

Post April 4th Meeting Additions and Corrections to the Mike Schmitz and Kate Herzog Combined Edits of --- D.G. Draft Home Rule Charter Language

17. To levy and collect an infrastructure fee for street maintenance purposes.

a. For the purposes of this fee, "street maintenance" shall be defined as any maintenance activity not financed by the city's general fund prior to enactment of this amendment or prior to January 1st, 2022. The city commission shall enact ordinance defining and itemizing this scope and procedures and may expand this scope only with unanimous roll call vote, renewed annually, during the budget process.

b. Upon passage, the city commission may develop a plan for the city to assume the annual debt maintenance of existing maintenance special assessments. If the city commission does assume the debt maintenance costs as part of the new infrastructure fee, the city shall remove such balances from the accounts of property owners.

c. During the annual budget process, the city commission shall task staff to develop and submit needed street maintenance projects defined by city engineering using the basis of a pavement management system and maintenance schedules for maintenance expectations for the next three (3) years. Any changes made to said plan should be explained. Any changes made to current year project priorities must be justified by a process defined by the city commission.

d. The city commission shall develop and enact into ordinance a process to allow for residents to request an evaluation of their street if they believe the street should be included in the three-year maintenance schedule

e. After an affirmative vote of the residents of the City of Bismarck on this amendment, and no less than one-hundred-and-twenty (120) days prior to the introduction of any ordinance related to a street maintenance fee, the city commission shall develop a comprehensive policy detailing how the new infrastructure fee will work. The city shall hold no fewer than two (2) public input meetings subsequent to drafting and prior to final approval of by the full commission.

f Option 1: To protect the taxpaying citizens of Bismarck, the commission shall establish a policy in ordinance addressing minimum fund balances and maximum ending fund balances.

f. Option 2: To insure adequate funding and limit excess funding, the street utility fee shall be adjusted annually within the defined rate framework. A three year projection of income and outflow will be calculated, and fees adjusted so the projected balance at the end of year three does not exceed 100% of the projected average annual outflow.

g. Prior to full implementation, the Bismarck City Commission shall work with the Bismarck School Board, the Bismarck Park Board, and the Burleigh County Commission to ensure that legislation has been passed that will prevent this infrastructure fee from creating an undue burden on said political subdivisions and their taxpayers.

h. Optional Based on City Commission Action Prior to Public Vote If at the time of implementation of the new infrastructure fee the city commission has not yet ended the practice of financing greenfield specials, the practice of city financing for greenfield development shall be prohibited in calendar years years beginning after December 31st, 2025.

Unaddressed:

Arterial specials – is this fee going to cover those, and are those existing balances to be assumed?

Fee Ranges or Tier Structures – in Home Rule or Ordinance?