

## CITY OF BILLINGS

### CITY OF BILLINGS VISION STATEMENT:

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

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### AGENDA

**COUNCIL CHAMBERS**

**November 8, 2010**

**6:30 P.M.**

**CALL TO ORDER – Mayor Hanel**

**PLEDGE OF ALLEGIANCE – Mayor Hanel**

**INVOCATION – Councilmember Cimmino**

**ROLL CALL**

**MINUTES: October 25, 2010**

**COURTESIES**

**PROCLAMATIONS**

**ADMINISTRATOR REPORTS - TINA VOLEK**

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, #3, and #4 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. Please sign up on the clipboard located at the podium.)

1. **CONSENT AGENDA** -- Separations:
  - A. **Amendment #1** to the Airport Business Park Building and Ground Lease with the Yellowstone County Museum Foundation, for a net addition of 208.05 square feet to the Lease and a revised total of 1202.50 square feet of leased space in the lower level of IP-9.
  - B. **Amendment #3**, Limited Commercial Aviation Building and Ground Lease with Alpine Aviation, Inc., DBA Alpine Air, to add 1,023 square feet to the leasehold and increase its annual rental by \$1,802.42 for the first year, with annual rental amount adjusted each year according to the Consumer Price Index for All Urban Consumers (CPI-U) for the previous twelve months.

C. **Approval** of Billings Industrial Revitalization District requests for three (3) projects in the East Billings Urban Renewal District for (1) a Zoning Overlay for the EBURD, \$49,000; (2) funds toward preparation of the North Park Children's Center Feasibility Study, \$500; and (3) funds toward public improvements resulting from the Taylor Car Wash development on 6th Avenue North, \$3,972.50.

D. **Byron Nelson Park Master Plan**

1. **Acceptance of Donation** from Yellowstone Country Club Homes Association to fund the Byron Nelson Park Master Plan; \$25,350.
2. **Approval of Contract** with Land Design, Inc. of Billings for creation of a Master Plan for Byron Nelson Park funded by donation of \$25,350 from Yellowstone Country Club Homes Association.

E. **Acceptance of Donation** from CHS, Inc. Laurel Refinery for the Incident Command System Training Center, \$3,000.

F. **Bills and Payroll:**

1. **October 8, 2010**
2. **October 15, 2010**

**REGULAR AGENDA:**

2. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending the boundaries of Ward I to exclude Tract 2A, C/S 2544, in the Briarwood PUD, (Annexation #10-03). Staff recommends approval. (Action: approval or disapproval of staff recommendation).

3. **AMENDMENT #1 OF THE 2010-2014 TRANSPORTATION IMPROVEMENT PROGRAM** for modification of federal funding for the Bench Boulevard North project. Staff recommends forwarding a recommendation of approval to the Policy Coordinating Committee. (Action: approval or disapproval of staff recommendation).

4. **APPROVAL OF RECOMMENDATIONS OF STAFF AND THE PARMLY BILLINGS LIBRARY BOARD FOR THE DOWNTOWN LIBRARY FACILITY:** (1) Preferred site being the entire block between 28th and 29th Streets and between the old 5th Avenue North and 6th Avenue North; with an alternative, but less desirable site, being the property the library currently utilizes, plus the two lots immediately north of the library building owned by Stockman Bank; (2) Acceptance of the \$2,000,000 donation to the Billings Library Foundation for its capital campaign, including donor's two stipulations that a new library building is built and the building be of architectural significance; and (3) Direction to staff to work with the owners of the properties adjacent to the library building to assemble the land necessary for the preferred site. (Action: approval or disapproval of Staff and Parmly Billings Library Board recommendations.)

**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:** 11/08/2010

**TITLE:** Amendment One to Airport Business Park Building and Ground Lease with Yellowstone County Museum Foundation

**PRESENTED BY:** Tom Binford

**Department:** Airport

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**Information**

**PROBLEM/ISSUE STATEMENT**

On June 28, 2010, the City Council approved a new Airport Business Park Building and Ground Lease with the Yellowstone County Museum Foundation (the Foundation) for 994.40 square feet of storage space in the basement of the building known as IP-9, which is located in the Airport Business Park. The Foundation needs additional storage space and wishes to lease two additional rooms totaling 438.47 square feet for storage of items currently on display or stored at the Museum. Additionally, the Foundation also desires to return one of the rooms it presently leases, Room 19, consisting of 230.42 square feet. The proposed new arrangement both adds storage space for the Foundation and better consolidates the location of the Museum's storage areas in the lower level of IP-9. In summary, this Amendment adds 438.47 square feet of space, returns 230.42 square feet of existing rented space, for a net addition of 208.05 square feet to the Lease, for a revised total of 1,202.50 square feet of leased space in the lower level of IP-9.

**ALTERNATIVES ANALYZED**

The Council may:

- Approve Amendment One, adding 208.05 net square feet to the Foundation's Lease; or
- Not approve Amendment One, adding 208.05 net square feet to the Foundation's Lease.

**FINANCIAL IMPACT**

The additional space will generate \$768.06 per year initially. Rent will be adjusted annually by the Consumer Price Index for All Urban Consumers (CPI-U) on the anniversary date of the Lease.

**RECOMMENDATION**

Staff recommends that Council approve Amendment One to the Airport Business Park Building and Ground Lease with the Yellowstone County Museum Foundation.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Amendment One

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AMENDMENT ONE  
TO  
BUSINESS PARK BUILDING AND GROUND LEASE  
BY AND BETWEEN  
CITY OF BILLINGS  
AND  
YELLOWSTONE COUNTY MUSEUM FOUNDATION

WITNESSETH

WHEREAS, the City of Billings, Montana and the Yellowstone County Museum Foundation entered into a Business Park Building and Ground Lease (the Lease) on June 28, 2010, for the term commencing July 1, 2010 and terminating on June 30, 2015, and

WHEREAS, said premises consists of 994.40 square feet of storage space in the basement of Building IP-9, and

WHEREAS, both parties desire to amend the Lease by adding space to the leased premises to include two (2) additional storage rooms (Rooms 15 and 22) consisting of 438.47 square feet and removing one (1) storage room (Room 19) consisting of 230.42 square feet.

NOW THEREFORE, this Amendment serves to amend Article I, Paragraph A., Description of Premises, as follows:

ARTICLE I

PREMISES AND PRIVILEGES

A. Description of the Premises. Lessor hereby leases to Lessee and Lessee hereby leases from Lessor that certain parcel of real property, together with appurtenances

(hereinafter designated "premises"), for its use, specifically described as follows:

In Building IP-9, storage space in the basement, consisting of five (5) rooms and totaling 1,202.50 square feet. The location and dimensions of these premises are set forth on Exhibit A attached hereto and by this reference made a part hereof.

With this Amendment, and effective November 1, 2010, Rooms 15 and 22 are included in the leased premises, and Room 19 is removed from the leased premises. Lessee shall remit the rent balance due as a result of adding space to the leased premises.

All other terms and conditions of the original Lease remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hand this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

ATTEST:

CITY OF BILLINGS

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

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

APPROVED AS TO FORM

LESSEE

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

BY \_\_\_\_\_  
YELLOWSTONE COUNTY  
MUSEUM FOUNDATION

**Regular City Council Meeting**

**Date: 11/08/2010**

**TITLE:** Amendment Three to Limited Commercial Aviation Building and Ground Lease with Alpine Aviation, Inc., DBA Alpine Air

**PRESENTED BY:** Tom Binford

**Department:** Airport

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**Information**

**PROBLEM/ISSUE STATEMENT**

On July 23, 2007, Alpine Aviation, Inc., DBA Alpine Air, entered into a five (5) year Limited Commercial Aviation Building and Ground Lease with the City of Billings, for a parcel located at the east end of the Airport in the Airport Business Park, referred to as Hangar IP-5. On September 22, 2008, the Council approved Amendment One to the Lease with Alpine Air to add square footage to its leased premises in order to construct additional office space in the hangar. During the Summer of 2010, Alpine Air completed significant improvements to the interior of the hangar, which included an office remodel, cleaning and painting the hangar floor, and painting all the interior walls. Alpine Air subsequently requested an extension to the Lease in order to have additional time over which to amortize the cost of these improvements. On July 12, 2010, the Council approved Amendment Two to the Lease with Alpine Air to extend the term of the Lease an additional five (5) years to October 31, 2017. Alpine Air now desires to lease additional square footage within the hangar premises in order to expand its equipment storage capacity. Currently, Alpine Air leases 11,450 square feet of hangar and office space in IP-5. Additional space recently became available when another tenant canceled its lease and vacated its space in this hangar. This Amendment adds 1,023 square feet of storage area on the east side of the hangar to the leasehold, providing the additional space desired for the expanded equipment storage.

**ALTERNATIVES ANALYZED**

The City Council may:

- Approve Amendment Three with Alpine Air, providing additional leased space; or
- Not approve Amendment Three with Alpine Air.

**FINANCIAL IMPACT**

The Amendment will add 1,023 square feet to the Alpine Air leasehold and increase its annual rental by \$1,802.42 for the first year. The new total square footage will increase to 12,473 square feet and will generate \$21,976.20 in rental income in the first year. The annual rental amount is adjusted each year according to the Consumer Price Index for All Urban Consumers (CPI-U) for the previous twelve months.

**RECOMMENDATION**

Staff recommends that Council approve Amendment Three to the Limited Commercial Aviation Building and Ground Lease with Alpine Aviation, Inc., DBA Alpine Air.

**APPROVED BY CITY ADMINISTRATOR**

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**Regular City Council Meeting**

**Date: 11/08/2010**

**TITLE:** Billings Industrial Revitalization District Project Funding Request - East Billings Urban Renewal District

**PRESENTED BY:** Candi Beaudry

**Department:** Planning & Community Services

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**Information**

**PROBLEM/ISSUE STATEMENT**

In accordance with the Memorandum of Understanding entered into by the City, Big Sky Economic Development Authority (BSEDA) and the Billings Industrial Revitalization District (BIRD) on August 9, 2010, the BIRD is responsible for accepting and reviewing applications for Tax Increment Finance District (TIFD) funds in the East Billings Urban Renewal District (EBURD). City staff reviews the applications forwarded by the BIRD for statutory compliance and recommendations. After final review of the applications, the BIRD forwards the funding requests to City Council for approval. On October 12, 2010, the BIRD Board approved the following funding requests for Council's consideration: \$49,000 to complete a Zoning Overlay for the EBURD; \$500 towards the preparation of the North Park Children's Center Feasibility Study; and \$3,972.50 towards public improvements resulting from the Taylor Car Wash development on 6th Avenue North. There is currently \$297,041 of TIFD funds available for Fiscal Year 2011. Through prior agreement, \$95,032 is obligated to First Interstate Bank. The remaining FY11 TIFD funds, less the three projects' costs, are projected to be \$148,536.50.

**ALTERNATIVES ANALYZED**

The City Council may:

- Approve the BIRD recommendation of three projects in FY 2011. The BIRD would be able to expend funds for the three projects and their progress will be reported by the BIRD in its quarterly and annual reports to the City. Approval could also take the form of approving only one (1) or two (2) of the proposed projects.
- Disapprove the BIRD requests for three projects in FY 2011. The BIRD would not be able to expend funds for these proposed projects; it would retain the spending authority for other urban renewal projects and would need to request City Council approval when it identifies those other projects.

**FINANCIAL IMPACT**

The East Billings Urban Renewal and Tax Increment District should receive \$194,111 in tax year 2010/FY2011. Combined with the carryover of \$102,930 from the previous year, less funds obligated to First Interstate Bank, \$202,009 is available for project costs. There are sufficient funds available for the three projects with enough remaining balance to finance other urban renewal projects later in the year.

**RECOMMENDATION**

Staff recommends that City Council approve the BIRD requests for three (3) projects in the East Billings Urban Renewal District. The three projects are: \$49,000 to complete a Zoning Overlay for the EBURD; \$500 towards the preparation of the North Park Children's Center Feasibility Study; and \$3,972.50 towards public improvements resulting from the Taylor Car Wash development on 6th Avenue North.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

EBURD FY11 Estimates

BIRD Funding Requests

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ATTACHMENT A  
 East Billings Tax Increment Finance District - FY11 Revenue/Expenditure Estimates

FY 11 Beginning Cash	\$ 102,930.00	
Add:		
Est FY 11 TIF Revenue	<u>\$ 194,111.00</u>	\$ 297,041.00
Less:		
2010 FIB Payment	\$ 7,682.00	
Est 2011 FIB Payment	<u>\$ 87,350.00</u>	<u>\$ 95,032.00</u>
Est Available in District		\$ 202,009.00
Less Proposed Project Costs:		
Zoning Overlay	\$ 49,000.00	
NPCC	\$ 500.00	
Taylor Car Wash	<u>\$ 3,972.50</u>	<u>\$ 53,472.50</u>
Total remaining in district:		\$ 148,536.50



## BILLINGS INDUSTRIAL REVITALIZATION DISTRICT

Candi Beaudry  
City of Billings Building Division  
AICP, Planning Director  
PO Box 1178  
510 N Broadway, 4th Floor  
Billings MT 59103

October 13, 2010

Re: Zoning Overlay for EBURD

After review of the Zoning Overlay proposal, the BIRD Board passed a unanimous resolution for recommendation to the City Council to appropriate TIF funds in the amount of \$49,000 for a Zoning Overlay Plan for the EBURD. The BIRD Board is asking the City Council to request the City/County Planning to prepare an RFP for the Zoning Overlay Plan in consultation with BIRD to be sent to potential contractors.

The BIRD Board, according to our roll, will act as the Selection Committee for the Zoning Overlay contractor in consultation with the advice and council of BSEDA and City/County Planning.

It is the goal of the BIRD to have the Zoning Overlay in place and adopted within twelve (12) months from this date to facilitate the building of the GSA federal office building in the EBURD.

Sincerely,

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Matthew McDonnell

Secretary

Cc: Bird Board



Candi Beaudry  
City of Billings Building Division  
AICP, Planning Director  
PO Box 1178  
510 N Broadway, 4th Floor  
Billings MT 59103

October 13, 2010

Re: North Park Children's Center

After review and approval from the BIRD Board, the Bird Board would like to recommend the funds in the amount of \$2,500 be approved for the Administration costs for the North Park Children's Center. The money will be used as seed money for their Master Plan. Our board gave them \$500.00 from our funds towards the formation of their 501 c 3 corporation. First Interstate bank gave them \$25,000 toward the Master Plan.

Sincerely,

A handwritten signature in cursive script that reads "Matthew McDonnell".

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Matthew McDonnell  
Secretary  
Cc: BIRD Board



Candi Beaudry  
City of Billings Building Division  
AICP, Planning Director  
PO Box 1178  
510 N Broadway, 4th Floor  
Billings MT 59103

October 13, 2010

Re: Request for TIF funds of Taylor's Car Wash

After review and approval from the BIRD Board, we would like to recommend the funds for Taylor's Car Wash – Victory Lane, owner Brian and Shawna Musgrave of 3620 Banff Ave., Billings, MT, (Project Location: 2004 6<sup>th</sup> Ave. North, Billings, MT.)

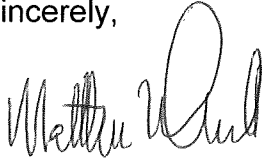
Brian has requested the Project Costs of...

Curb, gutter, sidewalk	\$750
Alley	\$38,975
Site drainage	\$16,454
Utility connection	\$13,300
Lights	\$4,183
Sewer connection	\$3,800
Utility cuts	\$1,800
Security	\$1,200
Design	<u>\$12,000</u>
<b>TOTAL</b>	<b>\$92,462</b>

The City Staff has also reviewed the application and has given a recommendation to the BIRD and has to ensure the compliance with State Law and is also consistent with the East Billings Urban Renewal District, Urban Renewal Plan. The Staff has recommended the cost of curb, gutter, sidewalk and alley be financed by the tax increment funds at a total of \$39,725.

The BIRD Board has made a decision of 10 percent of the recommended funds be approved for the project. \$3,972.50 is the total recommended for approval by the BIRD Board for the City of Billings City Council.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew McDonnell". The signature is written in a cursive style with a large, looping initial "M".

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Matthew McDonnell  
Secretary

**Regular City Council Meeting**

**Date:** 11/08/2010

**TITLE:** Donation from Yellowstone Country Club Homes Association for Byron Nelson Park Master Plan

**PRESENTED BY:** Mike Whitaker

**Department:** Parks/Rec/Public Lands

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**Information**

**PROBLEM/ISSUE STATEMENT**

Yellowstone Country Club Homes Association is interested in developing Byron Nelson Park located at the northwest corner of 54th Street West and Bobby Jones Boulevard. After discussing the options with Parks, Recreation and Public Lands (PRPL), they have committed to funding the master plan portion of this project. PRPL has received the funds from the Yellowstone Country Club Homes Association in the amount of \$25,350.00 and plans to proceed immediately with the master plan study.

**ALTERNATIVES ANALYZED**

The Council may:

1. Accept the donation from the Yellowstone Country Club Homes Association; or
2. Do not accept the donation.

**FINANCIAL IMPACT**

There will be no financial impact to the City. The Yellowstone Country Club Homes Association donation will cover the master plan study costs.

**RECOMMENDATION**

Staff recommends acceptance of this generous donation from the Yellowstone Country Club Homes Association.

**APPROVED BY CITY ADMINISTRATOR**

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**Regular City Council Meeting**

**Date:** 11/08/2010

**TITLE:** Contract with Land Design, Inc. for Creation of Byron Nelson Park Master Plan

**PRESENTED BY:** Mike Whitaker

**Department:** Parks/Rec/Public Lands

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**Information**

**PROBLEM/ISSUE STATEMENT**

In April 2010, the Yellowstone Country Club Estates (YCCE) Homes Association contacted Parks, Recreation and Public Lands (PRPL) to discuss the possibility of developing Byron Nelson Park. Byron Nelson Park is a vacant 4 acre tract located on the northwest corner of 54th Street West and Bobby Jones Boulevard. Since Byron Nelson Park does not have an approved master plan, the Homes Association agreed to provide funding for the plan preparation. A Request for Proposals was issued and Land Design, Inc. of Billings was selected. See the attached Contract For Services. If the contract is approved, work on the master plan will commence immediately. The intent of the Homes Association is to develop the master plan and then solicit support from property owners to approve a Special Improvement District (SID) and a Parks Maintenance District (PMD) to build and maintain the park. YCCE does not have waivers of protest in place, so a majority of the property owners in the benefit district will need to approve the creation of the SID and PMD to fund the construction and maintenance of Byron Nelson Park. The Parks, Recreation and Cemetery Board favors the development of Byron Nelson Park.

**ALTERNATIVES ANALYZED**

The Council may:

1. Approve the contract to develop a master plan for Byron Nelson Park.
2. Do not approve the contract.

**FINANCIAL IMPACT**

There will be no financial impact to the City of Billings. The Yellowstone Country Club Homes Association will fund the cost of the master plan. An SID and PMD will fund the construction and maintenance costs of the park if approved by the property owners of the benefit district and the City Council.

**RECOMMENDATION**

Staff recommends Council approve the contract to create a park master plan for Byron Nelson Park.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Contract

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**Contract for Professional Landscape Architectural Services  
For  
Byron Nelson Park**

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In consideration of the mutual promises herein, City of Billings and **Land Design, Inc.** agree as follows. This Contract consists of:

Part I, consisting of 15 Sections of Special Provisions;

Part II, consisting of 11 Sections of General Provisions;

Appendix A consisting of 3 pages (Basic Services of Contractor);

Appendix B consisting of 4 pages (Methods and Times of Payment);

Appendix C consisting of 1 pages (Additional Services of Contractor);

Appendix D consisting of 1 pages (Schedule of Professional Fees);

Appendix E consisting of 1 pages (Project Schedule);

Appendix F consisting of     pages (Certificate(s) of Insurance); and

**PART I  
SPECIAL PROVISIONS**

**Section 1. Definitions.**

In this Contract:

- A. "Administrator" means the Park Planner of the Parks, Recreation and Public Lands Department or his designee.
- B. "Billings" means the City of Billings.
- C. "Contractor" means **Land Design, Inc.**

**Section 2. Scope of Services.**

- A. The Contractor shall perform professional services in accordance with Appendix A, which is attached hereto and incorporated in this Section by reference.
- B. Billings shall pay the Contractor in accordance with the Schedule of Professional Fees attached as Appendix D and incorporated herein by reference for services actually performed under this Contract.
- C. Upon successful and satisfactory completion and adoption of the Byron Nelson Park Master Plan by City Council, and subject to obtaining additional funding

through the approval and creation of a Special Improvement District (SID) and Park Maintenance District (PMD) by the citizens in the park benefit district, Billings, at its option may enter into a subsequent contract with the Contractor to provide additional landscape architectural services to include but not necessarily limited to park layout and design, creation of construction and bid documents, bid recommendations, construction observation, review and recommend approval of all pay applications submitted by the contractor, conduct periodic site visits and provide project closeout documents.

- D. Billings shall not allow any claim for services other than those described in this Section. However, the Contractor may provide, at its own expense, any other services that are consistent with this Contract.
- E. The Consultant shall provide deliverables as outlined in Appendix A as approved by the City of Billings, to the Administrator within 30 days after the project completion date. Final payment will be withheld until the deliverables are received by the City of Billings.
  - 1. Survey drawings shall be provided on mylar and in digital format in Auto CAD.DWG file format. All files must be readable by the CITY, any files not readable or corrupted shall be resubmitted. Compressed Files are not acceptable. Drawings using separate reference files, X-ref, shall be bound into one file prior to submission.
  - 2. Word processing files in Microsoft Word.doc format. Files must be readable by the City.
- F. The Contractor shall provide certified construction payrolls to the Administrator stating in writing that the payrolls have been reviewed and are acceptable.

### Section 3. Time for Performance.

- A. This Contract becomes effective when signed on behalf of Billings.
- B. The Contractor shall commence performance of the Work described in Section 2 on receipt of written Notice to Proceed and complete that performance in accordance with the schedule set forth in Appendix E.
- C. This Contract shall terminate at midnight on May 31, 2011.

### Section 4. Compensation; Method of Payment.

- A. Each month, or at the conclusion of each phase of the Work for which payment is due, as negotiated on a per-task basis, the Contractor shall present a bill to the Administrator describing the Work for which it seeks payment and documenting expenses and fees to the satisfaction of the Administrator. If any payment is withheld because the Contractor's performance is unsatisfactory, the Administrator must, within ten (10) days of the payment denial, notify the Contractor of the payment denial and set forth, with reasonable specificity, what was unsatisfactory and why. Billings will pay Contractor within 30 days of receiving an acceptable invoice.
- B. As a condition of payment, the Contractor shall have paid all City taxes currently due and owing by the Contractor.

## Section 5. Termination of the Contractor's Services.

The Contractor's services under Section 2 of this Part may be terminated:

- A. By mutual consent of the parties.
- B. For the convenience of Billings, provided that Billings notifies the Contractor in writing of its intent to terminate under this paragraph at least 10 days prior to the effective date of the termination.
- C. For cause, by either party where the other party fails in any material way to perform its obligations under this Contract. Termination under this Subsection is subject to the condition that the terminating party notifies the other party of its intent to terminate, stating with reasonable specificity the grounds therefor, and the other party fails to cure the default within 30 days after receiving the notice.

## Section 6. Duties Upon Termination

- A. If Billings terminates the Contractor's services for convenience, Billings shall pay the Contractor for its actual costs reasonably incurred in performing before termination and Billings shall pay for services rendered prior to termination. Payment under this Subsection shall never exceed the total compensation allowable under Section 4 of this Part. All finished and unfinished documents and materials prepared by the Contractor shall become the property of Billings.
- B. If the Contractor's services are terminated for cause, Billings shall pay the Contractor the reasonable value of the services satisfactorily rendered prior to termination, less any damages suffered by Billings because of the Contractor's failure to perform satisfactorily. The reasonable value of the services rendered shall never exceed ninety percent (90%) of the total compensation allowable under Section 4 of this Part. Any finished or unfinished documents or materials prepared by the Contractor under this Contract shall become the property of Billings at its option.
- C. If the Contractor receives payments exceeding the amount to which it is entitled under Subsections A or B of this Section, he shall remit the excess to the Administrator within 30 days of receiving notice to do so.
- D. The Contractor shall not be entitled to any compensation under this Section until the Contractor has delivered to the Administrator all documents, records, Work product, materials and equipment owned by Billings and requested by the Administrator.
- E. If the Contractor's services are terminated for whatever reason the Contractor shall not claim any compensation under this Contract, other than that allowed under this Section.
- F. If a final audit has not been performed before the Contractor's services are terminated, Billings may recover any payments for costs disallowed as a result of the final audit.
- G. Except as provided in this Section, termination of the Contractor's services under Section 5 of this Part does not affect any other right or obligation of a party under this Contract.

