

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS

September 26, 2011

6:30 P.M.

CALL TO ORDER – Mayor Hanel

PLEDGE OF ALLEGIANCE – Mayor Hanel

INVOCATION – Councilmember Pitman

ROLL CALL

MINUTES: September 12, 2011, Pending

COURTESIES: DEQ Presentation of the Burke Safety Award to Wastewater Plant

PROCLAMATIONS

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Item: #1 and #9 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. **Loader-Mounted Snowblower for Street/Traffic Division.** (Opened 8/30/11) (Delayed from 9/12/11) Recommend Solid Waste Systems; \$122,198.
 2. **Three-Year Maintenance Agreement for Elevator/Escalator Maintenance Services.** (Opened 9/13/11) Recommend delay until 10/11/2011.
 - B. **Contract Renewal** (2-year) with Yellowstone Valley Animal Shelter for private operation of the Billings Animal Shelter. (September 9, 2011 - September 9, 2013).
 - C. **W.O. 04-12, Alkali Creek Road Maintenance and Slope Reconstruction**

1. **Amendment #11**, W.O. 04-12, Alkali Creek Road Maintenance and Slope Reconstruction, Phase 3, Professional Services Contract, Kadrmas, Lee & Jackson, Inc., \$60,758.50.
 2. **Change Order #9**, W.O. 04-12, Alkali Creek Road Maintenance and Slope Reconstruction, Phase 3; CMG Construction; not to exceed \$81,836.34.
- D. **Approval** of the Assignment and Transfer of the West End Hangar Ground Lease from Philip O. Petrik DBA Richland Aviation to Richland Aviation, Inc.
- E. **Approval** of 20-year West End Hangar Ground Lease with Wesco Resources, Inc. (10/1/2011 - 9/30/2031). First year revenue - \$1,135.26; subsequent year revenues adjusted using the Consumer Price Index - Urban Consumers (CPI-U).
- F. **Confirmation of Probationary Police Officers Cory Kirkpatrick and Jeremy Boeckel.**
- G. **Approval** of extension of preliminary plat approval date for one year for High Sierra Subdivision, 5th Filing; setting a new expiration date of October 27, 2012.
- H. **Street Closures:**
1. Montana Cycling and Ski & Montana Timing Oktoberfest Duathlon Run/Bike Event. October 1, 2011; 8 a.m. to noon; Start and finish at Montana Cycling Parking lot. Route mainly on multiuse path along Shiloh Road crossing Shiloh and King at pedestrian crossing. Remainder of route in the county.
- I. **Bills and Payroll:**
1. **August 26, 2011**

REGULAR AGENDA:

2. **PUBLIC HEARINGS AND RESOLUTIONS regarding the spread of assessments in the following Special Improvement Districts.**
 - A. **SID 1369:** Moore Lane Curb & Gutter, Sidewalk, Streets, Sanitary Sewer, and Water Service Improvements from Central Avenue to Monad Road. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
 - B. **SID 1391:** Lynn Avenue Curb & Gutter, Street, Drive Approach, and Storm Drain Improvements between 35th and 36th Streets West and 36th Street West from Central to just north of Lynn Avenue. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
 - C. **SID 2901:** Jackson Street Sidewalk Improvements on the west side of Jackson Street from the alley south of Ryan to the corner of Frances. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

- D. **SID 2902:** Miscellaneous Sidewalk, Curb, and Gutter Improvements located in areas throughout the City. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
3. **PUBLIC HEARINGS AND RESOLUTIONS regarding the re-spread of assessments in the following Special Improvement Districts.**
 - A. **SID 1360:** Gabel Road Water, Sewer, Storm, and Street Improvements. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
 - B. **SID 2801:** Lake Elmo Sidewalk Improvements. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
 - C. **SID 2803:** Alkali Creek Road Sidewalk Improvements. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
4. **PUBLIC HEARING** to receive input on the City's FY2010-2011 Draft Comprehensive Annual Performance Evaluation Report (CAPER), Community Development Block Grant (CDBG), and HOME Programs. No action is required.
5. **PUBLIC HEARING AND RESOLUTION** reducing the Arterial Construction Fee assessments providing relief to commercially-zoned properties being used solely as owner-occupied, single family residences located at 437 Roxy Lane (Tax Code C01454A); 2104 Bench Boulevard (Tax Code D05202); 2112 East Main Street (Tax Code D05200); 2112 East Main Street (Tax Code D05201); 107 S. 8th Street West (Tax Code A05114); 233 Swords Lane (Tax Code C12313); and 922 North 30th Street (Tax Code A11635). Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
6. **PUBLIC HEARING AND SPECIAL REVIEW #893:** A special review to allow the conversion of an existing commercial building to accommodate a residence and commercial space located at 407 N. 24th Street in a Controlled Industrial (CI) zone on a 10,500 square foot parcel of land legally described as Lots 19, 20 and 21, Block 12, Billings Original Town. NA Thompson, LLC and Sparx, LLC - Jane Deschner and Jon Lodge, agents and prospective purchasers of the property. Zoning Commission recommends conditional approval. (Action: approval or disapproval of Zoning Commission recommendation.)
7. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #11-03:** 14.87 acres legally described as Tract 2D of C/S 2776, Amended, and generally located west of Highway 87 and north of the existing commercial development that includes American Pharmaceuticals in the Billings Heights; Wayne Laufer, petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.)
8. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward 1 to include recently annexed property in Annexation #11-02: 16.94 acres located at 3128 South Frontage Road and legally described as Tract 1 of Certificate of Survey 1591 and Tract 1 of Certificate of Survey 1596; Knife River, Inc., owner; Land Use Consulting, agent. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

9. **APPROVAL** of Parking Advisory Board's recommendation to bag 447 parking meters west of North 30th Street (not including North 30th Street), north of 6th Avenue North, east of North 26th Street (not including North 26th Street) and south of Montana Avenue for a six-month trial period. Staff recommends approval of the Parking Advisory Board's recommendation. (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 limited to 3 minutes. 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

Meeting Date: 09/26/2011

TITLE: 2011 Loader Mounted Snowblower

PRESENTED BY: David Mumford

Department: Public Works

PROBLEM/ISSUE STATEMENT

Bids were received by the Street/Traffic Division for the Public Works Department on August 30, 2011, to purchase a Loader Mounted Snowblower. This purchase is included in the FY12 budget and was a supplemental budget request in the Equipment Replacement Plan (ERP).

ALTERNATIVES ANALYZED

The City Council may:

- Approve the purchase of the Loader Mounted Snowblower from the apparent low bidder; or
- Reject all bids and not purchase the Loader Mounted Snowblower

FINANCIAL IMPACT

The City received 2 bids for the Loader Mounted Snowblower as follows:

Vendor	Bid
Solid Waste Systems	\$122,198
T & E	\$143,021

RECOMMENDATION

Staff recommends purchasing the Loader Mounted Snowblower from Solid Waste Systems in the amount of \$122,198.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Delay Award of the Three Year Elevator/Escalator Maintenance Service Agreement for Billings Logan International Airport

PRESENTED BY: Tom Binford

Department: Airport

PROBLEM/ISSUE STATEMENT

One of the items included in the Airport's annual operating budget is a maintenance contract for the Airport's elevators and escalators. The Billings Logan International Airport Terminal Building has eight elevators, two escalators, and one lift, and the Operations Building has one lift. Due to the specialized nature of this equipment, it is more cost effective for the Airport to contract for the monthly service and repair work. Specifically, this Three Year Maintenance Service Agreement will require the contractor to provide all of the necessary equipment, tools, and personnel to conduct systematic inspections, adjustments, and maintenance for all of the major components of the elevators/escalators. This Agreement will also ensure compliance with all State of Montana Operating Certificate regulations for the elevators/escalators.

This Service Agreement was advertised in the *Billings Times* on August 25, September 1 and 8, 2011, and on the City's Web Site. One bid was received on September 13, 2011. Staff would like to postpone the award of the contract from the September 26, 2011 City Council meeting until the October 11, 2011 City Council meeting, to allow additional time to review the bid received.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the postponement of the award of the Three Year Elevator/Escalator Maintenance Service Agreement from the September 26, 2011 City Council meeting until the October 11, 2011 City Council meeting; or
- Decline to approve the the postponement of the award of the Three Year Elevator/Escalator Maintenance Service Agreement from the September 26, 2011 City Council meeting until the October 11, 2011 City Council meeting and reject the bid.

FINANCIAL IMPACT

The total annual cost of this Service Agreement is budgeted at \$25,500. The source of funding for this Agreement is the Airport's annual operating budget.

RECOMMENDATION

Staff recommends that the City Council approve postponement of the award of the Three Year Elevator/Escalator Maintenance Service Agreement for Billings Logan International Airport from the September 26, 2011 City Council meeting until the October 11, 2011 City Council meeting.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Yellowstone Valley Animal Shelter Contract Renewal

PRESENTED BY: Tina Volek, City Administrator and Craig Hensel, Deputy City Attorney

Department: Legal

PROBLEM/ISSUE STATEMENT

The City Council voted in September of 2008 to privatize the City Animal Shelter, and entered into a contract with the Yellowstone Valley Animal Shelter (YVAS) to manage and run the animal shelter. YVAS took over the day to day operations of the animal shelter in March of 2009, and has been operating the shelter ever since. The original contract called for a contract term of two (2) years with three (3) 1-year options to renew by mutual agreement of both parties. City staff and representatives from YVAS have negotiated the terms of a contract extension and are in mutual agreement to extend the terms of the contract for an additional two year period, effective upon approval by the Council.

The majority of provisions in the original contract will remain unchanged for the two year period of renewal. The only substantive changes to the contract are as follows:

- 1) The original contract required YVAS to maintain a line of credit equal to the annual contract price that the City could execute on in the event of default. As YVAS has successfully run the shelter for a two year period and has a demonstrated track record of success, this term was modified and the renewal will require YVAS to escrow one month's payment (approximately \$20,666) in an interest bearing account the City can execute on in the event of default.
- 2) The original contract called for three (3) 1-year options to renew, and the renewal will provide for a two (2) year option to renew.
- 3) The original contract required an annual financial audit. The renewal will require a biennial financial statement be provided to the City.

ALTERNATIVES ANALYZED

The Council may:

- Approve the contract renewal with YVAS; or
- Deny the contract renewal with YVAS

FINANCIAL IMPACT

The City of Billings paid YVAS \$240,673 for the most recent year of the contract. YVAS negotiated an approximate 3% increase for the contract renewal term, and will be paid \$248,000 for year 3, which will be increased for year 4 corollary to the all inclusive Consumer Price Index.

RECOMMENDATION

Staff recommends the Council approve the contract renewal with YVAS.

APPROVED BY CITY ADMINISTRATOR

Attachments

Agreement



OPERATION OF BILLINGS ANIMAL SHELTER AGREEMENT

THIS AGREEMENT is made and entered into this ____ day of _____, 2011, by and between the **CITY OF BILLINGS, MONTANA**, a municipal corporation organized and existing under the laws of the State of Montana, P.O. Box 1178, Billings, Montana 59103, hereinafter referred to as “**City**,” and **YELLOWSTONE VALLEY ANIMAL SHELTER, INC. (“YVAS”)** of 2619 Woody Drive, Billings, Montana 59102, hereinafter referred to as “**Contractor**.”

In consideration of the mutual covenants and agreements herein contained, the receipt and sufficiency whereof being hereby acknowledged, the parties hereto agree as follows:

1. Purpose: City agrees to hire Contractor as an independent contractor to continue to provide operations of the Billings Animal Shelter, located at 1735 Monad Road, and for placement of animals from the Shelter. These operations are more fully described in this agreement, Exhibit “A” Scope of Work, and Exhibit “B” YVAS Memorandum of Protocols, both attached hereto and by this reference made a part hereof.

2. Effective Date: This Agreement shall become effective, upon approval by the Billings City Council, for a period of two (2) years commencing March 22, 2011 with one (1) two year option to renew by mutual agreement of both parties. The City of Billings will retain ownership of the Animal Shelter during the initial six (6) years of the contract, but will consider allowing a proposal to purchase the facility at its appraised value upon each renewal.

City Animal Control and Contractor shall continue cooperative occupation of the current Animal Shelter for the term of this contract.

Contractor shall provide to City one hundred twenty (120) days advance notice of Contractor's intent to negotiate a renewal of this Agreement and include the terms and amount of any proposed renewal, and the City shall respond within sixty (60) days.

3. Scope of Work: The Contractor shall perform the services as outlined in this agreement and Exhibits “A” and “B”, attached hereto and incorporated by reference. These services and all duties incidental or necessary therefore, shall be performed diligently and completely and in accordance with professional standards of conduct and performance.

4. Abbreviations and Definitions: For the purposes of this Agreement:

ACO – Animal Control Officer
BAS – Billings Animal Shelter

BPD – Billings Police Department
HSUS – Humane Society of the United States
Contractor – Yellowstone Valley Animal Shelter, Inc.

“Domestic animal” means any domesticated or tamed animal that is typically kept as a pet, including but not limited to: cats, dogs, rabbits, birds, ferrets, gerbils, hamsters, reptiles, and fish.

Undefined terms in this Agreement shall be interpreted consistently with the City of Billings’ Charter, the City’s Animal Control Regulations, and the City’s Animal Control Ordinances, and any amendments thereto.

5. Payment: City agrees to pay Contractor for the work described in the Scope of Services at the following rates, to be billed to City and payable in 12 equal monthly installments:

Year 3 : Two Hundred Forty Eight Thousand Dollars (\$248,000)

Year 4: Two Hundred Forty Eight Thousand Dollars (\$248,000) to be adjusted corollary to the CPI, all-inclusive index.

Any alteration or deviation from the described work that involves extra costs will be executed only upon written request by the City to Contractor and will become an extra charge over and above the contract amount. The parties must agree upon any extra charges in writing.

6. Independent Contractor Status: The parties agree that Contractor is an independent contractor for purposes of this Agreement and is not to be considered an employee of the City for any purpose. Contractor is not subject to the terms and provisions of the City’s personnel policies handbook and may not be considered a City employee for workers’ compensation or any other purpose. Contractor is not authorized to represent the City or otherwise bind the City in any dealings between Contractor and any third parties.

Contractor shall comply with the applicable requirements of the Workers’ Compensation Act, Title 39, Chapter 71, MCA, and the Occupational Disease Act of Montana, Title 39, Chapter 71, MCA. Contractor shall maintain workers’ compensation insurance coverage for all members and employees of Contractor’s business, except for those members who are exempted as independent contractors under the provisions of §39-71-401, MCA.

Contractor shall furnish City with copies showing one of the following: (1) proof of registration as a registered contractor under Title 39, Chapter 9, MCA; (2) a binder for workers’ compensation coverage by an insurer licensed and authorized to provide workers’ compensation insurance in the State of Montana; or (3) proof of exemption from workers’ compensation granted by law for independent contractors.

7. Indemnity and Insurance: Contractor agrees to indemnify, defend and save City, it’s officers, agents and employees harmless from any and all claims, losses, damages,

judgments, expenses and litigation costs and liability occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act on the part of Contractor or its agents or employees Contractor, agents, employees, or volunteers, which result in personal injury or real or personal property damages or financial losses or damages to any person or entity including the City. For this purpose, Contractor shall provide City with proof of Commercial General Liability insurance issued by a reliable company or companies for personal injury and property damage, in an amount not less than \$750,000 per claim, and in an amount not less than \$1.5 million per occurrence and naming the City as an additional insured. Said insurance policy shall provide that it may not be cancelled with less than thirty (30) days prior written notice to Contractor and City. Contractor, upon request, shall furnish City a certificate of such insurance. The insurance must be in a form suitable to the City.

8. Default - Escrow Fund: Within 7 days of approval of this contract by the City Council, Contractor shall set aside one month's payment in the amount of \$20,666.00 and shall place this amount in an interest bearing escrow account created by an Escrow Agreement. The terms and provisions of such Escrow Agreement must be approved by the City. The terms of such Escrow Agreement shall permit the City to immediately access this money through a written demand to Contractor without further notice nor through litigation should a default in performance under this Agreement occur by Contractor.

The necessity to execute upon the escrow account in the event of default by Contractor shall be determined in the sole discretion of the City. Contractor shall not object to, obstruct, impair, impede, prevent or institute any legal proceedings challenging the execution upon the escrow account. Contractor hereby waives all rights to any causes of actions predicated upon the City's execution upon the escrow account in the event of default, unless Contractor can prove the City acted in bad faith in making a determination of default under this agreement and executing on the escrow account.

In the event of default by Contractor, the City shall have the right to recover from and execute on the escrow account, all quantifiable expenses associated with resuming control and operation of the Animal Shelter, including reasonable expenses in staffing the Animal Shelter on a temporary basis, hiring permanent full-time staff, and any other expenses whether anticipated or unanticipated which the City is forced to incur as a result of and incidental to resuming control and operation of the Animal Shelter, in addition to any other remedies available to the City under Paragraph 11.

9. Compliance with Laws: Contractor agrees to comply with all federal, state, and local laws, ordinances, rules and regulations. Contractor agrees to purchase a City business license.

10. Nondiscrimination: Contractor agrees that all hiring by Contractor of persons performing this Agreement will be on the basis of merit and qualification and will not discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin.

11. Default and Termination: If either party fails to comply with any condition of this Agreement at the time or in the manner provided for, the other party may, at its option, terminate this Agreement and be released from all obligations if the default is not cured within thirty (30) calendar days after written notice is provided to the defaulting party. Said notice shall set forth the items to be cured. Additionally, the non-defaulting party may bring suit for damages, specific performance, and any other remedy provided by law. These remedies are cumulative and not exclusive. Use of one remedy does not preclude use of the others. Notices shall be provided in writing and hand-delivered or mailed to the parties at the addresses set forth in the first paragraph of this Agreement.

12. Liaison: City's designated liaison with Contractor is BPD Deputy Chief Tim O'Connell, and Contractor's designated liaison with City is Chris Anderson, YVAS Director.

13. Governing Law and Venue: This Agreement shall be construed and enforced in accordance with the laws of the State of Montana. Venue for any suit between the parties arising out of this Agreement shall be the State of Montana Thirteenth Judicial District Court, Yellowstone County.

14. Severability: Any provision or part of the Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the City and the Contractor, who agree that the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

15. Successors and Assigns: Neither the City nor the Contractor shall assign, transfer or encumber any rights, duties or interests accruing from this Agreement without the written consent of the other.

16. Ownership of Documents: All documents, data, drawings, specifications, software applications and other products or materials produced by the Contractor in connection with the services rendered under this Agreement shall be the property of the City whether the project for which they are made is executed or not. All such documents, products and materials shall be forwarded to the City at its request and may be used by the City as it sees fit. The City agrees that if the documents, products and materials prepared by the Contractor are used for purposes other than those intended by the Agreement, the City does so at its sole risk and agrees to hold the Contractor harmless for such use. All or any portions of materials, products and documents produced under this Agreement may be used by the Contractor upon confirmation from the City that they are "Public Records" and subject to disclosure under Montana Law. All services performed under this Agreement will be conducted solely for the benefit of the City and will not be used for any other purpose without written consent of the City. Any information relating to the services will not be released without the written permission of the City. The Contractor shall preserve the confidentiality of all City documents and data accessed for use in Contractor's work product.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

CITY OF BILLINGS, MONTANA

CONTRACTOR (Print Name Above)

By _____
THOMAS W. HANEL,
MAYOR

By _____

Print Name _____

Print Title _____

APPROVED AS TO FORM:

By _____
BRENT BROOKS, CITY ATTORNEY



EXHIBIT "A" Scope of Work

- A. **Contractor duties and responsibilities:** The Contractor shall be responsible, at its own expense, for the following:
1. Maintain and provide proof of 501(c)(3) status prior entering into this agreement;
 2. Operate and staff a fully-equipped animal shelter at 1735 Monad Road in Billings, MT, for animals located within the City that have strayed, been abandoned, or otherwise delivered to the Contractor;
 3. Create and maintain a separate website for the Animal Shelter with a link to the City's website (the City website shall also contain a link to Contractor's);
 4. Make the Animal Shelter available to the public between the hours of 12:00 pm and 7:00 pm, Monday, Tuesday, Thursday and Friday; between 12:00 pm and 6:00 pm on Saturdays; and between 12:00 pm and 6:00 pm on Sundays, except on statutory holidays;
 5. Provide and maintain adequate fencing to prevent the escape of any animal;
 6. Require that cages containing cats will contain a litter box for each cat;
 7. Provide and maintain suitable enclosures with adequate space for each animal;
 8. Provide enclosures, cleaning and feeding methods as approved by the Humane Society of the United States – this requires adequate space for animals, as well as continuous cleaning and sanitizing;
 9. Provide fresh water to animals at all times;
 10. Make every reasonable effort to locate the owners of all animals in the facility;
 11. Contractor shall not offer for adoption any cat or dog that has not been redeemed by the owner unless:
 - (1) the animal has been spayed or neutered; or
 - (2) the person to whom the animal is released agrees in writing to have the animal spayed or neutered and a deposit for spaying or neutering the animal has been paid. The deposit must be in an amount determined by Contractor to be comparable to the lowest fee for spaying or neutering that is charged by veterinarians in Billings. Upon payment of the deposit, the person who is adopting the animal must receive a certificate for spaying or neutering, to be presented to a licensed veterinarian, who shall complete the certificate when the spaying or neutering is done. Upon receipt of the completed certificate verifying that the animal has been spayed or neutered, Contractor shall forward the deposit to the veterinarian who performed the procedure.The deposit must be forfeited if the spaying or neutering is not done:
 - (a) within 30 days if the cat or dog is more than 6 months old at the time of adoption; or
 - (b) by the time the animal reaches the age of 6 months if the animal is less than 6 months old at the time of adoption, or within 30 days of the adoption, whichever is longer.Contractor shall provide notice to the person to whom an animal is released that failure to fulfill the terms of an agreement to spay or neuter could result in the filing of a misdemeanor

charge.

The only exceptions to Contractor's spay/neuter policy are if a licensed veterinarian verifies in writing that spaying or neutering would be injurious to the animal's health.

Contractor shall be in default of Agreement if greater than five (5)% of all animals adopted out of the Animal Shelter in any Agreement year are not spayed or neutered.

12. Attempt to place every adoptable animal into a loving home while generally practicing euthanasia on animals that have behavioral issues which cannot be corrected or injuries/illnesses which are not treatable;
13. Contractor shall accept and kennel all impounded strays, bite quarantines, owner releases, and other domestic and exotic animals presented by any citizen of Billings and by Billings Police Department personnel acting in their official capacity;
14. Contractor shall allow Billings Police Department personnel access to the YVAS intake area and sally port for purposes of dropping off animals;
15. Fees for service shall not be charged for regular services provided to the City of Billings by the Contractor; however, Contractor shall charge fees for any extraordinary services provided to the City of Billings outside of this Agreement. For purposes of this Agreement, "extraordinary" services shall be defined as services that necessarily go beyond the current capacity of the Animal Shelter involving City of Billings' animals; go beyond the capacity of veterinarian services currently contracted for; or are performed upon written request of the City over and above the scope of this Agreement. City will charge for Animal Control Services as provided to Contractor at the rate of \$19.83 per hour, and upon request for transportation at the prevailing state mileage rate;
16. Contractor shall contract with a Certified Euthanasia Technician or Veterinarian in the event it is necessary to perform euthanasia on any shelter animal when City Animal Control is not available;
17. Contractor shall maintain accurate records of the tracking and disposition of all animals taken in, released, submitted for rabies testing, and disposed of by the contractor;
18. Contractor and Animal Control shall maintain joint access to the Animal Records Management System (ARMS) database and each shall be responsible for updates. ARMS data is designated "For Official Use Only," and shall not be used for marketing purposes. Annual maintenance fees for the ARMS software shall be shared equally by each using agency (Current annual fee is approximately \$1250). Repair and replacement cost of the ARMS server and supporting hardware shall be shared equally by the users. However, Contractor may not have access to certain areas of the ARMS database, such as saved criminal information. The ARMS database programmer/vendor will work with the Contractor to ensure compliance;
19. Contractor shall keep the facility and grounds located at 1735 Monad Road, Billings, Montana in a clean and orderly condition as prescribed by the City Facilities Manager and applicable City and State Code. Contractor shall assume responsibility for all cleaning, janitorial, and day to day upkeep of the facility and grounds, excluding the areas of the facility occupied by City Animal Control;
20. Contractor shall reimburse the City of Billings for the fair market value of all of the non-fixed assets that remain with the facility, if utilized;
21. Contractor shall maintain, repair and replace all surgical room equipment, cages, hoses, and other miscellaneous equipment that remains at the facility; and,

22. Contractor shall comply with all federal, state, and local laws in effect immediately upon assumption of the contracted service, and shall be subject to inspection by Animal Control and other duly authorized federal, state, and local authorities to insure compliance.
 23. Contractor shall be responsible for payment of a pro rata share of the utilities at the facility, based upon square footage occupied by Contractor.
- B. **City duties and responsibilities:** The City shall be responsible, at its own expense, for the following:
1. The City shall provide and maintain the facility located at 1735 Monad Road, Billings, Montana in current status, for use jointly by City Animal Control and Contractor during the term of this Agreement;
 2. City Animal Control may remain in the current facility;
 3. City Animal Control will not house any animal and will make every reasonable effort to locate the animal's owner before transporting to the shelter;
 4. City Animal Control shall perform any necessary euthanasia and disposal of animals released to the facility by City Animal Control or by the public
 5. The City shall be responsible for maintenance and repair of the physical facility.
 6. The City shall be responsible for payment of a pro rata share of the utilities at the facility, based upon square footage occupied by Contractor.
 7. The City shall be responsible for maintaining property insurance on the facility during the term of this Agreement, and shall charge Contractor a pro rata share of the premium and a pro rata share of any deductible paid based upon square footage occupied by Contractor, during the Agreement term.
 8. The City shall be responsible for establishing an application process for interested groups to access the remaining balances of donation accounts of the Billings Animal Shelter.
- C. **Applicable Laws and Guidelines:** Contractor agrees to operate the shelter in accordance with local, state and federal laws, ordinances, rules, and regulations, and in accordance with the humane guidelines of the Humane Society of the United States. These guidelines shall be posted at all times within the Shelter facility.
- D. **Jurisdiction:** Contractor will accept animals originating within the City of Billings, whether brought in by Animal Control or the public. Additionally, Contractor will accept animals from other jurisdictions, including the City of Laurel and Yellowstone County, provided those jurisdictions participate under a contract agreement. Animals from non-participatory locations will be taken in on an "as space is available basis." City Council shall have final approval of any contracts entered into by Contractor with other parties that adds to the animal population of the shelter.
- E. **Annual Inspection:** An annual inspection of the Shelter shall be conducted by the Regional Director of the Humane Society of the United States or a local veterinarian. Additionally, the City's Facility Manager or a City Building Inspector shall accompany the Regional Director or the local veterinarian on the inspection.
- F. **Financial Reporting and Budget:** The following documents and reports shall be

presented to the City:

Financial Reports: Contractor shall present to the City:

1. a proposed work plan and budget, including a list of fees, by April 1 of each year; and,
2. Biennial compiled financial statements, with notes, completed in accordance with The American Institute of CPAs professional standards, by September 1 of each even numbered year, starting in 2012.

