

**CITY OF BILLINGS**

**CITY OF BILLINGS VISION STATEMENT:**

**“THE MAGIC CITY – A VIBRANT, WELCOMING PLACE WHERE  
PEOPLE FLOURISH AND BUSINESS THRIVES.”**

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**AGENDA**

**COUNCIL CHAMBERS**

**November 23, 2009**

**6:30 P.M.**

**CALL TO ORDER – Mayor Tussing**  
**PLEDGE OF ALLEGIANCE – Mayor Tussing**  
**INVOCATION – Councilmember Astle**  
**ROLL CALL**  
**MINUTES: November 9, 2009**  
**COURTESIES**  
**PROCLAMATIONS**  
**ADMINISTRATOR REPORTS - TINA VOLEK**

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, 2, and 3 ONLY.**

**Speaker sign-in required.** (Comments offered here are limited to **1 minute** per speaker. Please sign up on the clipboard located at the podium. Comment on items listed as public hearing items will be heard **ONLY** during the designated public hearing time for each respective item.)

*(NOTE: For Items not on this agenda, public comment will be taken at the end of the agenda. Please sign up on the clipboard located at the back of the room.)*

**1. CONSENT AGENDA**

**A. Mayor Tussing recommends that Council confirm the following appointments:**

	<b>Name</b>	<b>Board/Commission</b>	<b>Term</b>	
			<b>Begins</b>	<b>Ends</b>
1.	No Applications	Human Relations Commission	11/23/09	12/31/10
2.	No Applications	Human Relations Commission	11/23/09	12/31/10

1. Unexpired term of N. Gregory Kohn.
2. Unexpired term of Everall Fox

- B. Change Order #1** for engineering services for the Airport Terminal Building Emergency Electrical Generator Replacement Project; CTA Architects Engineers, \$16,350.
- C. Lease agreement** with Yellowstone County for 13 parking stalls at the Downtown Transit Transfer Center, two-year term, \$15,600 total revenue.
- D. Mutual Grant of Easements and Agreement** with Aldonna Blain and the Estate of Gerhart Blain for access to storm water detention pond and groundwater monitoring well located at the landfill, at no cost to the City.
- E. Acceptance of quitclaim deed** for a portion of Hesper Road and South 32nd Street West from the Walter Estate, with no financial impact to the City.
- F. Acceptance of donation** from the Breakfast Exchange Club of Billings to the Police Department for purchase of Child ID Kits, \$5,000.
- G. Approval and acceptance** of U. S. Department of Homeland Security Grant for the City of Billings Bomb Squad for training and the recalibration of two SABRE 4000 X-ray machines; \$16,434.
- H. Approval of grant application** to the U.S. Department of Housing and Urban Development (HUD) for an Economic Development Incentive Grant for environmental remediation and demolition of the former Naval Reserve Center located at 721 N. 22nd Street; \$475,000.
- I. Approval of re-submittal of grant application** through the State Coal Board for funding of the 25th Street Pedestrian Bridge over the Montana Rail Link tracks to connect Montana Avenue in the historic district of downtown Billings with the Minnesota Avenue Old Town Neighborhood District; \$200,000.
- J. Resolution of Intent** to create SID 1389, public improvements on Clubhouse Way between Greenbriar Road and Cherry Hills Road, and set a public hearing for December 14, 2009.
- K. Bills and Payroll:**
  - 1. October 26, 2009
  - 2. October 30, 2009

**REGULAR AGENDA:**

- 2. DOWNTOWN FACADE FUNDING.** Authorization for the Downtown Billings Partnership to award FY2010 Tax Increment Finance District Funds from Fund 203 to approve facade, sign/awning program projects in an amount not to exceed \$49,999 for a single project. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)

3. **DOWNTOWN LIBRARY FACILITY PROJECT OPTIONS.** Approval of the Library Board of Trustees' recommendation to place the Gainan's project option on the March 2010 ballot as the least expensive of the three options. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
  
4. **PUBLIC COMMENT** on Non-Agenda Items -- Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda; comments limited to 3 minutes per speaker. Please sign up on the clipboard located at the back of the Council Chambers.*)

**COUNCIL INITIATIVES**

**ADJOURN**

*Additional information on any of these items is available in the City Clerk's Office.*

*Reasonable accommodations will be made to enable individuals with disabilities to attend this meeting. Please notify Cari Martin, City Clerk, at 657-8210.*

**Regular City Council Meeting**

**Consent : 1.A.**

**Date: 11/23/2009**

**TITLE: Boards & Commissions –Appointments**

Wynnette Maddox, City Hall

**PRESENTED BY:** Administration

**Department:** City Hall Administration

**Information**

**PROBLEM/ISSUE STATEMENT**

Confirmation of the appointments for Board and Commission positions that are vacant due to resignations.

**ALTERNATIVES ANALYZED**

None.

**FINANCIAL IMPACT**

No financial impact involved.

**RECOMMENDATION**

Mayor Tussing recommends that Council confirm the following appointments:

	Name	Board/Commission	Term	
			Begins	Ends
1.	No Applications	Human Relations Commission	11/23/09	12/31/10
2.	No Applications	Human Relations Commission	11/23/09	12/31/10

- 1. Unexpired term of N. Gregory Kohn
- 2. Unexpired term of Everall Fox.

**APPROVED BY CITY ADMINISTRATOR**

Date: 11/23/2009

**TITLE: Change Order One with CTA Architects Engineers, for the Architectural/Engineering Services for the Emergency Electrical Generator Replacement Project**

**PRESENTED BY:** Tom Binford

**Department:** Aviation & Transit

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**Information**

**PROBLEM/ISSUE STATEMENT**

The Airport Terminal Building Emergency Generator Replacement Project, included in the City's Capital Improvement Program, will replace the existing emergency generator with a significantly larger generator system capable of providing enough backup electricity to operate the whole Airport Terminal Building. During the system design stage, the Airport directed CTA to evaluate three additional items: (1) Cost savings associated with "Peak Shaving," (2) Alternate generator building locations, and (3) The evaluation of the specifications for an alternative generator system that was not included in the original design specifications. These items were not part of the original scope of work on this project and CTA is requesting additional fees for providing these additional services. These items are discussed in greater detail as follows:

- A "peak shaving" study was implemented to determine if the Airport would realize a significant electrical cost savings by using the new generators to provide power to the Terminal Building during peak electrical demand times when the costs per kilowatt hour is several times greater than the rate during normal electrical usage. CTA's study compared the costs of the implementation and maintenance of the generators against the reduction of electric utility costs for several different sizes of generator sets and found that the Terminal Building's electrical load profile is too flat for peak shaving to provide any significant savings.
- The original site of the generator building was anticipated to be located on the air carrier parking ramp on the north side of the Terminal Building. However, the most efficient/cost effective electrical backup system utilizes three smaller generators as opposed to one or two larger ones. The extra room needed for the third generator made the building's size too large to be located on the air carrier ramp. Subsequently, locations on the east and west ends of the Terminal Building were studied and a site on the east end of the Terminal was selected.
- After the project specifications were released to prospective contractors, the Airport received a request from another generator manufacturer, whose system uses a different control system than what was specified, to be added as an approved equal to the bid specifications. After meeting with this generator manufacturer's supplier, CTA spent additional time reviewing this system to ensure it would fully meet the Airport's generator criteria. Based on this review, it was agreed that this system would be added as an approved equal to be considered for this project. It should be noted that adding this generator equipment as an approved equal increased the competition between the generator suppliers, which is one of the contributing factors for the bids received being \$150,000 below budget.

**ALTERNATIVES ANALYZED**

The Council may:

- Approve Change Order One with CTA Architects Engineers; or
- Not Approve Change Order One with CTA Architects Engineers, eliminating the opportunity to pay CTA for work performed.

**FINANCIAL IMPACT**

The total cost of Change Order One is \$16,350. The contract would increase from \$56,680.36 to \$73,030.36. The total adjusted fee is 8.5% of the construction contract, which is below the 10-12% normally expected for this type of project. The source of funding for this Change Order One is the Airport's Passenger Facility Charge capital fund, which has budgeted funds available for the adjusted fees.

**RECOMMENDATION**

Staff recommends that the City Council approve Change Order One with CTA Architects Engineers Services Contract in the amount of \$16,350 for the architectural and engineering services provided for the Airport Terminal Building Emergency Electrical Generator Replacement Project at Billings Logan International Airport.

**APPROVED BY CITY ADMINISTRATOR**

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Date: 11/23/2009

TITLE: Downtown Transit Transfer Center Parking Space Lease with Yellowstone County

PRESENTED BY: Tom Binford

Department: Aviation & Transit

**Information**

**PROBLEM/ISSUE STATEMENT**

While designing the Downtown Transit Transfer Center (DTTC), MET Transit had the opportunity to construct a number of parking spaces for future use. Currently, MET Transit has no immediate need for the parking spaces, so MET Transit is seeking to lease the parking spaces to generate additional revenue to help offset the costs of operating the DTTC. With the start of the construction on the new Federal Courthouse project, Yellowstone County has requested the opportunity to lease some of the spaces until the County is able to accommodate its parking needs on another, County-owned property. Subsequently, the County Commissioners have asked to lease thirteen (13) vehicle parking stalls, located on the northwest side of the DTTC, on a net basis from the City of Billings MET Transit. The term of the Lease shall be two (2) years. The Lease identifies that the lessee is responsible for maintaining the leasehold, and includes the appropriate insurance coverage requirements and indemnification language. Staff is currently examining various other alternatives for the remaining 13 spaces including a public parking option.

**ALTERNATIVES ANALYZED**

The Council may:

- Approve the Lease agreement with Yellowstone County for thirteen (13) parking stalls; or
- Not approve the Lease agreement with Yellowstone County for thirteen (13) parking stalls.

**FINANCIAL IMPACT**

The Lease will generate \$650.00 per month for a total of \$15,600.00 over the two year term of the Lease. This will be considered operating revenues for MET Transit.

**RECOMMENDATION**

Staff recommends that City Council approve the Lease and authorize the Mayor to execute the two-year DTTC Parking Space Lease with Yellowstone County.

**APPROVED BY CITY ADMINISTRATOR**

**Attachments**

Link: [Parking Lease](#)

**DOWNTOWN TRANSIT TRANSFER CENTER**

**PARKING SPACE LEASE**

THIS LEASE, made and entered into this 20<sup>th</sup> day of October 2009, by and between the following:

CITY OF BILLINGS, MONTANA, hereinafter designated "Lessor"

And

Yellowstone County, hereinafter designated "Lessee"

**WITNESSETH**

**RECITALS**

- 1) Lessor owns and operates the Downtown Transit Transfer Center (hereinafter designated the Transfer Center) situated in the City of Billings, Montana, and
- 2) Lessor deems it advantageous to itself and the operation of the Transfer Center to lease to the Lessee a certain parcel of land hereinafter described together with certain privileges, rights, uses, and interests, and
- 3) Lessee is an individual wishing to engage in certain commercial parking activities, and proposes to lease on a net basis from Lessor said parcel of land and to avail itself of the same privileges, rights, uses, and interests contemplated herein, and
- 4) Lessee has indicated a willingness and ability to properly keep, maintain, and improve said land in accordance with standards established by Lessor.

NOW THEREFORE, the parties hereto covenant and agree as follows:

**ARTICLE I**

**PREMISES AND PRIVILEGES**

A. **Description of the Premises:** Lessor hereby leases to Lessee and Lessee hereby leases from Lessor that certain parcel of real property, together with improvements (hereinafter designated the "Premises") for its exclusive use, specifically described as follows:

Thirteen Vehicle Parking Stalls located along the North West side of the Downtown Transfer Center property.

The Premises and location of the parking spaces are further depicted on attached "Exhibit A," and hereto attached and made a part hereof.

**ARTICLE II**

**TERM, POSSESSION, AND RENEWAL**

A. The term of this Lease shall be for two (2) years, commencing on October 1, 2009, and terminating on September 30, 2011.

**ARTICLE III**

**LEASE RENTAL AND FEES**

A. **Rental.** For the Premises described in Article I, Paragraph A., herein, Lessee shall pay to Lessor \$50.00 per month per vehicle parking stall for a total monthly rental of \$650.00. Said rental shall be payable monthly, in advance, without billing, on the first day of each month.

B. **Interest Penalty.** Without waiving any other right or action available to the Lessor, in the event of default in the payment of Lease rentals herein, or any other rentals, fees, or charges owed Lessor, the amount due shall accrue interest at the rate of one and one-half percent

(1.5%) per month from the date such rentals, fees, or charges were due and payable, until paid in full. Said interest shall not apply with respect to items being contested in good faith by Lessee and which are resolved in Lessee's favor.

#### ARTICLE IV

##### OBLIGATIONS OF LESSEE

A. **Condition of Premises.** It shall be the sole responsibility of the Lessee to develop, keep, maintain, and operate the entirety of the Premises and all improvements and facilities placed thereon at Lessee's sole cost and expense. This Lease in every sense shall be without cost or expense to the Lessor. Lessee accepts the Premises in its present condition, and will remove or cause to be removed any debris to the extent required for its continuing use thereof.

Damages to the Premises caused by Lessee, sublessees, Lessee's employees, agent, or contractors, shall be the sole responsibility of Lessee. Said damage shall be immediately reported to Lessor and repaired at Lessee's expense. Should Lessor identify damage at the Premises, Lessor will give written notice to Lessee to repair said damage, and Lessee shall make the repairs to identified damage within fifteen (15) days of receiving the written notice. If damage is found and Lessor is required to make the repairs, for whatever reason, all costs and charges associated with the repairs will be billed to Lessee and will be payable within ten (10) days of receipt.

B. **Maintenance.** Lessee shall, at their sole cost and expense, maintain the Premises, improvements, and appurtenances thereto in a presentable condition free of refuse and debris consistent with good business practice. Lessee's maintenance responsibilities shall include snow removal on the Premises.

C. **Specific Use.** The use of the Premises shall be for the sole purpose of parking automotive vehicles. Lessee shall not allow the Premises to be used for the storage of anything other than automotive vehicles. Specifically excluded is the storage of such items such as boats, trailers, campers or recreational vehicles, disabled vehicles, and storage canisters, dumpsters, pallets, or other containers.

D. **Trash, Garbage, and Refuse.** Lessee shall provide a complete and proper arrangement for the adequate sanitary handling and disposal of all trash, garbage, and other refuse occurring as a result of Lessee's occupancy of the Premises. Any cost associated with the handling and disposal of any trash, garbage and other refuse shall be the sole responsibility of the Lessee. Lessee shall provide and use Lessor approved receptacles for all garbage, trash, and other refuse, and shall place them on the Premises in a location acceptable to the Lessor for their removal. Piling of boxes, cartons, barrels, or other similar items in an unsightly or unsafe manner on or about the Premises, is forbidden.

E. **Signs.** Lessee shall not maintain on the Premises any billboards or advertising signs; provided however, that Lessee may maintain on the premises information signs or signs that identify the Lessee and to designate the Lessee's parking requirements. The size, location, number and design of which shall be subject to prior written approval of Lessor.

F. **Federal, State, and Local Regulations.** Lessee acknowledges that the right to use said Premises in common with others authorized to do so shall be exercised subject to and in accordance with the laws, rules, regulations, and ordinances of the United States of America, the State of Montana, and the City of Billings, now in force or hereafter prescribed or promulgated by authority or by law and shall be closely observed during the full term of this

Lease.

**G. Roadways, Alleys, and Vehicle Right-of-Ways.** Lessee shall ensure that Lessee's and/or sublessee's vehicles, or other equipment do not block the public use roadways, alleys or other designated vehicle right-of-ways adjacent to the leased Premises.

**H. Hazardous Substances.** Lessee assumes full responsibility for the proper and legal use, handling, storage, and disposal of any hazardous substances used, consumed or stored on the Premises. "Hazardous Substance" shall be interpreted broadly to mean any substance or toxic material, hazardous or toxic or radioactive substance, or other similar term by any Federal, State, or local environmental law, regulation or rule presently in effect or promulgated in the future, as such laws, regulations or rules may be amended from time to time; and it shall be interpreted to include, but not be limited to, any substance which after release into the environment will or may reasonably be anticipated to cause sickness, death or disease. Lessee shall hold Lessor harmless from and indemnify Lessor against and from any damage, loss, expenses, or liability resulting from any breach of these representations and warranty, including all attorneys' fees and costs incurred as a result thereof.

#### **ARTICLE V**

#### **INSURANCE AND INDEMNIFICATION OF LESSOR BY LESSEE**

**A. Indemnification.** Lessee hereby agrees to indemnify, defend and hold the Lessor harmless at all times from and against all liabilities, actions, claims, demands, judgments and all costs, expenses and fees, including litigation costs and attorney's fees, incurred by the Lessor, arising from the use, occupancy or non-use of the Premises by the Lessee, or arising from Lessee's failure to comply with any Article of this Lease. Such indemnification shall include but

not be limited to carelessness, negligence, improper conduct or breach of this Lease by Lessee or its agents, employees, customers, suppliers or licensees.

**B. Insurance.** During the term of this Lease, Lessee shall procure and maintain in effect a commercial general liability insurance policy (occurrence form only) providing coverage for bodily/personal injury, death and property damage, in the minimum amount of \$750,000 per claim and \$1,500,000 per occurrence. This insurance policy shall provide: that the Lessor is a primary additional insured, and that any insurance maintained by the Lessor will be excess and non-contributory. At the time of execution of the Lease, Lessor shall furnish a Certificate of Insurance showing that the required insurance is in effect. The issuer(s) of the policy or policies shall provide thirty (30) days advance written notification to Lessor of any reductions in policy coverage, any cancellation or other adverse amendments to the policy or policies impacting the covered risks. Insurance coverage shall be maintained with insurance underwriters authorized to do business in the State of Montana and that are satisfactory to the Lessor. Lessee shall cause a current Certificate of Insurance to be on file with Lessor at all times throughout the term of the Lease.

If the Lessor determines that the minimum amounts of insurance have become inadequate during the term of this Lease, Lessee agrees that it will increase the minimum limits by reasonable amounts upon the request of Lessor.

#### ARTICLE VI

#### TERMINATION OF LEASE, CANCELLATION, AND TRANSFER

**A. Termination.** This Lease shall terminate at the end of the full term. However, this lease may be terminated at the sole discretion of the lessee by the lessee giving the

lessor ninety (90) days written notice of the lessee's intent to terminate the lease. A holding over by the Lessee, its assignees or sublessees beyond the expiration of the term of the lease shall not be permitted without the written consent of the Director of Aviation and Transit and then only on a month-to-month basis.

Upon termination, Lessee, its assignees or sublessees shall have the right to remove all moveable fixtures, equipment and all other personal property installed by them on the Premises, and all expenses connected with such removal shall be borne by the Lessee, said property to be removed within ten (10) days after termination of the Lease.

In the event the Lessee, its assignees or sublessees elect not to remove from the Premises, personal property, automotive vehicles or any other item upon termination of the Lease, the disposition of the personal property, automotive vehicles or any other item will be left to the sole discretion of the Lessor. If Lessor elects to remove said personal property, automotive vehicles or any other item because of failure of Lessee to do so, the cost of removal, and other related actions shall be solely at Lessee's expense.

**B. Cancellation by Lessee.** In addition to the rights of termination granted to the lessee in Section VI, Paragraph A of this Lease, this Lease shall be subject to cancellation by Lessee after the happening of one or more of the following events:

- 1) Issuance by any court of competent jurisdiction of an injunction in any way preventing or restraining the use of the Premises, and the remaining in force of such injunction for a period of at least ninety (90) days.
- 2) The default by Lessor in the performance of any covenant or agreement herein required to be performed by Lessor and the failure of Lessor to

remedy such default for a period of ninety (90) days after receipt from Lessee or written notice to remedy same.

Lessee may exercise such right of termination by written notice to Lessor at any time after the lapse of the above applicable periods of time and this Lease shall terminate as of that date. Rental due hereunder shall be payable only to the date of the happening of the event which results in said termination. Upon termination under the provisions of this Paragraph, Lessee shall have the same rights as described in Article VI, Paragraph A. herein.

**C. Cancellation by Lessor.**

1) This Lease shall be subject to cancellation by Lessor after the happening of one or more of the following events

a) Lessee is in arrears in the payment of the whole or any part of the amounts agreed upon hereunder for a period of fifteen (15) days after payment is due.

b) Lessee files a voluntary petition of bankruptcy.

c) Lessee makes a general assignment for the benefit of creditors.

d) Default in the performance of any of the covenants and conditions required herein (except rental payments) to be kept and performed by Lessee, and such default continues for a period of thirty (30) days after written notice from Lessor of said default.

2) In the event of termination because of the happening of any of the aforesaid events, Lessor may take immediate possession of the Premises and

remove Lessee's effects, without being deemed guilty of trespassing. Upon said entry, this Lease shall immediately terminate.

3) It is agreed that failure of Lessor to declare this Lease terminated or to reenter and take possession upon the default of Lessee for any of the reasons set out shall not operate to bar or destroy the right of Lessor to declare this Lease null and void by reason of any subsequent violation of the terms of this Lease.

**D. Subleasing, Assigning and Transferring.** The Lessee shall have the right to sublease, assign or transfer all or any part of Lessee's leasehold interest in the Premises for the same purpose established in Article IV, Paragraph D., provided that prior written approval of the Lessor is obtained. As a condition of said approval, Lessor reserves the right to alter this Lease in any manner deemed necessary by Lessor. Any sublease, assignment, or transfer shall be subject to the conditions, obligations and terms as set forth herein and as may be subsequently amended. Lessee shall be responsible for the observance by its tenants and sublessees for the terms and covenants of this Lease and any subsequent lease amendments.

Transfers or Assignments shall be in the form of a written Assignment and Transfer, to be agreed upon and signed by the Lessor, the Lessee and the Assignee.

## **ARTICLE VII**

### **GENERAL PROVISIONS**

**A. Attorney Fees.** Should either party employ an attorney or attorneys or utilize the services of in-house attorneys to enforce any of the provisions hereof or to protect its interest in any manner arising under this Lease, the nonprevailing party in any action pursued in a court of competent jurisdiction agrees to pay to the prevailing party all reasonable costs, damages,

expenses, and attorney's fees, including fees for in-house attorneys, expended or incurred in connection therewith.

**B. Taxes.** Lessee shall pay any taxes or assessments which may be lawfully levied against Lessee's occupancy or use of the Premises or any improvements placed thereon as a result of Lessee's occupancy, but Lessee reserves the right to contest the levy of any tax or assessment which it feels is unjust.

**C. Nondiscrimination.** Lessee for itself, its personal representatives, successors in interest, and assignees, as a part of the consideration hereof, does hereby covenant and agree:

1) That no person, on the grounds of race, color, creed, political ideas, sex, age, or physical or mental disability, shall be excluded from participation, denied the benefits of, or be otherwise subjected to discrimination in the use of the Premises, or the exercise of its rights and privileges under this Lease.

2) That, in the construction, alteration, expansion or maintenance of any improvements to the Premises on behalf of Lessee and the furnishing of services, no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination on the grounds of race, color, creed, political ideas, sex, age, or physical or mental disability.

3) That Lessee shall use the Premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of

Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

**D. Modifications and Amendments.** Changes or modifications to this Lease will be done in the form of a lease amendment to be agreed upon and signed by both Lessee and Lessor.

**E. Paragraph Headings.** The paragraph headings contained herein are for convenience in reference and are not intended to define or limit the scope of any provisions of this Lease or the particular paragraphs.

**F. Dispute Resolution, Litigation Venue, and Governing Law.** Prior to either party initiating litigation, disputes that cannot be resolved between the Lessee and Lessor concerning the terms of this Lease shall be referred for determination to the Director of Aviation and Transit for the City of Billings. Venue for all litigation shall be in the District Court of the Thirteenth Judicial District, Yellowstone County, Montana, and this Lease shall be governed by the laws of the State of Montana.

**G. Notices.** Notices to Lessor provided for herein shall be sufficient if sent by certified mail, postage prepaid, addressed to:

ATTN: Transit Manager  
City of Billings MET Transit  
1705 Monad Road  
Billings, MT 59101

And notices to Lessee, if sent by certified mail, postage prepaid, addressed to:

Yellowstone County Board of Commissioners  
P.O. Box 35000  
Billings, MT 59107

or to such other addresses as the parties may designate to each other in writing from time to time.

**H. Successors and Assignees.** All of the terms, covenants and agreements herein contained, or subsequently amended from time to time, shall be binding upon and shall inure to the benefit of successors, assignees and sublessees of the respective parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands this 20<sup>th</sup> day of October 2009.

ATTEST:

CITY OF BILLINGS

BY \_\_\_\_\_  
CITY CLERK

BY \_\_\_\_\_  
MAYOR

APPROVED AS TO FORM

BY \_\_\_\_\_  
CITY ATTORNEY

BY Bill K. G.

Bill K. G.  
Commissioner

[Signature]  
Commissioner

\_\_\_\_\_  
Commissioner

ATTEST: [Signature]  
Clerk & Recorder

Date: 11/23/2009

TITLE: City-Blain Mutual Grant of Easements and Agreement

PRESENTED BY: David Mumford

Department: Public Works

**Information**

**PROBLEM/ISSUE STATEMENT**

The City of Billings and the family of Gerhart Blain (Blain) have worked cooperatively over the past many years. In 1996, the City needed to build a storm water detention pond to hold storm run-off from the landfill. Gerhart and Aldonna Blain sold the City the land needed to build the detention pond (Parcel A). Because the primary access to the Blain property (Parcel B and Parcel C) was across the parcel that was sold to the City, an Access Easement was granted to Blain.

In 2006, the City permitted and developed an additional construction and demolition waste disposal area. As part of that approval, the City was required to construct an additional storm water detention pond and a groundwater monitoring well. Although the pond and the monitoring well are on landfill property, it is such steep terrain that reasonable access can only be obtained by traveling across Blain property. Blain has historically permitted the City access for this purpose and agreed to formalize that consent.

The Mutual Grant of Easements and Agreement will formalize these easements.

**ALTERNATIVES ANALYZED**

The City Council may:

- Authorize the Mayor to sign the Mutual Grant of Easements and Agreement with Aldonna Blain and the Estate of Gerhart Blain.
- Not authorize the Mayor to sign the Mutual Grant of Easements and Agreement with Aldonna Blain and the Estate of Gerhart Blain.

**FINANCIAL IMPACT**

There is no financial impact to the City of Billings.

**RECOMMENDATION**

Staff recommends that the City Council authorize the Mayor to sign the Mutual Grant of Easements and Agreement with Aldonna Blain and the Estate of Gerhart Blain.

**APPROVED BY CITY ADMINISTRATOR**

**Attachments**

Link: [City-Blain Mutual Grant of Easements and Agreement - ATTACHMENT A](#)

Link: [City-Blain Mutual Grant of Easements and Agreement - ATTACHMENT B](#)

## **MUTUAL GRANT OF EASEMENTS AND AGREEMENT**

The parties to this agreement are Aldonna Blain and the Estate of Gerhart Blain (“Blain”), as easement grantors and easement grantees, as provided below, and City of Billings (“Billings”), Montana, a municipal corporation, as easement grantor and easement grantee, as provided below.

### **RECITALS**

For purposes of clarity and to avoid ambiguity as to the intent of the parties to this Agreement, the parties recite the factual circumstances giving rise to this instrument:

Blain granted fee to the lands described below as Parcel A to Billings to allow it to construct a needed storm water detention pond, and Billings granted an easement over and across Parcel A, to serve Blain’s properties described below as Parcel B.

With the consent and cooperation of Blain, Billings has enjoyed access over and across Parcel B to service its monitoring well located near Parcel B. While the monitoring well is located upon property belonging to Billings, it is of such steep terrain that reasonable access can only be obtained by traveling across Blain’s property. Blain has historically permitted this access by Billings for this purpose and agrees to formalize that consent in this Mutual Grant of Easements.

As the storm water detention pond was constructed by Billings, Blain resumed access to Blain property on a roadbed which was essentially on the same alignment as the roadbed which Blain had utilized prior to granting Parcel A to the City. Billings has historically permitted this access by Blain for this purpose and agrees to formalize that consent in the Mutual Grant of Easements.

It is the best of the parties’ understanding that this roadbed, referred to herein as ‘the Present Traveled Way’, came into existence either as a service road for the Conoco pipeline that traverses the Blain property, or may have come into existence, at least in part, as County Road 132. However, the parties agree that the Present Traveled Way on Blain property is, and has been for a period of time greater than forty (40) years, used by Blain as an aircraft runway. The parties doubt that County Road 132 was ever located co-existent with the runway and Billings makes no claim and by way of this instrument waives and abandons any claim that the Present Traveled Way is or ever was a part of County Road 132.

Photographic evidence shows that in the mid-1960s the Yellowstone River encroached southward into the area that is described herein as Parcel A and eliminated all traveled ways across Parcel A and the Blain property. Thereafter, Stratton Road was constructed and Stratton Road provided all public access to the west of Parcel A with only Blain traversing Parcel A to have access to and from the Blain property for Blain family and aviation business purposes.

Further, County Road 132, as it is laid out on historical maps and aerial photographs, appears to run across extremely steep terrain and traverses the active landfill operations of Billings and therefore cannot provide reasonable access to Billings, as the road would be nearly impossible to construct as laid out and would interfere with landfill operations. From this practical standpoint, it is inferred that County Road 132, if and when constructed, was positioned north of the landfill owned by Billings, but the exact location of County Road 132 is not known at this time.

Blain is willing to continue to provide access across parcel B in order that Billings may conduct maintenance activities in a reasonable manner of its storm water detention pond located adjacent to parcel B, which pond has been constructed in recent years and is anticipated to require maintenance by dredging and the like over time.

A petition has been filed before the Yellowstone County Commissioners requesting the County to abandon any roadway arising from the declaration of County Road 132 as that roadway would or did traverse the City's lands and other lands.

Both parties desire to formalize their friendly and cooperative historical agreements and to make those agreements permanent in nature.

NOW, THEREFORE, IT IS AGREED:

That Blain does grant to Billings an easement over and across Parcel B as below defined.

Easement on Parcel B as Servient Tenement:

The easement granted to Billings by Blain is a personal easement in gross to Billings, as grantee, its employees, independent contractors, and the like, in order to allow the City to maintain the existing monitoring well and storm detention pond on its land, to terminate at such time as the City is no longer required to maintain both of these facilities.

The easement granted to Billings by Blain shall consist of a roadway easement for ingress and egress located within the 300 foot strip which lies northerly of the south boundary of Parcel B, which is the boundary between the City landfill and Blain property, and is illustrated by Exhibit #1.

The road shall be constructed with a center line as determined by Blain with a road top sufficient to provide access by standard motor vehicle to Billings' monitoring well and storm detention pond. Blain shall construct the road. Construction shall occur with cooperation between Blain and Billings, consonant with the historical practices between the parties. Upon construction of the roadway, Billings shall cease traveling upon the present route which utilizes several thousand feet of the aircraft runway located on the Blain property.

The scope of the easement shall be for motor vehicle and heavy equipment travel to access the monitoring well and storm water detention pond presently located on Billings' property near the Blain-Billings boundary, so that Billings may operate and maintain these facilities as they from time to time require.

Billings shall have the right to maintain the road as it elects, as necessary from time to time, to allow Billings to move heavy equipment to the storm water detention pond to maintain, reconstruct, dredge, or otherwise service the storm water detention pond so as to maintain it in compliance with the requirements imposed upon Billings.

Blain shall retain the right to reasonably relocate the road if required to do so by natural events such as hillside slippage or river flooding and to accommodate the future development, if any, of the Blain property. Such relocation shall occur in a reasonable manner so as to continue to provide reasonable access for Billings under this easement.

Blain, their successors or assigns, shall be entitled to use the roadway for all purposes, but such use of the roadway by Blain shall not impose an unreasonable interference with Billings' use of the road. Nor shall Billings' use of the road impose an unreasonable interference with Blain's use of the road.

In addition, Billings shall have the right to use the roadway and to traverse Parcel B off the roadway in a reasonable manner in order to maintain the fence along the northern boundary of Billings' property and the southern boundary of Parcel B. When conducting operations off the roadway, Billings shall act in a reasonable manner so as to minimize the damage to the surface of the land and shall restore any damage to the surface caused by the fencing activity so as to prevent the establishment of noxious weeds on Parcel B. In conducting fencing, Billings shall not traverse landscaped areas which serve the residents presently on Parcel B or any residences constructed in the future on Parcel B.

Easement on Parcel A as Servient Tenement:

Billings granted an access easement to Blain on or about July 8, 1996, over and across Parcel A, which was filed under Document No. 1840273. The parties have reviewed this easement and determined the writing does not adequately express the intent of the parties. Accordingly, Billings grants to Blain an amendment to this easement as set forth below:

The easement shall be construed to serve the lands owned by Blain at the time of the grant (described as Parcel B below) and those lands described as Parcel C and the Meadowlark Mobile Home Court formerly known as Blain Mobile Home Court, according to the existing roadways presently in use. The easement shall include the right to construct utilities, over and across Parcel A to serve Parcel B and C , provided that such construction is conducted in a manner so as to not impair the functionality of the storm water detention pond constructed on Parcel A by Billings. Utilities shall be deemed to include gas, sewer, electric, telephone, fiber optic, and such other services as are or come into common use to serve improved properties.

In the event that it is advisable, in light of Billings' need to maintain the integrity of the storm water detention pond, the placing of utilities upon Parcel A shall be located outside the 25 foot wide corridor described in the 1996 easement, the parties shall select a location for the utilities upon Parcel A.

Lands Burdened by and Served by the Easements Granted Herein:

Parcel A:

Lot 1, of Jellison Road Detention Pond Subdivision, located in Section 30, Township 1 South, Range 26 East, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said County, under Document #1840272.

Parcel B:

The lands held by Aldonna Blain and Gerhart Blain or Blain Mobile Home Court, Inc. at the time of the 1996 easement granted by Billings, more particularly described as these lands within Township 1 South, Range 26 East, P.M.M., Yellowstone County, Montana:

Section 19: South 1/2 SE1/4, lots 8 9 10, and 11;

Section 20: lot 8, S1/2SW1/4;

Section 29: Tracts 2 and 3, Certificate of Survey 796

Sections 20 and 29: Tracts 1 through 6, Certificate of Survey 926; and Certificate of Survey 990;

Section 30: NE1/4 and Lots 2 and 4; EXCEPTING therefrom, Certificate of Survey 1098 Amended; and Jellison Road Detention Pond Subdivision, and a portion of Lot 5, more particularly described as follows: Beginning at a point on the westerly boundary of said Lot 5, which point is 372.7 feet northerly from the southwest corner of said Lot 5; Thence North 57° 24' East a distance of 1,290 feet; Thence North 50°14' East a distance of 307.3 feet to the easterly boundary of said Lot 5; Thence Northerly along the said easterly boundary a distance of 45.7 feet to the northeast corner of said Lot 5; Thence Westerly along the northerly boundary of Lot 5, a distance of 1,320 feet to the northwest corner of said Lot 5; Thence Southerly along the westerly boundary of said Lot 5 a distance of 947.3 feet to the point of beginning.

Parcel C:

Township 1 South, Range 25 East:

Section 25: Lot 6, East half of Lot 5, E1/2SW1/4SE1/4, SE1/4SE1/4;

Section 36: That part of the East half NW1/4NE1/4 and fractional W1/2NW1/4NE1/4 lying south of the center line of the county road.;

Township 1 South, Range 26 East; Section 30: Lots 3, 7, 8, 9 and Lot 6.

The easements herein shall run with the land benefited as above described and be binding upon the heirs, successors, and assignees of the grantors and the grantees, except, the easement burdening Parcel B shall be personal to Billings and shall exist so long as requires the easement to serve the purposes above described and shall not be construed as a general easement to the public for any purpose.

Dated: \_\_\_\_\_

THIS EASEMENT is hereby accepted pursuant to City Council approval on \_\_\_\_\_, 2009.

CITY OF BILLINGS, a Montana  
Municipal Corporation

By: \_\_\_\_\_  
RON TUSSING, MAYOR

ATTEST:

\_\_\_\_\_  
CARI MARTIN, City Clerk







Date: 11/23/2009

TITLE: Quitclaim Deed for Hesper Road and South 32nd Street West

PRESENTED BY: David Mumford

Department: Public Works

**Information**

**PROBLEM/ISSUE STATEMENT**

The Walter Estate, owner of property at South 32nd Street West and Hesper Road, is proposing to quitclaim an existing 30-foot road easement along the property. Berry Y & V, the property owner of Certificate of Survey 1712 located south of the Walter Estate property, is proposing to construct public water and sanitary sewer in South 32nd Street West. Berry Y & V is going to propose to annex its property to be served by water and sanitary sewer. It becomes necessary for the current road easements owned by the Walter Estate to be quitclaimed to the city in order for city water and sanitary sewer to be located within the road. Attached is a copy of the quitclaim deed with an exhibit attached to it.

**ALTERNATIVES ANALYZED**

The Council may:

- Accept the quitclaim deed of portions of Hesper Road and South 32nd Street West; or
- Not accept the quitclaim deed.

