

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS

August 9, 2010

6:30 P.M.

CALL TO ORDER – Mayor Hanel

PLEDGE OF ALLEGIANCE – Mayor Hanel

INVOCATION – Councilmember Gaghen

ROLL CALL

MINUTES: July 26, 2010

COURTESIES

PROCLAMATIONS

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, 2 & 5 ONLY.

Speaker sign-in required. (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. For Items not on this agenda, public comment will be taken at the end of the agenda.)

1. CONSENT AGENDA -- Separations:

A. Mayor Hanel recommends that Council confirm the following appointments:

	Name	Board/Commission	Term	
			Begins	Ends
1	No Applications	Board of Appeals	08/09/10	12/31/13
2	No Applications	Board of Appeals	08/09/10	12/31/13
3	Kathleen Candelaria	Community Development	08/09/10	12/31/14

4	No Applications	Emergency Medical Services	08/09/10	12/31/10
5	No Applications	Housing Authority	08/09/10	12/31/13
6	No Applications	Human Relations	08/09/10	12/31/10
7	No Applications	Human Relations	08/09/10	12/31/14
8	No Applications	Traffic Control	08/09/10	12/31/10

- 4. Unexpired term of Dr. Peter Light
- 6. Unexpired term of Everall Fox
- 8. Unexpired term of Keith Lang

B. Bid Awards:

1. **Airport High Speed Runway Broom.** (Opened 7/27/2010). Recommend Team Eagle, Inc., \$523,000.00.
2. **W.O. 08-14 WWTP Storm Drain Modifications.** (Opened 7/27/2010) Recommend Castlerock Excavating, Inc., \$169,062.00.

C. Approval of annual Funding Agreement with the Yellowstone County Council on Aging.

D. Memorandum of Understanding (MOU) between the Big Sky Economic Development Authority, City of Billings, and the Billings Industrial Revitalization District, Inc. for implementation of the East Billings Urban Renewal District.

E. Street Closures:

1. **Montana Governor's Cup Marathon.** September 6, 2010, 6 a.m. to 3 p.m.; Molt Road to Buffalo Trail, back onto Molt Road, left on 62nd Street West, west on Sam Snead Trail to Walter Hagen, onto 54th St. West, left on Rimrock, right on 46th Street West, left on Rangeview Drive, left on 38th Street West (partial street closure), right on Poly Drive, right on Patricia Lane, left on Colton, right on 17th Street West, left on Parkhill Drive to Virginia, right on 3rd Street West, finishing at Daylis Stadium. Full street closure on 3rd Street West from 6:00 a.m. to 12:00 noon.
2. **Don Luis 10-Year Celebration.** Saturday, August 21, 2010, 1:00 p.m. to 9:30 p.m.; North 26th Street between Montana Avenue and 1st Avenue North.
3. **Billings Parks and Recreation Department Dash for Dog Parks Fun Run.** Saturday, August 14, 2010, 6 a.m. to noon; beginning at the Skyview High School Parking Lot, traveling on High Sierra Boulevard, west on West Wicks Lane and ending at High Sierra Park.
4. **Friendship House of Christian Service Neighborhood Event.** Wednesday, August 18, 2010, 4 p.m. to 8 p.m.; 8th Avenue South between South 31st and 32nd Streets.

5. **Billings Association of Realtors Quality of Life Run.** Saturday, August 21, 2010, 7 a.m. to 11 a.m.; 5-Mile : begins atop the rims near Masterson Circle down N. 27th, west on Rimrock Rd, south on Virginia Lane, through Pioneer Park, north on 3rd Street West, east on Parkhill Drive, south on North 32nd Street ending at Division and Grand; 2-Mile : begins at the MSU-B parking lot, west on Rimrock Road, south on Virginia Lane, through Pioneer Park, north on 3rd Street West, east on Parkhill Drive, south on North 32nd Street ending at Division and Grand.
- F. **Acceptance of Donation** to the Fire Department for purchase of smoke and carbon monoxide detectors; \$500.
- G. **Approval and acceptance** of the Domestic Violence Unit and Victim Witness Assistance Program Grants awarded by the Montana Department of Justice and Board of Crime Control; Domestic Violence grant award \$50,739 with City's cash match of \$36,019; Victim Witness Assistance grant award \$36,739 with City's cash match of \$35,184.
- H. **Second/final reading ordinance** regulating the use of electronic communication devices while operating a motor vehicle.
- I. **Resolution** temporarily suspending Section 24-411, BMCC, Parking for Camping Purposes, in the Shrine Auditorium parking lot, 1125 Broadwater Avenue, during the Big Sky Polka Club's Polkafest, September 3-5. 2010.
- J. **Final Plat Approval**
1. Sahara Sands Subdivision, 1st and 2nd Filings, Amended.
 2. Riverfront Pointe Subdivision, Block 10, Amended Lot 16
- K. **Bills and Payroll:**
1. **July 13, 2010**
 2. **July 19, 2010**

(Action: Approval or disapproval of Consent Agenda).

REGULAR AGENDA:

2. **RESOLUTION AWARDING THE SALE FOR RE-FUNDING SERIES 2010 GENERAL OBLIGATION BONDS.** Recommendation to be made at meeting. (Action: approval or disapproval of staff recommendation.)
3. **PUBLIC HEARING AND FIRST READING ORDINANCE AMENDING THE CITY CHARTER TO ADD A 1-MILL PLANNING LEVY TO BE DECIDED BY THE VOTERS AT THE NOVEMBER 2, 1010, GENERAL ELECTION.** Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

4. **PUBLIC HEARING AND RESOLUTION TO EXCLUDE PROPERTY TO DE-ANNEX A PORTION OF BROADWATER AVENUE LOCATED BETWEEN 56TH AND 58TH STREETS WEST IN TRAILS WEST SUBDIVISION.** Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
5. **MEDICAL MARIJUANA ZONING CODE TEXT AMENDMENT.** Ad-Hoc Committee and staff recommend initiating a zoning text amendment and referring the "restrictive" ordinance to the Zoning Commission for review and recommendation. (Action: approval or disapproval of Ad-Hoc Committee and staff recommendation.)

PUBLIC COMMENT on Non-Agenda Items -- Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda. Please sign up on the clipboard located at the podium.*)

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

Date: 08/09/2010

TITLE: Boards & Commissions –Appointments

PRESENTED BY: Tina Volek

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

Confirmation of the appointments for Board and Commission positions that are vacant due to resignations and terms that were not filled.

ALTERNATIVES ANALYZED

Council may:

- Approve the confirmation of appointment; or
- Not approve the confirmation of appointment.

FINANCIAL IMPACT

No financial impact involved.

RECOMMENDATION

Mayor Hanel recommends that Council confirm the following appointment:

	Name	Board/Commission	Term	
			Begins	Ends
1	No Applications	Board of Appeals	08/09/10	12/31/13
2	No Applications	Board of Appeals	08/09/10	12/31/13
3	Kathleen Candelaria	Community Development	08/09/10	12/31/14
4	No Applications	Emergency Medical Services	08/09/10	12/31/10
5	No Applications	Housing Authority	08/09/10	12/31/13
6	No Applications	Human Relations	08/09/10	12/31/10
7	No Applications	Human Relations	08/09/10	12/31/14
8	No Applications	Traffic Control	08/09/10	12/31/10

- 4. Unexpired term of Dr. Peter Light
- 6. Unexpired term of Everall Fox
- 8. Unexpired term of Keith Lang

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Date: 08/09/2010

TITLE: Award of Airport Improvement Program (AIP) Purchase of a High Speed Runway Broom for Billings Logan International Airport

PRESENTED BY: Tom Binford

Department:

Information

PROBLEM/ISSUE STATEMENT

One of the Airport Improvement Program (AIP) 39 projects is the purchase of a new High Speed Runway Broom used to clear the runways, taxiways, and ramp areas of snow, ice, and other debris. This equipment was approved in the City's Equipment Replacement Program and budget process. This specialized equipment is critical to ensuring safe air carrier flight operations, since "brooming" the runways and taxiways soon after the snowfall begins can prevent ice from developing on these surfaces, thereby providing a safe surface for aircraft landing and takeoffs. This specialized piece of equipment is unique to airports and will replace a 15 year old runway broom that has over 5,000 hours of use. This High Speed Runway Broom has a large 22' rotary broom, 2 Detroit diesel engines, numerous pumps, hydraulic and auxiliary systems. This project was advertised in the *Billings Times* and was posted on the City's Web Site. On July 27, 2010, we received a single bid for this equipment:

COMPANY	BID
Team Eagle, Inc.	\$523,000
ESTIMATE	\$500,000

ALTERNATIVES ANALYZED

The City Council may:

- Approve the award of the purchase of the High Speed Runway Broom; or
- Decline to approve the award of the High Speed Runway Broom, reject all bids, and not complete the project at this time.

FINANCIAL IMPACT

The total cost of this project is \$523,000, and is funded with a 95% FAA AIP Entitlement grant and a 5% local match. The FAA portion is \$496,850, and the City's match \$26,150. Local match funds are budgeted and available in the Airport's Capital account.

RECOMMENDATION

Staff recommends the City Council approve the award of the AIP 39 Purchase of a New High Speed Runway Broom to the low bidder, Team Eagle, Inc., for the amount of \$523,000.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Date: 08/09/2010

TITLE: W.O. 08-14 WWTP Storm Drain Modifications

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

Bids were received for W.O. 08-14 WWTP Storm Drain Modifications on July 27, 2010. The project consists of piping modifications to a storm water pump station; installation of gravity and force main storm drain pipe and settling tank; installation of butterfly valves and actuators; and replacement of a sluice gate at the wastewater treatment plant (WWTP).

ALTERNATIVES ANALYZED

The Council may:

- Award the contract W.O. 08-14 to Castlerock Excavating, Inc. in the amount of \$169,062.00; or
- Reject all bids and do not award contract for W.O. 08-14

FINANCIAL IMPACT

The City received two bids for this project as follows:

Engineer's Estimate \$166,251.00

Contractor	Base Bid
Castlerock Excavating, Inc.	\$169,062.00
Western Municipal	\$203,558.00

The following is a breakdown of the costs of the \$261,192.00 allocated for this project:

Design & Construction Staking \$34,500.00 (PE & CE contract)

Construction \$169,062.00

Remaining Funds \$57,630.00

Remaining funds will be used for change orders, materials testing, and other administrative costs. The City will be doing most of the construction administration and inspection with some assistance from the consultant if needed.

RECOMMENDATION

Staff recommends that Council award the bid for Work Order 08-14 WWTP Storm Drain Modifications to Castlerock Excavating, Inc. in the amount of \$169,062.00.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Date: 08/09/2010

TITLE: Yellowstone County Council on Aging Funding Agreement Renewal

PRESENTED BY: Robin Grinsteiner

Department: Parks/Rec/Public Lands

Information

PROBLEM/ISSUE STATEMENT

The City of Billings receives county mill levy funding annually through the Yellowstone County Council on Aging (YCCOA) in support of the senior programs at the Billings Community and Senior Center. This funding agreement sets forth the terms of the agreement that is renewed each year. This year's agreement includes a \$1,000.00 increase, bringing the 2010-2011 funding total to \$26,000.00.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the Funding Agreement; or,
- Not approve the Funding Agreement.

FINANCIAL IMPACT

This funding source comprises approximately 11.5% of the Community and Senior Center's total budget.

RECOMMENDATION

Staff recommends that Council approve the Funding Agreement.

APPROVED BY CITY ADMINISTRATOR

Attachments

Agreement

AGREEMENT

This AGREEMENT between the Yellowstone County Council on Aging, Inc (YCCOA) and the City of Billings, is for the provision of the services for persons 60 years of age or older and their spouses according to the following terms.

SECTION 1 GENERAL TERMS

- 1.1 This agreement will be effective from July 1, 2010 through June 30, 2011. Prior to the completion date, the contract will be reviewed for renewal by YCCOA upon submission of a budget and funding request to YCCOA for the upcoming year by the City of Billings.
- 1.2 This agreement is for Yellowstone County Senior Mil Levy funding which comes to the Yellowstone County Council on Aging and is distributed to senior service providers by the YCCOA with approval by the County Commissioners. As such, these funds are available to match Federal funds or other grants.
- 1.3 The allocation for this time period will be \$26,000. Payments will be made in four equal amounts. This amount includes \$2,400 that is considered rent for the kitchen and dining room space for the Senior Dinner Program meal site. The remainder of the funds will be used to support the Senior Center program expenses. It is understood that YCCOA will pay for ½ of the repairs to the kitchen equipment that it uses provided there is notification of necessary repairs before they are made. YCCOA will also pay for the ice used by the Senior Dinner Program semi annually.
- 1.4 This agreement may be modified by a written amendment signed by an authorized representative of both parties, and attached to the original of this contract.
- 1.5 Either party, without cause, may terminate this agreement by written notice sixty (60) days in advance.
- 1.6 Due to an appeal by Cenex, 3% of the allocation will be withheld until those taxes are paid to the County and then passed on to YCCOA.
- 1.7 Stimulus funds totaling no more than \$4,200 are to be used to upgrade the fire suppression system in the kitchen hood (\$3,200), and to replace the three burners that are no longer working on the range (\$1,000). This is contingent the funds being received by YCCOA. The Center Director will be notified when these funds are available.

SECTION 2 REPORTS AND RECORDS

- 2.1 All financial and supporting documents regarding the use of these funds shall be available at anytime to the YCCOA upon request from the YCCOA auditor.
- 2.2 A monthly report of individual participants at the senior center will be submitted to the YCCOA office no later than 10 working days into the next month. This will include name and birthdate of each participant.

SECTION 3 REPRESENTATIVE

- 3.1 The YCCOA representative shall be Bea Ann Melichar, YCCOA Executive Director or her representative. The City of Billings representative shall be the Parks, Recreation and Public Lands Director or his representative.

SECTION 4 SENIOR NEWS

- 4.1 The monthly YCCOA publication, "Senior News", shall be available to all participants of the center and is not subject to their membership in any organization. News specific to the Billings Community Center shall be included in the publication each month and will follow guidelines established by YCCOA for setup, font size and content with upcoming events, activities and speakers featured. News is subject to review and editing by the YCCOA Executive Director and or her designee. This news is to be submitted by the 15th of each month unless otherwise notified. (Refer to the schedule sent out the first of each year.) There will be a charge for additional space in the Senior News.

SECTION 5 TRAINING/PLANNING MEETINGS

- 5.1 A representative of the Billings Community Center will attend planning or training meetings as necessary in relationship to these funds, provided there is adequate notification of such meetings.

SECTION 6 IDENTIFICATION ON PUBLICATIONS

- 6.1 Any written materials the Billings Community Center produces that lists the sources of funding for their program shall also include the Yellowstone County Council on Aging.

This AGREEMENT is hereby signed and entered into by both parties:

Bea Ann Melichar Date June 30, 2010
Bea Ann Melichar, Executive Director

City of Billings Representative Date _____

Regular City Council Meeting

Date: 08/09/2010

TITLE: Memorandum of Understanding between BSEDA, City of Billings and the BIRD for the Implementation of the EBURD Master Plan

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

The City Council created the East Billings Urban Renewal District with provisions for tax increment financing by Ordinance 06-5395 on November 13, 2006. In 2009, the Council adopted the East Billings Urban Renewal District Master Plan which lays out the pattern of future development for the District. The Master Plan was funded by a federal grant obtained and administered by the Big Sky Economic Development Authority (BSEDA). The Billings Industrial Revitalization District Incorporated (BIRD, Inc.) is an organization of property owners within the District created to oversee tax increment expenditures and development in the District. The proposed Memorandum of Understanding (MOU) establishes the roles and responsibilities of the City of Billings, BSEDA, and the BIRD for implementing the Master Plan, including the review, recommendation and approval of tax increment funds. The City Council retains final decision-making authority on the expenditures of tax increment funds and land use applications. The three parties have reviewed this document and are in agreement with the terms.

ALTERNATIVES ANALYZED

The City Council may choose to not approve the Memorandum of Understanding. By not approving the MOU, the City will have to assume the responsibility for implementing the Master Plan.

FINANCIAL IMPACT

The MOU gives all final decision making authority to the City for any land use or zoning decisions, and the expenditure of tax increment funds. There will be staff time involved in reviewing the expenditure requests and forwarding recommendations to the Council for action on these items.

RECOMMENDATION

Staff recommends that Council approve the Memorandum of Understanding between the Big Sky Economic Development Authority, the City of Billings, and the Billings Industrial Revitalization District, Inc. for the Implementation of the East Billings Urban Renewal District.

APPROVED BY CITY ADMINISTRATOR

Attachments

EBURD MOU

MEMORANDUM OF UNDERSTANDING BETWEEN
BIG SKY ECONOMIC DEVELOPMENT AUTHORITY,
THE CITY OF BILLINGS
AND
THE BILLINGS INDUSTRIAL REVITALIZATION DISTRICT, INC.
FOR THE IMPLEMENTATION OF THE MASTER PLAN FOR THE
REVITALIZATION OF THE EAST BILLINGS URBAN RENEWAL
DISTRICT

This Memorandum of Understanding (“MOU”) is made and entered into on _____, 2010 (the “Effective Date”) by and between the Big Sky Economic Development Authority (“BSEDA”), a local port authority created and funded by Yellowstone County, a political subdivision of the State of Montana, the City of Billings (“City”), and the Billings Industrial Revitalization District, Inc. (“BIRD”), a 501 c(6) tax exempt corporation of the land owners with property located within the boundaries East Billings Urban Renewal District (“EBURD”), that is managed with the purpose of assisting the City in revitalization of the EBURD for all projects, regulations and planning done in the EBURD and to render opinions and give recommendations to the City Council. For purposes of this MOU, BSEDA, the City, and the BIRD are each a “Party” and are sometimes collectively referred to as the “Parties.”

I. TERM & TERMINATION OF THIS MOU

This MOU shall be in effect for three (3) years from the Effective Date, and the parties agree to conduct an annual progress-review meeting to consider any necessary changes to the implementation strategies and roles and responsibilities as set forth in this Agreement. Any Party may terminate this MOU by giving the other Parties thirty (30) days written notice. Days are defined in this Agreement to be business days.

II. BACKGROUND AND PURPOSE OF THIS MOU

- A. The EBURD is defined in the attached is a map of the EBURD Exhibit “A”.
- B. This MOU is a cooperative effort among the City of Billings, BSEDA and the BIRD, with the mutual objective of enhancing economic development opportunities in the EBURD by promoting the ideals of sustainable industry, public infrastructure improvement, and fair, predictable land use decision-making embodied in the Master Plan for the EBURD Exhibit “B”.
- C. The Parties are actively working on annexation of County lands in and around the EBURD. Collectively the EBURD and relevant County Land shall be called (“The Study Area”) because development of infrastructure is required.
- D. A Master Plan for the Revitalization of the EBURD has been completed pursuant to a grant by the U.S. Department of Commerce – Economic Development Administration. The purpose of this MOU is to define the mutual understanding

of BSEDA, the BIRD, and the City regarding the implementation of the Master Plan the Study Area.

- E. The EBURD has as its foundation the EBURD and a Tax Increment Financing District (TIFD”).

III. RELATIONSHIP OF THE PARTIES

- A. This MOU relates only to the cooperative efforts of BSEDA, the City, and the BIRD described herein in connection with the EBURD and the Study Area.
- B. This MOU is not intended to create or constitute any joint venture, partnership, joint powers agency, or other formal organization of any kind.
- C. Nothing herein shall be interpreted to require the Parties to exercise their discretion in any particular way or to require the Parties to take any future action regarding the EBURD.
- D. No Party is authorized herein to act as the agent of the other.
- E. This MOU is not intended to create any benefits, rights or entitlements for persons or entities not a party to this MOU.
- F. Sections IV through XII of this MOU describe a basic outline of roles and responsibilities related to the EBURD and the Study Area. These Sections identify lead organizations for each identified role and responsibility. All Parties shall collaborate with the identified lead organization to carry out these identified activities.

IV. TAX INCREMENT FINANCING AUTHORITY AND ADMINISTRATION

- A. The City Council shall have the ultimate decision making authority regarding any expenditure of TIFD Funds related to the EBURD. Recommendations for expenditures shall be presented by the BIRD to the City Council.
- B. The BIRD and the City has developed an application form and assistance guidelines for parties seeking the use of TIFD Funds.
- C. The BIRD will accept and review the application for TIFD Funds related to the EBURD within ten (10) days of receipt of a fully completed application, and then will submit said application to the City staff for review and recommendations. The City shall return the application with their comments within fifteen (15) days from the submittal of a complete application to the BIRD. The BIRD board shall review and meet with the applicant within twenty (20) days and then make advisory recommendations to the City Council regarding such expenditures in consultation with the Parties. The application shall be processed and sent to the

City Council for action within 50 days after receipt of a properly completed application.

V. LAND USE DECISION AUTHORITY

- A. The City shall have final decision making authority regarding any land use or zoning decision related to the EBURD, provided those items are first reviewed by the BIRD which shall present its recommendation to the City Council for action.
- B. The City staff shall provide to the BIRD of any proposed land use regulation changes related to EBURD property within ten (10) days of receipt or consideration of such proposal for the review and approval by the BIRD. The BIRD shall submit its recommendation to the City Council within 10 days.
- C. Subject to existing land use law, the City may develop and administer land use and design regulations consistent with those proposed in the Master Plan as recommended by the BIRD. The City and the BIRD shall cooperatively explore potential incentives for developers and property owners subject to such regulations.

VI. BROWNFIELDS ASSESSMENT

- A. BSEDA is currently administering two (2) grants from the Environmental Protection Agency to undertake brownfields assessments of petroleum and hazardous substance contamination on sites within and surrounding the EBURD.
- B. BSEDA has assembled a steering committee to help make decisions about assessed sites. The City and BIRD have both contributed their time to this steering committee to help determine what criteria should be used to prioritize potential assessment sites. This steering committee will also apply these criteria in selecting assessment sites throughout the life of the project.

VII. SEEKING AND ADMINISTERING GRANT AND INCENTIVE FUNDING

- A. BSEDA will seek, apply for, and administer grant opportunities well-suited for the EBURD. Specifically, in development projects where there will be an increase of additional new jobs, BSEDA will apply on behalf of, or assist in the preparation of, applications to the Montana Department of Commerce New Worker Training Grant and Big Sky Economic Development Trust Fund incentive programs. All applications for grants and any acceptance of any grant awards must be approved by the City Council, if TIFD funds are used.
- B. When an appropriate grant or funding opportunity is not available to BSEDA, for eligibility reasons, BSEDA will identify a potential applicant among the Parties and will notify such Party of the funding opportunity. BSEDA will assist these Parties in preparing applications for these funding opportunities on a fee-for-

service basis at the hourly rate normally charged by BSEDA for grant-writing services (\$85 per hour through December 31, 2010) and the amount agreed to annually.

- C. Whenever possible, funds secured by BSEDA for implementation of Master Plan recommendations should be matched with local dollars, including TIFD funds, in order to maximize impact.

VIII. MAINTENANCE, PRIORITIZATION, AND IMPLEMENTATION OF THE EBURD MASTER PLAN

- A. BIRD will work to maintain, prioritize, and implement the EBURD Master Plan, as its staffing capacity will allow and in consultation with the Parties.
- B. The Parties, under BIRD leadership, will assemble a “Response Team” of Party representatives to meet with potential investors and to coordinate recruitment efforts on a case-by-case basis.
- C. BIRD will convene a committee of all Parties to discuss and make recommendations to the BIRD regarding work plan for the maintenance, prioritization, and implementation of the EBURD Master Plan.
- D. The Parties ultimate goal is an SID & RSID for the East end of the EBURD to complete necessary improvements in infrastructure.

VIV. RECRUITMENT OF PRIVATE INVESTORS AND DEVELOPERS TO THE EBURD

- A. BIRD will actively work to recruit private investment in the EBURD, as its staffing capacity will allow.
- B. The Parties, under BIRD leadership, will assemble a “Response Team” of Party representatives to meet with potential investors and to coordinate recruitment efforts on a case-by-case basis.

X. IDENTIFY FUNDING SOURCES AND FACILITATE INFRASTRUCUTRE IMPROVEMENTS

- A. The City will identify and make application for appropriate funding sources in order to facilitate necessary infrastructure improvements as identified in the Master Plan and the Study Area.
- B. The Parties, under BIRD leadership and direction, will assemble an “Infrastructure Improvements Task Force” of Party representatives to guide

infrastructure improvement efforts and assist the City with funding applications, as appropriate.

XI. OTHER SERVICES

- A. BIRD may, at its sole option, contract professional services with an outside party or the City to potentially provide planning, security and maintenance services within the EBURD funded through property owner participation in a business improvement district or sub-district.
- B. BIRD will work to potentially provide a marketing/branding plan and attendant materials for the EBURD, as staff and funding allows and in consultation with the Billings Chamber of Commerce and BSEDA.

XII. PUBLIC RELATIONS

Any news release, public announcement, advertisement or publicity proposed to be released by BSEDA, BIRD or the City regarding this MOU shall be subject to the approval of the other Parties prior to release. The Parties agree that such approval shall not be unreasonably withheld.

XIII. NOTICE

The Parties have identified the following individuals as point persons for all communication and coordination in connection with the construction and implementation of Phase 1. Any notice required hereunder shall be provided in writing.

BSEDA:	Steve Arveschoug Executive Director 222 North 32 nd Street, Suite 200 Billings, MT 59101 Arveschoug@bigskyeda.org (406)256-6871 ext. 106	Patty Nordlund Community and Workforce Development Manager 222 North 32 nd Street, Suite 200 Billings, MT 59102 Nordlund@bigskyeda.org (406)256-6871 ext. 111
City:	Candi Beaudry Director, City/County Planning and Community Services Department 4th Floor Parmly Billings Library Bldg. 510 N. Broadway Billings, MT 59101 BeaudryC@ci.billings.mt.us (406) 657-8249	Wyeth Friday Planning Manager 4th Floor Parmly Billings Library Bldg. 510 N. Broadway Billings, MT 59101 FridayW@ci.billings.mt.us (406) 247-8660
BIRD:	Marty Connell President BIRD, Inc. P.O. Box 1397 Billings, MT 59103 (406) 252-4745	Ken Kunkle Vice President BIRD, Inc. 3312 4th Avenue North Billings, MT 59101-1205 (406) 256-5000

XIV. AUTHORITY AND EXECUTION

Each Party represents that it has the authority to enter into this MOU and to perform the functions stated herein, and that the persons executing this MOU on their respective behalf are authorized by law, resolution or other requisite action of the Party's governing body.

IN WITNESS WHEREOF, the Parties hereto have executed this MOU on the dates indicated below.

- - BIG SKY ECONOMIC DEVELOPMENT AUTHORITY - -

Dated: _____

By: _____
Jim Gallup, President
Board of Commissioners
"BSEDA"

- - C I T Y O F B I L L I N G S - -

Dated: _____

By: _____
Thomas W. Hanel, Mayor
"City"

- - BILLINGS INDUSTRIAL REVITALIZATION DISTRICT, INCORPORATED - -

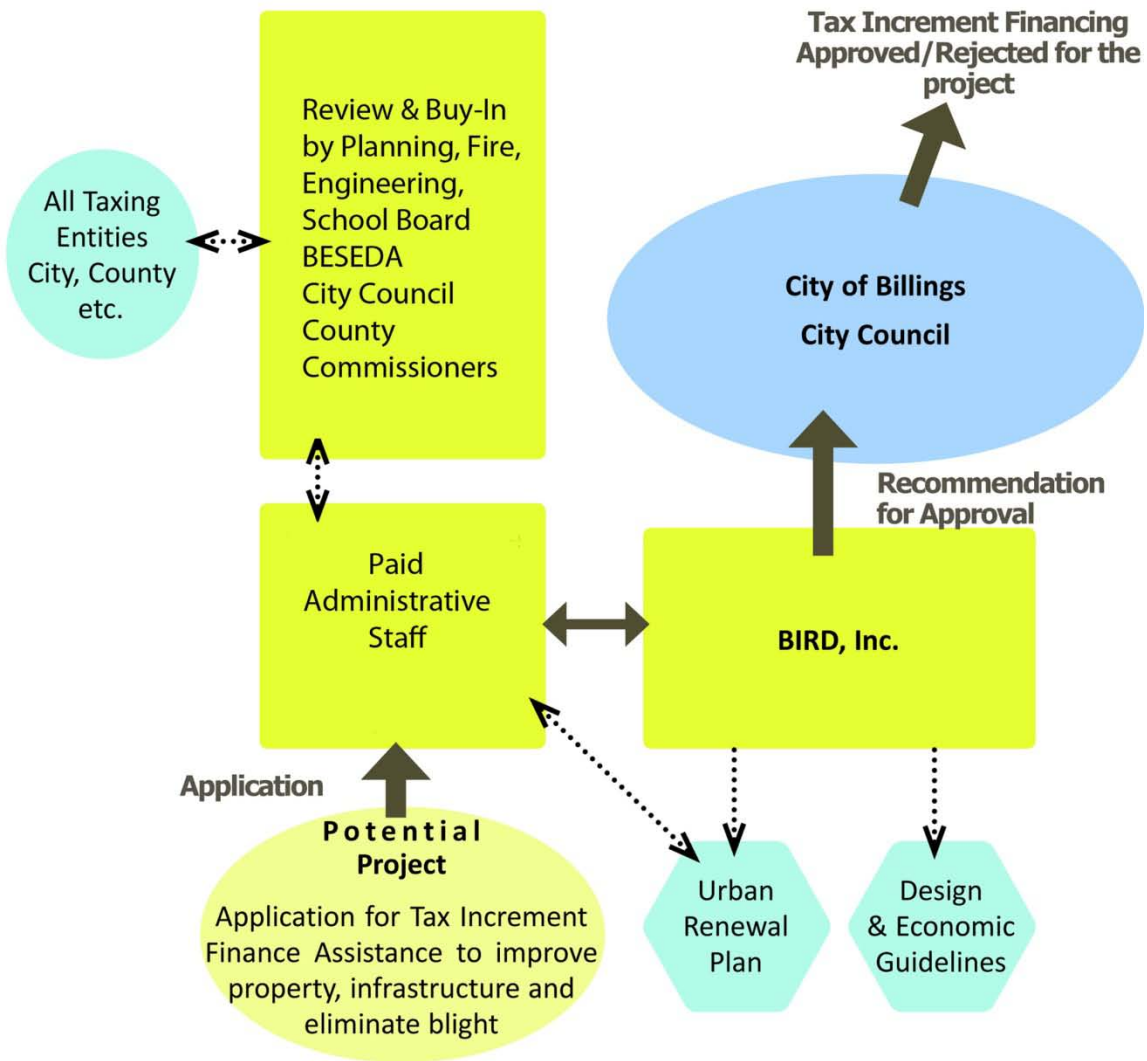
Dated: _____

By: _____
Martin R. Connell, President
"BIRD"

Exhibit “A”

Exhibit "B"

Institutional Organization & Funding



Regular City Council Meeting

Date: 08/09/2010

TITLE: Montana Governors Cup Marathon

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

Montana Marathon requests partial and full street closures for its annual marathon event on Sunday, September 19, 2010, from 6:00 am to 3:00 pm. The marathon route begins on Molt Road to Buffalo Trail, out and back on Buffalo Trail onto Molt Road, left on 62nd St., then west onto Sam Snead Trail to Walter Hagen, then onto 54th St. West, left on Rimrock, right on 46th Street West, left on Rangeview Drive, left on 38th Street West (partial street closure), right on Poly Drive, right on Patricia Lane, left on Colton, right on 17th Street West, left on Parkhill Drive to Virginia, right on 3rd Street West, and finish at Daylis Stadium. The kid's run will run around Pioneer Park beginning and ending at the stadium. A full street closure on 3rd Street West from 6:00 am to 12:00 noon is requested for the finish line.

Recommended conditions of approval include Montana Marathon:

1. Contact all businesses and making them aware of the event as soon as possible
2. Clean the area to be used and provide and empty waste cans
3. Notify all emergency facilities, bus lines, and media at least two weeks in advance of the event
4. Provide certificate of insurance with required liability amounts naming the City of Billings as additional insured
5. Provide and install adequate traffic barricades and signs directing motorists around closure
6. All Course guards (flaggers) shall wear safety vests and use approved STOP/SLOW paddles

ALTERNATIVES ANALYZED

The Council may:

- Approve run route and street closure for the event; or
- Deny the run route and street closure

FINANCIAL IMPACT

There are no costs to the City of Billings other than administrative time to process permit. Traffic control and litter removal are to be paid for by the event sponsors.

RECOMMENDATION

Staff recommends that Council approve the closure and run route described above for the Annual Montana Marathon.

APPROVED BY CITY ADMINISTRATOR

Attachments

Montana Marathon Attach



City of Billings
Engineering Department

Dear Ms. Wellbrook,

The Montana Governor's Cup Marathon events will be held Sunday, September 19, 2010, beginning in Molt, and finishing in Wendy's Field at Daylis Stadium. The marathon and relay begin at 7:00 AM, the half marathon at 8:00 AM, and the 10K begins at 9:00 AM. All races are on the same course. This year we would like to add a kid's run around Pioneer Park for ages 9-12, and a middle school mile. They would begin and end at the stadium, using the sidewalk around the park. We will barricade and cone major traffic areas, changes in direction, and come down 3rd Ave. into the stadium, to finish around the track. Busses will provide transportation to the start lines from Senior High parking lot, and Billings Construction Supply is our traffic equipment supplier.

If additional information is needed please contact me at 672-1772. Our website can provide additional information if needed at www.montanagovernorscupmarathon.org. Our race headquarters is Time Out Sports at 1603 Grand Ave, Billings, MT 59102.

Regards,
Kate Novakovich



CITY of Billings
RIGHT-OF-WAY ACTIVITY
PERMIT

Please check the type of activity you are applying for:

☐ Parade ☐ Run/Walk/Procession ☐ Street/Alley Closure ☐ Block Party

Submit this application with attachments to either the: Public Works office, 2224 Montana Ave., Billings, MT 59101 or Downtown Billings office, 2815 2nd Ave North, Billings, MT 59101. Application packet should be turned in at least 60 days prior to the date of the proposed event for approval.

PERSON MAKING APPLICATION Kate Novakovich

ORGANIZATION MAKING APPLICATION Montana Governor's Cup Marathon events.

PHONE 672-1772; TIME Out Sports at 245-9735

ADDRESS 1603 GRAND AVE. BILLINGS MT 59102
CITY STATE ZIP

EMAIL ADDRESS KNVAKOVICH@bresnan.net

APPROXIMATE TIME EVENT WILL:

Assemble 6:00 AM Start 7:00 AM Disband @ 2:00 PM - 3:00 PM

DATE OF EVENT SUNDAY SEPTEMBER 19, 2010

PURPOSE/DESCRIPTION OF EVENT: (Description and detail of the event.)

Marathon, Relay, Half Marathon, 10K and Kids
events, wheelchair athletes included in marathon
as well as walkers; Marathon + Relay start at 7:00 AM
Half at 8:00, 10K at 9:00 at RIMVIEW PARK WEST at 46th
and Rangview. All events finish in DIXIE.

* Full Street Closure on 3rd Street and partial closure
at 38th St. West and Rimrock

EVENT ROUTE DESIRED (IF APPLICABLE): (Please attach map.)

MAP available on website: www.montanagovernorscupmarathon.org -
it is very detailed and very large.

BLOCK PARTY STREET LOCATION (IF APPLICABLE):

N/A

CLEAN UP IMPLEMENTATION: (Company contracted or services you will provide)

Volunteer clean up is provided.

CERTIFICATION OF INSURANCE WHICH MUST SHOW: (1) The limits of liability coverage for the period of this agreement as a minimum of \$750,000 per claim/ \$1.5 million per occurrence general liability, and (2) the City of Billings named on the Certificate of Insurance as the additional insured. (Refer to the sample insurance copy. Please note a certificate of insurance is not required for Block Parties)

NOTICE: ANY MARKINGS (NO PAINT ALLOWED) TO BE PLACED ON PUBLIC RIGHT-OF-WAY MUST BE APPROVED BY THE CITY TRAFFIC/ENGINEERING DEPARTMENT PRIOR TO PLACEMENT, BE ENVIRONMENTALLY SAFE, AND NOT CONFLICT WITH EXISTING MARKINGS.

FOR DOWNTOWN EVENTS: YOU OR THE ORGANIZATION YOU REPRESENT MUST "ASSIGN" THE FIRST TWO BLOCKS OF THE DOWNTOWN EVENT ROUTE FOR NO PARKING TWO HOURS PRIOR TO YOUR EVENT USING THE ROUTE SIGNS PROVIDED BY THE CITY. IT IS YOUR RESPONSIBILITY TO PROVIDE THE APPROPRIATE BARRICADES FOR THE STREET CLOSURE.

IF USING THE ESTABLISHED EVENT ROUTE, THE CITY WILL PROVIDE TWO POLICE OFFICERS WITH VEHICLES TO START THE EVENT, AND A STREET SWEEPER, IF NECESSARY, TO FOLLOW THE EVENT.

COORDINATOR OF EVENTS AT WHICH ALCOHOL WILL BE CONSUMED IN PUBLIC RIGHT-OF-WAY ARE REQUIRED TO OBTAIN AN OPEN CONTAINER PERMIT FROM THE POLICE DEPARTMENT

UPON SIGNING OF THIS APPLICATION, THE APPLICANT AGREES NOT TO VIOLATE ANY STATE OR CITY CODES IN THE PRESENTATION OF THE REQUESTED SPECIAL ACTIVITY.

In consideration for permission to conduct its activity as requested, applicant agrees to indemnify, defend and hold harmless the City of Billings, its officers, agents, employees and volunteers from damage to property and for injury to or death of any person and from all liability claims, actions or judgments which may arise from the activity.

Applicants also agree to obtain valid "save or hold harmless agreements" from all participants in its activity, protecting the City of Billings from all losses arising out of its activity, including damages of any kind or nature.