The Contractor's Board of Directors shall contract with an independent accounting firm to perform an annual audit and prepare federal form 990 (Return of Organization Exempt from Income Tax).

The City reserves the right, at its own expense, to have a financial audit completed of the Animal Shelter operations and may inspect and take copies of any and all of Contractor's books and records.

Quarterly Reports: On a quarterly basis, the Contractor shall present to the City:

1. a report with the actual operating costs/revenues covered under this Agreement; and
2. a report which shall, at minimum, include:
 - a. Statistics report from ARMS program identified as "Shelter Activity Summary".
 - b. Number of Spay/Neuters performed.
 - c. Licenses Issued.

G. **Licensing:** Contractor shall be required to maintain licensing data. The revenue from licensing shall be split equally between Contractor and the City. Contractor shall update and enter all licensing data the day of the license sale. Contractor shall update and enter all licensing data obtained from veterinarians within two weeks of receiving that information. All revenue owed to the City shall be forwarded to the City once a month and due by the 1st of each month.

H. **Accounting Activity:** Contractor shall utilize a reconciliation process to compare activity for sales, claims, etc. from the inventory system to the general ledger system. On a periodic basis, costs of certain supplies shall be analyzed to inventory volumes to test for reasonableness (e.g. the cost of food to animal census figures, the cost of surgical supplies to inventory treated surgically or medically, the cost of euthanasia supplies to inventory euthanized).

I. **Other Restrictions:** The Contractor agrees not to hire, employ, allow on the premises, allow to volunteer, adopt any animal to, or place any animal with any person who is known to have been charged with or convicted of cruelty to animals, aggravated animal cruelty, animal neglect, or any other violation of federal, state, or local laws, regulations, or ordinances alleging cruel, inhumane, or neglectful treatment of any animal. "Charged or convicted" includes the formal filing of felony or misdemeanor charges, entering into

deferred prosecution or deferred imposition of sentence agreements, or being cited or summoned into any court to answer to such charges. The YVAS further agrees to conduct reasonably thorough background investigations as to all employees and volunteers to enforce compliance with this provision, and to make reasonable investigation as to any potential adopting party to enforce compliance with this provision.

- J. **Citations**: Contractor shall require any person claiming a stray or quarantined animal from the shelter to sign an affidavit of ownership. Ownership information shall then be transferred to the Animal Control Office for issuance of any applicable citations.

Exhibit “B” – Memorandum of Protocols
YELLOWSTONE VALLEY ANIMAL SHELTER
BASIC ANIMAL SERVICES

I. RECEIVING of ANIMALS

A. City of Billings - Accept all animals

B. Outside of City of Billings

1. Accept or refuse based on

a. Available room in shelter to allow continued flow of city animals

b. Passes SAFER test for adoptability

c. Support seizures of large groups of dogs from other areas of the State of Montana only. Must allow for a. & b.

d. Injured animals regardless of inside or outside City of Billings

e. Nowhere else to take the animal

f. Release for euthanasia. Must pay fees.

C. Method In

1. Billings Animal Control

2. Laurel Animal Control

3. Billings Police Department

4. Public

5. Trapped

D. Documentation

1. Police Departments and Animal Control Officers complete paperwork that identifies animal, time animal was brought into YVAS and location where animal came from.

2. Public completes paper work that gives date, location where animal was found, finders persons address, and descriptive of the animal.

3. If trapped the trapper completes stray paperwork as 2.

E. Presenting into the shelter

1. Dogs & Cats

a. Scan for microchip

b. Check for collar with identification tags

c. Weigh

d. Check for injuries

- e. Administer Bordetella (Dogs) or Rhino/Panleuk (Cats) Vaccination
- f. Place in Stray Dog Room kennel or Intake Room cages for cats
- g. Enter animal information into ARMS Program
- 2. Pocket Pets / Birds / Reptiles
 - a. Place in appropriate cage and enter information same as g.

F. Waiting period

- 1. Stray Animal - held 72 hours from time of intake. At that point, the animal, per city ordinance, is considered abandoned and becomes the property of Yellowstone Valley Animal Shelter.
- 2. Release - Animal is held 24 hours from time of intake.

II. OUTGOING ANIMALS

A. To claim a stray animal.

- 1. Animal must be adequately identified to prove ownership.
- 2. Fee for claim, board and vaccination is paid
- 3. If owner lives in the City of Billings, they must provide proof of City Animal license. If no license they must purchase license from YVAS at time of claim with proof of rabies vaccination
- 4. If rabies vaccination is not current, owner may purchase a city animal license. The physical license will be held at YVAS until proof of rabies is provided.

B. To adopt an animal

- 1. Potential adopter completes adoption application.
- 2. Potential adopter meets with the animal in presence of YVAS staff member.
- 3. All family members must be present for a Meet/Greet session.
- 4. Other dogs in same home must be brought to the shelter for Meet/Greet.
- 5. At that time YVAS staff will either approve or deny the adoption based on application and the results of the Meet/Greet sessions.

C. Transferred Animals

1. In the case of an animal that would be a candidate for a Rescue Organization, we will transfer to an approved rescue.
2. In the case of an animal that for reasons of health or age is a candidate for a transfer through the foster program, we will transfer for a said amount of time into an approved foster home.

D. Euthanization

1. Any dog that does not pass the SAFER TEST will be euthanized.
2. Any dog that shows aggression towards humans or unwarranted aggression towards another dog will be euthanized.
3. Any animal in poor health or in inhumane, unrepairable condition will be euthanized.

III. EUTHANIZATION

- A. Contract with the Billings Animal Control for euthanasia services.
- B. Provide euthanasia services to those individuals who are financially unable to pay the fees of a veterinarian.
- C. Euthanization of an animal will be approved by the Executive Director or Operations Director with the recommendations of YVAS staff members.

BASIC KENNEL MAINTENANCE

I. KENNELS – Morning cleaning

A. Cats

1. Cats in residence require the least amount of upset possible. Based on this we replace cat litter, give fresh water and food, and wipe out the kennel with limited disturbance to that cat.
2. Cat beds and toys are replaced as needed.
3. Empty cat cages are cleaned with chemical product that kills all feline infectious diseases. These kennels are then ready for new cats.
4. As kennels are cleaned food is prepared for each cat and placed in their kennel.

5. Counters are washed with disinfectant, garages emptied, and floors cleaned.
6. Each Cat Room has individual cleaning equipment and chemicals.
7. Cat Rooms are cleaned in the following order based on maintaining the health status of the cats.
 - a. Adoptable Cat Room - cats are allowed to be out of their kennels for exercise and human handling during this time.
 - b. Surgery Cat Room - cats that have been adopted and waiting for spay/neuter surgery.
 - c. Stray Cat Room - cats that are not yet available for adoption based on stray status.
 - d. Intake Room - cats that have been in the shelter for 48 hours or less or feral status.
 - e. Isolation Cat Room - cats that are being treated for Upper Respiratory Infection, or other recoverable health issues and need to be isolated from other cats.

B. Dogs

1. Dog kennels are thoroughly cleaned each morning and examined for malfunction.
2. Kennel attendants first scoop the kennels then spray in entirety the kennel floors, walls, and aisles with a chemical cleaner that is designed to kill all canine viruses including Parvo Virus.
3. The dogs are placed outside in play yards during the cleaning process.
4. Dog Kennel Rooms are cleaned in the following order:
 - a. Adoptable Dog Room – dogs that are available for adoption
 - b. Stray Dog Room – dogs that are in stray status, or need quiet time, or have not yet had SAFER TEST performed.
 - c. Quarantine Dog Room – dogs that are being held for Billings Animal Control. These dogs are not allowed out of kennels. Guillotine doors are used to transfer dog out of kennel to adjoining kennel while kennel is cleaned.
 - d. Isolation Dog Room – dogs that being isolated from general population based on health or temperament. Depending on status of dog it may or may not be allowed

- out of kennel. Guillotine doors are used to transfer dog out of kennel to adjoining kennel while kennel is cleaned.
5. Dogs are returned fed and given fresh water after all kennels are cleaned.
- C. Pocket pets, birds and rabbits.
1. Each cage is cleaned daily with fresh bedding, food and water.

SPAY/NEUTER, SURGERY, SURGERY ROOMS, MEDICAL SUPPLIES

I. SPAY/NEUTER OF ANIMALS

- A. All dogs and cats that are adopted or transferred to a foster home or approved rescue are spayed or neutered prior to leaving the shelter.
- B. Exception to A. based on shelter veterinarian's belief in the best interest of the long term health of puppies and kittens - puppies under 3 months and kittens less than 4 pounds.
- C. Exception to A. based on shelter veterinarian's evaluation would be an animal that is not physically healthy enough to undergo the surgery. This animal would follow the same tracking protocol and return to YVAS for spay/neuter procedure.
- D. Those animals in B. and C. are scheduled for return to the shelter at time of appropriate age and weight. This is recorded in the ARMS program.
- E. YVAS staff member keeps record of and follows up with the adopter to ensure return of the animal.
- F. The adopter pays for the spay/neuter surgery at time of adoption. Also pays a bond that is refundable upon completion of the surgery.
- G. If the adopter wishes to have spay/neuter procedure performed by own veterinarian, this is only possible if approved by the Executive Director or Director of Operations.
- H. If surgery is performed outside of YVAS facility the adopter is required to pay all the fees for spay/neuter and the bond. The adopter will receive the fee for spay/neuter and the bond in a refund upon the receipt of proof of spay/neuter from their veterinarian.

- I. The Adoption Contract states that if the spay/neuter procedure is not performed by the date indicated on the contract, YVAS may repossess the animal and the adopter forfeits all fees paid.

II. SURGERY AND MEDICAL ROOMS

- A. Shelter Veterinarian directs the stocking of medicines and medical supplies for these rooms.
- B. Shelter Veterinarian orders the vaccines, medicines, and medical supplies for these rooms and the surgeries performed.
- C. Shelter Veterinarian oversees the decisions for types of vaccinations given to the animals.
- D. Refrigerators (Intake Room and Medical Room) have temperature gauges with alarms.
- E. Each room is fully cleaned after surgeries or medical use.
- F. Surgery suite is used only for surgeries.
- G. Each surgery table is equipped with appropriate medical supplies and equipment as directed by the Shelter Veterinarian.
- H. Only authorized staff and volunteers are allowed in these areas.

III. SURGERY AND MEDICAL TREATMENT

- A. Only the Shelter Veterinarian may provide shelter surgery or medical services at YVAS.
- B. The Shelter Veterinarian may request or approve another veterinarian to provide shelter medical or surgery services at YVAS.
- C. If the Shelter Veterinarian decides it is in the best interest and health of an animal any medical care or surgery will be provided for an animal.
- D. The Shelter Veterinarian may approve the referral of an animal to a veterinarian outside of YVAS for medical care or surgery if in the best interest and health of an animal.
- E. No medicinal treatment of an animal can provided without the approval of the Shelter Veterinarian or his/her designated spokesperson.

DAILY SERVICES

I. Basic Services

- A. All persons and animals entering YVAS will receive services based on meeting our contractual agreement with the City of Billings.
- B. If YVAS is unable to provide the service that an individual requests based on the extent of expertise of the YVAS staff, the staff will provide referrals or additional information to help that individual and/or animal.
- C. YVAS will be open to the public as follows:
 - Monday, Tuesday, Thursday, Friday 12:00 pm – 7:00 pm
 - Saturday, Sunday 12:00 pm – 6 pm
- D. YVAS will be staffed to meet the needs of the public and the animals.
- E. YVAS will maintain a fee based service based on the costs of the services provided.
- F. The public is expected to pay for all services received from YVAS. If an individual is unable to pay it is at the discretion of the Executive Director or the Operations Director to waive those fees or a portion of. No Billings resident can be denied the services that are outlined in the contractual agreement with the City of Billings.
- G. YVAS Website will be updated daily for stray animals received in the shelter and at least four times a week for the adoptable animals.
- H. Lost Pet Hotline is updated each weekday morning.
- I. YVAS is to provide kennel space to all animals from the City of Billings.
- J. YVAS reserves the right to accept animals outside the limits of the City of Billings based on available space.
- K. YVAS staff is expected to greet the public in a positive and supportive manner and assist their needs immediately upon entrance into the shelter.
- L. The telephone is to be answered if staff persons are not engaged with a customer. Telephone messages are to be checked at least two times a day, more often if possible and recorded in a

telephone log. Messages are to be replied to immediately, or as soon as possible.

ANIMAL NEEDS DURING THE DAY

I. Dogs

- A. A walk through will be performed first thing in the morning to check on all the dogs.
- B. Adoptable dogs will be out in the play yards in the mornings, inside in their kennels in the afternoon and then back out into the outside kennels in the late afternoon.
- C. The dog kennels will have dog houses, shelter from the sun and rain, and a platform to sit on. Freshwater will be available in each pen.
- D. The indoor dog kennels will be scooped three additional times of the day besides morning cleaning.
- E. Water dishes will be checked and refilled three additional times of the day besides the morning feeding and watering.
- F. When volunteers are available dogs will be exercised through walking or playing in the outside play yards.
- G. Dogs are allowed in the front office space for socialization and observing behavior patterns.
- H. Dogs are observed throughout the day for health concerns.
- I. A final walk through of the dogs will be performed at end of day to assure health of the animals.

II. Cats

- A. Water will be checked twice a day.
- B. If volunteers are available the adoptable cats can be held and brushed. They must sanitize their hands between contacts with each cat.
- C. Selected cats are allowed to be loose in the front office.
- D. Cats are observed throughout the day for health concerns.
- E. If customers have lost a cat, they may look through the Intake Room and the Stray Cat Room accompanied by a YVAS employee. Customers are not to touch the cats in those rooms in order to preserve their health.
- F. A final walk through of the cats will be performed at end of day to assure health of the animals.

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: W.O. 04-12, Alkali Creek Road Maintenance and Slope Reconstruction, Phase 3, Professional Services Contract, Amendment No. 11

PRESENTED BY: David Mumford

Department: Public Works

PROBLEM/ISSUE STATEMENT

The City of Billings and Kadrmas, Lee & Jackson, Inc. (KLJ) agreed to a Professional Services Contract on April 26, 2004, to cover the design of reconstructing Alkali Creek Road between Senators Blvd. and Airport Road. Subsequent amendments encompass different phases of the project. Staff is recommending Amendment 11 to cover services associated with observation of the wetlands and additional design, construction administration, and inspection related to repairs needed due to the severe storms and flood that occurred in May, 2011.

As part of the permits obtained to disturb existing wetlands and relocate the channel of Alkali Creek, the City is required to monitor the wetlands for a 5-year period and report on the re-vegetation and general state of the wetlands. KLJ did all the pre-construction observations and reporting, so it is logical for them to also oversee the post-construction monitoring.

The excessive and strong rains and flood that occurred in May, 2011, caused substantial damage to this project site. New vegetation was not yet established so the new slopes experienced some large erosion cuts where top soil washed away. Many of the new trees were either completely washed away or had their root balls exposed. A few spots of the new creek channel were depleted and a couple caved in completely. This damage requires repair and/or replacement work. Some of the repair work will require additional design. Amendment 11 includes tasks related to the design, construction administration, and inspection needed to complete these repairs/replacements.

More specific details of the services provided by Amendment 11 can be found in the attached scope of work.

ALTERNATIVES ANALYZED

The Council may:

- Approve Amendment No. 11 to the Professional Services Agreement with Kadrmas, Lee & Jackson; or
- Not approve Amendment No. 11 to the Professional Services Agreement

FINANCIAL IMPACT

The project is being funded by Arterial Fees and a grant approved by HB 645 and funded by ARRA (American Recovery and Reinvestment Act) funds. All ARRA funds have been expended so Arterial Fees will be used for this amendment. There is a possibility of receiving some reimbursement from FEMA for the work related to the flood damage. Amendment 11 is a contract increase of \$60,758.50.

RECOMMENDATION

Staff recommends that Council authorize the Mayor to execute Amendment No. 11 to the Professional Services Contract with Kadrmas, Lee & Jackson, Inc., in the amount of \$60,758.50.

APPROVED BY CITY ADMINISTRATOR

Attachments

Amendment 11

Amendment 11 Scope

AMENDMENT NO. 11

TO

**CONTRACT FOR PROFESSIONAL ARCHITECTURAL AND
ENGINEERING SERVICES**

CITY OF BILLINGS WORK ORDER 04-12,

Alkali Creek Road – Senators Blvd. To Airport Road

THIS AGREEMENT, made and entered into on _____, 2011, by and between the following:

CITY OF BILLINGS, a Municipal Corporation,
Billings, Montana 59103,
Hereinafter designated the City

and

Kadrmass, Lee & Jackson, Inc.
PO Box 80303
Billings, Montana 59108
Hereinafter designated the Contractor

WITNESSETH:

WHEREAS, the City and Contractor have entered into a contract dated April 26, 2004, for Contractor to provide professional services to the City for Work Order 04-12, Alkali Creek Road – Senators Blvd. To Airport Road, and;

WHEREAS, the City has need for additional professional services, and;

WHEREAS, the City has authority to contract for professional services, and;

WHEREAS, the Contractor represents that he is qualified to perform such services, is in compliance with Montana Statutes relating to the registration of professional engineers and is willing to furnish such services to the City;

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performance contained herein, or attached and incorporated herein, the Parties hereto agree as follows:

Part 1, Special Provision, Section 3:

Contract, as amended, shall terminate at midnight, December 31, 2016.

Appendix A, Section 3 is amended as follows:

The attached scope of work (4 pages) for Amendment No. 11 services is hereby made a part of this contract.

Appendix B, Section 1, Part A, second paragraph, is amended as follows:

For Design Engineering from Appendix A, as amended:

Previous total contract amount for Phases 1, 2, and 3 design (including Amendments 1-10) \$1,099,543.07

plus,

Additional design and construction administration services as per the scope of work attached to and made a part of this Amendment No. 11 \$60,758.50

Total Professional Services \$1,160,301.57

All other terms and conditions of the contract, as amended, to which this amendment applies, shall remain in full effect.

CONSULTANT

NAME: Kadmas, Lee & Jackson, Inc.

BY: _____

TITLE: _____

DATE: _____

CITY OF BILLINGS, MONTANA

BY: _____

TITLE: _____

DATE: _____

KADRMAS, LEE & JACKSON, INC.
AMENDMENT NO. ELEVEN (11) TO WORK ORDER #04-12,
ALKALI CREEK ROAD MAINTENANCE AND SLOPE RECONSTRUCTION

SCOPE OF WORK

September 2011

I. PROJECT DESCRIPTION

This is an amendment to the existing Alkali Creek Road Reconstruction Contract, hereinafter referred to as “Project.” Phase 3 of the Project begins near Black Pine Street and extends easterly along Alkali Creek Road approximately 1,800 feet to its east terminus. The purpose of Amendment No. 11 is to complete Additional Services of Engineer for project management, engineering and environmental documentation. To distinguish Amendment No. 11 services the task number first two digits correspond to the amendment number (i.e. 11xxx).

II. SERVICES TO BE PERFORMED

11100 PROJECT MANAGEMENT

The general project management tasks defined in previous amendments also apply to this amendment.

11101 Coordination

Coordinate with the City, contractors, permit agencies, subconsultants, utility owners, the public and other interested parties when requested by the City.

11102 Schedule and Budget Control

Manage the timeline and budget, and prepare invoices according to City requirements. Provide a weekly report of hours to-date to assist with the City’s project tracking.

11103 Unscheduled Meetings and/or Field Reviews

Attend unscheduled meetings and field reviews with the City or other stakeholders. Three (3) unscheduled meetings and/or field reviews are anticipated.

11200 PUBLIC INVOLVEMENT

Public involvement services are not included in this scope of work. If required, these services would be considered extra work and would be negotiated at a later date.

11300 FEMA MAP REVISIONS

1301 Additional Information Requests by DHS/FEMA

Respond to DHS/FEMA request for additional information to supplement previously completed work for Letter of Map Revision (LOMR) approval.

11400 ENVIRONMENTAL SERVICES

This section addresses services required to complete the City's commitments as outlined in the Section 404 Permit issued by the United States Army Corps of Engineers (USACE). Activities included in this scope of work include those needed over a period not exceeding five (5) years to meet monitoring requirements of the 404 Permit.

11401 Noxious Weed Monitoring

Note the presence of noxious weeds in areas of project disturbance concurrent to upland vegetation monitoring. If noxious weeds are observed, the perimeter of the infestation will be recorded using GPS data collection. The location of any observed infestation will be submitted to the City of Billings to be controlled in accordance with Montana State Law. Implementing noxious weeds control measures is not included in this scope of work and is the City's responsibility.

11402 Wetland Mitigation Monitoring Plan

Prepare and submit to the USACE a Wetland Mitigation and Monitoring Plan for the 0.65 acres of unavoidable wetland impacts associated with the channel re-alignment of Alkali Creek. The Wetland Mitigation and Monitoring Plan will describe the following: proposed project; mitigation efforts; monitoring methods; reporting factors; vegetation, soil, and hydrology characteristics; and success criteria for the mitigation site.

11403 Upland and Wetland Mitigation Monitoring Reports

KL&J will prepare and submit to the USACE annual monitoring reports on the status of the mitigation site for a period not exceeding five (5) years following the base line report. In accordance with the permit conditions, upland vegetation will only be monitored for two (2) growing seasons following completion of construction. A baseline report outlining conditions at the mitigation site will be prepared and submitted to the USACE immediately following construction. For this project, KL&J anticipates that the first report will be submitted by November 1, 2011. Subsequent reports will be submitted to the USACE on or before November 1st for a period of five (5) years, or less if the USACE determines the mitigation site has met the success criteria outlined in the Wetland Mitigation Monitoring Plan.

Each Mitigation Monitoring Report will include the following:

- All upland and wetland plant species observed, along with their estimated relative frequency and percent cover. As part of this task, KL&J will conduct a wetland delineation of the mitigation site according to the US Army Corps of Engineers (USACE) 1987 Delineation Manual and Great Plains Regional Supplement;
- Any fauna noted as utilizing the mitigation site;

- Photographs showing representative areas of the mitigation site taken at least once each year during the growing season. KL&J will establish photo reference points to be used each year of monitoring. By establishing reference points to be used yearly, direct comparisons on the mitigation site between years can be made; and
- A scale drawing or map that shows the limits and areas of the existing wetland and the limits of all newly-established wetland area.

11404 Channel Stability Monitoring

In order to monitor vertical and lateral stability along the newly created Alkali Creek channel, KL&J, in coordination with the USACE, will establish photo points at three locations on the new channel. At least two of the photo points will clearly show an outer bend of the channel. These photos shall be submitted with the annual Mitigation Monitoring Report.

Work Excluded from Environmental Services Scope of Work (Phase 9400 tasks)

The following items are excluded from the current scope of work:

1. Functional wetlands assessment
2. Permit applications
3. Botanical, biological, threatened and endangered species, archaeological, or other field investigations aside from those described
4. Biological monitoring
5. Noxious weed control
6. Mitigation site maintenance
7. NEPA documentation
8. Re-planting of sites that do not meet vegetation re-establishment criteria/timeframes
9. Channel stabilization plans or implementation
10. Establishment of legally binding restrictions on the mitigation site to protect its fish and wildlife values
11. Monitoring requirements extending beyond the timeframes identified
12. Responsibility for mitigation success

11500 ADDITIONAL SERVICES FOR FLOOD REPAIRS

The tasks associated with flood repairs have been requested by the City of Billings, to assist with repairing previously-completed construction work that was damaged by flood in May 2011.

11501 Permit Modifications

Coordinate with permitting agencies for modifications to existing permits necessary to complete repair work. This task includes one on-site meeting with officials, preparation of a revised permit application(s), and submitting the application on behalf of the City. Permit fees, if applicable, will be paid by the City. It is anticipated that three permits may be required for the repair work.

11502 Flood Damage Assessments, Field Reviews, Alternatives Screening

Conduct field reviews of the project site documenting areas requiring repairs. Perform periodic monitoring of damaged sites for potential safety hazards. Assess damaged areas for potential solutions in collaboration with City staff. KL&J anticipates that repairing damaged sites equal to the original design intent is not feasible due to post-construction conditions and site constraints; therefore, final design of repairs will involve an iterative process of alternatives screening with City staff and contractors. The alternative analysis will include design concept preparation, cost and constructability review with contractors, site visits, sub-consultant and supplier coordination, and permit agency coordination.

11503 Change Order Documentation

Upon selection of the repair alternative provide exhibits, specifications, quantities, and other documentation necessary for execution of a change order between the City and Contractor.

11504 Construction Administration

Provide office administration and part-time field personnel to verify that the Contractor's work is in general conformance with change order requirements. KL&J's construction administration tasks included are summarized below.

1. Attend a preconstruction meeting and two additional progress meetings.
2. Delineate repair work areas prior to commencement. This will be completed in one 8-hour day.
3. Review submittals.
4. Coordinate site visits with City personnel prior to mobilizing. Provide on-site construction observation limited to no more than 10 hours per week over the course of 4 weeks (40 hours total) and maintain documentation of observed construction activities, including photos and daily logs.
5. Since the change order will be authorized on a time and material basis, administering progress and cost will be an ongoing effort. KL&J will assist the City with tracking time and materials construction costs. City staff will document labor, equipment, and material quantities, verify them with the Contractor, and provide a weekly summary to KL&J for review and documentation. KL&J will use the information to track change order costs on a weekly basis and will prepare a final progress payment application.
6. Attend a walk-thru upon completion of the repair work.
7. Attend a one-year warranty walk-thru.
8. Provide record drawings limited to showing the location of stream bank repair areas. Record drawings will not include final location of trees and placement of fill required for flood damage repairs.

Work Excluded from Flood Repairs (Phase 11500 tasks)

1. Materials testing
2. Additional permit modifications, alternatives screening and design after execution of the anticipated change order
3. Geotechnical evaluations

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: W.O. 04-12--Phase 3, Alkali Creek Road Maintenance and Slope Reconstruction, Change Order No. Nine

PRESENTED BY: David Mumford

Department: Public Works

PROBLEM/ISSUE STATEMENT

CMG Construction has requested Change Order #9 for W.O. 04-12, Phase 3, of the Alkali Creek Rd. project. Change Order #9 involves labor and materials to repair and/or replace components that were damaged or completely washed away in the severe storms and flood that occurred in May.