**FINANCIAL IMPACT**

There is no significant financial impact with acceptance of the quitclaim deed.

**RECOMMENDATION**

Staff recommends that Council accept the quitclaim deed for a portion of Hesper Road and South 32nd Street West.

**APPROVED BY CITY ADMINISTRATOR**

**Attachments**

Link: [Quitclaim Deed](#)

Return to:  
City of Billings  
P.O. Box 1178  
Billings, MT 59101

## QUITCLAIM DEED

The undersigned desendents of Daniel Walter, deceased, do hereby quitclaim and release any and all interest, if any exists, unto the City of Billings, Montana, a municipal corporation, P.O. Box 1178, Billings, MT 59101, all right and interest in and to certain real property situated in the NE1/4 of Section 23, T. 1 S., R. 25 E., P.M.M., County of Yellowstone, State of Montana, being more particularly described as follows, to-wit:

The north 30 feet of the east 808 feet of said Section 23, being the 30-foot wide southerly right-of-way of Hesper Road lying adjacent to Tract 1A of Amended Tracts 1 & 4 of Certificate of Survey No. 2771, as recorded in the office of the Clerk and Recorder of said County, under Document No. 1906320 and Tracts 2 & 3 of Certificate of Survey No. 2771, Document No. 1688587; said described tract having an area of 0.546 acres more or less;

and

The east 30 feet of the north 652.3 feet of said Section 23, being the 30-foot wide westerly right-of-way of South 32<sup>nd</sup> Street West lying adjacent to Tract 4A of Amended Tracts 1 & 4 of Certificate of Survey No. 2771, as recorded in the office of the Clerk and Recorder of said County, under Document No. 1906320 and Tract 1A of Certificate of Survey No. 1079 Amended, Document No. 1082548; said described tract having an area of 0.439 acres more or less;

and as being shown on the attached Exhibit "A".

IN WITNESS WHEREOF, the undersigned have executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Heirs and Devisees of Daniel Walter, deceased

Doris Yost  
Doris Yost

Donald E. Walter  
Donald E. Walter

Jerry A. Walter  
Jerry A. Walter

Linda L. Walter  
Linda L. Walter

Martha Walter  
Martha Walter

Doris L. Yost  
Doris Yost, attorney-in-fact for  
Martha Walter

STATE OF Washington )  
:SS  
County of Whatcom )

On this 1<sup>st</sup> day of September, 2009, before me, the undersigned Notary Public for the State of Washington, personally appeared Doris Yost, known to me to be the person who signed the forgoing instrument individually and as attorney-in-fact for Martha Walter, and who acknowledged to me that she subscribed the name of Martha Walter thereto as principal and her own name individually and as attorney-in-fact. Witness my hand and seal the day and year herein above written.

Kami M Smith  
Notary Public in and for the State of Washington  
Printed Name Kami M. Smith  
Residing at (city) Everson  
My commission expires 6/2/12



STATE OF Washington )  
:SS  
County of Whatcom )

On this 2<sup>nd</sup> day of September, 2009, before me, the undersigned Notary Public for the State of Washington, personally appeared Donald E. Walter, known to me to be the person who signed the forgoing instrument individually and who acknowledged to me that he executed the same. Witness my hand and seal the day and year herein above written.

Emily Hoekstra  
Notary Public in and for the State of Washington  
Printed Name Emily Hoekstra  
Residing at (city) Lynden  
My commission expires 2/20/2011



STATE OF Montana )  
:SS  
County of Yellowstone )

On this 17 day of Aug, 2009, before me, the undersigned Notary Public for the State of Montana, personally appeared Jerry A. Walter, known to me to be the person who signed the forgoing instrument individually and who acknowledged to me that he executed the same. Witness my hand and seal the day and year herein above written.

Mary Purcell  
Notary Public in and for the State of Montana  
Printed Name Mary Purcell  
Residing at (city) Billings  
My commission expires Nov 25, 2010



STATE OF Colorado )  
:SS  
County of Arapahoe )

On this 22<sup>nd</sup> day of August, 2009, before me, the undersigned Notary Public for the State of Colorado, personally appeared Linda L. Walter, known to me to be the person who signed the forgoing instrument individually and who acknowledged to me that she executed the same. Witness my hand and seal the day and year herein above written.

Meho Micijevic  
Notary Public in and for the State of Colorado  
Printed Name Meho Micijevic  
Residing at (city) Littleton  
My commission expires 5/11/2013



My Commission Expires 5/11/2013  
County of Arapahoe

**ACKNOWLEDGMENT AND ACCEPTANCE OF CONVEYANCE**

The Mayor and City Council of the City of Billings acknowledges receipt of this deed and hereby accepts the property interest conveyed through this instrument.

\_\_\_\_\_  
Mayor, City of Billings

ATTEST: \_\_\_\_\_  
City Clerk

STATE OF MONTANA     )  
  :SS  
County of Yellowstone     )

On this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, before me, a Notary Public in and for the State of Montana, personally appeared \_\_\_\_\_ and \_\_\_\_\_, known to me to be the Mayor and City Clerk of Billings, respectively, and acknowledged to me that they executed the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial seal the day and year hereinabove written.

\_\_\_\_\_  
Notary Public in and for the State of Montana  
Printed name: \_\_\_\_\_  
Residing at Billings, Montana  
My commission expires: \_\_\_\_\_

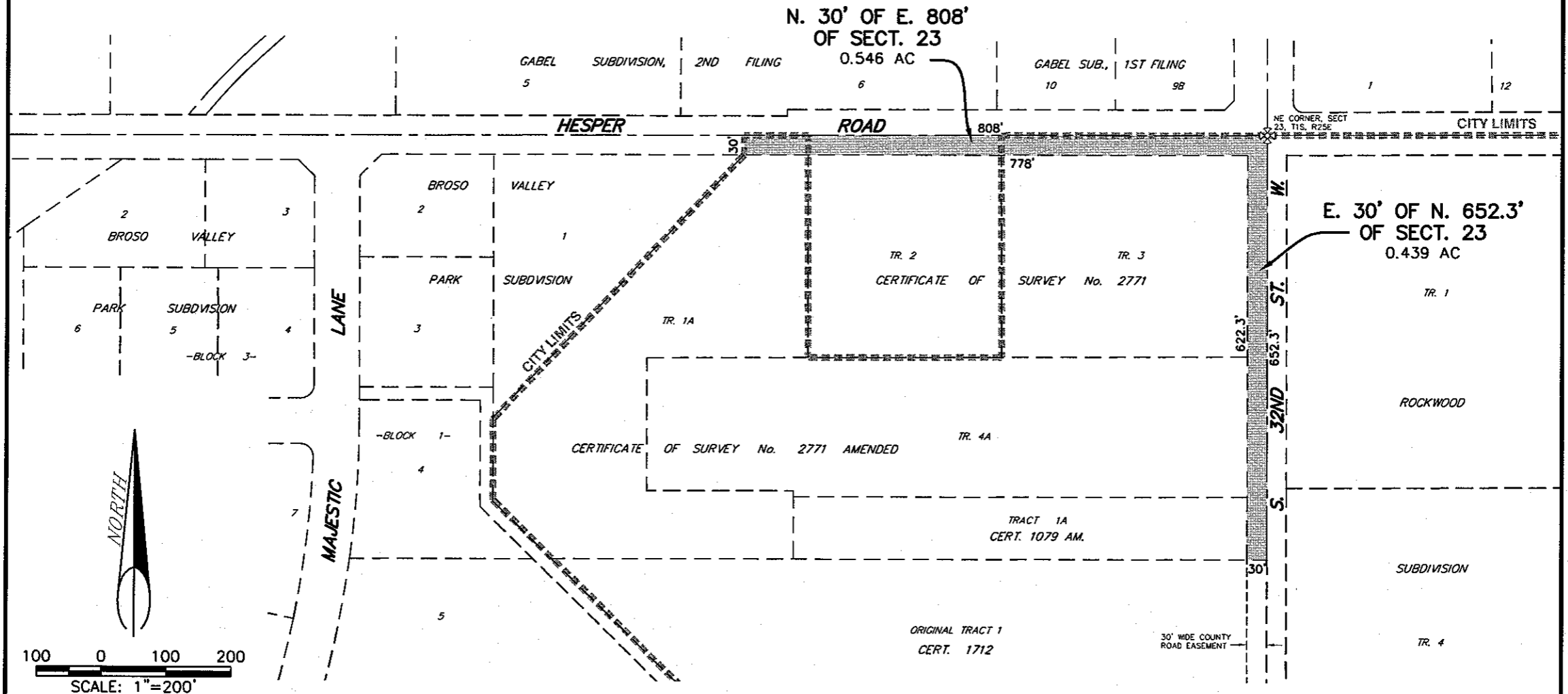
# EXHIBIT A

PREPARED FOR : FAMILY OF DANIEL WALTER

JULY, 2009

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA



WALTER TRACT EXHIBIT.DWG

08042.01

7/29/09 MDB

Date: 11/23/2009

TITLE: \$5,000 Donation from Breakfast Exchange Club of Billings for Child ID Kits

PRESENTED BY: Rich St. John

Department: Police

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Information

**PROBLEM/ISSUE STATEMENT**

A \$5,000 check was received from the Breakfast Exchange Club of Billings to purchase Child ID Kits for the Crime Prevention Center (CPC). These Child ID Kits are handed out at various events such as Farmers Market, Bike Rodeo, Health and Safety Fairs, neighborhood watch programs, daycare centers, or requests from the Police website. The check has been deposited into the crime prevention donations account. City Council is being asked to approve acceptance of the \$5,000 donation from the Breakfast Exchange Club of Billings for the purchase of Child ID Kits.

**ALTERNATIVES ANALYZED**

The City Council may:

- Approve acceptance of the \$5,000 donation check for the purchase of Child ID Kits; or
- Not approve acceptance of the \$5,000 donation check for the purchase of Child ID Kits.

**FINANCIAL IMPACT**

This donation will be used solely for the purchase of Child ID Kits.

**RECOMMENDATION**

City Council is being asked to approve acceptance of the \$5,000 donation from the Breakfast Exchange Club of Billings for the purchase of Child ID Kits.

**APPROVED BY CITY ADMINISTRATOR**

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Date: 11/23/2009

TITLE: 2009 Homeland Security Grant for Bomb Squad - \$16,434

PRESENTED BY: Rich St. John

Department: Police

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Information

**PROBLEM/ISSUE STATEMENT**

The State of Montana has \$16,434 available through the FY 09 U. S. Department of Homeland Security Grant Program for the City of Billings Bomb Squad for training and for the recalibration of two SABRE 4000 X-ray machines the City currently owns. The grant period is October 29, 2009, through June 30, 2011. Staff recommends City Council approve and accept this grant in the amount of \$16,434 and authorize the Mayor to sign the award letter. The award documents are on file in the City Clerk's Office.

**ALTERNATIVES ANALYZED**

The City Council may:

- Approve the FY 09 U. S. Department of Homeland Security Grant for the Bomb Squad in the amount of \$16,434; or
- Not approve the FY 09 U. S. Department of Homeland Security Grant for the Bomb Squad in the amount of \$16,434.

**FINANCIAL IMPACT**

There is no financial impact to the City as there is no City match required for this grant.

**RECOMMENDATION**

Staff recommends City Council approve and accept this grant in the amount of \$16,434 and authorize the Mayor to sign the award letter.

**APPROVED BY CITY ADMINISTRATOR**

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Date: 11/23/2009

**TITLE: Accept Economic Development Incentive (EDI) Grant for Naval Reserve Center Remediation and Demolition**

**PRESENTED BY:** Bruce McCandless

**Department:** City Hall Administration

**Information**

**PROBLEM/ISSUE STATEMENT**

The City of Billings requested that the Montana Congressional Delegation ask for federal funding for remediating environmental contamination and for demolishing the former Naval Reserve Center, located at 721 N. 22nd Street. The City leased the property to the Navy from 1946 until 2006. Over that time, the Navy constructed four building pods that the Navy and Marine Reserves occupied, plus several outbuildings. As with most buildings that were built in this era, this buildings are contaminated with materials that contain asbestos, plus a small amount of lead and mold. The City requested that the Navy demolish the buildings when it vacated the property but Navy representatives said it lacked the statutory authority or funding to comply. The Congressional Delegation was able to secure a \$475,000 appropriation under the Economic Development Incentive grant program, administered by the US Dept. of Housing and Urban Development (HUD). The City needs to officially approve the grant application and its receipt under standard conditions so that HUD can make the grant to the City and make funds available by next spring for the building demolition.

**ALTERNATIVES ANALYZED**

The Council may:

- Approve the application; or
- Not approve the application.

**FINANCIAL IMPACT**

The maximum grant is \$475,000 and the City may claim only what it spends on the project. There is no match requirement. There will be small project administration costs to prepare specifications and to bid the work and to monitor the in-progress work. Those costs can be recovered from the grant. The property will be restored to pre-building conditions so that it can be used for North Park expansion, for a new Emergency Communications Center or for other yet-to-be-determined uses.

**RECOMMENDATION**

Staff recommends that the City Council approve applying for and accepting a \$475,000 Economic Development Incentive grant from HUD for environmental remediation and for demolishing the former Naval Reserve Center, located at 721 N. 22nd Street.

**APPROVED BY CITY ADMINISTRATOR**

**Attachments**

Link: [NRC grant application](#)

Opportunity Title:	Fiscal Year 2009 Economic Development Initiative-Special
Offering Agency:	US Department of Housing and Urban Development
CFDA Number:	14.251
CFDA Description:	Economic Development Initiative-Special Project, Neighb
Opportunity Number:	US-2009-N-00
Competition ID:	09-EDI-SP
Opportunity Open Date:	
Opportunity Close Date:	09/22/2011
Agency Contact:	Holly Kelly CONGRESSIONAL GRANTS DIVISION E-mail: Holly.A.Kelly@hud.gov Phone: 202-402-6324

This electronic grants application is intended to be used to apply for the specific Federal funding opportunity referenced here.

If the Federal funding opportunity listed is not the opportunity for which you want to apply, close this application package by clicking on the "Cancel" button at the top of this screen. You will then need to locate the correct Federal funding opportunity, download its application and then apply.

This opportunity is only open to organizations, applicants who are submitting grant applications on behalf of a company, state, local or tribal government, academia, or other type of organization.

\* Application Filing Name:

### Mandatory Documents

Move Form to Complete

Move Form to Delete

### Mandatory Documents for Submission

Application for Federal Assistance (SF-424)
Disclosure of Lobbying Activities (SF-BLL)

### Optional Documents

Move Form to Submission List

Move Form to Delete

### Optional Documents for Submission

Attachments
-------------

## Instructions

- 1** Enter a name for the application in the Application Filing Name field.

  - This application can be completed in its entirety offline; however, you will need to login to the Grants.gov website during the submission process.
  - You can save your application at any time by clicking the "Save" button at the top of your screen.
  - The "Save & Submit" button will not be functional until all required data fields in the application are completed and you clicked on the "Check Package for Errors" button and confirmed all data required data fields are completed.
- 2** Open and complete all of the documents listed in the "Mandatory Documents" box. Complete the SF-424 form first.

  - It is recommended that the SF-424 form be the first form completed for the application package. Data entered on the SF-424 will populate data fields in other mandatory and optional forms and the user cannot enter data in these fields.
  - The forms listed in the "Mandatory Documents" box and "Optional Documents" may be predefined forms, such as SF-424, forms where a document needs to be attached, such as the Project Narrative or a combination of both. "Mandatory Documents" are required for this application. "Optional Documents" can be used to provide additional support for this application or may be required for specific types of grant activity. Reference the application package instructions for more information regarding "Optional Documents".
  - To open and complete a form, simply click on the form's name to select the item and then click on the => button. This will move the document to the appropriate "Documents for Submission" box and the form will be automatically added to your application package. To view the form, scroll down the screen or select the form name and click on the "Open Form" button to begin completing the required data fields. To remove a form/document from the "Documents for Submission" box, click the document name to select it, and then click the <= button. This will return the form/document to the "Mandatory Documents" or "Optional Documents" box.
  - All documents listed in the "Mandatory Documents" box must be moved to the "Mandatory Documents for Submission" box. When you open a required form, the fields which must be completed are highlighted in yellow with a red border. Optional fields and completed fields are displayed in white. If you enter invalid or incomplete information in a field, you will receive an error message.
- 3** Click the "Save & Submit" button to submit your application to Grants.gov.

  - Once you have properly completed all required documents and attached any required or optional documentation, save the completed application by clicking on the "Save" button.
  - Click on the "Check Package for Errors" button to ensure that you have completed all required data fields. Correct any errors or if none are found, save the application package.
  - The "Save & Submit" button will become active; click on the "Save & Submit" button to begin the application submission process.
  - You will be taken to the applicant login page to enter your Grants.gov username and password. Follow all onscreen instructions for submission.

<b>Application for Federal Assistance SF-424</b>		Version 02
<b>* 1. Type of Submission:</b> <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		<b>* 2. Type of Application:</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision
		<b>* If Revision, select appropriate letter(s):</b> _____ <b>* Other (Specify)</b> _____
<b>* 3. Date Received:</b> Completed by Grants.gov upon submission.	<b>4. Applicant Identifier:</b> _____	
<b>5a. Federal Entity Identifier:</b> B-09-SP-MT-0090	<b>* 5b. Federal Award Identifier:</b> _____	
<b>State Use Only:</b>		
<b>6. Date Received by State:</b> _____	<b>7. State Application Identifier:</b> _____	
<b>8. APPLICANT INFORMATION:</b>		
<b>* a. Legal Name:</b> City of Billings, Montana		
<b>* b. Employer/Taxpayer Identification Number (EIN/TIN):</b> 81-6001237	<b>* c. Organizational DUNS:</b> 068925759	
<b>d. Address:</b>		
<b>* Street1:</b> 210 N. 27th Street	_____	
<b>Street2:</b>	_____	
<b>* City:</b> Billings	_____	
<b>County:</b>	_____	
<b>* State:</b>	MT: Montana	
<b>Province:</b>	_____	
<b>* Country:</b>	USA: UNITED STATES	
<b>* Zip / Postal Code:</b> 59105	_____	
<b>e. Organizational Unit:</b>		
<b>Department Name:</b> Administration	<b>Division Name:</b> _____	
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>		
<b>Prefix:</b> _____	<b>* First Name:</b> Bruce	_____
<b>Middle Name:</b> _____	_____	
<b>* Last Name:</b> McCandless	_____	
<b>Suffix:</b> _____	_____	
<b>Title:</b> Assistant City Administrator		
<b>Organizational Affiliation:</b> _____		
<b>* Telephone Number:</b> 406 657-8222	<b>Fax Number:</b> _____	
<b>* Email:</b> mccandlessb@ci.billings.mt.us		

**Application for Federal Assistance SF-424**

Version 02

**9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

**\* 10. Name of Federal Agency:**

US Department of Housing and Urban Development

**11. Catalog of Federal Domestic Assistance Number:**

14.251

CFDA Title:

Economic Development Initiative-Special Project, Neighborhood Initiative and Miscellaneous Grants

**\* 12. Funding Opportunity Number:**

US-2009-N-00

\* Title:

Fiscal Year 2009 Economic Development Initiative-Special Project, Planning and Neighborhood Initiative Grants

**13. Competition Identification Number:**

09-EDI-SP

Title:

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

**\* 15. Descriptive Title of Applicant's Project:**

Billings Montana Naval Reserve Center Environmental Hazards Remediation and Demolition

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

**Application for Federal Assistance SF-424**

Version 02

**16. Congressional Districts Of:**

\* a. Applicant

\* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

**17. Proposed Project:**

\* a. Start Date:

\* b. End Date:

**18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="475,000.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="475,000.00"/>

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

Yes  No

21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

\*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix:  \* First Name:

Middle Name:

\* Last Name:

Suffix:

\* Title:

\* Telephone Number:  Fax Number:

\* Email:

\* Signature of Authorized Representative:  \* Date Signed:

**Application for Federal Assistance SF-424**

Version 02

**\* Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

# DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

Approved by OMB  
0348-0046

<b>1. * Type of Federal Action:</b> <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. * Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input checked="" type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. * Report Type:</b> <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change
<b>4. Name and Address of Reporting Entity:</b> <input checked="" type="checkbox"/> Prime <input type="checkbox"/> SubAwardee * Name: <input type="text" value="City of Billings"/> * Street 1: <input type="text" value="210 N. 27th Street"/> Street 2: <input type="text"/> * City: <input type="text" value="Billings"/> State: <input type="text" value="MT: Montana"/> Zip: <input type="text" value="59105"/> Congressional District, if known: <input type="text"/>		
<b>5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime:</b> <div style="border: 1px solid black; height: 100px;"></div>		
<b>6. * Federal Department/Agency:</b> <input type="text" value="Housing and Urban Development"/>	<b>7. * Federal Program Name/Description:</b> <input type="text" value="Economic Development Initiative-Special Project, Neighborhood Initiative and Miscellaneous Grants"/> CFDA Number, if applicable: <input type="text" value="14.251"/>	
<b>8. Federal Action Number, if known:</b> <input type="text"/>	<b>9. Award Amount, if known:</b> \$ <input type="text"/>	
<b>10. a. Name and Address of Lobbying Registrant:</b> Prefix: <input type="text" value="\$"/> * First Name: <input type="text" value="Christina"/> Middle Name: <input type="text"/> * Last Name: <input type="text" value="Volek"/> Suffix: <input type="text"/> * Street 1: <input type="text" value="210 N. 27th Street"/> Street 2: <input type="text"/> * City: <input type="text" value="Billings"/> State: <input type="text" value="MT: Montana"/> Zip: <input type="text" value="59105"/>		
<b>b. Individual Performing Services</b> (including address if different from No. 10a) Prefix: <input type="text"/> * First Name: <input type="text" value="None"/> Middle Name: <input type="text"/> * Last Name: <input type="text" value="None"/> Suffix: <input type="text"/> * Street 1: <input type="text"/> Street 2: <input type="text"/> * City: <input type="text"/> State: <input type="text"/> Zip: <input type="text"/>		
<b>11.</b> Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.		
* Signature: <input type="text" value="Completed on submission to Grants.gov"/> * Name: Prefix: <input type="text"/> * First Name: <input type="text" value="Christina"/> Middle Name: <input type="text"/> * Last Name: <input type="text" value="Volek"/> Suffix: <input type="text"/> Title: <input type="text" value="City Administrator"/> Telephone No.: <input type="text" value="406 657-8430"/> Date: <input type="text" value="Completed on submission to Grants.gov"/>		
<b>Federal Use Only:</b>		Authorized for Local Reproduction Standard Form - LLL (Rev. 7-87)

## ATTACHMENTS FORM

**Instructions:** On this form, you will attach the various files that make up your grant application. Please consult with the appropriate Agency Guidelines for more information about each needed file. Please remember that any files you attach must be in the document format and named as specified in the Guidelines.

**Important:** Please attach your files in the proper sequence. See the appropriate Agency Guidelines for details.

1) Please attach Attachment 1	Naval Reserve Center narrati	Add Attachment	Delete Attachment	View Attachment
2) Please attach Attachment 2		Add Attachment	Delete Attachment	View Attachment
3) Please attach Attachment 3		Add Attachment	Delete Attachment	View Attachment
4) Please attach Attachment 4		Add Attachment	Delete Attachment	View Attachment
5) Please attach Attachment 5		Add Attachment	Delete Attachment	View Attachment
6) Please attach Attachment 6		Add Attachment	Delete Attachment	View Attachment
7) Please attach Attachment 7		Add Attachment	Delete Attachment	View Attachment
8) Please attach Attachment 8		Add Attachment	Delete Attachment	View Attachment
9) Please attach Attachment 9		Add Attachment	Delete Attachment	View Attachment
10) Please attach Attachment 10		Add Attachment	Delete Attachment	View Attachment
11) Please attach Attachment 11		Add Attachment	Delete Attachment	View Attachment
12) Please attach Attachment 12		Add Attachment	Delete Attachment	View Attachment
13) Please attach Attachment 13		Add Attachment	Delete Attachment	View Attachment
14) Please attach Attachment 14		Add Attachment	Delete Attachment	View Attachment
15) Please attach Attachment 15		Add Attachment	Delete Attachment	View Attachment

## City of Billings Naval Reserve Center Environmental Hazards Remediation and Demolition

The City of Billings requests federal financial assistance in order to remove asbestos and other hazards and to demolish the structures that are the former Billings Naval Reserve Center, located at 721 N. 22<sup>nd</sup> Street. The City leased a portion of its North Park to the Navy in 1946 and continued that lease for sixty years at almost no cost to the US government. The Navy occupied three pre-fabricated buildings and the Marines occupied a fourth, stick-built structure. A common assembly area connects the four modules. The site also contains several small outbuildings and asphalt paving. The Navy constructed a new Naval Reserve Center on the city's west side and vacated the old center in November, 2005. The City requested that the Navy demolish the structures and return the site to its pre-occupancy condition. The Navy declined, stating that it is not legally required to remove the structures and therefore, it cannot commit funding to do the work.

In the 1990s and as late as 2004, the Navy identified friable asbestos in all of the buildings. Most of the thermal piping is wrapped with asbestos and other building materials contain small amounts. The Navy removed some of the asbestos and encapsulated other areas during its occupancy and prior to vacating the Center. It also removed lead contamination from one of the outbuildings but low levels still exist. In December, 2005, after the Navy vacated the property but before the lease termination date of January 1, 2006, the boiler malfunctioned and due to cold weather, the water in the piping froze and damaged it in several areas. The Navy repaired the boiler and the damaged piping and removed the asbestos that it exposed during the pipe repairs. The buildings have been unoccupied since mid-2006. Under Federal environmental rules, the owner must remove friable asbestos and properly dispose of it before demolition can occur. This two step process makes the demolition unaffordable for the City and it should not be responsible for hazards and expenses that the US Navy created.

The City began requesting Federal appropriations to remediate the environmental hazards and to demolish the buildings in 2007. Congress appropriated funds in FY 2009 for this EDI grant. The City intends to use the grant funds to remove the environmental hazards from the buildings and to demolish all structures except a small garage that the Parks Department uses for equipment storage. All footings and foundations, sidewalks and other hard surfacing will be removed. The site will be filled and leveled in order to restore North Park or it may be used in the future for a new City-County Emergency Communications facility. Demolition will improve neighborhood conditions by removing environmental hazards and visual blight. Additional open space or the communication center will improve the immediate neighborhood.

The proposed budget is as follows:

Environmental hazard remediation	\$
Demolition	\$

Design and inspection	\$
Contingency	\$
TOTAL	\$

Date: 11/23/2009

**TITLE: Coal Board Grant Application Resubmittal for 25th Street Bridge Pedestrian Overpass**

**PRESENTED BY:** Candi Beaudry

Planning & Community

**Department:** Services

**Information**

**PROBLEM/ISSUE STATEMENT**

The City of Billings is seeking \$200,000 in Coal Impact Grant funding for the 25th Street Bridge over the Montana Rail Link (MRL) tracks, which would connect Montana Avenue in the historic district of downtown Billings with the Minnesota Avenue Old Town Neighborhood District. The City applied for the grant in September but was not awarded any funds during the Coal Board application review process in October. The grant may be applied for again and both City and County officials suggested that staff reapply for the grant. Staff needs approval by the City Council to re-submit this Coal Impact Grant to the Coal Board by the December 1st deadline.

This bridge will provide the connection to the bike lanes that have been striped along South 25th St. that will eventually link to the Interstate Underpass and the existing trail through Coulson Park along the Yellowstone River. BikeNet has received two small initial grants for the bridge from the Homer and Mildred Scott Foundation for \$5,000 and from U.S. Bank for \$2,500, for a total of \$7,500. The bike/pedestrian bridge project will be using an existing, restored, old Carnegie steel bridge structure that had a span across Rock Creek back in the early 1900's.

The Old Town Neighborhood on the south side of the tracks recently organized with the goal of rejuvenating the properties along Minnesota Avenue, and the bridge is an important feature to link the two streetscapes on Minnesota and Montana Avenues. It will allow citizens and tourists safe and easy access to shops, restaurants, events, and tourist attractions on both sides of the tracks, as well as the use of a large parking lot on the south side of the tracks where large recreational vehicles can park when they access Billings from Interstate 90. Currently there are no parking lots in the downtown area for tourists with these large vehicles to park and access the amenities located in the downtown vicinity. The bridge is included in the Framework Plan for Downtown Billings and also part of the Old Town Neighborhood plans.

The bridge is also identified in the Heritage Trail Plan, which is a comprehensive trail system plan first adopted as the BikeNet Plan in 1995 after extensive public input. With the addition of the bridge in downtown Billings, the existing Heritage Trail paths and network enables visitors and residents to participate in a broad range of outdoor activities, provide a safe route across the railroad tracks along with wheelchair access for residents of bordering neighborhoods, and makes the Yellowstone River greenway available to the historic and/or cultural tourists who may be visiting the Billings Depot or other downtown sites. The City of Billings will lease the land from MRL on the south side of the tracks for the parking lot. The funds generated from this parking area will be used to maintain the lot and bridge structure. Staff needs approval by the City Council to re-submit this Coal Impact Grant to the Coal Board by the December 1st deadline.

**ALTERNATIVES ANALYZED**

The Council may:

- Approve the request to apply for the grant; or
- Not approve the request. If the City Council does not approve this grant application, the City would need to seek additional funding sources to complete this pedestrian connection.

**FINANCIAL IMPACT**

The 25th Street Bridge Project is estimated to cost approximately \$625,000, with an additional \$125,000 for the construction, paving and lighting of a parking lot on the south side of the railroad tracks. Funds for the parking lot might be secured through the Parking Advisory Board with approval by the Mayor and Council. BikeNet has already secured \$7,500 from previous grants for the project. The City of Billings is requesting \$200,000 from the Coal Impact Grant Application. Additional funds are being sought through private organizations, CTEP, and GO Bond funds.

**RECOMMENDATION**

Staff recommends that Council approve the re-submittal of a Coal Board Grant for \$200,000 to help fund the 25th Street Pedestrian Bridge Project.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Link: [Certification for the Coal Impact Grant Application](#)

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## COAL IMPACT GRANT PRE-APPLICATION

Department of Commerce  
Montana Coal Board  
301 South Park Avenue  
P.O. Box 200523  
Helena, MT 59620-0523

Date:

Application #

(Assigned by Coal Board staff)

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### Certification

To the best of my knowledge and belief, the information provided in this application and in the attached documents is true and correct.

In accordance with section 90-6-205, MCA, the applicant is eligible for a Coal Impact grant and has the statutory authority to administer and make expenditures to provide for the proposed government service or facility.

Name: **Ron Tussing**

Title: **Mayor of the City of Billings**

Signature:

Date:

Date: 11/23/2009

TITLE: SID 1389 Clubhouse Way Resolution of Intent to Create District and Set a Public Hearing

PRESENTED BY: David Mumford

Department: Public Works

**Information**

**PROBLEM/ISSUE STATEMENT**

Ron Hill, owner of 36 of the 46 lots proposed in the SID 1389 district boundary, has the desire to construct public improvements on Clubhouse Way between Greenbriar Road and Cherry Hills Road. These improvements generally consist of water, sanitary sewer, storm drain, curb and gutter, and street improvements to Clubhouse Way. The storm drain improvements include construction of storm drain within Clubhouse Way, Cherry Hills Road, and Gleneagles Boulevard to be connected to a pond to be constructed in the future on Lake Hills Golf Course per the Lake Hills Storm Drain Feasibility Study. There are 44 properties within the drainage basin of the storm drain proposed to be constructed with this project. All 44 properties will be assessed for the storm drain. Only the properties along Clubhouse Way will be assessed for street, curb and gutter, water, and sanitary sewer improvements. Ron Hill will be paying a cash contribution for his lots which represents 66% of the total cost of the SID. This is necessary to meet the requirements of the City's Raw Land District Requirements (Resolution No. 87-15592).

**ALTERNATIVES ANALYZED**

The Council may:

- Approve the Resolution of Intent to Create SID 1389 and set a public hearing for the December 14, 2009, City Council Meeting; or
- Not approve the Resolution of Intent to Create SID 1389.

**FINANCIAL IMPACT**

The total estimated costs of the Improvements are \$674,964.38. The costs of the Improvements are to be paid from the following sources: (1) \$232,000.00 of Special Improvement District bonds; and (2) \$442,964.38 of cash contribution by Ron Hill, owner of 36 of the 46 lots in the District.

**RECOMMENDATION**

Staff recommends that Council approve the Resolution of Intent to Create SID 1389 and set a public hearing date for December 14, 2009.