APPLICANT SIGNATURE Kate Novakovich DATE 2-1-2010

APPLICATION APPROVED _____ DATE _____

APPLICATION DENIED _____ DATE _____

ADDITIONAL RESTRICTIONS OR SPECIAL CONDITIONS: YES [] NO []
(IF YES, ATTACH COPY)

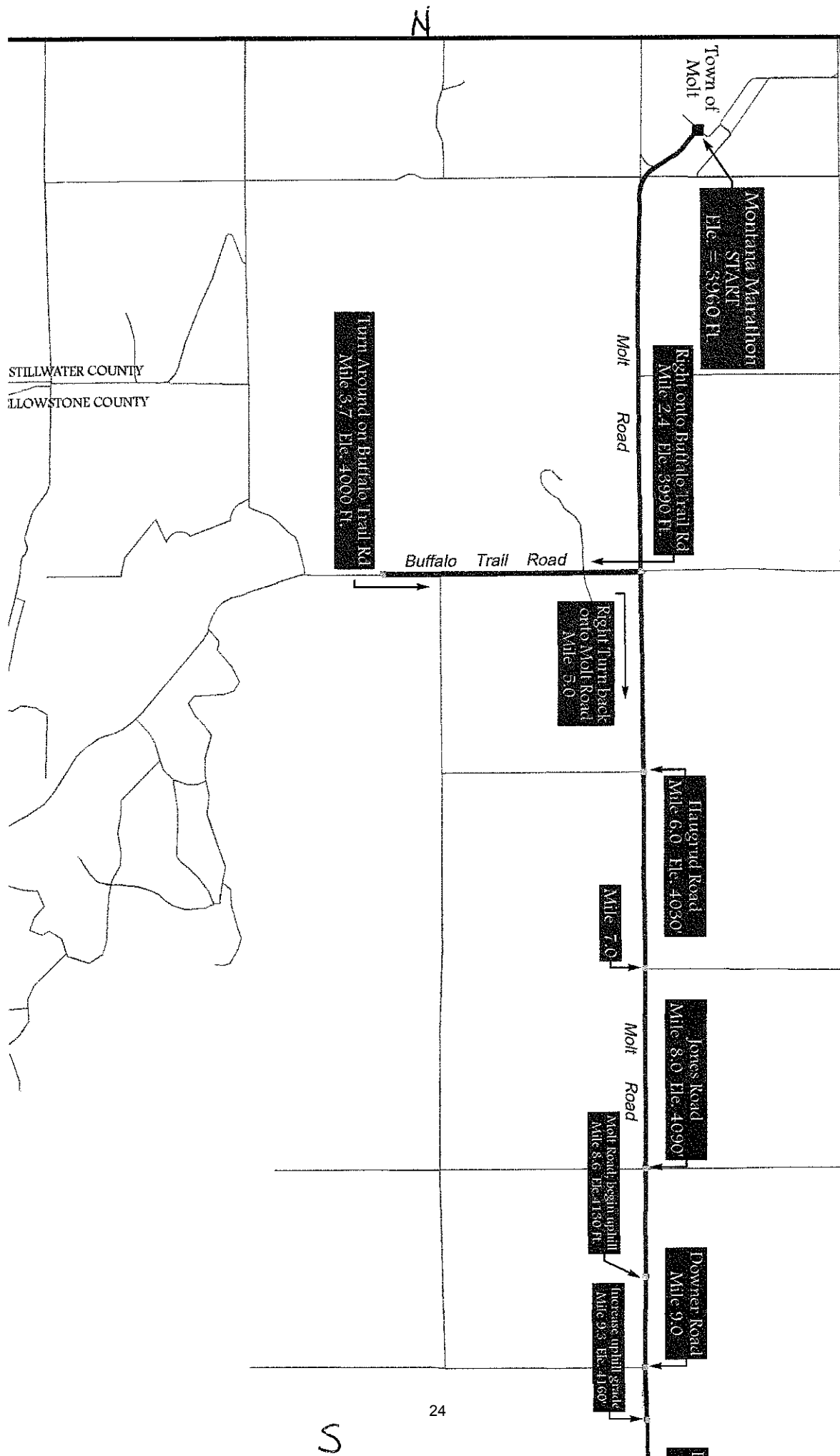
FOR CITY USE ONLY

FEE: _____

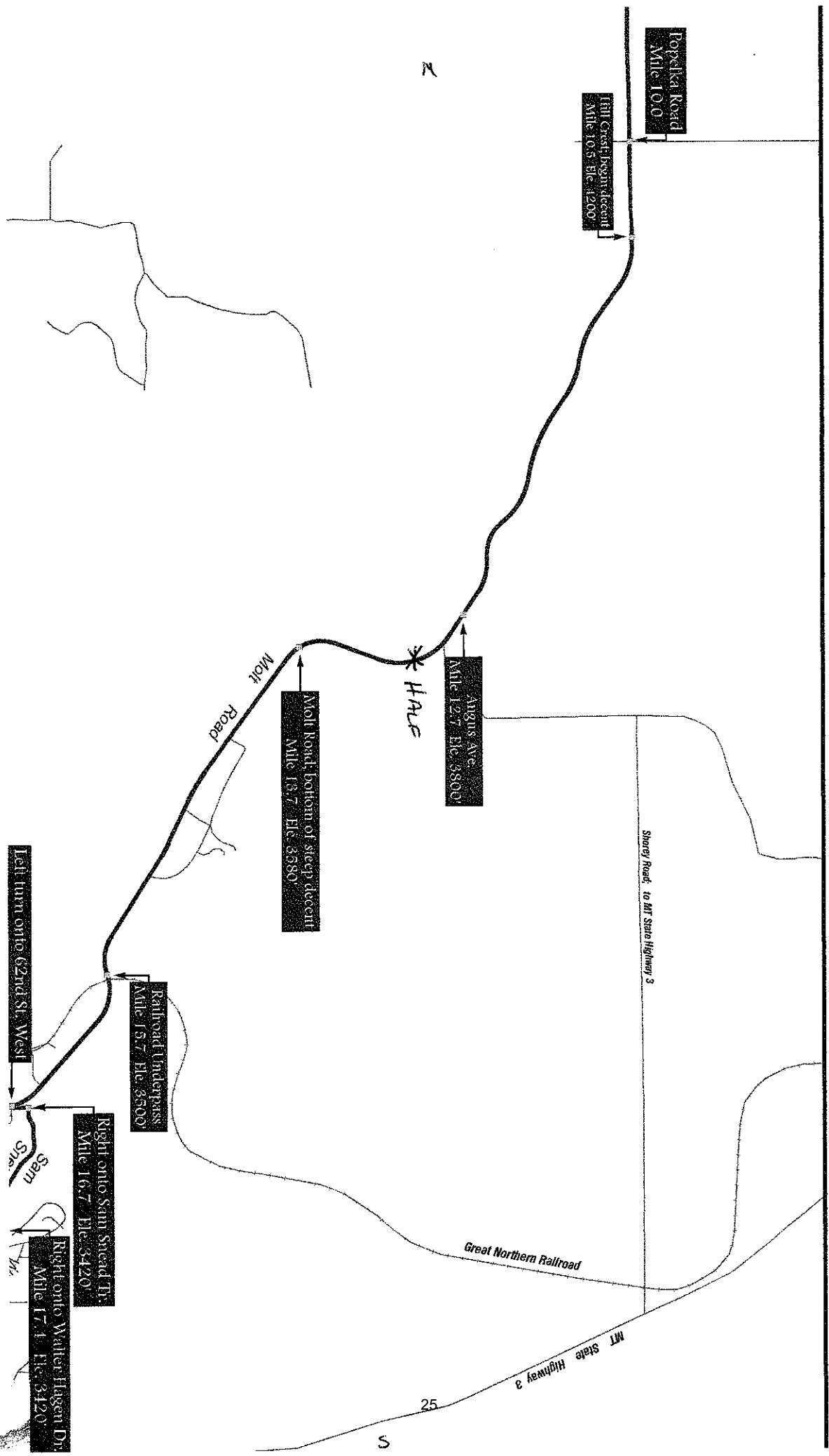
APPLICANT NOTIFIED BY: _____

DATE: _____

COPIES TO:
CITY ADMINISTRATOR
DEPUTY CITY ADMINISTRATOR
POLICE CHIEF
FIRE CHIEF
FIRE MARSHALL
MET TRANSIT MANAGER
STREET/TRAFFIC SUPERINTENDANT
TRAFFIC ENGINEER
PRPL DIRECTOR
PARKING SUPERVISOR
CITY ATTORNEY



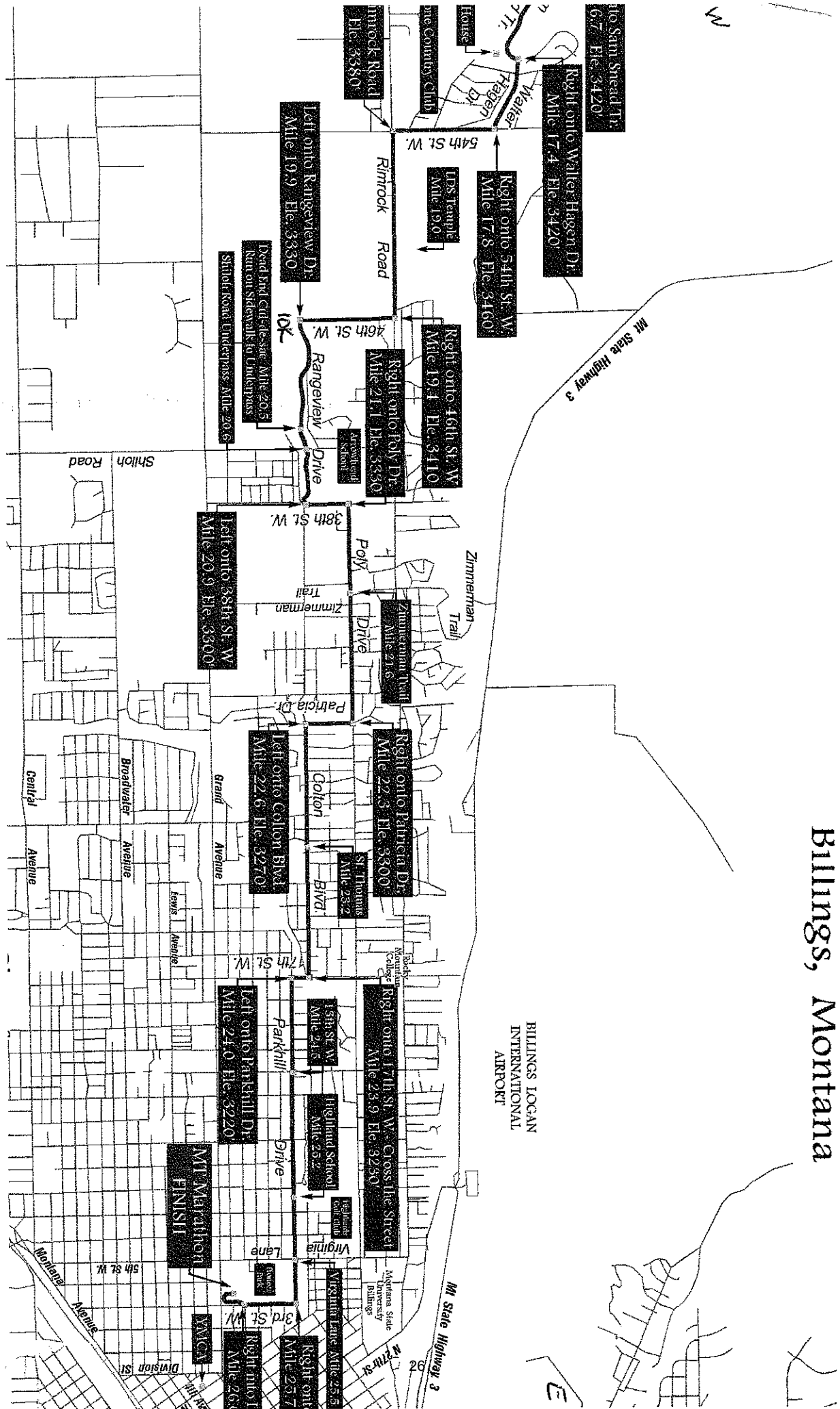
12



3

N

Billings, Montana



ACORD™ CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 4/26/2010				
PRODUCER (260) 467-5690 FAX: (260) 467-5651 STAR Insurance - Fort Wayne Office 2130 East DuPont Road		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.				
Fort Wayne IN 46825 INSURED ROAD RUNNERS CLUB OF AMERICA/2010 AND ITS MEMBER CLUBS 7410 SKYLINE DRIVE FREDERICK MD 21702-3652		INSURERS AFFORDING COVERAGE INSURER A: NATIONAL CASUALTY COMPANY 11991 INSURER B: NATIONWIDE LIFE INS. CO. 66869 INSURER C: INSURER D: INSURER E:				
COVERAGES						
THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.						
INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A		GENERAL LIABILITY	KRO 0000000754800	12/31/2009	12/31/2010	EACH OCCURRENCE \$ 1,000,000
		☒ COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000
		☐ CLAIMS MADE ☒ OCCUR				MED EXP (Any one person) \$ 5,000
		☒ LEGAL LIAB. TO PART.				PERSONAL & ADV INJURY \$ 1,000,000
		\$1,000,000				GENERAL AGGREGATE \$ NONE
GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COM/OP AGG \$ 1,000,000
		☐ POLICY ☐ PROJ ☐ LOC	A&M AGGREGATE \$5,000,000			ABUSE & MOLESTATION 500,000
A		AUTOMOBILE LIABILITY	KRO 0000000754800	12/31/2009	12/31/2010	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
		☐ ANY AUTO				BODILY INJURY (Per person) \$
		☐ ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
		☒ SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident) \$
		☒ HIRED AUTOS				
☒ NON-OWNED AUTOS						
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT \$
		☐ ANY AUTO				OTHER THAN EA ACC \$
						AUTO ONLY: AGG \$
		EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE \$
		☐ OCCUR ☐ CLAIMS MADE				AGGREGATE \$
						\$
		DEDUCTIBLE				\$
		RETENTION \$				\$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATUTORY LIMITS OTH-ER
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT \$
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$
B		OTHER EXCESS ACCIDENT & MEDICAL	SPX 0000003732100	12/31/2009	12/31/2010	EXCESS MEDICAL \$10,000
				12:01 A.M.	12:01 A.M.	\$250 DEDUCTIBLE PER CLAIM
						AD & SPECIFIC LOSS \$2,500

CERTIFICATE HOLDER 09/19/10 CITY OF BILLINGS BILLINGS SCHOOL DISTRICT #2 ATTN: SUSAN WELLBROOK 2224 MONTANA AVENUE BILLINGS, MT 59101	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE John Lefever/JR
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ACORD™ CERTIFICATE OF LIABILITY INSURANCE				DATE (MM/DD/YYYY) 4/26/2010													
PRODUCER (260)467-5690 FAX: (260)467-5691 STAR Insurance - Fort Wayne Office 2130 East DuPont Road Fort Wayne IN 46825 INSURED Yellowstone Rim Runners P O Box 2424 Billings MT 59103			THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">INSURERS AFFORDING COVERAGE</td> <td style="width: 20%;">NAIC #</td> </tr> <tr> <td>INSURER A: NATIONAL CASUALTY COMPANY</td> <td></td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> </table>			INSURERS AFFORDING COVERAGE	NAIC #	INSURER A: NATIONAL CASUALTY COMPANY		INSURER B:		INSURER C:		INSURER D:		INSURER E:	
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COVERAGES THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.																	
INSR	ADD'L LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS											
		GENERAL LIABILITY ☐ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS MADE ☐ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC				EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$											
		AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ☐ NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$											
		GARAGE LIABILITY ☐ ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$											
		EXCESS/UMBRELLA LIABILITY ☒ OCCUR ☐ CLAIMS MADE ☐ DEDUCTIBLE ☐ RETENTION \$	6L-XKO-00000008206-00 STRAIGHT EXCESS	12/31/2009 12:01 AM	12/31/2010 12:01 AM	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$ \$ \$											
A		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below OTHER				<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">WC STATU-TORY LIMITS</td> <td style="width: 40%;">OTH-ER</td> </tr> <tr> <td>E.L. EACH ACCIDENT</td> <td>\$</td> </tr> <tr> <td>E.L. DISEASE - EA EMPLOYEE</td> <td>\$</td> </tr> <tr> <td>E.L. DISEASE - POLICY LIMIT</td> <td>\$</td> </tr> </table>	WC STATU-TORY LIMITS	OTH-ER	E.L. EACH ACCIDENT	\$	E.L. DISEASE - EA EMPLOYEE	\$	E.L. DISEASE - POLICY LIMIT	\$			
WC STATU-TORY LIMITS	OTH-ER																
E.L. EACH ACCIDENT	\$																
E.L. DISEASE - EA EMPLOYEE	\$																
E.L. DISEASE - POLICY LIMIT	\$																
DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED AS RESPECTS THEIR INTEREST IN THE OPERATIONS OF THE NAMED INSURED. DATE & EVENT: 09/19/10 MONTANA GOVERNORS CUP MARATHON																	

CERTIFICATE HOLDER
CANCELLATION

09/19/10 CITY OF BILLINGS,
 BILLINGS SCHOOL DISTRICT #2
 ATTN: SUSAN WELLBROOK
 2224 MONTANA AVENUE
 BILLINGS, MT 59101

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.
 AUTHORIZED REPRESENTATIVE

Regular City Council Meeting

Date: 08/09/2010

TITLE: Don Luis Restaurant 10 years celebration

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

Don Luis Restaurant requests the closure of North 26th Street between Montana Avenue and 1st Avenue North from 1:00 pm until 9:30 pm on Saturday, August 21, 2010, for their 10-Year Celebration.

Recommended conditions of approval include:

1. Obtain the proper open container permit from the Police Department if alcohol will be consumed in the public right of way
2. Contact the Police Department to determine if a noise permit will be required
3. Contact all affected businesses and make them aware of the event two weeks in advance
4. Clean the area to be used and provide and empty waste cans
5. Notify all emergency facilities, bus lines and media at least two weeks in advance of the event
6. Provide and install adequate traffic barricades and signs directing motorists around the closure
7. Provide certificate of liability and liquor liability insurance naming City of Billings as additional insured
8. Provide an unobstructed 10' wide lane in the section of closed street for emergency vehicle access
9. Bag the meters pryor to start of event to prevent cars parking in the area to be closed

ALTERNATIVES ANALYZED

The Council may:

- Approve request to close the street for the event; or
- Deny the street closure

FINANCIAL IMPACT

There are no costs to the City of Billings other than administrative time to process the permit. Police, traffic control and litter removal are to be paid for by Don Luis Restaurant.

RECOMMENDATION

Staff recommends that Council approve the closure on N. 26th between Montana Ave and 1st Ave N. from 1:00 pm to 9:30 pm on Saturday, August 21, 2010.

APPROVED BY CITY ADMINISTRATOR

Attachments

Don Luis Restaurant 10 Yr Attach
Insurance Certificate



City of Billings
RIGHT-OF-WAY ACTIVITY
PERMIT

Please check the type of activity you are applying for:

☐ Parade ☐ Run/Walk/Procession ☐ Street/Alley Closure ☐ Block Party

Submit this application with attachments to either the: Public Works office, 2224 Montana Ave., Billings, MT 59101 or Downtown Billings office, 2815 2nd Ave North, Billings, MT 59101. Application packet should be turned in at least 60 days prior to the date of the proposed event for approval.

PERSON MAKING APPLICATION Carmen G Salazar

ORGANIZATION MAKING APPLICATION Don Luis Restaurant

PHONE 406 256-3355

ADDRESS 15 N. 26th St. Billings mt 59101

EMAIL ADDRESS Carmen@donluis^{CITY}msn.com^{STATE} ^{ZIP}

APPROXIMATE TIME EVENT WILL:

Assemble 1:00 P.m Start 3:00 P.m Disband 9:30 P.m

DATE OF EVENT Aug 21, 2010

PURPOSE/DESCRIPTION OF EVENT: (Description and detail of the event.)

Don Luis Restaurant request a street
closure of N. 26th St. between
Montana Ave and 1st Ave N.
Korean Celebration

EVENT ROUTE DESIRED (IF APPLICABLE): (Please attach map.)

N. 26th St. between Montana Ave
and 1st Ave N

BLOCK PARTY STREET LOCATION (IF APPLICABLE):

CLEAN UP IMPLEMENTATION: (Company contracted or services you will provide)

Don Luis crew

CERTIFICATION OF INSURANCE WHICH MUST SHOW: (1) The limits of liability coverage for the period of this agreement as a minimum of \$750,000 per claim/ \$1.5 million per occurrence general liability, and (2) the City of Billings named on the Certificate of Insurance as the additional insured. (Refer to the sample insurance copy. Please note a certificate of insurance is not required for Block Parties)

NOTICE: ANY MARKINGS (NO PAINT ALLOWED) TO BE PLACED ON PUBLIC RIGHT-OF-WAY MUST BE APPROVED BY THE CITY TRAFFIC/ENGINEERING DEPARTMENT PRIOR TO PLACEMENT, BE ENVIRONMENTALLY SAFE, AND NOT CONFLICT WITH EXISTING MARKINGS.

FOR DOWNTOWN EVENTS: YOU OR THE ORGANIZATION YOU REPRESENT MUST "ASSIGN" THE FIRST TWO BLOCKS OF THE DOWNTOWN EVENT ROUTE FOR NO PARKING TWO HOURS PRIOR TO YOUR EVENT USING THE ROUTE SIGNS PROVIDED BY THE CITY. IT IS YOUR RESPONSIBILITY TO PROVIDE THE APPROPRIATE BARRICADES FOR THE STREET CLOSURE.

IF USING THE ESTABLISHED EVENT ROUTE, THE CITY WILL PROVIDE TWO POLICE OFFICERS WITH VEHICLES TO START THE EVENT, AND A STREET SWEEPER, IF NECESSARY, TO FOLLOW THE EVENT.

COORDINATOR OF EVENTS AT WHICH ALCOHOL WILL BE CONSUMED IN PUBLIC RIGHT-OF-WAY ARE REQUIRED TO OBTAIN AN OPEN-CONTAINER PERMIT FROM THE POLICE DEPARTMENT

UPON SIGNING OF THIS APPLICATION, THE APPLICANT AGREES NOT TO VIOLATE ANY STATE OR CITY CODES IN THE PRESENTATION OF THE REQUESTED SPECIAL ACTIVITY.

In consideration for permission to conduct its activity as requested, applicant agrees to indemnify, defend and hold harmless the City of Billings, its officers, agents, employees and volunteers from damage to property and for injury to or death of any person and from all liability claims, actions or judgments which may arise from the activity.

Applicants also agree to obtain valid "save or hold harmless agreements" from all participants in its activity, protecting the City of Billings from all losses arising out of its activity, including damages of any kind or nature.

APPLICANT SIGNATURE

Caren Salzer

DATE

7/12/2010

APPLICATION APPROVED

DATE

APPLICATION DENIED

DATE

ADDITIONAL RESTRICTIONS OR SPECIAL CONDITIONS: YES [] NO []
(IF YES, ATTACH COPY)

FOR CITY USE ONLY

FEE: _____

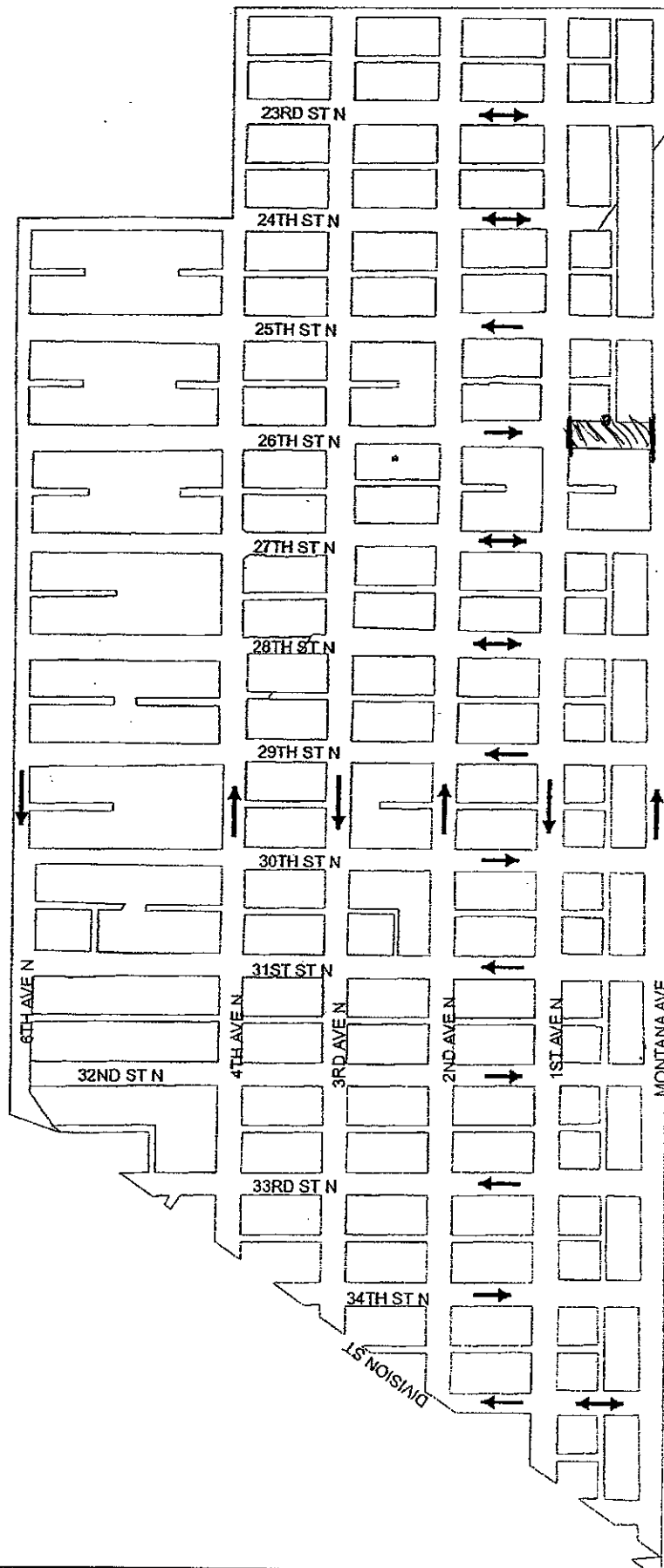
APPLICANT NOTIFIED BY: _____

DATE: _____

COPIES TO:

CITY ADMINISTRATOR
DEPUTY CITY ADMINISTRATOR
POLICE CHIEF
FIRE CHIEF
FIRE MARSHALL
MET TRANSIT MANAGER
STREET/TRAFFIC SUPERINTENDANT
TRAFFIC ENGINEER
PRPL DIRECTOR
PARKING SUPERVISOR
CITY ATTORNEY

Downtown Billings Street Direction Map



ACORD™ CERTIFICATE OF LIABILITY INSURANCEDATE (MM/DD/YYYY)
07/20/2010

PRODUCER Hoiness LaBar Insurance A Member of Payne Financial Group P.O. Box 30638 Billings, MT 59107-0638	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURED Don Luis, Inc. 15N. 26th Street Billings, MT 59101	INSURERS AFFORDING COVERAGE INSURER A: St Paul Travelers INSURER B: INSURER C: INSURER D: INSURER E:	NAIC #

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A		GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC	16801488L243IND10	05/01/10	05/01/11	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000
		AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ☐ NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY ☐ ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC AGG \$
A		EXCESS/UMBRELLA LIABILITY ☒ OCCUR ☐ CLAIMS MADE DEDUCTIBLE ☒ RETENTION \$ 5000	ISFCUP9349Y964IND1	05/01/10	05/01/11	EACH OCCURRENCE \$1,000,000 AGGREGATE \$1,000,000 \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				☐ WC STATU-TORY LIMITS ☐ OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
		OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Certificate Holder is shown as an Additional Insured as respects to the "10 Year Celebration" occurring on 08/21/2010.

CERTIFICATE HOLDER**CANCELLATION****10 Days for Non-Payment**

City of Billings
 2224 Montana Avenue
 Billings, MT 59101

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Sherry Groshen

ACORD™ CERTIFICATE OF LIABILITY INSURANCEDATE (MM/DD/YYYY)
07/26/2010

PRODUCER Hoiness LaBar Insurance A Member of Payne Financial Group P.O. Box 30638 Billings, MT 59107-0638		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
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		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	ADD'L	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A			GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC	I6801488L243IND10	05/01/10	05/01/11	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000	
			AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ☐ NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$	
			GARAGE LIABILITY ☐ ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$	
A			EXCESS/UMBRELLA LIABILITY ☒ OCCUR ☐ CLAIMS MADE DEDUCTIBLE ☒ RETENTION \$ 5000	ISFCUP9349Y964IND1	05/01/10	05/01/11	EACH OCCURRENCE \$1,000,000 AGGREGATE \$1,000,000 \$ \$ \$	
			WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$	
A			OTHER Liquor	I6801488L243IND1	05/01/10	05/01/11	1,000,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Certificate Holder is shown as an Additional Insured as respects to Anniversary Celebration occurring on 08/20/2010.

CERTIFICATE HOLDER**CANCELLATION****10 Days for Non-Payment**

City of Billings 210 N 27th Street Billings, MT 59101	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE 
--	---

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

Regular City Council Meeting

Date: 08/09/2010

TITLE: Dash for Dogs Fun Run

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

The Billings Parks and Recreation Dept is sponsoring a Dash for Dog Parks fun run on Saturday, August 14, 2010. The race will start at Skyview parking lot to High Sierra Blvd to W Wicks Lane heading west to High Sierra Park and ending there. Runners will gather at the Skyview High School parking lot and the race will start at 8:30 am and all should be completed before 10:00 am.

Recommended conditions of approval include Billings Parks and Recreation Department to:

1. Have no alcohol consumption in the public right of way
2. Clean area to be used and provide and empty waste cans
3. Notify all emergency facilities, bus lines and media at least two weeks in advance of the event
4. Provide and install adequate traffic barricades and signs directing motorists around closure
5. Provide the City of Billings certificate of insurance
6. All course guards (flaggers) shall wear safety apparel and use approved STOP/SLOW paddles

ALTERNATIVES ANALYZED

The Council may:

- Approve race route and event; or
- Deny the race route and event.

FINANCIAL IMPACT

There are no costs to the City of Billings other than administrative time to process permit. Traffic control and litter removal are to be paid for by the event sponsors.

RECOMMENDATION

Staff recommends that Council approve the route described above for the Dash for Dogs event.

APPROVED BY CITY ADMINISTRATOR

Attachments

Dash for Dog Parks Run



**City of Billings
Parks and
Recreation
Department**

Mark Jarvis
Park Planner

390 North 23rd Street
Billings, MT 59101

Phone: (406) 657-8367
Fax: (406) 247-8641
Website: www.prpl.info

July 12, 2010

City of Billings Public Works Department, Engineering Division
Susan Wellbrook
2224 Montana Ave.
Billings, MT 59101

Dear Susan:

The Billings Parks and Recreation Department is sponsoring a Dash For Dog Parks fun run on Saturday August 14, 2010 to help raise funds to develop dog parks in Billings. The race will have 2 categories; a 5 kilometer run (3.1 mile) and 2 Kilometer run (1.24 mile). Please see the attached maps.

The race for both categories will start in the Skyview High School parking lot and enter High Sierra Blvd. The race will turn right at the intersection of High Sierra Blvd. and Wicks Lane and continue west on Wicks Lane approximately 1500 feet then turn into the park near the water tank. The 2 Kilometer race will continue and end in the parkland. The 5Kilometer race will run through the park and re-enter Wicks lane at the access road coming off Wicks to the park. It will continue along Wicks Lane and turn right on Sierra Grande Blvd. It will continue east and turn right onto High Sierra Blvd. The race will continue along High Sierra Blvd. to the intersection of High Sierra Blvd and Wicks Lane where it will again turn right on Wicks Lane going the same distance as before (approx. 1500 feet) and finally turn left into the park and end in the park.

Runners will gather at the Skyview High School parking lot and the 5 kilometer race will begin at 8:30 a.m. and the 2 kilometer race will start at 8:45 a.m. We anticipate the race to be completed before 10:00 a.m.

Barricades will be placed at the driveway entrance from the Skyview High School parking lot onto High Sierra Blvd., at the intersection of high Sierra Blvd and Wicks Lane, at the points of departure and entrance along Wicks Lane, at the intersection of Wicks Lane and Sierra Grande Blvd., at the intersection of Sierra Grande Blvd. and High Sierra Blvd., at High sierra Blvd and El Rancho Dr. and at High Sierra Blvd and Siesta Ave. The barricades are two to three feet wide so the intersections will not be completely blocked. Course guards will be stationed at most of the intersections along the race route. Course Guards will allow traffic through intersections when there is a sufficient gap between runners to allow traffic to pass without endangering runners.

Please call me if you have any questions. Thank you for your assistance.

Sincerely,

Mark L. Jarvis, ASLA

"We create community through people, parks, and programs"



City of Billings
RIGHT-OF-WAY ACTIVITY
PERMIT

Please check the type of activity you are applying for:

☐ Parade ☒ Run/Walk/Procession ☐ Street/Alley Closure ☐ Block Party

Submit this application with attachments to either the: Public Works office, 2224 Montana Ave., Billings, MT 59101 or Downtown Billings office, 2815 2nd Ave North, Billings, MT 59101. Application packet should be turned in at least 60 days prior to the date of the proposed event for approval.

PERSON MAKING APPLICATION Mark Jarvis
ORGANIZATION MAKING APPLICATION Billings Parks & Recreation
PHONE 657-8367
ADDRESS 390 N. 23rd Billings MT 59101
CITY STATE ZIP
EMAIL ADDRESS jarrisma@ci.billings.mt.us

APPROXIMATE TIME EVENT WILL:

Assemble 6:00am Start 8:30am Disband 12:00pm

DATE OF EVENT August 14, 2010

PURPOSE/DESCRIPTION OF EVENT: (Description and detail of the event.)

Dash for Dog Parks 2k & 5k run/walk

Purpose for the run/walk is to raise funds for 3 dog parks.

EVENT ROUTE DESIRED (IF APPLICABLE): (Please attach map.)

Start at Skyview High School and end race at High Sierra Park. (Please see map for route)

BLOCK PARTY STREET LOCATION (IF APPLICABLE):

CLEAN UP IMPLEMENTATION: (Company contracted or services you will provide)

Park staff and Dog Park Committee will do the cleanup

CERTIFICATION OF INSURANCE WHICH MUST SHOW: (1) The limits of liability coverage for the period of this agreement as a minimum of \$750,000 per claim/ \$1.5 million per occurrence general liability, and (2) the City of Billings named on the Certificate of Insurance as the additional insured. (Refer to the sample insurance copy. Please note a certificate of insurance is not required for Block Parties)

NOTICE: ANY MARKINGS (NO PAINT ALLOWED) TO BE PLACED ON PUBLIC RIGHT-OF-WAY MUST BE APPROVED BY THE CITY TRAFFIC/ENGINEERING DEPARTMENT PRIOR TO PLACEMENT, BE ENVIRONMENTALLY SAFE, AND NOT CONFLICT WITH EXISTING MARKINGS.

FOR DOWNTOWN EVENTS: YOU OR THE ORGANIZATION YOU REPRESENT MUST "ASSIGN" THE FIRST TWO BLOCKS OF THE DOWNTOWN EVENT ROUTE FOR NO PARKING TWO HOURS PRIOR TO YOUR EVENT USING THE ROUTE SIGNS PROVIDED BY THE CITY. IT IS YOUR RESPONSIBILITY TO PROVIDE THE APPROPRIATE BARRICADES FOR THE STREET CLOSURE.

IF USING THE ESTABLISHED EVENT ROUTE, THE CITY WILL PROVIDE TWO POLICE OFFICERS WITH VEHICLES TO START THE EVENT, AND A STREET SWEEPER, IF NECESSARY, TO FOLLOW THE EVENT.

COORDINATOR OF EVENTS AT WHICH ALCOHOL WILL BE CONSUMED IN PUBLIC RIGHT-OF WAY ARE REQUIRED TO OBTAIN AN OPEN-CONTAINER PERMIT FROM THE POLICE DEPARTMENT

UPON SIGNING OF THIS APPLICATION, THE APPLICANT AGREES NOT TO VIOLATE ANY STATE OR CITY CODES IN THE PRESENTATION OF THE REQUESTED SPECIAL ACTIVITY.

In consideration for permission to conduct its activity as requested, applicant agrees to indemnify, defend and hold harmless the City of Billings, its officers, agents, employees and volunteers from damage to property and for injury to or death of any person and from all liability claims, actions or judgments which may arise from the activity.

Applicants also agree to obtain valid "save or hold harmless agreements" from all participants in its activity, protecting the City of Billings from all losses arising out of its activity, including damages of any kind or nature.

APPLICANT SIGNATURE *Mike Javda* DATE 7-8-10
APPLICATION APPROVED _____ DATE _____
APPLICATION DENIED _____ DATE _____

ADDITIONAL RESTRICTIONS OR SPECIAL CONDITIONS: YES [] NO []
(IF YES, ATTACH COPY)

FOR CITY USE ONLY

FEE: _____

APPLICANT NOTIFIED BY: _____

DATE: _____

COPIES TO:

CITY ADMINISTRATOR
DEPUTY CITY ADMINISTRATOR
POLICE CHIEF
FIRE CHIEF
FIRE MARSHALL
MET TRANSIT MANAGER
STREET/TRAFFIC SUPERINTENDANT
TRAFFIC ENGINEER
PRPL DIRECTOR
PARKING SUPERVISOR
CITY ATTORNEY



DO YOU WANT TO BE OUR EVENT SPONSOR?

“DASH FOR DOG PARKS” FIRST ANNUAL FUN RUN AUGUST 14, 2010

Event will be held at:
High Sierra Park—West end of Wicks



Join us for the 1st Annual “Dash For Dog Parks.” It’s a 2K Dog walk/run or 5K run fundraising event for the development of Dog Parks in Billings. The Fun Run will be hosted by the Billings Parks and Recreation Department. This is a great chance to become a Corporate Sponsor. See back for Sponsorship opportunities.