As a requirement of the permit with the United States Corps of Engineers and an agreement with the adjacent property owner (Morningside Homeowners Association), a substantial amount of landscaping (trees, etc.) were planted throughout the disturbed area. All planting was done late in the fall of 2010, so the trees were not yet fully established when the storms and flood occurred in May, 2011. A large number of trees planted on the slopes and on the bottom of the expanded creek channel were damaged and/or had their root balls partially exposed by the rain. These trees need extensive maintenance before winter to provide a decent chance of survival and reduce the possibility of additional replacement. All maintenance and repair and associated work are billed on a time and materials basis with some lump sum costs where appropriate. Additional repair work on the slopes and creek channel will be needed and may be included in a future change order.

ALTERNATIVES ANALYZED

The Council may:

- Approve Change Order #9 to CMG Construction for W.O. 04-12; or
- Do not approve Change Order #9.

FINANCIAL IMPACT

This project is being funded by Arterial Fees and a grant approved by HB 645 and funded from ARRA funds. CO #9 represents an addition to the project's costs. All ARRA funds have been expended, but there are other funds available to cover the additional costs. Pending approval from FEMA, some reimbursement may be available. The table below summarizes the financial impact to the project.

ORIGINAL CONSTRUCTION CONTRACT: \$1,336,558.00			
	<u>Amount</u>	<u>% of Contract</u>	<u>Total % of Contract</u>
Change Order 1 (add. landscaping to meet MHOA Agreement)	\$133,154.88	9.96%	
Change Orders 2-8	\$146,809.83	10.98%	
Change Order 9 (flood repairs, landscape and tree maintenance)	\$ 81,836.34	6.12%	
TOTALs to date:	\$361,801.05		27.07%

RECOMMENDATION

Staff recommends that Council authorize the Mayor to execute Change Order No. 9 to the contract with CMG Construction, in the not-to-exceed amount of \$81,836.34, for W.O. 04-12--Phase 3, Alkali Creek Road Maintenance and Slope Reconstruction.

APPROVED BY CITY ADMINISTRATOR

Attachments

Attachment A

Attachment A-1

Change Order

No. Nine (9)

Date of Issuance: September 26, 2011

Effective Date: September 27, 2011

Project: Alkali Creek Road Maintenance and Slope Reconstruction	Owner: City of Billings	Owner's Contract No.: W.O. 04-12 -- Phase 3
Contract: City of Billings Work Order No. 04-12-Phase 3 / Alkali Creek Road Maintenance and Slope Reconstruction / Bid Schedule 1 and Bid Schedule 2	Date of Contract: 4/26/2010	
Contractor: CMG Construction, Inc.	Engineer's Project No.: 2403126	

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

Additional work is required to clean-up flood damaged areas, repair flood damaged trees, and re-seed flood damaged slopes.

Contract time related to this change order applies to the attached description.

Attachments (list documents supporting change):

1) Change Order No. 9--Description of Time and Materials Work, Lump Sum Costs, and Additional Considerations dated 9/15/2011 (1 pg.)

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:

\$1,336,558.00

Original Contract Times: Working days Calendar days

Substantial completion (days or date): 08/17/2010

Ready for final payment (days or date): 08/31/2010

Increase from previously approved Change Orders No. 1 to No. 8:

\$279,964.71

Increase from previously approved Change Orders No. 1 to No. 8:

Substantial completion (days): 37 calendar days

Ready for final payment (days): 37 calendar days

Contract Price prior to this Change Order:

\$1,616,522.71

Contract Times prior to this Change Order:

Substantial completion (days or date): 09/23/2010

Ready for final payment (days or date): 10/07/2010

Increase of this Change Order:

\$81,836.34

Increase of this Change Order:

Substantial completion (days or date): Does Not Apply

Ready for final payment (days or date): 30 Calendar Days (see attached description)

Contract Price incorporating this Change Order:

\$ 1,698,359.05

Contract Times with all approved Change Orders:

Substantial completion (days or date): 09/23/2010

Ready for final payment (days or date): 10/26/2011 (see attached description)

RECOMMENDED:

ACCEPTED:

ACCEPTED:

By: _____
Engineer (Authorized Signature)

By: _____
Owner (Authorized Signature)

By: _____
Contractor (Authorized Signature)

Date: _____

Date: _____

Date: _____

Approved by Funding Agency (if applicable):

Date: _____

City of Billings Work Order 04-12
Alkali Creek Road Maintenance and Slope Reconstruction
Change Order No. 9 – Flood Damage Repairs
September 2011

Time and Materials Work

The following Work is to be completed on a time and material basis up to the maximum amount shown. The Owner and Contractor will review on a breakdown of labor, equipment and material rates on a daily basis.

Sub-Contractor Work Performed by Land Supply

1.	Repair or Reset Damaged Trees (~76 trees)	\$45,437.36
	a. Import Topsoil	
	b. Repair guys and fencing	
2.	Seed areas adjacent to repaired trees with HydraCX2 Extreme Slope Matrix by North American Green, or approved equal	\$6,525.00
3.	Mark-up on Sub-Contractor work (5%)	\$2,598.12

Lump Sum Costs

4.	General Site Restoration (1 LS)	\$2,625.00
5.	General Requirements (Mob/Demob, Taxes, Bonds, Insurance) (1 LS)	\$10,500.00
6.	Construction Traffic Control (1 LS)	\$500.00
7.	CMG Construction General Clean-Up (1 LS)	\$6,942.38
8.	Land Supply General Clean-Up (1 LS)	\$6,125.00
9.	Contract Amount Correction – Reconciling from Previous Change Orders	\$583.48

Total Change Order No. 9 \$81,836.34

Additional Considerations

1. Time and materials prices above are based on the assumption that Work will be completed during calendar year 2011.
2. The work will be completed within 30 calendar days of the executed change order.
3. The 2-year replacement warranty for damaged trees repaired as part of this change order, as stated in the original Contract, is void.

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Assignment and Transfer of West End Hangar Ground Lease from Philip O. Petrik DBA Richland Aviation to Richland Aviation, Inc.

PRESENTED BY: Tom Binford

Department: Airport

PROBLEM/ISSUE STATEMENT

On October 12, 2004, Philip O. Petrik DBA Richland Aviation entered into a new twenty-year West End Hangar Ground Lease with the City of Billings for a parcel in Township 1 North, Range 25 East, Section 25; said parcel containing 11,475 square feet. Mr. Petrik subsequently built a 125 foot by 60 foot hangar on the leased parcel, located at 2711 Overlook Drive. Mr. Petrik resides in Sidney, Montana, and has a freight hauling contract with UPS at the Billings Airport, flying UPS packages to a number of smaller Montana communities. Mr. Petrik desires to change the Lessee's name on this Lease. This Assignment and Transfer will formally transfer the Lease from Philip O. Petrik DBA Richland Aviation to Richland Aviation, Inc.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the Assignment and Transfer of the West End Hangar Ground Lease from Philip O. Petrik DBA Richland Aviation to Richland Aviation, Inc.; or
- Not approve the Assignment and Transfer of the West End Hangar Ground Lease from Philip O. Petrik DBA Richland Aviation to Richland Aviation, Inc.

FINANCIAL IMPACT

There is no financial impact from this action. The name on the Lease is all that changes with this Assignment and Transfer; all other terms and conditions remain in full force and effect until September 30, 2024, the expiration date of the Lease.

RECOMMENDATION

Staff recommends that the City Council approve the Assignment and Transfer of the West End Hangar Ground Lease from Philip O. Petrik DBA Richland Aviation to Richland Aviation, Inc.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: West End Hangar Ground Lease with Wesco Resources, Inc.

PRESENTED BY: Tom Binford

Department: Airport

PROBLEM/ISSUE STATEMENT

Wesco Resources, Inc. desires to enter into a new West End Hangar Ground Lease and to construct a new 60 foot x 60 foot hangar on the parcel located at 2901 Overlook Drive. This Lease is for a 5,950 square foot parcel located in the general aviation area on the west end of the Airport, and will be the first lease on the new Taxilane D. The Lease is for twenty years, commencing October 1, 2011 and terminating on September 30, 2031.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the West End Hangar Ground Lease with Wesco Resources, Inc. for a twenty-year term commencing October 1, 2011 and terminating on September 30, 2031; or
- Not approve the West End Hangar Ground Lease with Wesco Resources, Inc. for a twenty-year term commencing October 1, 2011 and terminating on September 30, 2031.

FINANCIAL IMPACT

The first year of this Lease will generate \$1,135.26 of revenue for the City's Airport. Subsequent years will be adjusted using the Consumer Price Index - Urban Consumers (CPI-U) for the previous twelve months to keep pace with annual inflation.

RECOMMENDATION

Staff recommends that City Council approve the twenty-year West End Hangar Ground Lease with Wesco Resources, Inc., for the term commencing October 1, 2011 and terminating on September 30, 2031.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Confirmation of Probationary Police Officers

PRESENTED BY: Rich St. John

Department: Police

PROBLEM/ISSUE STATEMENT

On September 7, 2010, Officers Cory Kirkpatrick and Jeremy Boeckel were hired by the Billings Police Department as probationary Police Officers. According to MCA 7-32-4113, the probationary period is for one year from date of hire. At this time the officers have completed their one year probation and, according to state statute, their names are to be submitted to City Council for confirmation. All of the supervisor comments concerning the officers' performance are positive, indicate that they are doing a good job and recommend confirmation.

ALTERNATIVES ANALYZED

Council may:

- Approve confirmation of probationary police officers; or
- Do not approve confirmation of probationary police officers.

FINANCIAL IMPACT

None.

RECOMMENDATION

Staff recommends that Officers Cory Kirkpatrick and Jeremy Boeckel be confirmed as Billings Police Officers.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: High Sierra Subdivision, 5th Filing: Preliminary Plat Approval Extension Request

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

High Sierra Subdivision, 5th Filing, is a proposed subdivision that would create 73 lots on approximately 19.7 acres of land, and is the first filing in a larger master planned area. The property is located on the north side of Matador Avenue, between Cortez Avenue and Vesca Way, in the Heights. City Council granted conditional approval of the preliminary plat of High Sierra Subdivision, 5th Filing, on October 27, 2008. Section 23-302(13) of the City Subdivision Regulations stipulates that the conditional approval of preliminary plats shall be in force for not more than three years, unless a request for a one-year extension is received and approved by City Council. The three year preliminary plat approval period will expire on October 27, 2011, and the subdivider has requested a one-year extension to that approval period.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the request to extend the preliminary plat approval for one more year; or
- Deny the request.

FINANCIAL IMPACT

Platting of 73 lots for residential development would increase the tax revenues for the City. Allowing the subdivider one additional year to prepare the final plat documents for approval and recording should not have any direct financial impact to the City.

RECOMMENDATION

Planning staff recommends that the City Council approve the request for an extension of the preliminary plat approval date for High Sierra Subdivision, 5th Filing, for one year, and set the new expiration date to October 27, 2012.

APPROVED BY CITY ADMINISTRATOR

Attachments

Prelim plat extension request letter



August 26, 2011

City of Billings
Planning & Community Services Dept.
Attn: Juliet Spalding
510 North Broadway, 4th Floor
Billings, MT 59101

RE: High Sierra Subdivision, 5th Filing.

Dear Mrs. Spalding,

Please accept this letter as our written request for a one-year extension of our preliminary plat for the High Sierra Subdivision, 5th Filing.

If you have any questions, please call.

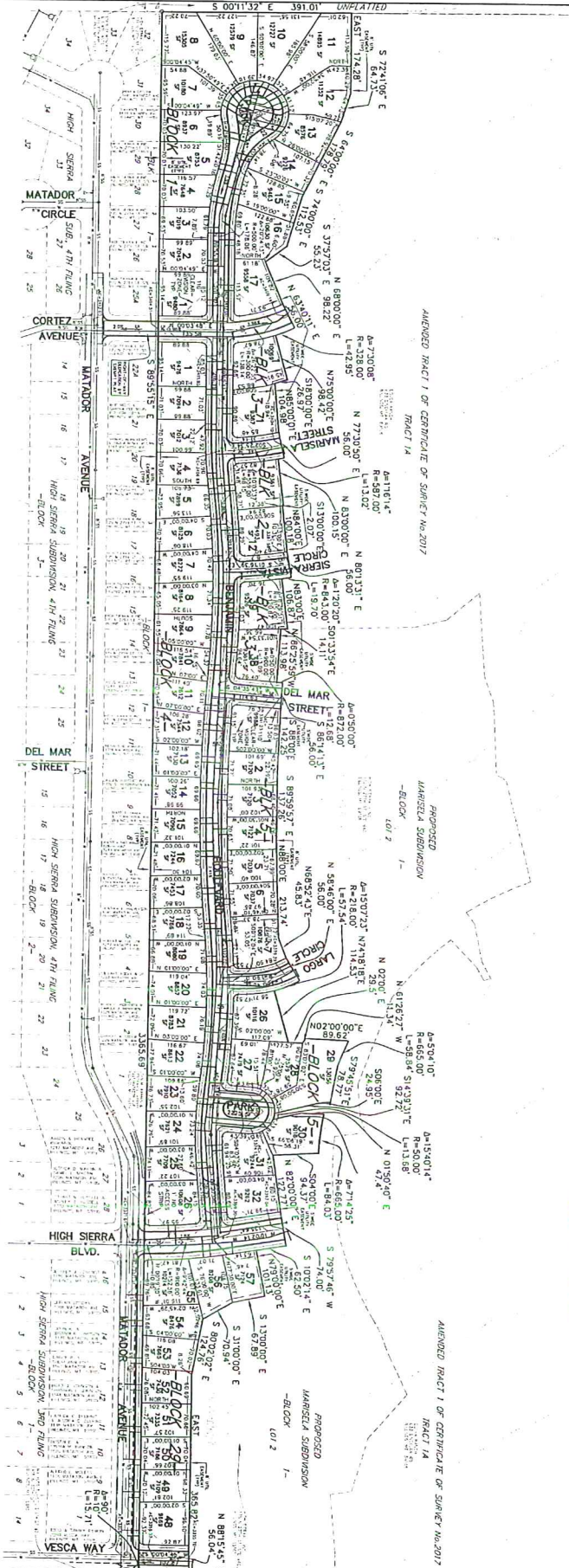
Sincerely,

Landy Leep
Vice President

PRELIMINARY PLAT OF
HIGH SIERRA SUBDIVISION, FIFTH FILING
 BEING LOT 1, BLOCK 1 & LOT 1, BLOCK 2, OF MARSELA SUBDIVISION
 SITUATED IN THE S.1/2, S.E.1/4 OF SECTION 8 &
 S.1/2, S.W.1/4 OF SECTION 9, T.1N., R.26E., P.M.M.,
 YELLOWSTONE COUNTY, MONTANA

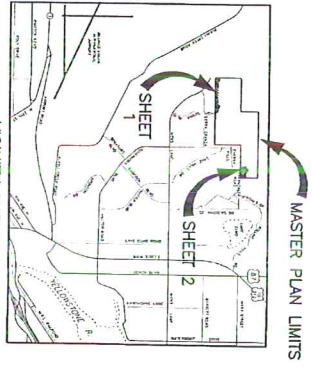
PREPARED FOR: HIGH SIERRA II INC.
 PREPARED BY: ENGINEERING, INC.
 SCALE: 1" = 100'

JUNE, 2008
 BILLINGS, MONTANA

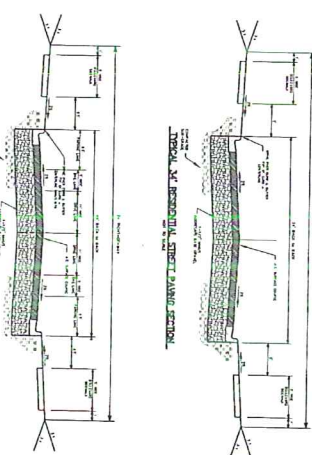


PLAT DATA

GROSS AREA	26.90 ACRES
NET AREA	20.14 ACRES
MINIMUM LOT SIZE	5012 S.F.
MAXIMUM LOT SIZE	17944 S.F.
LINEAL FEET OF STREETS	5,013 L.F. (INTERIOR) SHEETS 1 & 2
PARKLAND REQUIREMENT	2,219 ACRES & CASH-IN-LIEU
PARKLAND DEDICATION	0.34 ACRE & R-9800
SURROUNDING ZONING:	
NORTH	R-9600 & R-7000R
EAST	R-9600 & R7000R
WEST	AGRICULTURAL OPEN (STATE LAND) & R7000R
SOUTH	AGRICULTURAL RESIDENTIAL
EXISTING LAND USE	
PROPOSED LAND USE	RESIDENTIAL



VICINITY MAP
 NOT TO SCALE



Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Oktoberfest Duathlon

PRESENTED BY: David Mumford

Department: Public Works

PROBLEM/ISSUE STATEMENT

A race route has been requested for the following event:

Who: Montana Cycling and Ski & Montana Timing

Event: Oktoberfest Duathlon for cyclists and runners

Date and Time: October 1, 2011, 8:00am to 12:00pm

Where: Start and finish at Montana Cycling Parking lot. Route will mainly be on multiuse path along Shiloh. Route will cross Shiloh and King at the pedestrian crossing. Remainder of the route is in the county.

Recommended conditions of approval include Montana Cycling & Montana Timing:

1. Provide a certificate of insurance with required liability amount naming the City of Billings as additional insured
2. All course guards (flaggers) shall wear proper safety apparel, use approved STOP/SLOW paddles and one representative shall be a CERTIFIED TRAFFIC CONTROLLER for the event
3. A meeting is required with the course planners to outline roundabout specific-requirements
4. A vehicle with overhead beacons will be required at the roundabouts.
5. Provide and install adequate signage to notify motorists of the event
6. Clean the area to be used
7. This race enters County authority (south and west of Shiloh), State authority (King Avenue, west of Shiloh), and private property (Montana Sapphire Drive is a private road). The City can only approve the portion of the course within City's authority

ALTERNATIVES ANALYZED

The Council may:

- Approve the request to use the above race route for the bike/run duathlon event; or
- Deny the request

FINANCIAL IMPACT

Administrative time to process the permit is offset by the application fee. Any police assistance, traffic control, and litter removal are to be paid for by Montana Cycling & Montana Timing.

RECOMMENDATION

Staff recommends that Council approve the route listed above for the first Oktoberfest Duathlon Run/Bike event.

APPROVED BY CITY ADMINISTRATOR

Attachments

Oktoberfest Duathlon attach



Jennifer Drinkwalter
Montana Cycling and Ski and Montana Timing
824 Shiloh Crossing Blvd.
Billings, MT 59102

On October 1, 2011, we will be hosting the first annual Okotoberfest Duathlon. There will be two distances, a sprint and an olympic distance. I've attached race details, a poster and maps for you to review.

In addition to the race details, we want to assure you we will provide safety measures along the course as necessary. We will man and mark all intersections, use law enforcement and/or security and extra signage at main intersections, including, but not limited to, Shiloh and King, 48th and King, 72nd and Neibauer, 56th and Frontage Road and Zoo drive and Shiloh. The Start and Finish will be in the Montana Cycling & Ski Parking Lot.

Cyclists will be on the route map that is in blue (mostly county roads) and runners will cross Shiloh and King at the pedestrian crossing where we will have security, and then run down the bike path to Zoo Montana and then return on the same route.

Please call or email me with any questions: Jennifer@montanatiming.com or 406-860-7327.

Sincerely,

Jennifer Drinkwalter
General Manager



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 Jennifer Drinkwater

ORGANIZATION MAKING APPLICATION Montana Cycling & Ski

PHONE 406-860-7327

ADDRESS 824 Gulch Crossing Blvd. Billings, MT 59101

EMAIL ADDRESS jennifer@montana^{CITY}timing.^{STATE}com

APPROXIMATE TIME EVENT WILL:

Assemble ~~8:00 am~~ 8 am Start 9:00 am Disband 12:00 pm

DATE OF EVENT October 1, 2011

PURPOSE/DESCRIPTION OF EVENT: (Description and detail of the event.)
Marathon- Run- Bike - Run event using low traffic roadway with the exception of O'Connell/Gulch intersection. Runners will use bike path on Gulch.

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

BLOCK PARTY STREET LOCATION (IF APPLICABLE):
None

CLEAN UP IMPLEMENTATION: (Company contracted or services you will provide)
Debris will be picked up by staff/volunteers at dis stations & parking lot of Montana Cycling & Ski.

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 *D. J. Brinkwater* DATE *Aug 31, 2011*
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: _____

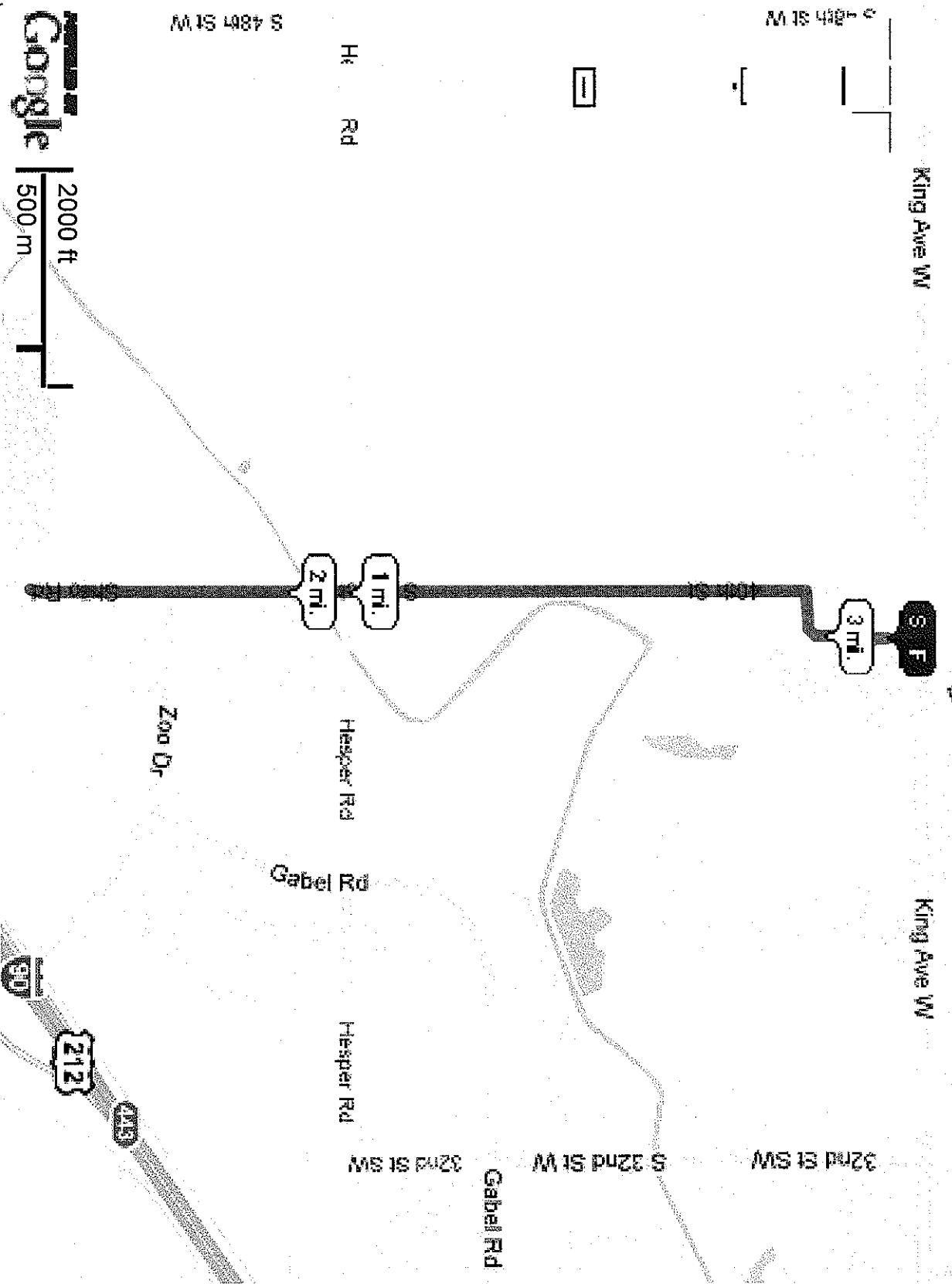
- COPIES TO:**
CITY ADMINISTRATOR
DEPUTY CITY ADMINISTRATOR
POLICE CHIEF
FIRE CHIEF
FIRE MARSHALL
MET TRANSIT MANAGER
STREET/TRAFFIC SUPERINTENDANT
TRAFFIC ENGINEER
PRPL DIRECTOR
PARKING SUPERVISOR
CITY ATTORNEY

Distance:

3.11 miles

5.00 km

Run Course



Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Payment of Claims August 26, 2011.