## Section 7. Insurance.

- A. The Contractor shall maintain in good standing the insurance described in Subsection B of this Section. Before rendering any services under this Contract, the Contractor shall furnish the Administrator with proof of insurance in accordance with Subsection B of this Section.
- B. The Contractor shall provide the following insurance:
  - 1. Workers' compensation and employer's liability coverage as required by Montana law.
  - 2. Commercial general liability, including contractual and personal injury coverage's -- \$1,500,000 per occurrence.
  - 3. Commercial automobile liability -- \$1,500,000 per accident.
  - 4. Professional liability in the amount of \$1,500,000 per claim.
- C. Each policy of insurance required by this Section shall provide for no less than 30 days' advance notice to Billings prior to cancellation.
- D. Billings SHALL be listed as an additional insured on all policies except Professional Liability and Worker's Compensation Policies. In addition, all policies except Professional Liability and Worker's Compensation shall contain a waiver of subrogation against Billings.

## Section 8. Assignments.

Unless otherwise allowed by this Contract or in writing by the Administrator, any assignment by the Contractor of its interest in any part of this Contract or any delegation of duties under this Contract shall be void, and an attempt by the Contractor to assign any part of its interest or delegate duties under this Contract shall give Billings the right immediately to terminate this Contract without any liability for Work performed.

## Section 9. Ownership; Publication, Reproduction and Use of Material.

- A. Except as otherwise provided herein, all data, documents and materials produced by the Contractor under this Contract shall be the property of Billings, which shall retain the exclusive right to publish, disclose, distribute and otherwise use, in whole or in part, any such data, documents, or other materials. Exclusive rights shall not be attributed to portions of such materials presently in the public domain or which are not subject to copyright. Contractor shall retain rights to pre-existing proprietary property including but not limited to interactive models. The Contractor shall have the right to include photographic or artistic representations of the design and construction of the Project among the Contractor's promotional and professional materials. The Contractor's materials shall not include Billings' confidential or proprietary information regardless of whether Billings has previously advised the Contractor in writing of the specific information considered by Billings to be confidential and proprietary.
- B. Equipment purchased by the Contractor with Contract funds: See Appendix A, Section 3. Scope of Work.

- C. Should Billings elect to reuse Work products provided under this Contract for other than the original project and/or purpose, Billings will indemnify and hold harmless the Contractor from any and all claims, demands and causes of action of any kind or character arising as a result of reusing the documents developed under this contract. Additionally, any reuse of design drawings or specifications provided under this Contract must be limited to conceptual or preliminary use for adaptation, and the original Contractor's or subcontractor's signature, professional seals and dates removed. Such reuse of drawings and specifications, which require professional seals and dates removed, will be signed, sealed, and dated by the professional who is in direct supervisory control and responsible for adaptation.

Section 10. Notices.

Any notice required pertaining to the subject matter of this Contract shall be either sent via facsimile (FAX) or mailed by prepaid first class registered or certified mail, return receipt requested to the following addresses:

Billings: Mark Jarvis  
City of Billings  
PRPL Department  
390 North 23<sup>rd</sup> Street  
Billings, Montana 59101 FAX: (406) 247-8641

Contractor: Stacey Robinson  
Land Design, Inc.  
3529 Gabel Road  
PO Box 81316  
Billings, Montana 59108 FAX: (406) 655-3560

Notices are effective upon the earlier of receipt, proof of good transmission (facsimiles only), or 5 days after proof of proper posting.

Section 11. Contract Budget.

In connection with its performance under this Contract, the Contractor shall not make expenditures other than as provided in line items in the Contract budget.

Section 12. Force Majeure.

- A. Any failure to perform by either party due to force majeure shall not be deemed a violation or breach hereof.
- B. As used in this Contract, force majeure is an act or event of substantial magnitude, beyond the control of the delayed party, which delays the completion of this Contract, including without limitation:
1. Any interruption, suspension or interference resulting solely from the act of Billings or neglect of Billings not otherwise governed by the terms of this Contract.
  2. Strikes or Work stoppages.

3. Any interruption, suspension or interference with the project caused by acts of God, or acts of a public enemy, wars, blockades, insurrections, riots, arrests or restraints of governments and people, civil disturbances or similar occurrences.
4. Order of court, administrative agencies or governmental officers other than Billings.

#### Section 13. Financial Management System.

The Contractor shall establish and maintain a financial management system that:

- A. Provides accurate, current, and complete disclosure of all financial transactions relating to the Contract;
- B. Maintains separate accounts by source of funds for all revenues and expenditures and identifies the source and application of funds for the Contractor's performance under this Contract, including information pertaining to subcontracts, obligations, unobligated balances, assets, liabilities, outlays and income;
- C. Effectively controls and accounts for all municipal funds and Contract property;
- D. Compares actual expenditures with budgeted amounts and relates financial information to performance or productivity data including unit cost information where applicable;
- E. Allocates administrative costs to direct service delivery units;
- F. Minimizes the time between receipt of funds from Billings and their disbursement by the Contractor;
- G. Provides accounting records supported by source documentation; and
- H. Provides a systematic method assuring the timely and appropriate resolution of audit findings and recommendations.

#### Section 14. Funding Requirements.

In the event that any funding source for this Contract should impose additional requirements upon Billings for the use of those funds, the Contractor agrees to abide by those additional requirements immediately upon receipt of written notice thereof from Billings.

#### Section 15. Subcontracts.

The Contractor may enter into subcontracts for the purchase of goods and services necessary for the performance of this Contract, provided:

- A. Every subcontract shall be reduced to writing and contain a precise description of the services or goods to be provided and the nature of the consideration paid therefor.
- B. Every subcontract under which the Contractor delegates the provision of services shall be subject to review and approval by the Administrator before it is executed by the Contractor.
- C. Every subcontract in an amount exceeding \$1,000 shall require reasonable access to business records of the subcontractor relating to the purchase of goods or services pursuant to the subcontract.

**PART II**  
**GENERAL CONTRACT PROVISIONS**

Section 1. Relationship of Parties.

The Contractor shall perform its obligations hereunder as an independent Contractor of Billings. Billings may administer the Contract and monitor the Contractor's compliance with its obligations hereunder. Billings shall not supervise or direct the Contractor other than as provided in this Section.

Section 2. Nondiscrimination.

- A. The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, national origin, ancestry, age, sex, or marital status or who is a "qualified individual with a disability" (as that phrase is defined in the Americans With Disabilities Act of 1990). The Contractor will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, or mental or physical impairment/disability. Such action shall include, without limitation, employment, upgrading, demotion or transfer, recruitment or recruiting advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training including apprenticeship. The Contractor agrees to post, in conspicuous places available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.
- B. The Contractor shall state, in all solicitations or advertisements for employees to Work on Contract jobs, that all qualified applicants will receive equal consideration for employment without regard to race, color, religion, national origin, ancestry, age, sex or marital status, or mental or physical impairment/disability.
- C. The Contractor shall comply with any and all reporting requirements that may apply to it which the City of Billings may establish by regulation.
- D. The Contractor shall include the provisions of Subsections A through C of this Section in every subcontract or purchase order under this Contract, so as to be binding upon every such subcontractor or vendor of the Contractor under this Contract.
- E. The Contractor shall comply with all applicable federal, state, and city laws concerning the prohibition of discrimination.

Section 3. Permits, Laws, and Taxes.

The Contractor shall acquire and maintain in good standing all permits, licenses and other entitlements necessary to its performance under this Contract. All actions taken by the Contractor under this Contract shall comply with all applicable statutes, ordinances, rules and regulations. The Contractor shall pay all taxes pertaining to its performance under this Contract.

Section 4. Nonwaiver.

The failure of either party at any time to enforce a provision of this Contract shall in no way constitute a waiver of the provision, nor in any way affect the validity of this Contract or any part hereof, or the right of such party thereafter to enforce each and every provision hereof.

Section 5. Amendment.

- A. This Contract shall only be amended, modified or changed by a writing, executed by authorized representatives of the parties, with the same formality as this Contract was executed.
- B. For the purposes of any amendment modification or change to the terms and conditions of this Contract, the only authorized representatives of the parties are:

Contractor: Stacey Robinson  
(Principal/Owner)

Billings: City Council or Authorized Designee

- C. Any attempt to amend, modify, or change this Contract by either an unauthorized representative or unauthorized means shall be void.

Section 6. Jurisdiction; Choice of Law.

Any civil action rising from this Contract shall be brought in the District Court for the Thirteenth Judicial District of the State of Montana, Billings. The law of the State of Montana shall govern the rights and obligations of the parties under this Contract.

Section 7. Severability.

Any provision of this Contract decreed invalid by a court of competent jurisdiction shall not invalidate the remaining provisions of the Contract.

Section 8. Integration.

This instrument and all appendices and amendments hereto embody the entire agreement of the parties. There are no promises, terms, conditions or obligations other than those contained herein; and this Contract shall supersede all previous communications, representations or agreements, either oral or written, between the parties hereto.

Section 9. Liability.

The Contractor shall indemnify, defend, save, and hold Billings harmless from any and all claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses including reasonable attorneys' fees and costs, arising from any wrongful or negligent act, error or omission of the Contractor or any agent, employee

or subcontractor as a result of the Contractor's or any subcontractor's performance pursuant to this Contract.

- A. The Contractor shall not indemnify, defend, save and hold Billings harmless from claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses or attorneys' fees and costs arising from wrongful or negligent acts, error or omission solely of Billings occurring during the course of or as a result of the performance of the Contract.
- B. Where claims, lawsuits or liability, including attorneys' fees and costs arise from wrongful or negligent act of both Billings and the Contractor, the Contractor shall indemnify, defend, save, and hold Billings harmless from only that portion of claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses including attorneys' fees and costs, which result from the Contractor's or any subcontractor's wrongful or negligent acts occurring as a result from the Contractor's performance pursuant to this Contract.

#### Section 10. Inspection and Retention of Records.

The Contractor shall, at any time during normal business hours and as often as Billings may deem necessary, make available to Billings, for examination, all of its records with respect to all matters covered by this Contract for a period ending three years after the date the Contractor is to complete performance in accordance with Section 2 of the Special Provisions. Upon request, and within a reasonable time, the Contractor shall submit such other information and reports relating to its activities under this Contract, to Billings, in such form and at such times as Billings may reasonably require. The Contractor shall permit Billings to audit, examine and make copies of such records, and to make audits of all invoices, materials, payrolls, records of personnel, and other data relating to all matters covered by this Contract. Billings may, at its option, permit the Contractor to submit its records to Billings in lieu of the retention requirements of this Section.

#### Section 11. Availability of Funds.

Payments under this Contract may require funds from future appropriations. If sufficient funds are not appropriated for payments required under this Contract, this Contract shall terminate without penalty to Billings; and Billings shall not be obligated to make payments under this Contract beyond those which have previously been appropriated.

IN WITNESS WHEREOF, the parties have executed this Contract on the date and at the place shown below.

City of Billings

Contractor

\_\_\_\_\_  
City Council or Designee

\_\_\_\_\_

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

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

Title: \_\_\_\_\_

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

ATTEST:

IRS Tax ID # \_\_\_\_\_

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

APPROVED AS TO FORM:

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

By \_\_\_\_\_

BRENT BROOKS, City Attorney

STATE OF MONTANA            )  
  :ss.  
COUNTY OF YELLOWSTONE    )

On this \_\_\_\_ day of \_\_\_\_\_, 2010, before me, the undersigned, a Notary Public for the State of Montana, personally appeared \_\_\_\_\_, known to me to be the \_\_\_\_\_ of \_\_\_\_\_, and acknowledged to me that they executed the foregoing instrument on behalf of said corporation having first been authorized to do so.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

\_\_\_\_\_  
Notary Public for the State of Montana  
Residing at Billings, Montana  
My Commission Expires: \_\_\_\_\_

**Note:            Final contract documents will require the Contractor's signature to be notarized.**

## Appendix A

### Basic Services of Contractor

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#### Section 1. Contractor's Rights and Duties.

- A. To furnish all labor, materials, equipment, supplies, and incidentals necessary to conduct and complete the Contractor's portion of the project as defined in the scope of work and to prepare and deliver to Billings all plans, specifications, bid documents, and other material as designated herein.
- B. Ascertain such information as may have a bearing on the work from local units of government, utility companies, and private organizations and shall be authorized to procure information from other authorities besides Billings, but shall keep Billings advised as to the extent of these contacts and the results thereof.
- C. Prepare and present such information as may be pertinent and necessary in order for Billings to pass critical judgment on the features of the work. The Contractor shall make changes, amendments or revisions in the detail of the work as may be required by Billings. When alternates are being considered, Billings shall have the right of selection.
- D. Contractor's work shall be in accordance with the standards of sound professional practice and present City, State, and National standards and policies currently in use.
- E. Conform to the requirements of the Montana Code Annotated Title 18 "Public Contracts" and more particularly Sections 18-2-121 and 18-2-122, and all other codes of the State of Montana applicable to providing professional services including codes and standards nationally recognized.
- F. The Contractor shall certify with the submission of final plans that the plans are in conformance with applicable sections of Title 69, Chapter 4, Part 5, of the Montana Code Annotated as pertaining to existing utilities.
- G. To perform professional services in connection with the project and will serve as Billings' representative in those phases of the project to which this agreement applies.
- H. Where Federal funds are involved, the necessary provisions to meet all requirements will be complied with and documents secured and placed in the bidding documents.
- I. Submit an estimated progress schedule as to time and costs at the beginning of the work, and monthly progress reports thereafter until complete. The reports will include any problems, potential problems, and delays as foreseen by the Contractor. Reports will be submitted in a timely manner to permit prompt resolution of problems.

- J. Contract administration duties will include review of contractor certified payrolls for wage rate compliance. Discrepancies in certified payrolls will be resolved with the Contractor. A signed Contractor's Payroll Check Sheet (included in the Standard Modifications to MPWSS) will be submitted as proof of this review with one copy of each payroll.
- K. Name a Task Director who shall be the liaison between Billings and the Contractor. For this project the Project Leader designated for the Contractor is **Stacey Robinson** working under the Principal-in-Charge, **Stacey Robinson**.

## Section 2. Billings Rights and Duties.

- A. To furnish all labor, materials, equipment, supplies, and incidentals necessary to conduct and complete Billings' portion of the project as designated in the scope of work.
- B. Name a Project Leader who shall be the liaison between the Contractor and Billings. For this project, the Project Leader designated is **Mark Jarvis**, Park Planner.

## Section 3. Scope of Work.

- A. Byron Nelson Park Base Information, Site Inventory and Project Kick-Off Meeting with City Staff:  
Land Design, Inc. will work with the Billings Department of Parks, Recreation and Public Lands (PRPL), to collect necessary and available base information. Evaluate the existing documentation and determine if additional information such as a new site survey is necessary for the project.
- B. Stakeholder Meeting- Work Session #1:  
Land Design, Inc. will meet with PRPL and Yellowstone Country Club Estates, and other stakeholders as identified, to facilitate a Work Session to identify expectations for the project. Goals and objectives will be identified, prioritized and addressed through this input process.
- C. Concept Master Plan Development & Cost Estimate:  
Land Design, Inc. will develop the Concept Master Plan illustrating existing conditions and proposed improvements to Byron Nelson Park per comments received. An estimate of costs based on the Concept Plan will be developed.
- D. Public Meeting #1- Concept Master Plan & Cost Estimate:  
Land Design, Inc. and PRPL will present the Concept Master Plan and Cost Estimate to the public for review and comment. Comments will be recorded for future reference and refinement of the master plan and cost estimate.
- E. Stakeholder Meeting- Work Session #2:  
Land Design, Inc. will present the Revised Concept Plan and Cost Estimate to PRPL and Yellowstone Country Club Estates for review and comment.

- F. Preliminary Master Plan Development:  
Land Design, Inc. will make revisions as necessary to the Concept Master Plan and Cost Estimate based on staff and neighborhood comments.
- G. Public Meeting #2- Preliminary Master Plan:  
Land Design, Inc. will present the Preliminary Master Plan and Cost Estimate for public review and comment. Comments will be recorded and evaluated. Changes to the Master Plan and Cost Estimate will be made as needed.
- H. Stakeholder Meeting- Work Session #3:  
Land Design, Inc. will present the Revised Concept Plan and Cost Estimate to PRPL for review and comment. Additional stakeholders may be included if necessary.
- I. Final Master Plan Development:  
Land Design, Inc. will make revisions as necessary based on comments received in the Public meeting and during work session #3 as directed by PRPL.
- J. City of Billings Park, Recreation and Cemetery Board Presentation:  
Land Design, Inc. will present the Final Master Plan, Cost Estimate and an Executive Summary of the plan to the Park, Recreation and Cemetery Board for review and recommendation. The plan will be refined as necessary.
- K. City Council Presentation (Work Session)- Final Master Plan:  
Land Design, Inc. will present the Final Master Plan to City Council for review and comment.
- L. Stakeholder Meeting- Work Session #4: If Necessary  
Land Design, Inc. and PRPL will review City Council comments and discuss plan modifications as necessary.
- M. Revised Final Master Plan Development: If Necessary  
Land Design, Inc. will make revisions as directed by PRPL.
- N. Three-dimensional Model/Fly-through: OPTIONAL  
Utilizing the Master Plan, Land Design, Inc. will develop a three-dimensional model in conjunction with Google Earth and Sketchup, depicting in three-dimension the proposed improvements.

## Appendix B

### Methods and Times of Payment

#### Section 4. Payments for Basic Services.

Billings shall authorize payment to the Contractor for services performed under Appendix A of this Agreement. Partial payment shall be due the Contractor upon receipt of the Contractor's pay estimate, said estimate being proportioned to the work completed by the Contractor.

Billings shall deduct ten percent (10%) from each monthly pay estimate to be held until the completion of the final scope of work. The final payment shall be made only after acceptance of final documents by Billings, and determination that the scope of work has been satisfactorily completed.

- A. For services rendered prior to construction, Appendix A, the Contractor shall be paid a total of \$25,350.00 as follows:

#### **PROPOSED FEE SCHEDULE:**

<u>Task</u>	<u>Personne</u> !	<u>Quantity</u>	<u>Units</u>	<u>Rate</u>	<u>Sub-Total</u>
<u>Base Information, Site Inventory &amp; Project Kick-Off Meeting with City</u>					
1 <u>Staff</u>				\$125.0	
Preliminary Program	Stacey	8	Hrs.	0	\$1,000.00
Image boards for Client Input Session	Michael	8	Hrs.	\$95.00	\$760.00
	Kurtis	4	Hrs.	\$90.00	\$360.00
Material Expenses-		1	LS	\$500.0	\$500.00
TOTAL				0	\$2,620.00
2 <u>Stakeholder Meeting- Work Session #1</u>				\$125.0	
Meeting Coordinated with Parks and YCCE	Stacey	4	Hrs.	0	\$500.00
	Michael	4	Hrs.	\$95.00	\$380.00
	Kurtis	6	Hrs.	\$90.00	\$540.00
Material Expenses-		0	LS	\$500.0	\$0.00
				0	
TOTAL					\$1,420.00
3 <u>Concept Master Plan Development and Cost Estimate</u>					
Concept Plan Alternatives	Stacey	4	Hrs.	\$125.0	\$500.00

				0		
Cost Estimates	Michael	16	Hrs.	\$95.00	\$1,520.00	
	Kurtis	30	Hrs.	\$90.00	\$2,700.00	
				\$500.0		
Material Expenses-		1	LS	0	\$500.00	
TOTAL						\$5,220.00
4	<u>Public Meeting #1- Concept Master Plan and Cost Estimate</u>					
				\$125.0		
	Stacey	4	Hrs.	0	\$500.00	
	Michael	6	Hrs.	\$95.00	\$570.00	
	Kurtis	0	Hrs.	\$90.00	\$0.00	
				\$500.0		
Material Expenses-		0	LS	0	\$0.00	
TOTAL						\$1,070.00
5	<u>Stakeholder Meeting- Work Session #2</u>					
	<u>Coordinated with Parks</u>					
				\$125.0		
	Stacey	4	Hrs.	0	\$500.00	
	Michael	6	Hrs.	\$95.00	\$570.00	
	Kurtis	0	Hrs.	\$90.00	\$0.00	
				\$500.0		
Material Expenses-		0	LS	0	\$0.00	
TOTAL						\$1,070.00
6	<u>Preliminary Master Plan Development</u>					
Final Graphics	Stacey	4	Hrs.	0	\$500.00	
Final Cost Estimate	Michael	12	Hrs.	\$95.00	\$1,140.00	
	Kurtis	20	Hrs.	\$90.00	\$1,800.00	
				\$500.0		
Material Expenses-		1	LS	0	\$500.00	
TOTAL						\$3,940.00
7	<u>Public Meeting #2- Preliminary Master Plan</u>					
Presentation	Stacey	4	Hrs.	0	\$500.00	
	Michael	6	Hrs.	\$95.00	\$570.00	
	Kurtis	0	Hrs.	\$90.00	\$0.00	

Material Expenses-		0	LS	\$500.0 0	\$0.00
TOTAL					\$1,070.00
8 <u>Stakeholder Meeting- Work Session #3</u>					
Coordinated with Parks, YCCE and Community	Stacey	4	Hrs.	\$125.0 0	\$500.00
	Michael	6	Hrs.	\$95.00	\$570.00
	Kurtis	0	Hrs.	\$90.00	\$0.00
Material Expenses-		0	LS	\$500.0 0	\$0.00
TOTAL					\$1,070.00
9 <u>Final Master Plan Development</u>					
Plan Revisions	Stacey	4	Hrs.	\$125.0 0	\$500.00
Update Cost Estimates	Michael	16	Hrs.	\$95.00	\$1,520.00
	Kurtis	24	Hrs.	\$90.00	\$2,160.00
Material Expenses-		1	LS	\$500.0 0	\$500.00
TOTAL					\$4,680.00
10 <u>Park Board Presentation- Final Master Plan</u>					
Final Presentation	Stacey	4	Hrs.	\$125.0 0	\$500.00
	Michael	2	Hrs.	\$95.00	\$190.00
	Kurtis	0	Hrs.	\$90.00	\$0.00
Material Expenses-		0	LS	\$500.0 0	\$0.00
TOTAL					\$690.00
11 <u>City Council Presentation- Final Master Plan</u>					
Final Presentation	Stacey	4	Hrs.	\$125.0 0	\$500.00
Executive Summary Document	Michael	12	Hrs.	\$95.00	\$1,140.00
	Kurtis	4	Hrs.	\$90.00	\$360.00
Material Expenses-		1	LS	\$500.0 0	\$500.00

TOTAL					\$2,500.00
TOTAL COST					\$25,350.00

12 Stakeholder Meeting- Work Session #4: If Necessary

				\$125.0	
Coordinated with Parks, YCCE and Community	Stacey	4	Hrs.	0	\$500.00
	Michael	6	Hrs.	\$95.00	\$570.00
	Kurtis	0	Hrs.	\$90.00	\$0.00
Material Expenses-		0	LS	\$500.0 0	\$0.00
TOTAL					\$1,070.00

13 Revised Final Master Plan Development: If Necessary

				\$125.0	
Plan Revisions	Stacey	4	Hrs.	0	\$500.00
Update Cost Estimates	Michael	16	Hrs.	\$95.00	\$1,520.00
	Kurtis	24	Hrs.	\$90.00	\$2,160.00
Material Expenses-		1	LS	\$500.0 0	\$500.00
TOTAL					\$4,680.00

14 Fly-over Presentation OPTIONAL

				\$125.0	
Final Presentation	Stacey	4	Hrs.	0	\$500.00
	Michael	4	Hrs.	\$95.00	\$380.00
	Kurtis	30	Hrs.	\$90.00	\$2,700.00
Material Expenses-		1	LS	\$250.0 0	\$250.00
TOTAL					\$3,830.00

B. Final payment shall be the above stated basic fee less all previous payments.

Section 5. Payments for Extra Services when Authorized by Billings.

