329,301	54,389,208

[1] Includes tax revenues from pension trust funds.

Source: Fiscal Services

CITY OF BISMARCK, NORTH DAKOTA
ASSESSED VALUE AND TRUE AND FULL VALUE OF TAXABLE PROPERTY
LAST TEN FISCAL YEARS

Year	Commercial Land and Buildings	Residential Land and Buildings	Agricultural Land	Public Utilities	Total Assessed Value	Total True and Full Value	Assessed Value as a Percentage of True and Full Value	Taxable Value	Total Direct Tax Rate
2009	700,195,450	1,353,003,345	156,500	29,602,980	2,082,958,275	4,165,916,549	50%	194,765,794	80.63
2010	731,769,330	1,432,085,034	179,050	30,219,050	2,194,252,464	4,388,504,927	50%	199,968,720	80.68
2011	750,575,750	1,437,185,900	169,450	34,450,950	2,222,382,050	4,444,764,100	50%	207,866,346	79.05
2012	802,091,790	1,545,634,922	287,200	37,619,840	2,385,633,752	4,771,267,504	50%	223,107,026	75.77
2013	917,646,830	1,760,180,545	361,800	44,303,550	2,722,492,725	5,444,985,449	50%	254,647,467	69.35
2014	1,041,981,000	2,012,744,111	401,100	50,630,280	3,105,756,491	6,211,512,982	50%	290,448,208	63.10
2015	1,177,555,620	2,232,032,489	371,000	54,422,280	3,464,381,389	6,928,762,778	50%	324,136,621	59.07
2016	1,308,377,570	2,389,363,545	428,050	50,439,270	3,748,608,435	7,497,216,869	50%	350,957,710	57.01
2017	1,505,305,200	2,454,101,322	475,150	52,943,010	4,012,824,682	8,025,649,364	50%	376,741,455	57.01
2018	1,545,115,150	2,509,157,700	389,950	58,884,700	4,113,547,500	8,227,095,000	50%	386,263,173	56.88

Source: Burleigh County Auditor/Treasurer Office

CITY OF BISMARCK, NORTH DAKOTA
PROPERTY TAX RATES
DIRECT AND OVERLAPPING[1] GOVERNMENTS
LAST TEN FISCAL YEARS

	City of Bismarck		Overlapping Rates				Total
Fiscal Year[2]	Operating Millage	Total City Millage	Burleigh County Millage	Public School Millage	Bismarck Park District	State of North Dakota	Direct & Overlapping Rates
2009	80.63	80.63	54.45	142.03	39.63	1.00	317.74
2010	80.68	80.68	54.55	142.13	39.82	1.00	318.18
2011	79.05	79.05	55.32	140.99	39.62	1.00	315.98
2012	75.77	75.77	53.99	138.39	39.55	1.00	308.70
2013	69.35	69.35	50.28	101.68	38.50	1.00	260.81
2014	63.10	63.10	48.63	103.60	37.30	1.00	253.63
2015	59.07	59.07	47.03	100.42	36.08	1.00	243.60
2016	57.01	57.01	45.77	100.47	34.68	1.00	238.93
2017	57.01	57.01	36.66	103.92	34.31	1.00	232.90
2018	56.88	56.88	31.66	103.91	34.23	1.00	227.68

[1] Overlapping rates are those of local and county governments that apply to property owners within the City of Bismarck. Not all overlapping rates apply to all City of Bismarck property owners.

[2] Represents the year in which property taxes are levied. Collection of taxes will be received in the subsequent year.

Source: Burleigh County Levies

CITY OF BISMARCK, NORTH DAKOTA
PRINCIPAL "SINGLE PROPERTY" TAXPAYERS
CURRENT YEAR AND TEN YEARS AGO

	2019			2010		
Taxpayer	Taxable Assessed Value	Rank	Percentage of Total Taxable Assessed Value	Taxable Assessed Value	Rank	Percentage of Total Taxable Assessed Value
* Kirkwood Mall Acquistiion LLC	$ 25,074,100	1	0.60 %	$		%
Waterford on West Century LLC	17,858,700	2	0.43	8,908,050	3	0.41
LaSalle Shopping Center	14,931,650	3	0.36			
EVI Coulee Ridge 1 LLC	13,864,750	4	0.33			
Medcenter One Inc	13,188,850	5	0.31	9,513,450	2	0.44
* Clark Equipment Company	12,560,200	6	0.30	8,475,900	4	0.39
First International Bank & Trust	11,241,850	7	0.27			
EVI Bismarck Village LLC	10,969,600	8	0.26			
Baptist Home Inc	10,564,700	9	0.25			
Clark Equipment Company A Corp	10,345,400	10	0.25			
Mid Dakota Clinic	10,327,800	11	0.25	7,517,650	8	0.35
CMGL11LLC	9,619,400	12	0.23			
Walmart RE Trust -North				7,998,650	5	0.37
Walmart RE Trust-South				7,720,200	7	0.35
Inreit Properties (Edgewood)				7,988,950	6	0.37
Menards Inc				5,879,800	12	0.27
Gateway Fashion Mall				6,608,850	9	0.30
Pinehurst Square Acquisition LLC				6,302,100	10	0.29
Regency Midwest Ventures LTD				5,971,650	11	0.27
Metropolitan Life Assurance Company				23,038,850	1	1.06
Totals	$ 160,547,000		3.84	$ 105,924,100		4.87

* These properties receive partial exemptions. The portion that is exempt is not included in the values.

Source: Assessing Division

CITY OF BISMARCK, NORTH DAKOTA
PROPERTY TAX LEVIES AND COLLECTIONS
LAST TEN FISCAL YEARS

Fiscal Year	Total Tax Levy for Fiscal Year[1]	Collected within the Fiscal Year of the Levy		Collections in Subsequent Years	Total Collections to Date	
		Amount	Percentage of Levy		Amount	Percentage of Levy
2010	15,703,966	14,671,145	0.9342	164,566	14,835,711	0.9447
2011	16,133,477	15,207,718	0.9426	216,757	15,424,475	0.9561
2012	16,431,836	15,478,265	0.9420	187,816	15,666,081	0.9534
2013	16,904,819	15,953,724	0.9437	139,427	16,093,151	0.9520
2014	17,659,802	16,786,435	0.9505	101,201	16,887,636	0.9563
2015	18,327,284	17,501,225	0.9549	86,534	17,587,759	0.9596
2016	19,146,750	18,371,529	0.9595	116,676	18,488,205	0.9656
2017	20,008,099	19,260,495	0.9626	115,708	19,376,203	0.9684
2018	21,478,030	20,279,319	0.9442	135,005	20,414,324	0.9505
2019	21,970,650	20,778,395	0.9457	185,269	20,963,664	0.9542

[1] Previous fiscal year tax levy.

CITY OF BISMARCK, NORTH DAKOTA
RATIOS OF OUTSTANDING DEBT BY TYPE
LAST TEN FISCAL YEARS

	Governmental Activities				Business-Type Activities				
Fiscal Year	General Obligation Bonds	Revenue Bonds	Special Assessment Bonds	Capital Leases	Revenue Bonds	Capital Leases	Total Primary Government	Percentage of Personal Income [1]	Per Capita [1]
2010	-	2,850,000	64,845,000	-	31,137,187	6,484	98,838,671	0.0283	1,613
2011	-	1,940,000	66,155,000	-	29,807,244	17,377	97,919,621	0.0256	1,576
2012	-	-	68,810,000	-	32,135,806	12,543	100,958,349	0.0246	1,563
2013	-	-	79,700,000	-	70,642,434	5,037	150,347,471	0.0307	2,257
2014	-	-	95,600,000	-	80,777,434	-	176,377,434	0.0584	2,571
2015	-	-	116,830,000	-	105,495,000	-	222,325,000	0.0656	3,142
2016	-	-	125,651,063	-	100,011,979	-	225,663,042	0.0666	3,094
2017	-	-	130,958,280	-	94,017,648	-	224,975,928	0.0703	3,091
2018	-	-	129,861,275	-	87,903,317	-	217,764,592	0.0660	2,931
2019	-	-	122,832,538	-	81,643,984	-	204,476,522	0.0585	2,626

Note: Details regarding the city's outstanding debt can be found in the notes to the financial statements.

[1] See the Schedule of Demographic and Economic Statistics on page 149 for personal income and population data.

CITY OF BISMARCK, NORTH DAKOTA
LEGAL DEBT MARGIN INFORMATION
LAST 10 YEARS

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Debt limit	$ 109,712,623	$ 111,119,103	$ 119,281,688	$ 136,124,636	$ 155,287,825	$ 173,219,069	$ 187,430,422	$ 200,641,234	$ 205,677,375	$ 209,851,482
Total net debt applicable to limit	-	-	-	-	-	-	-	-	-	-
Legal debt margin	$ 109,712,623	$ 111,119,103	$ 119,281,688	$ 136,124,636	$ 155,287,825	$ 173,219,069	$ 187,430,422	$ 200,641,234	$ 205,677,375	$ 209,851,482
Total net debt applicable to the limit as a percentage of debt limit	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

Legal Debt Margin Calculation for Fiscal Year 2019	
Total assessed value	$ 4,197,029,648
Debt limit (5% of total assessed value)	209,851,482
Debt applicable to limit:	
General obligation bonds	-
Less: Amount set aside for repayment of general obligation debt	-
Total net debt applicable to limit	-
Legal debt margin	$ 209,851,482

Note: Under state finance law, the City of Bismarck's outstanding general obligation debt should not exceed 5 percent of total assessed property value. By law, the general obligation debt subject to the limitation may be offset by amounts set aside for repaying general obligation bonds.

Sources:
Burleigh County Auditor/Treasurer Office
Fiscal Services

CITY OF BISMARCK, NORTH DAKOTA
DIRECT AND OVERLAPPING GOVERNMENTAL ACTIVITIES DEBT
AS OF DECEMBER 31, 2019

Governmental Unit	2019 Taxable Value	Net Debt Outstanding	Estimated Percentage Applicable[1]	Total Direct and Overlapping Debt
City of Bismarck	$ 394,141,057	$ 122,832,538	100.00%	$ 122,832,538
Bismarck Public School	491,304,437	132,987,561	80.22%	106,682,621
Bismarck Park District	394,141,057	30,740,443	100.00%	30,740,443
Burleigh County	512,580,938	63,807,623	76.89%	49,061,681
Total Overlapping Debt	1,398,026,432	227,535,627		186,484,746
Total Direct and Overlapping Debt		$ 350,368,165		$ 309,317,284

Note: Overlapping governments are those that coincide, at least in part, with geographic boundaries of the city. This schedule estimates the portion of the outstanding debt of those overlapping governments that is borne by the residents and businesses of the City of Bismarck. This process recognizes that, when considering the government's ability to issue and repay long-term debt, the entire debt burden borne by the residents and businesses should be taken into account. However, this does not imply that every taxpayer is a resident, and therefore responsible for repaying the debt, of each overlapping government.

[1]The percentage of overlapping debt applicable is estimated using taxable assessed property values. Applicable percentages were estimated by determining the portion of the county's taxable assessed value that is within the government's boundaries and dividing it by the county's total taxable assessed value.

Sources:
Bismarck Public School as of June 30, 2019
Burleigh County Levies, 2019
Burleigh County Auditor

CITY OF BISMARCK, NORTH DAKOTA
PLEDGED-REVENUE COVERAGE
LAST TEN FISCAL YEARS

	Water Revenue Bonds						Sanitary Sewer Bonds					
		Less:	Net	Debt Service				Less:	Net	Debt Service		
Fiscal Year	Water Charges	Operating Expenses	Available Revenue	Principal	Interest	Coverage	Sanitary Sewer Charges	Operating Expenses	Available Revenue	Principal	Interest	Coverage
2010	10,278,544	5,098,702	5,179,842	1,165,000	403,604	3.30	5,428,005	2,641,739	2,786,266	785,000	455,674	2.25
2011	9,957,329	5,637,538	4,319,791	1,210,000	478,992	2.56	5,669,910	3,523,287	2,146,623	810,000	440,375	1.72
2012	12,926,268	5,945,048	6,981,220	7,930,000	412,206	0.84	6,167,541	3,254,117	2,913,424	835,000	420,125	2.32
2013	12,222,233	6,261,250	5,960,983	1,350,000	477,553	3.26	5,840,563	3,387,536	2,453,027	860,000	399,250	1.95
2014	12,869,433	6,195,938	6,673,495	1,685,000	818,438	2.67	6,719,390	3,588,061	3,131,329	885,000	377,750	2.48
2015	14,557,406	6,658,423	7,898,983	2,215,000	1,063,525	2.41	7,224,308	3,851,519	3,372,789	910,000	355,625	2.66
2016	14,483,419	6,476,574	8,006,845	2,765,000	1,018,350	2.12	8,917,827	3,624,122	5,293,705	1,535,000	1,304,875	1.86
2017	16,662,851	7,103,387	9,559,464	2,815,000	956,170	2.53	10,209,905	4,714,551	5,495,354	2,155,000	1,236,750	1.62
2018	16,504,992	7,604,585	8,900,407	2,870,000	880,017	2.37	10,963,919	4,448,093	6,515,826	2,200,000	1,152,750	1.94
2019	13,963,761	7,246,562	6,717,199	2,940,000	808,059	1.79	11,695,571	3,997,660	7,697,911	2,250,000	1,067,125	2.32

	Special Assessment Bonds				Motel, Liquor, Restaurant Bonds			
		Debt Service				Debt Service		
Fiscal Year	Special Assessment Collections	Principal	Interest	Coverage	Lodging, Liquor, Food Tax Collections *	Principal	Interest	Coverage
2010	9,109,289	8,165,000	2,213,955	0.88	1,984,688	855,000	142,640	1.99
2011	9,566,595	8,445,000	2,096,794	0.91	2,217,379	910,000	112,715	2.17
2012	10,488,662	13,175,000	1,971,244	0.69	2,498,156	1,940,000	68,548	1.24
2013	11,346,780	9,715,000	1,840,051	0.98	2,672,862	-	-	-
2014	11,690,035	10,660,000	2,108,120	0.92	2,809,757	830,000	1,184,291	1.39
2015	15,506,201	19,135,000	2,315,618	0.72	2,910,312	1,000,000	990,206	1.46
2016	15,657,902	13,175,000	3,208,493	0.96	2,848,332	1,015,000	960,206	1.44
2017	17,236,969	15,755,000	3,356,638	0.90	2,877,076	1,030,000	929,756	1.47
2018	18,394,111	16,170,000	3,740,823	0.92	2,919,682	1,050,000	898,856	1.50
2019	18,499,295	16,455,000	3,444,384	0.93	3,036,341	1,075,000	867,356	1.56

CITY OF BISMARCK, NORTH DAKOTA
DEMOGRAPHIC AND ECONOMIC STATISTICS
LAST TEN FISCAL YEARS

Fiscal Year	Population[1]	Personal Income[2]	Per Capita Personal Income[2]	Median Age[1]	Public School Enrollment[3]	Unemployment Rate[4]
2010	61,272	3,495,812,688	57,054	38.0	10,852	3.5
2011	62,120	3,829,946,480	61,654	38.0	10,971	3.1
2012	64,588	4,097,462,720	63,440	38.0	11,424	2.7
2013	66,608	4,892,290,992	73,449	38.0	11,656	2.4
2014	68,601	3,019,653,476	73,371	38.0	12,020	2.5
2015	70,766	3,387,188,980	80,166	38.0	12,380	2.3
2016	72,926	3,387,893,453	78,906	38.0	12,683	2.5
2017	72,793	3,200,488,435	75,384	38.0	12,861	2.6
2018	74,294	3,301,033,103	77,952	38.0	13,007	2.4
2019	77,880	3,497,297,521	82,701	38.0	13,331	2.4

Note: Population, median age, and education level information are based on surveys conducted during the last quarter of the calendar year. Personal income information is a total for the year. Unemployment rate information is an adjusted yearly average. School enrollment is based on the census at the start of the school year.

Sources:
[1] Community Development
[2] ND State Tax Department
[3] Bismarck Public Schools
[4] North Dakota Job Service Labor Market Information Center website

CITY OF BISMARCK, NORTH DAKOTA
PRINCIPAL EMPLOYERS
CURRENT YEAR AND TEN YEARS AGO

	2019			2010		
Employer	**Employees**	**Rank**	**Percentage of Total City Employment**	**Employees**	**Rank**	**Percentage of Total City Employment**
State of ND	4,900	1	13.35 %	4,400	1	12.59 %
Sanford Health	3,386	2	9.22	3,038	2	8.69
Bismarck Public Schools	2,187	3	5.96	1,714	4	4.90
CHI St. Alexius	1,512	4	4.12	2,176	3	6.23
US Government Offices	1,200	5	3.27	1,200	5	3.43
Bobcat/Doosan Company	1,000	6	2.72			
Bismarck State College	733	7	2.00	334	15	0.96
MDU Resources Group	731	8	1.99	537	9	1.54
Walmart North/South	665	9	1.81	668	6	1.91
Aetna	645	10	1.76	618	7	1.77
Housing Industry Training (HIT)	641	11	1.75			
City of Bismarck	637	12	1.74	540	8	1.55
University of Mary	631	13	1.72	435	14	1.24
Missouri Slope Lutheran Care Center	556	14	1.51	530	10	1.52
Mid Dakota Clinic	535	15	1.46	465	12	1.33
Basin Electric Power Cooperative				459	13	1.31
Coventry Healthcare				475	11	1.36
Total	19,959		54.38	17,589		50.33

Sources:
City of Bismarck 2019 Budget
Bismarck Mandan Chamber
ND Job Service-Labor Market Information Center website

CITY OF BISMARCK, NORTH DAKOTA
FULL-TIME EQUIVALENT CITY GOVERNMENT EMPLOYEES BY FUNCTION
LAST TEN FISCAL YEARS

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Function										
General government	71	72	73	80	85	86	86	87	93	92
Public safety										
Central dakota communications center	24	26	26	26	26	27	30	31	31	31
Police										
Officers	101	101	103	109	112	113	116	128	128	129
Civilians	28	28	28	28	28	30	30	30	30	30
Fire										
Firefighters and officers	76	76	76	79	80	83	83	82	83	83
Civilians	6	6	6	6	6	2	2	2	2	2
Highways and streets										
Engineering	22	24	25	26	28	29	29	29	29	29
Maintenance	55	55	55	60	59	63	64	63	64	64
Health and welfare	27	26	26	26	25	29	29	29	29	28
Culture and recreation	16	16	17	17	19	22	24	25	25	25
Airport	21	21	21	21	21	21	21	22	23	23
Solid Waste	38	38	38	38	38	38	38	38	36	37
Water and sewer	55	55	55	58	61	64	64	64	65	65
Total	540	544	549	574	588	607	616	631	638	637

Source: City of Bismarck Annual Budgets

(Continued on next page)

CITY OF BISMARCK, NORTH DAKOTA
OPERATING INDICATORS BY FUNCTION
LAST TEN FISCAL YEARS

Function	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
General Government										
Number of building permits issued	1,654	1,879	2,365	2,218	1,951	1,756	1,648	1,410	1,248	940
Number of building inspections done	6,330	7,830	9,745	9,460	8,926	5,581	5,690	6,321	4,979	4,687
Number of plumbing permits issued	639	707	1,092	1,153	920	696	644	548	389	353
Number of plumbing inspections done	1,887	1,972	2,861	3,050	2,006	2,170	1,946	1,748	1,748	1,129
Number of mechanical/HVAC permits issued	1,348	1,564	2,037	2,037	1,692	1,454	1,649	1,653	1,577	1,376
Number of mechanical/HVAC inspections done	2,340	2,361	2,991	3,210	2,296	2,924	3,254	2,805	2,708	2,139
Number of electrical permits issued	1,127	1,257	1,589	1,578	1,248	-	1,395	1,071	927	837
Number of electrical inspections done	3,286	4,024	4,789	5,220	3,141	-	3,462	3,505	2,483	2,275
Number of septic permits issued	109	122	225	193	101	102	52	47	46	33
Number of septic inspections done	283	240	298	249	121	200	129	108	92	60
Public Safety										
Police										
Physical arrests	3,589	2,480	3,862	4,768	4,672	4,750	4,958	5,757	5,728	5,367
Traffic citations	12,995	12,869	14,309	16,168	15,623	14,831	16,062	17,733	19,279	15,935
Parking citations	8,296	7,975	8,617	7,898	15,188	11,845	11,342	10,903	10,064	9,557
Number of accidents	3,865	3,820	3,747	3,985	3,824	3,723	3,789	3,680	3,535	3,821
Number of 911 emergency dispatches	4,802	4,037	4,858	3,554	3,907	5,704	5,258	4,981	5,000	4,425
Fire										
Number of 911 emergency dispatches	2,429	2,833	3,115	3,106	3,475	3,799	4,289	4,364	4,448	4,580
Number of fire inspections conducted	2,897	3,607	3,130	2,985	3,236	3,256	4,069	4,058	3,291	1,885
Highways and streets										
Engineering										
Number of excavation permits	827	608	743	820	739	706	647	535	411	419
Number of improvement projects	36	35	72	82	57	65	37	28	38	41
Forestry										
Number of street trees planted	480	423	507	477	235	889	806	667	713	648
Number of street trees trimmed	1,038	3,182	2,948	2,248	2,910	1,904	1,675	4,450	2,720	2,040
Number of street trees removed	212	194	190	294	162	408	321	439	182	241
Roads and streets										
Potholes repaired	6,205	7,640	844	5,052	5,634	108,628	103,677	63,953	20,122	28,147
Street striping (miles)	215	195	204	211	211	157	145	156	126	147
Snow removal (hours)	20,553	11,947	1,199	8,854	7,695	12,877	19,060	12,848	12,096	21,122
Sand Ice removal (tons)	6,850	3,889	4,005	6,216	4,730	2,329	4,573	5,493	4,998	3,136
Salt Ice removal (tons)	902	1,547	1,937	1,927	1,658	1,278	1,153	1,690	1,350	1,793
Loads of snow hauled	14,481	5,321	1,382	4,049	1,579	1,417	84,747	21,881	2,386	6,150
Health and welfare										
Number of home visits	5,239	5,190	4,240	4,808	4,302	4,033	4,426	4,382	4,473	4,310
Number of immunizations	12,482	8,473	6,316	9,039	8,833	9,719	7,059	6,881	6,195	6,057
Number of office visits	4,517	3,586	3,150	3,174	3,081	3,292	3,217	4,142	4,557	3,874
Number of environmental health inspections	4,988	2,437	2,270	1,534	2,091	1,718	1,821	1,606	1,548	1,379

(Continued from previous page)

CITY OF BISMARCK, NORTH DAKOTA
OPERATING INDICATORS BY FUNCTION
LAST TEN FISCAL YEARS

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Culture and recreation										
Auditorium events	113	108	90	123	174	153	138	150	162	154
Auditorium admissions	35,030	34,163	38,840	37,454	51,820	55,051	41,373	48,480	52,118	42,083
Community center events	411	484	452	416	430	498	531	464	451	477
Community center admissions	329,652	340,331	359,149	315,580	353,218	420,403	411,619	345,787	343,557	332,978
Function										
Airport										
Gallons fuel dispensed (fuel permit holders)	3,787,215	3,772,974	4,084,352	4,110,507	4,550,313	4,895,740	4,864,385	4,452,075	4,874,780	5,211,979
Number of passengers-enplaning	194,043	196,414	236,172	237,683	245,205	259,734	271,022	272,739	282,363	309,337
Number of passengers-deplaning	193,897	195,208	235,207	237,450	245,062	261,459	272,251	271,274	281,487	308,279
Pounds of airmail-enplaning	1	-	-	-	-	-	-	-	-	-
Pounds of airmail-deplaning	239	-	-	-	-	-	-	-	-	-
Pounds of freight-enplaning	35,301	29,858	29,472	16,813	12,856	19,591	26,288	31,696	35,339	33,609
Pounds of freight-deplaning	55,130	35,300	48,135	13,738	8,149	10,667	33,840	31,715	22,545	28,482
Pounds of air cargo freight-enplaning	1,357,768	1,412,447	2,129,165	1,495,195	1,399,845	1,976,260	1,469,145	614,248	858,106	976,856
Pounds of air cargo freight-deplaning	3,254,751	3,486,123	4,853,797	4,535,773	5,193,061	5,926,322	5,699,311	2,860,020	3,036,927	3,793,861
Solid Waste										
Refuse collected (tons/year)	24,425	25,143	24,826	24,662	25,033	26,789	26,199	26,195	26,338	27,271
Garbage accepted for disposal (tons/year)	89,794	97,675	98,932	102,197	106,758	108,919	111,131	118,430	107,636	119,037
Acres used at landfill	2.5	2.5	2.5	6.5	6.5	6.5	6.5	6.5	6.5	6.5
Water										
Number of service connections	18,400	18,700	19,420	20,000	20,350	20,978	21,237	21,691	22,024	22,205
Average daily consumption (thousand of gallons)	8,840	8,260	10,290	9,640	9,390	8,582	9,850	10,800	10,120	7,997
Wastewater										
Average daily sewage treatment (thousand of gallons)	6,830	7,150	6,240	6,830	6,620	6,410	6,370	6,430	6,330	6,980

Sources:
- Airport Department
- Building Inspections
- Engineering Department
- Event Center
- Fiscal Services
- Fire Department
- Police Department
- Public Health Department
- Public Works Departments

CITY OF BISMARCK, NORTH DAKOTA
CAPITAL ASSET STATISTICS BY FUNCTION
LAST TEN FISCAL YEARS

Function	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Public safety										
Police										
Stations	1	1	1	1	1	1	1	1	1	1
Patrol units	19	18	19	21	21	21	21	35	34	34
Fire stations	5	5	5	5	5	5	5	5	5	5
Highways and streets										
Paved streets (miles)	300	311	313	319	339	345	349	365	367	367
Streetlights	7,468	7,755	7,990	8,149	8,522	8,596	8,872	9,068	9,113	9,189
Traffic signals	104	105	107	107	108	110	110	110	110	107
Culture and recreation										
Community centers	3	3	3	3	3	3	3	3	3	3
Airport										
Terminal building	1	1	1	1	1	1	1	1	1	1
Waste Collection										
Collection Trucks	22	20	20	20	21	21	21	21	22	19
Water										
Watermains (miles)	327	330	336	348	354	365	371	371	373	376
Fire hydrants	3,014	3,100	3,256	3,355	3,430	3,625	3,675	3,720	4,500	4,600
Maximum daily water treatment capacity (thousand of gallons)	30,000	30,000	30,000	30,000	30,000	30,000	30,000	29,000	29,000	29,500
Sewer										
Sanitary sewers (miles)	292	295	297	300	305	307	310	313	307	307
Storm sewers (miles)	144	146	147	148	149	149	152	153	153	156
Maximum daily wastewater treatment capacity (thousand of gallons)	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	9,330
Parking Lots										
Number of parking lots	4	4	4	4	5	5	5	5	5	5

Note: Parking lots only include Parking Authority lots.

Source:
- Airport Department
- Engineering Department
- Event Center
- Fiscal Services
- Fire Department
- Police Department
- Public Works Departments

Passenger Facility Charge Report
December 31, 2019

Bismarck Municipal Airport

EideBailly®

eidebailly.com

Report on Compliance with Requirements Applicable to the Passenger Facility Charge Program and Internal Control over Compliance 1

Schedule of Passenger Facility Charges and Related Expenditures 4

Schedule of Findings and Questioned Costs – PFC Program 5

EideBailly

CPAs & BUSINESS ADVISORS

Report on Compliance with Requirements Applicable to the Passenger Facility Charge Program and Internal Control over Compliance

Members of the Board of City Commissioners
Bismarck Municipal Airport
Bismarck, North Dakota

Compliance

We have audited the compliance of the Bismarck Municipal Airport, City of Bismarck, North Dakota, with the compliance requirements described in the *Passenger Facility Charge Audit Guide for Public Agencies* (Guide), issued by the Federal Aviation Administration for its Passenger Facility Charge Program for the year ended December 31, 2019. Compliance with the requirements of laws and regulations applicable to its Passenger Facility Charge Program is the responsibility of the Bismarck Municipal Airport, City of Bismarck, North Dakota's, management. Our responsibility is to express an opinion on the Bismarck Municipal Airport, City of Bismarck, North Dakota's, compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the Guide. Those standards and the Guide require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the compliance requirements referred to above that could have a direct and material effect on the Passenger Facility Charge Program occurred. An audit includes examining, on a test basis, evidence about the Bismarck Municipal Airport, City of Bismarck, North Dakota's, compliance with those requirements and performing such other procedures, as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of the Bismarck Municipal Airport, City of Bismarck, North Dakota's, compliance with those requirements.

Opinion

In our opinion, the Bismarck Municipal Airport, City of Bismarck, North Dakota, complied, in all material respects, with the requirements referred to above that are applicable to its Passenger Facility Charge Program for the year ended December 31, 2019.

What inspires you, inspires us. | eidebailly.com

1730 Burnt Boat Loop, Ste. 100 | P.O. Box 1914 | Bismarck, ND 58502-1914 | T 701.255.1091 | F 701.224.1582 | EOE

Internal Control over Compliance
The management of the Bismarck Municipal Airport, City of Bismarck, North Dakota, is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws and regulations applicable to the Passenger Facility Charge Program. In planning and performing our audit, we considered the Bismarck Municipal Airport, City of Bismarck, North Dakota's internal control over compliance with requirements that could have a direct and material effect on the Passenger Facility Charge Program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance, but not for the purpose of expressing our opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Bismarck Municipal Airport, City of Bismarck, North Dakota's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph and was not designed to identify all deficiencies in internal control over compliance that might be deficiencies, significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

Other Matters
We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Bismarck, North Dakota as of and for the year ended December 31, 2019, and have issued our report thereon dated July 24, 2020, which contained unmodified opinions on those financial statements. Our audit was performed for the purpose of forming opinions on the financial statements taken as a whole. The accompanying schedule of passenger facility charges and related expenditures is presented for purposes of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of passenger facility charges and related expenditures is fairly stated in all material respects in relation to the financial statements as a whole.

This report is intended solely for the information and use of the audit committee, management and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Eide Bailly LLP

Bismarck, North Dakota
July 24, 2020

Bismarck Municipal Airport

Schedule of Passenger Facility Charges and Related Expenditures

Year Ended and Each Quarter from January 1, 2019 through December 31, 2019

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter
Impose and Use Authority Balance January 1, 2019	$ (30,243,245)	$ (29,944,404)	$ (29,619,883)	$ (29,301,414)
Passenger Facility Charges	298,841	324,521	318,469	344,186
Impose and Use Authority Balance December 31, 2019	$ (29,944,404)	$ (29,619,883)	$ (29,301,414)	$ (28,957,228)

1. Summary of auditor's results

    a. An unmodified opinion was issued on the December 31, 2019 financial statements of the City of Bismarck.

    b. No noncompliance, which is material to the financial statements, was disclosed by the audit.

    c. An unmodified opinion was issued on compliance for the passenger facility charge program.

2. There were no findings related to the financial statements, which are required to be reported in accordance with generally accepted *Government Auditing Standards.*

3. There were no findings related to the *Passenger Facility Charge Audit Guide for Public Agencies*, which are required to be reported.

Federal Awards Reports in Accordance
with the Uniform Guidance
December 31, 2019

City of Bismarck

EideBailly®

eidebailly.com

Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards* 1

Independent Auditor's Report on Compliance for Each Major Federal Program; Report on Internal Control Over Compliance; and Report on the Schedule of Expenditures of Federal Awards Required by the Uniform Guidance 3

Schedule of Expenditures of Federal Awards 6
Notes to Schedule of Expenditures of Federal Awards 9
Schedule of Findings and Questioned Costs 10

EideBailly

CPAs & BUSINESS ADVISORS

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

To the Honorable Mayor
and Board of City Commissioners
City of Bismarck
Bismarck, North Dakota

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Bismarck, North Dakota, as of and for the year ended December 31, 2019, and the related notes to the financial statements, which collectively comprise City of Bismarck's basic financial statements, and have issued our report thereon dated July 24, 2020.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered City of Bismarck's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of City of Bismarck's internal control. Accordingly, we do not express an opinion on the effectiveness of City of Bismarck's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

What inspires you, inspires us. | eidebailly.com

1730 Burnt Boat Loop, Ste. 100 | P.O. Box 1914 | Bismarck, ND 58502-1914 | T 701.255.1091 | F 701.224.1582 | EOE

Compliance and Other Matters

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

Purpose of this Report

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

Eide Bailly LLP

Bismarck, North Dakota
July 24, 2020

EideBailly

CPAs & BUSINESS ADVISORS

Independent Auditor's Report on Compliance for Each Major Federal Program; Report on Internal Control Over Compliance; and Report on the Schedule of Expenditures of Federal Awards Required by the Uniform Guidance

To the Honorable Mayor
and Board of City Commissioners
City of Bismarck
Bismarck, North Dakota

Report on Compliance for Each Major Federal Program

We have audited City of Bismarck, North Dakota's compliance with the types of compliance requirements described in the *OMB Compliance Supplement* that could have a direct and material effect on each of the City of Bismarck, North Dakota's major federal programs for the year ended December 31, 2019. The City of Bismarck, North Dakota's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with federal statutes, regulations, and the terms and conditions of its federal awards applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on the compliance for each of the City of Bismarck's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about City of Bismarck's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the City of Bismarck's compliance.

What inspires you, inspires us. | eidebailly.com

1730 Burnt Boat Loop, Ste. 100 | P.O. Box 1914 | Bismarck, ND 58502-1914 | T 701.255.1091 | F 701.224.1582 | EOE

Opinion on Each Major Federal Program
In our opinion, City of Bismarck, complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended December 31, 2019.

Report on Internal Control over Compliance
Management of City of Bismarck, North Dakota, is responsible for establishing and maintaining effective internal control over compliance with the compliance requirements referred to above. In planning and performing our audit of compliance, we considered City of Bismarck, North Dakota's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of City of Bismarck's internal control over compliance.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

Report on Schedule of Expenditures of Federal Awards Required by the Uniform Guidance

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Bismarck as of and for the year ended December 31, 2019, and the related notes to the financial statements, which collectively comprise City of Bismarck's basic financial statements. We issued our report thereon dated July 24, 2020, which contained unmodified opinions on those financial statements. Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by the Uniform Guidance and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated in all material respects in relation to the basic financial statements as a whole.

Eide Bailly LLP

Bismarck, North Dakota
July 24, 2020

Federal Grantor/Pass-Through Grantor/Program or Cluster Title	Federal CFDA Number	Pass-Through Grant Number	Expenditures	Amounts Passed-Through to Subrecipients
Department of Housing and Urban Development				
CDBG-Entitlement Grants Cluster				
Community Development Block Grants	14.218		$ 370,981	$ 334,229
Total CDBG-Entitlement Grants Cluster			370,981	334,229
Passed Through North Dakota Department of Commerce				
Home Investment Partnerships Program	14.228	M-16-DC(SG)-38-0100	433,876	428,590
Total Department of Housing & Urban Development			804,857	762,819
Department of Justice				
Bullet Proof Vest/Armor	16.607		17,627	-
Edward Byrne Memorial Justice Assistance Grant Program	16.738		39,118	9,736
Passed Through North Dakota Department of Health				
Violence Against Women Formula Grants	16.588	G17.1015/G19.386/445 1HLH412801/2019-WF-Ax-0047	21,042	21,042
Passed Through Office of Juvenile and Delinquency Prevention				
Juvenile Justice and Delinquency Prevention	16.540	2017-JF-FX-0014	834	-
Total Department of Justice			78,621	30,778
Department of Transportation				
Airport Improvement Projects	20.106		10,093,260	-
Federal Transit Cluster				
Federal Transit - Formula Grants	20.507		1,331,698	1,331,698
Bus and Bus Facilities Formula Program	20.526		38,737	38,737
Passed Through North Dakota Department of Transportation				
Bus and Bus Facilities Formula Program	20.526	ND-2018-006(8)	251,200	251,200
Total Federal Transit Cluster			1,621,635	1,621,635
Passed Through North Dakota Department of Transportation				
Metropolitan Transportation Planning	20.505	CPG21018004	59,716	-
Transit Services Programs Cluster				
Enhanced Mobility of Seniors and Individuals with Disabilities	20.513	1153-2019-1 ND-2018-004	139,137	139,137
Total Transit Services Programs Cluster			139,137	139,137
Passed Through Federal Highway Administration				
Highway Planning and Construction Cluster				
Highway Planning and Construction	20.205	CPG2018004/ TAU-1-981(114)/HEU19811115	635,179	-

Federal Grantor/Pass-Through Grantor/Program or Cluster Title	Federal CFDA Number	Pass-Through Grant Number	Expenditures	Amounts Passed-Through to Subrecipients
Passed Through National Highway Traffic Safety Administration				
Highway Safety Cluster				
National Priority Safety Programs	20.600	69A37518300004020ND0	6,559	-
National Priority Safety Programs	20.616	18X9020405DND17 69A3751 (8)9300000402 (5)0(b)ND0(H)(L)	12,758	-
Total Highway Safety Cluster			19,317	-
Total Department of Transportation			12,568,244	1,760,772
Department of Health and Human Services				
Food and Drug Administration Research	93.103		1,772	-
Passed Through North Dakota Department of Health				
Public Health Emergency Preparedness	93.069	G17.671(633)(037A)(009)/ NU90TP921920	203,203	-
Maternal and Child Health Federal Consolidated Program	93.110	G17.1165 U7NMC30388	1,499	-
Project Grants and Cooperative Agreements for Tuberculosis Control Programs	93.116	NU52PS004700 PF17.254	3,293	-
Immunization Cooperative Agreements	93.268	NH23IP000764(922623) G15.1016(a)	39,021	-
State Actions to Improve Oral Health Outcomes and Partner Actions to Improve Oral Health Outcomes	93.366	NU58DP006477/ G19.054	4,500	-
Improving the Health of Americans through Prevention and Management of Diabetes and Heart Disease and Stroke	93.426	NU58DP006547/ G19.054	482	-
Cancer Prevention and Control Programs for State, Territorial and Tribal Organizations	93.898	PF17.026(153)/G17.1050(1) /NU58DP006282	99,793	-
HIV Care Formula Grants	93.917	G17.608(1191) X07HA00043	73,593	-
HIV Prevention Activities Health Department Based	93.940	PF17.097/ NU62PS9247540	4,220	-
Maternal and Child Health Block Grant Services to the States	93.994	G17.972/G19.333 B04MC31507(2562)	37,422	-
Passed Through Lutheran Social Services of North Dakota				
Refugee and Entrant Assistance, State Administered Programs	93.566	2019-CMA5	1,502	-
Total Department of Health and Human Services			470,300	-

Federal Grantor/Pass-Through Grantor/Program or Cluster Title	Federal CFDA Number	Pass-Through Grant Number	Expenditures	Amounts Passed-Through to Subrecipients
Department of Homeland Security				
Passed Through North Dakota Department of Emergency Services				
Emergency Management Performance Grants	97.042	EMD-2018(9)-EP-00003-S01	52,845	-
Homeland Security Grant Program - Fire	97.067	EMW-2017-SS-00064	205,453	-
Homeland Security Grant Program - Law Enforcement	97.067	A1196-001-2017R /EMW-2018-SS-00008	25,448	-
Total Homeland Security Grant Program			230,901	-
Total Department of Homeland Security			283,746	-
Total Federal Financial Assistance			$ 14,205,768	$ 2,554,369

Note A – Basis of Presentation

The accompanying schedule of expenditures of federal awards (the schedule) includes the federal award activity of the City of Bismarck under programs of the federal government for the year ended December 31, 2019. The information is presented in accordance with the requirements of Title 2 *U.S. Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Because the schedule presents only a selected portion of the operations of the City of Bismarck, it is not intended to and does not present the financial position, changes in net position or fund balance, or cash flows of the City of Bismarck.

Note B – Summary of Significant Accounting Policies

Governmental fund types account for the majority of the City's federal grant activity, with the exception of the Airport Improvement Project grants which are recorded in the airport enterprise fund. Therefore, expenditures reported in the schedule of expenditures of federal awards are recognized on the accrual basis of accounting for the airport improvement projects, and the remaining expenditures reported in the schedule of expenditures of federal awards are recognized on the modified accrual basis – when they become a demand on current available financial resources. Such expenditures are recognized following the cost principles contained in the Uniform Guidance, wherein certain types of expenditures are not allowable or are limited as to reimbursement.

Note C – Indirect Cost Rate

The City does not draw for indirect administrative expenses and has not elected to use the 10% de minimis cost rate.

Section I – Summary of Auditor's Results

FINANCIAL STATEMENTS

Type of auditor's report issued	Unmodified
Internal control over financial reporting	
Material weaknesses identified	No
Significant deficiencies identified not considered to be material weaknesses	None Reported
Noncompliance material to financial statements noted?	No

FEDERAL AWARDS

Internal control over major programs	
Material weaknesses identified	No
Significant deficiencies identified not considered to be material weaknesses	None Reported
Type of auditor's report issued on compliance for major programs	Unmodified
Any audit findings disclosed that are required to be reported in accordance with the Uniform Guidance 2 CFR 200.516	No

Identification of major programs

Name of Federal Program	CFDA Number
Airport Improvement Projects	20.106
Federal Transit Cluster	20.507/20.526

Dollar threshold used to distinguish between type A and type B programs	$750,000
Auditee qualified as low-risk auditee?	Yes

Section II – Financial Statement Findings

There are no financial statement findings reported in the current year.

Section III – Federal Award Findings and Questioned Costs

There are no findings or questioned costs related to the major federal award programs which are required to be reported in accordance with Section 2 CFR 200.516 of the Uniform Guidance.

Community Development Department

DATE: July 7, 2020

FROM: Ben Ehreth, AICP, Community Development Director

ITEM: North 223 feet of Lot 1, Block 3, Timberlane Place Second Subdivision – Annexation

REQUEST

John Lies is requesting approval of the annexation of the North 223 feet of Lot 1, Block 3, Timberlane Place Second Subdivision. The annexation is being requested in order to obtain municipal water and sanitary sewer services for the existing residence on the property. The property is immediately adjacent to the current corporate limits. This action would allow the applicant to connect to municipal water and sanitary sewer in Riverwood Drive through the lot to the north (Lot 1A of Lot 1, Block 3, Southport), which is also owned by the applicant.

The property is located southwest of Bismarck, south of Riverwood Drive/Mills Avenue and east of Traynor Lane.

Please place this item on the July 14, 2020 and July 28, 2020 City Commission meeting agendas.

BACKGROUND INFORMATION

The Planning and Zoning Commission held final consideration of this item on June 24, 2020.

At the conclusion of final consideration, and based on the findings contained in the staff report, the Planning & Zoning Commission unanimously recommended approval of the annexation of the North 223 feet of Lot 1, Block 3, Timberlane Place Second Subdivision.

RECOMMENDED CITY COMMISSION ACTION

July 14th meeting of the Board of City Commissioners – consider the annexation of this parcel as outlined in Ordinance 6429 and call for a public hearing on this item for the July 28th meeting of the Board of City Commissioners.

July 28th meeting of the Board of City Commissioners – hold a public hearing on the annexation of this parcel as outlined in Ordinance 6429 and take final action on the request.

STAFF CONTACT INFORMATION

Ben Ehreth, AICP | Community Development Director, 355-1842 or behreth@bismarcknd.gov

Kim L. Lee, AICP | Planning Manager, 355-1846 or klee@bismarcknd.gov

ORDINANCE NO. 6429

First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____

AN ORDINANCE ANNEXING PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, DECLARING THE TERRITORY ANNEXED; DECLARING THE SAME TO BE A PART OF THE CORPORATE LIMITS OF SAID CITY.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA.

Section 1. Territory Annexed. The territory and land hereinafter described is hereby declared and found to be a part of the corporate limits of the City of Bismarck, Burleigh County, North Dakota, as follows:

The North 223 feet of Lot 1, Block 3, Timberlane Place Second Subdivision.

The above described tract of land contains 1.79 acres, more or less.

Section 2. Provisions Applicable. From and after the final passage and adoption of this Ordinance and upon recording of this ordinance with the Burleigh County Recorder, the territory herein described shall be a part of the corporate limits of the City of Bismarck, Burleigh County, North Dakota.

STAFF REPORT

City of Bismarck
Community Development Department
Planning Division

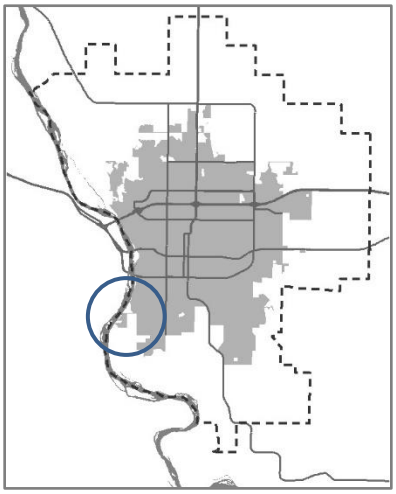
June 24, 2020

Application for: Annexation

TRAKiT Project ID: ANNX2020-006

Project Summary

Title:	North 223 feet of Lot 1, Block 3, Timberlane Place Second Subdivision
Status:	Planning & Zoning Commission – Final Consideration
Owner(s):	John Lies
Project Contact:	John Lies
Location:	Southwest of Bismarck, south of Riverwood Drive/Mills Avenue and east of Traynor Lane
Project Size:	1.79 acres
Request:	Annex property to allow connection of existing rural residence to municipal water and sanitary sewer services



Site Information

Existing Conditions		**Proposed Conditions**	
Number of Lots:	Part of 1 lot	*Number of Lots:*	Part of 1 lot
Land Use:	Rural Residential	*Land Use:*	Urban Residential
Designated GMP Future Land Use:	Already zoned. Not in Future Land Use Plan	*Designated GMP Future Land Use:*	Already zoned. Not in Future Land Use Plan
Zoning:	RR – Residential	*Zoning:*	RR – Residential
Uses Allowed:	RR – Large lot single-family residential and limited agriculture	*Uses Allowed:*	RR – Large lot single-family residential and limited agriculture
Max Density Allowed:	RR – 1 unit per 65,000 square feet	*Max Density Allowed:*	RR – 1 unit per 65,000 square feet

Property History

Zoned:	*12/1976*	*Platted:*	*03/1978*	Annexed:	N/A

(continued)

Staff Analysis

John Lies is requesting approval of the annexation of the North 223 feet of Lot 1, Block 3, Timberlane Place Second Addition. The annexation is being requested in order to obtain municipal water and sanitary sewer services for the existing owner-occupied residence on the property. The existing on-site sewage treatment system has failed and the applicant believes that connecting to municipal services would be his best option.

The property is immediately adjacent to the current corporate limits and service can be provided from municipal utilities in Riverwood Drive/Mills Avenue through the lot to the north (Lot 1A of Lot 1, Block 3, Southport), which is also owned by the applicant. It is the applicant's intent to combine this parcel with the lot to the north upon annexation of this parcel. A zoning change to bring this parcel and the parcel to the north into the same zoning district will be required prior to combing the lots, but is complicated by the fact that the northern parcel is within the Southport PUD.

The property owner will be responsible for designing and constructing suitable connection to existing water and sewer service stubs located in Riverwood Drive.

Utility Capital Charges

The annexation of an existing lot to the City of Bismarck is subject to utility capital charges for municipal utilities. If the lots are not combined as proposed, the annexation of this lot would be subject to utility capital charges, which would be due prior recordation of the annexation ordinance.

Required Findings of Fact (relating to land use)

1. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the annexation at the time the property is developed;
2. The proposed annexation is a logical and contiguous extension of the current corporate limits of the City of Bismarck;
3. The proposed annexation is consistent with the general intent and purpose of the zoning ordinance;
4. The proposed annexation is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
5. The proposed annexation would not adversely affect the public health, safety and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the annexation of the North 223 feet of Lot 1, Block 3, Timberlane Place Second Subdivision.