‘Connecting Our Community through Activity’

RACE SPONSORSHIP

• Major Sponsor

Name On Registration & Poster
Name On Website
Name In Race Day Packet
Hand Out Awards At Awards Ceremony
TV And Radio Spots
Name On Finish Line Banner
Prominent Spot On Back Of T-Shirt
Free Vendor Spot
Exposure At Area Events

• \$1,000+ Level

Name On Registration & Poster
Name On Website
Name In Race Day Packet
TV And Radio Spots
Name On Back Of T-Shirt
Free Vendor Spot
Exposure At Area Events

• \$500+ Level

Name On Registration & Poster
Name On Website
Name In Race Day Packet
Free Vendor Spot
Name on T-Shirt

• \$100+ Level

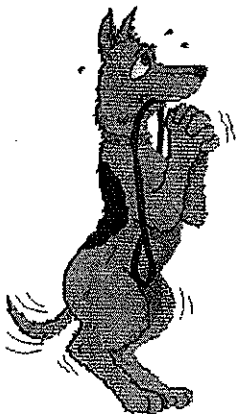
Name In Race Day Packet

• Vendor Booth

Business \$100
Non-profit \$50

Door Prizes

- We will be raffling off prizes after the race. If you would like to donate a prize, we will announce your company name as the donor as we announce the winners.



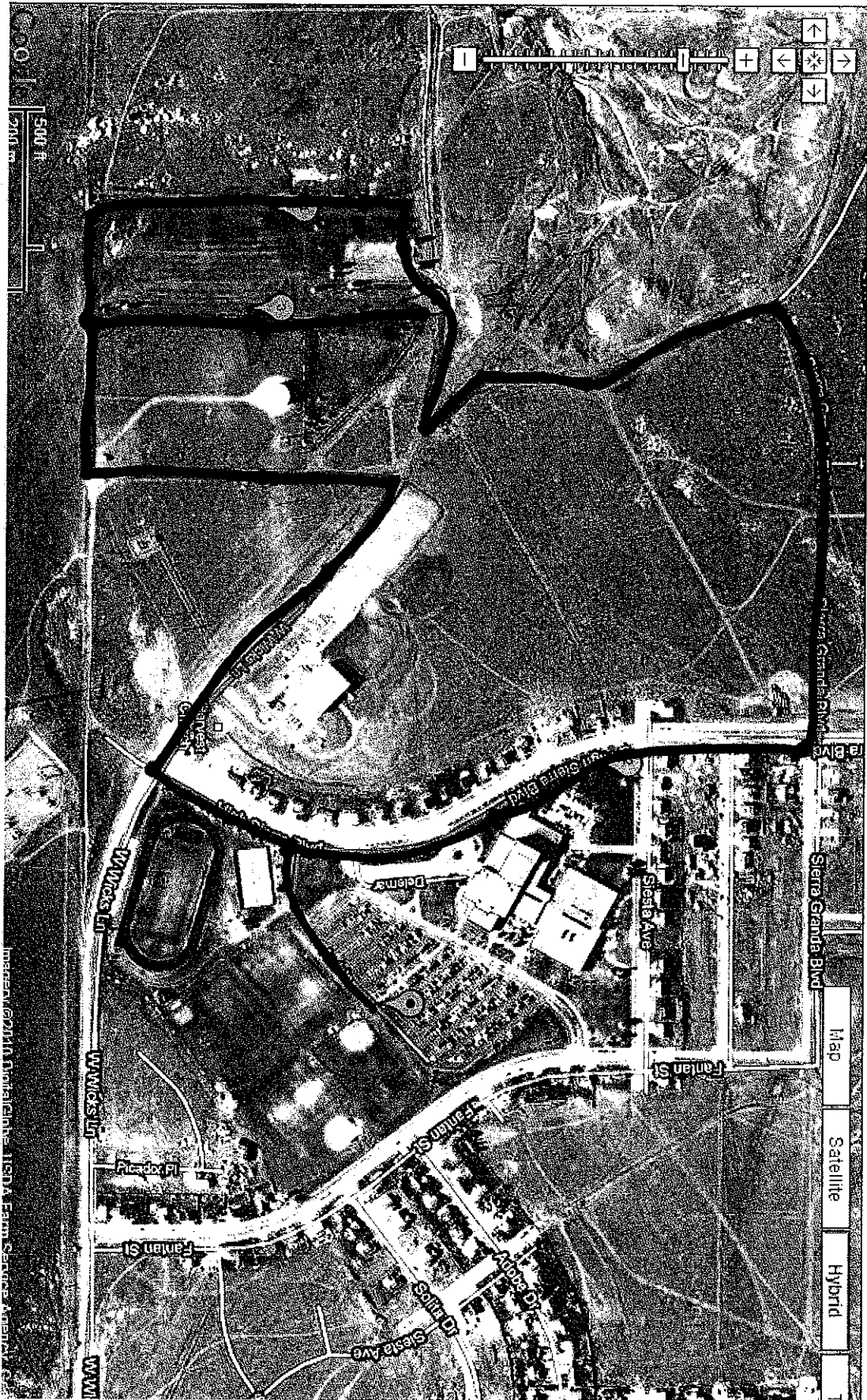
CONTACT INFORMATION:

Mark Jarvis: (406)657-8367
jarvism@ci.billings.mt.us

Rachel Cox: (406)698-1648
rcox@oaklandcompanies.com



5K Run



Regular City Council Meeting

Date: 08/09/2010

TITLE: Friendship House Street Closure

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

Friendship House of Christian Service is requesting a street closure on 8th Ave South from S 31st to S 32nd for a neighborhood event on Wednesday, August 18th from 4:00 pm to 8:00 pm. The event is for them to inform the neighborhood about the after-school program for kids.

Recommended conditions of approval include Friendship House of Christian Service:

1. Have no alcohol consumption in the public right of way
2. Clean the area to be used after the event and provide and empty waste cans
3. Contact all businesses/residents affected by the closure and make them aware of the event two weeks in advance
4. Notify all emergency facilities, bus lines and media as soon as possible
5. Provide and install adequate traffic barricades directing motorists around the closure
6. Provide a certificate of insurance with required liability amounts naming the City of Billings as additional insured
7. Provide a ten foot wide unobstructed lane on all streets to provide for emergency vehicle access

ALTERNATIVES ANALYZED

The Council may:

- Approve the request to close the street for the event; or
- Deny the street closure

FINANCIAL IMPACT

There are no costs to the City of Billings other than administrative time to process the permit. Police, traffic control and litter removal are to be paid for by the Friendship House of Christian Service.

RECOMMENDATION

Staff recommends that Council approve the closure named above for the Friendship House of Christian Service.

APPROVED BY CITY ADMINISTRATOR

Attachments

Friendship House Attach



July 12, 2010

City of Billings
210 N 27th Street
Billings, MT 59101

To Whom It May Concern:

Friendship House of Christian Service is requesting permission to close 8th Avenue South from 31st street to 32nd street in order to host a neighborhood event. The event is designed to kick-off our After-School Program for South Side kids. This will be a family friendly celebration with food, games, and prizes.

The event will take place Wednesday, August 18th from 4:00pm to 8:00pm. We plan on using the Friendship House facility along with street access in front of our building in order to accommodate everyone. We hope you consider our request and feel free to call Dylan Adair at 259-5569 with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dylan Adair', is written over a horizontal line.

Dylan Adair
Youth Services Director

Friendship House strengthens the community by providing programs and access
to services designed to empower youth and families.

Phone: 406-259-5569 Fax: 406-259-9117 3123 8th Avenue South Billings, Montana 59101



City of Billings RIGHT-OF-WAY ACTIVITY PERMIT

Please check the type of activity you are applying for:

☐ Parade ☐ Run/Walk/Procession ☐ Street/Alley Closure ☐ Block Party

Submit this application with attachments to either the: Public Works office, 2224 Montana Ave., Billings, MT 59101 or Downtown Billings office, 2815 2nd Ave North, Billings, MT 59101. Application packet should be turned in at least 60 days prior to the date of the proposed event for approval.

PERSON MAKING APPLICATION Dylan Adair
 ORGANIZATION MAKING APPLICATION Friendship House of Christian Service
 PHONE (406) 259-5569
 ADDRESS 3123 8th Ave. South Billings MT 59101
 EMAIL ADDRESS dylana@friendshipmt.org

APPROXIMATE TIME EVENT WILL:

Assemble 2:00pm Start 4:00pm Disband 8:00pm

DATE OF EVENT August 18th 2010

PURPOSE/DESCRIPTION OF EVENT: (Description and detail of the event.)

The event is designed to provide the South Side neighborhood with a family-friendly community event. Food and games will be provided for the participants.

EVENT ROUTE DESIRED (IF APPLICABLE): (Please attach map.)

BLOCK PARTY STREET LOCATION (IF APPLICABLE):

8th Ave. South between 31st and 32nd street.

CLEAN UP IMPLEMENTATION: (Company contracted or services you will provide)

Friendship House staff will be responsible for clean-up.

CERTIFICATION OF INSURANCE WHICH MUST SHOW: (1) The limits of liability coverage for the period of this agreement as a minimum of \$750,000 per claim/ \$1.5 million per occurrence general liability, and (2) the City of Billings named on the Certificate of Insurance as the additional insured. (Refer to the sample insurance copy. Please note a certificate of insurance is not required for Block Parties)

NOTICE: ANY MARKINGS (NO PAINT ALLOWED) TO BE PLACED ON PUBLIC RIGHT-OF-WAY MUST BE APPROVED BY THE CITY TRAFFIC/ENGINEERING DEPARTMENT PRIOR TO PLACEMENT, BE ENVIRONMENTALLY SAFE, AND NOT CONFLICT WITH EXISTING MARKINGS.

FOR DOWNTOWN EVENTS: YOU OR THE ORGANIZATION YOU REPRESENT MUST "ASSIGN" THE FIRST TWO BLOCKS OF THE DOWNTOWN EVENT ROUTE FOR NO PARKING TWO HOURS PRIOR TO YOUR EVENT USING THE ROUTE SIGNS PROVIDED BY THE CITY. IT IS YOUR RESPONSIBILITY TO PROVIDE THE APPROPRIATE BARRICADES FOR THE STREET CLOSURE.

IF USING THE ESTABLISHED EVENT ROUTE, THE CITY WILL PROVIDE TWO POLICE OFFICERS WITH VEHICLES TO START THE EVENT, AND A STREET SWEEPER, IF NECESSARY, TO FOLLOW THE EVENT.

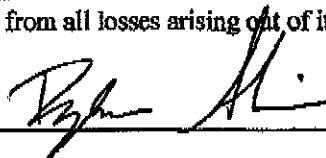
COORDINATOR OF EVENTS AT WHICH ALCOHOL WILL BE CONSUMED IN PUBLIC RIGHT-OF-WAY ARE REQUIRED TO OBTAIN AN OPEN-CONTAINER PERMIT FROM THE POLICE DEPARTMENT

UPON SIGNING OF THIS APPLICATION, THE APPLICANT AGREES NOT TO VIOLATE ANY STATE OR CITY CODES IN THE PRESENTATION OF THE REQUESTED SPECIAL ACTIVITY.

In consideration for permission to conduct its activity as requested, applicant agrees to indemnify, defend and hold harmless the City of Billings, its officers, agents, employees and volunteers from damage to property and for injury to or death of any person and from all liability claims, actions or judgments which may arise from the activity.

Applicants also agree to obtain valid "save or hold harmless agreements" from all participants in its activity, protecting the City of Billings from all losses arising out of its activity, including damages of any kind or nature.

APPLICANT SIGNATURE



DATE 7/12/2010

APPLICATION APPROVED

DATE

APPLICATION DENIED

DATE

ADDITIONAL RESTRICTIONS OR SPECIAL CONDITIONS: YES [] NO []
(IF YES, ATTACH COPY)

FOR CITY USE ONLY

FEE: _____

APPLICANT NOTIFIED BY: _____

DATE: _____

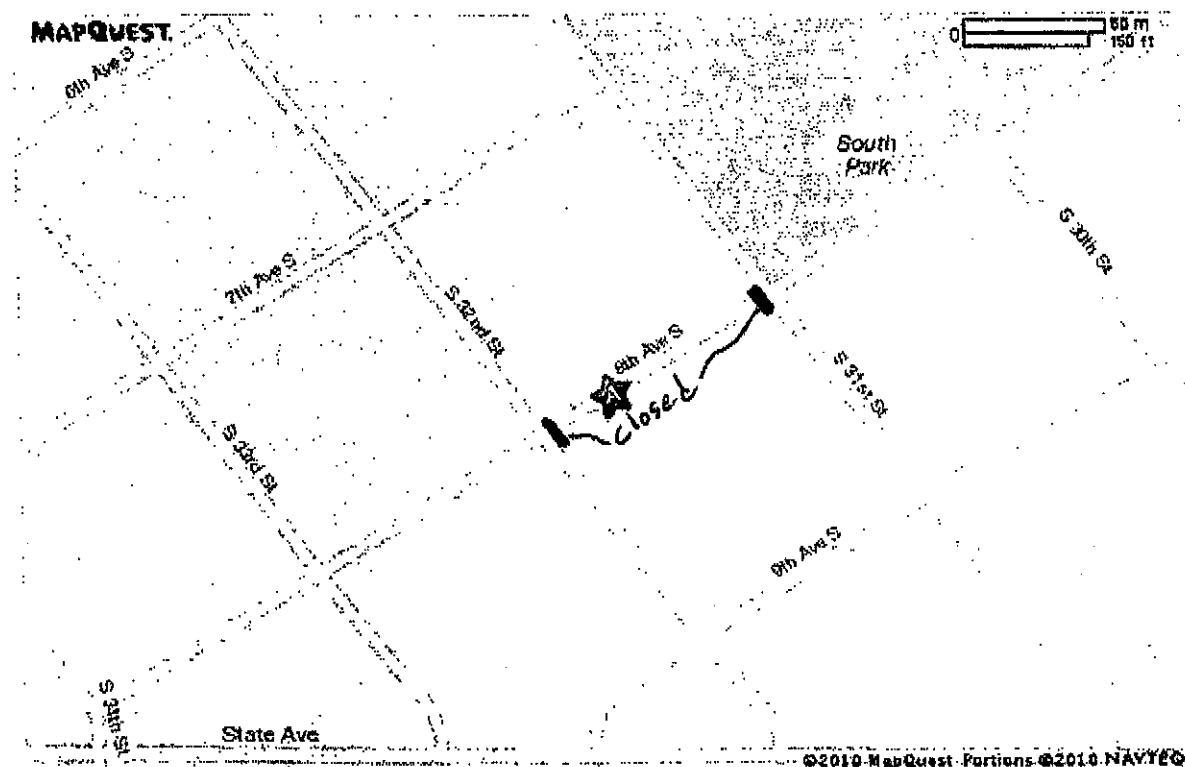
COPIES TO:

CITY ADMINISTRATOR
DEPUTY CITY ADMINISTRATOR
POLICE CHIEF
FIRE CHIEF
FIRE MARSHALL
MET TRANSIT MANAGER
STREET/TRAFFIC SUPERINTENDANT
TRAFFIC ENGINEER
PRPL DIRECTOR
PARKING SUPERVISOR
CITY ATTORNEY

**MAPQUEST.**

Map of 3123 8th Ave S
Billings, MT 59101-3939

Notes



All rights reserved. Use subject to [License/Copyright](#) | [Map Legend](#)

Directions and maps are informational only. We make no warranties on the accuracy of their content, road conditions or route usability or expeditiousness. You assume all risk of use. MapQuest and its suppliers shall not be liable to you for any loss or delay resulting from your use of MapQuest. Your use of MapQuest means you agree to our [Terms of Use](#)



7/15/2010

MT 59101

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

NAIC #

INSURER F:

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

2010 Block Party

J. Michael Woods/TERI

Regular City Council Meeting

Date: 08/09/2010

TITLE: Quality of Life Run

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

The Billings Association of Realtors requests partial street closures on Saturday, August 21, 2010, from 7:00 am to 11:00 am for their 2-mile and 5-mile run. The 5-mile begins atop the rims near Masterson Circle down N. 27th to Rimrock Rd to Pioneer Park while the 2-mile starts at the MSU-B parking lot to 5th Street West through Pioneer Park. Both races will end at the Transwestern Parking Lot. The routes will be marked with orange cones, but will not obstruct traffic.

Recommended conditions of approval include Billings Association of Realtors:

1. Have no alcohol consumption in the right of way
2. Clean area to be used and provide and empty waste cans
3. Notify all emergency facilities, bus lines and media as soon as possible
4. Provide and install adequate traffic barricades and signs directing motorists around closure
5. All course guards (flaggers) shall wear safety apparel and use approved STOP/SLOW paddles
6. Provide a certificate of insurance naming City of Billings as additional insured

ALTERNATIVES ANALYZED

The Council may:

- Approve the requested race route and partial street closures; or
- Deny the request

FINANCIAL IMPACT

There are no costs to the city other than administrative time to process the application. Police, traffic control and litter removal for are to be paid for by the Billings Association of Realtors.

RECOMMENDATION

Staff recommends that Council approve the route and partial street closures for the Billings Association of Realtors 2 and 5 Mile Run on Saturday, August 21, 2010.

APPROVED BY CITY ADMINISTRATOR

Attachments

Billings Assoc. of Realtors Attach



1643 Lewis Avenue, Suite 12 ♦ Billings, Montana 59102

Phone: 406.248.7145 ♦ Fax: 406.248.7478

www.Billings.org ♦ BoardOffice@Billings.org

June 21, 2010

Susan Wellbrook
Public Works Department – Engineering Division
2224 Montana Ave
Billings, MT 59101

Dear Susan,

Please find enclosed a Right-of-Way Activity permit application for the *Quality of Life* Run organized by the Billings Association of REALTORS®.

This is an annual event aimed at raising money for non-profits in our community. This year, the proceeds will benefit Friendship House.

The *Quality of Life* Run is slated for Saturday, August 21, 2010, beginning at 8 a.m., with all activities concluded by 10 a.m. The race includes two starting points, one for the 5-mile run and another for a 2-mile walk/run. The 5-mile begins atop the Rims near Masterson Circle while the 2-mile starts near MSU-Billings.

The racing path – down the Rims via Airport Road, through the Pioneer Park area and ending at the Transwestern Parking Lot – will be marked with orange cones, but will not obstruct traffic. A barricade will be in place to prohibit traffic from entering Rimrock Road off of Airport Road until all runners have passed that point.

Thank you for your consideration of this permit. If you have any questions, please contact me at 248-7145 or by email at amber@billings.org.

Sincerely,

A handwritten signature in black ink that reads "Amber Sundsted".

Amber Sundsted
Government Affairs Director





City of Billings
RIGHT-OF-WAY ACTIVITY
PERMIT

Please check the type of activity you are applying for:

☐ Parade ☒ Run/Walk/Procession ☐ Street/Alley Closure ☐ Block Party

Submit this application with attachments to either the: Public Works office, 2224 Montana Ave., Billings, MT 59101 or Downtown Billings office, 2815 2nd Ave North, Billings, MT 59101. Application packet should be turned in at least 60 days prior to the date of the proposed event for approval.

PERSON MAKING APPLICATION Amber Sundsted
ORGANIZATION MAKING APPLICATION Billings Association of Realtors
PHONE 406. 248. 7145
ADDRESS 1643 Lewis Ave, Ste 12, Billings, MT 59102
CITY STATE ZIP
EMAIL ADDRESS Amber@billings.org

APPROXIMATE TIME EVENT WILL:

Assemble 7 a.m. Start 8 a.m. Disband 11 a.m.

DATE OF EVENT Saturday, August 21, 2010

PURPOSE/DESCRIPTION OF EVENT: (Description and detail of the event.)

The Quality of Life Run benefits non-profits that improve quality of life in our community. This year's proceeds benefit Friendship House. The run includes a 5-mile and 2-mile event and will attract approximately 500 participants.

EVENT ROUTE DESIRED (IF APPLICABLE): (Please attach map.)

The run will have two starting locations - one atop the Rims and one at the base of the Rims. The run winds through Pioneer Park and ends in the Central Business District at the Transwestern parking lot.

BLOCK PARTY STREET LOCATION (IF APPLICABLE):

CLEAN UP IMPLEMENTATION: (Company contracted or services you will provide)

Volunteers from the Association provide cleanup at the start points, race route, and finish line. Cones and barricades also are promptly removed from the race route. (Cleanup plan attached)

CERTIFICATION OF INSURANCE WHICH MUST SHOW: (1) The limits of liability coverage for the period of this agreement as a minimum of \$750,000 per claim/ \$1.5 million per occurrence general liability, and (2) the City of Billings named on the Certificate of Insurance as the additional insured. (Refer to the sample insurance copy. Please note a certificate of insurance is not required for Block Parties)

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FOR DOWNTOWN EVENTS: YOU OR THE ORGANIZATION YOU REPRESENT MUST "ASSIGN" THE FIRST TWO BLOCKS OF THE DOWNTOWN EVENT ROUTE FOR NO PARKING TWO HOURS PRIOR TO YOUR EVENT USING THE ROUTE SIGNS PROVIDED BY THE CITY. IT IS YOUR RESPONSIBILITY TO PROVIDE THE APPROPRIATE BARRICADES FOR THE STREET CLOSURE.

IF USING THE ESTABLISHED EVENT ROUTE, THE CITY WILL PROVIDE TWO POLICE OFFICERS WITH VEHICLES TO START THE EVENT, AND A STREET SWEEPER, IF NECESSARY, TO FOLLOW THE EVENT.

COORDINATOR OF EVENTS AT WHICH ALCOHOL WILL BE CONSUMED IN PUBLIC RIGHT-OF-WAY ARE REQUIRED TO OBTAIN AN OPEN-CONTAINER PERMIT FROM THE POLICE DEPARTMENT

UPON SIGNING OF THIS APPLICATION, THE APPLICANT AGREES NOT TO VIOLATE ANY STATE OR CITY CODES IN THE PRESENTATION OF THE REQUESTED SPECIAL ACTIVITY.

In consideration for permission to conduct its activity as requested, applicant agrees to indemnify, defend and hold harmless the City of Billings, its officers, agents, employees and volunteers from damage to property and for injury to or death of any person and from all liability claims, actions or judgments which may arise from the activity.

Applicants also agree to obtain valid "save or hold harmless agreements" from all participants in its activity, protecting the City of Billings from all losses arising out of its activity, including damages of any kind or nature.

APPLICANT SIGNATURE *Grndsted*

DATE June 17, 2010

APPLICATION APPROVED _____

DATE _____

APPLICATION DENIED _____

DATE _____

ADDITIONAL RESTRICTIONS OR SPECIAL CONDITIONS: YES [] NO []
(IF YES, ATTACH COPY)

FOR CITY USE ONLY

FEE: _____

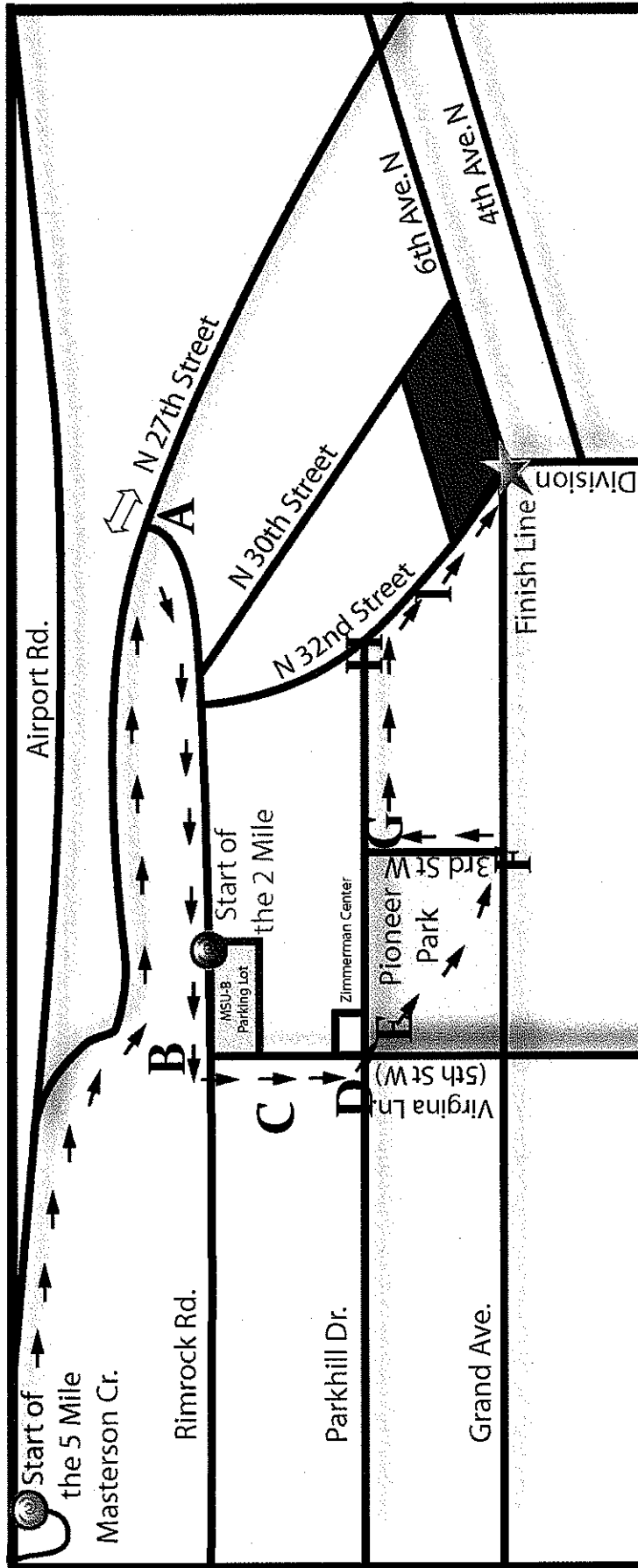
APPLICANT NOTIFIED BY: _____

DATE: _____

COPIES TO:

CITY ADMINISTRATOR
DEPUTY CITY ADMINISTRATOR
POLICE CHIEF
FIRE CHIEF
FIRE MARSHALL
MET TRANSIT MANAGER
STREET/TRAFFIC SUPERINTENDANT
TRAFFIC ENGINEER
PRPL DIRECTOR
PARKING SUPERVISOR
CITY ATTORNEY

Road Guard and Water Station Placement



ACORD™ CERTIFICATE OF LIABILITY INSURANCEDATE (MM/DD/YYYY)
4/6/2010

PRODUCER (260)467-5690 FAX: (260)467-5651

STAR Insurance - Fort Wayne Office
2130 East DuPont RoadTHIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION
ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE
HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR
ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

Fort Wayne IN 46825

INSURED

ROAD RUNNERS CLUB OF AMERICA/2010
AND ITS MEMBER CLUBS

7410 SKYLINE DRIVE

FREDERICK MD 21702-3652

INSURERS AFFORDING COVERAGE

NAIC #

INSURER A: NATIONAL CASUALTY COMPANY 11991

INSURER B: NATIONWIDE LIFE INS. CO. 66869

INSURER C:

INSURER D:

INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY
REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN,
THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES.
AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR/ADD'L LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY	KRO 0000000754800	12/31/2009 12:01 A.M.	12/31/2010 12:01 A.M.	EACH OCCURRENCE \$ 1,000,000
	☒ COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000
	☐ CLAIMS MADE ☒ OCCUR				MED EXP (Any one person) \$ 5,000
	☒ LEGAL LIAB. TO PART.				PERSONAL & ADV INJURY \$ 1,000,000
	\$1,000,000				GENERAL AGGREGATE \$ NONE
	GEN'L AGGREGATE LIMIT APPLIES PER:				PRODUCTS - COMP/OP AGG \$ 1,000,000
	☐ POLICY ☐ PRO-JECT ☐ LOC	A&M AGGREGATE \$5,000,000			ABUSE & MOLESTATION 500,000
A	AUTOMOBILE LIABILITY	KRO 0000000754800	12/31/2009 12:01 A.M.	12/31/2010 12:01 A.M.	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	☐ ANY AUTO				BODILY INJURY (Per person) \$
	☐ ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
	☐ SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident) \$
☒ HIRED AUTOS					
☒ NON-OWNED AUTOS					
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT \$
	☐ ANY AUTO				OTHER THAN EA ACC \$
	EXCESS/UMBRELLA LIABILITY				AUTO ONLY: AGG \$
	☐ OCCUR ☐ CLAIMS MADE				EACH OCCURRENCE \$
	☐ DEDUCTIBLE				AGGREGATE \$
	☐ RETENTION \$				\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATU-TORY LIMITS ☐ OTH-ER ☐
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT \$
	If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE \$
B	OTHER EXCESS ACCIDENT & MEDICAL	SPX 0000003732100	12/31/2009 12:01 A.M.	12/31/2010 12:01 A.M.	EXCESS MEDICAL \$10,000 \$250 DEDUCTIBLE PER CLAIM AD & SPECIFIC LOSS \$2,500

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

City of Billings, Department of Parks & Recreation are NAMED AS AN ADDITIONAL INSURED AS RESPECTS THEIR INTEREST IN
THE OPERATIONS OF THE NAMED INSURED.

DATE & EVENT: 08/21/10 Quality of Life Run

INSURED CLUB: Quality of Life Montana Realtor Run, Attn: Amber Sundsted; 1643 Lem's Avenue, Suite 12, Poillings, MT 59102

CERTIFICATE HOLDER

08/21/10 City of Billings, Department of
Parks & Recreation
390 N. 23rd Street
Billings, MT 59101

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE
EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL
30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT
FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE
INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

John Lefever/JWE

ACORD 25 (2001/08)

INS025 01/01/08

© ACORD CORPORATION 1988

Page 1 of 2

CERTIFICATE OF INSURANCE		05/27/2010
PRODUCER American Specialty Insurance & Risk Services, Inc. 142 North Main Street Bloomington, Indiana 46783	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND, OR ALTER THE COVERAGE AFFORDED BY THE POLICY BELOW.	
INSURED USA Track & Field, Inc. 132 East Washington Street, Suite 800 Indianapolis, IN 46204	INSURERS AFFORDING COVERAGE	
	INS. A: AXIS Insurance Company	
	INS. B:	
	INS. C:	
BILLINGS ASSOCIATION OF REALTORS 1643 LEWIS AVE, STE 12 BILLINGS, MT 59102		
	CERT NUMBER: 1000876691 EVENT CODE: 10-31-017	
COVERAGES		

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOT WITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITION OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS			
- Coverage applies to USA Track & Field sanctioned events and registered practices, including any directly related activities, such as event set-up and tear-down, participant check-in and award ceremonies. - The Certificateholder is only an additional insured with respect to liability caused by the negligence of the Named Insured as per Form AXIS 1003-Additional Insured - Certificateholders, but only with respect to the QUALITY OF LIFE RUN on August 21, 2010.			
CERTIFICATE HOLDER			

CITY OF BILLINGS DEPARTMENT OF PARKS & RECREATION 390 N 23RD STREET BILLINGS, MT 59101	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.
	AUTHORIZED REPRESENTATIVE <i>Anthony L. Costa</i>

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

Anthony L. Wilt

Regular City Council Meeting

Date: 08/09/2010

TITLE: Wal-Mart Donation to the Fire Department for Purchase of Smoke and Carbon Monoxide Detectors

PRESENTED BY: Paul Dextras

Department: Fire

Information

PROBLEM/ISSUE STATEMENT

On June 23, 2010, Wal-Mart verified their donation of \$500.00 in cash to the Fire Department for the purchase of smoke and carbon monoxide detectors that will be distributed to families and individuals who cannot afford to purchase their own.

ALTERNATIVES ANALYZED

The Council may:

- Accept the \$500 donation from Wal-Mart; or
- Not accept the \$500 donation from Wal-Mart.

FINANCIAL IMPACT

None.

RECOMMENDATION

Staff recommends acceptance of the \$500.00 donation from Wal-Mart, 1649 Main Street, for the purchase of smoke and carbon monoxide detectors.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Date: 08/09/2010

TITLE: Approval of Domestic Violence Unit & Victim Witness Assistance Sub-Grants

PRESENTED BY: Brent Brooks

Department: Legal

Information

PROBLEM/ISSUE STATEMENT

Since July 2000, the City Attorney's Office has annually applied for, and been successfully awarded federal Violence Against Women Act monies through the Montana Board of Crime Control in the form of sub-grants. These sub-grants help fund positions within the City Attorney's Office Domestic Violence Unit and Victim Witness Assistance Program, which together provide statutorily-mandated services to victims of violent crime including domestic violence, sexual assault, stalking, simple assault and violations of protective orders. The project titles for these sub-grants are the "Victim Witness Assistance Program" (Victim Witness grant) and the "Domestic Violence Unit" (DV Unit grant). The Victim Witness grant partially funds the office's victim/witness program director and a part-time secretary, while the DV Unit grant partially funds a dedicated domestic violence prosecutor. Together, the two projects provide specialized prosecutorial services and statutorily-mandated victim services (as well as a wide variety of additional services) in relation to crimes of domestic violence, sexual assault, stalking, order-of-protection violations, and simple assault.

ALTERNATIVES ANALYZED

The Council may:

- Accept the grants, continuing the state-supported funding of these positions; or
- Decline the grants, which would force the General Fund to provide all the support for these state-mandated positions.

FINANCIAL IMPACT

The sub-grant awards are conditioned upon the City funding at least 25% of the projects' budgets in the form of local match. Historically, the City has paid the costs for each project above and beyond the sub-grant awards and that exceeds the match requirement.

The MBCC expects the City to take on more financial responsibility for these projects each year. As such, the MBCC has awarded \$1,261.00 less in FY11 than what the City requested for each project.

The total amount of the sub-grant awards from the Board of Crime Control for FY 2011 are:

\$36,739.00 (partial funding for the Victim Witness Assistance Program Director Grant); and

\$50,739.00 (partial funding for the Domestic Violence Dedicated Prosecutor Grant).

Without this grant funding, the City would have the burden of fully funding these important positions in order to maintain the staff and materials necessary to fulfill statutorily-mandated services to victims of violent crime under MCA sections 46-24-101 through 46-24-212 (2009).

Each year the Montana Department of Justice, Board of Crime Control grant amounts have been estimated into the fiscal year budget. The City's match for the Victim Witness Assistance Program grant totals \$35,184.00 which is a hard match (cash). For the Domestic Violence Unit grant the City's match is \$36,019 which is a hard match (cash).

RECOMMENDATION

Staff recommends that the Mayor and City Council approve and accept the Domestic Violence Unit and Victim Witness Assistance Program grants as awarded by the Montana Department of Justice and the Board of Crime Control.

APPROVED BY CITY ADMINISTRATOR

Attachments

Grant Award/Domestic Violence Prosecutor

Grant Award/Victim Witness Program



STATE OF MONTANA
BOARD OF CRIME CONTROL

PO Box 201408 - 3075 N Montana Ave - Helena MT 59620-1408

Phone: (406) 444-3604 Fax: (406) 444-4722

ORIGINAL
PLEASE RETURN

GRANT AWARD

Subgrant: **10-W03-90753** **Domestic Violence Unit**

Grantee: Billings City
PO Box 1178
Billings, MT 59103

FEIN: 816001237
Duration: 07/01/2010 through 06/30/2011
Proj. Dir: Teague Westrope

Award Date:	07/01/2010	Personnel:	\$67,652.00
Federal Amount Awarded:	\$50,739.00	Contract Services:	\$0.00
State Amount Awarded:	\$0.00	Travel:	\$0.00
Guaranteed Local Matching:	\$16,913.00	Equipment:	\$0.00
		Operating:	\$0.00
Total:	\$67,652.00	Total:	\$67,652.00

Source of Federal Funds: 16.588 - Violence Against Women Formula Grant

Special Conditions

Please see attached Special Conditions

I am pleased to inform you that the Board of Crime Control has approved your application for financial assistance. This grant is subject to the special conditions listed above, general conditions attached hereto, and must be implemented and administered along guidelines already established by your agency. This grant shall become effective, as of the date of award, when the grantee signs and returns a copy of this grant award to the Board of Crime Control.

Funds allocated to this project, both awarded and matching, must be obligated prior to: **06/30/2011**



Roland Mena

Executive Director

Board of Crime Control

7-1-10

Date

I, as authorized representative of the above grantee agency, hereby signify acceptance of the above described grant on the terms and conditions set forth above or incorporated by reference therein.

Thomas Hanel

Mayor

Date

SPECIAL CONDITIONS

Subgrant: 10-W03-90753

Domestic Violence Unit

Billings City

1. If your agency receives \$500,000.00 or more in federal assistance from all sources during the fiscal year, you are required to have an audit conducted in accordance with federal circular A-133.

The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133. This audit must be performed in accordance with GAO's Government Auditing Standards. In conjunction with the beginning date of the award, the audit report period of the state or local governmental entity to be audited under the single audit requirement is 07/01/2010 to 06/30/2011. The audit report must be submitted no later than 03/31/2012 and for each audit cycle thereafter covering the entire award period as originally approved or amended. Subsequent audits must be submitted no later than nine (9) months after the close of the recipient organization's audited fiscal year.

An original copy of the audit report shall be sent to:

Montana Board of Crime Control
PO Box 201408
Helena, MT 59620-1408

2. The applicant hereby assures and certifies compliance with all federal statutes, regulations, policies, guidelines and requirements, including EO 12372 and Uniform Administrative Requirements for Grants and Cooperative Agreements, 28 CFR, Part 66, Common Rule, that govern the application, acceptance and use of federal funds for this federally assisted project. Also, the applicant assures and certifies that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to MBCC.
3. This grant award is conditional upon availability of government funds and may be reduced at anytime due to budget reductions.
4. Award of this grant does not commit the Board of Crime Control to future funding.
5. Applicant must maintain time and attendance records to support personnel costs associated with grant project.
6. Subgrantee must keep records documenting the services provided. Records should show the type of service provided, who provided the service, who received the service, the time and location of service and amount charged.
7. State rates for mileage, per diem, and lodging are maximum amounts that can be charged to subgrants funded by MBCC.

Mileage rate: Effective 01/01/2010 .50 cents per mile

Meals Allowance:	In-State	Out-of State
Morning Meal (12:01AM-10:00AM)	\$5.00	\$7.00
Midday Meal: (10:01AM-3:00PM)	\$6.00	\$11.00
Evening Meal: (3:01PM-12:00AM)	\$12.00	\$23.00
	\$23.00	\$41.00

In order to claim reimbursement for a meal, you must be in a travel status for more than 3 continuous hours within one of the time ranges. To receive the morning meal you must leave before 7:00AM and to receive the evening meal you must return after 6:01PM.