Requests made or conditions identified which are beyond the scope and intent of this study shall be paid for on an hourly basis at the applicable fees in Appendix D.

Section 6. Corrections.

Costs of Billings work that is required for corrections to the Contractor's work which requires redoing by Billings shall be deducted from any payments due the Contractor, if the Contractor fails to make the required corrections.

## **Appendix C**

### **Additional Services of Contractor**

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Extra Services of the Contractor will be paid only with written prior authorization by Billings.

- A. Requests made or conditions identified by interested groups at the agency or public meetings, which are beyond the scope and intent of this study.

## Appendix D

### Schedule of Professional Fees

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Current agreements for Contractor services stipulate that the standard hourly rates are subject to review and adjustments. Hourly rates for services effective on the date of this Agreement are included below.

The itemized schedule provided below includes direct labor costs, normal payroll and overhead costs, transportation, furnishing equipment and materials normally required for performance of the work and reasonable profit. Direct project costs not itemized herein shall be paid for at actual cost.

#### Section 1. Professional Services.

<u>Additional Services</u>	<u>Standard Rate</u>
Principal	<u>\$125.00</u>
Landscape Architect	
1. Project Manager	<u>\$95.00</u>
2. Project Designer	<u>\$90.00</u>

#### Section 2. Materials and Other Direct Costs.

Materials and other direct costs will be invoiced at current rates, plus a ten percent (10%) handling fee. Included as direct costs are the following:

- A. Approved Employee Meals, Lodging, Transportation
- B. Premium Delivery Service (UPS, Federal Express, etc.)
- C. Toll Communication Services (Telephone, Fax, etc.)
- D. Supplies
- E. Premiums for Special Insurance, Performance Bonds, etc.
- F. Other Out-of-Pocket Expenses
- G. Consultants

The cost of Professional Liability Insurance coverage is included in the hourly rates of personnel.

## Appendix E

### Project Schedule

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- A. Based on contract approval by Billings City Council, a Notice to Proceed by Billings date on or about November 22, 2010, the completion date for the Engineer's work through final design shall be May 31, 2011.
- B. Upon Notice to Proceed, Contractor shall prepare a Work Plan Schedule demonstrating the approved Project Scope and proposed timeline for the project.
- C. Delays affecting the completion of the work within the time specified of more than ninety (90) days, not attributable to or caused by the Parties hereto, may be considered as cause for the renegotiation or termination of this Contract.
- D. If the Contractor is behind on this Contract due to no fault of Billings, then the Contractor hereby acknowledges the right of Billings to withhold future Contracts to the Contractor in addition to any other remedy until this Contract is brought back on schedule or otherwise resolved.

Appendix F

**Certificate(s) of Insurance**

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(Attach Certificate(s) of Insurance)

**Regular City Council Meeting**

**Date:** 11/08/2010

**TITLE:** Acceptance of Donation for Fire ICS Lab from CHS Inc. Refinery - Laurel

**PRESENTED BY:** Paul Dextras

**Department:** Fire

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**Information**

**PROBLEM/ISSUE STATEMENT**

On 8/23/2010 City Council approved donations from five local agencies to support construction of an Incident Command System (ICS) Training Center, which will be housed in Billings Fire Station #1.

Since that time, the Billings Fire Department received an additional donation from CHS Refinery, Laurel in the amount of \$3,000 to be used for the ICS Lab construction.

**ALTERNATIVES ANALYZED**

Council may:

Approve the acceptance of the donation; or  
Not approve the acceptance of the donation.

**FINANCIAL IMPACT**

Financial impact to the City of Billings is negligible as this program is funded primarily by donations from outside private and public agencies. CHS, Inc. Laurel Refinery is another partner in the project.

**RECOMMENDATION**

Staff recommends that the City Council accept the donation from CHS, Inc. Laurel Refinery in the amount of \$3,000.00 for the Incident Command System Training Center.

**APPROVED BY CITY ADMINISTRATOR**

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**Regular City Council Meeting**

**Date:** 11/08/2010

**TITLE:** Payment of Claims October 8, 2010.

**PRESENTED BY:** Pat M. Weber, Financial Services Manager

**Department:** City Hall Administration

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**Information**

**PROBLEM/ISSUE STATEMENT**

Claims in the amount of \$1,636,108.24 have been audited and are presented for your approval for payment. A complete listing of the claims dated October 8, 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 the Payment of Claims.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

List of claims greater than \$2500.

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CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
10/08/2010	737625	ACTIVE TRANSPORTATION ALTERNAT	20644			5,667.00	
240-4301-419.72-14	10/01/2010	AL MODES SEPT 2010	ALT MODE SEPT	278413	04/2011	5,667.00	
10/08/2010	737628	AHANU CONSTRUCTION INC	21317			407,756.69	
840-3184-431.93-10	10/07/2010	WO0515 HOWARD HEIHGTS	2	277162	04/2011	407,756.69	
10/08/2010	737635	ARCHIE COCHRANE	800			3,020.35	
630-1753-485.73-10	10/06/2010	MISC SERVICES	806355/1	278591	04/2011	3,020.35	
10/08/2010	737636	ASSOCIATED EMPLOYERS OF MONTAN	13075			4,947.24	
10-1750-417.35-60	10/05/2010	PRIOR YEAR ENCUMBRANCES	11-48404	275654	04/2011	4,195.00	
10-1750-417.38-70	10/05/2010	MISC SERVICES	11-48231	278494	04/2011	45.00	
10-1750-417.35-60	10/05/2010	MISC SERVICES	11-48404R	278494	04/2011	707.24	
10/08/2010	737641	BIG SKY LINEN SUPPLY	387			2,996.52	
150-2226-422.22-40	10/05/2010	FIRE1:LINEN/AUG 30	1076-64105 FR1	278480	04/2011	18.94	
150-2225-422.24-50	10/05/2010	911 CTR/LINEN/AUG 30	1076-64106 911	278480	04/2011	23.73	
150-2226-422.22-40	10/05/2010	FIRE2:LINEN/SEPT 2	1076-64691 FR2	278480	04/2011	7.00	
150-2226-422.22-40	10/05/2010	FIRE5:LINEN/SEPT 2	1076-64747 FR5	278480	04/2011	15.64	
150-2226-422.22-40	10/05/2010	FIRE7:LINEN/SEPT 3	1076-64935 FR7	278480	04/2011	15.36	
150-2226-422.22-40	10/05/2010	FIRE3:LINEN/SEPT 6	1076-65039 FR3	278480	04/2011	10.94	
150-2226-422.22-40	10/05/2010	FIRE6:LINEN/SEPT 7	1076-65149 FR6	278480	04/2011	9.34	
150-2226-422.22-40	10/05/2010	FIRE4:LINEN / SEPT 7	1076-65175 FR4	278480	04/2011	20.06	
150-2226-422.22-40	10/05/2010	FIRE1:LINEN/SEPT 13	1076-65796 FR1	278480	04/2011	18.94	
150-2225-422.24-50	10/05/2010	911 CTR/LINEN/SEPT 13	1076-65797 911	278480	04/2011	23.73	
150-2226-422.22-40	10/05/2010	FIRE2:LINEN/SEPT 16	1076-66383 FR2	278480	04/2011	7.00	
150-2226-422.22-40	10/05/2010	FIRE5:LINEN/SEPT 16	1076-66439 FR5	278480	04/2011	13.75	
150-2226-422.22-40	10/05/2010	FIRE7:LINEN / SEPT 17	1076-66620 FR7	278480	04/2011	15.36	
150-2226-422.22-40	10/05/2010	FIRE3:LINEN/SEPT 20	1076-66722 FR3	278480	04/2011	17.43	
150-2226-422.22-40	10/05/2010	FIRE6:LINEN/SEPT 21	1076-66828 FR6	278480	04/2011	9.34	
150-2226-422.22-40	10/05/2010	FIRE4: LINEN SEPT 21	1076-66855 FR4	278480	04/2011	22.50	
502-7312-602.22-60	10/05/2010	MISC SERVICES	SEPTEMBER 2010	278555	04/2011	326.31	
502-7314-602.22-60	10/05/2010	MISC SERVICES	SEPTEMBER 2010	278555	04/2011	50.10	
502-7400-603.22-60	10/05/2010	MISC SERVICES	SEPTEMBER 2010	278555	04/2011	563.56	
502-7500-609.22-60	10/05/2010	MISC SERVICES	SEPTEMBER 2010	278555	04/2011	381.67	
512-8314-622.22-60	10/05/2010	MISC SERVICES	SEPTEMBER 2010	278555	04/2011	16.63	
512-8400-623.22-60	10/05/2010	MISC SERVICES	SEPTEMBER 2010	278555	04/2011	512.62	
512-8500-625.22-60	10/05/2010	MISC SERVICES	SEPTEMBER 2010	278555	04/2011	254.31	
561-7112-711.22-60	10/04/2010	INVOICE #64485	100410	F11667	04/2011	93.00	
561-7112-711.22-60	10/04/2010	INVOICE #65343	100410	F11667	04/2011	93.00	
561-7112-711.22-60	10/04/2010	INVOICE #66173	100410	F11667	04/2011	93.00	
561-7112-711.22-60	10/04/2010	INVOICE #S18715	100410	F11667	04/2011	6.60	
561-7112-711.22-60	10/04/2010	INVOICE #67017	100410	F11667	04/2011	93.00	
561-7113-711.22-60	10/04/2010	INVOICE #64484	100410	F11667	04/2011	35.39	
561-7113-711.22-60	10/04/2010	INVOICE #65341	100410	F11667	04/2011	35.39	
561-7113-711.22-60	10/04/2010	INVOICE #66172	100410	F11667	04/2011	79.39	
561-7113-711.22-60	10/04/2010	INVOICE #67015	100410	F11667	04/2011	35.39	
561-7112-711.22-40	10/04/2010	INVOICE #64486	100410	F11667	04/2011	14.64	
561-7112-711.22-40	10/04/2010	INVOICE #65344	100410	F11667	04/2011	15.59	

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561-7112-711.22-40	10/04/2010	INVOICE #66174	100410	F11667 04/2011 37.13
561-7112-711.22-40	10/04/2010	INVOICE #67018	100410	F11667 04/2011 10.74
10/08/2010	737645	BILLINGS GAZETTE	420	9,185.06
10-1411-414.31-10	09/30/2010	ONLINE BANNER	SEPT 2010	04/2011 565.71
260-5511-455.33-60	09/30/2010	LIBRARY	SEPT 2010	04/2011 400.00
541-3122-435.33-70	09/30/2010	SOLID WASTE	SEPT 2010	04/2011 591.20
10-1411-414.39-39	09/30/2010	CITY LINK	SEPT 2010	04/2011 4,185.13
512-8211-621.33-10	09/30/2010	PUD	SEPT 2010	04/2011 655.21
601-1550-481.33-30	09/30/2010	MOTOR POOL	SEPT 2010	04/2011 534.43
10-1750-417.33-70	09/30/2010	HR	SEPT 2010	04/2011 1,972.57
502-7211-601.33-10	09/30/2010	PUD	SEPT 2010	04/2011 280.81
10/08/2010	737646	BILLINGS POLICE PROTECTIVE ASS	437	2,661.00
650-1566-487.36-60	10/06/2010	MISC SERVICES	10012010	278585 04/2011 2,661.00
10/08/2010	737649	BLACK BOX NETWORK SERVICES	19541	3,265.63
606-1931-484.34-50	09/21/2010	MISC SERVICES	2243682	277699 03/2011 3,265.63
10/08/2010	737652	BORDER STATES ELECTRIC	509	6,916.57
502-7400-603.23-60	09/03/2010	NONSTOCKING ITEMS-P.U.D.	901303294	275717 03/2011 564.95
502-7400-603.23-60	09/09/2010	NONSTOCKING ITEMS-P.U.D.	901305532	275717 03/2011 19.13
502-7400-603.23-60	09/09/2010	NONSTOCKING ITEMS-P.U.D.	901316212	275717 03/2011 339.00
502-7400-603.23-60	09/09/2010	NONSTOCKING ITEMS-P.U.D.	901322205	275717 03/2011 176.00
502-7400-603.23-60	09/09/2010	NONSTOCKING ITEMS-P.U.D.	901327384	275717 03/2011 351.14
502-7312-602.24-10	09/09/2010	NONSTOCKING ITEMS-P.U.D.	901328761	275717 03/2011 39.97
502-7400-603.23-60	09/14/2010	NONSTOCKING ITEMS-P.U.D.	901333582	275717 03/2011 176.16
512-8400-623.23-60	09/14/2010	NONSTOCKING ITEMS-P.U.D.	901340189	275717 03/2011 159.98
512-8400-623.23-60	09/14/2010	NONSTOCKING ITEMS-P.U.D.	901340617	275717 03/2011 89.77
512-8400-623.23-60	09/14/2010	NONSTOCKING ITEMS-P.U.D.	901347087	275717 03/2011 40.82
512-8400-623.23-60	09/14/2010	NONSTOCKING ITEMS-P.U.D.	901348135	275717 03/2011 9.97
502-7400-603.23-60	09/14/2010	NONSTOCKING ITEMS-P.U.D.	901353068	275717 03/2011 27.29
150-2229-422.24-90	09/16/2010	FIRE:TWIST LOCK/3-PRONG	901328180	FIRE 275717 03/2011 329.29
502-0000-141.00-00	09/17/2010	WATER PARTS AND SUPPLIES	901367968	03/2011 119.16
512-8400-623.23-60	09/17/2010	NONSTOCKING ITEMS-P.U.D.	901360102	275717 03/2011 493.75
512-8400-623.23-60	09/17/2010	NONSTOCKING ITEMS-P.U.D.	901361600	275717 03/2011 152.81
512-8400-623.23-60	09/17/2010	NONSTOCKING ITEMS-P.U.D.	901366430	275717 03/2011 268.44
512-8400-623.23-60	09/17/2010	NONSTOCKING ITEMS-P.U.D.	901367509	275717 03/2011 63.93
502-7400-603.23-60	09/20/2010	NONSTOCKING ITEMS-P.U.D.	901335111	275717 03/2011 477.58
211-3132-433.24-30	09/20/2010	MISC SERVICES	901340654	275717 03/2011 41.20
211-3132-433.22-90	09/20/2010	MISC SERVICES	901367216	275717 03/2011 9.40
502-7400-603.23-60	09/20/2010	NONSTOCKING ITEMS-P.U.D.	901373787	275717 03/2011 15.56
512-8400-623.23-60	09/22/2010	NONSTOCKING ITEMS-P.U.D.	901386119	275717 03/2011 1,085.76
512-8400-623.23-60	09/24/2010	NONSTOCKING ITEMS-P.U.D.	901367171	275717 03/2011 90.91
512-8400-623.23-60	09/24/2010	NONSTOCKING ITEMS-P.U.D.	901386193	275717 03/2011 284.09
502-7400-603.23-60	09/24/2010	NONSTOCKING ITEMS-P.U.D.	901387063	275717 03/2011 28.14
502-7400-603.23-60	09/24/2010	NONSTOCKING ITEMS-P.U.D.	901394041	275717 03/2011 7.04
512-8400-623.23-60	09/27/2010	NONSTOCKING ITEMS-P.U.D.	901394238	275717 03/2011 139.56
211-0000-141.31-83	09/28/2010	STREET LIGHTS	901406193	03/2011 41.20
502-0000-141.00-00	09/28/2010	WATER PARTS AND SUPPLIES	901418338	03/2011 25.44

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211-3132-433.23-60	09/28/2010	MISC SERVICES	901406193	275717 03/2011 34.54
502-7400-603.23-60	09/28/2010	NONSTOCKING ITEMS-P.U.D.	901412825	275717 03/2011 593.34
512-8400-623.23-60	09/30/2010	NONSTOCKING ITEMS-P.U.D.	901418398	275717 03/2011 6.33
512-8400-623.23-60	09/30/2010	NONSTOCKING ITEMS-P.U.D.	901426673	275717 03/2011 145.60
502-7400-603.23-60	10/01/2010	NONSTOCKING ITEMS-P.U.D.	901426462	275717 04/2011 48.42
211-3132-433.23-60	10/05/2010	MISC SERVICES	275717	275717 04/2011 68.58
502-7400-603.23-60	10/05/2010	NONSTOCKING ITEMS-P.U.D.	901342887	275717 04/2011 339.00
512-8400-623.23-60	10/05/2010	NONSTOCKING ITEMS-P.U.D.	901433551	275717 04/2011 110.70
502-7400-603.23-60	10/06/2010	NONSTOCKING ITEMS-P.U.D.	901375623	275717 04/2011 528.96
10/08/2010	737655	BRANCH GROUP INC	21207	9,939.67
512-8400-623.23-60	10/05/2010	MISC SERVICES	S100256378.003	278530 04/2011 2,004.30
502-7400-603.23-60	10/05/2010	MISC SERVICES	S100269334.001	278530 04/2011 417.34
502-7400-603.23-60	10/05/2010	MISC SERVICES	S100269334.003	278530 04/2011 5,327.00
512-8400-623.23-60	10/05/2010	MISC SERVICES	S100283546.001	278530 04/2011 2,191.03
10/08/2010	737657	BUSINESS TAX SECTION	2449	11,519.72
562-0000-201.10-00	10/08/2010	Retainage Release Bus Tax	PAY REQ. #4	273594 04/2011 42.27
205-3131-433.93-10	10/04/2010	WO0904 2009 ACCESS RAMPS	12	265228 04/2011 129.72
416-7493-603.92-20	10/04/2010	WO0426 ZONE 4 RESERVR PH1	6	267953 04/2011 4,407.35
416-7493-603.92-20	10/04/2010	WO0426 ZONE 4 RESRVR	12	267994 04/2011 14.39
205-3131-433.93-90	10/04/2010	WO1003 2010 ST MAINT	CO#2	272599 04/2011 28.92
205-3131-433.93-90	10/04/2010	WO10-03 2010 ST MAINT	CO#2	272599 04/2011 28.92
503-7391-602.93-40	10/04/2010	WO1003 2010 ST MAINT	CO#2	272599 04/2011 531.26
503-7391-602.93-40	10/04/2010	WO10-03 2010 ST MAINT	CO#2	272599 04/2011 531.26
205-3131-433.93-10	10/04/2010	WO1004 2010 ACCESS RAMP	6	273328 04/2011 68.53
205-3131-433.93-10	10/04/2010	WO0902 2009 MISC DEV	4	274944 04/2011 489.02
437-3165-431.93-11	10/04/2010	WO0902 2009 MISC DEV	4	274944 04/2011 254.56
505-7515-609.36-71	10/05/2010	MISC SERVICES	904713	278137 04/2011 102.75
210-5151-452.93-90	10/06/2010	WO0307 ALKALI CR SCH2A/2B	3	274411 04/2011 717.63
490-5161-452.93-70	10/06/2010	WO0307 ALKALI CR SCH2A/2B	3	274411 04/2011 179.41
205-3131-433.93-10	10/07/2010	SID 1388 DOROTHY LANE	2	276517 04/2011 90.25
464-3161-431.93-10	10/07/2010	SID 1388 DOROTHY LANE	2	276517 04/2011 799.96
840-3184-431.93-10	10/07/2010	SID 1388 DOROTHY LANE	2	276517 04/2011 105.13
840-3184-431.93-10	10/07/2010	WO0515 HOWARD HEIGHTS	2	277164 04/2011 4,118.75
10/08/2010	737662	CB & I INC	20708	436,327.23
416-7493-603.92-20	10/04/2010	WO0426 ZONE 4 RESERVR	6	267952 04/2011 436,327.23
10/08/2010	737667	CMG CONSTRUCTION, INC.	17342	88,806.71
210-5151-452.93-90	10/06/2010	WO0307 ALKALI CR SCH2A/2B	3	274408 04/2011 71,045.37
490-5161-452.93-70	10/06/2010	WO0307 ALKALI CR SCH2A/2B	3	274408 04/2011 17,761.34
10/08/2010	737669	COUNTY WATER DISTRICT OF	881	21,352.70
512-8500-625.34-20	10/05/2010	MISC SERVICES	1603500 SEP10	278500 04/2011 197.45
805-1570-425.53-50	10/06/2010	MISC SERVICES	1380	278602 04/2011 19,483.20
10-5112-452.34-20	10/07/2010	WATER CHARGES	VARIES	277969 04/2011 906.74
872-5198-452.34-20	10/07/2010	WATER CHARGES	VARIES	277969 04/2011 234.71
872-5198-452.34-20	10/07/2010	WATER CHARGES	VARIES	277969 04/2011 47.77

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872-5198-452.34-20	10/07/2010	WATER CHARGES	VARIES	277969	04/2011	104.71	
872-5198-452.34-20	10/07/2010	WATER CHARGES	VARIES	277969	04/2011	91.73	
872-5198-452.34-20	10/07/2010	WATER CHARGES	VARIES	277969	04/2011	286.39	
10/08/2010	737673	CSG SYSTEMS INC	20870			12,014.53	
502-7311-602.31-10	10/05/2010	MISC SERVICES	67585	278545	04/2011	5,314.03	
502-7311-602.31-11	10/05/2010	MISC SERVICES	67585	278545	04/2011	1,894.69	
512-8311-622.31-10	10/05/2010	MISC SERVICES	67585	278545	04/2011	3,543.08	
512-8311-622.31-11	10/05/2010	MISC SERVICES	67585	278545	04/2011	1,262.73	
10/08/2010	737674	CUMMINS ROCKY MOUNTAIN LLC	924			3,055.03	
541-3122-435.23-20	10/05/2010	MP	004-11862	278490	04/2011	2,907.13	
541-3122-435.23-20	10/05/2010	MP	004-10304	278491	04/2011	14.82	
541-3122-435.23-20	10/05/2010	MP	004-10472	278491	04/2011	104.70	
541-3122-435.23-20	10/05/2010	MP	004-10720	278491	04/2011	28.38	
10/08/2010	737682	DEPT OF JUSTICE DCI	17163			4,998.08	
252-2187-421.12-20	10/07/2010	MISC SERVICES	ICAC REC/JIMMY	278609	04/2011	4,856.17	
252-2187-421.12-20	10/07/2010	MISC SERVICES	ICAC REC/WAYDE	278609	04/2011	141.91	
10/08/2010	737684	DIAL PRO NORTHWEST INC	15887			19,400.40	
606-1931-484.94-80	09/29/2010	MISC SERVICES	13075	275940	03/2011	19,400.40	
10/08/2010	737686	DORSEY & WHITNEY LLP	8347			9,000.00	
311-1530-471.35-92	10/06/2010	MISC SERVICES	1679906	278603	04/2011	9,000.00	
10/08/2010	737691	EMERGENCY MEDICAL PRODUCTS	13149			8,300.72	
150-2229-422.26-90	10/06/2010	FIRE/EMS EQUIP/QRV 2010	1310712 EMS/QRV	277523	04/2011	31.90	
150-2229-422.26-90	10/06/2010	FIRE/EMS EQUIP/QRV 2010	1310712 EMS/QRV	277523	04/2011	4,038.97	
150-2231-422.26-90	10/06/2010	FIRE/EMS EQUIP/QRV 2010	1310712 EMS/QRV	277523	04/2011	2,949.14	
150-2231-422.26-90	10/06/2010	FIRE/EMS EQUIP/QRV 2010	1310712 EMS/QRV	277523	04/2011	317.42	
150-2229-422.26-90	10/06/2010	FIRE/EMS/EQUIP/QRV 2010	1311915 EMS/QRV	277523	04/2011	107.95	
150-2229-422.26-90	10/06/2010	FIRE/EMS EQUIP/QRV 2010	1314066 EMS/QRV	277523	04/2011	190.00	
150-2229-422.26-90	10/06/2010	FIRE/EMS EQUIP/QRV 2010	1314633 EMS/QRV	277523	04/2011	443.56	
150-2229-422.26-90	10/06/2010	FIRE/EMS EQUIP/QRV 2010	1315097 EMS/QRV	277523	04/2011	110.89	
150-2229-422.26-90	10/06/2010	FIRE/EMS EQUIP/QRV 2010	1316262 EMS/QRV	277523	04/2011	110.89	
10/08/2010	737711	GUARDIAN SECURITY INC	12486			5,817.56	
260-5512-455.35-74	10/05/2010	SECURITY	995332	F11692	04/2011	5,817.56	
10/08/2010	737727	IAFF	20196			4,267.35	
900-0000-209.99-20	10/08/2010	PAYROLL SUMMARY	20101008		04/2011	4,267.35	
10/08/2010	737728	IMPACT PLASTICS	15909			4,709.12	
541-3122-435.42-70	09/29/2010	FRONT LOAD LIDS	14886	277456	03/2011	4,709.12	
10/08/2010	737729	INTEGRATED INFORMATION SOLUTIO	13770			3,429.00	
620-1911-482.53-70	10/05/2010	MISC SERVICES	64341	278583	04/2011	3,429.00	
10/08/2010	737730	INTERSTATE POWERSYSTEMS	17926			7,880.31	
150-2226-422.24-50	10/05/2010	FIRE1/STANDBY GEN/REPAIR	R007012194 FR1	276388	04/2011	558.48	