**APPROVED BY CITY ADMINISTRATOR**

**Attachments**

Link: [Exhibit A Boundary Map](#)

Link: [Exhibit B Boundary Description](#)

Link: [Bond Cost Analysis, Part II, Part III, Exhibits C - F](#)

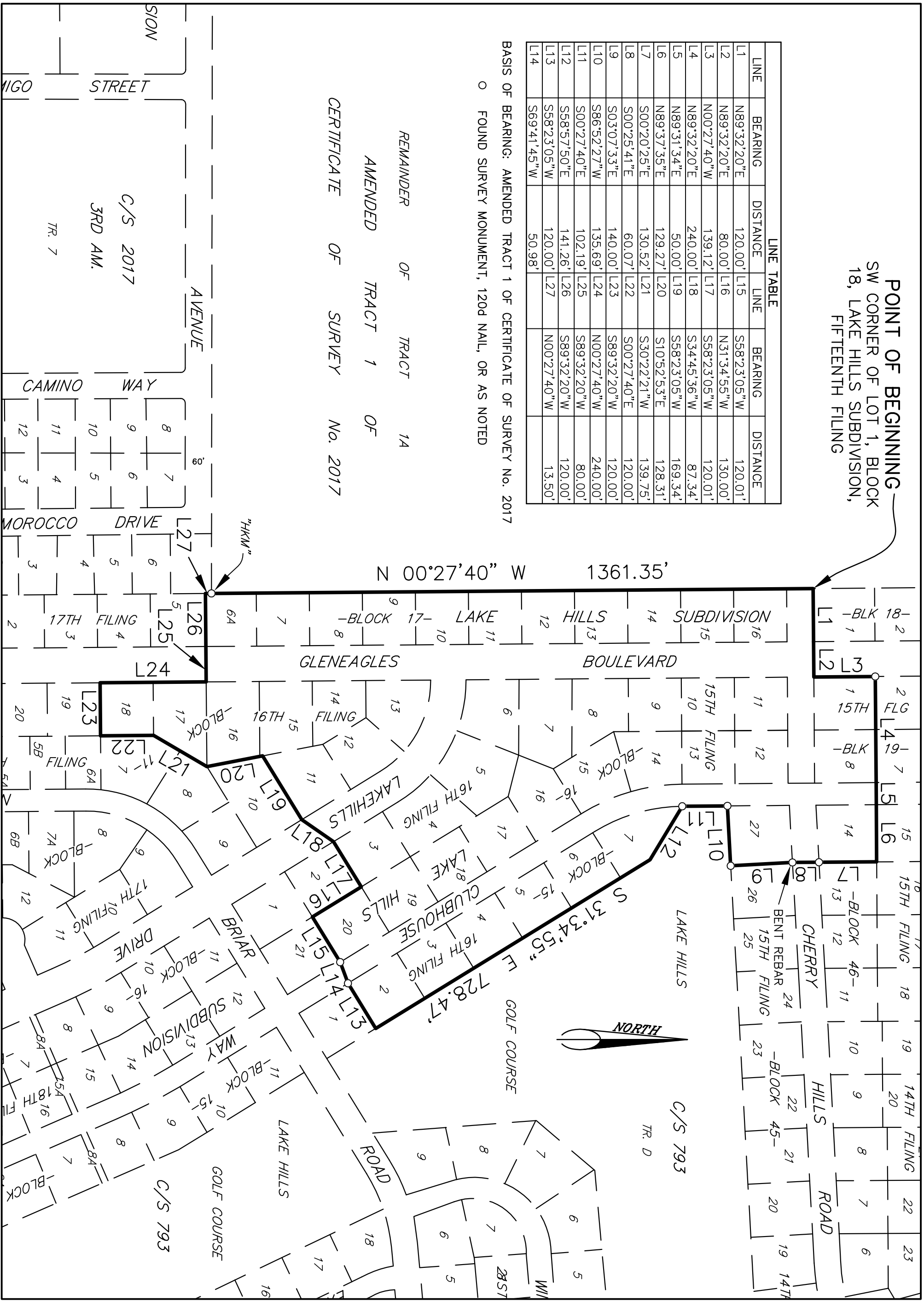
Link: [Resolution of Intent to Create SID 1389](#)

**POINT OF BEGINNING**  
 SW CORNER OF LOT 1, BLOCK  
 18, LAKE HILLS SUBDIVISION,  
 FIFTEENTH FILING

LINE TABLE					
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N89°32'20"E	120.00'	L15	S58°23'05"W	120.01'
L2	N89°32'20"E	80.00'	L16	N31°34'55"W	130.00'
L3	N00°27'40"W	139.12'	L17	S58°23'05"W	120.01'
L4	N89°32'20"E	240.00'	L18	S34°45'36"W	87.34'
L5	N89°31'34"E	50.00'	L19	S58°23'05"W	169.34'
L6	N89°37'35"E	129.27'	L20	S10°52'53"E	128.31'
L7	S00°20'25"E	130.52'	L21	S30°22'21"W	139.75'
L8	S00°25'41"E	60.07'	L22	S00°27'40"E	120.00'
L9	S03°07'33"E	140.00'	L23	S89°32'20"W	120.00'
L10	S86°52'27"W	135.69'	L24	N00°27'40"W	240.00'
L11	S00°27'40"E	102.19'	L25	S89°32'20"W	80.00'
L12	S58°57'50"E	141.26'	L26	S89°32'20"W	120.00'
L13	S58°23'05"W	120.00'	L27	N00°27'40"W	13.50'
L14	S69°41'45"W	50.98'			

BASIS OF BEARING: AMENDED TRACT 1 OF CERTIFICATE OF SURVEY No. 2017  
 O FOUND SURVEY MONUMENT, 120D NAIL, OR AS NOTED

REMAINDER OF TRACT 14  
 AMENDED TRACT 1 OF  
 CERTIFICATE OF SURVEY No. 2017



CAD: KNO/ANDB  
 DATE: 11/03/09  
 REVISIONS:  
 APPROVED BY:  
 QUALITY ASSURANCE:  
 SCALE: 1"=200'  
 FILE: GOLFHOUSE BOUNDARY 4  
 PROJECT NO.: 78165.B1  
 SHEET 1 OF 1

SID 1389  
 PROVIDING WATER, SANITARY SEWER, STORM DRAIN AND  
 SURFACE IMPROVEMENTS TO PORTIONS OF LAKE HILLS SUBDIVISION  
 BILLINGS, MONTANA  
 BOUNDARY EXHIBIT

50

**SANDERSON STEWART**  
 www.sandersonstewart.com

## **SID #1389 BOUNDARY DESCRIPTION**

A tract of land situated in the NW1/4 of Section 16, T. 1 N., R. 26 E., P.M.M., in the City of Billings, Yellowstone County, Montana; said tract being more particularly described as follows, to-wit:

Considering the basis of bearings to be the section line common to the NW1/4 of said Section 16 and the NE1/4 of Section 17 as shown on Amended Tract 1 of Certificate of Survey No. 2017, as recorded in the Office of the Clerk and Recorder of said County, under Document No. 3430743; all adjacent plats being oriented accordingly:

Beginning at a point which is the southwest corner of Lot 1, Block 18 of Lake Hills Subdivision, Fifteenth Filing, as recorded under Document No. 600127; thence, from said Point of Beginning, along the south line of said Lot 1, N89°32'20"E a distance of 120.00 feet to the southeast corner of said Lot 1; said corner also being on the west right-of-way line of Gleneagles Boulevard; thence, crossing said Gleneagles Boulevard right-of-way, N89°32'20"E a distance of 80.00 feet to the southwest corner of Lot 1, Block 19 of said Lake Hills Subdivision, Fifteenth Filing; thence, along the west line of said Lot 1, N00°27'40"W a distance of 139.12 feet to the northwest corner of said Lot 1; thence, along the north lines of said Lot 1 and Lot 8 of said Block 19, N89°32'20"E a distance of 240.00 feet to the northeast corner of said Lot 8; said corner also being on the west right-of-way line of Clubhouse Way; thence, crossing said Clubhouse Way right-of-way, N89°31'34"E a distance of 50.00 feet to the northwest corner of Lot 14, Block 46 of said Lake Hills Subdivision, Fifteenth Filing; thence, along the north line of said Lot 14, N89°37'35"E a distance of 129.27 feet to the northeast corner of said Lot 14; thence, along the east line of said Lot 14, S00°20'25"E a distance of 130.52 feet to the southeast corner of said Lot 14; said corner also being on the north right-of-way line of Cherry Hills Road; thence, crossing said Cherry Hills Road right-of-way, S00°25'41"E a distance of 60.07 feet to the northeast corner of Lot 27, Block 45 of said Lake Hills Subdivision, Fifteenth Filing; thence, along the east line of said Lot 27, S03°07'33"E a distance of 140.00 feet to the southeast corner of said Lot 27; thence, along the south line of said Lot

27, S86°52'27"W a distance of 135.69 feet to the southwest corner of said Lot 27; said corner also being on the east right-of-way line of said Clubhouse Way; thence, along said east right-of-way line, S00°27'40"E a distance of 102.19 feet to the northwest corner of Lot 7, Block 15 of Lake Hills Subdivision, Sixteenth Filing, as recorded under Document No. 612466; thence, along the north line of said Lot 7, S58°57'50"E a distance of 141.26 feet to the northeast corner of said Lot 7; thence, along the easterly lines of said Lot 7 and Lots 2-6 of said Block 15, S 31°34'55" E a distance of 728.47 feet to the southeast corner of said Lot 2, Block 15; thence, along the south line of said Lot 2, S58°23'05"W a distance of 120.00 feet to the southwest corner of said Lot 2; said corner also being on the easterly right-of-way line of Clubhouse Way; thence, crossing said Clubhouse Way right-of-way, S69°41'45"W a distance of 50.98 feet to the southeast corner of Lot 20, Block 16 of said Lake Hills Subdivision, Sixteenth Filing; thence, along the south line of said Lot 20, S58°23'05"W a distance of 120.01 feet to the southwest corner of said Lot 20; thence, along the west line of said Lot 20, N31°34'55"W a distance of 130.00 feet to the northwest corner of said Lot 20; said corner also being the southeast corner of Lot 3 of said Block 16; thence, along the south line of said Lot 3, S58°23'05"W a distance of 120.01 feet to the southwest corner of said Lot 3; said corner also being on the easterly right-of-way line of Lakehills Drive; thence, crossing said Lakehills Drive right-of-way, S34°45'36"W a distance of 87.34 feet to the northeast corner of Lot 10, Block 11 of said Lake Hills Subdivision, Sixteenth Filing; thence, along the north line of said Lot 10, S58°23'05"W a distance of 169.34 feet to the northwest corner of said Lot 10; thence, along the west line of said Lot 10, S10°52'53"E a distance of 128.31 feet to the southwest corner of said Lot 10; said point also being the northeast corner of Lot 17 of said Block 11; thence, along the east line of said Lot 17, S30°22'21"W a distance of 139.75 feet to the northeast corner of Lot 18, Block 11 of said Lake Hills Subdivision, Seventeenth Filing; thence along the east line of said Lot 18, S00°27'40"E a distance of 120.00 feet to the southeast corner of said Lot 18; thence, along the south line of said Lot 18, S89°32'20"W a distance of 120.00 feet to the southwest corner of said Lot 18; said corner also being on the east right-of-way line of Gleneagles Boulevard; thence, along said east right-of-way line, N00°27'40"W a distance of 240.00 feet to the northwest corner of Lot 17 of said Block 11; thence, crossing said Gleneagles Boulevard right-of-way,

S89°32'20"W a distance of 80.00 feet to the southeast corner of Lot 6A, Block 17 of said Lake Hills Subdivision, Sixteenth Filing; thence, along the south line of said Lot 6A, S89°32'20"W a distance of 120.00 feet to the southwest corner of said Lot 6A; thence, along the west line of said Lot 6A, N00°27'40"W a distance of 13.50 feet to the southeast corner of Tract 1A of Amended Tract 1 of Certificate of Survey No. 2017, as recorded under Document No. 3430743; thence, along the east line of said Tract 1A, N 00°27'40" W a distance of 1361.35 feet to the Point of Beginning; said described tract having an area of 23.18 acres, more or less.

# RECOMMENDED BONDING COST ANALYSIS

## SID 1389 Clubhouse Way

### Water, Sanitary Sewer, Storm Drain, and Street Improvements

SID CONSTRUCTION COSTS	\$521,826.36
ADMINISTRATION COSTS	
Engineering Design and Construction Management	\$114,801.80
SUBTOTAL ADMINISTRATION COSTS	\$ 114,801.80
SUBTOTAL PROJECT COSTS	\$ 636,628.16
LESS CONTRIBUTIONS	
Ron Hill	(\$442,964.38)
PROJECT COSTS TO BE APPLIED TO SID	\$ 193,663.78
SID COSTS	
ADMINISTRATION / FINANCE FEES (2.5%)	\$ 5,800.00
ENGINEERING FEE (3.5%)	\$ 8,120.00
SID REVOLVING FUND (5%)	\$ 11,600.00
BOND DISCOUNT FEE (2%)	\$ 4,640.00
ISSUANCE COSTS (3.0%)	\$ 6,960.00
BANK FEES	\$ 1,000.00
ROUND OFF	\$ 216.22
TOTAL BONDING COST	\$ 232,000.00

BONDS AWARDED TO:

INTEREST RATE \_\_\_\_\_ %                      DATE BONDS ISSUED: \_\_\_\_\_

\_\_\_\_\_ BONDS @ \$ \_\_\_\_\_                      TOTAL ISSUE \$ \_\_\_\_\_

PREMIUM \$ \_\_\_\_\_ . BONDS TO BE PAID ANNUALLY COMMENCING JANUARY 1, \_\_\_\_\_

AND SHALL MATURE JANUARY 1, \_\_\_\_\_ .

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_ .

\_\_\_\_\_  
ENGINEER FOR THE DISTRICT

\_\_\_\_\_  
DIRECTOR OF FINANCE

\_\_\_\_\_  
CITY ENGINEER

# EXHIBIT C

## SID 1389 - Clubhouse Way

### ENGINEER'S ESTIMATE OF PROBABLE COST

#### Water, Sanitary Sewer, Storm Drain, and Street Improvements

This estimate is based on approximate quantities and costs for improvements, complete in-place to serve portions of Lake Hills Subdivision

**ALL ITEMS ARE COMPLETE IN-PLACE**

ITEM NO.	EST. QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
<b><u>Sanitary Sewer</u></b>					
101	1	LS	Mobilization and Insurance (7%)	@ \$6,857.90 / LS =	\$6,857.90
102	2	EA	Remove Stub & Connect to Ex. Sanitary Sewer Manhole	@ \$1,800.00 / EA =	\$3,600.00
103	1	EA	Core & Connect to Ex. Sanitary Sewer Manhole	@ \$2,500.00 / EA =	\$2,500.00
104	6	EA	Basic Sanitary Sewer Manhole	@ \$2,200.00 / EA =	\$13,200.00
105	45.0	VF	Extra Depth Manhole	@ \$95.00 / VF =	\$4,275.00
106	1,305	LF	8-inch SDR-35 PVC Sanitary Sewer Pipe	@ \$35.00 / LF =	\$45,675.00
107	21	EA	6-inch Sanitary Sewer Service	@ \$375.00 / EA =	\$7,875.00
108	735	LF	6-inch SDR-35 PVC Sanitary Sewer Service Pipe	@ \$27.00 / LF =	\$19,845.00
109	1	LS	Traffic Control	@ \$1,000.00 / LS =	\$1,000.00
<b>Subtotal Sanitary Sewer</b>					<b>\$104,827.90</b>
<b><u>Water</u></b>					
110	1	LS	Mobilization and Insurance (7%)	@ \$2,852.50 / LS =	\$2,852.50
111	1	EA	8x8x6-inch Tapping Tee and Valve	@ \$2,200.00 / EA =	\$2,200.00
112	1	EA	Fire Hydrant Assembly on Existing 8-inch Main	@ \$4,500.00 / EA =	\$4,500.00
113	2	EA	8-inch Valve on Existing 8-inch Main	@ \$1,300.00 / EA =	\$2,600.00
114	12	EA	3/4 -inch Water Service on Existing 8-inch Main	@ \$1,200.00 / EA =	\$14,400.00
115	330	LF	8-inch Water Main	@ \$35.00 / LF =	\$11,550.00
116	2	EA	8-inch Valve on New 8-inch Main	@ \$1,200.00 / EA =	\$2,400.00
117	2	EA	8-inch Cap	@ \$450.00 / EA =	\$900.00
118	1	EA	Remove Tee and Replace with 8-inch Cross	@ \$1,200.00 / EA =	\$1,200.00
119	1	LS	Traffic Control	@ \$1,000.00 / LS =	\$1,000.00
<b>Subtotal Water</b>					<b>\$43,602.50</b>
<b><u>Storm Drain</u></b>					
121	1	LS	Mobilization and Insurance (7%)	@ \$8,197.00 / LS =	\$8,197.00
122	2	EA	60-inch Storm Drain Manhole	@ \$2,500.00 / EA =	\$5,000.00
123	3	EA	72-inch Storm Drain Manhole	@ \$4,000.00 / EA =	\$12,000.00
124	34.0	VF	Extra Depth Manhole	@ \$160.00 / VF =	\$5,440.00
125	300	LF	12-inch Storm Drain Pipe	@ \$32.00 / LF =	\$9,600.00
126	775	LF	18-inch Storm Drain Pipe	@ \$40.00 / LF =	\$31,000.00
127	691	LF	30-inch Storm Drain Pipe	@ \$60.00 / LF =	\$41,460.00
128	9	EA	Type III Inlet	@ \$1,500.00 / EA =	\$13,500.00

129	6	EA	Type III Inlet Covers	@	\$350.00 / EA =	\$2,100.00
130	1	EA	30-inch FETS	@	\$600.00 / EA =	\$600.00
131	1	EA	30-inch Cap	@	\$400.00 / EA =	\$400.00
132	1	LS	Traffic Control	@	\$1,000.00 / LS =	\$1,000.00

**Subtotal Storm Drain** **\$130,297.00**

Streets

148	1	LS	Mobilization and Insurance (7%)	@	\$12,800.20 / LS =	\$12,800.20
149	1	LS	Storm Water Management & Erosion Control	@	\$3,000.00 / LS =	\$3,000.00
150	3,128	CY	Unclassified Excavation - Streets	@	\$6.00 / CY =	\$18,768.00
151	2,275	CY	1 1/2-inch Base Gravel (12-inch Section)	@	\$22.00 / CY =	\$50,050.00
152	5,808	SY	Asphalt Surface Course (3-inch Section)	@	\$11.00 / SY =	\$63,888.00
153	3,047	LF	Curb and Gutter	@	\$10.00 / LF =	\$30,470.00
154	264	SF	Double Gutter	@	\$6.00 / SF =	\$1,584.00
155	4	EA	Curb Turn Fillet	@	\$1,700.00 / EA =	\$6,800.00
156	4	EA	Accessibility Ramp	@	\$350.00 / EA =	\$1,400.00
157	8	EA	Truncated Dome Panel	@	\$125.00 / EA =	\$1,000.00
158	5	EA	Adjust Ex. Water Valve Box To Grade	@	\$150.00 / EA =	\$750.00
159	1	EA	Adjust Ex. Manhole To Grade	@	\$250.00 / EA =	\$250.00
160	3	EA	Monument and Box	@	\$600.00 / EA =	\$1,800.00
161	1	LS	Road Closed and 9-button Delineator Signs with Posts	@	\$1,000.00 / LS =	\$1,000.00
162	1	EA	Street Name Signs with Post	@	\$500.00 / EA =	\$500.00
163	1	LS	Relocate Existing Road Closed Sign and Delineators	@	\$450.00 / LS =	\$450.00
164	1	GL	Yellow Epoxy Curb Paint	@	\$150.00 / GL =	\$150.00
165	1	LS	Traffic Control	@	\$1,000.00 / LS =	\$1,000.00

**Subtotal Streets** **\$195,660.20**

**Total Construction Costs** = **\$474,387.60**  
**Construction Contingency (10%)** = **\$47,438.76**

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**TOTAL CONSTRUCTION & CONTINGENCY** = **\$521,826.36**

Construction & S.I.D. Administrative Costs

**Engineering Design and Construction Management** **\$114,801.80**

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**TOTAL ADMINISTRATIVE COSTS** = **\$114,801.80**

**CONSTRUCTION & ADMINISTRATION SUBTOTAL** = **\$636,628.16**

# EXHIBIT C

## SID 1389 - Clubhouse Way

### ENGINEER'S ESTIMATE OF PROBABLE COST

### ASSESSMENT #1 - WATER, SANITARY SEWER, AND STREET IMPROVEMENTS

This estimate is based on approximate quantities and costs for improvements, complete in-place.

**ALL ITEMS ARE COMPLETE IN-PLACE**

ITEM NO.	EST. QTY.	UNIT	DESCRIPTION	UNIT PRICE	Total Cost
<u><b>Water</b></u>					
110	1	LS	Mobilization and Insurance (7%)	@ \$2,852.50 / LS =	\$2,852.50
111	1	EA	8x8x6-inch Tapping Tee and Valve	@ \$2,200.00 / EA =	\$2,200.00
112	1	EA	Fire Hydrant Assembly on Existing 8-inch Main	@ \$4,500.00 / EA =	\$4,500.00
113	2	EA	8-inch Valve on Existing 8-inch Main	@ \$1,300.00 / EA =	\$2,600.00
114	12	EA	3/4 -inch Water Service on Existing 8-inch Main	@ \$1,200.00 / EA =	\$14,400.00
115	330	LF	8-inch Water Main	@ \$35.00 / LF =	\$11,550.00
116	2	EA	8-inch Valve on New 8-inch Main	@ \$1,200.00 / EA =	\$2,400.00
117	2	EA	8-inch Cap	@ \$450.00 / EA =	\$900.00
118	1	EA	Remove Tee and Replace with 8-inch Cross	@ \$1,200.00 / EA =	\$1,200.00
119	1	LS	Traffic Control	@ \$1,000.00 / LS =	\$1,000.00
					<b>\$43,602.50</b>
<u><b>Sanitary Sewer</b></u>					
101	1	LS	Mobilization and Insurance (7%)	@ \$6,857.90 / LS =	\$6,857.90
102	2	EA	Remove Stub & Connect to Ex. Sanitary Sewer Manhole	@ \$1,800.00 / EA =	\$3,600.00
103	1	EA	Core & Connect to Ex. Sanitary Sewer Manhole	@ \$2,500.00 / EA =	\$2,500.00
104	6	EA	Basic Sanitary Sewer Manhole	@ \$2,200.00 / EA =	\$13,200.00
105	45.0	VF	Extra Depth Manhole	@ \$95.00 / VF =	\$4,275.00
106	1,305	LF	8-inch SDR-35 PVC Sanitary Sewer Pipe	@ \$35.00 / LF =	\$45,675.00
107	21	EA	6-inch Sanitary Sewer Service	@ \$375.00 / EA =	\$7,875.00
108	735	LF	6-inch SDR-35 PVC Sanitary Sewer Service Pipe	@ \$27.00 / LF =	\$19,845.00
109	1	LS	Traffic Control	@ \$1,000.00 / LS =	\$1,000.00
					<b>\$104,827.90</b>
<u><b>Street</b></u>					
148	1	LS	Mobilization and Insurance (7%)	@ \$12,800.20 / LS =	\$12,800.20
149	1	LS	Storm Water Management & Erosion Control	@ \$3,000.00 / LS =	\$3,000.00

ITEM NO.	EST. QTY.	UNIT	DESCRIPTION	UNIT PRICE	Total Cost
150	3,128	CY	Unclassified Excavation - Streets	@ \$6.00 / CY =	\$18,768.00
151	2,275	CY	1 1/2-inch Base Gravel (12-inch Section)	@ \$22.00 / CY =	\$50,050.00
152	5,808	SY	Asphalt Surface Course (3-inch Section)	@ \$11.00 / SY =	\$63,888.00
153	3,047	LF	Curb and Gutter	@ \$10.00 / LF =	\$30,470.00
154	264	SF	Double Gutter	@ \$6.00 / SF =	\$1,584.00
155	4	EA	Curb Turn Fillet	@ \$1,700.00 / EA =	\$6,800.00
156	4	EA	Accessibility Ramp	@ \$350.00 / EA =	\$1,400.00
157	8	EA	Truncated Dome Panel	@ \$125.00 / EA =	\$1,000.00
158	5	EA	Adjust Ex. Water Valve Box To Grade	@ \$150.00 / EA =	\$750.00
159	1	EA	Adjust Ex. Manhole To Grade	@ \$250.00 / EA =	\$250.00
160	3	EA	Monument and Box	@ \$600.00 / EA =	\$1,800.00
161	1	LS	Road Closed and 9-button Delineator Signs with Posts	@ \$1,000.00 / LS =	\$1,000.00
162	1	EA	Street Name Signs with Post	@ \$500.00 / EA =	\$500.00
163	1	LS	Relocate Existing Road Closed Sign and Delineators	@ \$450.00 / LS =	\$450.00
164	1	GL	Yellow Epoxy Curb Paint	@ \$150.00 / GL =	\$150.00
165	1	LS	Traffic Control	@ \$1,000.00 / LS =	\$1,000.00
					<b>\$195,660.20</b>
<b>Total Construction Cost</b>					<b>\$344,090.60</b>
<b>Contingency</b>					<b>10%</b>
<b>Total Construction Cost Assessment #1</b>					<b>\$34,409.06</b>
					<b>\$378,499.66</b>

**EXHIBIT C**

**SID 1389 - Clubhouse Way**

**ENGINEER'S ESTIMATE OF PROBABLE COST**

**ASSESSMENT #2 - STORM DRAIN IMPROVEMENTS**

This estimate is based on approximate quantities and costs for improvements, complete in-place.

**ALL ITEMS ARE COMPLETE IN-PLACE**

ITEM NO.	EST. QTY.	UNIT	DESCRIPTION	UNIT PRICE	Total Cost
<i><b>Sanitary Sewer</b></i>					
121	1	LS	Mobilization and Insurance (7%)	@ \$8,197.00 / LS =	\$8,197.00
122	2	EA	60-inch Storm Drain Manhole	@ \$2,500.00 / EA =	\$5,000.00
122	3	EA	72-inch Storm Drain Manhole	@ \$4,000.00 / EA =	\$12,000.00
123	34.0	VF	Extra Depth Manhole	@ \$160.00 / VF =	\$5,440.00
124	300	LF	12-inch Storm Drain Pipe	@ \$32.00 / LF =	\$9,600.00
125	775	LF	18-inch Storm Drain Pipe	@ \$40.00 / LF =	\$31,000.00
126	691	LF	30-inch Storm Drain Pipe	@ \$60.00 / LF =	\$41,460.00
127	9	EA	Type III Inlet	@ \$1,500.00 / EA =	\$13,500.00
128	6	EA	Type III Inlet Covers	@ \$350.00 / EA =	\$2,100.00
129	1	EA	30-inch FETS	@ \$600.00 / EA =	\$600.00
130	1	EA	30-inch Cap	@ \$400.00 / EA =	\$400.00
131	1	LS	Traffic Control	@ \$1,000.00 / LS =	\$1,000.00
					<b>\$130,297.00</b>
<b>Contingency</b>				<b>10%</b>	<b>\$13,029.70</b>
<b>Total Construction Cost Assessment #2</b>					<b>\$143,326.70</b>

## EXHIBIT D

### SID 1389 - Clubhouse Way

**TABLE OF ESTIMATED ASSESSMENTS PER ITEM**

CODE #	ASSESSMENT ITEM	RAW CONSTRUCTION COSTS	% OF CONSTRUCTION	CONTINGENCY	TOTAL THRU CONTINGENCY	SID ENGINEERING COSTS	TOTAL CONSTRUCTION COSTS	TOTAL UNITS PER ITEM	UNIT	CASH CONTRIBUTION RATE PER UNIT	TOTAL UNITS TO BE ASSESSED PER ITEM	CASH CONTRIBUTION COST	% APPLIED TO ADMINISTRATION COSTS	BOND ADMINISTRATION COSTS	TOTAL THRU ADMINISTRATION COSTS	UNIT COST PER ASSESSMENT
1	ASSESSMENT #1 - WATER, SANITARY SEWER, AND STREET IMPROVEMENTS	\$344,090.60	72.53%	\$34,409.06	\$378,499.66	\$83,269.93	\$461,769.59	18.00	EA	\$25,653.87	6.00	\$153,923.20	79.48%	\$30,469.47	\$184,392.67	\$30,732.11
3	ASSESSMENT #2 - STORM DRAIN IMPROVEMENTS	\$130,297.00	27.47%	\$13,029.70	\$143,326.70	\$31,531.87	\$174,858.57	44.00	EA	\$3,974.05850	10.00	\$39,740.59	20.52%	\$7,866.75	\$47,607.33	\$4,760.73312
<b>TOTALS</b>		<b>\$474,387.60</b>	<b>100.00%</b>	<b>\$47,438.76</b>	<b>\$521,826.36</b>	<b>\$ 114,801.80</b>	<b>\$636,628.16</b>					<b>\$193,663.78</b>	<b>100.00%</b>	<b>\$ 38,336.22</b>	<b>\$232,000.00</b>	<b>\$232,000.00</b>

# **EXHIBIT E**

## **SID 1389 - Clubhouse Way**

### **PROJECT DESCRIPTION**

Special Improvement District No. 1389 shall construct the following improvements to Clubhouse Way between Greenbriar Road to Cherry Hills Road.

- 1) Construction of street, curb, gutter, sanitary sewer, and water improvements.
- 2) Construction of storm drain improvements within Clubhouse Way, Cherry Hills Road, and Gleneagles Blvd.

# EXHIBIT F

## SID 1389 - Clubhouse Way

### Water, Sanitary Sewer, Storm Drain, and Street Improvements

TAX I.D. NUMBER 6-13	PREVIOUS SID #	PREVIOUS SID PAY-OFF	SID DELINQUENT ASSESSMENT	CASH CONTRIBUTION	SID 1389 ASSESSMENT	SID PAY-OFF + DELINQUENT + SID 1389 ASSESSMENT	ESTIMATED MARKET VALUE	ESTIMATED MARKET VALUE AFTER IMPROVEMENTS
A22189			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$3,853.00	\$7,827.06
A22190			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$3,853.00	\$7,827.06
A22191			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$3,853.00	\$7,827.06
A22192			\$0.00	\$29,627.92	\$29,627.92	\$29,627.92	\$3,853.00	\$33,480.92
A22193			\$0.00	\$29,627.92	\$29,627.92	\$29,627.92	\$3,853.00	\$33,480.92
A22232			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$3,853.00	\$7,827.06
A22233			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$3,853.00	\$7,827.06
A22234			\$4,760.73	\$0.00	\$4,760.73	\$4,760.73	\$3,853.00	\$8,613.73
A22246			\$0.00	\$25,653.87	\$25,653.87	\$25,653.87	\$4,336.00	\$29,989.87
A22584			\$0.00	\$29,627.92	\$29,627.92	\$29,627.92	\$29,112.00	\$58,739.92
A22598	1368	\$1,880.17	\$0.00	\$25,653.87	\$25,653.87	\$27,534.04	\$26,265.00	\$51,918.87
A22117			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$4,779.00	\$8,753.06
A22118			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$4,076.00	\$8,050.06
A22119			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$4,445.00	\$8,419.06
A22120			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$3,974.00	\$7,948.06
A22121			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$4,859.00	\$8,833.06
A22122			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$5,421.00	\$9,395.06
A22179			\$35,492.84	\$0.00	\$35,492.84	\$35,492.84	\$4,318.00	\$39,810.84
A22180			\$0.00	\$29,627.92	\$29,627.92	\$29,627.92	\$4,318.00	\$33,945.92
A22181			\$35,492.84	\$0.00	\$35,492.84	\$35,492.84	\$4,318.00	\$39,810.84
A22182			\$0.00	\$29,627.92	\$29,627.92	\$29,627.92	\$4,318.00	\$33,945.92
A22183			\$35,492.84	\$0.00	\$35,492.84	\$35,492.84	\$4,318.00	\$39,810.84
A22184			\$35,492.84	\$0.00	\$35,492.84	\$35,492.84	\$4,586.00	\$40,078.84
A22196			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$4,106.00	\$8,080.06
A22197			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$4,920.00	\$8,894.06
A22198			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$5,625.00	\$9,599.06
A22199			\$4,760.73	\$0.00	\$4,760.73	\$4,760.73	\$4,710.00	\$9,470.73
A22200			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$5,517.00	\$9,491.06
A22201			\$4,760.73	\$0.00	\$4,760.73	\$4,760.73	\$4,567.00	\$9,327.73
A22202			\$0.00	\$29,627.92	\$29,627.92	\$29,627.92	\$4,451.00	\$34,078.92
A22203			\$0.00	\$29,627.92	\$29,627.92	\$29,627.92	\$4,451.00	\$34,078.92
A22204			\$0.00	\$29,627.92	\$29,627.92	\$29,627.92	\$4,845.00	\$34,472.92
A22205			\$35,492.84	\$0.00	\$35,492.84	\$35,492.84	\$4,106.00	\$39,598.84
A22206			\$35,492.84	\$0.00	\$35,492.84	\$35,492.84	\$4,106.00	\$39,598.84
A22207			\$0.00	\$29,627.92	\$29,627.92	\$29,627.92	\$4,106.00	\$33,733.92
A22208			\$0.00	\$29,627.92	\$29,627.92	\$29,627.92	\$4,106.00	\$33,733.92
A22223			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$3,853.00	\$7,827.06
A22225			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$3,853.00	\$7,827.06
A22226			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$3,853.00	\$7,827.06
A22227			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$3,853.00	\$7,827.06
A22228			\$4,760.73	\$0.00	\$4,760.73	\$4,760.73	\$3,853.00	\$8,613.73
A22229			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$3,853.00	\$7,827.06
A22230			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$3,853.00	\$7,827.06
A22231			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$3,853.00	\$7,827.06
A22123			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$4,983.00	\$8,957.06
A22124			\$0.00	\$3,974.06	\$3,974.06	\$3,974.06	\$3,853.00	\$7,827.06
<b>AVERAGE</b>		<b>\$1,880.17</b>	<b>#DIV/0!</b>		<b>\$14,673.14</b>	<b>\$14,714.01</b>	<b>\$5,294.41</b>	<b>\$19,967.55</b>
<b>MEDIAN</b>		<b>\$1,880.17</b>	<b>#NUM!</b>		<b>\$3,974.06</b>	<b>\$3,974.06</b>	<b>\$4,106.00</b>	<b>\$9,142.40</b>
<b>LOW</b>		<b>\$1,880.17</b>	<b>\$0.00</b>		<b>\$3,974.06</b>	<b>\$3,974.06</b>	<b>\$3,853.00</b>	<b>\$7,827.06</b>
<b>HIGH</b>		<b>\$1,880.17</b>	<b>\$0.00</b>		<b>\$35,492.84</b>	<b>\$35,492.84</b>	<b>\$29,112.00</b>	<b>\$58,739.92</b>

Note: Delinquent taxes are reported as of  
 Areas that are shaded represent cash contributions.

**CITY OF BILLINGS, MONTANA  
SPECIAL IMPROVEMENT DISTRICT ASSESSMENT DATA  
PART TWO**

<p><b>DATE:</b> <u>November 23, 2009</u></p> <p><b>S.I.D. NUMBER:</b> <u>1389</u></p> <p><b>S.I.D. DESCRIPTION:</b> <u>Water, Sanitary Sewer, Storm Drain, and Street Improvements for the Extension of Clubhouse Way</u> _____ _____</p> <p><b>YEARS TO BE ASSESSED:</b> <u>15</u></p> <p><b>TOTAL S.I.D. AREA:</b> <u>N/A</u></p> <p><b>MEASUREMENT:</b> <input checked="" type="checkbox"/> EA <input type="checkbox"/> SF <input type="checkbox"/> LF</p> <p><b>S.I.D. COSTS:</b> <input checked="" type="checkbox"/> ESTIMATED PER CONCEPT PLANS  <input type="checkbox"/> ESTIMATED PER BID PRICE  <input type="checkbox"/> FINAL PER ACTUAL CONSTRUCTION</p> <p><b>S.I.D. MAIN IMPROVEMENT COST:</b> <u>\$232,000.00</u></p> <p><b>SPECIAL ADDITIONS:</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">CODE</th> <th style="text-align: left;">Quantity</th> <th style="text-align: left;">Unit Cost</th> <th style="text-align: left;">Total</th> </tr> </thead> <tbody> <tr> <td>1 Assessment #1</td> <td style="text-align: center;"><u>6.00</u></td> <td style="text-align: center;"><u>\$ 30,732.1115</u></td> <td style="text-align: center;"><u>\$ 184,392.67</u></td> </tr> <tr> <td>2 Assessment #2</td> <td style="text-align: center;"><u>10.00</u></td> <td style="text-align: center;"><u>\$ 4,760.7331</u></td> <td style="text-align: center;"><u>\$ 47,607.33</u></td> </tr> <tr> <td colspan="2"><b>TOTAL PROJECT COST</b></td> <td style="text-align: center;"><b>= \$</b></td> <td style="text-align: center;"><b><u>232,000.00</u></b></td> </tr> </tbody> </table> <p><b>(ALL COSTS TO INCLUDE PRORATA SHARE OF ADMINISTRATIVE COSTS)</b></p>	CODE	Quantity	Unit Cost	Total	1 Assessment #1	<u>6.00</u>	<u>\$ 30,732.1115</u>	<u>\$ 184,392.67</u>	2 Assessment #2	<u>10.00</u>	<u>\$ 4,760.7331</u>	<u>\$ 47,607.33</u>	<b>TOTAL PROJECT COST</b>		<b>= \$</b>	<b><u>232,000.00</u></b>	<p><b>DATA PROCESSING CARDS COLS</b></p> <p>A&amp;B 2 - 5</p> <p>A 6 - 39</p> <p>A 59 - 60</p> <p>A 61 - 71</p> <p>A 89 - 96</p>
CODE	Quantity	Unit Cost	Total														
1 Assessment #1	<u>6.00</u>	<u>\$ 30,732.1115</u>	<u>\$ 184,392.67</u>														
2 Assessment #2	<u>10.00</u>	<u>\$ 4,760.7331</u>	<u>\$ 47,607.33</u>														
<b>TOTAL PROJECT COST</b>		<b>= \$</b>	<b><u>232,000.00</u></b>														
<p><b>CITY CENTRAL SUPPORT SERVICES TO COMPLETE</b></p> <p><b>FIRST YEAR TO BE ASSESSED:</b> _____</p> <p><b>TYPE ASSESSMENT:</b> <input type="checkbox"/> PENDING <input type="checkbox"/> FINAL</p> <p><b>INTEREST RATE:</b> _____</p> <p><b>BOND ISSUE DATE:</b> _____</p>	<p>A 40 - 41</p> <p>A 42</p> <p>A 53 - 58</p> <p>A 73 - 78</p>																

## PART III

### SID 1389 - Clubhouse Way

#### TABLE OF ESTIMATED ASSESSMENTS PER PROPERTY

SID COSTS:

  X   ESTIMATE PER CONCEPT PLANS  
      ESTIMATE PER BID PRICES  
      FINAL PER ACTUAL CONSTRUCTION

PARCEL	OWNER	SUBDIVISION	BLK	LOT/ TRACT	TAX ID. NUMBER 6-13	LOT AREA (S.F.)	ASSESSMENT #1 - WATER, SANITARY SEWER, AND STREET IMPROVEMENTS			ASSESSMENT #2 - STORM DRAIN IMPROVEMENTS			TOTAL COST
							CODE UNIT RATE	1 EA \$30,732.1115		CODE UNIT RATE	3 EA \$4,760.7331		
							CODE	ASSESSED QUANTITY	ASSESSED VALUE	CODE	ASSESSED QUANTITY	ASSESSED VALUE	
1	Ron Hill	Lake Hills Sub, 15th Filing	16	9	A22189	14,400		0.00	\$0.00		0.00	\$0.00	\$0.00
2	Ron Hill	Lake Hills Sub, 15th Filing	16	10	A22190	14,400		0.00	\$0.00		0.00	\$0.00	\$0.00
3	Ron Hill	Lake Hills Sub, 15th Filing	16	11	A22191	14,400		0.00	\$0.00		0.00	\$0.00	\$0.00
4	Ron Hill	Lake Hills Sub, 15th Filing	16	12	A22192	14,400		0.00	\$0.00		0.00	\$0.00	\$0.00
5	Ron Hill	Lake Hills Sub, 15th Filing	16	13	A22193	14,400		0.00	\$0.00		0.00	\$0.00	\$0.00
6	Ron Hill	Lake Hills Sub, 15th Filing	17	14	A22232	14,400		0.00	\$0.00		0.00	\$0.00	\$0.00
7	Ron Hill	Lake Hills Sub, 15th Filing	17	15	A22233	14,400		0.00	\$0.00		0.00	\$0.00	\$0.00
8	George & Velma Weber	Lake Hills Sub, 15th Filing	17	16	A22234	14,400		0.00	\$0.00	3	1.00	\$4,760.73	\$4,760.73
9	Ron Hill	Lake Hills Sub, 15th Filing	19	8	A22246	16,694		0.00	\$0.00		0.00	\$0.00	\$0.00
10	Ron Hill	Lake Hills Sub, 15th Filing	45	27	A22584	18,540		0.00	\$0.00		0.00	\$0.00	\$0.00
11	Ron Hill	Lake Hills Sub, 15th Filing	46	14	A22598	17,307		0.00	\$0.00		0.00	\$0.00	\$0.00
12	Ron Hill	Lake Hills Sub, 16th Filing	11	11	A22117	18798		0.00	\$0.00		0.00	\$0.00	\$0.00
13	Ron Hill	Lake Hills Sub, 16th Filing	11	12	A22118	15456		0.00	\$0.00		0.00	\$0.00	\$0.00
14	Ron Hill	Lake Hills Sub, 16th Filing	11	13	A22119	17210		0.00	\$0.00		0.00	\$0.00	\$0.00
15	Ron Hill	Lake Hills Sub, 16th Filing	11	14	A22120	14975		0.00	\$0.00		0.00	\$0.00	\$0.00
16	Ron Hill	Lake Hills Sub, 16th Filing	11	15	A22121	19181		0.00	\$0.00		0.00	\$0.00	\$0.00
17	Ron Hill	Lake Hills Sub, 16th Filing	11	16	A22122	21,852		0.00	\$0.00		0.00	\$0.00	\$0.00
18	Schneiter Enterprises	Lake Hills Sub, 16th Filing	15	2	A22179	15,600	1	1.00	\$30,732.11	3	1.00	\$4,760.73	\$35,492.84
19	Ron Hill	Lake Hills Sub, 16th Filing	15	3	A22180	15,600		0.00	\$0.00		0.00	\$0.00	\$0.00
20	Brenda George	Lake Hills Sub, 16th Filing	15	4	A22181	15,600	1	1.00	\$30,732.11	3	1.00	\$4,760.73	\$35,492.84
21	Ron Hill	Lake Hills Sub, 16th Filing	15	5	A22182	15,600		0.00	\$0.00		0.00	\$0.00	\$0.00
22	David Hayes	Lake Hills Sub, 16th Filing	15	6	A22183	15,600	1	1.00	\$30,732.11	3	1.00	\$4,760.73	\$35,492.84
23	Ronald Carlson	Lake Hills Sub, 16th Filing	15	7	A22184	16,849	1	1.00	\$30,732.11	3	1.00	\$4,760.73	\$35,492.84
24	Ron Hill	Lake Hills Sub, 16th Filing	16	3	A22196	15,600		0.00	\$0.00		0.00	\$0.00	\$0.00
25	Ron Hill	Lake Hills Sub, 16th Filing	16	4	A22197	19,468		0.00	\$0.00		0.00	\$0.00	\$0.00
26	Ron Hill	Lake Hills Sub, 16th Filing	16	5	A22198	22,817		0.00	\$0.00		0.00	\$0.00	\$0.00
27	Robert Parker	Lake Hills Sub, 16th Filing	16	6	A22199	18,469		0.00	\$0.00	3	1.00	\$4,760.73	\$4,760.73
28	Ron Hill	Lake Hills Sub, 16th Filing	16	7	A22200	22,305		0.00	\$0.00		0.00	\$0.00	\$0.00
29	Sarkis Balayan	Lake Hills Sub, 16th Filing	16	8	A22201	17,789		0.00	\$0.00	3	1.00	\$4,760.73	\$4,760.73
30	Ron Hill	Lake Hills Sub, 16th Filing	16	14	A22202	17,239		0.00	\$0.00		0.00	\$0.00	\$0.00
31	Ron Hill	Lake Hills Sub, 16th Filing	16	15	A22203	17,239		0.00	\$0.00		0.00	\$0.00	\$0.00
32	Ron Hill	Lake Hills Sub, 16th Filing	16	16	A22204	19,112		0.00	\$0.00		0.00	\$0.00	\$0.00
33	Schneiter Enterprises	Lake Hills Sub, 16th Filing	16	17	A22205	15,600	1	1.00	\$30,732.11	3	1.00	\$4,760.73	\$35,492.84
34	Arnold Secord	Lake Hills Sub, 16th Filing	16	18	A22206	15,600	1	1.00	\$30,732.11	3	1.00	\$4,760.73	\$35,492.84
35	Ron Hill	Lake Hills Sub, 16th Filing	16	19	A22207	15,600		0.00	\$0.00		0.00	\$0.00	\$0.00
36	Ron Hill	Lake Hills Sub, 16th Filing	16	20	A22208	15,600		0.00	\$0.00		0.00	\$0.00	\$0.00
37	Ron Hill	Lake Hills Sub, 17th Filing	17	6A	A22223	14,400		0.00	\$0.00		0.00	\$0.00	\$0.00

**PART III**

**SID 1389 - Clubhouse Way**

**TABLE OF ESTIMATED ASSESSMENTS PER PROPERTY**

SID COSTS:

- ESTIMATE PER CONCEPT PLANS
- ESTIMATE PER BID PRICES
- FINAL PER ACTUAL CONSTRUCTION

PARCEL	OWNER	SUBDIVISION	BLK	LOT/ TRACT	TAX I.D. NUMBER 6-13	LOT AREA (S.F.)	ASSESSMENT #1 - WATER, SANITARY SEWER, AND STREET IMPROVEMENTS			ASSESSMENT #2 - STORM DRAIN IMPROVEMENTS			TOTAL COST
							CODE 1 UNIT EA RATE \$30,732.1115			CODE 3 UNIT EA RATE \$4,760.7331			
							CODE	ASSESSED QUANTITY	ASSESSED VALUE	CODE	ASSESSED QUANTITY	ASSESSED VALUE	
38	Ron Hill	Lake Hills Sub, 16th Filing	17	7	A22225	14,400		0.00	\$0.00		0.00	\$0.00	\$0.00
39	Ron Hill	Lake Hills Sub, 16th Filing	17	8	A22226	14,400		0.00	\$0.00		0.00	\$0.00	\$0.00
40	Ron Hill	Lake Hills Sub, 16th Filing	17	9	A22227	14,400		0.00	\$0.00		0.00	\$0.00	\$0.00
41	Schneiter Enterprises	Lake Hills Sub, 16th Filing	17	10	A22228	14,400		0.00	\$0.00	3	1.00	\$4,760.73	\$4,760.73
42	Ron Hill	Lake Hills Sub, 16th Filing	17	11	A22229	14,400		0.00	\$0.00		0.00	\$0.00	\$0.00
43	Ron Hill	Lake Hills Sub, 16th Filing	17	12	A22230	14,400		0.00	\$0.00		0.00	\$0.00	\$0.00
44	Ron Hill	Lake Hills Sub, 16th Filing	17	13	A22231	14,400		0.00	\$0.00		0.00	\$0.00	\$0.00
45	Ron Hill	Lake Hills Sub, 17th Filing	11	17	A22123	19,769		0.00	\$0.00		0.00	\$0.00	\$0.00
46	Ron Hill	Lake Hills Sub, 17th Filing	11	18	A22124	14,400		0.00	\$0.00		0.00	\$0.00	\$0.00
<b>TOTALS</b>		<b>Totals</b>			<b>46</b>	<b>751,869.00</b>	<b>6</b>	<b>6.00</b>	<b>\$184,392.67</b>	<b>10</b>	<b>10.00</b>	<b>\$47,607.33</b>	<b>\$232,000.00</b>

**PART III**  
**SID 1389 - Clubhouse Way**

**TABLE OF ESTIMATED ASSESSMENTS PER PROPERTY FOR CASH CONTRIBUTION**

SID COSTS:

- X ESTIMATE PER CONCEPT PLANS
- ESTIMATE PER BID PRICES
- FINAL PER ACTUAL CONSTRUCTION

PARCEL	OWNER	SUBDIVISION	BLK	LOT/ TRACT	TAX ID. NUMBER	LOT AREA (S.F.)	ASSESSMENT #1 - WATER, SANITARY SEWER, AND STREET IMPROVEMENTS			ASSESSMENT #2 - STORM DRAIN IMPROVEMENTS			TOTAL COST	3.70% PRIVATE CONTRACT FEE	TOTAL CONTRIBUTION
							CODE	ASSESSED QUANTITY	ASSESSED VALUE	CODE	ASSESSED QUANTITY	ASSESSED VALUE			
							UNIT RATE	1 EA \$25,653.8658		3 EA \$3,974.0585					
1	Ron Hill	Lake Hills Sub, 15th Filing	16	9	A22189	14,400		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
2	Ron Hill	Lake Hills Sub, 15th Filing	16	10	A22190	14,400		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
3	Ron Hill	Lake Hills Sub, 15th Filing	16	11	A22191	14,400		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
4	Ron Hill	Lake Hills Sub, 15th Filing	16	12	A22192	14,400	1	1.00	\$25,653.87	3	1.00	\$3,974.06	\$29,627.92	\$1,096.23	\$30,724.16
5	Ron Hill	Lake Hills Sub, 15th Filing	16	13	A22193	14,400	1	1.00	\$25,653.87	3	1.00	\$3,974.06	\$29,627.92	\$1,096.23	\$30,724.16
6	Ron Hill	Lake Hills Sub, 15th Filing	17	14	A22232	14,400		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
7	Ron Hill	Lake Hills Sub, 15th Filing	17	15	A22233	14,400		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
8	George & Velma Weber	Lake Hills Sub, 15th Filing	17	16	A22234	14,400		0.00	\$0.00		0.00	\$0.00	\$0.00	\$0.00	\$0.00
9	Ron Hill	Lake Hills Sub, 15th Filing	19	8	A22246	16,694	1	1.00	\$25,653.87		0.00	\$0.00	\$25,653.87	\$949.19	\$26,603.06
10	Ron Hill	Lake Hills Sub, 15th Filing	45	27	A22584	18,540	1	1.00	\$25,653.87	3	1.00	\$3,974.06	\$29,627.92	\$1,096.23	\$30,724.16
11	Ron Hill	Lake Hills Sub, 15th Filing	46	14	A22598	17,307	1	1.00	\$25,653.87		0.00	\$0.00	\$25,653.87	\$949.19	\$26,603.06
12	Ron Hill	Lake Hills Sub, 16th Filing	11	11	A22117	18798		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
13	Ron Hill	Lake Hills Sub, 16th Filing	11	12	A22118	15456		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
14	Ron Hill	Lake Hills Sub, 16th Filing	11	13	A22119	17210		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
15	Ron Hill	Lake Hills Sub, 16th Filing	11	14	A22120	14975		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
16	Ron Hill	Lake Hills Sub, 16th Filing	11	15	A22121	19181		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
17	Ron Hill	Lake Hills Sub, 16th Filing	11	16	A22122	21,852		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
18	Schneiter Enterprises	Lake Hills Sub, 16th Filing	15	2	A22179	15,600		0.00	\$0.00		0.00	\$0.00	\$0.00	\$0.00	\$0.00
19	Ron Hill	Lake Hills Sub, 16th Filing	15	3	A22180	15,600	1	1.00	\$25,653.87	3	1.00	\$3,974.06	\$29,627.92	\$1,096.23	\$30,724.16
20	Brenda George	Lake Hills Sub, 16th Filing	15	4	A22181	15,600		0.00	\$0.00		0.00	\$0.00	\$0.00	\$0.00	\$0.00
21	Ron Hill	Lake Hills Sub, 16th Filing	15	5	A22182	15,600	1	1.00	\$25,653.87	3	1.00	\$3,974.06	\$29,627.92	\$1,096.23	\$30,724.16
22	David Hayes	Lake Hills Sub, 16th Filing	15	6	A22183	15,600		0.00	\$0.00		0.00	\$0.00	\$0.00	\$0.00	\$0.00
23	Ronald Carlson	Lake Hills Sub, 16th Filing	15	7	A22184	16,849		0.00	\$0.00		0.00	\$0.00	\$0.00	\$0.00	\$0.00
24	Ron Hill	Lake Hills Sub, 16th Filing	16	3	A22196	15,600		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
25	Ron Hill	Lake Hills Sub, 16th Filing	16	4	A22197	19,468		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
26	Ron Hill	Lake Hills Sub, 16th Filing	16	5	A22198	22,817		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
27	Robert Parker	Lake Hills Sub, 16th Filing	16	6	A22199	18,469		0.00	\$0.00		0.00	\$0.00	\$0.00	\$0.00	\$0.00
28	Ron Hill	Lake Hills Sub, 16th Filing	16	7	A22200	22,305		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
29	Sarkis Balayan	Lake Hills Sub, 16th Filing	16	8	A22201	17,789		0.00	\$0.00		0.00	\$0.00	\$0.00	\$0.00	\$0.00
30	Ron Hill	Lake Hills Sub, 16th Filing	16	14	A22202	17,239	1	1.00	\$25,653.87	3	1.00	\$3,974.06	\$29,627.92	\$1,096.23	\$30,724.16
31	Ron Hill	Lake Hills Sub, 16th Filing	16	15	A22203	17,239	1	1.00	\$25,653.87	3	1.00	\$3,974.06	\$29,627.92	\$1,096.23	\$30,724.16
32	Ron Hill	Lake Hills Sub, 16th Filing	16	16	A22204	19,112	1	1.00	\$25,653.87	3	1.00	\$3,974.06	\$29,627.92	\$1,096.23	\$30,724.16
33	Schneiter Enterprises	Lake Hills Sub, 16th Filing	16	17	A22205	15,600		0.00	\$0.00		0.00	\$0.00	\$0.00	\$0.00	\$0.00
34	Arnold Secord	Lake Hills Sub, 16th Filing	16	18	A22206	15,600		0.00	\$0.00		0.00	\$0.00	\$0.00	\$0.00	\$0.00
35	Ron Hill	Lake Hills Sub, 16th Filing	16	19	A22207	15,600	1	1.00	\$25,653.87	3	1.00	\$3,974.06	\$29,627.92	\$1,096.23	\$30,724.16
36	Ron Hill	Lake Hills Sub, 16th Filing	16	20	A22208	15,600	1	1.00	\$25,653.87	3	1.00	\$3,974.06	\$29,627.92	\$1,096.23	\$30,724.16
37	Ron Hill	Lake Hills Sub, 17th Filing	17	6A	A22223	14,400		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
38	Ron Hill	Lake Hills Sub, 16th Filing	17	7	A22225	14,400		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
39	Ron Hill	Lake Hills Sub, 16th Filing	17	8	A22226	14,400		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
40	Ron Hill	Lake Hills Sub, 16th Filing	17	9	A22227	14,400		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10
41	Schneiter Enterprises	Lake Hills Sub, 16th Filing	17	10	A22228	14,400		0.00	\$0.00		0.00	\$0.00	\$0.00	\$0.00	\$0.00
42	Ron Hill	Lake Hills Sub, 16th Filing	17	11	A22229	14,400		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10

**PART III**

**SID 1389 - Clubhouse Way**

**TABLE OF ESTIMATED ASSESSMENTS PER PROPERTY FOR CASH CONTRIBUTION**

SID COSTS:

- ESTIMATE PER CONCEPT PLANS
- ESTIMATE PER BID PRICES
- FINAL PER ACTUAL CONSTRUCTION

PARCEL	OWNER	SUBDIVISION	BLK	LOT/ TRACT	TAX I.D. NUMBER 6-13	LOT AREA (S.F.)	ASSESSMENT #1 - WATER, SANITARY SEWER, AND STREET IMPROVEMENTS			ASSESSMENT #2 - STORM DRAIN IMPROVEMENTS			TOTAL COST	3.70% PRIVATE CONTRACT FEE	TOTAL CONTRIBUTION	
							CODE 1 UNIT EA RATE \$25,653.8658			CODE 3 UNIT EA RATE \$3,974.0585						
							CODE	ASSESSED QUANTITY	ASSESSED VALUE	CODE	ASSESSED QUANTITY	ASSESSED VALUE				
43	Ron Hill	Lake Hills Sub, 16th Filing	17	12	A22230	14,400		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10	
44	Ron Hill	Lake Hills Sub, 16th Filing	17	13	A22231	14,400		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10	
45	Ron Hill	Lake Hills Sub, 17th Filing	11	17	A22123	19,769		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10	
46	Ron Hill	Lake Hills Sub, 17th Filing	11	18	A22124	14,400		0.00	\$0.00	3	1.00	\$3,974.06	\$3,974.06	\$147.04	\$4,121.10	
<b>TOTALS</b>		<b>Totals</b>			<b>46</b>	<b>751,869.00</b>		<b>12</b>	<b>12.00</b>	<b>\$307,846.39</b>	<b>34</b>	<b>34</b>	<b>\$135,117.99</b>	<b>\$442,964.38</b>	<b>\$16,389.68</b>	<b>\$459,354.06</b>

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the City), hereby certify that the attached resolution is a true copy of Resolution No. \_\_\_\_\_, entitled: **RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT NO. 1389; DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE CITY'S SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND** (the Resolution" was duly adopted by the City Council of the City at a meeting on November 23, 2009 that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.)

I further certify that, upon vote being taken on the Resolution at said meeting, the following Councilmembers voted in favor thereof: \_\_\_\_\_;  
voted against the same: \_\_\_\_\_;  
or were absent: \_\_\_\_\_.

WITNESS my hand officially this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
Cari Martin City Clerk

RESOLUTION NO. 09-\_\_\_\_\_

RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT NO. 1389; DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE CITY'S SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND

BE IT RESOLVED by the City Council of the City of Billings (the City), Montana, as follows:

**Section 1. Proposed Improvements; Intention To Create District.** The City proposes to undertake certain local Improvements (the "Improvements") to benefit certain property located in the City. The Improvements consist of the construction of Clubhouse Way, as more particularly described in Section 5. The total estimated costs of the Improvements are \$674,964.38. The costs of the Improvements are to be paid from the following sources: (1) \$232,000.00 of Special Improvement District bonds hereinafter described; and (2) \$442,964.38 of cash contribution by Ron Hill, the owner of 36 of the 46 lots in the District, as more particularly described in Sections 6 and 9(f). It is the intention of this Council to create and establish in the City under Montana Code Annotated, Title 7, Chapter 12, Parts 41 and 42, as amended, a Special Improvement District (the "District") for the purpose of financing costs of the Improvements and paying costs incidental thereto, including costs associated with the sale and the security of Special Improvement District bonds drawn on the District (the "Bonds"), the creation and administration of the District, the funding of a deposit to the City's Special Improvement District Revolving Fund (the "Revolving Fund"). The total estimated costs of the Improvements, including such incidental costs, to be financed by the Bonds are \$232,000.00. The Bonds are to be payable primarily from special assessments to be levied against property in the District, which property will be specially benefited by the Improvements.

**Section 2. Number of District.** The District, if the same shall be created and established, shall be known and designated as Special Improvement District No. 1389 of the City of Billings, Montana.

**Section 3. Boundaries of District.** The limits and boundaries of the District are depicted on a map attached as Exhibit A hereto (which is hereby incorporated herein and made a part hereof) and more particularly described on Exhibit B hereto (which is hereby incorporated herein and made a part hereof), which boundaries are designated and confirmed as the boundaries of the District. A listing of each of the properties in the District is shown on Exhibit F hereto (which are hereby incorporated herein and made a part hereof).

**Section 4. Benefited Property.** The District and territory included within the limits and boundaries described in Section 3 and as shown on Exhibits A, B, and F are hereby declared to be the Special Improvement District and the territory which will benefit and be benefited by the Improvements and will be assessed for the costs of the Improvements as described in Section 7.

**Section 5. General Character of the Improvements.** The general character of the Improvements, as shown in Exhibit E, is the construction of curb and gutter, sanitary sewer mains, sanitary sewer services, water mains, water services, and necessary street improvements fronting Lots on Clubhouse Way between Cherry Hills Road and Greenbriar Road. Also included will be the construction of storm drain within Clubhouse Way, Cherry Hills Road, and Gleneagles Boulevard.

**Section 6. Engineer and Estimated Cost.** The Engineer for this project will be chosen from a list of pre-approved consultants. The City Engineer's Office has estimated that the costs of the Improvements, including all incidental costs, are \$674,964.38.

**Section 7. Assessment Methods.**

**7.1. Property to be Assessed.** All properties within the district are to be assessed for the costs of the Improvements, as specified herein. The costs of the Improvements shall be assessed against the property in the District benefiting from the Improvements based on the equal amount methods described in Section 7-12-4162, M.C.A., as particularly applied and set forth in this Section 7.

**7.1.1 Equal Amount Method.**

Assessment #1 will include the construction of water and water service, sanitary sewer and sanitary sewer services, and street improvements in Clubhouse Way and Cherry Hills Road. The properties to be assessed for these improvements include Lake Hills Subdivision 15<sup>th</sup> Filing, Block 45, Lot 27, Block 46, Lot 14, Block 19, Lot 8, Block 16, Lots 12 and 13; Lake Hills Subdivision 16<sup>th</sup> Filing, Block 16, Lots 14, 15, 16, 17, 18, 19, and 20, Block 15, Lots 2, 3, 4, 5, 6, and 7. For the purposes of equitably apportioning special benefit to each lot, tract or parcel of land in the District, as above-mentioned, the Engineer has determined that each lot, tract, or parcel of land, receiving water, sanitary sewer, and street improvements, shall equally bear the costs of the water, sanitary sewer, and street improvements as set forth in Part III hereto to arrive at an equal cost for the water, sanitary sewer, and street improvements. The total estimated cost of Assessment #1 is \$184,382.67 and shall be assessed against each lot, tract, or parcel of land within the District, as above-mentioned, receiving water, sanitary sewer, and street improvements and not paying a cash contribution, on an equal amount basis based on the bid price to be received. The equal amount assessment is estimated to be \$30,732.11. The remaining parcels within Assessment #1 are owned by Ron Hill, which will be making a cash contribution for their assessment for a total of \$307,846.39.

Assessment #2 will include the construction of storm drain improvements in Clubhouse Way, Gleneagles Boulevard, and Cherry Hills Road. The properties to be assessed for these improvements include Lake Hills Subdivision 15<sup>th</sup> Filing, Block 45, Lot 27, Block 16, Lots 9-13 Block 17, Lots 14-16; Lake Hills Subdivision 16<sup>th</sup> Filing, Block 11, Lots 11-16, Block 15, Lots 2-7, Block 16, Lots 3-8, and Lots 14-20, Block 17, Lots 6-13; Lake Hills Subdivision 17<sup>th</sup> Filing, Block 11, Lots 17 and 18. For the purposes of equitably apportioning special benefit to each lot, tract or parcel of land in the District, as above-mentioned, the Engineer has determined that each lot, tract, or parcel of land, receiving storm drain improvements, shall equally bear the costs of the storm drain improvements as

set forth in Part III hereto to arrive at an equal cost for the storm drain improvements. The total estimated cost of Assessment #2 is \$47,607.33 and shall be assessed against each lot, tract, or parcel of land within the District, as above-mentioned, receiving storm drain improvements and not paying a cash contribution, on an equal amount basis based on the bid price to be received. The equal amount assessment is estimated to be \$4,760.73. The remaining parcels within Assessment #2 are owned by Ron Hill, which will be making a cash contribution for their assessment for a total of \$135,117.99.

**7.2. Assessment Methodologies Equitable and Consistent With Benefit.** This Council hereby determines that the methods of assessment and the assessment of costs of the specific improvements against the properties benefited thereby as prescribed in this Section 7 are equitable in proportion to and not exceeding the special benefits derived from the respective improvements by the lots, tracts, and parcels to be assessed therefore within the District.

**Section 8. Payment of Assessments.** The special assessments for the costs of the Improvements shall be payable over a term not exceeding 15 years, each in equal semiannual installments of principal, plus interest, or equal semiannual payments of principal and interest, as this Council shall prescribe in the resolution authorizing the issuance of the Bonds. Property Owners have the right to prepay assessments as provided by law. Further, all owners shall have the opportunity to prepay their assessments prior to sale of the SID bonds.

**Section 9. Method of Financing; Pledge of Revolving Fund; Findings and Determinations.** The City will issue the Bonds in an aggregate principal amount not to exceed \$232,000.00 in order to finance the costs of the Improvements. Principal of and interest on the Bonds will be paid from special assessments levied against the properties in the District. This Council further finds it is in the public interest, and in the best interest of the City and the District, to secure payment of principal of and interest on the Bonds by the Revolving Fund and hereby authorizes the city to enter into the undertakings and agreements authorized in Section 7-12-4225 in respect of the Bonds.

In determining to authorize such undertakings and agreements, this Council has taken into consideration the following factors:

(a) **Estimated Market Value of Parcels.** The estimated market value of the lots, parcels, or tracts in the District as of the date of adoption of this resolution, as estimated, by the County Assessor for property tax purposes ranges from \$3,853.00 to \$29,112.00, and is set forth in Exhibit F. The average market value is \$5,294.41 with the median being \$4,106.00. The special assessments to be levied under Section 7 against each lot, parcel, or tract in the District is less than the increase in estimated value of the lot, parcel, or tract as a result of the construction of the Improvements.

(b) **Diversity of Property Ownership.** There are a total of 46 parcels within the district boundaries. No improvements, public or private, are located on any of the parcels within the District. Thirty-six (36) of these parcels are owned by Ron Hill. The remaining 10 parcels are owned by separate owners.

(c) **Comparison of Special Assessments and Property Taxes and Market Value.**

Based on an analysis of the aggregate amount of the proposed, any outstanding special assessments (whether or not delinquent), and any delinquent property taxes (as well as any known industrial development bonds theretofore issued and secured by a mortgage against a parcel in the District) against each lot, parcel, or tract in the District in comparison to the estimated market value of such lot, parcel, or tract after the Improvements, the City concludes that, overall, the estimated market value of the lots, tracts, or parcels of land in the District exceeds the sum of special assessments, delinquent property taxes, and current assessments and is set forth in Exhibit F.

(d) **Delinquencies.** An analysis of the amount of delinquencies in the payment of outstanding special assessments or property taxes levied against the properties in the District shows that of 46 properties, zero (0) properties were delinquent, and is set forth in Exhibit F.

(e) **The Public Benefit of the Improvements.** The total estimated costs of the Improvements are \$674,964.38. The costs of the Improvements are to be paid from the following sources: (1) \$232,000.00 of Special Improvement District bonds hereinafter described; and (2) \$442,964.38 of cash contribution by Ron Hill, the owner of 36 of the 46 lots in the District. Four of the properties are zone Multi-Family, one property is zoned Community Commercial, five of the properties are zoned Residential 6000, and the remaining properties within the District are zoned Residential 9600. The public improvements contemplated under the terms of this proposed District are required by the City Subdivision, Site Development and Zoning Ordinances in order for the parcels to develop.

(f) **Other Factors.** As previously noted, Ron Hill., owner of 36 of the 46 lots in the District will pay a cash contribution of \$442,964.38 to the project. The cash contribution represents 66 percent of the construction and administrative costs of the Improvements. This condition is necessary to satisfy the City's Special Improvement District Policy regarding raw land subdivision.

As shown on Exhibit F, one property is being assessed for SID 1368 which will be paid off in the year 2021. SID 1368 constructed storm drain improvements serving this property.

**Section 10. Reimbursement Expenditures.**

**10.01. Regulations.** The United States Department of Treasury has promulgated final regulations governing the use of proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City for project expenditures paid by the City prior to the date of issuance of such bonds. Those regulations (Treasury Regulations, Section 1.150-2) (the "Regulations") require that the City adopt a statement of official intent to reimburse an original expenditure not later than 60 days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and the reimbursement allocation made from the

proceeds of the bonds within 18 months (or three years, if the reimbursement bond issue qualifies for the “small issuer” exception from the arbitrage rebate requirement) after the later of (i) the date the expenditure is paid or (ii) the date the project is placed in service or abandoned, but (unless the issue qualifies for the “small issuer” exception from the arbitrage rebate requirement) in no event more than three years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds.

**10.02. Prior Expenditures.** Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds, (ii) expenditures permitted to be reimbursed under the transitional provision contained in Section 1.150-2(j)(2) of the Regulations, (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations, or (iv) expenditures in a “de minimus” amount (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures for the Improvements have been paid by the City before the date 60 days before the date of adoption of this resolution.

**10.03. Declaration of Intent.** The City reasonably expects to reimburse the expenditures made for costs of the Improvements out of the proceeds of Bonds in an estimated maximum aggregate principal amount of \$232,000.00 after the date of payment of all or a portion of the costs of the Improvements. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the Bonds or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations.

**10.04. Budgetary Matters.** As of the date hereof, there are no City funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Improvements, other than pursuant to the issuance of the Bonds. The statement of intent contained in this resolution, therefore, is determined to be consistent with the City’s budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof.

**10.05. Reimbursement Allocations.** The City’s financial officer shall be responsible for making the “reimbursement allocations” described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Bonds to reimburse the source of temporary financing used by the City to make prior payment of the costs of the Improvements. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the Bonds or the Improvements and shall specifically identify the actual original expenditure being reimbursed.

**Section 11. Public Hearing Protests.** At any time within fifteen (15) days from and after the date of the first publication of the notice of the passage and approval of this resolution, any owner of real property within the District subject to assessment and taxation for the cost and expense of making the Improvements may make and file with the City Clerk until 5:00 p.m., M.T., on the expiration date

of said 15-day period (December 11, 2009), written protest against the proposed Improvements, or against the extension or creation of the District or both, and this Council will at its next regular meeting after the expiration of the fifteen (15) days in which such protests in writing can be made and filed, proceed to hear all such protests so made and filed; which said, regular meeting will be held on Monday the 14<sup>th</sup> day of December 2009, at 6:30 p.m., in the Council Chambers, at 220 North 27<sup>th</sup> Street, in Billings, Montana.

**Section 12. Notice of Passage of Resolution of Intention.** The City Clerk is hereby authorized and directed to publish or cause to be published a copy of a notice of the passage of this resolution in the Billings Times, a newspaper of general circulation in the county on November 26 and December 3, 2009, in the form and manner prescribed by law, and to mail or cause to be mailed a copy of said notice to every person, firm, corporation, or the agent of such person, firm, or corporation having real property within the District listed in his or her name upon the last completed assessment roll for state, county, and school district taxes, at his last-known address, on or before the same day such notice is first published.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this 23<sup>rd</sup> day of November 2009.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

**Regular City Council Meeting**

**Consent : 1.K.1.**

**Date: 11/23/2009**

**TITLE: Payment of Claims, 10/26/09.**

Pat M. Weber, Financial

**PRESENTED BY:** Services Manager

**Department:** City Hall Administration

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**Information**

**PROBLEM/ISSUE STATEMENT**

Claims in the amount of \$1,194,258.11 have been audited and are presented for your approval for payment. A complete listing of the claims dated October 26, 2009, is available in the Finance Department.

**ALTERNATIVES ANALYZED**

The Council may:

- Approve the payment of claims; or
- Not approve the payment of claims.

**FINANCIAL IMPACT**

Claims have a varying impact on department budgets, but are submitted by the departments and reviewed by Finance staff before being sent to the Council.

**RECOMMENDATION**

Staff recommends that Council approve Payment of Claims.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Link: [List of claims greater than \\$2500.](#)

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CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
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10/26/2009	725571	AMERICAN TITLE & ESCROW	159	20,065.00
295-6555-463.72-75	10/19/2009	MISC SERVICES	GUTIERREZ, ANDY	20,065.00
10/26/2009	725572	AMERICAN TITLE & ESCROW	159	15,065.00
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10/26/2009	725576	ARCHIE COCHRANE	800	5,874.08
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630-1753-485.73-10	10/20/2009	MISC SERVICES	802343	1,142.00
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211-3136-433.24-30	09/16/2009	MISC SERVICES	99844040	71.30
211-3136-433.24-30	09/16/2009	MISC SERVICES	99850657	63.91
211-3136-433.24-30	09/16/2009	MISC SERVICES	99857415	20.76
502-0000-141.00-00	09/18/2009	WATER PARTS AND SUPPLIES	99874357	85.08
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211-3136-433.24-30	09/23/2009	MISC SERVICES	99874194	86.70
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512-8400-623.23-60	09/28/2009	NONSTOCKING ITEMS-P.U.D.	99880161	325.63
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512-8400-623.23-60	09/28/2009	NONSTOCKING ITEMS-P.U.D.	99904737	143.00
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211-3138-433.23-60	10/06/2009	MISC SERVICES	99929664	269076 04/2010 9.38	
150-2226-422.23-20	10/15/2009	MP	1910-155553-A	266709 04/2010 13.96-	
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512-8400-623.23-60	10/15/2009	NONSTOCKING ITEMS-P.U.D.	99912783	266709 04/2010 2,000.00	
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601-0000-141.00-00	10/22/2009	MP	99886868	04/2010 133.61	
601-0000-141.00-00	10/22/2009	MP	99898607	04/2010 24.59	
601-1553-481.26-50	10/22/2009	MP	99898607	266709 04/2010 58.06	
10/26/2009	725605	CASTLEROCK EXCAVATING INC	19707		6,435.00
505-7515-609.36-71	10/21/2009	MISC SERVICES	624	269968 04/2010	6,435.00
10/26/2009	725606	CHICAGO TITLE INSURANCE CO	754		15,000.00
295-6680-463.72-75	10/19/2009	MISC SERVICES	SMITH,MYRON	269830 04/2010	15,000.00
10/26/2009	725607	CHICAGO TITLE INSURANCE CO	754		15,000.00
295-6680-463.72-75	10/19/2009	MISC SERVICES	MORRIS, KRISTEN	269831 04/2010	15,000.00
10/26/2009	725608	CHICAGO TITLE INSURANCE CO	754		10,000.00
295-6680-463.72-75	10/19/2009	MISC SERVICES	MCILVARY,TARA	269832 04/2010	10,000.00
10/26/2009	725612	COP CONSTRUCTION CO	865		79,995.61
513-8591-625.93-40	10/20/2009	WO0801 WTR/SWR REHAB	4	265600 04/2010	65,787.71
845-3186-431.93-10	10/20/2009	WO0520 ARONSON AVE	1	269824 04/2010	14,207.90
10/26/2009	725617	D N D SECURITY	16586		2,559.67
521-1591-493.39-70	10/21/2009	GARAGE SECURITY OCT. 09	2659	269991 04/2010	549.92
521-1592-493.39-70	10/21/2009	GARAGE SECURITY OCT. 09	2659	269991 04/2010	999.92
521-1593-493.39-70	10/21/2009	GARAGE SECURITY OCT. 09	2659	269991 04/2010	504.92
521-1594-493.39-70	10/21/2009	GARAGE SECURITY OCT. 09	2659	269991 04/2010	504.91
10/26/2009	725620	DANA KEPNER CO	958		8,414.10
502-0000-141.00-00	10/19/2009	SYSTEMS	403366800	04/2010	8,414.10
10/26/2009	725622	DOWNTOWN BILLINGS BID, INC.	19065		181,093.34
202-1503-466.79-73	10/21/2009	PRIOR YEAR ENCUMBRANCES	FINAL	265011 04/2010	113,815.34
202-1503-466.79-73	10/21/2009	MISC SERVICES	BALANCE	269989 04/2010	67,278.00
10/26/2009	725628	ENVIRONMENTAL RESOURCE ASSOC	1202		2,591.17
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503-7591-609.93-40	10/21/2009	MISC SERVICES	0535429	269939	04/2010	1,313.59	
10/26/2009	725637	FIRST INTERSTATE BANK	1303			6,261.22	
723-6595-465.62-00	10/21/2009	MISC SERVICES	1100216095	269919	04/2010	6,261.22	
10/26/2009	725638	FIRST MONTANA TITLE CO	1304			10,000.00	
295-6680-463.72-75	10/21/2009	MISC SERVICES	THOMAS, TRACI	269889	04/2010	10,000.00	
10/26/2009	725639	FIRST MONTANA TITLE CO	1304			15,000.00	
288-6581-464.72-77	10/21/2009	MISC SERVICES	ASAY, AMY	269890	04/2010	15,000.00	
10/26/2009	725640	FIRST MONTANA TITLE CO	1304			15,000.00	
287-6581-464.72-77	10/21/2009	MISC SERVICES	REKLAU, JUSTIN	269891	04/2010	9,827.00	
288-6581-464.72-77	10/21/2009	MISC SERVICES	REKLAU, JUSTIN	269891	04/2010	5,173.00	
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601-0000-141.00-00	09/02/2009	MP	190672		03/2010	34.32	
601-0000-141.00-00	09/02/2009	MP	190751		03/2010	303.30	
10-5142-436.23-20	09/02/2009	MP	190749	266711	03/2010	46.18	
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601-0000-141.00-00	09/14/2009	MP	191298		03/2010	339.39	
211-3134-433.23-20	09/14/2009	MP	191180	266711	03/2010	3.12	
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601-0000-141.71-41	09/16/2009	MP	191303		03/2010	179.92	
601-0000-141.00-00	09/16/2009	MP	191567		03/2010	12.88	
601-0000-141.00-00	09/16/2009	MP	191570		03/2010	12.88	
601-0000-141.00-00	09/16/2009	MP	191635		03/2010	29.80	
150-2112-421.23-20	09/16/2009	MP	190824	266711	03/2010	5.49	
541-3122-435.23-20	09/16/2009	MP	191673	266711	03/2010	39.46	
601-0000-141.00-00	09/17/2009	MP	191330		03/2010	36.96	
601-0000-141.00-00	09/21/2009	MP	191772		03/2010	247.34	
601-0000-141.00-00	09/21/2009	MP	191777		03/2010	36.09	
150-2226-422.23-20	09/21/2009	MP	191784	266711	03/2010	45.27	
150-2226-422.23-20	09/21/2009	MP	191828	266711	03/2010	11.03	
10-5112-452.23-20	09/25/2009	MP	192265	266711	03/2010	2.97	
10-5112-452.23-20	09/28/2009	MP	192083	266711	03/2010	10.54	
502-0000-141.00-00	09/29/2009	WATER PARTS AND SUPPLIES	192208		03/2010	190.76	
601-0000-141.00-00	10/06/2009	MP	192044		04/2010	24.06	

