

## D.G. Draft Home Rule Charter Language V.4 & 5

Red: Needs work or clarification

Yellow: Suggested changes

Blue: Move from HRC to Commission Recommendations

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

a. For the purposes of this fee. "street maintenance" shall be needed street maintenance projects defined by city engineering using the basis of a pavement management system The city commission may only expand this definition with unanimous roll call vote. during the annual budget process.

b. Upon passage, the city commission shall 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 street infrastructure fee, the city shall remove such balances from the accounts of property owners.

c. During the annual budget process, the city commission shall develop and submit needed street maintenance projects defined by city engineering using the basis of a pavement management system and maintenance plans for the next five (5) years. (Gabe Schell may reword to reflect current system)

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 five-year three-year maintenance plan (CIP) (Gabe Schell may reword to reflect current system)

e. After an affirmative vote and no less than one-hundred-and-twenty (120) days prior to the transition away from street maintenance special assessments and to a new infrastructure fee, the city commission shall develop a comprehensive policy detailing how the new infrastructure fee will be administered. The city shall hold no fewer than two (2) public input meetings subsequent to drafting and prior to final approval by the full commission. (move into recommendations)

f. The city commission shall direct city staff to develop a user-friendly internet based interface for residents to estimate the financial impact of the street infrastructure fee.

f Option 1: 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. (move agreed upon version into recommendations)*

h. Prior to implementation, the Bismarck City Commission shall work with the Bismarck School Board, the Bismarck Park Board, and the Burleigh County Commission to ensure that **amended legislation or a settled upon infrastructure fee will address any undue financial burden on said political subdivisions**

*I. 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 beginning after December 31 st , 2025. (commission efforts are already underway on this effort. May be out of scope or moved to recommendations to pursue)*

**Arterial specials – is this fee going to cover those, and are those existing balances to be assumed? This needs to be addressed further. Currently the fee would only cover existing maintenance activities in existing curb to curb areas and would not cover expanded capacity situations.**

**Dustin suggested an inclusion and exclusion list from Gabe for voter clarity.**

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