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571-7144-713.23-20	10/05/2010	MP	R007011014-02	278576	04/2011	1,142.21	
571-7144-713.23-20	10/05/2010	MP	R007011456.01	278577	04/2011	2,187.65	
571-7144-713.23-20	10/05/2010	MP	R007011500.01	278577	04/2011	2,152.52	
601-0000-141.71-41	10/07/2010	MP	7015172.01		04/2011	103.80	
571-7144-713.23-20	10/07/2010	MP	7015436.01	278632	04/2011	1,193.33	
571-7144-713.23-20	10/07/2010	MP	7011922.01	278634	04/2011	480.35	
10/08/2010	737731	J & J CONCRETE	15244			93,241.86	
205-3131-433.93-10	10/04/2010	WO0904 2009 ACCESS RAMPS	12	265227	04/2011	12,842.36	
205-3131-433.93-10	10/04/2010	WO1004 2010 UTILITY RAMPS	6	273327	04/2011	6,784.84	
205-3131-433.93-10	10/04/2010	WO0902 2009 MISC DEV	4	274943	04/2011	48,412.99	
840-3184-431.93-10	10/04/2010	WO0902 2009 MISC DEV	4	274943	04/2011	25,201.67	
840-3184-431.93-10	10/05/2010	WO0902 2009 MISC DEV	CORRECTION	274943	04/2011	25,201.67-	
437-3165-431.93-11	10/05/2010	WO0902 2009 MISC DEV	4	274943	04/2011	25,201.67	
840-0000-201.10-00	10/06/2010	RET TO WRONG FUND (840)	RET CORRECTION	274943	03/2011	1,326.40	
840-3184-431.93-10	10/06/2010	RET TO WRONG FUND (840)	RET CORRECTION		03/2011	1,326.40-	
10/08/2010	737742	KEYSTONE CONSTRUCTION/SHOWPLAC	16489			4,184.27	
562-0000-201.10-00	10/08/2010	Retainage Release Keyston	PAY REQ #4	273593	04/2011	4,184.27	
10/08/2010	737769	MONTANA STATE FIREMAN'S ASSOC	20195			2,674.84	
900-0000-209.99-24	10/08/2010	PAYROLL SUMMARY	20101008		04/2011	2,674.84	
10/08/2010	737774	MPPA	20198			2,505.73	
900-0000-209.99-23	10/08/2010	PAYROLL SUMMARY	20101008		04/2011	2,505.73	
10/08/2010	737780	NORMONT EQUIPMENT COMPANY	2738			2,960.94	
211-3132-433.23-20	10/06/2010	MISC SERVICES	200900200	278598	04/2011	1,489.07	
211-3132-433.23-20	10/06/2010	MISC SERVICES	200900244	278598	04/2011	798.25	
211-3132-433.23-80	10/06/2010	MISC SERVICES	200900244	278598	04/2011	148.32	
211-3132-433.24-20	10/06/2010	MISC SERVICES	200900244	278598	04/2011	525.30	
10/08/2010	737782	NORTHWEST PIPE FITTINGS	2758			62,010.25	
502-0000-141.00-00	09/01/2010	WATER PARTS AND SUPPLIES	15854391		03/2011	2,493.20	
502-7312-602.23-80	09/02/2010	NONSTOCKING ITEMS-P.U.D.	1580809	275723	03/2011	743.67	
502-0000-141.00-00	09/03/2010	WATER PARTS AND SUPPLIES	1600657		03/2011	10,180.00	
512-8400-623.24-50	09/07/2010	NONSTOCKING ITEMS-P.U.D.	1601534	275723	03/2011	23.88	
502-0000-141.00-00	09/09/2010	WATER PARTS AND SUPPLIES	1603154		03/2011	10,180.00	
512-8400-623.24-50	09/10/2010	NONSTOCKING ITEMS-P.U.D.	15860611	275723	03/2011	45.59	
502-0000-141.00-00	09/14/2010	SYSTEMS	15855451		03/2011	587.79	
512-8400-623.24-50	09/14/2010	NONSTOCKING ITEMS-P.U.D.	1603924	275723	03/2011	557.05	
512-8400-623.24-50	09/14/2010	NONSTOCKING ITEMS-P.U.D.	1604924	275723	03/2011	142.47	
502-7400-603.24-50	09/14/2010	NONSTOCKING ITEMS-P.U.D.	1605804	275723	03/2011	190.44	
502-7400-603.24-50	09/16/2010	NONSTOCKING ITEMS-P.U.D.	1606596	275723	03/2011	7.40	
503-7591-609.93-40	09/20/2010	NONSTOCKING ITEMS-P.U.D.	1607503	275723	03/2011	26.06	
502-7400-603.24-50	09/20/2010	NONSTOCKING ITEMS-P.U.D.	1607538	275723	03/2011	7.40	
502-7400-603.24-50	09/20/2010	NONSTOCKING ITEMS-P.U.D.	1607923	275723	03/2011	1,009.19	
502-7400-603.24-50	09/20/2010	NONSTOCKING ITEMS-P.U.D.	1608425	275723	03/2011	252.73	
502-7312-602.23-80	09/21/2010	NONSTOCKING ITEMS-P.U.D.	1592908	275723	03/2011	4,025.00	

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
502-7314-602.24-50	09/22/2010	NONSTOCKING ITEMS-P.U.D.	1609381	275723	03/2011	7.76	
502-7400-603.24-50	09/23/2010	NONSTOCKING ITEMS-P.U.D.	1609188	275723	03/2011	523.48	
502-7400-603.24-50	09/23/2010	NONSTOCKING ITEMS-P.U.D.	1609894	275723	03/2011	53.89	
502-0000-141.00-00	09/24/2010	WATER PARTS AND SUPPLIES	1609324		03/2011	678.96	
502-0000-141.00-00	09/24/2010	SYSTEMS	1609324		03/2011	1,078.60	
502-0000-141.00-00	09/24/2010	WATER PARTS AND SUPPLIES	1609336		03/2011	573.83	
502-0000-141.00-00	09/24/2010	SYSTEMS	1609336		03/2011	573.84	
502-0000-141.00-00	09/27/2010	SYSTEMS	16093361		03/2011	112.55	
502-7400-603.24-50	09/24/2010	NONSTOCKING ITEMS-P.U.D.	1610043	275723	03/2011	26.51	
502-7400-603.24-50	09/27/2010	NONSTOCKING ITEMS-P.U.D.	1611910	275723	03/2011	1,602.62	
502-0000-141.00-00	09/28/2010	SYSTEMS	1610786		03/2011	841.40	
502-0000-141.00-00	09/28/2010	WATER PARTS AND SUPPLIES	1611122		03/2011	10,180.00	
502-7400-603.24-50	09/28/2010	NONSTOCKING ITEMS-P.U.D.	1612684	275723	03/2011	61.86	
502-0000-141.00-00	09/30/2010	WATER PARTS AND SUPPLIES	16093362		03/2011	138.00	
502-0000-141.00-00	09/30/2010	SYSTEMS	16093362		03/2011	105.55	
502-0000-141.00-00	09/30/2010	WATER PARTS AND SUPPLIES	16093363		03/2011	24.24	
502-0000-141.00-00	09/30/2010	WATER PARTS AND SUPPLIES	1613491		03/2011	14,143.32	
505-7515-609.36-71	09/30/2010	NONSTOCKING ITEMS-P.U.D.	1613427	275723	03/2011	547.80	
502-7400-603.24-50	10/01/2010	NONSTOCKING ITEMS-P.U.D.	1613956	275723	04/2011	126.00	
211-3132-433.23-20	10/05/2010	MP	1605811	275723	04/2011	23.92	
150-2226-422.23-20	10/05/2010	MP	1606051	275723	04/2011	27.33	
541-3122-435.23-20	10/05/2010	MP	1609701	275723	04/2011	86.92	
10/08/2010	737788	NORTHWESTERN ENERGY	15771			33,086.85	
150-2221-422.34-10	10/04/2010	FIRE6/ELEC/2280 KWH	0100477-9 10SEP	276425	04/2011	306.46	
502-7400-603.34-10	10/05/2010	MISC SERVICES	01004787 SEP10	278531	04/2011	664.01	
502-7400-603.34-10	10/05/2010	MISC SERVICES	01005404 SEP10	278531	04/2011	4,533.09	
502-7400-603.34-10	10/05/2010	MISC SERVICES	01005404 SEP10	278531	04/2011	4,533.09	
260-5512-455.34-10	10/05/2010	ELECTRIC CHARGES	0100467-0 10/10	F11696	04/2011	10,157.22	
150-2221-422.34-10	10/07/2010	NW FIRE	07125321		04/2011	19.84	
561-7113-711.34-10	10/07/2010	NW AVIATION/TRAN	07125339		04/2011	100.37	
561-7113-711.34-10	10/07/2010	NW AVIATION/TRAN	07125347		04/2011	14.66	
561-7113-711.34-10	10/07/2010	NW AVIATION/TRAN	07125354		04/2011	214.35	
10-5141-436.34-10	10/07/2010	NW PARK/REC/PL	07125388		04/2011	582.73	
10-5141-436.34-10	10/07/2010	NW PARK/REC/PL	07125396		04/2011	41.70	
561-7113-711.34-10	10/07/2010	NW AVIATION/TRAN	07127913		04/2011	15.08	
561-7113-711.34-10	10/07/2010	NW AVIATION/TRAN	07127954		04/2011	19.13	
561-7113-711.34-10	10/07/2010	NW AVIATION/TRAN	07127970		04/2011	13.98	
561-7117-711.34-10	10/07/2010	NW AVIATION/TRAN	07128051		04/2011	9.32	
561-7113-711.34-10	10/07/2010	NW AVIATION/TRAN	07128135		04/2011	7.70	
561-7113-711.34-10	10/07/2010	NW AVIATION/TRAN	07195431		04/2011	2,072.17	
561-7113-711.34-10	10/07/2010	NW AVIATION/TRAN	07197593		04/2011	19.64	
561-7113-711.34-10	10/07/2010	NW AVIATION/TRAN	07197601		04/2011	22.89	
561-7113-711.34-10	10/07/2010	NW AVIATION/TRAN	07197619		04/2011	29.15	
561-7113-711.34-10	10/07/2010	NW AVIATION/TRAN	07197627		04/2011	17.11	
561-7113-711.34-10	10/07/2010	NW AVIATION/TRAN	07202963		04/2011	20.06	
10-5126-451.34-10	10/07/2010	NW PARK/REC/PL	07208416		04/2011	840.56	
502-7400-603.34-10	10/07/2010	NW PUD-WATER TREAT	07222490		04/2011	10.71	
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL	07222565		04/2011	194.98	
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL	07222581		04/2011	9.57	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		17.85
502-7400-603.34-10	10/07/2010	NW PUD-WATER TREAT		3,291.21
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL	50%	8.77
872-5198-452.34-10	10/07/2010	NW PARK/REC/PL	50% 40%	5.86
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		11.32
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		95.78
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		34.84
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		29.20
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		14.66
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		14.66
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		10.23
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		192.85
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		8.91
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		114.80
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		75.79
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		2.13
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		7.70
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		8.52
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		37.49
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		17.65
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		17.65
512-8500-625.34-10	10/07/2010	NW Parks		85.09
872-5198-452.34-10	10/07/2010	NW PARK/REC/PL		9.24
872-5198-452.34-10	10/07/2010	NW PARK/REC/PL		9.24
872-5198-452.34-10	10/07/2010	NW PARK/REC/PL		9.24
872-5198-452.34-10	10/07/2010	NW PARK/REC/PL		9.24
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL	60%	4.62
872-5198-452.34-10	10/07/2010	NW PARK/REC/PL	40%	3.08
872-5198-452.34-10	10/07/2010	NW PARK/REC/PL		9.24
872-5198-452.34-10	10/07/2010	NW PARK/REC/PL		8.42
512-8500-625.34-10	10/07/2010	NW PUD-WASTE WATER		1,238.36
872-5198-452.34-10	10/07/2010	NW PARK/REC/PL		7.70
512-8500-625.34-10	10/07/2010	NW PUD-WASTE WATER		292.02
872-5198-452.34-10	10/07/2010	NW PARK/REC/PL		158.30
872-5198-452.34-10	10/07/2010	NW PARK/REC/PL		8.21
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		74.42
872-5198-452.34-10	10/07/2010	NW PARK/REC/PL		8.31
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		17.63
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		199.12
872-5198-452.34-10	10/07/2010	NW PARK/REC/PL		8.42
10-5112-452.34-10	10/07/2010	NW PARK/REC/PL		45.48
872-5198-452.34-10	10/07/2010	NW PARK/REC/PL		.71
10-5112-452.34-10	10/07/2010	PARKS		7.80
10-5129-451.34-10	10/07/2010	NW FIRE		51.84
607-2235-486.34-10	10/07/2010	NW FIRE		190.22
10-5112-452.34-10	10/07/2010	NW Parks		156.51
10-5112-452.34-10	10/07/2010	NW Parks		9.52
10-5112-452.34-10	10/07/2010	NW Parks		605.09
502-7400-603.34-10	10/07/2010	NW Pud		33.50
150-2171-441.34-10	10/07/2010	NW		976.89

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
10-5112-452.34-10	10/07/2010	NW	12300661	04/2011 13.28
10-5112-452.34-10	10/07/2010	NW	12422226	04/2011 8.09
10-5112-452.34-10	10/07/2010	NW	12488631	04/2011 41.29
872-5198-452.34-10	10/07/2010	NW	13127071	04/2011 .52
502-7400-603.34-10	10/07/2010	NW	13466735	04/2011 21.45
872-5198-452.34-10	10/07/2010	NW	13961925	04/2011 .08
10-5112-452.34-10	10/07/2010	NW	14093942	04/2011 1.07
872-5198-452.34-10	10/07/2010	NW	15137961	04/2011 25.43
872-5198-452.34-10	10/07/2010	NW	15138001	04/2011 21.99
872-5198-452.34-10	10/07/2010	NW	15138027	04/2011 29.15
872-5198-452.34-10	10/07/2010	NW	15138043	04/2011 15.60
872-5198-452.34-10	10/07/2010	NW	15143886	04/2011 8.71
872-5198-452.34-10	10/07/2010	PARKS	15642093	04/2011 8.31
521-1524-493.34-10	10/07/2010	PARKING-LINC CEN LOT POLE	15696313	04/2011 42.37
10-5112-452.34-10	10/07/2010	SOUTH PARK CONCESSION	15882624	04/2011 7.70
10-5141-436.34-10	10/07/2010	CEMETERY	16352890	04/2011 17.53
10-5112-452.34-10	10/07/2010	PARKS 1	16926669	04/2011 5.08
512-8500-625.34-10	10/07/2010	SEWER LIFTSTATION C	17040254	04/2011 10.42
512-8500-625.34-10	10/07/2010	WWTP	17040304	04/2011 28.55
211-3132-433.34-10	10/07/2010	STREETS/TRAFFIC	17389891	04/2011 13.78
211-3132-433.34-10	10/07/2010	STREETS/TRAFFIC	17403577	04/2011 .17
211-3132-433.34-10	10/07/2010	STREETS/TRAFFIC	17978289	04/2011 5.15
10-5112-452.34-10	10/07/2010	PARKS	18366666	04/2011 36.23
10/08/2010	737791	OSTERMILLER CONST	2839	98,538.43
205-3131-433.93-10	10/07/2010	SID 1388 DOROTHY LANE	1	276515 04/2011 8,934.75
464-3161-431.93-10	10/07/2010	SID 1388 DOROTHY LANE	1	276515 04/2011 79,196.27
840-3184-431.93-10	10/07/2010	SID 1388 DOROTHY LANE	1	276515 04/2011 10,407.41
10/08/2010	737801	PUBLIC UTILITIES	5022	34,347.44
872-5198-452.34-20	10/07/2010	PUD - WATER BILLS	676333936	40% 04/2011 313.70
10-5112-452.34-20	10/07/2010	PUD - WATER BILLS	676333936	60% 04/2011 470.57
872-5198-452.34-20	10/07/2010	2100 CANYON DR SP/IR	490833852	04/2011 580.09
872-5198-452.34-20	10/07/2010	ASPEN GROV PK-393 32 WEST	8934540476600	04/2011 259.19
872-5198-452.34-20	10/07/2010	2445 WESTFIELD DR.	675778356	04/2011 56.51
872-5198-452.34-20	10/07/2010	2700 COUNTRY LN SP/IR	676233865	04/2011 131.31
872-5198-452.34-20	10/07/2010	HARVEST PARK-3600 GRANGER	676393901	04/2011 1,363.34
872-5198-452.34-20	10/07/2010	HARVEST PARK-3200 CANYON	676413853	04/2011 1,580.49
872-5198-452.34-20	10/07/2010	HARVEST PARK-3294 HENESTA	676433910	04/2011 5,486.62
872-5198-452.34-20	10/07/2010	HARVEST PARK-710 S. 32 W.	676454062	04/2011 239.65
872-5198-452.34-20	10/07/2010	OLYMPIC PK-3675 MARATHON	676473935	04/2011 3,435.74
872-5198-452.34-20	10/07/2010	OLYMPIC PK-701 DECATHLON	676497694	04/2011 1,819.17
872-5198-452.34-20	10/07/2010	PARKLAND WEST-3920 MONAD	676513943	04/2011 522.97
872-5198-452.34-20	10/07/2010	OLYMPIC PK-3914 DECATHLON	676533868	04/2011 90.29
872-5198-452.34-20	10/07/2010	OLYMPIC PK-531 S 38 WEST	676554066	04/2011 11.95
872-5198-452.34-20	10/07/2010	OLYMPIC PK-3748 OLYMPIC B	676574011	04/2011 205.19
872-5198-452.34-20	10/07/2010	OLYMPIC PK-3747 OLYMPIC B	676594010	04/2011 266.43
872-5198-452.34-20	10/07/2010	OLYMPIC PK-3890 STILLWTR	676614077	04/2011 149.48
872-5198-452.34-20	10/07/2010	HIGH SIERRA PK-2000 WICKS	676654097	04/2011 770.46
561-7110-711.34-20	10/07/2010	1901 AIRPORT TERM CIR	68407759	04/2011 12,529.35

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
872-5198-452.34-20	10/07/2010	1760 COUNTRY MANOR BLVD.	8992912649100		04/2011	691.87	
872-5198-452.34-20	10/07/2010	4002 PARKHILL DR	899739343		04/2011	54.10	
872-5198-452.34-20	10/07/2010	255 ENERGY BLVD.	904059154		04/2011	470.60	
872-5198-452.34-20	10/07/2010	1515 38TH ST WEST	10697714654		04/2011	855.15	
872-5198-452.34-20	10/07/2010	4550 RANGVIEW DR	1142018810		04/2011	1,415.71	
872-5198-452.34-20	10/07/2010	4430 HI-LINE DR	11460717358		04/2011	26.43	
872-5198-452.34-20	10/07/2010	4430 HI-LINE DR	12051919090		04/2011	422.34	
872-5198-452.34-20	10/07/2010	210 S 36 ST W	13264320441		04/2011	119.25	
512-8500-625.34-20	10/07/2010	2229 BLUE CREEK RD	13670319854		04/2011	9.49	
10/08/2010	737810	RIMROCK FOUNDATION	3210			21,293.99	
245-1257-412.35-75	10/05/2010	BAMHC - COUNSELORS-AUG 10	2011-3	278430	04/2011	2,040.37	
248-1263-412.35-90	10/05/2010	BAMDUI-COUNSELORS-AUG10	2011-3	278431	04/2011	7,461.98	
738-1264-412.35-60	10/05/2010	SAMHSA - AUGUST 2010	2011-3	278468	04/2011	3,498.20	
738-1264-412.35-90	10/05/2010	SAMHSA - AUGUST 2010	2011-3	278468	04/2011	3,619.52	
738-1264-412.39-90	10/05/2010	SAMHSA - AUGUST 2010	2011-3	278468	04/2011	2,553.53	
737-1265-412.23-10	10/05/2010	JAG GRANT - SEPTEMBER 10	2011-3	278485	04/2011	57.00	
737-1265-412.35-90	10/05/2010	JAG GRANT - SEPTEMBER 10	2011-3	278485	04/2011	1,035.22	
737-1265-412.37-30	10/05/2010	JAG GRANT - SEPTEMBER 10	2011-3	278485	04/2011	1,028.17	
10/08/2010	737812	ROOTX	19882			3,408.45	
512-8500-625.22-20	10/05/2010	MISC SERVICES	33063	278547	04/2011	3,408.45	
10/08/2010	737818	SHEPHERD STAINLESS INC	8021			3,705.00	
561-7112-711.24-50	10/04/2010	INVOICE #19808	19808	F11661	04/2011	3,705.00	
10/08/2010	737822	SNIBBE INTERACTIVE INC	21210			2,500.00	
260-5511-455.79-30	10/06/2010	MISC SERVICES	INVOICE 626	276076	04/2011	500.00	
260-5512-455.79-30	10/06/2010	MISC SERVICES	INVOICE 626	276076	04/2011	2,000.00	
10/08/2010	737827	ST VINCENT OCCUPATIONAL HEALTH	3535			6,175.06	
10-1750-417.35-72	10/05/2010	MISC SERVICES	22400	278569	04/2011	1,110.00	
150-2112-421.35-10	10/05/2010	MISC SERVICES	22400	278569	04/2011	302.06	
502-7500-609.35-10	10/05/2010	MISC SERVICES	22400	278569	04/2011	140.00	
512-8400-623.35-10	10/05/2010	MISC SERVICES	22400	278569	04/2011	40.00	
541-3121-435.35-10	10/05/2010	MISC SERVICES	22400	278569	04/2011	140.00	
561-7113-711.35-10	10/05/2010	MISC SERVICES	22400	278569	04/2011	70.00	
571-7142-713.35-10	10/05/2010	MISC SERVICES	22400	278569	04/2011	140.00	
627-1752-417.51-60	10/05/2010	MISC SERVICES	22400	278569	04/2011	4,233.00	
10/08/2010	737833	SUNSET EXCAVATION	11477			11,897.25	
505-7515-609.36-71	10/05/2010	MISC SERVICES	904713	278136	04/2011	10,172.25	
505-7515-609.36-71	10/05/2010	MISC SERVICES	904714	278519	04/2011	1,050.00	
505-7515-609.36-71	10/05/2010	MISC SERVICES	904715	278519	04/2011	675.00	
10/08/2010	737836	THE OMEGA GROUP, INC.	19398			3,225.00	
150-2150-421.35-53	10/05/2010	INVOICE 0006914-IN DATED	0006914-IN	F11684	04/2011	3,225.00	
10/08/2010	737842	TOWN & COUNTRY SUPPLY ASSOCIAT	18295			72,150.68	
601-0000-141.00-00	09/30/2010	MP	78106		03/2011	12,457.00	

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601-0000-141.00-00	09/30/2010	MP	89130		03/2011	16,820.86	
601-0000-141.71-41	09/30/2010	MP	89127		03/2011	18,033.71	
10-5142-436.23-10	09/30/2010	DYED#2 DIESEL	89323	278403	03/2011	673.30	
571-7144-713.23-20	09/30/2010	MP	89127	278408	03/2011	.01	
502-0000-141.00-00	10/04/2010	WATER PARTS AND SUPPLIES	90034		04/2011	999.38	
150-2226-422.23-10	10/05/2010	FIRE1:UNLEADED/240 GALLNS	78071 FIRE1	276337	04/2011	584.31	
150-2226-422.23-10	10/05/2010	FIRE1:DIESEL/560 GALLONS	78072 FIRE1	276337	04/2011	1,353.46	
150-2226-422.23-10	10/05/2010	FIRE2:DIESEL/400 GALLONS	78073 FIRE2	276337	04/2011	966.76	
150-2226-422.23-10	10/05/2010	FIRE3:DIESEL/370 GALLONS	78074 FIRE3	276337	04/2011	894.26	
150-2226-422.23-10	10/05/2010	FIRE5:DIESEL/350 GALLONS	78075 FIRE5	276337	04/2011	845.93	
561-7118-711.23-13	10/04/2010	INVOICE #89132	89132	F11663	04/2011	10,414.20	
561-7118-711.23-13	10/05/2010	INVOICE #88788	88788	F11682	04/2011	8,107.50	
10/08/2010	737863	YELLOWSTONE COUNTY SHERIFFS	6218			4,280.00	
710-2133-421.21-20	10/07/2010	MISC SERVICES	JAG RECOVERY	278613	04/2011	4,280.00	
DATE RANGE TOTAL *						1,559,420.23 *	

**Regular City Council Meeting**

**Date:** 11/08/2010

**TITLE:** Payment of Claims October 15, 2010.

**PRESENTED BY:** Pat M. Weber, Financial Services Manager

**Department:** City Hall Administration

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**Information**

**PROBLEM/ISSUE STATEMENT**

Claims in the amount of \$1,708,314.18 have been audited and are presented for your approval for payment. A complete listing of the claims dated October 15, 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**

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**Attachments**

List of claims greater than \$2500.

