

RESOLUTION NO. 23 - 2013

A RESOLUTION DECLARING THE POLICY OF THE CITY OF DICKINSON
REGARDING PRIORITIZATION OF CITY-FUNDED MAJOR
INFRASTRUCTURE PROJECTS

WHEREAS, recent economic conditions in the City of Dickinson and southwestern North Dakota have presented the City with numerous requests for construction of public infrastructure, including roads, water distribution, waste water collection, and other public infrastructure; and

WHEREAS, the City is limited in the amount of public funding it may dedicate to construction of public infrastructure, whether such funding comes from city tax collections, state oil-impact funds, or borrowing by the City; and

WHEREAS, since the City is faced with more requests for construction of public infrastructure than it can meet with its existing funding, the City is obligated to prioritize its public infrastructure projects. Not all requests for public infrastructure can be met with existing funding; and

WHEREAS, the City is obligated to be neutral and non-discriminatory in choosing its infrastructure funding priorities, not favoring certain developers over others; and

WHEREAS, the City seeks to adopt a uniform set of criteria for prioritizing its public infrastructure projects, and to be as consistent as possible in choosing how to allocate dollars among potentially competing projects;

WHEREAS, the Board of City Commissioners finds that it is in the best interests of the City of Dickinson to adopt the following policy regarding the prioritization of City-funded infrastructure projects;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Dickinson, North Dakota, as follows:

In the absence of substantial overriding concerns or major changes in the financial and economic activity in the City of Dickinson and southwestern North Dakota, the City desires to prioritize its efforts to design, engineer and construct major City-funded public infrastructure, to be completed within approximately over the next two years, according to the following criteria:

- 1) The City's first priority is completion of infrastructure projects that are required in order to address immediate life, health, or safety concerns, to comply with legal mandates received by the City from a court or other governing regulatory body, to otherwise comply with any other legal requirements imposed upon the City, or to address other immediate emergency concerns.
- 2) The City's next priority is completion of major infrastructure projects that result in system-wide improvements benefitting the entire public and that are not limited to any particular development or developer.
 - a) Such system-wide improvements will include projects such as the new Water Reclamation Facility and the Joint Finished Water Pumping Station that provide significant benefit to all properties in the City, regardless of their location, and regardless of whether they are newly developed properties or those in existence for many years. These types of projects represent a core function of municipal government, and normally cannot be and are not constructed by individual developers.
 - b) Such system-wide improvements may also include new infrastructure that will support significant economic development for the City and southwestern North Dakota. The City recognizes that all new subdivisions and construction create some level of economic development. However, infrastructure projects to be

given priority under this item are those that will support substantial new economic opportunities for the City and southwestern North Dakota, beyond a residential subdivision, commercial center, or industrial park. Rather, the projects to be given priority under this items are those that will support major, “economy-changing” types of projects.

- 3) The City’s next priority is the completion of major infrastructure projects that include funding from federal or state agencies, so long as the funding provided pays for a significant portion of total costs, including engineering costs. Funding from private entities should also be considered, but only if the private funding is significant. The City will give greater priority to projects for which all of the total costs of the project will be covered by third-party entities. Lesser priority will be given to projects for which the City may bear a significant cost-share.
- 4) The City’s next priority is the completion of infrastructure that involves major water and sewer trunk lines, booster stations, pump stations, or transportation facilities that will provide substantial system improvements benefitting a large portion of the City, beyond any particular subdivision, and that may include a benefit to some existing structure or structures within the City.
 - a) If a transportation enhancement receives a fundable priority it may also elevate the priority of any underground infrastructure that would be required to be built beneath the prioritized transportation enhancement.
 - b) The types of infrastructure receiving priority under this item should ordinarily be engineered and constructed in order to accommodate potential future growth in areas beyond that being immediately sought for any one particular development.
- 5) The City’s next priority is the completion of infrastructure that will improve or provide city services to existing occupied structures within city limits.
 - a) If multiple projects meet this criteria those projects shall be further prioritized using the predominant zoning classification that the project serves. As of the date of adoption, the City’s prioritization of zoning classifications for this item would be in the following order: residential; commercial; and then industrial. However, the City recognizes that it is in a dynamic development environment, and its prioritization of zoning classifications may change over time.
- 6) The City’s next priority is the completion of infrastructure that will provide adequate city services to already platted, but as yet unbuilt, developments within existing city limits.
 - a) If multiple projects meet this criteria those projects shall be further prioritized using the predominant zoning classification that the project serves. As of the date of adoption, the City’s prioritization of zoning classifications for this item would be in the following order: low-density residential; commercial; industrial; and then high-density residential. However, the City recognizes that it is in a dynamic development environment, and its prioritization of zoning classifications may change over time.
- 7) The City’s next priority is the completion of infrastructure that will allow for the development of new subdivisions that have not been previously platted. Land uses to receive priority under this item will depend upon the particular mix of land uses then in existence at the time that the particular project is proposed, and should be consistent with the preferred mix of land uses designated in the City’s Comprehensive Plan. As of the adoption of this Resolution, the City considers its

land use development priorities to be in the following order: low-density residential; medium-density residential; commercial; industrial; high-density residential.

- 8) The City's next priority is the completion of infrastructure that can be developed quickly, with a minimum of engineering cost and construction cost.

Note 1: Any infrastructure project may be considered for an elevation of priority by completing a Statement of Overriding Concerns and approval of the same by the Board of City Commissioners. The Board shall detail reasons for its Statement of Overriding Concerns in formal action, following public hearing thereon.

Note 2: The City recognizes that it is in a dynamic economic environment and that its priorities for major infrastructure projects are subject to change. As stated in the City's Comprehensive Plan, "the suggested priorities and timelines are subject to change as the City develops its annual CIP." The Board of City Commissioners anticipates reviewing its prioritization list at least annually.

Note 3: This statement of policy is intended to give administrative guidance to city staff. As such, it is not binding upon the City, but shall be used for the purposes of guidance and recommendation only. This prioritization criteria, and any formal list of priorities resulting from it, shall not commit the City to funding any particular project, nor shall any person rely upon this prioritization criteria, or any formal list of priorities resulting from it, in determining such party's own financial commitments. Rather, the City will determine its actual allocation of funds to particular infrastructure projects as part of its annual budgeting process and as bids for particular construction projects are let and reviewed.

Note 4: The criteria used to prioritize infrastructure improvements is intended to apply to construction of major new infrastructure projects, most of which are identified in the City's Comprehensive Plan. It is not intended to apply to regular maintenance and repair of existing city roads or water and waste water lines.

Note 5: The City should discourage and not approve new subdivision plats for which there is not a demonstrated ability to service the property with existing city infrastructure, or for which extensive, unfunded improvements to city infrastructure are required.

Dated this 17th day of June, 2013.

Dennis W. Johnson, President
Board of City Commissioners

ATTEST:

Shawn Kessel, City Administrator