Attachments

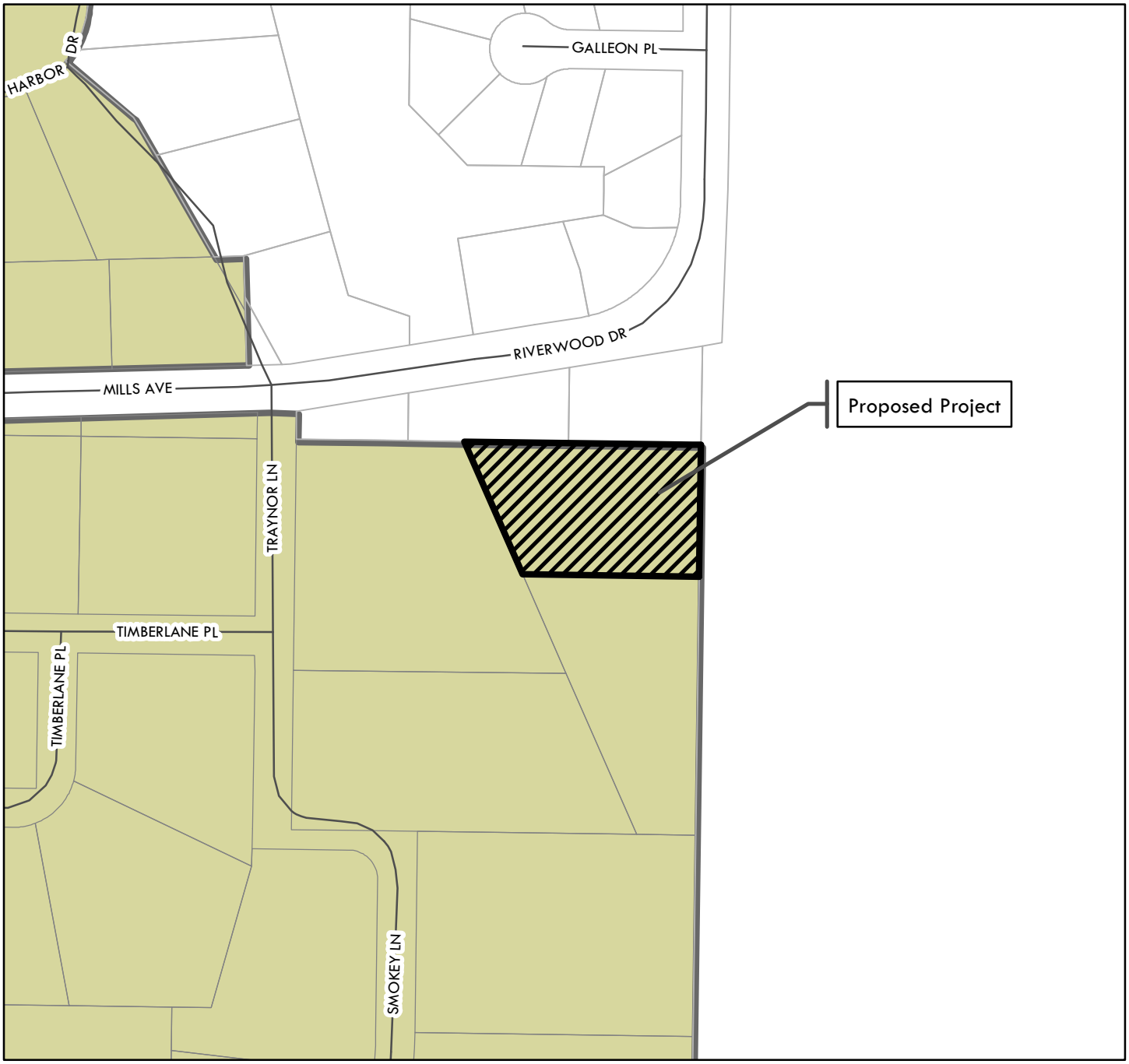
1. Location Map
2. Aerial Map
3. Zoning and Plan Reference Map

Staff report prepared by: Kim L. Lee, AICP, Planning Manager
701-355-1846 | klee@bismarcknd.gov

Location Map

North 223 feet of Lot 1, Block 3, Timberlane Place Second Subdivision

ANNX2020-006



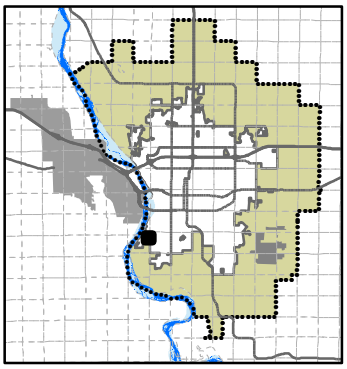
0 0.05 0.1 0.2 Miles

City Limits

Bismarck ETA Jurisdiction

County Outside ETA

Section, township, and range indicated in orange



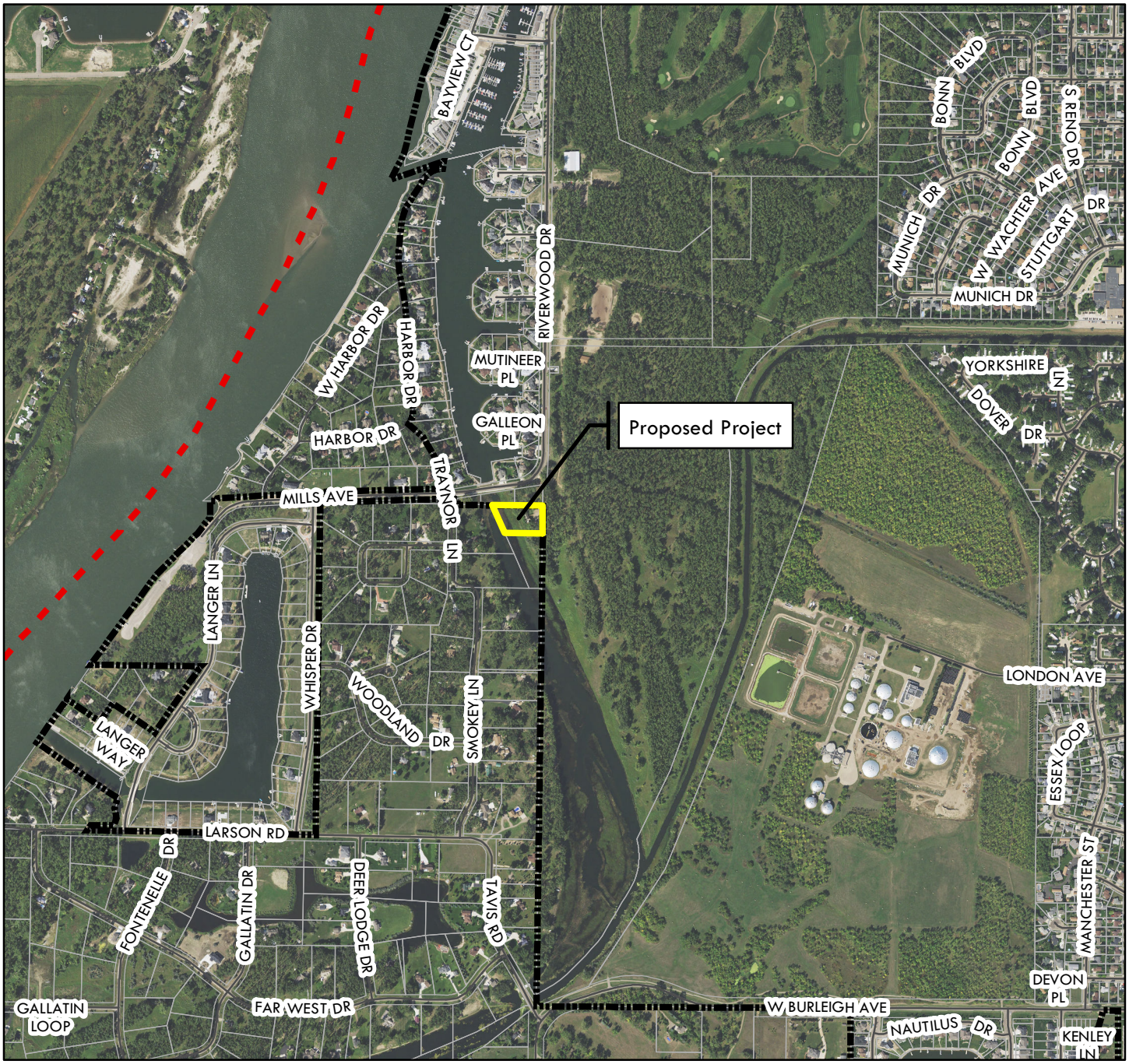
City of Bismarck
Community Development Department
Planning Division
July 7, 2020 (Klee)

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

Aerial Map

ANNX2020-006

North 223 feet of Lot 1, Block 3, Timberlane Place Second Subdivision

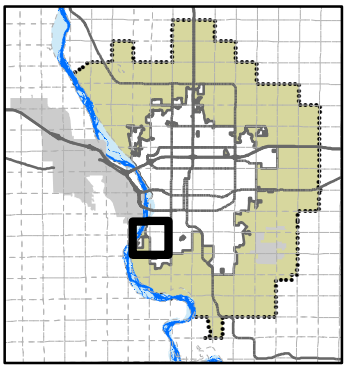


0 0.275 0.55 1.1 Miles

City Limits

Bismarck ETA Jurisdiction

Aerial Imagery from 2018



City of Bismarck
Community Development Department
Planning Division
June 18, 2020

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

Zoning and Plan Reference Map

North 223 feet of Lot 1, Block 3, Timberlane Place Second Subdivision

ANNX2020-006

Project Area - No Change Proposed

Zoning or Plan Change Proposed

Zoning Districts

A	Agriculture
RR	Rural Residential
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

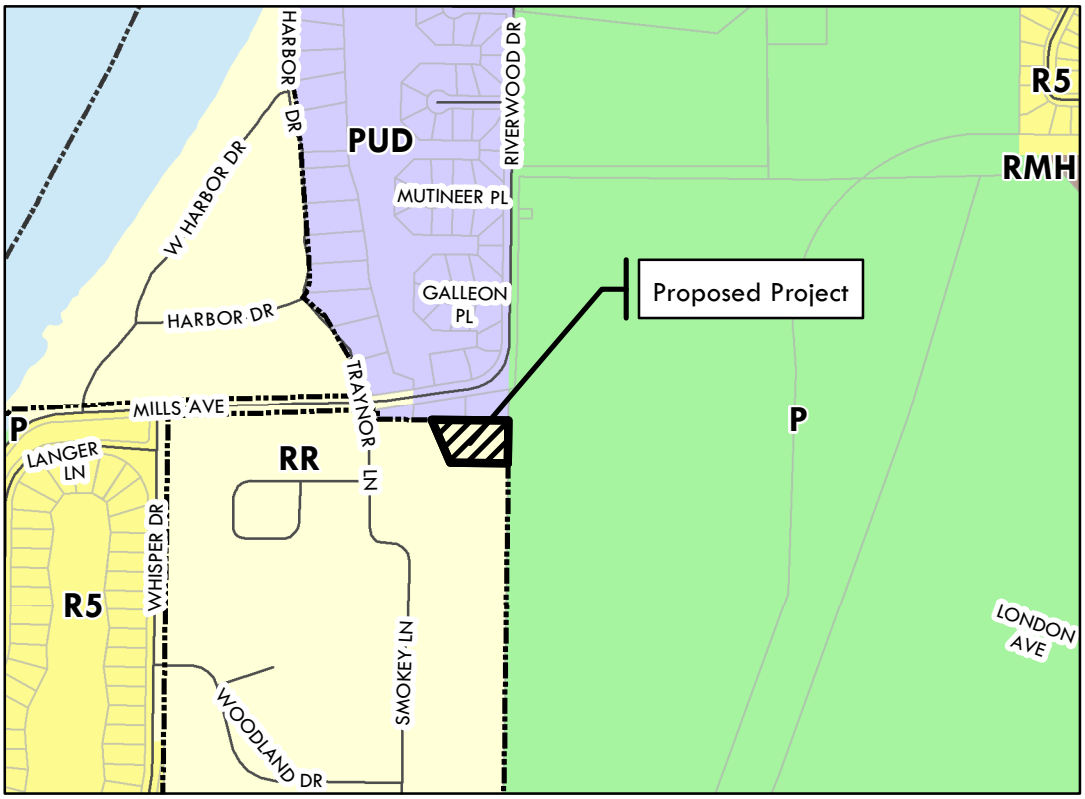
Diagonal lines indicate special condition

Future Land Use Plan

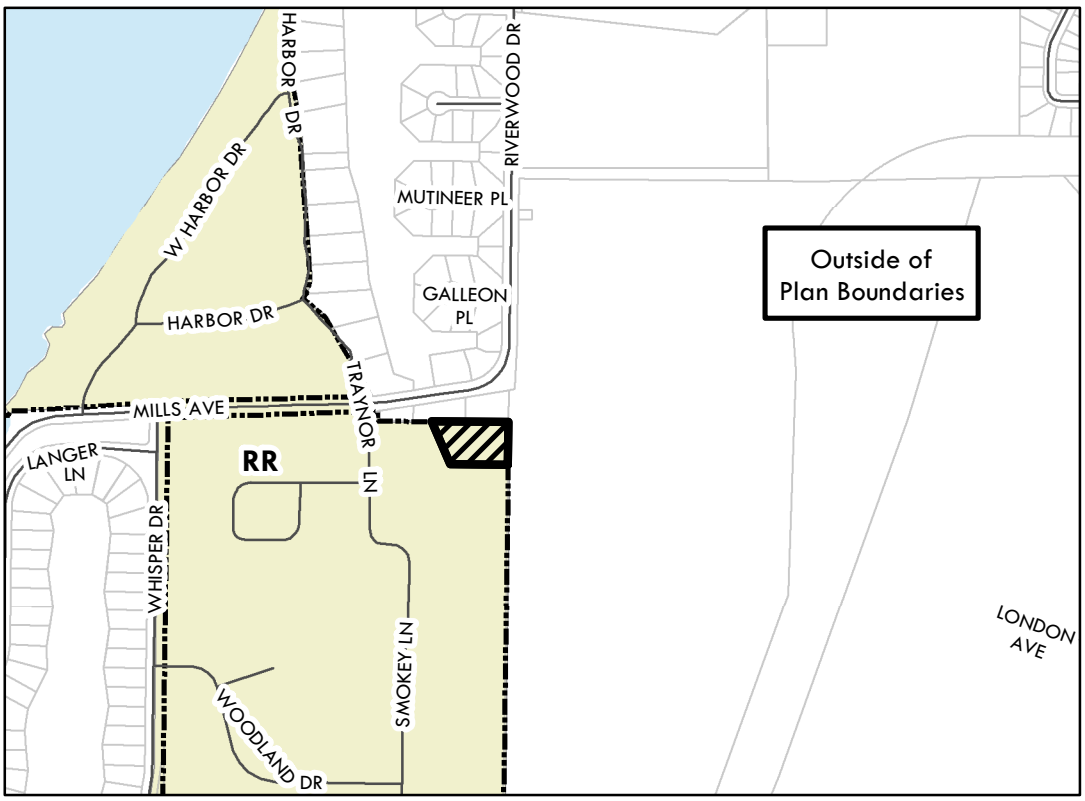
CONSRV	Conservation
BP	Business Park
C	Commercial
C/MU	Commercial/ Mixed Use
CIVIC	Civic
HDR	High Density Residential
I	Industrial
LDR	Low Density Residential
MDR	Medium Density Residential
MDR-/MU	Medium Density Residential/ Mixed Use
O/MU	Office/ Mixed Use
RR-C	Clustered Rural Residential
RR	Standard Rural Residential
UR	Urban Reserve

Fringe Area Road Master Plan

Zoning



Future Land Use Plan



0 0.15 0.3 0.6 Miles

City Limits

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

City of Bismarck
Community Development Dept.
Planning Division
June 18, 2020

Bismarck

Community Development Department

DATE: July 21, 2020

FROM: Ben Ehreth, AICP, Community Development Director

ITEM: Tract 500 of Blocks 27 & 38, and Lots 3, 4, the North 20 feet of Lot 5, and Lots 9 & 10, Block 38, Northern Pacific Second Addition – Zoning Change

REQUEST

The Bismarck Cancer Center is requesting approval of a zoning change from the RM30 – Residential and HM – Medical Facility zoning districts to the HM – Medical Facility zoning district for Tract 500 of Blocks 27 & 38, and Lots 3, 4, the North 20 feet of Lot 5, and Lots 9 & 10, Block 38, Northern Pacific Second Addition. The zoning is being requested in order to bring all of the Cancer Center's properties into one zoning district and allow the construction of an addition on the north side of the Bismarck Cancer Center.

The property is located in central Bismarck, between East Rosser Avenue and East Avenue B, and between North 7th Street and North 8th Street.

Please place this item on the July 28, 2020 and August 11, 2020 City Commission meeting agendas.

BACKGROUND INFORMATION

The Planning and Zoning Commission held a public hearing on this request on July 22, 2020.

No residents spoke at the public hearing; however, one email was received in support of the zoning change.

At the conclusion of the public hearing, and based on the findings contained in the staff report, the Planning & Zoning Commission unanimously recommended approval of the zoning change from the RM30 – Residential and HM – Medical Facility zoning districts to the HM – Medical Facility zoning district for Tract 500 of Blocks 27 & 38, and Lots 3, 4, the North 20 feet of Lot 5, and Lots 9 & 10, Block 38, Northern Pacific Second Addition.

RECOMMENDED CITY COMMISSION ACTION

July 28th meeting of the Board of City Commissioners – consider the zoning change as outlined in Ordinance 6430 and call for a public hearing on this item for the August 11th meeting of the Board of City Commissioners.

August 11th meeting of the Board of City Commissioners – hold a public hearing on the zoning change as outlined in Ordinance 6430 and take final action on the request.

STAFF CONTACT INFORMATION

Ben Ehreth, AICP | Community Development Director, 355-1842 or behreth@bismarcknd.gov

Kim L. Lee, AICP | Planning Manager, 355-1846 or klee@bismarcknd.gov

Jenny Wollmuth, AICP, CFM | Planner, 355-1845 or jwollmuth@bismarcknd.gov

ORDINANCE NO. 6430

Introduced by	_____
First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____
Publication Date	_____

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE 1986 CODE OF ORDINANCES, OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

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

Section 1. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the HM – Medical Facility and RM30 – Residential zoning districts and included in the HM-Medical Facility zoning district:

Tract 500 of Blocks 27 & 38, and Lots 3, 4, the North 20 feet of Lot 5, and Lots 9 & 10, Block 38, Northern Pacific Second Addition.

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

STAFF REPORT

City of Bismarck
Community Development Department
Planning Division

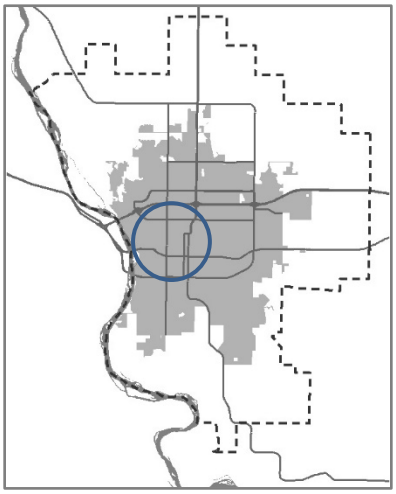
July 22, 2020

Application for: Zoning Change

TRAKiT Project ID: ZC2020-007

Project Summary

Title:	Tract 500 of Blocks 27 & 38, and Lots 3, 4, the North 20 feet of Lot 5, and Lots 9 & 10, Block 38, Northern Pacific Second Addition
Status:	Planning & Zoning Commission – Public Hearing
Owner(s):	Amy Gross, Bismarck Cancer Center
Project Contact:	Lon Romsaas, PE, Swenson, Hagen & Co
Location:	In central Bismarck, between East Rosser Avenue and East Avenue B, along the west side of North 8th Street
Project Size:	68,240 square feet
Request:	Rezone property for the expansion of the Bismarck Cancer Center



Site Information

Existing Conditions		**Proposed Conditions**	
Number of Lots:	4 parcels in 1 block	*Number of Lots:*	4 parcels in 1 block
Land Use:	Medical use (Bismarck Cancer Center)	*Land Use:*	Medical use (Bismarck Cancer Center)
Designated GMP Future Land Use:	Already zoned. Not in Future Land Use Plan	*Designated GMP Future Land Use:*	Already zoned. Not in Future Land Use Plan
Zoning:	HM – Medical Facility RM30 – Residential	*Zoning:*	HM – Medical Facility
Uses Allowed:	HM – Health and medical, multi-family and limited commercial uses RM30 – Multi-family residential	*Uses Allowed:*	HM – Health and medical, multi-family and limited commercial uses
Max Density Allowed:	HM – 30 units / acre RM30 – 30 units / acre	*Max Density Allowed:*	HM – 30 units / acre

Property History

Zoned:	*Pre-1980*	*Platted:*	*1912*	Annexed:	Pre-1980

(continued)

Staff Analysis

The Bismarck Cancer Center is requesting approval of a zoning change from the HM – Medical Facility and RM30 – Residential zoning districts to the HM – Health Facility zoning district for Tract 500 of Blocks 27 & 38, and Lots 3, 4, the North 20 feet of Lot 5, and Lots 9 & 10, Block 38, Northern Pacific Second Addition.

The Planning and Zoning Commission, at their meeting of June 24, 2020, called for a public hearing on the proposed zoning change.

The proposed zoning change request is in conjunction with a plat modification to vacate and rededication portions of the adjacent alley and a lot combination to combine the parcels owned by the application to allow for a future addition to the existing building and reconfiguration of the property.

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on July 10th and July 17th and 38 letters were mailed to the owners of nearby properties on July 10th.

Adjacent uses include existing single and multifamily residential to the north and east across North 8th street as well as various medical uses and associated parking to the east, across North 8th Street, south, and west across North 7th Street.

Required Findings of Fact (relating to land use)

1. The proposed zoning change is in a developed area of the community and is outside of the Future Land Use Plan in the 2014 Growth Management Plan, as amended;
2. The proposed zoning change is compatible with adjacent land uses and zoning;
3. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the new zoning classification at the time the property is developed;
4. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map;
5. The zoning change is in the public interest and is not solely for the benefit of a single property owner;
6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance;
7. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
8. The proposed zoning change would not adversely affect the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the zoning change from the HM – Medical Facility and RM30 – Residential zoning districts to the HM – Medical Facility zoning district for Tract 500 of Blocks 27 & 38, and Lots 3, 4, the North 20 feet of Lot 5, and Lots 9 & 10, Block 38, Northern Pacific Second Addition.

Attachments

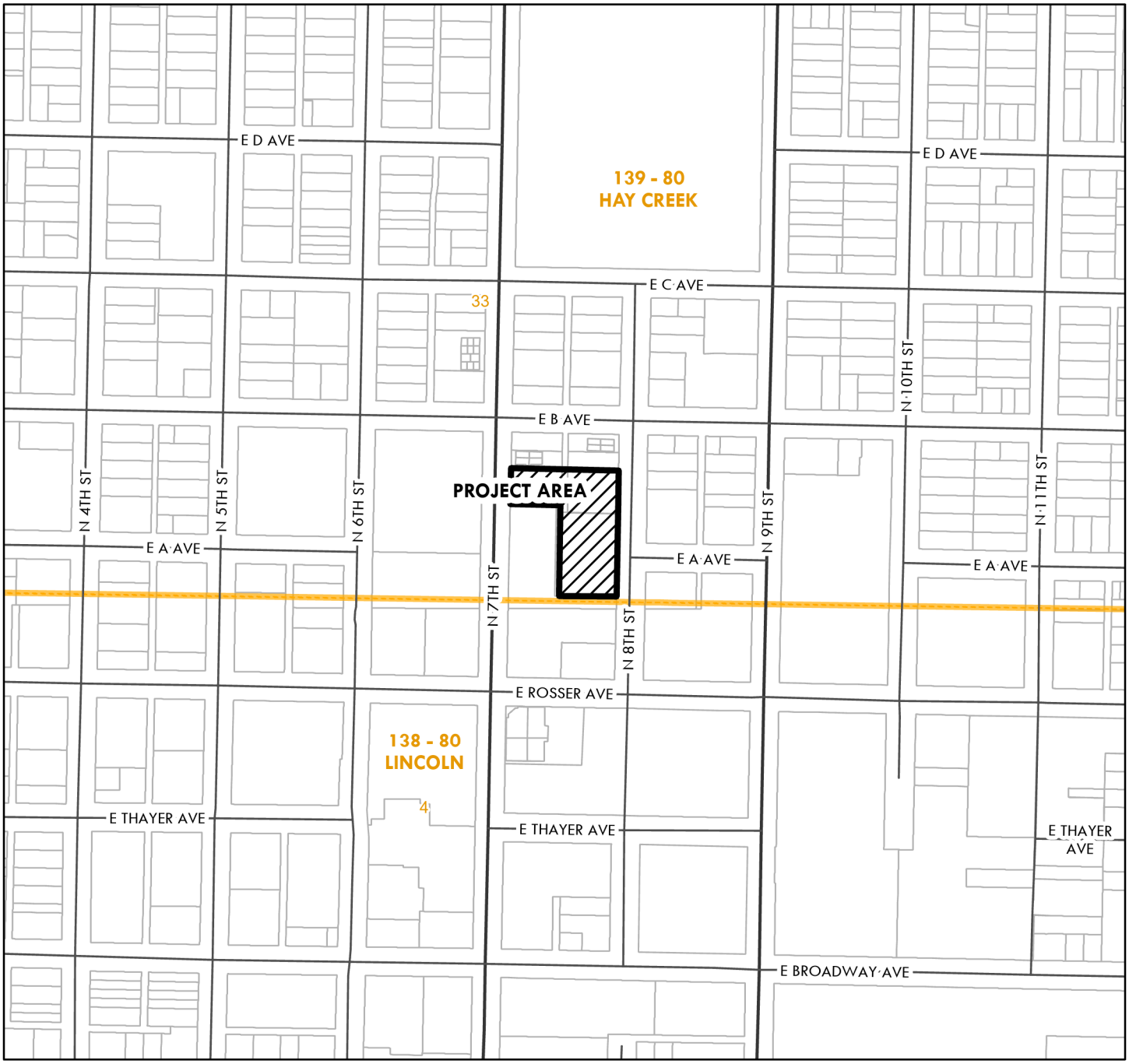
1. Location Map
2. Aerial Map
3. Zoning and Plan Reference Map

Staff report prepared by: Jenny Wollmuth, AICP, CFM, Planner
701-355-1845 | jwollmuth@bismarcknd.gov

Location Map

TRACT 500 OF B27&38,L3,4,Pt 5,9,10,B38,NORTHERN PACIFIC 2ND

ZC2020-007



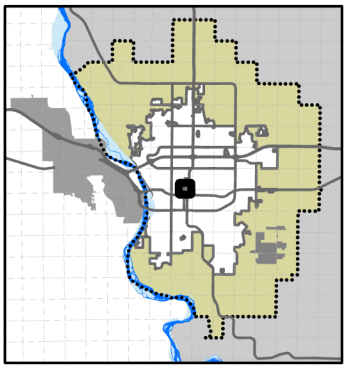
0 0.07 0.15 0.3 Miles

City Limits

County Outside ETA

Bismarck ETA Jurisdiction

Section, township, and range indicated in orange



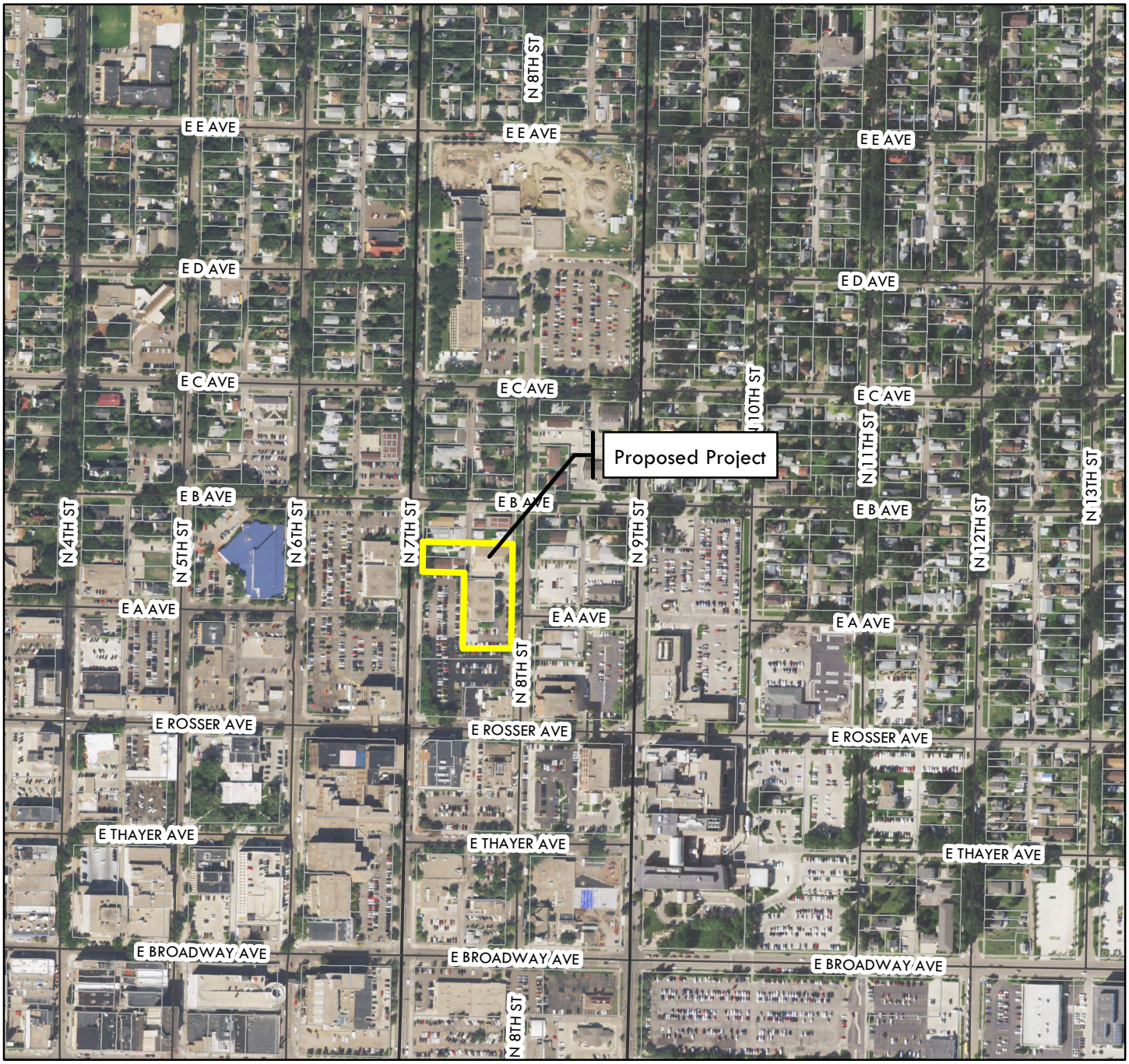
City of Bismarck
Community Development Department
Planning Division
July 10, 2020 (HLB)

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

ZC2020-007

Aerial Map

Tract 500 of Blocks 27 and 38, and Lots 3, 4 and the North 20 feet of Lot 5, and Lots 9 and 10, Block 38, Northern Pacific Second Addition

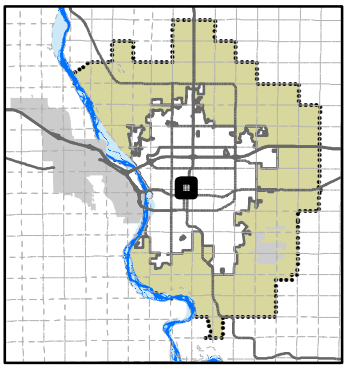


0 0.125 0.25 0.5 Miles

City Limits

Bismarck ETA Jurisdiction

Aerial Imagery from 2018



City of Bismarck
Community Development Department
Planning Division
June 18, 2020

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

Zoning and Plan Reference Map

ZC2020-007

Tract 500 of Blocks 27 and 38, and Lots 3, 4 and the North 20 feet of Lot 5, and Lots 9 and 10, Block 38, Northern Pacific Second Addition

Project Area - No Change Proposed

Zoning or Plan Change Proposed

Zoning Districts

A	Agriculture
RR	Rural Residential
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

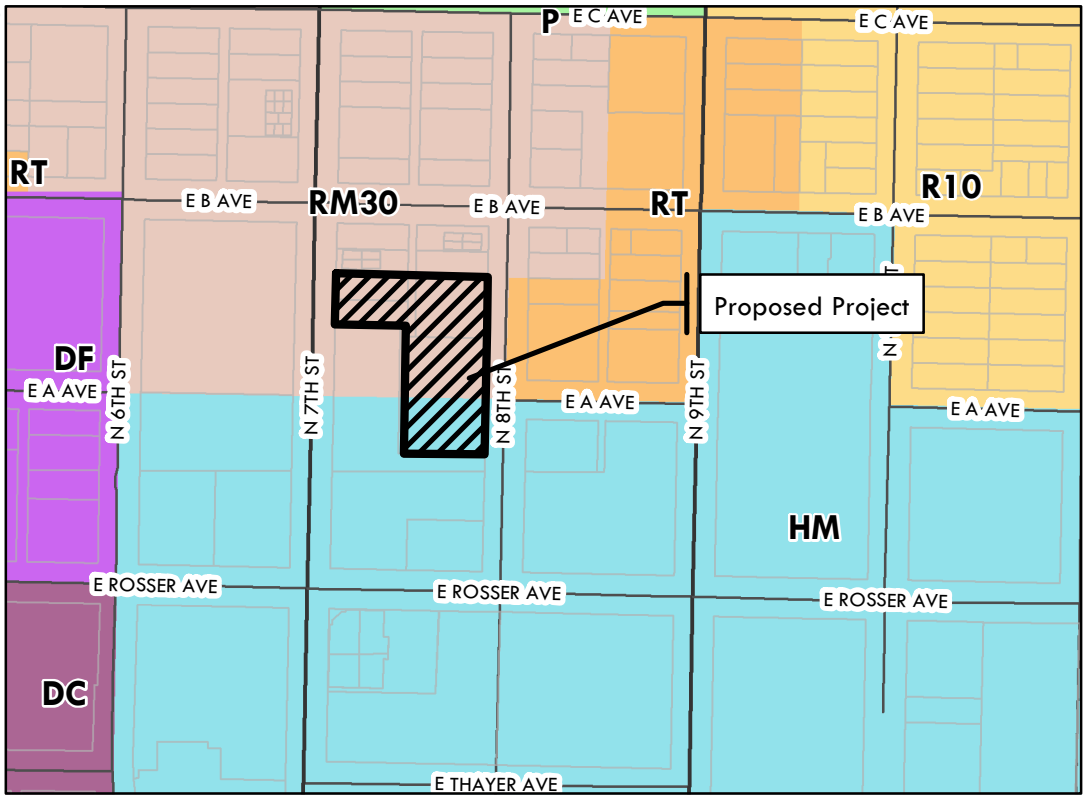
Diagonal lines indicate special condition

Future Land Use Plan

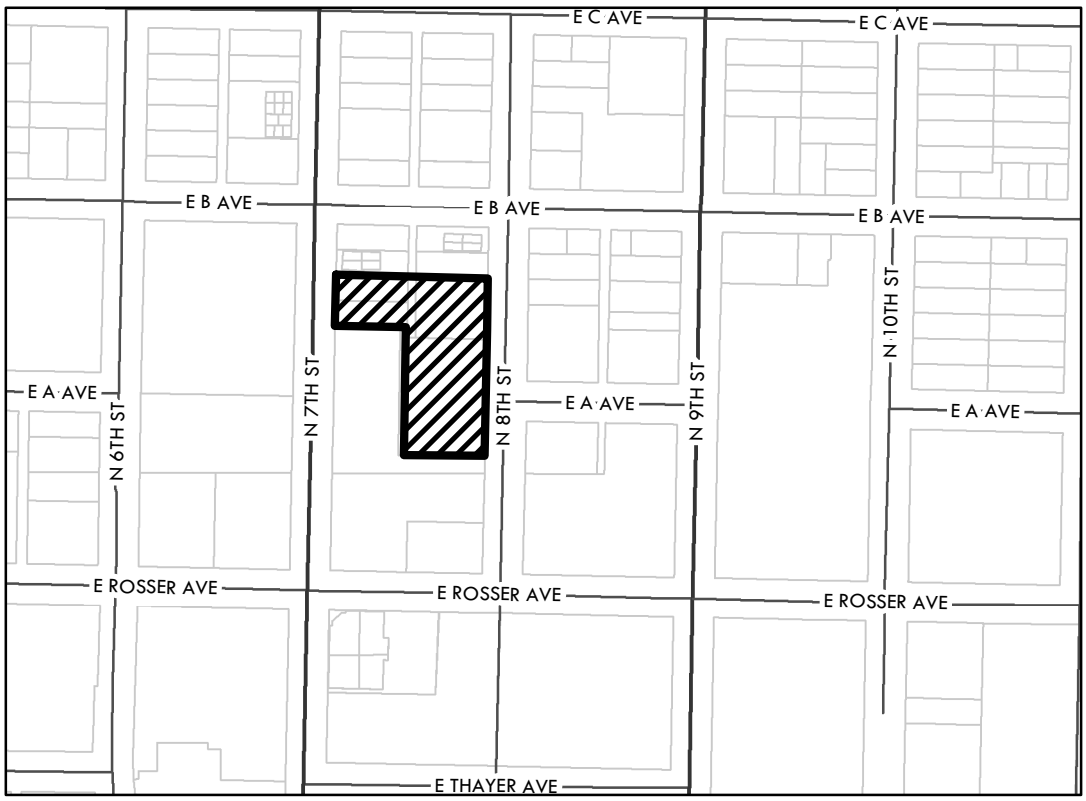
CONSRV	Conservation
BP	Business Park
C	Commercial
C/MU	Commercial/ Mixed Use
CIVIC	Civic
HDR	High Density Residential
I	Industrial
LDR	Low Density Residential
MDR	Medium Density Residential
MDR-/MU	Medium Density Residential/ Mixed Use
O/MU	Office/ Mixed Use
RR-C	Clustered Rural Residential
RR	Standard Rural Residential
UR	Urban Reserve

Fringe Area Road Master Plan

Zoning



Future Land Use Plan



0 0.05 0.1 0.2 Miles

City Limits

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

City of Bismarck
Community Development Dept.
Planning Division
June 18, 2020

Bismarck

Community Development Department

DATE: July 21, 2020

FROM: Ben Ehreth, AICP, Community Development Director

ITEM: Parts of the S½ of Section 19 & the N½ of Section 30, T139N-R80W/Hay Creek Township & City Lands

REQUEST

Clairmont Family Trust is requesting approval of a zoning change from the A – Agricultural, R5 – Residential, R10 – Residential, RM30 – Residential and RT – Residential zoning districts to the P – Public zoning district for part of the S½ of Section 19 and part of the N½ of Section 30, T139N-R80W/Hay Creek Township and City Lands. The zoning is being requested in order facilitate the transfer of the property for future use as a park and conservation area.

The property is located in northwest Bismarck, north of Burnt Boat Drive between Clairmont Road and Tyler Parkway.

Please place this item on the July 28, 2020 and August 11, 2020 City Commission meeting agendas.

BACKGROUND INFORMATION

The Planning and Zoning Commission held a public hearing on this request on June 24, 2020 and a continued public hearing on this request on July 22, 2020.

One resident spoke at the public hearing, expressing concern about public use of land immediately adjacent to his home and the impacts to his property. In addition, written comments were received from eight property owners, with six in favor of the rezoning and two with concerns.

At the conclusion of the public hearing, and based on the findings contained in the staff report, the Planning & Zoning Commission unanimously recommended approval of the zoning change from the A – Agricultural, R5 – Residential, R10 – Residential, RM30 – Residential and RT – Residential zoning districts to the P – Public zoning district for part of the S½ of Section 19 and part of the N½ of Section 30, T139N-R80W/Hay Creek Township and City Lands.

RECOMMENDED CITY COMMISSION ACTION

July 28th meeting of the Board of City Commissioners – consider the zoning change as outlined in Ordinance 6431 and call for a public hearing on this item for the August 11th meeting of the Board of City Commissioners.

August 11th meeting of the Board of City Commissioners – hold a public hearing on the zoning change as outlined in Ordinance 6431 and take final action on the request.

STAFF CONTACT INFORMATION

Ben Ehreth, AICP | Community Development Director, 355-1842 or behreth@bismarcknd.gov

Kim L. Lee, AICP | Planning Manager, 355-1846 or klee@bismarcknd.gov

Daniel Nairn, AICP | Planner, 355-1854 or dnairn@bismarcknd.gov

ORDINANCE NO. 6431

First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____
Publication Date	_____

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE 1986 CODE OF ORDINANCES, OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

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

Section 1. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the A – Agricultural, R5 – Residential, R10 – Residential, RM30 – Residential and RT – Residential zoning districts and included in the P – Public zoning district:

Lots 4-5, Block 2, and Lots 2-4, Block 3 Country West V, and all adjoining vacated right-of-way named "El Rancho Road," less that part taken as Replat of Part of Country West V, Lot 4B, and Tract 1722

Lot A and Lot B of Section 30, and Lot C of Section 19, T139N-R80W/Hay Creek Township

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

STAFF REPORT

City of Bismarck
Community Development Department
Planning Division

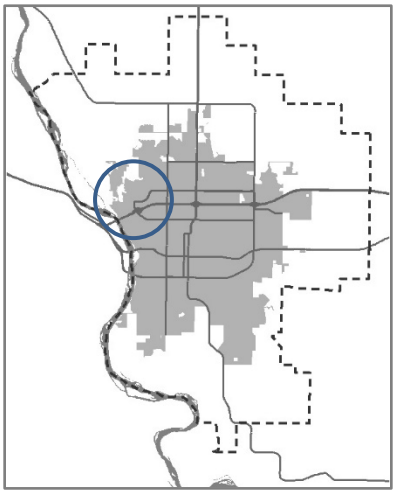
July 22, 2020

Application for: Zoning Change

TRAKiT Project ID: ZC2020-004

Project Summary

Title:	Parts of the S½ of Section 19 & the N½ of Section 30, T139N-R80W/Hay Creek Township & City Lands
Status:	Planning & Zoning Commission – Public Hearing (Continued)
Owner(s):	Clairmont Family Trust
Project Contact:	Landon Niemiller, Swenson, Hagen & Co.
Location:	In northwest Bismarck, north of Burnt Boat Drive between Clairmont Road and Tyler Parkway
Project Size:	116.45 Acres
Request:	Rezone an area to P – Public for future use as park and conservation area



Site Information

Existing Conditions		**Proposed Conditions**	
Number of Lots:	13 parcels	*Number of Lots:*	13 parcels
Land Use:	Undeveloped	*Land Use:*	Park and Conservation Area
Designated GMP Future Land Use:	Conservation	*Designated GMP Future Land Use:*	Conservation
Zoning:	A – Agricultural R5 – Residential R10 – Residential RM30 – Residential RT – Residential	*Zoning:*	P – Public Use
Uses Allowed:	A – Agriculture R5 – Single-family residential R10 – Single and two-family residential RM30 – Multi-family residential RT – Offices and multi-family residential	*Uses Allowed:*	P – Parks, open space, stormwater facilities, and other public uses
Max Density Allowed:	A – 1 unit / 40 acres R5 – 5 units / acre R10 – 10 units / acre RM30 – 30 units / acre RT – 30 units / acre	*Max Density Allowed:*	P – N/A

(continued)

Property History

Zoned:	*02/1985 (RT and RM30)* *05/1996 (R5)* *01/1999 (A)* *04/1999 (R5)* *11/1999 (R10)*	*Platted:*	*02/1985 (Country West V)*	Annexed:	Pre-1980 (part)

Staff Analysis

The Clairmont Family Trust is requesting approval of a zoning change from the A – Agricultural, R5 – Residential, R10 – Residential, RM30 – Residential and RT – Residential zoning districts to the P – Public zoning district for parts of the S½ of Section 19 and the N½ of Section 30, T139N-R80W/Hay Creek Township and City Lands, as shown on the attached location map.

The Planning and Zoning Commission considered this request at their meeting of May 27, 2020 and held a public hearing on June 24. The hearing was continued upon recommendation from staff because of an error in the location map, which impacted the neighbor notification process.

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on June 12th and June 19th, and an additional 186 letters were mailed to the owners of nearby properties on July 10th.

The proposed final use of this land is a park and conservation area. After rezoning, the property would be transferred to another party for installation and dedication of this use.

Adjacent uses include single and two-family residential to the north, east, and west, and commercial and office uses to the south and southeast. The area proposed for rezoning is all low-lying land within Tyler Coulee.

The Future Land Use Plan in the 2014 Growth Management Plan, as amended, identifies the majority of this area as Conservation. This request for rezoning conforms to the Future Land Use Plan.

The southeast part of this area has been annexed, but the northern majority of the land has not. The entire area is surrounded by city limits. It is anticipated that a future owner will seek to combine the land with a plat and annexation prior to final disposition of the land.

The southern portion of this area had been zoned and annexed for residential use, but was detached from the city limits and rezoned back to the A – Agricultural zoning district in 1999.

Required Findings of Fact (relating to land use)

1. The proposed zoning change generally conforms to the Future Land Use Plan in the 2014 Growth Management Plan, as amended;
2. The proposed zoning change is compatible with adjacent land uses and zoning;
3. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the new zoning classification at the time the property is developed;
4. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map;
5. The zoning change is in the public interest and is not solely for the benefit of a single property owner;
6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance;
7. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
8. The proposed zoning change would not adversely affect the public health, safety, and general welfare.

(continued)

Staff Recommendation

Based on the above findings, staff recommends approval of the zoning change from the A – Agricultural, R5 – Residential, R10 – Residential, RM30 – Residential and RT – Residential zoning districts to the P – Public zoning district for parts of the S½ of Section 19 and the S½ of Section 30, T139N-R80W/Hay Creek Township and City Lands, as shown on the attached location map.

Attachments

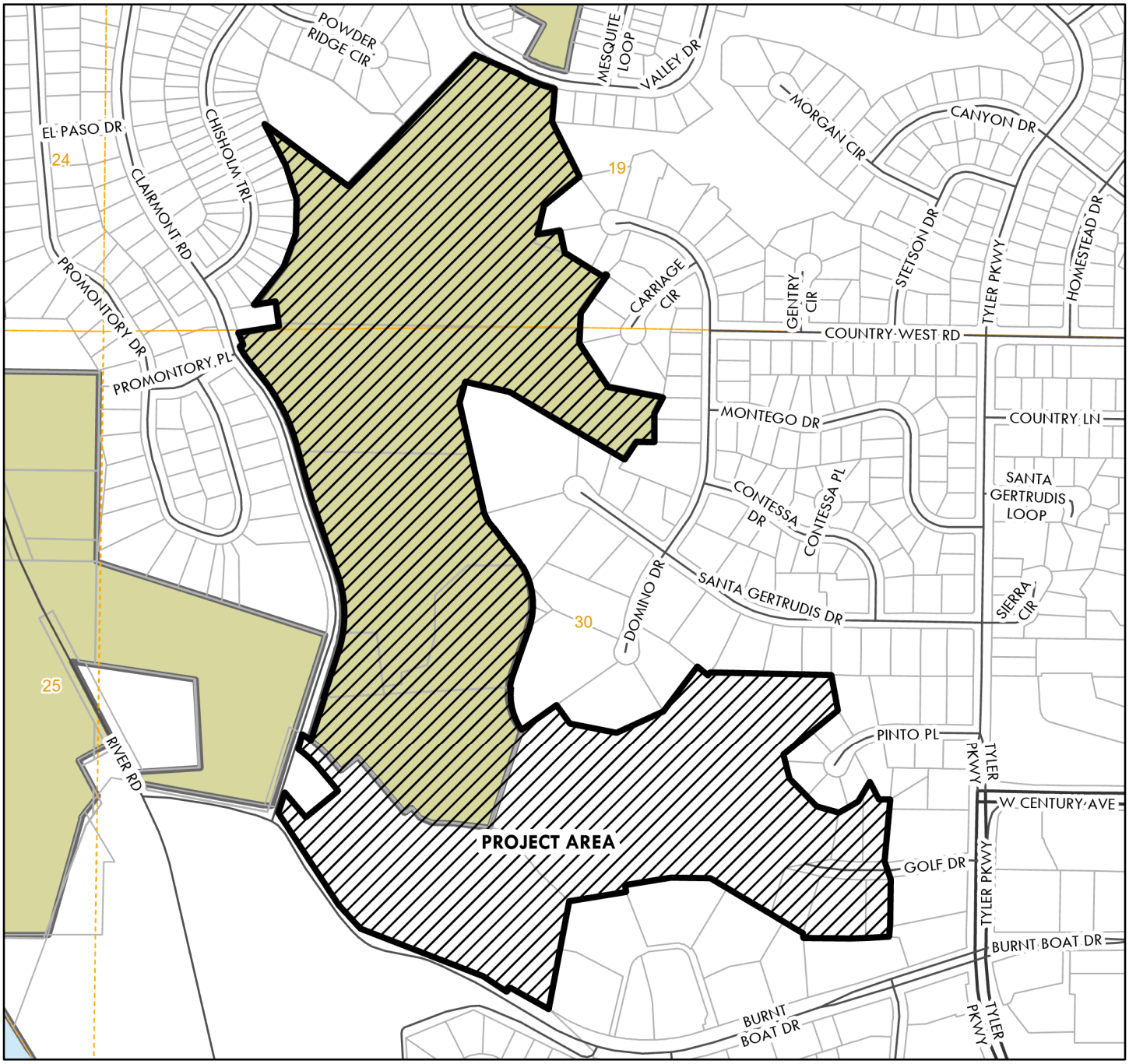
1. Location Map
2. Aerial Map
3. Zoning and Plan Reference Map
4. List of all Parcels in Rezoning

Staff report prepared by: Daniel Nairn, AICP, Planner
701-355-1854 | dnairn@bismarcknd.gov

Location Map

HAY CREEK TOWNSHIP, PT SEC 19 & 30

ZC2020-004



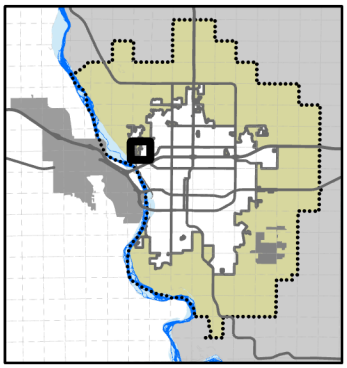
0 0.13 0.25 0.5 Miles

City Limits

County Outside ETA

Bismarck ETA Jurisdiction

Section, township, and range indicated in orange



City of Bismarck
Community Development Department
Planning Division
July 9, 2020 (HLB)

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

Aerial Map

HAY CREEK TOWNSHIP, PT SEC 19 & 30

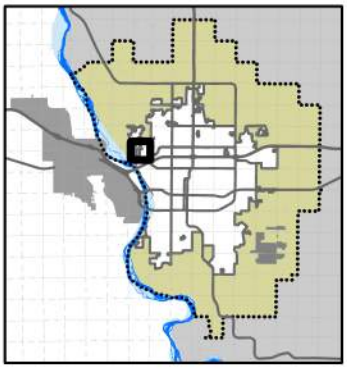
ZC2020-004

0 0.15 0.3 0.6 Miles

City Limits Bismarck ETA Jurisdiction

Aerial Imagery from 2019

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.



