

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS

May 9, 2011

6:30 P.M.

CALL TO ORDER – Mayor Hanel

PLEDGE OF ALLEGIANCE – Mayor Hanel

INVOCATION – Councilmember Astle

ROLL CALL

MINUTES: April 25, 2011

COURTESIES

PROCLAMATIONS -

- **Arbor Day, May 12, 2011**
- **National Women's Health Week, May 8-14, 2011**
- **Older American Month, May 2011**

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Item #1 ONLY. Speaker sign-in required. (Comments offered here are limited to one (1) minute. Please sign up on the clipboard located at the podium. Comment on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item. For Items not on this agenda, public comment will be taken at the end of the agenda.)

1. CONSENT AGENDA -- Separations:

A. Bid Awards:

- 1. Four (4) 10,000 Gallon Deice Tanks.** (Opened 4/26/2011) Recommend rejection of bid.

2. **2011 Milling Machine and Trailer.** (Opened 4/26/2011) Recommend Titan Machinery; \$364,458.45.
 3. **W.O. 09-11, Rimrock Road Improvements - 17th Street West to Forsythia Boulevard.** (Opened 4/26/2011) Recommend Knife River-Billings; \$3,550,131.55.
 4. **29th Street Skybridge Rehabilitation.** (Opened 4/26/2011) Recommend General Contractors Construction; \$230,814.00.
- B. Change Order #5 - W.O. 09-08: WWTP Water Line Replacement;** Becco General, \$11,362.82.
- C. Approval** of one-year banking contract extension with US Bank from the expiration date of February 2012 to February 2013; additional \$5,800 per month in interest earnings, netting \$121,800 through February 2013.
- D. CTEP Project Specific Agreement** for the Central Avenue Sidewalk Project; available funding - \$102,000.
- E. CTEP Project Specific Agreement** for the Broadwater Connection Project; available funding - \$258,175.
- F. Approval of lease renewal (5-year)** of the Limited Commercial Aviation Building and Ground Lease with Billings Clinic; revenue first year \$25,160.88, revenue subsequent years adjusted by Consumer Price Index for All Urban Consumers.
- G. Approval of Commercial Terminal Building Lease and Operating Permit** with Gulfstream International Airlines, Inc.; 5/1/2011 - 4/30/2015; approximate annual revenue for exclusive use space - \$52,084; approximate annual revenue for landing fees - \$45,000.
- H. Amendment #1, Lease Agreement with BILAW LLC, DBA Mann Mortgage Billings,** expanding leased area an additional 538 square feet in Park 1; annual revenue - \$2,152.00 (538 square feet x \$4.00).
- I. Street Closures:**
1. **Reporter Big Sky Office Car Show,** 6/11/2011; 9 a.m. to 3 p.m.; North 14th Street between 1st and 2nd Avenues North.
 2. **Heart and Sole Run** (5K, 10K and 2-mile walk), June 18, 2011; 8:30 a.m. to 1:00 p.m.; starting near 12th Avenue N. and N. 30th Street. Runners head south on N. 30th St; 2-mile walkers turn at 11th Ave. N, 5K runners/walkers turn at 9th Ave. N., and 10K runners/walkers turn at 8th Ave. N., finishing at Dehler Park.
- J. Resolution of Intent** to create SILMD 308, Chrysalis Acres Subdivision, Phase II, and set a public hearing date for June 13, 2011.
- K. Resolution** related to financing the proposed new Library Building and establishing compliance with reimbursement bond regulations under the Internal Revenue Code.

- L. Second/final reading ordinance for Zone Change #874:** A zone change from Community Commercial (CC) to Highway Commercial (HC) on two parcels of land described as Lots 1 through 17, Block 14 of Suburban Subdivision located at 327 Cook Avenue and 3919 Montana Avenue. Mike Dimich, property owner of 327 Cook Avenue. Gene and April Staudiner, property owners, and Mike Dimich, contract purchaser, of 3919 Montana Avenue. Approval of the zone change and adoption of the determinations of the 12 criteria.
- M. Second/final reading ordinance for Zone Change #875:** A zone change from Community Commercial (CC), Public (P), Residential 6,000 (R-60) and Residential Multi-Family (RMF) to Residential 9,600 (R-96) and Residential 6,000 Restricted (R-60-R) on Lots 10 through 12, Block 16; Lot 15, Block 17; Lots 1 through 4, Block 18; Lots 1 through 4 and 7 & 8, Block 19; Lots 25 through 27, Block 45; Lots 12A, 12B, 13A and 14 through 17, Block 46; Lots 8 through 13, Block 47, Lake Hills Subdivision; and proposed new Lots A through G to be created from golf course land, for a total of 12.651 acres. All lots are currently vacant. Ron Hill, owner; Marshall Phil of Blueline Engineering, representative. Approval of the zone change and adoption of the determinations of the 12 criteria.
- N. Exempt Plat Approval** of Foster's Addition Subdivision between Blocks 49 and 53 generally located between 4th and 6th Avenues North on the Parmly Billings Library parking site; City of Billings, owner.
- O. Bills and Payroll:**
1. April 8, 2011
 2. April 15, 2011

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION GRANTING A TAX ABATEMENT TO SSI BIG SKY, LLC, DBA SCHNITZER-BILLINGS (FORMERLY GOLDEN RECYCLING)** on industrial equipment purchases. Staff recommends denying the request. (Action: approval or disapproval of staff recommendation.)
3. **PUBLIC HEARING AND RESOLUTION** approving the transfer of property between the Billings Clinic and the City of Billings; a 24,000-square-foot section on 9th Avenue North between North 28th and North 29th Streets; a 28,000-square-foot section of the south half of North 28th Street between 10th Avenue North and 11th Avenue North; and 60,800 square feet of 28th Street North between 7th Avenue North and 9th Avenue North for a Clinic-owned building at 640 N. Broadway and 8.8 lots along 6th Avenue North between 29th and Broadway to be used as part of the site for a proposed new Library. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

PUBLIC COMMENT on Non-Agenda Items -- Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda. Comments here are restricted to 3 minutes per speaker. 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: 05/09/2011

TITLE: Purchase of Four Deice Tanks for the Public Works Department

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

Bids were received by the Street/Traffic Division of the Public Works Department on April 26, 2011, to purchase four 10,000 gallon De-Ice Tanks. These tanks are used for storage of calcium chloride used in winter ice control. The city has eight tanks and this bid will replace four of these tanks. This purchase is in the FY11 budget as part of the Equipment Replacement Plan (ERP). The City received one bid and the tanks do not meet specifications. Staff recommends that the Council reject the bid and staff will investigate rebidding or revising the specifications.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the purchase of the four De-Ice Tanks from Kois Brothers in the amount of \$32,736.00: or,
- Reject all bids and do not purchase the de-ice tanks. One of the four tanks to be replaced is currently out of service due to the poor condition of the tank.

FINANCIAL IMPACT

Vendor	Bid
Kois Brothers	\$32,736.00 (Does not meet specifications)

The bid submitted is for a poly tank and not a steel tank as specified in the bid documents. As a result, staff is recommending to not accept this bid. Staff will reevaluate either rebidding for a steel tank or investigate options of using a tank made of another material and ask for new bids in the future.

RECOMMENDATION

Staff recommends rejecting the bid for the purchase of four de-ice tanks in the amount of \$32,736.00 from Kois Brothers Equipment due to not meeting specifications.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Date: 05/09/2011

TITLE: 2011 Milling Machine & Trailer

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

Bids were received by the Street/Traffic Division of the Public Works Department on April 26, 2011, to purchase a 2011 milling machine & trailer. This machine will be used by the Street/Traffic Division in the annual partial road reconstruction program. This purchase is included in the FY11 budget as a supplemental budget request in the Equipment Replacement Plan (ERP).

ALTERNATIVES ANALYZED

The City Council may:

- Approve the purchase of the Milling Machine & Trailer from Titan Machinery in the amount of \$364,458.45 : or
- Reject all bids and not purchase the Milling Machine & Trailer.

FINANCIAL IMPACT

This machine and trailer will be funded from street maintenance district funds. One vendor submitted three bids. The milling machine is the same for all three bids. Each of the three bids includes a trailer with different features resulting in different bids. The low bid includes a trailer that will take 30 weeks to arrive in Billings. This trailer has a 70 ton load capacity with a hand crank landing gear (park stands). The second bid (\$364,458.45) includes a trailer that will be delivered in 30 days. This trailer has a 110 ton load capacity and a hydraulic landing gear. Staff is recommending the second bid due to the shorter delivery time and the higher load capacity.

Vendor	Bid
Titan Machinery	\$361,751.77 Trailer 30 weeks ARO
Titan Machinery	\$364,458.45 Trailer 30 days ARO
Titan Machinery	\$369,258.45 Trailer 30 days ARO

RECOMMENDATION

Staff recommends that the City Council approve purchasing a 2011 Milling Machine and Trailer in the amount of \$364,458.45 from Titan Machinery.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Date: 05/09/2011

TITLE: W.O. 09-11 Rimrock Road, 17th to Forsythia

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

Bids were received for W.O. 09-11 Rimrock Road, 17th to Forsythia, on April 26, 2011. The project will include street reconstruction with turn lanes, pavement overlay, curb/gutter, sidewalk, drive approaches, street lighting, and water/sewer/storm improvements along Rimrock Road from 17th Street West to Forsythia Boulevard.

ALTERNATIVES ANALYZED

The Council may:

- Award the construction contract for W.O. 09-11 Rimrock Road, 17th to Forsythia, to Knife River-Billings in the amount of \$3,550,131.55; or
- Reject all bids and do not award a construction contract for W.O. 09-11.

FINANCIAL IMPACT

The City received four (4) bids for this project. The engineer's estimate is \$4,208,192.10. The bids were as follows:

Contractor	Total Construction Bid
Knife River - Billings	\$3,550,131.55
CMG Construction, Inc	\$3,902,404.00
Riverside Sand and Gravel	\$3,978,645.30
COP Construction	\$4,503,584.75

The proposed project is funded as follows:

Funding Source	Amount
Property Assessments	\$160,000
Water Funds	\$1,500,000
Sewer Funds	\$150,000
Storm Drain Funds	\$150,000
Gas Tax Funds	\$329,000
Arterial Funds	\$2,400,000

Total Funds Available	\$4,689,000
------------------------------	--------------------

The following is a breakdown of the costs of the \$4,689,000 allocated for this project:

Expense	Amount
Project Design	\$310,000 (already encumbered)
Construction (This Contract)	\$3,550,131.55
Remaining Funds Available	\$828,868.45

Remaining funds will be used for partial construction administration, construction staking, change orders, materials testing, inspection, and other administrative costs.

RECOMMENDATION

Staff recommends that Council award the contract for Work Order 09-11 Rimrock Road, 17th to Forsythia, to Knife River - Billings in the amount of \$3,550,131.55.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting**Date:** 05/09/2011**TITLE:** Award of 29th Street Sky-bridge Rehabilitation Contract**PRESENTED BY:** Chris Mallow -- Parkings Supervisor**Department:** City Hall Administration**Information****PROBLEM/ISSUE STATEMENT**

In November, 2009, the Parking Division witnessed several deficiencies in the 29th Street Sky-bridge that connects the Park 1 garage to the Hart-Albin parking garage. Staff contacted CTA Architects to put together a condition audit and identify how best to proceed with the repair of this Sky-bridge. This repair is deemed necessary to insure against total failure of steel frame and roof systems as well as to repair the support structure and extend the usable life of this structure. CTA estimated the cost of repairing the observed deficiencies at approximately \$170,000. This repair was listed in the FY11 Capital Improvement Plan and listed as an approved expense in the FY11 Parking Division budget.

The project was advertised in the Billings Times on March 31, April 7, and April 14, 2011, and on the City of Billings website. On April 26th, 2011, the following bids were received:

Contractor	Bid Price
Hardy Construction	\$292,700.00
General Contractors Construction Company	\$230,814.00
High Tech Construction	\$245,000.00
Fisher Construction	\$242,700.00

ALTERNATIVES ANALYZED

Staff has identified the following alternatives:

1. Award contract to General Contractors Construction Company as the lowest responsive bidder.
2. Reject all bids and re-advertise the Invitation for Bids.
3. Reject all bids and suspend any repairs on the 29th Street Sky-bridge.

FINANCIAL IMPACT

This project will be funded with Parking Division funds. Any additional cost will be absorbed within other line items of the budget or by deferring other projects.

RECOMMENDATION

Staff recommends that Council approve the 29th Sky-bridge Rehabilitation contract to General Contractors Construction Company in the amount of \$230,814.00.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Date: 05/09/2011

TITLE: W.O. 09-08 WWTP Water Line Replacement Approval of Change Order #5 and Increase Contract Amount

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

Becco General Construction Services constructed this project, which included replacing 730 lineal feet of 4-inch and 2-inch water line on the Waste Water Treatment Plant Site and directional drilling a water line across Alkali Creek to tie into the water line on the Metra Park side of the creek.

During the directional drilling across Alkali Creek, Becco General encountered 3 ft. to 4 ft. diameter rocks within Alkali Creek which delayed the drilling and required Becco General to remove the rocks with an excavator. The bore logs on both sides of the creek in the geotechnical report indicate that rock greater than 6 inches was present. However, Becco General could not have foreseen the rock sizes of 3 ft. to 4 ft. diameter and has requested a change in contract price based on the time required to remove the rocks with the excavator so that it could continue the boring operation. Staff is requesting that City Council approve this change order because the combined total of all change orders exceeds 10% of the original contract price and therefore, the City Administrator may not approve this final change.

ALTERNATIVES ANALYZED

The Council may:

- Approve Change Order #5 and increase the contract amount to \$651,929.40; or
- Reject Change Order #5 and not approve the increase in contract amount for W.O. 09-08.

FINANCIAL IMPACT

The contract price will change as follows:

Original Contract Price	\$585,000.00	
Previous Change Orders	\$55,566.58	9.5%
Contract Price prior to this CO	\$640,566.58	
This Change Order	\$11,362.82	1.9%
Contract Price with approved Change Order	\$651,929.40	11.4%

The original project budget included sufficient contingency to fund this change order. This is the final change order for this project.

RECOMMENDATION

Staff recommends that Council approve Change Order #5 for W.O. 09-08 WWTP Water Line Replacement with Becco General in the amount of \$11,362.82.

APPROVED BY CITY ADMINISTRATOR

Attachments

CO #5

CHANGE ORDER

No. Five (5)

DATE OF ISSUANCE April 21, 2011

EFFECTIVE DATE April 21, 2011

OWNER City of Billings, Montana
CONTRACTOR Becco General Construction
Contract: N/A
Project: Wastewater Treatment Plant Water Line Replacement
OWNER's Contract No. 09-08 ENGINEER's Contract No. 110728
ENGINEER HDR Engineering, Inc.

You are directed to make the following changes in the Contract Documents:

Description:
See attached CPR (Change Proposal Request) No. 10

Reason for Change Order:
See attached CPR (Change Proposal Request) No. 10

Attachments:
See attached CPR (Change Proposal Request) No. 10

CHANGE IN CONTRACT PRICE:
Original Contract Price \$ <u>585,000.00</u>
Net <u>Increase</u> (Decrease) from previous Change Orders No. <u>0</u> to <u>4</u> : \$ <u>55,566.58</u>
Contract Price prior to this Change Order: \$ <u>640,566.58</u>
Net <u>Increase</u> (Decrease) of this Change Order: \$ <u>11,362.82</u>
Contract Price with all approved Change Orders: \$ <u>651,929.40</u>

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: <u>75 Calendar Days</u> Ready for final payment: <u>105 Calendar Days</u> (days or dates)
Net change from previous Change Orders No. <u>0</u> to No. <u>3</u> : Substantial Completion: <u>2 Calendar Days</u> Ready for final payment: <u>2 Calendar Days</u> (days)
Contract Times prior to this Change Order: Substantial Completion: <u>77 Calendar Days</u> Ready for final payment: <u>107 Calendar Days</u> (days or dates)
Net <u>Increase</u> (Decrease) this Change Order: Substantial Completion: <u>0 Calendar Days</u> Ready for final payment: <u>0 Calendar Days</u> (days)
Contract Times with all approved Change Orders: Substantial Completion: <u>77 Calendar Days</u> Ready for final payment: <u>107 Calendar Days</u> (days or dates)

RECOMMENDED:

APPROVED:

ACCEPTED:

By _____
(ENGINEER - Signature)

OWNER (Authorized Signature)

CONTRACTOR (Authorized Signature)

Date: _____

Date: _____

Date: _____

EJCDC 1910-8-B

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America and the Construction Specifications Institute.

Change Proposal Request No. 10 (Not a Change Order)

Project Name: Wastewater Treatment Plant Water Line Replacement	Owner's Project No. (if applicable): W.O. 09-08
Project Owner: City of Billings Public Works Department	Regulatory Agency Project No. (if applicable):
HDR Project No. 110728	Initiated by: <input type="checkbox"/> Engineer <input checked="" type="checkbox"/> Contractor
Contractor: Becco General	Date: April 21, 2010

Attention: The following change in the contract on this project is proposed.

Description of the Proposed Change:

During the directional drill beneath Alkali Creek, Becco General encountered 3 ft to 4 ft diameter rocks. The Geotechnical Report states that rock greater than 6 inches in diameter was present. However, Becco General could not have foreseen the rock size up to 3 ft to 4 ft diameter. For this reason, a change in contract price is requested based upon the amount of time required to remove the rocks with the excavator and the associated delay in the boring operation.

Equipment and labor rates are detailed on the subsequent pages.

By _____

All work shall be in accordance with the terms, stipulations, and conditions of the original Contract Documents. If the work herein provided for is Approved by Change Order, the time of completion will be:

- Increased Decreased Unchanged

by 0 calendar days.

This change will: Add Deduct No Change

\$ 11,362.82

HDR Recommendation:

- Recommend Acceptance
 Do Not Recommend Acceptance

By: HDR Engineering, Inc.

Date _____

Owner's Action:

- Accepted Not Accepted

General Contractor _____

Date _____

By: Owner _____

Date _____

Regular City Council Meeting

Date: 05/09/2011

TITLE: One Year Banking Contract Extension with U.S. Bank

PRESENTED BY: Patrick M. Weber, Financial Services Manager

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The City's current banking contract with US Bank expires in February 2012. US Bank has provided the City with a proposal to extend the contract one year to February 2013 (Exhibit A). The proposal compensates the City an additional 25 basis points and no increase in annual service costs for the one-year extension.

ALTERNATIVES ANALYZED

The Council may:

- Approve the one year extension; or
- Not approve the one year extension.

FINANCIAL IMPACT

The additional 25 basis points would generate an additional \$5,800 per month in interest earnings, netting \$127,600 through February 2013.

RECOMMENDATION

Staff recommends Council approve the one year banking contract extension with US Bank.

APPROVED BY CITY ADMINISTRATOR

Attachments

Contract Extension

Exhibit A

AMENDMENT ONE
TO
BANKING SERVICES AGREEMENT
BY AND BETWEEN

THE CITY OF BILLINGS
AND
U.S. BANK

WHEREAS, on January 22, 2007, the City of Billings (hereinafter "the City") and U.S. Bank (hereinafter "the Financial Institution") entered into a Banking Services Agreement (hereinafter the "Agreement") for the City and;

WHEREAS, said Agreement is for a period of five (5) years commencing on the 28th day of February 2007, and ending on the 28th day of February 2012, and;

WHEREAS, the parties mutually desire to extend the end date for the Agreement,

NOW THEREFORE, SECTION 4 of the Agreement is hereby amended as follows:

4. CONTRACT PERIOD

The Banking Services Agreement is for a period of six (6) years, beginning on February 28, 2007, and ending February 28, 2013.

FURTHER, all other terms and conditions of the Agreement remain unchanged and in full force and effect.

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

CITY OF BILLINGS, MONTANA

FINANCIAL INSTITUTION

By _____
THOMAS W. HANEL, MAYOR

By _____

Print Name _____

Print Title _____

APPROVED AS TO FORM:

By _____
BRENT BROOKS, City Attorney



All of **us** serving you™

April 26, 2011

Mr. Pat Weber
Financial Services Manager
City of Billings
P.O. Box 1178
Billings, MT 59103

Exhibit A

Dear Mr. Weber:

I appreciated the opportunity to discuss the City extending your banking service contract with U.S. Bank for an additional year. We are proud of the working relationship we have developed with the City of Billings, and we truly want to continue to be your bank!

As your dedicated relationship manager, I want to enhance the solid financial partnership we have built with the City. This extension includes continuing the low prices the City currently receives as well as the following benefits:

- An Earning Credit Rate increase of **25 basis points**.
- **No increase** in your annual service costs for the one-year extension.

Pat, on behalf of all of us at U.S. Bank, I would like to thank you for your business. I look forward to continuing to work with your team. I would be happy to meet at your convenience to review the details.

Sincerely,

Kim Spiroff

Kim Spiroff
Assistant Vice President & Relationship Manager
Government Banking
U.S. Bank

Regular City Council Meeting

Date: 05/09/2011

TITLE: CTEP Project Specific Agreement – Central Avenue Sidewalk

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

The City of Billings submitted a Montana Department of Transportation (MDT) Community Transportation Enhancement Project (CTEP) grant application for the Central Avenue Sidewalk in October 2010. This project will consist of the installation of approximately 2,300 lineal feet of concrete sidewalk, curb and gutter. The project will be located along the north side of Central Avenue from 29th Street West to 32nd Street West. The local match for this project is being provided by the City of Billings. The administration of the construction project will be through the City of Billings Public Works Department, Engineering Division. The project was approved through the local CTEP project selection process involving the City Council, Board of County Commissioners and Planning Board, and also was approved by MDT. The Policy Coordinating Committee (PCC) approved this project at its regular meeting on October 19, 2010. The Project Specific Agreement represents the formal agreement between the City and MDT for the project's scope, funding, and federal aid compliance. Council must authorize the Mayor to execute a Project Specific Agreement for the Central Avenue Sidewalk Project to begin project development in the 2011 construction season.

ALTERNATIVES ANALYZED

The City Council May:

- Approve the CTEP Project Specific Agreement.
- Not approve the CTEP Project Specific Agreement. This would result in the loss of CTEP funding for this project.

FINANCIAL IMPACT

The funding breakdown for this project is as follows:

CTEP Grant	\$ 88,312
City of Billings	\$ 13,688
Total Funds Available	\$102,000

Source of the City matching funds is Gas Tax revenue.

RECOMMENDATION

Staff recommends that Council authorize the Mayor to execute the CTEP Project Specific Agreement for the Central Avenue Sidewalk Project.

APPROVED BY CITY ADMINISTRATOR

Attachments

[Project Location Map](#)

Project Specific Agreement



CTEP Application -- Central Improvements
29th to 32nd



CTEP PROJECT AGREEMENT

THIS AGREEMENT is made and entered into by and between the State of Montana, acting by and through its Department of Transportation, hereinafter called the "State," and the City of Billings, hereinafter called the "City". This Agreement is effective on the date of the final signature by the State.

WITNESSETH THAT:

WHEREAS, the City proposes to develop and construct a Community Transportation Enhancement Program (CTEP) project, Control Number 7543, titled CENTRAL AVE SIDEWALKS-BLNGS (hereinafter the "project"); and,

WHEREAS, the State and the City recognize the need to develop and construct the project, and are willing to share in its costs in accordance with this agreement; and,

WHEREAS, in accordance with the State's agreement with the Federal Highway Administration (FHWA) of the U.S. Department of Transportation, the State must ensure that certain requirements are met in order for the State to fulfill its obligations to the FHWA and for the project to be eligible for federal funds. Accordingly, the State includes federal requirements, which are among those hereinafter set forth, for this project, and the City agrees to them, and,

WHEREAS, the estimated cost of the project's development and construction is \$102,000; and,

WHEREAS, the financial participation for the project development and construction will in part be with federal-aid funds made available in federal fiscal 2011; and,

WHEREAS, the federal-aid funds provided are described in the Catalog of Federal Domestic Assistance (CFDA), number 20.205, Highway Planning and Construction; and,

WHEREAS, it is understood that all costs associated with the project in excess of these federal-aid funds will be financed by the City; and,

WHEREAS, this document must be executed and submitted to the State before the project development and construction process will be authorized to start; and,

NOW, THEREFORE, in consideration of the covenants herein contained, the parties agree that:

1. The City will develop a CTEP project described as: the design and construction of approximately 2,300 lineal feet of concrete sidewalk, curb and gutter.
2. The project will be located in Billings along the north side of Central Avenue from 29th Street West to 32nd Street West.
3. The purpose of this project is to provide a safe and convenient pedestrian facility.
4. The initial federal-aid program to be requested for the development and construction of this project, by federal-aid account, is as follows:

Federal-Aid Program Account by Project Phase (Maximum CTEP Share)

[9102] Preliminary Engineering (86.58% CTEP) (including environmental documentation)	\$ 8,500
[9202] Right-of-Way/Easement Acquisition (86.58% CTEP)	\$ -0-
[9302] Incidental Construction (64.93% CTEP) (utility relocation involvement)	\$ -0-
[9402] Construction Engineering (86.58% CTEP) (including contract administration and inspections)	\$ 8,500
[9502] Construction (86.58% CTEP)	\$ 85,000
Total	\$ 102,000

City of Billings	Project	CTEP Funds	Local Match	Additional Contribution
Direct Costs	\$ 102,000	\$ 88,312	\$ 13,688	\$ -0-
TOTAL	\$ 102,000	\$ 88,312	\$ 13,688	\$ -0-

NOTE: Above table does not include indirect costs. Indirect costs will be applied to the CTEP fund share at the rate corresponding to the time the reimbursements are made.

5. The City will be responsible for the \$13,688 local match. The Federal cost participation (CTEP funds) will be \$88,312 of the estimated total project cost of \$102,000. The City will be responsible for 100% of all costs exceeding the proposed \$102,000 that may be required to complete the project.
6. The parties understand and agree that this agreement is subject to the requirements of Section 17-1-106, MCA. Section 17-1-106, MCA, requires any state agency, including the Montana Department of Transportation (MDT), which receives non-general funds to identify and recover its indirect costs. These costs are in addition to direct project costs. MDT's indirect cost rate is determined annually as a percentage of the project's direct costs to cover the project's share of MDT's indirect costs as defined by 2 CFR Part 225 (formerly OMB Circular A-87). MDT's current indirect cost rate is 13.35% for fiscal year 2011 (July 1, 2010 to June 30, 2011). If this project extends across more than one fiscal year, more than one annual rate will be involved, as the rate may change during the life of the project.
7. The City will develop and prepare all of the necessary design plans, specifications, estimates and contract documents for the project in accordance with the CTEP Manual. The selection and retention of any individual or firm to provide or furnish any engineering or design related services shall be based upon qualifications in accordance with the CTEP Manual's Consultant Services procedures.
8. The City will solicit for competitive bids and award a contract to construct the project. The solicitation for the construction contract may be by competitive bid or limited solicitation, so long as the cost does not exceed \$50,000; should the project's construction cost exceed \$50,000, it must be by competitive bid. The City will administer any construction contract and provide the supervision, inspection and documentation required to ensure the project is completed satisfactorily. The State will perform a final project review to ensure substantial compliance with project plans, specifications and estimates.
9. The City and any consultant and/or contractor it may employ in pursuit of project completion will comply with applicable Equal Employment Opportunity (EEO) requirements, Disadvantaged Business Enterprise (DBE) goals, Americans with Disabilities Act (ADA) and Federal Labor Requirements.

