

FINANCE AND IMPROVEMENTS COMMITTEE

Tuesday, May 31, 2016 – 4:15 p.m.

City Council Chambers

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1. [Final Payments](#)
2. [Proposed Ordinance- Amending the 2016 Annual Budget- Police Administration Crime Prevention Supplies](#)
3. [Cities of Service Resilience AmeriCorps VISTA Program Implementation Grant](#)
4. [Proposed Ordinance- Amending the 2016 Annual Budget- Paymentus Credit Card Enablement Fees & Licensing \(IT0010\)](#)
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MEMO TO: Finance and Improvements Committee
FROM: City Clerk's Office
RE: Agenda for Tuesday, May 31, 2016 - 4:15 p.m.

1. Final Payments

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

- a. [C&C Plumbing](#) in the amount of \$65,691 for the 55th Crossing Lift Station (CDBG09)
- b. [SJ Louis Construction](#) in the amount of \$289,554.26 for the SW Sanitary Sewer Improvements Phase 1B (3561)
- c. [Stein Construction, Inc.](#) in the amount of \$994.78 for the 2016 Public Works Concrete Repair (4106)

2. Proposed Ordinance- Amending the 2016 Annual Budget- Police Administration Crime Prevention Supplies

It is recommended the Committee and Council pass an [ordinance](#) to amend the 2016 annual budget to increase the Police Administration Crime Prevention Supplies expenditures to purchase supplies and increase the general fund revenue for the St. Joseph's Community Health Foundation Grant.

3. Cities of Service Resilience AmeriCorps VISTA Program Implementation Grant

Cities of Service Resilience AmeriCorps is a two-year pilot program deploying AmeriCorps VISTA members in ten cities across the country to increase civic engagement and community resilience in low-income areas, under the direction of senior level city officials. With its program partners, Cities of Service (CoS) will identify, train, activate, and support a corps of VISTAs deployed as ambassadors and experts in impact volunteering, national service, and resilience to help those communities develop strategies for becoming more resilient to any number of shocks and stresses, including better preparations for extreme weather events. By using impact volunteering, Resilience AmeriCorps will advance each city's resilience by, among other things, creating and strengthening relationships between and among city leaders and residents in target communities.

Applying the Cities of Service model, VISTAs will work directly with citizens in low-income communities to create and implement environmental and infrastructure projects, aligned with specific mayoral priorities (a list of resilience issues identified in each of the pilot cities follows this proposal). Determined by local needs and objectives, citizen volunteers may undertake local projects such as planting trees or rain gardens, removing invasive species, landfill diversion, restoring river and stream banks, retrofitting homes, or activities that reduce carbon emissions. Following an inclusive and participatory process for planning and implementation, these projects will produce measurable results that can be experienced and observed by local residents. In addition to generating discrete environmental outcomes, these activities also build and strengthen relationships between city hall and citizens. Throughout, VISTAs will be training citizens to be ambassadors for resilience. In this way, impact volunteering projects create an infrastructure that helps communities be more resilient in the face of any future crisis.

It is recommended the Committee and Council pass an [ordinance](#) to amend the 2016 annual budget to increase the City Manager department expenditures and increase the General Fund revenue for the Cities of Service Federal Grant by \$25,000.

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4. Proposed Ordinance- Amending the 2016 Annual Budget- Paymentus Credit Card Enablement Fees & Licensing (IT0010)

Utility Billing is in the process of transitioning to Paymentus for credit card processing. Paymentus offers an Enterprise Bill Payment Platform comprising online, toll free automated phone and mobile payment channels. Paymentus will provide an additional payment option and resource for frequently asked questions and alleviate about 40 percent of call traffic to Utility Billing. It will add a customer web portal for making payments quickly and easily with their account number (without registering).

The other extremely important aspect of Paymentus is it relieves the City from the responsibility of protecting personal credit card information. This will be Paymentus' responsibility.