PRESENTED BY: Pat M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$1,439,094.87 have been audited and are presented for your approval for payment. A complete listing of the claims dated August 26, 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	
08/26/2011	748113	ACE ELECTRIC INC	40			89,363.22	
205-3131-433.93-10	07/20/2011	WO0925 DOWNTWN SIGNAL	9/25187	276288	02/2012	33,329.83	
205-3131-433.93-10	06/30/2011	WO0925 DOWNTWN SIGNAL	9/25187	276288	13/2011	33,329.83-	
205-3131-433.93-10	06/30/2011	WO0925 DOWNTWN SIGNAL	9/25187		13/2011	33,329.83	
205-3131-433.93-10	07/20/2011	WO0925 DOWNTWN SIGNAL	9/25187		02/2012	33,329.83-	
205-3131-433.93-10	06/30/2011	WO0925 DOWNTWN SIGNAL	9/25187	276288	13/2011	31,663.34-	
205-3131-433.93-10	07/20/2011	WO0925 DOWNTWN SIGNAL	9/25187	276288	02/2012	31,663.34	
211-3132-433.35-90	08/23/2011	MISC SERVICES	25369	286841	02/2012	3,417.60	
205-3131-433.93-10	08/24/2011	WO0925 DOWNTWN SIGNALS	10/25365	276288	02/2012	85,945.62	
08/26/2011	748117	AG WEST	11186			31,426.00	
211-3132-433.94-20	08/22/2011	MISC SERVICES	0339314-IN	286021	02/2012	23,569.50	
211-3132-433.94-20	08/22/2011	MISC SERVICES	0340064-IN	286021	02/2012	7,856.50	
08/26/2011	748122	APPLIED INDUSTRIAL TECHNOLOGIE	303			2,837.61	
502-0000-141.00-00	08/25/2011	SYSTEMS	42232491		02/2012	2,837.61	
08/26/2011	748126	BALCO UNIFORM CO INC	6003			3,187.00	
150-2120-421.21-20	08/26/2011	PRIOR YEAR ENCUMBRANCES	DK612	285421	02/2012	1,847.00	
150-2112-421.21-20	08/26/2011	PRIOR YEAR ENCUMBRANCES	QUANTUM-II	285537	02/2012	1,340.00	
08/26/2011	748137	BILLINGS TOURISM	19895			7,711.99	
779-1576-415.76-79	08/25/2011	MISC SERVICES	PAID JULY2011	286936	02/2012	7,711.99	
08/26/2011	748138	BLACK BOX NETWORK SERVICES	19541			37,581.55	
606-1931-484.94-80	08/16/2011	MISC SERVICES	2328184	285146	02/2012	37,581.55	
08/26/2011	748141	BRENNTAG PACIFIC INC	17236			5,225.42	
211-3132-433.45-30	08/23/2011	ROAD AND HIGHWAY MATERIAL	BPI120685	286844	02/2012	5,225.42	
08/26/2011	748145	BUSINESS TAX SECTION	2449			2,545.36	
205-3131-433.93-10	06/30/2011	WO0925 DOWNTWN SIGNAL	9/25187		13/2011	336.66	
205-3131-433.93-10	07/20/2011	WO0925 DOWNTWN SIGNAL	9/25187		02/2012	336.66-	
205-3131-433.93-10	06/30/2011	WO0925 DOWNTWN SIGNAL	9/25187	276289	13/2011	319.83-	
205-3131-433.93-10	07/20/2011	WO0925 DOWNTWN SIGNAL	9/25187	276289	02/2012	319.83	
416-7493-603.92-20	08/24/2011	WO0426 ZONE 4 RESERVOIR	22	267994	02/2012	1,188.92	
205-3131-433.93-10	08/24/2011	WO0925 DOWNTWN SIGNALS	10	276289	02/2012	868.14	
414-1519-493.35-90	08/25/2011	PRIOR YEAR ENCUMBRANCES	1	284517	02/2012	345.80	
499-5163-452.93-70	08/25/2011	BUSINESS TAX	HSDGPK TAX PAY1	286934	02/2012	142.50	
08/26/2011	748151	CTA ARCHITECTS	920			3,282.22	
768-5153-452.36-60	08/24/2011	PARK NETTING AT DEHLER	89992	286834	02/2012	1,424.00	
414-1519-493.93-90	08/25/2011	PRIOR YEAR ENCUMBRANCES	90590	278908	02/2012	1,088.22	
521-1592-493.24-50	08/25/2011	MISC SERVICES	89872	286439	02/2012	280.00	
414-1519-493.35-90	08/25/2011	MISC SERVICES	920	286939	02/2012	490.00	
08/26/2011	748160	DOWNTOWN BILLINGS BID, INC.	19065			2,860.79	
780-1575-415.76-80	08/25/2011	MISC SERVICES	PAID JULY2011	286937	02/2012	2,860.79	
08/26/2011	748175	FIRST INTERSTATE BANK	1303			6,182.40	
723-6595-465.62-00	08/24/2011	MISC SERVICES	1100216095	286914	02/2012	6,182.40	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
08/26/2011	748177	FRONTIER FENCE	4561			14,107.50	
499-5163-452.93-70	08/25/2011	FENCING FOR DOG PARK	HS DGPK PAY 1	286933	02/2012	14,107.50	
08/26/2011	748195	HDR INC	1544			5,953.23	
840-3184-431.93-10	08/24/2011	WO0709 BLGS STRM WATER	34/316050-H	251610	02/2012	1,929.84	
502-7211-601.35-40	08/24/2011	DRINKING WTR STUDY	36/315850-H	258046	02/2012	4,023.39	
08/26/2011	748199	IAFF	20196			4,306.50	
900-0000-209.99-20	08/26/2011	PAYROLL SUMMARY	20110826		02/2012	4,306.50	
08/26/2011	748208	JTL GROUP INC DBA KNIFE RIVER	2417			9,728.46	
211-3132-433.45-20	08/23/2011	ROAD/HIGHWAY MATERIAL	253215	286837	02/2012	75.21	
211-3132-433.45-20	08/23/2011	ROAD/HIGHWAY MATERIAL	253256	286837	02/2012	146.53	
211-3132-433.47-10	08/23/2011	ROAD AND HIGHWAY MATERIAL	253273	286837	02/2012	323.40	
211-3132-433.45-20	08/23/2011	ROAD/HIGHWAY MATERIAL	253637	286837	02/2012	121.23	
211-3132-433.45-20	08/23/2011	ROAD/HIGHWAY MATERIAL	253638	286837	02/2012	185.62	
211-3132-433.45-20	08/23/2011	ROAD/HIGHWAY MATERIAL	253639	286837	02/2012	47.30	
211-3132-433.47-10	08/23/2011	ROAD AND HIGHWAY MATERIAL	253655	286837	02/2012	392.49	
211-3132-433.47-10	08/23/2011	ROAD AND HIGHWAY MATERIAL	253716	286837	02/2012	1,277.43	
211-3132-433.47-10	08/23/2011	ROAD AND HIGHWAY MATERIAL	254183	286837	02/2012	2,558.29	
211-3132-433.45-20	08/23/2011	ROAD/HIGHWAY MATERIAL	254241	286837	02/2012	31.92	
211-3132-433.47-10	08/23/2011	ROAD AND HIGHWAY MATERIAL	254247	286837	02/2012	1,154.93	
211-3132-433.45-20	08/23/2011	ROAD/HIGHWAY MATERIAL	254287	286837	02/2012	60.44	
211-3132-433.47-10	08/23/2011	ROAD AND HIGHWAY MATERIAL	254296	286837	02/2012	588.00	
211-3132-433.45-20	08/23/2011	ROAD/HIGHWAY MATERIAL	254664	286837	02/2012	110.62	
211-3132-433.47-10	08/23/2011	ROAD AND HIGHWAY MATERIAL	254671	286837	02/2012	251.86	
211-3132-433.45-20	08/23/2011	ROAD/HIGHWAY MATERIAL	254703	286837	02/2012	64.51	
211-3132-433.45-20	08/23/2011	ROAD/HIGHWAY MATERIAL	254714	286837	02/2012	128.77	
211-3132-433.47-10	08/23/2011	ROAD AND HIGHWAY MATERIAL	254723	286837	02/2012	537.04	
211-3132-433.45-20	08/23/2011	ROAD/HIGHWAY MATERIAL	254884	286837	02/2012	36.46	
211-3132-433.45-20	08/23/2011	ROAD/HIGHWAY MATERIAL	254901	286837	02/2012	61.45	
211-3132-433.47-10	08/23/2011	ROAD AND HIGHWAY MATERIAL	254908	286837	02/2012	453.74	
211-3132-433.45-20	08/23/2011	ROAD/HIGHWAY MATERIAL	255236	286837	02/2012	51.68	
211-3132-433.45-20	08/23/2011	ROAD/HIGHWAY MATERIAL	255249	286837	02/2012	30.32	
211-3132-433.47-10	08/23/2011	ROAD AND HIGHWAY MATERIAL	255253	286837	02/2012	257.74	
211-3132-433.45-20	08/23/2011	ROAD/HIGHWAY MATERIAL	255280	286837	02/2012	35.70	
211-3132-433.47-10	08/23/2011	ROAD AND HIGHWAY MATERIAL	255294	286837	02/2012	745.78	
08/26/2011	748211	KEMIRA WATER SOLUTIONS, INC	19163			75,837.61	
502-0000-141.00-00	08/18/2011	WATER PARTS AND SUPPLIES	9017220982		02/2012	75,837.61	
08/26/2011	748216	LANGLAS & ASSOCIATES INC	7004			34,234.20	
414-1519-493.35-90	08/25/2011	PRIOR YEAR ENCUMBRANCES	1	284516	02/2012	34,234.20	
08/26/2011	748236	MONTANA STATE FIREMAN'S ASSOC	20195			2,760.27	
900-0000-209.99-24	08/26/2011	PAYROLL SUMMARY	20110826		02/2012	2,760.27	
08/26/2011	748237	MORRISON MAIERLE INC	2572			44,968.60	
562-7120-711.93-10	08/22/2011	MISC SERVICES	110979	285364	02/2012	9,761.00	

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405-7125-711.96-95	08/22/2011	MISC SERVICES	110982	286806	02/2012	33,447.22
405-7125-711.96-96	08/22/2011	MISC SERVICES	110982	286806	02/2012	1,760.38
08/26/2011 748240	MPPA	20198				2,505.73
900-0000-209.99-23	08/26/2011	PAYROLL SUMMARY	20110826		02/2012	2,505.73
08/26/2011 748244	NAPA AUTO PARTS	2632				3,267.49
601-0000-141.00-00	08/18/2011	MP	229812		02/2012	16.08
571-7144-713.23-20	08/18/2011	MP	220226	286776	02/2012	24.93
571-7144-713.23-20	08/18/2011	MP	220900	286776	02/2012	104.50
571-7147-713.23-20	08/18/2011	MP	220900	286776	02/2012	104.50
571-7144-713.23-20	08/18/2011	MP	221368	286776	02/2012	7.31
620-1911-482.23-20	08/18/2011	MP	223506	286776	02/2012	226.96
601-1553-481.26-50	08/18/2011	MP	223581	286776	02/2012	11.86
601-1553-481.24-10	08/18/2011	MP	224126	286776	02/2012	35.69
601-1553-481.26-50	08/18/2011	MP	224128	286776	02/2012	30.16
502-7400-603.23-20	08/18/2011	MP	225578	286776	02/2012	18.74
601-1553-481.26-50	08/18/2011	MP	225711	286776	02/2012	14.89
211-3132-433.23-20	08/18/2011	MP	225831	286776	02/2012	130.29
150-2112-421.23-20	08/18/2011	MP	225849	286776	02/2012	138.84
670-3141-489.23-20	08/18/2011	MP	225856	286776	02/2012	22.17
150-2112-421.23-20	08/18/2011	MP	225858	286776	02/2012	16.64
541-3122-435.23-20	08/18/2011	MP	226046	286776	02/2012	6.76
670-3141-489.23-20	08/18/2011	MP	226064	286776	02/2012	43.32
512-8500-625.23-20	08/18/2011	MP	226160	286776	02/2012	14.05
150-2112-421.23-20	08/18/2011	MP	226294	286776	02/2012	9.02
150-2112-421.23-20	08/18/2011	MP	226833	286776	02/2012	50.21
571-7147-713.23-20	08/18/2011	MP	226837	286776	02/2012	66.07
650-1565-487.23-20	08/18/2011	MP	227158	286776	02/2012	24.36
150-2112-421.23-20	08/18/2011	MP	227848	286776	02/2012	53.88
150-2172-441.23-20	08/18/2011	MP	228266	286776	02/2012	39.23
211-3132-433.23-20	08/18/2011	MP	228344	286776	02/2012	8.36
209-4452-428.23-20	08/18/2011	MP	228345	286776	02/2012	59.95
209-4452-428.23-20	08/18/2011	MP	228450	286776	02/2012	26.09
601-0000-141.00-00	08/23/2011	MP	227162		02/2012	108.34
601-0000-141.00-00	08/23/2011	MP	227162		02/2012	205.46
601-0000-141.00-00	08/23/2011	MP	227162		02/2012	179.94
601-0000-141.00-00	08/23/2011	MP	227162		02/2012	154.14
601-0000-141.00-00	08/23/2011	MP	229777		02/2012	46.06
601-0000-141.71-41	08/23/2011	MP	224099		02/2012	105.82
601-0000-141.71-41	08/23/2011	MP	225152		02/2012	183.51
601-0000-141.00-00	08/23/2011	MP	229869		02/2012	31.77
601-0000-141.00-00	08/23/2011	MP	230018		02/2012	115.94
150-2112-421.23-20	08/23/2011	MP	229629	286888	02/2012	138.84
601-1553-481.26-50	08/23/2011	MP	229639	286888	02/2012	30.06
10-5112-452.23-20	08/23/2011	MP	229933	286888	02/2012	6.06
10-5112-452.23-20	08/23/2011	MP	230141	286888	02/2012	12.12
571-7147-713.23-20	08/23/2011	MP	224831	286889	02/2012	27.14
571-7144-713.23-20	08/23/2011	MP	225152	286889	02/2012	115.13
571-7144-713.23-20	08/23/2011	MP	225709	286889	02/2012	39.98

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571-7144-713.23-20	08/23/2011	MP	227430	286889	02/2012	35.32	
150-2226-422.23-20	08/23/2011	MP	229152	286889	02/2012	146.75	
209-4452-428.23-20	08/23/2011	MP	229276	286889	02/2012	79.47	
541-3122-435.23-20	08/23/2011	MP	230004	286889	02/2012	15.56	
211-3132-433.23-20	08/23/2011	MP	230137	286889	02/2012	75.99	
150-2112-421.23-20	08/23/2011	MP	230382	286889	02/2012	109.23	
08/26/2011	748252	NORTHWESTERN ENERGY	15771			262,535.09	
150-2221-422.34-10	08/19/2011	FIRE1:ELEC/39,520KWH/AUG	0100476-1 11-08	285706	02/2012	3,480.04	
660-3110-431.34-10	08/23/2011	ELECTRICITY	17413147	286838	02/2012	482.64	
670-3141-489.34-10	08/23/2011	ELECTRICITY	17413147	286838	02/2012	723.97	
502-7400-603.34-10	08/23/2011	MISC SERVICES	01004852 AUG11	286887	02/2012	1,117.58	
512-8400-623.34-10	08/23/2011	MISC SERVICES	01005917 AUG11	286887	02/2012	47,417.53	
502-7314-602.34-10	08/23/2011	MISC SERVICES	01006063 AUG11	286887	02/2012	6,980.52	
502-7400-603.34-10	08/23/2011	MISC SERVICES	01006063 AUG11	286887	02/2012	139,610.42	
502-7400-603.34-10	08/23/2011	MISC SERVICES	01006063 AUG11	286887	02/2012	37,229.45	
512-8314-622.34-10	08/23/2011	MISC SERVICES	01006063 AUG11	286887	02/2012	2,326.84	
650-1567-487.34-10	08/25/2011	FACILITIES MANAGEMENT	01005073		02/2012	8,381.09	
150-2221-422.34-10	08/25/2011	NW FIRE	07125370		02/2012	532.68	
10-5122-451.34-10	08/25/2011	NW PARK/REC/PL	07126832		02/2012	93.15	
571-7148-713.34-10	08/25/2011	NW AVIATION/TRAN	07127640		02/2012	23.09	
561-7117-711.34-10	08/25/2011	NW AVIATION/TRAN	07127921		02/2012	325.24	
561-7117-711.34-10	08/25/2011	NW AVIATION/TRAN	07127996		02/2012	13.34	
561-7117-711.34-10	08/25/2011	NW AVIATION/TRAN	07128002		02/2012	1,382.95	
561-7113-711.34-10	08/25/2011	NW AVIATION/TRAN	07128093		02/2012	7.30	
561-7117-711.34-10	08/25/2011	NW AVIATION/TRAN	07128176		02/2012	9.42	
561-7113-711.34-10	08/25/2011	NW AVIATION/TRAN	07196165		02/2012	57.63	
521-1595-493.34-10	08/25/2011	NW FINANCE	07208291		02/2012	300.60	
521-1592-493.34-10	08/25/2011	NW FINANCE	07208341		02/2012	2,680.42	
150-2221-422.34-10	08/25/2011	NW FIRE	07208408		02/2012	337.99	
607-2235-486.34-10	08/25/2011	NW FIRE	07215809		02/2012	285.17	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07222375		02/2012	13.34	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07222474		02/2012	7.30	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07222516		02/2012	273.24	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07222540		02/2012	.09	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07222557		02/2012	90.41	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07222573		02/2012	526.29	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07222607		02/2012	326.04	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07222615		02/2012	35.45	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07222623		02/2012	40.46	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07222631		02/2012	125.89	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07222656		02/2012	31.79	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07222664		02/2012	17.57	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07222680		02/2012	19.57	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07222698		02/2012	14.84	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07222920		02/2012	11.56	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07222938		02/2012	56.44	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07229057		02/2012	12.38	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07229339		02/2012	313.18	
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07230352		02/2012	348.00	

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10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07230386		02/2012	36.73
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07230428		02/2012	42.88
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07230444		02/2012	621.14
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07230485		02/2012	112.66
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07230501		02/2012	96.28
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07230519		02/2012	21.10
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07230527		02/2012	61.32
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07230543		02/2012	463.49
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07230550		02/2012	7.30
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07230568		02/2012	33.15
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07230576		02/2012	7.30
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07230584		02/2012	21.58
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07230907		02/2012	9.15
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07231624		02/2012	7.30
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07231707		02/2012	1,455.84
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07236441		02/2012	7.30
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07236458		02/2012	7.72
260-5512-455.34-10	08/25/2011	NW LIBRARY	07244643		02/2012	90.35
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	07894371		02/2012	28.47
10-5112-452.34-10	08/25/2011	NW PARK/REC/PL	08317026		02/2012	7.30
10-5129-451.34-10	08/25/2011	NW FIRE	09998071		02/2012	110.65
872-5198-452.34-10	08/25/2011	NW PARK/REC/PL	10590933		02/2012	198.99
521-1595-493.34-10	08/25/2011	NW	13815279		02/2012	63.89
872-5198-452.34-10	08/25/2011	NW	15137961		02/2012	209.55
872-5198-452.34-10	08/25/2011	NW	15138001		02/2012	155.18
872-5198-452.34-10	08/25/2011	NW	15138027		02/2012	30.51
872-5198-452.34-10	08/25/2011	NW	15138043		02/2012	12.82
521-1592-493.34-10	08/25/2011	PARK 2 GARAGE	15942824		02/2012	1,799.02
571-7148-713.34-10	08/25/2011	MET DOWNTOWN TRANS CENTER	17847567		02/2012	134.55
150-2115-421.34-10	08/25/2011	PD CRIME PREVENTION CENT	19841501		02/2012	151.27
150-2115-421.34-10	08/25/2011	PD CRIME PREVENTION CENT	19841550		02/2012	273.99
08/26/2011	748262	NORTHWESTERN ENERGY	15784			142,609.55
211-3132-433.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE SIGNALS		02/2012	10,777.16
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712544-6		02/2012	468.42
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712545-3		02/2012	481.00
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712546-1		02/2012	1,414.93
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0721276-4		02/2012	3,820.23
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0721277-2		02/2012	1,892.27
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712553-7		02/2012	1,162.24
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712554-5		02/2012	88.79
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712556-0		02/2012	418.60
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712557-8		02/2012	13,956.34
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712558-6		02/2012	1,520.21
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712559-4		02/2012	2,487.12
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712560-2		02/2012	1,659.11
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712561-0		02/2012	4,160.92
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810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712566-9		02/2012	3,052.41
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712567-7		02/2012	219.65
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712568-5		02/2012	144.35
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810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712572-7		02/2012	316.02
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712573-5		02/2012	921.72
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712574-3		02/2012	368.67
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810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712577-6		02/2012	472.72
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810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712579-2		02/2012	136.51
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810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712581-8		02/2012	221.84
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712582-6		02/2012	511.94
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712583-4		02/2012	495.27
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712584-2		02/2012	438.44
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712585-9		02/2012	352.93
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712586-7		02/2012	711.05
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712587-5		02/2012	237.02
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810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712589-1		02/2012	26.24
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712590-9		02/2012	450.21
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712591-7		02/2012	342.36
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712592-5		02/2012	442.58
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712593-3		02/2012	1,346.98
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712594-1		02/2012	721.37
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712595-8		02/2012	605.71
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712596-6		02/2012	4,122.78
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712597-4		02/2012	517.76
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712598-2		02/2012	1,170.57
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712599-0		02/2012	474.04
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712600-6		02/2012	877.92
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712601-4		02/2012	763.74
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712602-2		02/2012	1,034.83
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712603-0		02/2012	684.71
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712604-8		02/2012	1,013.01
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712605-5		02/2012	57.23
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712606-3		02/2012	611.72
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712607-1		02/2012	360.18
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712608-9		02/2012	842.73
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712609-7		02/2012	225.14
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712610-5		02/2012	540.27
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712611-3		02/2012	511.92
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712612-1		02/2012	1,125.57
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712613-9		02/2012	945.47

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT		
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810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712614-7		02/2012	315.15
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712615-4		02/2012	40.89
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712616-2		02/2012	247.65
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712617-0		02/2012	495.27
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712618-8		02/2012	337.69
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712619-6		02/2012	1,606.43
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712620-4		02/2012	562.79
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712621-2		02/2012	1,125.57
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712622-0		02/2012	360.18
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712623-8		02/2012	135.09
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712624-6		02/2012	572.21
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712625-3		02/2012	225.14
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712626-1		02/2012	270.13
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712627-9		02/2012	225.14
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712628-7		02/2012	1,170.57
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712629-5		02/2012	402.17
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712630-3		02/2012	292.65
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712631-1		02/2012	720.37
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712632-9		02/2012	236.77
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712633-7		02/2012	197.32
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712634-5		02/2012	63.50
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712635-2		02/2012	63.50
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712636-0		02/2012	112.56
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712637-8		02/2012	67.72
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712638-6		02/2012	472.72
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712639-4		02/2012	728.20
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712640-2		02/2012	16.93
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712641-0		02/2012	340.80
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712642-8		02/2012	32.70
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712643-6		02/2012	315.15
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712644-4		02/2012	360.18
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712645-1		02/2012	224.76
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712646-9		02/2012	517.76
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712647-7		02/2012	76.18
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712648-5		02/2012	42.34
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712649-3		02/2012	42.34
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712650-1		02/2012	25.40
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712651-9		02/2012	450.09
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712652-7		02/2012	135.09
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712653-5		02/2012	351.65
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712654-3		02/2012	192.12
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712655-0		02/2012	8.19
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712656-8		02/2012	66.86
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712657-6		02/2012	101.58
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712658-4		02/2012	1,717.67
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712659-2		02/2012	314.36
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712660-0		02/2012	271.74
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712661-8		02/2012	549.79
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712662-6		02/2012	763.74
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712663-4		02/2012	395.05

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT		
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712664-2		02/2012	921.75
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712665-9		02/2012	553.02
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712666-7		02/2012	2,396.48
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712667-5		02/2012	739.26
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712668-3		02/2012	435.36
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712669-1		02/2012	464.93
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712670-9		02/2012	147.99
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712671-7		02/2012	382.70
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712672-5		02/2012	14.04
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712673-3		02/2012	90.04
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712674-1		02/2012	355.20
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712675-8		02/2012	588.59
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712676-6		02/2012	79.01
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712677-4		02/2012	105.34
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712678-2		02/2012	81.49
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712679-0		02/2012	316.02
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712680-8		02/2012	1,095.00
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712681-6		02/2012	1,549.16
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0718734-7		02/2012	2,607.17
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1301786-8		02/2012	11.31
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0719001-0		02/2012	179.96
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0718801-4		02/2012	3,740.28
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0719162-0		02/2012	526.69
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0719644-7		02/2012	1,837.51
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0719763-5		02/2012	133.71
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0720813-5		02/2012	125.58
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0720360-7		02/2012	778.92
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0720606-3		02/2012	2,481.57
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1301786-8		02/2012	1,194.72
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0720810-1		02/2012	10.44
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0720705-3		02/2012	474.04
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0720937-2		02/2012	2,987.77
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0720716-0		02/2012	820.88
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0721427-3		02/2012	145.86
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0721556-9		02/2012	333.88
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0721684-9		02/2012	33.81
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0833098-7		02/2012	69.06
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0906944-4		02/2012	388.90
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0995095-7		02/2012	948.85
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0905005-5		02/2012	2,678.30
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0926386-4		02/2012	192.12
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0907926-0		02/2012	59.18
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0961926-3		02/2012	422.12
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1058710-3		02/2012	787.18
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1087619-1		02/2012	207.18
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1124127-0		02/2012	58.44
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1045653-1		02/2012	641.25
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1079722-3		02/2012	329.56
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1172743-5		02/2012	335.01
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1206985-2		02/2012	322.06

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1296582-8		02/2012	226.53	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1246537-3		02/2012	77.60	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1303978-9		02/2012	1,702.23	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1685375-6		02/2012	311.22	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1433921-2		02/2012	92.46	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1481532-8		02/2012	579.38	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1481534-4		02/2012	225.14	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1481535-1		02/2012	450.21	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1481536-9		02/2012	105.34	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1481537-7		02/2012	1,210.29	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1481539-3		02/2012	202.61	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1481540-1		02/2012	180.09	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1662840-6		02/2012	383.90	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1687005-7		02/2012	1,700.02	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1607534-3		02/2012	153.27	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1695873-8		02/2012	601.08	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 1740353-6		02/2012	178.35	
810-3183-431.34-10	08/31/2011	LIGHT MAINT TRANSFER	NWE 0712569-3		02/2012	49.08	
08/26/2011	748269	POLYDYNE INC	13215			47,520.00	
502-0000-141.00-00	08/25/2011	WATER PARTS AND SUPPLIES	626527		02/2012	47,520.00	
08/26/2011	748270	PORTABLE COMPUTER SYSTEMS, INC	19264			8,401.00	
150-2112-421.21-20	08/26/2011	PRIOR YEAR ENCUMBRANCES	KK-100-02	285105	02/2012	8,401.00	
08/26/2011	748276	PUBLIC UTILITIES	5022			170,005.16	
521-1592-493.34-20	08/26/2011	105 N 27	4975819		02/2012	62.42	
872-5198-452.34-20	08/26/2011	2314 MONTANA AVE IRR	11139217		02/2012	96.40	
521-1591-493.34-20	08/26/2011	2922 3 AVE NORTH	22414454		02/2012	57.46	
521-1591-493.34-20	08/26/2011	2922 3 AVE NORTH SP/IRR	22434115		02/2012	39.62	
521-1594-493.34-20	08/26/2011	505 N 31	257110001100		02/2012	132.62	
872-5198-452.34-20	08/26/2011	2817 MONTANA AVE	676814300		02/2012	389.48	
872-5198-452.34-20	08/26/2011	2709 MONTANA AVE	6768310079100		02/2012	56.51	
872-5198-452.34-20	08/26/2011	2613 MONTANA AVE	676853944		02/2012	58.93	
872-5198-452.34-20	08/26/2011	2305 MONTANA AVE	6769110083201		02/2012	177.15	
872-5198-452.34-20	08/26/2011	2304 MONTANA AVE IRR	938591235		02/2012	398.22	
872-5198-452.34-20	08/26/2011	4063 IRON HORSE TRL IRR	10797511406		02/2012	62.62	
872-5198-452.34-20	08/26/2011	3012 WINCHESTER TRL IRR	10797712729		02/2012	67.44	
872-5198-452.34-20	08/26/2011	4375 IRON HORSE TRL IRR	13578527227		02/2012	11.95	
512-8400-623.34-20	08/25/2011	PUD - WATER BILLS	187212152		02/2012	884.26	
872-5198-452.34-20	08/25/2011	PUD - WATER BILLS	11498915890		02/2012	3,352.16	
872-5198-452.34-20	08/25/2011	PUD - WATER BILLS	11498915891		02/2012	4,968.74	
872-5198-452.34-20	08/25/2011	PUD - WATER BILLS	676333936	40%	02/2012	383.19	
10-5112-452.34-20	08/25/2011	PUD - WATER BILLS	676333936	60%	02/2012	574.79	
872-5198-452.34-20	08/25/2011	PUD - WATER BILLS	11828118660		02/2012	2,666.25	
872-5198-452.34-20	08/25/2011	PARK FALCON RIDGE	13019519760		02/2012	1,459.85	
872-5198-452.34-20	08/25/2011	PARK FALCON RIDGE	13019521993		02/2012	167.50	
872-5198-452.34-20	08/25/2011	PARK COPPER RIDGE LOOP	13592326953		02/2012	1,439.05	
872-5198-452.34-20	08/25/2011	PARKS	13592722571		02/2012	1,315.08	
872-5198-452.34-20	08/25/2011	PARK AMELIA CIR	13592526964		02/2012	373.87	