City of Bismarck
Community Development Department
Planning Division
July 15, 2020

Zoning and Plan Reference Map

HAY CREEK TOWNSHIP, PT SEC 19 & 30

ZC2020-004

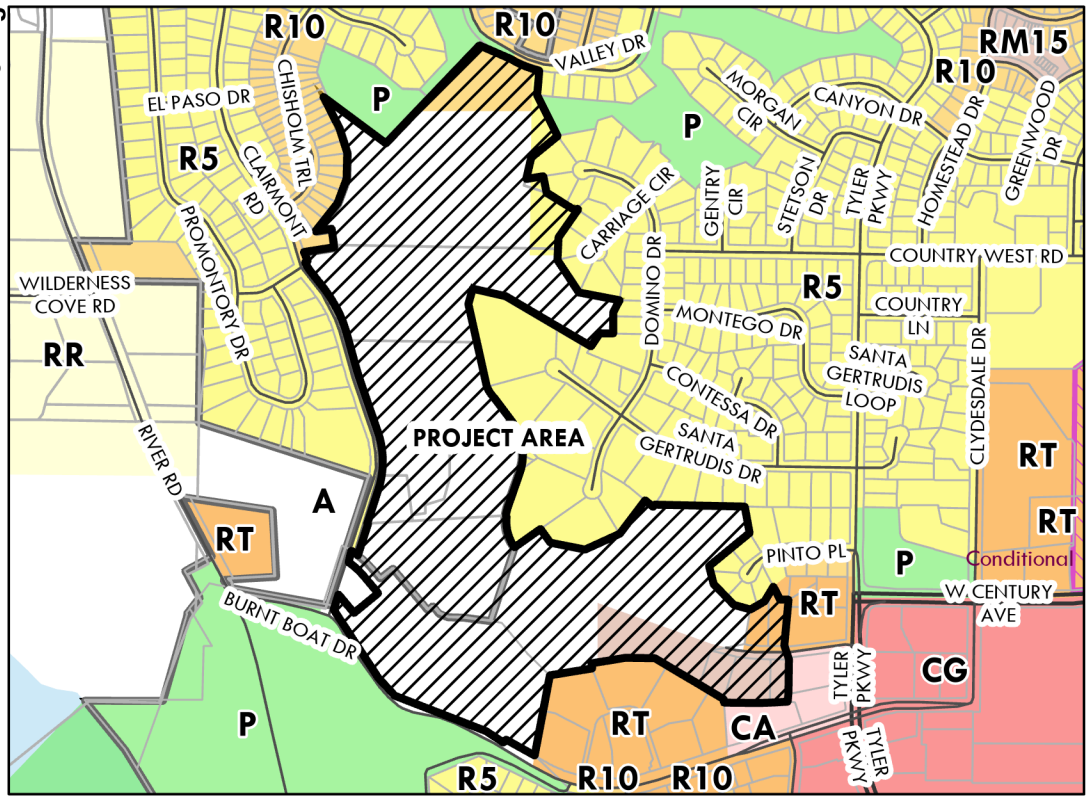
Zoning Districts

A	Agriculture
RR	Rural Residential
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

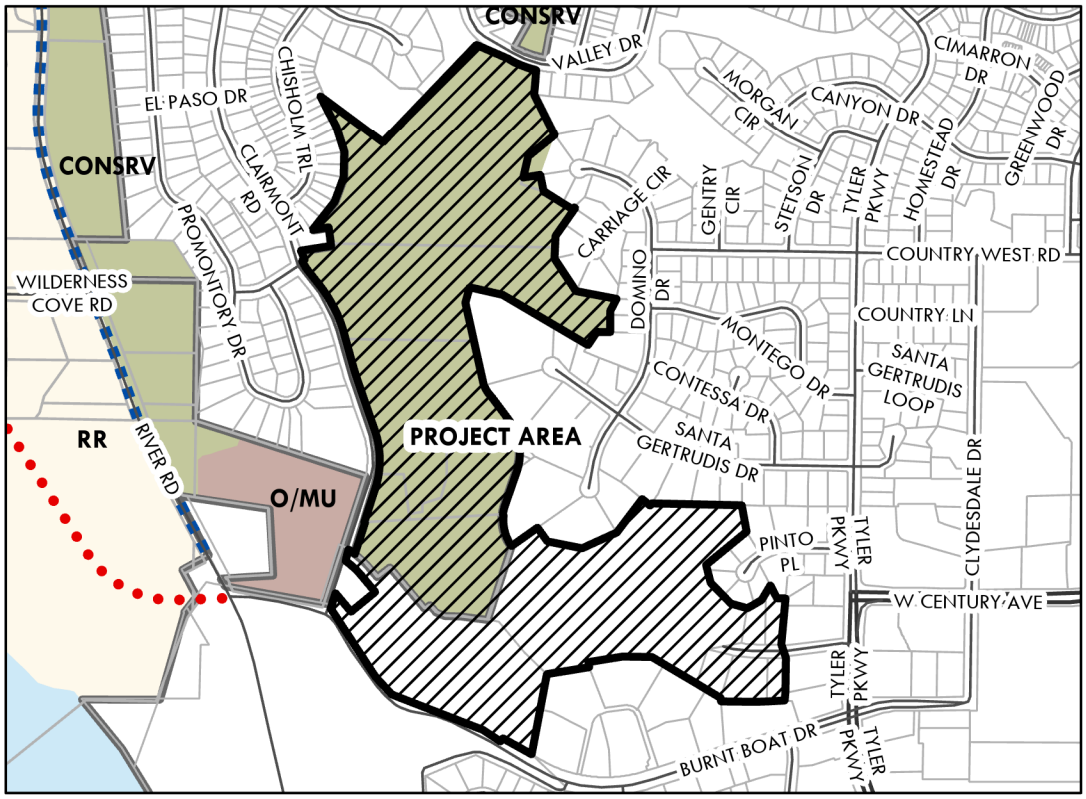
Future Land Use Plan

CONSRV	Conservation
BP	Business Park
C	Commercial
C/MU	Commercial/ Mixed Use
CIVIC	Civic
HDR	High Density Residential
I	Industrial
LDR	Low Density Residential
MDR	Medium Density Residential
MDR-/MU	Medium Density Residential/ Mixed Use
O/MU	Office/ Mixed Use
RR-C	Clustered Rural Residential
RR	Standard Rural Residential
UR	Urban Reserve

Zoning



Future Land Use Plan



Fringe Area Road Master Plan

- Future Arterial Road
- Future Collector Road

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

0 0.13 0.25 0.5 Miles

City of Bismarck
Community Development Dept.
Planning Division
July 15, 2020

Zoning change parcel #s:

Parcels:

31-139-80-000-19-620

31-139-80-00-30-420

31-139-80-00-30-410

31-139-80-00-30-414

31-139-80-00-30-400

31-139-80-00-30-412

0160-030-180

0160-030-175

0926-002-150 (Lots 3 & 4 Block 2 Country West V, less parts)

0926-002-200 (Lot 5 Block 3 & N 7' Vacated ROW Country West V)

0926-003-150 (Lot 4 Block 3 & S 7' Vacated ROW Country West V)

0926-003-100 (Lot 3 Block 3 & S 7' Vacated ROW Country West V)

0926-003-050 (Lot 2 Block 3 Country West V, less parts)

Community Development Department

DATE: August 4, 2020

FROM: Ben Ehreth, AICP, Community Development Director

ITEM: Vacation of Alley Rights-of-Way – Block 38, Northern Pacific Second Addition

REQUEST

Bismarck Cancer Center is requesting approval of the vacation of a portion of a north-south alley and all of an east-west alley within Block 38, Northern Pacific Second Addition. A new access easement would be recorded to replace the east-west alley in a location north of the existing alley. The purpose of this request is to facilitate an expansion of the Bismarck Cancer Center building.

Please place this item on the August 11, 2020 City Commission meeting agenda.

BACKGROUND INFORMATION

This request was presented to the City Commission for consideration on June 23, 2020, and a public hearing was called for and scheduled for the August 11, 2020 meeting. The proposed vacation was noticed in accordance with the requirements in North Dakota Century Code related to vacations of right-of way; however, staff realized during the preparation of this agenda item that the legal description included on the application/ petition for the vacation and used in the legal notices in the Bismarck Tribune was incorrect.

In order to meet the publication requirements outlined in the North Dakota Century Code, a revised legal notice with the correct legal description has been submitted to the Bismarck Tribune to run on August 8th, 15th, 22nd and 29th. This will meet the publication requirement of once per week for four weeks prior to the September 8, 2020 meeting of the City Commission.

The staff report and resolution for this item, which were included in the packet for the June 23rd meeting, have been corrected and are attached. Original and corrected exhibits for the alley vacation and the replacement easement for the east-west alley are also attached.

RECOMMENDED CITY COMMISSION ACTION

Based on the above findings, staff recommends opening the noticed public hearing and receive comment, and then continue the public hearing until the September 8, 2020 meeting of the City Commission to allow time for required publication with the correct legal description to vacate the dedicated alley over the North 20 feet of Lot 5; the deeded alley over the East 8 feet of the North 20 feet of Lot 8; the deeded alley over the South 19.3 feet of the East 8 feet of Lot 9; and the deeded alley over the South 19.3 feet of the West 8 feet of Lot 4, all in Block 38, Northern Pacific Second Addition.

A separate action to accept the replacement east-west alley is being forwarded by City Engineering for action at this meeting. This will allow this aspect of the project to proceed while we re-advertise for the vacation of the existing east-west alley.

STAFF CONTACT INFORMATION

Ben Ehreth, AICP | Community Development Director, 355-1842 or behreth@bismarcknd.gov

Kim L. Lee, AICP | Planning Manager, 355-1846 or klee@bismarcknd.gov

Daniel Nairn, AICP | Planner, 355-1850 or dnairn@bismarcknd.gov

RESOLUTION

VACATION OF RIGHT-OF-WAY
ALLEY IN BLOCK 38 NORTHERN PACIFIC SECOND ADDITION

WHEREAS, the owners of property described as Tract 500 of Block 27 and 38, Northern Pacific Second Addition and Lots 3 and 4, less the West 8 feet for alley, and Lot 9, less the East 8 feet for alley, all within Block 38, Northern Pacific Second Addition adjoining and contiguous to the alley right-of-way proposed for vacation, have heretofore joined in petition requesting that part of said right-of-way contiguous to these lots be vacated, verified by oath of at least one petitioner and accompanied by a plat of said right-of-way to be vacated, having set forth the facts and reason for said vacation; and

WHEREAS, said right-of-way is within plat of Northern Pacific Second Addition, which was recorded on 1911. A portion of the right-of-way proposed for vacation was dedicated on September 29,1998 through document number 534789; and

WHEREAS, an access easement providing a similar function to the alley to be hereby vacated will be recorded ~~in conjunction with this resolution~~.

WHEREAS, the City Traffic Engineer has determined that the part of the alley to be vacated is not necessary for efficient traffic movement or public safety, on the condition that an equivalent easement will be provided; and

WHEREAS, public utility companies known to have facilities in this area have consented to the proposed action; and

WHEREAS, the Board of City Commissioners of the City of Bismarck, North Dakota, deemed it expedient that said matter be preceded with, ordered said petition to be filed in the office of the City Administrator; and

WHEREAS, the Board of City Commissioners ordered that notice be given on hearing the aforesaid petitions and the same was so given by publication in the official newspaper of said City on ~~July 3, July 10, July 17, and July 24~~ August 8, August 15, August 22, and August 29 2020, in accordance with law. The Board of City Commissioners at the time appointed, investigated and considered the matter and heard testimony of the persons interested therein.

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota Petitions heretofore described to vacate that portion of the right-of-way described as**:**

> The dedicated alley of over the North 20 feet of ~~Tract 500 of Block 27 and 38, Northern Pacific Second Addition~~ Lot 5, ~~and~~ the deeded alley over the East 8 feet of the North 20 feet of Lot 8, ~~Block 38, and~~ the deeded alley over the South 19.3 feet of the East 8 feet of Lot 9, and the deeded alley over the South 19.3 feet of the West 8 feet of Lot 4, all in Block 38, Northern Pacific Second Addition in the City of Bismarck, Burleigh County, North Dakota~~.~~

is in all things allowed and granted.

BE IT FURTHER RESOLVED that the City Administrator is hereby authorized to file a transcript thereof for record in the office of the County Recorder, Burleigh County, North Dakota.

Adopted this ~~11th day of August~~ 8th day of September, 2020.

CERTIFICATE

I, Jason Tomanek, do hereby certify that I am the duly appointed, qualified Assistant City Administrator of the City of Bismarck, North Dakota, and that the foregoing is a full, true and correct copy of a resolution adopted at a legally convened meeting of the Board of City Commissioners held on ~~August 11~~ September 8, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Bismarck, North Dakota, this ~~11th day of August~~ 8th day of September, 2020.

(SEAL)

Jason Tomanek
Assistant City Administrator
Bismarck, North Dakota

STAFF REPORT

City of Bismarck
Community Development Department
Planning Division

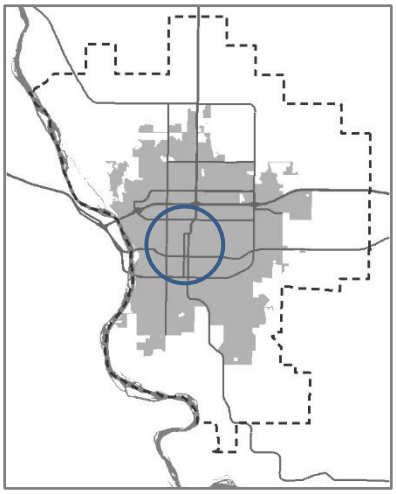
August 11, 2020

Application for: Plat Modification – Right-of-Way Vacation

TRAKiT Project ID: PLMD2020-006

Project Summary

Title:	Vacation of alleys in Block 38, Northern Pacific 2nd Addition
Status:	Board of City Commissioners - Public Hearing
Owner(s):	Bismarck Cancer Center
Project Contact:	Lon Romsaas, PE, Swenson, Hagen & Co.
Location:	In central Bismarck, north of East Rosser Avenue and between North 7th Street and North 8th Street
Project Size:	20' width by 150' length, plus 16' width by 19.3' length
Request:	Release existing public alleys to facilitate an expansion of the Bismarck Cancer Center building



Staff Analysis

Bismarck Cancer Center is requesting approval of the vacation of alleys within Block 38, Northern Pacific Second Addition, as shown in the attached exhibit and legally described in the attached resolution. A new access easement would be recorded to replace the east-west alley in a location north of the existing alley. The purpose of this request is to facilitate an expansion of the Bismarck Cancer Center building.

This request was presented to the City Commission for consideration on June 23, 2020, and called for a public hearing on August 11, 2020. All notice requirements in North Dakota Century Code related to vacations of right-of way have been met.

These alleys were not dedicated with the plat of Northern Pacific Second Addition, which was recorded in 1911. The north-south alley proposed for vacation has existed through the middle of Block 38 of this subdivision for many years, and was deeded after the plat was recorded. The east-west alley proposed for vacation was dedicated as a public right-of-way by recorded instrument in 1998.

Representatives from Capital Electric, MDU, CenturyLink and Midcontinent have all consented to this vacation, with the understanding that an alternate access easement would be granted.

The replacement easement would suffice for all access and utility needs to this area. A draft of the easement will be provided by the public hearing on this action, and, if approved, would be recorded in conjunction with the attached resolution.

The applicant is also requesting a zoning change to the HM – Health Medical zoning district, and a public hearing for this request is scheduled to occur on the same date as this action.

Required Findings of Fact (relating to land use)

1. The right-of-way proposed to be vacated does not substantially contribute to the function or safety of the overall roadway network in the area;
2. The right-of-way proposed to be vacated is not needed by the City of Bismarck or any affiliated entities for public utilities, and/or

(continued)

easements have been granted for any existing utility infrastructure in use within the right-of-way;

3. The proposed vacation of right-of-way is consistent with the general intent and purpose of the zoning ordinance;
4. The proposed vacation of right-of-way is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
5. The proposed vacation of right-of-way would not adversely affect the public health, safety and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the attached resolution to vacate the dedicated alley over the North 20 feet of ~~Tract 500 of Block 27 and 38, Northern Pacific Second Addition~~ Lot 5, ~~and~~ the deeded alley over the East 8 feet of the North 20 feet of Lot 8, ~~Block 38, and~~ the deeded alley over the South 19.3 feet of the East 8 feet of Lot 9, and the deeded alley over the South 19.3 feet of the West 8 feet of Lot 4, all in Block 38, Northern Pacific Second Addition, as shown on the attached map.

~~Furthermore, staff recommends approval of an access and utility easement on said property, as attached to this staff report.~~

Attachments

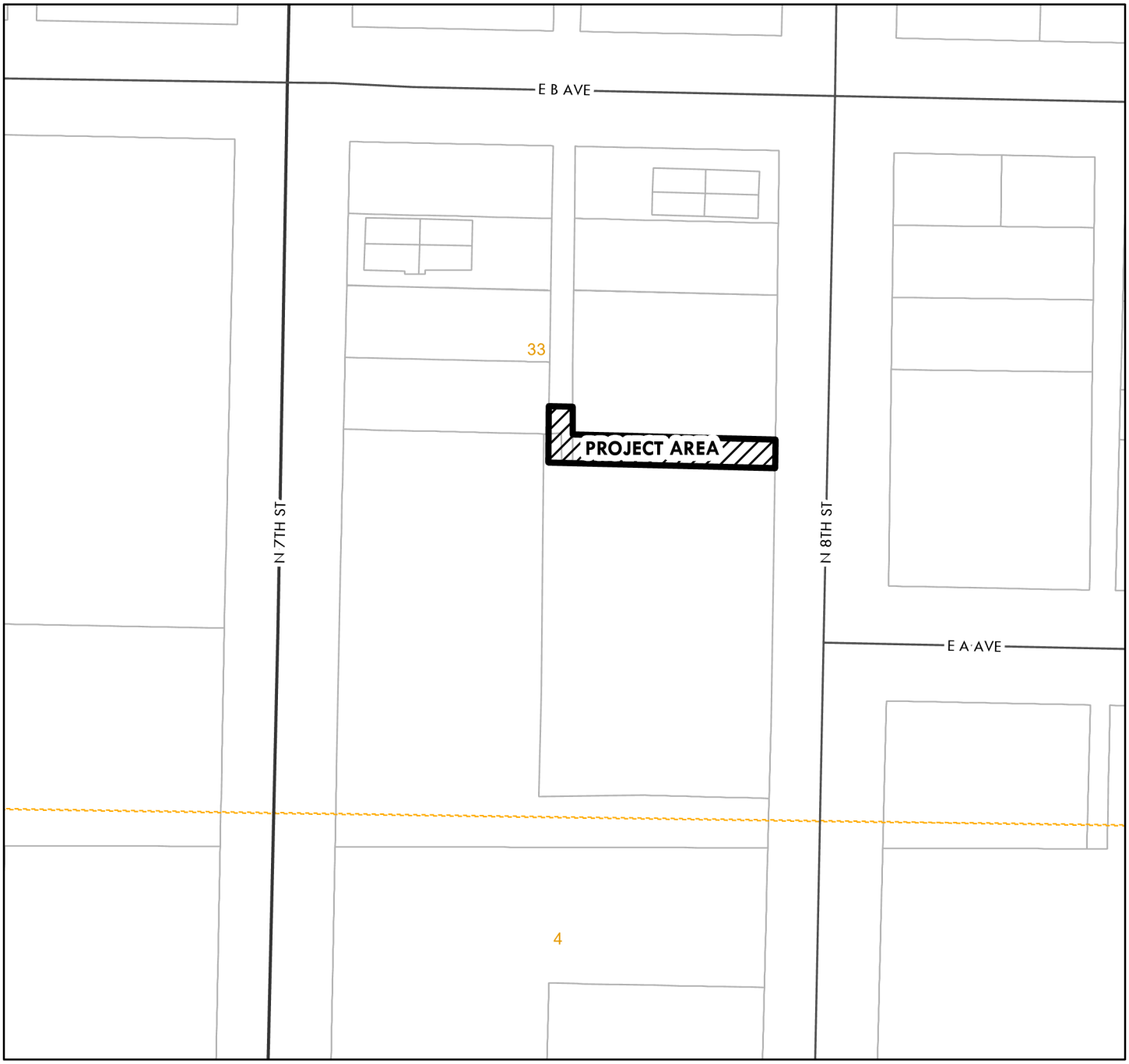
1. Location Map
2. Aerial Map
3. Alley Vacation Exhibit
4. Replacement Easement
5. Resolution
6. Application/Petition
7. Letters from Utilities

Staff report prepared by: Daniel Nairn, AICP
701-355-1854 | dnairn@bismarcknd.gov

Location Map

NORTHERN PACIFIC 2ND ADD, PT L3,4&9,B38

PLMD2020-006



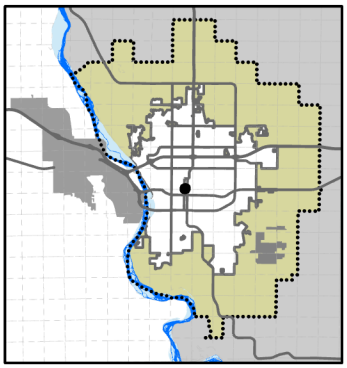
0 0.02 0.04 0.09 Miles

City Limits

County Outside ETA

Bismarck ETA Jurisdiction

Section, township, and range indicated in orange



City of Bismarck
Community Development Department
Planning Division
June 16, 2020 (HLB)

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

Aerial Map

NORTHERN PACIFIC 2ND ADD, PT L3,4&9,B38

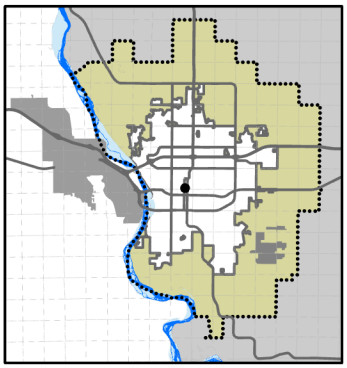
PLMD2020-006
ZC2020-006

0 0.01 0.03 0.05 Miles

City Limits Bismarck ETA Jurisdiction

Aerial Imagery from 2019

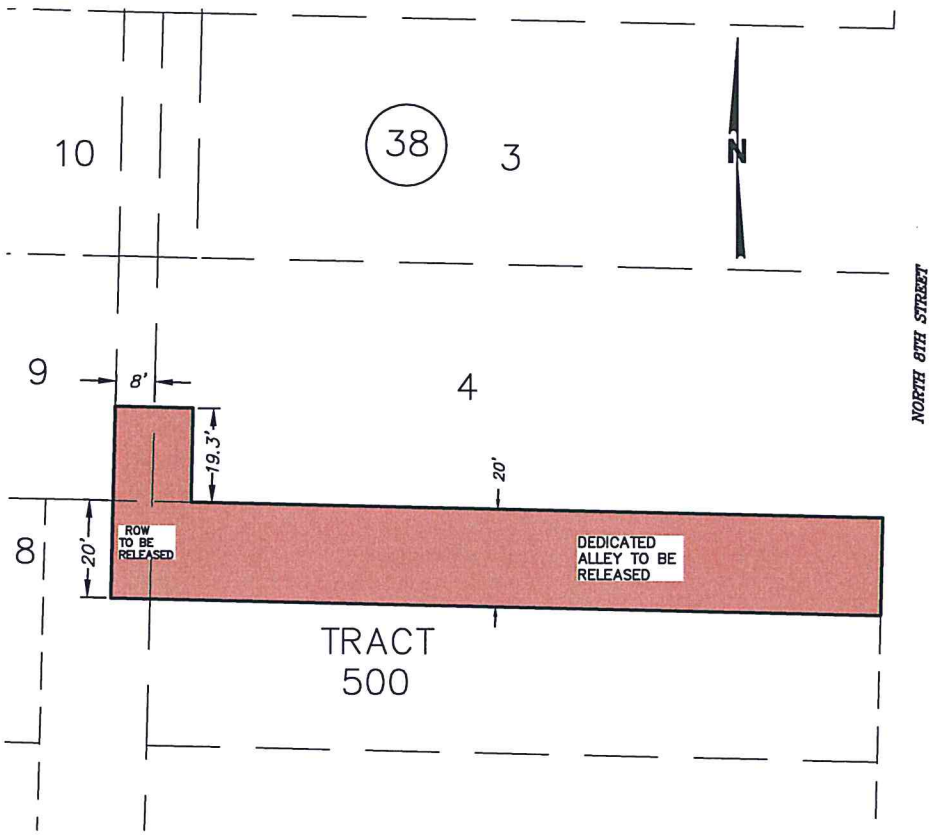
This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.



City of Bismarck
Community Development Department
Planning Division
June 16, 2020

ORIGINAL EXHIBIT

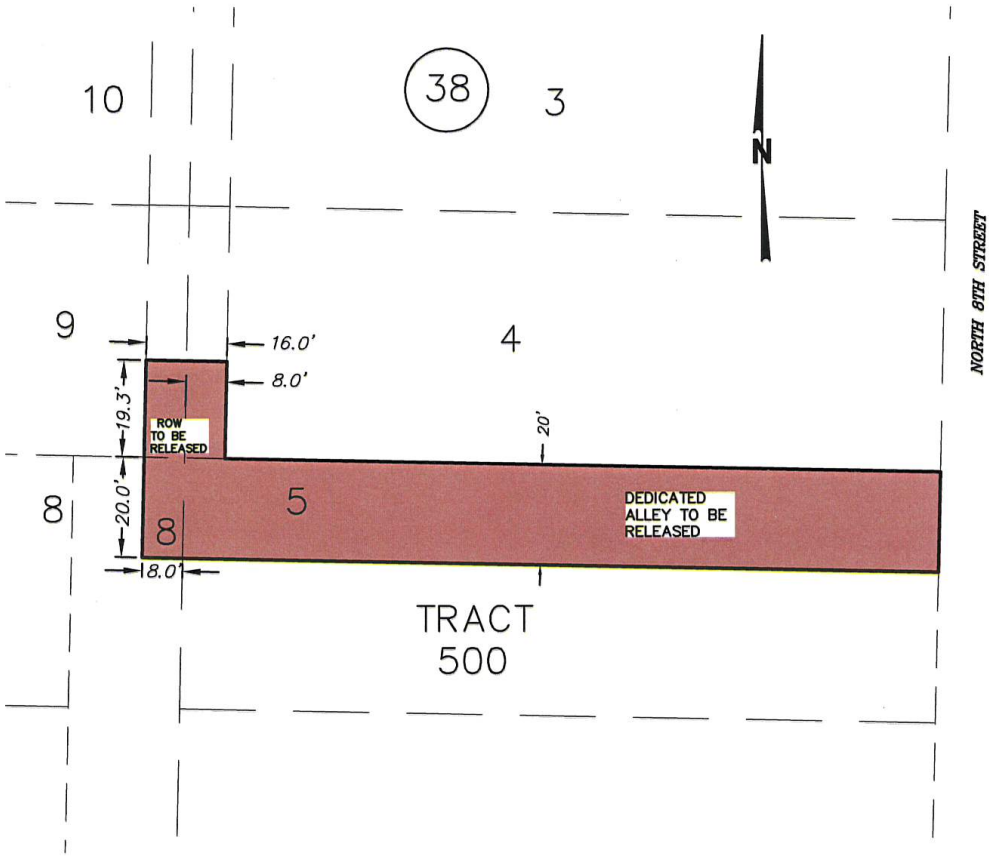
ALLEY VACATE EXHIBIT



Vacate the dedicated alley of the North 20' of Tract 500
& Vacate the deeded alley of the E 8' of the N. 20' of Lot 8
& the S. 19.3' of the E 8' of Lot 9 & the S. 19.3' of the W 8' of Lot 4

CORRECTED EXHIBIT

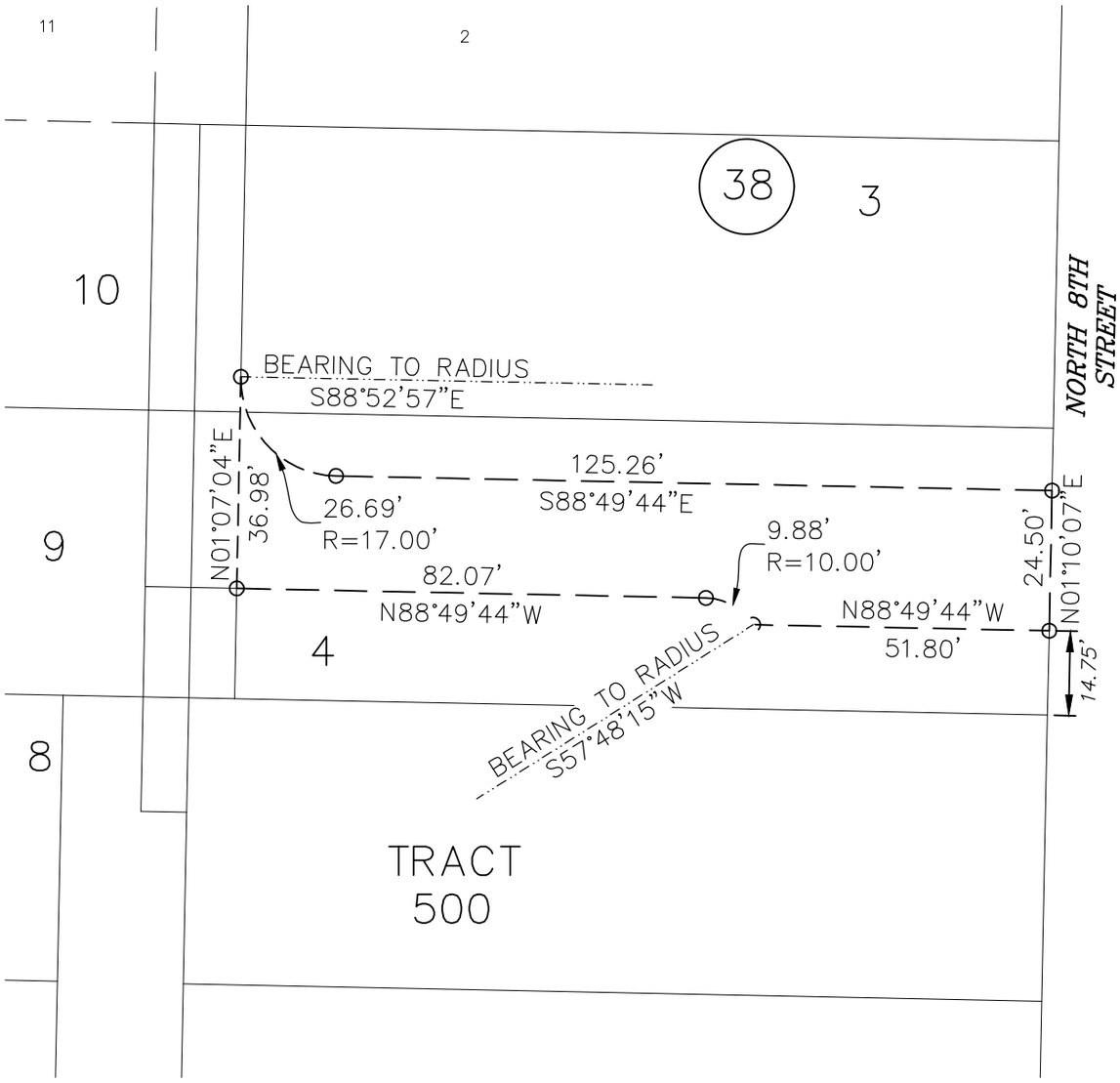
ALLEY VACATE EXHIBIT



Vacate the dedicated alley of the North 20' of Lot 5
& Vacate the deeded alley of the E 8' of the N. 20' of Lot 8
& the S. 19.3' of the E 8' of Lot 9 & the S. 19.3' of the W 8' of Lot 4

ORIGINAL EXHIBIT

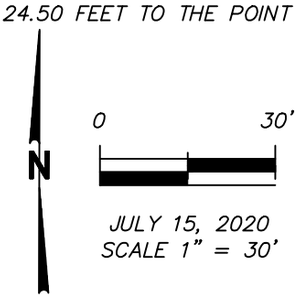
ACCESS & UTILITY EASEMENT EXHIBIT



ACCESS & UTILITY EASEMENT

ALL THAT PART OF LOTS 3 & 4 BLOCK 38 OF NORTHERN PACIFIC SECOND ADDITION OF THE SOUTH 1/2 OF SECTION 33, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID LOT 4 THAT IS NORTH 01 DEGREE 10 MINUTES 07 SECONDS EAST, A DISTANCE OF 14.75 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 4; THENCE NORTH 88 DEGREES 49 MINUTES 44 SECONDS WEST, A DISTANCE OF 51.80 FEET; THENCE NORTHWESTERLY AND TO THE LEFT, ON A 10.00 FOOT RADIUS CURVE, THE RADIUS OF WHICH BEARS SOUTH 57 DEGREES 48 MINUTES 15 SECONDS WEST, AN ARC LENGTH OF 9.88 FEET; THENCE NORTH 88 DEGREES 49 MINUTES 44 SECONDS WEST, A DISTANCE OF 82.07 FEET TO THE EAST LINE OF QUIT CLAIM DEED DOC. #317304 OF LOTS 3 & 4 BLOCK 38 NORTHERN PACIFIC SECOND ADDITION; THENCE NORTH 01 DEGREES 07 MINUTES 04 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 36.98 FEET; THENCE SOUTHEASTERLY AND TO THE LEFT, ON A 17.00 FOOT RADIUS CURVE, THE RADIUS OF WHICH BEARS SOUTH 88 DEGREES 52 MINUTES 57 SECONDS EAST, AN ARC LENGTH OF 26.69 FEET; THENCE SOUTH 88 DEGREES 49 MINUTES 44 SECONDS EAST, A DISTANCE OF 125.26 FEET TO THE EAST LINE OF SAID LOT 4; THENCE SOUTH 01 DEGREE 10 MINUTES 07 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 24.50 FEET TO THE POINT OF BEGINNING.

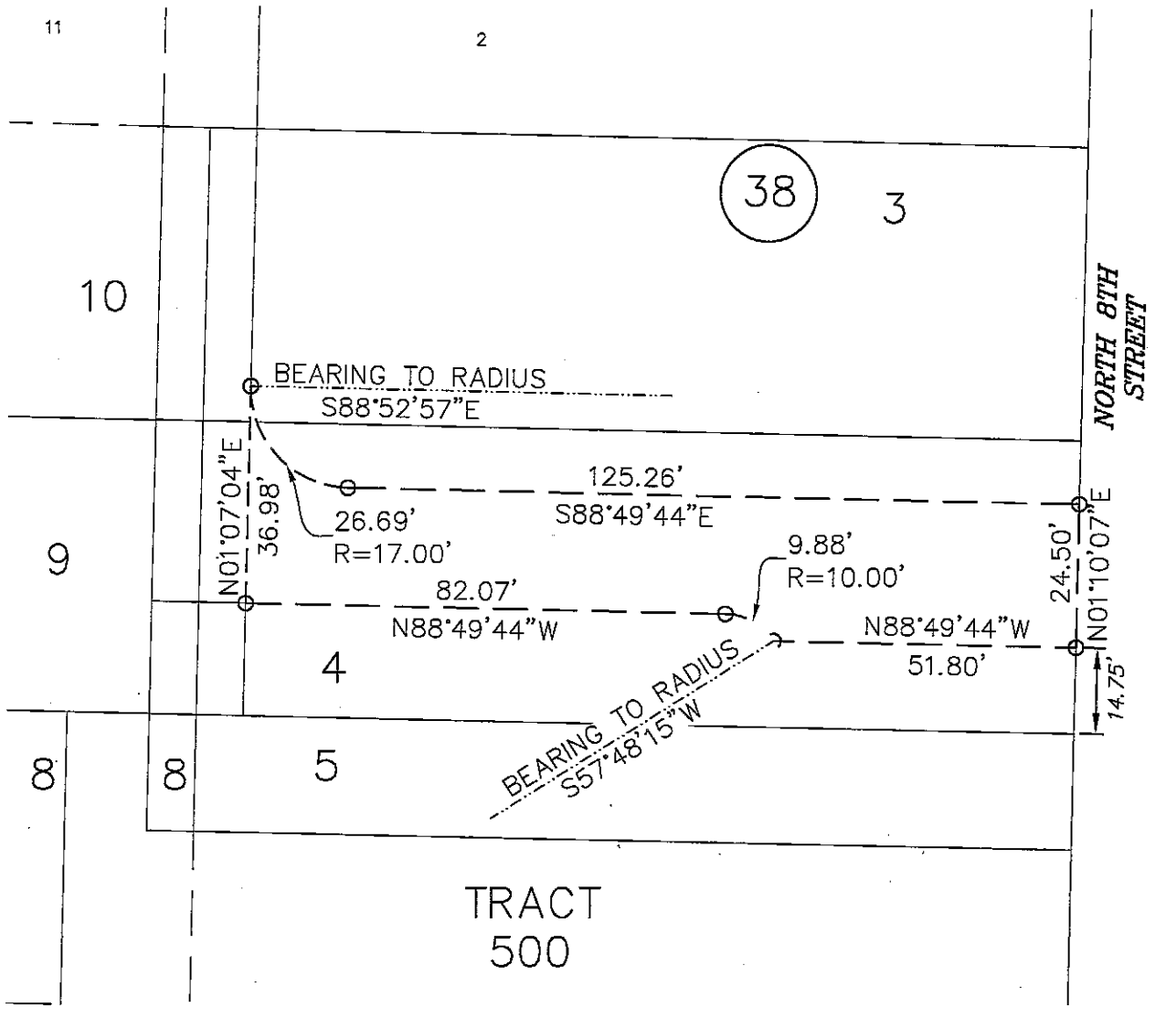


JULY 15, 2020
SCALE 1" = 30'

SWENSON, HAGEN & COMPANY P.C.
Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management
909 Basin Avenue
Bismarck, North Dakota 58504
sheng@swensonhagen.com
Phone (701) 223 - 2600
Fax (701) 223 - 2606

CORRECTED EXHIBIT

ACCESS & UTILITY EASEMENT EXHIBIT



ACCESS & UTILITY EASEMENT

ALL THAT PART OF LOTS 3 & 4 BLOCK 38 OF NORTHERN PACIFIC SECOND ADDITION OF THE SOUTH 1/2 OF SECTION 33, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID LOT 4 THAT IS NORTH 01 DEGREE 10 MINUTES 07 SECONDS EAST, A DISTANCE OF 14.75 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 4; THENCE NORTH 88 DEGREES 49 MINUTES 44 SECONDS WEST, A DISTANCE OF 51.80 FEET; THENCE NORTHWESTERLY AND TO THE LEFT, ON A 10.00 FOOT RADIUS CURVE, THE RADIUS OF WHICH BEARS SOUTH 57 DEGREES 48 MINUTES 15 SECONDS WEST, AN ARC LENGTH OF 9.88 FEET; THENCE NORTH 88 DEGREES 49 MINUTES 44 SECONDS WEST, A DISTANCE OF 82.07 FEET TO THE EAST LINE OF QUIT CLAIM DEED DOC. #317304 OF LOTS 3 & 4 BLOCK 38 NORTHERN PACIFIC SECOND ADDITION; THENCE NORTH 01 DEGREES 07 MINUTES 04 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 36.98 FEET; THENCE SOUTHEASTERLY AND TO THE LEFT, ON A 17.00 FOOT RADIUS CURVE, THE RADIUS OF WHICH BEARS SOUTH 88 DEGREES 52 MINUTES 57 SECONDS EAST, AN ARC LENGTH OF 26.69 FEET; THENCE SOUTH 88 DEGREES 49 MINUTES 44 SECONDS EAST, A DISTANCE OF 125.26 FEET TO THE EAST LINE OF SAID LOT 4; THENCE SOUTH 01 DEGREE 10 MINUTES 07 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 24.50 FEET TO THE POINT OF BEGINNING.

Surveyor's seal
REGISTERED PROFESSIONAL LAND SURVEYOR
TERRY BALTZER
PLS-3595
DATE:
NORTH DAKOTA

N

0 30'

AUGUST 3, 2020
SCALE 1" = 30'

SWENSON, HAGEN & COMPANY P.C.
Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management
909 Basin Avenue
Bismarck, North Dakota 58504
sheng@swensonhagen.com
Phone (701) 223 - 2600
Fax (701) 223 - 2606

City of Bismarck
Community Development Department
Planning Division
Phone: 701-355-1840 • FAX: 701-222-6450 • TDD: 711
PO Box 5503 • Bismarck, ND 58506-5503
planning@bismarcknd.gov

Last Revised: 1/1/2019

UNIFIED DEVELOPMENT APPLICATION

NOTE: APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTALS HAVE BEEN RECEIVED

Application submitted for (check all that apply):

- ☐ Preliminary Major Plat
- ☐ Final Major Plat
- ☐ Minor Plat
- ☐ Plat Vacation
- ☐ Annexation
- ☐ Zoning Change
- ☐ PUD Zoning Change / PUD Amendment
- ☐ Special Use Permit
- ☐ Variance
- ☐ Rural Lot Split (RR & RR5)
- ☐ Fringe Area Road Master Plan Amendment
- ☐ Land Use Plan Amendment

Lot Modification
- ☐ Lot Line Adjustment
- ☐ Lot Split
- ☐ Lot Combination

Plat Modification
- ☒ Street/Alley Vacation
- ☐ Easement Release
- ☐ Non-Access Line Release

PROPERTY INFORMATION			
Project Name:	Alley Vacation--Bismarck Cancer Center		
Legal description: (Lot, Block, Addition/Subdivision)	Lots 4, 8, 9, & Tract 500 Block 38 Northern Pacific 2nd		
Street address of property:	500 N. 8th St		
Existing Zoning		Proposed Zoning:	
Acreage:		Number of Lots:	
Brief description of development proposal, including reason(s) for the request:	Vacate the dedicated alley of the North 20' of Tract 500 & Vacate the deeded alley of the E 8' of the N. 20' of Lot 8 & the S. 19.3' of the E 8' of Lot 9 & the S. 19.3' of the W 8' of Lot 4		

APPLICANT/DEVELOPER	
Name:	Bismarck Cancer Center
Mailing Address:	PO Box 5598, Bismarck, ND 58506

PROPERTY OWNER (IF DIFFERENT THAN APPLICANT/DEVELOPER)	
Name:	
Mailing Address:	

CONTACT PERSON/CONSULTANT (IF DIFFERENT THAN APPLICANT/DEVELOPER)	
Name:	Swenson Hagen & Co
Mailing Address:	909 Basin Ave., Bismarck, ND 58504

This application is filed complete with the required information as outlined in the attached submission checklist. If a subdivision plat application: because of scheduling and calendar considerations, your subdivision plat may not be finally approved within 30 days as per NDCC Section 40-48-21. I hereby waive said requirements in return for expeditious consideration of my application by the City. If an annexation application: the City will post legal notice of public hearing on behalf of the applicant rather than the applicant as specified in NDCC Section 40-51.2-05. I understand the regulations of the Bismarck Zoning Ordinance and the NDCC as they pertain to this request(s). I certify that all property owners have signed or ratified this application. I hereby request favorable consideration of the above described development application.

Amy J Gross	Amy J. Gross	06-10-20
(Applicant's Signature)	(Printed Name)	(Date)
(Owner's Signature, if different)	(Printed Name)	(Date)
(Additional Owner's Signature, if applicable)	(Printed Name)	(Date)
(Additional Owner's Signature, if applicable)	(Printed Name)	(Date)

VERIFICATION FOR PLAT MODIFICATION REQUESTS:

The oath of at least one petitioner is required for **plat modification requests only**
(vacation of street/alley, release of non-access line, or release of easement)

STATE OF NORTH DAKOTA)
: SS
COUNTY OF BURLEIGH)

On this 10th day of JUNE, 2020, before me, a notary public in and for said county and state, appeared AMY GROSS, known to be personally to be the same person described in and whom executed the above instrument, and severally acknowledged that he/she executed the same.

LANDON NIEMILLER
Notary Public
State of North Dakota
My Commission Expires Mar 23, 2022

Landon Niemiller
Notary Public
Burleigh County, State of North Dakota

Submission Deadlines:

The Planning and Zoning Commission regularly meets on the fourth Wednesday of each month. All development applications – except for variances, lot modifications and plat modifications – are due at **12:00 noon on the Friday that is 33 calendar days prior** to the meeting.

The Board of Adjustment regularly meets on the first Thursday of each month. All development applications for variances are due at **5:00 p.m. on the Monday that is 24 calendar days prior** to the meeting.

The Board of City Commissioners regularly meets on the second and fourth Tuesdays of each month. All development applications for plat modifications (street/alley vacation, non-access line release, easement release) are due at **5:00 p.m. on the Tuesday that is 14 calendar days prior** to the meeting.

Development applications for lot modifications are processed administratively and may be submitted at any time.

June 9, 2020

Mr. Mike Berg
Capital Electric Cooperative
PO Box 730
Bismarck, ND 58502-0730

Re: Northern Pacific 2nd Addition

Dear Mike,

Bismarck Cancer Center wishes to vacate the dedicated alley of the north 20' of Tract 500 and vacate the deeded alley of the east 8' of the north 20' of Lot 8, and the south 19.3' of the east 8' of Lot 9, and the south 19.3' of the west 8' of Lot 4 Block 38 Northern Pacific 2nd Addition. This will be replaced with an easement upon City of Bismarck approval.

If you agree with this alley vacation, please sign your consent below and return to the office of Swenson, Hagen & Co. within the next 10 business days.

Sincerely,

Landon Niemiller
Land Development Tech

LN;lm

I, Michael Berg, a representative of Capital Electric Cooperative, hereby consent to the proposed vacation of the above described utility easement.

Michael Berg - Staking Engineer
Capital Electric Cooperative

June 9, 2020

Montana-Dakota Utilities (Gas)
Shelley Vetter
400 North 4th Street
Bismarck, ND 58501

Re: Northern Pacific 2nd Addition

Dear Shelley,

Bismarck Cancer Center wishes to vacate the dedicated alley of the north 20' of Tract 500 and vacate the deeded alley of the east 8' of the north 20' of Lot 8, and the south 19.3' of the east 8' of Lot 9, and the south 19.3' of the west 8' of Lot 4 Block 38 Northern Pacific 2nd Addition. This will be replaced with an easement upon City of Bismarck approval.

If you agree with this easement vacation, please sign your consent below and return to the office of Swenson, Hagen & Co. within the next 10 business days.

Sincerely,

Landon Niemiller
Land Development Tech

LN;lm

I, Robert Frank, a representative of Montana-Dakota Utilities (Gas), hereby consent to the proposed vacation of the above described utility easement.

Robert Frank
Montana-Dakota Utilities (Gas)

June 9, 2020

Century Link
Connie Kassian
1101 16th Street NE
Mandan, ND 58554

Re: Northern Pacific 2nd Addition

Dear Connie,

Bismarck Cancer Center wishes to vacate the dedicated alley of the north 20' of Tract 500 and vacate the deeded alley of the east 8' of the north 20' of Lot 8, and the south 19.3' of the east 8' of Lot 9, and the south 19.3' of the west 8' of Lot 4 Block 38 Northern Pacific 2nd Addition. This will be replaced with an easement upon City of Bismarck approval.

If you agree with this easement vacation, please sign your consent below and return to the office of Swenson, Hagen & Co. within the next 10 business days.

Sincerely,

Landon Niemiller
Land Development Tech

LN;lm

I, CONNIE M KASSIAN, a representative of Century Link, hereby consent to the proposed vacation of the above described utility easement.

Century Link

June 9, 2020

Midcontinent Communications
Derek Weigel
719 Memorial Highway
Bismarck, ND 58504

Re: Northern Pacific 2nd Addition

Dear Derek

Bismarck Cancer Center wishes to vacate the dedicated alley of the north 20' of Tract 500 and vacate the deeded alley of the east 8' of the north 20' of Lot 8, and the south 19.3' of the east 8' of Lot 9, and the south 19.3' of the west 8' of Lot 4 Block 38 Northern Pacific 2nd Addition. This will be replaced with an easement upon City of Bismarck approval.

If you agree with this easement vacation, please sign your consent below and return to the office of Swenson, Hagen & Co. within the next 10 business days.

Sincerely,

Landon Niemiller
Land Development Tech

LN;lm

I, Derek Weigel, a representative of Midcontinent Communications, hereby consent to the proposed vacation of the above described utility easement.

Midcontinent Communications

Community Development Department

DATE: August 4, 2020

FROM: Ben Ehreth, Community Development Director

ITEM: Verification of Easement Release Process

REQUEST

The Community Development Department is seeking verification from the Bismarck Board of City Commissioners on the Plat Modification – Easement Release process.

BACKGROUND INFORMATION

Based on the City Commission discussion and justification for denying a stormwater and drainage easement release at the regular meeting of the Commission on July 28, 2020, Community Development Department staff would like to verify that our current process for easement release is consistent with City Commission expectations.

What is an Easement Release?

An Easement Release is the release of any utility, access, stormwater and drainage, or any other easement, or part thereof, dedicated on the face of a recorded plat that has been approved by the Bismarck Board of City Commissioners. Easement Releases only apply to easements that are dedicated on a recorded plat. Any easements that are created through a separate document cannot be vacated through this process.