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601-0000-141.00-00	10/09/2009	MP	192549	04/2010 600.79
541-3122-435.23-20	10/09/2009	MP	192160	266711 04/2010 116.90
211-3133-433.23-20	10/14/2009	MP	192499	266711 04/2010 14.72
150-2231-422.23-20	10/14/2009	MP	192566	266711 04/2010 26.55
150-2226-422.23-20	10/19/2009	MP	191841	266711 04/2010 261.06
10/26/2009 725650	GILLIG CORPORATION	18154		2,714.92
601-0000-141.71-41	10/22/2009	MP	5015695-4443119	04/2010 23.47-
601-0000-141.71-41	10/22/2009	MP	4567620	04/2010 1,198.44
601-0000-141.71-41	10/22/2009	MP	4568742	04/2010 163.16
601-0000-141.71-41	10/22/2009	MP	4573466	04/2010 1,426.37
571-7144-713.23-20	10/22/2009	MP	5016805-4473445	270025 04/2010 79.56-
571-7144-713.23-20	10/22/2009	MP	4567620	270026 04/2010 29.98
10/26/2009 725651	GRAINGER PARTS	16331		2,792.92
150-2226-422.23-60	10/20/2009	BALLAST/FIRE 1	9090219834 FR1	268297 04/2010 30.16
150-2226-422.23-60	10/20/2009	LAMPS/FIRE 7/FUGERE	9098874069 FR7	268297 04/2010 56.94
502-7400-603.24-50	10/21/2009	MISC SERVICES	9085718733	269937 04/2010 2,021.40
502-7400-603.24-50	10/21/2009	MISC SERVICES	9086141927	269937 04/2010 182.25
502-7400-603.24-50	10/21/2009	MISC SERVICES	9086141935	269937 04/2010 183.60-
512-8400-623.24-50	10/21/2009	MISC SERVICES	9087426798	269937 04/2010 529.20
502-7400-603.24-50	10/21/2009	MISC SERVICES	9098874051	269937 04/2010 48.14
601-1553-481.24-10	10/21/2009	MP	9084464396	269998 04/2010 43.43
601-1553-481.26-50	10/21/2009	MP	9089381231	269998 04/2010 65.00
10/26/2009 725652	GRANITE PEAK PUMP SERVICE INC	19933		4,543.62
10-5112-452.22-90	10/22/2009	PUMP PARTS	09173	269922 04/2010 4,543.62
10/26/2009 725654	GREAT WEST ENGINEERING	18016		11,298.17
544-3123-435.93-90	10/20/2009	WO0827 LANDFILL EXPANSN	8	263194 04/2010 11,298.17
10/26/2009 725656	HACH COMPANY	1554		9,543.34
502-7400-603.22-20	10/21/2009	MISC SERVICES	6441422	269462 04/2010 8,799.00
512-8400-623.22-23	10/21/2009	MISC SERVICES	6445648	269466 04/2010 234.74
512-8400-623.22-23	10/21/2009	MISC SERVICES	6447474	269466 04/2010 509.60
10/26/2009 725660	HDR INC	1544		13,487.59
502-0000-201.10-00	09/25/2009	CANCEL FINAL QUANTITIES	CANCEL RETAIN	261065 04/2010 .01
502-7211-601.35-90	09/25/2009	CANCEL FINAL QUANTITIES	CANCEL RETAIN	04/2010 .01-
840-3184-431.93-10	10/20/2009	WO0709 BLGS STRMWTR MSTR	24	251610 04/2010 2,922.13
432-3110-431.93-10	10/20/2009	WO0722 KING AVE EAST	20	254108 04/2010 1,352.08
513-8491-623.93-90	10/20/2009	WO0808 WWTP 2008 ELECTRIC	20	255506 04/2010 549.97
503-7491-603.93-90	10/20/2009	WO0907 CHECMICAL BLDG MCC	8	264913 04/2010 86.19
513-8491-623.93-90	10/20/2009	WO0908 WWTP WTR LINE REPL	4	266958 04/2010 1,738.41
845-3186-431.35-90	10/20/2009	ZIMMERMAN TR PRE TUNNEL	1	266964 04/2010 4,080.35
502-7211-601.35-40	10/20/2009	WO0916 WTP&WWTP ELEC	3	267012 04/2010 1,017.31
512-8211-621.35-40	10/20/2009	WO0916 WTP&WWTP ELEC	3	267012 04/2010 1,017.31
502-7211-601.35-40	10/20/2009	WO0923 ELECTRC MSTR PLAN	1	269621 04/2010 361.92
512-8211-621.35-40	10/20/2009	WO0923 ELECTRC MSTR PLAN	1	269621 04/2010 361.92

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10/26/2009	725670	IROBOT CORPORATION	20773			29,384.00	
258-2132-421.94-90	10/22/2009	MISC SERVICES	129772	268958	04/2010	29,384.00	
10/26/2009	725672	J/N CONSTRUCTION LLC	20828			2,886.59	
293-6554-463.72-75	10/14/2009	MISC SERVICES	HEWITT MATERIAL	269724	04/2010	1,686.59	
295-6674-463.72-75	10/21/2009	MISC SERVICES	HUDSON, DONNA	269884	04/2010	1,200.00	
10/26/2009	725677	KADRMAS LEE & JACKSON	14850			10,610.05	
845-3186-431.93-10	10/21/2009	WO0412 ALKALI CR RD	3	259114	04/2010	10,610.05	
10/26/2009	725681	KOIS BROTHERS EQUIPMENT CO	6452			11,734.37	
601-0000-141.00-00	08/26/2009	MP	83304		02/2010	113.18	
541-3122-435.23-20	09/02/2009	MP	83407	266712	03/2010	166.15	
541-3122-435.23-20	09/02/2009	MP	83407	266712	03/2010	37.66	
541-3122-435.23-20	09/09/2009	MP	83445	266712	03/2010	55.76	
601-0000-141.00-00	09/10/2009	MP	83461		03/2010	113.18	
601-0000-141.00-00	09/16/2009	MP	83475		03/2010	113.18	
541-3122-435.23-20	09/16/2009	MP	83462	266712	03/2010	336.18	
541-3122-435.23-20	09/16/2009	MP	83474	266712	03/2010	34.42	
541-3122-435.23-20	09/16/2009	MP	83489	266712	03/2010	1,467.19	
541-3122-435.23-20	09/28/2009	MP	83508	266712	03/2010	4,344.28	
541-3122-435.23-20	09/28/2009	MP	83542	266712	03/2010	1,539.95	
541-3122-435.23-20	10/22/2009	MP	MT30104	266712	04/2010	3,298.96	
541-3122-435.23-20	10/22/2009	MP	MT30104	266712	04/2010	114.28	
10/26/2009	725685	L N CURTIS & SONS	10392			12,900.00	
150-2229-422.26-40	10/15/2009	GLOBE/TURNOUTS/ERDMANN	3089934-00 ERDM	265645	04/2010	1,600.00	
150-2229-422.26-40	10/15/2009	GLOBE/TURNOUTS/FISCHER	3089934-00 FISC	265645	04/2010	1,600.00	
150-2229-422.26-40	10/15/2009	GLOBE/TURNOUTS/HANSON	3089934-00 HANS	265645	04/2010	1,600.00	
150-2229-422.26-40	10/15/2009	GLOBE/TURNOUTS/HARPER	3089934-00 HARP	265645	04/2010	1,600.00	
150-2229-422.26-40	10/15/2009	GLOBE/TURNOUTS/KINKEAD	3089934-00 KINK	265645	04/2010	1,600.00	
150-2229-422.26-40	10/15/2009	GLOBE/TURNOUTS/KOFFLER	3089934-00 KOFF	265645	04/2010	1,600.00	
150-2229-422.26-40	10/15/2009	GLOBE TURNOUTS/LARSON	3089934-00 LARS	265645	04/2010	1,600.00	
150-2229-422.26-40	10/15/2009	GLOBE/TURNOUTS/VALDEZ	3089934-00 VALD	265645	04/2010	1,600.00	
150-2229-422.26-40	10/15/2009	CUSTOM/SPLIT/POCKET/PANT	3090299-00 FIRE	266063	04/2010	100.00	
10/26/2009	725693	MAILING TECHNICAL SERVICES	12577			15,387.59	
260-5511-455.31-10	10/16/2009	MAILING SERVICES FOR SEPT	PARMLY LIB.	F09926	04/2010	1,324.21	
502-7311-602.31-10	10/21/2009	MISC SERVICES	IVC09720	269959	04/2010	960.93	
502-7311-602.31-11	10/21/2009	MISC SERVICES	IVC09720	269959	04/2010	196.54	
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512-8311-622.31-10	10/21/2009	MISC SERVICES	IVC09722	269959 04/2010 1,211.13
512-8311-622.31-11	10/21/2009	MISC SERVICES	IVC09722	269959 04/2010 261.19
502-7311-602.31-10	10/21/2009	MISC SERVICES	IVC09723	269959 04/2010 52.66
502-7311-602.31-11	10/21/2009	MISC SERVICES	IVC09723	269959 04/2010 8.58
512-8311-622.31-10	10/21/2009	MISC SERVICES	IVC09723	269959 04/2010 52.68
512-8311-622.31-11	10/21/2009	MISC SERVICES	IVC09723	269959 04/2010 8.58
502-7311-602.31-10	10/21/2009	MISC SERVICES	IVC09730	269959 04/2010 1,207.97
502-7311-602.31-11	10/21/2009	MISC SERVICES	IVC09730	269959 04/2010 248.47
512-8311-622.31-10	10/21/2009	MISC SERVICES	IVC09730	269959 04/2010 1,207.98
512-8311-622.31-11	10/21/2009	MISC SERVICES	IVC09730	269959 04/2010 248.47
502-7311-602.31-10	10/21/2009	MISC SERVICES	IVC09734	269959 04/2010 74.16
502-7311-602.31-11	10/21/2009	MISC SERVICES	IVC09734	269959 04/2010 12.08
512-8311-622.31-10	10/21/2009	MISC SERVICES	IVC09734	269959 04/2010 74.18
512-8311-622.31-11	10/21/2009	MISC SERVICES	IVC09734	269959 04/2010 12.08
502-7311-602.31-10	10/21/2009	MISC SERVICES	IVC09745	269959 04/2010 2,193.51
502-7311-602.31-11	10/21/2009	MISC SERVICES	IVC09745	269959 04/2010 451.19
512-8311-622.31-10	10/21/2009	MISC SERVICES	IVC09745	269959 04/2010 2,193.51
512-8311-622.31-11	10/21/2009	MISC SERVICES	IVC09745	269959 04/2010 451.19
502-7311-602.31-10	10/21/2009	MISC SERVICES	IVC09755	269959 04/2010 59.97
502-7311-602.31-11	10/21/2009	MISC SERVICES	IVC09755	269959 04/2010 9.77
512-8311-622.31-10	10/21/2009	MISC SERVICES	IVC09755	269959 04/2010 59.99
512-8311-622.31-11	10/21/2009	MISC SERVICES	IVC09755	269959 04/2010 9.77
10/26/2009 725703	MONTANA DEPARTMENT OF	17643		23,725.70
541-3123-435.76-35	10/19/2009	LANDFILL LICENSE	SWP113B-010	269504 04/2010 23,725.70
10/26/2009 725706	MONTANA STATE FIREMAN'S ASSOC	20195		2,672.67
900-0000-209.99-24	10/23/2009	PAYROLL SUMMARY	20091023	04/2010 2,672.67
10/26/2009 725708	MORRISON MAIERLE INC	2572		81,706.58
205-3131-433.93-10	09/01/2009	WO210 BENCH CONNECTION	91303	265562 03/2010 20,946.06
405-7125-711.96-92	10/20/2009	MISC SERVICES	91554	263813 04/2010 7,007.69
563-7122-711.93-90	10/20/2009	MISC SERVICES	91561	268161 04/2010 2,996.30
563-7122-711.93-90	10/20/2009	MISC SERVICES	91562	268161 04/2010 24,656.93
409-7126-711.96-80	10/21/2009	MISC SERVICES	91563	266564 04/2010 14,428.35
409-7126-711.96-80	10/21/2009	MISC SERVICES	91564	266564 04/2010 11,671.25
10/26/2009 725720	NORTH WEST FLOORS	16186		3,933.00
561-7112-711.24-50	10/20/2009	INVOICE #1409	1409	F09941 04/2010 3,933.00
10/26/2009 725721	NORTHWEST INDUSTRIAL	2755		3,255.89
541-3122-435.22-90	09/02/2009	TAPE AND GLOVES	1405257	266713 03/2010 14.50
502-0000-141.00-00	09/08/2009	WATER PARTS AND SUPPLIES	1405182	03/2010 25.80
512-8400-623.24-50	09/09/2009	NONSTOCKING ITEMS-P.U.D.	1405418	266713 03/2010 31.45
502-0000-141.00-00	09/10/2009	WATER PARTS AND SUPPLIES	01405564	03/2010 12.90
541-3123-435.22-90	09/14/2009	MISC SUPPLIES CK	1405614	266713 03/2010 388.95
502-7400-603.24-50	09/15/2009	NONSTOCKING ITEMS-P.U.D.	1405187	266713 03/2010 970.04
541-3122-435.22-90	09/15/2009	MISC SUPPLIES LEON	1405256	266713 03/2010 508.14

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502-7500-609.24-10	09/15/2009	NONSTOCKING ITEMS-P.U.D.	1405603	266713	03/2010	320.48	
502-7500-609.24-10	09/15/2009	NONSTOCKING ITEMS-P.U.D.	1405668	266713	03/2010	18.00	
502-7500-609.24-10	09/15/2009	NONSTOCKING ITEMS-P.U.D.	1405669	266713	03/2010	38.87	
211-3133-433.29-20	09/16/2009	MISC SERVICES	1405389	266713	03/2010	74.45	
502-0000-141.00-00	09/17/2009	WATER PARTS AND SUPPLIES	1405869		03/2010	139.85	
502-7500-609.24-10	09/28/2009	NONSTOCKING ITEMS-P.U.D.	1405786	266713	03/2010	68.60	
502-7500-609.24-10	09/28/2009	NONSTOCKING ITEMS-P.U.D.	1406006	266713	03/2010	28.50	
502-7400-603.24-50	10/02/2009	NONSTOCKING ITEMS-P.U.D.	1406419	266713	04/2010	534.18	
502-7500-609.24-10	10/07/2009	NONSTOCKING ITEMS-P.U.D.	1406223	269081	04/2010	51.42	
502-7400-603.24-50	10/15/2009	NONSTOCKING ITEMS-P.U.D.	14047301	266713	04/2010	29.76	
10/26/2009	725723	NORTHWEST PIPE FITTINGS	2758			63,502.20	
502-7312-602.23-80	09/01/2009	NONSTOCKING ITEMS-P.U.D.	14027881	266714	03/2010	10.00	
502-7400-603.24-50	09/08/2009	NONSTOCKING ITEMS-P.U.D.	1441085	266714	03/2010	485.10	
502-0000-141.00-00	09/09/2009	WATER PARTS AND SUPPLIES	1439223		03/2010	49,375.00	
502-7314-602.24-50	09/09/2009	NONSTOCKING ITEMS-P.U.D.	1443207	266714	03/2010	29.02	
502-7400-603.24-50	09/15/2009	NONSTOCKING ITEMS-P.U.D.	1443626	266714	03/2010	155.78	
502-7500-609.21-20	09/15/2009	NONSTOCKING ITEMS-P.U.D.	1444936	266714	03/2010	20.05	
512-8400-623.24-50	09/15/2009	NONSTOCKING ITEMS-P.U.D.	1445031	266714	03/2010	31.44	
512-8400-623.24-50	09/15/2009	NONSTOCKING ITEMS-P.U.D.	1445265	266714	03/2010	237.54	
211-3134-433.23-20	09/16/2009	MISC SERVICES	1439774	266714	03/2010	144.55	
502-7312-602.23-80	09/18/2009	NONSTOCKING ITEMS-P.U.D.	1438045	266714	03/2010	953.29	
512-8400-623.24-50	09/18/2009	NONSTOCKING ITEMS-P.U.D.	1446756	266714	03/2010	352.94	
541-3123-435.23-20	09/21/2009	MP	1446742	266714	03/2010	252.66	
502-7312-602.23-80	09/28/2009	NONSTOCKING ITEMS-P.U.D.	1432925	266714	03/2010	1,099.95	
502-7312-602.23-80	09/28/2009	NONSTOCKING ITEMS-P.U.D.	14329251	266714	03/2010	4,000.00	
502-7312-602.23-80	09/28/2009	NONSTOCKING ITEMS-P.U.D.	14380451	266714	03/2010	4,200.00	
512-8400-623.24-50	09/28/2009	NONSTOCKING ITEMS-P.U.D.	1448296	266714	03/2010	337.36	
502-7400-603.24-50	09/28/2009	NONSTOCKING ITEMS-P.U.D.	1450257	266714	03/2010	54.15	
502-7400-603.24-50	09/29/2009	NONSTOCKING ITEMS-P.U.D.	1452138	266714	03/2010	41.24	
502-7400-603.23-20	09/29/2009	NONSTOCKING ITEMS-P.U.D.	1452249	266714	03/2010	210.23	
502-0000-141.00-00	10/02/2009	WATER PARTS AND SUPPLIES	1444350		04/2010	1,253.33	
502-7400-603.24-50	10/02/2009	NONSTOCKING ITEMS-P.U.D.	1453131	266714	04/2010	10.77	
502-7400-603.24-50	10/02/2009	NONSTOCKING ITEMS-P.U.D.	1453343	266714	04/2010	215.36	
502-7400-603.24-50	10/02/2009	NONSTOCKING ITEMS-P.U.D.	1453426	266714	04/2010	32.44	
10/26/2009	725728	NORTHWESTERN ENERGY	15771			23,093.77	
660-3110-431.34-10	10/20/2009	2224 MONTANA AVE	1741314-7	OCT09	269878	04/2010	500.71
670-3141-489.34-10	10/20/2009	2224 MONTANA AVE	1741314-7	OCT09	269878	04/2010	409.67
650-1567-487.34-10	10/21/2009	FACILITIES MANAGEMENT	01005073			04/2010	6,328.19
561-7117-711.34-10	10/21/2009	NW AVIATION/TRAN	07127921			04/2010	478.60
561-7117-711.34-10	10/21/2009	NW AVIATION/TRAN	07127996			04/2010	19.96
561-7117-711.34-10	10/21/2009	NW AVIATION/TRAN	07128002			04/2010	1,154.77
561-7113-711.34-10	10/21/2009	NW AVIATION/TRAN	07128093			04/2010	7.10
561-7117-711.34-10	10/21/2009	NW AVIATION/TRAN	07128176			04/2010	29.96
561-7113-711.34-10	10/21/2009	NW AVIATION/TRAN	07196165			04/2010	51.21
521-1592-493.34-10	10/21/2009	NW FINANCE	07208341			04/2010	3,335.27
607-2235-486.34-10	10/21/2009	NW FIRE	07215809			04/2010	238.37
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07222375			04/2010	12.72
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07222474			04/2010	7.10

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10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07222557		04/2010	81.20
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07222573		04/2010	653.96
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07222607		04/2010	271.00
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07222615		04/2010	25.37
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07222623		04/2010	21.75
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07222631		04/2010	37.50
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07222656		04/2010	75.14
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07222664		04/2010	15.50
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07222680		04/2010	6.55
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07222698		04/2010	13.69
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07222920		04/2010	10.35
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07222938		04/2010	18.98
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07229057		04/2010	9.48
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07229339		04/2010	119.83
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07230352		04/2010	97.60
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07230360		04/2010	8.63
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07230378		04/2010	164.91
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07230386		04/2010	29.06
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07230428		04/2010	33.71
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07230444		04/2010	577.53
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07230485		04/2010	79.59
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07230501		04/2010	135.78
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07230527		04/2010	18.62
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07230543		04/2010	369.32
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07230550		04/2010	7.10
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07230568		04/2010	17.57
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07230576		04/2010	7.10
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07230584		04/2010	21.59
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07230907		04/2010	8.30
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07231624		04/2010	7.10
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07231707		04/2010	992.62
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07236441		04/2010	7.10
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07236458		04/2010	7.10
211-3137-433.34-10	10/21/2009	NW PUBLIC WORKS	07240575		04/2010	151.83
260-5512-455.34-10	10/21/2009	NW LIBRARY	07244643		04/2010	79.61
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07894371		04/2010	18.83
10-5112-452.34-10	10/21/2009	NW PARK/REC/PL	07931348		04/2010	16.18
872-5198-452.34-10	10/21/2009	NW PARK/REC/PL	10590933		04/2010	169.75
10-5112-452.34-10	10/21/2009	NW	15220957		04/2010	303.44
521-1592-493.34-10	10/21/2009	PARK 2 GARAGE	15942824		04/2010	1,396.96
521-1591-493.34-10	10/21/2009	P1 ELECTRIC	09182009	269985	04/2010	1,441.34
521-1594-493.34-10	10/21/2009	P4 ELECTRIC	09182009A	269985	04/2010	1,290.22
521-1595-493.34-10	10/21/2009	LEASE SPACE ELECTRIC	09182009B	269985	04/2010	185.94
150-2221-422.34-10	10/22/2009	NW FIRE	07125370		04/2010	639.43
10-5122-451.34-10	10/22/2009	NW PARK/REC/PL	07126832		04/2010	83.51
571-7148-713.34-10	10/22/2009	NW AVIATION/TRAN	07127640		04/2010	21.31
521-1595-493.34-10	10/22/2009	NW FINANCE	07208291		04/2010	294.23
150-2221-422.34-10	10/22/2009	NW FIRE	07208408		04/2010	236.54

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	CHECK AMOUNT
	10-5112-452.34-10				10/22/2009	NW PARK/REC/PL	08317026		04/2010	7.25	
10/26/2009	725737	PALM TREE CONSTRUCTION	2869							2,700.00	
	505-7515-609.36-71				10/21/2009	MISC SERVICES	2572957	269974	04/2010	600.00	
	505-7515-609.36-71				10/21/2009	MISC SERVICES	272956	269974	04/2010	2,100.00	
10/26/2009	725746	QUICK FIX	20680							3,745.00	
	293-6554-463.72-75				10/21/2009	MISC SERVICES	MACER, MABEL	269885	04/2010	3,745.00	
10/26/2009	725747	QWEST COMMUNICATIONS	6319							9,134.79	
	225-2232-422.34-50				10/15/2009	QWEST OCT 09 3RD PAY	252-1190		04/2010	8,972.10	
	521-1592-493.34-50				10/15/2009	QWEST OCT 09 3RD PAY	252-2041		04/2010	42.93	
	10-5140-436.34-50				10/15/2009	QWEST OCT 09 3RD PAY	652-0269		04/2010	42.93	
	10-5112-452.34-50				10/15/2009	QWEST OCT 09 3RD PAY	652-5507		04/2010	43.98	
	10-5121-451.34-50				10/15/2009	QWEST OCT 09 3RD PAY	652-8403		04/2010	32.85	
10/26/2009	725756	RIMROCK FOUNDATION	3210							3,495.03	
	248-1262-412.35-90				10/19/2009	IOP COUNSELOR - BAMDC	2010-4	269855	04/2010	3,495.03	
10/26/2009	725757	RIVERSIDE SAND & GRAVEL INC	19447							26,415.21	
	409-7126-711.96-80				10/21/2009	MISC SERVICES	ARRA RSG #4	266562	04/2010	26,415.21	
10/26/2009	725760	RUDDOCK JOHN	9074							2,790.30	
	150-2224-422.38-10				10/15/2009	TUITION ASSISTANCE/FALL09	TUITION/FALL09	269698	04/2010	2,790.30	
10/26/2009	725765	SANDERSON STEWART	20446							85,244.26	
	416-7493-603.93-40				10/20/2009	WO0913 STAPLES REDUN WTR	3	267598	04/2010	12,461.82	
	840-3184-431.93-10				10/21/2009	WO0912 INNER BELT LOOP	2	267730	04/2010	1,780.14	
	845-3186-431.93-10				10/21/2009	WO0912 INNER BELT LOOP	2	267730	04/2010	11,913.22	
	840-3184-431.93-10				10/21/2009	WO0912 INNER BELT LOOP	3	267730	04/2010	7,652.25	
	845-3186-431.93-10				10/21/2009	WO0912 INNER BELT LOOP	3	267730	04/2010	51,436.83	
10/26/2009	725786	STEWART TITLE OF BILLINGS	17985							15,000.00	
	275-6721-463.72-75				10/19/2009	MISC SERVICES	JOHNSON, ERIC	269827	04/2010	15,000.00	
10/26/2009	725787	STEWART TITLE OF BILLINGS	17985							15,000.00	
	295-6680-463.72-75				10/19/2009	MISC SERVICES	VANDER ESCH, C	269828	04/2010	15,000.00	
10/26/2009	725788	STRATEGY 5 LLC	19989							5,689.00	
	521-1594-493.35-90				10/22/2009	P4 MARKETING	102009	257199	04/2010	889.20	
	521-1594-493.35-90				10/22/2009	P4 MARKETING	102008	270000	04/2010	4,799.80	
10/26/2009	725790	SUNSET EXCAVATION	11477							13,450.00	
	505-7515-609.36-71				10/21/2009	MISC SERVICES	060239	269973	04/2010	3,400.00	
	505-7515-609.36-71				10/21/2009	MISC SERVICES	060240	269973	04/2010	2,900.00	
	505-7515-609.36-71				10/21/2009	MISC SERVICES	060241	269973	04/2010	3,950.00	
	505-7515-609.36-71				10/21/2009	MISC SERVICES	060242	269973	04/2010	3,200.00	
10/26/2009	725796	TOTAL ASPHALT REPAIR INC	13249							9,623.00	
	502-7500-609.36-80				10/21/2009	MISC SERVICES	3453	269956	04/2010	4,855.00	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
				502-7500-609.36-80	10/21/2009	MISC SERVICES	3454	269956	04/2010	4,768.00
10/26/2009	725797	TOWN & COUNTRY SUPPLY ASSOCIAT	18295							19,915.86
	10-5142-436.23-10	10/13/2009	DIESEL				68742	269720	04/2010	658.76
	561-7118-711.23-13	10/19/2009	INVOICE #67311				67311	F09927	04/2010	10,821.50
	601-0000-141.00-00	10/21/2009	MP				67639		04/2010	4,222.02
	601-0000-141.00-00	10/21/2009	MP				70524		04/2010	4,213.58
10/26/2009	725798	TRACTOR & EQUIPMENT	3775							3,167.01
	502-7400-603.23-60	10/19/2009	NONSTOCKING ITEMS-P.U.D.				41003686001	269711	04/2010	992.17
	541-3123-435.23-20	10/17/2009	MP				BLCS0443950	269813	04/2010	1,169.84
	502-7400-603.53-30	10/21/2009	MISC SERVICES				41003894-0002	269917	04/2010	1,005.00
10/26/2009	725799	TREATMENT RESEARCH INSTITUTE	20639							10,000.00
	10-1217-412.94-80	09/25/2009	INITIAL PYMT. RANT SVCS.				2009-12	267119	03/2010	5,000.00
	10-1217-412.94-80	10/16/2009	RANT SOFTWARE FOR TRMT CT				2010-4	267119	04/2010	5,000.00
10/26/2009	725804	US BANK-REVOLVING LOAN FUND	16715							6,261.22
	723-6595-465.62-00	10/21/2009	MISC SERVICES				53-7240483306	269906	04/2010	6,261.22
10/26/2009	725809	VERIZON WIRELESS	14490							5,204.82
	571-7147-713.34-50	10/19/2009	INVOICE# 0804638091				0804638091	F09931	04/2010	171.60
	150-2170-441.34-50	10/22/2009	VERIZON WSCA OCT 2009				AN SHELTER MDT		04/2010	225.05
	209-4451-428.34-50	10/22/2009	VERIZON WSCA OCT 2009				BUILDING AIR		04/2010	180.04
	717-2166-421.34-50	10/22/2009	VERIZON WSCA OCT 2009				CCSIU AIR CARD		04/2010	45.01
	150-2221-422.34-50	10/22/2009	VERIZON WSCA OCT 2009				FIRE DEPT AIR C		04/2010	45.01
	150-2221-422.34-50	10/22/2009	VERIZON WSCA OCT 2009				FIRE MDT		04/2010	585.17
	620-1911-482.34-50	10/22/2009	VERIZON WSCA OCT 2009				ITD AIR CARD		04/2010	45.01
	260-5517-455.34-50	10/22/2009	VERIZON WSCA OCT 2009				LIBRARYOUTREACH		04/2010	135.03
	150-2111-421.34-50	10/22/2009	VERIZON WSCA OCT 2009				POLICE AIR CARD		04/2010	45.01
	150-2111-421.34-50	10/22/2009	VERIZON WSCA OCT 2009				POLICE MDT		04/2010	3,510.94
	150-2111-421.34-50	10/22/2009	VERIZON WSCA OCT 2009				POLICE USM MDT		04/2010	171.94
	502-7500-609.34-50	10/22/2009	VERIZON WSCA OCT 2009				PUD AIR CARD		04/2010	45.01
10/26/2009	725814	WELLS FARGO BANK-LOAN PAYMENT	16716							6,261.22
	723-6595-465.62-00	10/21/2009	MISC SERVICES				1609108243	269913	04/2010	6,261.22
10/26/2009	725817	WESTERN MUNICIPAL CONSTRUCTION	11742							43,966.74
	205-0000-201.10-00	10/20/2009	WO0524 SLUDGE DRYING BED				RET RELEASE	257950	04/2010	6,870.60
	421-0000-201.10-00	10/20/2009	WO0809 WWTP PRIMARY EFFL				RET RELEASE	257942	04/2010	36,566.35
	421-8493-623.93-40	10/20/2009	WO0809 WWTP PRIMARY EFFL				8 FINAL	257942	04/2010	529.79
10/26/2009	725818	WESTERN SECURITY BANK	16462							6,336.92
	723-6595-465.62-00	10/21/2009	MISC SERVICES				100022110	269930	04/2010	3,168.46
	723-6595-465.62-00	10/21/2009	MISC SERVICES				157011874	269930	04/2010	3,168.46
10/26/2009	725825	YELLOWSTONE COUNTY SHERIFFS	6218							6,231.46
	718-2160-421.78-65	10/22/2009	MISC SERVICES				OCEDTF REIMB	270002	04/2010	6,231.46
10/26/2009	725826	YELLOWSTONE VALLEY ANIMAL SHEL	20525							19,627.67
	150-2170-441.39-90	10/21/2009	9-22/10-21-09 CONTRACT				09-1053	269900	04/2010	19,627.67

PREPARED 10/26/2009, 9:18:53  
 PROGRAM: GM350L  
 CITY OF BILLINGS

A/P CHECKS BY PERIOD AND YEAR  
 MINIMUM AMOUNT: 2,500.00  
 FROM 10/26/2009 TO 10/26/2009

PAGE 11  
 BANK CODE 00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	INVOICE	PO #	PER/YEAR	CHECK AMOUNT
10/26/2009	725827	YELLOWSTONE VALLEY ELEC	4174				3,571.08
541-3123-435.34-10	10/20/2009	ELEC AT LANDFILL		4179000	269507	04/2010	578.87
810-3183-431.34-10	10/20/2009	SILMD 299 VINTAGE ESTATES		ACCT 4179014	269877	04/2010	364.67
502-7400-603.34-10	10/21/2009	MISC SERVICES		4179006 OCT09	269951	04/2010	2,262.58
512-8500-625.34-10	10/21/2009	MISC SERVICES		4179010 OCT09	269951	04/2010	117.46
512-8500-625.34-10	10/21/2009	MISC SERVICES		4179011 OCT09	269951	04/2010	19.00
512-8500-625.34-10	10/21/2009	MISC SERVICES		4179015 OCT09	269951	04/2010	228.50
DATE RANGE TOTAL *							1,107,924.64 *

**Regular City Council Meeting**

**Consent : 1.K.2.**

**Date: 11/23/2009**

**TITLE: Payment of Claims, 10/30/09.**

Pat M. Weber, Financial

**PRESENTED BY:** Services Manager

**Department:** City Hall Administration

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### **Information**

#### **PROBLEM/ISSUE STATEMENT**

Claims in the amount of \$2,227,008.04 have been audited and are presented for your approval for payment. A complete listing of the claims dated October 30, 2009, is available in the Finance Department.

#### **ALTERNATIVES ANALYZED**

The Council may:

- Approve the payment of claims; or
- Not approve the payment of claims.

#### **FINANCIAL IMPACT**

Claims have a varying impact on department budgets, but are submitted by the departments and reviewed by Finance staff before being sent to the Council.

#### **RECOMMENDATION**

Staff recommends that Council approve Payment of Claims.

#### **APPROVED BY CITY ADMINISTRATOR**

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### **Attachments**

Link: List of claims greater than \$2500.