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
805-1570-425.53-50	08/25/2011	4430 HI-LINE DR	6712510003200		02/2012	150,269.28	
512-8500-625.34-20	08/25/2011	4430 HI-LINE DR	671274846		02/2012	399.99	
211-3132-433.34-20	08/25/2011	4430 HI-LINE DR	671294847		02/2012	140.33	
08/26/2011	748278	QWEST COMMUNICATIONS	6319			10,772.06	
225-2232-422.34-50	08/17/2011	QWEST AUG 2011 3RD PAY	252-1190		02/2012	7,036.43	
521-1592-493.34-50	08/17/2011	QWEST AUG 2011 3RD PAY	252-2041		02/2012	43.12	
561-7110-711.34-50	08/17/2011	QWEST AUG 2011 3RD PAY	252-9412		02/2012	86.24	
10-5112-452.34-50	08/17/2011	QWEST AUG 2011 3RD PAY	652-5507		02/2012	44.13	
10-5121-451.34-50	08/17/2011	QWEST AUG 2011 3RD PAY	652-8403		02/2012	34.65	
10-5112-452.34-50	08/17/2011	QWEST AUG 2011 3RD PAY	657-3014		02/2012	28.50	
606-1931-484.34-50	08/17/2011	QWEST AUG 2011 3RD PAY	657-8377		02/2012	3,498.99	
08/26/2011	748286	RIMROCK FOUNDATION	3210			20,130.59	
738-1264-412.35-60	08/19/2011	SAMHSA-TREATMENT JULY2011	2012-2	286812	02/2012	5,540.73	
738-1264-412.35-90	08/19/2011	SAMHSA-TREATMENT JULY2011	2012-2	286812	02/2012	4,718.08	
738-1264-412.37-30	08/19/2011	SAMHSA-TREATMENT JULY2011	2012-2	286812	02/2012	11.00	
738-1264-412.39-90	08/19/2011	SAMHSA-TREATMENT JULY2011	2012-2	286812	02/2012	4,198.60	
246-1253-412.35-90	08/19/2011	BAMDC IOP COUNS JULY2011	2012-2	286813	02/2012	3,252.73	
245-1256-412.35-75	08/19/2011	BAMHC-COUNSELOR JULY2011	2012-2	286814	02/2012	2,409.45	
08/26/2011	748287	RIVERSIDE SAND & GRAVEL INC	19447			2,500.00	
512-8400-623.24-50	08/23/2011	MISC SERVICES	51098-EW01	286869	02/2012	2,500.00	
08/26/2011	748289	ROSCOE STEEL & CULVERT	3262			8,415.00	
541-3123-435.22-90	08/24/2011	CATTLEGUARD	41780	286279	02/2012	8,415.00	
08/26/2011	748290	ROTONICS MANUFACTURING INC	11987			48,240.00	
541-3122-435.42-70	08/18/2011	180-300 GALLON BARRELS	COINV0011987	284651	02/2012	48,240.00	
08/26/2011	748305	STAR SERVICE INC	3553			117,702.60	
416-7493-603.92-20	08/24/2011	WO0426 ZONE 4 RESERVOIR	22	267993	02/2012	117,702.60	
08/26/2011	748307	STOCKMAN BANK	15350			6,182.40	
723-6595-465.62-00	08/24/2011	MISC SERVICES	4040156102	286917	02/2012	6,182.40	
08/26/2011	748312	TEL-NET SYSTEMS, INC.	17782			3,645.00	
150-2120-421.79-10	08/25/2011	PRIOR YEAR ENCUMBRANCES	PELCO	283242	08/2012	3,645.00	
08/26/2011	748320	TOWN & COUNTRY SUPPLY ASSOCIAT	18295			72,851.71	
561-7118-711.23-13	08/16/2011	INVOICE #86770	86770	F13298	02/2012	8,672.51	
601-0000-141.71-41	08/23/2011	MP	86775-MET		02/2012	6,704.75	
601-0000-141.00-00	08/23/2011	MP	86777		02/2012	11,727.45	
561-7118-711.23-13	08/23/2011	INVOICE #86472	86472	F13329	02/2012	45,747.00	
08/26/2011	748326	US BANK-REVOLVING LOAN FUND	16715			6,182.40	
723-6595-465.62-00	08/24/2011	MISC SERVICES	537240497587	286916	02/2012	6,182.40	
08/26/2011	748331	VERIZON WIRELESS	14490			20,398.39	
571-7147-713.31-60	08/18/2011	INVOICE# 1001791557	1001791557	F13321	02/2012	173.62	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT		
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
561-7110-711.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	AIRPORT	02/2012	602.05
150-2170-441.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	ANIMAL SHELTER	02/2012	152.47
717-2166-421.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	CCSIU	02/2012	85.48
10-1611-416.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	LEGAL	02/2012	33.00
150-2225-422.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	COMM CENTER 911	02/2012	52.04
650-1565-487.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	FACILITIES BOC	02/2012	65.51
650-1567-487.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	FACILITIES CH	02/2012	83.50
10-1512-415.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	FINANCE PAT	02/2012	72.66
150-2221-422.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	FIRE DEPT	02/2012	754.39
10-1750-417.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	HUMAN RESOURCES	02/2012	66.84
620-1913-482.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	ITD GIS	02/2012	13.01
620-1911-482.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	ITD	02/2012	18.73-
260-5517-455.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	LIBRARYOUTREACH	02/2012	32.83
260-5512-455.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	LIBRARY	02/2012	148.72
10-1100-411.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	MAYOR	02/2012	42.60
601-1550-481.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	MOTOR POOL	02/2012	61.81
10-1220-412.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	DRUG COURT	02/2012	67.91
10-1212-412.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	MUNI JUDGE	02/2012	107.95
240-4301-419.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	PLANNING	02/2012	13.01
150-2111-421.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	POLICE	02/2012	3,050.25
150-2111-421.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	POLICE RESOURCE	02/2012	538.62
251-2187-421.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	POLICE FORENSIC	02/2012	66.73
249-2196-421.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	698 1391 DV	02/2012	22.61
521-1521-493.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	PARKING	02/2012	47.41
10-5110-453.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	PRPL ADM	02/2012	64.66
10-5121-451.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	PRPL-RECREATION	02/2012	162.75
10-5121-451.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	PRPL-SEASONAL	02/2012	157.68
10-5140-436.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	CEMETERY	02/2012	65.21
10-5112-452.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	PARKS PMD	02/2012	43.55
10-5112-452.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	PARKS	02/2012	1,664.12
10-5112-452.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	PARKS IRRIGATION	02/2012	217.65
10-1543-415.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	PURCHASING	02/2012	83.91
660-3110-431.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	PW ADM	02/2012	124.72
209-4451-428.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	BUILDING	02/2012	165.07
670-3141-489.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	ENGINEERING	02/2012	401.74
541-3121-435.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	SOLID WASTE	02/2012	45.22
211-3132-433.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	STREET/TRAFFIC	02/2012	368.05
541-3123-435.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	SW ON CALL	02/2012	101.08
502-7500-609.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	DIST & COLL 60%	02/2012	649.53
512-8500-625.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	DIST & COLL 40%	02/2012	433.01
502-7700-611.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	PUD ENVIRN 1/2	02/2012	19.18
512-8700-628.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	PUD ENVIRN 1/2	02/2012	19.18
502-7400-603.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	WATER TREATMENT	02/2012	794.80
502-7312-602.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	PWBLKNP MTRSHOP	02/2012	470.72
502-7311-602.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	PWBLKNP OFF 60%	02/2012	69.05
512-8311-622.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	PWBLKNP OFF 40%	02/2012	46.03
502-7314-602.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	PWBLKNP STOR75%	02/2012	86.34
512-8314-622.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	PWBLKNP STOR25%	02/2012	28.78
512-8400-623.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	WASTEWATER TREA	02/2012	1,106.80
606-1931-484.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	TELECOMM SYS	02/2012	269.90

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
571-7142-713.31-60	08/24/2011	VERIZON WIRELESS	AUG 2011	ON-CALL MET	02/2012	100.72	
571-7141-713.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	MET TRANSIT	02/2012	70.79	
10-4321-419.34-50	08/24/2011	VERIZON WIRELESS	AUG 2011	CODE ENFORCEMT	02/2012	149.35	
150-2170-441.34-50	08/24/2011	VERIZON WSCA	AUG 2011	AN SHELTER MDT	02/2012	215.05	
717-2166-421.34-50	08/24/2011	VERIZON WSCA	AUG 2011	CCSIU CELL/PTT	02/2012	484.65	
717-2166-421.34-50	08/24/2011	VERIZON WSCA	AUG 2011	CCSIU AIR CARD	02/2012	43.01	
717-2166-421.34-50	08/24/2011	VERIZON WSCA	AUG 2011	CCSIU RAVEN	02/2012	86.02	
150-2221-422.34-50	08/24/2011	VERIZON WSCA	AUG 2011	FIRE MIFI	02/2012	43.01	
150-2221-422.34-50	08/24/2011	VERIZON WSCA	AUG 2011	FIRE MDT	02/2012	688.24	
620-1911-482.34-50	08/24/2011	VERIZON WSCA	AUG 2011	ITD AIR CARD	02/2012	86.02	
260-5517-455.34-50	08/24/2011	VERIZON WSCA	AUG 2011	LIBRARYOUTREACH	02/2012	129.03	
150-2111-421.34-50	08/24/2011	VERIZON WSCA	AUG 2011	MDT TOUGHBOOK	02/2012	3,539.32	
150-2111-421.34-50	08/24/2011	VERIZON WSCA	AUG 2011	POLICE ICAC	02/2012	43.01	
150-2111-421.34-50	08/24/2011	VERIZON WSCA	AUG 2011	POLICE USM MDT	02/2012	165.94	
10-5112-452.34-50	08/24/2011	VERIZON WSCA	AUG 2011	PARKS PMD AIR	02/2012	43.01	
209-4451-428.34-50	08/24/2011	VERIZON WSCA	AUG 2011	BUILDING AIR	02/2012	299.72	
670-3141-489.34-50	08/24/2011	VERIZON WSCA	AUG 2011	ENG AIR CARD	02/2012	43.01	
502-7500-609.34-50	08/24/2011	VERIZON WSCA	AUG 2011	PUD AIR CARD60%	02/2012	25.81	
512-8500-625.34-50	08/24/2011	VERIZON WSCA	AUG 2011	PUD AIR CARD40%	02/2012	17.20	
10-4321-419.34-50	08/24/2011	VERIZON WSCA	AUG 2011	CODE ENFORCEMNT	02/2012	130.46	
08/26/2011	748336	WELLS FARGO BANK-LOAN PAYMENT	16716			6,182.40	
723-6595-465.62-00	08/24/2011	MISC SERVICES		1609108243	286915 02/2012	6,182.40	
08/26/2011	748339	WESTERN SECURITY BANK	16462			6,182.40	
723-6595-465.62-00	08/24/2011	MISC SERVICES		2157001592	286913 02/2012	6,182.40	
08/26/2011	748341	WINGFOOT COMMERCIAL TIRE	15322			2,796.90	
150-2226-422.23-20	07/20/2011	MP		176-1032026	285272 01/2012	1,012.74	
211-3132-433.23-90	08/10/2011	MP		176-1031999	285272 02/2012	88.44	
601-1553-481.23-90	08/10/2011	MP		176-1032097	285272 02/2012	37.92	
211-3132-433.23-20	08/10/2011	MP		176-1032126	285272 02/2012	47.22	
10-5112-452.23-20	08/11/2011	MP		176-1031996	285272 02/2012	88.17	
150-2226-422.23-90	08/11/2011	MP		176-1032012	285272 02/2012	1,022.60	
211-3132-433.23-90	08/11/2011	MP		176-1032047	285272 02/2012	518.31	
211-3132-433.23-90	08/22/2011	MP		176-132039	285272 02/2012	212.68-	
211-3132-433.23-90	08/23/2011	MP		176-1032108	285272 02/2012	194.18	
08/26/2011	748344	YELLOWSTONE VALLEY ELEC	4174			6,683.70	
502-7400-603.34-10	08/23/2011	MISC SERVICES		4179006 AUG11	286852 02/2012	2,804.92	
512-8400-623.34-10	08/23/2011	MISC SERVICES		4179006 AUG11	286852 02/2012	59.00	
512-8400-623.34-10	08/23/2011	MISC SERVICES		4179008 AUG11	286852 02/2012	2,038.87	
512-8500-625.34-10	08/23/2011	MISC SERVICES		4179008 AUG11	286852 02/2012	147.35	
512-8500-625.34-10	08/23/2011	MISC SERVICES		4179010 AUG11	286852 02/2012	122.16	
512-8500-625.34-10	08/23/2011	MISC SERVICES		4179011 AUG11	286852 02/2012	19.00	
512-8500-625.34-10	08/23/2011	MISC SERVICES		4179015 AUG11	286852 02/2012	252.23	
541-3123-435.34-10	08/24/2011	ELEC AT LF		4179000	286280 02/2012	875.50	
810-3183-431.34-10	08/24/2011	SILMD 299 VINTAGE ESTATES		ACCT 4179014	286819 02/2012	364.67	

DATE RANGE TOTAL *

1,359,809.50 *

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Public Hearing SID 1369 Spread of Assessments

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

The initial assessment for SID 1369 (Moore Lane) has been completed by the Finance Division and is ready to spread on the 2011 tax rolls based on the Engineer's estimates. This project is for curb & gutter, sidewalk, sanitary sewer mains, street, and water services for Moore Lane from Central Avenue to Monad Road. This project and bond sale have previously been approved by council.

ALTERNATIVES ANALYZED

The Council must hold a public hearing and then may:

- Approve the resolution; or
- Not approve the resolution, the property owners will not be assessed, and the General Fund will be responsible for paying for the improvements.

FINANCIAL IMPACT

The costs associated with SID 1369 are assessed per lot. The net effective interest rate is 5.336%. Under the State Statute 7-12-4189, the City is required to add ½ of 1% for a total rate of 5.836%. The ½ of 1% will be used as additional security on bond issues, as stated in the final bond resolution. Interest earnings and prior collections are subtracted from the final construction cost and spread to the appropriate properties. Any remaining fund balances are used to call bonds.

RECOMMENDATION

Staff recommends that a public hearing be held and Council pass the proposed resolution on September 26, 2011.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution

Attachment A

RESOLUTION 11 _____

A RESOLUTION LEVYING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 1369, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as 1369 and;

WHEREAS, it is necessary to levy a special assessment tax upon each benefited property in the district or project area to defray the cost and expenses of said district or project; and

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

SECTION 1: LEVY AND ASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 1369 of the City of Billings, Montana, there is hereby levied and assessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

<u>Tax Code</u> <u>/Owner Name</u> <u>/Legal Description</u>	<u>Assessment</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>	<u>Years</u> <u>Assessed</u>
A07004 LAUGHLIN PROPERTIES LLC FLANAGAN SUBD, S08, T01 S, R26 E, Lot 012, LT 12A FLANAGAN SUB AMEND LOT 12	\$20,180.57		5.836 15
A07007 MASBRUCH, DENNIS R FLANAGAN SUBD, S08, T01 S, R26 E, Lot 012, LT 12 AMEND (12C AND 12D)	\$17,274.57		5.836 15
A07041 STEWART, DONALD & SUSAN FLANAGAN SUBD, S08, T01 S, R26 E, Lot 007, L:7 FLANAGAN'S SUB N 3/5 L:22 AM	\$13,319.18		5.836 15
A07042 STEWART, DONALD & SUSAN FLANAGAN SUBD, S08, T01 S, R26 E, Lot 008, N60' L:8 FLANAGAN'S SUB N 3/5 L:	\$12,108.34		5.836 15
A07042A BRINK, GARY P	\$32,601.36		5.836 15

FLANAGAN SUBD, S08, T01 S, R26 E, Lot 003, LTS 3-4, S5' LT 8, LTS 9-10 & AD			
A07043	\$18,474.97	5.836	15
FERGUSON, MARK A & SHARON A			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 011, LT 11 FLANAGAN SUB & 10" VAC ADJ			
A07044	\$16,614.32	5.836	15
FERGUSON, MARK A & SHARON A			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 012, LT 12 FLANAGAN SUB & 10' ADJ VAC			
A07066	\$13,637.97	5.836	15
MAILLOUX ENTERPRISES LLC			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 001, LT 1 FLANAGAN SUBD FRAC LT 27 AM			
A27199	\$31,441.33	5.836	15
STEWART, DONALD B & SUSAN L			
MAVERIK SUBD 2ND FILING, S08, T01 S, R26 E, BLOCK 001, Lot 005, LT 5 BLK 1			
A30057	\$27,816.56	5.836	15
MILTON, MARK B			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 22B, LT 22B AMD N 2/3 S2/5 LT 22 FLAN			
D01447	\$60,541.73	5.836	15
iCONNECT MONTANA LLC			
FLANAGAN SUBD		819, S08, T01 S, R26 E,	
D01447B	\$70,682.47	5.836	15
1030 CENTRAL AVE LLC			
FLANAGAN SUBD		819, Lot 5C, LT 5C FLANAGA	
D01448	\$21,418.20	5.836	15
MARKEGARD, RODNEY P			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 006, 363 COS 363 IN LT 6 (OLD # D-229			
D01452	\$25,615.90	5.836	15
JORDEN, EDWARD E			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 006, S145' L:6 FLANAGAN SUB (1 AC)			
D01476	\$29,261.84	5.836	15
MUELLER, DONALD E & JOHN M & T J			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 012, S 1 A OF N 1/2 OF LOT 12 IN FL A			
D01479	\$14,637.14	5.836	15
DAVIDSON, DEVON R & KIMBERLY K			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 012, 352 TR C COS 352 (S 72.53' OF LT			
D01506	\$30,759.24	5.836	15
MONTANA BANK OF BILLINGS			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 021, N 150FT			
D01507	\$34,509.81	5.836	15
W W GRAINGER, INC			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 21A			
D01509	\$12,108.34	5.836	15
MONTANA BANK OF BILLINGS			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 21C, CENTR TRCT			C/S 1495

D01510	\$18,878.57	5.836	15
NEWTON, DENNIS FLANAGAN SUBD, S08, T01 S, R26 E, Lot 021, LT 21-B-2 FLANAGAN SUB AMND (99)			
D01511	\$24,446.39	5.836	15
DESIN, JOEL A FLANAGAN SUBD, S08, T01 S, R26 E, Lot 022, S1/3 OF S2/5 L;22 FLANAGAN SUB			
D01537	\$15,744.15	5.836	15
TEHLE, MICHAEL H FLANAGAN SUBD, S08, T01 S, R26 E, Lot 027, 116 TR 1C COS 116 AMEND LT 27 FL			
D01538	\$46,700.05	5.836	15
BARTHEL, ROBERT P & ROSALIE D FLANAGAN SUBD, S08, T01 S, R26 E, Lot 028, LT 28 FLANAGAN SUB			

SECTION 2: DISPOSITION OF COLLECTION. All monies collected from the assessment shall be paid into a special improvement district or project Fund. Assessments become delinquent based on the semi-annual due dates of real property taxes, currently December 1 and June 1 of each year.

SECTION 3: NOTICE AND HEARING. On Monday, September 26, 2011 at 6:30 p.m., or as soon thereafter as the matter was considered on the agenda of the City Council at a regular meeting held in the Council Chambers of the Police Facility, 220 N. 27th St., Billings, Montana, the City Council held a public hearing to hear comments and/or objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice with at least six (6) days separating each publication in a newspaper of general paid circulation with a periodicals mailing permit. The final publication was made at least 10 days prior to the public hearing per MCA 7-12-4177.

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

ADOPTED AND APPROVED this 26th day of September, 2011.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Public Hearing SID 1391 Spread of Assessments

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

The assessment for SID 1391 (Lynn Avenue) has been completed by the Finance Division and is ready to spread on the tax rolls. This project is for street, curb & gutter, drive approach, and storm drain improvements on Lynn Avenue between 35th and 36th Streets W. and a portion of 36th Street West. This project and bond sale have previously been approved by council. This is the final spread of this SID as the final cost was nearly identical to the estimated cost of the project.

ALTERNATIVES ANALYZED

The Council must hold a public hearing and then may:

- Approve the resolution; or
- Not approve the resolution, the property owners will not be assessed, and the General Fund will be responsible for paying for the improvements.

FINANCIAL IMPACT

The costs associated with SID 1391 are assessed per lot. The net effective interest rate is 5.336%. Under the State statute 7-12-4189, the City is required to add ½ of 1% for a total rate of 5.836%. The ½ of 1% will be used as additional security on bond issues, as stated in the final bond resolution. Interest earnings and prior collections are subtracted from the final construction cost and spread to the appropriate properties. Any remaining fund balances are used to call bonds.

RECOMMENDATION

Staff recommends that a public hearing be held and Council pass the proposed resolution on September 26, 2011.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution SID 1391

Attachment A

RESOLUTION 11 _____

A RESOLUTION LEVYING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 1391, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as 1391 and;

WHEREAS, it is necessary to levy a special assessment tax upon each benefited property in the district or project area to defray the cost and expenses of said district or project; and

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

SECTION 1: LEVY AND ASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 1391 of the City of Billings, Montana, there is hereby levied and assessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

Tax Code /Owner Name /Legal Description	Assessment Amount	Interest Rate	Years Assessed
C01773 ARNOLD, JOYCE N CENTRAL ACRES SUBD 2ND FILING, S02, T01 S, R25 E, BLOCK 002, Lot 002, LT 2	\$9,866.55		5.836 15
C01774 HANNAH, KAREN S CENTRAL ACRES SUBD 2ND FILING, S02, T01 S, R25 E, BLOCK 002, Lot 003, LT 3	\$9,866.55		5.836 15
C01775 CARLSON, LINDA L CENTRAL ACRES SUBD 2ND FILING, S02, T01 S, R25 E, BLOCK 002, Lot 004, LT 4	\$9,866.55		5.836 15
C01777 CUMMINS, JEFFERY S & SUSAN H CENTRAL ACRES SUBD 2ND FILING, S02, T01 S, R25 E, BLOCK 002, Lot 006, LT 6	\$9,866.55		5.836 15

C01778	\$9,866.55	5.836	15
COSTIN, KEVIN J CENTRAL ACRES SUBD 2ND FILING, S02, T01 S, R25 E, BLOCK 002, Lot 007, LT 7			
C01780C	\$2,520.43	5.836	15
DORN PROPERTY AND HOMES LLC DORN-PENTECOST PROFESSIONAL PLAZA, UNIT 3, 19% COMMON AREA INTEREST, LOC @			
C01780D	\$2,520.43	5.836	15
DORN PROPERTY AND HOMES LLC DORN-PENTECOST PROFESSIONAL PLAZA, UNIT 4, 21.5% COMMON AREA INTEREST, LOC			
C01780E	\$2,520.42	5.836	15
WOLF, CONNIE M DORN-PENTECOST PROFESSIONAL PLAZA, UNIT 5, 21.5% COMMON AREA INTEREST, LOC			
C01793	\$9,866.55	5.836	15
SCHMOCK, JOHN A & KATHY R CENTRAL ACRES SUBD 2ND FILING, S02, T01 S, R25 E, BLOCK 003, Lot 008, LT 8			
C01794	\$9,866.55	5.836	15
WEST, RICHARD A CENTRAL ACRES SUBD 2ND FILING, S02, T01 S, R25 E, BLOCK 003, Lot 009, LT 9			
C01795	\$9,866.55	5.836	15
HELTBORG, PETER O & MEN THI CENTRAL ACRES SUBD 2ND FILING, S02, T01 S, R25 E, BLOCK 003, Lot 010, LT 10			
C01797	\$9,866.55	5.836	15
THOMPSON, KEVIN B CENTRAL ACRES SUBD 2ND FILING, S02, T01 S, R25 E, BLOCK 003, Lot 012, LT 12			
C01798	\$9,866.55	5.836	15
FISCHER, TERESA L CENTRAL ACRES SUBD 2ND FILING, S02, T01 S, R25 E, BLOCK 003, Lot 013, LT 13			

SECTION 2: DISPOSITION OF COLLECTION. All monies collected from the assessment shall be paid into a special improvement district or project Fund. Assessments become delinquent based on the semi-annual due dates of real property taxes, currently December 1 and June 1 of each year.

SECTION 3: NOTICE AND HEARING. On Monday, September 26, 2011 at 6:30 p.m., or as soon thereafter as the matter was considered on the agenda of the City Council at a regular meeting held in the Council Chambers of the Police Facility, 220 N. 27th St., Billings, Montana, the City Council held a public hearing to hear comments and/or objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice with at least six (6) days separating each publication in a newspaper of general paid circulation with a periodicals mailing permit. The final publication was made at least 10 days prior to the public hearing per MCA 7-12-4177.

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

ADOPTED AND APPROVED this 26th day of September, 2011.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Public Hearing SID 2901 Spread of Assessments

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

The assessment for Sidewalk, Curb & Gutter Project No. 2901 has been completed by the Finance Department and is ready to spread on the tax rolls. This project is for sidewalks on the west side of Jackson Street from the alley south of Ryan to the corner of Frances Street. This is the final spread of this SID as the final cost is nearly identical to the estimated cost of the project.

ALTERNATIVES ANALYZED

The Council must hold a public hearing, and then may:

- Approve the resolution; or
- Not approve the resolution, the property owners will not be assessed, and the General Fund will be responsible for paying for the improvements.

FINANCIAL IMPACT

The net effective interest rate is 5%. Under the State Statute 7-12-4189, the City is required to add ½ of 1% for a total rate of 5.5%. The ½ of 1% will be used as additional security on bond issues, as stated in the final bond resolution.

