

## **FINANCE AND IMPROVEMENTS COMMITTEE**

Tuesday, March 1, 2016 – 4:15 p.m.

City Council Chambers

### **A g e n d a**

1. [Final Payments](#)
2. [Proposed Ordinance- Amending the 2015 Annual Budget- 111 15th St SE \(CAP019\)](#)
3. [Proposed Ordinance- Amending the 2015 Annual Budget- Special Revenue Fund](#)
4. [Proposed Ordinance- Amending the 2015 Annual Budget- Expended Funds](#)
5. [Proposed Ordinance- Amending the 2015 Annual Budget- Flood Control Capital Revenues](#)
6. [Proposed Ordinance- Amending the 2015 Annual Budget- Sales Tax Infrastructure](#)
7. [Proposed Ordinance- Amending the 2016 Annual Budget- Purchase 110 4th Ave NW \(CAP021\)](#)
8. [Proposed Ordinance- Amending the 2016 Annual Budget- Special Revenue Fund](#)
9. [Proposed Ordinance- Amending the 2016 Annual Budget- Microfilm Reader \(LIB026\)](#)
10. [Proposed Ordinance- Amending the 2016 Annual Budget- Park District- MAYSA Arena Rink #3 \(ST2P13\)](#)
11. [Amendment to the Contract between the City of Minot, North Dakota and Beyond Shelter for the Development of Cook's Court Senior Housing](#)
12. [Amendment to the Contract between the City of Minot, North Dakota and Beyond Shelter for the Development of Sunset Ridge](#)
13. [Amendment to the Contract between the City of Minot, North Dakota and Beyond Shelter for the Development of Fieldcrest](#)
14. [Amendment #2 to the Contract between the City of Minot and Beyond Shelter for the Development of Fieldcrest](#)
15. [Burdick Expressway Reconstruction NDDOT PE Agreement \(4179\)](#)
16. [Burdick Expressway Reconstruction Selection of Engineer \(4179\)](#)
17. [South Broadway Mill & Overlay NDDOT PE Agreement \(4180\)](#)
18. [US 2 – 42nd St Intersection Improvement NDDOT PE Agreement \(4181\)](#)
19. [Downtown Infrastructure Improvements- Approve Plans and Specifications and Call for Bids Phase II; Storm Sewer District 119 Phase II, Street Lighting District 64 Phase II \(3608, 3630, 4073\)](#)
20. [Amendments to the Direct Costs and Indirect Costs with Souris Basin Planning Council for Administrative Services Pertaining to the US Department of Commerce Economic Development Administration Award #05-79-05271 \(North Hill Project #3570\)](#)
21. [Ordinances on Second Reading](#)
22. [Informational- Status of Demolition Orders](#)

# FINANCE AND IMPROVEMENTS COMMITTEE

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MEMO TO: Finance and Improvements Committee  
FROM: City Clerk's Office  
RE: Agenda for Tuesday, March 1, 2016 - 4:15 p.m.

## 1. Final Payments

It is recommended the Committee and Council approve the following requests for final payment:

- a. [Fusion Automation](#) in the amount of \$94,643.86 for the City Wi-Fi System (3673.2)
- b. [Tom's Backhoe Service](#) in the amount of \$11,197.24 for the 21<sup>st</sup> Ave NW Street and Utility Improvements (3570)

## 2. Proposed Ordinance- Amending the 2015 Annual Budget- 111 15<sup>th</sup> St SE (CAP019)

It is recommended the Committee and Council pass an [ordinance](#) to amend the 2015 annual budget to increase the Flood Control Capital expenditures and decrease the Sales Tax Flood Control expenditures for the purchase of a property located at 111 15th St SE.

## 3. Proposed Ordinance- Amending the 2015 Annual Budget- Special Revenue Fund

It is recommended the Committee and Council pass an [ordinance](#) amending the 2015 annual budget to move the transfer of sale tax property tax relief first penny to the general fund and remove it from the debt fund to meet the definition of a special revenue fund and move the levy between the general fund and the debt fund.