10. The City will provide documentation necessary to comply with applicable environmental requirements, including the National Environmental Policy Act (NEPA), Section 106 of the National Historic Preservation Act (NHPA) and Section 4(f) of the DOT Act.
11. The City will complete and submit the applicable supporting documentation to the State for review and concurrence prior to beginning the next step in the project's development or construction process, as identified in the CTEP Manual.
12. The City will allow inspection of all work and project-related records by the personnel or agents of the State and FHWA.
13. Cities subject to the authority of the Montana Single Audit Act will secure an independent audit in compliance with OMB Circular A-133 and submit a copy to the Montana Department of Administration, Local Government Services Bureau, PO Box 200547, Helena, MT, 59620-0547.
14. Except for any suits, claims, actions, losses, costs or damages which are solely the result of the negligent acts or omissions or misconduct of State employees, the City agrees that it will protect, indemnify, and save harmless the State and Department of Transportation against and from all claims, liabilities, demands, causes of action, judgments (with any costs and fees that might be awarded), and losses to them from any cause whatever from the project, and including any suits, claims, actions, losses, costs or damages of any kind, including the State and Department's legal expenses, made against the State or Department by anyone arising out of, in connection with, or incidental to the project and its construction or use or maintenance.
15. The City will retain project-related records and documents for a period of three years after the closing of the project.
16. The City may submit a claim once a month detailing items and quantities of acceptable work completed that period to the CTEP Office for the project development and/or construction costs incurred. The request will be accompanied by documentation substantiating the amount requested and identifying the applicable federal share.
17. This agreement shall become effective upon execution by both parties. It may be modified only by prior written agreement of both parties.
18. The City will service, maintain, and pay the cost of operating the project described in this agreement.
19. During the performance of this Agreement the City, for itself, its assignees and successors in interest, agrees as follows:
20. The City and State understand and agree that this agreement is subject to the requirements of OMB Circular A-133; non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single audit conducted. The City agrees to have a single audit conducted if it meets the above threshold.

A) COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 FOR FEDERAL-AID CONTRACTS

- (1) Compliance with Regulations: The City shall comply with all Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation, 49 Code of Federal Regulations (CFR), Part 21, as they may be amended (hereafter referred to as the Regulations), which are incorporated by

reference and made a part of this Agreement, even if only state funding is here involved.

- (2) Nondiscrimination: The City, with regard to the work performed by it during the Agreement, shall not discriminate on the grounds of sex, race, color, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The City shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR Sec. 21.5.
- (3) Solicitations for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations, whether by competitive bidding or negotiation by the City for work to be performed under a subcontract, including procurement of materials or leases of equipment, any potential subcontractor or supplier shall be notified by the City of the City's obligations under this Agreement and the Regulations relative to nondiscrimination.
- (4) Information and Reports: The City will provide all reports and information required by the Regulations, or directives issued pursuant thereto, and permit access to its books, records, accounts, other sources of information and its facilities as may be determined by State or the Federal Highway Administration (FHWA) to be pertinent to ascertain compliance with Regulations or directives. Where any information required of the City is in the exclusive possession of another who fails or refuses to furnish this information, the City shall so certify to the Department or the FHWA as requested, setting forth what efforts it has made to obtain the information.
- (5) Sanctions for Noncompliance: In the event of the City's noncompliance with the nondiscrimination provisions of this Agreement, the State may impose sanctions as it or the FHWA determines appropriate, including, but not limited to,
 - (a) Withholding payments to the City under the Agreement until the City complies, and/or
 - (b) Cancellation, termination or suspension of the Agreement, in whole or in part.
- (6) Incorporation of Provisions: The City will include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The City will take such action with respect to any subcontract or procurement as the State or the FHWA may direct to enforce such provisions including sanctions for noncompliance: Provided, however, that in the event the City is sued or is threatened with litigation by a subcontractor or supplier as a result of such direction, the City may request the State to enter into the litigation to protect the interests of the State, and, in addition, the City or the State may request the United States to enter into such litigation to protect the interests of the United States.

B) COMPLIANCE WITH THE MONTANA GOVERNMENTAL CODE OF FAIR PRACTICES, SEC. 49-3-207, MCA

In accordance with Section 49-3-207, MCA, the City agrees that for this Agreement all hiring will be made on the basis of merit and qualifications and that there will be no discrimination on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by the persons performing the Agreement.

C) COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT (ADA)

- (1) The City will comply with all regulations relative to implementation of the AMERICANS WITH DISABILITIES ACT.
- (2) The City will incorporate or communicate the intent of the following statement in all publications, announcements, video recordings, course offerings or other program outputs: **"The City will provide reasonable accommodations for any known disability that may interfere with a person in participating in any service, program or activity offered by the City. In the case of documents, recordings or verbal presentations, alternative accessible formats will be provided. For further information call the City."**
- (3) All video recordings produced and created under contract and/or agreement will be closed-captioned.

D) COMPLIANCE WITH PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES IN DEPARTMENT OF TRANSPORTATION FINANCIAL ASSISTANCE PROGRAMS, 49 CFR PART 26

Each Agreement the Department signs with a City (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance:

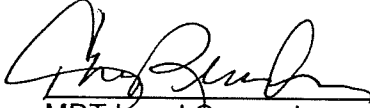
The City, subrecipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The City shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the City to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

IN WITNESS WHEREOF, the Department's authorized representative has signed on behalf of the State of Montana, and the Mayor of the City of Billings has signed and affixed hereto the seal of the City.

STATE OF MONTANA, DEPARTMENT OF TRANSPORTATION

BY _____, 2011

APPROVED FOR LEGAL CONTENT



MDT Legal Counsel

CITY OF BILLINGS

ATTEST-CITY CLERK

MAYOR

_____ By _____

I, _____, Billings City Clerk, hereby certify that this agreement was regularly adopted by the City Council at a meeting held on the _____ day of _____, 20____, and that the Council authorized the Mayor to sign this agreement on behalf of the City.

[OFFICIAL SEAL]

City Clerk

Regular City Council Meeting

Date: 05/09/2011

TITLE: CTEP Project Specific Agreement – Broadwater Connection

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

The City of Billings submitted a Montana Department of Transportation (MDT) Community Transportation Enhancement Project (CTEP) grant application for the Broadwater Connection in October 2010. This project will consist of the installation of approximately 4,200 lineal feet of a hard-surfaced bicycle and pedestrian path. This project will be split into two phases; the first and primary phase will be to construct the project on the north side of Broadwater Avenue between Parkview Drive and 32nd Street West. The second phase that will be bid as an alternative will include the link from Broadwater Avenue mid-block north to Lewis Avenue along a platted alley Right-of-Way. This phase will be included in the bid package; however, due to limited funding, this link may not be completed at this time. The city did apply for a Safe Routes to School grant to fund this link from Broadwater north to Lewis. However, this project was not funded through the Safe Routes to School Program for the 2011 application round. The local match for this overall project is being provided by the City of Billings. The administration of the construction project will be through the City of Billings Public Works Department, Engineering Division. The project was approved through the local CTEP project selection process involving the City Council, Board of County Commissioners and Planning Board, and also was approved by MDT. The Policy Coordinating Committee (PCC) approved this project at its regular meeting on October 19, 2010. The Project Specific Agreement represents the formal agreement between the City and MDT for the project’s scope, funding, and federal aid compliance. Council must authorize the Mayor to execute a Project Specific Agreement for the Broadwater Connection Project to begin project development in the 2011 construction season.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the CTEP Project Specific Agreement.
- Not approve the CTEP Project Specific Agreement. This would result in the loss of CTEP funding for this project.

FINANCIAL IMPACT

The funding breakdown for this project is as follows:

CTEP Grant	\$223,528
City of Billings	\$ 34,647
Total Funds Available	\$258,175

Source of city matching funds is BikeNet.

RECOMMENDATION

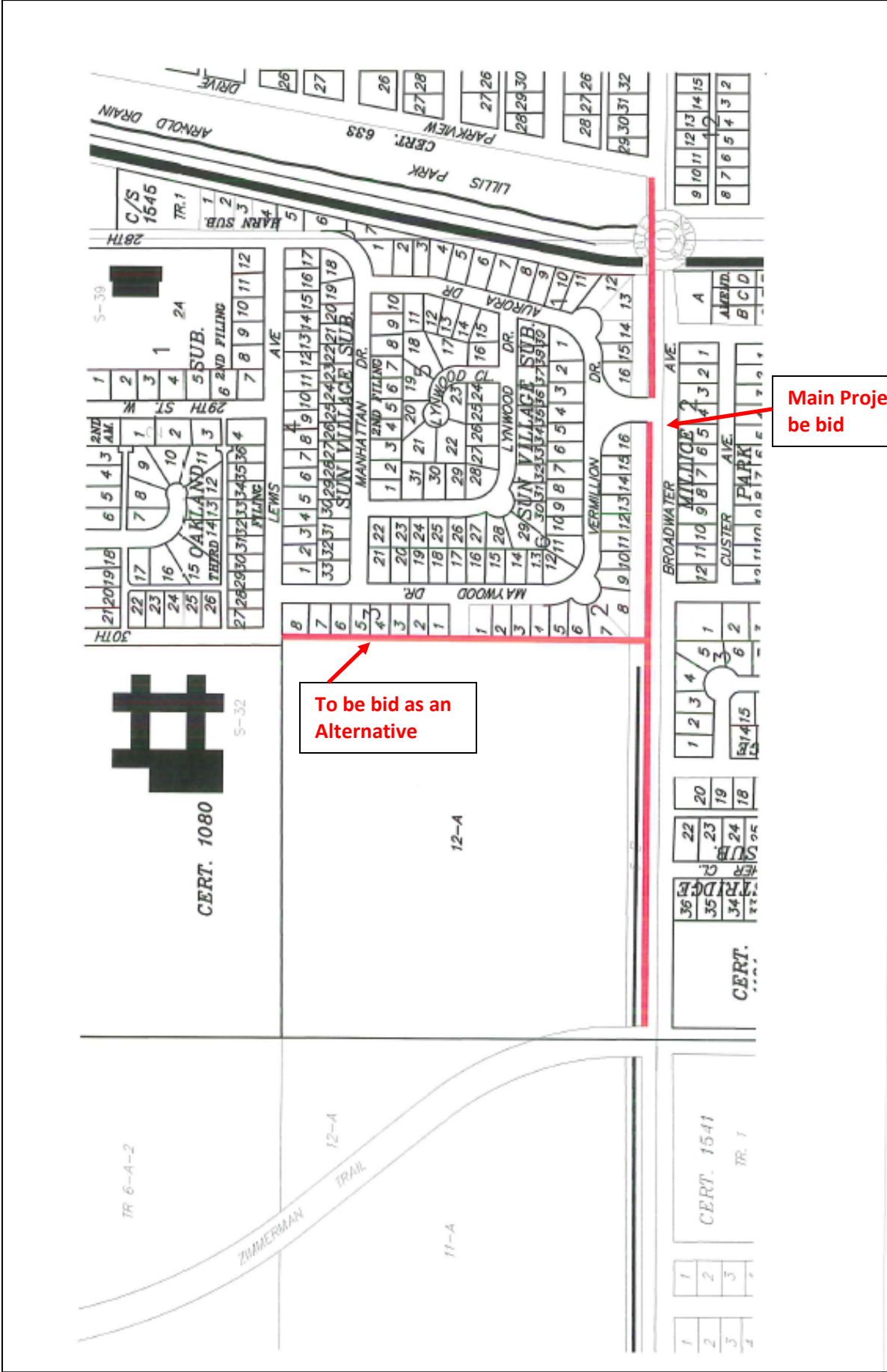
Staff recommends that Council authorize the Mayor to execute the CTEP Project Specific Agreement for the Broadwater Connection Project.

APPROVED BY CITY ADMINISTRATOR

Attachments

Project Location Map

Project Specific Agreement



To be bid as an Alternative

Main Project to be bid

CTEP PROJECT AGREEMENT

THIS AGREEMENT is made and entered into by and between the State of Montana, acting by and through its Department of Transportation, hereinafter called the "State," and the City of Billings, hereinafter called the "City". This Agreement is effective on the date of the final signature by the State.

WITNESSETH THAT:

WHEREAS, the City proposes to develop and construct a Community Transportation Enhancement Program (CTEP) project, Control Number 7545, titled BROADWATER CONNECTION-BLNGS (hereinafter the "project"); and,

WHEREAS, the State and the City recognize the need to develop and construct the project, and are willing to share in its costs in accordance with this agreement; and,

WHEREAS, in accordance with the State's agreement with the Federal Highway Administration (FHWA) of the U.S. Department of Transportation, the State must ensure that certain requirements are met in order for the State to fulfill its obligations to the FHWA and for the project to be eligible for federal funds. Accordingly, the State includes federal requirements, which are among those hereinafter set forth, for this project, and the City agrees to them, and,

WHEREAS, the estimated cost of the project's development and construction is \$258,175; and,

WHEREAS, the financial participation for the project development and construction will in part be with federal-aid funds made available in federal fiscal 2011; and,

WHEREAS, the federal-aid funds provided are described in the Catalog of Federal Domestic Assistance (CFDA), number 20.205, Highway Planning and Construction; and,

WHEREAS, it is understood that all costs associated with the project in excess of these federal-aid funds will be financed by the City; and,

WHEREAS, this document must be executed and submitted to the State before the project development and construction process will be authorized to start; and,

NOW, THEREFORE, in consideration of the covenants herein contained, the parties agree that:

1. The City will develop a CTEP project described as: the design and construction of a hard-surfaced bicycle and pedestrian path approximately 4,200 feet in length.
2. The project will be located in Billings along the north side of Broadwater Avenue between North 32nd Street West and Parkview Drive, and between Broadwater Avenue and the west end of Lewis Avenue.
3. The purpose of this project is to provide a safe and convenient bicycle and pedestrian facility.
4. The initial federal-aid program to be requested for the development and construction of this project, by federal-aid account, is as follows:

Federal-Aid Program Account by Project Phase (Maximum CTEP Share)

[9102] Preliminary Engineering (86.58% CTEP) (including environmental documentation)	\$ 25,818
[9202] Right-of-Way/Easement Acquisition (86.58% CTEP)	\$ -0-
[9302] Incidental Construction (64.93% CTEP) (utility relocation involvement)	\$ -0-
[9402] Construction Engineering (86.58% CTEP) (including contract administration and inspections)	\$ 25,817
[9502] Construction (86.58% CTEP)	\$ 206,540
Total	\$ 258,175

City of Billings	Project	CTEP Funds	Local Match	Additional Contribution
Direct Costs	\$ 258,175	\$ 223,528	\$ 34,647	\$ -0-
TOTAL	\$ 258,175	\$ 223,528	\$ 34,647	\$ -0-

NOTE: Above table does not include indirect costs. Indirect costs will be applied to the CTEP fund share at the rate corresponding to the time the reimbursements are made.

5. The City will be responsible for the \$34,647 local match. The Federal cost participation (CTEP funds) will be \$223,528 of the estimated total project cost of \$258,175. The City will be responsible for 100% of all costs exceeding the proposed \$258,175 that may be required to complete the project.
6. The parties understand and agree that this agreement is subject to the requirements of Section 17-1-106, MCA. Section 17-1-106, MCA, requires any state agency, including the Montana Department of Transportation (MDT), which receives non-general funds to identify and recover its indirect costs. These costs are in addition to direct project costs. MDT's indirect cost rate is determined annually as a percentage of the project's direct costs to cover the project's share of MDT's indirect costs as defined by 2 CFR Part 225 (formerly OMB Circular A-87). MDT's current indirect cost rate is 13.35% for fiscal year 2011 (July 1, 2010 to June 30, 2011). If this project extends across more than one fiscal year, more than one annual rate will be involved, as the rate may change during the life of the project.
7. The City will develop and prepare all of the necessary design plans, specifications, estimates and contract documents for the project in accordance with the CTEP Manual. The selection and retention of any individual or firm to provide or furnish any engineering or design related services shall be based upon qualifications in accordance with the CTEP Manual's Consultant Services procedures.
8. The City will solicit for competitive bids and award a contract to construct the project. The solicitation for the construction contract may be by competitive bid or limited solicitation, so long as the cost does not exceed \$50,000; should the project's construction cost exceed \$50,000, it must be by competitive bid. The City will administer any construction contract and provide the supervision, inspection and documentation required to ensure the project is completed satisfactorily. The State will perform a final project review to ensure substantial compliance with project plans, specifications and estimates.
9. The City and any consultant and/or contractor it may employ in pursuit of project completion will comply with applicable Equal Employment Opportunity (EEO) requirements, Disadvantaged Business Enterprise (DBE) goals, Americans with Disabilities Act (ADA) and Federal Labor Requirements.

10. The City will provide documentation necessary to comply with applicable environmental requirements, including the National Environmental Policy Act (NEPA), Section 106 of the National Historic Preservation Act (NHPA) and Section 4(f) of the DOT Act.
11. The City will complete and submit the applicable supporting documentation to the State for review and concurrence prior to beginning the next step in the project's development or construction process, as identified in the CTEP Manual.
12. The City will allow inspection of all work and project-related records by the personnel or agents of the State and FHWA.
13. Cities subject to the authority of the Montana Single Audit Act will secure an independent audit in compliance with OMB Circular A-133 and submit a copy to the Montana Department of Administration, Local Government Services Bureau, PO Box 200547, Helena, MT, 59620-0547.
14. Except for any suits, claims, actions, losses, costs or damages which are solely the result of the negligent acts or omissions or misconduct of State employees, the City agrees that it will protect, indemnify, and save harmless the State and Department of Transportation against and from all claims, liabilities, demands, causes of action, judgments (with any costs and fees that might be awarded), and losses to them from any cause whatever from the project, and including any suits, claims, actions, losses, costs or damages of any kind, including the State and Department's legal expenses, made against the State or Department by anyone arising out of, in connection with, or incidental to the project and its construction or use or maintenance.
15. The City will retain project-related records and documents for a period of three years after the closing of the project.
16. The City may submit a claim once a month detailing items and quantities of acceptable work completed that period to the CTEP Office for the project development and/or construction costs incurred. The request will be accompanied by documentation substantiating the amount requested and identifying the applicable federal share.
17. This agreement shall become effective upon execution by both parties. It may be modified only by prior written agreement of both parties.
18. The City will service, maintain, and pay the cost of operating the project described in this agreement.
19. During the performance of this Agreement the City, for itself, its assignees and successors in interest, agrees as follows:
20. The City and State understand and agree that this agreement is subject to the requirements of OMB Circular A-133; non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single audit conducted. The City agrees to have a single audit conducted if it meets the above threshold.

A) COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 FOR FEDERAL-AID CONTRACTS

- (1) Compliance with Regulations: The City shall comply with all Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation, 49 Code of Federal Regulations (CFR), Part 21, as they may be

amended (hereafter referred to as the Regulations), which are incorporated by reference and made a part of this Agreement, even if only state funding is here involved.

- (2) Nondiscrimination: The City, with regard to the work performed by it during the Agreement, shall not discriminate on the grounds of sex, race, color, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The City shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR Sec. 21.5.
- (3) Solicitations for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations, whether by competitive bidding or negotiation by the City for work to be performed under a subcontract, including procurement of materials or leases of equipment, any potential subcontractor or supplier shall be notified by the City of the City's obligations under this Agreement and the Regulations relative to nondiscrimination.
- (4) Information and Reports: The City will provide all reports and information required by the Regulations, or directives issued pursuant thereto, and permit access to its books, records, accounts, other sources of information and its facilities as may be determined by State or the Federal Highway Administration (FHWA) to be pertinent to ascertain compliance with Regulations or directives. Where any information required of the City is in the exclusive possession of another who fails or refuses to furnish this information, the City shall so certify to the Department or the FHWA as requested, setting forth what efforts it has made to obtain the information.
- (5) Sanctions for Noncompliance: In the event of the City's noncompliance with the nondiscrimination provisions of this Agreement, the State may impose sanctions as it or the FHWA determines appropriate, including, but not limited to,
 - (a) Withholding payments to the City under the Agreement until the City complies, and/or
 - (b) Cancellation, termination or suspension of the Agreement, in whole or in part.
- (6) Incorporation of Provisions: The City will include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The City will take such action with respect to any subcontract or procurement as the State or the FHWA may direct to enforce such provisions including sanctions for noncompliance: Provided, however, that in the event the City is sued or is threatened with litigation by a subcontractor or supplier as a result of such direction, the City may request the State to enter into the litigation to protect the interests of the State, and, in addition, the City or the State may request the United States to enter into such litigation to protect the interests of the United States.

B) COMPLIANCE WITH THE MONTANA GOVERNMENTAL CODE OF FAIR PRACTICES, SEC. 49-3-207, MCA

In accordance with Section 49-3-207, MCA, the City agrees that for this Agreement all hiring will be made on the basis of merit and qualifications and that there will be no discrimination on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by the persons performing the Agreement.

C) **COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT (ADA)**

- (1) The City will comply with all regulations relative to implementation of the AMERICANS WITH DISABILITIES ACT.
- (2) The City will incorporate or communicate the intent of the following statement in all publications, announcements, video recordings, course offerings or other program outputs: **"The City will provide reasonable accommodations for any known disability that may interfere with a person in participating in any service, program or activity offered by the City. In the case of documents, recordings or verbal presentations, alternative accessible formats will be provided. For further information call the City."**
- (3) All video recordings produced and created under contract and/or agreement will be closed-captioned.

D) **COMPLIANCE WITH PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES IN DEPARTMENT OF TRANSPORTATION FINANCIAL ASSISTANCE PROGRAMS, 49 CFR PART 26**

Each Agreement the Department signs with a City (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance:

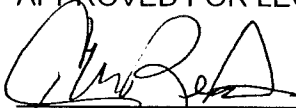
The City, subrecipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The City shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the City to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

IN WITNESS WHEREOF, the Department's authorized representative has signed on behalf of the State of Montana, and the Mayor of the City of Billings has signed and affixed hereto the seal of the City.

STATE OF MONTANA, DEPARTMENT OF TRANSPORTATION

BY _____, 2011

APPROVED FOR LEGAL CONTENT



MDT Legal Counsel

CITY OF BILLINGS

ATTEST-CITY CLERK

MAYOR

_____ By _____

I, _____, Billings City Clerk, hereby certify that this agreement was regularly adopted by the City Council at a meeting held on the _____ day of _____, 20____, and that the Council authorized the Mayor to sign this agreement on behalf of the City.

[OFFICIAL SEAL]

City Clerk

Regular City Council Meeting

Date: 05/09/2011

TITLE: Limited Commercial Aviation Building and Ground Lease with Billings Clinic

PRESENTED BY: Tom Binford

Department: Airport

Information

PROBLEM/ISSUE STATEMENT

Billings Clinic desires to renew the Limited Commercial Aviation Building and Ground Lease it has enjoyed for the past ten years. The Billings Clinic is asking for an additional five-year lease term for this City-owned hangar property, located in the Executive Hangar area on the west end of the Airport. The Billings Clinic currently utilizes this two-level, 60' x 80' square foot hangar to operate its emergency flight service functions, including office space, pilot quarters, and hangar space for the storage, maintenance, and preparation of its fixed wing aircraft for the transport of seriously ill patients to and from distant locations. The Lease commences March 1, 2011 and terminates on February 29, 2016.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the five-year renewal of the Limited Commercial Aviation Building and Ground Lease with Billings Clinic; or
- Not approve the five-year renewal of the Limited Commercial Aviation Building and Ground Lease with Billings Clinic.

FINANCIAL IMPACT

This five-year Lease will generate \$25,160.88 in annual revenue in the first year, with lease rentals in subsequent years adjusted on an annual basis using the Consumer Price Index for All Urban Consumers (CPI-U).

RECOMMENDATION

Staff recommends that the City Council approve renewal of the Limited Commercial Aviation Building and Ground Lease with the Billings Clinic for a five-year term.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Date: 05/09/2011

TITLE: Commercial Terminal Building Lease and Operating Permit with Gulfstream International Airlines, Inc.

PRESENTED BY: Tom Binford

Department: Airport

Information

PROBLEM/ISSUE STATEMENT

The current Essential Air Service (EAS) provider for the State of Montana, Great Lakes Aviation, Ltd., was awarded the EAS contract by the U.S. Department of Transportation after Big Sky Airlines suspended its EAS service, left the Airport, and subsequently went out of business. Great Lakes began daily service on February 1, 2009, from Billings Logan International Airport to seven Montana communities including Sidney, Miles City, Glendive, Lewistown, Havre, Glasgow, and Wolf Point. Great Lakes' EAS contract expires at the end of April 2011. Late last year, the U.S. Department of Transportation requested bids for a new EAS contract, which was successfully secured by Gulfstream International Airlines, Inc., based out of Fort Lauderdale, Florida. Gulfstream will continue service to the EAS markets under the new EAS contract beginning May 1. Gulfstream desires to lease office and gate hold room space for its EAS operations, and has opted not to enter into the standard Scheduled Airline Operating Agreement and Terminal Building Lease (Signatory Agreement), . The Airport has available space to accommodate Gulfstream's needs and has negotiated a Lease/Permit with Gulfstream for the Terminal space, which also sets forth that Gulfstream will operate under and follow City Ordinance 90-4838 and 90-4850 as guidance for their operating requirements.

In most cases, the airlines renting space and operating out of the Terminal Building usually enter into a Signatory Agreement, which provides for the space and operating requirements, as well as language that sets forth a rate making formula for airline Terminal Building rentals and airline landing fees. This ultimately ensures the Airport's annual operating costs are covered. In 1990, Ordinance 90-4838 was established, which basically follows the current language in the Signatory Agreement, and provides for the revenue generating capability needed for the Airport's bonding requirements and capital needs, regardless of whether an airline entered into an agreement with the City. In late 1990, Ordinance 90-4838 was amended by Ordinance 90-4850, which mirrored the previous Ordinance, except that a financial incentive for the airlines was incorporated into the language giving the airlines that entered into the Signatory Agreement a lower landing fee rate than those airlines that chose not to enter into the Signatory Agreement and operate under City Ordinance.

Presently, Delta, Horizon, United, Allegiant, and Great Lakes Airlines operate under the Signatory Agreement, which expires June 30, 2010; Frontier does not operate under the Signatory Agreement. The difference in the landing rate fee between a signatory airline and a non-signatory airline is currently \$0.34 per 1,000 pounds of landed weight. An airline may opt to operate under City Ordinance if it is testing the market, or just does not want to be locked into a longer term agreement for Terminal rentals.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the Commercial Terminal Building Lease and Operating Permit with Gulfstream International Airlines, Inc.; or
- Not approve the Commercial Terminal Building Lease and Operating Permit with Gulfstream International Airlines, Inc.

FINANCIAL IMPACT

This Lease/Permit provides Gulfstream with 338 square feet of exclusive space for offices and crew quarters, and 1,621 square feet of gate hold room space for operations. Based on the current rate schedule, the Lease/Permit would generate approximately \$52,084 in annual rentals for the exclusive use space. The operational space will generate additional revenue, based on the number of enplanements Gulfstream has at the Airport. Landing fees are estimated at approximately \$45,000 per year.

RECOMMENDATION

Staff recommends the City Council approve the Commercial Terminal Building Lease and Operating Permit with Gulfstream International Airlines, Inc. for a term beginning May 1, 2011 and expiring on April 30, 2015.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Date: 05/09/2011

TITLE: Park 1 Lease Amendment -- Mann Mortgage

PRESENTED BY: Chris Mallow, Parking Supervisor

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The ground level of the Park 1 garage has six tenants that lease retail/office space. The current lease agreement for 219 North 30th Street, leased to BILAW LLC, DBA Mann Mortgage Billings, will expire on December 31, 2012. This memo shall serve as a request to approve and sign a lease amendment for use of an additional 538 square feet, accessed through a common door, of the currently vacant office space at 2910 3rd Ave North. This lease amendment will expire when a permanent tenant is found to lease the entire square footage at 2910 3rd Ave North. Mann Mortgage plans to use this 538 square feet very occasionally as special meeting and event space for its business.