The lodging rate for Montana and federal lodging rate for out-of state lodging is available through the Internet at the following location:

<http://doa.mt.gov/DOAtravel/travelmain.asp>

Grant funds may not be used to pay for out-of state travel without prior approval from MBCC.

Grant funds can not be used for costs and fees associated with cancelation or changes to travel, (ie. Airline, hotels, registration, etc.) unless approved by MBCC.

SPECIAL CONDITIONS

Subgrant: 10-W03-90753

Domestic Violence Unit

Billings City

Reimbursement for lodging without a receipt will be \$12.00

Allowable expenses include emergency working supplies taxi fares, and business telephone calls. Paid receipts must support individual expense items of \$25.00 or more.

8. The maximum rate for consultants is \$450.00 (excluding travel and subsistence costs) for an eight (8) hour day. An 8-hour day may include preparation, evaluation and travel time in addition to the time required for actual performance.
9. The applicant assures that any information furnished by any person and identifiable to any specific private person shall not be used for any purpose other than the purpose for which it was obtained. Such information shall be immune from legal process and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative, or administrative proceeding.
10. No more than 5% of the total project budget is to be used for public awareness or public education type expenditures.
11. Quarterly progress, financial, narrative and statistical reports, in a format required by MBCC are required for calendar quarters ending: September 30, December 31, March 31, and June 30. These reports are to be received by the Montana Board of Crime Control within 5 days following the end of the calendar quarter. Subgrantees who fail to submit reports by the due date will be subject to the following:

FIRST LATE REPORT: Subgrantee will be notified to cease all expenditures of grant funds until the reports are submitted.

SECOND LATE REPORT: The grant will be cancelled. The project director must appear before the Application Review Committee and petition to get the grant reinstated.

12. Consultant services provided by consultants employed with profit, nonprofit, and not-for-profit organizations are subject to competitive bidding procedures. Contracted services provided by other types of organizations may also have restrictions. Please check with Crime Control staff prior to committing grant funds.
13. Training paid for by grant funds should be obtained in-state whenever possible. Subgrantee shall submit justification for any out-of-state training thirty (30) days in advance of attending the training.
14. Any expenditure that benefits other grants, projects or purposes shall be properly pro-rated and may not be charged entirely to this grant.
15. Subgrantee may be required to appear before a subcommittee, at the Board's discretion, to explain their progress towards successful implementation of the grant. Should grant problems or deficiencies be detected, the subcommittee is authorized to initiate corrective actions.
16. Subgrantee will assist victims in seeking available crime victim compensation benefits. Such assistance may be achieved by identifying and notifying potential recipients of the compensation program and assisting them with application forms and procedures. Program must demonstrate that it will coordinate its activities with the State Victims Compensation Program.
17. Any funds not properly obligated during the grant period shall lapse and revert to the Montana Board of Crime Control.
18. Funding for this project is designated for improving the justice system's response to violent crimes against women. Therefore, it is a special condition of this subgrant contract that priority for services from your program be given to women who are victims of gender-motivated crime, especially domestic violence, dating violence, sexual assault, and stalking.
19. Education, prevention and awareness campaigns are not allowable under the STOP Violence Against Women Grant Program.
20. The grantee shall submit one copy of all proposed publications resulting from this agreement to the Montana

SPECIAL CONDITIONS

Subgrant: 10-W03-90753

Domestic Violence Unit

Billings City

Board of Crime Control. Any publications (written, visual, or sound), printed with these funds shall contain the following statement.

This project was supported by Grant No. _____ awarded by the Montana Board of Crime Control (MBCC) through the Office of Justice Programs, US Department of Justice. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the US Department of Justice.

All media, press releases and public presentations must acknowledge funding through Montana Board of Crime Control.

21. All information furnished to VAWA subgrantee agencies by victims of gender specific violence, including identifying information, is confidential, with the following exceptions:
- a) in situations where a trained professional assesses that a victim is in danger of harming herself or others (i.e., suicide or homicide),
 - b) the victim informs the subgrantee that she is violating a court order or that there is a warrant out for her arrest, and
 - c) in the event that the victim provides written consent for a release of information.

Programs are required by state statute MCA 26-1-812 Advocate Privilege, to maintain confidentiality of victims, privilege belongs to the victim and may not be waived even if the victim is unreachable. This privilege terminates upon death of a victim.

22. The subgrantee agrees to comply with the National Environmental Policy Act (NEPA) and other related federal environmental impact requirements in the use of these grant funds either directly or indirectly by sub-contractors.
23. Subgrantee must submit quarterly statistical reports via the AVID database in electronic format. In addition, subgrantee must submit quarterly narrative and financial reports. All three (3) reports are due within 5 (five) days following the end of the calendar quarter. Failure to do so will require the subgrantee to cease all expenditures and appear before the Application Review Committee to petition for reinstatement.
24. The subgrantee agrees to provide services to victims of federal and tribal crimes on the same basis as victims of state and local crimes.
25. Subgrantee understands and agrees that it CANNOT use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval from MBCC.
26. COMMENCEMENT WITHIN 60 DAYS. If a project is not operational withing 60 days of the original start date of the award period, the subgrantee must report by letter to MBCC the steps taken to initiate the project, the reasons for delay, and the expected start date.
- OPERATIONAL WITHIN 90 DAYS: If a project is not operational within 90 days of the original start date of the award period, the subgrantee must submit a second statement to MBCC explaining the implementation delay. Upon receipt of the 90-day letter MBCC may cancel the project. MBCC may also, where extenuating circumstances warrant, extend the implemenation date of the project past the 90-day period. When this occurs, the appropriate subgrantee files and records must so note the extension.

I, as authorized representative of the above grantee agency, hereby signify acceptance of the above special conditions.

Thomas W Hanel
Mayor

Date



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510—

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620—

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about—

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check ☐ if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check ☐ if the State has elected to complete OJP Form 4061/7.

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620—

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date

Equal Employment Opportunity Plan – EEOP

Federal regulations require recipients of federal funds prepare, maintain on file, submit to MBCC for review, and/or implement an Equal Employment Opportunity Plan (EEOP). The purpose of an EEOP is to ensure full and equal participation of men and women regardless of race or national origin in the workforce. Below is a list of criteria to determine what you need to do to comply with federal regulations.

- An agency receiving \$500,000 or more in federal funds and has 50 or more employees must submit an EEOP to Montana Board of Crime Control (MBCC) within 45 days of the date of award.
- If an agency has fewer than 50 employees, regardless of the amount of the award, no EEOP is required; however, the agency must fill out a Certification Form (included in the award packet) and return it to MBCC within 45 days of the date of award.
- Pursuant to the Department of Justice regulations, each agency that receives \$25,000 or more, but under \$500,000 in federal funds and has 50 or more employees, is required to maintain an EEOP on file and return the Certification Form.
- A recipient of under \$25,000 is not required to maintain or submit an EEOP, but must return the Certification Form.
- Educational, non-profit or Indian Tribes are not required to maintain or submit an EEOP, but must return the Certification Form.

Determine which of the above criteria your agency falls under, then complete and sign the applicable section and return it to MBCC. If you need to submit an Equal Employment Opportunity Plan, please contact MBCC.

CERTIFICATION FORM

Recipient Name and Address: _____

Grant Title: _____ Grant Number: _____ Award Amount: _____

Contact Person Name and Title: _____ Phone Number: () _____

Federal regulations require recipients of financial assistance from the Office of Justice Programs (OJP), its component agencies, and the Office of Community Oriented Policing Services (COPS) to prepare, maintain on file, submit to OJP for review, and implement an Equal Employment Opportunity Plan (EEOP) in accordance with 28 C.F.R. §§ 42.301-.308. The regulations exempt some recipients from all of the EEOP requirements. Other recipients, according to the regulations, must prepare, maintain on file and implement an EEOP, but they do not need to submit the EEOP to OJP for review. Recipients that claim a complete exemption from the EEOP requirement must complete Section A below. Recipients that claim the limited exemption from the submission requirement, must complete Section B below. A recipient should complete either Section A or Section B, not both. If a recipient receives multiple OJP or COPS grants, please complete a form for each grant, ensuring that any EEOP recipient certifies as completed and on file (if applicable) has been prepared within two years of the latest grant. Please send the completed form(s) to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, N.W., Washington, D.C. 20531. For assistance in completing this form, please call (202)307-0690 or TTY (202) 307-2027.

Section A- Declaration Claiming Complete Exemption from the EEOP Requirement. *Please check all the boxes that apply.*

- | | |
|--|---|
| ☐ Recipient has less than 50 employees, | ☐ Recipient is an Indian tribe, |
| ☐ Recipient is a non-profit organization, | ☐ Recipient is an educational institution, or |
| ☐ Recipient is a medical institution, | ☐ Recipient is receiving an award less than \$25,000 |

I, _____ [responsible official], certify that _____ [recipient] is not required to prepare an EEOP for the reason(s) checked above, pursuant to 28 C.F.R. §42.302. I further certify that _____ [recipient] will comply with applicable Federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

Print or type Name and Title _____	Signature _____	Date _____
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Section B- Declaration Claiming Exemption from the EEOP Submission Requirement and Certifying That an EEOP Is on File for Review.

If a recipient agency has 50 or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, then the recipient agency does not have to submit an EEOP to OJP for review as long as it certifies the following (42 C.F.R. § 42.305):

I, _____ [responsible official], certify that the _____ [recipient], which has 50 or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, has formulated an EEOP in accordance with 28 CFR §42.301, *et seq.*, subpart E. I further certify that the EEOP has been formulated and signed into effect within the past two years by the proper authority and that it is available for review. The EEOP is on file in the office of: _____ [organization], at _____ [address], for review by the public and employees or for review or audit by officials of the relevant state planning agency or the Office for Civil Rights, Office of Justice Programs, U. S. Department of Justice, as required by relevant laws and regulations.

Print or type Name and Title _____	Signature _____	Date _____
------------------------------------	-----------------	------------

*Complete top and either
Section A or Section B*



STATE OF MONTANA
BOARD OF CRIME CONTROL

PO Box 201408 - 3075 N Montana Ave - Helena MT 59620-1408

Phone: (406) 444-3604 Fax: (406) 444-4722

ORIGINAL
PLEASE RETURN

GRANT AWARD

Subgrant: 10-W03-90747

City Attorney's Victim Witness Program

Grantee: Billings City

PO Box 1178

Billings, MT 59103

FEIN: 816001237

Duration: 07/01/2010 through 06/30/2011

Proj. Dir: Karen Benner

Award Date:	07/01/2010	Personnel:	\$48,985.00
Federal Amount Awarded:	\$36,739.00	Contract Services:	\$0.00
State Amount Awarded:	\$0.00	Travel:	\$0.00
Guaranteed Local Matching:	\$12,246.00	Equipment:	\$0.00
		Operating:	\$0.00
Total:	\$48,985.00	Total:	\$48,985.00

Source of Federal Funds: 16.588 - Violence Against Women Formula Grant

Special Conditions

Please see attached Special Conditions

I am pleased to inform you that the Board of Crime Control has approved your application for financial assistance. This grant is subject to the special conditions listed above, general conditions attached hereto, and must be implemented and administered along guidelines already established by your agency. This grant shall become effective, as of the date of award, when the grantee signs and returns a copy of this grant award to the Board of Crime Control.

Funds allocated to this project, both awarded and matching, must be obligated prior to: **06/30/2011**



Roland Mena

Executive Director

Board of Crime Control

7-1-10
Date

I, as authorized representative of the above grantee agency, hereby signify acceptance of the above described grant on the terms and conditions set forth above or incorporated by reference therein.

Thomas Hanel

Mayor

Date

SPECIAL CONDITIONS

Subgrant: 10-W03-90747

**City Attorney's Victim Witness
Program**

Billings City

1. If your agency receives \$500,000.00 or more in federal assistance from all sources during the fiscal year, you are required to have an audit conducted in accordance with federal circular A-133.

The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133. This audit must be performed in accordance with GAO's Government Auditing Standards. In conjunction with the beginning date of the award, the audit report period of the state or local governmental entity to be audited under the single audit requirement is 07/01/2010 to 06/30/2011. The audit report must be submitted no later than 03/31/2012 and for each audit cycle thereafter covering the entire award period as originally approved or amended. Subsequent audits must be submitted no later than nine (9) months after the close of the recipient organization's audited fiscal year.

An original copy of the audit report shall be sent to:

Montana Board of Crime Control
PO Box 201408
Helena, MT 59620-1408

2. The applicant hereby assures and certifies compliance with all federal statutes, regulations, policies, guidelines and requirements, including EO 12372 and Uniform Administrative Requirements for Grants and Cooperative Agreements, 28 CFR, Part 66, Common Rule, that govern the application, acceptance and use of federal funds for this federally assisted project. Also, the applicant assures and certifies that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to MBCC.
3. This grant award is conditional upon availability of government funds and may be reduced at anytime due to budget reductions.
4. Award of this grant does not commit the Board of Crime Control to future funding.
5. Applicant must maintain time and attendance records to support personnel costs associated with grant project.
6. Subgrantee must keep records documenting the services provided. Records should show the type of service provided, who provided the service, who received the service, the time and location of service and amount charged.
7. State rates for mileage, per diem, and lodging are maximum amounts that can be charged to subgrants funded by MBCC.

Mileage rate: Effective 01/01/2010 .50 cents per mile

Meals Allowance:	In-State	Out-of State
Morning Meal (12:01AM-10:00AM)	\$5.00	\$7.00
Midday Meal: (10:01AM-3:00PM)	\$6.00	\$11.00
Evening Meal: (3:01PM-12:00AM)	\$12.00	\$23.00
	\$23.00	\$41.00

In order to claim reimbursement for a meal, you must be in a travel status for more than 3 continuous hours within one of the time ranges. To receive the morning meal you must leave before 7:00AM and to receive the evening meal you must return after 6:01PM.

The lodging rate for Montana and federal lodging rate for out-of state lodging is available through the Internet at the following location:

<http://doa.mt.gov/DOAtavel/travelmain.asp>

Grant funds may not be used to pay for out-of state travel without prior approval from MBCC.

Grant funds can not be used for costs and fees associated with cancelation or changes to travel, (ie. Airline, hotels, registration, etc.) unless approved by MBCC.

SPECIAL CONDITIONS

Subgrant: 10-W03-90747

City Attorney's Victim Witness
Program

Billings City

Reimbursement for lodging without a receipt will be \$12.00

Allowable expenses include emergency working supplies taxi fares, and business telephone calls. Paid receipts must support individual expense items of \$25.00 or more.

8. The maximum rate for consultants is \$450.00 (excluding travel and subsistence costs) for an eight (8) hour day. An 8-hour day may include preparation, evaluation and travel time in addition to the time required for actual performance.
9. The applicant assures that any information furnished by any person and identifiable to any specific private person shall not be used for any purpose other than the purpose for which it was obtained. Such information shall be immune from legal process and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative, or administrative proceeding.
10. No more than 5% of the total project budget is to be used for public awareness or public education type expenditures.
11. Quarterly progress, financial, narrative and statistical reports, in a format required by MBCC are required for calendar quarters ending: September 30, December 31, March 31, and June 30. These reports are to be received by the Montana Board of Crime Control within 5 days following the end of the calendar quarter. Subgrantees who fail to submit reports by the due date will be subject to the following:

FIRST LATE REPORT: Subgrantee will be notified to cease all expenditures of grant funds until the reports are submitted.

SECOND LATE REPORT: The grant will be cancelled. The project director must appear before the Application Review Committee and petition to get the grant reinstated.

12. Consultant services provided by consultants employed with profit, nonprofit, and not-for-profit organizations are subject to competitive bidding procedures. Contracted services provided by other types of organizations may also have restrictions. Please check with Crime Control staff prior to committing grant funds.
13. Training paid for by grant funds should be obtained in-state whenever possible. Subgrantee shall submit justification for any out-of-state training thirty (30) days in advance of attending the training.
14. Any expenditure that benefits other grants, projects or purposes shall be properly pro-rated and may not be charged entirely to this grant.
15. Subgrantee may be required to appear before a subcommittee, at the Board's discretion, to explain their progress towards successful implementation of the grant. Should grant problems or deficiencies be detected, the subcommittee is authorized to initiate corrective actions.
16. Subgrantee will assist victims in seeking available crime victim compensation benefits. Such assistance may be achieved by identifying and notifying potential recipients of the compensation program and assisting them with application forms and procedures. Program must demonstrate that it will coordinate its activities with the State Victims Compensation Program.
17. Any funds not properly obligated during the grant period shall lapse and revert to the Montana Board of Crime Control.
18. Funding for this project is designated for improving the justice system's response to violent crimes against women. Therefore, it is a special condition of this subgrant contract that priority for services from your program be given to women who are victims of gender-motivated crime, especially domestic violence, dating violence, sexual assault, and stalking.
19. Education, prevention and awareness campaigns are not allowable under the STOP Violence Against Women Grant Program.
20. The grantee shall submit one copy of all proposed publications resulting from this agreement to the Montana

SPECIAL CONDITIONS

Subgrant: 10-W03-90747

City Attorney's Victim Witness
Program

Billings City

Board of Crime Control. Any publications (written, visual, or sound), printed with these funds shall contain the following statement.

This project was supported by Grant No. _____ awarded by the Montana Board of Crime Control (MBCC) through the Office of Justice Programs, US Department of Justice. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the US Department of Justice.

All media, press releases and public presentations must acknowledge funding through Montana Board of Crime Control.

21. All information furnished to VAWA subgrantee agencies by victims of gender specific violence, including identifying information, is confidential, with the following exceptions:
- a) in situations where a trained professional assesses that a victim is in danger of harming herself or others (i.e., suicide or homicide),
 - b) the victim informs the subgrantee that she is violating a court order or that there is a warrant out for her arrest, and
 - c) in the event that the victim provides written consent for a release of information.

Programs are required by state statute MCA 26-1-812 Advocate Privilege, to maintain confidentiality of victims, privilege belongs to the victim and may not be waived even if the victim is unreachable. This privilege terminates upon death of a victim.

22. The subgrantee agrees to comply with the National Environmental Policy Act (NEPA) and other related federal environmental impact requirements in the use of these grant funds either directly or indirectly by sub-contractors.
23. Subgrantee must submit quarterly statistical reports via the AVID database in electronic format. In addition, subgrantee must submit quarterly narrative and financial reports. All three (3) reports are due within 5 (five) days following the end of the calendar quarter. Failure to do so will require the subgrantee to cease all expenditures and appear before the Application Review Committee to petition for reinstatement.
24. The subgrantee agrees to provide services to victims of federal and tribal crimes on the same basis as victims of state and local crimes.
25. Subgrantee understands and agrees that it CANNOT use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval from MBCC.
26. **COMMENCEMENT WITHIN 60 DAYS.** If a project is not operational withing 60 days of the original start date of the award period, the subgrantee must report by letter to MBCC the steps taken to initiate the project, the reasons for delay, and the expected start date.
- OPERATIONAL WITHIN 90 DAYS:** If a project is not operational within 90 days of the original start date of the award period, the subgrantee must submit a second statement to MBCC explaining the implementation delay. Upon receipt of the 90-day letter MBCC may cancel the project. MBCC may also, where extenuating circumstances warrant, extend the implemenation date of the project past the 90-day period. When this occurs, the appropriate subgrantee files and records must so note the extension.

I, as authorized representative of the above grantee agency, hereby signify acceptance of the above special conditions.

Thomas W Hanel
Mayor

Date



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510—

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620—

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about—

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check ☐ if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check ☐ if the State has elected to complete OJP Form 4061/7.

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620—

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date

Equal Employment Opportunity Plan – EEOP

Federal regulations require recipients of federal funds prepare, maintain on file, submit to MBCC for review, and/or implement an Equal Employment Opportunity Plan (EEOP). The purpose of an EEOP is to ensure full and equal participation of men and women regardless of race or national origin in the workforce. Below is a list of criteria to determine what you need to do to comply with federal regulations.

- An agency receiving \$500,000 or more in federal funds and has 50 or more employees must submit an EEOP to Montana Board of Crime Control (MBCC) within 45 days of the date of award.
- If an agency has fewer than 50 employees, regardless of the amount of the award, no EEOP is required; however, the agency must fill out a Certification Form (included in the award packet) and return it to MBCC within 45 days of the date of award.
- Pursuant to the Department of Justice regulations, each agency that receives \$25,000 or more, but under \$500,000 in federal funds and has 50 or more employees, is required to maintain an EEOP on file and return the Certification Form.
- A recipient of under \$25,000 is not required to maintain or submit an EEOP, but must return the Certification Form.
- Educational, non-profit or Indian Tribes are not required to maintain or submit an EEOP, but must return the Certification Form.

Determine which of the above criteria your agency falls under, then complete and sign the applicable section and return it to MBCC. If you need to submit an Equal Employment Opportunity Plan, please contact MBCC.

CERTIFICATION FORM

Recipient Name and Address: _____

Grant Title: _____ Grant Number: _____ Award Amount: _____

Contact Person Name and Title: _____ Phone Number: () _____

Federal regulations require recipients of financial assistance from the Office of Justice Programs (OJP), its component agencies, and the Office of Community Oriented Policing Services (COPS) to prepare, maintain on file, submit to OJP for review, and implement an Equal Employment Opportunity Plan (EEOP) in accordance with 28 C.F.R §§ 42.301-.308. The regulations exempt some recipients from all of the EEOP requirements. Other recipients, according to the regulations, must prepare, maintain on file and implement an EEOP, but they do not need to submit the EEOP to OJP for review. Recipients that claim a complete exemption from the EEOP requirement must complete Section A below. Recipients that claim the limited exemption from the submission requirement, must complete Section B below. A recipient should complete either Section A or Section B, not both. If a recipient receives multiple OJP or COPS grants, please complete a form for each grant, ensuring that any EEOP recipient certifies as completed and on file (if applicable) has been prepared within two years of the latest grant. Please send the completed form(s) to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, N.W., Washington, D.C. 20531. For assistance in completing this form, please call (202)307-0690 or TTY (202) 307-2027.

Section A- Declaration Claiming Complete Exemption from the EEOP Requirement. *Please check all the boxes that apply.*

- | | |
|--|---|
| ☐ Recipient has less than 50 employees, | ☐ Recipient is an Indian tribe, |
| ☐ Recipient is a non-profit organization, | ☐ Recipient is an educational institution, or |
| ☐ Recipient is a medical institution, | ☐ Recipient is receiving an award less than \$25,000 |

I, _____ [responsible official], certify that
_____ [recipient] is not required to
prepare an EEOP for the reason(s) checked above, pursuant to 28 C.F.R §42.302. I further certify that _____
_____ [recipient] will comply with applicable Federal civil rights
laws that prohibit discrimination in employment and in the delivery of services.

Print or type Name and Title _____

Signature _____

Date _____

Section B- Declaration Claiming Exemption from the EEOP Submission Requirement and Certifying That an EEOP Is on File for Review.

If a recipient agency has 50 or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, then the recipient agency does not have to submit an EEOP to OJP for review as long as it certifies the following (42 C.F.R. § 42.305):

I, _____ [responsible official], certify that
the _____ [recipient], which has 50 or more
employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, has formulated an
EEOP in accordance with 28 CFR §42.301, *et seq.*, subpart E. I further certify that the EEOP has been formulated and
signed into effect within the past two years by the proper authority and that it is available for review. The EEOP is on file in
the office of: _____ [organization],
at _____ [address], for review by the public and
employees or for review or audit by officials of the relevant state planning agency or the Office for Civil Rights, Office of
Justice Programs, U. S. Department of Justice, as required by relevant laws and regulations.

Print or type Name and Title _____

Signature _____

Date _____

*Complete top and either
Section A or Section B*

Regular City Council Meeting

Date: 08/09/2010

TITLE: Cell Phone/Texting While Driving Ordinance – 2nd Reading

PRESENTED BY: Craig C. Hensel, Deputy City
Attorney

Department: Legal

Information

PROBLEM/ISSUE STATEMENT

Pursuant to a Council Initiative, the City Attorney's Office was directed to research a ban on text messaging and/or cell phone usage while driving an automobile and to draft a proposed ordinance banning varying degrees of cell phone usage while driving. The Council also directed development of an Ad Hoc Advisory Committee on Distracted Driving Prevention. The attached ordinance was presented to the City Council during a Work Session on July 6, 2010. Members of the Ad Hoc Committee also presented statistics and data collected from multiple sources detailing the dangers of distracted driving. The Ad Hoc Advisory Committee unanimously recommended approval of the proposed ordinance. A public hearing and first reading were held at the City Council meeting on July 26, 2010, and the ordinance was passed on first reading. The proposed ordinance has a delayed effective date of October 31, 2010, to allow sufficient time to educate the public about the new ordinance.

The City Attorney has prepared several brief proposed edits intended to clarify perceived ambiguities in the ordinance which were raised during and after the Council meeting on July 26th, and to expand the exemptions to include "emergency responders". The brief edits to the ordinance made after First Reading are inserted in Attachment "A" and shown by strikethrough and underlined text. A clean copy of the the proposed ordinance reflecting these latest edits is attached as Attachment "B".

ALTERNATIVES ANALYZED

The Council may: pass the ordinance on second reading; or
Not pass the ordinance on second reading.

FINANCIAL IMPACT

There is no anticipated cost to the City to enact any of these ordinances.

RECOMMENDATION

Staff recommends the Council approve the attached ordinance on 2nd reading.

APPROVED BY CITY ADMINISTRATOR

Attachments

Proposed Ordinance Showing Latest Edits

Proposed Ordinance

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY ADDING A NEW DIVISION TO ARTICLE 24-300 OPERATION OF VEHICLES, TITLED “DIVISION 5. USE OF ELECTRONIC COMMUNICATIONS DEVICES WHILE OPERATING A MOTOR VEHICLE”, AND ADDING NEW SECTIONS TO BE NUMBERED 24-360, 24-361.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. That the Billings, Montana City Code be amended by adding a new division to Article 24-300 OPERATION OF VEHICLES, titled “DIVISION 5. USE OF ELECTRONIC COMMUNICATIONS DEVICES WHILE OPERATING A MOTOR VEHICLE”, and by adding new sections to be numbered 24-360 and 24-361.

Article 24-300 OPERATION OF VEHICLES

DIVISION 5. USE OF ELECTRONIC COMMUNICATIONS DEVICES WHILE OPERATING A MOTOR VEHICLE

Sec. 24-360. Electronic Communications Device Usage While Driving Prohibited

(a) No person shall use or have in their immediate physical possession a hand held electronic communications device while operating a motor vehicle, motorcycle, quadricycle, or a bicycle on a public highway within the city limits of Billings.

(b) “Hand held electronic communications device” includes wireless or cellular phones, PDAs, Blackberries, smart phones, laptop and notebook computers utilizing VOIP (voice over internet protocol) technology, wireless and cellular phones utilizing push-to-talk technology, GPS systems, navigational systems, and any other mobile communication device that uses short-wave analog or digital radio transmissions between the device and a transmitter to permit wireless communications to and from the user of the device.

(c) “Immediate physical possession” means touching the hand held electronic communications device, or physically holding the device in one’s hand or up to one’s ear. Simply having the electronic communications device on one’s person or in a motor vehicle does not constitute immediate physical possession.

(d) Exceptions.

(1) This provision shall not apply to any person reporting a health, fire, safety, or police emergency.

(2) This provision shall not apply to governmental fire agencies, ambulance services, law enforcement agencies, emergency responders, or any other “Authorized Emergency Vehicle” as defined in Montana Code Annotated Sec. 61-8-102(2)(a).

(3) This provision shall not apply to passengers in a motor vehicle, or persons using a hand held electronic communications device while maintaining a motor vehicle in a stationary position, not in gear, while in a parking lane or space out of moving traffic lanes.

(4) This provision shall not apply to persons using a “hands free device”. A “hands free device” is an external device that connects to a wireless telephone, wireless communications device or electronic communications device that allows use of the device without touching the telephone or wireless or electronic communications device with one’s hands, and includes voice-activated technologies that can be utilized without touching the device. Use of a hands free device is permitted while operating a motor vehicle provided the driver does not touch the wireless telephone or wireless or electronic communications device with one’s hands while operating a motor vehicle.

(5) This provision shall not apply to drivers using two way radios while in the performance and scope of their work-related duties.

(6) This provision shall not apply to drivers holding a valid amateur radio operator license issued by the Federal Communications Commission ~~and~~ while using a two way radio.

Sec. 24-361. Penalty.

Persons found to have committed a violation of this division shall be subject to civil penalties as specified in Section 18-1304.

Section 2. EFFECTIVE DATE. This ordinance shall be effective October 31, 2010.

Section 3. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 4. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this ___ day of _____, 2010.

PASSED, ADOPTED and APPROVED on second reading this ___ day of _____, 2010.

CITY OF BILLINGS

By _____
Thomas W. Hanel, Mayor

ATTEST:

By _____
Cari Martin, City Clerk

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY ADDING A NEW DIVISION TO ARTICLE 24-300 OPERATION OF VEHICLES, TITLED “DIVISION 5. USE OF ELECTRONIC COMMUNICATIONS DEVICES WHILE OPERATING A MOTOR VEHICLE”, AND ADDING NEW SECTIONS TO BE NUMBERED 24-360, 24-361.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. That the Billings, Montana City Code be amended by adding a new division to Article 24-300 OPERATION OF VEHICLES, titled “DIVISION 5. USE OF ELECTRONIC COMMUNICATIONS DEVICES WHILE OPERATING A MOTOR VEHICLE”, and by adding new sections to be numbered 24-360 and 24-361.

Article 24-300 OPERATION OF VEHICLES

DIVISION 5. USE OF ELECTRONIC COMMUNICATIONS DEVICES WHILE OPERATING A MOTOR VEHICLE

Sec. 24-360. Electronic Communications Device Usage While Driving Prohibited

(a) No person shall use or have in their immediate physical possession a hand held electronic communications device while operating a motor vehicle, motorcycle, quadricycle, or a bicycle on a public highway within the city limits of Billings.

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Sec. 24-361. Penalty.

Persons found to have committed a violation of this division shall be subject to civil penalties as specified in Section 18-1304.

Section 2. EFFECTIVE DATE. This ordinance shall be effective October 31, 2010.

Section 3. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 4. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 26th day of July, 2010.

PASSED, ADOPTED and APPROVED on second reading this ____ day of _____, 2010.

CITY OF BILLINGS

By _____
Thomas W. Hanel, Mayor

ATTEST:

By _____
Cari Martin, City Clerk

Regular City Council Meeting

Date: 08/09/2010

TITLE: Resolution Temporarily Suspending Camping Ordinance

PRESENTED BY: Tina Volek

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The Big Sky Polka Club is seeking an exemption from the City's RV and camper parking ordinance for its annual Polkafest to be held September 3-5, 2010, at the Shrine Auditorium, 1125 Broadwater Ave.

BMCC 24-411, Parking for Camping Purposes, prohibits parking for camping in anything other than an authorized tourist park, except for a 10-hour rest period in a parking lot in which the owner permits it. The ordinance also provides, however, for a temporary suspension of the ordinance for a special event, as follows:

"Upon approval by resolution, the city council may temporarily suspend the requirements and restrictions imposed by Section 24-411 in order to accommodate special events held within the city. The resolution of suspension shall become effective forty-eight (48) hours prior to the official start of the scheduled event and shall terminate forty-eight (48) hours after official conclusion of the event."

ALTERNATIVES ANALYZED

Council may:

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

FINANCIAL IMPACT

None anticipated.

RECOMMENDATION

Approve a resolution allowing RV and camper parking in the Shrine Auditorium parking lot for 48 hours on either side of the Big Sky Polka Club's Polkafest, September 3-5, 2010.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution

Letter from Big Sky Polka Club

RESOLUTION 10-

A RESOLUTION OF THE BILLINGS CITY COUNCIL
TEMPORARILY SUSPENDING BMCC 24-411 TO ALLOW
CAMPING IN THE SHRINE AUDITORIUM PARKING LOT
FOR THE 2010 BIG SKY POLKA FESTIVAL.

WHEREAS, BMCC 24-411. Parking for Camping Purposes. prohibits parking for camping in the City of Billings in anything but authorized tourist parks, but allows a temporary suspension 48 hours before and after special events held within the City if a resolution is obtained from the City Council; and

WHEREAS, the Big Sky Polka Club, Inc., will hold its annual Big Sky Polka Festival from Sept. 3-5, 2010, at the Shrine Auditorium, 1125 Broadwater Avenue; and

WHEREAS, the owners of 14-18 recreational vehicles and campers are expected to attend the event, and the Big Sky Polka Club has asked that they be allowed to park their vehicles at the event site.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA that BMCC 24-411 is hereby temporarily suspended for a period of 48 hours on either side of September 3-5, 2010, at the Shrine Auditorium, 1125 Broadwater, for the Big Sky Polka Festival.

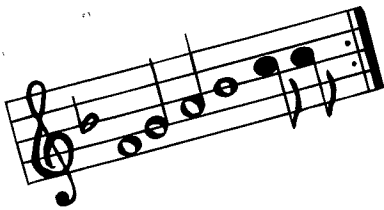
PASSED AND APPROVED by the City Council this 8th day of August, 2010.

THE CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, MAYOR

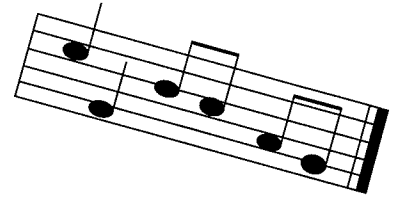
ATTEST:

BY: _____
Cari Martin, CITY CLERK



Big Sky Polka Club, Inc.

372 Montclair Drive
Billings, MT 59102
(406) 656-7470



RECEIVED

JUL 16 2010

City Administrator

Christina Volek
Billings City Administrator
September 3rd 4th & 5th 2010
Subject; RV Parking
Big Sky Polka Festival (PolkaFest)

Dear Christina,

Big Sky Polka Club of Billings requests, as in previous years, that visiting RV's have permission from the city, to park very short term during Big Sky Polka Clubs Polka festival event. The event takes place September 3rd-4th & 5th 2010 at the Shrine Auditorium. We are expecting 14-18 RV'S and they would be parking at the rear of the Shrine lot, saving valuable parking for our local and out of town guests traveling by car. Many of these RV guests are Club leaders and promoters of dance clubs around the country and Canada. They usually stay at the event site in private lots such as: The Shrine, Elks, Moose and Eagle Clubs. The RV'S will be departing on or before September 6th.

Tina, we are seeking approval from the City Council and the City Administrator in advance to these dates and will we need to pick up an official permit?

Thanks so much for your help and valuable time,

Sincerely,

L. Keith Kraft
Big Sky Polka Club, Pres.
Ph. 656-7470 or 255-2126

Regular City Council Meeting

Date: 08/09/2010

TITLE: Final Plat of Sahara Sands Subdivision, 1st and 2nd Filings, Amended

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

The amended plat for the Sahara Sands Subdivision, 1st and 2nd Filings is being presented to Council for approval. Sahara Park is located on the southeast corner of Aronson Avenue and Caravan Avenue. It is a vacant park that exists as two adjacent land parcels; a park parcel was dedicated to the City with each of the two filings of Sahara Sands Subdivision. Last fall, this park became subject to consideration by the City Council and the Parks, Recreation and Public Lands Department (PRPL) for use as a water park. The Better Billings Foundation has requested the ability to acquire a portion of this park property to construct a full-feature water park and pool for the Heights area. In preparation for this possibility, a master plan was created which identified how much area was needed. A boundary line adjustment survey was prepared by Dowl-HKM in order to create the needed parcel of land identified in the master plan. In order to re-align these City-owned park parcels, City Council must approve of, and the mayor must sign this plat amendment. Doing so will only create the parcel needed for the potential water park. Transfer of the parcel to the Better Billings Foundation will be considered at a future date.

The Planning Division, PRPL, and other applicable City Departments have reviewed this amended plat and find that the plat and supporting documents conform to the requirements of MCA 76-3-207(1)(d). Upon City Council approval, the plat and supporting documents are appropriate as to form for filing with the Clerk and Recorder.

ALTERNATIVES ANALYZED

The City Council may approve or deny the final plat of Sahara Sands Subdivision, 1st and 2nd Filings, Amended.

FINANCIAL IMPACT

There should be little to no financial impact to the City if the City Council approves the final plat.

RECOMMENDATION

Staff recommends that the City Council approve the final plat of Sahara Sands Subdivision, 1st and 2nd Filings, Amended.

APPROVED BY CITY ADMINISTRATOR

Attachments

Amended parkland plat

LOCATED IN THE NE 1/4 OF SECTION 28, T. 1 N., R. 26 E., P.M.M.,
CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

BY: DOWL/HKM
P.O. BOX 31318
BILLINGS, MT 59101

DATE: JULY 2010

This survey is being done to relocate common boundaries. Fewer than 5 lots are affected and plat is being prepared in conformance with 76-3-207(1)(d) of MCA.

We certify that the purpose of this Survey is to relocate the common boundary line between Tract 1 of the Amended Plat of Sahara Park, Sahara Sands Subdivision 2nd Filing and Sahara Park of Sahara Sands Subdivision First Filing.

By: Mayor

STATE OF MONTANA)
County of Yellowstone) ss:

On this ____ day of _____, 2010, before me, a notary public in and for the State of Montana, personally appeared _____, known to be the persons who signed the foregoing instrument and who acknowledged to me that they executed the same. Witness my hand and seal the day and year herein written.

Notary Public in and for the State of Montana

Printed Name of Notary _____

Residing at _____

My Commission expires _____

This Document has been reviewed by the County Attorney's Office and is acceptable as to form.

Reviewed by: _____
Date: _____

I hereby certify that I have examined the annexed and foregoing plat for errors and omissions in computations and drafting and find that said plat conforms with the requirements of the laws of the State of Montana, and that said plat conforms to the adjoining additions and plats of the City of Billings already platted as nearly as circumstances will permit.