In order for Paymentus to interface with our accounting system, it is necessary to enable our NaviLine product and SunGard Public Sector product. The quote for this work is \$9,430.

Adding Paymentus is not in the 2016 budget; however, the protection Paymentus will provide the City in regards to protecting personal credit card information cannot be delayed. In addition, the benefit for the City's customers cannot be measured.

Fiscal Impact: The 2016 budget includes funds for Naviline Edge, \$44,600. IT has advised the department the \$44,600 will cover both the Naviline Edge project and the Paymentus project.

The budget amendment is necessary as the Paymentus project is not a capital project and the budget will be amended for the appropriate expense accounts impacted by the Paymentus project.

It is recommended the Committee and Council pass an [ordinance](#) to amend the 2016 Annual Budget to Increase General Fund Contract and Software Agreement Expenditures and Decrease the Equipment Purchase Expenditures for Credit Card Enablement Fees/Licensing and Approve the Transfer of Funds.

5. Sponsorship of Community Development Block Grant Application – Accessible Space Apartments

Accessible Space Apartments has approached the City requesting the City sponsor a [CDBG Grant Application](#) on their behalf.

Accessible Space Apartments is an accessible, affordable apartment community for very-low income adults with qualifying physical disabilities and is located at 1425 31st Ave Southwest. The apartments were built in 1997 and are home to 24 very low-income adults with physical disabilities, traumatic brain injuries and/or mobility impairments.

The twenty-year old apartments are in need of having their windows replaced.

Accessible Space Apartments is requesting the City sponsor a grant application, through Souris Basin Planning Council, to the North Dakota Region 2 Community Development Block Grant State program.

Fiscal Impact: The grant application is requesting \$25,000. Accessible Space Apartments will match the \$25,000 generating \$50,000 for the replacement of windows at the apartments.

The funds would pass through the City to Accessible Space Apartments and Souris Basin Planning Council will administer the grant.

It is recommended the Committee and Council approve the sponsorship of the grant and authorize the Mayor to sign the necessary documentation.

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6. Award of Bid- Copier for Engineering (ENG012)

On Wednesday, May 18th, the engineering department opened bids for a new copy machine to be located in the new engineering addition.

A purchase option and a lease option were bid to ensure the City receives the best value. In addition, a monthly maintenance agreement for toner, supplies, and maintenance was bid with both options.

Five bids were received with Advanced Business Methods of Minot submitting the lowest bid for purchase, lease, and maintenance options. Their bid was \$7,309 for the purchase option, \$225 per month for the lease option, and \$184 per month for maintenance agreement. The purchase option saves \$791 and is the recommended solution.

Fiscal Impact: The engineering department has the necessary funds in the operations supplies account which needs to be transferred to the capital purchase fund.

It is recommended the Committee and Council award the bid for the 2016 Copier for Engineering to Advanced Business Methods of Minot in the amount of \$7,309 including the monthly service agreement of \$184. Also, to pass an [ordinance](#) amending the 2016 annual budget to increase the Equipment Purchase expenditures and decrease the engineering operation supplies expenditures.

7. Application For Abatement or Refund of Taxes by MAB 1-22 LLC for an apartment building located at 1919 35th Ave SW

The owner of a 22 unit apartment building built in 2012 has filed an [abatement application](#) thereby asking for a reduction in the 2015 assessment. The 2015 assessment was \$3,132,000. The application does not state what the owner's request or opinion of assessment should be. The Assessor's Office has requested further information from the applicant but to this date none has been provided.

It should be noted apartment buildings in general were reduced for the 2016 assessment year and this particular property has already been reduced from \$3,132,000 to \$2,715,000 for 2016.

It is the Assessor's recommendation the Committee and Council deny the request for abatement or refund of taxes by MAB 1-22 LLC.