Types of Easements?

Generally, easements that can be found on the face of plats can be categorized into the following five general types:

1. General Utility Easement - May be utilized for water, sewer, stormwater, electric, gas, telephone, or any other public utilities or services. Either the City Engineer or the County Engineer must recommend approval of the easement releases for their respective jurisdictions. Written consent from any utility company operating within the area of the recorded easement is required prior to the release of a general utility easement and may primarily include: Century Link; Montana Dakota Utilities; Midcontinent; and/or Capital Electric.

2. Specific Utility Easement – Limit the utility to a certain type, such as “sewer main easement” or South Central Regional Water District. Written consent from the entity that provides the specific utility or service, or any successors and assigns, is required prior to the release of a specific utility easement. The City Engineer or the County Engineer must recommend approval of the specific utility easement releases for their respective jurisdiction.

3. Stormwater and Drainage Easement – Dedicated for the purpose of conveyance of water during major rain events. Either the City Engineer or the County Engineer must recommend approval of the Stormwater and Drainage Easement releases for their respective jurisdictions after consent from all applicable staff. Stormwater and drainage easements required under an approved Stormwater Management Plan may not be released unless the applicant can demonstrate that the function of the stormwater system may be adequately maintained without the facility.

4. Access Easement – Allow the right to enter into or travel through the easement either to the general public or to a set of property owners identified specifically on the plat. The City Engineer must recommend approval of the access easement release with consent of the County Engineer if located within the Extraterritorial Area (ETA). Any property owner with land abutting the proposed easement, or identified on the plat as having rights to said easement, must sign a petition to release an access easement. An access easement may not be released if any lots or parcels rely on this easement exclusively for access to a public right-of-way, unless another means of access is provided or lots are combined, to provide sufficient access.

5. Other Easement – There may be other types of easements on a plat that have a specific function, and generally a note will be provided on the plat explaining the terms of the easement. Some other types of easements might include but not be limited to: Slope protection easements; landscape buffers; or sigh triangle easements.

What is the Easement Release Process?

-The Community Development Department is the lead entity in processing these applications.
-Applications are due 25 days prior to the City Commission meeting where action will be taken.
-Various City departments are involved in the review of easement releases including the following positions: Building Official; City Engineer; Design and Construction Engineer; Traffic Engineer; Surveyor; Public Works Utility Operations Director; Public Works Service Operations Director; Community Development Department Planner. Others may also be assigned to review on a case-by-case basis depending on the type of easement being released. For easements within the Extraterritorial Area, the County Auditor and County Engineer are notified. For access easements, Central Communications, the Police Department and Fire Department may be notified.
-For release of utility easements, letters of consent from the utilities with rights to the easement are required. For the release of a General Utility Easement, letters of consent would be required from Century Link, Montana Dakota Utilities, Capital Electric, and Midcontinent. For Specific Utility Easements, such as those easements for municipal

services, concurrence is obtained from the City Engineer and Public Works Department through the staff review process.
-There is no publication or property owner notification for an easement release.
-Items compiled and included within the City Commission agenda packet include a staff report, a resolution for consideration that releases the easement, a location map, a map showing the location of the easement being released, a copy of the application and signature page, and copies of the written concurrence from those with rights to the easement.
-The request is placed on the City Commission consent agenda for consideration.
-If approved, the resolution is signed by the Mayor, notarized by the City Administrator and sent back to the Community Development Department.
-The resolution releasing the easement is recorded. If there is a replacement easement for one being released it is recorded subsequent to but in conjunctions with the resolution.
-The resolution becomes effective upon recording of the resolution with the Burleigh County Recorders office.
-Departments and outside entities (including easement holders) are notified that the easement has been released.

RECOMMENDED CITY COMMISSION ACTION

Provide direction to staff if Plat Modification-Easement Release process should be altered.

STAFF CONTACT INFORMATION

Ben Ehreth, AICP | Community Development Director, 355-1842 or behreth@bismarcknd.gov

Community Development Department

DATE: August 4, 2020

FROM: Ben Ehreth, Community Development Director

ITEM: Staff Interpretation of Misty Waters Planned Unit Development (PUD) Setback

REQUEST

The Community Development Department seeks direction on the Misty Waters rear yard setback interpretation, for lots along the bay.

BACKGROUND INFORMATION

Based on the City Commission discussion and justification for denying a stormwater and drainage easement release at the regular meeting of the Commission on July 28, 2020, Community Development Department staff would like to verify that our current interpretation of the Misty Waters setback associated with the bay is consistent with City Commission expectations.

The original Misty Waters PUD was approved in 2005. The original PUD identified a 30 foot rear yard setback for single-family residential development not directly adjacent to the Missouri River. In 2006 the PUD was amended to include the following setback language for lots associated with the bay:
"…the minimum setback from the bay shall be elevation 1640.3 (NAVD88) as delineated by the contour line described in the approved LOMR…"

For point of reference a LOMR stands for a Letter of Map Revision, which is an official amendment to the currently effective flood insurance rate map (FIRM), dated August 2014, which is issued by FEMA.

Different sections of the PUD were amended again in 2017, however, the aforementioned setback language associated with single-family residential development still remains the same as the 2006 amendment. Attached is the latest approved PUD language with the Single-Family Residential Development Standards beginning on page 1 and continuing to page 2.

Staff's interpretation has been that "the approved" LOMR reference is not a static point

in time but based on an approved LOMR by FEMA. Since 2006 there have been eight lots, adjacent to the bay, that have gone through the LOMR approval process within the Misty Waters subdivision.

The practice of basing a setback from an approved LOMR appears to be unique to the Misty Waters subdivision with other developments adjacent to the Missouri River utilizing more conventional setback standards.

RECOMMENDED CITY COMMISSION ACTION

Provide direction to staff if we should continue to interpret the PUD setback standards associated with LOMRs since we have done dating back to 2006 or if we should pursue an amendment to the PUD to clarify.

STAFF CONTACT INFORMATION

Ben Ehreth, AICP | Community Development Director, 355-1842 or behreth@bismarcknd.gov

MISTY WATERS PLANNED UNIT DEVELOPMENT
ORDINANCE NO. 5435 (Adopted June 14, 2005)
MAJOR PUD AMENDEMNT (Adopted August 23, 2006)
MAJOR PUD AMENDMENT (Adopted October 25, 2017)

WHEREAS, Ordinance No. 5435 was adopted by the Board of City Commissioners on June 14, 2005; and

WHEREAS, Ordinance No. 05-03 was adopted by the Board of County Commissioners on June 6, 2005; and

WHEREAS, Section 1(2) of both ordinances indicates that this PUD shall only be amended in accordance with the provisions of Section 14-04-18(4) of the City Code of Ordinances (Planned Unit Developments); and

WHEREAS, the PUD was amended on August 23, 2006 at the Misty Waters LLC to modify the location and density of residential uses, the location of commercial uses, and the setback around the bay; and

WHEREAS, the City of Bismarck has initiated this amendment to the Planned Unit Development for Misty Waters to clarify provisions for the multi-family residential development standards.

NOW, THEREFORE, BE IT RESOLVED by the Bismarck Planning and Zoning Commission of the City of Bismarck, North Dakota, a municipal corporation, that the request to amend the Planned Unit Development for the following described property:

Lots 1-84, Block 1; Lots 1, Block 2; Lots 1-40, Block 3; and Lot 1, Block 4; Misty Waters

is hereby approved and this PUD is now subject to the following development standards:

1. Uses Permitted. Uses permitted include a maximum of 145 residential units (115 single-family residential units and up to 30 <u>two-family</u> residential units <u>to be</u> constructed in condominium associations with two units per building <u>or as twinhome/townhouse projects with mutual easements and obligations with two units per building</u>); water-related commercial uses, including a marina with boat slip mooring, dockside fuel, boat rental, a gas station/convenience store with a two-bay boat repair facility, and a restaurant/bar; marina parking facilities; parking facilities for winter storage of marine boats and pontoons; and a public boat ramp with parking to be deeded to Burleigh County. Any change in the proposed uses within the PUD from that indicated herein will require an amendment to this PUD.

2. Single-Family Residential Development Standards. Single family residential development shall be located on Lots 2 –81, Block 1 and Lots 2- 37,

Block 3 (115 lots with one dwelling unit per lot); the building corridor shown on the development plan submitted with the application for a PUD shall be eliminated; the minimum front yard setback shall be 40 feet on Burnt Creek Loop, 35 feet on Misty Waters Drive and 25 feet on the other interior roadways; the minimum side yard setback shall be 10 feet with no encroachments (decks, bay windows, etc); the minimum rear yard setback shall be 30 feet; the minimum setback from the ordinary high water mark of the Missouri River shall be 100 feet; the minimum setback from the bay shall be elevation 1640.3 (NAVD88) as delineated by the contour line described in the approved LOMR; the maximum building height shall be 35 feet; walkout basements shall be elevated to a minimum of one foot above the base flood elevation; and the maximum lot coverage shall be 30%. Accessory buildings may be allowed in accordance with the provisions of Section 14-03-06 of the City Code of Ordinances (Incidental Uses) and shall be subject to the same setback requirements as the principal structure. Residential building types shall be substantially similar to those submitted in conjunction with the application for a PUD. Any change to the density or building setbacks that are inconsistent with these standards will require an amendment to this PUD.

3. Multi-family or Two-family Residential Development Standards. Multi-family or two-family residential development shall be located on the northerly 573.16 feet of the easterly 177.91 feet of Lot 2 and all of Lots 82-84, Block 1, and Lots 38-40, Block 3 (three separate parcels with the option of a separate condominium-association for each parcel or a twinhome/townhouse project with mutual easements and obligations for each parcel and with up to ~~five~~ fifteen buildings with no more than two units in each building ~~on each parcel~~); the building corridor shown on the development plan submitted with the application for a PUD shall be eliminated; the minimum front yard setback shall be 35 feet; the minimum side yard setback shall be 15 feet with no encroachments (decks, bay windows, etc); the minimum rear yard setback shall be 30 feet; the minimum setback from the ordinary high water mark of the Missouri River shall be 100 feet; the minimum setback from the bay shall be elevation 1640.3 (NAVD88) as delineated by the contour line described in the approved LOMR; the maximum building height shall be 35 feet; walkout basements shall be elevated to a minimum of one foot above the base flood elevation; and the maximum lot coverage shall be 40%. Accessory buildings may be allowed in accordance with the provisions of Section 14-03-06 of the City Code of Ordinances (Incidental Uses) and shall be subject to the same setback requirements as the principal structure. Residential building types shall be substantially similar to those submitted in conjunction with the application for a PUD. Any change to the density or building setbacks that are inconsistent with these standards will require an amendment to this PUD.

4. Commercial Development Standards. Commercial development shall be located on Lot 2 less the northerly 573.16 feet of the easterly 177.91 feet of Lot 2, Block 1 and shall be limited to water-related commercial uses, including a marina

with boat slip mooring, dockside fuel, boat rental, a gas station/ convenience store, a two-bay boat repair facility, and a restaurant/bar. The minimum front yard setback shall be 40 feet; the minimum side yard setback shall be 20 feet; the minimum rear yard setback shall be 30 feet; the maximum building height shall be 35 feet; and the maximum lot coverage shall be 70%. Commercial building types shall be substantially similar to those submitted in conjunction with the application for a PUD. Parking areas for commercial uses shall be provided in accordance with Section 14-03-10 of the City Code of Ordinances (Off-street Parking and Loading), based on the square footage and uses. Said parking areas shall be hard-surfaced and striped in conjunction with site development and regularly maintained. Concrete perimeter curbing of the parking areas will not be required. Any change to the uses or building setbacks that are inconsistent with these standards will require an amendment to this PUD. Any activities requiring a special use permit, such as gas dispensing/filling station or liquor sales, shall be subject to the requirements of Section 14-03-08 of the City Code of Ordinances (Special Uses). Any liquor sales will also be subject to the standards agreed to by Burleigh County and the developer in conjunction with liquor licensing.

5. Marina Parking Facilities. Marina parking facilities, including parking facilities for winter storage of marine boats and pontoons, shall be located on Lot 1, Block 1, in accordance with Section 14-03-10 of the City Code of Ordinances (Off-street Parking and Loading), based on a ratio of one parking space per 1.5 boat slips. Said parking areas shall be hard-surfaced and striped in conjunction with site development and regularly maintained. Concrete perimeter curbing of the parking areas will not be required. A marina restroom and concession facility may be constructed on Lot 1, and each shall be no larger than 500 square feet in area, no more than one story in height, be architecturally similar to other commercial buildings in the development and be subject to the same development standards as outlined for commercial uses. Any changes to the location of marine parking facilities will require an amendment to this PUD.

6. Public Boat Ramp. A public boat ramp and parking facilities shall be located on Lot 1, Block 4. Said boat ramp and parking facilities shall be developed in accordance with the agreement between the Developer and Burleigh County. Upon conveyance of the property to Burleigh County, the County may construct other complementary facilities, such as restrooms, fish cleaning stations, and picnic shelters.

7. Signage. Development identification signage may be installed on Lot 1, Block 2, in accordance with the requirements of Section 14-03-05(9) of the City Code of Ordinances (Residential Area Identification Signs). Signage for the commercial uses on Lot 2, Block 1, shall be limited to one pylon sign no more than 35 feet in overall height with a face not exceeding 96 square feet, one monument sign with a face not exceeding 48 square feet, and up to two wall signs per building (one facing the marina and one facing the entrance to the commercial

area) in accordance with the provision of Chapter 4-04 of the City Code of Ordinances (Signs and Outdoor Display Structures).

8. Landscaping. Landscaping and buffer yards shall be provided in accordance with Section 14-03-11 of the City Code of Ordinances (Landscaping and Screening). The perimeter parking lot landscaping requirements for the marina parking facilities on Lot 1, Block 1 and the commercial uses on Lot 2 less the northerly 573.16 feet of the easterly 177.91 feet of Lot 2, Block 1 may be modified by the City Forester and/or City Planner to recognize the setting of the development and to incorporate deer and drought-resistant plant materials, provided the overall intent of the landscaping requirements, if not the specific plant quantities, are met.

9. Common Elements. Maintenance of all common elements, including the bay/inlet (Lot 85, Block 1) and open space lots (Lot 1, Block 2 and Lot 1, Block 3), shall be the responsibility of the property owner's association.

10. Lot Modifications. Any subsequent modification of lots shall be subject to the requirements of Section 14-09-02 of the City Code of Ordinances.

11. No-Build Easement. A no-build easement is shown on the face of the plat of Misty Waters over a portion of Lots 1 and 2, Block 1. The intent of this easement is to prohibit construction of structures within this area, as it is part of the Northern Bridge Corridor. The easement reserves the area for the future bridge and related roadways, but does not dedicate the property for this purpose.

12. Changes. This PUD shall only be amended in accordance with Section 14-04-18(4) of the City Code of Ordinances (Planned Unit Developments). Major changes require a public hearing and a majority vote of the Bismarck Planning & Zoning Commission.

Engineering Department

DATE: August 4, 2020

FROM: Gabe Schell, City Engineer

ITEM: 3 Lane Conversion Safety Project Recommended Decisions - HC 125

REQUEST

Receive recommendations for Two-Lane to Three-Lane Conversion project and provide project decisions.

Please place this item on the 8/11/2020 City Commission meeting agenda.

BACKGROUND INFORMATION

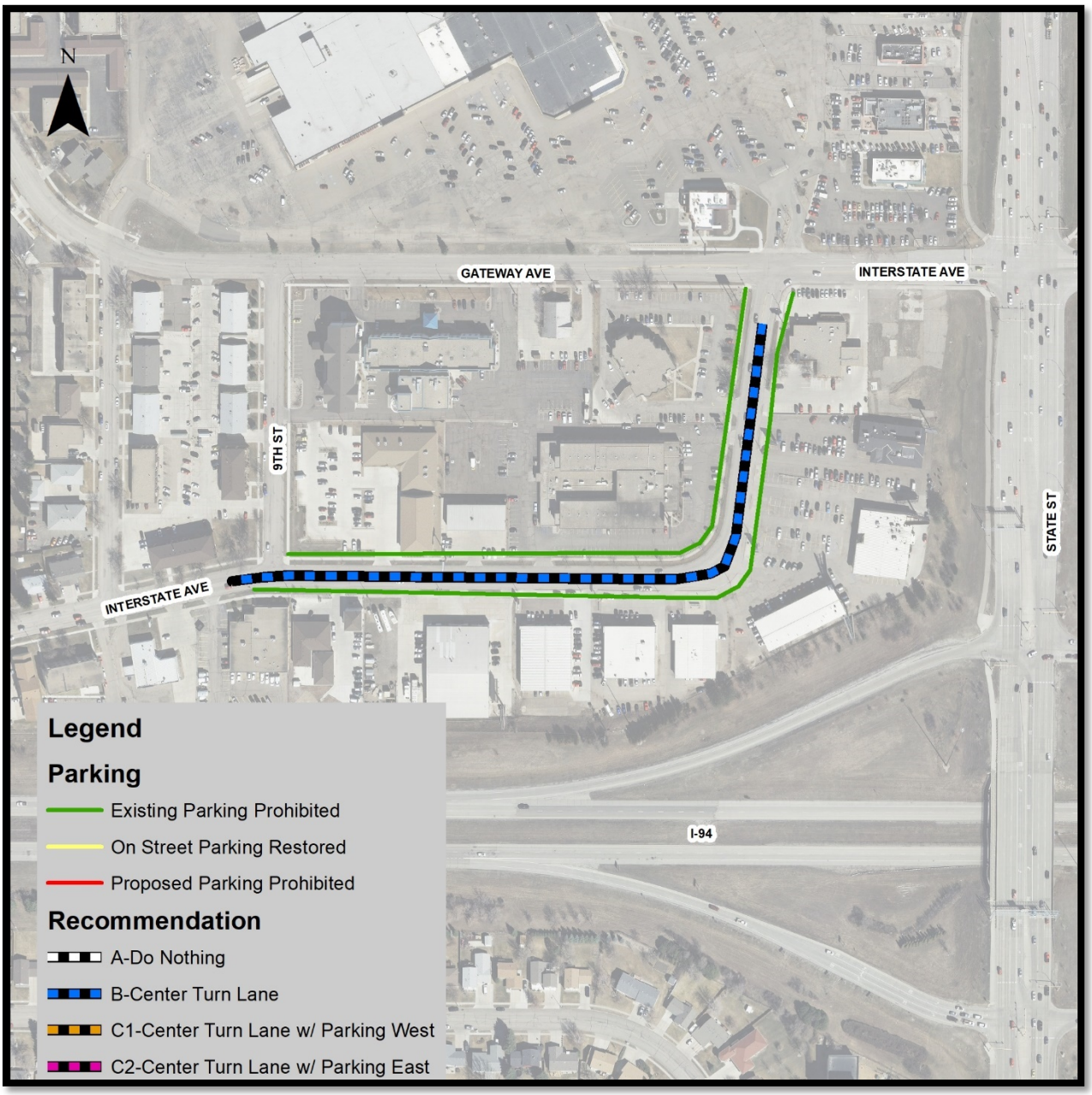
The City of Bismarck is developing a North Dakota Department of Transportation (NDDOT) Highway Safety Improvement Program (HSIP) project (HEU-1-981(115)) to restripe existing two-lane streets into three-lane streets with a center left turn lane. This is a continuation of the HSIP funding that previously converted segments of N 4th Street and N Washington St in 2019. This current project is planned for 2021 implementation. The proposed segments for conversion from existing two-lane roadways to a three-lane roadway section are Interstate Avenue from 9th Street to Gateway Avenue and 26th Street from Broadway Avenue to Boulevard Avenue. Three lane roadways are a proven safety improvement that lowers crash rates associated with rear end and angle type collisions caused in part by the conflict between left-turning vehicles and both the oncoming traffic in the opposite direction as well as trailing traffic behind the left-turning vehicle.

Alternatives considered for this project were:

A. Do nothing
B. Three-lane section with center left turn lane and No Parking
C. Three-lane section with center left turn lane – parking on one side (C1 West Side & C2 East Side)

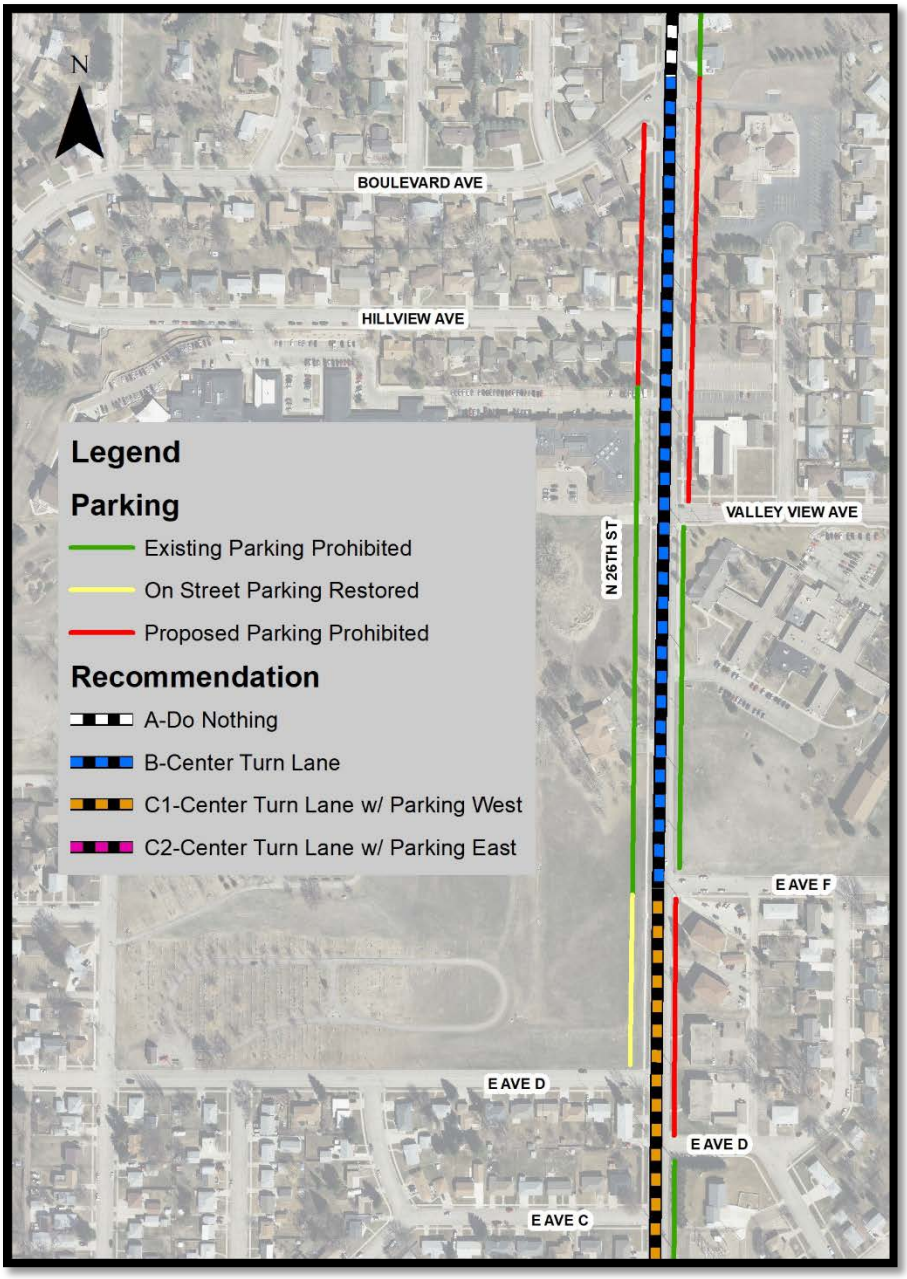
Interstate Ave

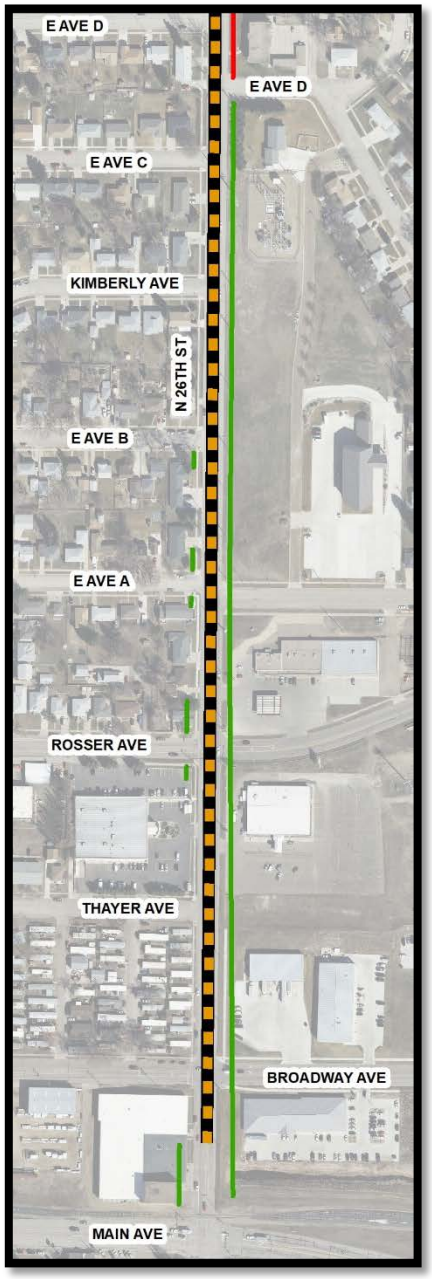
Interstate Avenue currently does not have on-street parking between 9th Street and Gateway Avenue. A three-lane section is recommended for this segment. No changes to on-street parking is recommended. The conversion to a three-lane section would provide opportunity for a left-turning vehicle to slow down and complete its maneuver without impacting the through traffic behind them. It is likely that a trailing vehicle in this location currently overtakes the slower moving or stopped left-turning vehicle. While overtaking on the right is permitted when it can be accomplished in safety, this maneuver could contribute to higher crash rates. I would recommend providing a roadway environment where the maneuver that traffic wants to make, can be made safely and legally in all circumstances.



N 26th Street

N 26th Street carries between 11,500 to 7,500 vehicles per day according to data recorded in 2019. The heavier utilized segments are closer to Main Avenue with traffic volumes decreasing further north closer to E Divide Avenue. There is a mix of on-street parking that is allowed and prohibited on the corridor. It is recommended to incorporate a three-lane section from Broadway Ave to E Avenue D and maintain the on-street parking where it is currently allowed on the west side of the roadway. North of E Ave D, it is recommended to continue the three-lane section to Boulevard Avenue. Members of the public have previously provided un-solicited input regarding the desire for a northbound to westbound left turn lane from 26th Street to Boulevard Avenue.





This recommendation would impact existing on-street parking. It is recommended to remove on-street parking on the east side of 26th Street between E Avenue D and E Avenue F but restore on-street parking on the west side in this same segment. North of Valley View Avenue, parking is recommended to be prohibited on both sides through an area of single-family residential housing and two church properties. Of the six single-family homes potentially affected by the change in on-street parking, three are corner lots with other on-street parking options available. Parking could be allowed on the east side of 26th Street north of Valley View Avenue during the weekends in order to accommodate church services during days of the week where traffic volumes are lower on 26th Street.

If it was the Commission's desire to minimize the removal of on-street parking, the left turn lane could be terminated at Hillview Avenue. It would still require on-street parking removal adjacent to one church property and one corner lot of a single-family house south of Hillview Avenue. However, it would be advisable to carry the left turn lane to Boulevard Avenue in order to provide the turning opportunity at the intersection where more of these movements are occurring.

RECOMMENDED CITY COMMISSION ACTION

Receive project recommendations and approve project concepts as presented.

STAFF CONTACT INFORMATION

Gabe Schell, PE | City Engineer, 355-1505 or gschell@bismarcknd.gov

Finance Department

DATE: August 11, 2020

FROM: Dmitriy Chernyak, Finance Director

ITEM: May 2020 Financial Update

REQUEST

Present the May 2020 results from the City's tax revenue collections

Please place this item on the 8/11/2020 City Commission meeting agenda.

BACKGROUND INFORMATION

Present the City's May 2020 tax revenue collections, trends, and explanations with comparative information to prior years. Update the City Commission on the financial status of the City.

RECOMMENDED CITY COMMISSION ACTION

Accept the May 2020 financial update.

STAFF CONTACT INFORMATION

Dmitriy Chernyak | Finance Director, 355-1600 or dchernyak@bismarcknd.gov

CITY OF BISMARCK

Budget Committee Update

July 28, 2020

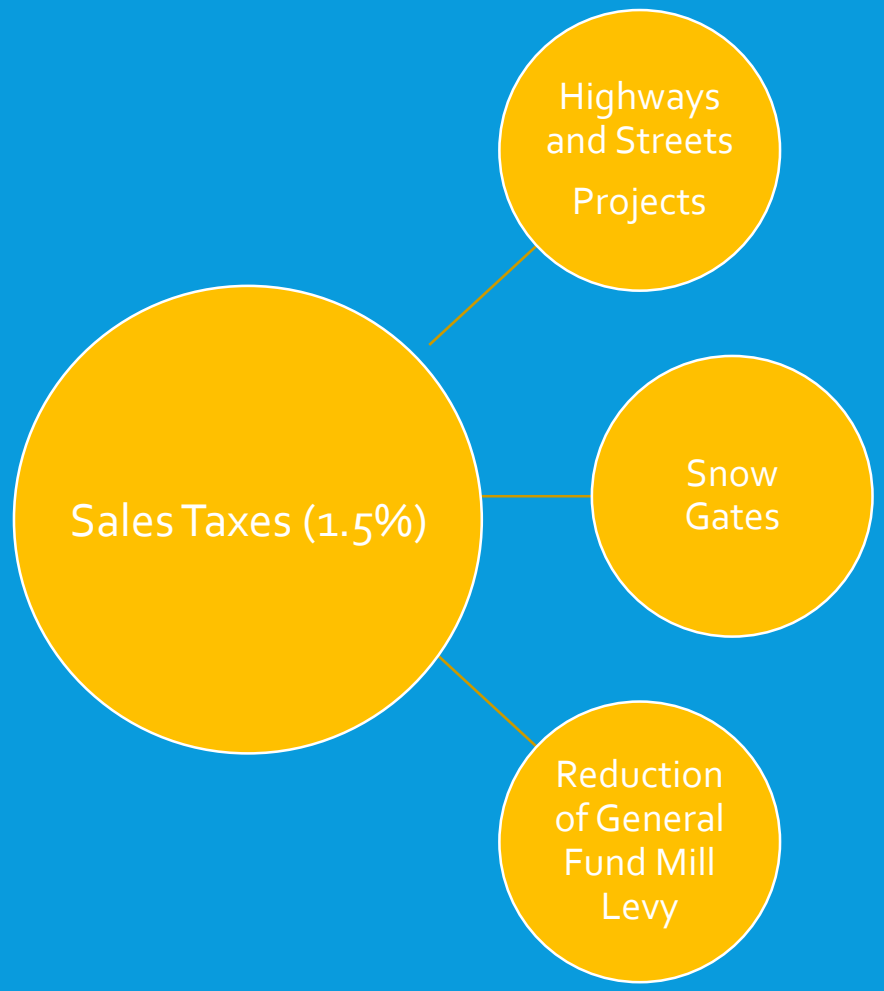
MAY 2020 TAX COLLECTIONS

The City has received certain taxes for May 2020 remitted through the State of North Dakota

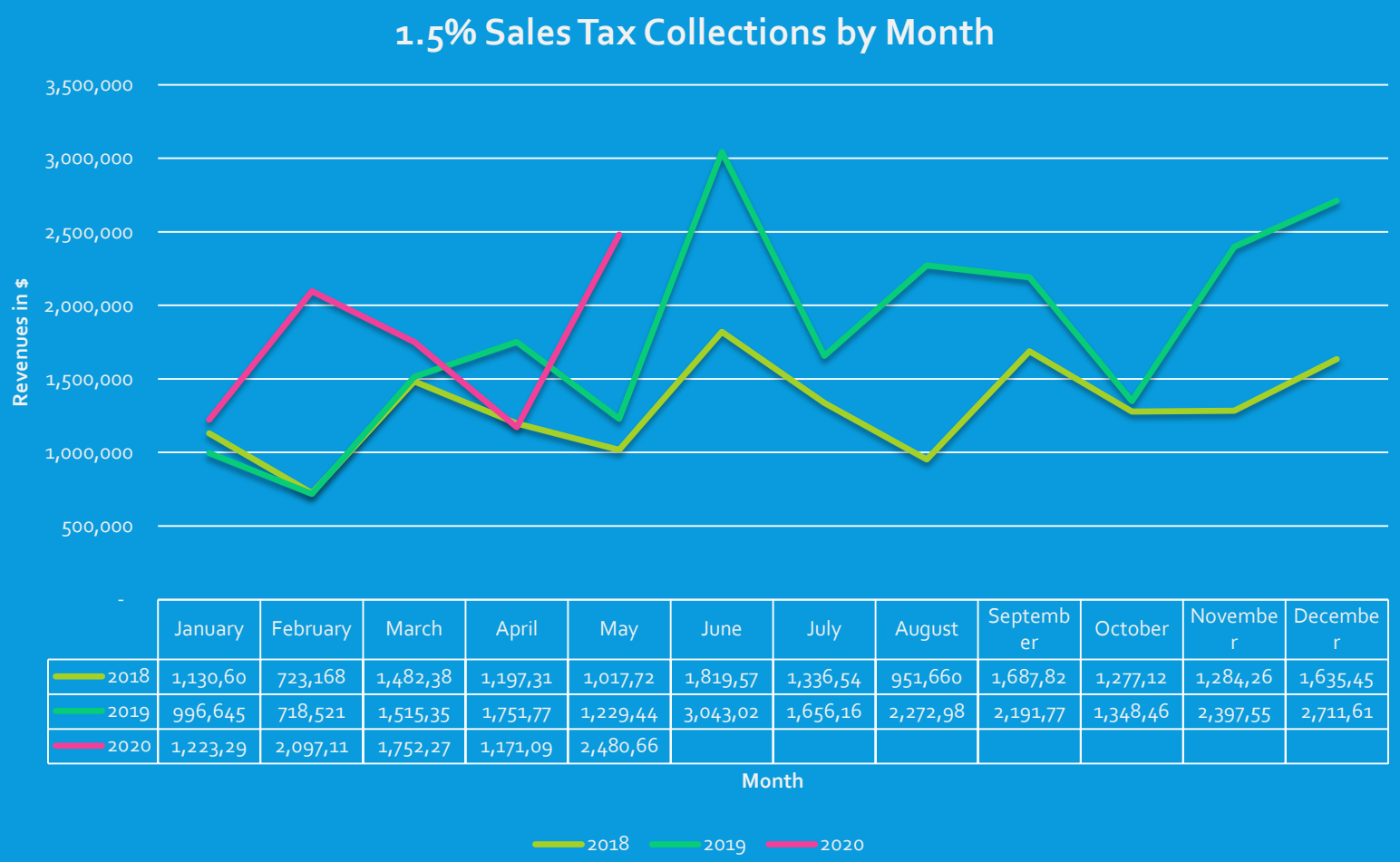
TAXES RECEIVED FROM THE STATE OF NORTH DAKOTA

- State of North Dakota collects certain taxes on the City's behalf
- Remitted monthly to the City with a two-month lag
- City imposes the following taxes (other than property taxes):
  - 1.5% Sales Tax
  - 2% Lodging Tax
  - 1% Lodging, Liquor, and Restaurant Tax
  - 1% Car Rental Tax
- State imposes and distributes the following revenues to the City:
  - Highway Tax
  - State Aid (remitted quarterly)

SALES TAX OVERVIEW



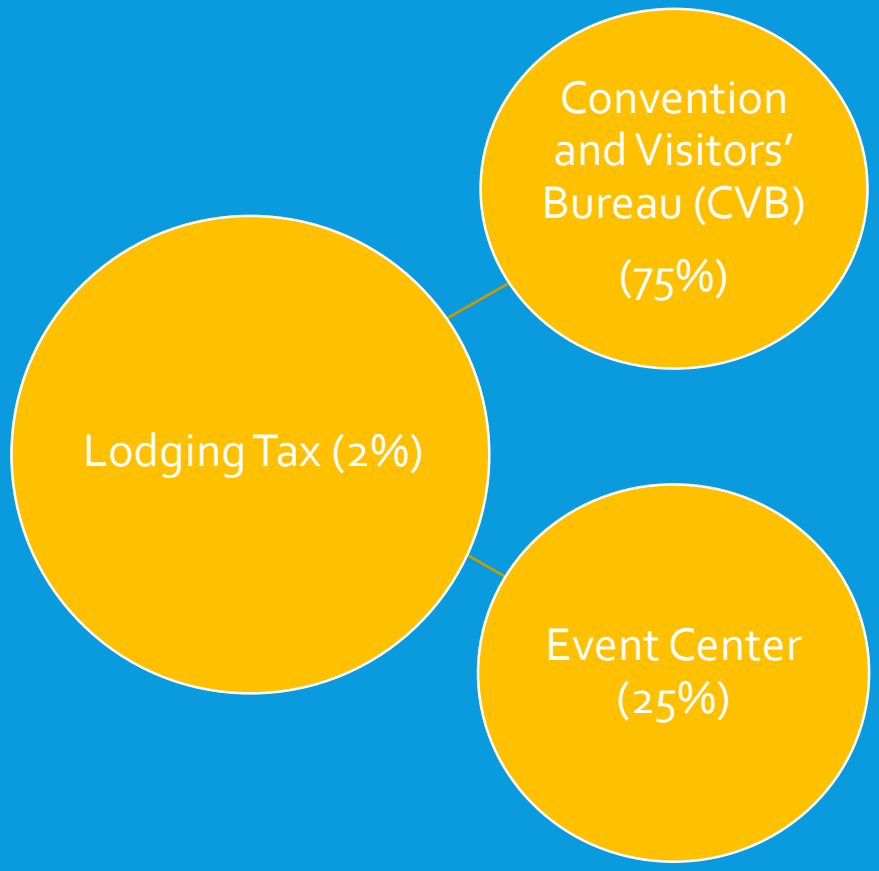
SALES TAX OVERVIEW



	January	February	March	April	May	June	July	August	Septemb er	October	Novembe r	Decembe r
2018	1,130,60	723,168	1,482,38	1,197,31	1,017,72	1,819,57	1,336,54	951,660	1,687,82	1,277,12	1,284,26	1,635,45
2019	996,645	718,521	1,515,35	1,751,77	1,229,44	3,043,02	1,656,16	2,272,98	2,191,77	1,348,46	2,397,55	2,711,61
2020	1,223,29	2,097,11	1,752,27	1,171,09	2,480,66							

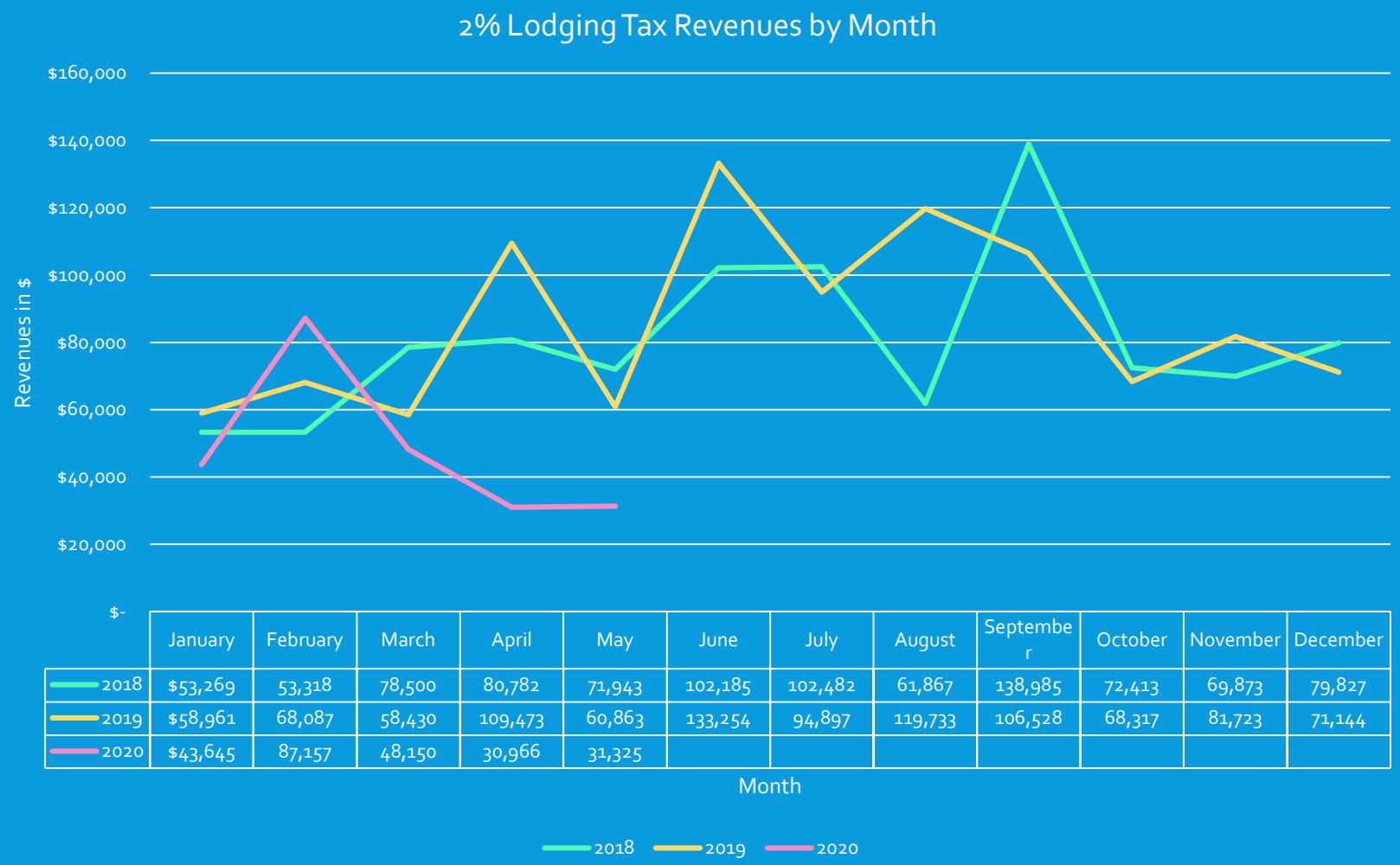
- Used for highway and construction projects, snow gates, and mill levy reduction in the General Fund
- Graph: Includes 0.5% sales tax (approved by voters in 2018) began collections in April 2019
- Increased by 102% from prior year due to lag in April 2020 collections and increase in sales in May 2020
- Peak months for the economy are:
  - May – September
  - November – December
- June 2020 should be slightly lower due to inflated sales from lag

LODGING TAX (2%) OVERVIEW



MONTH	2019	2020	$ Change	% Change
January	$ 58,961	$ 43,645	$ (15,316)	-26%
February	68,087	87,157	19,070	28%
March	58,430	48,150	(10,281)	-18%
April	109,473	30,966	(78,507)	-72%
May	60,863	31,325	(29,538)	-49%

LODGING TAX (2%) ANALYSIS

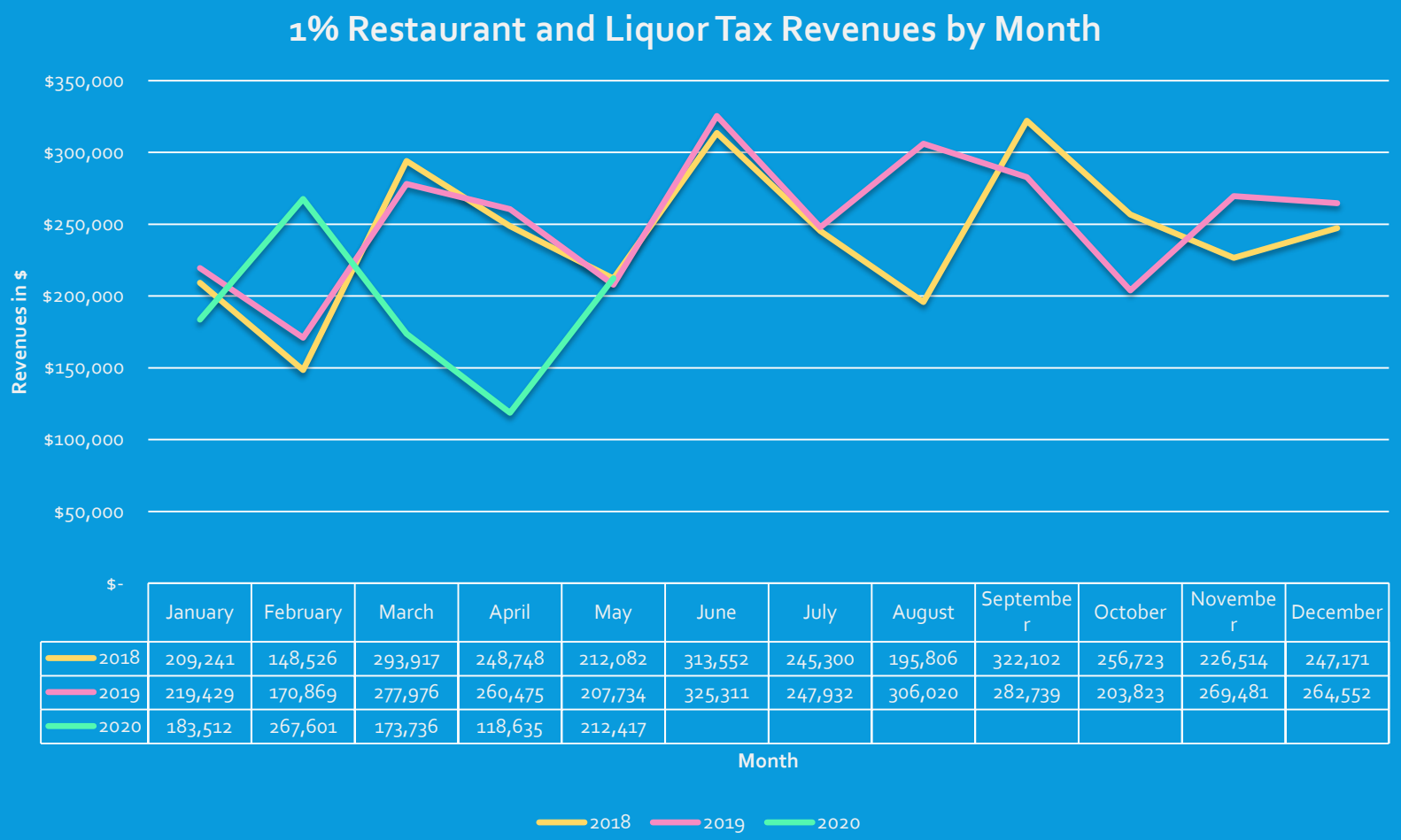


	January	February	March	April	May	June	July	August	Septembe r	October	November	December
2018	$53,269	53,318	78,500	80,782	71,943	102,185	102,482	61,867	138,985	72,413	69,873	79,827
2019	$58,961	68,087	58,430	109,473	60,863	133,254	94,897	119,733	106,528	68,317	81,723	71,144
2020	$43,645	87,157	48,150	30,966	31,325							

- February 2020 vs February 2019 sales increased 22%
- March 2020 vs March 2019 decreased by 22%
- April 2020 vs April 2019 decreased by 72%
- May 2020 vs May 2019 decreased by 49%
- Lodging occupancy has increased slightly, better than City's estimates
- Anticipate that this tax will take months to recover
- June 2020 estimated to continue increasing but still recovering
- Future months will show recovery results

LODGING, LIQUOR, AND RESTAURANT TAX (1%)

