



Special Assessment Task Force

3/7/2022 - Minutes

1. Welcome And Introductions

2. Approval Of Minutes

Robb Sattler made a motion to approve the minutes as presented, Kate Herzog seconded. All voted aye, M/C.

3. Finish Ballot Discussion

City Attorney Janelle Combs provided an overview of the Home Rule Charter (HRC), Ordinance, Commission Policy, and Staff Procedures related to implementing the Street Maintenance Utility Fee.

- The Home Rule Amendment provides more citizen control. It is the most difficult to change, focusing on policy. Home Rule Amendment requires 60% voter approval for any amendments.
- Staff Procedures and Commission Policies are easier to administer and make changes. The focus is on the process over policy.

The group's general consensus was to enact an ordinance that requires the Street Utility Policy to be reviewed annually by the Commission. The group discussed the policy requirement for a 3 - 5 year street maintenance schedule, which is communicated to the public as it is currently with the addition of more communication opportunities to the public outside of the budget process. Issues like a floating cap for inflation and ending fund balance can be addressed in the Street Utility Fee Policy. Since state law indicates the street utility fund is a restricted fund and can only be used for street maintenance and would be included in the HRC, detailed maintenance activities need only be included in the ordinance. The Commission would make the necessary cash management decisions through the financing transition period. There was no discussion of a process for rate changes by the Commission or granting the commission leeway if the "baseline rate" expressed in the ordinance doesn't work because there wasn't consensus on a formula or "baseline rate" to be expressed in the ordinance.

- <https://bismarcknd.gov/DocumentCenter/View/39975/Item-3-Additional-Information-PDF>

4. Review Residential Fee Framework With 3 Tiers Instead Of 6 Tiers

The group was presented with a 3 tier residential fee framework. Some members liked the 3 tiers better than the 6 tier framework. Other members didn't feel strongly one way or the other. So the consensus was to present both to the Commission with a recommendation to "tier the rates."

Dustin Gawrylow moved to recommend the Bismarck City Commission place the Home Rule Charter ballot language as suggested on the ballot and that staff provides multiple tiered options for the Commission to consider starting with the options that the task force has developed. Mike Schmitz seconded the motion. The motion passed unanimously.

- <https://bismarcknd.gov/DocumentCenter/View/39974/Residential-Tier-Comparison-PDF>

5. Discuss Recommendation To Commission

The group agreed the presentation format proposed in the agenda was good. They nominated Dustin Gawrylow to present the background and process used to arrive at our recommendation. He will work with staff to put together his presentation.

Kate Herzog motioned to have Dustin Gawrylow present the recommendations of the task force to the Commission on March 22, 2022. Brent Erickson will present if Gawrylow is unable to. Robb Sattler seconded the motion. The motion passed unanimously.

- A. Elect Representative To Present The Background And Process Used To Arrive At Our Recommendation
- B. Gabe Schell, City Engineer, To Present Rate Framework To Commission
- C. Jannelle Combs, City Attorney, To Present The Ballot Question To Commission

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