## 4. Proposed Ordinance- Amending the 2015 Annual Budget- Expended Funds

It is recommended the Committee and Council pass an [ordinance](#) amending the 2015 annual budget to increase the following department expenditures:

275-0000-491.34-10	\$96,744	1504 3 <sup>rd</sup> Ave SE - Acquisition & Demolition
275-0000-491.30-00	13,260	Interest Distribution
261-7500-491.30-00	930	Interest Distribution
274-0000-491.30-00	5,444	Interest Distribution
314-0000-479.10-00	2,084,466	All Seasons Arena Bond

## 5. Proposed Ordinance- Amending the 2015 Annual Budget- Flood Control Capital Revenues

It is recommended the Committee and Council pass an [ordinance](#) to amend the 2015 annual budget to increase the Flood Control Capital revenues and expenditures to match.

## 6. Proposed Ordinance- Amending the 2015 Annual Budget- Sales Tax Infrastructure

It is recommended the Committee and Council pass an [ordinance](#) to amend the 2015 annual budget to increase the Sales Tax Infrastructure revenues and expenditures to match.

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### 7. Proposed Ordinance- Amending the 2016 Annual Budget- Purchase 110 4<sup>th</sup> Ave NW (CAP021)

It is recommended the Committee and Council pass an [ordinance](#) amending the 2016 annual budget to increase the Flood Control Capital Expenditures for the purchase of a property allocated at 110 4<sup>th</sup> Ave NW.

### 8. Proposed Ordinance- Amending the 2016 Annual Budget- Special Revenue Fund

It is recommended the Committee and Council pass an [ordinance](#) amending the 2016 annual budget to move the transfer of sale tax property tax relief first penny to the general fund and remove it from the debt fund to meet the definition of a special revenue fund and move the levy between the general fund and the debt fund

### 9. Proposed Ordinance- Amending the 2016 Annual Budget- Microfilm Reader (LIB026)

The Friends of the Minot Public Library has donated \$7,948.42 to the library for the purchase of a new microfilm scanner to be purchased from Datrue Process Automation.

In addition to the scanner, the library would like to request that \$965 be used from the operational supplies account to also purchase a PC workstation and 24" display for the microfilm scanner.

Purpose	Amount to be transferred to Project LIB026
Purchase of Microfilm Scanner	\$7,948.42 (from Friends of the Library donation/Memorial 429-7300-455.07-93)
Purchase PC workstation and 24" display for the microfilm scanner	\$965 (from operational supplies) 210-67-00-455-06-50

It is recommended the Committee and Council pass an [ordinance](#) amending the 2016 annual budget to increase the library capital budgeted revenues and expenditures for a new microfilm reader.

### 10. Proposed Ordinance- Amending the 2016 Annual Budget- Park District- MAYSA Arena Rink #3 (ST2P13)

It is recommended the Committee and Council pass an [ordinance](#) to amend the 2016 annual budget to increase the Sales Tax Community Facilities expenditures for the Minot Park District Maysa Arena Rink #3.

### 11. Amendment to the Contract between the City of Minot, North Dakota and Beyond Shelter for the Development of Cook's Court Senior Housing

The City of Minot entered into a Development Agreement with Beyond Shelter for the development of forty (40) affordable senior housing dwelling units referred to as Cook's Court Senior Housing.

The anticipated completion date of the project was December 31, 2015. However, due to several delays, construction will not be complete until February 2016.

The amendment for consideration provides an extension to October 31, 2016 for full performance and occupancy of the project.

It is recommended the Committee and Council approve the [Amendment](#) to the Contract between the City of Minot, North Dakota and Beyond Shelter for the Development of Cook's Court Senior Housing and further authorize the Mayor to sign the amendment.

### 12. Amendment to the Contract between the City of Minot, North Dakota and Beyond Shelter for the

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### **Development of Sunset Ridge**

The City of Minot entered into a Development Agreement with Beyond Shelter on June 18, 2015. Beyond Shelter agreed to develop seventy-four (74) affordable dwelling units in a project referred to as Sunset Ridge. Anticipated completion was March 31, 2018.

The project will be developed in two phases. Both phases are dependent on low income housing tax credits.

Phase two of the project was not funded for low income housing tax credits during the 2015 funding cycle. An application will be submitted for the 2016 funding cycle.

The amendment for consideration extends the performance period to December 31, 2018.

It is recommended the Committee and Council approve the [Amendment](#) to the Contract between the City of Minot, North Dakota and Beyond Shelter for the Development of Sunset Ridge and further authorize the Mayor to sign the amendment.