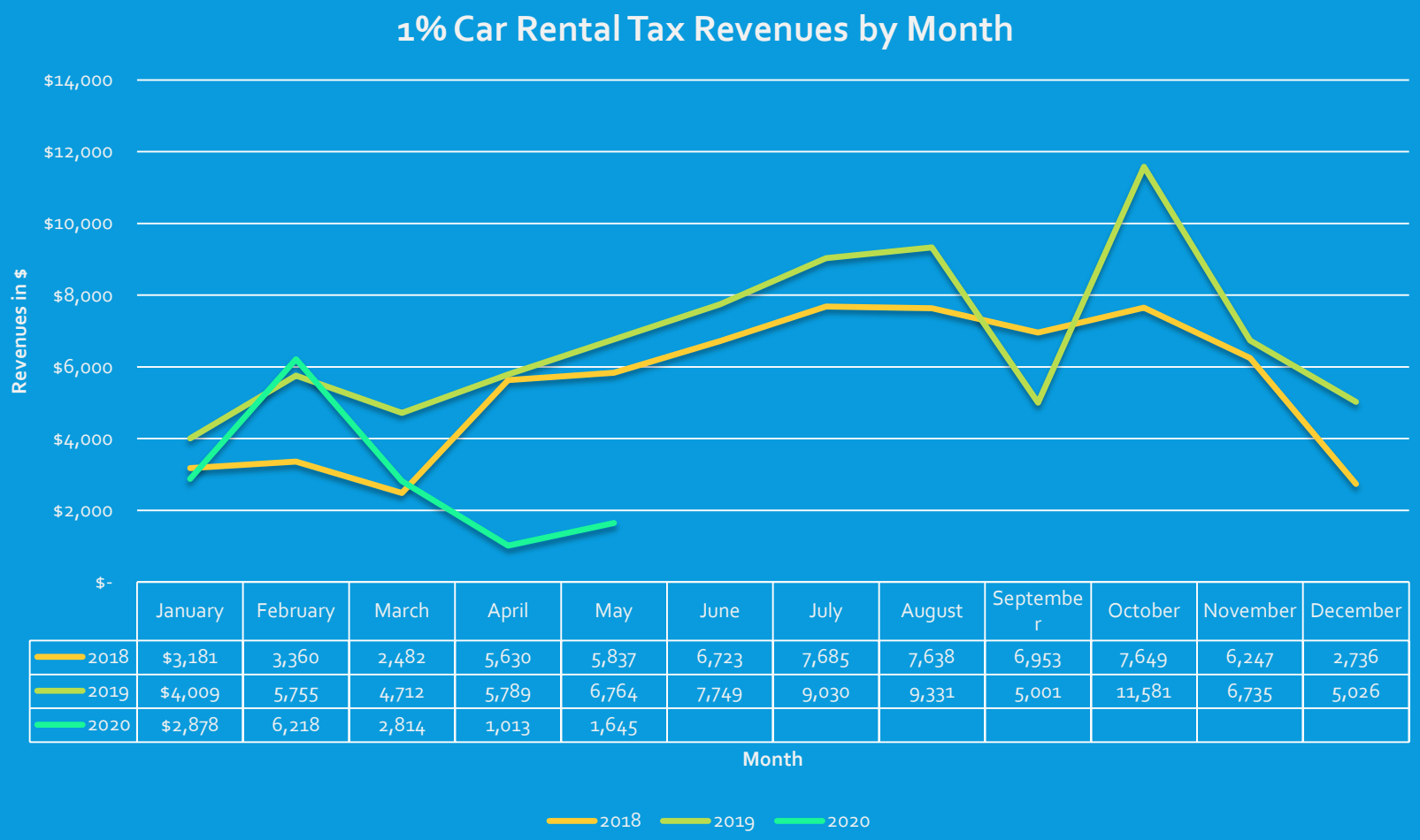
- Used for promotion capital construction per State Statutes
- Primarily used for debt service and capital assets for the Event Center Fund
- March 2020 showed an INCREASE of 2% in revenues compared to April 2019
- Consistent with City expectations
- June 2020 should show a continued increase and recovery



	January	February	March	April	May	June	July	August	September	October	November	December
2018	209,241	148,526	293,917	248,748	212,082	313,552	245,300	195,806	322,102	256,723	226,514	247,171
2019	219,429	170,869	277,976	260,475	207,734	325,311	247,932	306,020	282,739	203,823	269,481	264,552
2020	183,512	267,601	173,736	118,635	212,417							

CAR RENTAL TAX (1%)

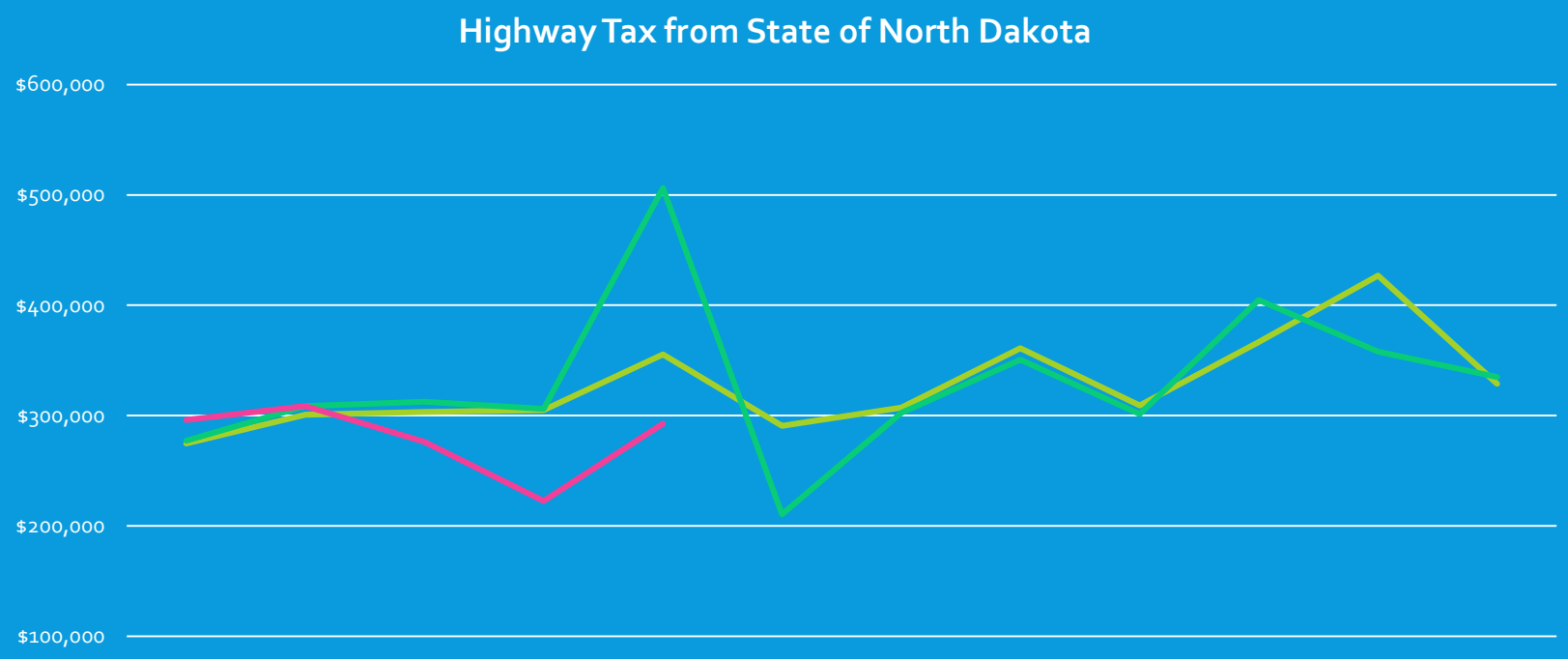
- Distributed to Airport and Event Center for operations
- May continued the decline in revenues as expected compared to prior years
- 76% decline in May 2020 revenues due to full month of COVID-19 compared to prior year
- Consistent with our estimate
- June 2020 should see a slight increase compared to April and May 2020
- Future months will show recovery results



	January	February	March	April	May	June	July	August	September	October	November	December
2018	$3,181	3,360	2,482	5,630	5,837	6,723	7,685	7,638	6,953	7,649	6,247	2,736
2019	$4,009	5,755	4,712	5,789	6,764	7,749	9,030	9,331	5,001	11,581	6,735	5,026
2020	$2,878	6,218	2,814	1,013	1,645							

HIGHWAY TAX DISTRIBUTION FROM STATE OF NORTH DAKOTA

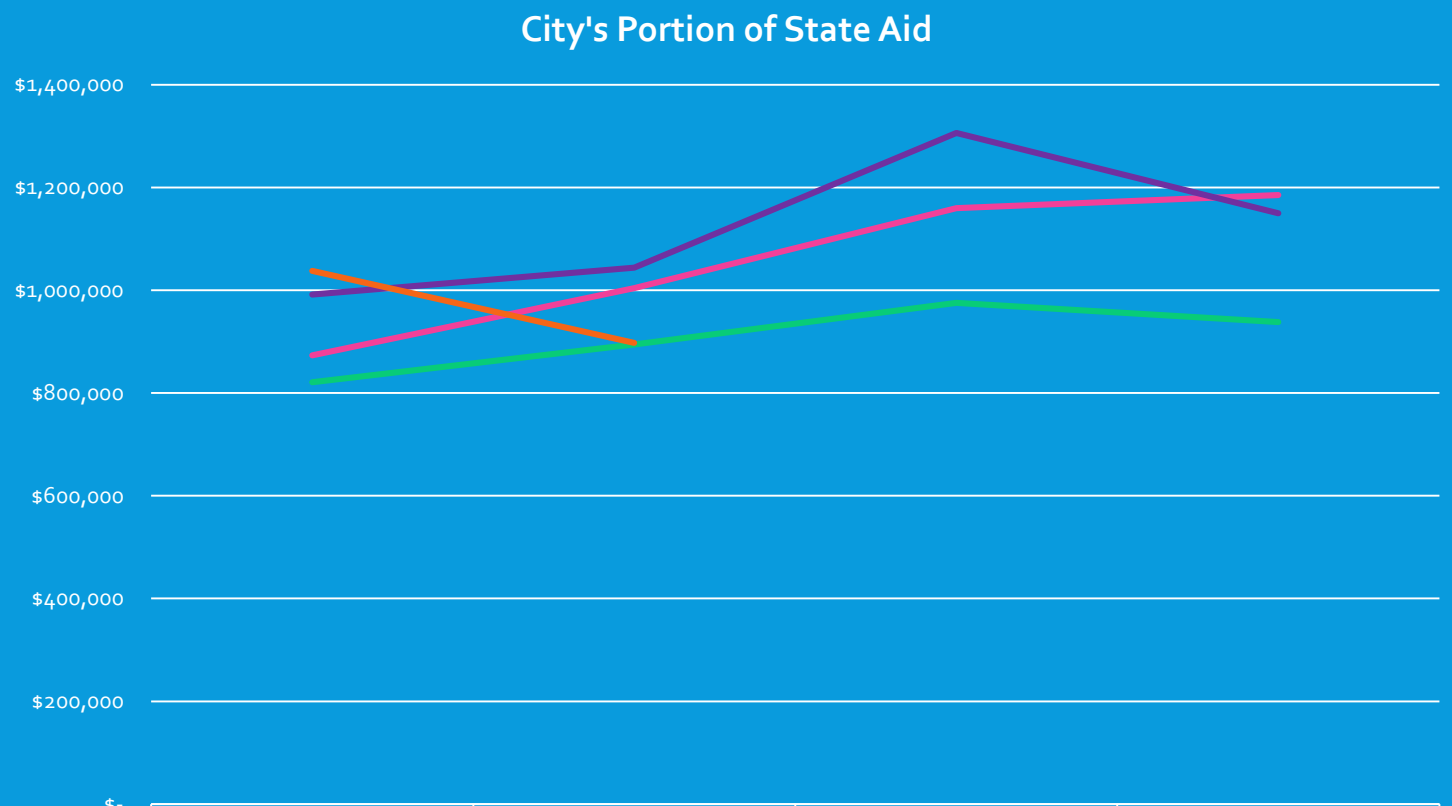
- Imposed and distributed by the State of North Dakota
- City uses for road / street repairs and forestry and weeds activities
- Highway tax was already declining over the past few years and significantly impacts Roads and Streets Department
- May 2020 shows a 42% decline in revenues from May 2019 due to the full month of COVID-19, but May 2019 was an anomaly
- General Fund regularly provides financial assistance to the Roads and Streets Fund
- Better than anticipated
- Future months will show recovery results



	January	February	March	April	May	June	July	August	September	October	November	December
2018	$274,626	$300,638	$303,252	$305,065	$355,447	$290,773	$307,185	$361,009	$309,176	$366,720	$426,949	$328,778
2019	$277,177	$308,703	$312,484	$306,068	$506,154	$210,603	$302,476	$350,658	$301,285	$404,775	$357,936	$335,061
2020	$295,872	$308,670	$276,028	$222,528	$292,646							

STATE AID DISTRIBUTION

- Distributed by the State of North Dakota on a quarterly basis (next distribution to City is July 2020)
- Distributed to the City's General Fund, Bismarck Veterans' Library, and Bismarck Parks and Recreation District operations to supplement property tax
- This revenue is a distribution based on sales in the State of North Dakota per capita
- Anticipate a decline primarily due to decline in oil prices and COVID-19
- City projects a 25% decline for fiscal year 2020
- Future months will show recovery results



	January - March	April - June	July - September	October - December
2017	$820,765	$894,269	$975,418	$938,200
2018	$873,405	$1,004,140	$1,160,088	$1,185,135
2019	$991,666	$1,043,987	$1,305,884	$1,149,631
2020	$1,037,439	$897,777		

RESULTS SUMMARY

- June 2020 results will be known in middle of August 2020 (next month)
  - Will show the partially-recovered economy and add consistency to May 2020 collections
- Q3 2020 State Aid results will be known in October 2020
- July 2020 results will be know in middle of September 2020

QUESTIONS?

Public Works Utility Operations Department

DATE: August 4, 2020

FROM: Michelle Klose, Utility Operations Director

ITEM: Wastewater Treatment Plant Facility Plan

REQUEST

Review of Wastewater Treatment Plant Facility Plan as part of requirements for the State Revolving Fund Loan funding.

Please place this item on the 8/11/2020 City Commission meeting consent agenda.

BACKGROUND INFORMATION

The City of Bismarck Wastewater Treatment Plant proposes a Facility Plan that includes the addition of solids dewatering of the digested sludge and new effluent disinfection facilities. The facility plan project is estimated at $8.8 million. The City has received a $5 million loan, and the review of the Facility Plan during this public meeting is a requirement of the funding.

RECOMMENDED CITY COMMISSION ACTION

Review the wastewater treatment plant facility plan during the Commission's public meeting as part of the requirements for the State Revolving Loan funding.

STAFF CONTACT INFORMATION: Michelle Klose, PE | Utility Operations Director, 355-1700 or mklose@bismarcknd.gov.

August 11, 2020

David Bruschwein, PE
Director of Municipal Facilities
North Dakota Department of Environmental Quality
918 E Divide Ave
Bismarck, ND 58501-1947

Copy: Evan Wahl
Environmental Engineer, Division of Municipal Facilities
North Dakota Department of Environmental Quality

RE: City of Bismarck Wastewater Treatment Plant Facility Plan 2020

Mr. Bruschwein,

HDR Engineering, along with The City of Bismarck, is proposing a Facility Plan for the City of Bismarck Wastewater Treatment Plant (WWTP) through the use of the North Dakota State Revolving Fund. The Facility Plan includes solids dewatering and effluent disinfection improvements.

The proposed project at the Bismarck WWTP includes the addition of solids dewatering of the digested sludge and new effluent disinfection facilities. Currently, the facility stores the digested sludge in above ground storage tanks and then it is land applied as a liquid when climate and crop activities allow. The 20-year planning level indicates a projected 47+% increase in biosolids over that period. This increased projection of biosolids and the weather (wet spring and fall) combined with changing farming practices have shortened the application period available in the Bismarck area. This has led to a proposed recommendation to dewater the biosolids generated at the WWTP.

The existing effluent disinfection system achieves disinfection of the wastewater effluent using gaseous chlorine supplied in one-ton cylinders. The current configuration of the chlorine contact tank alone is not sufficient to provide consistent deactivation of the pathogenic organisms prior to exiting the contact tank and has resulted in difficulty in complying with the effluent coliform limits. For this reason, the facility feeds chlorine ahead of the final clarifiers to provide additional contact time. Adding at this location imparts a higher chlorine demand and also impacts the settability in the final clarifiers. Following disinfection, any residual chlorine is removed (dechlorinated) using gaseous sulfur dioxide supplied in 150 pound cylinders prior to discharge to the Missouri River. The chlorine is stored and fed from a room in the Administration Building

and is not compliant with existing code requirements, is spatially limited and poses a potential safety issue for the staff using the Administration Building. The sulfur dioxide cylinders that are connected to the feed system are housed in a flammable storage cabinet located outside, along the south wall of the Administration Building. Additional cylinders are stored outside along the south building wall which is not a desirable setup. For these reasons improvements to the disinfection system are proposed.

The enclosed Facility Plan discusses the following: 1) background data used for the analysis, which includes regulatory, public health, environmental and safety issues, 2) analysis of alternatives, 3) selected alternatives, which includes the proposed project costs and funding, project schedule, and environmental impacts of the project, and 4) public participation.

The project area is entirely within the parcel of land owned by the City of Bismarck, designated for the WWTP, and will be in the 100-year floodplain associated with the Missouri River. There are no anticipated negative impacts on current land use, noise levels, public services, recreational areas, air quality, farmlands, floodplains, wetlands, waterways, water quality, archaeological sites or historic structures. The completed project is not expected to be impacted by regulated materials in the project area. The completed project may affect, but is not likely to adversely affect, the northern long-eared bat and the whooping crane.

Several alternatives were considered for both the dewatering and disinfection improvements. The alternatives were selected based on both monetary and non-monetary considerations. The monetary considerations included the startup costs of the project and the annual operation and maintenance (O&M) costs. The non-monetary considerations included whether the current plant had the space for the project to provide redundancy to 40 years, capacity (function of capacity and operations) and odor potential.

The dewatering improvements proposed include the addition of a screw press sludge dewatering unit with sludge feed pumps, two pumped digester mixing systems, a Dumpster-Veyor system for load out of the dewatered sludge, a sludge storage pad and HVAC improvements. These improvements will be installed into existing structures which will require some modifications to accommodate the new equipment.

The effluent disinfection improvements include the construction of a new Disinfection Building to house the disinfection chemicals and feed equipment. The disinfection technology will continue to be chlorination for disinfection, followed by dechlorination prior to discharge to the receiving stream. The chemicals used for that purpose are changing from gaseous chlorine in one-ton cylinders and gaseous sulfur dioxide in 150 pound cylinders to bulk delivered sodium hypochlorite (approximately 12.5% strength) and mini-bulk delivered sodium bisulfite (approximately 40% strength).These chemicals will be fed to the chlorine contact basin using peristaltic chemical feed pumps. Improvements will also be made to the existing chlorine contact basin to improve the detention time and flow characteristics. Additionally, improvements will be made to the chlorine contact basin to raise the operating water level, including adding baffles,

both of which will increase the effective contact time of the basin significantly and reduce the potential for short circuiting of the flow in the basin.

A solicitation of views for environmental impacts from this project was sent on May 4, 2020 to seven federal and state agencies. See the attached solicitation letter and attachments. HDR received comments from several agencies See the responses received from the NRCS, ND Game and Fish, USACE, NDDEQ, ND State Historic Preservation Office, NDSWC and USFWS.

The City of Bismarck City Commission's regular meeting on August 11, 2020 will discuss the Facility Plan.

If you have any questions regarding the Wastewater Treatment Plant Facility Plan, please contact DelRon Peters of HDR at 605-977-7745 or DelRon.Peters@hdrinc.com.

Sincerely,

DelRon Peters, PE
HDR Engineering

Enclosures: Appendices A-D

Appendix A

Environmental Impact – Solicitation of Views

May 4, 2020

Steve Dyke
ND Game and Fish Department
100 Bismarck Expressway
Bismarck, ND 58501-5095

RE: Compliance with Authorities to obtain a State Revolving Fund Loan for the City of Bismarck Wastewater Treatment Facility

Mr. Dyke,

The City of Bismarck, ND (the City) is developing a Facility Plan for constructing improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities. The Facility Plan is necessary to secure a loan from the State Revolving Fund (SRF). The solids dewatering improvements will be installed into an existing structure which will require some modifications to accommodate the new equipment. The effluent disinfection improvements includes the construction of a new Disinfection Building to house the disinfection chemicals and feed equipment. This new structure will be constructed on the existing WWTF site in a turfed area that has previously been disturbed. Tree removal may occur during construction. This building will have a footprint of just under 1,700 SF, is a single story slab on grade construction with utilizing precast concrete panels for the exterior. Upon completion of the new disinfection facilities the existing disinfection chemical storage and feed equipment located in the Administration Building will be removed.

The Project Area includes the wastewater treatment facility and planned construction. The City has developed a Facility Plan for the Project in pursuance of receiving SRF.

We are contacting you to verify this project will comply with applicable authorities under your agency's jurisdiction. Upon reviewing this project with respect to your agency's concerns, please provide a response to me at either Tina.Fricke@hdrinc.com or at the mailing address at the bottom of this letter. Please respond by June 1, 2020 as your response is a necessary component of the environmental review.

If you need additional information or clarification, please contact me at 701.557.9721. Thank you for your attention to this matter.

Respectfully,
HDR Engineering, Inc.

Tina Fricke Robinson

Tina Fricke Robinson
Senior Environmental Project Manager

Encl.: Project area map for City of Bismarck's Wastewater Treatment Facility, Profile sheet of pipe

May 4, 2020

Claudia Berg
ND State Historic Preservation Officer
ND Heritage Center
612 E Boulevard Avenue
Bismarck, ND 58505-0830

RE: Compliance with Authorities to obtain a State Revolving Fund Loan for the City of Bismarck Wastewater Treatment Facility

Ms. Berg,

The City of Bismarck, ND (the City) is developing a Facility Plan for constructing improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities. The Facility Plan is necessary to secure a loan from the State Revolving Fund (SRF). The solids dewatering improvements will be installed into an existing structure which will require some modifications to accommodate the new equipment. The effluent disinfection improvements includes the construction of a new Disinfection Building to house the disinfection chemicals and feed equipment. This new structure will be constructed on the existing WWTF site in a turfed area that has previously been disturbed. Tree removal may occur during construction. This building will have a footprint of just under 1,700 SF, is a single story slab on grade construction with utilizing precast concrete panels for the exterior. Upon completion of the new disinfection facilities the existing disinfection chemical storage and feed equipment located in the Administration Building will be removed.

The Project Area includes the wastewater treatment facility and planned construction. The City has developed a Facility Plan for the Project in pursuance of receiving SRF.

We are contacting you to verify this project will comply with applicable authorities under your agency's jurisdiction. Upon reviewing this project with respect to your agency's concerns, please provide a response to me at either Tina.Fricke@hdrinc.com or at the mailing address at the bottom of this letter. Please respond by June 1, 2020 as your response is a necessary component of the environmental review.

If you need additional information or clarification, please contact me at 701.557.9721. Thank you for your attention to this matter.

Respectfully,
HDR Engineering, Inc.

Tina Fricke Robinson

Tina Fricke Robinson
Senior Environmental Project Manager

Encl.: Project area map for City of Bismarck's Wastewater Treatment Facility, Profile sheet of pipe

May 4, 2020

John Paczkowski
ND State Water Commission
900 E. Blvd. Ave
Bismarck, ND 58505-0850

RE: Compliance with Authorities to obtain a State Revolving Fund Loan for the City of Bismarck Wastewater Treatment Facility

Mr. Paczkowski,

The City of Bismarck, ND (the City) is developing a Facility Plan for constructing improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities. The Facility Plan is necessary to secure a loan from the State Revolving Fund (SRF). The solids dewatering improvements will be installed into an existing structure which will require some modifications to accommodate the new equipment. The effluent disinfection improvements includes the construction of a new Disinfection Building to house the disinfection chemicals and feed equipment. This new structure will be constructed on the existing WWTF site in a turfed area that has previously been disturbed. Tree removal may occur during construction. This building will have a footprint of just under 1,700 SF, is a single story slab on grade construction with utilizing precast concrete panels for the exterior. Upon completion of the new disinfection facilities the existing disinfection chemical storage and feed equipment located in the Administration Building will be removed.

The Project Area includes the wastewater treatment facility and planned construction. The City has developed a Facility Plan for the Project in pursuance of receiving SRF.

We are contacting you to verify this project will comply with applicable authorities under your agency's jurisdiction. Upon reviewing this project with respect to your agency's concerns, please provide a response to me at either Tina.Fricke@hdrinc.com or at the mailing address at the bottom of this letter. Please respond by June 1, 2020 as your response is a necessary component of the environmental review.

If you need additional information or clarification, please contact me at 701.557.9721. Thank you for your attention to this matter.

Respectfully,
HDR Engineering, Inc.

Tina Fricke Robinson

Tina Fricke Robinson
Senior Environmental Project Manager

Encl.: Project area map for City of Bismarck's Wastewater Treatment Facility, Profile sheet of pipe

May 4, 2020

Mary Podoll
US Department of Agriculture – NRCS
PO Box 1458
Bismarck, ND 58502-1458

RE: Compliance with Authorities to obtain a State Revolving Fund Loan for the City of Bismarck Wastewater Treatment Facility

Ms. Podoll,

The City of Bismarck, ND (the City) is developing a Facility Plan for constructing improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities. The Facility Plan is necessary to secure a loan from the State Revolving Fund (SRF). The solids dewatering improvements will be installed into an existing structure which will require some modifications to accommodate the new equipment. The effluent disinfection improvements includes the construction of a new Disinfection Building to house the disinfection chemicals and feed equipment. This new structure will be constructed on the existing WWTF site in a turfed area that has previously been disturbed. Tree removal may occur during construction. This building will have a footprint of just under 1,700 SF, is a single story slab on grade construction with utilizing precast concrete panels for the exterior. Upon completion of the new disinfection facilities the existing disinfection chemical storage and feed equipment located in the Administration Building will be removed.

The Project Area includes the wastewater treatment facility and planned construction. The City has developed a Facility Plan for the Project in pursuance of receiving SRF.

We are contacting you to verify this project will comply with applicable authorities under your agency's jurisdiction. Upon reviewing this project with respect to your agency's concerns, please provide a response to me at either Tina.Fricke@hdrinc.com or at the mailing address at the bottom of this letter. Please respond by June 1, 2020 as your response is a necessary component of the environmental review.

If you need additional information or clarification, please contact me at 701.557.9721. Thank you for your attention to this matter.

Respectfully,
HDR Engineering, Inc.

Tina Fricke Robinson
Senior Environmental Project Manager

hdrinc.com

3231 Greensboro Drive Suite 200 Bismarck, ND 58503-5413
(701) 557-9701

Encl.: Project area map for City of Bismarck's Wastewater Treatment Facility, Profile sheet of pipe

May 4, 2020

Patricia McQueary
US Army Corps of Engineers
3319 University Drive
Bismarck, ND 58504

RE: Compliance with Authorities to obtain a State Revolving Fund Loan for the City of Bismarck Wastewater Treatment Facility

Ms. McQueary,

The City of Bismarck, ND (the City) is developing a Facility Plan for constructing improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities. The Facility Plan is necessary to secure a loan from the State Revolving Fund (SRF). The solids dewatering improvements will be installed into an existing structure which will require some modifications to accommodate the new equipment. The effluent disinfection improvements includes the construction of a new Disinfection Building to house the disinfection chemicals and feed equipment. This new structure will be constructed on the existing WWTF site in a turfed area that has previously been disturbed. Tree removal may occur during construction. This building will have a footprint of just under 1,700 SF, is a single story slab on grade construction with utilizing precast concrete panels for the exterior. Upon completion of the new disinfection facilities the existing disinfection chemical storage and feed equipment located in the Administration Building will be removed.

The Project Area includes the wastewater treatment facility and planned construction. The City has developed a Facility Plan for the Project in pursuance of receiving SRF.

We are contacting you to verify this project will comply with applicable authorities under your agency's jurisdiction. Upon reviewing this project with respect to your agency's concerns, please provide a response to me at either Tina.Fricke@hdrinc.com or at the mailing address at the bottom of this letter. Please respond by June 1, 2020 as your response is a necessary component of the environmental review.

If you need additional information or clarification, please contact me at 701.557.9721. Thank you for your attention to this matter.

Respectfully,
HDR Engineering, Inc.

Tina Fricke Robinson

Tina Fricke Robinson
Senior Environmental Project Manager

Encl.: Project area map for City of Bismarck's Wastewater Treatment Facility, Profile sheet of pipe

May 4, 2020

Drew Becker
ND Ecological Services Supervisor
US Fish and Wildlife Service
3425 Miriam Ave
Bismarck, ND 58501

RE: Compliance with Authorities to obtain a State Revolving Fund Loan for the City of Bismarck Wastewater Treatment Facility

Mr. Becker,

The City of Bismarck, ND (the City) is developing a Facility Plan for constructing improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities. The Facility Plan is necessary to secure a loan from the State Revolving Fund (SRF). The solids dewatering improvements will be installed into an existing structure which will require some modifications to accommodate the new equipment. The effluent disinfection improvements includes the construction of a new Disinfection Building to house the disinfection chemicals and feed equipment. This new structure will be constructed on the existing WWTF site in a turfed area that has previously been disturbed. Tree removal may occur during construction. This building will have a footprint of just under 1,700 SF, is a single story slab on grade construction with utilizing precast concrete panels for the exterior. Upon completion of the new disinfection facilities the existing disinfection chemical storage and feed equipment located in the Administration Building will be removed.

The Project Area includes the wastewater treatment facility and planned construction. The City has developed a Facility Plan for the Project in pursuance of receiving SRF.

We requested an official species list on IPaC. The official species list indicated that four federally listed threatened or endangered species may be present in the Project Area.

Species	**Status**	**Anticipated Effect**	**Comments**
Northern Long-eared Bat (*Myotis septentrionalis*)	Threatened	May Affect, Not Likely to Adversely Affect	Should any tree removal be necessary, we understand the 4(d) rule would apply
Piping Plover (Charadrius melodus)	Threatened	No Effect	Habitat not present
Red Knot (*Calidris canutus rufa*)	Threatened	No Effect	Habitat not present
Whooping Crane *(Grus Americana)*	Endangered	May Affect, Not Likely to Adversely Affect	Marginal habitat present

Pallid Sturgeon (*Scaphirhynchus albus)*	Endangered	No Effect	Habitat not present

We are contacting you to verify this project will comply with applicable authorities under your agency's jurisdiction. Upon reviewing this project with respect to your agency's concerns, please provide a response to me at either Tina.Fricke@hdrinc.com or at the mailing address at the bottom of this letter. Please respond by June 1, 2020 as your response is a necessary component of the environmental review.

If you need additional information or clarification, please contact me at 701.557.9721. Thank you for your attention to this matter.

Respectfully,
HDR Engineering, Inc.

Tina Fricke Robinson
Senior Environmental Project Manager

Encl.: Project area map for City of Bismarck's Wastewater Treatment Facility, Profile sheet of pipe

United States Department of the Interior

FISH AND WILDLIFE SERVICE
North Dakota Ecological Services Field Office
3425 Miriam Avenue
Bismarck, ND 58501-7926
Phone: (701) 250-4481 Fax: (701) 355-8513
http://www.fws.gov/northdakotafieldoffice/endspecies/endangered_species.htm

In Reply Refer To: April 30, 2020
Consultation Code: 06E15000-2020-SLI-0270
Event Code: 06E15000-2020-E-01000
Project Name: Bismarck WWTP

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

North Dakota Ecological Services Field Office
3425 Miriam Avenue
Bismarck, ND 58501-7926
(701) 250-4481

Project Summary

Consultation Code: 06E15000-2020-SLI-0270

Event Code: 06E15000-2020-E-01000

Project Name: Bismarck WWTP

Project Type: WASTEWATER FACILITY

Project Description: A facility plan occurring in Bismarck, ND.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/46.77196029763817N100.80548521405245W

Counties: Burleigh, ND

Endangered Species Act Species

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

---

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Birds

NAME	STATUS
Least Tern *Sterna antillarum* Population: interior pop. No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8505	Endangered
Piping Plover *Charadrius melodus* Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Red Knot *Calidris canutus rufa* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened
Whooping Crane *Grus americana* Population: Wherever found, except where listed as an experimental population There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/758	Endangered

Fishes

NAME	STATUS
Pallid Sturgeon *Scaphirhynchus albus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7162	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

May 4, 2020

David Glatt
ND Department of Environmental Quality
918 E. Divide Ave, 4th Floor
Bismarck, ND 58501-1947

RE: Compliance with Authorities to obtain a State Revolving Fund Loan for the City of Bismarck Wastewater Treatment Facility

Mr. Glatt,

The City of Bismarck, ND (the City) is developing a Facility Plan for constructing improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities. The Facility Plan is necessary to secure a loan from the State Revolving Fund (SRF). The solids dewatering improvements will be installed into an existing structure which will require some modifications to accommodate the new equipment. The effluent disinfection improvements includes the construction of a new Disinfection Building to house the disinfection chemicals and feed equipment. This new structure will be constructed on the existing WWTF site in a turfed area that has previously been disturbed. Tree removal may occur during construction. This building will have a footprint of just under 1,700 SF, is a single story slab on grade construction with utilizing precast concrete panels for the exterior. Upon completion of the new disinfection facilities the existing disinfection chemical storage and feed equipment located in the Administration Building will be removed.

The Project Area includes the wastewater treatment facility and planned construction. The City has developed a Facility Plan for the Project in pursuance of receiving SRF.

We are contacting you to verify this project will comply with applicable authorities under your agency's jurisdiction. Upon reviewing this project with respect to your agency's concerns, please provide a response to me at either Tina.Fricke@hdrinc.com or at the mailing address at the bottom of this letter. Please respond by June 1, 2020 as your response is a necessary component of the environmental review.

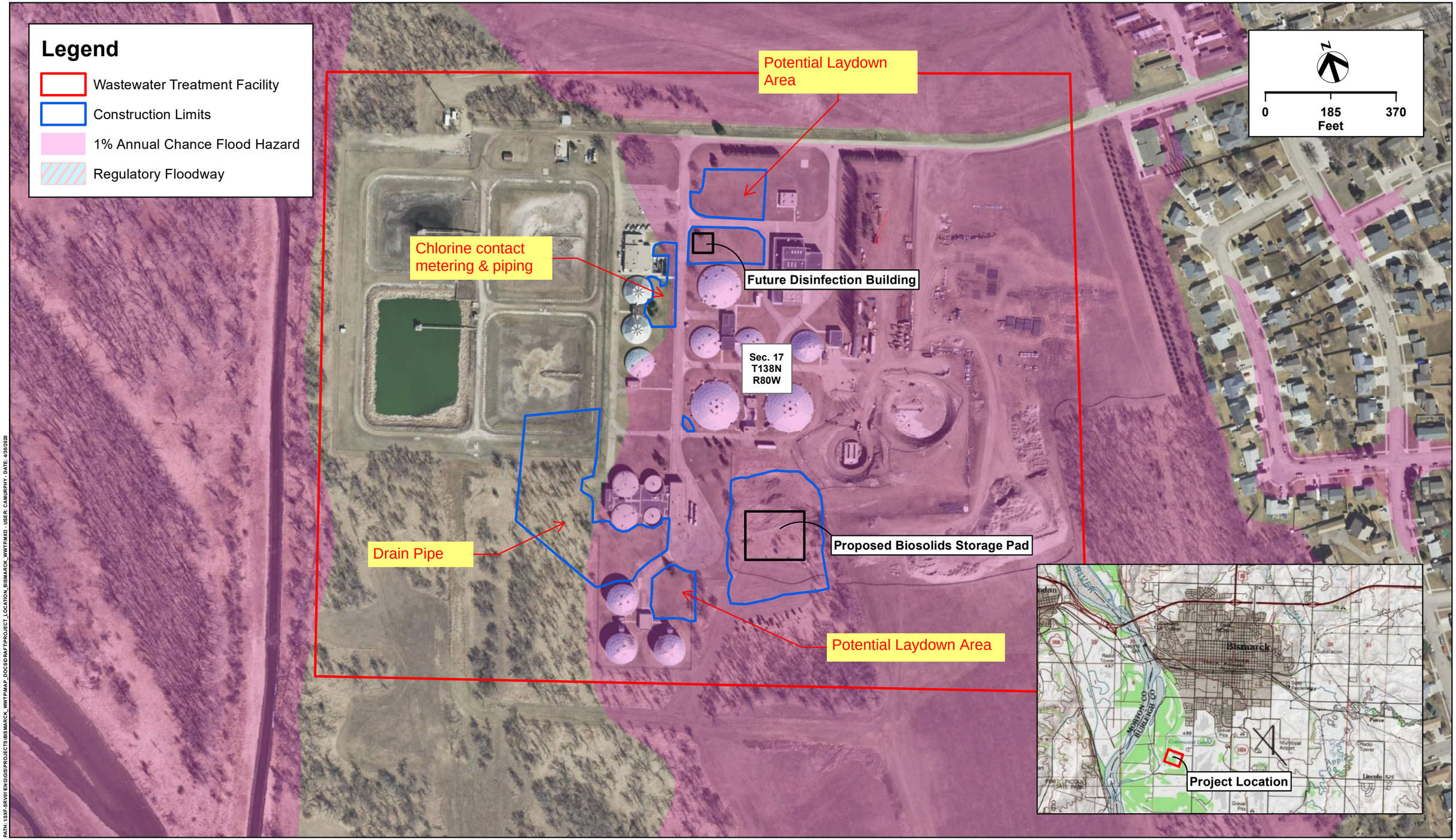
If you need additional information or clarification, please contact me at 701.557.9721. Thank you for your attention to this matter.

Respectfully,
HDR Engineering, Inc.

Tina Fricke Robinson

Tina Fricke Robinson
Senior Environmental Project Manager

Encl.: Project area map for City of Bismarck's Wastewater Treatment Facility, Profile Sheet of Pipe



PATH: \\SXF-SRV01\EN\GIS\PROJECTS\BISMARCK_WWTP\MAP_DOCS\DRAFT\PROJECT_LOCATION_BISMARCK_WWTP.MXD - USER: CAMURPHY - DATE: 4/30/2020

HDR

WASTEWATER TREATMENT PLANT
BISMARCK, NORTH DAKOTA

DATE
04/30/2020

FIGURE
1

GENERAL GRADING NOTES:

1. STRIP BLACK DIRT, STOCKPILE AND REPLACE PRIOR TO SEEDING, FERTILIZING AND MULCHING.
2. PERFORM GRADING, ACHIEVE COMPACTION, INSTALL CURB AND GUTTER, VALLEY GUTTER, AND ASPHALT PER PLAN.
3. TOPSOIL AREA FOR EXCAVATED MATERIAL AND TOPSOIL SHALL BE WITHIN 1500 FEET OF SITE AS DESIGNATED BY THE ENGINEER.
4. STOCKPILE AREA FOR EXCAVATED MATERIAL SHALL BE STRIPPED PRIOR TO STOCKPILING. STOCKPILES SHALL BE LONG AND SHAPED LIKE BERMS.
5. RAISE ALL EXISTING MANHOLE CASTINGS, INLET CASTINGS AND VALVE BOXES TO GRADE.

ISSUE	DATE	DESCRIPTION
A	02/11/2020	ISSUED FOR BIDS

PROJECT MANAGER	DELRON PETERS
CIVIL / PROCESS	D. PETERS
ELECTRICAL	K. THERNES
STRUCTURAL	S. MAGNUSSEN
MECHANICAL	J. LEWIS
ARCHITECTURAL	J. ADRIAN
CIVIL	T. BORCHARD
I&C	K. THERNES
PROJECT NUMBER	10181170

REGISTERED PROFESSIONAL ENGINEER
DELRON V. PETERS
PE-27473
DATE 2-11-2020
NORTH DAKOTA

Bismarck
Capital City of North Dakota

BISMARCK WASTEWATER TREATMENT FACILITY PHASE 4 DEWATERING SYSTEM IMPROVEMENTS

PROPOSED GRADING PLAN

0 1" 2"

FILENAME 14C102.DWG

SCALE

SHEET 14C102

GENERAL EROSION CONTROL NOTES:

1. STOCKPILES SHALL BE SEEDED WHEN COMPLETE TO CONTROL WEEDS.
2. INSTALL INLET PROTECTION DEVICES ON CATCH BASINS DOWNSTREAM OF CONSTRUCTION ACTIVITIES.
3. SILT FENCE OR WATTLES SHALL ENCOMPASS CONTRACTOR'S ENTIRE WORK AREA. ACTUAL LIMITS BY CONTRACTOR AS SO TO CONTAIN ALL SITE EROSION.
4. RESTORE SITE WITH 6" OF SALVAGED TOPSOIL, FERTILIZER, MULCH, AND SEED. SEE SPECIFICATIONS SECTION 32 92 00 - SEEDING, SODDING, AND LANDSCAPING. APPROX. 13,000 SQ. YDS.

ISSUE	DATE	DESCRIPTION
A	02/11/2020	ISSUED FOR BIDS

PROJECT MANAGER	DELRON PETERS
CIVIL / PROCESS	D. PETERS
ELECTRICAL	K. THERNES
STRUCTURAL	S. MAGNUSSEN
MECHANICAL	J. LEWIS
ARCHITECTURAL	J. ADRIAN
CIVIL	T. BORCHARD
I&C	K. THERNES
PROJECT NUMBER	10181170

REGISTERED PROFESSIONAL ENGINEER
DELRON V. PETERS
PE-27473
DATE 2-11-2020
NORTH DAKOTA

Bismarck
Capital City of North Dakota

BISMARCK WASTEWATER TREATMENT FACILITY PHASE 4 DEWATERING SYSTEM IMPROVEMENTS

EROSION CONTROL PLAN

0 1" 2"

FILENAME 14C103.DWG

SCALE

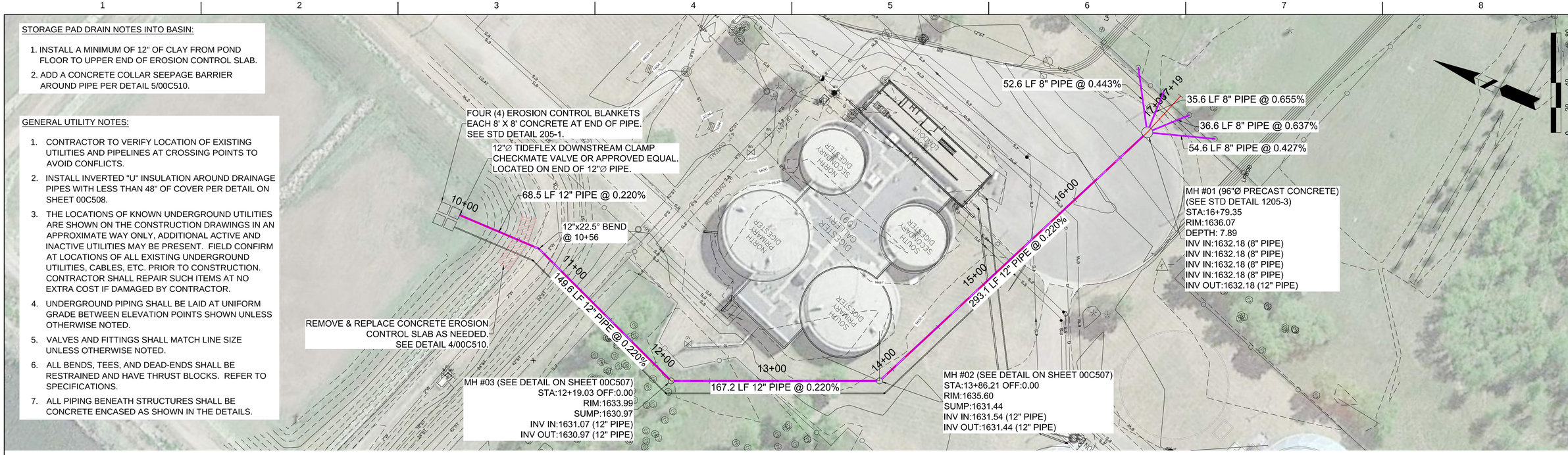
SHEET **14C103**

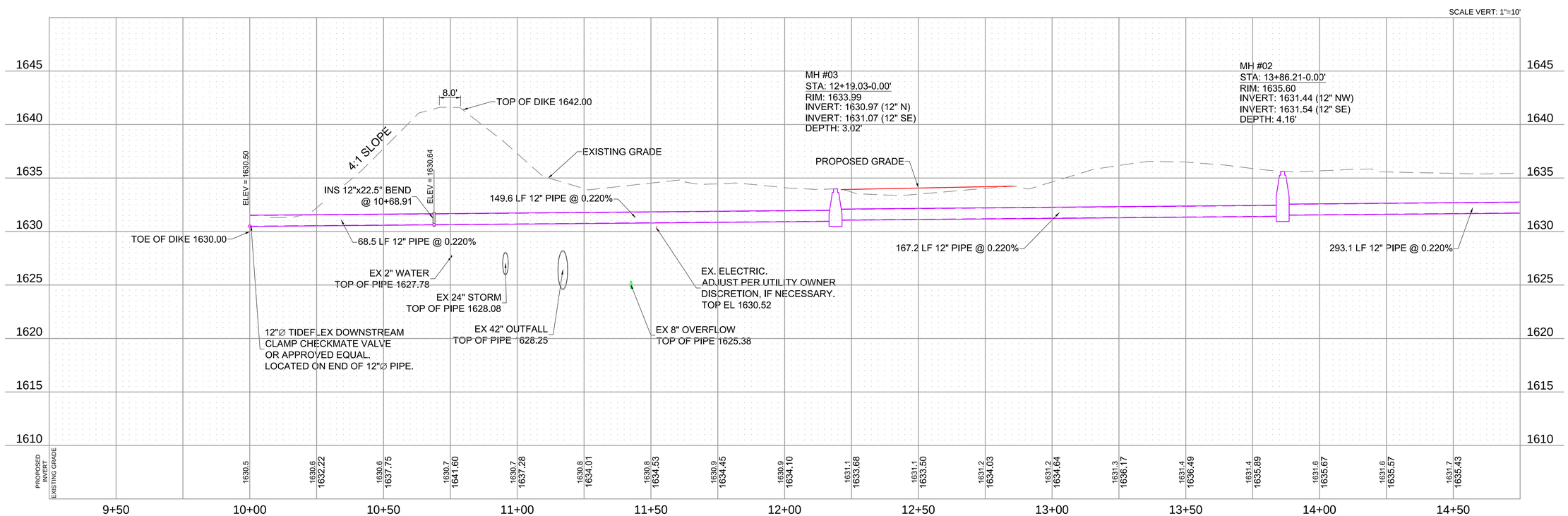
STORAGE PAD DRAIN NOTES INTO BASIN:

1. INSTALL A MINIMUM OF 12" OF CLAY FROM POND FLOOR TO UPPER END OF EROSION CONTROL SLAB.
2. ADD A CONCRETE COLLAR SEEPAGE BARRIER AROUND PIPE PER DETAIL 5/00C510.

GENERAL UTILITY NOTES:

1. CONTRACTOR TO VERIFY LOCATION OF EXISTING UTILITIES AND PIPELINES AT CROSSING POINTS TO AVOID CONFLICTS.
2. INSTALL INVERTED "U" INSULATION AROUND DRAINAGE PIPES WITH LESS THAN 48" OF COVER PER DETAIL ON SHEET 00C508.
3. THE LOCATIONS OF KNOWN UNDERGROUND UTILITIES ARE SHOWN ON THE CONSTRUCTION DRAWINGS IN AN APPROXIMATE WAY ONLY, ADDITIONAL ACTIVE AND INACTIVE UTILITIES MAY BE PRESENT. FIELD CONFIRM AT LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES, CABLES, ETC. PRIOR TO CONSTRUCTION. CONTRACTOR SHALL REPAIR SUCH ITEMS AT NO EXTRA COST IF DAMAGED BY CONTRACTOR.
4. UNDERGROUND PIPING SHALL BE LAID AT UNIFORM GRADE BETWEEN ELEVATION POINTS SHOWN UNLESS OTHERWISE NOTED.
5. VALVES AND FITTINGS SHALL MATCH LINE SIZE UNLESS OTHERWISE NOTED.
6. ALL BENDS, TEES, AND DEAD-ENDS SHALL BE RESTRAINED AND HAVE THRUST BLOCKS. REFER TO SPECIFICATIONS.
7. ALL PIPING BENEATH STRUCTURES SHALL BE CONCRETE ENCASED AS SHOWN IN THE DETAILS.