ALTERNATIVES ANALYZED

Council may:

- Approve lease amendment with BILAW LLC, DBA Mann Mortgage Billings; or,
- Reject the lease amendment.

FINANCIAL IMPACT

Rent for premises at 2910 3rd Ave North, shall be \$2,152.00 (538 square feet x \$4.00) payable in twelve (12) equal monthly installments of \$179.34, while the lease for this premises is in effect.

RECOMMENDATION

Staff recommends Council approval of the lease amendment with Mann Mortgage.

APPROVED BY CITY ADMINISTRATOR

Attachments

Lease amendment

AMENDMENT ONE
TO
219 NORTH 30ST LEASE
BY AND BETWEEN
CITY OF BILLINGS
AND
BILAW, LLC, DBA MANN MORTGAGE

WITNESSETH

WHEREAS, on September 13, 2010, the City of Billings (hereinafter "Landlord") and BILAW, LLC, DBA Mann Mortgage (hereinafter "Tenant") entered into an Park 1 Office Space Lease (hereinafter the "Agreement") for the operation of a mortgage finance company at the Park 1 Parking Garage, exact premise at 219 North 30th Street, Billings, Montana, 59101 and;

WHEREAS, said Agreement is for a period of five (5) years commencing on the 1st day of January 2008, and ending on the 31st day of December 2012, and;

NOW THEREFORE, SECTIONS 1, 2 AND 3, AS WELL AS EXHIBIT A, OF THE PARK ONE LEASE AGREEMENT is hereby amended as follows:

1. LEASE

The Landlord does hereby grant, demise and lease unto the Tenant, for and in consideration of the rents, covenants, and agreements hereinafter specified to be paid, kept and performed by the Tenant, premises at 219 North 30th Street consisting of 3,060 square feet, and premises at 2910 3rd Ave North consisting of 538 square feet, for at total of 3,598 square feet of integrated part of building known as "Park I" parking garage located between 29th and 30th Streets on 3rd Ave North, in Billings, Montana. Exact location and size of premises to be shown on Exhibit "A" which is attached and made a part of this agreement.

2. TERM, POSSESSION, AND RENEWAL

The term of this lease, for premises at 219 North 30th Street, shall be from January 1st, 2008, through December 31st, 2008. Landlord grants to Tenant the four (4) consecutive options to renew this lease for a further term of one (1) year commencing on January 1st, 2009, and ending December 31st, 2012, both inclusive, subject to the provisions of this lease. However, written notice of the exercise of this option shall be given by Tenant to Landlord at least ninety (90) days before expiration of the original term of this lease and provided further, that this option may be exercised by Tenant only in event all rents have been fully paid and that all provisions of this lease on the part of the Tenant to be observed have been fully and faithfully observed.

The term of this lease, for premises at 2910 3rd Ave North, shall be from May 1st, 2011, through such time as a permanent tenant can be found to rent entire premises at 2910 3rd Ave North. Landlord grants to Tenant the option to renew this lease on a monthly basis subject to the

provisions of the lease. However, written notice must be given to Landlord 45 days before cancellation of lease at 2910 3rd Ave North

3. RENT

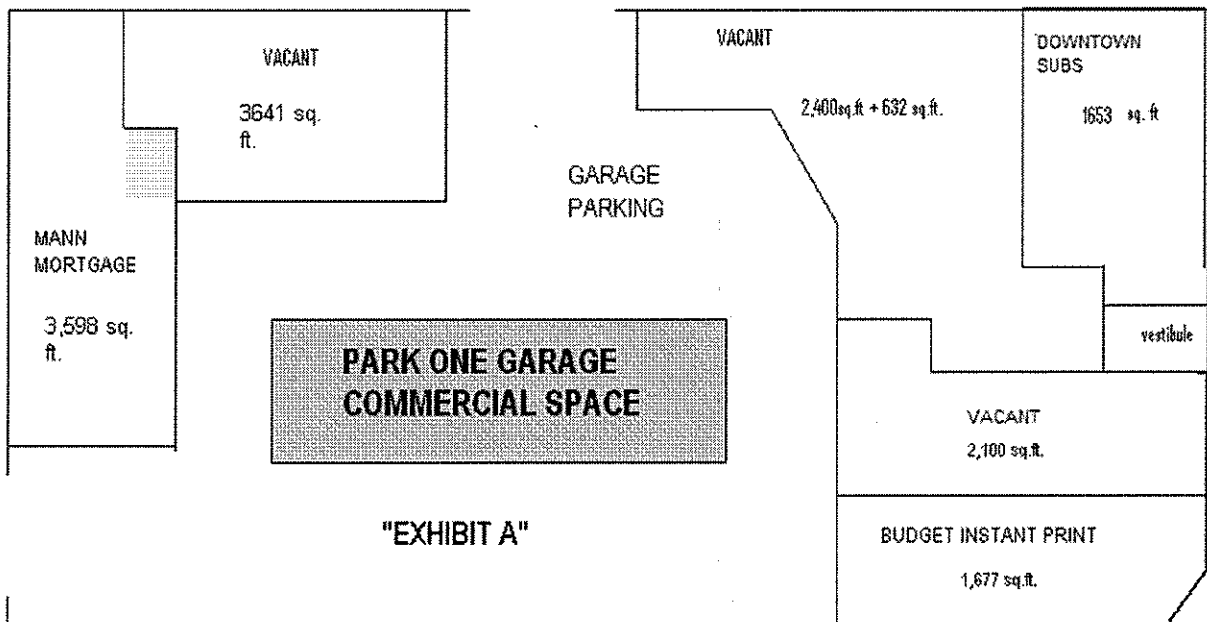
Rent for the first 12 months of this lease, for premises at 219 North 30th Street, shall be \$24,480.00 (3060 square feet x \$8.00) payable in twelve (12) equal monthly installments of \$2040.00.

Rent for the subsequent years, including for any renewal option years, beginning January 1st, 2009, shall be the current rent plus or minus the percentage change in the Consumer Price Index – all urban consumers, from June of the previous calendar year to June of the present calendar year. Rent for each year shall be paid in twelve (12) equal monthly installments.

Rent for premises at 2910 3rd Ave North, shall be \$2,152.00 (538 square feet x \$4.00) payable in twelve (12) equal monthly installments of \$179.34, while the lease for this premises is in effect.

All rents shall be paid in advance by the first day of each month.

EXHIBIT A OF THE PARK ONE LEASE AGREEMENT is also hereby amended as follows:



FURTHER, all other terms and conditions of the Agreement remain unchanged and 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

TENANT:

BY _____
CITY ATTORNEY

BY _____
ITS _____

TENANT:

BY Greg Aub
ITS Partner

TENANT:

BY Inna Besel
ITS Partner

TENANT:

BY Roland Ineson
ITS Partner

TENANT:

BY Douglas W. Loyal
ITS PARTNER

Regular City Council Meeting

Date: 05/09/2011

TITLE: Reporter Big Sky Office Car Show Street Closure

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

Reporter Big Sky Office requests a street closure for a car show event on June 11, 2011, from 9 a.m. to 3 p.m. The closure is for N. 14th St. between 1st Ave. N. and 2nd Ave. N. The street closure is necessary for spectators to safely access and return from the parking lot across the street from the business.

Recommended conditions of approval include Reporter Big Sky Office:

1. Provide certificate of insurance naming City of Billings as additional insured.
2. Provide and install adequate traffic barricades and signs directing motorists around closure.
3. Ensure that a clear unobstructed 10' wide access lane is provided on the closed street to allow access for emergency vehicles.
4. Contact all businesses in the area and make them aware of the event.
5. Notify all emergency facilities, bus lines and media of the event.

ALTERNATIVES ANALYZED

The Council may:

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

FINANCIAL IMPACT

There are no costs to the City of Billings other than administrative time to process the permit. Traffic control and clean up are to be paid for by Reporter Big Sky Office.

RECOMMENDATION

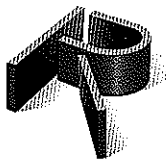
Staff recommends that Council approve the closure named above for the Reporter Big Sky Office Car Show.

APPROVED BY CITY ADMINISTRATOR

Attachments

Reporter Big Sky Office Car Show

1331 First Avenue North | Billings, Montana 59101
ph 406.248.7881 | fax 406.245.0621
toll-free 800.227.5133



212 Zoot Way | Bozeman, Montana 59718
ph 406.585.1730 | fax 406.522.3815
toll-free 800.227.5133

Reporter Big Sky
everything office

City of Billings
Engineering Division
Billings, Montana

The Relay for Life team sponsored by Reporter Big Sky Office/Star Office Solutions is requesting a street closure for their car show.

Date: Saturday, June 11, 2011
Time: 9:00 a.m. - 3:00 p.m.

The closure would be No. 14 St. between 1st and 2nd Avenues No.
We have arranged to rent the proper barricades, and there will be no alcohol at the event.

We have appreciated the City's support in the past and hope for the same in 2011.

Thank you.


Linda Rosin

reporterbigskyoffice.com





City of Billings
RIGHT-OF-WAY ACTIVITY
PERMIT

Please check the type of activity you are applying for:

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

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

PERSON MAKING APPLICATION Linda Rosiu

ORGANIZATION MAKING APPLICATION Reporter Big Sky Office

PHONE 248-7881

ADDRESS 1331 1st. Ave. No - Billings MT 59101

EMAIL ADDRESS lindar@reporterbigskyoffice.com

APPROXIMATE TIME EVENT WILL:

Assemble 9:00 A.M. Start 10:00 A.M. Disband 3:00 P.M.

DATE OF EVENT Saturday, June 11, 2011

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

Relay for life car show - fundraiser

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

BLOCK PARTY STREET LOCATION (IF APPLICABLE):

Street closure - No. 14 St. between 1st + 2nd Ave. No.

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

We will be responsible for cleanup

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

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

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

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

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

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

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

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

APPLICANT SIGNATURE Linda Rosin DATE 4/12/11

APPLICATION APPROVED _____ DATE _____

APPLICATION DENIED _____ DATE _____

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

FOR CITY USE ONLY

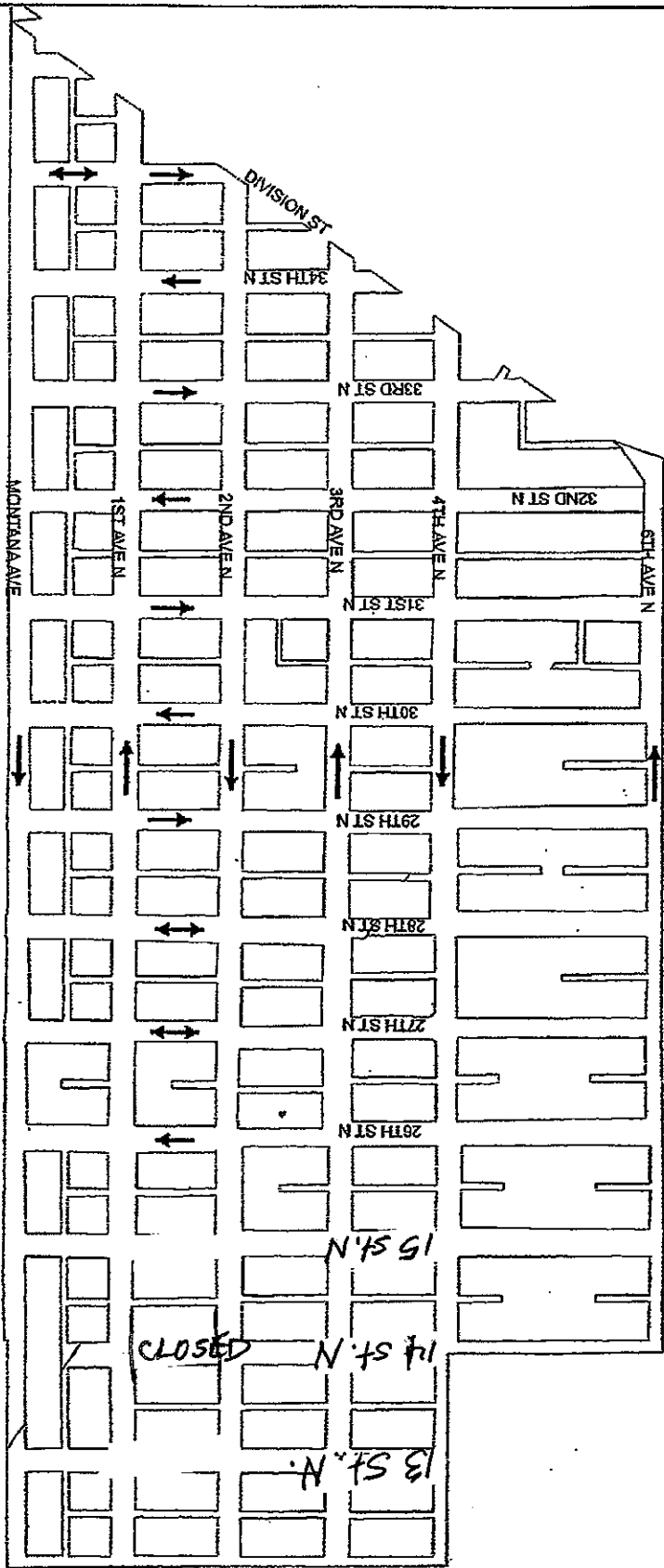
FEE: \$100.00

PAID: _____

DATE: _____

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

Downtown Billings Street Direction Map
(If Applicable) or your own map



No. 14 St. closed
between 1st. and
2nd. Ave. No.

Client#: 2460

REPORTER

ACORDTM

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/15/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


PRODUCER Hoiness LaBar Insurance A Member of Payne Financial Group P.O. Box 30638 Billings, MT 59107-0638	CONTACT NAME: PHONE (A/C, No, Ext): 406-238-190		FAX (A/C, No):	
	E-MAIL ADDRESS:			
INSURED Reporter Big Sky Office, Inc. P. O. Box 30598 Billings, MT 59107	INSURER(S) AFFORDING COVERAGE		NAIC #	
	INSURER A: The Travelers Indemnity Co.			
	INSURER B:			
	INSURER C:			
	INSURER D:			
	INSURER E:			

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	Y		1680463P3547IND10	07/01/2010	07/01/2011	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			BA463P354710SEL	07/01/2010	07/01/2011	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$10000			ISFCUP463P3547IND1	07/01/2010	07/01/2011	EACH OCCURRENCE \$4,000,000 AGGREGATE \$4,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N <input type="checkbox"/> (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
RE: Permits Additional Insured form CG2012.

CERTIFICATE HOLDER City of Billings PO Box 1178 Billings, MT 59101	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	---

Regular City Council Meeting

Date: 05/09/2011

TITLE: Heart and Soul 5K, 10K & 2 mile walk

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

Montana Amateur Sports, Inc., requests temporary street closures for the annual Heart and Sole Run on June 18, 2011. All races start at Saint Vincent Healthcare starting at 8:30 a.m. and finish at Dehler Park by 1:00 p.m. This route has changed from the previous years. The start line for the race is near 12th Ave N and N. 30th St. The race proceeds south on N. 30th. The two mile walkers turn at 11 Ave N., 5K runners turn at 9th Ave N and the 10K runners turn at 8th Ave N. There will be police assistance stationed at 12th Ave N on N. 27th where the participants will cross to continue to Dehler Park.

Conditions of approval include:

1. Provide and install adequate signs and traffic barricades directing motorists around event.
2. In addition to the traffic barricades, standard construction candles spaced at 20-foot on-centers with appropriate "breaks" to allow for access in/out of the businesses on the east side of 27th is required.
3. Provide a certificate of insurance naming City of Billings as additional insured.
4. All course guards (flaggers) shall wear safety apparel and use approved STOP/SLOW paddles.
5. Notify all emergency facilities, bus lines and media at least two weeks in advance of the event.
6. Clean the area to be used and provide and empty waste cans .

ALTERNATIVES ANALYZED

The Council may:

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

FINANCIAL IMPACT

There are no costs to the City of Billings for this event other than administrative time to process the permit. Police, traffic control and litter removal are to be paid for by the Montana Amateur Sports, Inc.

RECOMMENDATION

Staff recommends that Council approve the street closures for the Heart and Sole Run on June 18, 2011.

APPROVED BY CITY ADMINISTRATOR

Attachments

Heart and Sole Attach



City of Billings
RIGHT-OF-WAY ACTIVITY
PERMIT

Please check the type of activity you are applying for:

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

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

PERSON MAKING APPLICATION Karen Sanford Gall

ORGANIZATION MAKING APPLICATION Montana Amateur Sports, INC.

PHONE 406-254-7426

ADDRESS Box 7136 Billings MT 59103
CITY STATE ZIP

EMAIL ADDRESS Ksg@bigskygames.org

APPROXIMATE TIME EVENT WILL:

Assemble 6:00 am Start 8:30 am Disband Out of Dehler by 1:00pm
Off course by 10:45am
Park

DATE OF EVENT Saturday, June 18, 2011

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

Heart and Sole 5K, 10K and 2 mile walk includg
adults and youth. All races start at Saint Vincent
Healthcare. The 5k starts at 8:30am followed by the
10K and 2 mile a 8:45am. All races finish at
Dehler Park.

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

See attached maps

BLOCK PARTY STREET LOCATION (IF APPLICABLE):

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

Volunteers and staff will be responsible for any
clean up on the course. At Dehler Park, restrooms
will be cleaned by City of Billings at rate negotiated
with Billings Parks and Rec.

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

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

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

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

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

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

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

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

APPLICANT SIGNATURE *Karen [Signature]* DATE 3/25/11
APPLICATION APPROVED _____ DATE _____
APPLICATION DENIED _____ DATE _____

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

FOR CITY USE ONLY

FEE: **\$100.00** _____
PAID: _____
DATE: _____

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

Heart and Sole Race 5K, 10K, 2 Mile walk
 Course Description and Traffic Control

The 5k begins at 8:30 am followed by the 10K and 2 Mile at 8:45 am. The start line for the race is near 12th and N 30th St. Runners head south on N 30th St. The two mile walkers turn at 11 Ave. N, 5k runners/walkers turn at 9th Ave. N and the 10K runners/walkers turn at 8th Ave. North. Please see attached maps. Participants will finish at Dehler Park.

Course guards are stationed at all of the intersections along the race route. All course guards will allow traffic through intersections immediately before the race and when there is a sufficient gap between runners to allow traffic to pass without endangering runners.

Following is a list:

Race Distance	Course Guard/Traffic
2m, 5k, 10k	12th Ave N @ N 30th St
2m, 5k, 10k	11th Ave N @ N 30th St
2m	N 31st St @ 11th Ave N
2m	Beverly Hills Blvd @ N 32nd St
2m	Beverly Hills Blvd @ Ash St
2m	Colton @ Ash
2m	Mcdonnell @ Ash
2m	Grandview @ Ash
2m	Poly Drive @ Ash
2m, 5k, 10k	Grandview @ Spruce St
2m, 5k, 10k	Grandview @ Pine St
2m, 5k, 10k	Grandview @ Elm St
2m, 5k, 10k	Grandview @ Locust St
5k, 10k	10th Ave N @ N 30th St
5k, 10k	9th Ave N @ N 30th St
10k	8th Ave N @ N 30th St
10k	8th Ave N @ N 31st St
5k, 10k	9th Ave N @ N 31st St
5k, 10k	10th Ave N @ N 31st St
5k, 10k	10th Ave N @ N 32nd St (N. side intersection, move to 11th Ave after 5k pass)
2m	N 32nd St @ 11th Ave N (moved from 10 ave N @ N 32nd St)
5k, 10k	Ave E @ N 32nd St (S. side intersection)
5k, 10k	Ave E @ 2nd St W
5k, 10k	Ave E @ 3rd St W
5k, 10k	Ave F @ 3rd St W
5k, 10k	3rd St W @ Parkhill
5k, 10k	Parkhill @ Virginia
5k, 10k	Ave F @ Virginia
5k	Virginia @ Beverly Hill
5k	Virginia @ Colton
5k	Virginia @ McDonnell
5k	Virginia @ Grandview
5k	Poly @ Grandview @ Virginia
10k	Parkhill @ 6th St W
10k	Parkhill @ 7th St W
10k	Parkhill @ 8th St W
10k	Parkhill @ Delphinium
10k	Parkhill @ 9th St W
10k	Parkhill @ 10th St W
10k	Parkhill @ 12th St W

10k	Parkhill @ 13th St W
10k	Parkhill @ 14th St W
10k	Parkhill @ 15th St W
10k	Parkhill @ 16th St W
10k	Parkhill @ 17th St W
10k	17th St W @ Village Ln
10k	Village Ln @ Remington Sq
10k	Village Ln @ Meadow Glen
10k	Village Ln @ Campus Way
10k	Campus Way @ Heatherwood Ln
10k	Campus Way @ Cedarwind Dr (3.5 miles)
10k	Poly Dr @ Cedarwind Dr
10k	Poly Dr @ 13th St W
10k	Poly Dr @ Illinois
10k	Poly Dr @ Missouri (4 miles)
10k	Poly Dr @ Michigan
10k	Poly Dr @ Wisconsin
10k	Poly Dr @ Glenwood
10k	Poly Dr @ Highwood
10k	Poly Dr @ Virginia
2m, 5k, 10k	Poly Dr @ MSUB Parking Garage
2m, 5k, 10k	(2, one inside, one outside)MSUB Parking Garage Exit
2m, 5k, 10k	Parking Lot
2m, 5k, 10k	(2, entering and exiting tunnel)MSUB Tunnel @ N 27th St
2m, 5k, 10k	Mountain View Blvd @ N 27th St
2m, 5k, 10k	12th Ave N @ N 27th St
2m, 5k, 10k	12th Ave N @ N 26th St
2m, 5k, 10k	12th Ave N @ N 25th St
2m, 5k, 10k	11th Ave N @ N 25th St
2m, 5k, 10k	10th Ave N @ N 25th St
2m, 5k, 10k	9th Ave N @ N 25th St

The barricades are between two and three feet wide, intersections are not completely blocked (*Exception see below). The barricades are located one block off of the race course and have signs stating that the street is closed ahead (see below).

Billings Construction Supply will be coning off the east lane on North 27th street from Mountain View heading south to 12th Ave. There will be signage posted to slow traffic into one lane. In addition, one law enforcement officer with vehicle and flashing lights will be stationed before 12th Ave N on N 27th.

*The section from Virginia Lane to the MSU-Billings parking garage will be closed to traffic from 8:30 am to 10:30am. The section from Locust on Grandview to 12th Ave N on N 30th St (facing north on N 30th St, 12th Ave remains open) closed to traffic from 6:30 am to 9:30 am.

Street Barricade
Grandview @ Locust
12th Ave N @ N 30th St(for start of race)
11th Ave N @ N 30th St (on 30th, facing N)
Turning Barricade w/ Arrow to turn at 1st turn
Ave D @ 2nd St W
3rd St W @ Ave C
Parkhill @ N 32nd
Ave F @ Virginia

Street Barricades Continued

Ave F @ 6th St W (10k)
Ave F @ 7th St W (10k)
Ave F @ 8th St W (10k)
Ave F @ 9th St W (10k)
Ave F @ 10th St W (10k)
Ave F @ 12th St W (10k)
Grandview @ Spruce going north
Grandview @ Pine going north
Grandview @ Elm going north
Grandview @ Ash going north
Grandview @ Locust going north
Grandview @ N 30th St going north
MSUB lower parking lot, across bridge
Poly @ MSUB College of Bus (Going West)
MSUB Athletics Parking Lot
N 27th St @ 12 Ave N
N 24th St @ 12 Ave N
N 26th St @ 11th Ave N
N 24th St @ 11th Ave N
N 26th St @ 10th Ave N
N 24th St @ 10th Ave N
N 26th St @ 9th Ave N
N 24th St @ 9th Ave N
N 25th St @ 8th Ave N

Law enforcement will be stationed throughout the course. Following is a list:

Police Car/Officer

Parkhill @ 13th St W (10k)
Parkhill @ 17th St W (10k)
17th St W @ Village Ln (10k)
Poly Dr @ Cedarwind Dr (10k)
Poly Dr @ 13th St W (10k)
Poly Dr @ Virginia
12 Ave N @ N 27th St
Bike Patrol on course during race

Water stations will be located in the following areas:

Water Station

Start
Ave F @ 3rd St W
Campus Way @ Village Ln
Poly Dr @ Entrance to MSUB
Finish
Poly Dr @ 11th St W- If it is over 75 degrees
Parkhill @ 10th St W- If it is over 75 degrees

First Aid stations will be located in the following areas:

First Aid Stations

Ave F @ 3rd St W
Poly Dr @ Entrance to MSUB
Dehler Park



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
4/12/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUGER, AND THE CERTIFICATE HOLDER.

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

PRODUCER STAR Insurance - Fort Wayne Office 2130 East DuPont Road Fort Wayne IN 46825		CONTACT NAME: Judy Weaver PHONE (A.C. No. Exn.): (260) 467-5697 FAX (A.C. No.): (260) 467-5691 E-MAIL ADDRESS: judy.weaver@starfinancial.com PRODUCER ID #: 00057125 CUSTOMER ID #:	
INSURED ROAD RUNNERS CLUB OF AMERICA/2011 AND ITS MEMBER CLUBS 7410 SKYLINE DRIVE FREDERICK MD 21702-3652		INSURER(S) AFFORDING COVERAGE INSURER A NATIONAL CASUALTY COMPANY 11991 INSURER B NATIONWIDE LIFE INSURANCE CO. 66896 INSURER C: INSURER D: INSURER E: INSURER F:	NAIC #

COVERAGES **CERTIFICATE NUMBER:** 2 MILLION A.I. **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL. INSUR. INSR. WVD	POLICY NUMBER	POLICY EFF. (MM/DD/YYYY)	POLICY EXP. (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY		KRO00000001300700	12/31/2010	12/31/2011	EACH OCCURRENCE \$ 2,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (EA OCCURRENCE) \$ 500,000
	<input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR					MED EXP (Any one person) \$ 5,000
	<input checked="" type="checkbox"/> LEGAL LIAB. TO PARTIC.					PERSONAL & ADV INJURY \$ 2,000,000
	\$2,000,000					GENERAL AGGREGATE \$ NONE
	GEN'L AGGREGATE LIMIT APPLIES PER:					PRODUCTS - COMP/DP AGG \$ 2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PER <input type="checkbox"/> LOC		AGG AGGREGATE \$5,000,000			ABUSE & MOLESTATION \$ 500,000
A	AUTOMOBILE LIABILITY		KRO00000001300700	12/31/2010	12/31/2011	COMBINED SINGLE LIMIT (EA ACCIDENT) \$ 2,000,000
	<input type="checkbox"/> ANY AUTO					BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS					BODILY INJURY (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS					PROPERTY DAMAGE (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS					\$
	<input checked="" type="checkbox"/> NON-OWNED AUTOS					\$
	UMBRELLA LIAB	<input type="checkbox"/> OCCUR				EACH OCCURRENCE \$
	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE				AGGREGATE \$
	DEDUCTIBLE					\$
	RETENTION \$					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					WC STATL. TORY LIMITS OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A			E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - EA EMPLOYEE \$
B	EXCESS MEDICAL & ACCIDENT (\$250 DEDUCTIBLE/CLAIM)		SPX-00000039016-00	12/31/2010	12/31/2011	E.L. DISEASE - POLICY LIMIT \$
				12:01 A.M.	12:01 A.M.	EXCESS MEDICAL \$10,000
						AD & SPECIFIC LOSS \$2,500

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED AS RESPECTS THEIR INTEREST IN THE OPERATIONS OF THE NAMED INSURED.
 DATE & EVENT: 06/18/11 Heart and Sole Run INSURED CLUB: Montana Amateur Sports Inc., attn: Karen Sanford Gall;
 P.O. Box 7136, Billings, MT 59103

CERTIFICATE HOLDER **CANCELLATION**

06/18/11 City of Billings Attn: Jon Thompson P.O. Box 1178 Billings, MT 59101	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE John Lefever/JWE
--	---

Regular City Council Meeting

Date: 05/09/2011

TITLE: SILMD 308 - Chrysalis Acres, Phase II

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

With the construction of Phase II of Chrysalis Acres Subdivision, the property owners have approached the City with the desire to install street lighting. This would be a NorthWestern Energy owned and operated lighting district. In order to pay the costs of ownership, energy, and maintenance for this street lighting, it is necessary to create a Special Improvement Lighting Maintenance District (SILMD) to assess the district costs to abutting and benefiting property owners. Passage of the Resolution of Intent is the first step in the legal process of creating an SILMD. Passage of the Resolution of Intent will trigger the mailing of legal notices to the affected property owners and set a Council public hearing for the June 13, 2011, City Council meeting.