Examining Land Surveyor, Registration No. _____ Date _____

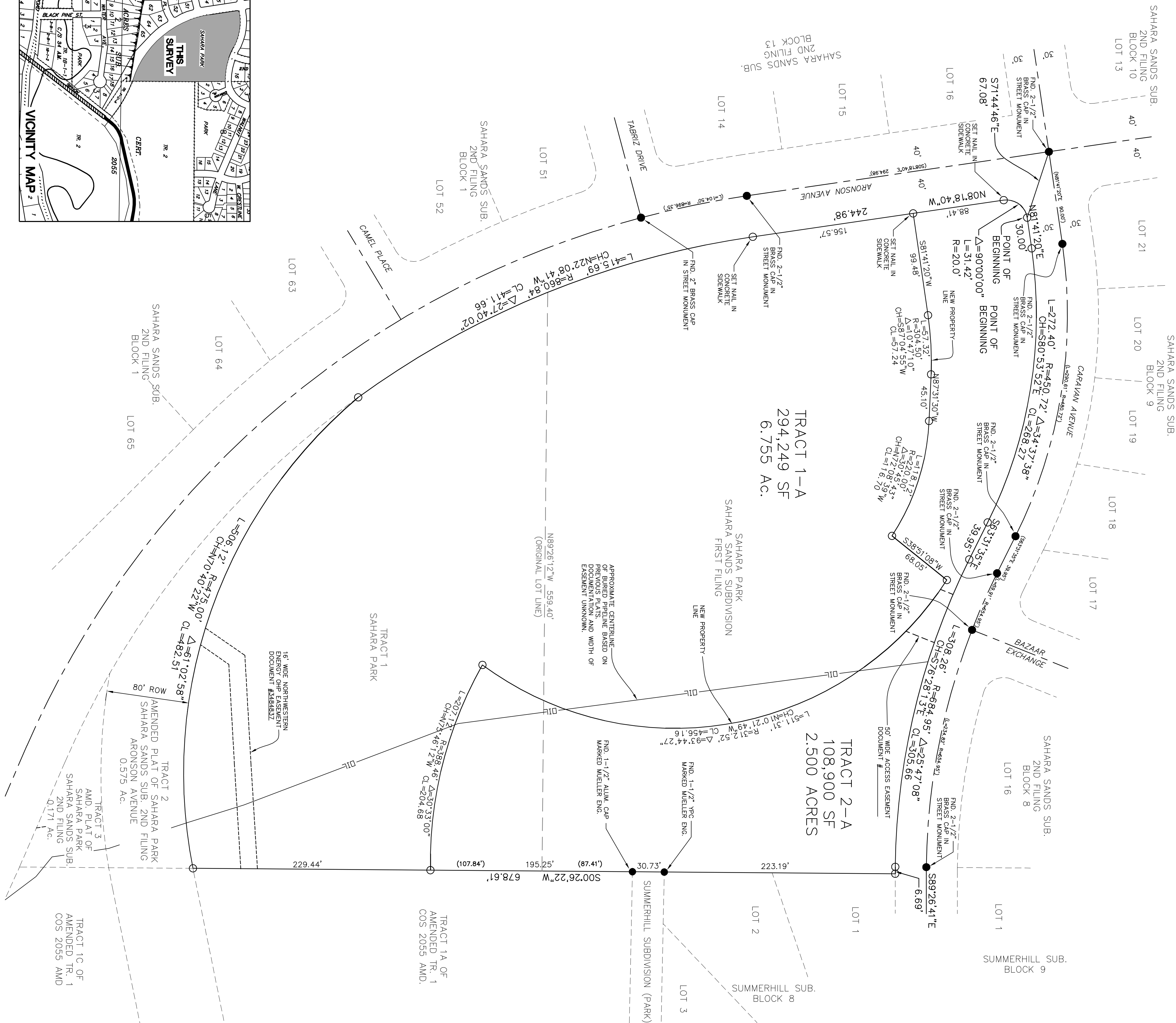
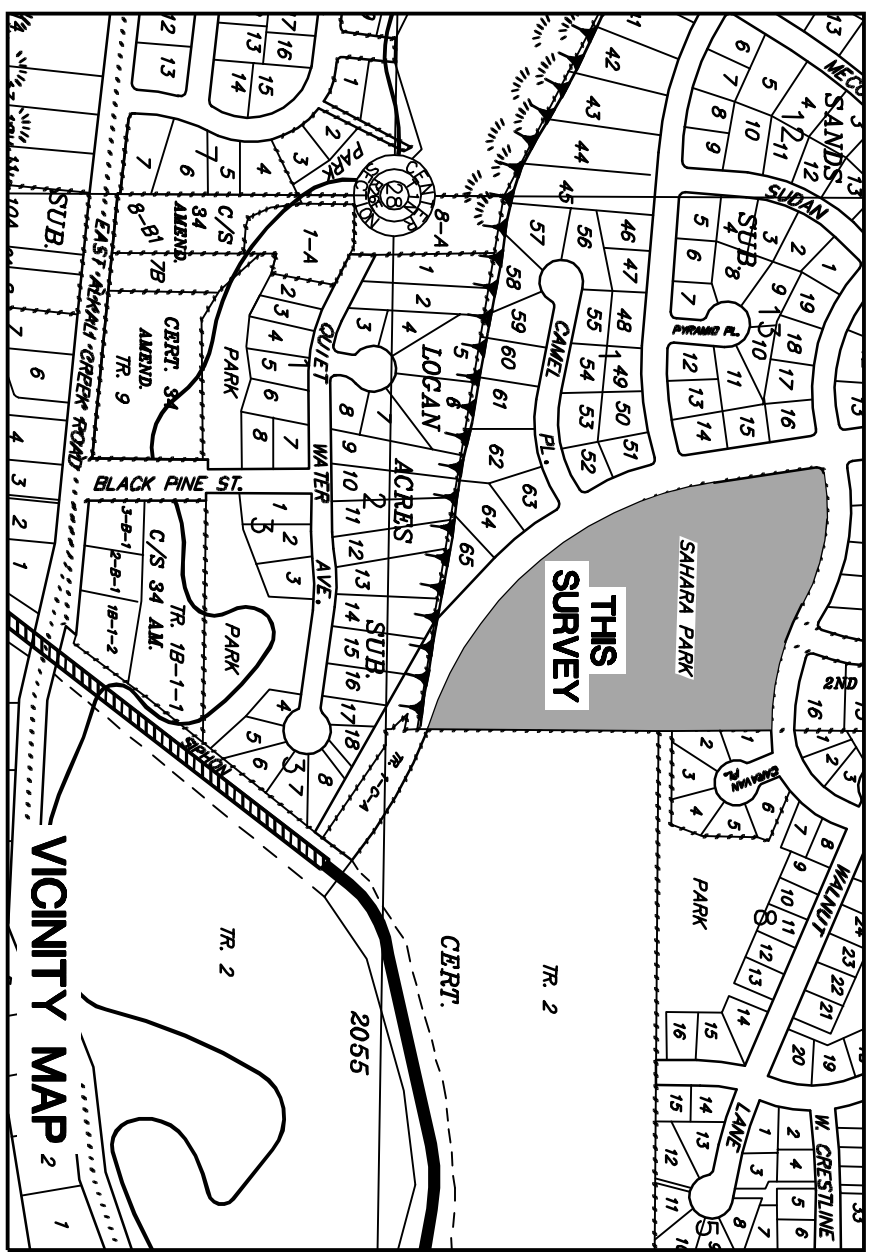
CLERK AND RECORDER

CERTIFICATE OF COUNTY TREASURER

STATE OF MONTANA)
;ss

I hereby certify that all real property taxes and special assessments assessed and levied on the land included in this survey have been paid pursuant to MCA 76-3-207(3).

County Treasurer



Regular City Council Meeting

Date: 08/09/2010

TITLE: Final Plat of Riverfront Pointe Subdivision, Amended Lot 16, Block 10

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

The final plat for Riverfront Pointe Subdivision, Amended Lot 16, Block 10, is being presented to Council for approval. On June 14, 2010, the City Council conditionally approved 5 lots on approximately 1.48 acres of land for single-family residential development. The subdivision is zoned Highway Commercial (HC) and is located on the south side of Sacagawea Drive and east of the intersection of Mullowney Lane and Elysian Road. The lot currently is vacant and was originally intended for condominium development. The owner is Riverfront Point, LLC, and the representing agent is Sanderson Stewart.

The Planning Division and other applicable City Departments have reviewed this final plat and find that the plat and supporting documents conform to the conditions of preliminary plat approval and comply with MCA 76-3-611 and BMCC Section 23-307. Upon City Council approval, the plat and supporting documents are appropriate as to form for filing with the Clerk and Recorder.

ALTERNATIVES ANALYZED

The City Council may approve or deny the final plat of Riverfront Pointe Subdivision, Amended Lot 16, Block 10. If the City Council chooses to deny the final plat, it must base the denial on the criteria outlined in MCA 76-3-611 and BMCC Section 23-307.

FINANCIAL IMPACT

Should the City Council approve the final plat, five additional dwellings will be built on the property and will result in increased tax revenues for the City.

RECOMMENDATION

Staff recommends that the City Council approve the final plat of Riverfront Pointe Subdivision, Amended Lot 16, Block 10.

APPROVED BY CITY ADMINISTRATOR

Attachments

Final plat

Regular City Council Meeting

Date: 08/09/2010

TITLE: Payment of Claims July 13, 2010.

PRESENTED BY: Pat M. Weber, Financial Services Manager

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$1,791,139.59 have been audited and are presented for your approval for payment. A complete listing of the claims dated July 13, 2010, 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

Attachments

List of claims greater than \$2500

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
07/13/2010	734038	A & I DISTRIBUTORS	16			11,420.56	
601-0000-141.00-00	06/07/2010	MP	1923852		12/2010	4,263.93	
601-1553-481.26-50	06/07/2010	MP	1923852	273455	12/2010	.51-	
601-0000-141.00-00	06/16/2010	MP	1926407		12/2010	1,833.59	
601-1553-481.26-50	06/16/2010	MP	1926407	273455	12/2010	.26-	
601-0000-141.00-00	06/30/2010	MP	1930496		12/2010	2,270.29	
601-1553-481.26-50	06/30/2010	MP	1930496	273455	12/2010	.26-	
601-0000-141.71-41	06/30/2010	MP	1930892		12/2010	436.70	
601-0000-141.71-41	06/30/2010	MP	1930598		12/2010	3,256.70	
571-7144-713.23-20	06/30/2010	MP	1930598	275715	12/2010	.78-	
601-0000-141.71-41	06/30/2010	MP	1930598-A		12/2010	638.88-	
571-7144-713.23-20	06/30/2010	MP	1930598-A	275715	12/2010	.04	
07/13/2010	734050	AMERICAN TITLE & ESCROW	159			20,065.00	
295-6555-463.72-75	06/29/2010	MISC SERVICES	ROHRER, BARRY	275952	12/2010	20,065.00	
07/13/2010	734058	ARBOR TECH TREE & LAWN SERVICE	15860			7,835.85	
10-5112-452.36-50	06/30/2010	TREE SPRAYING	6634	276105	12/2010	7,915.00	
10-5112-452.36-50	06/30/2010	CONTRACTORS GROSS TAX	ARBOR TAX	276254	12/2010	79.15-	
07/13/2010	734059	ARCHIE COCHRANE	800			2,999.10	
150-2112-421.23-20	06/30/2010	MP	5025982	276101	12/2010	192.49	
150-2112-421.23-20	06/30/2010	MP	5026110	276101	12/2010	49.85	
630-1753-485.73-10	06/30/2010	MISC SERVICES	805162/1	276169	12/2010	2,709.43	
209-4452-428.23-20	06/30/2010	MP	5026969	276180	12/2010	47.33	
07/13/2010	734062	ASSOCIATED EMPLOYERS OF MONTAN	13075			7,201.90	
10-1750-417.35-60	06/30/2010	MISC SERVICES	11-46316	276003	12/2010	1,408.75	
10-1750-417.35-60	06/30/2010	MISC SERVICES	11-46388	276003	12/2010	478.75	
10-1750-417.35-60	06/30/2010	MISC SERVICES	11-46549	276225	12/2010	431.25	
10-1750-417.35-60	06/30/2010	MISC SERVICES	11-46552	276225	12/2010	150.00	
10-1750-417.35-60	06/30/2010	MISC SERVICES	11-46652	276225	12/2010	1,617.65	
10-1750-417.35-60	06/30/2010	MISC SERVICES	11-46667	276225	12/2010	993.75	
10-1750-417.35-60	06/30/2010	MISC SERVICES	11-46637	276284	12/2010	56.25	
10-1750-417.35-60	06/30/2010	MISC SERVICES	11-46653	276284	12/2010	1,300.50	
10-1750-417.35-60	06/30/2010	MISC SERVICES	11-46668	276284	12/2010	765.00	
07/13/2010	734065	BALCO UNIFORM CO INC	6003			2,830.00	
150-2112-421.22-60	06/30/2010	MISC SERVICES	FREIGHT	276063	12/2010	28.00	
150-2112-421.22-60	06/30/2010	MISC SERVICES	339 POLC	276063	12/2010	936.00	
150-2112-421.22-60	06/30/2010	MISC SERVICES	339-POLC	276063	12/2010	468.00	
150-2115-421.22-90	06/30/2010	MISC SERVICES	FREIGHT	275757	12/2010	18.00	
150-2115-421.22-90	06/30/2010	PRIOR YEAR ENCUMBRANCES	59552-019	275757	12/2010	36.00	
150-2115-421.22-90	06/30/2010	PRIOR YEAR ENCUMBRANCES	59552-019	275757	12/2010	36.00	
150-2115-421.22-90	06/30/2010	MISC SERVICES	6277-BLK-L-XL	275757	12/2010	21.00	
150-2115-421.22-90	06/30/2010	MISC SERVICES	6277-BLK-S-M	275757	12/2010	21.00	
150-2115-421.22-90	06/30/2010	PRIOR YEAR ENCUMBRANCES	71049-160	275757	12/2010	120.00	
150-2115-421.22-90	06/30/2010	PRIOR YEAR ENCUMBRANCES	71049-160	275757	12/2010	120.00	
150-2115-421.22-90	06/30/2010	PRIOR YEAR ENCUMBRANCES	72175-162-LG	275757	12/2010	35.00	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #					CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN	AMOUNT	
150-2115-421.22-90	06/30/2010	PRIOR YEAR ENCUMBRANCES	72175-162-XL	275757	12/2010		175.00	
150-2115-421.22-90	06/30/2010	PRIOR YEAR ENCUMBRANCES	74251-192-34	275757	12/2010		70.00	
150-2115-421.22-90	06/30/2010	PRIOR YEAR ENCUMBRANCES	74251-192-34	275757	12/2010		70.00	
150-2115-421.22-90	06/30/2010	PRIOR YEAR ENCUMBRANCES	74251-192-34	275757	12/2010		70.00	
150-2115-421.22-90	06/30/2010	PRIOR YEAR ENCUMBRANCES	74251-192-36	275757	12/2010		70.00	
150-2115-421.22-90	06/30/2010	PRIOR YEAR ENCUMBRANCES	74251-192-36	275757	12/2010		70.00	
150-2115-421.22-90	06/30/2010	PRIOR YEAR ENCUMBRANCES	74251-192-38	275757	12/2010		70.00	
150-2115-421.22-90	06/30/2010	PRIOR YEAR ENCUMBRANCES	80001-055	275757	12/2010		330.00	
150-2115-421.22-90	06/30/2010	PRIOR YEAR ENCUMBRANCES	80001-055	275757	12/2010		66.00	
07/13/2010	734071	BIG SKY LINEN SUPPLY	387				3,043.22	
150-2112-421.24-50	06/30/2010	INVOICE 53120 DATED 5/28/	53120	F11215	12/2010		21.50	
502-7312-602.22-60	06/30/2010	MISC SERVICES	JUNE 2010	276211	12/2010		329.44	
502-7314-602.22-60	06/30/2010	MISC SERVICES	JUNE 2010	276211	12/2010		33.70	
502-7400-603.22-60	06/30/2010	MISC SERVICES	JUNE 2010	276211	12/2010		539.55	
502-7500-609.22-60	06/30/2010	MISC SERVICES	JUNE 2010	276211	12/2010		334.59	
512-8314-622.22-60	06/30/2010	MISC SERVICES	JUNE 2010	276211	12/2010		33.70	
512-8400-623.22-60	06/30/2010	MISC SERVICES	JUNE 2010	276211	12/2010		540.63	
512-8500-625.22-60	06/30/2010	MISC SERVICES	JUNE 2010	276211	12/2010		334.59	
561-7112-711.22-60	06/30/2010	INVOICE #53528	063010	F11236	12/2010		93.00	
561-7112-711.22-60	06/30/2010	INVOICE #54377	063010	F11236	12/2010		93.00	
561-7112-711.22-60	06/30/2010	INVOICE #55217	063010	F11236	12/2010		93.00	
561-7112-711.22-60	06/30/2010	INVOICE #56042	063010	F11236	12/2010		93.00	
561-7113-711.22-60	06/30/2010	INVOICE #53526	063010	F11236	12/2010		35.39	
561-7113-711.22-60	06/30/2010	INVOICE #54376	063010	F11236	12/2010		35.39	
561-7113-711.22-60	06/30/2010	INVOICE #55215	063010	F11236	12/2010		35.39	
561-7113-711.22-60	06/30/2010	INVOICE #56041	063010	F11236	12/2010		79.39	
561-7112-711.22-40	06/30/2010	INVOICE #53529	063010	F11236	12/2010		17.34	
561-7112-711.22-40	06/30/2010	INVOICE #54378	063010	F11236	12/2010		17.82	
561-7112-711.22-40	06/30/2010	INVOICE #55218	063010	F11236	12/2010		25.92	
561-7112-711.22-40	06/30/2010	INVOICE #56043	063010	F11236	12/2010		14.28	
150-2226-422.22-40	06/30/2010	FIRE/LINEN SERVICE/JUN10	1076-FIRE 1-7	275259	12/2010		195.14	
150-2225-422.24-50	06/30/2010	911 CTR/LINEN SER/JUN10	1076-53999 911	275259	12/2010		23.73	
150-2225-422.24-50	06/30/2010	911/LINEN/JUN10	1076-55661 911	275259	12/2010		23.73	
07/13/2010	734077	BILLINGS GAZETTE	420				19,686.05	
561-7110-711.33-90	06/30/2010	ORDER #20276542 ACCT #102	20276542	F11255	12/2010		896.00	
150-2111-421.33-30	06/22/2010	POLICE DEPT SUB RENEWAL	38138		12/2010		237.30	
260-5511-455.33-60	06/30/2010	LIBRARY	JUNE 2010		12/2010		636.00	
561-7110-711.32-10	06/30/2010	HR/AIRPORT POLICE	JUNE 2010		12/2010		3,454.12	
10-1220-412.32-10	06/30/2010	HR/MUNICIPAL COURT	JUNE 2010		12/2010		1,312.96	
10-1411-414.31-10	06/30/2010	ONLINE BANNER	JUNE 2010		12/2010		565.71	
541-3122-435.33-70	06/30/2010	SOLID WASTE	JUNE 2010		12/2010		1,485.29	
260-5511-455.33-60	06/30/2010	LIBRARY	JUNE 2010		12/2010		297.00	
10-5140-436.33-10	06/30/2010	CEMETERY	JUNE 2010		12/2010		281.09	
10-1411-414.39-39	06/30/2010	CITY LINK	JUNE 2010		12/2010		4,408.57	
502-7311-602.32-10	06/30/2010	WATER REPORT	JUNE 2010		12/2010		3,056.00	
512-8311-622.32-10	06/30/2010	WATER REPORT	JUNE 2010		12/2010		3,056.01	
07/13/2010	734082	BILLINGS POLICE PROTECTIVE ASS	437				2,661.00	
650-1566-487.36-60	06/30/2010	MISC SERVICES	063020	276098	12/2010		2,661.00	

PREPARED 07/13/2010, 15:10:59
 PROGRAM: GM350L
 CITY OF BILLINGS

A/P CHECKS BY PERIOD AND YEAR
 MINIMUM AMOUNT: 2,500.00
 FROM 07/13/2010 TO 07/13/2010

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CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
07/13/2010	734085	BLACK BOX NETWORK SERVICES	19541	33,443.92
606-1931-484.94-80	06/30/2010	MISC SERVICES	25% PAYMENT	33,328.92
606-1931-484.35-53	06/30/2010	MISC SERVICES	2215934 2215875	115.00
07/13/2010	734089	BORDER STATES ELECTRIC	509	12,313.66
502-7400-603.23-60	06/14/2010	NONSTOCKING ITEMS-P.U.D.	900925339	13.60
512-8400-623.23-60	06/14/2010	NONSTOCKING ITEMS-P.U.D.	900932997	181.76
512-8400-623.23-60	06/14/2010	NONSTOCKING ITEMS-P.U.D.	900938580	96.56
512-8400-623.23-60	06/14/2010	NONSTOCKING ITEMS-P.U.D.	900939515	19.65
502-0000-141.00-00	06/16/2010	WATER PARTS AND SUPPLIES	900963025	679.55
211-0000-141.31-83	06/17/2010	STREET LIGHTS	900944946	1,098.88
211-3138-433.29-20	06/17/2010	TOOLS,HAND (NOT CLASSED)	900944973	24.69
502-7400-603.23-60	06/17/2010	NONSTOCKING ITEMS-P.U.D.	900962937	491.52
502-7400-603.23-60	06/17/2010	NONSTOCKING ITEMS-P.U.D.	900962945	9.00
512-8400-623.23-60	06/18/2010	NONSTOCKING ITEMS-P.U.D.	900934620	499.40
512-8400-623.23-60	06/18/2010	NONSTOCKING ITEMS-P.U.D.	900940833	608.18
512-8400-623.23-60	06/18/2010	NONSTOCKING ITEMS-P.U.D.	900957247	28.83
512-8400-623.23-60	06/18/2010	NONSTOCKING ITEMS-P.U.D.	900957521	452.64
512-8400-623.23-60	06/18/2010	NONSTOCKING ITEMS-P.U.D.	900962842	35.72
512-8400-623.23-60	06/18/2010	NONSTOCKING ITEMS-P.U.D.	900964182	60.90
502-7400-603.23-60	06/22/2010	NONSTOCKING ITEMS-P.U.D.	900981018	193.76
502-7400-603.23-60	06/22/2010	NONSTOCKING ITEMS-P.U.D.	900981042	3.16
502-7400-603.23-60	06/25/2010	NONSTOCKING ITEMS-P.U.D.	900994463	576.53
211-0000-141.31-83	06/28/2010	STREET LIGHTS	900974449	1,196.00
211-0000-141.31-83	06/28/2010	STREET LIGHTS	900993239	19.00
211-3138-433.23-60	06/28/2010	MISC SERVICES	900963752	629.45
211-3136-433.24-30	06/28/2010	MISC SERVICES	900981014	21.99
502-0000-141.00-00	06/30/2010	WATER PARTS AND SUPPLIES	901025881	131.40
211-3136-433.24-30	06/30/2010	MISC SERVICES	901017786	40.41
502-7400-603.23-60	06/30/2010	NONSTOCKING ITEMS-P.U.D.	901019230	51.78
502-7400-603.23-60	06/30/2010	NONSTOCKING ITEMS-P.U.D.	901019246	732.72
211-3138-433.29-20	06/30/2010	TOOLS,HAND (NOT CLASSED)	901024598	324.47
512-8400-623.23-60	06/30/2010	NONSTOCKING ITEMS-P.U.D.	901012363	48.54
512-8400-623.24-50	06/30/2010	NONSTOCKING ITEMS-P.U.D.	901014243	793.44
512-8400-623.23-60	06/30/2010	NONSTOCKING ITEMS-P.U.D.	901018302	1,417.23
512-8400-623.23-60	06/30/2010	NONSTOCKING ITEMS-P.U.D.	900939686	24.26
512-8400-623.23-60	06/30/2010	NONSTOCKING ITEMS-P.U.D.	900976831	39.18
512-8400-623.23-60	06/30/2010	NONSTOCKING ITEMS-P.U.D.	900994688	288.84
512-8400-623.23-60	06/30/2010	NONSTOCKING ITEMS-P.U.D.	900994693	1,035.00
512-8400-623.23-60	06/30/2010	NONSTOCKING ITEMS-P.U.D.	900994696	438.35
512-8400-623.23-60	06/30/2010	NONSTOCKING ITEMS-P.U.D.	901020595	7.27
07/13/2010	734099	BUSINESS TAX SECTION	2449	3,138.53
503-7591-609.93-40	06/29/2010	WATER SERVICE SETUP	2744	60.53
503-7591-609.93-40	06/29/2010	WATER SERVICE SETUP	2838	34.63
503-7591-609.93-40	06/29/2010	WATER SERVICE SETUP	2839	20.78
503-7591-609.93-40	06/29/2010	WATER SERVICE SETUP	2840	50.44
503-7591-609.93-40	06/29/2010	WATER SERVICE SETUP	2841	30.26
10-5126-451.36-90	06/30/2010	BUSINESS TAX	HUPPERT BUSINES	45.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT	#	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
513-8491-623.93-90		06/30/2010	TP0049 BOILER REPLACEMENT	2	272993	12/2010	95.00
205-3131-433.93-10		06/30/2010	WO0904 2009 ACCESS RAMPS	11	265228	12/2010	232.27
845-3186-431.93-10		06/30/2010	WO0917 24TH ST W CONCRETE	6	269602	12/2010	106.52
10-5112-452.36-50		06/30/2010	CONTRACTORS GROSS TAX	ARBOR TECH TAX	276255	12/2010	79.15
10-5112-452.36-50		06/30/2010	CONTRACTORS GROSS TAX	YEL. VAL. TAX	276258	12/2010	95.27
205-3131-433.93-10		06/30/2010	WO1004 ACCESS RAMPS	4	273328	12/2010	705.38
10-5112-452.36-50		06/30/2010	CONTRACTORS WITHHOLDING	GARVEY TAX	276262	12/2010	89.60
845-3186-431.93-10		06/30/2010	WO0520 ARONSON AVE	CANCEL REMAIN	269825	12/2010	256.79-
205-3131-433.93-10		06/30/2010	WO0821 LAKE ELMO DRIVE	1	274941	12/2010	722.97
210-3110-431.93-11		06/30/2010	WO0821 LAKE ELMO DRIVE	1	274941	12/2010	214.00
438-3165-431.93-11		06/30/2010	WO0821 LAKE ELMO DRIVE	1	274941	12/2010	47.95
840-3184-431.93-10		06/30/2010	WO0821 LAKE ELMO DRIVE	1	274941	12/2010	362.34
205-3131-433.93-10		06/30/2010	WO0902 2009 MISC. DEVELP	1	274944	12/2010	85.18
437-3165-431.93-11		06/30/2010	WO0902 2009 MISC. DEVELP	1	274944	12/2010	61.26
845-3186-431.93-10		06/30/2010	WO0520 AROSON AVE	CORRECTION	269825	12/2010	256.79
07/13/2010	734100	BVAC INC	20054				9,133.00
150-2140-421.22-70		06/30/2010	MISC SERVICES	FREIGHT	274771	12/2010	58.00
150-2140-421.22-70		06/30/2010	MISC SERVICES	60,000	274771	12/2010	9,075.00
07/13/2010	734106	CARQUEST AUTO PARTS	3890				2,996.08
601-0000-141.00-00		06/07/2010	MP	1910-179067		12/2010	8.00
502-0000-141.00-00		06/07/2010	WATER PARTS AND SUPPLIES	1935158312		12/2010	353.73
502-7400-603.24-50		06/07/2010	NONSTOCKING ITEMS-P.U.D.	1935157891	273461	12/2010	15.98
502-7314-602.21-90		06/07/2010	NONSTOCKING ITEMS-P.U.D.	1935158312	273461	12/2010	53.97
512-8314-622.21-90		06/07/2010	NONSTOCKING ITEMS-P.U.D.	1935158312	273461	12/2010	52.02
150-2112-421.23-20		06/08/2010	MP	1910-178974	273461	12/2010	11.67
541-3123-435.23-20		06/08/2010	MP	1910-178974	273461	12/2010	28.98
512-8500-625.23-20		06/08/2010	NONSTOCKING ITEMS-P.U.D.	1935158799	273461	12/2010	25.89
150-2112-421.23-20		06/09/2010	MP	1910-178594	273461	12/2010	72.61
211-3136-433.23-20		06/09/2010	MP	1910-178904	273461	12/2010	2.97
502-7312-602.23-20		06/11/2010	NONSTOCKING ITEMS-P.U.D.	1935158890	273461	12/2010	7.56
601-0000-141.00-00		06/16/2010	MP	1910-179178		12/2010	56.50
601-0000-141.00-00		06/16/2010	MP	1910-179386		12/2010	61.00
502-0000-141.00-00		06/16/2010	WATER PARTS AND SUPPLIES	1935159741		12/2010	12.84
150-2112-421.23-20		06/16/2010	MP	1910-179343	273461	12/2010	55.77
150-2112-421.23-20		06/16/2010	MP	1910-179345	273461	12/2010	2.85
502-7400-603.24-50		06/16/2010	NONSTOCKING ITEMS-P.U.D.	1935159776	273461	12/2010	96.50
502-7312-602.23-20		06/16/2010	NONSTOCKING ITEMS-P.U.D.	1935159780	273461	12/2010	3.97
502-0000-141.00-00		06/17/2010	WATER PARTS AND SUPPLIES	1935159932		12/2010	606.78
502-0000-141.00-00		06/17/2010	WASTEWATER PARTS & SUPPLY	1935159932		12/2010	163.02
502-7400-603.24-50		06/22/2010	NONSTOCKING ITEMS-P.U.D.	1935160055	273461	12/2010	8.19
512-8400-623.23-20		06/22/2010	NONSTOCKING ITEMS-P.U.D.	1935160194	273461	12/2010	4.38
502-7400-603.24-50		06/22/2010	NONSTOCKING ITEMS-P.U.D.	1935160504	273461	12/2010	41.85
512-8400-623.23-20		06/22/2010	NONSTOCKING ITEMS-P.U.D.	1935160578	273461	12/2010	14.95
601-0000-141.00-00		06/25/2010	MP	1910-180458		12/2010	88.12
601-0000-141.00-00		06/25/2010	MP	1910-180746		12/2010	85.92
211-3134-433.23-20		06/25/2010	MP	1910-180458	273461	12/2010	13.27
601-0000-141.00-00		06/29/2010	MP	1910-180175		12/2010	63.39
601-0000-141.00-00		06/29/2010	MP	1910-180175		12/2010	55.44

PROGRAM: GM350L

MINIMUM AMOUNT: 2,500.00

CITY OF BILLINGS

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CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
502-0000-141.00-00	06/29/2010	WATER PARTS AND SUPPLIES	1935161575		12/2010	129.96	
502-7312-602.23-20	06/29/2010	NONSTOCKING ITEMS-P.U.D.	1935161550	273461	12/2010	25.48	
10-5121-451.23-20	06/30/2010	MP	1910-180295	273461	12/2010	35.69	
601-1553-481.26-50	06/30/2010	MP	1910-180845	273461	12/2010	13.96	
10-5112-452.23-20	06/30/2010	MP	1910-180849	273461	12/2010	32.91	
601-0000-141.00-00	06/30/2010	MP	1910-180992		12/2010	23.63	
541-3122-435.23-20	06/30/2010	MP	1910-181321	273461	12/2010	4.43	
502-7400-603.23-20	06/30/2010	NONSTOCKING ITEMS-P.U.D.	1935161708	273461	12/2010	27.18	
601-0000-141.71-41	06/30/2010	MP	206392		12/2010	63.54-	
601-1553-481.26-50	06/30/2010	MP	1910-179448	273461	12/2010	14.74	
541-3122-435.23-20	06/30/2010	MP	1910-179526	273461	12/2010	7.64	
10-5112-452.23-20	06/30/2010	MP	1910-179576	273461	12/2010	35.56	
601-1553-481.26-50	06/30/2010	MP	1910-179864	273461	12/2010	3.16	
10-5112-452.23-20	06/30/2010	MP	1910-179865	273461	12/2010	29.41	
211-3134-433.23-20	06/30/2010	MP	1910-180035	273461	12/2010	14.59	
601-1553-481.26-50	06/30/2010	MP	1910-180369	273461	12/2010	22.32	
10-5112-452.23-20	06/30/2010	MP	1910-180379	273461	12/2010	65.17	
541-3122-435.23-20	06/30/2010	MP	1910-180388	273461	12/2010	150.35	
10-5112-452.23-20	06/30/2010	MP	1910-180502	273461	12/2010	7.50	
502-7500-609.23-20	06/30/2010	MP	1910-180508	273461	12/2010	13.28	
10-5112-452.23-20	06/30/2010	MP	1910-180578	273461	12/2010	49.70	
211-3132-433.23-20	06/30/2010	MP	19110-180181	273461	12/2010	14.89	
601-0000-141.71-41	06/30/2010	MP	206392-A		12/2010	63.54	
10-5112-452.23-20	06/30/2010	AUTO &TRUCK MAINT.ITEMS	1910-181448	273461	12/2010	133.99	
512-8314-622.24-50	06/30/2010	NONSTOCKING ITEMS-P.U.D.	1910178759	273461	12/2010	9.68-	
211-3136-433.23-20	06/30/2010	MP	1935-161508	273461	12/2010	43.00	
512-8314-622.24-50	06/30/2010	NONSTOCKING ITEMS-P.U.D.	1910181463	273461	12/2010	37.94	
502-7314-602.24-50	06/30/2010	NONSTOCKING ITEMS-P.U.D.	1935161567	273461	12/2010	1.16	
07/13/2010	734107	CCSIU	18082			2,544.50	
718-2160-421.79-10	06/30/2010	MISC SERVICES	BUY	276186	12/2010	2,544.50	
07/13/2010	734108	CDW GOVERNMENT INC	9234			7,000.00	
620-1911-482.53-70	06/30/2010	MISC SERVICES	TCB4793	275693	12/2010	2,950.00	
260-5518-455.36-90	06/30/2010	MISC SERVICES	INV TZZ8250	275994	12/2010	4,050.00	
07/13/2010	734109	CHECKPOINT SYSTEMS	16426			5,368.72	
260-5518-455.35-90	06/30/2010	BALANCE OF INV 0F43087 EN	0F43087	F11267	12/2010	5,368.72	
07/13/2010	734112	COMMUNITY SOLUTIONS INC	18339			10,316.54	
247-1251-412.39-90	06/30/2010	PROB/UA/BAC BAMDUI MAY/JN	2010-12	276145	12/2010	6,030.00	
248-1263-412.35-81	06/30/2010	PROB/UA/BAC BAMDUI MAY/JN	2010-12	276145	12/2010	2,461.54	
10-1220-412.35-75	06/30/2010	PROBATION/UA/BAC - MAY 10	2010-12	276148	12/2010	265.00	
245-1257-412.35-81	06/30/2010	PROBATION/UA/BAC - MAY 10	2010-12	276148	12/2010	1,560.00	
07/13/2010	734115	COOPERS CONSULTING LLP	20114			4,515.20	
502-7400-603.24-50	06/30/2010	MISC SERVICES	236	275010	12/2010	4,515.20	
07/13/2010	734116	COUNTY WATER DISTRICT OF	881			21,583.54	
150-2221-422.34-20	06/30/2010	FIRE6/WATER/8140 GALLONS	16118-00 10JUN	267470	12/2010	29.81	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT	#	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
512-8500-625.34-20		06/30/2010	MISC SERVICES	1603500 JUN10	276197	12/2010	145.29
805-1570-425.53-50		06/29/2010	MISC SERVICES	1351	276269	12/2010	18,509.04
10-5112-452.34-20		06/30/2010	WATER CHARGES	01019	275865	12/2010	29.57
10-5112-452.34-20		06/30/2010	WATER CHARGES	06100	275865	12/2010	489.53
10-5112-452.34-20		06/30/2010	WATER CHARGES	08163	275865	12/2010	745.98
872-5198-452.34-20		06/30/2010	WATER CHARGES	09174	275865	12/2010	188.35
872-5198-452.34-20		06/30/2010	WATER CHARGES	10112	275865	12/2010	85.99
10-5112-452.34-20		06/30/2010	WATER CHARGES	13137	275865	12/2010	15.55
10-5112-452.34-20		06/30/2010	WATER CHARGES	13138	275865	12/2010	427.79
872-5198-452.34-20		06/30/2010	WATER CHARGES	16219	275865	12/2010	172.02
872-5198-452.34-20		06/30/2010	WATER CHARGES	17140	275865	12/2010	315.47
872-5198-452.34-20		06/30/2010	WATER CHARGES	30388	275865	12/2010	429.15
07/13/2010	734120	CSG SYSTEMS INC	20870				11,929.06
502-7311-602.31-10		06/30/2010	MISC SERVICES	65971	276208	12/2010	4,351.72
502-7311-602.31-11		06/30/2010	MISC SERVICES	65971	276208	12/2010	1,612.81
512-8311-622.31-10		06/30/2010	MISC SERVICES	65971	276208	12/2010	4,351.72
512-8311-622.31-11		06/30/2010	MISC SERVICES	65971	276208	12/2010	1,612.81
07/13/2010	734121	CTA ARCHITECTS	920				3,296.50
411-7151-713.92-90		06/30/2010	MISC SERVICES	83652	269247	12/2010	1,111.00
411-7151-713.92-90		06/30/2010	MISC SERVICES	83652	269247	12/2010	2,185.50
07/13/2010	734124	CURB BOX SPECIALISTS	5716				20,315.86
503-7591-609.93-40		06/29/2010	WATER SERVICE SETUP	2744	270942	12/2010	5,991.97
503-7591-609.93-40		06/29/2010	WATER SERVICE SETUP	2838	270942	12/2010	3,427.87
503-7591-609.93-40		06/29/2010	WATER SERVICE SETUP	2839	270942	12/2010	2,056.72
503-7591-609.93-40		06/29/2010	WATER SERVICE SETUP	2840	270942	12/2010	4,993.31
503-7591-609.93-40		06/29/2010	WATER SERVICE SETUP	2841	270942	12/2010	2,995.99
505-7515-609.36-71		06/30/2010	MISC SERVICES	2733	275009	12/2010	500.00
502-7312-602.23-80		06/30/2010	MISC SERVICES	2782	276199	12/2010	350.00
07/13/2010	734131	DELL COMPUTER L P	13426				22,780.72
260-5518-455.29-25		06/28/2010	MISC SERVICES	XDWRT1MP2	275421	12/2010	12,149.91
209-4451-428.21-20		06/30/2010	MISC SERVICES	XDWX56112	275538	12/2010	1,499.32
10-1750-417.29-25		06/30/2010	MISC SERVICES	XDX846K15	275808	12/2010	1,349.99
150-2150-421.29-25		06/30/2010	MISC SERVICES	XDXD3PNC5	275897	12/2010	2,699.98
10-1750-417.29-25		06/30/2010	XDXF2KT95	XDXF26335	276026	12/2010	1,031.55
260-5518-455.29-25		06/30/2010	MISC SERVICES	INV XDX85NX68	275421	12/2010	4,049.97
07/13/2010	734135	DIAL PRO NORTHWEST INC	15887				29,100.60
606-1931-484.94-80		06/30/2010	MISC SERVICES	60% PAYMENT	275940	12/2010	29,100.60
07/13/2010	734137	DIXIE PETRO-CHEM	1055				2,562.00
502-0000-141.00-00		06/30/2010	WATER PARTS AND SUPPLIES	7270023510		12/2010	2,392.00
10-5126-451.22-90		06/30/2010	MISC SERVICES	3374852	276295	12/2010	170.00
07/13/2010	734141	DOWNTOWN BILLINGS BID, INC.	19065				7,654.60
271-6710-464.38-24		06/30/2010	MISC SERVICES	136 MOWRY, JESS	276068	12/2010	1,028.60
872-5198-452.36-50		06/30/2010	BID CONTRACT	133	276097	12/2010	3,313.00