ISSUE	DATE	DESCRIPTION
A	02/11/2020	ISSUED FOR BIDS

PROJECT MANAGER	DELRON PETERS
CIVIL / PROCESS	D. PETERS
ELECTRICAL	K. THERNES
STRUCTURAL	S. MAGNUSSEN
MECHANICAL	J. LEWIS
ARCHITECTURAL	J. ADRIAN
CIVIL	T. BORCHARD
I&C	K. THERNES
PROJECT NUMBER	10181170

REGISTERED PROFESSIONAL ENGINEER
DELRON V. PETERS
PE-27473
DATE 2-11-2020
NORTH DAKOTA

Bismarck
Capital City of North Dakota

BISMARCK WASTEWATER TREATMENT FACILITY PHASE 4 DEWATERING SYSTEM IMPROVEMENTS

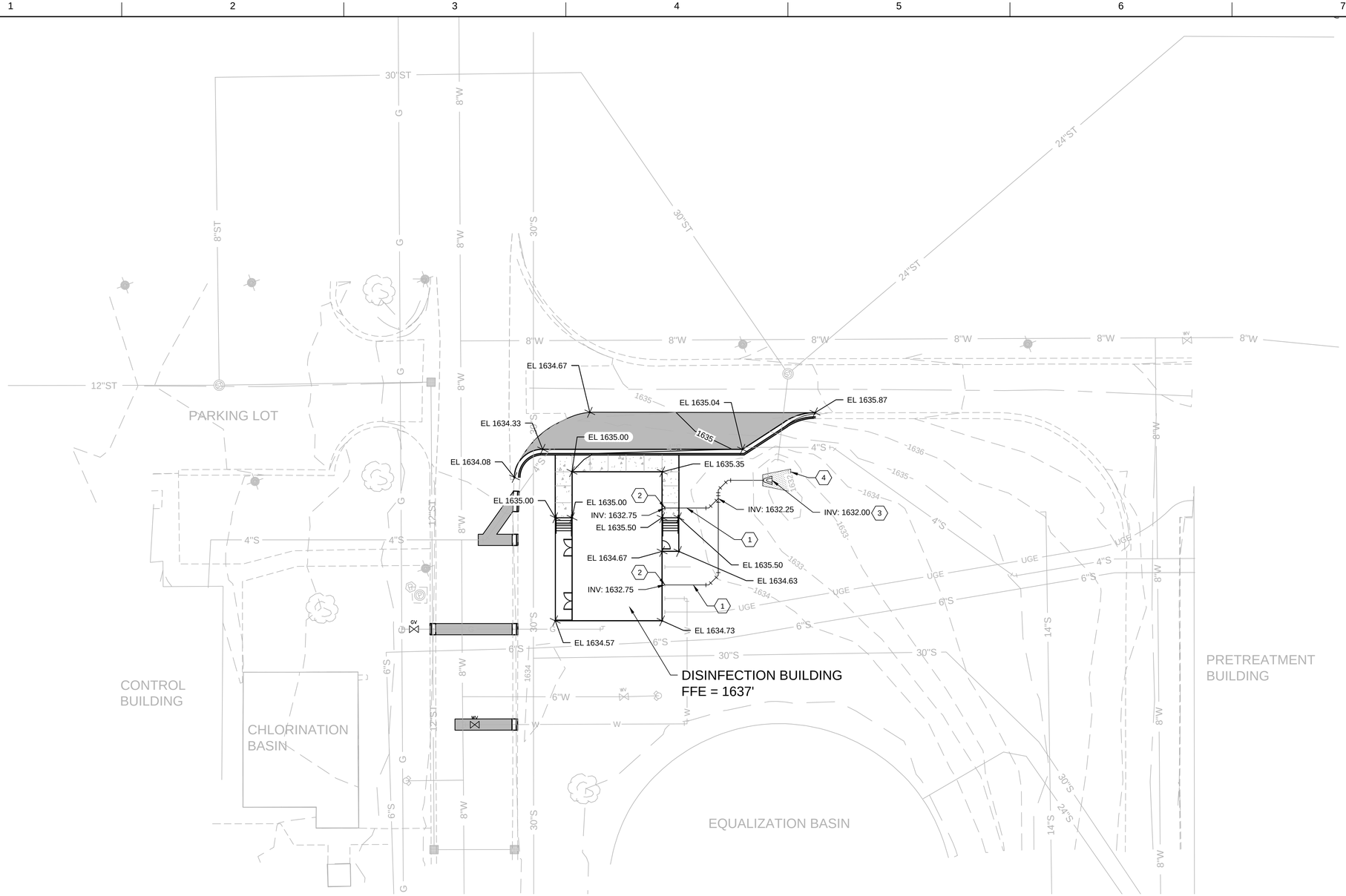
STORAGE PAD TO BASIN DRAIN LINE PLAN & PROFILE

0 1" 2"

FILENAME 14C104.DWG

SCALE

SHEET 14C104



GRADING NOTES:

1. REMOVE AND/OR RELOCATE UNDERGROUND UTILITIES OR PIPES AND ALL OTHER SUBSURFACE OBSTRUCTIONS THAT INTERFERE WITH EARTHWORK CONSTRUCTION.
2. STRIP TOPSOIL THROUGHOUT CONSTRUCTION AREA TO REMOVE ORGANIC-LADEN SURFICIAL SOILS, VEGETATION, DEBRIS, BRUSH AND ROOTS.
3. EXCAVATE TO REMOVE ANY OBVIOUSLY WEAK OR HIGH MOISTURE CONTENT SOILS EXPOSED AT SURFACE AFTER STRIPPING UNDERNEATH THE NEW PAVEMENT AREA.
4. EXCAVATE HIGH MOISTURE CONTENT WEAK SOILS TO ENOUGH DEPTH TO ALLOW FOR THE PLACEMENT OF A MINIMUM OF10 FT OF PROPERLY COMPACTED FILL WITHIN THE BUILDING SITE. FIELD DETERMINE THE LATERAL AND VERTICAL EXTENT OF EXCAVATION REQUIRED DURING EARTHWORK CONSTRUCTION. EXCAVATION OF WEAK SOILS SHOULD EXTEND NOT LESS THAN 5 FT BEYOND THE PERIMETER OF THE BUILDING.
5. PERFORM UNDERCUTTING THROUGH BUILDING AREA IN ACCORDANCE WITH THE SOILS REPORT.
6. AFTER STRIPPING, EXCAVATING, AND UNDERCUTTING, SCARIFY THE EXPOSED SOILS TO A MINIMUM DEPTH OF 6 IN AND COMPACT TO NOT LESS THAN 99 PERCENT OF STANDARD PROCTOR MAXIMUM DRY DENSITY (ASTM D698). PROOF ROLL TO DEMONSTRATE STABILITY, DEFINED AS THE ABSENCE OF SIGNIFICANT PUMPING, RUTTING, OR YIELD OF SOILS DURING COMPACTION OR PROOF-ROLLING.

KEYNOTES: (#)

1. 12" HDPE STORM DRAIN W 45 FITTINGS AND CLEANOUTS.
2. CONNECT TO BUILDING DOWNSPOUT USING HDPE ADAPTER. REFER TO ARCH DRAWINGS FOR CONTINUATION.
3. END TREATMENT FOR 12" HDPE STORM PIPE.
4. EROSION PROTECTION MATS AT OUTLET.

ISSUE	DATE	DESCRIPTION
	04/27/2020	60% ISSUED FOR REVIEW

PROJECT MANAGER	DELRON PETERS
CIVIL / PROCESS	D. PETERS
CIVIL	B. WECKERLIN
STRUCTURAL	S. MAGNUSSEN
ARCHITECTURAL	J. ADRIAN
MECHANICAL	J. LEWIS
ELECTIRCAL	K. THERNES
I&C	K. THERNES
PROJECT NUMBER	10189504

Bismarck
Capital City of North Dakota

BISMARCK WASTEWATER TREATMENT FACILITY DISINFECTION IMPROVEMENTS

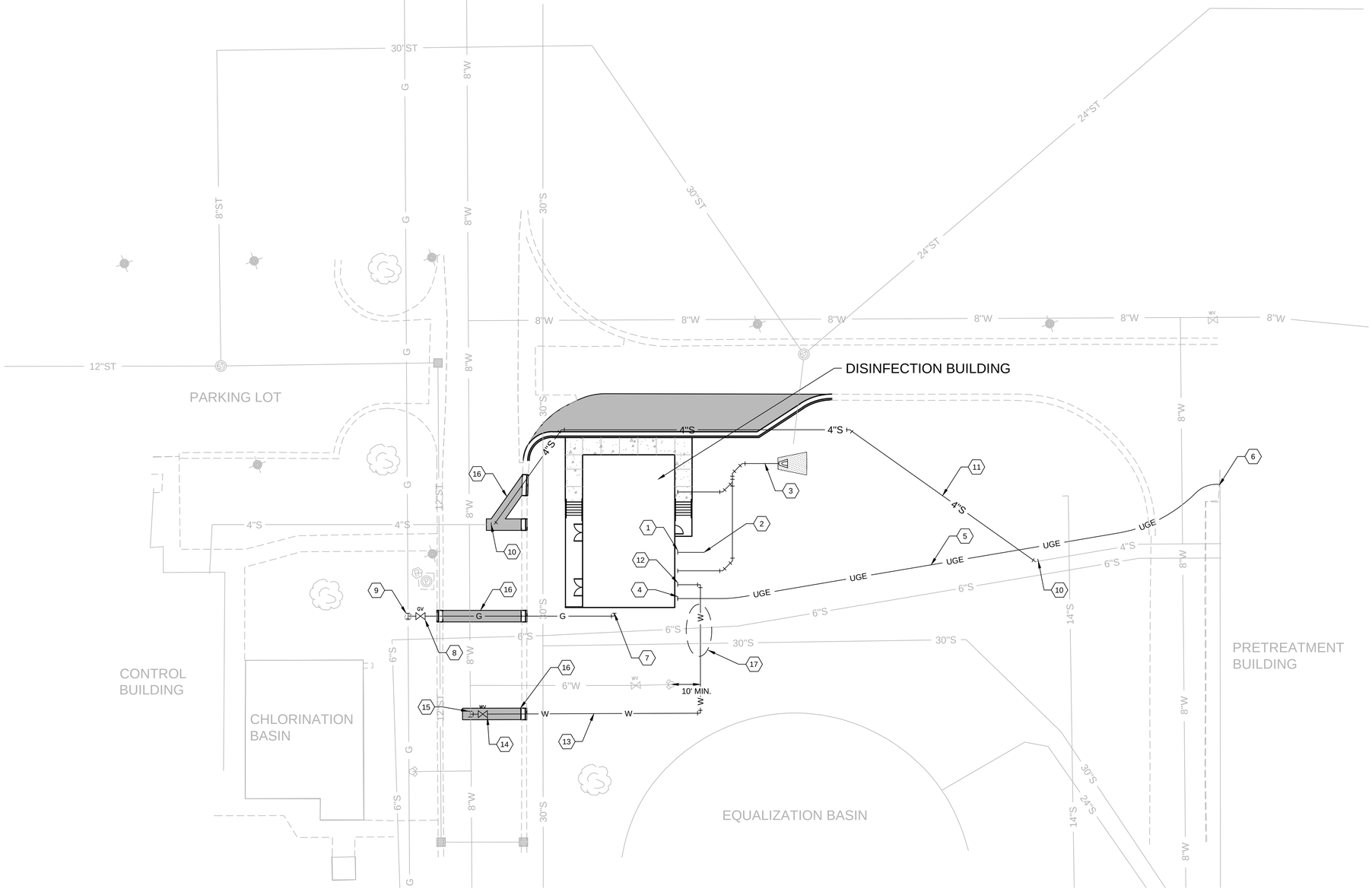
SITE GRADING AND DRAINAGE PLAN

0 1" 2"

FILENAME 20C200.DWG

SCALE 1" = 20'

SHEET **20C200**



GENERAL NOTES:

1. SEE ELECTRICAL DIAGRAMS FOR CIRCUIT INFORMATION.
2. NOTIFY THE OWNER PRIOR TO SHUTTING OFF EXISTING SERVICES OR MAKING ANY NEW CONNECTIONS.

KEYNOTES: (#)

1. REFER TO PLUMBING PLAN FOR 4" SEWER LINE CONTINUATION. INVERT ELEVATION 1629.25'
2. TIE INTO EXISTING SEWER LINE.
3. STORM LINE - REFER TO SHEET 20C200.
4. REFER TO ELECTRICAL PLAN FOR ELECTRICAL CONDUIT CONTINUATION.
5. BURIED ELECTRICAL CONDUIT.
6. REFER TO ELECTRICAL PLAN FOR CONTINUATION.
7. REFER TO PLUMBING PLAN FOR GAS LINE CONTINUATION.
8. GAS SHUTOFF VALVE.
9. CONNECT GAS TO 2" SERVICE.
10. CONNECT TO EXISTING 4" DI FORCEMAIN.
11. 4" DI FORCEMAIN
12. REFER TO PLUMBING PLAN FOR WATER LINE CONTINUATION.
13. 2" DI WATER LINE
14. 2" WATER VALVE
15. CONNECT TO EXISTING 8" WATER LINE FOR 2" SERVICE
16. PAVEMENT REPAIR
17. DEPTH OF CROSSING PIPES UNKNOWN. FIELD VERIFY PRIOR TO CONSTRUCTION. WATER LINE TO CROSS OVER PIPES. NOTIFY THE ENGINEER IF DEPTHS OF CROSSING PIPES ARE TOO SHALL TO ALLOW FOR 24" OF SEPARATION.

ISSUE	DATE	DESCRIPTION
	04/27/2020	60% ISSUED FOR REVIEW

PROJECT MANAGER	DELRON PETERS
CIVIL / PROCESS	D. PETERS
CIVIL	B. WECKERLIN
STRUCTURAL	S. MAGNUSSEN
ARCHITECTURAL	J. ADRIAN
MECHANICAL	J. LEWIS
ELECTIRCAL	K. THERNES
I&C	K. THERNES
PROJECT NUMBER	10189504

Bismarck
Capital City of North Dakota

BISMARCK WASTEWATER TREATMENT FACILITY DISINFECTION IMPROVEMENTS

SITE UTILITY PLAN

0 1" 2"

FILENAME 20C300.DWG

SCALE 1" = 20'

SHEET **20C300**

Appendix B

Environmental Impact – Solicitation of Views Responses:

Natural Resources Conservation Service
North Dakota Game & Fish Department
U.S. Army Corps of Engineers
North Dakota Department of Environmental Quality
North Dakota State Historical Preservation Officer
North Dakota State Water Commission
U.S. Fish and Wildlife Service

USDA

United States Department of Agriculture

Natural Resources
Conservation Service

Bismarck State Office
PO Box 1458
Bismarck, ND
58502-1458

Voice 701.530.2000
Fax 855-813-7556

May 4, 2020

RECEIVED
MAY 1 4 2020
BY: .....

HDR Engineering, Inc.
Tina Fricke Robinson
3231 Greensboro Drive, Suite 200
Bismarck, ND 58503-5413

The Natural Resources Conservation Service (NRCS) has reviewed your letter dated May 4, 2020, concerning the new Effluent Disinfection Facilities and Improvements to the Solids Dewatering Process at the Wastewater Treatment Plant in Bismarck, North Dakota.

NRCS has a major responsibility with the Farmland Protection Policy Act (FPPA) in documenting conversion of farmland (i.e., Prime, Statewide Importance and/or Local Importance) to non-agricultural use when federal funding is used. Your proposed project is within city limits where FPPA does not apply; therefore, no further action is needed.

If you have additional questions pertaining to FPPA, please contact Wade Bott, State Soil Scientist, NRCS, Bismarck, North Dakota, at (701) 530-2021 or email to wade.bott@usda.gov.

WADE BOTT Digitally signed by WADE BOTT
Date: 2020.05.07 08:29:53 -05'00'

WADE D. BOTT
State Soil Scientist

Fricke, Tina

From: Kreft, Bruce L. <bkreft@nd.gov>
Sent: Monday, May 11, 2020 2:57 PM
To: Fricke, Tina
Subject: City of Bismarck Wastewater Treatment Facility

Follow Up Flag: Follow up
Flag Status: Flagged

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

From the information provided, the ND Game & Fish Department foresees no identifiable conflicts with fish and wildlife resources. Thank you for the opportunity to respond.
BK

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
3319 UNIVERSITY DRIVE
BISMARCK, NORTH DAKOTA 58504-7565

May 11, 2020

NWO-2006-60372-BIS

HDR Engineering
Attn: Ms. Tina Fricke
3231 Greensboro Drive, Suite 200
Bismarck, North Dakota 58503-5413

Dear Ms. Fricke:

The U.S. Army Corps of Engineers (Corps) has reviewed the information you provided for the proposed City of Bismarck Wastewater Treatment Facility Solids Dewatering and Effluent Disinfection Improvements project. This information was received by our office on May 4, 2020. The project is located at Latitude 46.772493° North, Longitude -100.804929° West, City of Bismarck, Burleigh County, North Dakota.

Specifically, the solids dewatering improvements will be installed into an existing structure which will require some modifications to accommodate the new equipment. The effluent disinfection improvements include the construction of a new disinfection building to house the disinfection chemicals and feed equipment.

The Corps is responsible for administering federal laws that regulate certain activities in waters of the United States (WOUS). The authority applicable to this responsibility is Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344), which prohibits the discharge of dredged or fill material into waters of the United States without authorization in the form of a Department of the Army (DA) permit.

The project as proposed will not require a DA permit in accordance with Section 404 as it will not involve the discharge of dredged or fill material into waters of the United States, provided the work is done within the project location specified in the enclosed project location map (Enclosure 1, Project Location Map).

This letter contains an approved jurisdictional determination for your subject site (Enclosure 2, Approved Jurisdictional Determination). If you object to this determination/decision, you may request an administrative appeal under Corps' regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeals Process fact sheet and Request for Appeal (RFA) form (Enclosure 3, RFA form). If you request to appeal this determination/decision, you must submit a completed RFA form to Northwestern Division Office within 60 days from the date of this correspondence. It is not necessary to submit a RFA if you do not object to the JD. The RFA can be submitted to the Northwestern Division Office at the following address:

U.S. Army Corps of Engineers, Northwestern Division
Attn: Regulatory Appeals Review Officer
P.O. Box 2870
Portland, Oregon 97208-2870

If, in the future, you plan to place fill material in any waters of the United States please contact this office to discuss possible permit requirements.

Although a Department of the Army permit is not required for this project, this does not eliminate the requirement that you obtain any other applicable Federal, State, Tribal or local permits as required.

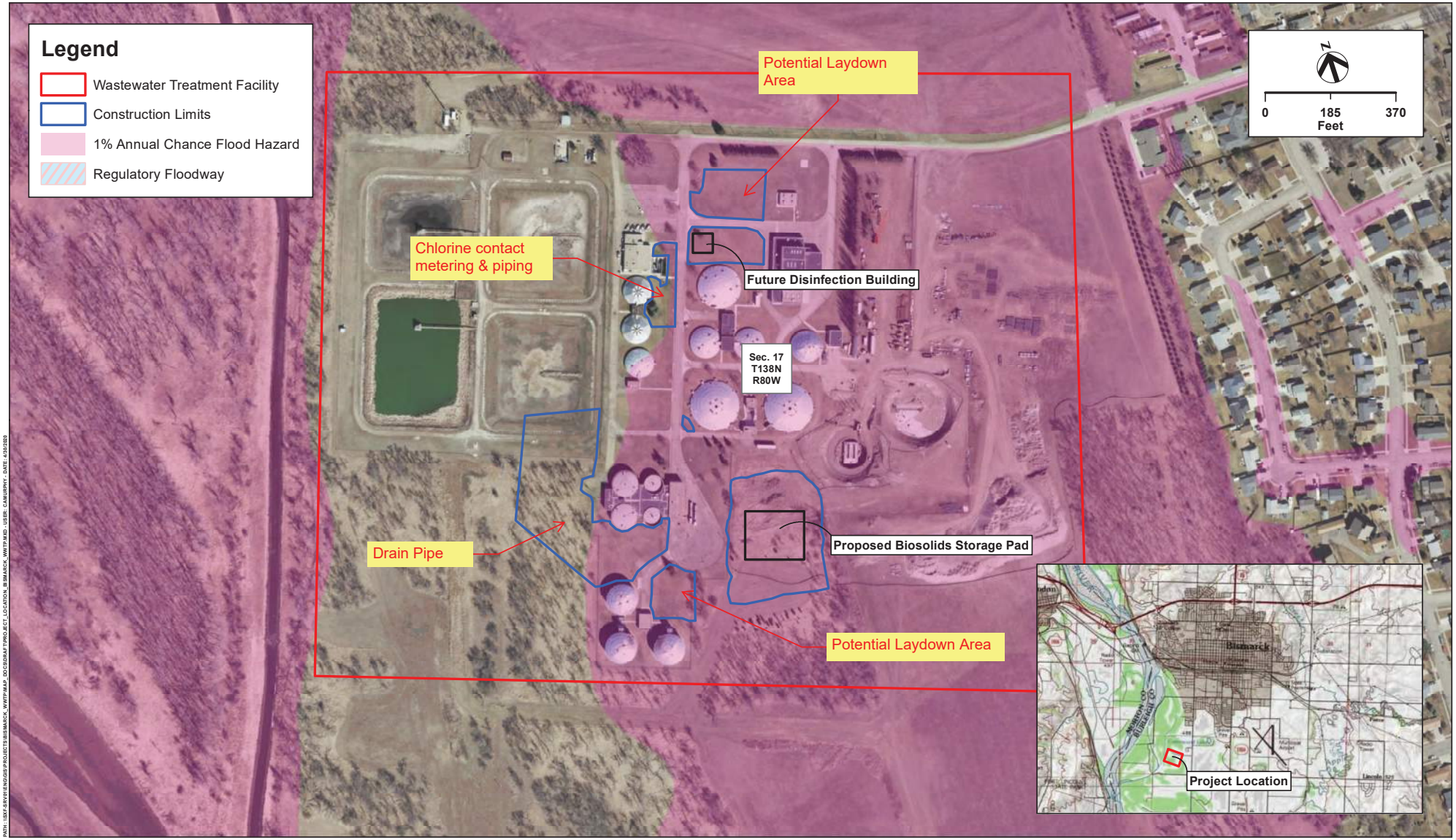
We would appreciate your feedback on this permit action including your interaction with our staff. At your earliest convenience, please tell us how we are doing by completing the Corps' Regulatory Program national customer service survey found on our website at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey.

Please refer to identification number NWO-2006-60372-BIS in any correspondence concerning this project. If you have any questions, please contact Jeremy Nygard by email at Jeremy.S.Nygard@usace.army.mil, or telephone at (701) 255-0015, extension 2006. For more information regarding our program, please visit our website at http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/NorthDakota.aspx.

Sincerely,

Toni R. Erhardt
Senior Project Manager
North Dakota

Enclosures



PATH: \\SFX-SRVR\ENGIGIS\PROJECTS\BISMARCK_WWTP\MXD_DOCS\DRAFT\PROJECT_LOCATION_BISMARCK_WWTP.MXD - USER: CAMUSRHY - DATE: 4/30/2020

HDR

WASTEWATER TREATMENT PLANT
BISMARCK, NORTH DAKOTA

DATE
04/30/2020

FIGURE
1

DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM[1]
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): May 8, 2020

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Omaha District, HDR Engineering; Bismarck Wastewater Treatment Facility Solids Dewatering and Effluent Disinfection Improvements, NWO-2006-60372-BIS

C. PROJECT LOCATION AND BACKGROUND INFORMATION:
State: **North Dakota** County: **Burleigh County** City: **Bismarck**
Center coordinates of site (lat/long in degree decimal format): Lat. **46.772424 °** N; Long. **-100.804929 °** W
Universal Transverse Mercator: **589395.73, 5361747.15**
Name of nearest waterbody: **Missouri River**
Name of watershed or Hydrologic Unit Code (HUC): **12-101301020201**
☒ Check if map/diagram of review area is available upon request.
☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc…) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):
☒ Office (Desk) Determination. Date: **May 8, 2020**
☐ Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.
There **are no** "*navigable waters of the U.S.*" within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.
There **are no** "*waters of the U.S.*" within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

SECTION III: DATA SOURCES

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):
☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: **Map provided by HDR Engineering**
☐ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
☐Office concurs with data sheets/delineation report.
☐Office does not concur with data sheets/delineation report.
☐ Data sheets prepared by the Corps:
☐ Corps navigable waters' study:
☒ U.S. Geological Survey Hydrologic Atlas: **USGS National Map, Hydrography and Watershed Boundary Datasets**
☐USGS NHD data.
☒USGS 8 and 12 digit HUC maps.
☐ U.S. Geological Survey map(s). Cite scale & quad name:
☒ USDA Natural Resources Conservation Service Soil Survey. Citation: **Hydric Rating by Map Unit**
☒ National wetlands inventory map(s). Cite name: **Wetland Map Layer**
☐ State/Local wetland inventory map(s):
☐ FEMA/FIRM maps:
☐ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
☒ Photographs: ☒Aerial (Name & Date): **Google Earth Aerial Imagery 2014 thru 2017**
or ☐ Other (Name & Date):
☐ Previous determination(s). File no. and date of response letter:
☐ Applicable/supporting case law:
☐ Applicable/supporting scientific literature:
☐ Other information (please specify):

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: Based on a review of data listed in Section III.A. above, it has been determined that there are no aquatic resources or potential aquatic resources in the approximately 7.72 acre review area that would warrant the application of a wetland delineation, significant nexus analysis, navigability determination, or delineation of the ebb and flow of the tides. There are no features that exhibit lateral limits of jurisdiction (e.g. OHWM).

[1] This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: City of Bismarck	File Number: NWO-2006-60372-BIS	Date: May 11, 2020

Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
X	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found in Corps regulations at 33 CFR Part 331, or at http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/FederalRegulation.aspx

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact: US Army Corps of Engineers, North Dakota Regulatory Office Attn: Patricia McQueary, Regulatory Program Manager 3319 University Drive Bismarck, ND 58504 Telephone (701) 255-0015, ext. 2001 CENWO-OD-RND@usace.army.mil	If you only have questions regarding the appeal process you may also contact: US Army Corps of Engineers, Northwestern Division Attn: Regulatory Appeals Review Officer P.O. Box 2870 Portland, OR 97208-2870

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

_____ Signature of appellant or agent.	Date:	Telephone number:

May 18, 2020

Tina Fricke Robinson
Senior Environmental Planner
HDR Inc
3231 Greensboro Drive, Suite 200
Bismarck, ND 58503-5413

Re: Bismarck Wastewater Treatment solids dewatering of digester sludge SRF Fund in Burleigh County

Dear Ms. Fricke Robinson:

The North Dakota Department of Environmental Quality has reviewed the information concerning the above-referenced project received at the department on May 4, 2020 with respect to possible environmental impacts.

This department believes that environmental impacts from the proposed construction will be minor and can be controlled by proper construction methods. With respect to construction, we have the following comments:

1. Care is to be taken during construction activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement and revegetation of any disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance, and/or the handling of fuels on the site. Guidelines for minimizing degradation to waterways during construction are attached.

2. Projects disturbing one or more acres are required to have a permit to discharge stormwater runoff until the site is stabilized by the reestablishment of vegetation or other permanent cover. Further information on the stormwater permit may be obtained from the department's website or by calling the Division of Water Quality (701-328-5210). Also, cities may impose additional requirements and/or specific best management practices for construction affecting their storm drainage system. Check with the local officials to be sure any local stormwater management considerations are addressed.

   The city must notify the North Dakota Pollutant Discharge Elimination System program of any planned changes to the wastewater facility which may result in discharging new or different pollutants, or an increased amount of pollutants. This includes facility expansions, production increases and process modifications. Changes which result in a facility being designated a "new source" as determined in 40 CFR 122.29(b) must be reported, also.

3. The proposed construction project overlies the Bismarck glacial drift aquifer, which is a sensitive groundwater area. Care should be taken to avoid spills of any materials that may have an adverse effect on groundwater quality. All spills must be immediately reported to this department and appropriate remedial actions performed.

4. All necessary measures must be taken to minimize the disturbance of any asbestos-containing material and to prevent any asbestos fiber release episodes. Any facility that is to be renovated or demolished must be inspected for asbestos. Notification of the department's Division of Waste Management (701-328-5166) is required before any demolition. Removal of any friable asbestos-containing material must be accomplished in accordance with section 33.1-15-13-02 of the North Dakota air pollution control rules.

5. All solid waste materials must be managed and transported in accordance with the state's solid and hazardous waste rules. Appropriate efforts to reduce, reuse and/or recycle waste materials are strongly encouraged. As appropriate, segregation of inert waste from non-inert waste can generally reduce the cost of waste management. Further information on waste management and recycling is available from the department's Division of Waste Management at (701) 328-5166.

The department owns no land in or adjacent to the proposed improvements, nor does it have any projects scheduled in the area. In addition, we believe the proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution for the State of North Dakota.

If you have any questions regarding our comments, please feel free to contact this office.

Sincerely,

L. David Glatt, P.E., Director
North Dakota Department of Environmental Quality

LDG:dlp
Attach.

May 19, 2020

Ms. Tina Fricke
HDR
4503 Coleman Street
Suite 105
Bismarck, ND 58503-2007

ND SHPO Ref.: 20-5680, City of Bismarck Wastewater Treatment Facility, improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities, Bismarck, Burleigh County, North Dakota

Dear Ms. Fricke,

We reviewed ND SHPO Ref.: 20-5680, City of Bismarck Wastewater Treatment Facility, improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities, Bismarck, Burleigh County, North Dakota, and we concur with a determination of "No Historic Properties Affected" for this project provided it takes place in the location and in the manner described in the documentation and provided all borrow comes from an approved source.

Thank you for the opportunity to review this project. Please include the ND SHPO Reference number listed above in further correspondence for this specific project. If you have any questions please contact Lisa Steckler, Historic Preservation Specialist at (701) 328-3577 or lsteckler@nd.gov

Sincerely,

for Claudia J. Berg
State Historic Preservation Officer
(North Dakota)

20-5680

NORTH Dakota | Water Commission
Be Legendary.™

May 28, 2020

Tina Fricke Robinson
HDR Inc
3231 Greensboro Drive, STE 200
Bismarck, ND 58503-5413

Dear Ms. Fricke Robinson:

This is in response to your request for a review of the environmental impacts associated with the City of Bismarck Wastewater Treatment Facility project.

The proposed project has been reviewed by State Water Commission staff, and the following comments are provided:

- There are floodplains identified and/or mapped where this proposed project is to take place. Areas are designated to be in Zone AE. North Dakota has no formal 'permitting' authority as a state entity in NFIP identified floodplain areas. The permitting is always done by the local entity, which has jurisdiction in the area in question. Please work closely with the local Floodplain Administrator.

- Initial review indicates the project does not require a conditional or temporary permit for water appropriation. However, if surface water or groundwater will be diverted for construction of the project, a water permit will be required per North Dakota Century Code § 61-04-02. Please consult with the Water Appropriations Division of the Office of the State Engineer if you have any questions at (701) 328-2754 or waterpermits@nd.gov.

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at 701-328-4970 or stevebest@nd.gov.

Sincerely,

Steven Best
Planner III

SB:dm/1570

United States Department of the Interior

FISH AND WILDLIFE SERVICE
North Dakota Ecological Services
3425 Miriam Avenue
Bismarck, North Dakota 58501

July 2, 2020

Ms. Tina Fricke Robinson
Senior Environmental Project Manager
HDR Inc.
3231 Greensboro Drive, Suite 200
Bismarck, North Dakota 58503

Dear Ms. Fricke Robinson:

Thank you for your letter of July 2, 2020, requesting comments on City of Bismarck's proposed Facility Plan located in Burleigh County, North Dakota. The U.S. Fish and Wildlife Service (Service) has the following comments.

You requested U.S. Fish and Wildlife Service (Service) concurrence with your "may affect, not likely to adversely affect" determinations for the endangered whooping crane (*Grus americana*); the threatened northern long-eared bat (*Myotis septentrionalis*). In accordance with Section 7 of the Endangered Species Act of 1973, as amended (ESA) (16 U.S.C. 1531 *et seq*.), we concur with your determination.

This letter also includes "no effect" determinations for least tern (*Sterna antillarum*), piping plover (*Charadrius melodus*), red knot (*Calidris canutus rufa*), pallid sturgeon (*Scaphirhynchus albus*). There is no requirement under the implementing regulations of the Act (50 CFR Part 402) for action agencies to receive Service concurrence with "no effect" determinations, therefore the responsibility for "no effect" determinations remains with the federal action agency. Accordingly, we recommend the federal action agency retain the documentation for these listed resources in the decisional record for this federal action.

Thank you for the opportunity to comment on this project proposal. If changes are made in the project plans or operating criteria, or if additional information becomes available, the Service should be informed so that the above determinations can be reconsidered. If you have any additional questions or concerns, please contact Lauren Toivonen of my staff at (314) 799-2936 or via email at lauren_toivonen@fws.gov.

Sincerely,

Drew Becker
ND Ecological Services Supervisor

Appendix C

Wastewater Treatment Plant Facility Plan 2020

Wastewater Treatment Plant Facility Plan 2020

Solids Dewatering and
Effluent Disinfection Improvements

Prepared for:
City of Bismarck, North Dakota

June 19, 2020

Table of Contents

1.0 PROBLEM DEFINITION AND BACKGROUND DATA 1

A. PROJECT NEED 1

B. REGULATORY, PUBLIC HEALTH, ENVIRONMENTAL & SAFETY ISSUES 1

C. PLANNING AREA 2

D. PLANNING BASIS SUMMARY 4

i. Solids Handling Planning Basis 6

2.0 ANALYSIS OF ALTERNATIVES 9

A. SOLIDS HANDLING IMPROVEMENTS 9

B. DISINFECTION SYSTEM IMPROVEMENTS 11

3.0 SELECTED ALTERNATIVES 12

A. DESCRIPTION OF SELECTED ALTERNATIVES 12

B. PROPOSED PROJECT COSTS & FUNDING 13

C. PROJECT SCHEDULE 13

D. ENVIRONMENTAL IMPACTS OF PROJECT 14

i. Land Use 14

ii. Noise Levels 14

iii. Parks, Recreation Area, Public Services, and Facilities 14

iv. Air Quality 16

v. Regulated Materials 16

vi. Farmland 16

vii. Floodplain, Wetlands, and Waterways 16

viii. Threathened and Endangered Species 16

ix. Water Quality and Quantity 17

x. Cultural Resources RevieW 17

E. ENVIRONMENTAL COMMITMENTS 17

F. REVIEW AGENCY COMMENTS 18

4.0 PUBLIC PARTICIPATION 19

A. PUBLIC MEETING ADVERTISEMENT ..... **ERROR! BOOKMARK NOT DEFINED.**

B. PUBLIC MEETING MINUTES 19

C. RESOLUTION OF PUBLIC CONCERNS 19

Table of Tables

Table 1-1 Potential Existing Regulatory, Public Health, Environmental & Safety Issues . 2

Table 1-2 Projected Growth Rates 3

Table 1-3 Population Projections (Total Population) 3

Table 1-4 Projected Population Increase at 5-Year intervals 3

Table 1-5 Total Projected 2019-2044 Domestic Influent Flows and Loads 5

Table 1-6 Biosolids Projections 6

Table 1-7 Planning Basis Summary 7

Table 1-8 Disinfection Basis of Design Parameters 8

Table 2-1 Monetary and Non-Monetary Dewatering Considerations 10

Table 2-2 Monetary Dewatering Considerations 11

Table 3-1 Agency Responses 18

Table of Figures

Figure 1-1 Project Detail Map……...15

List of Appendices

Appendix A – Agency Letters

Appendix B – Public Hearing

Appendix C – Supporting Documents

1.0 Problem Definition and Background Data

A. Project Need

The City of Bismarck WWTP is located on the south side of Bismarck on London Avenue, west of the intersection of London Avenue and South Washington Street. The WWTP receives pumped flows through the Washington force main, the Wachter force main, and the Southport force main. The WWTP discharges treated water to the Missouri River.

The original 1966 facility was converted to a mechanical plant facility in 1974. The most recent trickling filter improvements phase was constructed in 2018. The original facility was designed to accommodate an average daily flow of 5.0 million gallons per day (mgd) and a peak instantaneous flow of 15.1 mgd.

The proposed project at the Bismarck WWTF includes the addition of solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities.

Currently the facility stores the digested sludge in above ground storage tanks and then it is land applied as a liquid when climate and crop activities allow. The 20-year planning level indicates a projected 47+% increase in biosolids over that period. This increased projection of biosolids and the weather (wet spring and fall) combined with changing farming practices have shortened application period available in the Bismarck area. This has led to the proposed recommendation to dewater the biosolids generated at the WWTF.

The existing effluent disinfection system achieves disinfection of the wastewater effluent using gaseous chlorine supplied in one-ton cylinders. The current configuration of the chlorine contact tank alone is not sufficient to provide consistent deactivation of the pathogenic organisms prior to exiting the contact tank and has resulted in difficulty in complying with the effluent coliform limits. For this reason the facility feeds chlorine ahead of the final clarifiers to provide additional contact time. Adding at this location imparts a higher chlorine demand and also impacts the settability in the final clarifiers. Following disinfection, any residual chlorine is removed (dechlorinated) using gaseous sulfur dioxide supplied in 150 pound cylinders prior to discharge to the Missouri River. The chlorine is stored and fed from a room in the Administration Building and is not compliant with existing code requirements, is spatially limited and poses a potential safety issue for the staff utilizing the Administration Building. The sulfur dioxide cylinders that are connected to the feed system are housed in a flammable storage cabinet located outside, along the south wall of the Administration Building. Additional cylinders are stored outside along the south building wall which is not a desirable setup. For these reasons improvements to the disinfection system are proposed.

B. Regulatory, Public Health, Environmental & Safety Issues

There are several concerns with regulatory, public health, environmental & safety issues that were factors considered when recommending the proposed project which are summarized in the table below.

Table 1-1 Potential Existing Regulatory, Public Health, Environmental & Safety Issues

Category	Solids Handling	Disinfection
Regulatory	Increased projection of biosolids and the weather (wet spring and fall) combined with changing farming practices have shortened application period available in the Bismarck area.	System limitations make it difficult to meet the NPDES discharge permit coliform requirements. Current facilities do not meet current fire and building code requirements
Public Health	Dewatered sludge allows for flexibility of land application or hauling to the land fill which will allow.	One-ton cylinders of chlorine in relative close proximity to residential development without emergency scrubbing or containment.
Environmental	Farmers prefer the dewatered product for improving the soil conditioning.	Potential for chlorine release since no emergency containment or treatment is available.
Safety	The Sludge Pumping Building has settled causing damage to the piping system which are under significant stress and pose a failure risk. Long hours of hauling will be reduced with dewatered biosolids as the number of loads has been reduced significantly.	Chlorine storage/feed in a room in the Administration Building, potential for a release to enter the occupied space through HVAC system

C. Planning Area

The City's sanitary sewer collection system infrastructure serves a residential population of 79,161 as of 2018. This collection system infrastructure covers 34.7 square miles and consists of 300 miles of gravity sewer pipes, 5700 manholes, and 23 City-Owned lift stations with associated forcemains. In 2019 a Master Plan was conducted for the facility by HDR, laying out proposed capital improvements for a long-term operation of the WWTP. This identified a phased construction program to meet reliability, hydraulic capacity, and treatment requirements to address growth and regulations for the next 20 years. This proposed project included two of the most critical improvements identified in the master planning, solids dewatering and disinfection improvements.

HDR has summarized the projected population for the Bismarck service area over a 25-year period for use in this Bismarck Wastewater Treatment Plant Master Plan. Bismarck is currently a regional facility for treatment of hauled waste. Also, the City of Lincoln and the University of Mary have expressed interest in contracting wastewater services. The loads and flows would be a small percentage of the overall loading and the associated flows and loads have been included in the estimates presented herein.

The projected growth rates are presented in Table . The preliminary growth rate for the City of Bismarck was provided by the Bismarck-Mandan Area Metropolitan Planning Organization (MPO) as this growth rate is currently in the process of being updated for the Long Range Transportation Plan (LRTP). The growth rate is based on past trends and adopts a moderate growth rate scenario.

The growth rate for the City of Lincoln was provided by the Preliminary Engineering Report conducted for the City of Lincoln by SEH Engineering, Inc. (SEH). SEH projected the population through 2040.

The growth rate for the University of Mary was calculated using projected population data from the Wastewater Lagoon Operations report provided to the University of Mary by Wenck Associates. Wenck projected the population through 2030, and then HDR projected linearly through 2044 as agreed upon in planning meetings with University of Mary.

The data presented in Table 1-2 is from the MPO model for 2045 to support the wastewater master planning project in the MPO area. Jurisdiction-based growth forecasts are based on the draft transportation analysis zone (TAZ) growth allocation assembled from MPO development group feedback and is based on the "Continue past trends" scenario (the middle growth scenario – or Tier 5 for 2045).

Table 1-2 Projected Growth Rates

	Bismarck	Lincoln	University of Mary
Total 30-Year Growth Rate	43.62%	146.18%	127.64%
30-Year Average Growth Rate[1]	1.21%	4.50%	2.74%

- The projected population and projected population growth for each of the three domains are shown in **Error! Not a valid bookmark self-reference.** and

Table , respectively. The service area population is expected to increase by approximately 30,000 by 2039.

Table 1-3 Population Projections (Total Population)

	2019	2024	2029	2034	2039
Bismarck	80,122	85,105	90,397	96,019	101,990
Lincoln	4,633	5,803	7,269	9,105	11,405
University of Mary	1,808	2,145	2,462	2,794	3,123
Total	86,563	93,053	100,128	107,918	116,518

Table 1-4 Projected Population Increase at 5-Year intervals

	5-Year Population Increase				
Year	**2019[1]**	**2024**	**2029**	**2034**	**2039**
Bismarck	961	4,983	5,293	5,622	5,971
Lincoln	495	1,170	1,466	1,836	2,300
University of Mary	60	337	317	332	329
Total	1,516	6,490	7,075	7,790	8,600

[1]Population increase since 2018.

Improvements were proposed in the Master Plan for protecting against flood conditions. New facilities will be constructed with a minimum finished floor elevation of 1638.0 to be above the current 500-year flood event water elevation.

Geotechnical

A geotechnical engineering report was conducted by Terracon Consultants, Inc. for this proposed project and the design recommendations of that report are being followed. In general the borings indicated a small amount of fill underlain by fat clay to approximately 10-16 feet below grade, underlain by silty sand/sandy silt and sand with silt. The borings were terminated at 26 feet below grade and bedrock was not encountered. The static groundwater depth was estimated to be approximately 10 feet below grade. If more geotechnical detail is desired, the PDF version of the Terracon report can be provided upon request.

D. Planning Basis Summary

The total projected 2019-2044 domestic influent flows and loads are presented in Table 1-5 with the design year of 2040.

Table 1-5 Total Projected 2019-2044 Domestic Influent Flows and Loads

		2019	2024	2029	2034	Design Year - 2040	2044	2040 Conc., mg/L	Peaking Factor
Population		86,563	93,053	100,128	107,918	116,518	126,070	---	---
Flow, MGD	Average Annual	6.69	7.15	7.65	8.19	8.79	9.44	N/A	---
	Maximum Month	7.22	7.72	8.26	8.84	9.49	10.19	N/A	1.079
	Maximum Day	9.44	10.09	10.80	11.57	12.40 (Peak hour is Equalized to 13 mgd)	13.32	N/A	1.412
BOD_5, lb/day	Average Annual	15,524	16,935	18.476	20,173	22,049	24,134	301	---
	Maximum Month	19,105	20,841	22,737	24,826	27,134	29,700	370	1.231
	Maximum Day	26,861	29,302	31,968	34,904	38,149	41,757	521	1.730
TSS, lb/day	Average Annual	16,360	17,966	19,719	21,650	23,783	26,155	325	---
	Maximum Month	19,631	21,558	23,662	25,979	28,539	31,385	389	1.200
	Maximum Day	34,727	38,135	41,856	45,954	50,483	55,517	689	2.123
TKN, lb-N/day	Average Annual	2,460	2,755	3,077	3,432	3,825	4,261	52	---
	Maximum Month	3,075	3,444	3,847	4,291	4,781	5,326	65	1.250
	Maximum Day	3,223	3,610	4,032	4,497	5,011	5,582	68	1.310
NH3-N, lb/day	Average Annual	1,770	1,893	2,027	2,174	2,337	2,518	32	---
	Maximum Month	1,938	2,072	2,218	2,380	2,558	2,756	35	1.095
	Maximum Day	2,332	2,493	2,669	2,863	3,078	3,316	42	1.317

I. SOLIDS HANDLING PLANNING BASIS

The design criteria for solids dewatering is typically the maximum week or maximum month flow and load. However, Bismarck has liquid sludge holding capacity that provides storage for extended periods. Therefore, the average day biosolids flow and load was used as the design criteria.

Historic sludge flow and loadings were used as a base line for projecting future solids flow and loadings. The Biosolids Projections table below incrementally summarizes the projected solids production and solids flow to the sludge storage tanks based on the projected service area population.

The total solids load to the WWTP was projected for 2019 incrementally through the 2040 design year. The existing average daily total solids loading of 6,810 pounds per day projected over the 20-year period for year 2040 equates to a total of 10,030 lb/d of biosolids for a 47.2% increase. Table 1-6 summarizes the biosolids projections.

Table 1-6 Biosolids Projections

	2019	2024	2029	2034	Design Year - 2040
Bismarck Population	80,122	85,105	90,397	96,019	101,990
Lincoln Population	4,633	5,803	7,269	9,105	11,405
University of Mary Population	1,808	2,145	2,462	2,794	3,123
Total Population	86,563	93,053	100,128	107,918	116,518
Bismarck Total Solids (TS) (lb/d)	6,895	7,324	7,779	8,263	8,777
Lincoln TS (lb/d)	399	499	626	784	981
University of Mary TS (lb/d)	156	185	212	240	269
Total TS (lb/d)	7,449	8,008	8,617	9,287	10,027
Percent Increase to Bismarck TS by Adding Lincoln (%)	5.78	6.82	8.04	9.48	11.18
Percent Increase to Bismarck TS by Adding University of Mary (%)	2.26	2.52	2.72	2.91	3.06

The total solids from Bismarck, Lincoln and the University of Mary were projected at an average annual rate of 1.21%, 4.50% and 2.74%, respectively. If the City of Lincoln and the University of Mary were added to the WWTP, they would increase the total plant solids loading by 11.18% and 3.06%, respectively, for a combined total solids load increase of 14.24%.

To address the short season for biosolids disposal, dewatering alternatives were developed to dewater 100% of the biosolids produced at the planning basis year 2040. Table 1-7 shows the differences in initial costs for dewatering 100% of biosolids versus 50%. It is more cost-effective to dewater 100% of the biosolids than 50% of the biosolids. Additionally, if the WWTP chose to dewater 50% of the biosolids, the sludge pumping building would require significant repairs to the pipes in order to continue using the sludge storage tanks for the liquid sludge. The pipes in poor condition due to settlement issues and in need of repair, which would be costly. Since it is more cost effective to dewater 100% of the biosolids and since the repairs to the sludge pumping building would be so costly, the Bismarck WWTP decided to pursue 100% dewatering.

Table 1-7 Planning Basis Summary

% Liquid Applied	0%	
% Dewatered	100%	
Total Solids -Dewatering Feed, %	2.34%	From Digester and decanted up to 4% from Storage Tanks
Dewatered Truck Capacity, cubic yards	19	

Year						
	2017-2018 (Existing)	2019	2024	2029	2034	Design Year - 2040
Total TS, lb/d	6,810	7,450	8,010	8,620	9,290	10,020
Total Sludge, lbs Per Year	2,487,000	2,719,000	2,923,000	3,145,000	3,390,000	3,660,000
Total Sludge, dry tons per year	1,240	1,360	1,460	1,570	1,690	1,830
Total Truck Loads	1,351	411	442	474	511	553
# Truck Loads Less Than Existing		941	909	877	841	798
Dewatered Sludge						
Dewatered Sludge, lbs Per Year	None	2,719,000	2,923,000	3,145,000	3,390,000	3,660,000
Dewatered Sludge, dry tons per year		1,360	1,460	1,570	1,690	1,830
Sizing of Dewatering Unit						
Run time, hr./day		8	8	8	8	8
Run days, days/week		5	5	5	5	5
Capacity, lb/week		52,200	56,200	60,500	65,200	70,400
Capacity, lb/day		10,460	11,240	12,100	13,040	14,080
Capacity, lb/hr.		1,307	1,405	1,512	1,630	1,760
Feed Rate, gpm		112	120	129	139	150
Capacity Required, lb/hr. @ 60% of Rated		2,179	2,342	2,520	2,716	2,933
Capacity Required, gpm @ 60% of Rated		186	200	215	232	250
Cake TS, %		20%	20%	20%	20%	20%
Cake Volume, cubic yards		7,800	8,400	9,000	9,700	10,500
Truck Loads		411	442	474	511	553
Cake Storage Pad						
Ave. Height, ft.		2.3	2.5	2.6	2.8	3.1
Length, ft.		200	200	200	200	200
Width, ft.		250	250	250	250	250

The specific improvements are designed to provide adequate capacity for the projected 20-year nominal 2040 planning year average flow of 8.8 mgd, maximum month flow of 9.5 mgd, and peak equalized flow of 13.0 mgd.

The equalization flow assumes that a new 1.5 million gallon basin is constructed within the next 5 years. Table 1-8 shows the disinfection basis of design parameters.

Table 1-8 Disinfection Basis of Design Parameters

Peak Hourly Flow (MGD)	13 (equalized)
Average Day Design Capacity (MGD)	7.25 Mid-Design Interval (2029)
Maximum Chlorine Design Dose (mg/l)	10.0 mg/l (10-States for Trickling Filter Effluent)
Peak Hourly Chlorine Feed Rate (lb/day)	1084 ppd; approximately 1084 gpd (based on 10 mg/l & 13 mgd)
Average Chlorine Design Dose (mg/l)	5.25 mg/l (based on historical feed dose)
Design Daily Average Chlorine Feed	317 ppd; approximately 317 gpd
Maximum Sodium Bisulfite Design Dose (mg/l)	3.0 mg/l
Peak Hourly Sodium Bisulfite Feed Capacity (lb/day)	325 ppd; approximately 73 gpd
Average Sodium Bisulfite Design Dose (mg/l)	1.2 mg/l (based on historical feed dose)
Design Daily Average Sodium Bisulfite Feed	72.6 ppd; approximately 16.5 gpd
Sodium Hypochlorite Supply	Bulk Liquid; 12.5 - 15% approx. (1 - 1.25 lb/gal)
Sodium Bisulfite Supply	Bulk Liquid; 40% approx. (4.47 lb/gal)
Chlorination Control	Flow paced with trim available with results of new residual analyzers to maintain residual
Dechlorination Control	Flow paced with trim available with results of new residual analyzers to be in excess of residual
Number of Hypochlorite Pumps	2
Number of Bisulfite Pumps	2
Hypochlorite Pump Location/Type	Peristaltic, skid mounted for floor mounting
Bisulfite Pump Location/Type	Peristaltic, skid mounted for floor mounting
Chlorine Residual Analyzers	Colorimetric DPD chemistry (Hach Cl-17)
Chemical Mixing at Contact Basin	Mixers or chemical induction units such as Chlor-A-Vac, Water Champ, etc.
Contact Basin Baffles	TBD via CFD Modeling in Design. Possibly slatted baffles near the entrance and turns.
Contact Basin Gate/Weir	A gate or weir to allow for raising the water surface in the basin at least during the disinfection season. Weir or possibly downward opening weir gate, TDB in design.