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CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
10/15/2010	737868	A & I DISTRIBUTORS	16			19,740.38	
541-3123-435.23-10	09/13/2010	OIL AND DRUMS LF	1957642	275715	03/2011	1,997.18	
601-0000-141.00-00	09/14/2010	MP	1955026		03/2011	3,294.50	
150-2112-421.23-20	09/14/2010	MP	1955026	275715	03/2011	39.80	
211-3132-433.23-20	09/14/2010	MP	1955026	275715	03/2011	39.80	
541-3122-435.23-20	09/14/2010	MP	1955026	275715	03/2011	39.80	
601-1553-481.26-50	09/14/2010	MP	1955026	275715	03/2011	.44-	
601-0000-141.00-00	09/20/2010	MP	1959609		03/2011	3,478.64	
601-0000-141.00-00	09/20/2010	MP	1959609		03/2011	68.64	
601-1553-481.26-50	09/20/2010	MP	1959609	275715	03/2011	.34-	
541-3122-435.23-20	09/20/2010	MP	1959932	275715	03/2011	530.86	
601-0000-141.71-41	09/21/2010	MP	1956983		03/2011	3,115.26	
571-7144-713.23-10	09/21/2010	MP	1956983	275715	03/2011	.91-	
561-7113-711.23-10	09/23/2010	NONSTOCKING ITEMS-P.U.D.	1960980	275715	03/2011	1,415.34	
10-5112-452.23-20	10/06/2010	MP	1961636	275715	04/2011	376.20	
601-0000-141.71-41	10/07/2010	MP	1963650		04/2011	401.06	
571-7144-713.23-20	10/07/2010	MP	1963650	275715	04/2011	.22-	
571-7144-713.23-20	10/07/2010	MP	1963650	275715	04/2011	401.06	
601-0000-141.00-00	10/08/2010	MP	1963651		04/2011	648.12	
601-0000-141.00-00	10/08/2010	MP	1963651		04/2011	3,819.74	
150-2112-421.23-20	10/08/2010	MP	1963651	275715	04/2011	26.65	
211-3132-433.23-20	10/08/2010	MP	1963651	275715	04/2011	26.65	
541-3122-435.23-20	10/08/2010	MP	1963651	275715	04/2011	26.65	
601-1553-481.26-50	10/08/2010	MP	1963651	275715	04/2011	3.66-	
10/15/2010	737871	ALL PHASE BUILDERS	16854			4,959.00	
296-6554-463.72-75	10/13/2010	MISC SERVICES	307	278719	04/2011	4,959.00	
10/15/2010	737879	BECCO GENERAL CONSTRUCTION SER	21173			126,556.97	
513-8491-623.93-90	10/13/2010	WO0908 WWTP WTR LINE	3	275042	04/2011	126,556.97	
10/15/2010	737894	BUSINESS TAX SECTION	2449			13,301.27	
421-8493-623.93-40	10/13/2010	WO0822 WWTP DISINFEC SYS	6	272597	04/2011	744.49	
513-8491-623.93-90	10/13/2010	WO1009 WWTP T-5 TRNSFRMR	3	274407	04/2011	625.00	
210-5151-452.93-90	10/13/2010	WO0307 ALKALI CR	3	274414	04/2011	633.77	
490-5161-452.93-70	10/13/2010	WO0307 ALKALI CR	3	274414	04/2011	1,068.15	
497-5162-451.93-70	10/13/2010	WO0307 ALKALI CR	3	274414	04/2011	3,001.87	
205-3131-433.93-10	10/13/2010	WO0821 LAKE ELMO DR	4	274941	04/2011	1,492.70	
210-3110-431.93-11	10/13/2010	WO0821 LAKE ELMO DR	4	274941	04/2011	994.69	
438-3165-431.93-11	10/13/2010	WO0821 LAKE ELMO DR	4	274941	04/2011	746.03	
503-7591-609.93-40	10/13/2010	WO0821 LAKE ELMO DR	4	274941	04/2011	145.20	
840-3184-431.93-10	10/13/2010	WO0821 LAKE ELMO DR	4	274941	04/2011	941.73	
513-8491-623.93-90	10/13/2010	WO0908 WWTP WTR LINE	3	275043	04/2011	1,278.35	
840-3184-431.93-10	10/13/2010	WO1025 MISC STRM DRAIN	3	276675	04/2011	205.18	
845-3186-431.93-10	10/13/2010	WO1007 GRAND/24TH R TURN	1	276943	04/2011	945.02	
205-3131-433.93-10	10/13/2010	SID 1391 LYNN AVENUE	1	277633	04/2011	134.38	
465-3161-431.93-10	10/13/2010	SID 1391 LYNN AVENUE	1	277633	04/2011	344.71	
10/15/2010	737901	COLSTRIP ELECTRIC INC	11663			61,875.43	
513-8491-623.93-90	10/13/2010	WO1009 WWTP T-5 TRSFRMR	3	274406	04/2011	61,875.43	

PROGRAM: GM350L  
CITY OF BILLINGS

MINIMUM AMOUNT: 2,500.00  
FROM 10/15/2010 TO 10/15/2010

BANK CODE 00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
10/15/2010	737909	DOWNTOWN BILLINGS BID, INC.	19065				6,626.00
	872-5198-452.36-50	10/14/2010	BID CONTRACT	143	278639	04/2011	3,501.00
	872-5198-452.36-50	10/14/2010	BID CONTRACT	143	278639	04/2011	3,125.00
10/15/2010	737919	FLATHEAD COUNTY SHERIFF'S OFFI	20242				11,945.38
	251-2187-421.35-60	10/13/2010	MISC SERVICES	10 ICAC/CONSULT	278696	04/2011	6,151.08
	251-2187-421.38-22	10/13/2010	MISC SERVICES	10 ICAC/OTHER	278696	04/2011	900.00
	251-2187-421.38-22	10/13/2010	MISC SERVICES	10 ICAC/TRAVEL	278696	04/2011	4,894.30
10/15/2010	737920	FOUR BEERS INC	20892				465,675.12
	210-5151-452.93-90	10/13/2010	WO0307 ALKALI CR	3	274413	04/2011	62,744.02
	490-5161-452.93-70	10/13/2010	WO0307 ALKALI CR	3	274413	04/2011	105,746.55
	497-5162-451.93-70	10/13/2010	WO0307 ALKALI CR	3	274413	04/2011	297,184.55
10/15/2010	737922	FRIENDSHIP HOUSE	1372				15,000.00
	296-6551-463.72-75	10/13/2010	MISC SERVICES	FY11-1	278722	04/2011	15,000.00
10/15/2010	737926	GALLES FILTER SERVICE	1397				3,381.26
	601-0000-141.00-00	09/03/2010	MP	211744		03/2011	384.98
	150-2112-421.23-20	09/03/2010	MP	211721	275719	03/2011	13.44
	601-0000-141.00-00	09/14/2010	MP	211919		03/2011	123.44
	601-0000-141.71-41	09/14/2010	MP	211922		03/2011	96.63
	601-0000-141.00-00	09/14/2010	MP	211954		03/2011	7.28
	601-0000-141.00-00	09/14/2010	MP	212131		03/2011	300.39
	601-0000-141.00-00	09/14/2010	MP	212334		03/2011	364.59
	601-0000-141.00-00	09/14/2010	MP	212356		03/2011	26.28
	601-0000-141.00-00	09/20/2010	MP	212629		03/2011	423.69
	601-0000-141.00-00	09/20/2010	MP	212803		03/2011	131.79
	601-0000-141.71-41	09/20/2010	MP	212815		03/2011	155.15
	211-3132-433.23-20	09/20/2010	MP	212976	275719	03/2011	27.66
	10-5112-452.23-20	09/20/2010	MP	212990	275719	03/2011	5.49
	601-0000-141.71-41	09/29/2010	MP	213301		03/2011	122.00
	601-0000-141.00-00	09/30/2010	MP	213300		03/2011	102.49
	601-0000-141.00-00	10/07/2010	MP	213131		04/2011	364.92
	10-5112-452.23-20	10/07/2010	MP	212077	275719	04/2011	89.16
	211-3132-433.23-20	10/07/2010	MP	212607	275719	04/2011	195.66
	10-5112-452.23-20	10/07/2010	MP	213140	275719	04/2011	57.93
	211-3132-433.23-20	10/07/2010	MP	213154	275719	04/2011	13.77
	601-0000-141.00-00	10/08/2010	MP	213157		04/2011	12.33
	601-0000-141.00-00	10/08/2010	MP	213463		04/2011	10.40
	601-0000-141.00-00	10/08/2010	MP	213600		04/2011	443.18
	601-0000-141.71-41	10/08/2010	MP	213629		04/2011	63.36
	571-7144-713.23-20	10/08/2010	MP	213629	275719	04/2011	64.98
	571-7144-713.23-20	10/08/2010	MP	213629	275719	04/2011	24.27
10/15/2010	737930	GENERAL MEDICAL DEVICES	21360				4,800.00
	150-2229-422.26-90	10/11/2010	FIRE/LIFEPAK500/AED/QRV'S	6854 AED/QRV	278199	04/2011	4,800.00
10/15/2010	737931	GILLIG CORPORATION	18154				7,089.00
	601-0000-141.71-41	10/08/2010	MP	4661383		04/2011	7,089.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN	AMOUNT
10/15/2010	737936	HACH COMPANY	1554				5,416.95
512-8400-623.22-23	10/05/2010	MISC SERVICES	6917238	277673	04/2011		5,416.95
10/15/2010	737939	HDR INC	1544				37,668.82
416-7493-603.92-20	10/13/2010	WO0426 ZONE 4 & 5 RESVRS	43	247294	04/2011		6,211.09
421-8493-623.93-40	10/13/2010	WO0822 WWTP DISINFECT SYS	19	263835	04/2011		12,470.13
845-3186-431.93-10	10/13/2010	WO1023 ZIMMER TR TO HWY3	3	276513	04/2011		18,987.60
10/15/2010	737940	HELENA POLICE DEPARTMENT	9703				2,915.87
251-2187-421.34-50	10/13/2010	MISC SERVICES	10 ICAC/AIRCARD	278693	04/2011		501.01
251-2187-421.35-60	10/13/2010	MISC SERVICES	10 ICAC/CONSULT	278693	04/2011		912.26
251-2187-421.38-22	10/13/2010	MISC SERVICES	10 ICAC/TRAVEL	278693	04/2011		1,502.60
10/15/2010	737945	INGRAM BOOK COMPANY	1820				7,492.06
260-5519-455.32-27	10/07/2010	PUBLICATIONS/AUDIOVISUAL	53979601	278623	04/2011		11.97
260-5519-455.32-41	10/07/2010	PUBLICATIONS/AUDIOVISUAL	53979602	278623	04/2011		33.07
260-5519-455.32-26	10/07/2010	PUBLICATIONS/AUDIOVISUAL	53979603	278623	04/2011		81.29
260-5519-455.32-27	10/07/2010	PUBLICATIONS/AUDIOVISUAL	53979604	278623	04/2011		20.66
260-5519-455.32-55	10/07/2010	PUBLICATIONS/AUDIOVISUAL	53979605	278623	04/2011		20.99
260-5519-455.32-23	10/07/2010	PUBLICATIONS/AUDIOVISUAL	53979606	278623	04/2011		35.94
260-5519-455.32-26	10/07/2010	PUBLICATIONS/AUDIOVISUAL	53979606	278623	04/2011		43.78
260-5519-455.32-27	10/07/2010	PUBLICATIONS/AUDIOVISUAL	53979607	278623	04/2011		86.59
260-5519-455.32-42	10/07/2010	PUBLICATIONS/AUDIOVISUAL	53979608	278623	04/2011		38.48
260-5519-455.32-26	10/07/2010	PUBLICATIONS/AUDIOVISUAL	53979609	278623	04/2011		123.78
260-5519-455.32-26	10/07/2010	PUBLICATIONS/AUDIOVISUAL	53979611	278623	04/2011		15.31
260-5519-455.32-23	10/07/2010	PUBLICATIONS/AUDIOVISUAL	53979612	278623	04/2011		16.47
260-5519-455.32-26	10/07/2010	PUBLICATIONS/AUDIOVISUAL	53979612	278623	04/2011		106.07
260-5519-455.32-26	10/07/2010	PUBLICATIONS/AUDIOVISUAL	53979613	278623	04/2011		8.99
260-5519-455.32-27	10/07/2010	PUBLICATIONS/AUDIOVISUAL	53979614	278623	04/2011		22.13
260-5519-455.32-23	10/07/2010	PUBLICATIONS/AUDIOVISUAL	54003695	278623	04/2011		17.37
260-5519-455.32-27	10/07/2010	PUBLICATIONS/AUDIOVISUAL	54003696	278623	04/2011		9.00
260-5519-455.32-23	10/07/2010	PUBLICATIONS/AUDIOVISUAL	56979610	278623	04/2011		17.99
260-5519-455.32-27	10/07/2010	PUBLICATIONS/AUDIOVISUAL	56979610	278623	04/2011		29.98
260-5519-455.32-23	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54003697	278623	04/2011		43.94
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54003697	278623	04/2011		488.98
260-5519-455.32-23	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54003698	278623	04/2011		23.99
260-5519-455.32-27	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54003698	278623	04/2011		1,230.46
260-5519-455.32-27	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54025028	278623	04/2011		10.17
260-5519-455.32-27	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54025029	278623	04/2011		70.76
260-5519-455.32-23	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54025030	278623	04/2011		49.47
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54025030	278623	04/2011		69.88
260-5519-455.32-27	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54025031	278623	04/2011		134.20
260-5519-455.33-33	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54025032	278623	04/2011		19.88
260-5519-455.32-55	10/08/2010	PUBLICATIONS/AUDIOVISUAL	540625115406281	278623	04/2011		43.03
260-5519-455.32-27	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54062809	278623	04/2011		16.52
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54062810	278623	04/2011		108.11
260-5519-455.32-27	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54062812	278623	04/2011		52.76
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54062813	278623	04/2011		27.55
260-5519-455.32-27	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54062814	278623	04/2011		24.31

PROGRAM: GM350L  
CITY OF BILLINGS

MINIMUM AMOUNT: 2,500.00  
FROM 10/15/2010 TO 10/15/2010

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CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
260-5519-455.32-55	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54062815	278623	04/2011	89.62	
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54062817	278623	04/2011	66.04	
260-5519-455.32-27	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54062818	278623	04/2011	27.58	
260-5519-455.32-42	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54062818	278623	04/2011	32.97	
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54062819	278623	04/2011	82.60	
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54062820	278623	04/2011	25.47	
260-5519-455.32-27	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54074091	278623	04/2011	6.46	
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54074092	278623	04/2011	47.70	
260-5519-455.32-27	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54074093	278623	04/2011	9.57	
260-5519-455.32-55	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54074094	278623	04/2011	9.94	
260-5519-455.32-23	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115737	278623	04/2011	21.99	
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115737	278623	04/2011	46.56	
260-5519-455.32-23	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115738	278623	04/2011	16.49	
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115738	278623	04/2011	129.91	
260-5519-455.32-27	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115739	278623	04/2011	22.79	
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115740	278623	04/2011	196.91	
260-5519-455.32-27	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115741	278623	04/2011	78.32	
260-5519-455.32-23	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115742	278623	04/2011	94.00	
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115742	278623	04/2011	384.77	
260-5519-455.32-27	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115743	278623	04/2011	1,507.43	
260-5519-455.32-55	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115744	278623	04/2011	137.91	
260-5519-455.32-42	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115745	278623	04/2011	21.99	
260-5519-455.32-27	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115746	278623	04/2011	29.94	
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115747	278623	04/2011	29.46	
260-5519-455.32-23	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115748	278623	04/2011	19.24	
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115748	278623	04/2011	14.74	
260-5519-455.32-27	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115749	278623	04/2011	8.99	
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54115750	278623	04/2011	51.48	
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54145901	278623	04/2011	15.33	
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54145902	278623	04/2011	24.26	
260-5519-455.32-27	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54145903	278623	04/2011	31.24	
260-5519-455.32-26	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54145904	278623	04/2011	15.92	
260-5519-455.79-30	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54244597	278623	04/2011	23.57	
260-5519-455.79-30	10/08/2010	PUBLICATIONS/AUDIOVISUAL	54294559	278623	04/2011	1,017.00	
10/15/2010	737946	INTERSTATE POWERSYSTEMS	17926			3,878.90	
502-0000-141.00-00	10/08/2010	WASTEWATER PARTS & SUPPLY	C00801559001		04/2011	2,296.40	
601-0000-141.71-41	10/08/2010	MP	7015436.02		04/2011	1,183.56	
601-0000-141.71-41	10/14/2010	MP	7015504.01		04/2011	218.35	
571-7144-713.23-20	10/14/2010	MP	7015493.01	278756	04/2011	180.59	
10/15/2010	737948	ITT CORPORATION	20204			2,951.11	
512-8400-623.24-50	10/05/2010	MISC SERVICES	0761085	278539	04/2011	2,951.11	
10/15/2010	737949	J & J CONCRETE	15244			47,429.41	
205-3131-433.93-10	10/13/2010	SID 1391 LYNN AVENUE	1	277628	04/2011	13,303.37	
465-3161-431.93-10	10/13/2010	SID 1391 LYNN AVENUE	1	277628	04/2011	34,126.04	
10/15/2010	737951	JTL GROUP INC DBA KNIFE RIVER	2417			113,870.39	
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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
845-3186-431.93-10	10/13/2010	WO1007 GRAND/24TH R TURN	1	276942	04/2011	93,557.42	
10/15/2010	737958	KOCHS TENNIS COURT SERVICE	11659			4,150.00	
10-5112-452.36-90	10/14/2010	TENNIS COURT REPAIRS	TENNIS COURT	278614	04/2011	4,150.00	
10/15/2010	737964	MAILING TECHNICAL SERVICES	12577			5,869.99	
521-1521-493.31-10	10/13/2010	MISC SERVICES	SEPT 2010	278729	04/2011	474.50	
605-1515-483.31-10	10/13/2010	MISC SERVICES	SEPT 2010	278729	04/2011	5,395.49	
10/15/2010	737968	MIDWEST TAPE	13470			3,453.24	
260-5519-455.32-25	10/12/2010	PUBLICATIONS/AUDIOVISUAL	2286702	278677	04/2011	878.20	
260-5519-455.32-23	10/12/2010	PUBLICATIONS/AUDIOVISUAL	2286703	278677	04/2011	78.14	
260-5519-455.33-36	10/12/2010	PUBLICATIONS/AUDIOVISUAL	2291985	278677	04/2011	103.98	
260-5519-455.32-25	10/12/2010	PUBLICATIONS/AUDIOVISUAL	2291986	278677	04/2011	19.99	
260-5519-455.32-27	10/12/2010	PUBLICATIONS/AUDIOVISUAL	2291987	278677	04/2011	78.34	
260-5519-455.32-25	10/12/2010	PUBLICATIONS/AUDIOVISUAL	2291988	278677	04/2011	306.26	
260-5519-455.32-23	10/12/2010	PUBLICATIONS/AUDIOVISUAL	2291989	278677	04/2011	365.15	
260-5519-455.32-25	10/12/2010	PUBLICATIONS/AUDIOVISUAL	2299836	278677	04/2011	479.78	
260-5519-455.33-36	10/12/2010	PUBLICATIONS/AUDIOVISUAL	2299837	278677	04/2011	758.74	
260-5519-455.33-36	10/12/2010	PUBLICATIONS/AUDIOVISUAL	2299838	278677	04/2011	73.16	
260-5519-455.32-23	10/12/2010	PUBLICATIONS/AUDIOVISUAL	2299839	278677	04/2011	13.59	
260-5519-455.33-34	10/12/2010	PUBLICATIONS/AUDIOVISUAL	2299840	278677	04/2011	19.99	
260-5519-455.32-27	10/12/2010	PUBLICATIONS/AUDIOVISUAL	2299841	278677	04/2011	98.99	
260-5519-455.32-27	10/12/2010	PUBLICATIONS/AUDIOVISUAL	2299842	278677	04/2011	114.95	
260-5519-455.32-25	10/12/2010	PUBLICATIONS/AUDIOVISUAL	2305594	278677	04/2011	63.98	
10/15/2010	737972	MONTANA DEPT OF TRANSPORTATION	2496			7,602.00	
503-7591-609.93-40	10/13/2010	WO0716 SHILOH RD CORRIDOR	AR# 29113	278712	04/2011	441.00	
513-8591-625.93-40	10/13/2010	WO0716 SHILOH RD CORRIDOR	AR# 29113	278712	04/2011	4,638.00	
840-3184-431.93-10	10/13/2010	WO0716 SHILOH RD CORRIDOR	AR# 29113	278712	04/2011	2,523.00	
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630-1753-485.73-11	10/12/2010	MISC SERVICES	910009	278691	04/2011	7,906.34	
10/15/2010	737983	NORTHWESTERN ENERGY	15771			13,840.42	
571-7143-713.34-10	10/05/2010	ACCOUNT# 0100473-8	100110	F11699	04/2011	2,609.54	
266-6773-465.39-90	10/13/2010	MISC SERVICES	1894946-1	278697	04/2011	8.21	
10-5127-451.34-10	10/14/2010	NW PARK/REC/PL	07123870		04/2011	40.09	
10-5122-451.34-10	10/14/2010	NW PARK/REC/PL	07125362		04/2011	129.12	
571-7143-713.34-10	10/14/2010	NW AVIATION/TRAN	07192255		04/2011	328.52	
150-2221-422.34-10	10/14/2010	NW FIRE	07208176		04/2011	215.55	
10-5122-451.34-10	10/14/2010	NW PARK/REC/PL	07208184		04/2011	19.83	
10-5126-451.34-10	10/14/2010	NW PARK/REC/PL	07208218		04/2011	530.06	
502-7400-603.34-10	10/14/2010	NW PUD-WATER TREAT	07222649		04/2011	3,999.42	
10-5112-452.34-10	10/14/2010	NW PARK/REC/PL	07222870		04/2011	759.99	
502-7400-603.34-10	10/14/2010	NW PUD-WATER TREAT	07230402		04/2011	2,908.12	
10-5112-452.34-10	10/14/2010	NW PARK/REC/PL	07230451		04/2011	70.75	
502-7400-603.34-10	10/14/2010	NW PUD-WATER TREAT	07230592		04/2011	9.63	
10-5112-452.34-10	10/14/2010	NW PARK/REC/PL	08134892		04/2011	33.77	
150-2221-422.34-10	10/14/2010	NW FIRE	08715468		04/2011	483.24	

