

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAND FORKS

APPROVING

SPECIAL ELECTION AND PROPOSAL TO AMEND HOME RULE CHARTER

WHEREAS, the City Council for the City of Grand Forks, North Dakota has been presented information and data relating to the design, acquisition, construction, reconstruction, leasing and operation of proposed health and wellness multi-use facilities within the City of Grand Forks to be used as centers for health, wellness, fitness, exercise, athletic, aquatic, and/or recreational activities, functions and events;

WHEREAS, the City Council for the City of Grand Forks, North Dakota has been presented information and data relating to financing of the design, acquisition, construction, reconstruction, and/or leasing of health and wellness multi-use facilities within the City of Grand Forks, including through the use of a portion of the existing $\frac{3}{4}\%$ gross retail sales tax authorized by Subsection (p)(2) of Article III of the Grand Forks Home Rule Charter and implemented by City Code § 22-0102(2);

WHEREAS, Subsection (p)(2) of Article III of Grand Forks Home Rule Charter provides the dedicated use of the existing $\frac{3}{4}\%$ gross retail sales tax authorized to be imposed under said provision is for the construction, acquisition, and/or leasing of a multi-use facility, commonly referred to as the Alerus Center;

WHEREAS, Subsection (p)(2) of Article III of Grand Forks Home Rule Charter provides existing $\frac{3}{4}\%$ gross retail sales tax authorized to be imposed under said provision of the Home Rule Charter is to expire upon the retirement, satisfaction, termination or expiration of any bonded indebtedness, debt, or contractual obligation incurred for the construction, acquisition or leasing of the multi-use facility, or related infrastructure improvements, which is expiration is estimated to occur in the year 2029.

WHEREAS, the City Council for the City of Grand Forks, North Dakota having met on the ___ day of September, 2023 and considered the matter of amending Subsection (p)(2) of Article III to the Grand Forks Home Rule Charter to add the financing, design, acquisition, construction, reconstruction, and/or leasing of health and wellness multi-use facilities, related land, fixtures and infrastructure improvements as an authorized use for the existing three-quarter percent ($\frac{3}{4}\%$) gross retail sales tax, along with eliminating the provision of Subsection (p)(2) of Article III of the Home Rule Charter relating to the expiration or other termination of said three-quarter percent ($\frac{3}{4}\%$) gross retail sales tax;

WHEREAS, the City Council for the City of Grand Forks at its September __, 2023 meeting were presented and considered the Notice of Special Election and Proposal to Amend Home Rule Charter and the form Ballot relating to the proposed amendment to Subsection (p)(2) of Article III to the Grand Forks Home Rule Charter;

NOW THEREFORE, BASED ON SUCH CONSIDERATION AND REVIEW, THE CITY COUNCIL, BEING THE GOVERNING BODY FOR THE CITY OF GRAND FORKS, NORTH DAKOTA AND ACTING IN THE CAPACITY OF THE HOME RULE CHARTER COMMISSION, DOES HEREBY MAKE THE FOLLOWING RESOLUTIONS:

1. The City Council, as the governing body of the City of Grand Forks, and as the hereby designated and appointed home rule charter commission under N.D.C.C. § 40-05.1-03, directs the following proposed amendments to Subsection (p)(2) of Article III, Powers of City, of the Home Rule Charter for the City of Grand Forks be submitted to a vote of the qualified electors of the City of Grand Forks (the changes noted are in bold, with additions underlined and deletions stricken through):

p. To impose gross retail sales taxes in the following manner and subject the following conditions:

- (2) A $\frac{3}{4}$ % (three-quarters of one percent) gross retail sales tax, the proceeds of which shall be dedicated to the construction, acquisition, and/or leasing of a multi-use facility, and related infrastructure improvements **and to the financing, design, acquisition, construction, reconstruction, and/or leasing of health and wellness multi-use facilities, and related land fixtures, and infrastructure improvements.** The multi-use facility is to be used as a center for conventions, conferences, civic events, exhibitions, cultural functions and athletic events **and the health and wellness multi-use facilities are to be used as centers for health, wellness, fitness, exercise, athletic, aquatic, and/or recreational activities, functions and events.** ~~The gross retail sales tax imposed pursuant to this provisions of authority shall expire upon the retirement, satisfaction, termination or expiration of any bonded indebtedness, debt, or contractual obligation incurred for the construction, acquisition or leasing of the multi-use facility, or related infrastructure improvements.~~

2. The City Council directs that the proposed amendments to Subsection (p)(2) of Article III of the Home Rule Charter be submitted to a vote of the qualified electors of the City of Grand Forks at a special election to be held on the 14th day of November, 2023.

3. The City Council directs that the special election to be held on Tuesday, November 14, 2023 be conducted between the hours of 7:00 a.m. and 7:00 p.m. central time.

4. The City Council hereby designates the Alerus Center, 1200 South 42nd Street, Grand Forks, North Dakota 58201 as the polling place, to serve all wards and precincts, for the special election to be held on the 14th day of November, 2023.

5 The City Council approves the Notice of Special Election and Proposal to Amend Home Rule Charter and directs the City Auditor publish the same in the Grand Forks Herald, as may be required under applicable provisions of the City Code and North Dakota Century Code.

6. The City Council approves the form Ballot and directs this form Ballot be used for the special election on the proposed amendment to Subsection (p)(2) of Article III of the Home Rule Charter.

7. The City Council further directs the City Auditor perform all tasks and requirements under applicable provisions of the City Code and North Dakota Century Code to conduct such special election and authorizes the City Auditor to enter into a contract with the Grand Forks County to assist with all or such portions of the matters in conducting this special election.

8. The City Council further directs the City Auditor to publish this Resolution in the Grand Forks Herald.

9. Adopted by the Grand Forks City Council the __ day of September, 2023.

CITY OF GRAND FORKS

Brandon Bochenski, Mayor

Dated: _____

ATTEST:

Maureen Storstad, City Auditor

Date: _____