8. South Broadway Mill & Overlay Bid Concurrence (4180)

City Staff is coordinating a project with the NDDOT to mill and overlay sections of South Broadway from 43rd Ave to 31st Ave SW. The mill and overlay sections will be focused on the rutted sections of Broadway around 37th Ave and 31st Ave SW. The intention is to do one last maintenance project before Broadway must be reconstructed. Also, the NDDOT will be constructing a deck overlay on the interchange bridge.

Fiscal Impact: The City's estimated cost share is \$945 and would be paid for with the traffic department painting budget since the cost is related to the striping improvements.

It is recommended the Committee and Council concur with the low bid received from Industrial Builders Inc. of Fargo and authorize the Mayor and City staff to sign the agreement and related documents.

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9. Downtown Infrastructure Improvements Canadian Pacific Utility Occupancy License for Street Light District 64 (4073, 3608)

As part of the Downtown Infrastructure Improvements project, the City must obtain a utility occupancy license from Canadian Pacific Railway. The license carries a one-time fee and any associated flagging costs which will be billed separately:

License Number: 4377701

Fee: \$5,000

Fiscal Impact: The license fee and any flagging associated with this permit will be paid by the Street Lighting District 64 special assessment.

Due to the timing of the permit submittal, staff had to submit the permit and fee ahead of Council authorization.

It is recommended the Committee and Council retroactively approve the utility occupancy permit with Canadian Pacific Railway and authorize the Mayor to sign the documents.

10. Nuisance Abatement Assessment – Blighted Homes

The City is moving forward with the special assessment of costs incurred to abate nuisances for blighted homes. An action plan was approved at the May 5, 2014 City Council meeting in which an initial \$73,000 from the Sales Tax First Penny Fund was approved to pay contractors up front with the understanding the property owners are to be special assessed for the costs.

The nuisance abatements presented for approval includes 79 properties from 2014 for a total cost of \$85,144.03 and 31 properties in 2015 with a total cost of \$26,332.29.

City Ordinance 22-6, Hearing on Amount of Special Assessment for Nuisance Abatement, sets forth the steps to follow in regards to nuisance abatements and appeals.

The City is required to notify the property owner via certified mail of the special assessment. The notices were mailed, via certified mail, on May 5, 2016.

Aggrieved landowners may appeal to the City Manager with respect to the correctness of the computation of the nuisance abatement costs. The property owner has ten (10) business days following the date of mailing or the date of publication, whichever occurs later to appeal.

The City Manager shall hear those appeals, with a hearing to be held regarding those appeals with merit as to the correctness of the computation of the nuisance abatement. The appeal to the City Manager shall be initiated by the filing with the City Manager of written notice of the appeal, stating therein the grounds upon which the appeal is based. The notice must be filed before the date upon which the determination of costs would otherwise become conclusively determined and incontestable. In this case, that date is June 6, 2016. The hearing on the appeal must be held no later than seven (7) business days following the filing unless the landowner shall consent to a hearing on the appeal later.

The determination made by the City Auditor as to the amount of the costs levied against the property shall be presumed to be correct but subject to rebuttal by the property owner, who shall have the burden of proving by clear and convincing evidence:

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- 1) That the City Auditor's determination is incorrect; and
- 2) The amount of the correct charge. The City Manager or his delegate shall affirm the proposed charge made by the City Auditor or modify the charge in accordance with the evidence produced at the hearing.

As the City Manager has not received a notice of appeal on the assessments presented to the Committee it is recommended the Finance Committee and City Council approve the attached [lists of Nuisance Abatement Special Assessments](#).

11. PACE Buy Down – Fieldcrest, LLC

The City of Minot, using Community Development Block Grant Disaster Recovery (CDBG-DR) funds, invested in the Fieldcrest Apartments workforce apartment complex. Beyond Shelter is the entity the City has worked with on this project. The City contributed the funds to purchase the land and infrastructure.

The Fieldcrest Apartments are complete and occupied. Beyond Shelter is in the process of securing permanent financing for the project, which includes a PACE buy down. The City's original contribution to the project counts towards the City's required contribution for the PACE buy down.