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CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
10/30/2009	725841	AMERICAN TITLE & ESCROW	159			20,065.00	
295-6555-463.72-75	10/28/2009	WEATHERIZATION	1-CANO,ISELA M	270156	04/2010	20,065.00	
10/30/2009	725842	AMERICAN TITLE & ESCROW	159			15,065.00	
275-6721-463.72-75	10/28/2009	WEATHERIZATION	1-TODD,MELYNDA	270187	04/2010	15,065.00	
10/30/2009	725849	ARCHIE COCHRANE	800			2,504.10	
150-2231-422.23-20	10/23/2009	MP	604541/1	270043	04/2010	781.00	
630-1753-485.73-10	10/26/2009	MISC SERVICES	801810/1	270077	04/2010	807.70	
150-2112-421.23-20	10/27/2009	MP	5008020	270125	04/2010	48.28	
10-5112-452.23-20	10/27/2009	MP	5008080	270125	04/2010	44.02	
150-2112-421.23-20	10/27/2009	MP	5008317	270125	04/2010	21.00	
10-5112-452.23-20	10/27/2009	MP	5008483	270125	04/2010	10.16	
150-2231-422.23-20	10/27/2009	MP	5008820	270125	04/2010	262.94	
150-2112-421.23-20	10/27/2009	MP	5008830	270125	04/2010	95.82	
10-5121-451.23-20	10/27/2009	MP	5009217	270125	04/2010	24.00	
150-2112-421.23-20	10/27/2009	MP	5009227	270125	04/2010	49.85	
150-2112-421.23-20	10/27/2009	MP	5009250	270125	04/2010	6.00	
150-2112-421.23-20	10/27/2009	MP	5009276	270125	04/2010	353.33	
10/30/2009	725851	ATONEMENT LUTHERAN CHURCH	9993141			10,526.74	
512-0000-229.00-00	10/27/2009	WO0823 WICKS LANE	REFUND		04/2010	10,526.74	
10/30/2009	725868	BUSINESS TAX SECTION	2449			7,225.47	
405-0000-201.10-00	10/21/2009	Retainage Release - JTL		267134	04/2010	67.49	
10-1314-413.36-60	10/22/2009	PRIOR YEAR ENCUMBRANCES	FINAL	267201	04/2010	149.00	
405-7125-711.96-91	10/23/2009	MISC SERVICES	264666-5	264666	04/2010	16.97	
405-7125-711.96-92	10/23/2009	MISC SERVICES	264666-5	264666	04/2010	.89	
405-7125-711.96-91	10/23/2009	MISC SERVICES	264668-5	264668	04/2010	40.50	
405-7125-711.96-92	10/23/2009	MISC SERVICES	264668-5	264668	04/2010	2.13	
405-7125-711.96-91	10/23/2009	MISC SERVICES	264668-7	264668	04/2010	38.41	
405-7125-711.96-92	10/23/2009	MISC SERVICES	264668-7	264668	04/2010	2.01	
407-7128-711.94-97	10/23/2009	MISC SERVICES	267113-1	267113	04/2010	1,348.34	
405-7125-711.96-92	10/23/2009	MISC SERVICES	267134-F	267134	04/2010	20.00	
405-7125-711.96-91	10/23/2009	MISC SERVICES	267134-5	267134	04/2010	3,144.27	
405-7125-711.96-92	10/23/2009	MISC SERVICES	267134-5	267134	04/2010	165.49	
563-7122-711.93-90	10/23/2009	MISC SERVICES	269241	269241	04/2010	874.31	
432-0000-201.10-00	10/27/2009	WO0722 KING AVE EAST	RET RELEASE	259538	04/2010	1,034.54	
416-0000-201.10-00	10/27/2009	WO0805 KING AVE EAST	RET RELEASE	259538	04/2010	44.06	
563-7122-711.92-90	10/28/2009	MISC SERVICES	2915	267124	04/2010	238.76	
563-7122-711.92-90	10/28/2009	MISC SERVICES	2936	267124	04/2010	34.90	
563-7122-711.92-90	10/28/2009	MISC SERVICES	2937	267124	04/2010	3.40	
10/30/2009	725872	CHICAGO TITLE INSURANCE CO	754			10,000.00	
295-6680-463.72-75	10/28/2009	MISC SERVICES	MONROY, TERRY	270162	04/2010	10,000.00	
10/30/2009	725883	DORSEY & WHITNEY LLP	8347			8,500.00	
445-3165-431.55-10	10/29/2009	MISC SERVICES	1609727	270216	04/2010	8,500.00	
10/30/2009	725886	EBMS	20398			60,101.50	
627-1752-417.35-12	10/27/2009	ADMIN FEES			04/2010	16,097.50	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
627-1752-417.35-15	10/27/2009		SPECIFIC PREM		04/2010	33,066.00	
627-1752-417.51-61	10/27/2009		CARE LINK FEE		04/2010	3,217.50	
627-1752-417.35-11	10/27/2009		FLEX ADMIN FEE		04/2010	1,773.00	
627-1752-417.35-15	10/27/2009		PPO FEE		04/2010	3,433.50	
627-1752-417.35-13	10/27/2009		SCRIPTS		04/2010	2,514.00	
10/30/2009 725889		EF JOHNSON COMPANY	12555			44,000.00	
607-2235-486.35-82	10/23/2009	PRP/2009-2010/ACCT#4378	545141 PRP 2009	270039	04/2010	44,000.00	
10/30/2009 725897		FERGUSON ENTERPRISES INC	20100			3,721.68	
502-0000-141.00-00	10/29/2009	SYSTEMS	534278		04/2010	3,721.68	
10/30/2009 725898		FIRST MONTANA TITLE CO	1304			15,000.00	
275-6721-463.72-75	10/28/2009	ACQUISITION	2-TODD,MELYNDA	270158	04/2010	15,000.00	
10/30/2009 725904		GENERAL CONTRACTORS CONSTR	1415			133,485.16	
407-7128-711.94-97	10/23/2009	MISC SERVICES	266985-1	266985	04/2010	133,485.16	
10/30/2009 725906		GEOCOMM INC	20834			26,695.00	
607-2235-486.35-90	10/21/2009	800MHZ/SYSTEM/ASSESSMENT	22834 RADIO/PRJ	269876	04/2010	26,695.00	
10/30/2009 725910		GSK PARTNERS	18513			44,000.00	
416-7493-603.92-20	10/28/2009	WO0426 ZONE 4 RESERVOIR	LEASE AGREEMENT	270184	04/2010	44,000.00	
10/30/2009 725918		HARVEST CHURCH DEVELOPMENT FUN	20838			5,204.54	
205-3131-433.78-40	10/28/2009	WO0823 WICKS LANE	REFUND	270137	04/2010	5,204.54	
10/30/2009 725919		HARVEST CHURCH DEVELOPMENT FUN	9993141			20,845.06	
512-0000-229.00-00	10/27/2009	WO0823 WICKS LANE	REFUND		04/2010	20,845.06	
10/30/2009 725921		HDR INC	1544			67,622.66	
416-7493-603.93-40	10/21/2009	PL0049 WTR SYS ER POWER	144411-H	249305	04/2010	1,846.99	
416-7493-603.92-20	10/26/2009	WO0426 ZONE 4&5	32	247294	04/2010	19,523.56	
416-7493-603.93-40	10/27/2009	WO0622 L STRUCTURE IMPRV	18	254914	04/2010	802.00	
421-8493-623.93-40	10/27/2009	WO0822 WWTP DISINFEC SYS	8	263835	04/2010	45,450.11	
10/30/2009 725929		INGRAM BOOK COMPANY	1820			6,963.21	
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405667	269471	04/2010	24.93	
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405668	269471	04/2010	63.94	
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405669	269471	04/2010	14.99	
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405669	269471	04/2010	34.32	
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405670	269471	04/2010	14.74	
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405670	269471	04/2010	39.08	
260-5519-455.32-41	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405670	269471	04/2010	48.68	
260-5519-455.33-33	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405670	269471	04/2010	10.28	
260-5519-455.32-55	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405671	269471	04/2010	10.02	
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405672	269471	04/2010	56.66	
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405672	269471	04/2010	30.07	
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405673	269471	04/2010	17.99	
260-5519-455.32-23	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405673	269471	04/2010	21.99	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #			CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405673	269471	04/2010	8.39
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405674	269471	04/2010	36.58
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405675	269471	04/2010	14.72
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405676	269471	04/2010	47.88
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405676	269471	04/2010	15.33
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405677	269471	04/2010	32.43
260-5519-455.32-23	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405677	269471	04/2010	21.99
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405677	269471	04/2010	9.00
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405678	269471	04/2010	97.28
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405679	269471	04/2010	170.41
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405680	269471	04/2010	49.23
260-5511-455.79-30	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46405681	269471	04/2010	4.19
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46427240	269471	04/2010	15.33
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46469561	269471	04/2010	24.32
260-5519-455.33-33	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46469562	269471	04/2010	33.60
260-5519-455.79-30	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46469563	269471	04/2010	29.44
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46469564	269471	04/2010	37.78
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46469564	269471	04/2010	11.98
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46469565	269471	04/2010	28.31
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46469566	269471	04/2010	931.66
260-5519-455.32-23	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46469566	269471	04/2010	101.63
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46469566	269471	04/2010	159.56
260-5519-455.32-55	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46469566	269471	04/2010	116.84
260-5519-455.33-33	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46469566	269471	04/2010	7.18
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46469567	269471	04/2010	22.78
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46469568	269471	04/2010	15.93
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46485013	269471	04/2010	7.20
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46485014	269471	04/2010	27.20
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46485014	269471	04/2010	6.57
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46485015	269471	04/2010	177.27
260-5519-455.32-23	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46485015	269471	04/2010	57.46
260-5519-455.32-44	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46485015	269471	04/2010	17.97
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46527873	269471	04/2010	21.97
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46527874	269471	04/2010	17.69
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46527875	269471	04/2010	32.66
260-5519-455.32-41	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46527875	269471	04/2010	12.97
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46527876	269471	04/2010	37.19
260-5519-455.32-55	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46527877	269471	04/2010	31.83
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46527878	269471	04/2010	15.90
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46527879	269471	04/2010	185.85
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46527879	269471	04/2010	26.97
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46527880	269471	04/2010	57.58
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46527880	269471	04/2010	27.57
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46527881	269471	04/2010	22.74
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46527881	269471	04/2010	24.31
260-5519-455.32-55	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46527881	269471	04/2010	10.61
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46527882	269471	04/2010	11.77
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46527883	269471	04/2010	148.51
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46527884	269471	04/2010	28.28
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46604404	269471	04/2010	14.75

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
260-5519-455.33-33	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46604404	269471	04/2010	9.58
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46604405	269471	04/2010	9.60
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46604406	269471	04/2010	20.65
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46604406	269471	04/2010	115.99
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46604407	269471	04/2010	12.98
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46604408	269471	04/2010	8.97
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46604409	269471	04/2010	17.70
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46604410	269471	04/2010	53.34
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46604411	269471	04/2010	9.41
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46604411	269471	04/2010	43.17
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46604412	269471	04/2010	17.98
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46648335	269471	04/2010	10.17
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46648335	269471	04/2010	5.97
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46648336	269471	04/2010	14.72
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46648337	269471	04/2010	27.55
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46648337	269471	04/2010	14.36
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46648338	269471	04/2010	51.82
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46648338	269471	04/2010	33.75
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46648339	269471	04/2010	99.88
260-5519-455.32-23	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46648339	269471	04/2010	17.57
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46648339	269471	04/2010	23.70
260-5519-455.32-41	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46648339	269471	04/2010	14.38
260-5519-455.32-42	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46648339	269471	04/2010	264.68
260-5519-455.32-55	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46648339	269471	04/2010	35.46
260-5519-455.32-20	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46661604 CREDIT	269471	04/2010	5.97-
260-5519-455.32-26	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46661604 CREDIT	269471	04/2010	20.72-
260-5519-455.32-55	10/28/2009	PUBLICATIONS/AUDIOVISUAL	46661604 CREDIT	269471	04/2010	10.02-
260-5519-455.32-20	10/29/2009	PUBLICATIONS/AUDIOVISUAL	46604413	269471	04/2010	381.68
260-5519-455.32-23	10/29/2009	PUBLICATIONS/AUDIOVISUAL	46604413	269471	04/2010	114.43
260-5519-455.32-26	10/29/2009	PUBLICATIONS/AUDIOVISUAL	46604413	269471	04/2010	215.46
260-5519-455.32-42	10/29/2009	PUBLICATIONS/AUDIOVISUAL	46604413	269471	04/2010	1,170.44
260-5519-455.32-55	10/29/2009	PUBLICATIONS/AUDIOVISUAL	46604413	269471	04/2010	575.59
260-5519-455.33-82	10/29/2009	PUBLICATIONS/AUDIOVISUAL	46604413	269471	04/2010	36.00
260-5519-455.32-41	10/29/2009	PUBLICATIONS/AUDIOVISUAL	46604414	269471	04/2010	75.62
260-5519-455.32-26	10/29/2009	PUBLICATIONS/AUDIOVISUAL	46604415	269471	04/2010	25.37
260-5519-455.32-20	10/29/2009	PUBLICATIONS/AUDIOVISUAL	46604416	269471	04/2010	17.67
10/30/2009	725933	ISTATE TRUCK CENTER	17585			3,327.94
150-2226-422.23-20	10/27/2009	MP	55104.01	270135	04/2010	233.11
150-2226-422.23-20	10/27/2009	MP	55456.01	270135	04/2010	41.68
150-2226-422.23-20	10/27/2009	MP	55557.01	270135	04/2010	259.44
211-3134-433.23-20	10/27/2009	MP	55739.01	270135	04/2010	111.70
541-3122-435.23-20	10/27/2009	MP	55885.01	270135	04/2010	59.98
211-3134-433.23-20	10/27/2009	MP	56097.01	270135	04/2010	27.00
541-3122-435.23-20	10/28/2009	MP	55473.01	270152	04/2010	30.31
541-3122-435.23-20	10/28/2009	MP	55473.02	270152	04/2010	114.56
211-3134-433.23-20	10/28/2009	MP	56184.01	270166	04/2010	244.50
512-8500-625.23-20	10/28/2009	MP	56216.01	270166	04/2010	1,031.24
512-8500-625.23-20	10/28/2009	MP	56236.01	270166	04/2010	725.34
512-8500-625.23-20	10/28/2009	MP	56236.01	270166	04/2010	21.45

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
211-3133-433.23-20	10/28/2009	MP	56287.01	270166	04/2010	122.03	
211-3133-433.23-20	10/28/2009	MP	56287.01	270166	04/2010	28.00	
512-8500-625.23-20	10/28/2009	MP	56292.01	270166	04/2010	23.47	
541-3122-435.23-20	10/28/2009	MP	56543.01	270166	04/2010	121.22	
541-3122-435.23-20	10/28/2009	MP	56543.02	270166	04/2010	132.91	
10/30/2009	725934	J & M AUTO PARTS	20652			4,554.00	
710-2133-421.21-20	10/28/2009	MISC SERVICES	VIN--N067710	269623	04/2010	4,554.00	
10/30/2009	725940	JONES CONSTRUCTION	11314			14,751.00	
10-1314-413.36-60	10/22/2009	PRIOR YEAR ENCUMBRANCES	FINAL	267198	04/2010	10,751.00	
10-1750-417.36-60	10/22/2009	PRIOR YEAR ENCUMBRANCES	FINAL	267198	04/2010	4,000.00	
10/30/2009	725942	JTL GROUP INC DBA KNIFE RIVER	2417			532,075.16	
405-0000-201.10-00	10/21/2009	Release Retainage - JTL		267131	04/2010	6,681.64	
405-7125-711.96-91	10/23/2009	MISC SERVICES	64665-4	264665	04/2010	1,679.29	
405-7125-711.96-92	10/23/2009	MISC SERVICES	64665-4	264665	04/2010	88.38	
405-7125-711.96-92	10/23/2009	MISC SERVICES	267131-F	267131	04/2010	1,980.00	
405-7125-711.96-91	10/23/2009	MISC SERVICES	267131-5	267131	04/2010	311,283.03	
405-7125-711.96-92	10/23/2009	MISC SERVICES	267131-5	267131	04/2010	16,383.32	
563-7122-711.93-90	10/23/2009	MISC SERVICES	269240-1	269240	04/2010	86,556.75	
432-0000-201.10-00	10/27/2009	W00722 KING AVE EAST	RET RELEASE	259537	04/2010	102,420.14	
416-0000-201.10-00	10/27/2009	W00805 KING AVE EAST	RET RELEASE	259537	04/2010	4,361.57	
211-3132-433.45-20	10/27/2009	ROAD/HIGHWAY MATERIAL	188725	270055	04/2010	98.58	
211-3132-433.45-20	10/27/2009	ROAD/HIGHWAY MATERIAL	188780	270055	04/2010	53.30	
211-3132-433.45-20	10/27/2009	ROAD/HIGHWAY MATERIAL	188781	270055	04/2010	27.05	
211-3132-433.45-20	10/27/2009	ROAD/HIGHWAY MATERIAL	189199	270055	04/2010	106.52	
211-3132-433.45-20	10/27/2009	ROAD/HIGHWAY MATERIAL	190069	270055	04/2010	54.72	
211-3132-433.45-20	10/27/2009	ROAD/HIGHWAY MATERIAL	190083	270055	04/2010	127.47	
211-3132-433.45-20	10/27/2009	ROAD/HIGHWAY MATERIAL	190293	270055	04/2010	58.53	
211-3132-433.45-20	10/27/2009	ROAD/HIGHWAY MATERIAL	190299	270055	04/2010	63.84	
211-3132-433.45-20	10/27/2009	ROAD/HIGHWAY MATERIAL	190384	270055	04/2010	51.03	
10/30/2009	725945	KEMIRA WATER SOLUTIONS, INC	19163			82,917.68	
502-0000-141.00-00	08/25/2009	WATER PARTS AND SUPPLIES	9017071856		02/2010	82,917.68	
10/30/2009	725946	KEYSTONE CONSTRUCTION/SHOWPLAC	16489			27,429.62	
563-7122-711.92-90	10/28/2009	MISC SERVICES	267118	267118	04/2010	23,638.14	
563-7122-711.92-90	10/28/2009	MISC SERVICES	2936	267118	04/2010	3,455.10	
563-7122-711.92-90	10/28/2009	MISC SERVICES	2937	267118	04/2010	336.38	
10/30/2009	725968	MIDLAND IMPLEMENT CO INC	2416			3,599.92	
412-7155-713.92-10	10/26/2009	MISC SERVICES	571393001	267515	04/2010	3,599.92	
10/30/2009	725970	MILES CITY POLICE DEPARTMENT	9774			3,285.98	
251-2186-421.21-90	10/07/2009	MISC SERVICES	ICAC INTERNET	269636	04/2010	180.21	
251-2186-421.38-22	10/07/2009	MISC SERVICES	ICAC TRAVEL	269636	04/2010	3,105.77	
10/30/2009	725975	MONTANA DAKOTA UTILITIES CO	2492			21,020.63	
561-7117-711.34-40	10/27/2009	073869 28	102709	F09984	04/2010	39.26	

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
561-7117-711.34-40	10/27/2009	073858 25	102709	F09984	04/2010	119.69	
502-7400-603.34-40	10/30/2009	PUD	07162021		04/2010	10.40	
502-7400-603.34-40	10/30/2009	PUD	07342023		04/2010	22.05	
502-7400-603.34-40	10/30/2009	PUD	07365822	50%	04/2010	6.12	
502-7400-603.34-40	10/30/2009	PUD	07365822	50%	04/2010	6.12	
561-7113-711.34-40	10/30/2009	AIRPORT	07385922		04/2010	734.24	
561-7112-711.34-40	10/30/2009	AIRPORT	07387221		04/2010	6,324.86	
561-7117-711.34-40	10/30/2009	AIRPORT	07388722		04/2010	517.51	
561-7117-711.34-40	10/30/2009	AIRPORT	07388824		04/2010	79.77	
512-8400-623.34-40	10/30/2009	PUD	07555321	25%	04/2010	1,022.71	
512-8400-623.34-40	10/30/2009	PUD	07555321	50%	04/2010	2,045.40	
512-8400-623.34-40	10/30/2009	PUD	07555321	25%	04/2010	1,022.71	
660-3110-431.34-40	10/30/2009		07585726	45%	04/2010	85.70	
670-3141-489.34-40	10/30/2009		07585726	55%	04/2010	104.74	
10-5127-451.34-40	10/30/2009	REC	07586821		04/2010	187.21	
650-1567-487.34-40	10/30/2009	FACILITIES	07610421		04/2010	1,043.18	
260-5512-455.34-40	10/30/2009	LIBRARY	07617521		04/2010	495.53	
521-1595-493.34-40	10/30/2009	PARK 1 LEASE	07624823		04/2010	14.02	
571-7143-713.34-40	10/30/2009	TRANSIT	07647023		04/2010	796.65	
150-2221-422.34-40	10/30/2009	FIRE	07676421		04/2010	425.06	
150-2221-422.34-40	10/30/2009	FIRE	07935121		04/2010	297.23	
541-3123-435.34-40	10/30/2009	SW	08073321		04/2010	392.00	
150-2171-441.34-40	10/30/2009	ANIMAL SHELTER	32062801		04/2010	846.19	
650-1566-487.34-40	10/30/2009	ADMIN BUILDING	32577402		04/2010	1,233.30	
650-1566-487.34-40	10/30/2009	EVIDENCE BUILDING	32629302		04/2010	114.47	
650-1566-487.34-40	10/30/2009	PD1	32708002		04/2010	338.97	
512-8500-625.34-40	10/30/2009	PUD	32739201		04/2010	30.51	
650-1566-487.34-40	10/30/2009	GARAGE	32781001		04/2010	810.53	
512-8500-625.34-40	10/30/2009	PUD LIFT STATION	33154101		04/2010	23.27	
521-1592-493.34-40	10/30/2009	PARK II	34941902		04/2010	15.21	
512-8500-625.34-40	10/30/2009	PUD	35059801		04/2010	23.25	
150-2221-422.34-40	10/30/2009	FIRE STATION #7	35322001		04/2010	234.83	
561-7113-711.34-40	10/30/2009		31454301		04/2010	180.47	
561-7113-711.34-40	10/30/2009		31454401		04/2010	10.40	
561-7113-711.34-40	10/30/2009		31454601		04/2010	227.11	
561-7113-711.34-40	10/30/2009		31454701		04/2010	420.50	
561-7113-711.34-40	10/30/2009		31454801		04/2010	351.76	
561-7113-711.34-40	10/30/2009		31454902		04/2010	367.70	
10/30/2009	725983	MORRISON MAIERLE INC	2572			88,802.87	
405-7125-711.96-91	10/23/2009	MISC SERVICES	91555	265209	04/2010	13,787.27	
405-7125-711.96-92	10/23/2009	MISC SERVICES	91555	265209	04/2010	725.33	
405-7125-711.96-91	10/23/2009	MISC SERVICES	91556	265209	04/2010	6,221.88	
405-7125-711.96-92	10/23/2009	MISC SERVICES	91556	265209	04/2010	327.47	
405-7125-711.96-91	10/23/2009	MISC SERVICES	91557	265209	04/2010	9,650.77	
405-7125-711.96-92	10/23/2009	MISC SERVICES	91557	265209	04/2010	507.93	
405-7125-711.96-91	10/23/2009	MISC SERVICES	91558	265209	04/2010	30,711.78	
405-7125-711.96-92	10/23/2009	MISC SERVICES	91558	265209	04/2010	1,616.41	
405-7125-711.96-92	10/28/2009	MISC SERVICES	91559	265209	04/2010	7,004.80	
405-7125-711.96-91	10/28/2009	MISC SERVICES	91560	265209	04/2010	13,560.12	

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
405-7125-711.96-92	10/28/2009	MISC SERVICES	91560	265209 04/2010 713.69
405-7125-711.96-92	10/28/2009	MISC SERVICES	91560	265209 04/2010 3,975.42
10/30/2009	725991	NAPA AUTO PARTS	2632	4,099.27
601-0000-141.71-41	10/25/2009	MP	49015	04/2010 111.98
601-0000-141.00-00	10/25/2009	MP	48602	04/2010 29.00
601-0000-141.00-00	10/26/2009	MP	46695	04/2010 108.75
601-0000-141.00-00	10/26/2009	MP	48772	04/2010 13.44
601-0000-141.00-00	10/26/2009	MP	49318	04/2010 45.55
650-1566-487.24-50	10/25/2009	MP	46910	270051 04/2010 23.94
211-3133-433.23-20	10/25/2009	MP	48693	270051 04/2010 4.96
150-2112-421.23-20	10/25/2009	MP	49066	270051 04/2010 31.40
150-2226-422.23-20	10/25/2009	MP	49206	270051 04/2010 149.95
502-7500-609.23-20	10/25/2009	MP	49259	270051 04/2010 109.38
209-4452-428.23-20	10/25/2009	MP	46843	270052 04/2010 53.50
150-2226-422.23-20	10/25/2009	MP	47377	270052 04/2010 71.96
601-1553-481.26-50	10/25/2009	MP	47571	270052 04/2010 117.33
541-3122-435.23-20	10/25/2009	MP	41416	270053 04/2010 12.58
541-3122-435.23-20	10/25/2009	MP	41739	270053 04/2010 60.94
601-1553-481.24-10	10/25/2009	MP	41752	270053 04/2010 13.46
541-3122-435.23-20	10/25/2009	MP	42759	270053 04/2010 60.94
211-3134-433.23-20	10/25/2009	MP	270054	270054 04/2010 36.96
150-2112-421.23-20	10/25/2009	MP	42776	270054 04/2010 102.24
601-1553-481.26-50	10/25/2009	MP	42946	270054 04/2010 8.69
211-3134-433.23-20	10/25/2009	MP	43116	270054 04/2010 7.44
601-1553-481.26-50	10/25/2009	MP	43191	270054 04/2010 12.69
150-2112-421.23-20	10/25/2009	MP	43453	270054 04/2010 37.97
150-2112-421.23-20	10/25/2009	MP	43746	270054 04/2010 232.98
150-2112-421.23-20	10/25/2009	MP	47585	270054 04/2010 81.80
211-3136-433.23-20	10/25/2009	MP	47585	270054 04/2010 8.18
670-3141-489.23-20	10/25/2009	MP	47585	270054 04/2010 8.18
211-3134-433.23-20	10/26/2009	MP	46591	270078 04/2010 125.30
211-3134-433.23-20	10/26/2009	MP	46695	270078 04/2010 4.23
541-3123-435.23-20	10/26/2009	MP	46844	270078 04/2010 42.68
571-7147-713.24-50	10/26/2009	MP	470.83	270078 04/2010 176.49
571-7144-713.24-50	10/26/2009	MP	47236	270078 04/2010 9.21
211-3133-433.23-20	10/26/2009	MP	48658	270078 04/2010 29.30
601-1553-481.26-50	10/26/2009	MP	48772	270078 04/2010 4.18
571-7147-713.23-20	10/26/2009	MP	40697	270080 04/2010 144.95
10-5112-452.23-20	10/26/2009	MP	40834	270080 04/2010 8.29
10-5112-452.23-20	10/26/2009	MP	40864	270080 04/2010 15.16
10-5112-452.23-20	10/26/2009	MP	41239	270080 04/2010 9.65
150-2226-422.23-20	10/26/2009	MP	41292	270080 04/2010 238.24
541-3122-435.23-20	10/26/2009	MP	41431	270080 04/2010 123.12
150-2226-422.23-20	10/26/2009	MP	43113	270080 04/2010 20.75
150-2226-422.23-20	10/26/2009	MP	43581	270080 04/2010 17.26
150-2226-422.23-20	10/26/2009	MP	48823	270080 04/2010 8.77
10-5112-452.23-20	10/26/2009	MP	44247	270081 04/2010 9.83
10-5112-452.23-20	10/26/2009	MP	45581	270081 04/2010 72.69
150-2112-421.23-20	10/26/2009	MP	45625	270081 04/2010 83.32

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571-7144-713.23-20	10/26/2009	MP	46834	270081	04/2010	10.99
541-3122-435.23-20	10/26/2009	MP	47726	270081	04/2010	59.44
10-5112-452.23-20	10/26/2009	MP	48666	270081	04/2010	74.20
150-2112-421.23-20	10/26/2009	MP	270082	270082	04/2010	113.99
10-5112-452.23-20	10/26/2009	MP	347435	270082	04/2010	12.00
502-7500-609.23-20	10/26/2009	MP	44525	270082	04/2010	86.56
10-5112-452.23-20	10/26/2009	MP	44678	270082	04/2010	57.15
150-2112-421.23-20	10/26/2009	MP	44937	270082	04/2010	99.88
209-4452-428.23-20	10/26/2009	MP	46139	270082	04/2010	44.59
209-4452-428.23-20	10/26/2009	MP	46178	270082	04/2010	5.11
150-2112-421.23-20	10/26/2009	MP	46242	270082	04/2010	133.10
571-7144-713.23-90	10/26/2009	MP	48925	270082	04/2010	43.77
601-1553-481.26-50	10/26/2009	MP	500008001046794	270082	04/2010	5.27
260-5517-455.23-20	10/26/2009	MP	48166	270083	04/2010	39.97
150-2112-421.23-20	10/26/2009	MP	50070	270083	04/2010	134.99
211-3132-433.23-20	10/26/2009	MP	50359	270083	04/2010	64.02
601-1553-481.26-50	10/26/2009	MP	50702	270083	04/2010	24.30
541-3122-435.23-20	10/26/2009	MP	50830	270083	04/2010	10.60
541-3123-435.23-20	10/26/2009	MP	50949	270083	04/2010	36.88
512-8500-625.23-20	10/26/2009	MP	50986	270083	04/2010	45.81
670-3141-489.23-20	10/26/2009	MP	51350	270083	04/2010	76.95
150-2112-421.23-20	10/26/2009	MP	51389	270083	04/2010	28.44
541-3123-435.23-20	10/26/2009	MP	51402	270083	04/2010	50.47
571-7147-713.23-20	10/28/2009	MP	46869	270168	04/2010	97.34
571-7144-713.23-20	10/28/2009	MP	48494	270168	04/2010	15.40
571-7144-713.23-20	10/28/2009	MP	48886	270168	04/2010	28.44
10/30/2009	725992	NEW WORLD SYSTEMS	8477			159,653.00
150-2150-421.35-53	10/29/2009	MISC SERVICES	65269	270153	04/2010	104,868.00
150-2221-422.35-53	10/29/2009	MISC SERVICES	65269	270153	04/2010	9,946.50
150-2227-422.35-53	10/29/2009	MISC SERVICES	65269	270153	04/2010	4,257.00
225-2232-422.35-53	10/29/2009	MISC SERVICES	65269	270153	04/2010	26,654.00
620-1911-482.53-15	10/29/2009	MISC SERVICES	65269	270153	04/2010	13,927.50
10/30/2009	725999	NORTHWESTERN ENERGY	15771			213,626.60
150-2221-422.34-10	10/20/2009	FIRE1/ELEC/26,680 KWH	0100476-1 09OCT	267531	04/2010	2,161.92
502-7400-603.34-10	10/21/2009	MISC SERVICES	01004852 OCT09	269949	04/2010	1,042.00
512-8400-623.34-10	10/21/2009	MISC SERVICES	01005917 OCT09	269949	04/2010	40,160.59
502-7314-602.34-10	10/21/2009	MISC SERVICES	01006063 OCT09	269949	04/2010	3,193.11
502-7400-603.34-10	10/21/2009	MISC SERVICES	01006063 OCT09	269949	04/2010	95,793.30
502-7400-603.34-10	10/21/2009	MISC SERVICES	01006063 OCT09	269949	04/2010	25,544.88
512-8314-622.34-10	10/21/2009	MISC SERVICES	01006063 OCT09	269949	04/2010	3,193.11
512-8500-625.34-10	10/21/2009	MISC SERVICES	17568932 SEP09	269949	04/2010	59.15
502-7400-603.34-10	10/28/2009	MISC SERVICES	1005404 OCT09	270096	04/2010	4,509.79
502-7400-603.34-10	10/28/2009	MISC SERVICES	1005404 OCT09	270096	04/2010	4,509.79
561-7112-711.34-10	10/27/2009	0100482-9	102709	F09985	04/2010	24,921.40
10-5141-436.34-10	10/30/2009	NW PARK/REC/PL	07125396		04/2010	41.76
10-5126-451.34-10	10/30/2009	NW PARK/REC/PL	07208416		04/2010	68.69
502-7400-603.34-10	10/30/2009	NW PUD-WATER TREAT	07222524		04/2010	1,771.25
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07222532		04/2010	14.35

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07222565		04/2010	181.02
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07222581		04/2010	1.51
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07222599		04/2010	14.36
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07222722	50%	04/2010	8.12
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07222722	50%	04/2010	5.41
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07222730		04/2010	39.26
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07222748		04/2010	10.56
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07222755		04/2010	89.06
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07222771		04/2010	32.32
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07222789		04/2010	27.03
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07222797		04/2010	13.63
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07222805		04/2010	14.35
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07222813		04/2010	14.35
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07222839		04/2010	14.35
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07222847		04/2010	14.35
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07228083		04/2010	13.63
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07228521		04/2010	9.47
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07228620		04/2010	16.10
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07229016		04/2010	198.05
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07229768		04/2010	8.15
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07229958		04/2010	91.07
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07230055		04/2010	70.06
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07230253		04/2010	14.35
502-7400-603.34-10	10/30/2009	NW PUD-WATER TREAT	07230436		04/2010	4,547.95
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07230469		04/2010	7.10
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07230493		04/2010	8.62
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07230535		04/2010	20.66
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07230642		04/2010	23.70
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07230659		04/2010	23.70
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07233844		04/2010	14.35
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07233851		04/2010	1.27
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07233869		04/2010	1.27
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07233877		04/2010	1.27
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07233885		04/2010	1.27
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07233919	60%	04/2010	4.26
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07233919	40%	04/2010	2.84
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07233927		04/2010	1.27
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07233935		04/2010	7.58
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07233943		04/2010	14.35
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07233950		04/2010	14.35
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07233968		04/2010	14.35
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07233976		04/2010	14.35
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07233984		04/2010	14.35
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07238355		04/2010	14.35
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07238363		04/2010	16.10
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07238405		04/2010	7.10
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07238793		04/2010	2.48
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07238835		04/2010	7.46
10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	07238843		04/2010	62.06
872-5198-452.34-10	10/30/2009	NW PARK/REC/PL	07238850		04/2010	7.68

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10-5112-452.34-10	10/30/2009	NW PARK/REC/PL	09208018		04/2010	7.10
607-2235-486.34-10	10/30/2009	NW FIRE	10069151		04/2010	133.88
10-5112-452.34-10	10/30/2009	NW Parks	11412848		04/2010	117.79
10-5112-452.34-10	10/30/2009	NW Parks	11565272		04/2010	7.29
10-5112-452.34-10	10/30/2009	NW Parks	11607801		04/2010	524.29
10-5112-452.34-10	10/30/2009	NW	12300661		04/2010	12.97
872-5198-452.34-10	10/30/2009	NW	13127071		04/2010	.41
10-5112-452.34-10	10/30/2009	NW	14093942		04/2010	.82
872-5198-452.34-10	10/30/2009	PARKS	15642093		04/2010	7.68
10-5141-436.34-10	10/30/2009	CEMETERY	16352890		04/2010	13.54
512-8500-625.34-10	10/30/2009	SEWER LIFTSTATION C	17040254		04/2010	21.31
211-3136-433.34-10	10/30/2009	STREETS/TRAFFIC	17389891		04/2010	14.10
10/30/2009	726011	PUBLIC UTILITIES	5022			132,909.86
512-8400-623.34-20	10/30/2009	PUD - WATER BILLS	187212152		04/2010	1,305.05
872-5198-452.34-20	10/30/2009	PUD - WATER BILLS	11498915890		04/2010	1,677.04
872-5198-452.34-20	10/30/2009	PUD - WATER BILLS	11498915891		04/2010	1,835.75
872-5198-452.34-20	10/30/2009	PUD - WATER BILLS	11828118660		04/2010	1,893.56
872-5198-452.34-20	10/30/2009	PARK FALCON RIDGE	13019519760		04/2010	1,168.06
872-5198-452.34-20	10/30/2009	PARK FALCON RIDGE	13019521993		04/2010	107.85
872-5198-452.34-20	10/30/2009	PARKS	13592722571		04/2010	873.32
872-5198-452.34-20	10/30/2009	PARK AMELIA CIR	13592526964		04/2010	365.24
805-1570-425.53-50	10/30/2009	4430 HI-LINE DR	6712510003200		04/2010	123,059.78
512-8500-625.34-20	10/30/2009	4430 HI-LINE DR	671274846		04/2010	479.21
211-3134-433.34-20	10/30/2009	4430 HI-LINE DR	671294847		04/2010	145.00
10/30/2009	726014	QWEST COMMUNICATIONS	6319			3,953.28
561-7110-711.34-50	10/15/2009	QWEST 4TH PAY	252-9412		04/2010	85.86
571-7141-713.34-50	10/15/2009	QWEST 4TH PAY	254-7038		04/2010	44.14
211-3136-433.34-50	10/15/2009	QWEST 4TH PAY	652-8104		04/2010	29.10
150-2225-422.34-50	10/15/2009	QWEST 4TH PAY	655-0728		04/2010	42.93
10-5112-452.34-50	10/15/2009	QWEST 4TH PAY	657-3014		04/2010	28.31
606-1931-484.34-50	10/15/2009	QWEST 4TH PAY	657-8377		04/2010	3,722.94
10/30/2009	726020	RIVERSIDE SAND & GRAVEL INC	19447			8,222.42
405-7125-711.96-91	10/23/2009	MISC SERVICES	264667-5	264667	04/2010	4,009.66
405-7125-711.96-92	10/23/2009	MISC SERVICES	264667-5	264667	04/2010	211.03
405-7125-711.96-91	10/23/2009	MISC SERVICES	264667-7	264667	04/2010	3,801.64
405-7125-711.96-92	10/23/2009	MISC SERVICES	264667-7	264667	04/2010	200.09
10/30/2009	726023	ROOTX	19882			3,395.87
512-8500-625.22-20	10/28/2009	MISC SERVICES	31179	270109	04/2010	3,395.87
10/30/2009	726032	SHERMAN & HOWARD L.L.C.	3414			8,822.60
10-1611-416.35-60	10/26/2009	CONSULTANT SERVICES	473304	270031	04/2010	8,822.60
10/30/2009	726038	SPROCKETS MACHINE & WELDING	12153			2,532.35
561-7113-711.23-20	10/27/2009	INVOICE #29515	29515	F09986	04/2010	2,532.35
10/30/2009	726040	STANDARD INSURANCE COMPANY	20399			9,491.00
900-0000-209.99-61	10/29/2009		LTD		04/2010	2,082.10