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and pass the proposed resolution on September 26, 2011.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution SW 2901

Attachment A

RESOLUTION NO. 11_____

A RESOLUTION LEVYING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 2901, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as 2901 and;

WHEREAS, it is necessary to levy a special assessment tax upon each benefited property in the district or project area to defray the cost and expenses of said district or project; and

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

1: LEVY AND ASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 2901 of the City of Billings, Montana, there is hereby levied and assessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

Tax Code /Owner Name /Legal Description	Assessment Amount	Interest Rate	Years Assessed
A08460 YOUNG, JENNIFER DIANE GRISEY SUBD	\$2,570.88	5.500	12
		414, S09, T01 S, R26 E, BL	
A08656 DEAN, ROBERT L & JEANIE A HERMAN SUBD, S09, T01 S, R26 E, Lot 011, E 45 FT OF LT 11 AND ALL LT 12	\$3,806.03	5.500	12
A09295 STROM, MARGIE R HOWE SUBD, S09, T01 S, R26 E, BLOCK 001, Lot 001, LT 1, 2 BLK 1 HOWE SUBD	\$5,148.22	5.500	12
A09301 BEHRENDTS, TRAVIS HOWE SUBD, S09, T01 S, R26 E, BLOCK 002, Lot 001, LT 1-2 BLK 2 HOWE SUB	\$4,395.38	5.500	12
A09664 KELLY CLARK TRUST	\$4,810.68	5.500	12

KLEIN SUBD, S09, T01 S, R26 E, BLOCK 002, Lot 045, L: 45-48 B: 2 KLEIN SUB
 A09665 \$2,912.69 5.500 12
 MUNSON, LOIS J
 KLEIN SUBD, S09, T01 S, R26 E, BLOCK 003, Lot 001, N60' L:1 THRU 4 B:3 KLEI
 A09666 \$3,973.98 5.500 12
 FEDERAL NATIONAL MORTGAGE ASSOCIATI
 KLEIN SUBD 414, S09, T01 S, R26 E, BL
 A17127 \$7,151.99 5.500 12
 HOPE, WILLIAM H & BARBARA L
 TREASURE VALLEY SUBD, S09, T01 S, R26 E, BLOCK 004, Lot 001, LT 1-2 & E2 LT
 A17153 \$4,573.94 5.500 12
 LOPEZ, IFRAIN
 TREASURE VALLEY SUBD, S09, T01 S, R26 E, BLOCK 004, Lot 058, LT 58-60 BLK 4
 A17154 \$6,172.17 5.500 12
 SWANSON, LEE P
 TREASURE VALLEY SUBD, S09, T01 S, R26 E, BLOCK 005, Lot 02A, LT 2A 2-3 & E2
 A27700 \$3,691.32 5.500 12
 HENDERSHOT, PAUL D
 TREASURE VALLEY SUBD, S09, T01 S, R26 E, BLOCK 005, Lot 1-A, LT 1A AMND LT
 D01607 \$7,529.23 5.500 12
 LEWIS, PATTY D &
 S09, T01 S, R26 E, 224, PARCEL 00A, **TR A-C COS 224
 D01608 \$606.23 5.500 12
 C & D PROPERTIES LLC
 S09, T01 S, R26 E, 566, PARCEL 002, **COS 556 TR 2 & 3 IN LT 9 (LESS E 30')
 D01621 \$5,635.42 5.500 12
 CARTER & BROWN PROPERTIES LLC
 S09, T01 S, R26 E, 102, PARCEL 00A, TR A COS 102 AMND IN NESE4 (1.30 AC) CL
 D01622 \$2,448.88 5.500 12
 MCKEEN, PAUL
 S09, T01 S, R26 E, 102, PARCEL 00B, TR B COS 102 AMND IN NESE4 (.20 AC)
 D01623 \$2,426.70 5.500 12
 WYMAN, CURTIS L &
 S09, T01 S, R26 E, 102, PARCEL 00C, COS 102 AMND IN NESE4 (.20 ACRES)
 D01624 \$1,793.82 5.500 12
 CARTER AND BROWN PROPERTIES LLC
 S09, T01 S, R26 E, 102, PARCEL 00D, TR D COS 102 AMND IN NESE4 (.17 AC)
 D01625 \$5,352.44 5.500 12
 FRIED, ROBERTA L
 S09, T01 S, R26 E, 102, PARCEL 00E, COS 102 AMND TRS E & F IN NESE (.35 ACR

2: DISPOSITION OF COLLECTION. All monies collected from the assessment shall be paid into a special improvement district or project Fund. Assessments become delinquent based on the semi-annual due dates of real property taxes, currently December 1 and June 1 of each year.

3: NOTICE AND HEARING. On Monday, 9/26/2011, at 6:30 p.m., or as soon thereafter as the matter was considered on the agenda of the City Council at a regular meeting held in the Council Chambers of the Police Facility, 220 N. 27th St., Billings, Montana, the City Council held a public hearing to hear comments and/or objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice with at least six (6) days separating each publication in a newspaper of general paid circulation with a periodicals mailing permit. The final publication was made at least 10 days prior to the public hearing per MCA 7-12-4177.

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

PASSED AND APPROVED this 26th day of September, 2011.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Public Hearing SID 2902 Spread of Assessments

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

The initial assessment for Sidewalk, Curb & Gutter Project No. 2902 has been completed by the Finance Department and is ready to spread on the 2011 tax roll based on the Engineer's estimates. This project is for developer and miscellaneous public improvements in various locations around the city.

ALTERNATIVES ANALYZED

The Council must hold a public hearing, and then may:

- Approve the resolution; or
- Not approve the resolution, the property owners will not be assessed, and the General Fund will be responsible for paying for the improvements.

FINANCIAL IMPACT

The total cost of the bonds is \$275,000. The net effective interest rate is 5 %. Under the State Statute 7-12-4189, the City is required to add ½ of 1% for a total rate of 5.5 %. The ½ of 1% will be used as additional security on bond issues, as stated in the final bond resolution.

RECOMMENDATION

Staff recommends that the Council conduct a public hearing and pass the proposed resolution on September 26, 2011.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution

Attachment A

RESOLUTION NO. 11_____

A RESOLUTION LEVYING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 2902, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as 2902 and;

WHEREAS, it is necessary to levy a special assessment tax upon each benefited property in the district or project area to defray the cost and expenses of said district or project; and

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

1: LEVY AND ASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 2902 of the City of Billings, Montana, there is hereby levied and assessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

Tax Code /Owner Name /Legal Description	Assessment Amount	Interest Rate	Years Assessed
A00257 QUEST 5 INC BILLINGS ORIGINAL TOWNSITE, S32, T01 N, R26 E, BLOCK 044, Lot 010, LTS 10-1	\$7,770.20	5.500	12
A00407 LECLAIRE, FRANCES B ELDREDGE BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 062, Lot 009, LTS 9-10	\$3,896.25	5.500	12
A00408 MORITZ, DALE E & CAROL A BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 062, Lot 011, LTS 11-1	\$1,024.17	5.500	12
A00571 CAROL KRAFT LIVING TRUST BILLINGS ORIGINAL TOWNSITE	\$2,486.40	5.500	12
A00572 SCHILLINGER, JOSEPH	\$1,806.98	5.500	12

BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 086, Lot 016, LTS 16-1			
A01618	\$563.25	5.500	12
WILCOX, BRIAN			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 219, Lot 001, LTS 1-2			
A01619	\$563.25	5.500	12
YBARRA, VICTOR O			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 219, Lot 003, LTS 3-4			
A01620	\$563.25	5.500	12
FISHER, DEB			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 219, Lot 005, LTS 5-6			
A01621	\$563.25	5.500	12
NEAL C LA FEVER TRUST &			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 219, Lot 007, LTS 7-8			
A01622	\$563.25	5.500	12
GILLISPIE, DANIEL G			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 219, Lot 009, LTS 9-10			
A01623	\$563.25	5.500	12
CARRIER, LEO A			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 219, Lot 011, LTS 11-1			
A01624	\$1,106.82	5.500	12
WEBER INVESTMENT GROUP			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 219, Lot 013, LTS 13-1			
A01624A	\$563.25	5.500	12
PRICE, CAROL J (RLE) &			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 219, Lot 016, L:16 & 1			
A01625	\$563.25	5.500	12
WILHELM, SUSANNA M & (ETAL)			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 219, Lot 018, LTS 18-1			
A01626	\$563.25	5.500	12
APPLEBY, DONALD E & MARY T			
BILLINGS ORIGINAL TOWNSITE		613, S03, T01 S, R26 E, BL	
A01627	\$844.87	5.500	12
OSTERMILLER, EMMA TRUSTEE			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 219, Lot 022, LTS 22-2			
A01777	\$2,562.40	5.500	12
POWERS, JAMES & MARGARET A			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 235, Lot 001, LTS 1-2			
A04575	\$670.16	5.500	12
RUGGLES, JOSH			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 001, LT 1			
A04576	\$193.47	5.500	12
MALSAM, DON & DIANNE			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 002, LT 2			

A04577	\$198.52	5.500	12
NEILL, MARION C CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 003, LT 3			
A04578	\$189.78	5.500	12
MAXWELL, MARK K & CHRISTINA L CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 004, LT 4			
A04579	\$203.87	5.500	12
HUNDTOFTE, RONALD J & PATRICIA M CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 005, LT 5			
A04581	\$286.04	5.500	12
GREGORY, MICHAEL T & ALEXANDRA L CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 007, LT 7			
A04582	\$263.94	5.500	12
BECKER, WAYNE CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 008, LT 8			
A04583	\$194.78	5.500	12
MITCHELL, DEBBIE L CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 009, LT 9			
A04584	\$195.42	5.500	12
RANDALL, DENNIS D & CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 010, W62'			
A04585	\$186.80	5.500	12
HANSON, DARLA J & WAYNE L CENTRAL HEIGHTS SUB 5TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 011, W58'			
A04586	\$176.30	5.500	12
JONES, MATTHEW & ANDREA CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 012, LT 1			
A04587	\$176.30	5.500	12
RATCLIFF, DAMON CENTRAL HEIGHTS SUB 4TH FILING 815, S07, T01 S, R26 E, BL			
A04588	\$176.30	5.500	12
FIELDS, WILLIAM F CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 014, LT 1			
A04589	\$176.30	5.500	12
OBLANDER, THERESA CENTRAL HEIGHTS SUB 4TH FILING 815, S07, T01 S, R26 E, BL			
A04590	\$176.30	5.500	12
SAMUELSON, HELEN CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 016, LT 1			
A04591	\$176.30	5.500	12
SOELTER, AVRIL & SCHNEIDER, COLE CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 017, LT 1			
A04592	\$176.30	5.500	12
OSBORN, MARC R			

CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 018, LT 1			
A04593	\$176.30	5.500	12
KINDSFATHER, WALTER L & GAIL A CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 019, LT 1			
A04594	\$176.30	5.500	12
ANTON, WILLIAM J & NICOLE C CENTRAL HEIGHTS SUB 4TH FILING 815, S07, T01 S, R26 E, BL			
A04595	\$313.73	5.500	12
KAATZ, KARLA K CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 021, LTS			
A04596	\$183.09	5.500	12
BALSAM ROBERT C III CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 022, S12.			
A04597	\$183.09	5.500	12
MCNULTY, JUDITH ANN CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 023, S12.			
A04598	\$216.31	5.500	12
WADE, ALBERT E CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 024, S12.			
A04599	\$183.09	5.500	12
MAYCOX, MARLEEN CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 026, LT 2			
A04600	\$163.49	5.500	12
KOMAR, KIM & STEVE CENTRAL HEIGHTS SUB 4TH FILING 815, S07, T01 S, R26 E, BL			
A04601	\$185.47	5.500	12
SEYMOUR, TIMOTHY CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 027, S 7.			
A04602	\$140.88	5.500	12
DONNELLY, JOAN A CENTRAL HEIGHTS SUB 5TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 029, LT 2			
A04603	\$163.49	5.500	12
BERGUM, BARBARA A CENTRAL HEIGHTS SUB 5TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 029, E60'			
A04604	\$264.44	5.500	12
WOLFF, DEWEY J & KATY R CENTRAL HEIGHTS SUB 5TH FILING, S07, T01 S, R26 E, BLOCK 006, Lot 030, LT 3			
A04724	\$1,546.61	5.500	12
JAMES AND RAY JACKSON LIVING TRUST CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 010, Lot 002, LT 2			
A04792	\$1,109.59	5.500	12
DIETZ-COX, KARA & CENTRAL HEIGHTS SUB 5TH FILING 815, S07, T01 S, R26 E, BL			

A04796	\$936.30	5.500	12
RITTER PROPERTIES TRUST CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 012, Lot 002, L:2			
A04798	\$1,516.84	5.500	12
MANGUS, SHON C CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 012, Lot 004			
A04800	\$674.02	5.500	12
MORELLI, CHARLES J & DIANA CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 012, Lot 006, LT 6			
A04818	\$1,600.42	5.500	12
HAWORTH, CURTIS J & SHERYL K CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 012, Lot 024			
A04824	\$3,045.90	5.500	12
ONTIVEROS, RICHARD T & BETTINA M CENTRAL HEIGHTS SUB 5TH FILING, S07, T01 S, R26 E, BLOCK 012, Lot 030, L:30			
A04825	\$6,932.95	5.500	12
KOHLMAN, LENNIE Z CENTRAL HEIGHTS SUB 5TH FILING, S07, T01 S, R26 E, BLOCK 012, Lot 031, L:31			
A04860	\$1,626.10	5.500	12
WILSON, ANDRREW E CENTRAL HEIGHTS SUB 5TH FILING, S07, T01 S, R26 E, BLOCK 014, Lot 012, LT 1			
A04870	\$262.83	5.500	12
GONZALES, MARTHA C CENTRAL HEIGHTS SUB 5TH FILING, S07, T01 S, R26 E, BLOCK 014, Lot 022, LT 2			
A04965	\$3,591.47	5.500	12
GERRY, BEN F CLANTON HEIGHTS SUBD, S31, T01 N, R26 E, BLOCK 004, Lot 001, UNIT 1 BONNIE			
A04966	\$456.34	5.500	12
GREND AHL, BRUCE MYRON CLANTON HEIGHTS SUBD, S31, T01 N, R26 E, BLOCK 004, Lot 002, W15' LT 2, ALL			
A04967	\$1,285.91	5.500	12
FISHER, MARTIN CLANTON HEIGHTS SUBD, S31, T01 N, R26 E, BLOCK 004, Lot 004, L:5 & W 20' OF			
A04968	\$671.03	5.500	12
PRICE, MARSHA A CLANTON HEIGHTS SUBD, S31, T01 N, R26 E, BLOCK 004, Lot 006, LTS 6 AND 7			
A04969	\$2,013.58	5.500	12
PFAFFINGER, KATHRYN A CLANTON HEIGHTS SUBD, S31, T01 N, R26 E, BLOCK 004, Lot 008, L:8 & 9 B:4 CL			
A04970	\$1,014.56	5.500	12
CAHILL, MICHAEL D CLANTON HEIGHTS SUBD, S31, T01 N, R26 E, BLOCK 004, Lot 010, L:10 & 11 B:4			
A04971	\$1,211.33	5.500	12
JOHNSON, CHERYL W			

CLANTON HEIGHTS SUBD		818, S31, T01 N, R26 E, BL	
A04999	\$1,945.23	5.500	12
CAUDLE, SARA E			
CLANTON HEIGHTS SUBD		818, S31, T01 N, R26 E, BL	
A05001	\$1,890.34	5.500	12
LOUISE M MICHELS TRUST UNDER WILL			
CLANTON HEIGHTS SUBD, S31, T01 N, R26 E, BLOCK 005, Lot 036, LT 36-37 BLK 5			
A05003	\$6,306.10	5.500	12
CARTER, HEIDI C			
CLANTON HEIGHTS SUBD		818, S31, T01 N, R26 E, BL	
A06301	\$5,482.79	5.500	12
FERESTAD, JODY L			
DESCRO SUBD - 5TH FILING, S01, T01 S, R25 E, BLOCK 021, Lot 002, LT 2 BLK			
A06493	\$199.07	5.500	12
STENE, FERN			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 001, Lot 001, E2 LT 1 & 2 BLK 1 L			
A06494	\$199.07	5.500	12
CAROL A HEALD REVOCABLE TRUST			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 001, Lot 001, W2 LTS 1 & 2 BLK 1			
A06495	\$217.46	5.500	12
BRADFORD WILLIAM O			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 001, Lot 003, LT 3 BLK 1 L T EATO			
A06496	\$217.46	5.500	12
REINEKING, JAMES W & VERA MAE			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 001, Lot 004, LT 4 BLK 1 L T EATO			
A06497	\$217.46	5.500	12
KLINE, BRUCE T			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 001, Lot 005, LT 5 BLK 1 L T EATO			
A06498	\$217.46	5.500	12
STADTFELD, WALLACE G & KAY R			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 001, Lot 006, LT 6 BLK 1 L T EATO			
A06499	\$217.46	5.500	12
ARNOLD, SONDRAL			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 001, Lot 007, LT 7 BLK 1 L T EATO			
A06500A	\$134.17	5.500	12
BRAUN, ANDREA K			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 1, Lot 16, AMND LTS 8 - 12 & W2 O			
A06500B	\$134.00	5.500	12
MARTIN, DENNIS W			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 001, Lot 017, LT 17 BLK 1 AMEND L			
A06500E	\$134.17	5.500	12
LOSE, HELENE F			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 001, Lot 020, AMND LTS 8 - 12 W2			

A06500F	\$134.00	5.500	12
SMITH, EDWARD & KRISTY			
EATON, L T SUBD 719, S36, T01 N, R25 E, BL			
A06501	\$9,149.02	5.500	12
STONE, BILLY JACK			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 001, Lot 013, E2 LT 13-14 BLK 1 L			
A06503	\$4,518.48	5.500	12
MAURER, TROY W & WENDY			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 002, LT 2 BLK 2 L T EATO			
A06504	\$176.21	5.500	12
STMULLINS TRUST			
EATON, L T SUBD 719, S36, T01 N, R25 E, BL			
A06505	\$176.21	5.500	12
UECKER, STACY D & ELLEN G			
EATON, L T SUBD 719, S36, T01 N, R25 E, BL			
A06506	\$176.21	5.500	12
LANE, ROBERT L & JEANETTE G TSTES			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 005, LT 5 BLK 2 L T EATO			
A06509	\$170.80	5.500	12
MARLER, ROBERT M & DONNA L			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 008, LT 8 BLK 2 L T EATO			
A06510	\$176.21	5.500	12
STUDINER, JOSEPH D & SANDRA L			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 009, LT 9 BLK 2 L T EATO			
A06511	\$176.21	5.500	12
RAMBOLDT, THOMAS I & CATHERINE J			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 010, LT 10 BLK 2 L T EAT			
A06512	\$176.21	5.500	12
HOUSE, GENE E & ELAINE F			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 011, LT 11 BLK 2 L T EAT			
A06513	\$180.99	5.500	12
HERTZ, MARK F			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 012, W85.6 FT LT 12 & 13			
A06514	\$180.99	5.500	12
VAN ARSDALE, JAMES W & EVA MAE			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 012, E85.6 FT LTS 12 & 1			
A06520B	\$10,125.68	5.500	12
MORLEDGE-HAMPTON, SCOTT & DIANE			
EATON, L T SUBD, S36, T01 N, R25 E, BLOCK 003, Lot 005, E W250.02 FT AND N			
A06560	\$163.30	5.500	12
MILNE, ALEX R & CHERI			
EATON, L T SUBD 3RD FILING, S36, T01 N, R25 E, BLOCK 002, Lot 002, LT 2 BLK			
A06645	\$316.90	5.500	12
STOCKMAN BANK OF MONTANA			

EVERGREEN SUBD		724, S36, T01 N, R25 E, BL	
A06648	\$109.51	5.500	12
STOCKMAN BANK OF MONTANA EVERGREEN SUBD		724, S36, T01 N, R25 E, BL	
A06649	\$107.34	5.500	12
STOCKMAN BANK OF MONTANA EVERGREEN SUBD		724, S36, T01 N, R25 E, BL	
A06650	\$107.75	5.500	12
STOCKMAN BANK OF MONTANA EVERGREEN SUBD		724, S36, T01 N, R25 E, BL	
A06651	\$323.85	5.500	12
PATRICK & HASTY EVERGREEN SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 013, LT 13-18 BLK 2 EVERG			
A06654	\$321.08	5.500	12
WHITE REAL ESTATE, LLC EVERGREEN SUBD		724, S36, T01 N, R25 E, BL	
A06656	\$109.51	5.500	12
DUNBAR, LEONARD & GERMAINE V EVERGREEN SUBD		724, S36, T01 N, R25 E, BL	
A06657	\$109.51	5.500	12
KUNTZ, JOSEPH R & JOLENE G EVERGREEN SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 027, LT 27-28 BLK 2 EVERG			
A06658	\$109.51	5.500	12
TUTTLE, MARGARET EVERGREEN SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 029, LT 29-30 BLK 2 EVERG			
A06659	\$109.51	5.500	12
DANGERFIELD, ROBIN L & TRACY A EVERGREEN SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 031, LT 31-32 BLK 2 EVERG			
A06660	\$109.51	5.500	12
GROTHE, TAMMY S EVERGREEN SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 033, LT 33-34 BLK 2 EVERG			
A06661	\$109.51	5.500	12
GERRELLS, PATRICK J & EVERGREEN SUBD		724, S36, T01 N, R25 E, BL	
A06662	\$109.51	5.500	12
KELLY, JAYNEE R EVERGREEN SUBD		724, S36, T01 N, R25 E, BL	
A06663	\$109.51	5.500	12
HODIK, KYLE EVERGREEN SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 039, LT 39-40 BLK 2 EVERG			
A06664	\$109.51	5.500	12
OSTWALT, CONRAD L & MIRIAM F EVERGREEN SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 041, LT 41-42 BLK 2 EVERG			

A06665	\$109.51	5.500	12
MILLER, RICHARD L EVERGREEN SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 043, LT 43-44 BLK 2 EVERG			
A06666	\$109.51	5.500	12
PETERSON, SUSAN H EVERGREEN SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 045, LT 45-46 BLK 2 EVERG			
A06667	\$109.51	5.500	12
STOCKMAN BANK OF MONTANA EVERGREEN SUBD, S36, T01 N, R25 E, BLOCK 002, Lot 047, LT 47-48 BLK 2 EVERG			
A07111	\$2,410.83	5.500	12
FENNO, DAVID J & CHRISTY D FOSTER ADD, S32, T01 N, R26 E, BLOCK 023, Lot 023, E2 OF LTS 23 & 24 BLK 23			
A07237	\$646.79	5.500	12
MOORE, CRAIG A FOSTER ADD, S32, T01 N, R26 E, BLOCK 039, Lot 001, ALSO LTS 2 & S 1/2 OF3			
A07663	\$1,310.15	5.500	12
SORG, STEVEN J & DEBORAH A GLOCK SUBD 816, S36, T01 N, R25 E, BL			
A07738	\$124.44	5.500	12
CZERNIECKI, WALTER JAMES JR& GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 001, LT 1 BLK 2 GORHAM			
A07739	\$149.33	5.500	12
BERRETH, DARRELL D & MABEL A GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 002, LT 2 AND N 15 FT O			
A07740	\$124.44	5.500	12
BRUM, LINDA K GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 004, S 60 FT OF LOT 3 A			
A07741	\$124.44	5.500	12
BURGOYNE, JEANNE A GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 005, S 60' OF LT 4 AND N			
A07742	\$124.44	5.500	12
OIUM, LARRY G & SANDRA E GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 005, S 60 FT OF LT 5 AN			
A07743	\$116.15	5.500	12
HOGGAN, MICHAEL E & JUDY A GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 007, LT S60' OF 6, N10'			
A07744	\$99.55	5.500	12
BRASSE, MICHAEL L & KAREN H GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 007, S60' OF N70' L:7 B			
A07746	\$99.55	5.500	12
SCOTT, MARK E & SANDRA L GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 008, S5' L:7 N55' L:8 B			
A07747	\$152.65	5.500	12
HAMILL, MARK &			

GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 009, LT 9 & S20' LT 8 B			
A07748	\$140.70	5.500	12
MOORE, THOMAS G & GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 01D, L:10 & S15' OF L:1			
A07749	\$143.51	5.500	12
RAYNOR, CHARLES DAVID & GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 012, N60' L:11 & S30' L			
A07750	\$156.06	5.500	12
MARAK, CHARLES A & GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 013, N45' L:12 & S45' L			
A07751	\$142.29	5.500	12
BOUGH, RONALD M & GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 014, N30' L:13 & S60' L			
A07752	\$122.83	5.500	12
RONLAKE, SEAN E GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 015, N15'LT14, S63'LT15			
A07753	\$171.61	5.500	12
SENN, RANDY C & MEGAN J GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 016, LT16 & N12.39' LT1			
A07754	\$140.28	5.500	12
MEISMER JOSHUA O GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 017, L:17 IRREGULAR B:2			
A07755	\$100.69	5.500	12
DECKERT, STEVE S GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 018, LT 18 BLK 2 GORHAM			
A07906	\$1,464.56	5.500	12
CARRICO, FRANK C & GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 010, Lot 001, LT 1 BLK 10 GORHAM			
A07907	\$780.61	5.500	12
STREITMATER, JOANN GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 010, Lot 002			
A08276	\$5,217.49	5.500	12
CARLSON, PENNY L GRANDVIEW SUBD 721, S32, T01 N, R26 E, BL			
A08753	\$6,133.26	5.500	12
HODGSON, JAMES J & VICKI L HIGHLAND ADD, S03, T01 S, R26 E, BLOCK 016, Lot 013, L:13 TO 16 B:16 HIGHLA			
A08754	\$5,424.16	5.500	12
BUSTOS, JOSE A JR & MARZENE V HIGHLAND ADD, S03, T01 S, R26 E, BLOCK 016, Lot 017, LTS 17 & 18			
A08755	\$1,719.37	5.500	12
MILL, DONNETTA K HIGHLAND ADD, S03, T01 S, R26 E, BLOCK 016, Lot 019, LTS 19 AND 20			

A08756	\$1,951.53	5.500	12
RAGGL, TINA HIGHLAND ADD, S03, T01 S, R26 E, BLOCK 016, Lot 021, LTS 21 & 22 BLK 16 HIG			
A08757	\$838.44	5.500	12
HAGSTROM, DAVE R HIGHLAND ADD, S03, T01 S, R26 E, BLOCK 016, Lot 023, LTS 23 & 24 BLK 16 HIG			
A09847	\$2,469.18	5.500	12
MATICH, JACOB A KOBER SUBD 3RD FILING, S36, T01 N, R25 E, BLOCK 013, Lot 042, LT 43-44 E8 F			
A09849	\$602.33	5.500	12
JONES, DIANE M KOBER SUBD 3RD FILING, S36, T01 N, R25 E, BLOCK 014, Lot 003, W21' OF L:3 A			
A09883	\$426.93	5.500	12
STALEY, MARY A KOBER SUBD 3RD FILING, S36, T01 N, R25 E, BLOCK 015, Lot 040, LT 41 E16 FT			
A10723	\$4,269.15	5.500	12
NESSAN, JACK A LYONS SUBD, S29, T01 N, R26 E, Lot 003, LT 3 LYONS SUBD			
A10848	\$8,821.31	5.500	12
OLSON, GRANT A & BETHANY J MANDELKOW SUBD, S06, T01 S, R26 E, BLOCK 001, Lot 021, LT 21-24 BLK 1 AMND			
A10861	\$610.36	5.500	12
SMITH, CARROLL J & JACQUELYN A MANDELKOW SUBD, S06, T01 S, R26 E, BLOCK 002, Lot 023, LT 23-24 2ND AMND BL			
A12544	\$234.65	5.500	12
FOX, DONALD D PANIAN FEW ACRES, S36, T01 N, R25 E, Lot 005, LT 5 PANIAN FEW ACRES			
A12545	\$219.09	5.500	12
LAUGHERY, TERRY & RENA PANIAN FEW ACRES, S36, T01 N, R25 E, Lot 006, LT 6 PANIAN FEW ACRES			
A12648	\$6,997.74	5.500	12
YELLOWSTONE COUNTY COUNCIL ON AGING PARTINGTON PARK SUB 8TH FILING, S36, T01 N, R25 E, BLOCK 8, Lot 23A - 024,			
A12687	\$806.75	5.500	12
BJORNDAL, PATRICK N PARTINGTON PARK SUB 1ST FILING, S36, T01 N, R25 E, BLOCK 011, Lot 001, LT 1			
A12689	\$714.21	5.500	12
WHITTINGTON, STACI L PARTINGTON PARK SUB 1ST FILING, S36, T01 N, R25 E, BLOCK 011, Lot 004, LT 4			
A12690	\$932.80	5.500	12
FUERST, HERBERT R & DEBRA L PARTINGTON PARK SUB 1ST FILING, S36, T01 N, R25 E, BLOCK 011, Lot 005, LT 5			
A12691	\$3,477.58	5.500	12
GANZEVELD, KENNETH			