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
872-5198-452.36-50	06/30/2010	BID CONTRACT	133	276097	12/2010	3,313.00	
872-5198-452.36-50	06/30/2010	BID CONTRACT	133	276097	12/2010	3,313.00	
872-5198-452.36-50	06/30/2010	BID CONTRACT	133	276097	12/2010	3,313.00	
872-5198-452.36-50	06/30/2010	BID CONTRACT	133	276097	12/2010	3,313.00-	
872-5198-452.36-50	06/30/2010	BID CONTRACT	133	276097	12/2010	3,313.00-	
07/13/2010	734142	DOWNTOWN BILLINGS PARTNERSHIP	13457			6,457.27	
203-1513-466.35-47	06/30/2010	MISC SERVICES	KIOSKS	276266	12/2010	6,457.27	
07/13/2010	734144	DUSTBUSTERS	15309			6,520.96	
211-3134-433.45-30	06/30/2010	ROAD AND HIGHWAY MATERIAL	28703	276033	12/2010	3,260.48	
211-3134-433.45-30	06/30/2010	ROAD AND HIGHWAY MATERIAL	28704	276038	12/2010	3,260.48	
07/13/2010	734150	EDGE CONSTRUCTION SUPPLY	19808			4,905.23	
502-0000-141.00-00	06/30/2010	WATER PARTS AND SUPPLIES	462333		12/2010	512.40	
502-7400-603.53-30	06/30/2010	MISC SERVICES	E36981	276086	12/2010	173.00	
502-7312-602.24-10	06/30/2010	MISC SERVICES	462204	276086	12/2010	54.83	
502-7400-603.23-60	06/30/2010	MISC SERVICES	462395	276086	12/2010	4,165.00	
07/13/2010	734155	EXPERT TIRE	20388			7,322.99	
150-2112-421.23-90	06/29/2010	MP	70217	275947	12/2010	7,280.00	
150-2112-421.23-20	06/29/2010	MP	70217-A	275961	12/2010	7,280.00-	
150-2112-421.23-20	06/29/2010	MP	70217-AA	275964	12/2010	7,280.00	
150-2112-421.23-90	06/29/2010	MP	70217-B	275973	12/2010	7,280.00	
150-2112-421.23-20	06/29/2010	MP	70217-D	275975	12/2010	7,280.00-	
209-4452-428.23-20	06/30/2010	MP	70774	276080	12/2010	42.99	
07/13/2010	734162	FLINT TRADING INC	11436			4,115.50	
211-3136-433.23-41	06/30/2010	MISC SERVICES	119219	275853	12/2010	4,115.50	
07/13/2010	734165	GAINANS FLOWERS	1390			2,785.00	
10-5112-452.36-50	06/30/2010	FLOWERS	03577961	275996	12/2010	405.00	
10-5112-452.36-60	06/30/2010	FLOWERS	03577961	275996	12/2010	2,205.00	
10-5126-451.22-90	06/30/2010	FLOWERS	03577961	275996	12/2010	175.00	
10-5112-452.36-50	06/30/2010	FLOWERS	03577961	275996	12/2010	405.00	
10-5112-452.36-60	06/30/2010	FLOWERS	03577961	275996	12/2010	2,205.00	
10-5126-451.22-90	06/30/2010	FLOWERS	03577961	275996	12/2010	175.00	
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10-5112-452.36-60	06/30/2010	FLOWERS	03577961	275996	12/2010	2,205.00-	
10-5126-451.22-90	06/30/2010	FLOWERS	03577961	275996	12/2010	175.00-	
07/13/2010	734168	GALLES FILTER SERVICE	1397			2,849.38	
10-5112-452.23-20	06/01/2010	MP	205681	273463	12/2010	10.54	
601-0000-141.00-00	06/09/2010	MP	205774		12/2010	110.34	
601-0000-141.00-00	06/09/2010	MP	205951		12/2010	78.72	
541-3122-435.23-20	06/09/2010	MP	206164	273463	12/2010	6.10	
502-0000-141.00-00	06/16/2010	WATER PARTS AND SUPPLIES	206649		12/2010	7.94	
601-0000-141.00-00	06/17/2010	MP	206272		12/2010	4.38	
601-0000-141.00-00	06/17/2010	MP	206361		12/2010	199.65	
601-0000-141.00-00	06/18/2010	MP	206194		12/2010	203.74	

PROGRAM: GM350L

MINIMUM AMOUNT: 2,500.00

CITY OF BILLINGS

FROM 07/13/2010 TO 07/13/2010

BANK CODE

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601-0000-141.71-41		06/18/2010	MP	206357		12/2010	149.69
601-0000-141.00-00		06/18/2010	MP	206614		12/2010	250.95
601-0000-141.00-00		06/18/2010	MP	206810		12/2010	511.26
10-5142-436.23-20		06/18/2010	MP	206362	273463	12/2010	9.97
10-5112-452.23-20		06/18/2010	MP	206528	273463	12/2010	11.97
541-3123-435.23-20		06/18/2010	MP	206608	273463	12/2010	35.09
601-0000-141.71-41		06/25/2010	MP	206805		12/2010	100.71
601-0000-141.00-00		06/25/2010	MP	207056		12/2010	246.93
601-0000-141.00-00		06/25/2010	MP	207231		12/2010	6.31
601-0000-141.00-00		06/25/2010	MP	207247		12/2010	25.24
521-1522-493.23-20		06/25/2010	MP	206192	273463	12/2010	12.66
541-3122-435.23-20		06/25/2010	MP	206192	273463	12/2010	34.22
10-5142-436.23-20		06/25/2010	MP	206623	273463	12/2010	41.22
541-3122-435.23-20		06/25/2010	MP	206935	273463	12/2010	16.25
601-0000-141.00-00		06/30/2010	MP	207185		12/2010	16.25
601-0000-141.00-00		06/30/2010	MP	207258		12/2010	16.25
601-0000-141.00-00		06/30/2010	MP	207269		12/2010	291.17
211-3134-433.23-20		06/30/2010	MP	207512	273463	12/2010	58.82
10-5112-452.23-20		06/30/2010	MP	206528-A	276084	12/2010	11.97
10-5112-452.23-20		06/30/2010	MP	206528-B	276085	12/2010	11.97-
601-0000-141.00-00		06/30/2010	MP	207559		12/2010	118.22
211-3134-433.23-20		06/30/2010	MP	207559	273463	12/2010	26.13
601-0000-141.71-41		06/30/2010	MP	207266		12/2010	102.19
10-5112-452.23-20		06/30/2010	MP	207290	273463	12/2010	12.09
10-5112-452.23-20		06/30/2010	MP	207404	273463	12/2010	3.37
541-3122-435.23-20		06/30/2010	MP	205959	273463	12/2010	7.11
541-3123-435.23-20		06/30/2010	MP	206586	273463	12/2010	55.01
541-3123-435.23-20		06/30/2010	MP	206607	273463	12/2010	51.85
10-5112-452.23-20		06/30/2010	MP	206652	273463	12/2010	4.77
541-3123-435.23-20		06/30/2010	MP	206696	273463	12/2010	18.19
211-3132-433.23-20		06/30/2010	MP	207573	273463	12/2010	5.93
601-0000-141.71-41		06/30/2010	MP	206392-B		12/2010	63.54-
150-2226-422.23-20		06/30/2010	MP	206216	273463	12/2010	38.06
150-2112-421.23-20		06/30/2010	MP	206658	273463	12/2010	9.96
150-2112-421.23-20		06/30/2010	MP	206660	273463	12/2010	3.67
07/13/2010	734171	GARVEY'S URBAN FOREST LLC	21230				8,870.40
10-5112-452.36-50		06/30/2010	TREE SPRAYING	6578373	275957	12/2010	8,960.00
10-5112-452.36-50		06/30/2010	GARVEY GROSS TAX	GARVEY TAX	276261	12/2010	89.60-
07/13/2010	734177	GEOCOMM INC	20834				7,568.00
607-2235-486.35-90		06/30/2010	INTEROP/RADIO/SYSTM PLAN	24696 PMT5	272652	12/2010	7,568.00
07/13/2010	734178	GILLIG CORPORATION	18154				5,412.51
601-0000-141.71-41		06/29/2010	MP	4636045		12/2010	1,957.86
601-0000-141.71-41		06/30/2010	MP	4630244		12/2010	193.12
601-0000-141.71-41		06/30/2010	MP	4630246		12/2010	123.36
601-0000-141.71-41		06/30/2010	MP	4632582		12/2010	134.18
601-0000-141.71-41		06/30/2010	MP	4637399		12/2010	312.00
601-0000-141.71-41		06/30/2010	MP	4633201		12/2010	1,332.49

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
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601-0000-141.71-41	06/30/2010	MP	4637778		12/2010	569.29	
571-7144-713.23-20	06/30/2010	MP	4637398	276127	12/2010	156.00	
601-0000-141.71-41	06/30/2010	MP	4636778		12/2010	91.45	
601-0000-141.71-41	06/30/2010	MP	4639422		12/2010	91.45	
571-7144-713.23-20	06/30/2010	MP	4636778	276306	12/2010	451.31	
07/13/2010 734182	GUARDIAN SECURITY INC	12486				5,628.00	
260-5512-455.35-74	06/30/2010	LIBRARY SECURITY SERVICES	995266	F11259	12/2010	5,628.00	
07/13/2010 734193	HDR INC	1544				18,926.71	
502-7211-601.35-40	06/30/2010	INTEGRATED WATER PLAN	4	270373	12/2010	6,624.35	
512-8211-621.35-40	06/30/2010	INTEGRATED WATER PLAN	4	270373	12/2010	5,678.01	
840-3184-431.35-90	06/30/2010	INTEGRATED WATER PLAN	4	270373	12/2010	6,624.35	
07/13/2010 734194	HELP/SYSTEMS	4802				6,205.00	
620-1911-482.53-70	06/30/2010	MISC SERVICES	MI032461	276213	12/2010	6,205.00	
07/13/2010 734196	HIGH-TECH BOILERMAKERS	1678				9,405.00	
513-8491-623.93-90	06/30/2010	TP0049 BOILER REPLACEMENT	2	272992	12/2010	9,405.00	
07/13/2010 734200	HUPPERT CONSTRUCTION	16447				4,455.00	
10-5126-451.36-90	06/30/2010	DEMOLITION OF S. WADING	1139	275842	12/2010	4,455.00	
07/13/2010 734201	IBM CORPORATION	17251				15,134.00	
620-1911-482.53-70	06/30/2010	MISC SERVICES	6701262	275566	12/2010	4,520.00	
620-1911-482.94-80	06/30/2010	MISC SERVICES	6702204 6701680	275676	12/2010	6,094.00	
620-1911-482.53-70	06/30/2010	MISC SERVICES	6703801	275677	12/2010	4,520.00	
07/13/2010 734202	ICL PERFORMANCE PRODUCTS LP	21257				2,858.40	
150-2231-422.26-90	06/30/2010	FIRE FOAM/DNRC/7-23-2009	50179155 FOAM	276109	12/2010	2,858.40	
07/13/2010 734209	INTERSTATE POWERSYSTEMS	17926				27,492.28	
571-7144-713.23-20	06/30/2010	MP	10973.01	276071	12/2010	23,119.52	
601-0000-141.71-41	06/30/2010	MP	92191515		12/2010	7.24	
571-7144-713.23-20	06/30/2010	MP	11225.01	276167	12/2010	1,008.59	
571-7144-713.23-20	06/30/2010	MP	14331.01	276167	12/2010	61.76	
211-3133-433.23-20	06/30/2010	MP	11326.01	276244	12/2010	3,295.17	
07/13/2010 734212	J & J CONCRETE	15244				107,324.65	
205-3131-433.93-10	06/30/2010	WO0904 2009 ACCESS RAMPS	11	265227	12/2010	22,994.74	
205-3131-433.93-10	06/30/2010	WO1004 2010 ACCESS RAMPS	4	273327	12/2010	69,832.17	
205-3131-433.93-10	06/30/2010	WO0902 2009 MISC. DEVELP	1	274943	12/2010	8,432.38	
437-3165-431.93-11	06/30/2010	WO0902 2009 MISC. DEVELP	1	274943	12/2010	6,065.36	
07/13/2010 734213	JACOBS CONSULTANCY INC	19805				41,166.85	
406-7119-711.92-90	06/30/2010	MISC SERVICES	37BIL300031001	273606	12/2010	28,482.50	
406-7119-711.92-90	06/30/2010	MISC SERVICES	37BIL300061003	273606	12/2010	12,684.35	
07/13/2010 734215	JOHNSON LANE MATERIALS	15449				2,603.44	
541-3123-435.22-90	06/30/2010	GRAVEL FOR LF	13517	275950	12/2010	2,603.44	

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07/13/2010	734220	KEYSTONE CONSTRUCTION/SHOWPLAC	16489				25,533.91	
562-7120-711.93-10	06/16/2010	MISC SERVICES	273593-1	273593	12/2010		25,533.91	
07/13/2010	734223	KOIS BROTHERS EQUIPMENT CO	6452				10,935.24	
211-3132-433.23-20	06/14/2010	MP	86436	273465	12/2010		48.86	
512-8500-625.23-20	06/24/2010	NONSTOCKING ITEMS-P.U.D.	86561 86596	275707	12/2010		33.34	
601-0000-141.00-00	06/25/2010	MP	86514		12/2010		110.94	
601-0000-141.00-00	06/25/2010	MP	86570		12/2010		86.27	
211-3133-433.23-20	06/25/2010	MP	86440	273465	12/2010		274.18	
541-3122-435.23-20	06/25/2010	MP	86514	273465	12/2010		29.23	
541-3122-435.23-20	06/25/2010	MP	86603	273465	12/2010		289.04	
541-3122-435.23-20	06/30/2010	MP	86612	273465	12/2010		659.33	
601-0000-141.00-00	06/30/2010	MP	86625		12/2010		894.08	
211-3134-433.29-20	06/30/2010	MISC SERVICES	86658	276083	12/2010		781.50	
211-3138-433.29-20	06/30/2010	MISC SERVICES	86658	276083	12/2010		781.50	
541-3122-435.23-20	06/30/2010	MP	86496	273465	12/2010		179.70	
541-3122-435.23-20	06/30/2010	MP	86578	273465	12/2010		320.40	
541-3122-435.23-20	06/30/2010	MP	86641	273465	12/2010		578.08	
541-3122-435.23-20	06/30/2010	MP	86642	273465	12/2010		1,352.35	
640-2240-422.94-60	06/30/2010	FIRE/RESCUE2/NERF BARS	MT30391 RESCUE2	266607	12/2010		2,100.00	
541-3122-435.23-20	06/30/2010	MP	86662	273465	12/2010		2,416.44	
07/13/2010	734226	KUHR, ROBERT & ROBYN	9997300				3,330.36	
502-0000-115.73-01	07/12/2010	WATER REFUND 2315 WOODY	000028787		12/2010		3,330.36	
07/13/2010	734228	L & L FENCING	21223				4,238.01	
490-5161-452.36-60	06/30/2010	REPAIRS FOR BATTING CAGE	BATTING CAGE	275045	12/2010		4,238.01	
490-5161-452.36-60	06/30/2010	REPAIRS FOR BATTING CAGE	BATTING CAGE	275045	12/2010		4,238.01	
490-5161-452.36-60	06/30/2010	REPAIRS FOR BATTING CAGE	BATTING CAGE	275045	12/2010		4,238.01	
07/13/2010	734232	LAND DESIGN INC	15918				2,543.99	
840-3184-431.35-90	06/30/2010	SHARP-TAIL CONSERVATION	5	273123	12/2010		2,543.99	
07/13/2010	734233	LANGLAS & ASSOCIATES INC	7004				26,795.00	
630-1753-485.73-10	06/30/2010	MISC SERVICES	3269	275330	12/2010		26,795.00	
07/13/2010	734247	MAILING TECHNICAL SERVICES	12577				7,331.74	
10-1213-412.39-11	06/30/2010	MISC SERVICES	JUNE 10	276308	12/2010		2,488.50	
605-1515-483.31-10	06/30/2010	MISC SERVICES	JUNE 10	276308	12/2010		4,843.24	
07/13/2010	734249	MARKETING SPECIALTIES INC	2292				4,564.34	
502-7314-602.24-50	06/29/2010	NONSTOCKING ITEMS-P.U.D.	059863	275705	12/2010		1,800.00	
512-8314-622.24-50	06/29/2010	NONSTOCKING ITEMS-P.U.D.	059863	275705	12/2010		1,800.00	
601-1553-481.39-90	06/30/2010	MP	59877	276067	12/2010		332.50	
601-1553-481.39-90	06/30/2010	MP	59920	276070	12/2010		631.84	
07/13/2010	734254	MIDLAND IMPLEMENT CO INC	2416				7,063.58	
630-1753-485.73-10	06/30/2010	MISC SERVICES	597233001	276265	12/2010		7,063.58	

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07/13/2010	734264	MORRISON MAIERLE INC	2572				196,891.66	
503-7591-609.93-40	06/30/2010	WO0801 2008 WTR&SWR	30	252779	12/2010		18,264.99	
503-7591-609.93-40	06/30/2010	WO1001 2010 WTR & SWR	8	268044	12/2010		52,573.44	
513-8591-625.93-40	06/30/2010	WO1001 2010 WTR & SWR	8	268044	12/2010		28,308.77	
503-7591-609.93-40	06/30/2010	WO1001 2010 WTR & SWR	9	268044	12/2010		58,688.93	
513-8591-625.93-40	06/30/2010	WO1001 2010 WTR & SWR	9	268044	12/2010		31,601.73	
513-8491-623.93-90	06/30/2010	WO0926 WTPP CLARIFIERS	1	274059	12/2010		3,934.80	
503-7591-609.93-40	06/30/2010	WO1008 WTP CLEARWELL CT	1	274702	12/2010		3,519.00	
07/13/2010	734273	NATURE'S GREEN LLC	21214				4,738.44	
561-7113-711.36-60	06/30/2010	MISC SERVICES	478	275460	12/2010		4,738.44	
07/13/2010	734277	NEW WORLD SYSTEMS	8477				6,200.00	
150-2112-421.94-90	06/30/2010	MISC SERVICES	003266	276147	12/2010		6,134.28	
150-2150-421.29-25	06/30/2010	MISC SERVICES	003266	276147	12/2010		65.72	
07/13/2010	734279	NORMONT EQUIPMENT COMPANY	2738				4,015.44	
211-3134-433.23-20	06/30/2010	MISC SERVICES	200600250	276034	12/2010		1,467.44	
211-3134-433.23-20	06/30/2010	MISC SERVICES	200600263	276034	12/2010		1,081.50	
211-3136-433.29-20	06/30/2010	MISC SERVICES	200600263	276034	12/2010		360.50	
211-3131-433.26-30	06/30/2010	FIRST AID AND SAFETY EQUI	200600292	276034	12/2010		430.00	
211-3133-433.29-20	06/30/2010	MISC SERVICES	200600292	276034	12/2010		226.00	
211-3134-433.23-20	06/30/2010	MISC SERVICES	200600292	276034	12/2010		450.00	
07/13/2010	734284	NORTHWEST PIPE FITTINGS	2758				23,096.31	
502-7400-603.24-50	06/01/2010	NONSTOCKING ITEMS-P.U.D.	1554661	273468	12/2010		136.20	
502-0000-141.00-00	06/07/2010	SYSTEMS	15510091		12/2010		700.40	
502-0000-141.00-00	06/11/2010	WATER PARTS AND SUPPLIES	1558476		12/2010		251.92	
502-7500-609.24-10	06/11/2010	NONSTOCKING ITEMS-P.U.D.	1559268	273468	12/2010		9.01	
503-7591-609.93-40	06/11/2010	NONSTOCKING ITEMS-P.U.D.	1559912	273468	12/2010		309.68	
502-0000-141.00-00	06/14/2010	WATER PARTS AND SUPPLIES	1561021		12/2010		68.40	
502-7312-602.23-80	06/14/2010	NONSTOCKING ITEMS-P.U.D.	1549137	273468	12/2010		1,230.50	
512-8400-623.24-50	06/14/2010	NONSTOCKING ITEMS-P.U.D.	1554755	273468	12/2010		1,443.00	
512-8400-623.24-50	06/14/2010	NONSTOCKING ITEMS-P.U.D.	1556357	273468	12/2010		72.96	
512-8400-623.24-50	06/14/2010	NONSTOCKING ITEMS-P.U.D.	1558396	273468	12/2010		66.54	
502-0000-141.00-00	06/15/2010	SYSTEMS	15510092		12/2010		236.52	
502-0000-141.00-00	06/15/2010	WATER PARTS AND SUPPLIES	1561436		12/2010		3,563.00	
502-0000-141.00-00	06/15/2010	WATER PARTS AND SUPPLIES	1561400		12/2010		7,126.00	
502-0000-141.00-00	06/17/2010	SYSTEMS	1563104		12/2010		1,296.36	
512-8400-623.24-50	06/18/2010	NONSTOCKING ITEMS-P.U.D.	1561723	273468	12/2010		114.18	
512-8400-623.24-50	06/18/2010	NONSTOCKING ITEMS-P.U.D.	1562073	273468	12/2010		48.34	
502-7312-602.23-80	06/21/2010	NONSTOCKING ITEMS-P.U.D.	1514281	273468	12/2010		29.40	
502-7312-602.23-80	06/21/2010	NONSTOCKING ITEMS-P.U.D.	1552234	273468	12/2010		1,667.50	
502-7400-603.24-50	06/21/2010	NONSTOCKING ITEMS-P.U.D.	1563313	273468	12/2010		863.41	
502-7312-602.23-80	06/21/2010	NONSTOCKING ITEMS-P.U.D.	1563612	273468	12/2010		700.00	
502-0000-141.00-00	06/22/2010	WATER PARTS AND SUPPLIES	1563470		12/2010		1,451.01	
502-0000-141.00-00	06/22/2010	SYSTEMS	1563470		12/2010		368.80	
502-7400-603.24-50	06/22/2010	NONSTOCKING ITEMS-P.U.D.	1564311	273468	12/2010		98.20	
512-8400-623.23-60	06/23/2010	NONSTOCKING ITEMS-P.U.D.	1562247	273468	12/2010		629.36	

PROGRAM: GM350L

MINIMUM AMOUNT: 2,500.00

CITY OF BILLINGS

FROM 07/13/2010 TO 07/13/2010

BANK CODE

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CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #					CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN	AMOUNT	
512-8400-623.24-50	06/23/2010	NONSTOCKING ITEMS-P.U.D.	1562462	273468	12/2010		15.36	
502-0000-141.00-00	06/24/2010	WATER PARTS AND SUPPLIES	15509971		12/2010		91.60	
502-7400-603.24-50	06/25/2010	NONSTOCKING ITEMS-P.U.D.	1565295	273468	12/2010		5.62	
502-7400-603.24-50	06/25/2010	NONSTOCKING ITEMS-P.U.D.	1565928	273468	12/2010		11.36	
502-7312-602.23-80	06/25/2010	NONSTOCKING ITEMS-P.U.D.	1566741	273468	12/2010		1.36	
502-0000-141.00-00	06/28/2010	SYSTEMS	15631041		12/2010		135.06	
502-0000-141.00-00	06/28/2010	WATER PARTS AND SUPPLIES	15634701		12/2010		59.50	
512-8400-623.24-50	06/28/2010	NONSTOCKING ITEMS-P.U.D.	1566662	273468	12/2010		175.85	
502-0000-141.00-00	06/30/2010	WATER PARTS AND SUPPLIES	15634702		12/2010		10.68	
512-8500-625.23-80	06/30/2010	NONSTOCKING ITEMS-P.U.D.	1569781	273468	12/2010		9.80	
502-7500-609.24-10	06/30/2010	NONSTOCKING ITEMS-P.U.D.	15269669	273468	12/2010		25.13	
150-2226-422.23-20	06/30/2010	MP	1566251	273468	12/2010		216.69	
502-7500-609.24-10	06/30/2010	NONSTOCKING ITEMS-P.U.D.	1508903A	273468	12/2010		369.22-	
502-7500-609.23-80	06/30/2010	NONSTOCKING ITEMS-P.U.D.	1557959	273468	12/2010		226.83	
07/13/2010	734289	NORTHWESTERN ENERGY	15771				36,592.21	
150-2221-422.34-10	06/30/2010	FIRE6:ELEC/2220 KWH USED	0100477-9 10JUN	267864	12/2010		260.63	
502-7400-603.34-10	06/30/2010	MISC SERVICES	01004787 JUN10	274388	12/2010		432.85	
561-7112-711.34-10	06/30/2010	0100482-9	063010	F11240	12/2010		24,114.50	
150-2221-422.34-10	06/30/2010	NW FIRE	07125321		12/2010		16.89	
561-7113-711.34-10	06/30/2010	NW AVIATION/TRAN	07125339		12/2010		94.42	
561-7113-711.34-10	06/30/2010	NW AVIATION/TRAN	07125347		12/2010		13.78	
561-7113-711.34-10	06/30/2010	NW AVIATION/TRAN	07125354		12/2010		201.64	
10-5141-436.34-10	06/30/2010	NW PARK/REC/PL	07125388		12/2010		432.59	
561-7113-711.34-10	06/30/2010	NW AVIATION/TRAN	07127913		12/2010		15.36	
561-7113-711.34-10	06/30/2010	NW AVIATION/TRAN	07127954		12/2010		16.31	
561-7113-711.34-10	06/30/2010	NW AVIATION/TRAN	07127970		12/2010		12.97	
561-7117-711.34-10	06/30/2010	NW AVIATION/TRAN	07128051		12/2010		9.25	
561-7113-711.34-10	06/30/2010	NW AVIATION/TRAN	07128135		12/2010		7.44	
561-7113-711.34-10	06/30/2010	NW AVIATION/TRAN	07195431		12/2010		1,952.46	
561-7113-711.34-10	06/30/2010	NW AVIATION/TRAN	07197593		12/2010		16.69	
561-7113-711.34-10	06/30/2010	NW AVIATION/TRAN	07197601		12/2010		20.33	
561-7113-711.34-10	06/30/2010	NW AVIATION/TRAN	07197619		12/2010		21.19	
561-7113-711.34-10	06/30/2010	NW AVIATION/TRAN	07197627		12/2010		14.41	
561-7113-711.34-10	06/30/2010	NW AVIATION/TRAN	07202963		12/2010		16.69	
10-5126-451.34-10	06/30/2010	NW PARK/REC/PL	07208416		12/2010		519.62	
502-7400-603.34-10	06/30/2010	NW PUD-WATER TREAT	07222490		12/2010		10.09	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07222565		12/2010		183.41	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07222581		12/2010		9.01	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07222599		12/2010		22.99	
502-7400-603.34-10	06/30/2010	NW PUD-WATER TREAT	07222706		12/2010		2,674.10	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07222722	50%	12/2010	60%	8.25	
872-5198-452.34-10	06/30/2010	NW PARK/REC/PL	07222722	50%	12/2010	40%	5.50	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07222748		12/2010		10.64	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07222755		12/2010		90.06	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07222771		12/2010		32.74	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07222789		12/2010		27.44	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07222797		12/2010		13.78	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07228083		12/2010		13.78	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07228521		12/2010		9.54	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07229016		12/2010	142.61	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07229768		12/2010	8.38	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07229958		12/2010	71.45	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07230055		12/2010	71.21	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07230394		12/2010	2.02	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07230469		12/2010	7.25	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07230493		12/2010	8.20	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07230535		12/2010	37.78	
512-8500-625.34-10	06/30/2010	NW Parks	07233836		12/2010	79.27	
872-5198-452.34-10	06/30/2010	NW PARK/REC/PL	07233851		12/2010	8.72	
872-5198-452.34-10	06/30/2010	NW PARK/REC/PL	07233869		12/2010	8.72	
872-5198-452.34-10	06/30/2010	NW PARK/REC/PL	07233877		12/2010	8.72	
872-5198-452.34-10	06/30/2010	NW PARK/REC/PL	07233885		12/2010	8.72	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07233919	60%	12/2010	4.35	
872-5198-452.34-10	06/30/2010	NW PARK/REC/PL	07233919	40%	12/2010	2.90	
872-5198-452.34-10	06/30/2010	NW PARK/REC/PL	07233927		12/2010	8.72	
872-5198-452.34-10	06/30/2010	NW PARK/REC/PL	07233935		12/2010	7.91	
512-8500-625.34-10	06/30/2010	NW PUD-WASTE WATER	07234040		12/2010	990.04	
872-5198-452.34-10	06/30/2010	NW PARK/REC/PL	07238405		12/2010	7.25	
512-8500-625.34-10	06/30/2010	NW PUD-WASTE WATER	07238785		12/2010	407.09	
872-5198-452.34-10	06/30/2010	NW PARK/REC/PL	07238793		12/2010	154.99	
872-5198-452.34-10	06/30/2010	NW PARK/REC/PL	07238835		12/2010	7.73	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	07238843		12/2010	70.88	
872-5198-452.34-10	06/30/2010	NW PARK/REC/PL	07238850		12/2010	7.91	
872-5198-452.34-10	06/30/2010	NW PARK/REC/PL	08814550		12/2010	7.91	
872-5198-452.34-10	06/30/2010	NW PARK/REC/PL	09718248		12/2010	.68	
10-5112-452.34-10	06/30/2010	PARKS	09789173		12/2010	10.31	
10-5129-451.34-10	06/30/2010	NW FIRE	09998071		12/2010	88.22	
607-2235-486.34-10	06/30/2010	NW FIRE	10069151		12/2010	167.02	
872-5198-452.34-10	06/30/2010	NW PARK/REC/PL	10458206		12/2010	2.93	
10-5112-452.34-10	06/30/2010	NW Parks	11565272		12/2010	8.20	
502-7400-603.34-10	06/30/2010	NW Pud	11608072		12/2010	26.42	
150-2171-441.34-10	06/30/2010	NW	11834835		12/2010	1,202.60	
10-5112-452.34-10	06/30/2010	NW	12300661		12/2010	11.17	
10-5112-452.34-10	06/30/2010	NW	12422226		12/2010	7.61	
10-5112-452.34-10	06/30/2010	NW	12488631		12/2010	59.80	
872-5198-452.34-10	06/30/2010	NW	13127071		12/2010	.48	
502-7400-603.34-10	06/30/2010	NW	13466735		12/2010	19.90	
10-5112-452.34-10	06/30/2010	NW	14093942		12/2010	.84	
872-5198-452.34-10	06/30/2010	NW	15137961		12/2010	83.48	
872-5198-452.34-10	06/30/2010	NW	15138001		12/2010	49.65	
872-5198-452.34-10	06/30/2010	NW	15138027		12/2010	26.24	
872-5198-452.34-10	06/30/2010	NW	15138043		12/2010	13.44	
872-5198-452.34-10	06/30/2010	NW	15143886		12/2010	8.11	
872-5198-452.34-10	06/30/2010	PARKS	15642093		12/2010	7.91	
521-1524-493.34-10	06/30/2010	PARKING-LINC CEN LOT POLE	15696313		12/2010	35.58	
10-5112-452.34-10	06/30/2010	SOUTH PARK CONCESSION	15882624		12/2010	8.02	
10-5112-452.34-10	06/30/2010	PARKS 1	16926669		12/2010	25.31	
512-8500-625.34-10	06/30/2010	SEWER LIFTSTATION C	17040254		12/2010	9.63	
512-8500-625.34-10	06/30/2010	WWTP	17040304		12/2010	27.57	