PROGRAM: GM350L  
CITY OF BILLINGS

MINIMUM AMOUNT: 2,500.00  
FROM 10/15/2010 TO 10/15/2010

BANK CODE 00

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502-7400-603.34-10	10/14/2010	NW Parks	11422532		04/2011	164.50	
872-5198-452.34-10	10/14/2010	NW parks	11759727		04/2011	128.76	
10-5112-452.34-10	10/14/2010	NW	11914041		04/2011	22.69	
211-3132-433.34-10	10/14/2010	STREETS/TRAFFIC	17488966		04/2011	.44	
10-5112-452.34-10	10/14/2010	PARKS & REC	18494088		04/2011	52.39	
10-5127-451.34-10	10/14/2010	ELECTRIC CHARGES	0100506-5 SEPT	278294	04/2011	1,325.80	
10/15/2010	737985	ONE EIGHTY COMMUNICATIONS	15590			4,891.25	
561-7110-711.34-50	10/12/2010	ONE EIGHTY OCTOBER 2010	AIRPORT 2948370		04/2011	40.60	
606-1931-484.34-50	10/12/2010	ONE EIGHTY OCTOBER 2010	ACCT 00018768		04/2011	542.87	
606-1931-484.34-50	10/12/2010	ONE EIGHTY OCTOBER 2010	ACCT 00001906		04/2011	3,103.91	
10-5112-452.34-50	10/12/2010	ONE EIGHTY OCTOBER 2010	867-7275		04/2011	46.00	
670-3141-489.34-50	10/12/2010	ONE EIGHTY OCTOBER 2010	DEPOT 60%		04/2011	489.86	
660-3110-431.34-50	10/12/2010	ONE EIGHTY OCTOBER 2010	DEPOT 40%		04/2011	326.56	
260-5518-455.35-90	10/12/2010	ONE EIGHTY OCTOBER 2010	INTERNET LIB		04/2011	259.00	
620-1911-482.34-52	10/12/2010	ONE EIGHTY OCTOBER 2010	IT INTERNET		04/2011	79.95	
150-2225-422.34-50	10/12/2010	ONE EIGHTY OCTOBER 2010	LONG DISTANCE		04/2011	2.50	
10/15/2010	737987	PHILIP SERVICES CORPORATION	14411			2,959.00	
541-3123-435.35-90	10/12/2010	HAZARDOUS WASTE COLLECTIO	22000278305	273923	04/2011	2,959.00	
10/15/2010	737995	REBUILDING TOGETHER	17522			2,937.00	
296-6677-463.72-75	10/13/2010	MISC SERVICES	FY11-1	278709	04/2011	2,937.00	
10/15/2010	737998	RIVERSIDE SAND & GRAVEL INC	19447			427,715.31	
205-3131-433.93-10	10/13/2010	WO0821 LAKE ELMO DR	4	274940	04/2011	147,777.00	
210-3110-431.93-11	10/13/2010	WO0821 LAKE ELMO DR	4	274940	04/2011	98,474.43	
438-3165-431.93-11	10/13/2010	WO0821 LAKE ELMO DR	4	274940	04/2011	73,856.60	
503-7591-609.93-40	10/13/2010	WO0821 LAKE ELMO DR	4	274940	04/2011	14,375.25	
840-3184-431.93-10	10/13/2010	WO0821 LAKE ELMO DR	4	274940	04/2011	93,232.03	
10/15/2010	738003	SANDERSON STEWART	20446			41,514.06	
840-3184-431.93-10	10/13/2010	WO0912 INNER BELT LOOP	13	267730	04/2011	5,383.65	
845-3186-431.93-10	10/13/2010	WO0912 INNER BELT LOOP	13	267730	04/2011	36,130.41	
10/15/2010	738010	SKYCON INC	19639			5,442.50	
561-7112-711.24-50	10/12/2010	INVOICE #286	286	F11720	04/2011	5,442.50	
10/15/2010	738011	SNOWY RANGE RESEARCH	18855			4,615.00	
738-1264-412.35-10	10/07/2010	SAMHSA CONSULTING - SEPT	2011-3	278624	04/2011	1,650.00	
246-1253-412.35-60	10/07/2010	BAMDC CONSULTING - SEPT	2011-3	278626	04/2011	1,165.00	
248-1263-412.35-60	10/07/2010	BAMDUI CONSULTING	2011-3	278627	04/2011	1,000.00	
245-1257-412.35-60	10/07/2010	BAMHC CONSULTING	2011-3	278628	04/2011	800.00	
10/15/2010	738012	SPRINGSTED	3526			22,616.55	
406-7119-476.55-10	10/13/2010	MISC SERVICES	1-1061.105	278726	04/2011	22,616.55	
10/15/2010	738020	TETRA TECH, INC.	19346			3,664.93	
541-3123-435.35-90	10/13/2010	LF GAS & WATER MONITORING	50384414	278318	04/2011	3,664.93	
10/15/2010	738023	TOWN & COUNTRY SUPPLY ASSOCIAT	18295			41,190.32	
601-0000-141.00-00	10/11/2010	MP	78889		04/2011	28,857.96	

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502-0000-141.00-00	10/14/2010	WATER PARTS AND SUPPLIES	78247		04/2011	273.53	
601-0000-141.71-41	10/14/2010	MP	78387-BB		04/2011	5,317.69	
10/15/2010	738028	UNITED RENTALS	15772			16,705.11	
562-7120-711.94-90	10/12/2010	MISC SERVICES	90087290-001	276671	04/2011	16,705.11	
10/15/2010	738036	WILLIAM BROTHERS CONSTRUCTION	8323			73,704.95	
421-8493-623.93-40	10/13/2010	WO0822 WWTP DISINFEC SYS	6	272596	04/2011	73,704.95	
10/15/2010	738037	WINGFOOT COMMERCIAL TIRE	15322			3,268.37	
211-3132-433.23-90	09/30/2010	MP	176-1030772	275726	03/2011	320.76	
211-3132-433.23-90	09/30/2010	MP	176-1030772	275726	03/2011	2,885.68	
541-3123-435.23-90	10/05/2010	MP	176-1030812	275726	04/2011	22.73	
601-1553-481.26-50	10/06/2010	MP	176-1030736	275726	04/2011	39.20	
DATE RANGE TOTAL *						1,656,619.66 *	

**Regular City Council Meeting**

**Date:** 11/08/2010

**TITLE:** Public Hearing and First Reading of Ordinance Amending Ward I Boundary

**PRESENTED BY:** Candi Beaudry

**Department:** Planning & Community Services

---

**Information**

**PROBLEM/ISSUE STATEMENT**

City election ward boundaries must be adjusted to conform to city limit amendments resulting from the exclusion of city property. The City Council approved the exclusion of Tract 2A, C/S 2544, in the Briarwood PUD, (Annexation #10-03) on October 25, 2010 by Resolution #10-19014 requiring a change in the boundaries of Ward I. Two readings are required for this action. The first reading of the ordinance is scheduled for November 8, 2010 along with a public hearing, and the second reading is scheduled for November 22, 2010.

**ALTERNATIVES ANALYZED**

City Council may approve or not approve the ordinance to amend the boundary of Ward I on first reading. Approving the ordinance will modify the boundaries of Ward I to exclude Tract 2A, C/S 2544. Denying the ordinance will not modify the boundaries of Ward I.

**FINANCIAL IMPACT**

There is no budget/financial impact from this action.

**RECOMMENDATION**

Staff recommends that Council hold a public hearing and approve this ordinance on first reading removing recently excluded property from Ward I.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Ward Boundary Change Ordinance

---

**ORDINANCE NO. 10-\_\_\_\_\_**

AN ORDINANCE OF THE CITY OF BILLINGS, AMENDING BILLINGS MUNICIPAL CODE, CHAPTER 11, ELECTIONS, IN PARTICULAR, SECTION 11-102(c), WARD BOUNDARIES; AND CHANGING THE WARD BOUNDARIES ESTABLISHED THEREIN BY REMOVING CERTAIN NEWLY EXCLUDED REAL PROPERTY FROM WARD I PROVIDING FOR CERTIFICATION AND REPEALING OF ALL ORDINANCES AND RESOLUTIONS INCONSISTENT THEREWITH.

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

1. AMENDMENT. Pursuant to Billings Municipal Code, Section 1.16.030 and the State Law, Billings Municipal Code, Section 1.16.030 Ward Boundaries is hereby amended by removing from the following designated Ward the following described real property:

**Ward I:** Portions of Certificate of survey 2544, annexed under Resolution No. 02-17819, Recorded April 18, 2002, Under Document No. 3173017, Records of Yellowstone County, Montana,

**Tract 2A, Certificate of Survey 2544:** A tract of land situated in the SE1/4 and the SW1/4 of Section 22, and the NE1/4 and the NW1/4 of Section 27, T.1S., R.26E., P.M.M., City of Billings, Yellowstone County, Montana, being Tract 2A of Amended Tracts 2, 3, 4, 5, 6A-1, 7A, 12 & 13A, of Certificate of Survey No. 2544 4<sup>th</sup> and 5<sup>th</sup> Amended, Recorded December 17, 2004, Under Document No. 3315777, Records of Yellowstone County, Montana. Said Tract containing 121.78 acres.

(# 10-03) See Exhibit "A" Attached

2. CERTIFICATION. Pursuant to M.C.A. Section 13-3-103, the above change and alteration is hereby certified to the election administrator by the City Council, and the City Administrator or his designee is hereby directed to certify the changes and alterations and to deliver a map showing the boundaries of the ward, the streets, avenues and alleys by name and the ward by number, to the election administrator not more than ten (10) days after the effective date of this ordinance.
3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.

PASSED by the City Council on the first reading this 8th day of November, 2010.

PASSED by the City Council on the second reading this 22nd day of November, 2010.

THE CITY OF BILLINGS

BY: \_\_\_\_\_

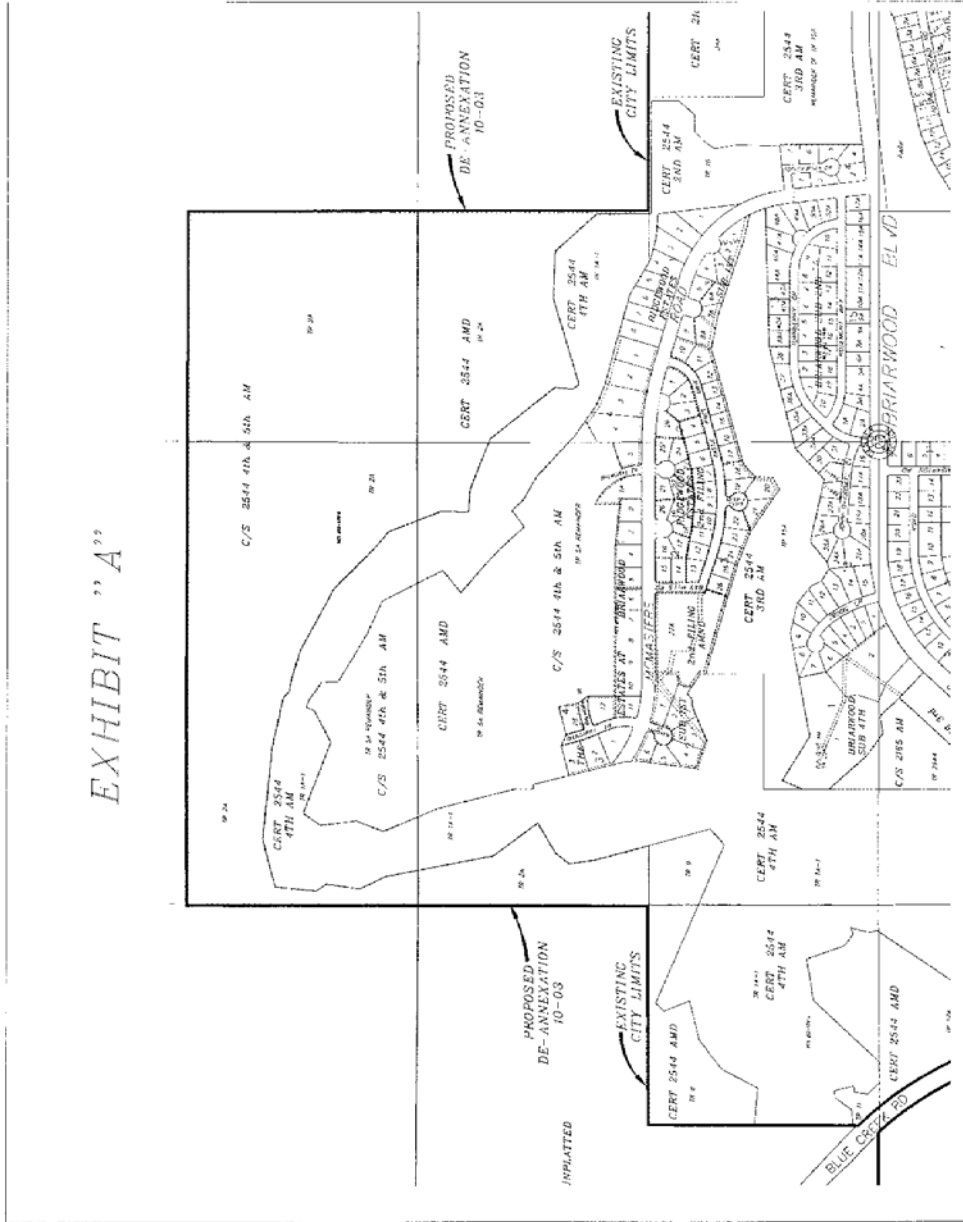
Thomas W. Hanel, MAYOR

ATTEST:

BY: \_\_\_\_\_

Cari Martin, CITY CLERK

# EXHIBIT "A"



**Regular City Council Meeting**

**Date:** 11/08/2010

**TITLE:** 2010-14 TIP Amendment I

**PRESENTED BY:** Candi Beaudry

**Department:** Planning & Community Services

---

**Information**

**PROBLEM/ISSUE STATEMENT**

Federal regulations require that Metropolitan Planning Organizations (MPOs) review and update their Transportation Improvement Program (TIP) periodically. Due to funding issues with the Bench Boulevard North project, the current 2010- 2014 TIP for the Billings MPO requires an amendment. This amendment will be called the 2010- 2014 TIP Amendment I.

The Transportation Improvement Program is a short-range program of highway and transit projects in the Billings Metropolitan Planning Organization area and is prepared by Planning Division staff in cooperation with state and local agencies. The basic purpose of the TIP is to provide the mechanism for scheduling federal funds for surface transportation projects, indicate regional priorities, and demonstrate a short range transportation vision for the area. A secondary purpose of the TIP is to provide information about other transportation projects in the urbanized area that are exempt from the TIP approval process such as projects that do not utilize federal funds.

This TIP Amendment is being presented to the City Council for review due to a modification of federal funding for the Bench Boulevard North project. Staff has attached the document with changes shown in red. Staff will make a presentation at the November 8 Council meeting.

**ALTERNATIVES ANALYZED**

The current amendment include updates of federal funding for the Bench North Project. The Council may elect to recommend approval of the 2010-2014 TIP Amendment I in order to continue the implementation of federally funded transportation projects as presented. If Council chooses to recommend modifications to the proposed program, the Councils representative will present these recommendations to the PCC for further consideration.

**FINANCIAL IMPACT**

A range of federal funding sources is available to the Billings Urban Area for the purposes of funding transportation system improvements. A list of those sources is shown in the TIP. There is usually no direct impact to City funds in budgeting for these projects given the federal funding sources.

**RECOMMENDATION**

Staff recommends that Council approve the 2010-2014 TIP Amendment I and forward that recommendation to PCC through its designee.

**APPROVED BY CITY ADMINISTRATOR**

---

**Attachments**

2010-14 TIP Amendment I

---

# BILLINGS URBAN AREA



## TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

**FY 2010 – 2014**

**Amendment I  
November, 2010**

**\*Amendments to this document are printed in red.**

**\*\*This document is funded in part through grants from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation. The contents of this document do not necessarily reflect the official views or policy of the U.S. Department of Transportation.**

**Prepared by:**

Yellowstone County Board of Planning  
Billings Metropolitan Planning Organization

**In Cooperation With:**

City of Billings  
Yellowstone County  
Yellowstone County Board of Planning  
Montana Department of Transportation  
Federal Highway Administration  
Federal Transit Administration

**Reviewed By:**

	<b>2010-2014</b>	<b>2010-2014 Amendment I</b>
Technical Advisory Committee	04/29/10	10/21/10
Yellowstone County Board of Planning	05/25/10	10/26/10
Billings City Council	05/24/10	11/08/10
Yellowstone County Commissioners	05/24/10	10/26/10

**Approved By:**

Billings Policy Coordinating Committee	06/15/10
Montana Department of Transportation	08/09/10
Federal Highway Administration	08/09/10
Federal Transit Administration	08/06/10

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## **METROPOLITAN TRANSPORTATION PLANNING PROCESS SELF-CERTIFICATION**

The Billings Metropolitan Planning Organization for the Billings, Montana, urbanized area hereby certifies that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

- I. 49 U.S.C. Section 5303 and 23 U.S.C. 134 and CFR 450.334;
- II. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C 2000d-1 ) and 49 CFR, Part 21;
- III. Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) regarding the involvement of disadvantaged business enterprises in the FHWA and the FTA funded projects (49 CFR part 26);
- IV. The provision of the Americans With Disabilities Act of 1990 (42U.S.C. 12101 *et seq.*) and the U. S. DOT implementing regulation (49 CFR Parts 27, 37 and 38);
- V. The provisions of 49 CFR part 20 regarding restrictions on influencing certain activities; and
- VI. Sections 174 and 176(c) and (d) of the Clean Air Act as amended (42 U.S.C. 7504, 7506(c) and (d)).
- VII. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex or age in employment or business opportunity.
- VIII. 23 CFR, part 230, regarding the implementation of an equal employment opportunity on Federal & Federal-aid highway construction contracts.
- IX. The Older Americans Act as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in program or projects receiving Federal financial assistance.
- X. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender.
- XI. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR, part 27 regarding discrimination against individuals with disabilities.

**Billings, Montana**

**Metropolitan Planning Organization**

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**Signature**

**President-Yellowstone County Board of Planning**

---

**Printed Name**

---

**Date**

## **INTRODUCTION**

### **PREFACE**

The Yellowstone County Board of Planning (YCBP) is the metropolitan planning organization (MPO) for the Billings metropolitan planning area. The Transportation Improvement Program (TIP) is the funding mechanism for transportation projects requesting federal dollars in the Billings urbanized area. All MPO's are required by the current Federal Highway Bill SAFETEA LU to produce a TIP and update it at least every four years. SAFETEA LU was signed into law by President Bush in 2005, and extended by President Obama through December 2010. The act and its extensions authorizes highway, highway safety, transit, and other surface transportation program for six years. This document contains a list of all surface transportation projects requesting the use of federal funds found in SAFETEA LU and its extensions. With SAFETEA LU, local jurisdictions working through the Billings MPO's Policy Coordinating Committee (PCC) determine how the area's transportation system is developed and expanded.

### **PURPOSE OF THE TIP**

The TIP is a short-range program of highway and transit projects in the Billings metropolitan planning area and is prepared by YCBP staff in cooperation with state and local agencies. The basic purpose of the TIP is to provide the mechanism for scheduling federal funds for surface transportation projects, indicating regional priorities, and demonstrating a short range transportation vision for the area. A secondary purpose of the TIP is to provide information about other transportation projects in the planning area that are exempt from the TIP approval process such as projects that do not utilize federal funds.

### **THE TIP PROCESS**

The development of the TIP document is the responsibility of the Billings MPO and provides an opportunity for local officials to determine priorities and spending for federal highway and transit funds. Any transportation project located in the Billings metropolitan planning area must be included in the TIP prior to receiving federal funds. TIP projects must be included in the area's 20 year Transportation Plan, and are proposed for the TIP by local elected officials, transit operating officials, or state highway agencies. The TIP is reviewed and endorsed annually by the Billings MPO's PCC and may be modified through the TIP amendment process. The PCC includes a Billings City Council representative, the Chair of the Yellowstone County Commission, the President of the Yellowstone County Board of Planning and the District Administrator of the Montana Department of Transportation. After PCC endorsement, the TIP is submitted to the Montana Department of Transportation (MDT) and to the Federal Highway Administration and Federal Transit Administration for federal review of the document and approval of conformity determination.

### **FEDERAL REGULATIONS**

The Transportation Improvement Program (TIP) is a required planning program for federally assisted highway and transit improvements for the Billings metropolitan planning area and the Montana Department of Transportation (MDT) over a five-year period. The principal focus is given to the first two years of the program, the Biennial Element, which contains projects that could be implemented between July 1, 2009 and June 30, 2011.

The TIP is prepared annually and is in conformance with 23 CFR, Part 450 324-330.

### **FINANCIAL RESOURCES**

A range of federal funding sources is available to the Billings planning area for the purposes of funding transportation system improvements. Following is a list of those sources which, when available to the Billings area, are shown in the Transportation Improvement Program. Project implementation is indicated as expected to occur during the pertinent program year. Billings also has had a favorable history of receiving federal earmarks. In 2009, MDT received \$4,750,000 for the Shiloh Road project and in 2010 Yellowstone County requested \$20,000,000 for various projects in the urban area. MDT has requested additional earmark funds in the 2011 appropriations process.

#### BILLINGS FEDERAL EARMARK HISTORY – 2000 through 2009

YEAR	EARMARKS
2000	\$ 14,967,000
2001	\$ 728,113
2002	\$ 3,425,985
2003	\$ 3,000,000
2004	\$ 2,000,000
2005	\$ 4,960,000
2006	\$ 35,173,900
2007	\$0.00
2008	\$4,596,200
2009	\$4,750,000
TOTAL	\$73,601,198
10 YEAR AVERAGE	\$7,360,120

#### FUNDING SOURCES

- Surface Transportation Program Urban (STPU)
- Surface Transportation Program Primary (STPP)
- National Highway System (NHS)
- Interstate Maintenance (IM)
- Highway-Railway Crossing Program (RRX)

- Surface Transportation Enhancement (STPE)
- Highway Safety Improvement Program (HSIP)
- Bridge Replacement and Rehabilitation Program (HBRRP)
- Urban Pavement Preservation (UPP)
- Community Transportation Enhancement Program (CTEP)
- State Funded Construction (SFC)
- Congestion Mitigation Air Quality (CMAQ)
- Montana Air Congestion Initiative (MACI)
- FTA Section 5309 (Formerly Sec. 3)
- FTA Section 5307 (Formerly Sec. 9)
- FTA Section 5310 (Formerly Sec. 16)
- FTA Section 5316 Job Access and Reverse Commute (JARC)
- FTA Section 5317 New Freedom
- Congressionally Directed Funds (Montana, NCPD, DEMO)
- AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)
- Safe Routes to School (SRTS)

### **AIR QUALITY CONSISTENCY**

Billings was designated as a non-attainment area for both Total Suspended Particulates (TSP) and Carbon Monoxide (CO) on March 3, 1978, (Federal Register, Vol. 44, No. 150, page 45421, August 2, 1979). As such, Billings was required to prepare a Transportation Control Plan (TCP). The TCP identified strategies to mitigate the TSP and CO problems. The TCP is the Billings element of Montana's State Implementation Plan (SIP). The TIP is required to be, and is, consistent with the TCP as discussed in the Billings conformity statement.