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
627-1752-417.14-80	10/29/2009		LIFE INSURANCE		04/2010	7,408.90	
10/30/2009 726042	STEWART TITLE OF BILLINGS	17985				15,000.00	
295-6680-463.72-75	10/28/2009	MISC SERVICES	YERGER, AMY	270161	04/2010	15,000.00	
10/30/2009 726047	THE BABCOCK LLC	20214				172,666.40	
202-1503-466.79-73	10/28/2009	PRIOR YEAR ENCUMBRANCES	13	260372	04/2010	172,666.40	
10/30/2009 726051	TOTAL ASPHALT REPAIR INC	13249				8,083.00	
502-7500-609.36-80	10/28/2009	MISC SERVICES	3456	270084	04/2010	3,431.00	
502-7500-609.36-80	10/28/2009	MISC SERVICES	3457	270084	04/2010	4,652.00	
10/30/2009 726052	TOWN & COUNTRY SUPPLY ASSOCIAT	18295				22,679.98	
150-2226-422.23-10	10/22/2009	FIRE1/DSL&UNLED/10-16-09	67628 FIRE1	267496	04/2010	1,307.72	
601-0000-141.00-00	10/23/2009	MP	67809		04/2010	6,633.06	
601-0000-141.00-00	10/27/2009	MP	66511		04/2010	14,739.20	
10/30/2009 726054	TRACTOR & EQUIPMENT	3775				35,174.36	
502-7314-602.53-30	10/23/2009	NONSTOCKING ITEMS-P.U.D.	SGCS0067111	269707	04/2010	92.40	
512-8314-622.53-30	10/23/2009	NONSTOCKING ITEMS-P.U.D.	SGCS0067111	269707	04/2010	92.40	
541-3123-435.23-20	10/26/2009	MP	BLW00112572	270105	04/2010	5,188.29	
541-3123-435.23-20	10/26/2009	MP	BLW00112572	270105	04/2010	340.50	
541-3123-435.23-20	10/26/2009	MP	BLW00112571	270105	04/2010	593.25	
541-3123-435.23-20	10/26/2009	MP	BLW00112573	270105	04/2010	40.45	
541-3123-435.23-20	10/28/2009	MP	BLW00111567	270171	04/2010	27,377.97	
541-3123-435.23-20	10/28/2009	MP	BLW00111567	270171	04/2010	431.07	
541-3123-435.23-20	10/28/2009	MP	BLW00111929	270171	04/2010	1,018.03	
10/30/2009 726060	VERIZON WIRELESS	14490				13,839.64	
561-7110-711.34-50	07/08/2009	10212009	AIRPORT		04/2010	406.45	
150-2170-441.34-50	07/08/2009	10212009	ANIMAL SHELTER		04/2010	140.04	
717-2166-421.34-50	07/08/2009	10212009	CCSIU		04/2010	402.56	
10-1313-413.34-50	07/08/2009	10212009	CITY ADMIN		04/2010	57.22	
10-1611-416.34-50	07/08/2009	10212009	LEGAL		04/2010	32.81	
150-2225-422.34-50	07/08/2009	10212009	COMM CENTER 911		04/2010	65.70	
650-1565-487.34-50	07/08/2009	10212009	FACILITIES BOC		04/2010	64.94	
650-1567-487.34-50	07/08/2009	10212009	FACILITIES CH		04/2010	82.88	
10-1512-415.34-50	07/08/2009	10212009	FINANCE PAT		04/2010	85.58	
150-2221-422.34-50	07/08/2009	10212009	FIRE DEPT		04/2010	553.26	
10-1750-417.34-50	07/08/2009	10212009	HUMAN RESOURCES		04/2010	42.36	
620-1913-482.34-50	07/08/2009	10212009	ITD GIS		04/2010	54.05	
620-1911-482.34-50	07/08/2009	10212009	ITD		04/2010	171.47	
260-5512-455.34-50	07/08/2009	10212009	LIBRARY		04/2010	136.41	
601-1550-481.34-50	07/08/2009	10212009	MOTOR POOL		04/2010	46.55	
10-1220-412.34-50	07/08/2009	10212009	DRUG COURT		04/2010	110.16	
10-1212-412.34-50	07/08/2009	10212009	MUNI JUDGE		04/2010	194.00	
240-4301-419.34-50	07/08/2009	10212009	PLANNING		04/2010	71.72	
150-2111-421.34-50	07/08/2009	10212009	POLICE		04/2010	2,873.44	
251-2186-421.34-50	07/08/2009	10212009	POLICE FORENSIC		04/2010	58.46	
249-2196-421.34-50	07/08/2009	10212009	698 1391 DV		04/2010	22.37	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
521-1521-493.34-50	07/08/2009	10212009	PARKING		04/2010	398.36	
10-5110-453.34-50	07/08/2009	10212009	PRPL ADM		04/2010	88.06	
10-5121-451.34-50	07/08/2009	10212009	PRPL-RECREATION		04/2010	60.84	
10-5140-436.34-50	07/08/2009	10212009	CEMTERY		04/2010	44.87	
10-5112-452.34-50	07/08/2009	10212009	PARKS PMD		04/2010	43.04	
10-5112-452.34-50	07/08/2009	10212009	PARKS		04/2010	1,830.75	
10-5112-452.34-50	07/08/2009	10212009	PARKS IRRIGATION		04/2010	217.47	
10-1543-415.34-50	07/08/2009	10212009	PURCHASING		04/2010	80.35	
660-3110-431.34-50	07/08/2009	10212009	PW ADM		04/2010	124.02	
209-4451-428.34-50	07/08/2009	10212009	BUILDING		04/2010	179.09	
670-3141-489.34-50	07/08/2009	10212009	ENGINEERING		04/2010	387.06	
541-3121-435.34-50	07/08/2009	10212009	SOLID WASTE		04/2010	53.65	
211-3131-433.34-50	07/08/2009	10212009	STREET/TRAFFIC		04/2010	388.77	
541-3123-435.34-50	07/08/2009	10212009	SW ON CALL		04/2010	69.09	
502-7700-611.34-50	07/08/2009	10212009	PUD ENVIRN 1/2		04/2010	19.02	
512-8700-628.34-50	07/08/2009	10212009	PUD ENVIRN 1/2		04/2010	19.02	
502-7400-603.34-50	07/08/2009	10212009	WATER TREATMENT		04/2010	800.79	
502-7500-609.34-50	07/08/2009	10212009	WATER SYSTEMS		04/2010	342.36	
512-8500-625.34-50	07/08/2009	10212009	WASTEWATER SYS		04/2010	761.47	
502-7312-602.34-50	07/08/2009	10212009	PWBLKNP MTRSHOP		04/2010	461.48	
502-7314-602.34-50	07/08/2009	10212009	PWBLKNP STORES		04/2010	114.12	
502-7311-602.34-50	07/08/2009	10212009	PWBLKNP OFFICE		04/2010	114.12	
512-8400-623.34-50	07/08/2009	10212009	WASTEWATER TREA		04/2010	1,216.88	
606-1931-484.34-50	07/08/2009	10212009	TELECOMM SYS		04/2010	22.80	
571-7142-713.31-60	07/08/2009	10212009	ON-CALL MET		04/2010	89.74	
571-7141-713.34-50	07/08/2009	10212009	MET TRANSIT		04/2010	52.43	
10-4321-419.34-50	07/08/2009	10212009	CODE ENFORCEMT		04/2010	161.90	
260-5517-455.34-50	07/08/2009	10212009	LIBRARYOUTREACH		04/2010	25.66	
10/30/2009	726062	WASTEQUIP/MAY MANUFACTURING	15484			14,052.00	
541-3122-435.42-70	10/20/2009	16-8 YARD FRONTLOADS	7109631	268567	04/2010	14,052.00	
10/30/2009	726075	YELLOWSTONE COUNTY HEALTH DEPT	6957			9,000.00	
295-6609-463.72-75	10/28/2009	MISC SERVICES	MAP FY2010-1	270167	04/2010	9,000.00	
10/30/2009	726081	3M LIBRARY SYSTEMS	14735			16,211.95	
260-5518-455.94-90	10/29/2009	PARMLY BILLINGS LIBRARY	UM76316	269232	04/2010	16,211.95	
DATE RANGE TOTAL *						2,136,703.50 *	

**Regular City Council Meeting**

**Regular : 2.**

**Date: 11/23/2009**

**TITLE: Downtown Facade Funding**

**PRESENTED BY:** Tina Volek

**Department:** City Hall Administration

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**Information**

**PROBLEM/ISSUE STATEMENT**

As part of the first quarter budget amendments, the City Council approved transferring \$75,000 for Fiscal Year (FY) 2010 from Fund 203 to approved Urban Renewal Projects within the Expanded North 27th Street Tax Increment Financing District (TIFD). On October 23, 2009, the Board of Directors of the Downtown Billings Partnership, Inc., voted to approve the guidelines, requirements and application document as attached for the Façade/Sign/Awning Incentive Program and allocated to it, pending Council approval, the remaining unencumbered project funds from Fund 203 in FY2010. The Board requests authority from the Council to award TIFD incentive funds from Fund 203 to approved Facade, Sign/Awning program projects in an amount not to exceed \$49,999 for a single project, based upon project location and owner and subject to approved Fund 203 annual project budget amounts and allocations.

**ALTERNATIVES ANALYZED**

The Council may:

- Authorize the Downtown Billings Partnership to award FY 2010 TIFD incentive funds from Fund 203 to approved facade/sign/awning program projects in an amount not to exceed \$49,999.
- Modify the amount or intended uses of the FY 2010 TIFD incentive funds; or
- Not authorize use of the funds.

**FINANCIAL IMPACT**

The FY2010 Fund 203 Project budget has \$34,000 in available funding. This Program, if approved, could expend the entire \$34,000 with approval of a single project. However, it is the intent of the Board of Directors of the DBP to solicit applications from the downtown properties within the TIFD and allocate the funds to as many qualified projects as possible.

**RECOMMENDATION**

The DBP Board of Directors requests Council approval of the Program and authority to award incentives from Fund 203 subject to fund availability and budget limitations.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Link: [Facade Procedures](#)

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# **Façade/Sign/Awning Incentive Program**

**Information & Application**

***DRAFT DOCUMENT***

**Downtown Billings Partnership, Inc.**

**City of Billings Urban Renewal Project  
North 27<sup>th</sup> St. TIFD**

## FAÇADE/SIGN/AWNING INCENTIVE PROGRAM

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October 20, 2009

### **Purpose:**

The purpose of this program is to provide financial and practical assistance to maintain, create, reuse or recycle buildings in downtown Billings. Incentive monies are available to developers, owners and tenants *to encourage a higher level of quality and design in the downtown environment*. Urban Renewal projects must support the goals of the Framework Plan and the Urban Renewal Plan of the North 27<sup>th</sup> St. TIFD. Applicants are also encouraged to consider the design guidelines specified in the Urban Design Sketchbook. More information about the Urban Renewal Plan, Framework Plan and Urban Design Sketchbook are available from the Downtown Billings Partnership, Inc. (DBP).

**Applicants are reminded that Urban Renewal Project funding approved by the DBP are discretionary in nature and should not be considered an entitlement by the applicant. All project incentive criteria contained herein are guidelines for awards and successful applicants may receive any amount up to the maximum award. Should an application meet all project incentive criteria, a project may or may not be approved at the discretion of the Board of Directors of the Downtown Billings Partnership, Inc. (DBP) due to funding limitations, competing applications, and/or competing priorities of the DBP and/or the City Council of the City of Billings.**

### Time Frame:

**Funded projects should be completed by June 10<sup>th</sup> of the current Fiscal Year (Fiscal Year ends on June 30<sup>th</sup>.) Project applications will be taken until current Fiscal Year funding is gone. All projects require DBP Board approval. Typically, the DBP Board meets once per month, on the 4<sup>th</sup> Friday.**

- **Applicants are advised to submit a complete application and all supporting materials per the instructions in this packet; incomplete applications will not be reviewed.**
- **Please note that applications are strongly encouraged to have their project reviewed and approved BEFORE project construction work begins. Project applications, at the sole discretion of the DBP Board of Directors, may be rejected and considered as “not qualified for funding” if the project is under construction or completed prior to approval.**

Project Eligibility:

**Projects must be of a commercial or non-profit classification. The applicant must be the recorded property owner or a tenant under lease with the owner's written permission.**

Façade Improvement Project Criteria:

**Façade improvement project incentive fund amounts are based upon three factors and amounts are cumulative:**

- **Building Frontage— the length of the face of the building along a public street. Building frontage is the only measurement that is considered, regardless of the position of interior or common walls.**
- **Building Height— the number of stories of the building (stories are as defined by the current building code)**
- **Architectural Significance— Buildings that have been deemed eligible for the National Register and have successfully completed a Part One application for the National Register. Please note that incentive funds may not be used for the purpose of pursuing a historic designation.**

Factor (Nominal measurements)	Incentive Amount Up To \$	Required Match
<b>Less than 55' Frontage</b>	<b>\$15,000</b>	<b>1/1</b>
<b>55' – 110' Frontage</b>	<b>\$25,000</b>	<b>1/1</b>
<b>Greater than 110' Frontage</b>	<b>\$35,000</b>	<b>1/1</b>
<b>3 Stories and Taller</b>	<b>Additional \$10,000</b>	<b>1/1</b>
<b>Qualifying Historic Property</b>	<b>Additional \$ 5,000</b>	<b>1/1</b>

\*\*Please note these amounts are the maximum incentive awards that may be made per property under the same ownership/tenancy in any 2-calendar-year period.\*\*

**For example: If you had a 50' wide, 3-story structure that is of historical significance, your project would qualify for up to \$30,000 in incentive funds. (\$15,000 for 50' frontage + \$10,000 for 3 stories + \$5,000 for historical qualification.)**

***Façade Improvements:***

**Matching incentive funds are available up to 50% of the cost of façade improvements according to the above guidelines.**

*Eligible façade improvements include:* **water cleaning, prepping and painting, window replacements/repairs, door replacement, entry foyer repairs, exterior lighting, façade restoration/rehabilitation, architectural/design fees, landscape/hardscape improvements, building permits/planning fees, and other façade improvements as deemed eligible by the DBP Board of Directors.**

Signage & Awning Urban Renewal Project Criteria:

**In addition to the maximum incentive amounts listed previously, separate matching incentives are available for signage and awning improvement projects.**

***Awnings:***

**Separate matching incentive funds are available up to 50% of the cost of design, permits, fabrication and installation of awnings with a \$3,000 maximum.**

***Signs/Banners:***

**Separate matching incentive funds are available up to 50% of the cost of design, permits, fabrication and installation of signs/banners to a maximum of \$3,000.**

DBP Board use of an Advisory Committee:

**At the sole discretion of the DBP Board of Directors, applicants may be required to seek endorsement from a Committee of the Board. This Committee, known as the Urban Design Committee, shall consist of design professionals, business or property owners, community members with an interest in downtown vitality, and members of the Downtown Billings Partnership Board. The Committee, at the direction of the DBP Board, shall review applications on a first come, first served basis for the duration of funding availability. Monthly, all Projects that are recommended for approval by the Committee shall be submitted to the Partnership Board of Directors for final approval. Projects deemed eligible for funding by the Committee shall be prioritized by the Committee based upon project criteria and value to the Urban Renewal plan. **The DBP Board shall review, approve or deny funding to projects based upon the Committee's prioritization. Projects not reviewed by the DBP Board due to depletion of funds may re-apply for funding if and when such funds are announced as available by the Board. Published notice of funding availability shall be made public in the The Billings Times. Should a project, or a series of approved projects, receive a cumulative total equal to or greater than an amount established by the Billings City Council (currently ALL projects must seek Council approval)****

**that project funding that exceeds the Council established “floor limit” must receive approval from the City Council. In all cases, the decision of the DBP Board of Directors is considered final. Unapproved projects, under this Urban Renewal Project Incentive Program may not seek approval of the Billings City Council.**

**All applicants will be apprised of the status of their application by written communication from the DBP staff. Award recipients shall receive a Letter of Award indicating the amount of incentive funds awarded and any conditions deemed necessary by the DBP Board for receipt of the award. Applicants are required to return a signed copy of the letter to the DBP staff before funds will be committed to the project.**

Release of Funds:

**Applicants will receive incentive funding after the project is completed and all associated costs have been paid. Upon completion of approved work, in order to receive incentive fund reimbursement for payments made, the applicant must submit documentation of work completed and proof of payment to the DBP staff. It is the responsibility of the award recipient to maintain proper documentation of funds expended in the course of completing the Urban Renewal Project. Release of funds is subject to submission of this documentation to the DBP by the award recipient. The façade improvement project must be completed essentially as presented in the approved application (including any required modifications made by the DBP) in order to receive reimbursement.**

Acceptable documentation is defined as PAID invoices/statements and/or schedule of values from vendors clearly detailing the work done for the Urban Renewal Project or copies of the cancelled check showing payment accompanied by a vendor invoice.
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**Incentive funds will be paid out according to the following criteria:**

- 1) All payment documentation must be received by June 10 of the current fiscal year in order to receive payment.**
- 2) Payment documentation must be submitted to the DBP office at 2815 Second Avenue North.**
- 3) Incentive awards will be paid at the completion of a project.**

**The City of Billings is required to file informational returns (Form 1099-G) for individuals and entities receiving incentive funds. *This information is confidential and will only be used for informational return reporting purposes.* Incentive funding recipients must sign and return a Substitute W9 form to the City of Billings via the DBP before funds can be distributed.**

Encumbrance Policy:

**Applicants receiving funding under this program during the course of a given fiscal year (July 1 through June 30) are eligible to carry forward/encumber unexpended funds for a maximum of one additional fiscal year if an effort has been made to begin the project in the initial year; and/or when circumstances related to weather, construction season, etc. prohibit the completion of the project. Applicants must advise the DBP by June 1<sup>st</sup> if they will be requesting a carry forward/encumbrance. Invoices for expenditures of the current fiscal year are due by June 10.**

If You Have More Than One Project:

**Façade incentive applications will not be considered and deemed ineligible if the single building under the same ownership has received maximum incentive funds within two previous fiscal years.**

Disclaimer:

**The Downtown Billings Partnership, Inc., its committees, partners and or affiliates are not responsible for the planning, design, or construction of improvements to property that is owned by the applicant. No warranties or guarantees are expressed or implied by the description of, application for or participation in the Urban Renewal Project Program. The applicant is advised to consult with licensed architects, engineers, or building contractors before proceeding with final plans or construction.**

How To Apply:

**Contact the DBP office at 294-5060 or [www.downtownbillings.com](http://www.downtownbillings.com)**

**FAÇADE/SIGN/AWNING INCENTIVE PROGRAM**

**APPLICATION for FY 2009-2010 DRAFT**

# \_\_\_\_\_  
(For Office Use Only)

**(ATTACH A SEPARATE SHEET FOR EACH QUESTION IF EXTRA SPACE IS REQUIRED)**

## 1. Project Location

Address of Property to be improved:

Assessor Parcel Number(s): \_\_\_\_\_

**Can be found at <http://www.co.yellowstone.mt.us/gis/>**

Name of Business(es) in Project: \_\_\_\_\_

Building Frontage Measurement of Project: \_\_\_\_\_

## 2. Applicant Information

Name: \_\_\_\_\_

Mailing Address:

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_  
Do you Own, Rent or Lease the subject property? \_\_\_\_\_

**3. Businesses or Services Offered on Site:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**4. Description of Proposed Improvements:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**5. Please identify ways in which this project supports the Framework Plan and/or Urban Design Sketchbook** (note: this information is available at the Downtown Billings Partnership office, 2815 2<sup>nd</sup> Ave. N.): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**6. Submittals**

Applications must include the following materials, if applicable, for consideration.

**Applications lacking sufficient materials to describe the project will NOT be reviewed.**

- a) current photo(s) of the proposed project site*
- b) rendering or sketch of proposed improvements*
- c) architectural plans, including dimensions/measurements*
- d) color and materials samples for paint, awning, signs, etc.*
- e) sign plans*
- f) awning design*
- g) historical significance designation*

**7. Estimated Costs and Timing**

Please provide copies of vendor bids/estimates or other documentation of cost estimates for all proposed urban renewal project work.

**Applications lacking sufficient cost estimates will NOT be reviewed.**

- a. Water clean exterior \$ \_\_\_\_\_
- b. Exterior prep and paint \$ \_\_\_\_\_
- c. Window replacements/repair \$ \_\_\_\_\_
- d. Door replacement/Entry Foyer Repairs \$ \_\_\_\_\_
- e. Exterior Lighting \$ \_\_\_\_\_
- f. Façade restoration/rehabilitation \$ \_\_\_\_\_
- g. Architectural/Design Fees \$ \_\_\_\_\_
- h. Landscape/hardscape Improvements \$ \_\_\_\_\_
- i. Building Permit/Planning Fees \$ \_\_\_\_\_
- j. Other Proposed Improvements (specify) \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

**Subtotal** \$ \_\_\_\_\_

- k. Signage \$ \_\_\_\_\_
- l. Awnings \$ \_\_\_\_\_

**Subtotal** \$ \_\_\_\_\_

**TOTAL ESTIMATED COST** \$ \_\_\_\_\_

**Estimated Days/Months for Completion** \_\_\_\_\_

**8. Signatures**

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

\_\_\_\_\_  
Property Owner(s) Signature(s)

\_\_\_\_\_  
Applicant(s) Signature(s)

## 9. Checklist

Please review the checklist below to ensure all information/materials have been prepared to be submitted with this application. **Applicants are advised to submit a complete application and all supporting materials per the instructions in this packet; incomplete applications will not be considered for approval by the DBP Board.**

- Project location (item 1, page 5)
- Assessor parcel number (item 1, page 5)
- Building frontage measurement (item 1, page 5)
- Applicant Information (item 2, page 5)
- Listing of businesses or services offered on site (item 3, page 5)
- Description of proposed improvements (item 4, page 5)
- Identification of project's support of the Framework Plan and/or Urban Design Sketchbook (item 5, page 5)
- Current photo of project site (item 6a, page 6)
- Rendering or sketch of proposed improvements (item 6b, page 6)
- Architectural plans -- elevation drawing, dimensions, measurements, etc. (item 6c, page 6)
- Color and material samples -- as applies (item 6d, page 6)
- Sign/Awning design drawings and/or plans -- as applies (item 6e & 6f, page 6)
- Historical significance designation -- as applies (item 6g, page 6)
- Documentation of cost estimates -- copies of vendor bids, estimates, etc. (item 7, page 6)
- Signature of Property Owner (item 8, page 6)
- Signature of Applicant (item 8, page 6)

### APPROVAL (for office use only)

Amount Approved: \_\_\_\_\_

Date Approved: \_\_\_\_\_

**Date: 11/23/2009**

**TITLE: Downtown Library Facility Project Options**

**PRESENTED BY:** Bill Cochran

**Department:** Library

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**Information**

**PROBLEM/ISSUE STATEMENT**

As directed by City Council at its Work Session of November 2, 2009, staff has prepared draft resolutions and ballot language for three different options for improving the Parmly Billings Library downtown facility for Council consideration for a March 2010 City election.

**ALTERNATIVES ANALYZED**

At its October 8, 2009 meeting, the Library Board of Trustees approved recommending to the City Council that the Library be moved to an expanded and renovated Gainan's building, with a project cost of \$14,749,000. Construction would be funded through issuance of federal ARRA Recovery Zone bonds at an effective rate estimated to be 3.7%. This option would permit the current Library facility and parking lots to be sold for development.

Staff also presented to the Council at its November 2 Work Session an option to renovate the existing Library facility, with a project cost of \$15,000,000. Construction again would be funded through issuance of federal ARRA Recovery Zone bonds at an effective rate estimated to be 3.7%. Library unobligated cash reserves of \$1,000,000 would pay costs to move Library operations to leased operating and storage space during construction and to move back to the renovated building after its completion. This option would not permit the Library facility and parking lots to be sold for development. It also would require leasing of space that the Library cannot use in the current downtown facility to an appropriate tenant.

Staff also presented to the Council at its November 2 Work Session an option to demolish the existing Library facility and build a new one on the site already owned, with a project cost of \$17,340,000, including \$500,000 in demolition costs. Construction would be funded through issuance of federal ARRA Recovery Zone bonds at an effective rate estimated to be 3.7%. Library unobligated cash reserves of \$1,000,000 would pay costs to move Library operations to leased operating and storage space during construction and to move back to the renovated building after its completion. This option would not permit the Library facility and parking lots to be sold for development.

**FINANCIAL IMPACT**

Total cost of Option 1 over the 20-year life of the debt service of bonds at 3.7% and annual contract for deed payments is estimated to be \$22,100,000. This takes into account use of \$1,000,000 in Library unobligated cash reserves to reduce the project cost, but does not take into account the revenue that would be realized from sale of the existing building and parking lots, which is currently unknown.

Total cost of Option 2 over the 20-year life of the debt service of bonds at 3.7% is estimated to be \$22,900,000. This takes into account use of \$1,000,000 in Library unobligated cash reserves to pay for temporary leased space and moving costs during construction.

Total cost of Option 3 over the 20-year life of the debt service of bonds at 3.7% is estimated to be \$26,200,000. This takes into account use of \$1,000,000 in Library unobligated cash reserves to pay for temporary leased space and moving costs during construction.

## **BACKGROUND**

The Library Board toured the Gainan's facility in late 2008 and subsequently directed staff to evaluate the feasibility of the Library moving into the space when Gainan's vacates it in approximately two years. The Library contracted with CTA Architects to conduct a feasibility study, conceptual design and cost estimates, which were presented to the Library Board at its meeting on May 18, 2009. At its October 8, 2009, meeting, the Library Board of Trustees approved recommending to the City Council that the Library be moved to an expanded and renovated Gainan's building.

This recommendation was compatible with the City's approved CIP for the past several years, which currently includes \$13,383,684 for upgrading, remodeling, expanding or replacing the current facility in fiscal year (FY) 2012. To this number, an estimated additional cost of \$1,250,000 for renovation of the 4th floor must be added, for a total project cost of \$14,633,684. This cost does not include any funding for moving to leased space and back after the renovation. These estimates are based upon a study for renovating the current Library facility that the City Council contracted with A&E Architects, completed in February 2004.

The 2004 study was in response to the defeat of a general obligation bond election for a new downtown Library facility in 2002. Prior to the election the City Council rejected the six recommended sites in the vicinity of the current Library facility and directed staff to secure a buy/sell agreement between 4th and 3rd Avenues North and North 25th and 26th Streets, which was accomplished. The bond issue for the total project costs including site acquisition was estimated to be \$12,000,000. Immediately prior to the election, the City Council rejected the buy/sell agreement, so there was no site identified at the time of the election.

## **STAKEHOLDERS**

A forward-thinking approach to improving the Downtown Library was one of the strategies developed by the Council in response to the Citizen Survey and Community Conversations. The Library Board of Trustees recommends the Gainan's project as the lowest-cost option to meet the demand for an improved downtown library building as expressed by the Citizen Survey, Community Conversations and the current Library Strategic Planning process.

## **CONSISTENCY WITH ADOPTED POLICIES OR PLANS**

As mentioned earlier, the CIP currently calls for remodeling of the Library in FY 2012. An expedited election schedule is being requested because ARRA bonds must be issued no later than December 31, 2010. It is anticipated that construction would begin in December 2011 and conclude in December 2012. The recommended relocation of the Library to the former Gainan's site would free the current, valuable location for sale, which has been a long-desired goal of the City Council.

## **RECOMMENDATION**

Staff recommends that Council approve the Library Board of Trustees recommendation to place the Gainan's project option on the ballot in March, as the least expensive of the three options.

## **APPROVED BY CITY ADMINISTRATOR**

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### **Attachments**

Link: [Gainan's Option](#)

Link: [Remodel Current Building Option](#)

Link: [Build New Current Site Option](#)

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Option 1 – Gainan’s

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of City of Billings, Yellowstone County, Montana (the “City”), hereby certify that the attached resolution is a true copy of a Resolution entitled: “A RESOLUTION OF THE CITY COUNCIL SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF BILLINGS, MONTANA, THE QUESTION OF IMPOSING A MILL LEVY SUFFICIENT TO PROVIDE FUNDS TO PAY ANNUAL INSTALLMENTS OWING UNDER A CONTRACT TO ACQUIRE LAND, BUILDINGS, AND IMPROVEMENTS LOCATED AT 502 30<sup>TH</sup> STREET IN THE CITY AND COMMONLY KNOWN AS GAINAN’S AND ISSUING GENERAL OBLIGATION BONDS IN THE AMOUNT OF UP TO NINE MILLION TWO HUNDRED FORTY-NINE THOUSAND AND NO/100 DOLLARS (\$9,249,000.00) TO PAY COSTS OF IMPROVING THE PROPERTY AS A PUBLIC LIBRARY, RELOCATING THE PARMLY BILLINGS LIBRARY FROM ITS CURRENT LOCATION TO THE PROPERTY, AND COSTS ASSOCIATED WITH THE SALE AND ISSUANCE OF THE BONDS; AND AUTHORIZING THE LEVY OF ADDITIONAL MILLS OVER THE CITY CHARTER LIMIT IN AN AMOUNT SUFFICIENT TO PAY AMOUNTS OWING UNDER THE FOREGOING” (the “Resolution”), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council at a regular meeting on November [23], 2009, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Council Members voted in favor thereof: \_\_\_\_\_; voted against the same: \_\_\_\_\_; abstained from voting thereon: \_\_\_\_\_; or were absent: \_\_\_\_\_.

WITNESS my hand and seal officially this \_\_\_\_\_ day of November, 2009.

(SEAL)

\_\_\_\_\_  
City Clerk

RESOLUTION NO. 09-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF BILLINGS, MONTANA, THE QUESTION OF IMPOSING A MILL LEVY SUFFICIENT TO PROVIDE FUNDS TO PAY ANNUAL INSTALLMENTS OWING UNDER A CONTRACT TO ACQUIRE LAND, BUILDINGS, AND IMPROVEMENTS LOCATED AT 502 30<sup>TH</sup> STREET IN THE CITY AND COMMONLY KNOWN AS GAINAN'S AND ISSUING GENERAL OBLIGATION BONDS IN THE AMOUNT OF UP TO NINE MILLION TWO HUNDRED FORTY-NINE THOUSAND AND NO/100 DOLLARS (\$9,249,000.00) TO PAY COSTS OF IMPROVING THE PROPERTY AS A PUBLIC LIBRARY, RELOCATING THE PARMLY BILLINGS LIBRARY FROM ITS CURRENT LOCATION TO THE PROPERTY, AND COSTS ASSOCIATED WITH THE SALE AND ISSUANCE OF THE BONDS; AND AUTHORIZING THE LEVY OF ADDITIONAL MILLS OVER THE CITY CHARTER LIMIT IN AN AMOUNT SUFFICIENT TO PAY AMOUNTS OWING UNDER THE FOREGOING

BE IT RESOLVED By the City Council (the "Council") of the City of Billings, Montana (the "City") as follows:

Section 1. Recitals.

1.01. Authorization.

(a) A city or town is authorized pursuant to 7-7-4101, M.C.A., to contract an indebtedness on behalf of a city or town, upon the credit of the town, by borrowing money, entering into leases, entering into lease-purchase agreements, or entering into installment purchase contracts for the purpose of acquiring land for and designing and erecting public buildings, and pursuant to Section 7-7-4221, M.C.A., to issue general obligation bonds pledging the general credit of the City for the purpose of acquiring land for and designing and erecting public buildings, upon approval of the electorate of the city or town, provided that such indebtedness will not cause the total indebtedness of the city to exceed 2.5% of the total assessed valuation of taxable property of the city, determined as provided in Section 15-8-111, M.C.A., ascertained by the last assessment for state and county taxes. A city council is authorized pursuant to Section 15-10-425, M.C.A., to call a mill levy election and pursuant to Section 7-7-4223, M.C.A., to call a bond election by adopting a resolution to that effect.

(b) Under the City Charter, except as otherwise authorized, the Council shall not levy more than 74 mills on real and personal property for all purposes, unless there is an affirmative vote of majority of votes cast in an election on the question of whether the mill levy may be increased above the 74 mills.

1.02. Proposed Library Project.

(a) The City, based on the recommendations of the Library Board and public input, has proposed that the City relocate the Parmlly Billings Library owned by the City

(the "Library"), from its current location at 510 N. Broadway in the City to the property located at 502 30th Street in the City and commonly known as Gainan's (the "Property"), which is currently owned by Big Sky Floral Supply L.L.P. and C.K. Gainan L.L.P. (collectively, "Gainan's").

(b) The City proposes that it will (i) enter into a contract with Gainan's to acquire the Property, (ii) improve the Property as a public library, (iii) relocate the Library to the Property, and (iv) undertake necessary related improvements (collectively, the "Project").

(c) The City further proposes to impose a mill levy to pay the costs of acquiring the Property over time in annual installments and to issue general obligation bonds to pay a portion of the costs of improving the Property.

1.03. Estimated Cost. The estimated costs of the Project and costs associated with the sale and issuance of such bonds, exclusive of interest, are \$14,749,000, \$1,000,000 of which would be paid from amounts the City has on hand and available therefor.

1.04. Mill Levy; Bonds. It is the judgment of the Council that, in order to undertake the Project, it is necessary and desirable for the City to impose a mill levy in an amount to raise approximately \$[\_\_\_\_\_] per year for up to 20 years to pay costs of acquiring the Property and to issue general obligation bonds in the aggregate sum of Nine Million Two Hundred Forty-Nine Thousand Dollars (\$9,249,000.00) payable during a term not to exceed twenty (20) years (the "Bonds") to pay costs of improving the Property.

1.05. Debt Limitation. The Council has determined that the arrangement for acquiring the Property and the issuance of the Bonds will not cause the City to exceed its general statutory indebtedness limitation, which in November 2009, is calculated to be \$[97,242,227].

1.06. Mills. If approved by the voters, there will be a levy of additional mills over a period of 20 years as may be required to pay (i) the annual installments of principal and interest in respect of acquiring the Property, and (ii) the principal of and interest on the Bonds. Based on the current taxable valuation of the City, it is estimated that [7.00] additional mills per year would be needed to pay the aggregate amount of the foregoing, assuming the interest rate on the obligation to acquire the Property is [\_\_\_\_\_] % per annum and on the Bonds is [3.70] % per annum.

1.07. Election. The Council has determined there should be submitted to the electors of the City qualified to vote at bond elections the question of whether the Council shall be authorized to impose a mill levy to pay over time the purchase price of the Property, and to issue and sell the Bonds of the City to obtain funds to improve the Property as a public library and to pay costs associated with the sale and issuance of the Bonds.

Section 2. Calling of the Election. The Council of the City hereby calls and directs a special city election to be held on March [\_\_\_], 2010, to be conducted by mail ballot, for the purpose of voting on the following question:

Shall the City Council (the "Council") of the City of Billings, Montana (the "City") be authorized to impose a mill levy sufficient to raise up to \$\_\_\_\_\_ per year for a term

not to exceed twenty (20) years to provide funds to pay annual installments owing under a contract to acquire land, buildings, and improvements located at 502 30<sup>th</sup> Street in the City and commonly known as Gainan's (the "Property") and to issue and sell general obligation bonds of the City in one or more series in the amount of up to Nine Million Two Hundred Forty-Nine Thousand Dollars (\$9,249,000.00), bearing interest at a rate or rates to be determined by the Council and payable during a term not to exceed twenty (20) years to pay costs of improving the Property as a public library, relocating the Parmly Billings Library from its current location to the Property, and costs associated with the sale and issuance of the bonds (collectively, the "Project"); and authorizing the levy of [approximately 7.00] additional mills over the City Charter limit in an amount sufficient to pay amounts owing under the foregoing?

Section 3. Conduct of Election. All qualified electors of the City shall be entitled to vote at the bond election. The City Clerk is hereby authorized and directed to give notice of the call and details of this election to the Yellowstone County Election Administrator at least 70 days before the election. The Yellowstone County Election Administrator is requested to give notice of the close of registration and thereafter prepare printed lists of the qualified electors in the City entitled to vote in the election in the City and to conduct the election in the form and manner prescribed by law and consistent with the Mail Ballot Plan, as follows:

The election will be conducted solely by mail ballot. Ballots will be mailed to all eligible registered voters in the City on [February \_\_], 2010, and must be returned by each voter, to the Yellowstone County Election Administrator's Office by mail or in person to the Yellowstone County Election Administrator, Yellowstone County, 217 North 27th, Billings, Montana 59107, during regular business hours (8:00 a.m. to 5:00 p.m.), weekdays, [February \_\_], 2010 through [March \_\_], 2010.

On Election Day, March [\_\_], 2010, the only place for deposit of voted ballots will be the office of the Yellowstone County Election Administrator at the Yellowstone County Election Department, 217 North 27th, Billings, Montana, which will be open from 8:00 a.m. to 8:00 p.m., and all ballots must be in that office by 8:00 p.m. on that day in order to be counted. All ballots will be tallied in the office of the Yellowstone County Election Administrator after 8:00 p.m. on March [\_\_], 2010.

A qualified voter who will be absent from the City during the time the election is being conducted may:

(a) vote in person in the office of the Yellowstone County Election Administrator as soon as the ballots are available and until noon on [February \_\_], 2010; or

(b) make a written request prior to noon on [February \_\_], 2010, signed by the applicant and addressed to the office of the Yellowstone County Election Administrator, that the ballot be mailed to an address other than that which appears on the registration records. All ballots to be mailed will be mailed no later than [February \_\_], 2010.

An elector may obtain a replacement ballot if his ballot is destroyed, spoiled, lost, or not received by the elector by personally appearing at the office of the Yellowstone County Election Administrator and by:

(a) signing an affidavit form stating the reason for the request for replacement;  
and

(b) if the reason given for replacement is “spoiled ballot,” by returning the spoiled ballot to the office of the Yellowstone County Election Administrator.

Section 4. Notice of Election. The City Clerk is hereby authorized and requested to cause notice of the call and holding of the election to be given by publishing notice at least once a week for the three consecutive weeks before the election in the *Billings Times*, a newspaper of general circulation in Yellowstone County. The notice of election as published shall read substantially as shown on Exhibit A hereto (which is incorporated by reference and made a part hereof).

Section 5. Form of Ballot. The ballot shall be printed in substantially the following form:

OFFICIAL BALLOT  
CITY OF BILLINGS, MONTANA  
MILL LEVY AND GENERAL OBLIGATION BOND ELECTION  
MARCH [\_\_\_], 2010

INSTRUCTIONS TO VOTERS: Make an X or similar mark in the vacant square before the words “MILL LEVY AND GENERAL OBLIGATION BONDS--YES” if you wish to vote for the proposition; if you are opposed to the proposition, make an X or similar mark in the square before the words “MILL LEVY AND GENERAL OBLIGATION BONDS--NO”.