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
211-3136-433.34-10	06/30/2010	STREETS/TRAFFIC	17389891		12/2010	11.64	
211-3133-433.34-10	06/30/2010	STREETS/TRAFFIC	17403577		12/2010	.15	
211-3133-433.34-10	06/30/2010	STREETS/TRAFFIC	17978289		12/2010	4.85	
10-5112-452.34-10	06/30/2010	PARKS	18366666		12/2010	30.61	
571-7143-713.34-10	06/30/2010	NW AVIATION/TRAN	07192255		12/2010	265.51	
150-2221-422.34-10	06/30/2010	NW FIRE	07208176		12/2010	212.71	
10-5112-452.34-10	06/30/2010	NW PARK/REC/PL	08134892		12/2010	64.86	
872-5198-452.34-10	06/30/2010	NW PARKS	10291920		12/2010	.08	
502-7400-603.34-10	06/30/2010	NW Parks	11422532		12/2010	155.33	
872-5198-452.34-10	06/30/2010	NW parks	11759727		12/2010	161.60	
10-5112-452.34-10	06/30/2010	NW	11914041		12/2010	287.99	
211-3133-433.34-10	06/30/2010	STREETS/TRAFFIC	17488966		12/2010	.48	
10-5112-452.34-10	06/30/2010	PARKS & REC	18494088		12/2010	53.20	
07/13/2010	734296	PALM TREE CONSTRUCTION	2869			13,033.84	
490-5161-452.36-60	06/30/2010	CURB REPAIR	242176	276102	12/2010	6,442.17	
872-5198-452.36-50	06/30/2010	CURB REPAIR	242176	276102	12/2010	566.74	
872-5198-452.36-50	06/30/2010	CURB REPAIR	242176	276102	12/2010	2,136.93	
490-5161-452.36-60	06/30/2010	CURB REPAIR	242176	276102	12/2010	6,442.17	
872-5198-452.36-50	06/30/2010	CURB REPAIR	242176	276102	12/2010	566.74	
872-5198-452.36-50	06/30/2010	CURB REPAIR	242176	276102	12/2010	2,136.93	
490-5161-452.36-60	06/30/2010	CURB REPAIR	242176	276102	12/2010	6,442.17	
872-5198-452.36-50	06/30/2010	CURB REPAIR	242176	276102	12/2010	566.74	
872-5198-452.36-50	06/30/2010	CURB REPAIR	242176	276102	12/2010	2,136.93	
505-7515-609.36-71	06/30/2010	MISC SERVICES	242181	276204	12/2010	3,897.00	
872-5198-452.36-50	06/30/2010	OVERPAYMENT	PALM OVERPAYMEN	276294	12/2010	9.00	
07/13/2010	734298	PHILIP SERVICES CORPORATION	14411			51,512.40	
541-3123-435.35-90	06/29/2010	HHW COLLECTION & DISPOSAL	22000232498	265436	12/2010	4,661.40	
541-3123-435.35-90	06/29/2010	HHW COLLECTION & DISPOSAL	22000232498	273923	12/2010	46,851.00	
07/13/2010	734300	POLYDYNE INC	13215			47,817.00	
502-0000-141.00-00	06/30/2010	WATER PARTS AND SUPPLIES	543746		12/2010	47,817.00	
07/13/2010	734302	PORTABLE COMPUTER SYSTEMS, INC	19264			4,631.00	
150-2150-421.29-25	06/30/2010	MISC SERVICES	33229	275852	12/2010	4,631.00	
07/13/2010	734307	PROTECH MECHANICAL INC	7475			8,578.05	
260-5512-455.36-70	06/30/2010	INVOICE 50136	50136	F11257	12/2010	1,655.95	
260-5512-455.36-70	06/30/2010	INVOICE 50153	50136	F11257	12/2010	6,922.10	
07/13/2010	734309	PUBLIC UTILITIES	5022			41,894.46	
872-5198-452.34-20	06/30/2010	2445 WESTFIELD DR.	675778356		12/2010	98.78	
872-5198-452.34-20	06/30/2010	2700 COUNTRY LN SP/IR	676233865		12/2010	216.67	
872-5198-452.34-20	06/30/2010	HARVEST PARK-3600 GRANGER	676393901		12/2010	190.89	
872-5198-452.34-20	06/30/2010	HARVEST PARK-3200 CANYON	676413853		12/2010	4,183.43	
872-5198-452.34-20	06/30/2010	HARVEST PARK-3294 HENESTA	676433910		12/2010	8,081.27	
872-5198-452.34-20	06/30/2010	HARVEST PARK-710 S. 32 W.	676454062		12/2010	44.66	
872-5198-452.34-20	06/30/2010	OLYMPIC PK-3675 MARATHON	676473935		12/2010	3,433.51	
872-5198-452.34-20	06/30/2010	OLYMPIC PK-701 DECATHLON	676497694		12/2010	3,342.82	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
872-5198-452.34-20	06/30/2010	PARKLAND WEST-3920 MONAD	676513943		12/2010	3,099.11	
872-5198-452.34-20	06/30/2010	OLYMPIC PK-3914 DECATHLON	676533868		12/2010	225.74	
872-5198-452.34-20	06/30/2010	OLYMPIC PK-531 S 38 WEST	676554066		12/2010	16.09	
872-5198-452.34-20	06/30/2010	OLYMPIC PK-3748 OLYMPIC B	676574011		12/2010	601.26	
872-5198-452.34-20	06/30/2010	OLYMPIC PK-3747 OLYMPIC B	676594010		12/2010	343.64	
872-5198-452.34-20	06/30/2010	OLYMPIC PK-3890 STILLWTER	676614077		12/2010	528.48	
872-5198-452.34-20	06/30/2010	HIGH SIERRA PK-2000 WICKS	676654097		12/2010	44.66	
872-5198-452.34-20	06/30/2010	PARKLAND WEST-380 S 36 W.	676754063		12/2010	1,145.38	
561-7110-711.34-20	06/30/2010	1901 AIRPORT TERM CIR	68407759		12/2010	9,588.81	
872-5198-452.34-20	06/30/2010	1760 COUNTRY MANOR BLVD.	8992912649100		12/2010	1,784.13	
872-5198-452.34-20	06/30/2010	4002 PARKHILL DR	899739343		12/2010	73.84	
872-5198-452.34-20	06/30/2010	255 ENERGY BLVD.	904059154		12/2010	1,122.71	
872-5198-452.34-20	06/30/2010	1515 38TH ST WEST	10697714654		12/2010	348.17	
872-5198-452.34-20	06/30/2010	4550 RANGVIEW DR	1142018810		12/2010	1,761.46	
872-5198-452.34-20	06/30/2010	4430 HI-LINE DR	11460717358		12/2010	95.44	
872-5198-452.34-20	06/30/2010	4430 HI-LINE DR	12051919090		12/2010	374.54	
872-5198-452.34-20	06/30/2010	210 S 36 ST W	13264320441		12/2010	674.65	
512-8500-625.34-20	06/30/2010	2229 BLUE CREEK RD	13670319854		12/2010	9.24	
872-5198-452.34-20	06/30/2010	2100 CANYON DR SP/IR	490833852		12/2010	135.05	
872-5198-452.34-20	06/30/2010	ASPEN GROV PK-393 32 WEST	8934540476600		12/2010	330.03	
07/13/2010	734321	RIMROCK FOUNDATION	3210			6,863.10	
738-1264-412.35-90	03/02/2010	IOP COUNSELOR - OCT/NOV	2010-7	272834	09/2010	6,863.10	
07/13/2010	734322	RIVERSIDE SAND & GRAVEL INC	19447			133,377.44	
205-3131-433.93-10	06/30/2010	WO0821 LAKE ELMO DR	1	274940	12/2010	71,574.27	
210-3110-431.93-11	06/30/2010	WO0821 LAKE ELMO DR	1	274940	12/2010	21,185.40	
438-3165-431.93-11	06/30/2010	WO0821 LAKE ELMO DR	1	274940	12/2010	4,746.49	
840-3184-431.93-10	06/30/2010	WO0821 LAKE ELMO DR	1	274940	12/2010	35,871.28	
07/13/2010	734325	SANDERSON STEWART	20446			84,089.08	
840-3184-431.93-10	06/30/2010	WO0912 INNER BELET LOOP	11	267730	12/2010	10,931.58	
845-3186-431.93-10	06/30/2010	WO0912 INNER BELET LOOP	11	267730	12/2010	73,157.50	
07/13/2010	734330	SECURITY BY KENCO	1985			4,980.00	
650-1566-487.24-50	06/30/2010	MISC SERVICES	825090	276100	12/2010	4,980.00	
07/13/2010	734340	SNOWY RANGE RESEARCH	18855			5,131.82	
738-1264-412.35-10	06/30/2010	CONSULTING SAMHSA JUNE10	2010-12	276140	12/2010	2,166.82	
248-1263-412.35-60	06/30/2010	CONSULTING BAMDUI JUNE10	2010-12	276142	12/2010	1,000.00	
245-1257-412.35-60	06/30/2010	CONSULTING BAMHC JUNE 10	2010-12	276143	12/2010	800.00	
246-1250-412.35-90	06/30/2010	BAMDC CONSULTING - JUNE10	2010-12	276144	12/2010	1,165.00	
07/13/2010	734349	ST VINCENT OCCUPATIONAL HEALTH	3535			6,965.99	
10-1253-412.35-75	06/30/2010	MISC SERVICES	0982/1102/1244	276242	12/2010	40.00	
10-1750-417.35-72	06/30/2010	MISC SERVICES	0982/1102/1244	276242	12/2010	4,894.00	
150-2111-421.35-10	06/30/2010	MISC SERVICES	0982/1102/1244	276242	12/2010	43.53	
150-2171-441.35-10	06/30/2010	MISC SERVICES	0982/1102/1244	276242	12/2010	240.00	
150-2225-422.35-10	06/30/2010	MISC SERVICES	0982/1102/1244	276242	12/2010	17.50	
150-2229-422.35-10	06/30/2010	MISC SERVICES	0982/1102/1244	276242	12/2010	498.71	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #					CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN	AMOUNT	
541-3121-435.35-10	06/30/2010	MISC SERVICES	0982/1102/1244	276242	12/2010		248.75	
571-7142-713.35-10	06/30/2010	MISC SERVICES	0982/1102/1244	276242	12/2010		180.00	
601-1553-481.35-10	06/30/2010	MISC SERVICES	0982/1102/1244	276242	12/2010		70.00	
627-1752-417.51-60	06/30/2010	MISC SERVICES	0982/1102/1244	276242	12/2010		733.50	
07/13/2010	734353	SUNDOWN SECURITY	3643				2,743.50	
561-7110-711.35-81	06/29/2010	INVOICE #35725	35725	F11192	12/2010		1,379.50	
561-7118-711.23-13	06/30/2010	INVOICE #35736	35736	F11252	12/2010		1,364.00	
561-7118-711.23-13	06/30/2010	INVOICE 35736-CORRECTION	35736-1	F11258	12/2010		1,364.00-	
561-7110-711.35-81	06/30/2010	INVOICE #35736	35736-2	F11261	12/2010		1,364.00	
07/13/2010	734362	TETRA TECH, INC.	19346				2,500.00	
541-3123-435.35-90	06/29/2010	LF TRAINING HHW	50363195	275949	12/2010		2,500.00	
07/13/2010	734363	THE LAND GROUP INC	20884				3,165.00	
10-5112-452.35-90	06/30/2010	PIONEER PARK MASTER PLAN	0127049	276275	12/2010		3,165.00	
07/13/2010	734366	TIRE-RAMA	1864				15,912.76	
541-3123-435.23-90	06/07/2010	TIRE REPAIRS	1050160492	273470	12/2010		115.00	
541-3122-435.23-90	06/07/2010	TIRES AND REPAIRS	1050160493	273470	12/2010		4,131.00	
541-3122-435.23-90	06/07/2010	TIRES AND REPAIRS	1050160567	273470	12/2010		1,734.70	
541-3122-435.23-90	06/16/2010	TIRES AND REPAIRS	1050161233	273470	12/2010		2,735.00	
541-3122-435.23-90	06/16/2010	TIRES AND REPAIRS	1050161234	273470	12/2010		707.35	
211-3132-433.23-90	06/17/2010	MP	1050-160841	273470	12/2010		30.00	
211-3134-433.23-90	06/17/2010	MP	1050-161008	273470	12/2010		30.00	
571-7144-713.23-90	06/18/2010	AUTO &TRUCK MAINT.ITEMS	1050160815	273470	12/2010		140.00	
571-7147-713.23-90	06/18/2010	AUTO &TRUCK MAINT.ITEMS	1050160815	273470	12/2010		95.95	
541-3122-435.23-90	06/22/2010	TIRE REPAIR	1050161458	273470	12/2010		15.00	
541-3123-435.23-90	06/24/2010	TIRE REPAIRS AT LF	1050161683	273470	12/2010		316.56	
211-3134-433.23-90	06/29/2010	MP	1050-161132	273470	12/2010		30.00	
211-3134-433.23-90	06/29/2010	MP	1050-161611	273470	12/2010		60.00	
571-7144-713.23-90	06/29/2010	AUTO &TRUCK MAINT.ITEMS	1050161292	273470	12/2010		20.00	
541-3122-435.23-90	06/29/2010	TIRES AND REPAIRS SW	1050162013	273470	12/2010		2,655.30	
541-3123-435.23-90	06/29/2010	LF TIRE REPAIRS	1050162089	273470	12/2010		109.90	
150-2226-422.23-90	06/29/2010	FIRE/4079/FLAT REPAIR	1040081938 BC	275900	12/2010		30.00	
211-3132-433.23-90	06/30/2010	MP	1050-161119	273470	12/2010		150.00	
211-3134-433.23-90	06/30/2010	MP	1050-161637	273470	12/2010		30.00	
150-2112-421.23-20	06/30/2010	MP	10400-82249	273470	12/2010		131.00	
601-0000-141.71-41	06/30/2010	MP	1050-161609		12/2010		2,646.00	
07/13/2010	734367	TITAN MACHINERY INC	20569				2,575.87	
211-3133-433.23-20	06/30/2010	MP	1C04846	276229	12/2010		153.29	
541-3123-435.23-20	06/30/2010	MP	1C04943	276229	12/2010		108.72	
211-3134-433.23-20	06/30/2010	MP	1C04748	276323	12/2010		245.31	
211-3134-433.23-20	06/30/2010	MP	1C04748A	276323	12/2010		24.38	
211-3133-433.23-20	06/30/2010	MP	1C04772	276323	12/2010		181.46	
211-3133-433.23-20	06/30/2010	MP	1C04772	276323	12/2010		34.40	
211-3133-433.23-20	06/30/2010	MP	1C04804	276323	12/2010		910.34	
211-3133-433.23-20	06/30/2010	MP	1C04873	276323	12/2010		69.24	
211-3133-433.23-20	06/30/2010	MP	1C04876	276323	12/2010		848.73	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT	#	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
07/13/2010	734369	TOTAL ASPHALT REPAIR INC	13249				11,612.75
503-7591-609.93-40	06/29/2010	MISC SERVICES	3686	274103	12/2010		400.00
503-7591-609.93-40	06/29/2010	MISC SERVICES	3687	274103	12/2010		400.00
502-7500-609.36-80	06/29/2010	MISC SERVICES	3688	274103	12/2010		400.00
502-7500-609.36-80	06/29/2010	MISC SERVICES	3692	274103	12/2010		823.50
505-7515-609.36-71	06/29/2010	MISC SERVICES	3695	274103	12/2010		400.00
503-7591-609.93-40	06/29/2010	MISC SERVICES	3698	274103	12/2010		1,075.00
502-7314-602.24-50	06/30/2010	MISC SERVICES	3701	276090	12/2010		2,126.34
512-8314-622.24-50	06/30/2010	MISC SERVICES	3701	276090	12/2010		2,126.34
502-7314-602.24-50	06/30/2010	MISC SERVICES	3702	276090	12/2010		1,123.66
512-8314-622.24-50	06/30/2010	MISC SERVICES	3702	276090	12/2010		1,123.66
503-7591-609.93-40	06/30/2010	MISC SERVICES	3699	276192	12/2010		1,614.25
07/13/2010	734372	TOWN & COUNTRY SUPPLY ASSOCIAT	18295				51,231.72
601-0000-141.00-00	06/29/2010	MP	88495		12/2010		6,697.50
601-0000-141.71-41	06/30/2010	MP	74747		12/2010		15,796.20
561-7118-711.23-13	06/30/2010	INVOICE #81643	81643	F11218	12/2010		8,262.90
601-0000-141.71-41	06/30/2010	MP	74752		12/2010		5,242.80
561-7118-711.23-13	06/30/2010	INVOICE #74753	74753	F11235	12/2010		5,466.60
601-0000-141.00-00	06/30/2010	MP	74762		12/2010		22,304.09
601-0000-141.00-00	06/30/2010	MP	87059		12/2010		9,765.72
601-0000-141.00-00	06/30/2010	MP	87059-A		12/2010		9,765.72
601-0000-141.00-00	06/30/2010	MP	74762-B		12/2010		22,304.09-
601-0000-141.00-00	06/30/2010	MP	87059-D		12/2010		9,765.72-
07/13/2010	734373	TRACTOR & EQUIPMENT	3775				3,269.89
601-0000-141.00-00	06/29/2010	MP	BLCS0462544		12/2010		1,331.90
541-3122-435.23-20	06/30/2010	NLP	BLW00117424	276236	12/2010		508.35
541-3122-435.23-20	06/30/2010	MP	BLCSO461738	276327	12/2010		1,358.64
541-3122-435.23-20	06/30/2010	MP	BLCSO461738	276327	12/2010		71.00
07/13/2010	734382	UNDERGROUND SOLUTIONS INC	20344				55,100.00
503-7591-609.93-40	06/30/2010	FUSIBLE PIPE	USGI-00003404	275617	12/2010		55,100.00
07/13/2010	734386	WASTECO SUPPLY	16538				13,208.00
541-3122-435.42-70	06/30/2010	FRONTLOAD DUMPSTERS	841	273928	12/2010		13,208.00
07/13/2010	734388	WENCK ASSOCIATES INC	21167				2,808.60
541-3123-435.35-90	06/30/2010	GREEN GAS	1002102	276253	12/2010		2,808.60
07/13/2010	734395	WINKLER EXCAVATING INC	20641				10,545.25
845-3186-431.93-10	06/30/2010	WO0917 24TH ST W CONCRETE	6	269600	12/2010		10,545.25
07/13/2010	734398	YELLOWSTONE VALLEY ANIMAL SHEL	20525				20,056.05
150-2170-441.39-90	06/29/2010	CONTRACT 5-22-10\6-21-10	09-1126	275980	12/2010		20,056.05
07/13/2010	734403	YELLOWSTONE VALLEY TREE SURGEO	4702				19,075.58
650-1566-487.36-60	06/30/2010	MISC SERVICES	7504	276066	12/2010		2,436.00
561-7113-711.36-50	06/30/2010	INVOICE #53114	53114	F11223	12/2010		3,349.50

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #		TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
775-5183-452.72-49		06/30/2010	SPRAYING FOR MT BEETLE	7567	276119	12/2010	3,858.85
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7566	276120	12/2010	3,349.50
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7568	276120	12/2010	87.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7569	276120	12/2010	348.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7570	276120	12/2010	43.50
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7571	276120	12/2010	1,566.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7572	276120	12/2010	261.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7573	276120	12/2010	478.50
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7574	276120	12/2010	478.50
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7575	276120	12/2010	87.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7576	276120	12/2010	391.50
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7577	276120	12/2010	565.50
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7578	276120	12/2010	174.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7579	276120	12/2010	87.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7580	276120	12/2010	87.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7582	276120	12/2010	130.50
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7583	276120	12/2010	261.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7584	276120	12/2010	87.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7585	276120	12/2010	739.50
10-5112-452.36-50		06/30/2010	MOUNTAIN PINE BEETLE	7586	276120	12/2010	130.50
10-5112-452.36-50		06/30/2010	MOUNTAIN PINE BEETLE	7587	276120	12/2010	87.00
10-5112-452.36-50		06/30/2010	MOUNTAIN PINE BEETLE	7588	276120	12/2010	87.00
775-5183-452.72-49		06/30/2010	SPRAYING FOR MT BEETLE	7567	276119	12/2010	3,858.85
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7566	276120	12/2010	3,349.50
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7568	276120	12/2010	87.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7569	276120	12/2010	348.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7570	276120	12/2010	43.50
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7571	276120	12/2010	1,566.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7572	276120	12/2010	261.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7573	276120	12/2010	478.50
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7574	276120	12/2010	478.50
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7575	276120	12/2010	87.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7576	276120	12/2010	391.50
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7577	276120	12/2010	565.50
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7578	276120	12/2010	174.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7579	276120	12/2010	87.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7580	276120	12/2010	87.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7582	276120	12/2010	130.50
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7583	276120	12/2010	261.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7584	276120	12/2010	87.00
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7585	276120	12/2010	739.50
10-5112-452.36-50		06/30/2010	MOUNTAIN PINE BEETLE	7586	276120	12/2010	130.50
10-5112-452.36-50		06/30/2010	MOUNTAIN PINE BEETLE	7587	276120	12/2010	87.00
10-5112-452.36-50		06/30/2010	MOUNTAIN PINE BEETLE	7588	276120	12/2010	87.00
775-5183-452.72-49		06/30/2010	SPRAYING FOR MT BEETLE	7567	276119	12/2010	3,858.85-
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7566	276120	12/2010	3,349.50-
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7568	276120	12/2010	87.00-
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7569	276120	12/2010	348.00-
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7570	276120	12/2010	43.50-
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7571	276120	12/2010	1,566.00-

PREPARED 07/13/2010, 15:10:59

PROGRAM: GM350L

CITY OF BILLINGS

A/P CHECKS BY PERIOD AND YEAR

MINIMUM AMOUNT: 2,500.00

FROM 07/13/2010 TO 07/13/2010

PAGE 19

BANK CODE

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CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #					CHECK AMOUNT
ACCOUNT	#	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7572	276120	12/2010	261.00-	
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7573	276120	12/2010	478.50-	
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7574	276120	12/2010	478.50-	
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7575	276120	12/2010	87.00-	
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7576	276120	12/2010	391.50-	
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7577	276120	12/2010	565.50-	
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7578	276120	12/2010	174.00-	
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7579	276120	12/2010	87.00-	
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7580	276120	12/2010	87.00-	
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7582	276120	12/2010	130.50-	
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7583	276120	12/2010	261.00-	
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7584	276120	12/2010	87.00-	
10-5112-452.36-50		06/30/2010	SPRAYED TREES	7585	276120	12/2010	739.50-	
10-5112-452.36-50		06/30/2010	MOUNTAIN PINE BEETLE	7586	276120	12/2010	130.50-	
10-5112-452.36-50		06/30/2010	MOUNTAIN PINE BEETLE	7587	276120	12/2010	87.00-	
10-5112-452.36-50		06/30/2010	MOUNTAIN PINE BEETLE	7588	276120	12/2010	87.00-	
10-5112-452.36-50		06/30/2010	GROSS TAX	YELLOWSTONE TAX	276257	12/2010	95.27-	
07/13/2010	734408	3M PAI5548	17174				9,174.96	
260-5516-455.94-80		06/30/2010	MISC SERVICES	INV 0F43087	259428	12/2010	9,174.96	

DATE RANGE TOTAL *

1,656,719.60 *

Regular City Council Meeting

Date: 08/09/2010

TITLE: Payment of Claims July 19, 2010.

PRESENTED BY: Pat M. Weber, Financial Services Manager

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$820,085.87 have been audited and are presented for your approval for payment. A complete listing of the claims dated July 19, 2010, 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

Attachments

List of claims greater than \$2500.

PROGRAM: GM350L

MINIMUM AMOUNT: 2,500.00

CITY OF BILLINGS

FROM 07/19/2010 TO 07/19/2010

BANK CODE

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CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
07/19/2010	734413	APPASSURE SOFTWARE INC.	21224				4,850.00
620-1911-482.53-70	07/14/2010	MISC SERVICES	3696	275851	01/2011		4,850.00
620-1911-482.53-70	06/30/2010	MISC SERVICES	3696	275851	13/2010		4,850.00
620-1911-482.53-70	06/30/2010	MISC SERVICES	3696	275851	01/2011		4,850.00-
07/19/2010	734414	AUTOMATIC DOORS OF MONTANA INC	11827				3,200.00
521-1591-493.24-50	07/15/2010	P1 WINDOW REPAIR	1122	276406	01/2011		3,200.00
07/19/2010	734418	BRADFORD ROOFING & INSULATION	533				3,260.00
521-1593-493.24-50	07/15/2010	SKY BRIDGE	2010153	276409	01/2011		3,260.00
521-1593-493.24-50	06/30/2010	SKY BRIDGE	2010153	276409	13/2010		3,260.00
521-1593-493.24-50	06/30/2010	SKY BRIDGE	2010153	276409	01/2011		3,260.00-
07/19/2010	734424	CIVICPLUS	19594				3,090.00
620-1911-482.35-52	07/15/2010	MISC SERVICES	81321	276392	01/2011		3,090.00
07/19/2010	734425	CONCRETE MATERIALS OF MONTANA	15840				3,850.00
541-3123-435.22-90	07/14/2010	BLOCKS FOR LF	42887	276347	01/2011		3,850.00
07/19/2010	734439	GREGORY C MACDONALD	9991379				21,472.92
826-1572-479.78-20	07/09/2010	SID 1379 REFUND D00573A	D00573A		01/2011		21,472.92
07/19/2010	734440	HARDRIVES ASPHALT CO	4239				4,593.75
541-3123-435.24-50	07/14/2010	REPAIR CRACKS ROAD LF	2781	276348	01/2011		4,593.75
07/19/2010	734442	HOINESS LABAR INSURANCE	8044				69,581.00
561-7110-711.51-10	07/14/2010	INVOICE #331573	071410	F11271	01/2011		11,091.00
561-7110-711.51-10	07/14/2010	INVOICE #332343	071410	F11271	01/2011		15,860.00
561-7110-711.51-10	07/14/2010	INVOICE #332165	071410	F11271	01/2011		42,630.00
07/19/2010	734443	IAFF	20196				8,299.80
900-0000-209.99-20	07/02/2010	PAYROLL SUMMARY	20100702		01/2011		4,149.90
900-0000-209.99-20	07/16/2010	PAYROLL SUMMARY	20100716		01/2011		4,149.90
07/19/2010	734448	JTL GROUP INC DBA KNIFE RIVER	2417				281,760.58
407-7128-711.93-97	06/16/2010	MISC SERVICES	274390-2	274390	12/2010		281,760.58
07/19/2010	734450	KEYSTONE CONSTRUCTION/SHOWPLAC	16489				56,175.03
562-7120-711.93-10	06/30/2010	MISC SERVICES	273593-2	273593	13/2010		56,175.03
07/19/2010	734457	MONTANA COMMERCE LLC	9991379				3,242.90
826-1572-479.78-20	07/09/2010	SID 1379 REFUND C03637	C03637		01/2011		3,242.90
07/19/2010	734460	MONTANA LEAGUE OF CITIES&TOWNS	2514				18,000.00
10-1100-411.33-50	07/14/2010	MISC SERVICES	05272010	276383	01/2011		18,000.00
07/19/2010	734462	MONTANA MUNICIPAL INTERLOCAL	20725				22,627.47
630-1753-485.73-11	07/14/2010	MISC SERVICES	610004	276379	01/2011		22,627.47
07/19/2010	734463	MONTANA STATE FIREMAN'S ASSOC	20195				5,252.42
900-0000-209.99-24	07/02/2010	PAYROLL SUMMARY	20100702		01/2011		2,623.44

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #			CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
900-0000-209.99-24	07/16/2010	PAYROLL SUMMARY	20100716		01/2011	2,628.98
07/19/2010 734465	MPPA	20198				4,978.40
900-0000-209.99-23	07/02/2010	PAYROLL SUMMARY	20100702		01/2011	2,489.20
900-0000-209.99-23	07/16/2010	PAYROLL SUMMARY	20100716		01/2011	2,489.20
07/19/2010 734468	ONE EIGHTY COMMUNICATIONS	15590				4,904.22
561-7110-711.34-50	07/15/2010	ONE EIGHTY JULY 2010	AIRPORT 2948370		01/2011	40.60
606-1931-484.34-50	07/15/2010	ONE EIGHTY JULY 2010	ACCT 00018768		01/2011	542.87
606-1931-484.34-50	07/15/2010	ONE EIGHTY JULY 2010	ACCT 00001906		01/2011	3,104.38
10-5112-452.34-50	07/15/2010	ONE EIGHTY JULY 2010	867-7275		01/2011	46.00
670-3141-489.34-50	07/15/2010	ONE EIGHTY JULY 2010	DEPOT ONE HALF		01/2011	408.21
660-3110-431.34-50	07/15/2010	ONE EIGHTY JULY 2010	DEPOT ONE HALF		01/2011	408.21
260-5518-455.35-90	07/15/2010	ONE EIGHTY JULY 2010	INTERNET LIB		01/2011	259.00
620-1911-482.34-52	07/15/2010	ONE EIGHTY JULY 2010	IT INTERNET		01/2011	79.95
150-2225-422.34-50	07/15/2010	ONE EIGHTY JULY 2010	LONG DISTANCE		01/2011	15.00
07/19/2010 734469	PAYNE FINANCIAL GROUP	16511				228,000.00
630-1753-485.51-90	07/14/2010	MISC SERVICES	332172	276378	01/2011	13,313.00
630-1753-485.51-50	07/14/2010	MISC SERVICES	332740	276378	01/2011	3,577.00
630-1753-485.51-10	07/14/2010	MISC SERVICES	333735	276378	01/2011	211,110.00
07/19/2010 734484	TOWN & COUNTRY SUPPLY ASSOCIAT	18295				38,749.56
601-0000-141.00-00	06/30/2010	MP	74762-C		13/2010	22,304.09
601-0000-141.00-00	06/30/2010	MP	74762-D		13/2010	22,304.09
601-0000-141.00-00	07/14/2010	MP	74762-AAA		01/2011	22,304.09
561-7118-711.23-13	07/14/2010	INVOICE #74761	74761/81670	F11269	01/2011	5,457.20
561-7118-711.23-13	07/14/2010	INVOICE #81670	74761/81670	F11269	01/2011	7,988.70
150-2226-422.23-10	07/15/2010	FIRE6:DIESEL/92 GAL 7/7	81939 FIRE6	276337	01/2011	196.96
150-2226-422.23-10	07/15/2010	FIRE1:UNLEADED 250 GAL	81940 FIRE1	276337	01/2011	619.74
150-2226-422.23-10	07/15/2010	FIRE1:DIESEL 100 GALLONS	81941 FIRE1	276337	01/2011	213.55
150-2226-422.23-10	07/15/2010	FIRE3:DIESEL/100 GALLONS'	81942 FIRE3	276337	01/2011	213.55
150-2226-422.23-10	07/15/2010	FIRE5:DIESEL/150 GALLONS	81943 FIRE5	276337	01/2011	320.34
150-2226-422.23-10	07/15/2010	FIRE1:UNLEADED/200 GALLON	81946 FIRE1	276337	01/2011	495.78
150-2226-422.23-10	07/15/2010	FIRE1:DIESEL/150 GALLONS	81947 FIRE1	276337	01/2011	320.34
150-2226-422.23-10	07/15/2010	FIRE3:DIESEL/140 GALLONS	81948 FIRE3	276337	01/2011	298.97
150-2226-422.23-10	07/15/2010	FIRE5:DIESEL/150 GALLONS	81949 FIRE5	276337	01/2011	320.34
07/19/2010 734491	YELLOWSTONE COUNTY HEALTH DEPT	6957				4,050.00
10-1511-322.16-11	06/30/2010	MAY HEALTH INSPECTIONS	MAY 2010		13/2010	2,205.00
10-1511-322.16-11	06/30/2010	JUNE HEALTH INSPECTIONS	JUNE 2010		13/2010	1,845.00

DATE RANGE TOTAL *

789,938.05 *

Regular City Council Meeting

Date: 08/09/2010

TITLE: Awarding the Sale for Refunding Series 2010 General Obligation Bonds

PRESENTED BY: Patrick M Weber

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The City Council has previously authorized the sale of bonds for the refunding of the Series 2000 General Obligation bonds.

The bonds will be sold using a competitive bidding process on August 9, 2010, and staff will make a report and recommendation at the Council meeting.

ALTERNATIVES ANALYZED

The Council may:

- Approve the resolution; or
- Not approve the resolution

FINANCIAL IMPACT

The Refunding Bonds are being issued to reduce future interest costs. The estimated net present value savings is \$131,712.

RECOMMENDATION

Staff recommends that the City Council approve the resolution.

APPROVED BY CITY ADMINISTRATOR

Attachments

Award Sale Refunding Series 2000 GO

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of City of Billings, Montana (the "City"), hereby certify that the attached resolution is a true copy of a Resolution entitled: "RESOLUTION RELATING TO GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010; AWARDING THE SALE THEREOF AND APPROVING THE PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING THE OFFICIAL STATEMENT RELATING THERETO" (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 August 9, 2010, 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 August, 2010.

(SEAL)

City Clerk

RESOLUTION NO. _____

RESOLUTION RELATING TO GENERAL OBLIGATION REFUNDING
BONDS, SERIES 2010; AWARDING THE SALE THEREOF AND
APPROVING THE PRELIMINARY OFFICIAL STATEMENT AND
AUTHORIZING THE OFFICIAL STATEMENT RELATING THERETO

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

1. This Council on July 12, 2010, adopted a resolution providing for the public sale of General Obligation Refunding Bonds, Series 2010 (the "Bonds") to refund the City's outstanding General Obligation Bonds, Series 2000. Notice of the sale has been duly published in accordance with Montana Code Annotated, Sections 7-7-4252 and 17-5-106. Pursuant to the notice of sale, _____ (____) electronic bids transmitted through Parity™ and sealed bids for the purchase of the Series 2010 Bonds were received at or before the time specified for receipt of bids. The bids have been opened or accessed and tabulated and publicly read and considered, and the purchase price, interest rates and true interest cost under the terms of each bid have been determined.

2. The bid of _____, of _____, _____ (the "Purchaser"), attached as Exhibit A, to purchase the Bonds is hereby determined to comply with the notice of sale and to be the most favorable bid received for the purchase of the Bonds. The bid of the Purchaser is hereby accepted and the sale of the Bonds is hereby awarded to the Purchaser. The bid security of the Purchaser shall be retained pending payment for the Bonds and the bid security of all other bidders shall be returned forthwith.

3. The Financial Services Manager of the City is hereby authorized and directed to execute on behalf of the City a contract for the sale of the Bonds with the Purchaser.

4. The Preliminary Official Statement relating to the Bonds, dated _____, 2010, is hereby approved AND CONFIRMED. The officers of the City are hereby authorized and directed to execute such certificates as may be appropriate concerning the accuracy, completeness and sufficiency of the Official Statement and to deliver to the Purchaser within seven business days after the date of adoption of this resolution copies of the Official Statement in accordance with the Notice of Sale, supplemented so as to contain the terms of the Bonds as set forth in this resolution and the reoffering and other information provided by the Purchaser for inclusion in the Official Statement.

5. This Council shall prescribe the form and security for the Bonds in a subsequent resolution.

PASSED by the City Council of the City of Billings, Montana, this 9th day of August, 2010.

Mayor

Attest:

City Clerk

(SEAL)

EXHIBIT A

[Attach Signed Winning Bid for Bonds]

Regular City Council Meeting

Date: 08/09/2010

TITLE: Public Hearing and First Reading of Ordinance to Amend the City Charter and Levy 1 Mill for Planning Services

PRESENTED BY: Candi Beaudry,
Planning & Community Services

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

The City Council and residents of the community continue to demand community planning services to improve quality of life, increase economic prosperity and encourage sustainable growth. Current local funding for community planning is not meeting this demand. For example, the Planning Division does not have the resources to coordinate a community discussion on infill or complete the required legislated changes to the subdivision and zoning regulations. Both projects could have a significant impact on how the community grows.

To consider placing a 1 mill levy for planning services on the November 2, 2010 ballot, the Council must approve an ordinance amending the City Charter to add a planning mill levy and approve a resolution seeking voter approval of the amendment to the Charter. The public hearing and first reading of the ordinance amending the City Charter will occur at this meeting. A resolution to place the charter amendment and planning mill levy on the November 2, 2010, ballot is also considered at this meeting because ballot language for the November 2 election must be submitted to the elections office by August 19.

ALTERNATIVES ANALYZED

- The City Council may pass the ordinance on first reading to amend the City Charter and add a 1 mill levy for planning services and may approve the resolution placing the issue on the November 2 election ballot; or
- The City Council may disapprove the ordinance on first reading to amend the City Charter and add a 1 mill levy for planning services. If the Council chooses not to pass the ordinance on first reading, this item does not move forward to the second reading, does not require the ballot resolution and will not be placed on the November 2, 2010, ballot.

FINANCIAL IMPACT

A 1 mill planning levy will enable the City to provide more community planning services and bring more Federal funds to the community. A 1 mill levy will generate about \$158,912.00 annually for planning services. A 1 mill planning levy in the City of Billings will increase the annual levy for community planning paid by a residential property owner in the City of a \$100,000 home by approximately \$1.24 per year and the owner of a \$200,000 home by approximately \$2.82 per year. This means that the total amount paid by the owner of a \$200,000 home for planning services in the City based on the existing County-wide levy of 1.22 mills and the new City levy of 1 mill would be approximately \$6.26 per year.

BACKGROUND

An increase in local funds for community planning services has been under discussion by the City and County for several years. The community continues to demand community planning services to improve quality of life, increase economic prosperity and encourage sustainable growth. Current local funding for community planning is not meeting this demand, and the Planning Division does not have the resources to move projects forward on a timely schedule or provide the level of customer service the community demands and has become accustomed.

Aside from minor inflationary adjustments and annual fluctuations in fees, local revenue for community planning has not increased since the County-Wide Planning District mill levy was put in place in 1984. Half the Planning Division budget is currently funded through Federal Transportation Planning funds; one-quarter through fees, and one-quarter through a County-wide 1.22 mill levy. Revenue from fee-based services is unpredictable while demand for community planning services is increasing, which has resulted in less community planning and a loss of local funds to match Federal Transportation Planning funds for the City. The only reliable source for matching funds is the planning mill levy, and to move the community forward necessitates an increase in this local funding source. About \$2 million in Federal transportation planning funds could not be accessed in the last four years because of insufficient local matching funds. The Planning Division staff has provided an information sheet attached to this memo to provide additional background and information for the City Council to consider (See Attachment A).

The Board of County Commissioners has authority to place a question on the ballot to increase the County-wide planning mill levy of 1.22 mills. The Commissioners decided not to let the voters consider an increase to that levy at this time. The City Council may initiate a planning mill levy in the City of Billings of 1 mill to provide planning services and have additional local funds available to match federal transportation planning funds. Voters in the City of Billings will have to approve of a new planning mill levy.

To consider placing a 1 mill levy for planning services on the November 2, 2010 ballot, the Council must approve an ordinance amending the City Charter to add a Planning Mill Levy, and approve a resolution to seek voter approval on November 2, 2010, of the amendment to the City Charter and the addition of a 1 Mill Planning Levy in the City. The addition of a 1 mill levy for planning services in the City of Billings means that the total amount paid by the owner of a \$200,000 home for planning services in the City would be approximately \$6.26 per year. The owner of a \$200,000 home in the City currently pays approximately \$3.44 per year for planning services.

The public hearing and first reading of the ordinance amending the City Charter and the action on the resolution to place the amendment and the new mill levy on the ballot will occur at this meeting. The second reading of the ordinance to amend the charter is scheduled for the August 23 City Council meeting. If the Council approves the ordinance on first reading and approves the ballot resolution but does not approve the ordinance on second reading, the ballot resolution can be withdrawn before ballots are printed.

STAKEHOLDERS

Consideration of an increase in the planning mill levy has been under discussion and presented at meetings of the Board of County Commissioners and City Council over the last several months. A special Joint City-County meeting was held on July 8 to discuss the County-wide Planning Mill Levy. All of these meetings have been open to the public. In addition, the process to pass an ordinance and amend the City Charter to have a new planning mill levy requires a public hearing by the City Council. This hearing has been advertised in both the Billings Times and Billings Gazette and anyone is welcome to attend the meeting and make comment. The Planning Division had not received any written comments on this issue at the time this memo was written.

RECOMMENDATION

Staff recommends the City Council conduct a public hearing and approve on first reading the ordinance amending the City Charter to add a 1 mill planing levy. Staff also recommends that the City Council adopt the Resolution that refers the Charter amendment to city voters at the November 2, 2010 General Election.

APPROVED BY CITY ADMINISTRATOR

Attachments

Planning Mill Levy Ordinance

Planning Mill Levy Resolution

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BILLINGS PROVIDING THAT THE BILLINGS CITY CHARTER BE AMENDED TO ADD SECTION 1.07; PROVIDING FOR A PERMANENT 1 MILL LEVY FOR ADDITIONAL CITY-ONLY PLANNING FOR FUTURE GROWTH AND DEVELOPMENT AND TO ACCESS MORE FEDERAL TRANSPORTATION PLANNING FUNDS FOR BILLINGS, AND SUBMITTING THE PROPOSED AMENDMENT TO THE ELECTORS OF THE CITY AS PROVIDED BY LAW.

WHEREAS, the City of Billings continues to experience population growth, increasing demands from the community for growth management and land use planning, and the continued support of efficient use of public resources, protection of public safety, preservation of property values and sound land use planning; and

WHEREAS, the Planning Division is currently funded $\frac{1}{2}$ by Federal Transportation Planning funds, $\frac{1}{4}$ by fees, and $\frac{1}{4}$ by a County-wide 1.22 mill levy. Revenue from fee-based services is unpredictable while demand for community planning services is increasing, which has resulted in less community planning and a loss of local funds to match Federal Transportation Planning funds for the City; and

WHEREAS, the demands for exceptional City land use planning and growth management exceed the current financial resources available for community planning, and without additional funding, a reduction in community planning services will continue. A permanent 1 mill levy providing resources for community planning and increased access to Federal Transportation Planning funds will be of great benefit and will help ensure quality, long-term growth management and land use planning for the City of Billings, Montana, as detailed below.

Purpose:	Fund additional City-only planning for future growth and development and to access more Federal Transportation Planning funds
Amount:	\$158,912.00 approximately
Mills:	1 Mill, not cumulative (meaning only 1 mill will be assessed annually)
Duration:	Permanent
Impact:	Fair Market Value \$100,000.00 Home = approximately \$1.24 Fair Market Value \$200,000.00 Home = approximately \$2.82

WHEREAS, it is currently projected that in 2011 a 1 mill levy will cost taxpayers approximately \$1.24 per year for a house valued at \$100,000 or approximately \$2.82 per year for a house valued at \$200,000. Because the value of a mill changes on an annual basis, it is not possible to provide an exact dollar amount for 1 mill for each year in the future. However, only 1 mill will be assessed annually. The City Council believes

that this minimal cost to the taxpayers will result in exceptional community planning services that are sustainable and will ensure continued public involvement in the growth and development of the City of Billings.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. That Article I of the Billings, Montana City Charter be amended to add Section 1.07 so that such section shall read as follows:

“Section 1.07. Mill Levy to Fund City Planning.

For the purpose of funding additional City-only planning for future growth and development and to access more Federal Transportation Planning funds for Billings, the City Council shall levy 1 mill for the City’s Planning Division. The levy is permanent, not cumulative (meaning only 1 mill will be assessed annually), and will be in addition to other mill levies authorized by Charter or law.”