2.0 Analysis of Alternatives

A. Solids Handling Improvements

To address the projected increase in solids production at the WWTF and the short season for biosolids disposal, dewatering alternatives were developed to dewater 100% of the biosolids produced at the planning basis year 2039. HDR also evaluated dewatering 50% of the biosolids produced and determined it is more cost-effective to dewater 100% of the biosolids than 50% of the biosolids. Additionally, if only 50% of the biosolids are dewatered, the sludge pumping building would require significant repairs to the pipes in order to continue using the sludge storage tanks for the liquid sludge. The pipes in poor condition due to settlement issues and in need of repair, which would be costly. The following alternatives were evaluated for the solids handling facilities:

- Alternative 1: Centrifuge
- Alternative 2: Screw Press
- Alternative 3: Rotary Fan Press -8 Channels
- Alternative 4: Volute Press -3 Dewatering Drums
- Alternative 5: Sludge Drying Beds
- Alternative 6: Reed Beds
- Alternative 7: Freeze-Thaw Drying Beds

Table 2-1 shows the monetary and non-monetary considerations for the dewatering alternatives. The volute press is the lowest-cost alternative and was ranked the highest in the non-economic evaluation. The screw press is the next lowest-cost alternative and was ranked second in the non-economic evaluation. Because the volute press and the screw press were the top two alternatives both monetarily and non-monetarily, HDR recommended selecting one of these alternatives to dewater at the Bismarck WWTP. Due to variations in equipment layout requirements, the City opted to competitively bid the screw press and volute press dewatering equipment ahead of the detailed design of the dewatering improvements. This has been completed and a screw press manufacturer was selected as the bid pricing was significantly lower.

Table 2-1 Monetary and Non-Monetary Dewatering Considerations

Monetary Considerations							
Description	Alt 1: Centrifuge	Alt 2: Screw Press	Alt 3: Fan Press	Alt 4: Volute Press	Alt 5: Sand Drying Beds	Alt 6: Reed Beds	Alt 7: Freeze-Thaw Beds
Biosolids hauling and disposal	$66,000	$83,000	$83,000	$83,000	$55,000	$55,000	$55,000
General Permit, Admin, Sampling/Analysis	$27,000	$27,000	$27,000	$27,000	$27,000	$27,000	$27,000
Power	$18,000	$9,000	$32,000	$6,000			
Labor	$138,000	$77,000	$66,000	$45,000	$269,000	$29,000	$269,000
Polymer	$83,000	$99,000	$99,000	$99,000			
Equipment Replacement	$57,000	$28,000	$26,000	$34,000	$20,000	$15,000	$15,000
Maintenance Materials	$46,000	$11,000	$8,000	$10,000			
Total Annual O&M Cost	**$435,000**	**$334,000**	**$341,000**	**$304,000**	**$371,000**	**$126,000**	**$366,000**
Project Cost	**$5,370,000**	**$5,620,000**	**$5,830,000**	**$5,960,000**	**$9,580,000**	**$16,240,000**	**$9,810,000**
Equivalent Annual of Project Cost	$361,000	$378,000	$392,000	$401,000	$644,000	$1,092,000	$659,000
Annual O&M	$435,000	$334,000	$341,000	$304,000	$371,000	$126,000	$366,000
Present Value of O&M	$6,472,000	$4,969,000	$5,073,000	$4,523,000	$5,520,000	$1,875,000	$5,445,000
20-Year Life Cycle Project Cost	$11,842,000	$10,589,000	$10,903,000	$10,483,000	$15,100,000	$18,115,000	$15,255,000
Total Equivalent Annual Cost	$796,000	$712,000	$733,000	$705,000	$1,015,000	$1,218,000	$1,025,000
Percentage of Lowest Cost Alternative	113%	101%	104%	100%	144%	173%	146%

Non-Monetary Considerations														
	Score[1]	Total	Score[1]	Total	Score[1]	Total	Score[1]	Total	Score[1]	Total	Score[1]	Total	Score[1]	Total
Space to Provide Redundancy to 40 Years	10	2.87	10	2.87	7	2.01	10	2.87	8	2.30	8	2.30	9	2.58
Capacity (Function of Capacity and Operations)	2	0.96	7	3.35	6	2.87	9	4.31	6	2.87	6	2.87	6	2.87
Odor Potential	7	1.64	8	1.87	9	2.11	8	1.87	4	0.94	4	0.94	4	0.94
Total Non-Monetary Score	5.5		8.1		7.0		9.1		6.1		6.1		6.4	

B. Disinfection System Improvements

To be able to more readily disinfect the effluent to meet the NPDES discharge coliform requirements, improve the treatment process by removing the chlorine feed from the influent to the final clarifiers, and to provide a safer and code compliant chemical feed and storage facility, HDR evaluated the following alternatives.

- Alternative 1: Continued use of chlorination and dechlorination using gaseous chlorine and sulfur dioxide in a newly constructed disinfection facility
- Alternative 2: Continued use of chlorination and dechlorination using gaseous chlorine and sulfur dioxide and using the existing chlorination and dechlorination facilities
- Alternative 3: Continued use of chlorination and dechlorination, converting to liquid system for sodium hypochlorite chlorination and sodium bisulfite for dechlorination in a new facility.
- Alternative 4: Conversion to ultraviolet disinfection installed in the existing chlorine contact basin with a new building for the electrical, controls and off-season bulb storage.

- The conceptual opinion of probable construction costs, annual and present worth O&M costs and total life cycle costs are summarized in Table 2-2 as follows:

Table 2-2 Monetary Dewatering Considerations

Alternative	Project Costs	O&M	Net Present Value
Alt 1 – Continue Gas Chlorine and Sulfur Dioxide with a New Disinfection Building	$2,160,000	$57,000 (PW O&M = $708,000)	$2,868,000
Alt 2 – Continue Gas Chlorine and Sulfur Dioxide with the Existing Feed and Storage Areas	$725,000	$57,000 (PW O&M = $708,000)	$1,433,000
Alt 3 – Conversion to Hypochlorite and Sodium Bisulfite with a New Building	$1,717,000	$123,000 (PW O&M = $1,529,000)	$3,246,000
Alt 4 - UV Disinfection	$2,890,000	$205,500 (PW O&M = $2,523,000)	$5,413,000

Based on the analysis conducted in this study, the continued use of gas chemicals, was the lowest cost alternative based on the assumptions made in the analysis. While Alternative 2 was the lowest cost alternative, it is our opinion that this option will not fully meet the needs of the Bismarck WWTF, limiting feed and chemical storage, not providing adequate capacity to meet the facilities future needs and even possibly higher flow or chlorine demand periods even now. Additionally the existing facility is not compliant with the existing fire and building code and poses a safety risk to staff being located in the Administration Building. It was determined that Alternative 2 is not a viable or sustainable option to

provide a reliable and safe means of disinfecting the wastewater effluent prior to discharge, regardless of cost and was eliminated from consideration.

Alternative 4, conversion to ultraviolet disinfection (UV), was the most cost intensive of the options evaluated and could be ruled out on that alone. We did have the wastewater effluent evaluated by Trojan Technologies, a major UV system manufacturer, for UV treatability. Due to the variable effluent transmissivity (ability of the UV light to pass through the effluent) they stated they could not recommend the use of UV on the Bismarck WWTF effluent. This recommendation coupled with the very high cost eliminated UV disinfection from consideration.

Of the two remaining alternatives, Alternative 3 has the lowest capital cost while Alternative 1 has the lowest life-cycle cost due to the lower costs associate with the gaseous chemicals. The O&M costs were based on assumptions and are somewhat subjective. The actual feed rates are could be lower than estimated due to improvements proposed for the chlorine contact basin which will improve the contact time dramatically and the fact that they will no longer be feeding ahead of the final clarifiers which imparts a higher chlorine demand. Reducing the chlorine feed rate will reduce the chemical costs and close the gap between the estimated O&M costs for the alternatives. With Alternative 1 an EPA required Risk Management Plan (RMP) will continue to be required due to the quantity of chlorine gas on site. Maintaining that document and training associated with it were not included in the O&M costs. This would not be required with Alternative 3. Also with Alternative 1, one-ton cylinders of chlorine would continue to be brought into the site through the city and residential areas and stored in close proximity to residential development, just east of the WWTF site. Due to the subjectivity of the O&M costs, elimination of the need to maintain a RMP, the need for operation staff to handle gas cylinders and storing gaseous chemical in close proximity to residential development, Alternative 3 is recommended, which is the lower capital cost alternative.

3.0 Selected Alternatives

A. Description of Selected Alternatives

The following briefly presents the alternatives recommended for the solids handling and disinfection improvements as selected based on information presented in Section 2 previously. Improvements proposed are independent of the NPDES discharge permit and will have no impact on those requirements. Selected drawings from the design of the proposed improvements have been included in the Appendix to show proposed locations for improvements. General layouts and process schematics.

The dewatering improvements proposed include the addition a screw press sludge dewatering unit with sludge feed pumps, two pumped digester mixing systems, a Dumpster-Veyor system for load out of the dewatered sludge, a sludge storage pad, and HVAC improvements. These improvements will be installed into existing structures which will require some modifications to accommodate the new equipment.

The effluent disinfection improvements includes the construction of a new Disinfection Building to house the disinfection chemicals and feed equipment. The disinfection technology will continue to be chlorination for disinfection, followed by dechlorination prior to discharge to the receiving stream. The chemicals used for that purpose are changing from gaseous chlorine in one-ton cylinders and gaseous sulfur dioxide in 150 pound cylinders to bulk delivered sodium hypochlorite (12.5% strength approximate) and mini-bulk delivered sodium bisulfite (40% strength approximate). These chemicals will be fed to the chlorine contact basin using peristaltic chemical feed pumps. Improvements will also be made to the existing chlorine contact basin to improve the detention time and flow characteristics. Additionally improvements will be made to the chlorine contact basin to raise the operating water level and adding baffles, both of which will

increase the effective contact time of the basin significantly and reduce the potential for short circuiting of the flow in the basin.

B. Proposed Project Costs & Funding

The project components and associated costs are summarized below: Operation & maintenance costs were presented previously in Section 2.

- Solids Dewatering System and Existing Building Modifications

○ Construction Subtotal	$4,780,000
○ Construction Contingency	$360,000
○ Construction Cost	$5,140,000

- New Disinfection Building and Disinfection System Improvements

○ Construction Subtotal	$1,820,000
○ Contingency	$280,000
○ Total Construction Cost	$2,100,000

The total estimated project cost, which includes undefined construction costs of $1,560,000 for engineering and testing/startup costs and a Total Project Cost is $8,800,000.

C. Project Schedule

The project's anticipated schedule is as follows:

- DEQ Final Design Review – July 20th, 2020
- Final Contract Documents – July 24th, 2020
- Advertise – July 25th, 2020
- Bid Opening – August 19th, 2020
- Contract Award – August 25th, 2020
- Begin Construction – September 7th, 2020
- Substantial Completion of Construction – February 15, 2022
- Complete Construction – June 15, 2022

The City has included this project within the Capital Improvement Program (CIP) and has prepared a financing plan/analysis to fund it.

The City is responsible for all revenues and expenditures associated with the collection and treatment of wastewater for the City. The proposed project would be incorporated into the debt services section of the wastewater treatment expenditures. The City plans on utilizing a State Revolving Fund (SRF) loan to initially fund a significant portion of the project and use the City's revenue sources and standard cost recovery to pay the SRF loan back. The City anticipates receiving a $5 million loan at an interest rate of from the SRF loan program. The City has provided detailed information in the SRF application package. Additionally the City intends to use $3.8 million in existing cash reserves as partial funding for the project.

D. Environmental Impacts of Project

This section considers potential project impacts (direct and indirect) on social and environmental resources based on a No-Action Alternative and the Selected Alternatives. **Error! Reference source not found.** shows the existing extent of the wastewater treatment, the anticipated construction limits, and the floodplain associated with the Missouri River. Following this section are the environmental commitments to be implemented during final design / construction.

I. LAND USE

Land surrounding the Project Area is comprised of urbanized – residential homes to the northeast, east and south of the WWTF, Walt Neuen's Memorial Horse Park to the west and a golf course to the north. The Project Area itself is an existing wastewater treatment facility and is zoned for industrial use. The No-Action Alternative and the Selected Alternative would not affect current land use.

II. NOISE LEVELS

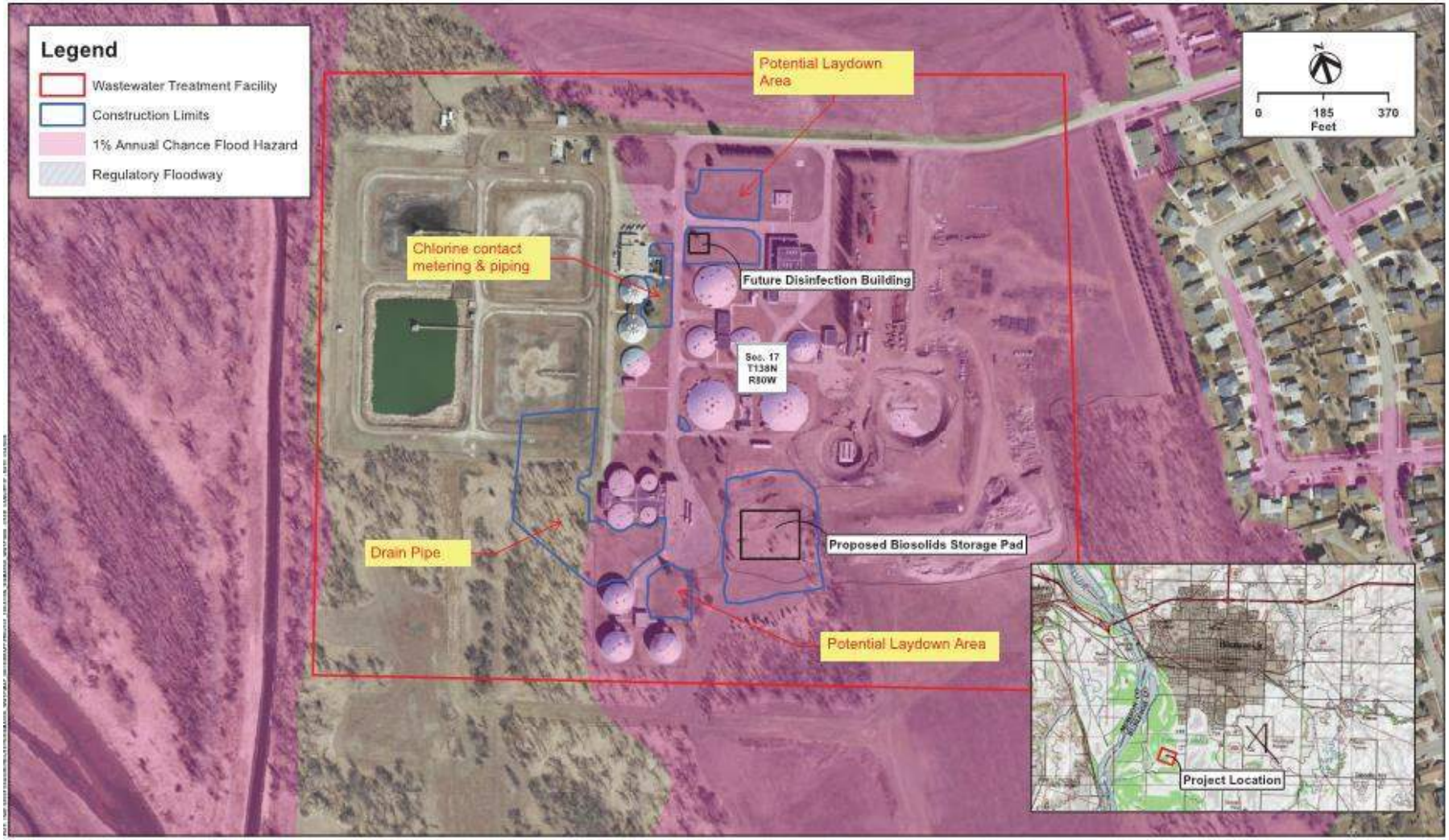
Existing noise levels are typical for an industrial area and are dependent on the activities taking place at the site and those would not change following construction of this project. Temporary noise impacts on surrounding areas would occur during the construction of the Selected Alternative. Although noise levels may temporarily increase, no impacts would result of the increased noise levels due to being appropriate distances away from residences and businesses.

III. PARKS, RECREATION AREA, PUBLIC SERVICES, AND FACILITIES

Public services are provided to the Project Area and include fire protection, ambulance emergency services, and law enforcement. Public facilities include infrastructure for wastewater treatment, water supply, electricity, and natural gas. The No-Action Alternative would not result in short-term impacts to public services because no construction would occur. In the long term, the No-Action Alternative may limit the operational efficiency of staff at the Wastewater Treatment Facility since the proposed improvements would not occur.

The Selected Alternative would have no impact on public services or recreational areas. Coordination will continue throughout final design to ensure that emergency service vehicles can access the WWTF during construction. There are no impacts to parks or recreational areas under both the No-Action and Selected Alternative.

Figure 1 – Project Detail Map



WASTEWATER TREATMENT PLANT
BISMARCK, NORTH DAKOTA

DATE 04/30/2020

FIGURE 1

IV. AIR QUALITY

The No-Action Alternative nor the Selected Alternative would not adversely impact air quality in the Project Area. Construction may cause short-term elevations of air emissions as a result of construction equipment. During construction, air emissions would be minimized by providing street sweeping and regular scheduling of water sprinkling for dust suppression, if needed.

V. REGULATED MATERIALS

Properties where hazardous material spills or leaks have occurred may present risk to a project. Contaminated, or potentially contaminated, properties are a concern to projects because of associated liability of the potential cleanup costs and the safety concerns related to exposure to contaminated soil, surface water, or groundwater.

The No-Action Alternative would not impact nor be impacted by any regulated materials sites.

The Selected Alternative is not expected to be adversely impacted by regulated materials in the Project Area. During construction, the Contractor should be aware of areas of soil staining, objectionable odors, or if buried drums or underground storage tanks are discovered. In addition, all soil borings would be inspected for contaminants. If hazardous materials are detected during construction, the City would coordinate with ND DEQ prior to continuing work in the area and determine the appropriate course of action.

VI. FARMLAND

The Farmland Protection Policy Act (FPPA) of 1981 (7 CFR 658) requires that federal projects minimize the conversion of farmland to nonagricultural uses. To the extent practicable, state and local farmland policies are to be considered. Specially classified farmlands, such as prime farmland, unique farmland, and farmland of statewide or local importance, are closely scrutinized under this act. The project is entirely located within the boundaries of the existing wastewater treatment plant site and there is no farmland impacted.

The No-Action and Selected Alternative would have no effect on prime or important farmlands since the construction is occurring on the existing WWTF site. A coordination letter was sent to the NRCS via email for their verification dated May 4, 2020 (see Appendix A). NRCS responded on May 14, 2020 indicating that the project is within city limits where FPPA does not apply.

VII. FLOODPLAIN, WETLANDS, AND WATERWAYS

Error! Reference source not found. shows the extent of the 1% annual chance flood hazard area within proximity to the Project. The baseflood elevation is 1,636.5 feet (FIRM Panel 38015C0795D). The existing elevation of the proposed disinfection building is 1,637 feet while the existing elevation of the proposed biosolids storage area varies from 1,645.5 to 1,638.1 feet, above the base flood elevation.

The No-Action Alternative and Selected Alternative would not affect the floodplain, wetlands, or waterways. The Selected Alternative does not require coordination with the local floodplain administrator. The U.S. Army Corps of Engineers provided a jurisdictional determination on May 11, 2020 (NWO-2006-60372-BIS) and indicated “the project as proposed will not require a DA permit in accordance with Section 404 as it will not involve the discharge of dredged or fill material into waters of the United States”.

VIII. THREATHENED AND ENDANGERED SPECIES

An Official Species List provided by the U.S. Fish and Wildlife Service (USFWS) indicated there is a total of six threatened and endangered species that should be considered in an effects analysis for the project

due to its location. Species include the northern long-eared bat, least tern, piping plover, red knot, whooping crane, and pallid sturgeon.

The No-Action Alternative would have no effect on threatened or endangered species or their designated critical habitats. Due to the presence of trees that may require removal, the Selected Alternative's anticipated effect is "May Affect, Not Likely Adversely Affect" the northern long-eared bat. The 4(d) rule would apply which does not prohibit incidental take that results from tree removal activities beyond 150 feet of a known occupied maternity roost tree during the pup season (June 1 through July 31) or within 0.25 miles of a hibernacula site, year round. There are no known hibernacula within 0.25 miles. Due to the presence of wetlands within proximity to the project, the Selected Alternative's anticipated effect of "May Affect, Not Likely to Adversely Affect" the whooping crane. There is no habitat for other listed species and consequently no anticipated effect to those species. A commitment to stop construction in the event a Whooping Crane is visible will be included to offset any potential for adverse effect to the Whooping Crane.

IX. WATER QUALITY AND QUANTITY

No water resources were identified within the Project Area. A drainage ditch is located west of the WWTF which discharges to the Missouri River approximately 1 mile to the southwest. The No-Action Alternative as well as the selected alternative would have no impact on the water quality.

X. CULTURAL RESOURCES REVIEW

Section 106 of the National Historic Preservation Act of 1966 (NHPA) requires Federal agencies to determine whether their undertakings would have adverse impacts on historic properties that are listed on or are eligible for listing on the National Register of Historic Places (NRHP). The Project Area is located within the existing wastewater treatment plant facility grounds in an area that has been previously disturbed and therefore the No-Action Alternative would not affect any archeological sites or historic structures.

E. Environmental Commitments

There are no commitments for Land Use, Noise, Parks & Recreation, Farmland, Floodplain,

- Coordination shall occur to verify that emergency service vehicles can access the WWTF during construction.
- Minimized fugitive dust emissions by providing street sweeping and regular scheduling of water sprinkling for dust suppression, if needed.
- If hazardous materials are detected during construction, coordinate with ND Department of Environmental Quality prior to continuing work in the area and determine the appropriate course of action.
- Manage and transport any solid waste in accordance with the state's solid and hazardous waste rules.
- Re-vegetate disturbed areas as soon as possible
- Prevent spills of oil and grease from entering waterways or groundwater.
- Notify the North Dakota Pollution Discharge Elimination System program of any planned changes to the wastewater facility which may result in discharging new or different pollutants.

- Stop construction in the event a northern long-eared bat or whooping crane is seen during construction and contact the U.S. Fish and Wildlife Service prior to proceeding.
- If buried prehistoric or historic cultural materials are encountered during construction, work should cease in that area and the State Historical Preservation Office (SHPO) should be contacted immediately.

F. Review Agency Comments

Agency scoping letters were sent to resource agencies on May 4, 2020 to request their review and comments regarding the proposed Project. Table 6 summarizes the agency responses. A copy of the coordination letters are provided in Appendix A.

Table 3-1 Agency Responses

Agency	Date	Response
Natural Resources Conservation Service	May 4, 2020	The Farmland Protection Policy Act does not apply within city limits.
ND Game & Fish Department	May 11, 2020	No identifiable conflicts with fish and wildlife resources.
U.S. Army Corps of Engineers	May 11, 2020	No 404 Permit required. There are no aquatic resources or potential aquatic resources in the review area (NWO-2006-60372-BIS
ND Department of Environmental Quality	May 18, 2020	Minimize adverse effects on water bodies including re-vegetating disturbed areas as soon as possible and preventing spills of oil and grease from entering waterways or groundwater. The city must notify the North Dakota Pollution Discharge Elimination System program of any planned changes to the wastewater facility which may result in discharging new or different pollutants. Minimize the disturbance of any asbestos-containing material. Asbestos inspection and notification of the department's Division of Waste Management is required before any demolition of any facility to be renovated or demolished. All solid waste materials must be managed and transported in accordance with the state's solid and hazardous waste rules.
ND State Historic Preservation	May 19, 2020	"No Historic Properties Affected" (ND SHPO Ref.: 20-5680)
ND Water Commission	May 28, 2020	Work closely with the local Floodplain Administrator. If surface water or groundwater sill be diverted, a water permit will be required per North Dakota Century Code 61-04-02. Consul with the Water Appropriations Division of the Office of the State Engineer.
U.S. Fish and Wildlife Service		NO RESPONSE

4.0 Public Participation

This section discusses the public participation during the development of the WWTF Solids Dewatering and Disinfection System Improvements Project. The City of Bismarck City Commission's regular meeting on August 11, 2020 discussed the Facility Plan. The City Commission, as well as the public, were able to voice any concerns they might have with the project.

A. Meeting Minutes

The Facility Plan was reviewed at the August 11, 2020 City of Bismarck City Commission's regular meeting. The purpose of the agenda item to discuss the Facility Plan was to introduce the public to the proposed project.

The City and HDR provided the following information about the facility plan:

- Purpose for the Facility Plan
- Project needs
- Project alternatives
- Selected alternative
- Environmental Impacts
- Project Funding

B. Resolution of Public Concerns

TBD.

APPENDIX A
Agency Letters

From: Murphy, Caitlin
Sent: Monday, May 4, 2020 9:21 AM
To: 'sdyke@nd.gov'
Subject: State Revolving Fund for Wastewater Treatment Facility
Attachments: ND_Game_Fish_Letter.pdf

Good morning Mr. Dyke,

I am coordinating with your agency on behalf of the City of Bismarck. The City is developing a facility plan for constructing improvements for the wastewater treatment facility to secure a loan from the State Revolving Fund. Attached is a letter with further details about the Project, a project location map, and the profile sheets of the pipe. Please provide me with any comments or concerns your agency has about the Project.

Thank you!

Caitlin Murphy
Environmental Scientist

HDR
6300 S. Old Village Place
Sioux Falls, SD 57108
D 605.977.7775 **M** 605.400.3357
caitlin.murphy@hdrinc.com

hdrinc.com/follow-us

May 4, 2020

Steve Dyke
ND Game and Fish Department
100 Bismarck Expressway
Bismarck, ND 58501-5095

RE: Compliance with Authorities to obtain a State Revolving Fund Loan for the City of Bismarck Wastewater Treatment Facility

Mr. Dyke,

The City of Bismarck, ND (the City) is developing a Facility Plan for constructing improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities. The Facility Plan is necessary to secure a loan from the State Revolving Fund (SRF). The solids dewatering improvements will be installed into an existing structure which will require some modifications to accommodate the new equipment. The effluent disinfection improvements includes the construction of a new Disinfection Building to house the disinfection chemicals and feed equipment. This new structure will be constructed on the existing WWTF site in a turfed area that has previously been disturbed. Tree removal may occur during construction. This building will have a footprint of just under 1,700 SF, is a single story slab on grade construction with utilizing precast concrete panels for the exterior. Upon completion of the new disinfection facilities the existing disinfection chemical storage and feed equipment located in the Administration Building will be removed.

The Project Area includes the wastewater treatment facility and planned construction. The City has developed a Facility Plan for the Project in pursuance of receiving SRF.

We are contacting you to verify this project will comply with applicable authorities under your agency's jurisdiction. Upon reviewing this project with respect to your agency's concerns, please provide a response to me at either Tina.Fricke@hdrinc.com or at the mailing address at the bottom of this letter. Please respond by June 1, 2020 as your response is a necessary component of the environmental review.

If you need additional information or clarification, please contact me at 701.557.9721. Thank you for your attention to this matter.

Respectfully,
HDR Engineering, Inc.

Tina Fricke Robinson

Tina Fricke Robinson
Senior Environmental Project Manager

Encl.: Project area map for City of Bismarck's Wastewater Treatment Facility, Profile sheet of pipe

From: Murphy, Caitlin
Sent: Monday, May 4, 2020 9:22 AM
To: 'cberg@nd.gov'
Subject: State Revolving Fund for Wastewater Treatment Facility
Attachments: ND_State_Historical_Society_Letter.pdf

Good morning Ms. Berg,

I am coordinating with your agency on behalf of the City of Bismarck. The City is developing a facility plan for constructing improvements for the wastewater treatment facility to secure a loan from the State Revolving Fund. Attached is a letter with further details about the Project, a project location map, and the profile sheets of the pipe. Please provide me with any comments or concerns your agency has about the Project.

Thank you!

Caitlin Murphy
Environmental Scientist

HDR
6300 S. Old Village Place
Sioux Falls, SD 57108
D 605.977.7775 **M** 605.400.3357
caitlin.murphy@hdrinc.com

hdrinc.com/follow-us

May 4, 2020

Claudia Berg
ND State Historic Preservation Officer
ND Heritage Center
612 E Boulevard Avenue
Bismarck, ND 58505-0830

RE: Compliance with Authorities to obtain a State Revolving Fund Loan for the City of Bismarck Wastewater Treatment Facility

Ms. Berg,

The City of Bismarck, ND (the City) is developing a Facility Plan for constructing improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities. The Facility Plan is necessary to secure a loan from the State Revolving Fund (SRF). The solids dewatering improvements will be installed into an existing structure which will require some modifications to accommodate the new equipment. The effluent disinfection improvements includes the construction of a new Disinfection Building to house the disinfection chemicals and feed equipment. This new structure will be constructed on the existing WWTF site in a turfed area that has previously been disturbed. Tree removal may occur during construction. This building will have a footprint of just under 1,700 SF, is a single story slab on grade construction with utilizing precast concrete panels for the exterior. Upon completion of the new disinfection facilities the existing disinfection chemical storage and feed equipment located in the Administration Building will be removed.

The Project Area includes the wastewater treatment facility and planned construction. The City has developed a Facility Plan for the Project in pursuance of receiving SRF.

We are contacting you to verify this project will comply with applicable authorities under your agency's jurisdiction. Upon reviewing this project with respect to your agency's concerns, please provide a response to me at either Tina.Fricke@hdrinc.com or at the mailing address at the bottom of this letter. Please respond by June 1, 2020 as your response is a necessary component of the environmental review.

If you need additional information or clarification, please contact me at 701.557.9721. Thank you for your attention to this matter.

Respectfully,
HDR Engineering, Inc.

Tina Fricke Robinson

Tina Fricke Robinson
Senior Environmental Project Manager

Encl.: Project area map for City of Bismarck's Wastewater Treatment Facility, Profile sheet of pipe

From: Murphy, Caitlin
Sent: Monday, May 4, 2020 9:26 AM
To: 'jpaczkowski@nd.gov'
Subject: State Revolving Fund for Wastewater Treatment Facility
Attachments: ND_State_Water_Commission_Letter.pdf

Good morning Mr. Paczkowski,

I am coordinating with your agency on behalf of the City of Bismarck. The City is developing a facility plan for constructing improvements for the wastewater treatment facility to secure a loan from the State Revolving Fund. Attached is a letter with further details about the Project, a project location map, and the profile sheets of the pipe. Please provide me with any comments or concerns your agency has about the Project.

Thank you!

Caitlin Murphy
Environmental Scientist

HDR
6300 S. Old Village Place
Sioux Falls, SD 57108
D 605.977.7775 **M** 605.400.3357
caitlin.murphy@hdrinc.com

hdrinc.com/follow-us

May 4, 2020

John Paczkowski
ND State Water Commission
900 E. Blvd. Ave
Bismarck, ND 58505-0850

RE: Compliance with Authorities to obtain a State Revolving Fund Loan for the City of Bismarck Wastewater Treatment Facility

Mr. Paczkowski,

The City of Bismarck, ND (the City) is developing a Facility Plan for constructing improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities. The Facility Plan is necessary to secure a loan from the State Revolving Fund (SRF). The solids dewatering improvements will be installed into an existing structure which will require some modifications to accommodate the new equipment. The effluent disinfection improvements includes the construction of a new Disinfection Building to house the disinfection chemicals and feed equipment. This new structure will be constructed on the existing WWTF site in a turfed area that has previously been disturbed. Tree removal may occur during construction. This building will have a footprint of just under 1,700 SF, is a single story slab on grade construction with utilizing precast concrete panels for the exterior. Upon completion of the new disinfection facilities the existing disinfection chemical storage and feed equipment located in the Administration Building will be removed.

The Project Area includes the wastewater treatment facility and planned construction. The City has developed a Facility Plan for the Project in pursuance of receiving SRF.

We are contacting you to verify this project will comply with applicable authorities under your agency's jurisdiction. Upon reviewing this project with respect to your agency's concerns, please provide a response to me at either Tina.Fricke@hdrinc.com or at the mailing address at the bottom of this letter. Please respond by June 1, 2020 as your response is a necessary component of the environmental review.

If you need additional information or clarification, please contact me at 701.557.9721. Thank you for your attention to this matter.

Respectfully,
HDR Engineering, Inc.

Tina Fricke Robinson

Tina Fricke Robinson
Senior Environmental Project Manager

Encl.: Project area map for City of Bismarck's Wastewater Treatment Facility, Profile sheet of pipe

From: Murphy, Caitlin
Sent: Monday, May 4, 2020 9:28 AM
To: 'mary.podoll@nd.usda.gov'
Subject: State Revolving Fund for Wastewater Treatment Facility
Attachments: NRCS_Letter.pdf

Good morning Ms. Podoll,

I am coordinating with your agency on behalf of the City of Bismarck. The City is developing a facility plan for constructing improvements for the wastewater treatment facility to secure a loan from the State Revolving Fund. Attached is a letter with further details about the Project, a project location map, and the profile sheets of the pipe. Please provide me with any comments or concerns your agency has about the Project.

Thank you!

Caitlin Murphy
Environmental Scientist

HDR
6300 S. Old Village Place
Sioux Falls, SD 57108
D 605.977.7775 **M** 605.400.3357
caitlin.murphy@hdrinc.com

hdrinc.com/follow-us

May 4, 2020

Mary Podoll
US Department of Agriculture – NRCS
PO Box 1458
Bismarck, ND 58502-1458

RE: Compliance with Authorities to obtain a State Revolving Fund Loan for the City of Bismarck Wastewater Treatment Facility

Ms. Podoll,

The City of Bismarck, ND (the City) is developing a Facility Plan for constructing improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities. The Facility Plan is necessary to secure a loan from the State Revolving Fund (SRF). The solids dewatering improvements will be installed into an existing structure which will require some modifications to accommodate the new equipment. The effluent disinfection improvements includes the construction of a new Disinfection Building to house the disinfection chemicals and feed equipment. This new structure will be constructed on the existing WWTF site in a turfed area that has previously been disturbed. Tree removal may occur during construction. This building will have a footprint of just under 1,700 SF, is a single story slab on grade construction with utilizing precast concrete panels for the exterior. Upon completion of the new disinfection facilities the existing disinfection chemical storage and feed equipment located in the Administration Building will be removed.

The Project Area includes the wastewater treatment facility and planned construction. The City has developed a Facility Plan for the Project in pursuance of receiving SRF.

We are contacting you to verify this project will comply with applicable authorities under your agency's jurisdiction. Upon reviewing this project with respect to your agency's concerns, please provide a response to me at either Tina.Fricke@hdrinc.com or at the mailing address at the bottom of this letter. Please respond by June 1, 2020 as your response is a necessary component of the environmental review.

If you need additional information or clarification, please contact me at 701.557.9721. Thank you for your attention to this matter.

Respectfully,
HDR Engineering, Inc.

Tina Fricke Robinson
Senior Environmental Project Manager

hdrinc.com

3231 Greensboro Drive Suite 200 Bismarck, ND 58503-5413
(701) 557-9701

Encl.: Project area map for City of Bismarck's Wastewater Treatment Facility, Profile sheet of pipe

From: Murphy, Caitlin
Sent: Monday, May 4, 2020 9:30 AM
To: 'patricia.l.mcqueary@usace.army.mil'
Subject: State Revolving Fund for Wastewater Treatment Facility
Attachments: USACE_Letter.pdf

Good morning Ms. McQueary,

I am coordinating with your agency on behalf of the City of Bismarck. The City is developing a facility plan for constructing improvements for the wastewater treatment facility to secure a loan from the State Revolving Fund. Attached is a letter with further details about the Project, a project location map, and the profile sheets of the pipe. Please provide me with any comments or concerns your agency has about the Project.

Thank you!

Caitlin Murphy
Environmental Scientist

HDR
6300 S. Old Village Place
Sioux Falls, SD 57108
D 605.977.7775 **M** 605.400.3357
caitlin.murphy@hdrinc.com

hdrinc.com/follow-us

May 4, 2020

Patricia McQueary
US Army Corps of Engineers
3319 University Drive
Bismarck, ND 58504

RE: Compliance with Authorities to obtain a State Revolving Fund Loan for the City of Bismarck Wastewater Treatment Facility

Ms. McQueary,

The City of Bismarck, ND (the City) is developing a Facility Plan for constructing improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities. The Facility Plan is necessary to secure a loan from the State Revolving Fund (SRF). The solids dewatering improvements will be installed into an existing structure which will require some modifications to accommodate the new equipment. The effluent disinfection improvements includes the construction of a new Disinfection Building to house the disinfection chemicals and feed equipment. This new structure will be constructed on the existing WWTF site in a turfed area that has previously been disturbed. Tree removal may occur during construction. This building will have a footprint of just under 1,700 SF, is a single story slab on grade construction with utilizing precast concrete panels for the exterior. Upon completion of the new disinfection facilities the existing disinfection chemical storage and feed equipment located in the Administration Building will be removed.

The Project Area includes the wastewater treatment facility and planned construction. The City has developed a Facility Plan for the Project in pursuance of receiving SRF.

We are contacting you to verify this project will comply with applicable authorities under your agency's jurisdiction. Upon reviewing this project with respect to your agency's concerns, please provide a response to me at either Tina.Fricke@hdrinc.com or at the mailing address at the bottom of this letter. Please respond by June 1, 2020 as your response is a necessary component of the environmental review.

If you need additional information or clarification, please contact me at 701.557.9721. Thank you for your attention to this matter.

Respectfully,
HDR Engineering, Inc.

Tina Fricke Robinson

Tina Fricke Robinson
Senior Environmental Project Manager

Encl.: Project area map for City of Bismarck's Wastewater Treatment Facility, Profile sheet of pipe

From: Murphy, Caitlin
Sent: Monday, May 4, 2020 9:39 AM
To: 'drew.becker@fws.gov'
Subject: State Revolving Fund for Wastewater Treatment Facility
Attachments: USFWS_Letter.pdf

Good morning Mr. Becker,

I am coordinating with your agency on behalf of the City of Bismarck. The City is developing a facility plan for constructing improvements for the wastewater treatment facility to secure a loan from the State Revolving Fund. Attached is a letter with further details about the Project, a project location map, and the profile sheets of the pipe. Please provide me with any comments or concerns your agency has about the Project.

Thank you!

Caitlin Murphy
Environmental Scientist

HDR
6300 S. Old Village Place
Sioux Falls, SD 57108
D 605.977.7775 **M** 605.400.3357
caitlin.murphy@hdrinc.com

hdrinc.com/follow-us

May 4, 2020

Drew Becker
ND Ecological Services Supervisor
US Fish and Wildlife Service
3425 Miriam Ave
Bismarck, ND 58501

RE: Compliance with Authorities to obtain a State Revolving Fund Loan for the City of Bismarck Wastewater Treatment Facility

Mr. Becker,

The City of Bismarck, ND (the City) is developing a Facility Plan for constructing improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities. The Facility Plan is necessary to secure a loan from the State Revolving Fund (SRF). The solids dewatering improvements will be installed into an existing structure which will require some modifications to accommodate the new equipment. The effluent disinfection improvements includes the construction of a new Disinfection Building to house the disinfection chemicals and feed equipment. This new structure will be constructed on the existing WWTF site in a turfed area that has previously been disturbed. Tree removal may occur during construction. This building will have a footprint of just under 1,700 SF, is a single story slab on grade construction with utilizing precast concrete panels for the exterior. Upon completion of the new disinfection facilities the existing disinfection chemical storage and feed equipment located in the Administration Building will be removed.

The Project Area includes the wastewater treatment facility and planned construction. The City has developed a Facility Plan for the Project in pursuance of receiving SRF.

We requested an official species list on IPaC. The official species list indicated that four federally listed threatened or endangered species may be present in the Project Area.

Species	**Status**	**Anticipated Effect**	**Comments**
Northern Long-eared Bat (*Myotis septentrionalis*)	Threatened	May Affect, Not Likely to Adversely Affect	Should any tree removal be necessary, we understand the 4(d) rule would apply
Piping Plover (Charadrius melodus)	Threatened	No Effect	Habitat not present
Red Knot (*Calidris canutus rufa*)	Threatened	No Effect	Habitat not present
Whooping Crane *(Grus Americana)*	Endangered	May Affect, Not Likely to Adversely Affect	Marginal habitat present

Pallid Sturgeon (*Scaphirhynchus albus)*	Endangered	No Effect	Habitat not present

We are contacting you to verify this project will comply with applicable authorities under your agency's jurisdiction. Upon reviewing this project with respect to your agency's concerns, please provide a response to me at either Tina.Fricke@hdrinc.com or at the mailing address at the bottom of this letter. Please respond by June 1, 2020 as your response is a necessary component of the environmental review.

If you need additional information or clarification, please contact me at 701.557.9721. Thank you for your attention to this matter.

Respectfully,
HDR Engineering, Inc.

Tina Fricke Robinson
Senior Environmental Project Manager

Encl.: Project area map for City of Bismarck's Wastewater Treatment Facility, Profile sheet of pipe

United States Department of the Interior

FISH AND WILDLIFE SERVICE
North Dakota Ecological Services Field Office
3425 Miriam Avenue
Bismarck, ND 58501-7926
Phone: (701) 250-4481 Fax: (701) 355-8513
http://www.fws.gov/northdakotafieldoffice/endspecies/endangered_species.htm

In Reply Refer To: April 30, 2020
Consultation Code: 06E15000-2020-SLI-0270
Event Code: 06E15000-2020-E-01000
Project Name: Bismarck WWTP

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

North Dakota Ecological Services Field Office
3425 Miriam Avenue
Bismarck, ND 58501-7926
(701) 250-4481

Project Summary

Consultation Code: 06E15000-2020-SLI-0270

Event Code: 06E15000-2020-E-01000

Project Name: Bismarck WWTP

Project Type: WASTEWATER FACILITY

Project Description: A facility plan occurring in Bismarck, ND.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/46.77196029763817N100.80548521405245W

Counties: Burleigh, ND

Endangered Species Act Species

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

---

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Birds

NAME	STATUS
Least Tern *Sterna antillarum* Population: interior pop. No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8505	Endangered
Piping Plover *Charadrius melodus* Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Red Knot *Calidris canutus rufa* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened
Whooping Crane *Grus americana* Population: Wherever found, except where listed as an experimental population There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/758	Endangered

Fishes

NAME	STATUS
Pallid Sturgeon *Scaphirhynchus albus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7162	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

May 4, 2020

David Glatt
ND Department of Environmental Quality
918 E. Divide Ave, 4th Floor
Bismarck, ND 58501-1947

RE: Compliance with Authorities to obtain a State Revolving Fund Loan for the City of Bismarck Wastewater Treatment Facility

Mr. Glatt,

The City of Bismarck, ND (the City) is developing a Facility Plan for constructing improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities. The Facility Plan is necessary to secure a loan from the State Revolving Fund (SRF). The solids dewatering improvements will be installed into an existing structure which will require some modifications to accommodate the new equipment. The effluent disinfection improvements includes the construction of a new Disinfection Building to house the disinfection chemicals and feed equipment. This new structure will be constructed on the existing WWTF site in a turfed area that has previously been disturbed. Tree removal may occur during construction. This building will have a footprint of just under 1,700 SF, is a single story slab on grade construction with utilizing precast concrete panels for the exterior. Upon completion of the new disinfection facilities the existing disinfection chemical storage and feed equipment located in the Administration Building will be removed.

The Project Area includes the wastewater treatment facility and planned construction. The City has developed a Facility Plan for the Project in pursuance of receiving SRF.

We are contacting you to verify this project will comply with applicable authorities under your agency's jurisdiction. Upon reviewing this project with respect to your agency's concerns, please provide a response to me at either Tina.Fricke@hdrinc.com or at the mailing address at the bottom of this letter. Please respond by June 1, 2020 as your response is a necessary component of the environmental review.

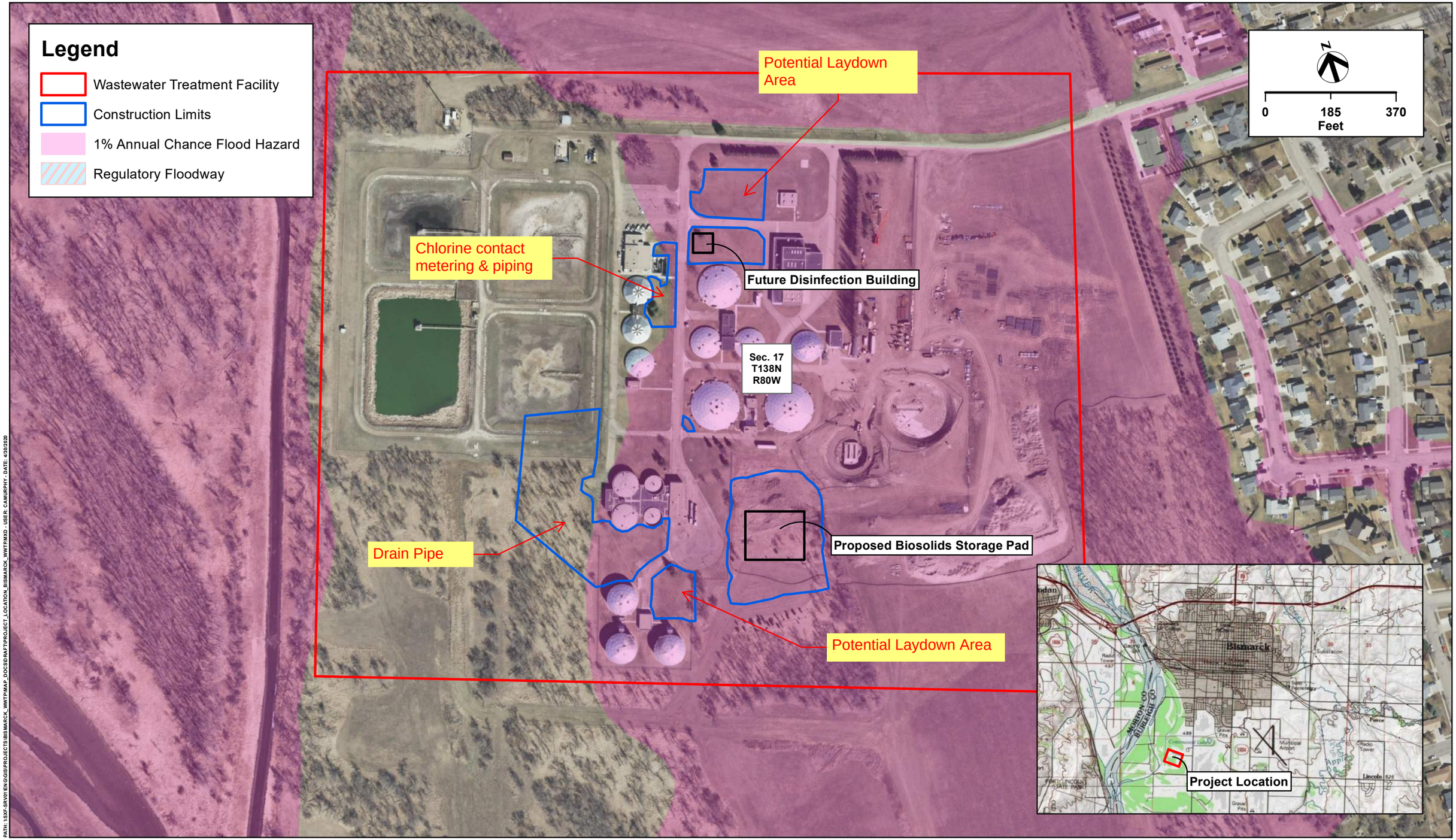
If you need additional information or clarification, please contact me at 701.557.9721. Thank you for your attention to this matter.

Respectfully,
HDR Engineering, Inc.

Tina Fricke Robinson

Tina Fricke Robinson
Senior Environmental Project Manager

Encl.: Project area map for City of Bismarck's Wastewater Treatment Facility, Profile Sheet of Pipe



PATH: \\SXF-SRV01\EN\GIS\PROJECTS\BISMARCK_WWTP\MAP_DOCS\DRAFT\PROJECT_LOCATION_BISMARCK_WWTP.MXD - USER: CAMURPHY - DATE: 4/30/2020

HDR

WASTEWATER TREATMENT PLANT
BISMARCK, NORTH DAKOTA

DATE
04/30/2020

FIGURE
1

GENERAL GRADING NOTES:

1. STRIP BLACK DIRT, STOCKPILE AND REPLACE PRIOR TO SEEDING, FERTILIZING AND MULCHING.
2. PERFORM GRADING, ACHIEVE COMPACTION, INSTALL CURB AND GUTTER, VALLEY GUTTER, AND ASPHALT PER PLAN.
3. TOPSOIL AREA FOR EXCAVATED MATERIAL AND TOPSOIL SHALL BE WITHIN 1500 FEET OF SITE AS DESIGNATED BY THE ENGINEER.
4. STOCKPILE AREA FOR EXCAVATED MATERIAL SHALL BE STRIPPED PRIOR TO STOCKPILING. STOCKPILES SHALL BE LONG AND SHAPED LIKE BERMS.
5. RAISE ALL EXISTING MANHOLE CASTINGS, INLET CASTINGS AND VALVE BOXES TO GRADE.