### **13. Amendment to the Contract between the City of Minot, North Dakota and Beyond Shelter for the Development of Fieldcrest**

The City of Minot entered into a Development Agreement with Beyond Shelter for the development of forty-two (42) workforce housing dwelling units referred to as Fieldcrest.

The anticipated occupancy date of the project was December 31, 2015. However, due to several construction delays lease-up of the apartments did not begin until October 2015. Twenty-one (21) units were occupied by December 31, 2015.

The amendment for consideration provides an extension to June 30, 2016 for full performance and occupancy of the project.

It is recommended the Committee and Council approve the [Amendment](#) to the Contract between the City of Minot, North Dakota and Beyond Shelter for the Development of Fieldcrest and further authorize the Mayor to sign the amendment.

### **14. Amendment #2 to the Contract between the City of Minot and Beyond Shelter for the Development of Fieldcrest**

This amendment is for the Development Agreement between the City of Minot and Beyond Shelter for the funds provided to this project from the State of North Dakota's Community Development Block Grant Disaster Recovery funds.

The amendment is acknowledging the adjustment of lease-up of the apartments from October 2015 to June 30, 2016.

It is recommended the Committee and the Council approve [Amendment #2](#) to the Contract between the City of Minot and Beyond Shelter for the Development of Fieldcrest and further authorize the Mayor to sign the amendment.

### **15. Burdick Expressway Reconstruction NDDOT PE Agreement (4179)**

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Burdick Expressway is slated for reconstruction in 2017 from 9th St to 15th St SE. The NDDOT is requiring the City to sign an agreement to cost share in the project's professional engineering (PE) costs. The only major stipulation in the agreement states if the City unilaterally and voluntarily terminates the agreement, the City is responsible for all engineering costs associated with the project.

Since the City has requested this project be constructed by the NDDOT, it would be unlikely the City would terminate the agreement. If the City would terminate the agreement, the City would have to pay the NDDOT for costs incurred or the funds would be subtracted from our State Highway Tax Distribution Fund or future funds.

It is recommended the Committee and Council approve the [agreement](#) with the NDDOT for Burdick Expressway Reconstruction and authorize the Mayor to sign the agreement.

### **16. Burdick Expressway Reconstruction Selection of Engineer (4179)**

Burdick Expressway from 9th St to 15th St SE is slated for reconstruction in 2017. The project will be managed and bid under the direction of the NDDOT. Apex Engineering Group was selected by the NDDOT and the City Engineer through a qualifications based selection identical to what the City uses when selecting firms.

On this project, all of the sewer and water lines will be replaced as they are all approximately 100 years old. The NDDOT will not allow the City to design the utilities under the same contract as the roadway. All costs for the utilities such as engineering and construction must be kept separate and will be the full responsibility of the City to pay. This is standard practice on NDDOT projects within cities.

It is staff's desire to have the same engineer design the roadway and the utilities. This same arrangement was done a few years ago with the construction of highway improvements at 13th St SE and US 2/52 Bypass.

Since Apex Engineering was selected based on a qualifications selection and the utility replacement was part of the scope of the project, staff feels comfortable signing a contract with Apex based on the City's contract policy.

It is recommended the Committee and Council affirm the selection of Apex Engineering Group by the NDDOT and authorize the City Engineer to negotiate a scope and fee for the utility design and construction engineering for Burdick Expressway Reconstruction.

It is also recommended the Committee and Council adopt a resolution authorizing the use of sewer and water utility bonds to pay for the engineering and construction of the sewer and water lines (estimated at \$1.5 million).

### **17. South Broadway Mill & Overlay NDDOT PE Agreement (4180)**

South Broadway is scheduled in 2016 for a mill and overlay from the south urban limits to 20th Ave SW. The NDDOT is requiring the City to sign an [agreement](#) to cost share in the project's professional engineering (PE) costs. The only major stipulation in the agreement states if the City unilaterally and voluntarily terminates the agreement, the City is responsible for all engineering costs associated with the project.

Since the City has requested this project be constructed by the NDDOT, it would be unlikely the City would terminate the agreement. If the City would terminate the agreement, the City would have to pay the NDDOT for costs incurred or the funds would be subtracted from our State Highway Tax Distribution Fund or future funds.