PARTINGTON PARK SUB 1ST FILING, S36, T01 N, R25 E, BLOCK 011, Lot 006, W45			
A12692	\$3,611.59	5.500	12
KOHLER, ALBERT E & LA VERNA J PARTINGTON PARK SUB 1ST FILING, S36, T01 N, R25 E, BLOCK 011, Lot 007, W31			
A12693	\$1,962.64	5.500	12
KAMOWSKI, WILLIAM F & PARTINGTON PARK SUB 1ST FILING, S36, T01 N, R25 E, BLOCK 011, Lot 008, W32			
A12694	\$2,842.41	5.500	12
SORENSEN, LUKAS J PARTINGTON PARK SUB 1ST FILING 723, S36, T01 N, R25 E, BL			
A12695	\$4,775.03	5.500	12
HOLLAND, CHARLES B PARTINGTON PARK SUB 1ST FILING, S36, T01 N, R25 E, BLOCK 011, Lot 010, W59.			
A12918	\$3,155.78	5.500	12
POLLOCK, LEROY G & SHIRLEY J POLY ADD, S31, T01 N, R26 E, Lot 002, LT 2 E5 FT LT 1 E72.76 FT N5 FT LT 8			
A12923	\$1,773.62	5.500	12
BRINTON, JUDITH M POLY ADD, S31, T01 N, R26 E, Lot 008, S75 FT LT 8 N35 FT LT 9 POLY ADD			
A13497	\$314.23	5.500	12
WEST, LLEWELLYN T & RUBY M ROSEDALE SUBD 2ND FILING, S06, T01 S, R26 E, BLOCK 010, Lot 002, LT 2 BLK 1			
A15874	\$3,991.75	5.500	12
SCILLEY AUTO SALES SUBURBAN SUBD 818, S04, T01 S, R26 E, BL			
A16410	\$1,582.66	5.500	12
BAXTER, ROBERT C & DEE L FAMILY SUNNYSIDE SUBD 2ND FILING, S32, T01 N, R26 E, BLOCK 008, Lot 004, S50 FT N2			
A17784	\$1,301.98	5.500	12
LEGGATE, JERRY N WEST SIDE ADD, S04, T01 S, R26 E, BLOCK 008, Lot 024, S55 FT LT 24-25 BLK 8			
A17872	\$2,575.36	5.500	12
ALLIE, NATHAN A WEST SIDE ADD, S04, T01 S, R26 E, BLOCK 012, Lot 024, LT 24-27 BLK 12 WEST			
A17989	\$475.23	5.500	12
NELSON, JEAN M WEST SIDE SUBD, S04, T01 S, R26 E, BLOCK 017, Lot 043, LT 43-46 BLK 17 WEST			
A18687	\$293.61	5.500	12
CAPITAL LAND & BUILDING WRIGHT SUBD, S31, T01 N, R26 E, BLOCK 002, Lot 001, LT 1 & 2A AMND LT 2-4 B			
A18688	\$2,805.22	5.500	12
SCHOOL DISTRICT NO 2 WRIGHT SUBD, S31, T01 N, R26 E, BLOCK 002, Lot 04A, LT 4A 5-7 W41 FT LT 8 F			

A18689	\$126.63	5.500	12
JULIAN WRIGHT REVOCABLE TRUST, THE WRIGHT SUBD, S31, T01 N, R26 E, BLOCK 002, Lot 008, LT 9 E9.5 FT LT 8 BLK 2			
A18690	\$4,271.07	5.500	12
WRIGHT, MARK D WRIGHT SUBD, S31, T01 N, R26 E, BLOCK 2, Lot 10, LT 10 BLK 2 WRIGHT SUBD			
A18984	\$866.44	5.500	12
CRITELLI, DONALD D & CAROL L YELLOWSTONE ADD, S04, T01 S, R26 E, BLOCK 007, Lot 024, LT 24-25 BLK 7 YELL			
A19212	\$2,409.30	5.500	12
LONG, CAROL E YELLOWSTONE ADD, S04, T01 S, R26 E, BLOCK 019, Lot 012, LT 12-13 BLK 19 YEL			
A19251	\$595.10	5.500	12
ULLMAN, STAN YELLOWSTONE ADD, S04, T01 S, R26 E, BLOCK 020, Lot 048, N70 FT E2 LT 48 N70			
A19637	\$824.20	5.500	12
NORTH, DAVID R & PATRICIA A WILSHIRE HEIGHTS SUBD 4TH, S27, T01 N, R25 E, BLOCK 005, Lot 012, LT 12 BLK			
A20298	\$9,516.41	5.500	12
2425 CENTRAL AVE TRUST DESCRO SUBD - 7TH FILING, S01, T01 S, R25 E, BLOCK 029, Lot 001, S385.5 FT			
A21589	\$482.69	5.500	12
KLINGER, GARY D & YVONNE L WILSHIRE HEIGHTS SUBD 7TH, S27, T01 N, R25 E, BLOCK 006, Lot 016, LT 16 BLK			
A22085	\$149.52	5.500	12
CLAYTON, JOHN G & YVONNE M LAKE HILLS SUBD 19TH FILING, S16, T01 N, R26 E, BLOCK 009, Lot 009, LT 9 BL			
A22814	\$10,490.41	5.500	12
KUJAT, RANDY & SUZANNE M LAKE HILLS SUBD 24TH FILING, S16, T01 N, R26 E, BLOCK 060, Lot 001, LT 1 BL			
A22815	\$10,042.19	5.500	12
WALDRON, NANCY L LAKE HILLS SUBD 24TH FILING, S16, T01 N, R26 E, BLOCK 060, Lot 002, LT 2 BL			
A24845	\$1,436.45	5.500	12
BREYER, SHAWN & MONICA TERRACE ESTATES SUB 2ND FILING, S20, T01 N, R26 E, BLOCK 012, Lot 002, LT 2			
A28233A	\$3,433.71	5.500	12
GRAND AVE INVESTOR LLC WEST GRANDE DENTAL CENTER, UNIT A, 26.86% COMMON AREA INTEREST, (08) LT 1			
A28353	\$5,366.41	5.500	12
STOCKMAN BANK OF MONTANA MIDLAND SUBD 3RD FILING, S13, T01 S, R25 E, BLOCK 003, Lot 03A, LT 3A AMND			
A31501	\$7,209.83	5.500	12
SPRAY, JOHN S JR			

MATTSON ACRES, S15, T01 N, R26 E, Lot 16D, LT 16D MATTSON ACRES AMD LT 16 7			
A33618	\$622.85	5.500	12
GOOD, STEVEN W			
RIVERFRONT POINTE SUB, S17, T01 S, R26 E, BLOCK 010, Lot 010, (07) 9604 SQ			
C11813	\$5,564.45	5.500	12
CRETEX CONCRETE PRODUCTS WEST INC			
CR1412 142-3272-03-04 LT 2A BLK 6 TIERRA YELLOWSTONE IND PARK SUB 2ND FIL A			
D01341A	\$3,421.21	5.500	12
ENERGY EQUITY COMPANY &			
S06, T01 S, R26 E, C.O.S. 1546, PARCEL 1B, TR 1B COS 1546 TR 1 AMND IN NW4			
E00097	\$7,974.80	5.500	12
SPRAY, JOHN S JR			
MATTSON ACRES, S15, T01 N, R26 E, Lot 16D, LT 16D MATTSON ACRES AMD LT 16 7			

2: DISPOSITION OF COLLECTION. All monies collected from the assessment shall be paid into a special improvement district or project Fund. Assessments become delinquent based on the semi-annual due dates of real property taxes, currently December 1 and June 1 of each year.

3: NOTICE AND HEARING. On Monday, 9/26/2011, at 6:30 p.m., or as soon thereafter as the matter was considered on the agenda of the City Council at a regular meeting held in the Council Chambers of the Police Facility, 220 N. 27th St., Billings, Montana, the City Council held a public hearing to hear comments and/or objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice with at least six (6) days separating each publication in a newspaper of general paid circulation with a periodicals mailing permit. The final publication was made at least 10 days prior to the public hearing per MCA 7-12-4177.

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

PASSED AND APPROVED this 26th day of September, 2011

CITY OF BILLINGS:

BY: _____
 Thomas W. Hanel, Mayor

ATTEST:
 BY: _____
 Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Public Hearing Respread SID 1360

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

The respread of assessments for SID 1360 (Gabel Road) has been completed by the Finance Dept. and is ready to spread on the tax rolls. SID 1360 was originally assessed with an interest rate of 5.811% and is being refinanced at a lower interest rate of 4.105 %.

ALTERNATIVES ANALYZED

The Council must hold a public hearing and then may:

- Approve the resolution; or
- Not approve the resolution

FINANCIAL IMPACT

The costs associated with SID 1360 are assessed per lot. The net effective interest rate is 3.605 %. Under the State statute 7-12-4189, the City is required to add ½ of 1% for a total rate of 4.105 %. The ½ of 1% will be used as additional security on bond issues, as stated in the final bond resolution. A savings of \$253,000 was achieved by the refunding. These savings will be passed on to the property owners with outstanding assessments.

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and pass the proposed resolution on September 26, 2011.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution Respread 1360

RESOLUTION 11 _____

A RESOLUTION RELEVYING AND REASSESSING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 1360, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as 1360 and;

WHEREAS, it is necessary to relevy and reassess a special assessment tax upon each benefited property in the district or project area to defray the cost and expenses of said district or project. The original assessment was calculated on the bond sale cost. After refinancing was completed, the City reduced the assessment by the savings; and

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

1: RELEVY AND REASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 1360 of the City of Billings, Montana, there is hereby relevied and reassessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

Tax Code /Owner Name /Legal Description	Assessment Amount	Interest Rate	Years Assessed
A29203 BOTTRELL FAMILY INVESTMENTS LLP GABEL SUBD 2ND FILING AMD (08), BLOCK 1, Lot 1A1	\$2,281.87		4.105 7
A29204 BOTTRELL FAMILY INVESTMENTS LP GABEL SUBD 2ND FILING AMD (08), BLOCK 1, Lot 2A	\$2,279.38		4.105 7
A29205 DECKER HOLDINGS, LLC GABEL SUBD 2ND FILING, S14, T01 S, R25 E, BLOCK 001, Lot 003, LT 3 BLK 1 GA	\$5,258.31		4.105 7

A29206	\$5,915.67	4.105	7
BOTTRELL FAMILY INVESTMENTS LP			
GABEL SUBD 2ND FILING			
		822, S14, T01 S, R25 E, BL	
A29207	\$5,858.43	4.105	7
BOTTRELL FAMILY INVESTMENTS LP			
GABEL SUBD 2ND FILING, S14, T01 S, R25 E, BLOCK 001, Lot 005, LT 5 BLK 1 GA			
A29208	\$6,132.55	4.105	7
BIG SKY ECONOMIC DEVELOPMENT AUTHOR			
GABEL SUBD 2ND FILING			
		822, S14, T01 S, R25 E, BL	
A29211	\$4,762.78	4.105	7
BOTTRELL FAMILY INVESTMENTS LLP			
GABEL SUBD 2ND FILING, S14, T01 S, R25 E, BLOCK 001, Lot 013, LT 13A BLK 1			
A29212	\$3,121.20	4.105	7
BOTTRELL FAMILY INVESTMENTS LLP			
GABEL SUB 4TH FILING (10), S14, T01 S, R25 E, BLOCK 1, Lot 3			
A29213	\$456.84	4.105	7
BOTTRELL FAMILY INVESTMENTS LP			
GABEL SUBD 2ND FILING, S14, T01 S, R25 E, BLOCK 001, Lot 015, LT 15 BLK 1 G			
A29215	\$509.76	4.105	7
BOTTRELL FAMILY INVESTMENTS LP			
GABEL SUBD 2ND FILING, S14, T01 S, R25 E, BLOCK 001, Lot 017, LT 17 BLK 1 G			
A29216	\$862.92	4.105	7
BOTTRELL FAMILY INVESTMENTS LP			
GABEL SUBD 2ND FILING, S14, T01 S, R25 E, BLOCK 001, Lot 18A, LT 18A BLK 1			
A29217	\$397.57	4.105	7
BOTTRELL FAMILY INVESTMENTS LP			
GABEL SUBD 2ND FILING, S14, T01 S, R25 E, BLOCK 001, Lot 19A, LT 19A BLK 1			
A29218	\$817.70	4.105	7
BOTTRELL FAMILY INVESTMENTS LP			
GABEL SUBD 2ND FILING, S14, T01 S, R25 E, BLOCK 002, Lot 01A, LT 1A BLK 2 G			
A29219	\$737.37	4.105	7
BOTTRELL FAMILY INVESTMENTS LP			
GABEL SUBD 2ND FILING, S14, T01 S, R25 E, BLOCK 002, Lot 002, LT 2 BLK 2 GA			
A29220	\$472.33	4.105	7
S&D INVESTMENTS LLC			
GABEL SUBD 2ND FILING, S14, T01 S, R25 E, BLOCK 002, Lot 03A, LT 3A BLK 2 G			
A30059A	\$10,599.51	4.105	7
BOTTRELL FAMILY INVESTMENTS LLP			
UNIT 1 TRANSTECH CENTER 4.06% INT IN COMM ELEM LT 1 BLK 1 TRANSTECH CTR SUB			
A30059B	\$14,848.11	4.105	7
BOTTRELL FAMILY INVESTMENTS LLP			
UNIT 2A-1 TRANSTECH CENTER 5.67% INT IN COMM ELEM (05) LT 1 BLK 1 TRANSTECH			
A30059D	\$28,846.04	4.105	7
BOTTRELL FAMILY INVESTMENTS LLP			

UNIT 4A-1 TRANSTECH CENTER 13.46% INT IN COMMON ELEMENTS (07) LT 1 BLK 1 TR			
A30059F	\$14,520.70	4.105	7
LRS LLC			
UNIT 6A-1 TRANSTECH CENTER 5.55% INT IN COMMON ELEMENTS (05) LT 1 BLK 1 TRA			
A30059G	\$3,967.60	4.105	7
BOTTRELL FAMILY INVESTMENTS LLP			
UNIT 7 TRANSTECH CENTER 1.52% INT IN COMMON ELEMENTS LT 1 BLK 1 TRANSTECH C			
A30059H	\$17,791.67	4.105	7
BOTTRELL FAMILY INVESTMENTS LLP			
UNIT 8A TRANSTECH CENTER 7.84% INT IN COMMON ELEMENTS LT 1 BLK 1 TRANSTECH			
A30059I	\$18,367.31	4.105	7
BOTTRELL FAMILY INVESTMENTS LLP			
UNIT 9A TRANSTECH CENTER 7.36% INT IN COMMON ELEMENTS LT 1 BLK 1 TRANSTECH			
A30059J	\$9,774.97	4.105	7
BOTTRELL FAMILY INVESTMENTS LLP			
UNIT 10 TRANSTECH CENTER 3.74% INT IN COMMON ELEMENTS LT 1 BLK 1 TRANSTECH			
A30059K	\$24,813.97	4.105	7
BOTTRELL FAMILY INVESTMENTS LLP			
UNIT 11A TRANSTECH CENTER 8.32% INT IN COMMON ELEMENTS LT 1 BLK 1 TRANSTECH			
A30059L	\$14,244.38	4.105	7
BOTTRELL FAMILY INVESTMENTS LLP			
UNIT 12A TRANSTECH CENTER 6.60% INT IN COMMON ELEMENTS LT 1 BLK 1 TRANSTECH			
A30059N	\$22,790.67	4.105	7
BOTTRELL FAMILY INVESTMENTS LLP			
UNIT 13 TRANSTECH CENTER IMPROVEMENTS LOCATED HERE I00775 8.71% INT IN COMM			
A30059O	\$10,992.25	4.105	7
PINE CO LLC			
UNIT 15A TRANSTECH CENTER 4.20% INT COMMON ELEMENTS (05) LT 1 BLK 1 TRANST			
A30059P	\$5,729.26	4.105	7
ACE TRANSTECH LLC			
UNIT 16 TRANSTECH CENTER 2.19% INT IN COMMON ELEMENTS LT 1 BLK 1 TRANSTECH			
A30059Q	\$22,826.08	4.105	7
BOTTRELL FAMILY INVESTMENTS LLP			
UNIT 17 TRANSTECH CENTER 8.72% INT IN COMMON ELEMENTS LT 1 BLK 1 TRANSTECH			
A30059S	\$8,302.84	4.105	7
RUSTY ROOF LLC			
UNIT 14A TRANSTECH CENTER 3.17% INT IN COMMON ELEMENTS LOC @ LT 1 BLK1 TRA			
A30059T	\$8,276.49	4.105	7
BOTTRELL FAMILY INVESTMENTS INC			
TRANSTECH CENTER SUBD, S14, T01 S, R25 E, BLOCK 001, Lot 001, UNIT 14B TRAN			
A30254	\$68,437.74	4.105	7
TGC LP			
GABEL ROAD COMMERCIAL CENTER SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 001, L			

A30255	\$48,233.88	4.105	7
TGC LP			
GABEL ROAD COMMERCIAL CENTER SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 002, L			
A30256	\$48,466.73	4.105	7
TGC LP			
GABEL ROAD COMMERCIAL CENTER SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 003, L			
A30257	\$27,806.57	4.105	7
TGC LP			
GABEL ROAD COMMERCIAL CENTER SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 004, L			
A30258	\$16,790.33	4.105	7
TGC LP			
GABEL ROAD COMMERCIAL CENTER SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 005, L			
A30259	\$39,387.10	4.105	7
TGC LP			
GABEL ROAD COMMERCIAL CENTER SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 006, L			
A30260	\$34,069.84	4.105	7
TGC LP			
GABEL ROAD COMMERCIAL CENTER SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 007, L			
A30261	\$31,735.35	4.105	7
TGC LP			
GABEL ROAD COMMERCIAL CENTER SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 008, L			
A30262	\$32,595.04	4.105	7
TGC LP			
GABEL ROAD COMMERCIAL CENTER SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 009, L			
A30263	\$228,830.65	4.105	7
TGC LP			
GABEL ROAD COMMERCIAL CENTER SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 10A, L			
A30264	\$37,437.53	4.105	7
TGC LP			
GABEL ROAD COMMERCIAL CENTER SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 11A, L			
A30265	\$30,906.61	4.105	7
M & S BUSINESSES, LLC			
GABEL ROAD COMMERCIAL CENTER SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 012, L			
A30678	\$6,120.14	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 001, Lot 001, LT 1 BLK 1 BR			
A30679	\$2,248.85	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 001, Lot 002, LT 2 BLK 1 BR			
A30680	\$3,032.16	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 001, Lot 003, LT 3 BLK 1 BR			
A30681	\$4,455.70	4.105	7
SHILOH ENTERPRISES LLC			

BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 001, Lot 004, LT 4 BLK 1 BR			
A30682	\$14,038.49	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 001, Lot 005, LT 5 BLK 1 BR			
A30683	\$28,578.81	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 001, Lot 006, LT 6 BLK 1 BR			
A30697	\$6,915.43	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 001, Lot 020, LT 20 BLK 1 B			
A30700	\$42,479.81	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 002, Lot 003, LT 3 BLK 2 BR			
A30701	\$34,835.63	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 002, Lot 004, LT 4 BLK 2 BR			
A30702	\$26,684.46	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 002, Lot 005, LT 5 BLK 2 BR			
A30703	\$27,304.72	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 002, Lot 006, LT 6 BLK 2 BR			
A30704	\$31,531.08	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 002, Lot 007, LT 7 BLK 2 BR			
A30705	\$31,502.47	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 002, Lot 008, LT 8 BLK 2 BR			
A30706	\$37,973.27	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 002, Lot 009, LT 9 BLK 2 BR			
A30707	\$31,350.70	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 002, Lot 010, LT 10 BLK 2 B			
A30708	\$29,915.77	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 002, Lot 011, LT 11 BLK 2 B			
A30709	\$26,229.32	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 002, Lot 012, LT 12 BLK 2 B			
A30710	\$28,072.07	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 002, Lot 013, LT 13 BLK 2 B			

A30713	\$28,457.57	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 003, Lot 001, LT 1 BLK 3 BR			
A30714	\$3,080.62	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 003, Lot 002, LT 2 BLK 3 BR			
A30715	\$2,233.44	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 003, Lot 003, LT 3 BLK 3 BR			
A30716	\$2,384.99	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 003, Lot 004, LT 4 BLK 3 BR			
A30717	\$2,398.99	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 003, Lot 005, LT 5 BLK 3 BR			
A30718	\$26,860.19	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 003, Lot 006, LT 6 BLK 3 BR			
A30719	\$28,220.26	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 003, Lot 007, LT 7 BLK 3 BR			
A30723	\$46,582.15	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 004, Lot 003, LT 3 BLK 4 BR			
A30726	\$43,912.09	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 004, Lot 006, LT 6 BLK 4 BR			
A30727	\$6,335.90	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 004, Lot 007, LT 7 BLK 4 BR			
A30728	\$6,116.47	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 004, Lot 008, LT 8 BLK 4 BR			
A30729	\$5,883.77	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 004, Lot 009, LT 9 BLK 4 BR			
A30730	\$5,557.22	4.105	7
SHILOH ENTERPRISES LLC			
BROSO VALLEY PARK SUB, S23, T01 S, R25 E, BLOCK 004, Lot 010, LT 10 BLK 4 BR			
A33295	\$21,123.37	4.105	7
MILLER, HAROLD			
TIERRA YELLOWSTONE INDUSTRIAL PAR, S13, T01 S, R25 E, BLOCK 006, Lot 003, L			
A33296	\$21,058.81	4.105	7
MILLER, HAROLD			

TIERRA YELLOWSTONE INDUSTRIAL PAR, S13, T01 S, R25 E, BLOCK 006, Lot 004, L			
A33297	\$18,022.70	4.105	7
MILLER, HAROLD			
TIERRA YELLOWSTONE INDUSTRIAL PAR, S13, T01 S, R25 E, BLOCK 006, Lot 005, L			
C10466	\$10,114.61	4.105	7
HASKELL PROPERTIES LLC			
PARKCO INDUSTRIAL SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 002, LT 2 BLK 1 P			
C10467	\$28,777.88	4.105	7
MYRIAD PROPERTIES LLC			
PARKCO INDUSTRIAL SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 03A, LT 3A BLK 1			
C10468	\$34,150.35	4.105	7
MASICH INVESTMENTS INC			
PARKCO INDUSTRIAL SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 4A1, LT 4A1 BLK 1			
C10468A	\$17,500.03	4.105	7
MASICH INVESTMENTS INC			
PARKCO INDUSTRIAL SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 04B, LT 4B BLK 1			
C11007	\$31,090.00	4.105	7
TONY CREEK LLC			
TIERRA YELLOWSTONE IND SUBD		822, S13, T01 S, R25 E, BL	
C11008	\$28,742.60	4.105	7
TONY CREEK LLC			
TIERRA YELLOWSTONE IND SUBD		822, S13, T01 S, R25 E, BL	
C11009	\$39,545.34	4.105	7
TONY CREEK LLC			
TIERRA YELLOWSTONE IND SUBD		822, S13, T01 S, R25 E, BL	
C11804	\$44,153.96	4.105	7
BRILL, DORIS L & (ETAL)			
TIERRA YELLOWSTONE IND SUBD, S13, T01 S, R25 E, BLOCK 01A, Lot 004, LT 4 BL			
C11805	\$44,188.40	4.105	7
MILLER, HAROLD			
TIERRA YELLOWSTONE IND SUBD, S13, T01 S, R25 E, BLOCK 01A, Lot 005, LT 5 BL			
C11806	\$40,634.96	4.105	7
MILLER, HAROLD			
TIERRA YELLOWSTONE IND SUBD, S13, T01 S, R25 E, BLOCK 01A, Lot 006, LT 6 BL			
C11807	\$50,541.01	4.105	7
MILLER, HAROLD			
TIERRA YELLOWSTONE IND SUBD, S13, T01 S, R25 E, BLOCK 01A, Lot 007, LT 7 BL			
C11813	\$4,392.66	4.105	7
CRETEx CONCRETE PRODUCTS WEST INC			
CR1412 142-3272-03-04 LT 2A BLK 6 TIERRA YELLOWSTONE IND PARK SUB 2ND FIL A			
C11821	\$26,171.80	4.105	7
SPRINT COMMUNICATIONS CO LP			
CENTRALLY ASSESSED TIERRA YELLOWSTONE IND SUBD			822

C11826	\$44,555.42	4.105	7
TONY CREEK LLC			
TIERRA YELLOWSTONE IND SUBD		822, S13, T01 S, R25 E, BL	
C11827	\$26,748.68	4.105	7
TONY CREEK LLC			
TIERRA YELLOWSTONE IND SUBD		822, S13, T01 S, R25 E, BL	
C11828	\$37,920.38	4.105	7
TONY CREEK LLC			
TIERRA YELLOWSTONE IND SUBD		822, S13, T01 S, R25 E, BL	
C12199	\$38,633.93	4.105	7
MYERS, MICHAEL W &			
MILLENNIUM MARKET SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 01A, LT 1A BLK 1			
C12201	\$26,233.41	4.105	7
PST, LLC			
MILLENNIUM MARKET SUBD		822, S13, T01 S, R25 E, BL	
C13064	\$17,676.93	4.105	7
STOCK, MICHAEL D			
MILLENNIUM MARKET SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 007, LT 7 BLK 1 M			
C13065	\$68,288.56	4.105	7
KENNEDY PROPERTIES LLC			
MILLENNIUM MARKET SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 008, LT 8-10 BLK			
C13068	\$13,497.07	4.105	7
KENNEDY PROPERTIES LLC			
MILLENNIUM MARKET SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 011, LT 11 BLK 1			
C13069	\$45,251.35	4.105	7
SCHAFER, MARK			
MILLENNIUM MARKET SUBD, S13, T01 S, R25 E, BLOCK 001, Lot 012, LT 12 BLK 1			
D00556	\$108,165.61	4.105	7
BIG SKY FLORAL SUPPLY LLC			
S13, T01 S, R25 E, TR 1B C0S 2297 AMND IN NESW 5.218 ACRES (LESS TR2A AMND			
D00556C	\$78,862.26	4.105	7
GENERAL DISTRIBUTING CO			
S13, T01 S, R25 E, 2297, PARCEL 002, TR 2 COS 2297 IN E2E2NE4SW4 13 1S 25E			
D00597	\$35,530.26	4.105	7
RED LODGE INVESTMENT LLC			
S14, T01 S, R25 E, 1147, PARCEL 022, TR 22 COS 1147 IN SE4 14 1S 253 (99)			
D00598	\$35,530.26	4.105	7
RED LODGE INVESTMENT LLC			
S14, T01 S, R25 E, 1147, PARCEL 023, TR 23 COS 1147 IN SE4 14 1S 25E (99)			
D00599	\$45,350.96	4.105	7
RED LODGE INVESTMENT LLC			
S14, T01 S, R25 E, 1147, PARCEL 024, TR 24 COS 1147 IN SE4 14 1S 25E (99)			

2: DISPOSITION OF COLLECTION. All monies collected from the assessment shall be paid into a special improvement district or project Fund. Assessments become delinquent based on the semi-annual due dates of real property taxes, currently December 1 and June 1 of each year.

