



**TO:** Mayor Shaun Sipma  
Members of the City Council

**FROM:** Lance A. Lang, Principal Planner

**DATE:** February 19, 2019

**SUBJECT:** CONTRACT FOR PLANNING CONSULTING SERVICES

**I. RECOMMENDED ACTION**

Recommend approval of the contract for consulting services with SRF Consulting Group, Inc. for planning consulting services to assist in a comprehensive update to the Minot Zoning Ordinance as presented. Scope of work and estimated costs are included.

**II. DEPARTMENT CONTACT PERSONS**

Lance A. Lang, Principal Planner (701) 857-4108 [lance.lang@minotnd.org](mailto:lance.lang@minotnd.org)  
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**III. DESCRIPTION**

**A. Background**

Since 2014 the Zoning Ordinance Steering Committee (ZOSC) has been meeting to make corrections, revisions, and updates to the zoning ordinance document. When the Planning Department became fully staffed in the fall of 2016 a major, citywide goal was to complete this work. By winter of 2017 the department was understaffed and the task force stopped monthly meetings. Recently, the committee has been reenergized with new members appointed by the Mayor and two-hour meetings are regularly scheduled twice per month. The goal now is to analyze and update the entire ordinance from beginning to end over the course of the next fifteen or so months.

However, the Planning Department is still understaffed, so a planning consultant is being requested to provide professional assistance in the effort to complete this monumental task in a timely fashion.

**B. Proposed Project**

The contract provided by the consultant, SRF Consulting Services, Inc., is an hourly contract not to exceed the maximum price and can be summarized as follows:

- Based on the scope of work provided the total contract amount is \$135,633.00.
- Work is split between six (6) general categories as follows:

- Ordinance Approach.

This document outlines the approach proposed to update the entire ordinance. Staff wants to have Council weigh in on options for general guidance and direction to the ZOSC. Includes attendance at City Council to present the document and one (1) round of revisions. (\$9,242.00)

- Zoning Ordinance Steering Committee Meetings. Two SRF staff will be involved at all meetings to present information, take minutes of actions and decisions, and provide professional guidance to the ZOSC.

Attend ten (10) meetings in person and ten (10) meetings via phone or video. (\$28,440.00)

- Ordinance Development & Document Formatting.  
Lead in the preparation of ordinance update language including revisions to format and additional graphics on a chapter-by-chapter basis. The end goal is to make the document flow better, easier to navigate, and more understandable using tables, charts, and graphics. Includes review by City Planner, City Attorney, and steering committee. (\$63,185.00)
- Public Meetings.  
Host up to two (2) public meetings in an “open house” format with formal presentation(s). Public input is critical to this document. The community’s thoughts and opinions must be heard and not just the opinions of city staff, the ZOSC, or dedicated professional groups. (\$13,028.00)
- Update Finalization.  
Attendance and presentation of ordinance updates at up to three (3) Planning Commission public hearings. Attendance and presentation at the first reading of the zoning ordinance at City Council. (\$5,898.00)
- Project Management.  
Project set up, files, budget, timeline, coordination with Minot staff, quality assurance and quality control. (\$15,840.00)

The goal of this work effort is to update the ordinance in its entirety in a reasonable amount of time. Without the help of the consulting firm, the committee of volunteers and meager staff would not be able to get through the work for several years.

It is important to accomplish this work as soon as practical as the zoning ordinance is one of the most important regulatory documents the City possesses, and it is referenced daily. A wide cross section of people in Minot rely on this document for answers, such as staff working with developers, builders and realtors; developers doing their own research, and by general citizens interested in the land development process. The ordinance is also the primary implementation tool of the Comprehensive Development Plan.

C. Consultant Selection

This contract is an extension of consulting services with SRF dating back to April 2016 which contract will expire in April 2019. The scope of work in that contract is different, so both parties felt it best to rewrite the contract to specifically target the needs of the City of Minot as we move forward with these planning tasks. SRF has a proven record of performance with the City of Minot and their work load is currently favorable for prioritizing the City of Minot contract.

**IV. IMPACT:**

A. Strategic Impact:

The zoning ordinance update has been a priority goal of the Planning Department for the past five years. The development community has patiently waited while the City has attempted to update the document. The City must complete the update timely, or missed opportunities for development may occur.

B. Service/Delivery Impact:

Completion of the zoning ordinance update will provide a much better document with updated information, better formatting, simpler and easier to understand text sections. The document will provide better customer service and a quality product the City can be proud of instead of making excuses for its current shortcomings.

C. Fiscal Impact:

This project will be funded from unspent salaries in the Planning Department over the past fourteen months which will total \$207,000.00 by the end of February. Therefore, staff is not requesting to use all unspent funding, only what is needed to accomplish the goal.

Project Costs

Costs are listed above for each category. These costs are all inclusive of time and expenses including travel. Other direct expenses such as printing, supplies, reproduction, etc. will be billed at cost and mileage will be billed at the current allowable IRS rate for business mileage.

Project Funding

General Fund – Cash Reserve

V. **ALTERNATIVES**

**Alternant One:** Continue to meet with the ZOSC twice per month as we revise the ordinance with no assistance from a consultant. Two-hour meetings twice per month is only 48 hours of committee time per year. It will take several years to complete the revisions at the current rate of progress.

**Alternate Two.** Wait until new personnel are hired as full-time employees in the Planning Department so that the revisions can remain in-house with ZOSC approval. Of course, one of the other primary goals of the Planning Department is to be fully staffed, but unfortunately there has been well over a year of recruitment with no results. Even if additional staff were hired, it will be better to use staff to manage and facilitate the work of the consultant so that the zoning ordinance update will be completed as quickly as possible.

VI. **TIME CONSTRAINTS**

As previously stated, time is of the essence with this work. The ZOSC has been meeting for five years to date, and there remains the lion share of work to be done. It will take too long to accomplish all the goals of staff and the committee in completing this ordinance update without outside assistance.

VII. **LIST OF ATTACHMENTS**

- A. Contract from SRF Consulting Group, Inc.