At this time, the Bank of North has submitted the necessary documents for the City to sign. As stated above, there is no additional financial obligation from the City.

It is recommended the Committee and Council authorize the Mayor to sign the necessary documents for the PACE Buy Down for Fieldcrest, LLC.

12. Award of Bid- Auditorium Arena Lighting

Bids for the Auditorium Arena Lighting will be opened on May 31st at 11:00 am. A bid recommendation will be placed on the desk for the Finance & Improvements Committee meeting.

13. Amendment to the Agreement between City of Minot and CDM Smith for National Disaster Resilience Competition (NDRC) Pre-Agreement Services for Minot, ND

The City Council approved a Pre-Agreement between the City of Minot and CDM Smith for services related to the City's award of the National Disaster Resilience funds.

The agreement was effective February 1, 2016 with the expectation the U.S. Department of Housing and Urban Development (HUD) would issue the Federal Register with guidance for the funds by the end of February 2016. However, at the date of this memorandum the guidance has not been published in the Federal Register. Therefore, it is necessary to modify the period of performance in the Pre-Agreement.

The period of performance should reflect the effective date, as approved by the City Council, of February 1, 2016 and extend the performance period to June 6, 2016.

There is no fiscal impact.

It is recommended the Committee and Council approve the Amendment to the Agreement between the City of Minot and CDM Smith for National Disaster Resilience Competition (NDRC) Pre-Agreement Services for Minot, ND to reflect the effective date, as previously approved by the City Council, of February 1, 2016 and extend the period of performance to June 6, 2016.

14. National Disaster Resilience Grant Implementation Agreement between the City of Minot and CDM Smith – Effective June 6, 2016

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The City of Minot has been awarded \$74.3 million from the U.S. Department of Housing and Urban Development. The application also includes leverage from various sources to include a total project costs of \$199,375,332.

The City desires to contract with CDM Smith for administrative and project delivery services for the total project.

The major projects that are included in the scope of services with CDM Smith are as follows:

1. Reduce flood risk and improve water management
2. Build affordable resilient neighborhoods
3. Foster economic resilience and diversification
4. Planning tasks

The total not to exceed contract with CDM Smith is \$19,383,482 or approximately 9.7% of the total costs. Each project has numerous activities that are outlined in the scope of work. The entire scope of work is available for detailed review in the Finance Director's office.

CDM Smith's costs will be paid with the NDR funds and the leveraged dollars.

It is recommended the Committee and Council approve the National Disaster Resilience Grant Implementation Agreement between the City of Minot and CDM Smith Effective June 6, 2016 and authorize the Mayor to sign the necessary documentation.

15. Proposed Ordinance- Amend the 2016 Annual Budget Police Department

The Police Chief is requesting a budget amendment to increase the increase the asset forfeiture revenue and the Police Patrol expenditures by \$36,790.20.

This is the result of receiving funds from the asset forfeiture of money seized during narcotic investigations by the Ward County Narcotics Task Force (WCNTF). In accordance with the Memorandum of Understanding the Minot Police Department has with the WCNTF, the Minot Police Department receives 30%, in this case \$36,790.20, of the amount received from asset forfeitures. The Police Department will use these funds to purchase equipment that was not budgeted for i.e. additional body cameras.

It is recommended the Committee and Council pass an [ordinance](#) amending the 2016 annual budget to increase the Asset Forfeiture revenue and the Police Patrol expenditures to purchase equipment that was not previously budgeted.

16. Ordinances on Second Reading

- a. [Ordinance No. 5078](#) – Stop sign at intersection of 7th St NE and Bavaria Drive
- b. [Ordinance No. 5079](#) – Parking Restriction- west side of 10th St NE between Railway and 6th Ave
- c. [Ordinance No. 5080](#) – Amend the 2016 Annual Budget- Police Patrol and Capital Equipment
- d. [Ordinance No. 5081](#) – Amend the 2016 Annual Budget- Airport Professional Service Contract