



TO: Mayor Shaun Sipma

FROM: Dan Jonasson, Director of Public Works

DATE: May 12, 2021

SUBJECT: JOINT POWERS AGREEMENT WITH PARK DISTRICT FOR USE OF CITY LOTS

I. RECOMMENDED ACTION

1. Recommend approval of revised joint powers agreement with the Minot Park District for use of City properties.

II. DEPARTMENT CONTACT PERSONS

Dan Jonasson, Director of Public Works	857-4140
Kelly Hendershot, City Attorney	857-4755
John Zakian, Hud Resilience Director	420-4528

III. DESCRIPTION

A. Background

The Park District previously entered into a joint powers agreement (JPA) with the City, where the City provided the Park District temporary access to numerous City-acquired lots for flower gardens and small park areas; the access to the lots is permitted under the JPA until they are needed for the future flood protection project. City staff was recently contacted by Tim Bauman and some of his colleagues, who would like to plant pollinator gardens on various City-owned lots throughout the city. City staff identified numerous City-owned lots that are flood storage lots and were acquired through the NDR program and with funding from the State Water Commission. Because the JPA already addresses access and use as requested by Mr. Bauman, City staff felt that the most efficient and consistent way to provide access to these lots for this type of use, is to revise the current JPA with the Park District to add the lots; if the modified JPA is approved, Mr. Bauman (and other individuals or entities looking to access/use lots for these type of activity) can work directly with the Park District for access to the lots. The JPA requires that any work completed on these lots meets flood plain and HUD requirements; as described in the JPA, certain requests and/or requirements will be monitored and verified by the City Engineer (City's flood plain manager), the City's HUD resilience director, and the Public Works Director. City staff coordinated with the Park District Director, Ron Merritt, for this process.

B. Proposed Project

The current JPA allows gardens of various types and works that are allowable according to flood plain rules and HUD or FEMA requirements on flood properties. The modifications to the agreement allow access to additional lots. Additional modifications clarify HUD related issues regarding program income and flood plain restrictions.

C. Consultant Selection

N/A

IV. IMPACT:

A. Strategic Impact:

Allows environmentally minded use of various lots in the City.

B. Service/Delivery Impact:

C. Fiscal Impact:

None – there will be some minor decrease in maintenance or mowing.

V. ALTERNATIVES

Alt 1. Deny approval, which will deny completion of this work that is outlined.

TIME CONSTRAINTS

Council's approval of the recommendation will allow the project to move forth and complete this work this spring so the gardens can become established this year.

VI. LIST OF ATTACHMENTS

A. Amended Joint Powers Agreement

B. Updated property list for pollinator gardens.