In 1987 the standard for TSP was dropped, and a new standard for particulate matter under 10 microns in size (PM - 10) was adopted (7/1/87 at 52 FR 24854). The Environmental Protection Agency (EPA), has also adopted the PM 2.5 standard and Billings is considered to be in compliance with both of these new standards.

## **CONFORMITY OF THE BILLINGS AREA TRANSPORTATION IMPROVEMENT PROGRAM WITH THE 1990 CLEAN AIR ACT**

A portion of the Billings Urbanized Area, (Billings), was designated non-attainment for carbon monoxide (CO) on 3/3/78 (43 FR 8962) with a secondary classification of "unclassified". EPA approved the Billings CO Control Plan on 1/16/86 (51 FR 2397). Billings was then redesignated as

“Not Classified” on 11/6/91 (56 FR 56697). The area meets the qualifications of the Clean Air Act (CAA) for classification as an attainment area for ozone.

The Billings "not classified" carbon monoxide (CO) nonattainment area was re-designated by the Environmental Protection Agency (EPA) to attainment for the CO National Ambient Air Quality Standards (NAAQS) with an approved limited maintenance plan effective April 22, 2002. Under a CO limited maintenance plan, the motor vehicle emissions budgeted may be treated as essentially non-constraining for the length of the maintenance period because growth would need to exceed reasonable expectations to create a violation of the NAAQS for transportation-related CO. Therefore conformity demonstration using regional emissions analysis is not required; however, individual projects may still be required to conduct "hot spot" analysis.

As demonstrated in the following sections, the Transportation Improvement Program (TIP) satisfactorily meets the requirements established by the 1990 amendments to the CAA regarding the conformity of TIP's.

- The most recent estimates of CO mobile source emissions have been developed by the Analytical Services Section, Montana Department of Environmental Quality and are based upon development and transportation data provided by the Yellowstone County Board of Planning.

### **TRANSPORTATION CONTROL MEASURES**

Specific Transportation Control Measures have not been proposed for Billings recently, however, the SIP completed in 1986 included the widening of Exposition Drive (Main Street) and the signalization at Main Street and First Avenue North. Both of these projects were completed in 1983.

There are no Transportation Control Measures (TCM's) in the State Implementation Plan (SIP) and therefore there are no specific TCM's recommended for implementation in this TIP.

### **TIP CONFORMITY**

As a prerequisite for receiving Federal-aid transportation funds through the TIP, a determination must be made that the proposed transportation projects do not cause or contribute to violations of the carbon monoxide ambient air quality standards. An analysis, which meets the EPA conformity determination regulations specified in 40 CFR Part 51 was performed in conjunction with the development of the Billings Urban Area 2009 Transportation Plan. The plan was found to conform at the federal level June 30, 2010. The analysis appears in Section 4, pages 4-24 through 4-27 of the Plan document and is titled "Air Quality/Conformity". As the transportation

projects in the TIP are contained in the Transportation Plan's analysis, a separate analysis for the TIP is not necessary.

There are no new regionally significant projects in this 2010-2014 Billings Urban Area TIP.

**NEW PROJECTS EXEMPT FROM REGIONAL ANALYSIS**

<b>Project</b>	<b>Scope</b>	<b>Comments</b>
**There are no new exempt projects in the TIP.		

**(Table 1): EXEMPT PROJECTS**

**REGIONALLY SIGNIFICANT PROJECTS**

<b>Project</b>	<b>Scope</b>	<b>Comments</b>
6 <sup>th</sup> Avenue/Bench Connection	Reconstruction	In design
Billings Bypass (aka North Bypass)	Location/Environmental	Ongoing

**(Table 2): REGIONALLY SIGNIFICANT PROJECTS**

**ENERGY CONSERVATION CONSIDERATIONS**

Energy impact analyses have been conducted as a part of the urban transportation planning process. In addition, increased attention has been given to energy conservation and contingency planning on a project specific basis.

As part of the 2009 update of the Billings Urban Area Transportation Plan, energy conservation was considered in each of the proposed alternative transportation networks.

The City of Billings has a well-developed transit system, and ride-sharing opportunities have been examined. Transit facilities and highway system proposals will continue to be considered in a comprehensive method through the adopted Transportation Planning process.

The detailed energy conservation analysis of specific projects has been conducted for each of the major highway construction projects recommended in the 2009 update of the Billings Urban Area Transportation Plan.

**PROGRAMMING OF NON-URBAN SYSTEM,  
FEDERAL AID AND STATE FUNDING**

Proposed projects involving federal-aid funding, other than urban system funding, that are proposed within existing rights-of-way and which are determined to not significantly change traffic patterns, may not be considered to be of appropriate scale to warrant a modification to a currently valid TIP.

When there is knowledge of such projects prior to the annual adoption of the TIP, each project will be included in the program. Generally, projects falling within this category are those which serve to preserve and maintain the integrity of the existing plant or facility such as: overlays to

improve or maintain surface conditions; bridge expansion joints and deck repairs necessary to maintain structural and surface sufficiency; slope repair necessary to maintain drainage adequacy; etc. Projects of this nature will be identified by MDT with appropriate justification when requesting program approval of federal highway funds.

Local urban area officials will be advised by the Department through the local planning process of the Department's intent to expend federal funds (non-urban system) for such improvements in their area.

(Table 3) -TRANSPORTATION REVENUE ESTIMATES (2010-2014)

BILLINGS, MONTANA

YEAR	SURFACE TRANS PROGRAM (STP) (URBAN)*	MONTANA AIR CONGESTION INITIATIVE (MACT)*	EARMARKS (MT/NCPD/ DEMO)****	SURFACE TRANSPORTATION ENHANCEMENT (CTEP)*		TRANSIT SEC 5316 JARC	TRANSIT SEC 5317 NEW FREEDOM	TRANSIT SEC 5309	TRANSIT SEC 5307	TRANSIT SEC 5310	GAS TAX CITY	GAS TAX COUNTY	TRANSADE	ARRA HIGHWAY	ARRA TRANSIT	OTHER FUNDS (LOCAL)		TOTAL	
2010				CITY	\$ 533,502	\$ 150,000	\$ 65,000						**			OPER.	\$ 3,305,486		
	\$ 1,127,496	\$ 3,082,315	\$ 30,325,355	COUNTY	\$ 598,416			\$ 247,000	OPER.	\$ 1,417,608	\$ 138,070	\$ 1,728,501	\$ 272,633	\$ 462,963	\$ 1,000,000	***	SEC.5310	\$ 34,517	\$ 14,163,507
2011				CITY	\$ 493,249	\$ 150,000	\$ 65,000						**			OPER.	\$ 3,354,771		
	\$ 2,587,036	\$ 835,170	\$ 500,000	COUNTY	\$ 195,006			OPER.	\$ 1,633,508	\$ 125,000	\$ 1,732,721	\$ 274,510	\$ 462,963			SEC.5310	\$ 16,750	\$ 12,425,684	
2012				CITY	\$ 493,249	\$ 150,000	\$ 65,000						**			OPER.	\$ 3,401,738		
	\$ 2,587,036	\$ 835,170		COUNTY	\$ 195,006				\$ 1,711,588	\$ 125,000	\$ 1,728,501	\$ 272,633	\$ 462,963			SEC.5310	\$ 16,750	\$ 12,044,634	
2013				CITY	\$ 493,249	\$ 150,000	\$ 65,000						**			OPER.	\$ 3,449,362		
	\$ 2,587,036	\$ 835,170		COUNTY	\$ 195,006				\$ 1,795,456	\$ 125,000	\$ 1,728,501	\$ 272,633	\$ 462,963			SEC.5310	\$ 16,750	\$ 12,176,126	
2014				CITY	\$ 493,249	\$ 150,000	\$ 65,000						**			OPER.	\$ 3,497,653		
	\$ 2,587,036	\$ 835,170		COUNTY	\$ 195,006				\$ 1,883,433	\$ 125,000	\$ 1,728,501	\$ 272,633	\$ 462,963			SEC.5310	\$ 16,750	\$ 12,312,394	
TOTAL	\$ 11,475,640	\$ 6,422,995	\$ 30,825,355	CITY	\$ 2,506,498	\$ 750,000	\$ 325,000	\$ 247,000	OPER.	\$ 8,441,593	\$ 638,070	\$ 8,646,725	\$ 1,365,042	\$ 2,314,815	\$ 1,000,000	\$ -	OPER.	\$ 17,009,010	
				COUNTY	\$ 1,378,440											SEC.5310	\$ 101,517		

FUNDING PROJECTIONS ARE BASED ON BEST AVAILABLE INFORMATION AND ARE SUBJECT TO CHANGE GIVEN CURRENT FUNDING UNCERTAINTIES AND UNKNOWN IMPACTS OF FUTURE CONGRESSIONAL OR OTHER FEDERAL ACTIONS.

FEDERAL PROGRAM FUNDING AVAILABILITY MAY IMPACT THE SCHEDULING OF PROJECTS. FUNDING BEYOND 2010 WILL BE SUBJECT TO THE OBLIGATION LIMITATION SET BY THE ANNUAL APPROPRIATION PROCESS.

\* Includes carryover

\*\* Includes Local Match

\*\*\*ARRA FUNDS \$1,884,898 OBLIGATED-REVISED POP IN 2010.

\*\*\*\*Pending Congressional Approval

(TABLE 4-a) -TRANSPORTATION PRIORITY LIST BILLINGS, MONTANA						
RANK	PROJECT	TYPE OF WORK	PROJECT LENGTH	PHASE	ESTIMATED COST	FUNDING SOURCE
<b>SURFACE TRANSPORTATION PROGRAM-URBAN (STPU)</b>						
	BENCH BLVD. NORTH - PHASE I	Reconstruction		CONST.	2,528,482	STPU
	GRAND AVENUE	Reconstruction	1	PE RW IC CONST.	UNKNOWN UNKNOWN UNKNOWN UNKNOWN	
				TOTAL	\$0	
	32ND STREET WEST	Construction	1.5	PE RW IC CONST.	UNKNOWN UNKNOWN UNKNOWN UNKNOWN	
				TOTAL	\$0	
<b>MONTANA AIR CONGESTION INITIATIVE (MACI)</b>						
1	6TH AVE. TO BENCH BLVD. (CONNECTION)	Grade Separation	0.5	PE	\$1,393,072 \$215,928	CMAQ LOCAL
					1,609,000	
<b>EARMARKS</b>						
1	6TH AVE NORTH TO BENCH BLVD. (CONNECTION) Phase I			PE RW IC CONST. LOCAL TOTAL	See above \$404,112 \$788,527 \$6,279,971 \$1,158,264 \$8,630,874	CMAQ/LOCAL MT MT MT LOCAL
	Phase II Beyond the timeframe of this TIP.					
2	BENCH BLVD. NORTH Phase I	Reconstruction	3	PE RW IC CONST. CONST. TOTAL	3,488,404 590,344 1,073,354 3,881,780 2,528,482 \$11,562,364	MT MT MT MT STPU/CMAQ
	Phase II Construction beyond time frame of this TIP					
	ZIMMERMAN TRAIL	Add climbing lane for portion of roadway Straighten Curve	1	PE IC CONST. LOCAL TOTAL	735,930 254,468 6,001,617 1,443,276 \$8,435,291	MT MT MT MT
	BILLINGS BYPASS (aka North Bypass)	Environmental Review & Location Study	14	PE TOTAL	14,341,661 8,004,158 \$22,345,819	NCPD/DEMO MT
<b>INTERSTATE MAINTENANCE (IM)</b>						
	PINEHILLS INTERCHANGE-SOUTHEAST	Minor Rehab	N/A	PE RW IC CONST. TOTAL	171,090 0 64,008 6,779,900 \$7,014,998	IM IM IM IM
	PROJECT LET 9/24/2010					
	MOSSMAIN INTERCHANGE - EAST	Structure/Safety	N/A	PE RW IC CONST. TOTAL	\$162,979 51,402 25,702 7,244,100 \$7,484,183	IM IM IM IM
	PROJECT LET 9/9/2010					
<b>NATIONAL HIGHWAY SYSTEM- (NH)</b>						
	BILLINGS-NORTH	PAVEMENT		PE	\$39,921	NH
	PROJECT LET 2/25/2010	PRESERVATION		CONST.	\$2,652,900	NH
				TOTAL	\$2,692,821	

<b>(TABLE 4-b) - TRANSPORTATION PRIORITY LIST</b>						
<b>BILLINGS, MONTANA</b>						
<b>SURFACE TRANSPORTATION PROGRAM-URBAN PAVEMENT PRESERVATION(UPP)</b>						
GRAND-DIVISION TO 8TH-BLGS	Overlay/cold mill	0.99	PE	\$41,118	UPP	
			CONST.	\$516,136	UPP	
			TOTAL	\$557,254		
<b>SURFACE TRANSPORTATION PROGRAM-HIGHWAY SAFETY (HSIP)</b>						
N. FRONTAGE ROAD - SIGNAL/INT. UPGRADE	Traffic signals	N/A	PE	87,761	HSIP	
	Lighting		IC	13,384	HSIP	
			CONST.	687,814	HSIP	
			TOTAL	\$788,959		
SIGNAL-SO. FRONTAGE & ZOO	Signal	N/A	PE	\$95,810	HSIP	
			CONST.	\$265,045	IM	
<b>PROJECT LET 4/22/2010</b>			CONST.	\$265,002	HSIP	
			TOTAL	\$625,857		
2002 SAFETY IMPROVEMENTS VARIOUS LOCATIONS	Roadway Roadside Safety Imprvoments	N/A	PE RW IC	478,325 24,000 70,165	HSIP HSIP HSIP	
<b>PROJECT LET 6/10/2010</b>			CONST.	1,027,706	HSIP	
			TOTAL	\$1,600,196		
PARKHILL /13th - INT. REALIGNMENT	Upgrade	N/A	PE RW IC	253,926 51,000 80,668	HSIP HSIP HSIP	
<b>PROJECT LET 6/10/2010</b>			CONST.	614,362	HSIP	
			TOTAL	\$999,956		
SF099 BILLINGS GRAND 17TH SIG	Int Upgrade/Signals		PE CONST.	\$29,000 \$91,350	HSIP HSIP	
			TOTAL	\$120,350		
<b>SURFACE TRANSPORTATION PROGRAM-RAIL PROGRAM (RRP)</b>						
1ST AVENUE SOUTH	Circuitry Upgrade	N/A	PE CONST.	\$3,000 \$92,055	STPRP/STPRR STPRP/STPRR	
			TOTAL	\$95,055		
RAILROAD CROSSING-HESPER ROAD	Grade Crossing Signals	N/A	PE CONST.	\$5,091 \$150,545	STPRP/STPRR STPRP/STPRR	
<b>RR AGREEMENT 9/24/2010</b>			TOTAL	\$155,636		
<b>OTHER FUNDING</b>						
STP ENHANCEMENTS	Various Projects		OTHER	688,255	CTEP	
SAFE ROUTES TO SCHOOL	Various Projects		OTHER	Per Project	SRTS	
ANNUAL OPERATION AND MAINTENANCE	Various Projects		OTHER	225,000	LOCAL	
ANNUAL OPERATION AND MAINTENANCE	Various Projects		OTHER	446,000	STATE	
			TOTAL	\$1,359,255		
** CONST. Estimates Include CE Costs						

## **ADVANCEMENT OF PROJECTS**

It is mutually agreed that the first two years of this program is the best estimate of the project phase that will be undertaken during the Biennial timeframe. Occasionally, projects advance through the design process faster than anticipated. An approved project may accelerate into the next logical phase providing that the funding source does not change from that, which was initially identified in the TIP. Federal, State, and local governments have agreed that a TIP revision is not required in order to accelerate a specific project phase, so long as other planned work is not unduly delayed. The priorities with regard to the FTA Section 5307 projects in the Biennial Element are: 1) Operating Assistance.

- The priorities with regard to the FTA Section 5310 projects in the Biennial Element are: 1) Four (4) replacement vehicles for MET Special Transit, 2) Two (2) replacement vehicles for MET Special Transit.
- The priorities with regard to the FTA Section 5309 projects are: 1) Buses and Bus Facilities, and 2) Billings Bus/Medical Facility (Deaconess) per Congressional appropriation.

## **PRIVATE ENTERPRISE PARTICIPATION**

Both the City of Billings and Yellowstone County have locally developed policies and procedures to examine opportunities for private sector participation in the provision of transit services and related support services. The City of Billings adopted resolution 86-15346 which states said policy and provides a process for implementation. The Council approved that resolution on July 7, 1986. Further, a Private Transportation Enterprise Participation Policy (PEP) and implementing procedures were adopted by the MPO's Technical Advisory Committee on April 24, 1986; by the Policy Coordinating Committee on May 8, 1986; and by the Yellowstone County Planning Board on May 13, 1986.

The City's MET Transit Department has examined various opportunities for private sector provision of services. The Department utilizes private tire firms to handle parts of servicing of the tire inventory. The Department also contracts with various private firms for radiator repair, air compressor rebuilds, as well as glass, bodywork on the vehicles, and occasional component rebuilds.

The required TIP documentation related to the PEP process is as follows:

- a) The City of Billings MET Transit System solicited the possible interest or involvement of the private sector in providing leased tires for the MET Transit fleet of coaches. In the spring of 1993, 1996, 2001 and 2006, a Request for Bids was sent to potentially interested private vendors and was also advertised in a local newspaper and a national transit journal. Bids are evaluated based on cost and ability to perform. Two firms requested bid packages. The current contract for the tire lease is in effect through June 30, 2011.
- b) No other proposals were received from the private sector.
- c) There are no known impediments to holding service out for competition.
- d) There are no known private sector complaints.

The Yellowstone County Planning Department has and will continue to follow their adopted policy and procedures regarding private sector participation. The mailing list of private providers has been updated and used to provide notice about TAC and PCC meetings, including those that deal with the Unified Planning Work Program, (UPWP), projects and process as well as the TIP process. Through these mailings the private providers are aware of the development of the proposed transit capital and operating projects as well as the proposed paratransit capital projects for the five years covered in the TIP.

### **FEDERAL TRANSIT ADMINISTRATION PROJECTS**

The Federal Transit Act funded projects, including FTA Section 5309 grant projects, (Biennial Element) are intended to insure the continued efficient operation, maintenance and administration of the MET Transit system fleet and facilities, including meeting federal regulations such as the Americans with Disabilities Act (ADA). The operating grants are for the fiscal years of July 2009 to June 2010 and July 2010 to June 2011 and the Section 5309 grant projects will permit Bus and Bus Facilities projects in Fiscal Years 2009-2010 through 2010-2011.

The vehicle purchases for MET Special Transit are projects to enable the City to continue providing the required specialized demand-responsive paratransit service for citizens who are unable to use the MET Transit System due to their disabling conditions. The projects to purchase vehicles for other entities will address some of the transportation needs of developmentally impaired or disabled residents.

<b>(Table 5) -TRANSPORTATION PROJECT PRIORITY LIST</b>	
<b>BILLINGS, MONTANA</b>	
<b>SECTION/PROJECT</b>	<b>PROJECT ESTIMATE</b>
<b>FTA SECTION 5307 (INCLUDES LOCAL FUNDS)</b>	
OPERATING PROJECT (7-1-09 TO 6-30-2010)	4,723,094
OPERATING PROJECT (7-1-2010 TO 6-30-2011)	4,988,279
OPERATING PROJECT (7-1-2011 TO 6-30-2012)	5,113,326
OPERATING PROJECT (7-1-2012 TO 6-30-2013)	5,244,818
OPERATING PROJECT (7-1-2013 TO 6-30-2014)	5,381,086
TOTAL	\$25,450,603
<b>TRANSAD(E) INCLUDES LOCAL FUNDS)</b>	
MET SPECIALIZED TRANSPORTATION-OPERATING (2010)	200,000
MET SPECIALIZED TRANSPORTATION-OPERATING (2011)	140,000
MET SPECIALIZED TRANSPORTATION-OPERATING (2012)	140,000
MET SPECIALIZED TRANSPORTATION-OPERATING (2013)	140,000
MET SPECIALIZED TRANSPORTATION-OPERATING (2014)	140,000
TOTAL	\$760,000
<b>FTA SECTION 5310(INCLUDES LOCAL FUNDS)</b>	
NINE (9) REPLACEMENT VEHICLES-TRANSIT (FY2010)	138,070
REPLACEMENT VEHICLES-TRANSIT (FY2011)	125,000
REPLACEMENT VEHICLES-TRANSIT (FY2012)	125,000
REPLACEMENT VEHICLES-TRANSIT (FY2013)	125,000
REPLACEMENT VEHICLES-TRANSIT (FY2014)	125,000
* DEPENDENT ON FUNDING AND APPLICATION APPROVALS BY MDT	125,000
*TOTAL	\$763,070
<b>FTA SECTION 5309</b>	
MET TRANSIT PARATRANSIT SERVICES	247,000
*TOTAL	\$247,000
<b>FTA SECTION 5316 (INCLUDES LOCAL FUNDS)</b>	
JARC (OPERATING) 2010	150,000
JARC (OPERATING) 2011	150,000
JARC (OPERATING) 2012	150,000
JARC (OPERATING) 2013	150,000
JARC (OPERATING) 2014	150,000
TOTAL	\$750,000
<b>FTA SECTION 5317 (INCLUDES LOCAL FUNDS)</b>	
NEW FREEDOM (OPERATING) 2010	130,000
NEW FREEDOM (OPERATING) 2011	130,000
NEW FREEDOM (OPERATING) 2012	130,000
NEW FREEDOM (OPERATING) 2013	130,000
NEW FREEDOM (OPERATING) 2014	130,000
TOTAL	\$650,000
<b>ARRA TRANSIT (REVISED POP ONLY)</b>	
MET-CCTV'S/RADIOS	205,000
MET-BUS WASH/ADMINISTRATION FACILITY REHAB	450,000
MET-TWO TRANSIT BUSES WITH SPARE POWER PLANT	830,000
MET-ONE PARATRANSIT VAN	31,898
MET-PARATRANIST OPERATING FUNDS	180,000
MET TRANSIT OPERATING FUNDS	188,000
TOTAL	\$1,884,898
TOTAL	\$30,505,571

**(Table 6) - MULTI-YEAR STAGING PROGRAM  
CALENDAR YEARS 2010-2014  
BILLINGS, MONTANA**

<b>SURFACE TRANSPORTATION PROGRAM</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
GRAND AVENUE						
32ND STREET WEST						
2002 SAFETY IMPROVEMENTS						
<b>MACI MT FUNDED</b>						
6TH AVE.-BENCH BLVD. CONNECTION (PHASE I)						
<b>PILOT FUNDED</b>						
NONE						
<b>VARIOUS FUNDED</b>						
PINEHILLS INTERCHANGE-SOUTHEAST						
PARKHILL /13th INTERSECTION						
N. FRONTAGE ROAD - SIGNAL						
MOSSMAIN INTERCHANGE - EAST						
NORTH BY PASS (ENVIRONMENTAL & LOCATION)						
CTEP PROJECTS (VARIOUS)						
BENCH BLVD. NORTH						
ZIMMERMAN TRAIL						
SIGNAL FRONTAGE ROAD & ZOO DRIVE						