It is recommended the Committee and Council approve the agreement with the NDDOT for the South Broadway Mill & Overlay and authorize the Mayor to sign the agreement.

### **18. US 2 – 42<sup>nd</sup> St Intersection Improvement NDDOT PE Agreement (4181)**

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The intersection of US 2 and 42nd St SE is slated for significant improvements in 2018 which include traffic signals and lane improvements. The NDDOT is requiring the City to sign an [agreement](#) to cost share in the project's professional engineering (PE) costs. The only major stipulation in the agreement states if the City unilaterally and voluntarily terminates the agreement, the City is responsible for all engineering costs associated with the project.

Since the City has requested this project be constructed by the NDDOT, it would be unlikely the City would terminate the agreement. If the City would terminate the agreement, the City would have to pay the NDDOT for costs incurred or the funds would be subtracted from our State Highway Tax Distribution Fund or future funds.

It is recommended the Committee and Council approve the agreement with the NDDOT for the US 2 and 42<sup>nd</sup> St. Intersection Improvements and authorize the Mayor to sign the agreement.

### **19. Downtown Infrastructure Improvements- Approve Plans and Specifications and Call for Bids Phase II; Storm Sewer District 119 Phase II, Street Lighting District 64 Phase II (3608, 3630, 4073)**

Houston Engineering/MWH (HMjv) has completed the plans and specifications for the Downtown Infrastructure Improvements Phase II project which includes Storm Sewer District 119 Phase II and Street Lighting District 64 Phase II.

**Fiscal Impact:** The engineer's estimate for Phase II of construction is \$12,414,764.31. This project includes multiple funding sources which includes EDA, CDBG-DR, Storm Sewer Development, State Water Commission, Sales Tax Flood Control, refunding improvement (special assessment), revenue (utility bonds), and general obligation bonds.

It is recommended the Committee and Council adopt a [resolution](#) to approve the plans and specifications for the downtown infrastructure improvements and authorize a call for bids.

### **20. Amendments to the Direct Costs and Indirect Costs with Souris Basin Planning Council for Administrative Services Pertaining to the US Department of Commerce Economic Development Administration Award #05-79-05271 (North Hill Project #3570)**

The City entered into agreements with Souris Basin Planning Council to provide direct and indirect administrative services on the EDA grant for the North Hill project.

The requested [amendments](#), which increase the fee to Souris Basin, for direct costs by \$1,900 and indirect costs by \$1,050 are attributed to additional time spent on the project associated with bidding the project twice, as well as additional time and reporting required due to the construction contract going past schedule.

**Fiscal Impact:** The requested additional costs will be paid from project funds bonded for in 2015.

It is recommended the Committee and Council approve the Amendments to the Direct Costs and Indirect Costs with Souris Basin Planning Council for Administrative Services Pertaining to the US Department of Commerce Economic Development Administration Award #05-79-05271 (North Hill) and further authorize the Mayor to sign the Amendments.

### **21. Ordinances on Second Reading**

- a. [Ordinance No. 5049](#) – Amend the 2015 Annual Budget- Public Works copier machine

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- b. [Ordinance No. 5050](#) – Amend the CMCO- Airport Terminal Restaurant License
- c. [Ordinance No. 5052](#) – Rezoning Section 7-155-82, SE ¼, Less Outlot 1 from AG to P
- d. [Ordinance No. 5025](#) – Rezoning Green Acres 4<sup>th</sup> Addition, Lot 1 from R1 and AG to R1

### **22. Informational- Status of Demolition Orders**

[Demolition orders](#) for five properties have passed their 90 day deadline. These properties have been vacated and abandoned since the flood of 2011. Interior and exterior inspection records reveal failed structural components, dangerous conditions and public safety concerns. All properties currently have numerous building code violations, in addition to annual nuisance complaints the City staff has been engaged in since 2011.

Notifications have been sent to:

1. 416 2<sup>nd</sup> Ave NW
2. 708 East Burdick
3. 312 South Broadway
4. 12 10<sup>th</sup> St SW
5. 107 7<sup>th</sup> St SW

The last administrative act by the City will be a public hearing to allow owners of the properties to discuss the possible abatement procedures during the City Council meeting on March 7, 2016