ISSUE	DATE	DESCRIPTION
A	02/11/2020	ISSUED FOR BIDS

PROJECT MANAGER	DELRON PETERS
CIVIL / PROCESS	D. PETERS
ELECTRICAL	K. THERNES
STRUCTURAL	S. MAGNUSSEN
MECHANICAL	J. LEWIS
ARCHITECTURAL	J. ADRIAN
CIVIL	T. BORCHARD
I&C	K. THERNES
PROJECT NUMBER	10181170

REGISTERED PROFESSIONAL ENGINEER
DELRON V. PETERS
PE-27473
DATE 2-11-2020
NORTH DAKOTA

Bismarck
Capital City of North Dakota

BISMARCK WASTEWATER TREATMENT FACILITY PHASE 4 DEWATERING SYSTEM IMPROVEMENTS

PROPOSED GRADING PLAN

0 1" 2"

FILENAME 14C102.DWG

SCALE

SHEET 14C102

GENERAL EROSION CONTROL NOTES:

1. STOCKPILES SHALL BE SEEDED WHEN COMPLETE TO CONTROL WEEDS.
2. INSTALL INLET PROTECTION DEVICES ON CATCH BASINS DOWNSTREAM OF CONSTRUCTION ACTIVITIES.
3. SILT FENCE OR WATTLES SHALL ENCOMPASS CONTRACTOR'S ENTIRE WORK AREA. ACTUAL LIMITS BY CONTRACTOR AS SO TO CONTAIN ALL SITE EROSION.
4. RESTORE SITE WITH 6" OF SALVAGED TOPSOIL, FERTILIZER, MULCH, AND SEED. SEE SPECIFICATIONS SECTION 32 92 00 - SEEDING, SODDING, AND LANDSCAPING. APPROX. 13,000 SQ. YDS.

ISSUE	DATE	DESCRIPTION
A	02/11/2020	ISSUED FOR BIDS

PROJECT MANAGER	DELRON PETERS
CIVIL / PROCESS	D. PETERS
ELECTRICAL	K. THERNES
STRUCTURAL	S. MAGNUSSEN
MECHANICAL	J. LEWIS
ARCHITECTURAL	J. ADRIAN
CIVIL	T. BORCHARD
I&C	K. THERNES
PROJECT NUMBER	10181170

REGISTERED PROFESSIONAL ENGINEER
DELRON V. PETERS
PE-27473
DATE 2-11-2020
NORTH DAKOTA

Bismarck
Capital City of North Dakota

BISMARCK WASTEWATER TREATMENT FACILITY PHASE 4 DEWATERING SYSTEM IMPROVEMENTS

EROSION CONTROL PLAN

0 1" 2"

FILENAME 14C103.DWG

SCALE

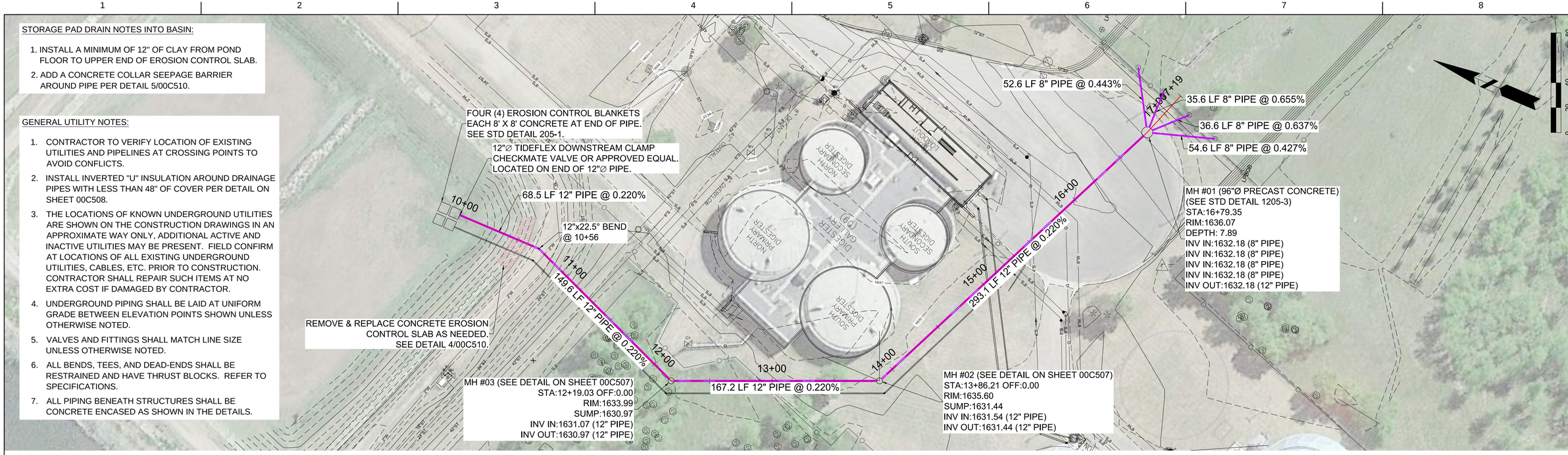
SHEET **14C103**

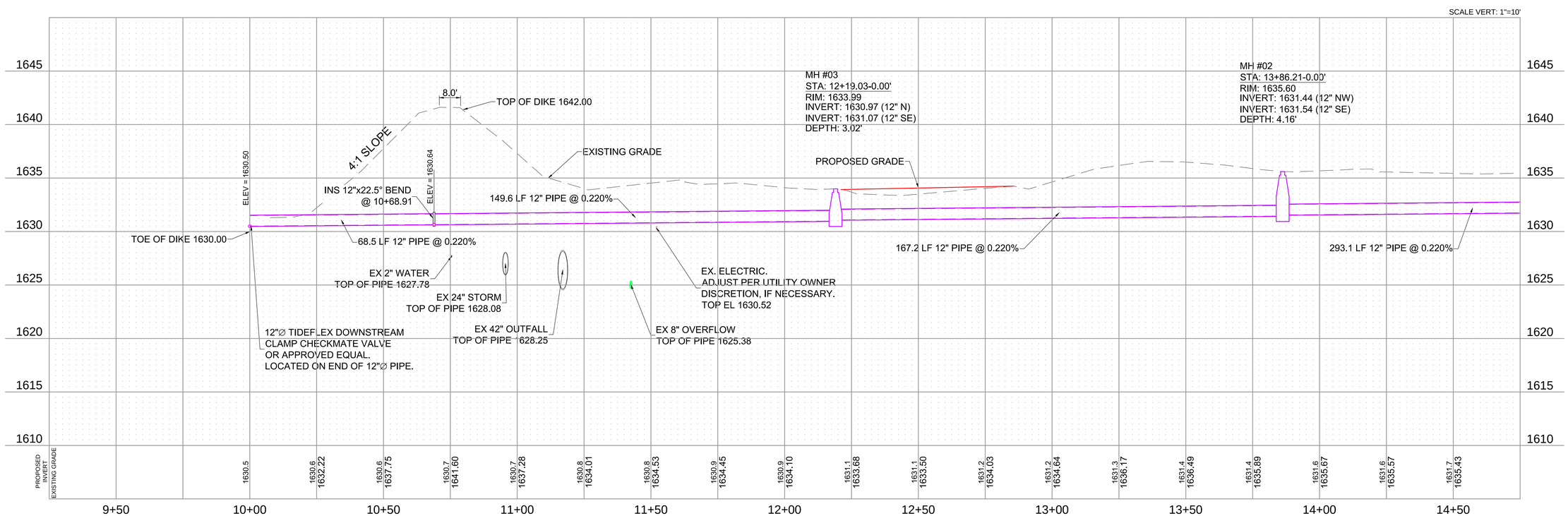
STORAGE PAD DRAIN NOTES INTO BASIN:

1. INSTALL A MINIMUM OF 12" OF CLAY FROM POND FLOOR TO UPPER END OF EROSION CONTROL SLAB.
2. ADD A CONCRETE COLLAR SEEPAGE BARRIER AROUND PIPE PER DETAIL 5/00C510.

GENERAL UTILITY NOTES:

1. CONTRACTOR TO VERIFY LOCATION OF EXISTING UTILITIES AND PIPELINES AT CROSSING POINTS TO AVOID CONFLICTS.
2. INSTALL INVERTED "U" INSULATION AROUND DRAINAGE PIPES WITH LESS THAN 48" OF COVER PER DETAIL ON SHEET 00C508.
3. THE LOCATIONS OF KNOWN UNDERGROUND UTILITIES ARE SHOWN ON THE CONSTRUCTION DRAWINGS IN AN APPROXIMATE WAY ONLY, ADDITIONAL ACTIVE AND INACTIVE UTILITIES MAY BE PRESENT. FIELD CONFIRM AT LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES, CABLES, ETC. PRIOR TO CONSTRUCTION. CONTRACTOR SHALL REPAIR SUCH ITEMS AT NO EXTRA COST IF DAMAGED BY CONTRACTOR.
4. UNDERGROUND PIPING SHALL BE LAID AT UNIFORM GRADE BETWEEN ELEVATION POINTS SHOWN UNLESS OTHERWISE NOTED.
5. VALVES AND FITTINGS SHALL MATCH LINE SIZE UNLESS OTHERWISE NOTED.
6. ALL BENDS, TEES, AND DEAD-ENDS SHALL BE RESTRAINED AND HAVE THRUST BLOCKS. REFER TO SPECIFICATIONS.
7. ALL PIPING BENEATH STRUCTURES SHALL BE CONCRETE ENCASED AS SHOWN IN THE DETAILS.





ISSUE	DATE	DESCRIPTION
A	02/11/2020	ISSUED FOR BIDS

PROJECT MANAGER	DELRON PETERS
CIVIL / PROCESS	D. PETERS
ELECTRICAL	K. THERNES
STRUCTURAL	S. MAGNUSSEN
MECHANICAL	J. LEWIS
ARCHITECTURAL	J. ADRIAN
CIVIL	T. BORCHARD
I&C	K. THERNES
PROJECT NUMBER	10181170

REGISTERED PROFESSIONAL ENGINEER
DELRON V. PETERS
PE-27473
DATE 2-11-2020
NORTH DAKOTA

Bismarck
Capital City of North Dakota

BISMARCK WASTEWATER TREATMENT FACILITY PHASE 4 DEWATERING SYSTEM IMPROVEMENTS

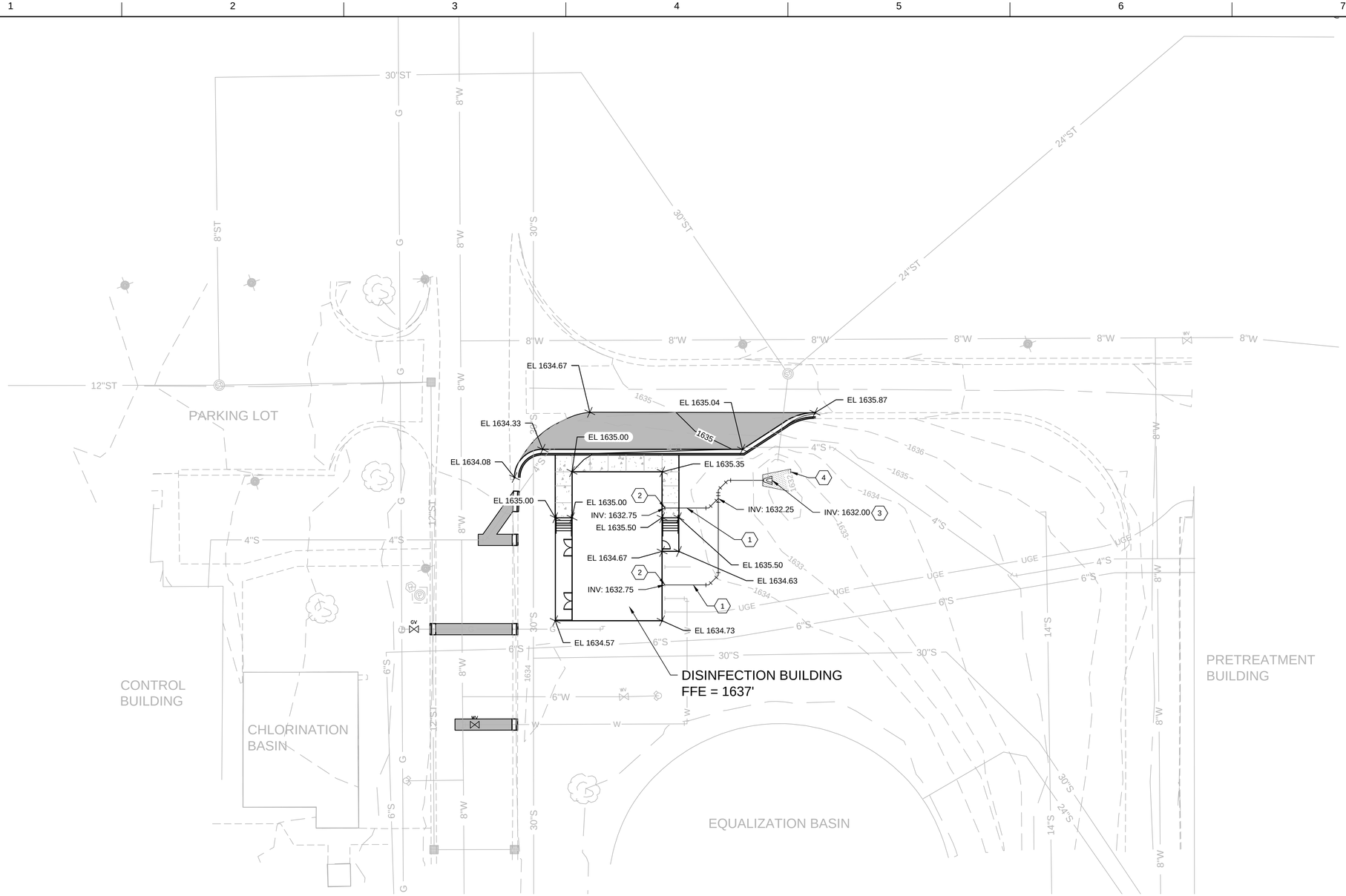
STORAGE PAD TO BASIN DRAIN LINE PLAN & PROFILE

0 1" 2"

FILENAME 14C104.DWG

SCALE

SHEET 14C104



GRADING NOTES:

1. REMOVE AND/OR RELOCATE UNDERGROUND UTILITIES OR PIPES AND ALL OTHER SUBSURFACE OBSTRUCTIONS THAT INTERFERE WITH EARTHWORK CONSTRUCTION.
2. STRIP TOPSOIL THROUGHOUT CONSTRUCTION AREA TO REMOVE ORGANIC-LADEN SURFICIAL SOILS, VEGETATION, DEBRIS, BRUSH AND ROOTS.
3. EXCAVATE TO REMOVE ANY OBVIOUSLY WEAK OR HIGH MOISTURE CONTENT SOILS EXPOSED AT SURFACE AFTER STRIPPING UNDERNEATH THE NEW PAVEMENT AREA.
4. EXCAVATE HIGH MOISTURE CONTENT WEAK SOILS TO ENOUGH DEPTH TO ALLOW FOR THE PLACEMENT OF A MINIMUM OF10 FT OF PROPERLY COMPACTED FILL WITHIN THE BUILDING SITE. FIELD DETERMINE THE LATERAL AND VERTICAL EXTENT OF EXCAVATION REQUIRED DURING EARTHWORK CONSTRUCTION. EXCAVATION OF WEAK SOILS SHOULD EXTEND NOT LESS THAN 5 FT BEYOND THE PERIMETER OF THE BUILDING.
5. PERFORM UNDERCUTTING THROUGH BUILDING AREA IN ACCORDANCE WITH THE SOILS REPORT.
6. AFTER STRIPPING, EXCAVATING, AND UNDERCUTTING, SCARIFY THE EXPOSED SOILS TO A MINIMUM DEPTH OF 6 IN AND COMPACT TO NOT LESS THAN 99 PERCENT OF STANDARD PROCTOR MAXIMUM DRY DENSITY (ASTM D698). PROOF ROLL TO DEMONSTRATE STABILITY, DEFINED AS THE ABSENCE OF SIGNIFICANT PUMPING, RUTTING, OR YIELD OF SOILS DURING COMPACTION OR PROOF-ROLLING.

KEYNOTES: (#)

1. 12" HDPE STORM DRAIN W 45 FITTINGS AND CLEANOUTS.
2. CONNECT TO BUILDING DOWNSPOUT USING HDPE ADAPTER. REFER TO ARCH DRAWINGS FOR CONTINUATION.
3. END TREATMENT FOR 12" HDPE STORM PIPE.
4. EROSION PROTECTION MATS AT OUTLET.

ISSUE	DATE	DESCRIPTION
	04/27/2020	60% ISSUED FOR REVIEW

PROJECT MANAGER	DELRON PETERS
CIVIL / PROCESS	D. PETERS
CIVIL	B. WECKERLIN
STRUCTURAL	S. MAGNUSSEN
ARCHITECTURAL	J. ADRIAN
MECHANICAL	J. LEWIS
ELECTIRCAL	K. THERNES
I&C	K. THERNES
PROJECT NUMBER	10189504

Bismarck
Capital City of North Dakota

BISMARCK WASTEWATER TREATMENT FACILITY DISINFECTION IMPROVEMENTS

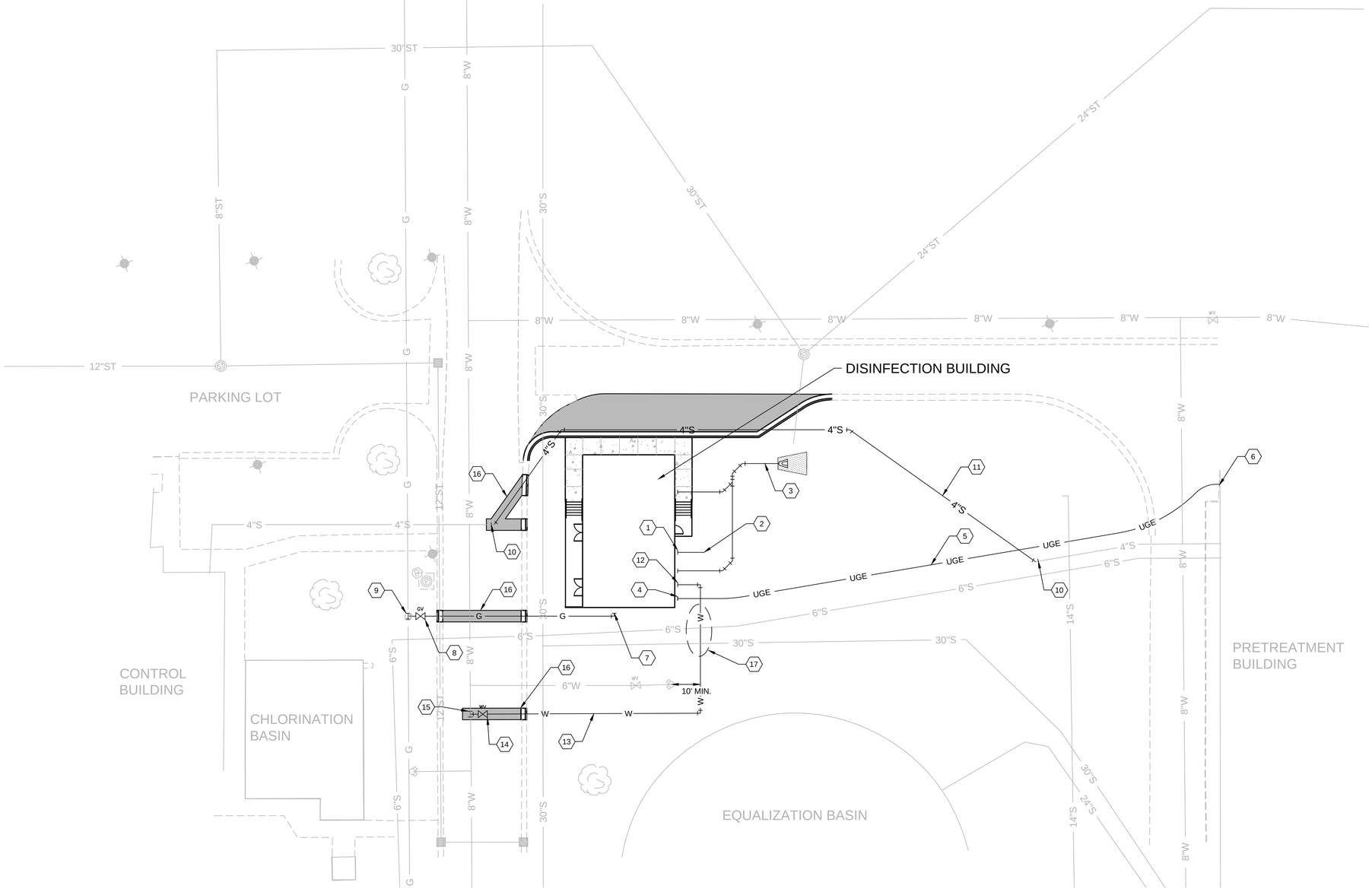
SITE GRADING AND DRAINAGE PLAN

0 1" 2"

FILENAME 20C200.DWG

SCALE 1" = 20'

SHEET **20C200**



GENERAL NOTES:

1. SEE ELECTRICAL DIAGRAMS FOR CIRCUIT INFORMATION.
2. NOTIFY THE OWNER PRIOR TO SHUTTING OFF EXISTING SERVICES OR MAKING ANY NEW CONNECTIONS.

KEYNOTES: (#)

1. REFER TO PLUMBING PLAN FOR 4" SEWER LINE CONTINUATION. INVERT ELEVATION 1629.25'
2. TIE INTO EXISTING SEWER LINE.
3. STORM LINE - REFER TO SHEET 20C200.
4. REFER TO ELECTRICAL PLAN FOR ELECTRICAL CONDUIT CONTINUATION.
5. BURIED ELECTRICAL CONDUIT.
6. REFER TO ELECTRICAL PLAN FOR CONTINUATION.
7. REFER TO PLUMBING PLAN FOR GAS LINE CONTINUATION.
8. GAS SHUTOFF VALVE.
9. CONNECT GAS TO 2" SERVICE.
10. CONNECT TO EXISTING 4" DI FORCEMAIN.
11. 4" DI FORCEMAIN
12. REFER TO PLUMBING PLAN FOR WATER LINE CONTINUATION.
13. 2" DI WATER LINE
14. 2" WATER VALVE
15. CONNECT TO EXISTING 8" WATER LINE FOR 2" SERVICE
16. PAVEMENT REPAIR
17. DEPTH OF CROSSING PIPES UNKNOWN. FIELD VERIFY PRIOR TO CONSTRUCTION. WATER LINE TO CROSS OVER PIPES. NOTIFY THE ENGINEER IF DEPTHS OF CROSSING PIPES ARE TOO SHALL TO ALLOW FOR 24" OF SEPARATION.

ISSUE	DATE	DESCRIPTION
	04/27/2020	60% ISSUED FOR REVIEW

PROJECT MANAGER	DELRON PETERS
CIVIL / PROCESS	D. PETERS
CIVIL	B. WECKERLIN
STRUCTURAL	S. MAGNUSSEN
ARCHITECTURAL	J. ADRIAN
MECHANICAL	J. LEWIS
ELECTIRCAL	K. THERNES
I&C	K. THERNES
PROJECT NUMBER	10189504

Bismarck
Capital City of North Dakota

BISMARCK WASTEWATER TREATMENT FACILITY DISINFECTION IMPROVEMENTS

SITE UTILITY PLAN

0 1" 2"

FILENAME 20C300.DWG

SCALE 1" = 20'

SHEET **20C300**

USDA

United States Department of Agriculture

Natural Resources
Conservation Service

Bismarck State Office
PO Box 1458
Bismarck, ND
58502-1458

Voice 701.530.2000
Fax 855-813-7556

May 4, 2020

RECEIVED
MAY 1 4 2020
BY: .....

HDR Engineering, Inc.
Tina Fricke Robinson
3231 Greensboro Drive, Suite 200
Bismarck, ND 58503-5413

The Natural Resources Conservation Service (NRCS) has reviewed your letter dated May 4, 2020, concerning the new Effluent Disinfection Facilities and Improvements to the Solids Dewatering Process at the Wastewater Treatment Plant in Bismarck, North Dakota.

NRCS has a major responsibility with the Farmland Protection Policy Act (FPPA) in documenting conversion of farmland (i.e., Prime, Statewide Importance and/or Local Importance) to non-agricultural use when federal funding is used. Your proposed project is within city limits where FPPA does not apply; therefore, no further action is needed.

If you have additional questions pertaining to FPPA, please contact Wade Bott, State Soil Scientist, NRCS, Bismarck, North Dakota, at (701) 530-2021 or email to wade.bott@usda.gov.

WADE BOTT Digitally signed by WADE BOTT
Date: 2020.05.07 08:29:53 -05'00'

WADE D. BOTT
State Soil Scientist

Fricke, Tina

From: Kreft, Bruce L. <bkreft@nd.gov>
Sent: Monday, May 11, 2020 2:57 PM
To: Fricke, Tina
Subject: City of Bismarck Wastewater Treatment Facility

Follow Up Flag: Follow up
Flag Status: Flagged

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

From the information provided, the ND Game & Fish Department foresees no identifiable conflicts with fish and wildlife resources. Thank you for the opportunity to respond.
BK

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
3319 UNIVERSITY DRIVE
BISMARCK, NORTH DAKOTA 58504-7565

May 11, 2020

NWO-2006-60372-BIS

HDR Engineering
Attn: Ms. Tina Fricke
3231 Greensboro Drive, Suite 200
Bismarck, North Dakota 58503-5413

Dear Ms. Fricke:

The U.S. Army Corps of Engineers (Corps) has reviewed the information you provided for the proposed City of Bismarck Wastewater Treatment Facility Solids Dewatering and Effluent Disinfection Improvements project. This information was received by our office on May 4, 2020. The project is located at Latitude 46.772493° North, Longitude -100.804929° West, City of Bismarck, Burleigh County, North Dakota.

Specifically, the solids dewatering improvements will be installed into an existing structure which will require some modifications to accommodate the new equipment. The effluent disinfection improvements include the construction of a new disinfection building to house the disinfection chemicals and feed equipment.

The Corps is responsible for administering federal laws that regulate certain activities in waters of the United States (WOUS). The authority applicable to this responsibility is Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344), which prohibits the discharge of dredged or fill material into waters of the United States without authorization in the form of a Department of the Army (DA) permit.

The project as proposed will not require a DA permit in accordance with Section 404 as it will not involve the discharge of dredged or fill material into waters of the United States, provided the work is done within the project location specified in the enclosed project location map (Enclosure 1, Project Location Map).

This letter contains an approved jurisdictional determination for your subject site (Enclosure 2, Approved Jurisdictional Determination). If you object to this determination/decision, you may request an administrative appeal under Corps' regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeals Process fact sheet and Request for Appeal (RFA) form (Enclosure 3, RFA form). If you request to appeal this determination/decision, you must submit a completed RFA form to Northwestern Division Office within 60 days from the date of this correspondence. It is not necessary to submit a RFA if you do not object to the JD. The RFA can be submitted to the Northwestern Division Office at the following address:

U.S. Army Corps of Engineers, Northwestern Division
Attn: Regulatory Appeals Review Officer
P.O. Box 2870
Portland, Oregon 97208-2870

If, in the future, you plan to place fill material in any waters of the United States please contact this office to discuss possible permit requirements.

Although a Department of the Army permit is not required for this project, this does not eliminate the requirement that you obtain any other applicable Federal, State, Tribal or local permits as required.

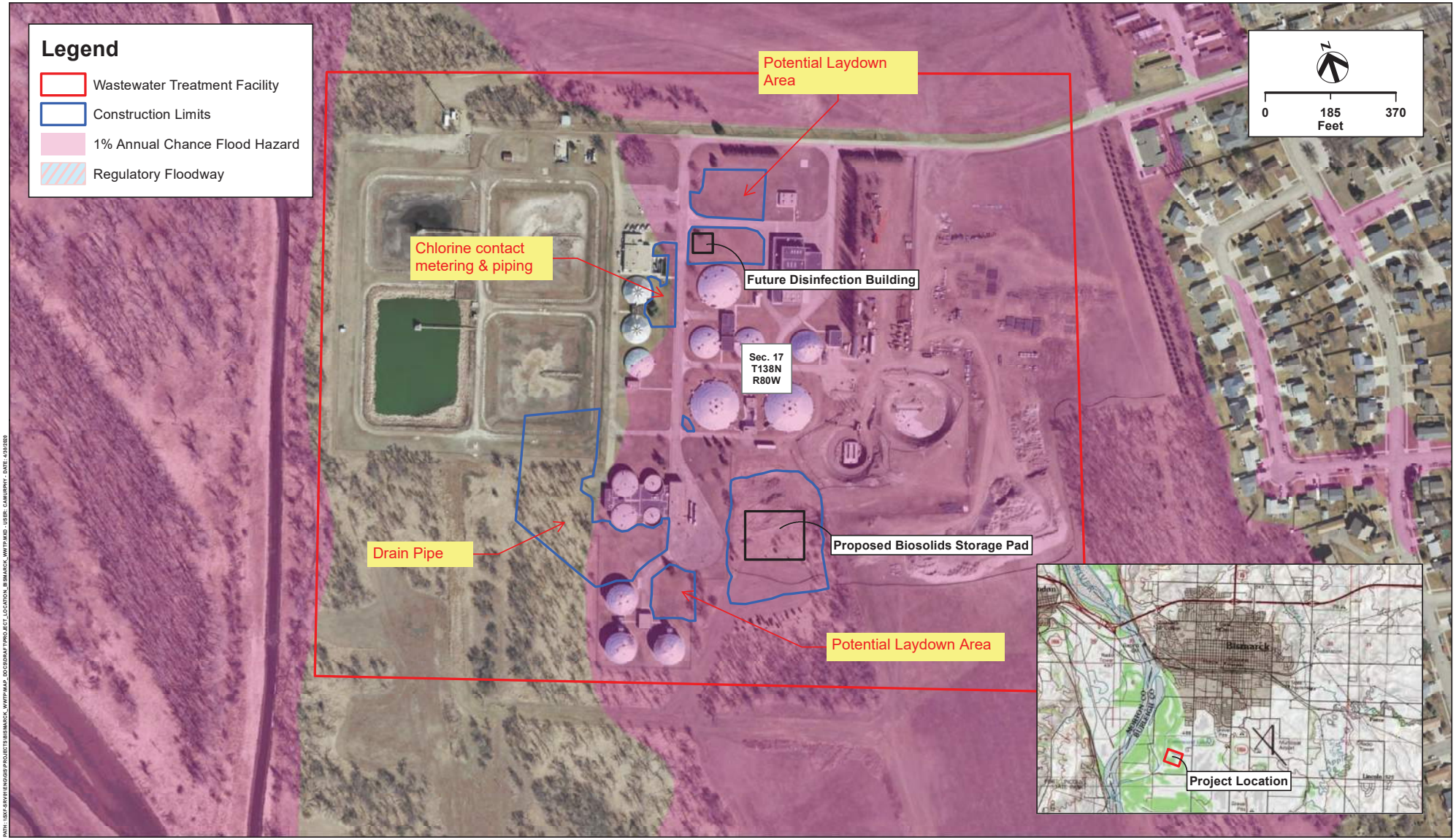
We would appreciate your feedback on this permit action including your interaction with our staff. At your earliest convenience, please tell us how we are doing by completing the Corps' Regulatory Program national customer service survey found on our website at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey.

Please refer to identification number NWO-2006-60372-BIS in any correspondence concerning this project. If you have any questions, please contact Jeremy Nygard by email at Jeremy.S.Nygard@usace.army.mil, or telephone at (701) 255-0015, extension 2006. For more information regarding our program, please visit our website at http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/NorthDakota.aspx.

Sincerely,

Toni R. Erhardt
Senior Project Manager
North Dakota

Enclosures



PATH: \\SFX-SRVR\ENGIGIS\PROJECTS\BISMARCK_WWTP\MXD_DOCS\DRAFT\PROJECT_LOCATION_BISMARCK_WWTP.MXD - USER: CAMUSRHY - DATE: 4/30/2020

HDR

WASTEWATER TREATMENT PLANT
BISMARCK, NORTH DAKOTA

DATE
04/30/2020

FIGURE
1

DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM[1]
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): May 8, 2020

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Omaha District, HDR Engineering; Bismarck Wastewater Treatment Facility Solids Dewatering and Effluent Disinfection Improvements, NWO-2006-60372-BIS

C. PROJECT LOCATION AND BACKGROUND INFORMATION:
State: **North Dakota** County: **Burleigh County** City: **Bismarck**
Center coordinates of site (lat/long in degree decimal format): Lat. **46.772424 °** N; Long. **-100.804929 °** W
Universal Transverse Mercator: **589395.73, 5361747.15**
Name of nearest waterbody: **Missouri River**
Name of watershed or Hydrologic Unit Code (HUC): **12-101301020201**
☒ Check if map/diagram of review area is available upon request.
☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc…) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):
☒ Office (Desk) Determination. Date: **May 8, 2020**
☐ Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.
There **are no** "*navigable waters of the U.S.*" within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.
There **are no** "*waters of the U.S.*" within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

SECTION III: DATA SOURCES

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):
☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: **Map provided by HDR Engineering**
☐ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
☐Office concurs with data sheets/delineation report.
☐Office does not concur with data sheets/delineation report.
☐ Data sheets prepared by the Corps:
☐ Corps navigable waters' study:
☒ U.S. Geological Survey Hydrologic Atlas: **USGS National Map, Hydrography and Watershed Boundary Datasets**
☐USGS NHD data.
☒USGS 8 and 12 digit HUC maps.
☐ U.S. Geological Survey map(s). Cite scale & quad name:
☒ USDA Natural Resources Conservation Service Soil Survey. Citation: **Hydric Rating by Map Unit**
☒ National wetlands inventory map(s). Cite name: **Wetland Map Layer**
☐ State/Local wetland inventory map(s):
☐ FEMA/FIRM maps:
☐ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
☒ Photographs: ☒Aerial (Name & Date): **Google Earth Aerial Imagery 2014 thru 2017**
or ☐ Other (Name & Date):
☐ Previous determination(s). File no. and date of response letter:
☐ Applicable/supporting case law:
☐ Applicable/supporting scientific literature:
☐ Other information (please specify):

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: Based on a review of data listed in Section III.A. above, it has been determined that there are no aquatic resources or potential aquatic resources in the approximately 7.72 acre review area that would warrant the application of a wetland delineation, significant nexus analysis, navigability determination, or delineation of the ebb and flow of the tides. There are no features that exhibit lateral limits of jurisdiction (e.g. OHWM).

[1] This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: City of Bismarck	File Number: NWO-2006-60372-BIS	Date: May 11, 2020

Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
X	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found in Corps regulations at 33 CFR Part 331, or at http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/FederalRegulation.aspx

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact: US Army Corps of Engineers, North Dakota Regulatory Office Attn: Patricia McQueary, Regulatory Program Manager 3319 University Drive Bismarck, ND 58504 Telephone (701) 255-0015, ext. 2001 CENWO-OD-RND@usace.army.mil	If you only have questions regarding the appeal process you may also contact: US Army Corps of Engineers, Northwestern Division Attn: Regulatory Appeals Review Officer P.O. Box 2870 Portland, OR 97208-2870

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

_____ Signature of appellant or agent.	Date:	Telephone number:

May 18, 2020

Tina Fricke Robinson
Senior Environmental Planner
HDR Inc
3231 Greensboro Drive, Suite 200
Bismarck, ND 58503-5413

Re: Bismarck Wastewater Treatment solids dewatering of digester sludge SRF Fund in Burleigh County

Dear Ms. Fricke Robinson:

The North Dakota Department of Environmental Quality has reviewed the information concerning the above-referenced project received at the department on May 4, 2020 with respect to possible environmental impacts.

This department believes that environmental impacts from the proposed construction will be minor and can be controlled by proper construction methods. With respect to construction, we have the following comments:

1. Care is to be taken during construction activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement and revegetation of any disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance, and/or the handling of fuels on the site. Guidelines for minimizing degradation to waterways during construction are attached.

2. Projects disturbing one or more acres are required to have a permit to discharge stormwater runoff until the site is stabilized by the reestablishment of vegetation or other permanent cover. Further information on the stormwater permit may be obtained from the department's website or by calling the Division of Water Quality (701-328-5210). Also, cities may impose additional requirements and/or specific best management practices for construction affecting their storm drainage system. Check with the local officials to be sure any local stormwater management considerations are addressed.

   The city must notify the North Dakota Pollutant Discharge Elimination System program of any planned changes to the wastewater facility which may result in discharging new or different pollutants, or an increased amount of pollutants. This includes facility expansions, production increases and process modifications. Changes which result in a facility being designated a "new source" as determined in 40 CFR 122.29(b) must be reported, also.

3. The proposed construction project overlies the Bismarck glacial drift aquifer, which is a sensitive groundwater area. Care should be taken to avoid spills of any materials that may have an adverse effect on groundwater quality. All spills must be immediately reported to this department and appropriate remedial actions performed.

4. All necessary measures must be taken to minimize the disturbance of any asbestos-containing material and to prevent any asbestos fiber release episodes. Any facility that is to be renovated or demolished must be inspected for asbestos. Notification of the department's Division of Waste Management (701-328-5166) is required before any demolition. Removal of any friable asbestos-containing material must be accomplished in accordance with section 33.1-15-13-02 of the North Dakota air pollution control rules.

5. All solid waste materials must be managed and transported in accordance with the state's solid and hazardous waste rules. Appropriate efforts to reduce, reuse and/or recycle waste materials are strongly encouraged. As appropriate, segregation of inert waste from non-inert waste can generally reduce the cost of waste management. Further information on waste management and recycling is available from the department's Division of Waste Management at (701) 328-5166.

The department owns no land in or adjacent to the proposed improvements, nor does it have any projects scheduled in the area. In addition, we believe the proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution for the State of North Dakota.

If you have any questions regarding our comments, please feel free to contact this office.

Sincerely,

L. David Glatt, P.E., Director
North Dakota Department of Environmental Quality

LDG:dlp
Attach.

May 19, 2020

Ms. Tina Fricke
HDR
4503 Coleman Street
Suite 105
Bismarck, ND 58503-2007

ND SHPO Ref.: 20-5680, City of Bismarck Wastewater Treatment Facility, improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities, Bismarck, Burleigh County, North Dakota

Dear Ms. Fricke,

We reviewed ND SHPO Ref.: 20-5680, City of Bismarck Wastewater Treatment Facility, improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities, Bismarck, Burleigh County, North Dakota, and we concur with a determination of "No Historic Properties Affected" for this project provided it takes place in the location and in the manner described in the documentation and provided all borrow comes from an approved source.

Thank you for the opportunity to review this project. Please include the ND SHPO Reference number listed above in further correspondence for this specific project. If you have any questions please contact Lisa Steckler, Historic Preservation Specialist at (701) 328-3577 or lsteckler@nd.gov

Sincerely,

for Claudia J. Berg
State Historic Preservation Officer
(North Dakota)

20-5680

NORTH Dakota | Water Commission
Be Legendary.™

May 28, 2020

Tina Fricke Robinson
HDR Inc
3231 Greensboro Drive, STE 200
Bismarck, ND 58503-5413

Dear Ms. Fricke Robinson:

This is in response to your request for a review of the environmental impacts associated with the City of Bismarck Wastewater Treatment Facility project.

The proposed project has been reviewed by State Water Commission staff, and the following comments are provided:

- There are floodplains identified and/or mapped where this proposed project is to take place. Areas are designated to be in Zone AE. North Dakota has no formal 'permitting' authority as a state entity in NFIP identified floodplain areas. The permitting is always done by the local entity, which has jurisdiction in the area in question. Please work closely with the local Floodplain Administrator.

- Initial review indicates the project does not require a conditional or temporary permit for water appropriation. However, if surface water or groundwater will be diverted for construction of the project, a water permit will be required per North Dakota Century Code § 61-04-02. Please consult with the Water Appropriations Division of the Office of the State Engineer if you have any questions at (701) 328-2754 or waterpermits@nd.gov.

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at 701-328-4970 or stevebest@nd.gov.

Sincerely,

Steven Best
Planner III

SB:dm/1570

United States Department of the Interior

FISH AND WILDLIFE SERVICE
North Dakota Ecological Services
3425 Miriam Avenue
Bismarck, North Dakota 58501

July 2, 2020

Ms. Tina Fricke Robinson
Senior Environmental Project Manager
HDR Inc.
3231 Greensboro Drive, Suite 200
Bismarck, North Dakota 58503

Dear Ms. Fricke Robinson:

Thank you for your letter of July 2, 2020, requesting comments on City of Bismarck's proposed Facility Plan located in Burleigh County, North Dakota. The U.S. Fish and Wildlife Service (Service) has the following comments.

You requested U.S. Fish and Wildlife Service (Service) concurrence with your "may affect, not likely to adversely affect" determinations for the endangered whooping crane (*Grus americana*); the threatened northern long-eared bat (*Myotis septentrionalis*). In accordance with Section 7 of the Endangered Species Act of 1973, as amended (ESA) (16 U.S.C. 1531 *et seq*.), we concur with your determination.

This letter also includes "no effect" determinations for least tern (*Sterna antillarum*), piping plover (*Charadrius melodus*), red knot (*Calidris canutus rufa*), pallid sturgeon (*Scaphirhynchus albus*). There is no requirement under the implementing regulations of the Act (50 CFR Part 402) for action agencies to receive Service concurrence with "no effect" determinations, therefore the responsibility for "no effect" determinations remains with the federal action agency. Accordingly, we recommend the federal action agency retain the documentation for these listed resources in the decisional record for this federal action.

Thank you for the opportunity to comment on this project proposal. If changes are made in the project plans or operating criteria, or if additional information becomes available, the Service should be informed so that the above determinations can be reconsidered. If you have any additional questions or concerns, please contact Lauren Toivonen of my staff at (314) 799-2936 or via email at lauren_toivonen@fws.gov.

Sincerely,

Drew Becker
ND Ecological Services Supervisor

APPENDIX B
Public Hearing

APPENDIX C
Supporting Documents

Detailed Opinion of Probable Construction Costs

Estimate of Probable Construction Cost				
			Date:	6/15/2020
Project:	Bismarck WWTP Dewatering		**Estimator:**	HDR
Task:			**Checked By:**	
Project No.:			**Check Date:**	
			Revised:	
			Revised By:	
				Division
	Summary of Estimate			Totals
	General Requirements - Div. 1 Total			
	Sitework - Div. 2 Total			
	Selective demo of masonry wall @ mezzanine level			$ 5,000
	Truck bay slab on grade demolition			$ 10,000
	Site Work and Site Piping			$ 550,000
	Dry cake sludge storage			$ 450,000
	Concrete - Div. 3 Total			
	Footings/Slab-on-Grade			$ 130,000
	Helical Anchors			$ 62,500
	House keeping pads for Equipment			$ 3,000
	Masonry - Div. 4 Total			
	Metals - Div. 5 Total			
	Platform / Equipment Structural Framing			$ 75,000
	Grating			$ 30,000
	Railing / Stairs / Ladder			$ 21,500
	Misc. Steel (mechanical louver openings)			$ 5,000
	Wood & Plastics - Div. 6 Total			
	Thermal & Moist. Protc. - Div. 7 Total			
	Building Roof System			$ 25,000
	Doors & Windows - Div. 8 Total			$ 20,000
	Finishes - Div. 9 Total			$ 50,000
	Specialties - Div. 10 Total			$ 2,500
	Equipment - Div. 11 Total			
	One Screw Press			$ -
	Sludge feed pumps			$ 44,000
	Polymer feed system			$ -
	Digester Mixing System			$ 300,000
	Furnishings - Div. 12 Total			
	Special Construction - Div. 13 Total			
	Controls for new dewatering & loadout equipment			$ 90,000
	Conveying Systems - Div. 14 Total			
	Dumpster Conveyor			$ 140,000
	Bridge crane and hoist			$ 35,000
	Mechanical - Div. 15 Total			
	Louvers & Vents			$ 10,000
	Building mechanical			$ 325,000
	Sludge feed pump piping			$ 55,000
	Misc. Process Pipe/Valves			$ 50,000
	Electrical - Div. 16 Total			
	New building electrical and equipment MCC			$ 325,000
	Subtotal - Direct Costs			**$ 2,810,000**
	Contingency	30%		$ 840,000
	Subtotal			**$ 3,650,000**
	General Conditions, Mobilization	5%		$ 180,000
	Sales Tax (Allowance)	6.5%		$ 250,000
	Overhead & Profit	15%		$ 610,000
	Bonds & Insurance	2%		$ 90,000
	Construction Subtotal			**$ 4,780,000**
	Construction Contingency	7.5%		$ 360,000
	Construction Cost			**$ 5,140,000**

Engineers Opinion of Probable Construction Cost at 95% Design Completion			
Project:	**Bismarck Disinfection**	**Date**	**Jun-20**
Location:	**Bismarck, ND**	**HDR Project #**	**10189504**
Basis of Estimate	**Conceptual** **Preliminary**	**Final**	

ITEM NO	Description		Amount
	Division 1 - General Requirements		$ -
	Division 2 - Existing Conditions		$ 5,000
	Division 3 - Concrete		$ 381,314
	Division 4 - Masonry		$ -
	Division 5 - Metals		$ 19,470
	Division 6 - Wood, Plastics and Composites		$ 5,851
	Division 7 - Thermal and Moisture Protection		$ 44,750
	Division 8 - Openings		$ 29,900
	Division 9 - Finishes		$ 14,700
	Division 10 - Specialties		$ 14,500
	Division 11 - Equipment		$ -
	Division 12 - Furnishings		$ -
	Division 13 - Special Construction		$ -
	Division 14 - Conveying Equipment		$ -
	Division 21 - Fire Supression		$ -
	Division 22 - Plumbing		$ 25,943
	Division 23 - Heating Ventilating and Air Conditioning (HVAC)		$ 47,945
	Division 26 - Electrical		$ 100,000
	Division 27 - Communication		$ -
	Division 28 - Electronic Safety and Security		$ -
	Division 31 - Earthwork		$ 53,030
	Division 32 - Exterior Improvements		$ 19,928
	Division 33 - Utilities		$ 86,000
	Division 34 - Transportation		$ -
	Division 40 - Process Interconnections		$ 111,000
	Division 41 - Material Procession and Handling Equipment		$ -
	Division 43 - Process Gas and Liquid Handling, Purification and Storage Equipment		$ -
	Division 44 - Pollution and Waste Control Equipment		$ -
	Division 46 - Water and Wastewater Equipment		$ 540,000
	Subtotal		$ 1,499,331
	Overhead	10%	$ 149,933
	Subtotal		$ 1,649,264
	Profit	5%	$ 82,463
	Subtotal		$ 1,731,727
	Mob/Bonds/Insurance	5%	$ 86,586
	Construction Subtotal		$ 1,820,000
	Contingency	15.00%	$ 273,000
	Total Construction Cost (ENR: 11012)		**$ 2,093,000**

This Engineer's Opinion of Construction Costs is provided based on available information and the engineer's experience and qualifications and represents their best judgment as a design professional familiar with the construction industry. The engineer has no control over the costs of labor, materials, equipment, or over the contractor's methods of determining prices or over competitive bidding or market conditions. The engineer cannot and does not guarantee that proposals, bids or construction cost will not vary from this estimate.

Appendix D

August 11, 2020 City Commission Agenda Item
SRF Public Meeting

DATE: August 11, 2020
FROM: DelRon Peters, HDR Engineering
ITEM: State Revolving Fund and Bank of North Dakota Loans for Water and Wastewater

REQUEST
Consider request to apply for the State Revolving Fund and Bank of North Dakota Infrastructure Loans to finance infrastructure improvements to the City of Bismarck Wastewater Treatment Plant.
Please place this item on the 8/11/2020 City Commission meeting regular agenda.

BACKGROUND INFORMATION
The City of Bismarck Wastewater Treatment Plant (WWTP) proposes a Facility Plan that includes the addition of solids dewatering of the digested sludge and new effluent disinfection facilities. The 20-year planning level indicates that the current dewatering methods need to be upgraded in order to meet future dewatering requirements. The existing effluent disinfection system requires a new configuration in order to provide additional contact time. The facility plan project is estimated at $8.8 million. The City is requesting to finance $5 million by a loan.

The Bank of North Dakota and the State Revolving Fund provide the City the most advantageous loan terms, interest rates and fees at this time. The City's wastewater funds have accounted for these projects and the related debt service costs of these loans.

RECOMMENDED CITY COMMISSION ACTION
Approve the request to apply for and obtain the State Revolving Fund Loan and Infrastructure Loan from the State of North Dakota and the Bank of North Dakota, respectively.

STAFF CONTACT INFORMATION
DelRon Peters, HDR Engineering: 605-977-7745, DelRon.Peters@hdrinc.com

2020 Portfolio Assignments

Steve Bakken
- Administration
- City Attorney
- Community Development
- Economic Development
- Human Resources
- City and County Planning Commissions

Greg Zenker
- Airport
- Event Center
- Engineering
- Forestry
- Renaissance Zone Authority
- Sidewalks
- Strategic Plan Liaison

Nancy Guy
- Facility Maintenance
- Fleet
- Library Liaison
- Public Health
- Roads & Streets
- Solid Waste Utility
- Street Light Utility
- Transit Liaison

Steve Marquardt
- Budget/ Budget Committee
- Finance
- Fire
- Intergovernmental Relations
- County Planning Commission
- Pension Review Board
- Storm Water
- Water and Sewer Utility
- Vision Fund

Mark Splonskowski
- Central Dakota Communications Center (CenCom)
- Dakota Media Access Liaison
- Mayor's Committee on Employment of Persons with Disabilities
- Municipal Court
- Parking Lots
- Police
- Weeds