ALTERNATIVES ANALYZED

The Council may:

- Pass the Resolution of Intent to Create SILMD 308 - Chrysalis Acres Subdivision, Phase II, and set a public hearing for the Resolution Creating the SILMD for the June 13, 2011 Council meeting; or
- Do not pass this Resolution, nor set a public hearing, leaving the area without lighting.

FINANCIAL IMPACT

All ownership, energy, and maintenance costs for this proposed light district will be paid for by assessments against properties within the district.

RECOMMENDATION

Staff recommends that Council pass this Resolution of Intent to create SILMD 308 and set a public hearing date for June 13, 2011, where action will be taken for the creation of this SILMD.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution of Intent

Exhibit A

Exhibit B

Exhibit C

SILMD 308

RESOLUTION NO. 11-_____

A RESOLUTION OF INTENTION TO CREATE SPECIAL IMPROVEMENT LIGHTING MAINTENANCE DISTRICT NO. 308 OF THE CITY OF BILLINGS, MONTANA, FOR THE PURPOSE OF PROVIDING ENERGY AND MAINTENANCE FOR STREET LIGHTS, DESIGNATING THE NUMBER OF SAID DISTRICT, DESCRIBING THE BOUNDARIES THEREOF, STATING THE GENERAL CHARACTER OF THE IMPROVEMENTS TO BE MADE, ESTABLISHING THE ESTIMATE OF THE COST OF MAINTAINING SUCH LIGHTS AND SUPPLYING ELECTRICAL CURRENT THEREFOR FOR THE FIRST YEAR, THE PROPORTION OF THE COST TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE METHOD OF ASSESSMENT OF SAID COST.

WHEREAS, the City Council of Billings, Montana, has determined that the public interest and convenience require the creation of a Special Improvement Lighting Maintenance District as hereinafter provided;

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

SECTION 1:

That the public interest and convenience require, and it is deemed necessary, to create a Special Improvement Lighting Maintenance District for the purpose providing energy and maintenance for new street lights for lighting in said district; and the intention of said City Council to create such a district, hereinafter more particularly described, is hereby declared.

SECTION 2:

That said district shall be known and designated as "Special Improvement Lighting Maintenance District No. 308" hereinafter called the District, and the boundaries of the District are hereby declared to include lots, parcels and pieces of land within Blocks 2, 3, and 4 of Chrysalis Acres Subdivision, as shown on the map designated as Exhibit "A" attached hereto, and as listed in Exhibit "B" which is attached hereto. The district boundary shall be as described in Exhibit "C" attached hereto.

SECTION 3:

That the City of Billings, Montana, hereby finds, determines and declares that each of the lots, blocks, pieces and parcels of land situated within the boundaries of the District, will be especially benefited and affected by said improvements, and that all of the property included within the District is hereby declared to be the property to be assessed for the cost and expense of obtaining the electrical energy for and maintenance of said street lights.

SECTION 4:

That the general character of the improvements to be made for the District is hereby declared to be as follows:
The provision of energy and maintenance for street lighting facilities consisting of ten (10) 70-watt high-pressure sodium

luminaries mounted at a height of 25-feet. NorthWestern Energy shall own and install the streetlights and all associated appurtenant structures and materials.

SECTION 5:

The City of Billings intends to establish the approximate contract rate for supplying materials, installation, electrical energy, and maintenance as follows: \$24.63 per 70-watt unit per month, in accordance with the rate schedule approved by the Montana Public Service Commission. That NorthWestern Energy shall provide energy and normal maintenance to lighting fixtures, poles, wires, and other incidental equipment, and shall at all times own said lighting fixtures, poles, wires, and other incidental equipment.

SECTION 6:

The estimate of the cost of the District per year, including City administrative costs, is the sum of \$3,211.70; that the entire cost of said District shall be paid by the owners of the property within said District, with each lot, parcel or piece of land within the District to be assessed for that portion of the whole cost which its assessable area bears to the assessable area of the entire District, exclusive of streets, avenues, alleys and public places. The estimated cost of the District per year for property owners is on the basis of approximately \$0.0114 per square foot.

SECTION 7:

That the entire cost of the District shall be paid by an annual assessment against the property in the District; that annually, pursuant to MCA 7-12-4332, the City Council shall adopt a resolution estimating the cost of maintaining said lights including a reserve, and furnishing electrical current and assessing all of said property within said District for the annual costs; that all monies derived from the collection of such assessments shall be paid into a fund to be known as "Special Lighting Maintenance District No. 308 Maintenance Fund," and warrants shall be drawn on said fund for the payment of such costs of maintaining such lights and supplying electrical current therefore.

SECTION 8:

That on the 13th day of June, 2011, at 6:30 o'clock p.m., at the Council Chambers of the City Hall in said City, the City Council intends to create such Special Improvement Lighting Maintenance District No. 308 and will hear objections and protests against the proposed improvements and the extent and creation of such District to be assessed, or any matter pertaining thereto, at said time and place, by any person, firm, or corporation who has filed a written protest with the City Clerk of the City of Billings within fifteen (15) days after the date on which the Notice of the passage of this Resolution of Intention is mailed to the property owners affected and published in "The Billings Times".

SECTION 9:

That the City Clerk is hereby authorized and directed to publish a copy of the Notice of the passage of this Resolution in "The Billings Times", a weekly newspaper published and circulated in the City of Billings, Montana, and to send a copy of said Notice to the owners of all the lots, blocks, pieces or parcels of land included within the

boundaries of said Special Improvement Lighting Maintenance District No. 308. Said notice is to be published and mailed on the same date.

PASSED by the City Council and APPROVED this 9th day of May, 2011.

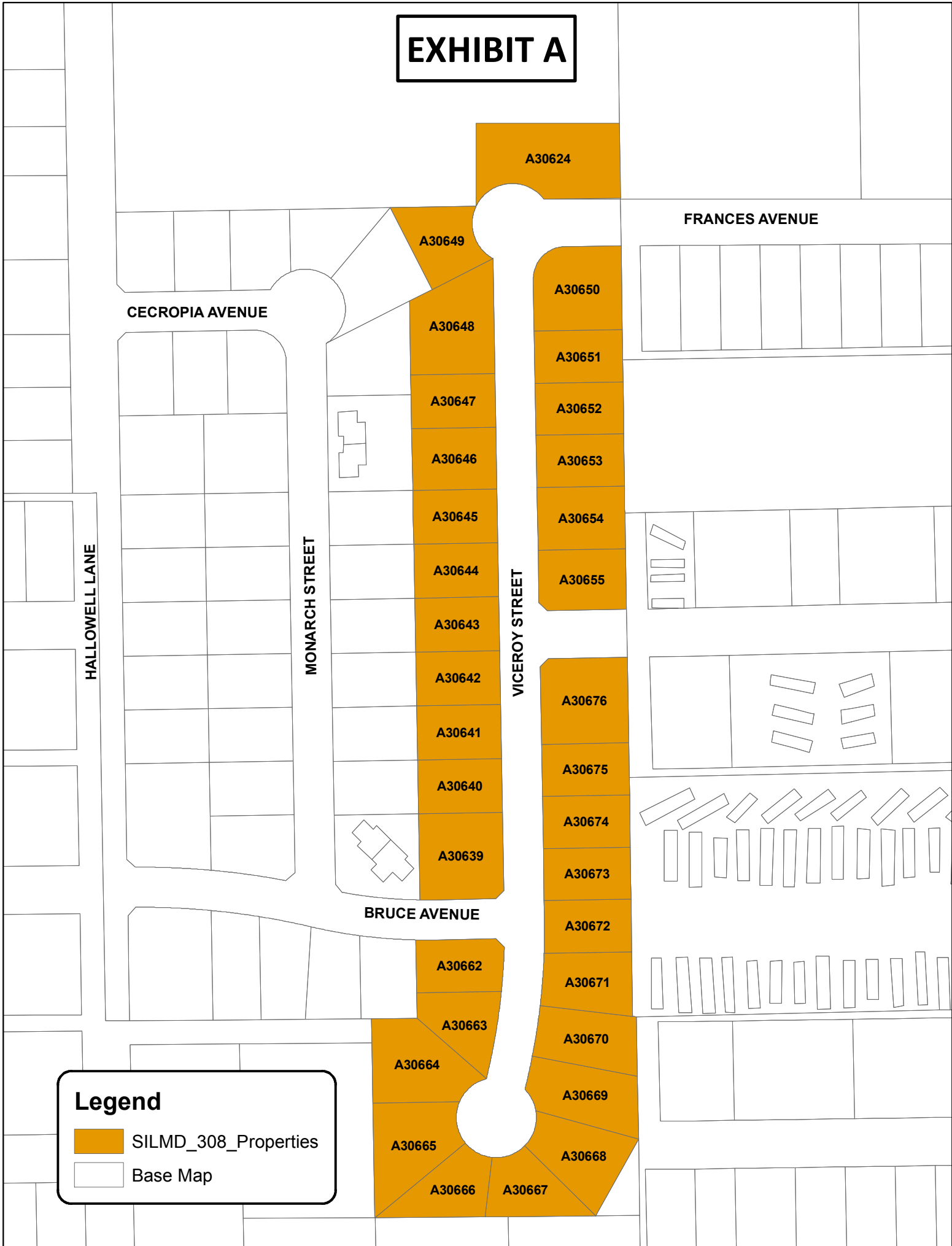
CITY OF BILLINGS

By _____
Thomas W. Hanel Mayor

ATTEST:

By _____
Cari Martin City Clerk

EXHIBIT A



Legend



-  SILMD_308_Properties
-  Base Map

EXHIBIT B

Total Area to be Assessed (SF) 282,514
Equal Assessment Per Sq.Ft \$0.0114

Block #	Lot #	Lot Area (SF)	Cost Per SF	Estimated Annual Assessment
2	1	17,385	\$0.0114	\$ 197.64
2	16	11,228	\$0.0114	\$ 127.64
2	17	7,069	\$0.0114	\$ 80.36
2	18	7,069	\$0.0114	\$ 80.36
2	19	7,069	\$0.0114	\$ 80.36
2	20	7,069	\$0.0114	\$ 80.36
2	21	7,069	\$0.0114	\$ 80.36
2	22	7,069	\$0.0114	\$ 80.36
2	23	8,085	\$0.0114	\$ 91.91
2	24	7,035	\$0.0114	\$ 79.98
2	25	12,352	\$0.0114	\$ 140.42
2	26	7,784	\$0.0114	\$ 88.49
Block #	Lot #	Lot Area (SF)	Cost Per SF	Estimated Annual Assessment
3	1	11,201	\$0.0114	\$ 127.34
3	2	7,133	\$0.0114	\$ 81.09
3	3	7,116	\$0.0114	\$ 80.90
3	4	7,099	\$0.0114	\$ 80.70
3	5A	8,555	\$0.0114	\$ 97.26
3	6A	8,127	\$0.0114	\$ 92.39
Block #	Lot #	Lot Area (SF)	Cost Per SF	Estimated Annual Assessment
4	7	7,102	\$0.0114	\$ 80.74
4	8	7,229	\$0.0114	\$ 82.18
4	9	11,016	\$0.0114	\$ 125.23
4	10	10,712	\$0.0114	\$ 121.78
4	11	7,562	\$0.0114	\$ 85.97
4	12	7,397	\$0.0114	\$ 84.09
4	13	9,427	\$0.0114	\$ 107.17
4	14	9,770	\$0.0114	\$ 111.07
4	15A	8,649	\$0.0114	\$ 98.32
4	16A	8,181	\$0.0114	\$ 93.00
4	17A	7,151	\$0.0114	\$ 81.29
4	18A	7,054	\$0.0114	\$ 80.19
4	19A	7,067	\$0.0114	\$ 80.34
4	20A	7,077	\$0.0114	\$ 80.45
4	21A	11,606	\$0.0114	\$ 131.94
				\$ 3,211.70

SILMD 308 – CHRYSALIS ACRES, PHASE II

Exhibit C Boundary Description

The following lots are included within SILMD 308:

- A portion of Lot 1 and all of Lots 16-26, Block 2, Chrysalis Acres Subdivision, recorded March 20, 2003 at Yellowstone County, Montana, under document number 3220635;
- Lots 1-4, Block 3, Chrysalis Acres Subdivision, recorded March 20, 2003 at Yellowstone County, Montana, under document number 3220635;
- Lots 5A and 6A, Block 3, Chrysalis Acres Subdivision Amended, Amending Lot 5 and 6 respectively, recorded March 7, 2008 at Yellowstone County, Montana, under document number 3456971;
- Lots 7-14, Block 4, Chrysalis Acres Subdivision, recorded March 20, 2003 at Yellowstone County, Montana, under document number 3220635;
- Lots 15A-21A, Block 4, Chrysalis Acres Subdivision Amended, Amending Lot 15 through 21 respectively, recorded March 7, 2008 at Yellowstone County, Montana, under document number 3456971

Regular City Council Meeting

Date: 05/09/2011

TITLE: Resolution Establishing Compliance with Reimbursement under Internal Revenue Code

PRESENTED BY: Patrick M Weber

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

In November 2010 , the council accepted the anonymous donation of \$2,000,000 for the new Library building. With this donation, the Library Foundation has been able to proceed with the design for the new Library building. The Library Foundation will continue to accept donations for the project. After the election approving the levy for the construction of the Library building, the bond sale amount will be determined after accounting for the amount of the donations received. In the event that City expenses are not covered by the donations, this resolution allows the City to reimburse those expenses from the bond sale proceeds. Reimbursement resolutions are required by the Internal Revenue Service for any bonded project where there may be a need to reimburse funds for costs incurred before the bond sale.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the resolution and proceed with the project with the ability to reimburse expenses when the bonds are sold; or
- Not approve the resolution

FINANCIAL IMPACT

This will not result in additional costs to the project.

RECOMMENDATION

Staff recommends City Council approve the attached resolution.

APPROVED BY CITY ADMINISTRATOR

Attachments

Reimbursement resolution

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the "City"), hereby certify that the attached resolution is a true copy of a resolution entitled: "RESOLUTION RELATING TO FINANCING OF A PROPOSED NEW CITY LIBRARY BUILDING; ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council at a regular meeting on May 9, 2011, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

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

WITNESS my hand officially this _____ day of _____, 2011.

City Clerk

RESOLUTION NO. _____

RESOLUTION RELATING TO FINANCING OF A PROPOSED
NEW CITY LIBRARY BUILDING; ESTABLISHING
COMPLIANCE WITH REIMBURSEMENT BOND
REGULATIONS UNDER THE INTERNAL REVENUE CODE

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

Section 1. Recitals.

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

1.02 The City desires to comply with requirements of the Regulations with respect to certain projects hereinafter identified.

Section 2. Official Intent Declaration.

2.01 The City proposes to undertake certain projects, which projects and the estimated costs thereof are generally described on Exhibit A hereto, which is hereby incorporated herein and made a part hereof (the “Projects”).

2.02 Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds (as hereinafter defined), (ii) expenditures permitted to be reimbursed under the transitional provision contained in Section 1.150-2(j)(2) of the Regulations, (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations, or (iv) expenditures in a “de minimus” amount (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures for the Projects have heretofore been paid by the City and no expenditures will be paid by the City until after the date of this Resolution.

2.03 The City reasonably expects to reimburse some or all of the expenditures made for costs of the Projects out of proceeds of bonds in an estimated maximum aggregate principal amount of \$16,384,000 (the “Bonds”) after the date of payment of all or a portion of the costs of the Projects. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the

Bonds or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations.

Section 3. Budgetary Matters. As of the date hereof, there are no City funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Projects, other than pursuant to the issuance of the Bonds. The statement of intent contained in this resolution, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof. The City has received donations in the approximate amount of \$2,000,000 to pay a portion of the costs of the Projects.

Section 4. Reimbursement Allocations. The Financial Services Manager shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Bonds to reimburse the source of temporary financing used by the City to make prior payment of the costs of the Projects. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the Bonds or the Projects and shall specifically identify the actual original expenditure being reimbursed.

Adopted this 9th day of May, 2011.

Mayor

Attest:

City Clerk

EXHIBIT A

<u>Description of Projects</u>	<u>Estimated Cost</u>
Design and construction of new City library building and related improvements and paying associated costs of issuance	\$18,384,000

Regular City Council Meeting

Date: 05/09/2011

TITLE: Zone Change #874 - 2nd reading

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

This is a zone change request from Community Commercial (CC) to Highway Commercial (HC) on two parcels of land described as Lots 1 through 17, Block 14 of Suburban Subdivision located at 327 Cook Avenue and 3919 Montana Avenue. The total area of both parcels is 65,175 square feet. Both of the parcels have existing commercial development. The parcel at address 3919 Montana Avenue has a vacant welding and machine shop. That property is owned by Gene and April Staudinger. The property at 327 Cook Avenue is owned by Mike D. Dimich Sons. Mike Dimich is the contract purchaser of 3919 Montana Avenue. The owners are represented by Michael Dockery of Crowley Fleck, PLLP. The owners conducted a pre-application neighborhood meeting on February 24, 2011, at the First Interstate Bank at 401 North 31st Street. The pre-application meeting notes are included as Attachment C. The Zoning Commission conducted a public hearing on April 5, 2011, and is forwarding a recommendation of approval on a 3-0 vote. The City Council conducted a public hearing April 25, 2011, and voted to approve the zone change on 1st reading.

ALTERNATIVES ANALYZED

State law at MCA 76-2-304 requires that all zone changes be reviewed in accordance with 12 criteria. Using the 12 criteria to determine the appropriateness of the zone change request, the City Council may:

1. Approve the zone change request
2. Deny the zone change request
3. Allow withdrawal of the application
4. Delay action for up to thirty (30) days

FINANCIAL IMPACT

Approval of the requested zone change will enhance the value of the property, which may increase property tax revenue when improvements are made to the existing and new buildings.

RECOMMENDATION

The Zoning Commission is recommending approval of Zone Change #874 and adoption of the 12 criteria on a 3-0 vote.

APPROVED BY CITY ADMINISTRATOR

Attachments

Ordinance

ORDINANCE NO. 11-_____

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION FOR a parcel of land described as Lots 1 through 17, Block 14, Suburban Subdivision, a 65,175 square foot parcel of land and generally located at 327 Cook Avenue and 3919 Montana Avenue.

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

1. RECITALS. *Title 76, Chapter 2, Part 3, MCA, and Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the twelve (12) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the twelve (12) criteria required by state law.

2. DESCRIPTION. A tract of land described as Lots 1 through 17, Block 14, Suburban Subdivision, a 65,175 square foot parcel of land and is presently zoned **Community Commercial (CC)** and is shown on the official zoning maps within this zone.

3. ZONE AMENDMENT. The official zoning map is hereby amended and the zoning for **the above described parcel** is hereby changed from **Community Commercial (CC) to Highway Commercial (HC)** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Highway Commercial (HC)** as set out in the Billings, Montana City Code.

4. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

5. EFFECTIVE DATE. This ordinance shall be effective from and after final passage and as provided by law.

PASSED by the City Council on first reading April 25, 2011.

PASSED, ADOPTED AND APPROVED on second reading May 9, 2011.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: Cari Martin, City Clerk
Zone Change #874 –327 Cook Avenue and 3919 Montana Avenue

Regular City Council Meeting

Date: 05/09/2011

TITLE: Zone Change #875 - 2nd reading

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

This is a zone change from Community Commercial (CC), Public (P), Residential 6,000 (R-60) and Residential Multi-Family (RMF) to Residential 9,600 (R-96) and Residential 6,000 Restricted (R-60-R) on Lots 10 through 12, Block 16; Lot 15, Block 17; Lots 1 through 4, Block 18; Lots 1 through 4 and 7 & 8, Block 19; Lots 25 through 27, Block 45; Lots 12A, 12B, 13A and 14 through 17, Block 46; Lots 8 through 13, Block 47; and proposed new Lots A through G to be created from golf course land, a total of 12.651 acres of land all in Lake Hills Subdivision. All of the lots are currently vacant. Ron Hill is the owner and is represented by Marshall Phil, P.E. , of Blueline Engineering. The owners conducted a pre-application neighborhood meeting on February 28, 2011, at the Lake Hills Clubhouse at 1930 Clubhouse Way.

The Planning Division received a valid protest petition from the owners within 150 feet of proposed Lots B and C, a letter from the owner of 494 Cherry Hills Road in favor of the zone change and a letter sent to the agent prior to the zone change application in opposition to proposed Lots B and C. The Zoning Commission conducted a public hearing on April 5, 2011, and is forwarding a recommendation of approval with the exception of proposed Lots B, C, and G on a 3-0 vote. The City Council conducted a public hearing on April 25, 2011, and voted to approve the zone change with the exception of proposed Lots B, C, and G on first reading.

ALTERNATIVES ANALYZED

State law at MCA 76-2-304 requires that all zone changes be reviewed in accordance with 12 criteria. Using the 12 criteria to determine the appropriateness of the zone change request, the City Council may:

1. Approve the zone change request
2. Deny the zone change request
3. Allow withdrawal of the application
4. Delay action for up to thirty (30) days

Since this zoning application has a valid protest filed against it for the new proposed Lots B and C, it is Planning Staff's opinion that if the City Council wants to make a motion to approve the zone change and include proposed Lots B and C, it will need a super majority to do so to overcome the valid protest petition. If the Council chooses to make a motion to approve the zone change excluding Lots B and C, then a simple majority would suffice.

FINANCIAL IMPACT

If approved, the zone change to single family residential zones may reduce some City assessments currently charged against the existing multi-family and commercial lots, but this may be off-set by the creation of the new lots within the golf course area and the total assessments collected by the City for the rezoned lots and the new lots.

RECOMMENDATION

The Zoning Commission is forwarding a recommendation of approval with the exception of proposed Lots B, C, and G, and adoption of the 12 criteria for Zone Change #875 on a 3-0 vote.

APPROVED BY CITY ADMINISTRATOR

Attachments

Ordinance

ORDINANCE NO. 11-_____

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION FOR a several parcels of land described as Lots 10 through 12, Block 16; Lot 15, Block 17; Lots 1 through 4, Block 18; Lots 1 through 4 and 7 and 8, Block 19; Lots 25 through 27, Block 45; Lots 12A, 12B, 13A and 14 through 17, Block 46; Lots 8 through 13, Block 47 all in Lake Hills Subdivision; and proposed new Lots A, D, E, and F to be created from golf course land, a total of 12.03 acres of and generally located in the Lake Hills Subdivision.

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

1. RECITALS. *Title 76, Chapter 2, Part 3, MCA, and Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the twelve (12) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the twelve (12) criteria required by state law.

2. DESCRIPTION. Block 18, Lots 1-4; Block 19, Lots 1-4, 7 and 8 are presently zoned **Community Commercial (CC)** and are shown on the official zoning maps within this zone. Block 16, Lot 10; Block 17, Lot 15; Block 45, Lots 25-27; Block 46, Lots 12A, 12B & 17; Block 47, Lot 8 & 13 are presently zoned **Residential 6,000 (R-60)** and are shown on the official zoning maps within this zone. Block 16, Lots 11 & 12; Block 46, Lots 13A, 14-16; Block 47, Lots 9-12 are presently zoned **Residential Multi-family (RMF)** and are shown on the official zoning maps within this zone. Proposed Lots A, D, E, and F to be created from golf course property are presently zoned **Public (P)** and are shown on the official zoning maps within this zone.

3. ZONE AMENDMENT. The official zoning map is hereby amended and the zoning for **the above described parcels** is hereby changed as follows: from **Community Commercial (CC) to Residential 6,000 – Restricted (R-60-R)** on Block 18, Lots 1-4; Block 19, Lots 1-4, 7 and 8; from **Residential 6,000 (R-60) to Residential 9,600 (R-96)** on Block 16, Lot 10; Block 17, Lot 15; Block 45, Lots 25-27; Block 46, Lots 12A, 12B & 17; Block 47, Lot 8 & 13; from **Residential Multi-family (RMF) to Residential 9,600 (R-96)** on Block 16, Lots 11 & 12; Block 46, Lots 13A, 14-16; Block 47, Lots 9-12; and from **Public (P) to Residential 9,600 (R-96)** on proposed Lots A, D, E, and F to be created from golf course property and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Residential 9,600 (R-96) and Residential 6,000 – Restricted (R-60-R)** as set out in the Billings, Montana City Code.

4. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

5. EFFECTIVE DATE. This ordinance shall be effective from and after final passage and as provided by law.

PASSED by the City Council on first reading April 25, 2011.

PASSED, ADOPTED AND APPROVED on second reading May 9, 2011.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: Cari Martin, City Clerk
Zone Change #875 –Lake Hills Subdivision

Regular City Council Meeting

Date: 05/09/2011

TITLE: Foster's Addition Subdivision Exempt Plat for the Library

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

In the process of preparing for a proposed land exchange between the City and Stockman Bank to assemble the site for a new library building, it was discovered that some of the current Library parking property to be exchanged consists of several tax codes, parcels, and vacated railroad right of way. In order to describe conveyable property, the City must create a new land subdivision. The proposed subdivision plat aggregates the several lots and vacated railroad right of way into two lots. Both for the purpose of facilitating the property exchange and to improve the general organization of the City's lots, the boundaries of the property will be relocated to create two separate lots, one of which will be exchanged with Stockman Bank. The attached exempt subdivision plat accomplishes both goals and the Council must approve the plat before the property can be exchanged.

ALTERNATIVES ANALYZED

The Council may:

- Approve the exempt subdivision plat for the library, improving the organization of the City's property and permitting a proposed land exchange with Stockman Bank; or
- Not approve the exempt subdivision plat for the library, although the land exchange with Stockman Bank could not proceed as currently structured.

FINANCIAL IMPACT

There is no significant financial impact with this exempt subdivision plat.

RECOMMENDATION

Staff recommends that Council approve the exempt subdivision plat of the library property.