\*\*\*ALL TIME FRAMES ARE APPROXIMATE

	PRELIMINARY ENGINEERING
	RIGHT OF WAY/UTILITIES
	CONSTRUCTION

2010-2014 Billings Traffic Improvement Plan

(Table 7) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FY 2010																		
BILLINGS, MONTANA																		
PROJECT DESCRIPTION	PHASING	STP URBAN (STPU)	MT AIR CONGESTION INITIATIVE (MACI)	Montana DEMO EARMARKS	SURFACE TRANSPORTATION ENHANCEMENT (STPE)		NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE	HSIP UPP RRP	TRANSIT SEC 5307	TRANSIT SEC 5309	TRANSIT SEC 5310**	TRANSIT SEC 5316 (JARC)**	TRANSIT 5317 (NEW FREEDOM)**	TRANSADE (STATE)	ARRA TRANSIT *****	ARRA HIGHWAY	OTHER*	TOTAL
					CITY	COUNTY												
Estimated carryover balance		-1,459,630	1,299,109	\$30,325,355	\$40,253	403,410												
Estimated allocation		2,587,036	1,145,166		\$493,249	195,006	7,534,847	2,264,492	\$1,417,608	247,000	\$138,070	\$123,013	\$80,000	\$100,000	\$1,884,898	\$1,000,000	\$3,580,199	
<b>REVERSED RESCISSION</b>			638,040															
Estimated beginning balance		1,127,406	3,082,315	\$30,325,355	\$533,502	598,416												
RIMROCK RD-SHILOH TO 54TH	CONST		150,000															\$150,000
6TH AVE NORTH TO BENCH BLVD.(CONNECTION)*	Add PE		202,909															\$202,909
6TH AVE NORTH TO BENCH BLVD.(CONNECTION)*	RW/IC			1,377,500														\$1,470,000
PARKHILL 13TH	RW/IC CONST							\$ 746,030										\$746,030
SIGNAL-SO FRONTAGE & ZOO	CONST						\$ 265,045	\$ 265,002										\$530,047
SF099 GRAND-DIVISION 17TH -SIGNAL	PE							\$ 29,000										\$29,000
GRAND-DIVISION TO 8TH -BLGS	PE							\$ 41,118										\$41,118
2002 SAFETY IMPVMT***	CONST							\$ 1,027,706										\$1,027,706
MOSSMAIN INTCH-EAST	IC/CONST						\$ 7,269,802											\$7,269,802
RAILROAD CROSSING HESPER ROAD	PHASING/PE/CONST							\$ 155,636										\$155,636
CTEP****	CONST															\$1,000,000		\$1,000,000
SAFE ROUTES TO SCHOOL PROGRAM	CONST																\$50,000	\$50,000
TRANSIT OPERATING	OPERATING								1,417,608								\$3,305,486	\$4,723,094
REPLACEMENT VEHICLES	PURCHASE										\$138,070							\$138,070
MET SPECIALIZED TRANS-OPERATING	OPERATING											\$123,013	\$80,000	\$100,000			\$212,963	\$515,976
MET PARATRANSIT SERVICES	OPR/OTHER									247,000							\$61,750	\$308,750
MET-CCTVS/RADIOS	PURCHASE														\$205,000			\$205,000
MET-BUS WASH/ADMINISTRATION FACILITY REHAB	FACILITY REHAB														\$450,000			\$450,000
MET-TWO TRANSIT BUSES WITH SPARE POWER PLANT	PURCHASE														\$830,000			\$830,000
MET-ONE PARATRANSIT VAN	PURCHASE														\$31,898			\$31,898
MET-PARATRANSIT OPERATING FUNDS	OPR														\$180,000			\$180,000
MET-OPERATING FUNDS	OPR														\$188,000			\$188,000
SHILOH ROAD CORRIDOR ADJUSTMENT	PE/IC	26923																
<b>TOTAL</b>		\$ 26,923	\$352,909	\$1,377,500	\$-	\$-	\$ 7,534,847	\$ 2,264,492	\$1,417,608	\$247,000	\$138,070	\$123,013	\$80,000	\$100,000	\$1,884,898	\$1,000,000	\$3,630,199	\$20,243,036
*LOCAL MATCH																		
**DEPENDENT ON FUNDING AND APPLICATION APPROVALS BY I																		
***INCLUDES U1024 State Avenue, U1028 Hardin Road, I-90 Lockwood																		
****ARRA FOR MAIN STREET UNDERPASS																		
*****Funds obligated -reflecting POP changes only																		

(Table 8) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FY2011																
BILLINGS, MONTANA																
PROJECT DESCRIPTION	PHASING	STP URBAN (STPU)	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (NCPD, DEMO, MT)	SURFACE TRANSPORTATION ENHANCEMENT (STPE)		NATIONAL HWY SYSTEM (NHS)	HSIP/UPP	TRANSIT SEC 5307	TRANSIT SEC 5309	TRANSIT SEC 5310 **	TRANSIT SEC 5316**	TRANSIT SEC 5317**	TRANSADE	OTHER FUNDS*	TOTAL
					CITY	COUNTY										
Estimated carryover balance		\$ 1,100,483	\$ 2,729,406	\$ 28,947,855												
Estimated allocation		\$ 2,587,036	\$ 835,170	\$ 5,000,000	\$ 493,249	\$ 195,006	\$ 9,432,800	\$ 1,201,936	\$ 1,633,508	\$ -	\$ 125,000	\$ 150,000	\$ 65,000	\$ 100,000	\$ 3,567,734	
Estimated beginning balance		\$ 3,687,519	\$ 3,564,576	\$ 33,947,855	\$ 493,249	\$ 195,006	\$ 9,432,800	\$ 1,201,936	\$ 1,633,508	\$ -	\$ 125,000	\$ 150,000	\$ 65,000	\$ 100,000	\$ 3,567,734	
6TH AVE NORTH TO BENCH BLVD (CONNECTION)*	CONST			\$ 7,253,374												\$ 7,253,374
BENCH BOULEVARD-BLGS	ADDTPE			\$ 1,838,404												\$ 1,838,404
BENCH BOULEVARD-BLGS	RW			\$ 590,344												\$ 590,344
BENCH BOULEVARD-BLGS	IC			\$ 1,073,354												\$ 1,073,354
BILLINGS-NORTH	CONST						\$ 2,652,900									\$ 2,652,900
PINEHILLS INT-SE	CONST						\$ 6,779,900									\$ 6,779,900
GRAND-DIVISION TO 8TH-BLGS	CONST						\$ 516,136									\$ 516,136
SIGNAL-N FRONTAGE-BLGS	CONST						\$ 685,800									\$ 685,800
ZIMMERMAN TRAIL	PE			\$ 850,000												\$ 850,000
TRANSIT OPERATING (7/10-6/11)	OPERATING							\$ 1,633,508							\$ 3,354,771	\$ 4,988,279
VEHICLE PURCHASES	PURCHASE									\$ 125,000						\$ 125,000
MET SPECIALIZED TRANS	OPERATING										\$ 150,000	\$ 65,000	\$ 100,000	\$ 212,963		\$ 527,963
TOTAL		\$ -	\$ -	\$ 11,605,476	\$ -	\$ -	\$ 9,432,800	\$ 1,201,936	\$ 1,633,508	\$ -	\$ 125,000	\$ 150,000	\$ 65,000	\$ 100,000	\$ 3,567,734	\$ 27,881,454

\* LOCAL MATCH \*\* DEPENDENT ON FUNDING & APPLICATION APPROVAL BY MDT \*\*\*Pending congressional approval

(Table 9) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FISCAL YEAR 2012																
BILLINGS, MONTANA																
PROJECT DESCRIPTION	PHASING	STP URBAN (STPU)	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (NCPD, DEMO, MT)	SURFACE TRANSPORTATION ENHANCEMENT (STE)		NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE	HSIP/UPP	TRANSIT SEC 5307	TRANSIT SEC 5309	TRANSIT SEC 5310**	TRANSIT SEC 5316**	TRANSIT 5317**	TRANSADE	OTHER FUNDS*	TOTAL
					CITY	COUNTY										
Estimated carryover balance		\$ 3,687,519	\$ 3,564,576	\$ 22,342,379	\$ -	\$ -										
Estimated allocation		\$ 2,587,036	\$ 835,170	\$ -	\$ 493,249	\$ 195,006		\$ 687,814	\$ 1,711,588	\$ -	\$ 125,000	\$ 150,000	\$ 65,000	\$ 70,000	\$ 3,556,738	
Estimated beginning balance		\$ 6,274,555	\$ 4,399,746	\$ 22,342,379												
SF069-SIGNAL-N FRONTAGE ROAD	CONST							\$ 687,814								\$ 687,814
BENCH BLVE-PHASE I	CONST	\$ 2,528,182		\$ 3,881,978												\$ 6,410,160
TRANSIT OPERATING (7/11-6/12)	OPERATING								\$ 1,711,588						\$ 3,401,738	\$ 5,113,326
VEHICLE PURCHASES	PURCHASE										\$ 125,000					\$ 125,000
MET SPECIALIZED TRANS	OPERATING											\$ 150,000	\$ 65,000	\$ 60,000	\$ 155,000	\$ 430,000
																\$ -
																\$ -
																\$ -
																\$ -
																\$ -
TOTAL		\$ 2,528,182	\$ -	\$ 3,881,978	\$ -	\$ -	\$ -	\$ 687,814	\$ 1,711,588	\$ -	\$ 125,000	\$ 150,000	\$ 65,000	\$ 70,000	\$ 3,556,738	\$ 12,766,300
*LOCAL MATCH FOR TRANSIT		**DEPENDENT ON FUNDING AND APPLICATION APPROVALS BY MDT														

(Table 10) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FISCAL YEAR 2013

BILLINGS, MONTANA

PROJECT DESCRIPTION	PHASING	STP URBAN (STPU)	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (MT, NCPD DEMO)	SURFACE TRANSPORTATION ENHANCEMENT (STPE)		NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE (IM)	HSIP UPP	TRANSIT SEC 5307	TRANSIT SEC 5309	TRANSIT SEC 5310**	TRANSIT SEC 5316**	TRANSIT SEC 5317**	TRANSADA	OTHER FUNDS*	TOTAL
					CITY	COUNTY										
Estimated carryover balance		\$ 3,746,373	\$ 4,399,746	\$ 18,460,401												
Estimated allocation		\$ 2,587,036	\$ 835,170		\$ 493,249	\$ 195,006	\$ -	\$ -	\$ 1,795,456	\$ -	\$ 125,000	\$ 150,000	\$ 65,000	\$ 70,000	\$ 3,511,830	
Estimated beginning balance		\$ 6,333,409	\$ 5,234,916	\$ 18,460,401												
TRANSIT OPERATING (7/12-6/13)									\$ 1,795,456						\$ 3,305,486	\$ 5,100,942
REPLACEMENT VEHICLES											\$ 125,000				\$ 51,344	\$ 176,344
MET SPECIALIZED TRANS.-OPERATING												\$ 150,000	\$ 65,000	\$ 70,000	\$ 155,000	\$ 440,000
TOTAL		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,795,456	\$ -	\$ 125,000	\$ 150,000	\$ 65,000	\$ 70,000	\$ 3,511,830	\$ 5,717,286
* LOCAL MATCH FOR TRANSIT																
**DEPENDENT ON FUNDING AND APPLICATION APPROVALS BY MDT																

(Table 11) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FISCAL YEAR 2014

BILLINGS, MONTANA																	
PROJECT DESCRIPTION	PHASING	STP URBAN (STPU)	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (MT, NCPD, DEMO)	SURFACE TRANSPORTATION ENHANCEMENT (STE)		NATIONAL HIGHWAY SYSTEM (NHS) ALSO IM	HSIP UPP	TRANSIT SEC 5307	TRANSIT SEC 5309	TRANSIT SEC 5310**	TRANSIT SEC 5316**	TRANSIT SEC 5317**	TRANSADE	OTHER FUNDS*	TOTAL	
					CITY	COUNTY											
Estimated carryover balance		\$ 6,333,409	\$ 5,234,916	\$ 18,460,401				\$ -	\$ -	\$ 1,883,433	\$ -	\$ 125,000	\$ 150,000	\$ 65,000	\$ 70,000	\$ 3,509,771	
Estimated allocation		\$ 2,587,036	\$ 835,170		\$ 493,249	\$ 195,006											
Estimated beginning balance		\$ 8,920,445	\$ 6,070,086	\$ 18,460,401													
TRANSIT OPERATING (7/13-6/14)	Operating								\$ 1,883,433							\$ 3,354,771	\$ 5,238,204
VEHICLE REPLACEMENTS**	Purchase										\$ 125,000						\$ 125,000
MET SPECIALIZED TRANS.-OPERATING**	Operating											150,000	65,000	\$ 70,000	\$ 155,000	\$ 440,000	
TOTAL		\$ -	\$ -	\$ -				\$ -	\$ -	\$ 1,883,433	\$ -	\$ 125,000	\$ 150,000	\$ 65,000	\$ 70,000	\$ 3,509,771	\$ 5,803,204
*LOCAL MATCH FOR TRANSIT      **DEPENDENT ON FUNDING AND APPLICATION APPROVALS BY MDT																	

(Table 12) - BIENNIAL ELEMENT OCTOBER 1, 2009 - SEPTEMBER 30, 2011 (HIGHWAY) BILLINGS, MONTANA							
PROJECT/PHASE	PROJECT NUMBER	PROJECT DESCRIPTION	TOTAL ESTIMATED COST	FEDERAL FUNDS AND SOURCES	NON-FEDERAL FUNDS AND SOURCES	RECIPIENT OF FUNDS	RESPONSIBLE IMPLEMENTING AGENCY
RIMROCK ROAD (SHILOH-54TH) (CONST.)	CM 1034(1)	CONSTRUCTION	150,000	129,870 FHWA	20,130 STATE MATCH	MDT	MDT
6TH AVE. N TO BENCH BLVD. CONNECTION (Add'l PE)	CM 1099 (32)	NEW CONSTRUCTION	202,909	175,679 FHWA	27,230 LOCAL MATCH	MDT	MDT
6TH AVE.N TO BENCH BLVD. CONNECTION (RW)	CM 1099 (32)	NEW CONSTRUCTION	1,470,000	1,272,726 FHWA	197,274 LOCAL MATCH	MDT	MDT
PARKHILL/13TH INTERSECTION (IC/CONST)	HSIP 1099 51	INTERSECTION IMPROVEMENTS	746,030	671,427 FHWA	74,603 STATE MATCH	MDT	MDT
SIGNAL-SO FRONTAGE & ZOO DRIVE (CONST.)	HSIP 1011(5)	SIGNAL	265,002	238,502 FHWA	26,500 STATE MATCH	MDT	MDT
	IM 1011(5)	SIGNAL	265,045	241,827 FHWA	23,218 STATE MATCH	MDT	MDT
SF099 GRAND-DIVISION 17TH-SIGNAL (PE)	HSIP1004	INT UPGRADE/SIGNAL	29,000	26,100 FHWA	2,900 STATE MATCH	MDT	MDT
GRAND-DIVISION TO 8TH (PE)	UPP 1004(9)	OVERLAY/COLD MILL	41,118	35,600 FHWA	5,518 STATE MATCH	MDT	MDT
MOSSMAIN INTERCHANGE E. (IC/CONST.)	IM 90-8 (155)	REHAB/SAFETY	7,269,802	6,632,967 FHWA	636,835 STATE MATCH	MDT	MDT
2002 SAFETY IMPROVEMENTS (CONST.)	HSIP 1099(43)	SAFETY IMPROVEMENTS	1,027,706	924,935 FHWA	102,771 STATE/LOCAL MATCH	MDT	MDT
RAILROAD CROSSING-HESPER ROAD (CONST.)	RRP 56(71)	GRADE CROSSING IMPROVEMENTS	155,636	134,750 FHWA	20,886 STATE/LOCAL MATCH	MDT	MDT
CTEP PROJECTS (PE, RW, IC, CONST)	STPE VARIOUS			FHWA	LOCAL MATCH	MDT	MDT
CTEP PROJECTS-ARRA FUNDING (CONST.)	ARRA		1,000,000	1,000,000 FHWA	0	MDT	MDT
6TH AVE N. TO BENCH BLVD CONNECTION (IC, CONST.)	MT 1099(32)	NEW CONSTRUCTION	7,701,490	6,667,950 FHWA	1,033,540 LOCAL MATCH	MDT	MDT
BENCH BLVD-BILLINGS (Add'l PE)	MT 1036(1)	RECONSTRUCTION	350,000	303,030	46,970	MDT	MDT
BENCH BLVD-BILLINGS (RW)	MT 1036(1)	RECONSTRUCTION	439,274	380,323 FHWA	58,951 STATE MATCH	MDT	MDT
BENCH BLVD-BILLINGS (IC)	MT 1036(1)	RECONSTRUCTION	878,549	760,647 FHWA	117,902 STATE MATCH	MDT	MDT
BILLINGS-NORTH (CONST.)	NH 16-1(20)3	PAVEMENT PRESERVATION	2,652,900	2,296,881	356,019	MDT	MDT
PINEHILLS INT SE (CONST.)	IM 90-8(158)457	MINOR REHAB	6,779,900	6,185,981	593,919	MDT	MDT
GRAND-DIVISION TO 8TH (CONST.)	UPP 1004(9)	CONSTRUCTION	516,136	464,522 FHWA	45,214 STATE MATCH	MDT	MDT
OPERATION AND MAINTENANCE - STATE (PE/CONST.)	N/A	OP./MAINT.	446,000	0 FHWA	446,000 STATE	MDT	MDT
OPERATION AND MAINTENANCE - LOCAL (PE/CONST.)	N/A	OP./MAINT.	225,000	0 FHWA	225,000 LOCAL	MDT	MDT

**(Table 13) - BIENNIAL ELEMENT JULY 1, 2009-JUNE 30, 2011 (TRANSIT)**

**BILLINGS MONTANA**

PROJECT/FUNDING SOURCE	TOTAL EST COST	FEDERAL FUNDS AND SOURCES	NON-FEDERAL FUNDS AND SOURCES	RECIPIENT OF FUNDS	RESPONSIBLE IMPLEMENTING AGENCY
<b>FTA SECTION 5307</b>					
OPERATING PROJECT (7-1-09 TO 6-30-10)	4,723,904	1,417,608	3,306,296	CITY	CITY
OPERATING PROJECT (7-1-10 TO 6-30-11)	4,987,279	1,488,487	3,498,792	CITY	CITY
<b>FTA SECTION 5309</b>					
MET PARATRANSIT SERVICES-2010	308,750	247,000	61,750	CITY	CITY
<b>FTA SECTION 5310*</b>					
REPLACEMENT VEHICLES(2010)	138,070	110,456	27,614	STATE	VARIOUS LOCAL
REPLACEMENT VEHICLES (2011)	125,000	100,000	25,000	STATE	VARIOUS LOCAL
<b>TRANSADe*</b>					
MET SPECIALIZED TRANSIT OPERATING-2010	355,325	200,000	155,325	CITY	CITY
MET SPECIALIZED TRANSIT OPERATING-2011	462,963	250,000	212,963	CITY	CITY
<b>FTA SECTION 5316*</b>					
JARC OPERATING-2010	150,000	75,000	75,000	CITY	CITY
JARC OPERATING-2011	150,000	75,000	75,000	CITY	CITY
<b>FTA SECTION 5317*</b>					
OPERATING-2010	130,000	65,000	65,000	CITY	CITY
OPERATING-2011	130,000	65,000	65,000	CITY	CITY
*Dependent on Funding & Application Approvals by MDT	**Funding To Be Determined				

**Regular City Council Meeting**

**Date:** 11/08/2010

**TITLE:** Library Board Recommendations for Downtown Library Facility

**PRESENTED BY:** Bill Cochran, Library Director

**Department:** Library

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**Information**

**PROBLEM/ISSUE STATEMENT**

At the October 18, 2010 work session, the City Council received a report from the Parnly Billings Library about facility planning. Library Foundation Director Leslie Modrow announced that a \$2,000,000 gift has been offered by an anonymous donor. The donor's conditions are that the funds be spent for a new, architecturally significant library building. Library Board Chairman Bernard Rose reported that the Board recommends that a new library be built on the block of land that lies between N. 28th and N. 29th and between the former 5th Avenue North right of way and 6th Avenue North. That recommendation includes an alternative, but less desirable site. Library Director Bill Cochran reported on preliminary negotiations between City staff and landowners of adjacent property that must be acquired in order to conform to the Library Board's recommendation. The City Council is being asked to 1) approve the \$2,000,000 donation to the Foundation for a new library of architectural significance; 2) approve the Library Board's site recommendation; and 3) direct staff to work with adjacent property owners to secure the land that is needed to implement the Library Board's site recommendation.

**ALTERNATIVES ANALYZED**

The Council may approve or disapprove any or all of the three recommendations discussed above. The Downtown Library Facility Committee reviewed more than fifty lots, representing more than two dozen locations, most in a downtown zone determined by the Committee, but also including a few potential sites to the west of the downtown. The Committee developed a list of site criteria to apply against each location, with the criteria then being confirmed as representative of community priorities through a statistically valid survey of 378 telephone and internet responses. The full survey report can be accessed at: <http://ci.billings.mt.us/DocumentView.aspx?DID=6214>.

The Committee ultimately recommended to the Library Board three different site configurations, all on or contiguous to the current Library site.

**FINANCIAL IMPACT**

Approval of the Library Board's downtown library facility recommendations will not have immediate financial impact, but a bond election for over \$13,000,000 is included in the City's CIP for 2012. Approving the \$2,000,000 donation will allow the Foundation and donor to proceed with the immediate priority of preparing a preliminary building design. The land assemblage may not require an immediate cash outlay because, as was explained by Billings Clinic representatives at the Oct. 18 meeting, it would be willing to exchange its land that is south of 6th Avenue North for street right of way within its campus boundaries. Additional property would need to be acquired from another land owner, but that owner has previously worked with the City to exchange properties that are mutually beneficial.

**BACKGROUND**

Since 1995, the Parmly Billings Library Board of Trustees has worked with the City Council, interested private developers, representatives of other public facility projects, and other community stakeholders on dozens of efforts to develop plans to renovate or replace the 1955 Billings Hardware Building the Library currently occupies.

Most recently, in response to citizen input provided by the Library's Strategic Planning Focus Groups and the City Council's Community Conversations, the City Council and Library Board of Trustees agreed that a joint committee should be given a charge to develop a clear plan for a downtown library facility. The Downtown Library Planning Committee, which included City Council members among members from every City ward, worked from March through September to identify a recommended location or locations for a downtown Library building, a process facilitated by City-County Planning Director Candi Beaudry and assisted by the research firm of Library Consulting, P.A. The Committee presented three site recommendations to the Library Board at the Board's October 14 meeting. Trustee Bernard Rose presented the Library Board's final recommendations to the City Council at its October 18 Work Session. Also disclosed at the work session is the lead donation of \$2,000,000 for a new Library structure.

The City's Capital Improvement Plan includes addressing downtown Library facility needs through a \$13,383,684 general obligation bond election in FY2012, which can be used either to fund a new facility or for renovation of the existing building. A 2001 study of all City buildings by a local architectural firm found that even then, "the building does not serve its function well. First and second floor library are an under funded attempt to convert a parts warehouse into library function. Significant investment is required to bring this building to any reasonable standard let alone convert this building to the proud civic facility it should be." Since then, the condition of the building has only worsened, in spite of significant annual expenditures for absolutely necessary repairs. If a new, 60,000 square foot building is not built to replace the current building, the entire 110,000 square foot building will need to be totally renovated at a cost likely to be higher than the appropriately sized new building, even without consideration of comparable functional and aesthetic improvements.

## **RECOMMENDATION**

Staff and the Parmly Billings Library Board recommend:

1. The preferred site for a downtown Library facility be the entire block upon which the current Library building is located, between 28th and 29th Streets, and between the old 5th Avenue North and Sixth Avenue North. An alternative, but less desirable site is the property that the Library currently utilizes, with the addition of the two lots immediately north of the Library building, owned by Stockman Bank, on which the Library has an option.
2. The \$2,000,000 lead gift to the Parmly Billings Library Foundation for its capital campaign for a downtown Library facility be accepted, including the only two stipulations requested by the donor, i.e. that it be for a new Library building and that the building be of architectural significance, as demonstrated by the donor's approval of the exterior design of the building.
3. Staff be directed to work with the owners of the properties adjacent to the Library building to assemble the land necessary for the preferred site described in recommendation 1, above.

These recommendations were presented to the City Council at its October 18 Agenda Meeting. The PowerPoint presentation can be accessed at:  
<http://ci.billings.mt.us/DocumentView.aspx?DID=6385>.

**APPROVED BY CITY ADMINISTRATOR**

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