Shall the City Council (the “Council”) of the City of Billings, Montana (the “City”) be authorized to impose a mill levy sufficient to raise up to \$\_\_\_\_\_ per year for a term not to exceed twenty (20) years to provide funds to pay annual installments owing under a contract to acquire land, buildings, and improvements located at 502 30<sup>th</sup> Street in the City and commonly known as Gainan’s (the “Property”) and to issue and sell general obligation bonds of the City in one or more series in the amount of up to Nine Million Two Hundred Forty-Nine Thousand Dollars (\$9,249,000.00), bearing interest at a rate or rates to be determined by the Council and payable during a term not to exceed twenty (20) years to pay costs of improving the Property as a public library, relocating the Parmly Billings Library from its current location to the Property, and costs associated with the sale and issuance of the bonds (collectively, the “Project”); and authorizing the levy of [approximately 7.0] additional mills over the City Charter limit in an amount sufficient to pay amounts owing under the foregoing?

If approved, based on 2009 assessed values of taxable property in the City, a term of 20 years, and an interest rate on the contract to acquire the Property of [\_\_\_]% per annum and on the bonds of [3.70]% per annum, the additional mills would result in an estimated increase in the annual tax on a home with an assessed market value of \$100,000 of \$[\_\_\_\_\_] and on a home with an assessed market value of \$200,000 of \$ [\_\_\_\_\_].

MILL LEVY AND GENERAL OBLIGATION BONDS — YES

MILL LEVY AND GENERAL OBLIGATION BONDS — NO

Section 7. Notice to County Election Administrator. A copy of this resolution will be provided to the Yellowstone County Election Administrator as soon as possible after its adoption and approval in order to inform him of the details of the election and the pertinent requests and authorizations as to the conduct of the election.

Section 8. Reimbursement Expenditures.

(a) The United States Department of Treasury has promulgated final regulations governing the use of proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City for project expenditures paid by the City prior to the date of issuance of such bonds. Those regulations (Treasury Regulations, Section 1.150-2) (the “Regulations”) require that the City adopt a statement of official intent to reimburse an original expenditure not later than 60 days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and the reimbursement allocation made from the proceeds of the bonds within 18 months (or three years, if the reimbursement bond issue qualifies for the “small issuer” exception from the arbitrage rebate requirement) after the later of (i) the date the expenditure is paid or (ii) the date the project is placed in service or abandoned, but (unless the issue qualifies for the “small issuer” exception from the arbitrage rebate requirement) in no event more than three years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds.

(b) Other than (i) expenditures to be paid or reimbursed from sources other than the bonds, (ii) expenditures permitted to be reimbursed under the transitional provision contained in Section 1.150-2(j)(2) of the Regulations, (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations, or (iv) expenditures in a “de minimus” amount (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures for the project have been paid by the City before the date 60 days before the date of adoption of this resolution.

(c) The City reasonably expects to reimburse the expenditures made for costs of the project out of the proceeds of bonds up to an estimated maximum aggregate principal amount of Nine Million Two Hundred Forty-Nine Thousand Dollars (\$9,249,000.00) after the date of payment of all or a portion of the costs of the project. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the bonds or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations.

(d) As of the date hereof, there are no City funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the project, other than pursuant to the issuance of the bonds. The statement of intent contained in this resolution, therefore, is determined to be consistent with the City’s budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof.

(e) The City’s financial officer shall be responsible for making the “reimbursement allocations” described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the bonds to reimburse the source of temporary financing used by the City to make prior payment of the costs of the project. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the bonds or the project and shall specifically identify the actual original expenditure being reimbursed.

PASSED by the City Council of Billings, Montana, this [23rd] day of November, 2009.

CITY OF BILLINGS, MONTANA

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

(SEAL)

EXHIBIT A

NOTICE OF MILL LEVY AND GENERAL OBLIGATION BOND ELECTION  
City of Billings, Montana  
March [\_\_\_], 2010

NOTICE IS HEREBY GIVEN by the City Council (the “Council”) of the City of Billings, Montana (the “City”), that pursuant to a certain resolution duly adopted at a regular meeting of the Council on November [23], 2009, a special city election of the registered voters of the City will be held on March [\_\_\_], 2010, conducted by mail ballot, for the purpose of voting on the following question:

Shall the City Council (the “Council”) of the City of Billings, Montana (the “City”) be authorized to impose a mill levy sufficient to raise up to \$\_\_\_\_\_ per year for a term not to exceed twenty (20) years to provide funds to pay annual installments owing under a contract to acquire land, buildings, and improvements located at 502 30<sup>th</sup> Street in the City and commonly known as Gainan’s (the “Property”) and to issue and sell general obligation bonds of the City in one or more series in the amount of up to Nine Million Two Hundred Forty-Nine Thousand Dollars (\$9,249,000.00), bearing interest at a rate or rates to be determined by the Council and payable during a term not to exceed twenty (20) years to pay costs of improving the Property as a public library, relocating the Parmly Billings Library from its current location to the Property, and costs associated with the sale and issuance of the bonds (collectively, the “Project”); and authorizing the levy of [approximately 7.0] additional mills over the City Charter limit in an amount sufficient to pay amounts owing under the foregoing?

If approved, based on 2009 assessed values of taxable property in the City, a term of 20 years, and an interest rate on the contract to acquire the Property of [\_\_\_]% per annum and on the bonds of [3.70]% per annum, the additional mills would result in an estimated increase in the annual tax on a home with an assessed market value of \$100,000 of \$[\_\_\_\_\_] and on a home with an assessed market value of \$200,000 of \$ [\_\_\_\_\_].

The election will be conducted solely by mail ballot. Ballots will be mailed to all eligible registered voters in the City on [February \_\_\_], 2010, and must be returned by each voter, to the Yellowstone County Election Administrator’s Office by mail or in person to the Yellowstone County Election Administrator, Yellowstone County, 217 North 27th, Billings, Montana 59107, during regular business hours (8:00 a.m. to 5:00 p.m.), weekdays, [February \_\_\_], 2010 through [March \_\_\_], 2010.

On Election Day, March [\_\_\_], 2010, the only place for deposit of voted ballots will be the office of the Yellowstone County Election Administrator at the Yellowstone County Election Department, 217 North 27th, Billings, Montana, which will be open from 8:00 a.m. to 8:00 p.m., and all ballots must be in that office by 8:00 p.m. on that day in order to be counted. All ballots will be tallied in the office of the Yellowstone County Election Administrator after 8:00 p.m. on March [\_\_\_], 2010.

A qualified voter who will be absent from the City during the time the election is being conducted may:

(a) vote in person in the office of the Yellowstone County Election Administrator as soon as the ballots are available and until noon on [February \_\_], 2010; or

(b) make a written request prior to noon on [February \_\_], 2010, signed by the applicant and addressed to the office of the Yellowstone County Election Administrator, that the ballot be mailed to an address other than that which appears on the registration records. All ballots to be mailed will be mailed no later than [February \_\_], 2010.

An elector may obtain a replacement ballot if his ballot is destroyed, spoiled, lost, or not received by the elector by personally appearing at the office of the Yellowstone County Election Administrator and by:

(a) signing an affidavit form stating the reason for the request for replacement; and

(b) if the reason given for replacement is “spoiled ballot,” by returning the spoiled ballot to the office of the Yellowstone County Election Administrator.

DATED this \_\_\_\_ day of November, 2009.

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City Clerk

Publish: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Option 2 – Renovating Existing Building*

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of City of Billings, Yellowstone County, Montana (the “City”), hereby certify that the attached resolution is a true copy of a Resolution entitled: “A RESOLUTION OF THE CITY COUNCIL SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF BILLINGS, MONTANA, THE QUESTION OF ISSUING GENERAL OBLIGATION BONDS IN THE AMOUNT OF UP TO FIFTEEN MILLION AND NO/100 DOLLARS (\$15,000,000.00) FOR THE PURPOSE OF PAYING COSTS OF RENOVATING THE BILLINGS PARMLEY LIBRARY, RELATED IMPROVEMENTS, AND COSTS ASSOCIATED WITH THE SALE AND ISSUANCE OF THE BONDS; AND AUTHORIZING THE LEVY OF ADDITIONAL MILLS OVER THE CITY CHARTER LIMIT IN AN AMOUNT SUFFICIENT TO PAY PRINCIPAL OF AND INTEREST ON THE BONDS” (the “Resolution”), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council at a regular meeting on November 23, 2009, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Council Members voted in favor thereof: \_\_\_\_\_; voted against the same: \_\_\_\_\_; abstained from voting thereon: \_\_\_\_\_; or were absent: \_\_\_\_\_.

WITNESS my hand and seal officially this \_\_\_\_\_ day of November, 2009.

(SEAL)

\_\_\_\_\_  
City Clerk

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF BILLINGS, MONTANA, THE QUESTION OF ISSUING GENERAL OBLIGATION BONDS IN THE AMOUNT OF UP TO FIFTEEN MILLION AND NO/100 DOLLARS (\$15,000,000.00) FOR THE PURPOSE OF PAYING COSTS OF RENOVATING THE BILLINGS PARMLY LIBRARY, RELATED IMPROVEMENTS, AND COSTS ASSOCIATED WITH THE SALE AND ISSUANCE OF THE BONDS; AND AUTHORIZING THE LEVY OF ADDITIONAL MILLS OVER THE CITY CHARTER LIMIT IN AN AMOUNT SUFFICIENT TO PAY PRINCIPAL OF AND INTEREST ON THE BONDS

BE IT RESOLVED By the City Council (the “Council”) of the City of Billings, Montana (the “City”) as follows:

Section 1. Recitals.

1.01. Authorization. (a) A city or town is authorized pursuant to Section 7-7-4221, M.C.A., to issue general obligation bonds pledging the general credit of the City for the purpose of acquiring land for and designing and erecting public buildings, upon approval of the electorate of the city or town, provided that such indebtedness will not cause the total indebtedness of the city to exceed 2.5% of the total assessed valuation of taxable property of the city, determined as provided in Section 15-8-111, M.C.A., ascertained by the last assessment for state and county taxes. A city council is authorized pursuant to Section 7-7-4223, M.C.A., to call a bond election by adopting a resolution to that effect.

(b) Under the City Charter, except as otherwise authorized, the Council shall not levy more than 74 mills on real and personal property for all purposes, unless there is an affirmative vote of majority of votes cast in an election on the question of whether the mill levy may be increased above the 74 mills.

1.02. Proposed Library Project. The City, based on the recommendations of the Library Board and public input, has proposed that the City issue general obligation bonds to pay for the costs of renovating the Billings Parmly Library owned by the City and to make related improvements (the “Project”).

1.03. Estimated Cost. The estimated costs of the Project and costs associated with the sale and issuance of the bonds are \$16,000,000.00. Costs of the Project in excess of the proceeds of the bonds are expected to be paid from cash reserves and other sources available to or obtained by the City.

1.04. Debt Limitation. The Council has determined that the issuance of general obligation bonds up to the total aggregate amount of Fifteen Million Dollars (\$15,000,000.00) will not cause the City to exceed its general statutory indebtedness limitation, which in November 2009, is calculated to be \$[97,242,227].

1.05. Mills. If approved by the voters, there will be a levy of additional mills over a period of 20 years as may be required to pay the principal of and interest on \$15,000,000 general obligation bonds for the Project. Based on the current taxable valuation of the City, it is estimated that [7.0] additional mills per year would be needed to pay the principal of and interest on the Bonds over a 20 year period, assuming a [3.70]% interest rate.

1.06. Election. The Council has determined there should be submitted to the electors of the City qualified to vote at bond elections the question of whether the Council shall be authorized to issue and sell general obligation bonds of the City in order to obtain funds for the Project, paying costs associated with the sale and issuance of the bonds, and authorizing the levy of additional mills over the City Charter limit in an amount sufficient to pay principal of and interest on the bonds.

1.07. Bonds. It is the judgment of the Council that the aggregate sum of Fifteen Million Dollars (\$15,000,000.00) in bonds will be necessary to carry out the purposes set forth above. It is also the judgment and determination of the Council that each series of bonds will be payable during a term not to exceed twenty (20) years.

Section 2. Calling of the Election. The City Council of the City hereby calls and directs a special city election to be held on March [\_\_\_], 2010, to be conducted in accordance with the provisions of Title 13, Chapter 19, Parts 1-3, M.C.A. (the "Mail Ballot Act"), for the purpose of voting on the following question:

Shall the City Council (the "Council") of the City of Billings, Montana (the "City") be authorized to issue and sell general obligation bonds of the City in one or more series in the amount of up to Fifteen Million Dollars (\$15,000,000.00), bearing interest at a rate or rates to be determined by the Council and payable during a term not to exceed twenty (20) years for the purpose of paying costs of renovating the Billings Parmly Library, related improvements, and costs associated with the sale and issuance of the bonds; and authorizing the levy of approximately 7.0 additional mills over the City Charter limit in an amount sufficient to pay principal of and interest on the bonds?

Section 3. Conduct of Election. All qualified electors of the City shall be entitled to vote at the bond election. The City Clerk is hereby authorized and directed to give notice of the call and details of this election to the Yellowstone County Election Administrator at least 70 days before the election. The Yellowstone County Election Administrator is requested to give notice of the close of registration and thereafter prepare printed lists of the qualified electors in the City entitled to vote in the election in the City and to conduct the election in the form and manner prescribed by law and consistent with the Mail Ballot Plan, as follows:

The election will be conducted solely by mail ballot. Ballots will be mailed to all eligible registered voters in the City on February [\_\_\_], 2010, and must be returned by each voter, to the Yellowstone County Election Administrator's Office by mail or in person to the Yellowstone County Election Administrator, Yellowstone County, 217 North 27th, Billings, Montana 59107, during regular business hours (8:00 a.m. to 5:00 p.m.), weekdays, February [\_\_\_], 2010 through March [\_\_\_], 2010.

On Election Day, March [\_\_], 2010, the only place for deposit of voted ballots will be the office of the Yellowstone County Election Administrator at the Yellowstone County Election Department, 217 North 27th, Billings, Montana, which will be open from 8:00 a.m. to 8:00 p.m., and all ballots must be in that office by 8:00 p.m. on that day in order to be counted. All ballots will be tallied in the office of the Yellowstone County Election Administrator after 8:00 p.m. on March [\_\_], 2010.

A qualified voter who will be absent from the City during the time the election is being conducted may:

(a) vote in person in the office of the Yellowstone County Election Administrator as soon as the ballots are available and until noon on February [\_\_], 2010; or

(b) make a written request prior to noon on February [\_\_], 2010, signed by the applicant and addressed to the office of the Yellowstone County Election Administrator, that the ballot be mailed to an address other than that which appears on the registration records. All ballots to be mailed will be mailed no later than February [\_\_], 2010.

An elector may obtain a replacement ballot if his ballot is destroyed, spoiled, lost, or not received by the elector by personally appearing at the office of the Yellowstone County Election Administrator and by:

(a) signing an affidavit form stating the reason for the request for replacement; and

(b) if the reason given for replacement is “spoiled ballot,” by returning the spoiled ballot to the office of the Yellowstone County Election Administrator.

Section 4. Notice of Election. The City Clerk is hereby authorized and requested to cause notice of the call and holding of the election to be given by publishing notice at least once a week for the three consecutive weeks before the election in the *Billings Times*, a newspaper of general circulation in Yellowstone County. The notice of election as published shall read substantially as shown on Exhibit A hereto (which is incorporated by reference and made a part hereof).

Section 5. Form of Ballot. The ballot shall be printed in substantially the following form:

OFFICIAL BALLOT  
CITY OF BILLINGS, MONTANA  
GENERAL OBLIGATION BOND ELECTION  
MARCH [\_\_], 2010

INSTRUCTIONS TO VOTERS: Make an X or similar mark in the vacant square before the words “GENERAL OBLIGATION BONDS--YES” if you wish to vote for the bond issue; if you are opposed to the bond issue, make an X or similar mark in the square before the words “GENERAL OBLIGATION BONDS --NO”.

Shall the City Council (the “Council”) of the City of Billings, Montana (the “City”) be authorized to issue and sell general obligation bonds of the City in one or more series in the amount of up to Fifteen Million Dollars (\$15,000,000.00), bearing interest at a rate or rates to be determined by the Council and payable during a term not to exceed twenty (20) years for the purpose of paying costs of renovating the Billings Parmly Library, related improvements, and costs associated with the sale and issuance of the bonds; and authorizing the levy of approximately 7.0 additional mills over the City Charter limit in an amount sufficient to pay principal of and interest on the bonds?

Costs of the Project in excess of the proceeds of the bonds, if any, are expected to be paid from cash reserves and other sources available to or obtained by the City.

- GENERAL OBLIGATION BONDS — YES
- GENERAL OBLIGATION BONDS — NO

Section 7. Notice to County Election Administrator. A copy of this resolution will be provided to the Yellowstone County Election Administrator as soon as possible after its adoption and approval in order to inform him of the details of the election and the pertinent requests and authorizations as to the conduct of the election.

Section 8. Reimbursement Expenditures.

(a) The United States Department of Treasury has promulgated final regulations governing the use of proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City for project expenditures paid by the City prior to the date of issuance of such bonds. Those regulations (Treasury Regulations, Section 1.150-2) (the “Regulations”) require that the City adopt a statement of official intent to reimburse an original expenditure not later than 60 days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and the reimbursement allocation made from the proceeds of the bonds within 18 months (or three years, if the reimbursement bond issue qualifies for the “small issuer” exception from the arbitrage rebate requirement) after the later of (i) the date the expenditure is paid or (ii) the date the project is placed in service or abandoned, but (unless the issue qualifies for the “small issuer” exception from the arbitrage rebate requirement) in no event more than three years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds.

(b) Other than (i) expenditures to be paid or reimbursed from sources other than the bonds, (ii) expenditures permitted to be reimbursed under the transitional provision contained in Section 1.150-2(j)(2) of the Regulations, (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations, or (iv) expenditures in a “de minimus” amount (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures for the project have been paid by the City before the date 60 days before the date of adoption of this resolution.

(c) The City reasonably expects to reimburse the expenditures made for costs of the project out of the proceeds of bonds up to an estimated maximum aggregate principal amount of Fifteen Million Dollars (\$15,000,000.00) after the date of payment of all or a portion of the costs of the project. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the bonds or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations.

(d) As of the date hereof, there are no City funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the project, other than pursuant to the issuance of the bonds. The statement of intent contained in this resolution, therefore, is determined to be consistent with the City’s budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof.

(e) The City’s financial officer shall be responsible for making the “reimbursement allocations” described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the bonds to reimburse the source of temporary financing used by the City to make prior payment of the costs of the project. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the bonds or the project and shall specifically identify the actual original expenditure being reimbursed.

PASSED by the City Council of Billings, Montana, this 23rd day of November, 2009.

CITY OF BILLINGS, MONTANA

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

(SEAL)

EXHIBIT A

NOTICE OF GENERAL OBLIGATION BOND ELECTION

City of Billings, Montana

March [\_\_], 2010

NOTICE IS HEREBY GIVEN by the City Council (the "Council") of the City of Billings, Montana (the "City"), that pursuant to a certain resolution duly adopted at a regular meeting of the Council on November 23, 2009, a special city election of the registered voters of the City will be held on March [\_\_], 2010, conducted by mail ballot, for the purpose of voting on the following question:

Shall the City Council (the "Council") of the City of Billings, Montana (the "City") be authorized to issue and sell general obligation bonds of the City in one or more series in the amount of up to Fifteen Million Dollars (\$15,000,000.00), bearing interest at a rate or rates to be determined by the Council and payable during a term not to exceed twenty (20) years for the purpose of paying costs of renovating the Billings Parmly Library, related improvements, and costs associated with the sale and issuance of the bonds; and authorizing the levy of approximately 7.0 additional mills over the City Charter limit in an amount sufficient to pay principal of and interest on the bonds?

Costs of the Project in excess of the proceeds of the bonds, if any, are expected to be paid from cash reserves and other sources available to or obtained by the City.

The election will be conducted solely by mail ballot. Ballots will be mailed to all eligible registered voters in the City on February [\_\_], 2010, and must be returned by each voter, to the Yellowstone County Election Administrator's Office by mail or in person to the Yellowstone County Election Administrator, Yellowstone County, 217 North 27th, Billings, Montana 59107, during regular business hours (8:00 a.m. to 5:00 p.m.), weekdays, February [\_\_], 2010 through March [\_\_], 2010.

On Election Day, March [\_\_], 2010, the only place for deposit of voted ballots will be the office of the Yellowstone County Election Administrator at the Yellowstone County Election Department, 217 North 27th, Billings, Montana, which will be open from 8:00 a.m. to 8:00 p.m., and all ballots must be in that office by 8:00 p.m. on that day in order to be counted. All ballots will be tallied in the office of the Yellowstone County Election Administrator after 8:00 p.m. on March [\_\_], 2010.

A qualified voter who will be absent from the City during the time the election is being conducted may:

(a) vote in person in the office of the Yellowstone County Election Administrator as soon as the ballots are available and until noon on February [\_\_], 2010; or

(b) make a written request prior to noon on February [\_\_], 2010, signed by the applicant and addressed to the office of the Yellowstone County Election Administrator, that the ballot be

mailed to an address other than that which appears on the registration records. All ballots to be mailed will be mailed no later than February [\_\_\_], 2010.

An elector may obtain a replacement ballot if his ballot is destroyed, spoiled, lost, or not received by the elector by personally appearing at the office of the Yellowstone County Election Administrator and by:

(a) signing an affidavit form stating the reason for the request for replacement; and

(b) if the reason given for replacement is “spoiled ballot,” by returning the spoiled ballot to the office of the Yellowstone County Election Administrator.

DATED this \_\_\_\_ day of November, 2009.

---

City Clerk

Publish:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Option 3 – Replacing Existing Building*

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of City of Billings, Yellowstone County, Montana (the “City”), hereby certify that the attached resolution is a true copy of a Resolution entitled: “A RESOLUTION OF THE CITY COUNCIL SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF BILLINGS, MONTANA, THE QUESTION OF ISSUING GENERAL OBLIGATION BONDS IN THE AMOUNT OF UP TO SEVENTEEN MILLION THREE HUNDRED FORTY THOUSAND AND NO/100 DOLLARS (\$17,340,000.00) FOR THE PURPOSE OF PAYING COSTS OF DESIGNING, CONSTRUCTING AND EQUIPPING A NEW LIBRARY BUILDING IN REPLACEMENT OF THE BILLINGS PARMLY LIBRARY, RELATED IMPROVEMENTS, AND COSTS ASSOCIATED WITH THE SALE AND ISSUANCE OF THE BONDS; AND AUTHORIZING THE LEVY OF ADDITIONAL MILLS OVER THE CITY CHARTER LIMIT IN AN AMOUNT SUFFICIENT TO PAY PRINCIPAL OF AND INTEREST ON THE BONDS” (the “Resolution”), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council at a regular meeting on November 23, 2009, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Council Members voted in favor thereof: \_\_\_\_\_; voted against the same: \_\_\_\_\_; abstained from voting thereon: \_\_\_\_\_; or were absent: \_\_\_\_\_.

WITNESS my hand and seal officially this \_\_\_\_\_ day of November, 2009.

(SEAL)

\_\_\_\_\_  
City Clerk

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF BILLINGS, MONTANA, THE QUESTION OF ISSUING GENERAL OBLIGATION BONDS IN THE AMOUNT OF UP TO SEVENTEEN MILLION THREE HUNDRED FORTY THOUSAND AND NO/100 DOLLARS (\$17,340,000.00) FOR THE PURPOSE OF PAYING COSTS OF DESIGNING, CONSTRUCTING AND EQUIPPING A NEW LIBRARY BUILDING IN REPLACEMENT OF THE BILLINGS PARMLEY LIBRARY, RELATED IMPROVEMENTS, AND COSTS ASSOCIATED WITH THE SALE AND ISSUANCE OF THE BONDS; AND AUTHORIZING THE LEVY OF ADDITIONAL MILLS OVER THE CITY CHARTER LIMIT IN AN AMOUNT SUFFICIENT TO PAY PRINCIPAL OF AND INTEREST ON THE BONDS

BE IT RESOLVED By the City Council (the “Council”) of the City of Billings, Montana (the “City”) as follows:

Section 1. Recitals.

1.01. Authorization. (a) A city or town is authorized pursuant to Section 7-7-4221, M.C.A., to issue general obligation bonds pledging the general credit of the City for the purpose of acquiring land for and designing and erecting public buildings, upon approval of the electorate of the city or town, provided that such indebtedness will not cause the total indebtedness of the city to exceed 2.5% of the total assessed valuation of taxable property of the city, determined as provided in Section 15-8-111, M.C.A., ascertained by the last assessment for state and county taxes. A city council is authorized pursuant to Section 7-7-4223, M.C.A., to call a bond election by adopting a resolution to that effect.

(b) Under the City Charter, except as otherwise authorized, the Council shall not levy more than 74 mills on real and personal property for all purposes, unless there is an affirmative vote of majority of votes cast in an election on the question of whether the mill levy may be increased above the 74 mills.

1.02. Proposed Library Project. The City, based on the recommendations of the Library Board and public input, has proposed that the City issue general obligation bonds to pay for the costs of designing, constructing and equipping a new library building in replacement of the Billings Parmley Library owned by the City and to make related improvements (the “Project”).

1.03. Estimated Cost. The estimated costs of the Project and costs associated with the sale and issuance of the Bonds are Eighteen Million Three Hundred Forty Thousand Dollars (\$18,340,000.00). Costs of the Project in excess of the proceeds of the bonds are expected to be paid from cash reserves and other sources available to or obtained by the City.

1.04. Debt Limitation. The Council has determined that the issuance of general obligation bonds up to the total aggregate amount of Seventeen Million Three Hundred Forty Thousand And No/100 Dollars (\$17,340,000.00) will not cause the City to exceed its general statutory indebtedness limitation, which in November 2009, is calculated to be \$[97,242,227].

1.05. Mills. If approved by the voters, there will be a levy of additional mills over a period of 20 years as may be required to pay the principal of and interest on \$17,340,000 general obligation bonds for the Project. Based on the current taxable valuation of the City, it is estimated that [7.0] additional mills per year would be needed to pay the principal of and interest on the Bonds over a 20 year period, assuming a [3.70]% interest rate.

1.06. Election. The Council has determined there should be submitted to the electors of the City qualified to vote at bond elections the question of whether the Council shall be authorized to issue and sell general obligation bonds of the City in order to obtain funds for the Project, paying costs associated with the sale and issuance of the bonds, and authorizing the levy of additional mills over the City Charter limit in an amount sufficient to pay principal of and interest on the bonds.

1.07. Bonds. It is the judgment of the Council that the aggregate sum of Seventeen Million Three Hundred Forty Thousand And No/100 Dollars (\$17,340,000.00) in bonds will be necessary to carry out the purposes set forth above. It is also the judgment and determination of the Council that each such series of bonds will be payable during a term not to exceed twenty (20) years.

Section 2. Calling of the Election. The City Council of the City hereby calls and directs a special city election to be held on March [\_\_\_], 2010, to be conducted in accordance with the provisions of Title 13, Chapter 19, Parts 1-3, M.C.A. (the "Mail Ballot Act"), for the purpose of voting on the following question:

Shall the City Council (the "Council") of the City of Billings, Montana (the "City") be authorized to issue and sell general obligation bonds of the City in one or more series in the amount of up to Seventeen Million Three Hundred Forty Thousand And No/100 Dollars (\$17,340,000.00), bearing interest at a rate or rates to be determined by the Council and payable during a term not to exceed twenty (20) years for the purpose of paying costs of designing, constructing, and equipping a new library building in replacement of the Billings Parmly Library, related improvements, and costs associated with the sale and issuance of the bonds; and authorizing the levy of approximately 7.0 additional mills over the City Charter limit in an amount sufficient to pay principal of and interest on the bonds?

Section 3. Conduct of Election. All qualified electors of the City shall be entitled to vote at the bond election. The City Clerk is hereby authorized and directed to give notice of the call and details of this election to the Yellowstone County Election Administrator at least 70 days before the election. The Yellowstone County Election Administrator is requested to give notice of the close of registration and thereafter prepare printed lists of the qualified electors in the City entitled to vote in the election in the City and to conduct the election in the form and manner prescribed by law and consistent with the Mail Ballot Plan, as follows:

The election will be conducted solely by mail ballot. Ballots will be mailed to all eligible registered voters in the City on February [\_\_\_], 2010, and must be returned by each voter, to the Yellowstone County Election Administrator's Office by mail or in person to the Yellowstone County Election Administrator, Yellowstone County, 217 North 27th, Billings, Montana 59107,

during regular business hours (8:00 a.m. to 5:00 p.m.), weekdays, February [\_\_\_], 2010 through March [\_\_\_], 2010.

On Election Day, March [\_\_\_], 2010, the only place for deposit of voted ballots will be the office of the Yellowstone County Election Administrator at the Yellowstone County Election Department, 217 North 27th, Billings, Montana, which will be open from 8:00 a.m. to 8:00 p.m., and all ballots must be in that office by 8:00 p.m. on that day in order to be counted. All ballots will be tallied in the office of the Yellowstone County Election Administrator after 8:00 p.m. on March [\_\_\_], 2010.

A qualified voter who will be absent from the City during the time the election is being conducted may:

(a) vote in person in the office of the Yellowstone County Election Administrator as soon as the ballots are available and until noon on February [\_\_\_], 2010; or

(b) make a written request prior to noon on February [\_\_\_], 2010, signed by the applicant and addressed to the office of the Yellowstone County Election Administrator, that the ballot be mailed to an address other than that which appears on the registration records. All ballots to be mailed will be mailed no later than February [\_\_\_], 2010.

An elector may obtain a replacement ballot if his ballot is destroyed, spoiled, lost, or not received by the elector by personally appearing at the office of the Yellowstone County Election Administrator and by:

(a) signing an affidavit form stating the reason for the request for replacement; and

(b) if the reason given for replacement is “spoiled ballot,” by returning the spoiled ballot to the office of the Yellowstone County Election Administrator.

Section 4. Notice of Election. The City Clerk is hereby authorized and requested to cause notice of the call and holding of the election to be given by publishing notice at least once a week for the three consecutive weeks before the election in the *Billings Times*, a newspaper of general circulation in Yellowstone County. The notice of election as published shall read substantially as shown on Exhibit A hereto (which is incorporated by reference and made a part hereof).

Section 5. Form of Ballot. The ballot shall be printed in substantially the following form:

OFFICIAL BALLOT  
CITY OF BILLINGS, MONTANA  
GENERAL OBLIGATION BOND ELECTION  
MARCH [ ], 2010

INSTRUCTIONS TO VOTERS: Make an X or similar mark in the vacant square before the words “GENERAL OBLIGATION BONDS--YES” if you wish to vote for the bond issue; if you are opposed to the bond issue, make an X or similar mark in the square before the words “GENERAL OBLIGATION BONDS--NO”.

Shall the City Council (the “Council”) of the City of Billings, Montana (the “City”) be authorized to issue and sell general obligation bonds of the City in one or more series in the amount of up to Seventeen Million Three Hundred Forty Thousand And No/100 Dollars (\$17,340,000.00), bearing interest at a rate or rates to be determined by the Council and payable during a term not to exceed twenty (20) years for the purpose of paying costs of designing, constructing, and equipping a new library building in replacement of the Billings Parnly Library, related improvements, and costs associated with the sale and issuance of the bonds; and authorizing the levy of approximately 7.0 additional mills over the City Charter limit in an amount sufficient to pay principal of and interest on the bonds?

Costs of the Project in excess of the proceeds of the bonds, if any, are expected to be paid from cash reserves and other sources available to or obtained by the City.

- GENERAL OBLIGATION BONDS — YES
- GENERAL OBLIGATION BONDS — NO

Section 7. Notice to County Election Administrator. A copy of this resolution will be provided to the Yellowstone County Election Administrator as soon as possible after its adoption and approval in order to inform him of the details of the election and the pertinent requests and authorizations as to the conduct of the election.

Section 8. Reimbursement Expenditures.

(a) The United States Department of Treasury has promulgated final regulations governing the use of proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City for project expenditures paid by the City prior to the date of issuance of such bonds. Those regulations (Treasury Regulations, Section 1.150-2) (the “Regulations”) require that the City adopt a statement of official intent to reimburse an original expenditure not later than 60 days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and the reimbursement allocation made from the proceeds of the bonds within 18 months (or three years, if the reimbursement bond issue qualifies for the “small issuer” exception from the arbitrage rebate requirement) after the later of (i) the date the expenditure is paid or (ii) the date the project is placed in service or abandoned, but (unless the issue qualifies for the “small issuer” exception from the arbitrage rebate requirement) in no event more than three years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds.

(b) Other than (i) expenditures to be paid or reimbursed from sources other than the bonds, (ii) expenditures permitted to be reimbursed under the transitional provision contained in Section 1.150-2(j)(2) of the Regulations, (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations, or (iv) expenditures in a “de minimus” amount (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures for the project have been paid by the City before the date 60 days before the date of adoption of this resolution.

(c) The City reasonably expects to reimburse the expenditures made for costs of the project out of the proceeds of bonds up to an estimated maximum aggregate principal amount of Seventeen Million Three Hundred Forty Thousand And No/100 Dollars (\$17,340,000.00) after the date of payment of all or a portion of the costs of the project. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the bonds or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations.

(d) As of the date hereof, there are no City funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the project, other than pursuant to the issuance of the bonds. The statement of intent contained in this resolution, therefore, is determined to be consistent with the City’s budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof.

(e) The City’s financial officer shall be responsible for making the “reimbursement allocations” described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the bonds to reimburse the source of temporary financing used by the City to make prior payment of the costs of the project. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the bonds or the project and shall specifically identify the actual original expenditure being reimbursed.

PASSED by the City Council of Billings, Montana, this 23rd day of November, 2009.

CITY OF BILLINGS, MONTANA

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

(SEAL)

EXHIBIT A

NOTICE OF GENERAL OBLIGATION BOND ELECTION

City of Billings, Montana

March [\_\_], 2010

NOTICE IS HEREBY GIVEN by the City Council (the "Council") of the City of Billings, Montana (the "City"), that pursuant to a certain resolution duly adopted at a regular meeting of the Council on November 23, 2009, a special city election of the registered voters of the City will be held on March [\_\_], 2010, conducted by mail ballot, for the purpose of voting on the following question:

Shall the City Council (the "Council") of the City of Billings, Montana (the "City") be authorized to issue and sell general obligation bonds of the City in one or more series in the amount of up to Seventeen Million Three Hundred Forty Thousand And No/100 Dollars (\$17,340,000.00), bearing interest at a rate or rates to be determined by the Council and payable during a term not to exceed twenty (20) years for the purpose of paying costs of designing, constructing, and equipping a new library building in replacement of the Billings Parmly Library, related improvements, and costs associated with the sale and issuance of the bonds; and authorizing the levy of approximately 7.0 additional mills over the City Charter limit in an amount sufficient to pay principal of and interest on the bonds?

Costs of the Project in excess of the proceeds of the bonds, if any, are expected to be paid from cash reserves and other sources available to or obtained by the City.

The election will be conducted solely by mail ballot. Ballots will be mailed to all eligible registered voters in the City on February [\_\_], 2010, and must be returned by each voter, to the Yellowstone County Election Administrator's Office by mail or in person to the Yellowstone County Election Administrator, Yellowstone County, 217 North 27th, Billings, Montana 59107, during regular business hours (8:00 a.m. to 5:00 p.m.), weekdays, February [\_\_], 2010 through March [\_\_], 2010.

On Election Day, March [\_\_], 2010, the only place for deposit of voted ballots will be the office of the Yellowstone County Election Administrator at the Yellowstone County Election Department, 217 North 27th, Billings, Montana, which will be open from 8:00 a.m. to 8:00 p.m., and all ballots must be in that office by 8:00 p.m. on that day in order to be counted. All ballots will be tallied in the office of the Yellowstone County Election Administrator after 8:00 p.m. on March [\_\_], 2010.

A qualified voter who will be absent from the City during the time the election is being conducted may:

(a) vote in person in the office of the Yellowstone County Election Administrator as soon as the ballots are available and until noon on February [\_\_], 2010; or

(b) make a written request prior to noon on February [\_\_\_], 2010, signed by the applicant and addressed to the office of the Yellowstone County Election Administrator, that the ballot be mailed to an address other than that which appears on the registration records. All ballots to be mailed will be mailed no later than February [\_\_\_], 2010.

An elector may obtain a replacement ballot if his ballot is destroyed, spoiled, lost, or not received by the elector by personally appearing at the office of the Yellowstone County Election Administrator and by:

(a) signing an affidavit form stating the reason for the request for replacement; and

(b) if the reason given for replacement is “spoiled ballot,” by returning the spoiled ballot to the office of the Yellowstone County Election Administrator.

DATED this \_\_\_\_ day of November, 2009.

\_\_\_\_\_  
City Clerk

Publish: \_\_\_\_\_  
\_\_\_\_\_