APPROVED BY CITY ADMINISTRATOR

Attachments

Exhibit of Library Plat

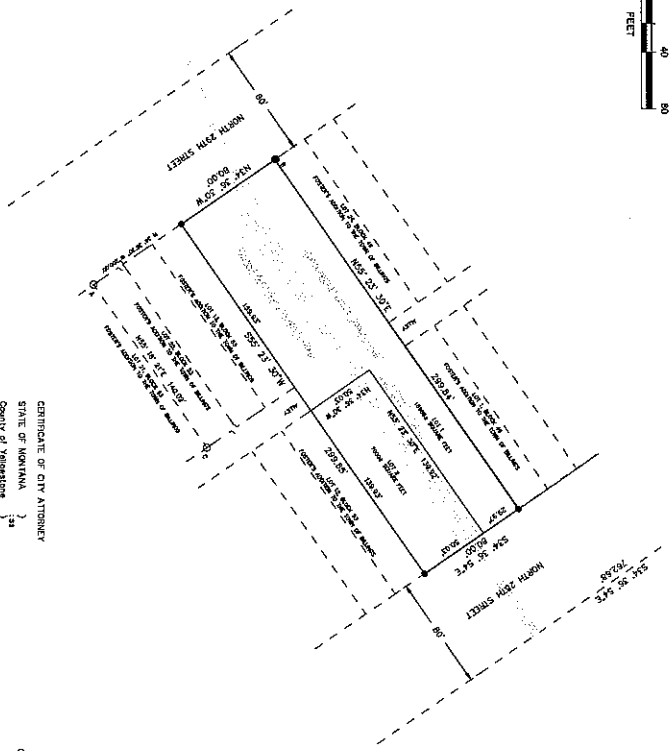
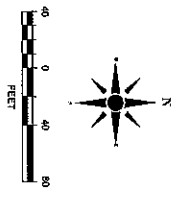
PLAT OF VACATED RAILROAD RIGHT-OF-WAY BETWEEN BLOCKS 49 AND 53 FOSTER'S ADDITION TO THE TOWN OF BILLINGS SITUATED IN THE SE1/4 SECTION 32, T.1N., R.26E., P.M.M., CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR: THE CITY OF BILLINGS
 PREPARED BY: THE CITY OF BILLINGS
 SCALE: 1"=40' DATE: MARCH, 2011

- o = FOUND PROPERTY CORNER AS NOTED
- = SET 5/8" x 1/8" REBAR WITH CAP WAIRED WITH THE LICENSE NUMBER OF UNDERGROUND LAND SURVEYOR
- () RECORDED REBAR AND/OR STAKE

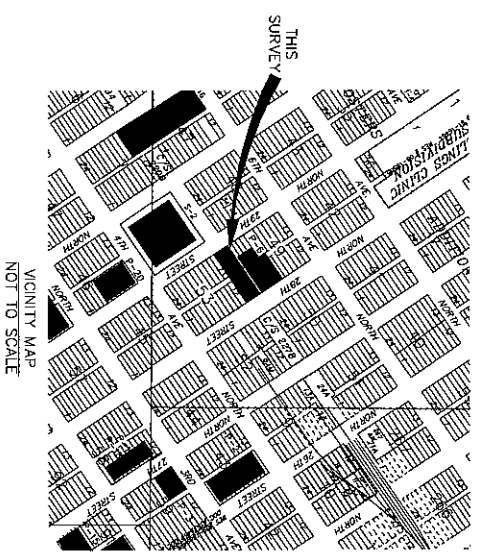
BASE OF BEARINGS:
 WEST NORTH-WAY LINE OF NORTH 29TH STREET
 N 54° 30' 30" W

- LANDMARK LEGEND:**
- A FOUND 5/8" REBAR WITH 1/8" 5/8" DIA DISC DISC W/
 - B 5/8" 1/2" MARK PIPE
 - C FOUND 5/8" REBAR WITH BROKEN 1/8"



CERTIFICATE OF CITY ATTORNEY
 STATE OF MONTANA }
 County of Yellowstone } ss
 I, the undersigned, being the duly qualified City Attorney of the City of Billings, Montana, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the files of the City of Billings, Montana.

CERTIFICATE OF COUNTY TREASURER
 I, the undersigned, being the duly qualified County Treasurer of the County of Yellowstone, Montana, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the files of the County of Yellowstone, Montana.



CERTIFICATE OF SURVEYOR
 STATE OF MONTANA } ss
 County of Yellowstone }

The undersigned, a Licensed Registered Land Surveyor, having had full and complete knowledge and information of the facts and circumstances surrounding the above described survey, do hereby certify that the same is a true and correct copy of the original as the same appears in the files of the City of Billings, Montana.

In testimony whereof, I have hereunto set my hand and the seal of my office at Billings, Montana, this 23rd day of March, 2011.

By: _____
 Montana Registration No. 123123123
 Date: _____

On this _____ day of _____, 20____, before me the undersigned Notary Public for the State of Montana, personally appeared _____, known to me to be the person who signed the foregoing Certificate of Survey and acknowledged to me that he executed the same. Witness my hand and seal the day and year herein above written.

Notary Public is and for the State of Montana
 My commission expires _____
 From _____
 By: _____

Regular City Council Meeting

Date: 05/09/2011

TITLE: Payment of Claims April 8, 2011.

PRESENTED BY: Pat M. Weber, Financial Services Manager

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$1,179,060.09 have been audited and are presented for your approval for payment. A complete listing of the claims dated April 8, 2011, is available in the Finance Department.

ALTERNATIVES ANALYZED

The Council may:

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

FINANCIAL IMPACT

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

RECOMMENDATION

Staff recommends that Council approve Payment of Claims.

APPROVED BY CITY ADMINISTRATOR

Attachments

List of claims greater than \$2500.

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
04/08/2011	743241	ACTIVE TRANSPORTATION ALTERNAT	20644			5,667.00	
240-4301-419.35-60	04/01/2011	ALT MODES FEB 2011	ALT MODES FEB	282923	10/2011	5,667.00	
04/08/2011	743254	APPRAISAL GROUP THE	16403			2,925.00	
503-7591-609.93-40	04/08/2011	WO0825 ZONE 3 RESERVOIR	02/25/11		10/2011	2,925.00	
04/08/2011	743255	ARCHIE COCHRANE	800			25,350.54	
150-2112-421.23-20	03/30/2011	MP	808817/1	282874	09/2011	2,326.22	
650-1566-487.23-20	03/30/2011	MP	808843/1	282874	09/2011	182.64	
541-3123-435.23-20	04/01/2011	MP	5048541-N	282919	10/2011	413.66	
541-3123-435.23-20	04/01/2011	MP	5048541-M	282920	10/2011	413.66	
150-2112-421.23-20	04/04/2011	MP	5048804	282974	10/2011	17.87	
541-3123-435.23-20	04/04/2011	MP	624256/1	282983	10/2011	141.75	
630-1753-485.73-10	04/05/2011	MISC SERVICES	808916/1	283000	10/2011	1,195.50	
670-3141-489.94-40	04/06/2011	MID SIZE CARGO VAN	81051	278466	10/2011	20,685.00	
209-4452-428.23-20	04/06/2011	MP	5048868	283042	10/2011	13.01	
630-1753-485.73-10	04/07/2011	MISC SERVICES	808253/1	283079	10/2011	788.55	
04/08/2011	743260	BECCO GENERAL CONSTRUCTION SER	21173			27,179.33	
513-8491-623.93-90	04/04/2011	WO 09-08 WWTP WTR LINE	7	282531	10/2011	27,179.33	
04/08/2011	743266	BIG SKY LINEN SUPPLY	387			3,067.86	
150-2226-422.22-40	04/04/2011	FIRE5:SPEC INV 3/3/2011	1076-S85913 FR5	282922	10/2011	26.11	
150-2226-422.22-40	04/04/2011	FIRE1:LINEN 2/28/2011	1076-86087 FR1	282922	10/2011	18.94	
150-2225-422.24-50	04/04/2011	911 CTR:LINEN 2/28/2011	1076-86088 911	282922	10/2011	23.73	
150-2226-422.22-40	04/04/2011	FIRE7:LINEN 3/1/2011	1076-86400 FR7	282922	10/2011	28.36	
150-2226-422.22-40	04/04/2011	FIRE2:LINEN 3/3/2011	1076-86680 FR2	282922	10/2011	7.00	
150-2226-422.22-40	04/04/2011	FIRE5:LINEN 3/3/2011	1076-86730 FR5	282922	10/2011	13.75	
150-2226-422.22-40	04/04/2011	FIRE3:LINEN 3/7/2011	1076-87041 FR3	282922	10/2011	14.19	
150-2226-422.22-40	04/04/2011	FIRE6:LINEN 3/8/11	1076-87151 FR6	282922	10/2011	9.34	
150-2226-422.22-40	04/04/2011	FIRE4:LINEN 3/8/2011	1076-87177 FR4	282922	10/2011	29.01	
150-2226-422.22-40	04/04/2011	FIRE1:LINEN 3/14/2011	1076-87854 FR1	282922	10/2011	18.94	
150-2225-422.24-50	04/04/2011	911 CTR:LINEN 3/14/2011	1076-87855 911	282922	10/2011	23.73	
150-2226-422.22-40	04/04/2011	FIRE7:LINEN 3/18/2011	1076-88174 FR7	282922	10/2011	18.06	
150-2226-422.22-40	04/04/2011	FIRE2:LINEN 3/17/2011	1076-88443 FR2	282922	10/2011	11.34	
150-2226-422.22-40	04/04/2011	FIRE5:LINEN 3/17/2011	1076-88492 FR5	282922	10/2011	13.75	
150-2226-422.22-40	04/04/2011	FIRE3:LINEN 3/21/2011	1076-88826 FR3	282922	10/2011	11.86	
150-2226-422.22-40	04/04/2011	FIRE6:LINEN 3/22/2011	1076-88927 FR6	282922	10/2011	9.34	
150-2226-422.22-40	04/04/2011	FIRE4:LINEN 3/22/2011	1076-88952 FR4	282922	10/2011	20.60	
502-7312-602.22-60	04/05/2011	MARCH UNIFORM COSTS	MARCH 2011	282956	10/2011	321.14	
502-7314-602.22-60	04/05/2011	MARCH UNIFORM COSTS	MARCH 2011	282956	10/2011	49.47	
502-7400-603.22-60	04/05/2011	MARCH UNIFORM COSTS	MARCH 2011	282956	10/2011	531.70	
502-7500-609.22-60	04/05/2011	MARCH UNIFORM COSTS	MARCH 2011	282956	10/2011	403.12	
512-8314-622.22-60	04/05/2011	MARCH UNIFORM COSTS	MARCH 2011	282956	10/2011	16.35	
512-8400-623.22-60	04/05/2011	MARCH UNIFORM COSTS	MARCH 2011	282956	10/2011	453.61	
512-8500-625.22-60	04/05/2011	MARCH UNIFORM COSTS	MARCH 2011	282956	10/2011	268.81	
561-7112-711.22-40	04/06/2011	INVOICE #86476	040611	F12585	10/2011	53.90	
561-7112-711.22-60	04/06/2011	INVOICE #86476	040611	F12585	10/2011	87.00	
561-7112-711.22-40	04/06/2011	INVOICE #87348	040611	F12585	10/2011	23.10	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
561-7112-711.22-60	04/06/2011	INVOICE #87348	040611	F12585 10/2011 87.00
561-7112-711.22-60	04/06/2011	INVOICE #S87485	040611	F12585 10/2011 31.40
561-7112-711.22-40	04/06/2011	INVOICE #88245	040611	F12585 10/2011 31.90
561-7112-711.22-60	04/06/2011	INVOICE #88245	040611	F12585 10/2011 93.00
561-7113-711.22-60	04/06/2011	INVOICE #86475	040611	F12585 10/2011 79.39
561-7112-711.22-40	04/06/2011	INVOICE #89117	040611	F12585 10/2011 31.90
561-7112-711.22-60	04/06/2011	INVOICE #89117	040611	F12585 10/2011 93.00
561-7113-711.22-60	04/06/2011	INVOICE #87346	040611	F12585 10/2011 35.39
561-7113-711.22-60	04/06/2011	INVOICE #88244	040611	F12585 10/2011 35.39
561-7113-711.22-60	04/06/2011	INVOICE #89115	040611	F12585 10/2011 35.39
561-7113-711.22-60	04/06/2011	INVOICE #86477	040611	F12585 10/2011 7.85
04/08/2011 743269	BILLINGS GAZETTE	420		6,031.71
10-1411-414.31-10	04/05/2011	ONLINE BANNER	MARCH 2011	10/2011 565.71
10-1411-414.39-39	04/05/2011	CITY LINK	MARCH 2011	10/2011 4,238.78
541-3122-435.33-70	04/05/2011	SOLID WASTE	MARCH 2011	10/2011 322.44
10-1750-417.33-70	04/05/2011	HR	MARCH 2011	10/2011 582.34
502-7211-601.33-10	04/05/2011	PUD WATER	MARCH 2011	10/2011 193.46
512-8211-621.33-10	04/05/2011	PUD WATER-WASTE	MARCH 2011	10/2011 128.98
04/08/2011 743274	BORDER STATES ELECTRIC	509		13,900.52
502-7400-603.23-60	03/04/2011	NONSTOCKING ITEMS-P.U.D.	902063775	280494 09/2011 140.32
211-0000-141.31-83	03/08/2011	STREET LIGHTS	902074381	09/2011 736.91
211-3132-433.22-90	03/08/2011	MISC SERVICES	902058163	280494 09/2011 810.70
211-3132-433.22-90	03/08/2011	MISC SERVICES	902064785	280494 09/2011 6.08
502-0000-141.00-00	03/09/2011	WATER PARTS AND SUPPLIES	902087019	09/2011 247.76
512-8400-623.23-60	03/09/2011	NONSTOCKING ITEMS-P.U.D.	902068842	280494 09/2011 56.82
512-8400-623.23-60	03/09/2011	NONSTOCKING ITEMS-P.U.D.	902068902	280494 09/2011 30.56
512-8400-623.23-60	03/09/2011	NONSTOCKING ITEMS-P.U.D.	902068930	280494 09/2011 1,835.42
502-7400-603.23-60	03/09/2011	NONSTOCKING ITEMS-P.U.D.	902091327	280494 09/2011 291.28
502-7400-603.23-60	03/14/2011	NONSTOCKING ITEMS-P.U.D.	902104352	280494 09/2011 885.38
502-7400-603.23-60	03/14/2011	NONSTOCKING ITEMS-P.U.D.	902104361	280494 09/2011 31.20
502-7400-603.23-60	03/18/2011	NONSTOCKING ITEMS-P.U.D.	902126962	280494 09/2011 5.60
502-7400-603.23-60	03/18/2011	NONSTOCKING ITEMS-P.U.D.	902127016	280494 09/2011 309.56
502-7400-603.23-60	03/21/2011	NONSTOCKING ITEMS-P.U.D.	902098298	280494 09/2011 205.98
502-7400-603.23-60	03/21/2011	NONSTOCKING ITEMS-P.U.D.	902131871	280494 09/2011 18.20
211-3132-433.24-30	03/21/2011	MISC SERVICES	902132416	280494 09/2011 11.64
512-8400-623.23-60	03/22/2011	NONSTOCKING ITEMS-P.U.D.	902080968	280494 09/2011 161.98
512-8400-623.23-60	03/22/2011	NONSTOCKING ITEMS-P.U.D.	902087938	280494 09/2011 1,536.42
512-8400-623.23-60	03/22/2011	NONSTOCKING ITEMS-P.U.D.	902115514	280494 09/2011 144.39
512-8400-623.23-60	03/22/2011	NONSTOCKING ITEMS-P.U.D.	902115520	280494 09/2011 1,991.00
512-8400-623.23-60	03/22/2011	NONSTOCKING ITEMS-P.U.D.	902115523	280494 09/2011 2,138.00
512-8400-623.23-60	03/22/2011	NONSTOCKING ITEMS-P.U.D.	902127324	280494 09/2011 172.59
512-8400-623.23-60	03/22/2011	NONSTOCKING ITEMS-P.U.D.	902131773	280494 09/2011 19.54
502-7400-603.23-60	03/25/2011	NONSTOCKING ITEMS-P.U.D.	902143563	280494 09/2011 64.80
512-8400-623.23-60	03/29/2011	NONSTOCKING ITEMS-P.U.D.	902126414	280494 09/2011 48.86
512-8400-623.23-60	03/29/2011	NONSTOCKING ITEMS-P.U.D.	902167237	280494 09/2011 158.64
502-0000-141.00-00	03/30/2011	WATER PARTS AND SUPPLIES	902178007	09/2011 81.06
150-2226-422.23-60	03/31/2011	FIRE7 .M250/CF42DT/LAMPS	902142857	FIRE7 280494 09/2011 216.35
512-8400-623.23-60	04/06/2011	NONSTOCKING ITEMS-P.U.D.	902122452	280494 10/2011 995.50

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
502-7400-603.23-60	04/06/2011	NONSTOCKING ITEMS-P.U.D.	902122453	280494	10/2011	6.12	
512-8400-623.23-60	04/06/2011	NONSTOCKING ITEMS-P.U.D.	902186178	280494	10/2011	541.86	
04/08/2011	743276	BRANCH GROUP INC	21207			15,460.47	
502-7400-603.23-60	04/04/2011	MISC SERVICES	S100616872.001		10/2011	314.64	
502-7400-603.35-53	04/04/2011	MISC SERVICES	S100616872.003		10/2011	8,388.00	
512-8400-623.23-60	04/04/2011	MISC SERVICES	S100629469.001		10/2011	4,209.83	
512-8400-623.23-60	04/05/2011	MISC SERVICES	S100804195.001	282966	10/2011	2,548.00	
04/08/2011	743281	BUSINESS TAX SECTION	2449			2,817.30	
421-8493-623.93-40	04/04/2011	WO0814 WWTP STORM DRAIN	3	277414	10/2011	973.41	
513-8491-623.93-90	04/04/2011	WO 09-08 WWTP WTR LINE	7	282532	10/2011	274.54	
505-7515-609.36-71	04/05/2011	MISC SERVICES	904748	282991	10/2011	83.50	
503-0000-201.10-00	04/06/2011	WO1001 2010 WTR & SWR	RET RELEASE	274400	09/2011	150.00	
513-0000-201.10-00	04/06/2011	WO1001 2010 WTR & SWR	RET RELEASE	274400	09/2011	50.00	
503-7591-609.93-40	04/06/2011	WO1001 2010 WTR & SWR	CO#2	274400	10/2011	535.36-	
503-7591-609.93-40	04/06/2011	WO1001 2010 WTR & SWR	CO#2	274400	10/2011	535.36	
513-8591-625.93-40	04/06/2011	WO1001 2010 WTR & SWR	CO#2	274400	10/2011	1,043.10-	
513-8591-625.93-40	04/06/2011	WO1001 2010 WTR & SWR	CO#2	274400	10/2011	1,043.10	
544-3123-435.93-90	04/06/2011	WO0827 LANDFILL PHS 2	1	282182	10/2011	1,285.85	
04/08/2011	743284	CARDINAL TRACKING INC	10998			8,577.80	
521-1522-493.35-53	04/07/2011	TICKET TRAK HARD/SOFTWARE	95908	283057	10/2011	6,022.80	
521-1522-493.36-65	04/07/2011	TICKET TRAK HARD/SOFTWARE	95908	283057	10/2011	2,555.00	
04/08/2011	743287	CARQUEST AUTO PARTS	3890			3,724.62	
502-7500-609.24-10	03/03/2011	NONSTOCKING ITEMS-P.U.D.	1935193304	280495	09/2011	34.60	
502-0000-141.00-00	03/04/2011	WATER PARTS AND SUPPLIES	1935193663		09/2011	165.60	
512-8500-625.24-50	03/07/2011	NONSTOCKING ITEMS-P.U.D.	1822184598	280495	09/2011	16.20	
502-7500-609.23-20	03/08/2011	NONSTOCKING ITEMS-P.U.D.	1935193974	280495	09/2011	13.32	
502-7500-609.23-40	03/08/2011	NONSTOCKING ITEMS-P.U.D.	1935194021	280495	09/2011	24.22	
502-7500-609.23-20	03/09/2011	NONSTOCKING ITEMS-P.U.D.	1935194035	280495	09/2011	40.58	
502-7500-609.23-20	03/09/2011	NONSTOCKING ITEMS-P.U.D.	1935194098	280495	09/2011	23.37	
512-8500-625.23-20	03/09/2011	NONSTOCKING ITEMS-P.U.D.	1935194167	280495	09/2011	8.68	
512-8500-625.24-10	03/10/2011	NONSTOCKING ITEMS-P.U.D.	1935194308	280495	09/2011	7.92	
502-7500-609.24-10	03/10/2011	NONSTOCKING ITEMS-P.U.D.	1935194382	280495	09/2011	22.39	
502-0000-141.00-00	03/14/2011	WATER PARTS AND SUPPLIES	1935194400		09/2011	11.12	
502-0000-141.00-00	03/14/2011	WATER PARTS AND SUPPLIES	1935194416		09/2011	27.04	
502-7312-602.24-10	03/14/2011	NONSTOCKING ITEMS-P.U.D.	1935194499	280495	09/2011	60.00	
502-7312-602.24-10	03/14/2011	NONSTOCKING ITEMS-P.U.D.	1935194526	280495	09/2011	11.01	
502-0000-141.00-00	03/15/2011	WATER PARTS AND SUPPLIES	1935194358		09/2011	722.25	
512-8500-625.23-20	03/15/2011	NONSTOCKING ITEMS-P.U.D.	1935195005	280495	09/2011	4.45	
601-0000-141.00-00	03/17/2011	MP	1910-206238		09/2011	108.00	
512-8500-625.23-20	03/17/2011	NONSTOCKING ITEMS-P.U.D.	1935195191	280495	09/2011	27.98	
502-7500-609.23-20	03/17/2011	NONSTOCKING ITEMS-P.U.D.	1935195311	280495	09/2011	221.20	
601-0000-141.00-00	03/18/2011	MP	279537		09/2011	8.25	
211-3139-454.23-20	03/18/2011	MP	279361	280495	09/2011	38.85	
150-2226-422.23-20	03/18/2011	MP	279449	280495	09/2011	38.04	
601-1553-481.26-50	03/18/2011	MP	279537	280495	09/2011	2.49	
601-1550-481.23-20	03/18/2011	MP	279878	280495	09/2011	113.92	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT		
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
211-3132-433.23-20	03/21/2011	MISC SERVICES	260667	280495	09/2011	18.41
211-3132-433.23-20	03/21/2011	MISC SERVICES	260708	280495	09/2011	.50-
211-3132-433.23-20	03/21/2011	MP	278907	280495	09/2011	14.03
150-2226-422.23-20	03/21/2011	MP	279108	280495	09/2011	37.67
150-2226-422.23-20	03/21/2011	MP	279253	280495	09/2011	13.96
541-3122-435.23-20	03/23/2011	MP	280379	280495	09/2011	60.90
541-3122-435.23-20	03/23/2011	MP	280379	280495	09/2011	8.91
601-0000-141.00-00	03/24/2011	MP	1910-206732		09/2011	17.52
541-3122-435.23-20	03/24/2011	MP	1910-206261	280495	09/2011	94.08
502-7500-609.23-10	03/24/2011	NONSTOCKING ITEMS-P.U.D.	1935196362	280495	09/2011	20.58
502-7500-609.23-20	03/24/2011	NONSTOCKING ITEMS-P.U.D.	1935196442	280495	09/2011	26.00
502-7400-603.23-20	03/25/2011	NONSTOCKING ITEMS-P.U.D.	1935196504	280495	09/2011	15.59
502-0000-141.00-00	03/29/2011	WATER PARTS AND SUPPLIES	1935196879		09/2011	236.75
601-1553-481.26-50	03/29/2011	MP	1910-207256	280495	09/2011	23.00
512-8500-625.23-40	03/29/2011	NONSTOCKING ITEMS-P.U.D.	1935196941	280495	09/2011	48.44
502-0000-141.00-00	03/30/2011	WATER PARTS AND SUPPLIES	1935197099		09/2011	550.11
502-0000-141.00-00	03/30/2011	WASTEWATER PARTS & SUPPLY	1935197099		09/2011	194.04
502-0000-141.00-00	03/31/2011	WATER PARTS AND SUPPLIES	1935197235		09/2011	14.40
211-3132-433.23-20	03/31/2011	MP	1910-207323	280495	09/2011	16.83
211-3139-454.23-20	03/31/2011	MP	1910-207323	280495	09/2011	19.10
150-2112-421.23-20	03/31/2011	MP	1910-207517	280495	09/2011	32.78
211-3140-433.23-20	03/31/2011	MP	1910-207564	280495	09/2011	35.78
260-5512-455.23-20	04/04/2011	MP	1910-207693	280495	10/2011	70.52
601-0000-141.00-00	04/05/2011	MP	1910-207390		10/2011	2.81
601-0000-141.00-00	04/05/2011	MP	1910-207777		10/2011	386.29
211-3132-433.23-20	04/05/2011	MP	1910-207390	280495	10/2011	6.01
601-1553-481.26-50	04/05/2011	MP	1910-207482	280495	10/2011	2.83
601-1553-481.26-50	04/05/2011	MP	1910-207735	280495	10/2011	6.30
04/08/2011	743288	CASTLEROCK EXCAVATING INC	19707			96,367.87
421-8493-623.93-40	04/04/2011	WO0814 WWTP STORM DRAIN	3	277389	10/2011	96,367.87
04/08/2011	743295	COP CONSTRUCTION CO	865			147,099.50
503-0000-201.10-00	04/06/2011	WO1001 2010 WTR & SWR	RET RELEASE	274399	09/2011	14,850.00
513-0000-201.10-00	04/06/2011	WO1001 2010 WTR & SWR	RET RELEASE	274399	09/2011	4,950.00
503-7591-609.93-40	04/06/2011	WO1001 2010 WTR & SWR	CO#2	274399	10/2011	53,002.06-
503-7591-609.93-40	04/06/2011	WO1001 2010 WTR & SWR	CO#2	274399	10/2011	53,002.06
513-8591-625.93-40	04/06/2011	WO1001 2010 WTR & SWR	CO#2	274399	10/2011	103,268.02-
513-8591-625.93-40	04/06/2011	WO1001 2010 WTR & SWR	CO#2	274399	10/2011	103,268.02
544-3123-435.93-90	04/06/2011	WO0827 LANDFILL PHS 2	1	282181	10/2011	127,299.50
04/08/2011	743297	COUNTY WATER DISTRICT OF	881			19,691.36
150-2221-422.34-20	04/04/2011	FIRE6:WTR/MAR11/10290 GAL	16118-00 11-03	276921	10/2011	34.73
512-8500-625.34-20	04/05/2011	MISC SERVICES	1603500 MAR11	282986	10/2011	173.43
805-1570-425.53-50	04/06/2011	MISC SERVICES	1437	283031	10/2011	19,483.20
04/08/2011	743302	CURB BOX SPECIALISTS	5716			12,651.50
505-7515-609.36-71	03/29/2011	MISC SERVICES	4681	278924	09/2011	9,751.50
505-7515-609.36-71	04/05/2011	MISC SERVICES	4713	282982	10/2011	2,900.00
04/08/2011	743309	DELL COMPUTER L P	13426			2,850.22
10-1212-412.29-25	04/01/2011	MISC SERVICES	XF8D5J531	282451	10/2011	1,538.13