Section 2. REFERRAL TO ELECTORS. This ordinance shall be referred to the electors of the City of Billings as soon as possible at a regular or primary election by resolution duly and regularly passed by the City Council.

Section 3. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law, but not until approved by the electors as provided by law.

PASSED by the City Council on first reading this _____ day of _____, 2010.

PASSED, ADOPTED and APPROVED on second reading this _____ day of _____, 2010.

CITY OF BILLINGS

By _____
Mayor

ATTEST:

By _____
City Clerk

RESOLUTION NO. _____

A RESOLUTION REFERRING ORDINANCE NO. _____, AN ORDINANCE AMENDING THE BILLINGS CITY CHARTER TO PROVIDE FOR A PERMANENT MILL LEVY TO FUND THE CITY'S PLANNING DIVISION AND INCREASE ACCESS TO FEDERAL TRANSPORTATION PLANNING FUNDS, TO A VOTE OF THE PEOPLE AT AN ELECTION TO BE HELD ON NOVEMBER 2, 2010

WHEREAS, the Billings City Council adopted Ordinance _____ amending the Billings City Charter to provide for a permanent, non-cumulative, 1 mill levy to fund additional City-only planning for future growth and development and to access more Federal Transportation Planning funds for Billings; and,

WHEREAS, by law the ordinance must be submitted to a vote of the people; and,

WHEREAS, a majority of the electors voting on this question must approve the ordinance to amend the Billings City Charter; and,

WHEREAS, the ordinance should be referred to a vote of the people at the general election to be held on November 2, 2010.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. REFERENCE: Ordinance Number _____, being an Ordinance amending the Billings City Charter to provide for a permanent, non-cumulative, 1 mill levy to fund additional City-only planning for future growth and development and to access more Federal Transportation Planning funds for Billings is hereby referred to a vote of the people at the regular election to be held November 2, 2010. A full copy of Ordinance Number _____ is attached hereto, marked Exhibit "A", and by this reference is made a part hereof.

2. FORM OF BALLOT: The form of the ballot shall be as provided by law and similar to the following:

CITY OF BILLINGS PLANNING MILL LEVY

ORDINANCE NO. _____

The Billings City Council passed Ordinance No. _____ to amend the City Charter (see Ordinance No. ____) and levy 1 mill for the City's Planning Division, which would fund additional City-only planning for future growth and development and provide access to more Federal Transportation Planning funds. The 1 mill would be permanent and not cumulative (meaning only 1 mill will be assessed annually) and would generate approximately \$158,912 in 2011. Property taxes on a \$100,000 home would increase by approximately \$1.24 per year and property taxes on a \$200,000 home would increase by approximately \$2.82 per year, depending on the current value of a mill.

- ☐ **FOR** amending the City Charter to add 1 mill for funding additional City-only planning and to access more federal funds
- ☐ **AGAINST** amending the City Charter to add 1 mill for funding additional City-only planning and to access more federal funds

3. CERTIFICATION: The City Clerk shall certify this resolution and Ordinance Number _____ to the Yellowstone County Election Official as provided by law.

4. EFFECTIVE DATE: This resolution shall be effective upon adoption.

APPROVED AND PASSED by the Billings City Council this _____ day of _____, 2010.

THE CITY OF BILLINGS

BY: _____
Mayor

ATTEST:

City Clerk

Regular City Council Meeting

Date: 08/09/2010

TITLE: Public Hearing and Resolution to Exclude Territory - Broadwater Avenue Tract

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

The Planning Division is requesting that the City Council hold a public hearing and approve a Resolution to Exclude Territory to deannex the portion of Broadwater Avenue located between 56th Street West and 58th Street West. The deannexation will result in the vacation and disposition of the road tract and the title will revert to the owners of the adjacent property pursuant to 7-2-4808, MCA. The road tract was previously annexed as part of the Trails West Subdivision annexation. The subdividers agreed to pursue abandonment of the road tract as part of the subdivision process when the road tract was owned by the County. It was discovered after the preliminary plat was approved, that the City annexed this road tract in 2007. In order to achieve the final objective of transferring the tract to the adjoining property owners, it is necessary to deannex the road tract. The road tract is currently used as a private driveway. Once the property is conveyed to the adjoining land owners, a temporary access easement will be recorded to ensure legal access to those lots and land west of 58th Street West until which time the proposed new access (Stockman Trail) is developed in the Trails West Subdivision future filings. Upon dedication and construction of Stockman Trail, the temporary access easement will convert to a permanent easement restricting access to the adjoining lots only.

The road tract is 30 feet wide and 1,304 feet long. It has a gravel surface and does not meet City standards. The requested deannexation is consistent with the City's deannexation policy in that:

1. The property is not currently connected to City water, wastewater or storm drainage facilities, and cannot connect to these facilities without an unreasonable expenditure of personal or public funds, and
2. The property is not adjacent to public rights-of-way (upon vacation and deannexation of this road tract, the property will not be adjacent to any City right-of-way), and
3. The property is not encumbered by any indebtedness of any improvement district of which the territory is a part, and
4. The property is located on the outer perimeter of the City limits and upon exclusion of the property will not result in a parcel wholly surrounded by City limits, and
5. The property is not adjacent to acceptable limits of annexation as defined on the most recent update of the Limits of Annexation Map.

A 20-day public comment period beginning July 15 was legally noticed on July 15 and July 22. No comments have been received as of August 9, 2010.

ALTERNATIVES ANALYZED

Council may:

- Approve the Resolution to Exclude Territory to deannex the above-mentioned road tract; or
- Not approve the Resolution to Exclude Territory.

FINANCIAL IMPACT

There is no financial impact to approving the Resolution to Exclude Territory as the property to be annexed is public right of way.

RECOMMENDATION

Staff recommends that Council approve the Resolution to Exclude the portion of Broadwater Avenue between 56th Street West and 58th Street West from the city limits.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution to Exclude

RESOLUTION 10 - _____

**A RESOLUTION TO EXCLUDE TERRITORY UNDER THE PROVISIONS OF
TITLE 7, CHAPTER 2, PART 48 OF THE MONTANA CODE ANNOTATED**

WHEREAS, the City Council of the City of Billings has determined that a petition to exclude territory now within the City of Billings was signed by the requisite number of qualified electors of the City, and that granting of the petition is in the best interest of the City of Billings and will not materially mar the symmetry of the City; and

WHEREAS, the Billings City Council desires to exclude said territory from the City of Billings pursuant to Title 7, Chapter 2, Part 48 of the Montana Code Annotated; and

WHEREAS, the boundaries of the territory that the Billings City Council desires to exclude is particularly described as follows:

Broadwater Avenue, annexed under Resolution No. 07-18653, Recorded December 24, 2007, Under Document No. 3449522, Records of Yellowstone County, Montana, basis of bearings Certificate of Survey No. 1322, Recorded June 27, 1973, Under Document No. 937794, Records of Yellowstone County, Montana and as shown on the attached Exhibit A, AN10-01.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. The Billings City Council desires to exclude the above described contiguous territory.
2. Upon filing of the certified copy of this resolution, all streets, avenues, alleys, and public places shall be deemed to be vacated and abandoned and title thereto shall revert to the owners of the adjacent property pursuant to Section 7-2-4808, MCA.
2. All registered voters in the territory to be embraced were immediately notified, in writing.
3. Notice of the City Council's intent to exclude said territory was published as provided in Section 7-1-4127, MCA, with notice that for a period of twenty (20) days after first publication of the notice, the Billings City Clerk accepted written comments approving or disapproving the proposed exclusion of the above described territory from the City of Billings from registered voters residing in the area proposed to be excluded.

- 4 The City Clerk forwarded all written communication received by the Clerk to the City Council for consideration.
5. A public hearing on the question of exclusion of said territory was held on August 9, 2010.

APPROVED AND PASSED by the City Council of the City of Billings this 9th day of August, 2010.

THE CITY OF BILLINGS

BY: _____

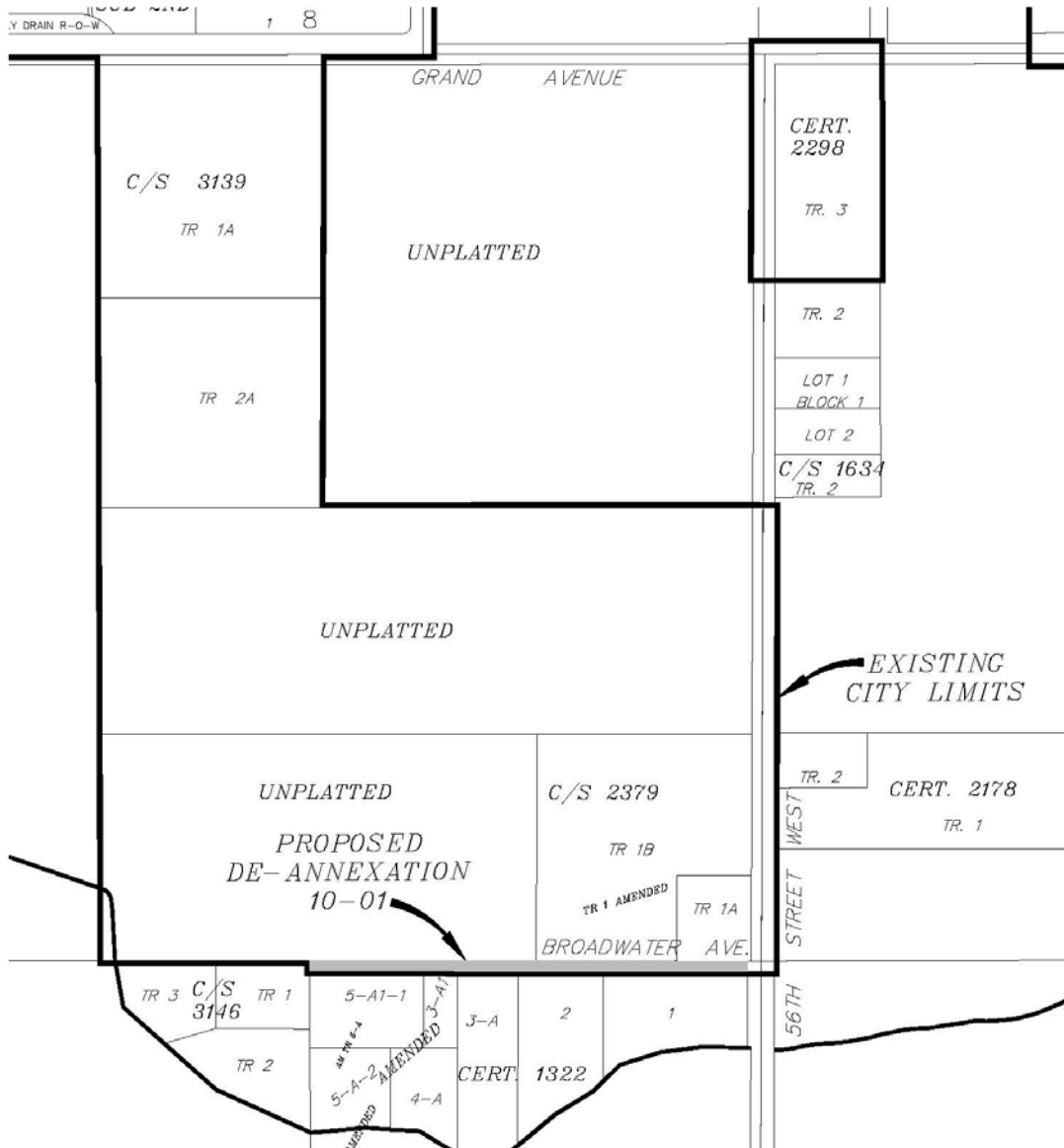
Thomas W. Hanel, MAYOR

ATTEST:

BY: _____

Cari Martin, CITY CLERK

EXHIBIT A



Regular City Council Meeting

Date: 08/09/2010

TITLE: Initiate Medical Marijuana Zoning Code Text Amendment

PRESENTED BY: Bruce McCandless, Asst. City Administrator

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The City Council created the Medical Marijuana Ad-Hoc Advisory Committee on February 8, 2010 and tasked it with developing recommendation on how to deal with medical marijuana businesses in the city. The committee recommended and the City Council adopted an interim zoning ordinance (moratorium) on May 11, 2010. The committee continued its work and at the July 19 work session, presented a draft ordinance that would restrict medical marijuana businesses to certain zones, require special reviews in some cases and require existing businesses to comply within four years. The City Council advised staff that it wants to also consider two other options; 1) an ordinance prohibiting illegal land uses and 2) an ordinance to extend the moratorium past its scheduled termination date of November 11, 2010. The Ad-Hoc Committee considered the same options and recommends that the Council approve the "restrictive" approach to regulating medical marijuana businesses. A public hearing is not required at this time because the Council will be initiating a zoning text amendment for either "restrictive" or "prohibition" or it will direct staff to prepare a moratorium extension. All three of the proposed ordinances require a public hearing prior to adoption, which could occur anytime between this date and November 9, 2010.

ALTERNATIVES ANALYZED

The City Council may:

- Initiate a zoning text amendment and refer to the Zoning Commission a proposal to limit medical marijuana businesses to a few commercial and industrial zones, provide separation from residential zones, schools and public places, require special reviews for some businesses, amortize legal non-conforming uses over four years and limit signage. The Zoning commission would conduct a public hearing on the proposal in September and return a recommendation to the Council for action on September 27, second reading on October 11 and an effective date of November 11. November 11 is the date that the present moratorium expires.
- Initiate a zoning text amendment and refer to the Zoning Commission a proposal to prohibit land uses that violate federal, state or local laws. The Zoning Commission and City Council would follow the same procedure and time line as previously described.
- Direct staff to prepare an interim zoning ordinance that extends the present moratorium for one year beyond the present expiration date of November 11, 2010. That ordinance requires a single reading and is immediately effective, so the Council could consider that ordinance at any regular meeting up to and including November 9, 2010.
- Do nothing and the moratorium expires on November 11th. If the Council does not extend the termination date or does not replace it with a permanent zoning text amendment, the situation returns to the same one that existed prior to the Council adopting the moratorium. That condition permits businesses in almost all commercial and industrial zones and in residential zones as long as the business is conducted under the home occupation rules.

FINANCIAL IMPACT

The financial impact of adopting any of the alternatives is unknown.

BACKGROUND

The Medical Marijuana Act was a citizen initiative that Montana voters approved in 2004. The number of registered patients and caregivers was low until late 2009 when the U.S. Justice Dept. issued a directive to US Marshalls and US Attorneys that marijuana possession and use should not be prosecuted in states that permit the use of medical marijuana and as long as individuals comply with those laws. Soon thereafter, Councilmembers began receiving constituent contacts, expressing concerns about medical marijuana businesses being established across the city. The Act does not specify if or how cities may regulate these businesses but the most common approach taken by other Montana cities is to establish zoning rules that limit the impacts these businesses may have on their surroundings. In February 2010, the Council created the Medical Marijuana Ad-Hoc Committee to develop proposals for how the City should zone for these businesses.

By May, the City had issued approximately 80 business licenses for medical marijuana businesses and at least one opened near a public school. That prompted the City Council to ask the committee to consider and propose an interim zoning ordinance that would stop further business development while the City works on more permanent rules. The Council adopted the moratorium on May 11. The committee met five additional times and developed a zoning text amendment that it recommended to the Council at its work session on July 19th.

The recommended ordinance separates medical marijuana businesses into three categories; growing, manufacturing and retailing and treats each one slightly different from the others. Grow operations could be located in either industrial zones but not in or within 300 feet of a residential zone. Manufacturing could occur in the two industrial zones and in the highway commercial zone but not in or within 1000 feet of a residential zone. Retail operations could be permitted in community commercial, central business district, highway commercial and controlled industrial zones by Special Review but not in or within 300 feet of residential zones. Special reviews allow the Council to place conditions of approval on the property that will help to mitigate adverse impacts on surrounding properties. All medical marijuana businesses would have to be at least 1000 feet away from schools, churches, playgrounds and parks, cemeteries, libraries or licensed group care homes. Businesses that are operating legally under the moratorium and which violate any of the new provisions are considered legal but non-conforming and would have four years to relocate to a permitted zone. Signs would be permitted but could not display words, symbols or other indicators of any Schedule 1 controlled substance.

The prohibition ordinance is modeled after ones that have been adopted by Great Falls, Kalispell, Belgrad and perhaps other Montana cities. It is a zoning text amendment that has broad application because it prohibits all land uses that do not comply with federal, state or local laws. Recognizing that medical marijuana business owners who are operating legally under the moratorium have committed time and resources to their businesses, the ordinance allows four years to comply.

Montana Code 76-2-306 allows cities to adopt interim zoning ordinances that prohibit land uses that are the subject of rules that the city is preparing or will consider soon. The maximum term is six (6) months but cities may extend the term for a year and no more than two extensions are permitted. Staff did not prepare an extension ordinance for this meeting and an extension requires 15 days notice of public hearing, so if Council wants to pursue this option, staff will prepare the extension, advertise a public hearing and put the item on a Council agenda no later than November 9, 2010

STAKEHOLDERS

The Council and the committee heard from many interested parties through email, phone calls and meeting attendance. At the meetings, the Council and committee heard public comments for a combined total of at least five hours. The committee representatives include a caregiver, patient, pharmacist, a state legislator, a property owner/manager and a physician. Those writing to the Council and attending the meetings include all of these categories as well as people not affiliated with any particular business or profession.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

RECOMMENDATION

The Medical Marijuana Ad-Hoc Committee and staff recommend that the Council initiate a zoning text amendment and refer the "restrictive" ordinance to the Zoning Commission for review and its recommendation.

APPROVED BY CITY ADMINISTRATOR

Attachments

Zoning code amendment - restrictive

Moratorium 5-11-10

Prohibit illegal land uses 8-9-10

PROPOSED MEDICAL MARIJUANA BUSINESS ZONING REGULATIONS
MEDICAL MARIJUANA AD HOC COMMITTEE
JULY 8, 2010

SEC. 27-201. DEFINITIONS.

MEDICAL CORRIDOR: The area defined by the Billings Medical Corridor Study as the medical development impact area. This area is of special concern to the city as a potential location for medical or medically related uses, as well as, supporting uses and residential development. See BMCC Sections 27-901, et seq.

MEDICAL MARIJUANA: means all plant material from the genus cannabis containing tetrahydrocannabinol (THC) or seeds of the genus capable of germination that is grown, sold or administered for medical use. "Medical use" means:

- (a) the acquisition, possession, cultivation, manufacture, delivery, transfer, or transportation of marijuana or paraphernalia by a qualifying patient or a caregiver relating to the consumption of marijuana to alleviate the symptoms or effects of a qualifying patient's debilitating medical condition;
- (b) the use of marijuana or paraphernalia by a qualifying patient to alleviate the symptoms or effects of the patient's debilitating medical condition; or
- (c) the use of paraphernalia by a caregiver for the cultivation, manufacture, delivery, transfer, or transportation of marijuana for use by a qualifying patient.

MEDICAL MARIJUANA BUSINESS: includes the following definitions:

MEDICAL MARIJUANA GROWING OPERATION is the cultivation of medical marijuana, including harvesting and drying the plant for the purposes of possessing, manufacturing, selling, or consuming in accordance with MCA, 50-46-201, et. seq.

MEDICAL MARIJUANA MANUFACTURING is the process of rendering a cannabis plant into a product that can be consumed for medicinal purposes pursuant to MCA, 50-46-201, et seq.

MEDICAL MARIJUANA RETAIL BUSINESS means a commercial operation that sells medical marijuana products for medical purposes in accordance with MCA, 50-46-201, et seq.

MERCHANDISE: All items of movable personal property offered for sale to the public for which no title is required to be registered with or issued by the state.

SEC. 27-306. District Regulations: COMMERCIAL & INDUSTRIAL USES.

TITLES AND DESCRIPTION OF INDUSTRIES SR - SPECIAL REVIEW A - ALLOWED	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Central Business District	Controlled Industrial	Heavy Industrial	Public	South 27th Street Corridor
DIVISION A - AGRICULTURE, FORESTRY AND FISHING 01 AGRICULTURAL PRODUCTION - CROPS: – Offices only – Production only – Sales – Medical Marijuana Growing Operations*** *** Medical Marijuana Growing Operations are regulated in Section 27-624	A A	A A A	A A A	A A A	A A A	A A A A	A A A A	A	A
TITLES AND DESCRIPTION OF INDUSTRIES SR - SPECIAL REVIEW A - ALLOWED	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Central Business District	Controlled Industrial	Heavy Industrial	Public	South 27th Street Corridor
28 CHEMICALS AND ALLIED PRODUCTS: – Offices only – 2833-Medicinal & Botanical Products – 2834 – Pharmaceutical Preparations – Medical Marijuana Manufacturing *** *** Medical Marijuana Manufacturing is regulated in Section 27-624	A	A	A	A A A A	A	A A A A	A A A A		A

TITLES AND DESCRIPTION OF INDUSTRIES SR - SPECIAL REVIEW A - ALLOWED	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Central Business District	Controlled Industrial	Heavy Industrial	Public	South 27th Street Corridor
59 Miscellaneous Retail (Strictly Carryout), (Except Below): – 598 Fuel dealers – Medical Marijuana Retail Business*** * Fireworks stands shall comply with BMCC Section 27-614. ** Sexually oriented business, as classified and defined in BMCC Section 27-611. *** Medical Marijuana Retail Businesses are regulated in Section 27-624		A *	A A SR	A A SR	A A SR	A A SR	A A		A A

NEW

Section 27-624. Medical Marijuana Businesses. (CITY ONLY)

- (a) Purpose and Intent. It is the purpose of this section to regulate Medical Marijuana Businesses to promote the health, safety, morals, and the general welfare of the citizens of the City of Billings, and to establish reasonable uniform regulations to prevent the deleterious location of Medical Marijuana Businesses within the City jurisdiction. The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the availability of Medical Marijuana. Similarly it is not the intent or effect of these regulations to restrict or deny access by adults to providers of Medical Marijuana as provided in MCA 50-46-101 et seq. as currently existing or subsequently amended.
- (b) Findings and Determinations. The Billings City Council hereby finds and determines that:
 - (1) The growing, manufacturing and sale of Medical Marijuana in locations which are immediately adjacent to and which serve residential neighborhoods has a deleterious effect on both the business and residential uses of the neighborhood, causing or contributing to blight and a downgrading of property values.

- (2) Concern for, and pride in, the orderly planning and development of a neighborhood should be encouraged and fostered in those persons comprising residential and business uses in that neighborhood.
 - (3) Medical Marijuana is regulated and controlled through Montana Code Annotated 50-46-101 et seq. but local regulation of Medical Marijuana business locations is important for the preservation of residential neighborhoods and protection of the quiet enjoyment of public and private locations for civic and social gatherings.
- (c) Definitions. Terms used in this section, that are not specifically defined below, may be found in Section 27-201 BMCC. Where other definitions are necessary and are not defined in this Section or Section 27-201, the dictionary may define such terms.

Church or Other Place of Worship means a building which is used primarily for religious worship and related religious activities, including but not limited to churches, convents, monasteries, shrines, and temples.

City means the City of Billings, Montana.

Establishment means and includes any of the following:

- (1) The opening or commencement of any new Medical Marijuana Business;
 - (2) The conversion of an existing business to any Medical Marijuana Business;
 - (3) The addition of a Medical Marijuana Business to any other existing business; or
 - (4) The relocation of a Medical Marijuana Business to a location within the City of Billings whether in a commercial or industrial zoning district or as a home occupation.
- (d) Location of Medical Marijuana Growing Operation, Manufacturing and Retail Businesses.
- (1) No person, whether as a principal or agent, clerk or employee, either for himself or any other person, or as an officer of any corporation, or otherwise, shall place, maintain, own, or operate a Medical Marijuana Growing Operation in a residential zone or within three hundred (300) feet of the following residential zones:
 - a. Agriculture Open-Space (A-1) Zone;
 - b. Agricultural Suburban (A-S) Zone;
 - c. Residential 15,000 (R-150) Zone;
 - d. Residential 9,600 (R-96) Zone;
 - e. Residential 8,000 (R-80) Zone;
 - f. Residential 7,000 Restricted (R-70R) Zone;

- g. Residential 7,000 (R-70) Zone;
 - h. Residential 6,000 Restricted (R-60R) Zone;
 - i. Residential 6,000 (R-60) Zone;
 - j. Residential 5,000 (R-50) Zone;
 - k. Residential Multi-Family (RMF) Zone;
 - l. Residential Multi-Family - Restricted (RMF-R) Zone;
 - m. Residential Manufactured Home (RMH) Zone; or
 - n. Entryway Mixed Use (EMU) Zone; or
 - o. Any Planned Development Zone that allows residential uses unless such zone is separated from the location of a business providing Medical Marijuana by an Interstate Highway.
- (2) No person, whether as a principal or agent, clerk or employee, either for himself or any other person, or as an officer of any corporation, or otherwise, shall place, maintain, own, or operate a Medical Marijuana Manufacturing Business in a residential zone or within one thousand (1,000) feet of the following residential zones:
- a. Agriculture Open-Space (A-1) Zone;
 - b. Agricultural Suburban (A-S) Zone;
 - c. Residential 15,000 (R-150) Zone;
 - d. Residential 9,600 (R-96) Zone;
 - e. Residential 8,000 (R-80) Zone;
 - f. Residential 7,000 Restricted (R-70R) Zone;
 - g. Residential 7,000 (R-70) Zone;
 - h. Residential 6,000 Restricted (R-60R) Zone;
 - i. Residential 6,000 (R-60) Zone;
 - j. Residential 5,000 (R-50) Zone;
 - k. Residential Multi-Family (RMF) Zone;
 - l. Residential Multi-Family - Restricted (RMF-R) Zone;
 - m. Residential Manufactured Home (RMH) Zone; or
 - n. Entryway Mixed Use (EMU) Zone; or
 - o. Any Planned Development Zone that allows residential uses unless such zone is separated from the location of a business providing Medical Marijuana by an Interstate Highway.

- (3) No person, whether as a principal or agent, clerk or employee, either for himself or any other person, or as an officer of any corporation, or otherwise, shall place, maintain, own, or operate a Medical Marijuana Retail Business in a residential zone or within three hundred (300) feet of the following residential zones:
- a. Agriculture Open-Space (A-1) Zone;
 - b. Agricultural Suburban (A-S) Zone;
 - c. Residential 15,000 (R-150) Zone;
 - d. Residential 9,600 (R-96) Zone;
 - e. Residential 8,000 (R-80) Zone;
 - f. Residential 7,000 Restricted (R-70R) Zone;
 - g. Residential 7,000 (R-70) Zone;
 - h. Residential 6,000 Restricted (R-60R) Zone;
 - i. Residential 6,000 (R-60) Zone;
 - j. Residential 5,000 (R-50) Zone;
 - k. Residential Multi-Family (RMF) Zone;
 - l. Residential Multi-Family - Restricted (RMF-R) Zone;
 - m. Residential Manufactured Home (RMH) Zone; or
 - n. Entryway Mixed Use (EMU) Zone; or
 - o. Any Planned Development Zone that allows residential uses unless such zone is separated from the location of a business providing Medical Marijuana by an Interstate Highway.
- (4) No person, whether as a principal or agent, clerk or employee, either for himself or any other person, or as an officer of any corporation, or otherwise, shall place, maintain, own, or operate a Medical Marijuana Growing, Manufacturing or Retail Business within one thousand (1,000) feet of the following land uses:
- a. Public library;
 - b. Public playground or park (for purposes of this section, publicly owned multiuse trails shall be deemed to be a park);
 - c. Public or private school and its grounds, from pre-school through twelfth grade;
 - d. A state licensed community residential facility, family day care home, group day care home, or day care center;
 - e. Church or other place of worship; or
 - f. A cemetery.

- (5) For purposes of this section, specified distances will be measured in a straight line, without regard to intervening structures, from the property line of Medical Marijuana Business to the property line of the preceding land uses or zoning districts.
- (6) Medical Marijuana Growing Operation are permitted in the following zones only:
 - a. Controlled Industrial (CI) Zone;
 - b. Heavy Industrial (HI) Zone.
- (7) Medical Marijuana Manufacturing Businesses are permitted in the following zones only:
 - a. Highway Commercial (HC) Zone;
 - b. Controlled Industrial (CI) Zone;
 - c. Heavy Industrial (HI) Zone.
- (8) Medical Marijuana Retail Businesses are permitted in the following zones by Special Review only. No waiver from the use separations shall be granted for Medical Marijuana Retail Businesses subject to Special Review:
 - a. Community Commercial (CC)
 - b. Central Business District (CBD)
 - c. Highway Commercial (HC) Zone;
 - d. Controlled Industrial (CI) Zone;
- (9) No person, whether as a principal or agent, clerk or employee, either for himself or any other person, or as an officer of any corporation, or otherwise, shall place, maintain, own, or operate Medical Marijuana Business in violation of MCA 50-46-101 et seq. as currently existing or subsequently amended. Businesses or persons found in violation of MCA 50-46-101 et seq. as currently existing or subsequently amended, shall be deemed also in violation of this chapter.

Sec. 27-405. Nonconforming Uses of Structures.

(h) Any Medical Marijuana Business, located within the limits of the City of Billings, existing upon passage of this chapter which does not comply with the requirements established herein shall be deemed a legal nonconforming use. All existing legal nonconforming Medical Marijuana Businesses, as of the effective date of this chapter, or any amendment hereto, shall comply with the provisions of this chapter within four (4) years from the date of the enactment of this section or any amendment hereto. (Refer also to BMCC Section 27-624.)

Sec. 27-708. Prohibited signs and sign structures.

- (5) *Unclassified signs:* The following signs are also prohibited, which:
- a. Bear or contain statements, words, or pictures of an obscene, pornographic, immoral character, or which contain advertising matter which is untruthful;
 - b. Contain statements, words, pictures or symbols that depict a Schedule I controlled substance as listed by the Federal Controlled Substances Act;
 - c. Are painted on or attached to any fence or any wall which is not structurally a part of a building, except to identify a residence or residence structure by means of posting the name of the occupant or structure, and the street address;
 - d. Operate or employ visible moving parts or any portion of which moves, or give the illusion of motion except as permitted in this article;
 - e. Emit audible sound, odor or visible matter; or
 - f. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination, may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign or signal or device.

ORDINANCE NO. 10 ____

AN INTERIM ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, IMPOSING A MORATORIUM ON THE OPENING OF NEW ESTABLISHMENTS THAT GROW, SELL OR DISTRIBUTE MEDICAL MARIJUANA, AND DIRECTING THE STUDY OF NEW PROPOSED ORDINANCES TO REGULATE SUCH ESTABLISHMENTS.

RECITALS

WHEREAS, on November 2, 2004, through Initiative 148 that placed the issue on the state-wide ballot, Montana voters adopted the Medical Marijuana Act, (the Act) which is codified at §50-46-101, MCA, et seq; and at that time and in subsequent legislative sessions the legislature failed to include language or authorize State agencies to promulgate administrative rules concerning a multitude of logistical issues about the Act; and

WHEREAS, the concerns of local governments about the Act's application in their communities and the parameters under which a local government has authority to regulate its effects remain unresolved; and

WHEREAS, the Act permits the cultivation, manufacture, delivery, transfer, and transportation of marijuana or paraphernalia by a qualifying patient or a caregiver, as those terms are defined in the Act; and

WHEREAS, establishments that grow, sell or distribute medical marijuana or paraphernalia are currently permitted within certain zoning districts established by the City of Billings; and

WHEREAS, establishments that grow, sell or distribute medical marijuana or paraphernalia could have a blighting or detrimental effect on neighborhoods or on nearby schools or recreational facilities, and can through such blighting create a public nuisance; and

WHEREAS, §76-2-306, MCA, permits a city to adopt an interim zoning ordinance for the preservation of the public peace, property, health, or safety, which may take effect immediately upon passage at one reading; and

WHEREAS, this statute allows the City to adopt an interim zoning ordinance to protect public safety, health, and welfare without following the procedures otherwise required preliminary to the adoption of zoning ordinances, and such interim zoning ordinances may prohibit uses that may be in conflict with a contemplated zoning proposal, which the legislative body is considering or intends to study within a reasonable amount of time; and

WHEREAS, the City Council of the City of Billings has determined that the operation of establishments that grow, sell or distribute medical marijuana or paraphernalia within the City limits of Billings, could be immediately detrimental to, harmful to, and a threat to the peace, property, health, safety, and welfare of the City and its inhabitants, until such time as the City has had an opportunity to further study such issue and an opportunity to adopt appropriate ordinances, zoning or otherwise, to appropriately deal with any such establishments; and

WHEREAS, after first having provided lawful public notice, as required by Section §76-2-306 (2), MCA the City Council conducted a public hearing on May 10, 2010, with respect to this proposed Ordinance, and invited public comment;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Billings, Montana, as follows:

Section 1: All of the recitals set forth above are hereby adopted as Findings of Fact.

Section 2: The terms “marijuana,” “paraphernalia,” “qualifying patient,” and “caregiver” have the meaning attributed to those terms by the Medical Marijuana Act, MCA section 50-46-102.

Section 3: The City Council of the City of Billings hereby directs City Administration, the City-County Planning Division, the Billings Police Department and the City Legal Department to investigate and study the effect of the opening of establishments that grow, sell or distribute medical marijuana or paraphernalia and to make recommendations concerning new zoning ordinances that could be adopted to better regulate and/or deal with such establishments, to limit, prohibit, or abate any negative effect implicating the health, safety and/or welfare of the citizenry of the City of Billings, Montana, or blight, upon the City (and its entire zoning jurisdiction and its inhabitants), or the schools, recreational facilities, or neighborhoods located therein.

Section 4: The City Council of the City of Billings directs the City Administration, the City-County Planning Division, the Billings Police Department and the City Legal Department to present the findings of its investigation and its recommendations to the City Zoning Commission, who in turn will provide its recommendations to the City Council, so that the Council may consider the issue within approximately six (6) months of the date of the enactment of this Ordinance.

Section 5: Until such new ordinances, zoning or otherwise, are adopted and in order to deal with the issues described above, any new establishments attempting to grow, sell or distribute medical marijuana or paraphernalia are hereby prohibited from being opened within the City of Billings. The prohibition in the preceding sentence shall not apply to a qualifying patient who possesses not more than six (6) marijuana plants and one (1) ounce of usable marijuana solely for that patient’s own use, nor shall it apply to a caregiver, already licensed by the City of Billings and in operation at their designated commercial business location on the date of this Ordinance, who possesses not more than six (6) marijuana plants and one (1) ounce of usable marijuana solely for each of his or her qualifying patient’s use.

Section 6: Any individual, entity, or establishment that violates the terms of the restrictions set forth above shall be deemed to be creating a public nuisance, and shall be subject to criminal penalties as provided in B.M.C.C. Sec. 1-110, and shall further be subject to such civil action to restrain or abate as provided in B.M.C.C. Sec. 18-301 et. seq., as the City deems appropriate. Such ability of the City to prosecute and/or enjoin or abate is in addition to any other remedies available to the City, at law or in equity.

Section 7: This Ordinance is expressly made immediately effective, and shall apply to all pending applications of building permits, zoning variances, special review permits, zoning changes and all other applications for building and land use permits, developmental activity, land use activity, land use changes, and any other applications for approval of any type or nature, which have been received

by the City of Billings and not yet granted as of the effective date of this Ordinance. Existing medical marijuana providers already licensed by the City of Billings and in operation at their designated commercial business location on the date of this Ordinance will be permitted to continue operations at that location during the period of this interim Ordinance.

Section 8: In the event any word, phrase, clause, sentence, paragraph, section or other part of the Ordinance set forth herein is held invalid by a court of competent jurisdiction, such judgment shall affect only that part held invalid, and the remaining provisions thereof shall continue in full force and effect.

Section 9: This Ordinance shall take effect immediately upon its adoption by the City Council of the City of Billings, Montana, and signing of the Mayor thereof. No second reading shall be required.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BILLINGS,
MONTANA, THIS 10TH DAY OF MAY, 2010.**

Thomas W. Hanel, Mayor

Attest:

Cari Martin
City Clerk

ORDINANCE NO. 10 ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, AMENDING CHAPTER 27, ARTICLE 27-100 OF THE BILLINGS MUNICIPAL CODE, AND ADDING A NEW SECTION NUMBERED 27-104 TO PROHIBIT ALL LAND USES THAT ARE IN VIOLATION OF LOCAL, STATE, OR FEDERAL LAW.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Billings, Montana:

Section 1. That the Billings, Montana City Code be amended by amending the title to Chapter 27, Article 27-100, and adding a new section numbered 27-104, as follows:

ARTICLE 27-100. TITLE, PURPOSE, AND SCOPE, AND PROHIBITED LAND USES.

Section 27-104. LAND USES IN VIOLATION OF LOCAL, STATE, OR FEDERAL LAW PROHIBITED.

(a) No use of land shall be permitted or conditionally permitted within the City of Billings that is in violation of local, state, or federal law.

(b) Any use of land, located within the limits of the City of Billings, existing upon passage of this section which does not comply with the requirements established herein shall be deemed a legal nonconforming use. All existing legal nonconforming land uses, as of the effective date of this section, or any amendment hereto, shall comply with the provisions of this chapter within four (4) years from the date of the enactment of this section or any amendment thereto.

(c) Legal nonconforming uses of land under this section shall be permitted to continue under the terms of this section as enacted or amended for a period of four (4) years, so long as the use remains otherwise lawful, subject to the following provisions:

(1) Such legal nonconforming land use shall not be permitted to relocate or move to anywhere else in the City of Billings.

(2) Such legal nonconforming land use shall not be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption of this section.

(3) Such legal nonconforming land use shall not be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption of this section.

(4) If any such legal nonconforming land use ceases for any reason for a period of one (1) year or more, any subsequent use of such land shall conform to the terms of this section.

Section 3. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 4. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 5. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this ____ day of _____, 2010.

PASSED, ADOPTED and APPROVED on second reading this ____ day of _____, 2010.

CITY OF BILLINGS

By _____
Thomas W. Hanel, Mayor

ATTEST:

By _____
Cari Martin, City Clerk