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
606-1931-484.29-25	04/06/2011	MISC SERVICES	XF8M2N2K7	282666	10/2011	1,312.09	
04/08/2011 743311		DEPT OF ENVIRONMENTAL QUALITY	15307			25,062.00	
512-8211-621.34-95	03/29/2011	PERMIT #MTR000459	5L1100979	282794	09/2011	1,125.00	
512-8211-621.34-95	03/29/2011	PERMT MT0022586	5L1101313	282794	09/2011	23,937.00	
04/08/2011 743314		DNA LABS INTERNATIONAL	19394			4,275.00	
150-2120-421.79-10	04/06/2011	MISC SERVICES	SAMPLE	283027	10/2011	4,275.00	
04/08/2011 743319		EBMS	20398			65,319.06	
627-1752-417.35-12	03/29/2011		ADMIN FEES		10/2011	16,465.50	
627-1752-417.35-15	03/29/2011		SPECIFIC PREM		10/2011	35,016.96	
627-1752-417.51-61	03/29/2011		CARE LINK FEE		10/2011	7,124.85	
627-1752-417.35-11	03/29/2011		FLEX ADMIN FEE		10/2011	2,095.00	
627-1752-417.35-15	03/29/2011		PRO FEE		10/2011	3,395.00	
627-1752-417.35-13	03/29/2011		SCRIPTS		10/2011	1,221.75	
04/08/2011 743323		EMPIRE LATH & PLASTER INC.	1185			4,500.00	
561-7112-711.24-50	04/04/2011	INVOICE #IVC022986	IVC022986	F12577	10/2011	4,500.00	
04/08/2011 743343		GALLES FILTER SERVICE	1397			3,663.48	
571-7144-713.23-20	02/08/2011	MP	221488	280496	08/2011	21.20	
541-3122-435.23-20	03/02/2011	MP	222763	280496	09/2011	7.32	
601-0000-141.00-00	03/05/2011	MP	222840		09/2011	493.79	
502-0000-141.00-00	03/10/2011	WATER PARTS AND SUPPLIES	223412		09/2011	11.28	
601-0000-141.00-00	03/16/2011	FILTER/ MP	222994		09/2011	188.02	
601-0000-141.00-00	03/16/2011	GALLES	223366		09/2011	9.93	
601-0000-141.00-00	03/16/2011	GALLES	223469		09/2011	276.56	
601-0000-141.71-41	03/18/2011	GALLES	222990		09/2011	61.44	
601-0000-141.00-00	03/18/2011	GALLES FILTER	223292		09/2011	243.22	
601-0000-141.00-00	03/18/2011	GALLES FILTER	223741		09/2011	330.36	
571-7144-713.23-20	03/18/2011	MP	223027	280496	09/2011	21.20	
211-3132-433.23-20	03/18/2011	MP	223184	280496	09/2011	12.75	
571-7144-713.23-20	03/18/2011	MP	223275	280496	09/2011	77.20	
211-3132-433.23-20	03/18/2011	MP	223279	280496	09/2011	108.02	
601-0000-141.00-00	03/22/2011	MP	223741-D		09/2011	126.06-	
601-0000-141.00-00	03/22/2011	MP	223741-MP		09/2011	126.06	
601-0000-141.71-41	03/22/2011	MP	223941		09/2011	33.66	
601-0000-141.00-00	03/23/2011	MP	223938		09/2011	506.75	
601-0000-141.00-00	03/23/2011	MP	224208		09/2011	362.56	
650-1566-487.23-20	03/23/2011	MP	223868	280496	09/2011	17.85	
211-3134-433.23-20	03/23/2011	MP	224038	280496	09/2011	17.36	
211-3132-433.23-20	03/23/2011	MP	224208	280496	09/2011	9.98	
211-3140-433.23-20	03/23/2011	MP	224208	280496	09/2011	12.38	
601-0000-141.00-00	03/29/2011	MP	224387		09/2011	302.04	
512-8400-623.24-50	03/29/2011	NONSTOCKING ITEMS-P.U.D.	224527	280496	09/2011	10.18	
601-0000-141.00-00	03/30/2011	MP	224707		09/2011	311.36	
211-3134-433.23-20	03/30/2011	MP	224707	280496	09/2011	8.32	
211-3134-433.23-20	03/31/2011	MP	224683	280496	09/2011	8.32	
211-3132-433.23-20	03/31/2011	MP	224739	280496	09/2011	13.32	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
211-3131-433.23-20	03/31/2011	MP	224766	280496 09/2011 96.64
211-3140-433.23-20	04/05/2011	MP	224669	282812 10/2011 54.49
571-7144-713.23-20	04/06/2011	MP	224188-B	280496 10/2011 21.20-
571-7144-713.23-20	04/06/2011	MP	280496	280496 10/2011 57.18
04/08/2011 743345	GILLIG CORPORATION	18154		6,462.12
601-0000-141.71-41	03/31/2011	MP	4702462	09/2011 1,477.44
601-0000-141.71-41	03/31/2011	MP	4702918	09/2011 101.10
601-0000-141.71-41	04/05/2011	MP	4702919	10/2011 762.45
601-0000-141.71-41	04/05/2011	MP	4705369	10/2011 3,077.82
571-7144-713.23-20	04/05/2011	MP	4702919	283004 10/2011 256.58
571-7144-713.23-20	04/05/2011	MP	4705369	283004 10/2011 22.30
571-7144-713.23-20	04/05/2011	MP	4705369	283004 10/2011 78.18
601-0000-141.71-41	04/06/2011	MP	4705733	10/2011 634.72
601-0000-141.71-41	04/06/2011	MP	4707619	10/2011 51.53
04/08/2011 743348	GREAT WEST ENGINEERING	18016		10,097.41
544-3123-435.93-90	04/06/2011	WO0827 LANDFILL PHS 4	21	263194 10/2011 10,097.41
04/08/2011 743353	HDR INC	1544		6,474.63
502-7211-601.35-40	04/06/2011	INTEGRATED WATER PLAN	13/280371-H	270373 10/2011 1,974.53
512-8211-621.35-40	04/06/2011	INTEGRATED WATER PLAN	13/280371-H	270373 10/2011 1,692.46
840-3184-431.35-90	04/06/2011	INTEGRATED WATER PLAN	13/280371-H	270373 10/2011 1,974.53
512-8211-621.35-40	04/06/2011	WWTP MPDES PERMIT ASSIST	1/280368-H	283011 10/2011 833.11
04/08/2011 743359	IAFF	20196		4,267.35
900-0000-209.99-20	04/08/2011	PAYROLL SUMMARY	20110408	10/2011 4,267.35
04/08/2011 743360	IBM CORPORATION	17251		11,747.60
10-1414-414.94-80	04/05/2011	MISC SERVICES	6899965	282064 10/2011 11,747.60
04/08/2011 743367	INGRAM BOOK COMPANY	1820		3,390.62
260-5519-455.32-23	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57556916	282946 10/2011 21.97
260-5519-455.32-41	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57556917	282946 10/2011 26.03
260-5519-455.32-42	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57556917	282946 10/2011 35.71
260-5519-455.33-33	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57600836	282946 10/2011 24.14
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57600837	282946 10/2011 54.33
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57600838	282946 10/2011 48.64
260-5519-455.32-55	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57600839	282946 10/2011 5.99
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57600840	282946 10/2011 224.18
260-5519-455.32-27	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57600840	282946 10/2011 35.98
260-5519-455.79-30	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57600840	282946 10/2011 352.23
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57600841	282946 10/2011 26.54
260-5519-455.32-41	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57600841	282946 10/2011 5.98
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57600842	282946 10/2011 14.16
260-5519-455.32-42	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57643907	282946 10/2011 10.99
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57643909	282946 10/2011 26.71
260-5519-455.79-30	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57643909	282946 10/2011 117.76
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57758500	282946 10/2011 30.03
260-5519-455.32-27	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57758501	282946 10/2011 11.99

PROGRAM: GM350L

MINIMUM AMOUNT: 2,500.00

CITY OF BILLINGS

FROM 04/08/2011 TO 04/08/2011

BANK CODE

00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57758502	282946 10/2011 53.85
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57758503	282946 10/2011 41.49
260-5519-455.32-42	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57758504	282946 10/2011 92.47
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57758505	282946 10/2011 33.27
260-5519-455.32-55	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57758505	282946 10/2011 10.02
260-5519-455.32-27	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57758506	282946 10/2011 17.99
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57758507	282946 10/2011 44.60
260-5519-455.79-30	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57758507	282946 10/2011 16.51
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57758508	282946 10/2011 204.27
260-5519-455.32-41	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57758508	282946 10/2011 8.23
260-5519-455.32-55	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57758508	282946 10/2011 137.56
260-5519-455.79-30	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57758508	282946 10/2011 138.73
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57758509	282946 10/2011 44.81
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57758510	282946 10/2011 8.39
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57780457	282946 10/2011 25.95
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57780458	282946 10/2011 8.99
260-5519-455.32-27	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57780459	282946 10/2011 44.32
260-5519-455.32-55	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57780459	282946 10/2011 4.79
260-5519-455.32-42	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57787498	282946 10/2011 71.42
260-5519-455.32-42	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57787499	282946 10/2011 71.42
260-5519-455.79-30	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57787499	282946 10/2011 19.24
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57787500	282946 10/2011 51.99
260-5519-455.32-55	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57787500	282946 10/2011 4.77
260-5519-455.79-30	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57787500	282946 10/2011 15.00
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57787501	282946 10/2011 14.75
260-5519-455.33-33	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57787502	282946 10/2011 10.15
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57801961	282946 10/2011 8.37
260-5519-455.79-30	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57801962	282946 10/2011 19.74
260-5519-455.32-27	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57801963	282946 10/2011 45.53
260-5519-455.32-23	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885280	282946 10/2011 20.34
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885280	282946 10/2011 15.34
260-5519-455.32-27	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885280	282946 10/2011 49.24
260-5519-455.32-41	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885280	282946 10/2011 10.61
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885281	282946 10/2011 18.58
260-5519-455.32-55	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885281	282946 10/2011 10.61
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885282	282946 10/2011 15.93
260-5519-455.32-27	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885282	282946 10/2011 14.74
260-5519-455.33-33	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885283	282946 10/2011 24.23
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885284	282946 10/2011 53.19
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885285	282946 10/2011 193.29
260-5519-455.32-42	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885286	282946 10/2011 90.16
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885287	282946 10/2011 24.30
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885288	282946 10/2011 28.15
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885289	282946 10/2011 53.90
260-5519-455.32-23	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885290	282946 10/2011 65.93
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885290	282946 10/2011 263.33
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885291	282946 10/2011 87.80
260-5519-455.32-26	04/04/2011	PUBLICATIONS/AUDIOVISUAL	57885292	282946 10/2011 8.97
04/08/2011 743416	MONTANA MUNICIPAL INTERLOCAL	20725		76,854.37
630-1753-485.73-11	04/05/2011	MISC SERVICES	311007	282998 10/2011 76,854.37

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
04/08/2011	743419	MONTANA STATE FIREMAN'S ASSOC	20195				2,748.87
900-0000-209.99-24	04/08/2011	PAYROLL SUMMARY	20110408		10/2011		2,748.87
04/08/2011	743422	MORRISON MAIERLE INC	2572				21,699.90
561-7110-711.35-40	04/04/2011	MISC SERVICES	110310	282108	10/2011		21,699.90
04/08/2011	743426	MPPA	20198				2,505.73
900-0000-209.99-23	04/08/2011	PAYROLL SUMMARY	20110408		10/2011		2,505.73
04/08/2011	743440	NORTHWEST PIPE FITTINGS	2758				74,935.38
502-7312-602.23-80	03/02/2011	NONSTOCKING ITEMS-P.U.D.	1692046	280499	09/2011		48.88
502-0000-141.00-00	03/04/2011	SYSTEMS	1689601		09/2011		527.25
502-0000-141.00-00	03/04/2011	WATER PARTS AND SUPPLIES	1692711		09/2011		10,180.00
502-7400-603.24-50	03/04/2011	NONSTOCKING ITEMS-P.U.D.	1692081	280499	09/2011		19.00
502-7400-603.24-50	03/04/2011	NONSTOCKING ITEMS-P.U.D.	1692294	280499	09/2011		58.20
512-8500-625.23-80	03/04/2011	NONSTOCKING ITEMS-P.U.D.	1692837	280499	09/2011		270.05
502-7400-603.24-50	03/07/2011	NONSTOCKING ITEMS-P.U.D.	1678072	280499	09/2011		457.00
502-7400-603.24-50	03/07/2011	NONSTOCKING ITEMS-P.U.D.	1688057	280499	09/2011		285.00
502-7500-609.24-50	03/07/2011	NONSTOCKING ITEMS-P.U.D.	1693149	280499	09/2011		135.42
502-7400-603.24-50	03/08/2011	NONSTOCKING ITEMS-P.U.D.	1688315	280499	09/2011		204.12
512-8500-625.24-10	03/08/2011	NONSTOCKING ITEMS-P.U.D.	1695108	280499	09/2011		174.78
502-0000-141.00-00	03/09/2011	SYSTEMS	16868291		09/2011		84.55
502-7312-602.23-80	03/10/2011	NONSTOCKING ITEMS-P.U.D.	1675282	280499	09/2011		4,650.00
502-7400-603.24-50	03/11/2011	NONSTOCKING ITEMS-P.U.D.	1681974	280499	09/2011		333.21
502-7312-602.23-80	03/14/2011	NONSTOCKING ITEMS-P.U.D.	16920461	280499	09/2011		9.12
502-7400-603.24-50	03/14/2011	NONSTOCKING ITEMS-P.U.D.	1692866	280499	09/2011		1,008.13
502-7400-603.24-50	03/14/2011	NONSTOCKING ITEMS-P.U.D.	1697379	280499	09/2011		295.14
502-7400-603.24-50	03/14/2011	NONSTOCKING ITEMS-P.U.D.	1697701	280499	09/2011		50.04
502-0000-141.00-00	03/15/2011	SYSTEMS	16868292		09/2011		96.51
502-0000-141.00-00	03/15/2011	SYSTEMS	1693233		09/2011		728.00
502-0000-141.00-00	03/16/2011	WATER PARTS AND SUPPLIES	1698147		09/2011		10,180.00
512-8314-622.24-50	03/16/2011	NONSTOCKING ITEMS-P.U.D.	1699810	280499	09/2011		21.74
502-7400-603.24-50	03/18/2011	NONSTOCKING ITEMS-P.U.D.	1700175	280499	09/2011		130.20
512-8400-623.24-50	03/22/2011	NONSTOCKING ITEMS-P.U.D.	1699082	280499	09/2011		108.56
512-8500-625.21-20	03/23/2011	NONSTOCKING ITEMS-P.U.D.	1703103	280499	09/2011		87.90
512-8400-623.24-50	03/24/2011	NONSTOCKING ITEMS-P.U.D.	1702671	280499	09/2011		42.96
502-7400-603.24-50	03/25/2011	NONSTOCKING ITEMS-P.U.D.	1704801	280499	09/2011		219.26
502-0000-141.00-00	03/28/2011	WATER PARTS AND SUPPLIES	1694638		09/2011		4,266.50
512-8314-622.24-50	03/28/2011	NONSTOCKING ITEMS-P.U.D.	1401341	280499	09/2011		12.36
502-0000-141.00-00	03/29/2011	WATER PARTS AND SUPPLIES	1693947		09/2011		8,533.00
502-0000-141.00-00	03/29/2011	WATER PARTS AND SUPPLIES	1693903		09/2011		9,200.00
512-8400-623.24-50	03/29/2011	NONSTOCKING ITEMS-P.U.D.	1705031	280499	09/2011		334.70
512-8400-623.24-50	03/29/2011	NONSTOCKING ITEMS-P.U.D.	1705354	280499	09/2011		28.83
512-8400-623.24-50	03/29/2011	NONSTOCKING ITEMS-P.U.D.	1706769	280499	09/2011		33.60
502-7400-603.24-50	03/29/2011	NONSTOCKING ITEMS-P.U.D.	1707303	280499	09/2011		181.36
502-7500-609.42-20	03/29/2011	MISC SERVICES	1693221	282793	09/2011		6,699.72
502-7500-609.42-20	03/29/2011	MISC SERVICES	1693272	282793	09/2011		6,253.08
502-0000-141.00-00	03/30/2011	WATER PARTS AND SUPPLIES	1693579		09/2011		9,200.00
502-7400-603.24-50	03/31/2011	NONSTOCKING ITEMS-P.U.D.	1708023	280499	09/2011		61.60

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
502-7400-603.24-50	03/31/2011	NONSTOCKING ITEMS-P.U.D.	1708215	280499	09/2011	89.77	
512-8400-623.24-50	04/01/2011	NONSTOCKING ITEMS-P.U.D.	1708208B	280499	10/2011	32.46	
502-0000-141.00-00	04/06/2011	SYSTEMS	15306301A		10/2011	351.50-	
502-7400-603.24-50	04/06/2011	NONSTOCKING ITEMS-P.U.D.	1705031A3	280499	10/2011	45.12-	
04/08/2011	743446	NORTHWESTERN ENERGY	15771			141,532.23	
502-7400-603.34-10	03/29/2011	MISC SERVICES	01004852 MAR11	282775	09/2011	920.35	
512-8400-623.34-10	03/29/2011	MISC SERVICES	01005917 MAR11	282775	09/2011	46,314.15	
502-7314-602.34-10	03/29/2011	MISC SERVICES	01006063 MAR11	282775	09/2011	2,125.73	
502-7400-603.34-10	03/29/2011	MISC SERVICES	01006063 MAR11	282775	09/2011	53,143.27	
502-7400-603.34-10	03/29/2011	MISC SERVICES	01006063 MAR11	282775	09/2011	14,171.54	
512-8314-622.34-10	03/29/2011	MISC SERVICES	01006063 MAR11	282775	09/2011	1,417.15	
512-8500-625.34-10	03/29/2011	MISC SERVICES	17568932 MAR11	282775	09/2011	155.54	
502-7400-603.34-10	03/29/2011	MISC SERVICES	19059435 MAR11	282775	09/2011	18.44	
150-2221-422.34-10	03/30/2011	FIRE6:ELEC/MAR11/3140 KWH	0100477-9 11-03	276425	09/2011	376.26	
260-5512-455.34-10	04/04/2011	CUSTOMER ACCOUNT 0100467-	CUST 100467-0 1	F12572	10/2011	8,404.37	
502-7400-603.34-10	04/05/2011	MISC SERVICES	01004787 MAR11	282959	10/2011	518.18	
502-7400-603.34-10	04/05/2011	MISC SERVICES	01005404 MAR11	282959	10/2011	2,171.25	
502-7400-603.34-10	04/05/2011	MISC SERVICES	01005404 MAR11	282959	10/2011	2,171.26	
150-2221-422.34-10	04/07/2011	NW FIRE	07125321		10/2011	28.11	
561-7113-711.34-10	04/07/2011	NW AVIATION/TRAN	07125339		10/2011	102.73	
561-7113-711.34-10	04/07/2011	NW AVIATION/TRAN	07125347		10/2011	15.20	
561-7113-711.34-10	04/07/2011	NW AVIATION/TRAN	07125354		10/2011	218.94	
10-5141-436.34-10	04/07/2011	NW PARK/REC/PL	07125388		10/2011	195.42	
561-7113-711.34-10	04/07/2011	NW AVIATION/TRAN	07127913		10/2011	33.63	
561-7113-711.34-10	04/07/2011	NW AVIATION/TRAN	07127954		10/2011	38.98	
561-7113-711.34-10	04/07/2011	NW AVIATION/TRAN	07127970		10/2011	30.23	
561-7117-711.34-10	04/07/2011	NW AVIATION/TRAN	07128051		10/2011	9.02	
561-7113-711.34-10	04/07/2011	NW AVIATION/TRAN	07128135		10/2011	7.10	
561-7113-711.34-10	04/07/2011	NW AVIATION/TRAN	07195431		10/2011	2,165.83	
561-7113-711.34-10	04/07/2011	NW AVIATION/TRAN	07197593		10/2011	35.57	
561-7113-711.34-10	04/07/2011	NW AVIATION/TRAN	07197601		10/2011	31.19	
561-7113-711.34-10	04/07/2011	NW AVIATION/TRAN	07197619		10/2011	41.31	
561-7113-711.34-10	04/07/2011	NW AVIATION/TRAN	07197627		10/2011	36.93	
561-7113-711.34-10	04/07/2011	NW AVIATION/TRAN	07202963		10/2011	34.17	
10-5126-451.34-10	04/07/2011	NW PARK/REC/PL	07208416		10/2011	56.89	
502-7400-603.34-10	04/07/2011	NW PUD-WATER TREAT	07222490		10/2011	10.25	
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07222532		10/2011	7.10	
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07222565		10/2011	199.83	
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07222581		10/2011	9.06	
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07222599		10/2011	15.19	
502-7400-603.34-10	04/07/2011	NW PUD-WATER TREAT	07222706		10/2011	2,165.72	
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07222722	50%	60%	8.88	
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07222722	50%	40%	5.92	
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07222730		10/2011	139.23	
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07222748		10/2011	11.92	
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07222755		10/2011	99.28	
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07222771		10/2011	35.69	
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07222789		10/2011	29.55	
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07222797		10/2011	15.20	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07222805	10/2011 7.10
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07222813	10/2011 7.10
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07222839	10/2011 7.10
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07222847	10/2011 7.10
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07228083	10/2011 15.20
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07228521	10/2011 9.55
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07228620	10/2011 9.06
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07229016	10/2011 203.01
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07229768	10/2011 8.27
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07229958	10/2011 132.33
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07230055	10/2011 76.25
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07230253	10/2011 7.10
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07230469	10/2011 7.10
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07230493	10/2011 7.10
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07230535	10/2011 18.47
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07230642	10/2011 17.54
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07230659	10/2011 17.54
512-8500-625.34-10	04/07/2011	NW Parks	07233836	10/2011 187.50
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07233844	10/2011 7.10
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07233851	10/2011 8.72
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07233869	10/2011 8.72
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07233877	10/2011 8.72
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07233885	10/2011 8.72
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07233919	10/2011 4.26
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07233919	10/2011 2.84
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07233927	10/2011 8.72
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07233935	10/2011 7.85
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07233943	10/2011 7.10
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07233950	10/2011 7.10
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07233968	10/2011 7.10
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07233976	10/2011 7.10
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07233984	10/2011 7.10
512-8500-625.34-10	04/07/2011	NW PUD-WASTE WATER	07234040	10/2011 818.92
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07238355	10/2011 7.10
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07238363	10/2011 9.06
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07238405	10/2011 7.10
512-8500-625.34-10	04/07/2011	NW PUD-WASTE WATER	07238785	10/2011 332.88
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07238835	10/2011 7.65
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07238843	10/2011 68.17
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	07238850	10/2011 7.74
10-5112-452.34-10	04/07/2011	NW PARK/REC/PL	07238876	10/2011 17.55
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	08814550	10/2011 7.85
872-5198-452.34-10	04/07/2011	NW PARK/REC/PL	09718248	10/2011 7.95
10-5112-452.34-10	04/07/2011	PARKS	09789173	10/2011 7.10
10-5129-451.34-10	04/07/2011	NW FIRE	09998071	10/2011 7.21
10-5112-452.34-10	04/07/2011	NW Parks	11565272	10/2011 7.10
502-7400-603.34-10	04/07/2011	NW Pud	11608072	10/2011 15.94
150-2171-441.34-10	04/07/2011	NW	11834835	10/2011 1,307.83
10-5112-452.34-10	04/07/2011	NW	12422226	10/2011 7.52
10-5112-452.34-10	04/07/2011	NW	12488631	10/2011 60.48

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #			CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
872-5198-452.34-10	04/07/2011	NW	13127071		10/2011	7.83
502-7400-603.34-10	04/07/2011	NW	13466735		10/2011	5.10
872-5198-452.34-10	04/07/2011	NW	15138001		10/2011	19.20
872-5198-452.34-10	04/07/2011	NW	15138027		10/2011	38.01
872-5198-452.34-10	04/07/2011	NW	15138043		10/2011	14.87
872-5198-452.34-10	04/07/2011	NW	15143886		10/2011	8.06
872-5198-452.34-10	04/07/2011	PARKS	15642093		10/2011	7.74
521-1524-493.34-10	04/07/2011	PARKING-LINC CEN LOT POLE	15696313		10/2011	45.07
10-5112-452.34-10	04/07/2011	SOUTH PARK CONCESSION	15882624		10/2011	7.42
10-5112-452.34-10	04/07/2011	PARKS 1	16926669		10/2011	7.72
512-8500-625.34-10	04/07/2011	SEWER LIFTSTATION C	17040254		10/2011	13.92
512-8500-625.34-10	04/07/2011	WWTP	17040304		10/2011	28.53
211-3132-433.34-10	04/07/2011	STREETS/TRAFFIC	17389891		10/2011	24.38
211-3132-433.34-10	04/07/2011	STREETS/TRAFFIC	17978289		10/2011	5.00
502-7400-603.34-10	04/07/2011	2421 BELKNAP AVE	18672659		10/2011	7.10
04/08/2011	743452	ONE EIGHTY COMMUNICATIONS	15590			5,311.60
561-7110-711.34-50	04/06/2011	ONE EIGHTY APRIL 2011	AIRPORT 2948370		10/2011	40.60
606-1931-484.34-50	04/06/2011	ONE EIGHTY APRIL 2011	ACCT 00018768		10/2011	542.87
606-1931-484.34-50	04/06/2011	ONE EIGHTY APRIL 2011	ACCT 00001906		10/2011	3,519.26
10-5112-452.34-50	04/06/2011	ONE EIGHTY APRIL 2011	867-7275		10/2011	46.00
670-3141-489.34-50	04/06/2011	ONE EIGHTY APRIL 2011	DEPOT 60%		10/2011	489.86
660-3110-431.34-50	04/06/2011	ONE EIGHTY APRIL 2011	DEPOT 40%		10/2011	326.56
260-5518-455.35-90	04/06/2011	ONE EIGHTY APRIL 2011	INTERNET LIB		10/2011	259.00
620-1911-482.34-52	04/06/2011	ONE EIGHTY APRIL 2011	IT INTERNET		10/2011	79.95
150-2225-422.34-50	04/06/2011	ONE EIGHTY APRIL 2011	LONG DISTANCE		10/2011	7.50
04/08/2011	743453	PACIFIC STEEL	2860			2,942.89
541-3123-435.42-70	04/04/2011	STEEL FOR ROLL OFFS	434375	282617	10/2011	2,910.00
502-7400-603.24-50	04/05/2011	MISC SERVICES	434370	282970	10/2011	16.31
150-2226-422.23-20	04/05/2011	MP	434637	283002	10/2011	16.58
04/08/2011	743466	PUBLIC UTILITIES	5022			3,575.94
541-0000-115.01-00	04/06/2011	WINGFOOT-water acct pymnt	CIS ACCT#14799		09/2011	22.32
561-7110-711.34-20	04/07/2011	1901 AIRPORT TERM CIR	68407759		10/2011	3,515.67
512-8500-625.34-20	04/07/2011	2229 BLUE CREEK RD	13670319854		10/2011	9.49
266-6773-465.72-91	04/07/2011	1128 LYNN AVENUE	97315-11377600	283043	10/2011	28.46
04/08/2011	743488	SHEPHERD STAINLESS INC	8021			2,950.00
561-7112-711.24-50	04/04/2011	INVOICE #20177	20177	F12575	10/2011	2,950.00
04/08/2011	743494	SIMPLEXGRINNELL	17250			3,640.00
260-5512-455.36-70	04/04/2011	MISC SERVICES	66427859	281695	10/2011	3,640.00
04/08/2011	743495	SKYCON INC	19639			4,905.00
561-7112-711.36-60	04/04/2011	INVOICE #346	346	F12566	10/2011	4,905.00
04/08/2011	743498	SPENCER INDUSTRIES	15928			2,733.16
211-3140-433.23-20	03/29/2011	MP	2349845-00	282841	09/2011	2,733.16
04/08/2011	743505	SUNSET EXCAVATION	11477			8,266.50
505-7515-609.36-71	04/05/2011	MISC SERVICES	904748	282990	10/2011	8,266.50

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
04/08/2011	743509	TIRE-RAMA	1864			15,419.45	
150-2229-422.24-90	03/10/2011	ABSORBANT/FIRE STATIONS	1551-134125 HAZ	280501	09/2011	224.50	
541-3122-435.23-90	03/16/2011	SW STOCK TIRES	1050175358	280501	09/2011	4,352.00	
541-3122-435.23-90	03/16/2011	STOCK TIRES SW	1050175359	280501	09/2011	4,352.00	
541-3122-435.23-90	03/16/2011	SW STOCK TIRES	1050175360	280501	09/2011	4,352.00	
211-3140-433.23-90	03/17/2011	MP	1050-175304	280501	09/2011	30.00	
211-3133-433.23-90	03/24/2011	MP	1050-175843	280501	09/2011	111.20	
541-3122-435.23-90	03/28/2011	TIRE REPAIRS	1050175731	280501	09/2011	994.25	
211-3130-433.23-90	03/29/2011	MP	1050-175915	280501	09/2011	1,228.00	
211-3132-433.23-90	03/30/2011	TIRES AND TUBES	1050175915	280501	09/2011	1,228.00	
211-3130-433.23-90	04/04/2011	TIRES AND TUBES	1050175915	280501	10/2011	1,228.00-	
150-2229-422.24-90	03/10/2011	RECEIPT/CORRECTION	1551-134125 CR	280501	09/2011	224.50-	
04/08/2011	743511	TNT SPRINGS INC	3803			3,005.80	
601-0000-141.00-00	04/04/2011	MP	97844		10/2011	91.00	
150-2226-422.23-20	04/06/2011	MP	97696	283022	10/2011	2,672.00	
150-2226-422.23-20	04/06/2011	MP	97758	283022	10/2011	242.80	
04/08/2011	743512	TOWN & COUNTRY SUPPLY ASSOCIAT	18295			132,356.67	
601-0000-141.00-00	01/26/2011	MP	80291		07/2011	7,557.00	
601-1553-481.26-50	01/26/2011	MP	80291	281242	07/2011	1.16	
601-0000-141.00-00	01/31/2011	MP	80771		07/2011	12,135.00	
601-1553-481.26-50	01/31/2011	MP	80771	281366	07/2011	1.76	
601-0000-141.00-00	03/05/2011	MP	81410		09/2011	27,510.84	
601-1553-481.26-50	03/05/2011	MP	81410	282211	09/2011	3.38	
601-0000-141.00-00	03/29/2011	MP	75768		09/2011	12,862.80	
601-0000-141.00-00	03/29/2011	MP	75781		09/2011	23,450.00	
601-0000-141.71-41	03/30/2011	MP	81469		09/2011	23,364.60	
601-0000-141.00-00	03/31/2011	MP	75805		09/2011	13,354.80	
561-7118-711.23-13	04/04/2011	INVOICE #75798	75798	F12568	10/2011	12,115.33	
04/08/2011	743513	TRACTOR & EQUIPMENT	3775			43,008.79	
541-3123-435.23-20	04/01/2011	MISC PARTS	BLCSO483204	282615	10/2011	168.67	
541-3123-435.23-20	04/05/2011	STEPS AND HARDWARE	BLCSO483421	282621	10/2011	1,800.26	
601-0000-141.00-00	04/06/2011	MP	5048868		10/2011	4,715.00	
541-3123-435.23-20	04/06/2011	MP	BLW00122142	283032	10/2011	24,090.30	
541-3123-435.23-20	04/06/2011	MP	BLW00122185	283033	10/2011	11,311.72	
541-3122-435.23-20	04/07/2011	MP	BLW00122301	283082	10/2011	922.84	
04/08/2011	743522	WEISS ELECTRICAL SERVICE	3999			3,280.00	
150-2226-422.24-50	04/05/2011	FIRE4:REPL'D BAY LIGHTS	6618 FIRE4 BAY	282430	10/2011	3,280.00	
04/08/2011	743528	YELLOWSTONE ELECTRIC CO	4162			4,881.00	
561-7112-711.24-50	04/04/2011	INVOICE #16599	16599	F12578	10/2011	4,881.00	

DATE RANGE TOTAL * 1,095,175.15 *

Regular City Council Meeting

Date: 05/09/2011

TITLE: Payment of Claims April 15, 2011.

PRESENTED BY: Pat M. Weber, Financial Services Manager

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$622,716.13 have been audited and are presented for your approval for payment. A complete listing of the claims dated April 15, 2011, is available in the Finance Department.

ALTERNATIVES ANALYZED

The Council may:

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

FINANCIAL IMPACT

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

RECOMMENDATION

Staff recommends that Council approve Payment of Claims.

APPROVED BY CITY ADMINISTRATOR

Attachments

List of claims greater than \$2500.

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
04/15/2011	743532	A & I DISTRIBUTORS	16				13,060.33
601-0000-141.00-00	03/18/2011	MP	2017944		09/2011		2,904.80
601-0000-141.00-00	03/18/2011	MP	2021217		09/2011		2,749.67
150-2112-421.23-20	03/18/2011	MP	2017944	280492	09/2011		56.93
541-3122-435.23-20	03/18/2011	MP	2017944	280492	09/2011		28.32
601-1553-481.26-50	03/18/2011	MP	2021217	280492	09/2011		.33
561-7113-711.23-10	03/22/2011	NONSTOCKING ITEMS-P.U.D.	2019819	280492	09/2011		535.65
601-0000-141.71-41	03/24/2011	MP	2023016		09/2011		130.90
571-7144-713.23-10	03/24/2011	MP	2023016	280492	09/2011		566.50
571-7144-713.23-20	03/24/2011	MP	2023016	280492	09/2011		.21
601-0000-141.00-00	04/07/2011	MP	2023723		10/2011		2,291.63
601-0000-141.00-00	04/07/2011	MP	2027074		10/2011		566.50
601-0000-141.00-00	04/07/2011	MP	2027074		10/2011		2,158.79
601-1553-481.26-50	04/07/2011	MP	2023723	282808	10/2011		.22
150-2112-421.23-20	04/07/2011	MP	2027074	282808	10/2011		21.24
211-3130-433.23-20	04/07/2011	MP	2027074	282808	10/2011		21.24
541-3122-435.23-20	04/07/2011	MP	2027074	282808	10/2011		42.47
601-1553-481.26-50	04/07/2011	MP	2027074	282808	10/2011		.99
541-3122-435.23-20	04/07/2011	MP	2027075	282808	10/2011		278.25
561-7113-711.23-10	04/13/2011	NONSTOCKING ITEMS-P.U.D.	2027634	282808	10/2011		707.67
04/15/2011	743540	ALPINE PRODUCTS INC	12662				8,943.98
211-3132-433.47-10	04/13/2011	ROAD AND HIGHWAY MATERIAL	TM-114596	283196	10/2011		4,471.99
211-3132-433.47-10	04/13/2011	ROAD AND HIGHWAY MATERIAL	TM-114707	283196	10/2011		4,471.99
04/15/2011	743542	AMERICAN TITLE & ESCROW	159				8,000.00
275-6721-463.72-75	04/12/2011	RAMBIN, JOE 212 NORMANDY	RAMBIN, JOSEPH	283204	10/2011		8,000.00
04/15/2011	743546	ASPEN PRACTICE P.C.	19297				3,173.00
150-2113-421.35-10	04/14/2011	MISC SERVICES	SERVICES	283244	10/2011		3,173.00
04/15/2011	743553	BILLINGS COMMUNITY CABLE	413				25,300.00
10-1411-414.72-66	04/06/2011	MISC SERVICES	04052011	283046	10/2011		25,000.00
10-1411-414.72-65	04/06/2011	MISC SERVICES	04062011	283046	10/2011		300.00
04/15/2011	743555	BILLINGS DEPOT INC	11948				45,500.00
723-6595-465.59-30	04/14/2011	MISC SERVICES	RLDEP3	283268	10/2011		45,500.00
04/15/2011	743559	BILLINGS POLICE PROTECTIVE ASS	437				2,728.00
650-1566-487.36-60	04/13/2011	MISC SERVICES	040611	283222	10/2011		2,661.00
150-2112-421.22-61	04/13/2011	OFFICER BADGE FOR ANGLIN	BADGE ANGLIN 11	F12640	10/2011		67.00
04/15/2011	743566	CAPITAL ENTERPRISE &	7301				4,947.99
211-3132-433.24-30	04/13/2011	MISC SERVICES	2009170	282890	10/2011		4,947.99
04/15/2011	743570	CENTRAL SHEET METAL	4637				5,200.00
502-7314-602.24-50	04/14/2011	NONSTOCKING ITEMS-P.U.D.	13111	277312	10/2011		3,200.08
512-8314-622.24-50	04/14/2011	NONSTOCKING ITEMS-P.U.D.	13111	277312	10/2011		1,999.92
04/15/2011	743571	CHICAGO TITLE INSURANCE CO	754				10,000.00
275-6721-463.72-75	04/12/2011	RAMBIN, JOE 212 NORMANDY	RAMBIN, JOSEPH	283203	10/2011		10,000.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
04/15/2011	743578	CSG SYSTEMS INC	20870			13,541.46	
502-7311-602.31-10	04/12/2011	MISC SERVICES	71495	283181	10/2011	5,228.12	
502-7311-602.31-11	04/12/2011	MISC SERVICES	71495	283181	10/2011	1,872.09	
512-8311-622.31-10	04/12/2011	MISC SERVICES	71495	283181	10/2011	3,485.02	
512-8311-622.31-11	04/12/2011	MISC SERVICES	71495	283181	10/2011	1,248.45	
541-3123-435.35-90	04/12/2011	MISC SERVICES	71768	283181	10/2011	1,707.78	
04/15/2011	743582	DEPT OF JUSTICE DCI	17163			7,621.94	
252-2187-421.12-20	04/08/2011	JAN-MAR OT REIMB ICAC REC	JAN-MAR OT REIM	283116	10/2011	7,621.94	
04/15/2011	743583	DEPT OF NATURAL RESOURCES	11112			20,000.00	
561-7110-711.53-20	04/13/2011	INVOICE #SULS1101251/AGRE	SULS1101251	F12627	10/2011	20,000.00	
04/15/2011	743589	EASTER SEALS-GOODWILL NORTHERN	20475			3,053.90	
296-6691-463.72-75	04/12/2011	FY 2010-13 #3	#3	283205	10/2011	3,053.90	
04/15/2011	743592	ED BARTLETT LLC	20308			5,900.00	
10-1411-414.39-50	04/05/2011	MISC SERVICES	234	282997	10/2011	5,900.00	
04/15/2011	743597	ENVIRONMENTAL RESOURCE ASSOC	1202			2,813.72	
502-7400-603.22-20	04/12/2011	MISC SERVICES	612382	282939	10/2011	2,344.57	
502-7400-603.22-20	04/12/2011	MISC SERVICES	614639	282939	10/2011	469.15	
04/15/2011	743598	EXPERT TIRE	20388			6,467.20	
150-2112-421.23-90	04/07/2011	MP	75653	283085	10/2011	6,427.20	
150-2112-421.23-20	04/11/2011	MP	75907	283165	10/2011	40.00	
04/15/2011	743601	FERNICO INC	21564			10,600.00	
251-2187-421.35-60	03/21/2011	MISC SERVICES	1982	281998	10/2011	10,600.00	
04/15/2011	743602	FREMONT MOTOR POWELL LLC	21000			51,954.10	
601-1550-481.94-40	04/14/2011	MP	208963	278366	10/2011	51,954.10	
04/15/2011	743607	GENERAL ELECTRIC CAPITAL CORP	19598			9,370.42	
150-2150-421.61-00	04/14/2011	MISC SERVICES	INVOICES	283250	10/2011	9,085.76	
150-2150-421.62-00	04/14/2011	MISC SERVICES	INVOICES	283250	10/2011	284.66	
04/15/2011	743612	GRAPHIC-IMPRINTS	17779			3,442.20	
10-5125-451.22-50	04/14/2011	SUMMER CAMP T SHIRTS	N12485	283139	10/2011	2,000.00	
10-5126-451.22-90	04/14/2011	SUMMER CAMP T SHIRTS	N12485	283139	10/2011	1,442.20	
04/15/2011	743614	GUARDIAN SECURITY INC	12486			6,382.50	
260-5512-455.35-74	04/11/2011	INVOICE 995450 PARMLY BLG	995450	F12617	10/2011	6,382.50	
04/15/2011	743615	HANSERS AUTOMOTIVE	1588			5,605.00	
199-1513-466.35-90	04/12/2011	MISC SERVICES	INC FEES	283211	10/2011	5,605.00	
04/15/2011	743617	HDR INC	1544			7,135.76	
845-3186-431.93-10	04/13/2011	WO1023 ZIMM/RIMROCK/HWY3	9	276513	10/2011	7,135.76	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
04/15/2011	743634	KOIS BROTHERS EQUIPMENT CO	6452			5,715.52	
601-0000-141.00-00	02/08/2011	MP	2008539		08/2011	1,928.00	
601-0000-141.00-00	02/08/2011	MP	2008539		08/2011	72.46	
150-2112-421.23-20	02/08/2011	MP	2008539	280497	08/2011	28.32	
211-3130-433.23-20	02/08/2011	MP	2008539	280497	08/2011	28.32	
541-3122-435.23-20	02/08/2011	MP	2008539	280497	08/2011	99.95	
601-1553-481.26-50	02/08/2011	MP	2008539	280497	08/2011	.39	
211-3130-433.23-20	03/03/2011	MP	89352	280497	09/2011	400.29	
541-3122-435.23-20	03/21/2011	MP	89348	280497	09/2011	784.44	
601-0000-141.00-00	03/23/2011	MP	89582		09/2011	181.44	
541-3122-435.23-20	03/29/2011	MP	89525	280497	09/2011	190.68	
541-3122-435.23-20	03/29/2011	MP	89525	280497	09/2011	10.38	
502-7500-609.23-20	03/29/2011	NONSTOCKING ITEMS-P.U.D.	89277	282686	09/2011	185.56	
512-8500-625.23-20	03/29/2011	NONSTOCKING ITEMS-P.U.D.	89277	282686	09/2011	185.56	
211-3134-433.23-20	04/04/2011	MP	89558	280497	10/2011	587.75	
601-0000-141.00-00	04/12/2011	MP	2008539-B		10/2011	1,928.00-	
601-0000-141.00-00	04/12/2011	MP	2008539-B		10/2011	72.46-	
150-2112-421.23-20	04/12/2011	MP	2008539-B	280497	10/2011	28.32-	
211-3130-433.23-20	04/12/2011	MP	2008539-B	280497	10/2011	28.32-	
541-3122-435.23-20	04/12/2011	MP	2008539-B	280497	10/2011	99.95-	
601-1553-481.26-50	04/12/2011	MP	2008539-B	280497	10/2011	.39-	
502-7312-602.23-20	04/13/2011	NONSTOCKING ITEMS-P.U.D.	30750	283229	10/2011	905.83	
541-3122-435.23-20	04/14/2011	MP	89333	280497	10/2011	2,283.59	
04/15/2011	743637	LANGLAS & ASSOCIATES INC	7004			44,668.80	
563-7122-711.92-90	04/13/2011	MISC SERVICES	3480	282103	10/2011	44,668.80	
04/15/2011	743657	MONTANA RAIL LINK INC	13520			4,012.63	
203-1513-466.35-47	04/12/2011	ANNUAL MAINT-QUIET ZONE	ACCT 696992	283212	10/2011	4,012.63	
04/15/2011	743664	NEW WORLD SYSTEMS	8477			24,050.00	
150-2150-421.35-53	04/14/2011	MISC SERVICES	INVOICE	283249	10/2011	24,050.00	
04/15/2011	743667	NORTHWESTERN ENERGY	15771			4,429.80	
571-7143-713.34-10	04/08/2011	ACCOUNT# 0100473-8	4012011	F12614	10/2011	3,247.88	
512-8500-625.34-10	04/12/2011	MISC SERVICES	11759727 APR11	283173	10/2011	176.56	
571-7143-713.34-10	04/14/2011	NW AVIATION/TRAN	07192255		10/2011	443.24	
150-2221-422.34-10	04/14/2011	NW FIRE	07208176		10/2011	209.77	
10-5112-452.34-10	04/14/2011	NW PARK/REC/PL	08134892		10/2011	11.89	
502-7400-603.34-10	04/14/2011	NW Parks	11422532		10/2011	171.62	
10-5112-452.34-10	04/14/2011	NW	11914041		10/2011	52.32	
10-5112-452.34-10	04/14/2011	PARKS & REC	18494088		10/2011	56.77	
10-5112-452.34-10	04/14/2011	PARKS & REC	19049444		10/2011	56.79	
10-5112-452.34-10	04/14/2011	SKATEPARK RSTRM	19412436		10/2011	2.96	
04/15/2011	743695	RULE STEEL	13765			58,572.00	
541-3123-435.42-70	04/05/2011	6-40YD ROLLOFF TANKS-FILL	005780-IN	280636	10/2011	44,190.00	
541-3122-435.42-70	04/05/2011	6 & 8 YARD FRONTLOAD TANK	0005779-IN	280648	10/2011	14,382.00	
04/15/2011	743697	SANDERSON STEWART	20446			4,685.96	
205-3131-433.35-90	04/13/2011	WO1013 SAFE RTE TO SCHOOL	4/32297	279883	10/2011	4,685.96	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
04/15/2011	743713	ST VINCENT OCCUPATIONAL HEALTH	3535				2,961.25
10-1750-417.35-72	04/08/2011	MISC SERVICES	25351	283091	10/2011	1,420.00	
150-2229-422.35-10	04/08/2011	MISC SERVICES	25351	283091	10/2011	142.50	
512-8400-623.35-10	04/08/2011	MISC SERVICES	25351	283091	10/2011	78.75	
541-3121-435.35-10	04/08/2011	MISC SERVICES	25351	283091	10/2011	140.00	
561-7110-711.35-90	04/08/2011	MISC SERVICES	25351	283091	10/2011	40.00	
561-7113-711.35-10	04/08/2011	MISC SERVICES	25351	283091	10/2011	280.00	
571-7142-713.35-10	04/08/2011	MISC SERVICES	25351	283091	10/2011	320.00	
601-1553-481.35-10	04/08/2011	MISC SERVICES	25351	283091	10/2011	70.00	
627-1752-417.51-60	04/08/2011	MISC SERVICES	25351	283091	10/2011	470.00	
04/15/2011	743714	STAR SERVICE INC	3553			69,533.05	
416-7493-603.92-20	04/14/2011	W00426 ZONE 4 RESERVOIR	18	267993	10/2011	69,533.05	
04/15/2011	743727	TITAN MACHINERY INC	20569			5,106.00	
211-3140-433.23-20	04/11/2011	MP	1C07391	283148	10/2011	4,908.95	
211-3133-433.23-20	04/14/2011	MP	283271	283271	10/2011	147.25	
211-3133-433.23-20	04/14/2011	MP	283271	283271	10/2011	49.80	
04/15/2011	743728	TOWN & COUNTRY SUPPLY ASSOCIAT	18295			19,000.35	
601-0000-141.71-41	04/12/2011	MP	74926		10/2011	6,751.40	
561-7118-711.23-13	04/12/2011	INVOICE #77536	77536	F12621	10/2011	12,248.95	
04/15/2011	743730	TRACTOR & EQUIPMENT	3775			7,923.87	
541-3123-435.23-20	04/07/2011	MP	BLW00122299	283086	10/2011	6,982.29	
211-3140-433.23-20	04/08/2011	MP	SGCS0075378	283094	10/2011	61.50	
541-3123-435.23-20	04/12/2011	CAP AND BLADES	BLCS0483883	282624	10/2011	625.81	
502-7500-609.23-20	04/12/2011	MP	BLCS0483203	283188	10/2011	254.27	
04/15/2011	743736	VERMEER ROCKY MOUNTAIN INC.	17710			2,608.30	
502-7500-609.23-20	04/11/2011	NONSTOCKING ITEMS-P.U.D.	8120	283125	10/2011	2,608.30	
04/15/2011	743742	WINGFOOT COMMERCIAL TIRE	15322			5,408.97	
211-3140-433.23-90	03/20/2011	MP	176-1031525	280503	09/2011	171.13	
211-3130-433.23-90	03/24/2011	MP	176-1031544	280503	09/2011	856.76	
150-2112-421.23-90	03/24/2011	MP	176-1031554	280503	09/2011	113.50	
211-3140-433.23-90	03/29/2011	MP	176-1031513	280503	09/2011	47.22	
211-3140-433.23-90	03/29/2011	MP	176-1031517	280503	09/2011	48.22	
211-3140-433.23-90	03/29/2011	MP	176-1031536	280503	09/2011	44.92	
211-3140-433.23-90	03/29/2011	MP	176-1031563	280503	09/2011	47.22	
211-3132-433.23-90	03/30/2011	TIRES AND TUBES	176-1031556	280503	09/2011	4,100.38	
211-3132-433.23-90	04/07/2011	MISC SERVICES	176-1031556/1	280503	10/2011	20.38-	
04/15/2011	743745	YELLOWSTONE COUNTY FINANCE DPT	16736			5,390.00	
150-2111-421.35-90	04/14/2011	MISC SERVICES	PRISONER	283248	10/2011	5,390.00	

DATE RANGE TOTAL * 544,808.00 *

Regular City Council Meeting

Date: 05/09/2011

TITLE: Public Hearing and Tax Abatement Application for SSI Big Sky LLC, dba Schnitzer-Billings

PRESENTED BY: Bruce McCandless, Asst. City Administrator

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

SSI Big Sky, LLC, doing business as Schnitzer-Billings (formerly Golden Recycling) has applied for a 10-year tax abatement on industrial equipment purchases. There are several pieces of equipment and the total value is about \$2 million. The City offers a tax abatement program under three sections of state code and City resolutions. This application is under 15-24-1401 MCA and City Resolution No. 05-18376. This program allows new or expanding industries to apply for tax abatements that equal 50% of the newly taxable value for five (5) years, with the abatement diminishing by 10% per year until 100% of the newly taxable property is fully taxable in the 10th and subsequent years. This program requires a public hearing and a resolution outlining the City Council's approval, conditional approval or denial of the tax abatement. The business has complied with all application requirements, a public hearing was advertised in the Billings Times on April 21st and May 5th and School District 2 was notified about the application. Therefore, the item is ready for Council action.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the application. The tax reduction could be as much as \$12,600 per year during the first five (5) years of the abatement and a reduced amount thereafter. This figure is calculated by using the applicant's estimate of the equipment's \$2,000,000 market value, multiplied by the statutory 3% tax on business equipment and multiplied by the estimated 420 mills levied by the City and School District 2. The business may apply to the County for abatement of the county's portion of the business equipment tax.
- Conditionally approve the application. Conditions would normally be ones that are directly related to the application and its processing, not to the equipment, the business operation or its land use. Staff does not recommend any conditions because the applicant has complied with all of the requirements.
- Deny the application. If this application is denied, the City and School District 2 levies on the new equipment will be deposited in the East Billings Urban Renewal Area/Tax Increment District (EBURD) and will be available for appropriation for district improvements.

FINANCIAL IMPACT

There is no direct financial impact to the City if the Council approves the application. The property is in the EBURD, so all taxes from higher taxable value go into the tax increment account for that district. The taxing entities continue to receive funds from the property value base that was established when the Council created the district and for the 50% of the new value that is not subject to the abatement. If 50% of the newly taxable value is exempt from taxation, the EBURD loses that portion of the potential increment, which equals the \$12,600/ yr. that is cited above. State law defines the allowable uses of tax increment funds, but the focus is on improving public infrastructure that will encourage additional private investment in the district.

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing on the SSI Big Sky, LLC, dba Schnitzer-Billings tax abatement application and deny the request.

APPROVED BY CITY ADMINISTRATOR

Attachments

Tax abatement application

Resolution granting tax abatement

**APPLICATION FORM FOR NEW OR EXPANDING INDUSTRY
TAX REDUCTION**

(As allowed under City of Billings Resolution 05-18376, Yellowstone County
Resolution 92-94 and 15-24-1401 and 15-24-1402 MCA)

1. Name of Business: SST BIG SKY LLC dba SCHNITZER - BILLINGS
(AKA GOLDEN STEEL & RECYCLING)
2. New Business: Start of construction (date) _____
End of construction (date) _____
3. Expanding Business: Start of construction (date) 07/01/10
End of construction (date) 06/01/11
4. Address of business: 1100-6th AVENUE NORTH / BILLINGS, MT 59101
P.O. Box 1154 / BILLINGS, MT 59103
Actual location of business: SAME

Tax Code: _____

Within city limits of Billings



5. Person representing business and responsible for application:

Name: JIM GALLUP Title: GENERAL MANAGER

Address: 1100-6th AVENUE NORTH
BILLINGS, MT 59101 Telephone: 406-252-8080

6. Amount of capital investment for new or expanded industry in Billings / Yellowstone County: \$ 2 MILLION (Attach detailed costs of new construction or expansion including land, materials, labor, equipment, and dates of construction. The County Commissioners and/or City Council may request further information, such as financial statements, business references, or other documents, prior to acting on this request.): _____

7. Describe the project relating to the capital investment: INVESTMENT OF
VARIOUS PROJECTS TO EXPAND BUSINESS.
* SEE ATTACHED EQUIPMENT LIST.

8. Explain business activity - what business does: WE RECYCLE ALL METALS AND SUPPLY STEEL TO FARMS, RANCHES, FABRICATING SHOPS, & DO-IT-YOURSELF CUSTOMERS.
9. How long has this business been located in Billings and/or Yellowstone County: 19 YEARS
10. At the time of application, how many employees does the business have: 22 Full-time; 1 Part-time.
11. How many employees will the applicant have after completion of construction: 30 Full-time; 1 Part-time.
12. Describe job skills required for all new employees, both full and part time. SOME GENERAL LABORERS & HEAVY MACHINE OPERATORS.
13. What is hourly pay scale of both full and part-time employees to include benefits (new employees only): \$18.00 to \$25.00 / Per Hour
14. Economic impact of capital investment: WE WILL EXPAND THE TYPES OF MATERIAL WE ACCEPT FROM THE PUBLIC. THIS EXPANSION WILL REQUIRE 8-10 NEW PEOPLE TO BE HIRED.
15. Planned hiring schedule: NOW THROUGH SPRING 2011.
16. List other property tax benefits business currently receives or has applied for: SEVERAL TAX REDUCTIONS UNDER THIS PROGRAM.
17. If applicant is transporting, wholesaling, providing services, warehousing, or distributing commercial products or materials, proof must be provided that fifty percent or more of the applicant's gross sales or receipts are earned from outside the State, or that fifty percent or more of applicant's annual gross income is from out-of state sales. (Include as attachment)
18. Building permit (attach copy or explain absence): N/A

19. City/County Planning Department or Laurel-Yellowstone City/County Planning Board certifies that the business conforms with zoning regulations: _____
20. City/County Health Department certifies that if a non-public water or sewer system is used (i.e., septic tank and water well) that system conforms to acceptable standard, or will do so on the completion of construction: _____
21. County Treasure's Office certifies that City and County taxes have been paid in full or otherwise satisfied: * SEE ATTACHED *
22. A non-refundable fee of \$500.00 must accompany this application to cover the cost of application administration. Make checks payable to the Big Sky Economic Development Authority.
23. All items on this application must be addressed. Upon completion and accompanied by the application fee, the original can be submitted to the Big Sky Economic Development Authority, Attn: Brandon Berger, 222 North 32nd Street, Suite 200, Billings, MT 59101 (Telephone 256-6871). If application is complete, a duly advertised public hearing will be scheduled, after which the County Commissioners and/or City Council will decide whether to approve, conditionally approve or deny the application. The applicant, or a representative of the applicant, must appear in person at the public hearing.
24. The application to Department of Revenue form, which is part of the application, must also be completed and signed by the applicant.
25. The Board of County Commissioners and/or City Council may review this applicant's tax incentive at any time and terminate further reductions at its discretion if it finds the provisions of County Resolution 94-92, City Resolutions or State Code are not being met.
26. In order for this incentive program to apply to the applicant's current year taxes, the application must be approved by the City Council and/or the County Commissioners by the second Wednesday in May of the year in which the reduction is desired.
27. If application is approved, applicant will comply with the following provisions. Failure to comply may lead to the previously approved tax abatement being rescinded:
- i. Provide copy of Occupancy Certificate and/or Certificate of Substantial Completion
 - ii. Annual Survey to be completed and returned to Big Sky EDA by June 30 of each year
 - iii. Remain current on all property taxes
 - iv. Notify Big Sky EDA of any ownership changes or change of use of the facility
 - v. Comply with any other provisions set by the Board of County Commissioners and/or City Council

28. Signature of applicant representative: Jim Haller

29. Date of application: 10/19/10

Recommendation by the Big Sky Economic Development Authority:

X B Approve _____ Deny

Action by Board of County Commissioners:

Public hearing of the Board of County Commissioners held (date): _____

_____ Approve _____ Deny

Date: _____

Chairman

Commissioner

Commissioner

Action by Billings City Council (if applicable – project within City limits):

Public hearing of the Billing’s City Council held (date): _____

_____ Approve _____ Deny

Date: _____

CITY OF BILLINGS

By: _____

ATTEST:

By: _____

APPLICATION TO DEPARTMENT OF REVENUE

New or Expanding Industry Program-Property Improvements or Modernized Process
(Title 15-24-1401&1402 MCA)

To: Yellowstone County Assessor

Applicant Name: SSI BIG SKY LLC dba SCHNITZER- BILLINGS

Mailing Address: P.O. BOX 1154
BILLINGS, MT 59103

Legal description of affected property: *SEE ATTACHED*

Date Construction Permit Issued: NOT APPLICABLE
(If no permit required, specify date when certificate in lieu of building permit was issued)

This application covers the (expansion/new) construction of the N/A facility.

A public hearing on the matter of "New & Expanding Industry" resolution for
_____ facility

Was held at the Yellowstone County Courthouse at _____ am on the _____ day of
_____, 20____.

Due notice as defined in 76-15-103 was given. True and exact copies of said notices are on file. Yes ___ No ___

The statutory investments requirement for expansion/modernization has been met. Yes ___ No ___

The qualifying property consists of the following:

Complete this section only if the application is for a firm that

- 1) Engages in transportation, warehousing or distribution of commercial products if 50% or more of the gross receipts are earned from outside the state, or
- 2) Earns 50% of its annual gross income from out-of-state sales or sales to out of state clientele.

Type of business: RECYCLING BUSINESS

Total Gross Sales or Receipts \$5,361,000.00

Sales or Receipts from outside of Montana _____

Percentage out of state 100%

(Attach Income Statement for last complete year of operation)

This application is made under the provisions of 15-24-1401 and 15-24-1402 MCA, by resolution adopted by the Yellowstone County Commissioners on the 26th day of March, 1992.

Signature: _____

[Handwritten Signature]
(Owner/Agent)

We, the undersigned Commissioners of Yellowstone County (approve/disapprove) this application for _____

We find that it (does/does not) conform to the criteria as set forth in the resolution adopted by this Board on the 26th day of March, 1992.

Chairman

Commissioner

Commissioner

Schnitzer Steel Industries, Inc.
 Metals Recycling Business
 Capital Expenditures (CapEx) Status Report
 Billings (1266)
 Aug-10

AFE #	Description	Approved AFE
-------	-------------	--------------

AFE REQUESTS IN PROGRESS

12661607A	IT Integration - Hardware	\$ 95,000
12661607B	IT Integration - SAI	32,000
12661607C	IT Integration - Oracle	20,000
12661607D	IT Integration - Other	87,920

12661663	Fencing Install	26,250
12661669	(16) Gondola Railcars	387,544

12661679A	Sennebogen 835M Material Handler	445,640
12661679B	Walker Magnet	18,000
	Walker Magnet	19,200
12661703A	2008 Peterbilt 365 Roll-Off Truck	146,975
12661703B	30-Yard Open Top Roll-OffBoxes	47,224
	Wet Car Processing	650,000
Total AFE Requests in Progress		1,975,753

AFE REQUESTS PLACED IN SERVICE

12661725	Yard King SY-208436-L Portable	14,928
	Aluminum Yard Ramp	

Total AFE Requests Placed in Service		14,928
---	--	---------------

Total Capital Expenditures		\$ 1,990,681
-----------------------------------	--	---------------------

AFE OVERRUN TEST



Yellowstone County, Montana

Commissioners Departments Contacts Site Map Home

Disclaimer: Not all fields are currently maintained. The accuracy of the data is not guaranteed. Please notify the Appraisal/Assessment Office of any inaccuracies.

[Back to Search Form](#)

[Full Orion Detail](#)

Owner Information

Tax ID: D05863

Primary Party

Primary Owner
Name: SSI BIG SKY LLC

C - Contact Name SCHNITZER STEEL INDUSTRIES, INC

Mailing Address: SSI BIG SKY LLC
SCHNITZER STEEL INDUSTRIES, INC
3200 NW YEON AVE
PORTLAND, OR 97201

Property Address: 1100 6TH AVE N
Township: 01 N Range: 26 E Section: 33

Certificate of Survey: 1680 Parcel: 002

Full Legal: S33, T01 N, R26 E, C.O.S. 1680, PARCEL 002, TR 2 & 3 COS 1680 (LESS ST) & TR 4 & 5 COS 2124 LESS HWY PARCELS 3 & 5

GeoCode: 03-1033-33-1-24-02-0000

[Show on Map](#)

Property Assessment Information

Levy District: EAST BILLINGS URBAN RENEW

Assessed value

Assessed Land Value = \$ 884,241.00
Assessed Building(s) Value = \$ 462,300.00
Total Assessed Value = \$ 1,346,541.00

Taxable Market Value*

Tax Year: 2010

Class Code	Amount
2207 - Commercial City or Town Lots	= \$ 360,887.00
3507 - Improvements on Commercial City or Town Lots	= \$ 320,749.00
Total	= \$ 681,636.00

* The values shown are for the given tax year as supplied by the Department of Revenue. This value is used to calculate the property tax and is not the true market value of the property. The most recent market value is not allowed to be used by the Legislature. For questions regarding how the taxable market value is derived, please contact the Montana Department of Revenue, Appraisal/Assessment Office at [406-896-4000](tel:406-896-4000).

City of Billings SID Payoff Information

Contact the City of Billings for SID pay off information

Rural SID Payoff Information

NONE

Property Tax Billing History

[Pay Taxes Online](#)

Year	1st Half	2nd Half	Total
<u>2000</u>	8,302.93 P	8,302.92 P	16,605.85
<u>2001</u>	9,100.13 P	9,100.11 P	18,200.24
<u>2002</u>	10,824.01 P	10,824.01 P	21,648.02
<u>2003</u>	11,172.60 P	11,172.60 P	22,345.20
<u>2004</u>	11,670.25 P	11,670.24 P	23,340.49
<u>2005</u>	12,260.58 P	12,260.57 P	24,521.15
<u>2005</u>	3,745.64 T	3,745.62 P	7,491.26
<u>2006</u>	12,901.77 P	12,901.76 P	25,803.53
<u>2007</u>	19,902.64 P	19,902.64 P	39,805.28
<u>2008</u>	16,973.86 P	16,973.78 P	33,947.64
<u>2009</u>	17,755.66 P	0.00 P	17,755.66
<u>2009</u>	0.00	17,727.62 P	17,727.62

(P) indicates paid taxes. (T) indicates paid in protest.
Click on year for detail.

Jurisdictional Information

Commissioner Dist: 2 - James Reno (R)
Senate: 25 - Roy Brown (R)
House: 49 - Kendall VanDyk (D)
Ward: 1 (BILLINGS)

Peggie Gaghen

Jim Frank Ronquillo

Precinct: 49A

Zoning: Controlled Industrial

[Click Here to view Regulations](#)

School Attendance Areas

High: SENIOR

Middle: RIVERSIDE

Elem: MCKINLEY

SD 2 Elementary Trustee (2): Joyce Weber

Any comments or questions regarding the web site may be directed to the webmistress.



Yellowstone County, Montana

Commissioners Departments Contacts Site Map Home

Disclaimer: Not all fields are currently maintained. The accuracy of the data is not guaranteed. Please notify the Appraisal/Assessment Office of any inaccuracies.

[Back to Search Form](#)

[Full Orion Detail](#)

Owner Information

Tax ID: A02139

Primary Party

Primary Owner
Name: SSI BIG SKY LLC

C - Contact Name SCHNITZER STEEL INDUSTRIES, INC

Mailing Address: SSI BIG SKY LLC
SCHNITZER STEEL INDUSTRIES, INC
3200 NW YEON AVE
PORTLAND, OR 97201

Property Address: 1200 6TH AVE N

Township: 01 N Range: 26 E Section: 33

Subdivision: BILLINGS FIRST ADD 613 Block: 352 Lot: 002

BILLINGS FIRST ADD, S33, T01 N, R26 E, BLOCK 352, Lot 002, L:2-23

Full Legal: B:352 & L:2-23 B:353 BILLINGS 1ST ADD & ADJ N 12TH ST & ABDN ALLEYS (LESS HWY)

GeoCode: 03-1033-33-1-24-01-0000

[Show on Map](#)

Property Assessment Information

Levy District: EAST BILLINGS URBAN RENEW

Assessed value

Assessed Land Value = \$ 1,147,676.00

Assessed Building(s) Value = \$ 688,300.00

Total Assessed Value = \$ 1,835,976.00

Taxable Market Value*

Tax Year: 2010

Class Code	Amount
2207 - Commercial City or Town Lots =	\$ 467,764.00
3507 - Improvements on Commercial City or Town Lots =	\$ 10,012.00
3810 - 4th Year New Industry Improvements (50%) 15-24-1401 =	\$ 49,567.00
3812 - 6th Year New Industry Improvements (60%) 15-24-1401 =	\$ 406,089.00
Total =	\$ 933,432.00

* The values shown are for the given tax year as supplied by the Department of Revenue. This value is used to calculate the property tax and is not the true market value of the property. The most recent market value is not allowed to be used by the Legislature. For questions regarding how the taxable market value is derived, please contact the Montana Department of Revenue, Appraisal/Assessment Office at [406-896-4000](tel:406-896-4000).

City of Billings SID Payoff Information

Contact the City of Billings for SID pay off information

Rural SID Payoff Information

NONE

Property Tax Billing History[Pay Taxes Online](#)

Year	1st Half	2nd Half	Total
2000	4,459.84 P	4,459.82 P	8,919.66
2001	4,612.90 P	4,612.89 P	9,225.79
2002	4,810.25 P	4,810.25 P	9,620.50
2003	5,449.91 P	5,449.90 P	10,899.81
2004	6,874.16 P	6,874.15 P	13,748.31
2005	7,205.52 P	7,205.52 P	14,411.04
2005	3,170.47 T	3,170.46 P	6,340.93
2006	6,895.03 P	6,895.02 P	13,790.05
2007	7,282.06 P	7,282.03 P	14,564.09
2008	7,320.75 P	7,320.72 P	14,641.47
2009	8,377.09 P	8,377.07 P	16,754.16

(P) indicates paid taxes. (T) indicates paid in protest.

[Click on year for detail.](#)

Jurisdictional Information

Commissioner Dist: 2 - [James Reno \(R\)](#)
Senate: 25 - [Roy Brown \(R\)](#)
House: 49 - [Kendall VanDyk \(D\)](#)
Ward: 1 (BILLINGS)

[Peggie Gaghan](#)

[Jim Frank Ronquillo](#)

Precinct: 49A

Zoning: Controlled Industrial

[Click Here to view Regulations](#)

School Attendance Areas

High: SENIOR

Middle: RIVERSIDE

Elem: MCKINLEY

SD 2 Elementary Trustee (2): Joyce Weber

Any comments or questions regarding the web site may be directed to the [webmistress](#).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BILLINGS,
MONTANA, APPROVING TAX BENEFITS FOR SSI BIG SKY, LLC, DBA
SCHNITZER-BILLINGS

WHEREAS, Resolution 05-18376 provides for granting tax incentives for new or expanding industries pursuant to Section 15-24-1401, M.C.A. and establishes a procedure for applying for said tax incentives; and

WHEREAS, SSI Big Sky, LLC, dba Schnitzer-Billings, has applied for said tax incentives for the property described herein; and

WHEREAS, The City Council of the City of Billings, Montana held a public hearing and duly considered the application of Schnitzer-Billings and has determined that said application meets all qualifications for the tax incentive and should be approved

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

That the application for tax benefits made by SSI Big Sky, LLC is APPROVED. The tax benefits approved are those provided in Resolution 05-18376. The business property receiving the tax benefits is shown in the attached Exhibit A.

PASSED AND APPROVED by the City Council this 9th day of May, 2011.

CITY OF BILLINGS

By: _____
Thomas W. Hanel, Mayor

ATTEST:

By: _____
Cari Martin, City Clerk

EXHIBIT A

Schnitzer Steel Industries, Inc.
 Metals Recycling Business
 Capital Expenditures (CapEx) Status Report
 Billings (1266)
 Aug-10

AFE #	Description	Approved AFE
-------	-------------	--------------

AFE REQUESTS IN PROGRESS

12661607A	IT Integration - Hardware	\$ 95,000
12661607B	IT Integration - SAI	32,000
12661607C	IT Integration - Oracle	20,000
12661607D	IT Integration - Other	87,920
12661663	Fencing Install	26,250
12661669	(16) Gondola Railcars	387,544
12661679A	Sennebogen 835M Material Handler	445,640
12661679B	Walker Magnet	18,000
	Walker Magnet	19,200
12661703A	2008 Peterbilt 365 Roll-Off Truck	146,975
12661703B	30-Yard Open Top Roll-OffBoxes	47,224
	Wet Car Processing	650,000
Total AFE Requests in Progress		1,975,753

AFE REQUESTS PLACED IN SERVICE

	Yard King SY-208436-L Portable	14,928
12661725	Aluminum Yard Ramp	
Total AFE Requests Placed in Service		14,928
Total Capital Expenditures		\$ 1,990,681

AFE OVERRUN TEST

Regular City Council Meeting

Date: 05/09/2011

TITLE: Public Hearing & Approval of Resolution for Land Exchange w/Billings Clinic

PRESENTED BY: Tina Volek

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

At an April 18 work session, the City Council heard a presentation about a proposed land exchange between the City of Billings and the Billings Clinic. If the exchange is approved, a Clinic-owned building at 523 N. 29th Street and 8.8 lots along 6th Avenue North between N. 29th and N. Broadway would be transferred to the City for use as part of the site for a proposed new Library, now under design. Even if a Library ballot to be voted on in November is unsuccessful, the land would be needed to replace parking on the south side of the Library that already has been traded to Stockman Bank in exchange for its parcels adjacent to the Clinic parcels on 6th Avenue North.

In exchange for the Clinic property, the City would give the Clinic four street right-of-ways, the legal descriptions for which are attached to the Resolution in Attachment A. A map of the parcels is shown as Attachment B. The streets are: A 24,000-square-foot section on 9th Avenue North between North 28th and North 29th Streets; a 28,000-square-foot section of the south half of North 28th Street between 10th Avenue North and 11th Avenue North; and 60,800 square feet of North 28th Street between 7th Avenue North and 9th Avenue North. The Clinic would maintain easements for all existing utilities in the streets.

The City streets and the Clinic building and land each are valued at a total of \$1,353,600, so no additional money would be exchanged in addition to the parcels described. The Billings Clinic Board of Directors approved the exchange at its meeting of April 26. The Clinic staff consulted business owners whose properties are adjacent to the streets proposed to be exchanged, including School District #2, and found no objections to the proposal. A letter from owner of the Cherry Tree Inn supporting the project is shown as Attachment C.

A May 9 public hearing on the proposed land exchange was advertised in the Billings Times on April 28 and May 5, 2011. A resolution approving the transfer is attached. If the resolution is approved by Council, the surrounding property owners will be officially notified by the City and a hearing on vacation of the City right-of-way will be held May 23.

Vote required: The Billings Municipal Code Section 22-900 exempts the City from state law requirements at MCA 7-8-4201 regarding the disposal or lease of municipal property. The City Code requires that six (6) members of the Council vote affirmatively in order to transfer City land.

ALTERNATIVES ANALYZED

The Council must hold the advertised public hearing and then may:

- Approve by at least six (6) members the resolution exchanging the land;
- Delay action on the resolution to a date certain, potentially postponing continued design of the new Library site; or
- Reject the resolution, requiring the redesign of the proposed Library and the potential for lack of parking even if the current Library facility is retained.

FINANCIAL IMPACT

Because both sides in the proposed transaction value their properties at \$1,353,600, the land exchange would require no additional cost beyond recording of the documents. The design of the Library is being paid for by an anonymous donor; and the construction or renovation costs of a new Library would require public approval in separate elections.

RECOMMENDATION

City staff recommends that the public hearing be held and the resolution approving the property transfer between the Billings Clinic and the City be approved.

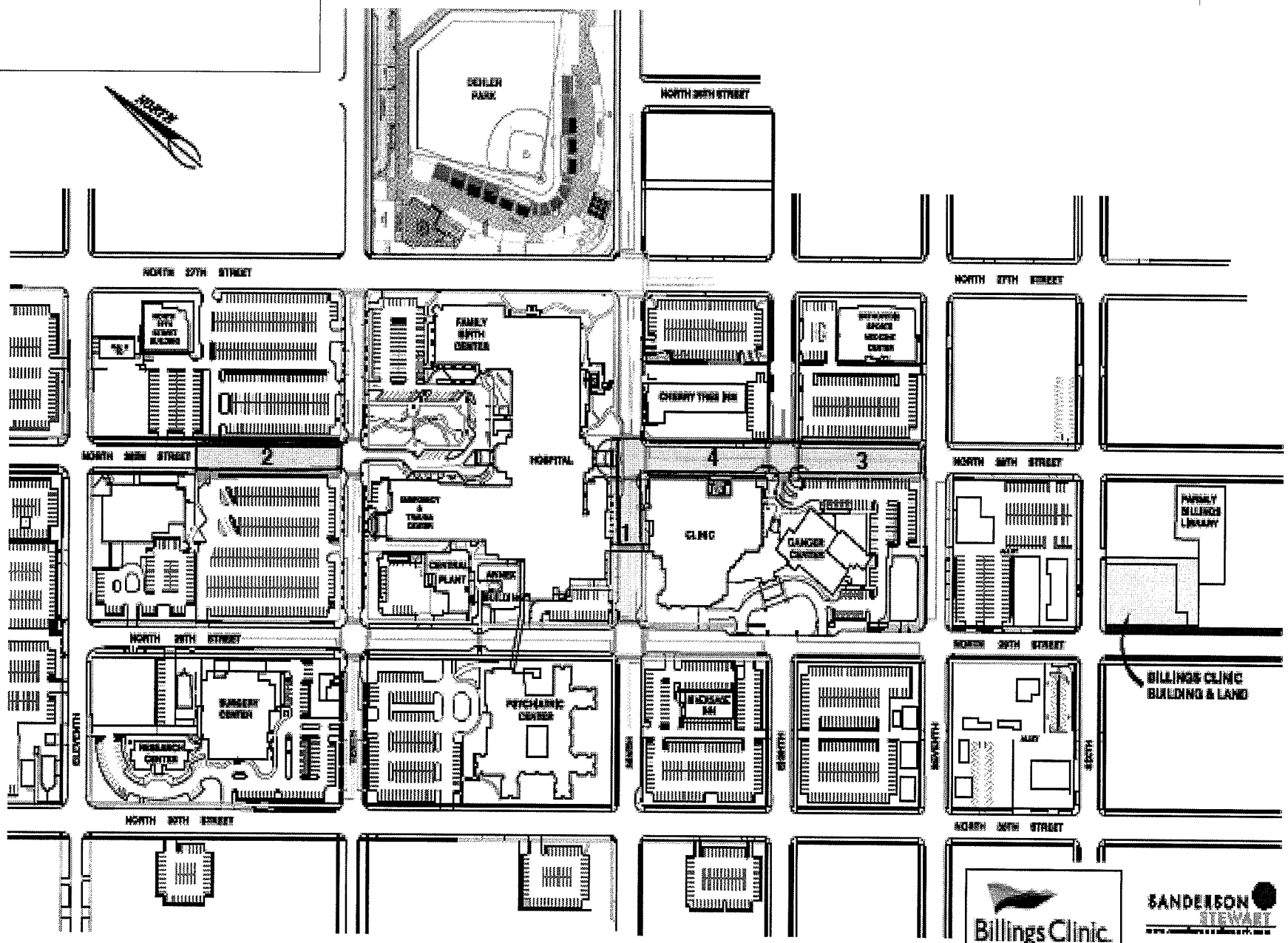
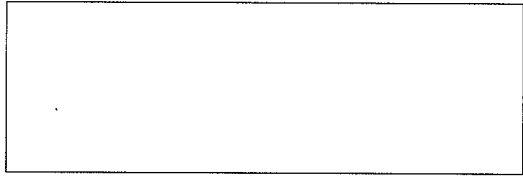
APPROVED BY CITY ADMINISTRATOR

Attachments

Proposed Street Exchange Map

Exchange Support Letter

Resolution



Doug Kirby, Owner
Cherry Tree Inn
823 N Broadway
Billings, MT 59101

April 12, 2011

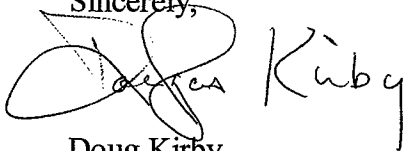
To Whom It May Concern:

I recently met with Mitch Goplen of Billings Clinic regarding the proposed property exchange between the City of Billings and Billings Clinic involving streets in the vicinity of my business, the Cherry Tree Inn. It is my understanding that the city will exchange sections of city streets including North 28th Street from 7th Avenue North to 9th Avenue North at the south entrance of the Billings Clinic Hospital and 9th Avenue North from North 29th Street through the intersection of North 28th Street.

I reviewed the map proposing this property exchange and understand that this transaction will result in Billings Clinic owning these portions of streets that border my business. I further understand that Billings Clinic will have the right to eliminate public access on those streets.

With this in mind, I am acknowledging that, as the owner of the Cherry Tree Inn, I am in full support of this property exchange.

Sincerely,

A handwritten signature in black ink that reads "Doug Kirby". The signature is written in a cursive style with a large, looping initial "D".

Doug Kirby
Owner
Cherry Tree Inn

RESOLUTION NO. 11-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, APPROVING THE EXCHANGE OF CITY STREETS FOR BILLINGS CLINIC LAND TO PROVIDE SPACE FOR THE PARMLY BILLINGS LIBRARY

WHEREAS, the Billings City Council has accepted an anonymous donation for the design of a new Parmly Billings Library which, subject to public approval at a November 2011 election, would be located on land adjacent to the current Library at 510 N. Broadway; and

WHEREAS, a 29,060 square foot building and 31,080 square feet of land comprising 8.8 lots of the proposed construction site are owned by Billings Clinic, and the City wishes to acquire those properties for Library use; and

WHEREAS, Billings Clinic is desirous of acquiring 112,800 square feet of City-owned streets consisting of a 24,000-square-foot section of 9th Avenue North between North 28th and North 29th Street; a 28,000-square-foot section of the south half of North 28th Street between 10th Avenue North and 11th Avenue North; and a 60,800-square-foot section of North 28th Street between 7th Avenue North and 9th Avenue North, the legal description for all the right-of-way being more specifically outlined in Exhibit A; and

WHEREAS, even if the Parmly Billings Library were to remain in its current location, the land would be need for parking space for the facility because of other land exchanges that have occurred previously on North 28th Street, near Fourth Avenue North; and

WHEREAS, the value of the City-owned rights-of-way and the Clinic-owned building and land each are estimated to be \$1,353,600 each, so no additional money would be required for the exchange to take place; and

WHEREAS, the Billings Clinic Board of Directors has approved the land exchange, and neighboring property owners have supported the proposed transfer; and

WHEREAS, the Billings City Council has duly advertised and held a public hearing on the proposed land exchange between the City and Billings Clinic.

NOW, THEREFORE, THE CITY COUNCIL OF BILLINGS, MONTANA, DOES HEREBY RESOLVE on this 9th day of May, 2011, to approve the transfer of the City owned streets as outlined above to the Billings Clinic in exchange for a Clinic-owned building at 523 North 29th Street and 8.8 lots containing 31,080 square feet.

CITY OF BILLINGS

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

Cari Martin, City Clerk

Exhibit A

Street Vacations for Library/Billings Clinic Exchange
Legal Description of Property

Tracts of land situated within Section 32, T.1N., R.26E., Billings, Yellowstone County, Montana, more particularly described as:

A portion of 9th Avenue North beginning at the northwest corner of Block 1, Billings Clinic Subdivision; thence in a northeasterly direction along the southerly right-of-way line of 9th Avenue North for an approximate distance of 380 feet to the northwest corner of Block 25, Foster's Addition to The Town of Billings; thence in a northwesterly direction crossing said 9th Avenue North right-of-way for an approximate distance of 80 feet to the southeast corner of Lot 3, Block 1, Deaconess Medical Center Subdivision; thence in a southwesterly direction along the northerly right-of-way line of said 9th Avenue North for an approximate distance of 380 feet to the southwest corner of Lot 1, Block 1, Billings Deaconess Hospital Addition to the City of Billings; thence in a southeasterly direction crossing said 9th Avenue North right-of-way for an approximate distance of 80 feet to the Point of Beginning, said tract containing an area of 30,400 square feet, more or less.

A portion of North 28th Street beginning at the northeast corner of Block 1, Billings Clinic Subdivision; thence in a southeasterly direction along the westerly right-of-way line of said North 28th Street for an approximate distance of 680 feet to the southeast corner of said Block 1, Billings Clinic Subdivision; thence in a northeasterly direction crossing said North 28th Street right-of-way for an approximate distance of 80 feet to the southwest corner of Block 37, Foster's Addition to The Town of Billings; thence in a northwesterly direction along the easterly right-of-way line of said North 28th Street for an approximate distance of 680 feet to the northwest corner of Block 25, Foster's Addition to The Town of Billings; thence in a southwesterly direction crossing said North 28th Street right-of-way for an approximate distance of 80 feet to the Point of Beginning, said tract containing an area of 54,400 square feet, more or less.

A portion of North 28th Street beginning at the southeast corner of Block 5, North Side Addition, Third Filing; thence in a northeasterly direction crossing said North 28th Street right-of-way for an approximate distance of 80 feet to the southwest corner of Block 4, North Side Addition, Third Filing; thence in a northwesterly direction along the

easterly right-of-way line of said North 28th Street for an approximate distance of 350 feet to the northwest corner of Lot 35, Block 4, North Side Addition, Third Filing; thence in a southwesterly direction crossing said North 28th Street right-of-way for an approximate distance of 80 feet to the northeast corner of Lot 14, Block 5, North Side Addition, Third Filing; thence in a southeasterly direction along the westerly right-of-way line of said North 28th Street for an approximate distance of 350 feet to the Point of Beginning, said tract containing an area of 28,000 square feet, more or less.