3: NOTICE AND HEARING. On Monday, September 26, 2011 at 6:30 p.m., or as soon thereafter as the matter was considered on the agenda of the City Council at a regular meeting held in the Council Chambers of the Police Facility, 220 N. 27th St., Billings, Montana, the City Council held a public hearing to hear comments and/or objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice with at least six (6) days separating each publication in a newspaper of general paid circulation with a periodicals mailing permit. The final publication was made at least 10 days prior to the public hearing per MCA 7-12-4177.

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

ADOPTED AND APPROVED this 26th day of September, 2011.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Public Hearing Respread Sidewalk SID 2801

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

The assessment for Sidewalk SID 2801 (Lake Elmo) has been completed by the Finance Division and is ready to spread on the tax rolls. SID 2801 was originally spread based on bond cost and is now being re-spread based on construction cost. This project is for sidewalks along Lake Elmo.

ALTERNATIVES ANALYZED

The Council must hold a public hearing and then may:

- Approve the resolution; or
- Not approve the resolution

FINANCIAL IMPACT

The costs associated with SID 2801 are assessed per lot. The net effective interest rate is 4.605%. Under the State Statute 7-12-4189, the City is required to add ½ of 1% for a total rate of 5.105%. The ½ of 1% will be used as additional security on bond issues, as stated in the final bond resolution. Interest earnings and prior collections are subtracted from the final construction cost and spread to the appropriate properties. Any remaining fund balances are used to call bonds.

RECOMMENDATION

Staff recommends that a public hearing be held and Council passes the proposed resolution on September 26, 2011.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution

RESOLUTION 11 _____

A RESOLUTION RELEVYING AND REASSESSING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 2801, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as 2801 and;

WHEREAS, it is necessary to relevy and reassess a special assessment tax upon each benefited property in the district or project area to defray the cost and expenses of said district or project. The original assessment was calculated on the bond sale cost. After construction was completed, the City adjusted the assessment by using the project cost; and

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

1: RELEVY AND REASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 2801 of the City of Billings, Montana, there is hereby relevied and reassessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

Tax Code /Owner Name /Legal Description	Assessment Amount	Interest Rate	Years Assessed
A02538 LEAPOLDT, GARY A ARROWHEAD SUBD, S22, T01 N, R26 E, BLOCK 001, Lot 015, LT 15 BLK 1 ARROWHEA	\$3,908.48	5.105	11
A02539 MCIIRAVY, TARA L & ARROWHEAD SUBD, S22, T01 N, R26 E, BLOCK 001, Lot 016, LT 16 BLK 1 ARROWHEA	\$3,597.32	5.105	11
A02539A HEIN, DENNIS WAYNE ARROWHEAD SUBD	\$5,518.29	5.105	11
		211, S22, T01 N, R26 E, BL	

A02570	\$4,042.11	5.105	11
NATHAN H & BETTE ANN MCCRANIE FAMIL LT 14 BLK 3 ARROWHEAD SUBD LESS W5' FOR LAKE ELMO			
A02572	\$5,086.82	5.105	11
JIVELEKAS, KOSTAS ARROWHEAD SUBD, S22, T01 N, R26 E, BLOCK 003, Lot 016, LT 16 BLK 3 ARROWHEA			
A02574	\$2,059.06	5.105	11
ENSIGN, SAMUEL ARROWHEAD SUBD, S22, T01 N, R26 E, BLOCK 003, Lot 017, W105 FT LT 17 BLK 3			
A02575	\$3,771.21	5.105	11
RICCI, THOMAS C ARROWHEAD SUBD, S22, T01 N, R26 E, BLOCK 004, Lot 001, LT 1 BLK 4 ARROWHEAD			
A02575A	\$227.35	5.105	11
OSTERMILLER, GARY A ARROWHEAD SUBD, S22, T01 N, R26 E, BLOCK 004, Lot 002, LT 2 BLK 4 ARROWHEAD			
A02575B	\$4,007.11	5.105	11
DEIGERT, JOSEPH A ARROWHEAD SUBD, S22, T01 N, R26 E, BLOCK 004, Lot 003, LT 3 BLK 4 ARROWHEAD			
A02576	\$5,912.71	5.105	11
MCMANUS, NANCY J O'HARA ARROWHEAD SUBD, S22, T01 N, R26 E, BLOCK 004, Lot 004, LT 4 BLK 4 ARROWHEAD			
A02577	\$4,768.71	5.105	11
REICHERT, MONA ARROWHEAD SUBD, S22, T01 N, R26 E, BLOCK 004, Lot 005, LT 5 BLK 4 ARROWHEAD			
A02578	\$2,995.21	5.105	11
MEE, ROBERTA A ARROWHEAD SUBD, S22, T01 N, R26 E, BLOCK 004, Lot 006, LT 6 BLK 4 ARROWHEAD			
A03244	\$2,650.69	5.105	11
MOSES, ROSEMARY BROADMOOR SUBD, S22, T01 N, R26 E, BLOCK 001, Lot 019, LT 19 BLK 1 BROADMOO			
A03246	\$2,674.98	5.105	11
NAVE, DONALD L & RUTH A BROADMOOR SUBD, S22, T01 N, R26 E, BLOCK 001, Lot 021, LT 21 BLK 1 BROADMOO			
A03263	\$1,920.37	5.105	11
SAMPLES JOSEPH C BROADMOOR SUBD, S22, T01 N, R26 E, BLOCK 002, Lot 021, LT 21 BLK 2 BROADMOO			
A03264	\$2,678.53	5.105	11
KHALEEL, TASNEEM F BROADMOOR SUBD, S22, T01 N, R26 E, BLOCK 002, Lot 022, LT 22 BLK 2 BROADMOO			
A03265	\$2,712.40	5.105	11
REINERT, RITA J BROADMOOR SUBD, S22, T01 N, R26 E, BLOCK 002, Lot 023, LT 23 BLK 2 BROADMOO			
A03266	\$3,282.90	5.105	11
KHALEEL, SHAFIG			

BROADMOOR SUBD, S22, T01 N, R26 E, BLOCK 002, Lot 024, LT 24 BLK 2 BROADMOO

A09457	\$5,942.78	5.105	11
KURTZ, O. M.			
JOSEPHINE SUBD		211, S22, T01 N, R26 E, Lo	
A10039	\$2,945.23	5.105	11
TOMICICH, MINNIE			
LAMMERS SUBD, S22, T01 N, R26 E, Lot 01A, LT 1A LAMMERS SUB AMD LESS 83' F			
A13246	\$3,898.57	5.105	11
CROY, JANET L			
REX SUBD, S22, T01 N, R26 E, Lot 001, LT 1 & W15 FT LT 2 REX SUBD			
A13251	\$4,108.36	5.105	11
THE BIRD HOUSE LLC			
REX SUBD 2ND FILING, S22, T01 N, R26 E, Lot 001, LT 1 REX SUBD 2ND FIL LESS			
A13252	\$4,072.77	5.105	11
BIRD HOUSE LLC THE			
REX SUBD 2ND FILING, S22, T01 N, R26 E, Lot 002, LT 2 REX SUBD 2ND FIL LESS			
A13257	\$3,465.11	5.105	11
POSEY, LINDA M			
RICE SUBD, S22, T01 N, R26 E, BLOCK 001, Lot 006, LT 6 BLK 1 RICE SUB LESS			
A13257A	\$4,510.70	5.105	11
STEFANIC, CAMERON JAMES			
RICE SUBD, S22, T01 N, R26 E, BLOCK 001, Lot 007, LT 7 BLK 1 RICE SUB LESS			
A13258	\$3,470.48	5.105	11
BAXTER, FRANK W			
RICE SUBD, S22, T01 N, R26 E, BLOCK 001, Lot 008, LT 8 BLK 1 RICE SUB LESS			
A13917	\$10,317.94	5.105	11
BLAYLOCK, BERNADETTE E &			
SIEWART ACRES (C/S NO 239), S22, T01 N, R26 E, Lot 001, TRS 1-2 SIEWART ACR			
A13918	\$8,331.84	5.105	11
D & M FAMILY LIMITED PARTNERSHIP			
SIEWART ACRES (C/S NO 239), S22, T01 N, R26 E, Lot 3A1, TR 3A-1 SIEWERT ACR			
A14769	\$6,827.44	5.105	11
CROY, JANET			
STEVENS-PETTER SUBD, S22, T01 N, R26 E, Lot 001, LT 1-2 (LESS W10 FT) STEVE			
A17566	\$1,052.53	5.105	11
WARNOCK, TIMOTHY J & KACEY V			
WELSH SUBD, S22, T01 N, R26 E, Lot 006, LT 6 WELSH SUBLESS W5' FOR LAKE ELM			
A20282	\$4,978.75	5.105	11
PFENDLER, CHRISTIAN E & DORENE D			
BARKLEY, S22, T01 N, R26 E, Lot 017, LT 17-18 BARKLEY SUB LESS 748' FOR LAK			
A20341	\$2,525.32	5.105	11
RGP PARTNERSHIP			
MCCRACKEN SUBD, S22, T01 N, R26 E, BLOCK 001, Lot 04A, LT 4A BLK 1 MCCRACKE			

A20342	\$2,278.07	5.105	11
RGP PARTNERSHIP			
MCCRACKEN SUBD, S22, T01 N, R26 E, BLOCK 001, Lot 005, LT 5 & N2'LT 6 BLK 1			
A20343	\$3,818.83	5.105	11
RGP PARTNERSHIP			
MCCRACKEN SUBD, S22, T01 N, R26 E, BLOCK 001, Lot 006, LT 6 LESS N2' BLK 1			
A20562	\$4,151.93	5.105	11
NORBY, LEONARD D JR & GORDYNE L			
WINDSOR SUBD 112, S22, T01 N, R26 E, Lo			
A20563	\$6,072.02	5.105	11
HANSON BROTHERS			
WINDSOR SUBD, S22, T01 N, R26 E, Lot 002, LT 2 WINDSOR SUBD LESS LAKE ELMO			
A21247	\$49.80	5.105	11
TC RENTALS LLC			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 69, 0.806% COMMON AREA I			
A21248	\$49.80	5.105	11
FOOTTIT, STEPHEN P			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 70, 0.806% COMMON AREA I			
A21249	\$49.80	5.105	11
PHILLIPS, EMILY			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 71, 0.806% COMMON AREA I			
A21250	\$49.80	5.105	11
LEWIS, DONALD W & ELLEN L			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 72, 0.806% COMMON AREA I			
A21251	\$49.80	5.105	11
BROWN, ALEX			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 73, 0.806% COMMON AREA I			
A21252	\$49.80	5.105	11
SCHAAK, EDWARD & DONNA J			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 74, 0.806% COMMON AREA I			
A21253	\$49.80	5.105	11
AYERS, GEORGE E & BEVERLY A			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 75, 0.806% COMMON AREA I			
A21255	\$49.80	5.105	11
MISENER, JOHN N			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 77, 0.806% COMMON AREA I			
A21256	\$49.80	5.105	11
HEIMBICHER, RUEBEN			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 78, 0.806% COMMON AREA I			
A21257	\$49.80	5.105	11
FAITH, LAURA M			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 79, 0.806% COMMON AREA I			
A21258	\$49.80	5.105	11
ROBERTS, GUYLA I			

IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 80, 0.806% COMMON AREA I			
A21259	\$49.80	5.105	11
CROMWELL, DOUGLAS G			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 81, 0.806% COMMON AREA I			
A21260	\$49.80	5.105	11
BLAIN, BOBBI J			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 82, 0.806% COMMON AREA I			
A21261	\$49.80	5.105	11
MAXWELL, ELLA M			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 83, 0.806% COMMON AREA I			
A21262	\$49.80	5.105	11
STEINMETZ, PAMELA M			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 84, 0.806% COMMON AREA I			
A21263	\$49.80	5.105	11
LONGHORN PROPERTIES LLP			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 85, 0.806% COMMON AREA I			
A21264	\$49.80	5.105	11
FOX-WALTERS, DARLENE H			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 86, 0.806% COMMON AREA I			
A21265	\$49.80	5.105	11
WEAGEL, DOROTHY A			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 106, 0.806% COMMON AREA			
A21266	\$49.80	5.105	11
NESS, GREGORY A			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 107, 0.806% COMMON AREA			
A21267	\$49.80	5.105	11
MONN, SALLY			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 108, 0.806% COMMON AREA			
A21268	\$49.80	5.105	11
PAULSON, JANA L			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 109, 0.806% COMMON AREA			
A21269	\$49.80	5.105	11
DEDMAN, ALLEN C & MARGARET E			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 110, 0.806% COMMON AREA			
A21270	\$49.80	5.105	11
SCHessler, ALICE			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 111, 0.806% COMMON AREA			
A21271	\$49.80	5.105	11
BURNETT, ARNOLD W & (ETAL)			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 112, 0.806% COMMON AREA			
A21273	\$49.80	5.105	11
HAILEY, DOYLE L & DORIS I			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 114, 0.806% COMMON AREA			

A21274	\$49.80	5.105	11
SMITH, PATRICK W & CAROL F			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 115, 0.806% COMMON AREA			
A21275	\$49.80	5.105	11
DRISCOLL, JERRY D & JANET L			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 116, 0.806% COMMON AREA			
A21276	\$49.80	5.105	11
TC RENTALS			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 117, 0.806% COMMON AREA			
A21277	\$49.80	5.105	11
TC RENTALS LLC			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 118, 0.806% COMMON AREA			
A21278	\$49.80	5.105	11
BUCKINGHAM, B R			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 119, 0.806% COMMON AREA			
A21279	\$49.80	5.105	11
FAIRMAN, NORVAL C JR & MARY C TRSTE			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 120, 0.806% COMMON AREA			
A21280	\$49.80	5.105	11
TC RENTALS LLC			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 121, 0.806% COMMON AREA			
A21281	\$49.80	5.105	11
DILLINGER, LARRY P & FERN			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 122, 0.806% COMMON AREA			
A21282	\$49.80	5.105	11
TC RENTALS LLC			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 123, 0.806% COMMON AREA			
A21283	\$49.80	5.105	11
SMITH, GREGORY R &			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 124, 0.806% COMMON AREA			
A21284	\$49.80	5.105	11
HART, MARY K			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 87, 0.806% COMMON AREA I			
A21285	\$49.80	5.105	11
CEARTIN, RODGER & JUDY R			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 88, 0.806% COMMON AREA I			
A21286	\$49.80	5.105	11
ALBERTSON, KATHLEEN C			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 89, 0.806% COMMON AREA I			
A21287	\$49.80	5.105	11
TAPP ENTERPRISES			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 90, 0.806% COMMON AREA I			
A21288	\$49.80	5.105	11
T C RENTALS LLC			

IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 91, 0.806% COMMON AREA I			
A21289	\$49.80	5.105	11
TC RENTALS LLC			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 92, 0.806% COMMON AREA I			
A21290	\$49.80	5.105	11
T C RENTALS LLC			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 93, 0.806% COMMON AREA I			
A21291	\$49.80	5.105	11
BRYN, ROBERT W & MONICA R			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 94, 0.806% COMMON AREA I			
A21292	\$49.80	5.105	11
GIBSON, DAVID W & TERESA E			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 95, 0.806% COMMON AREA I			
A21293	\$49.80	5.105	11
BENSON, WILLIAM L & DAWN M			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 96, 0.806% COMMON AREA I			
A21294	\$49.80	5.105	11
AXELSON, CONNIE F			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 97, 0.806% COMMON AREA I			
A21295	\$49.80	5.105	11
DOLL, SUSAN F			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 98, 0.806% COMMON AREA I			
A21298	\$49.80	5.105	11
POWELL, KENNETH D			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 101, 0.806% COMMON AREA			
A21299	\$49.80	5.105	11
MADSEN, LINDA M			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 102, 0.806% COMMON AREA			
A21300	\$49.80	5.105	11
FRATES, WILLIAM J & ANITA C			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 103, 0.806% COMMON AREA			
A21301	\$49.80	5.105	11
DUNCAN, NORMA L			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 104, 0.806% COMMON AREA			
A21302	\$49.80	5.105	11
TAP ENTERPRISES			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 105, 0.806% COMMON AREA			
A21303	\$49.80	5.105	11
THOMPSON, DONALD P			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 33, 0.806% COMMON AREA I			
A21304	\$49.80	5.105	11
LARSEN, MARIE C &			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 34, 0.806% COMMON AREA I			

A21305	\$49.80	5.105	11
JOHNSTON, ROGER D & LOUISE N			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 35, 0.806% COMMON AREA I			
A21306	\$49.80	5.105	11
KERN, LINDA M			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 36, 0.806% COMMON AREA I			
A21309	\$49.80	5.105	11
LARSEN, RONNIE D			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 37, 0.806% COMMON AREA I			
A21310	\$49.80	5.105	11
LARSEN, RONNIE & ANNA M			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 38, 0.806% COMMON AREA I			
A21312	\$49.80	5.105	11
TAP ENTERPRISES			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 40, 0.806% COMMON AREA I			
A21313	\$49.80	5.105	11
TAP ENTERPRISES			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 41, 0.806% COMMON AREA I			
A21314	\$49.80	5.105	11
HARRIS, RONDA			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 42, 0.806% COMMON AREA I			
A21315	\$49.80	5.105	11
ALICE S KLUNDT LIVING TRUST			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 43, 0.806% COMMON AREA I			
A21316	\$49.80	5.105	11
SIGNATURE ENTERPRISES LLC			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 44, 0.806% COMMON AREA I			
A21317	\$49.80	5.105	11
ALICE S KLUNDT LIVING TRUST			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 45, 0.806% COMMON AREA I			
A21318	\$49.80	5.105	11
JAEGER, MATTHEW &			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 46, 0.806% COMMON AREA I			
A21320	\$49.80	5.105	11
WEAGEL, DOROTHY A			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 47, 0.806% COMMON AREA I			
A21321	\$49.80	5.105	11
CRAIG, BONNIE S			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 48, 0.806% COMMON AREA I			
A21322	\$49.80	5.105	11
BLAIN, ALMON JR			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 49, 0.806% COMMON AREA I			
A21323	\$49.80	5.105	11
PALMER, WILLIAM D & AMBER L			

IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 50, 0.806% COMMON AREA I			
A21324	\$49.80	5.105	11
COOPER, LINDA L			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 51, 0.806% COMMON AREA I			
A21325	\$74.69	5.105	11
METZKER, ROBERT K & SHARON			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 52 & W2 53, 1.210% COMMO			
A21326	\$74.69	5.105	11
THOMPSON DONALD P			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 54 & E2 53, 1.210% COMMO			
A21328	\$49.80	5.105	11
THOMPSON DONALD P			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 55, 0.806% COMMON AREA I			
A21329	\$49.80	5.105	11
DALKE, HENRY H			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 56, 0.806% COMMON AREA I			
A21330	\$49.80	5.105	11
OLSON, WAYNE R & KATHLEEN A			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 57, 0.806% COMMON AREA I			
A21331	\$49.80	5.105	11
GUNSCH, EDGAR E			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 58, 0.806% COMMON AREA I			
A21332	\$49.80	5.105	11
FORNEY, KENNETH & BRANDEE			
WINDSOR IMPERIAL SUBD, S22, T01 N, R26 E, (1/124%) 1993 NDRC TITLE: W6105			
A21333	\$49.80	5.105	11
MCCREARY, GERALD R & AMBER L			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 60, 0.806% COMMON AREA I			
A21334	\$49.80	5.105	11
REULE, EPHRAIM & CLARA B			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 61, 0.806% COMMON AREA I			
A21335	\$49.80	5.105	11
TC RENTALS LLC			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 62, 0.806% COMMON AREA I			
A21336	\$49.80	5.105	11
ZAMORA, EMMA			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 63, 0.806% COMMON AREA I			
A21337	\$49.80	5.105	11
KLUNDT, ALICE S TRUSTEE &			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 64, 0.806% COMMON AREA I			
A21338	\$49.80	5.105	11
KLUNDT, ALICE S TRUSTEE			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 65, 0.806% COMMON AREA I			

A21339	\$49.80	5.105	11
ROBERTS, ROBERT K			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 66, 0.806% COMMON AREA I			
A21340	\$466.89	5.105	11
DEVOUS, CLIFFORD W			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 67, 0.806% COMMON AREA I			
A21342	\$49.80	5.105	11
FOX, LARRY K & MARILYN H			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 2, 0.806% COMMON AREA IN			
A21343	\$49.80	5.105	11
ROSIN, OREN L & LINDA L			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 3, 0.806% COMMON AREA IN			
A21344	\$49.80	5.105	11
TC RENTALS LLC			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 4, 0.806% COMMON AREA IN			
A21345	\$49.80	5.105	11
COOK, PAT			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 5, 0.806% COMMON AREA IN			
A21346	\$49.80	5.105	11
TC RENTALS LLC			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 6, 0.806% COMMON AREA IN			
A21347	\$49.80	5.105	11
LONGHORN PROPERTIES LLP			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 7, 0.806% COMMON AREA IN			
A21348	\$49.80	5.105	11
KLUNDT, ALICE S TRUSTEE			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 8, 0.806% COMMON AREA IN			
A21349	\$49.80	5.105	11
STOVALL, P DOUG & LYNDA R			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 9, 0.806% COMMON AREA IN			
A21350	\$49.80	5.105	11
WILKINS, JIM D			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 10, 0.806% COMMON AREA I			
A21351	\$49.80	5.105	11
DUFFY, ARIC D			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 11, 0.806% COMMON AREA I			
A21352	\$49.80	5.105	11
THEISEN, RONALD K			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 12, 0.806% COMMON AREA I			
A21353	\$49.80	5.105	11
T C RENTALS LLC			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 13, 0.806% COMMON AREA I			
A21354	\$49.80	5.105	11
TC RENTALS LLC			

IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 14, 0.806% COMMON AREA I			
A21355	\$49.80	5.105	11
TC RENTALS LLC			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 15, 0.806% COMMON AREA I			
A21356	\$49.80	5.105	11
WILSON, CHERYL L			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 16, 0.806% COMMON AREA I			
A21357	\$49.80	5.105	11
DOCKSTADER, SANDRA LOUISE			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 17, 0.806% COMMON AREA I			
A21358	\$49.80	5.105	11
STOVALL, P DOUG & LYNDA R			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 18, 0.806% COMMON AREA I			
A21361	\$49.80	5.105	11
LONGHORN PROPERTIES LLP			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 21, 0.806% COMMON AREA I			
A21362	\$49.80	5.105	11
LOUGH, CONNIE SUE			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 22, 0.806% COMMON AREA I			
A21364	\$49.80	5.105	11
REULE, EPHRAIM & CLARA B			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 23, 0.806% COMMON AREA I			
A21365	\$49.80	5.105	11
PARONTO, DOROTHY ANN &			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 24, 0.806% COMMON AREA I			
A21367	\$49.80	5.105	11
WATSON, DOLORES A			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 26, 0.806% COMMON AREA I			
A21368	\$49.80	5.105	11
STRANDER, MARCELLA			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 27, 0.806% COMMON AREA I			
A21369	\$49.80	5.105	11
THATCHER, AUDREY & GRIFFIN, BARBARA			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 28, 0.806% COMMON AREA I			
A21370	\$49.80	5.105	11
STEVENS, TERRY LEE			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 29, 0.806% COMMON AREA I			
A21371	\$49.80	5.105	11
ADLER, ROBERT L & KATHY P			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 30, 0.806% COMMON AREA I			
A21372	\$49.80	5.105	11
TC RENTALS LLC			
IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 31, 0.806% COMMON AREA I			

A21373	\$49.80	5.105	11
STOVALL, P DOUG IMPERIAL PARK CONDOS (85), S22, T01 N, R26 E, UNIT 32, 0.806% COMMON AREA I			
A31135	\$1,880.38	5.105	11
MORAN, NICHOLAS J CROY SUB, S22, T01 N, R26 E, BLOCK 001, Lot 001, LT 1 BLK 1 CROY SUB LESS 5			
A31150	\$3,290.30	5.105	11
MOREHOUSE, LONNIE G & BILLIE J CROY SUB, S22, T01 N, R26 E, BLOCK 001, Lot 002, LT 2 BLK 1 CROY SUB (OLD C			
A33730	\$13,648.60	5.105	11
VOLUNTEERS OF AMERICA WY & MT MORNING STAR SUB, S27, T01 N, R26 E, BLOCK 001, Lot 01A, LT 1A BLK 1 MORNIN			
A34221A	\$1,305.38	5.105	11
LARKIN, DON C & OLIVE GROVE II TOWNHOMES (09), UNIT 1, 5.195% COMMON AREA INTEREST, LOC @ L			
A34221B	\$398.08	5.105	11
PRINKKI, RITA K OLIVE GROVE II TOWNHOMES (09), UNIT 2, 4.877% COMMON AREA INTEREST, LOC @ L			
A34221C	\$1,227.49	5.105	11
BEALS, TERESA D OLIVE GROVE II TOWNHOMES (09), UNIT 3, 4.877% COMMON AREA INTEREST, LOC @ L			
A34221D	\$1,305.38	5.105	11
PETRO, AMBER OLIVE GROVE II TOWNHOMES (09), UNIT 4, 5.195% COMMON AREA INTEREST, LOC @ L			
A34221E	\$1,305.38	5.105	11
HARRIS, JAY S & OLIVE GROVE II TOWNHOMES (09), UNIT 5, 5.195% COMMON AREA INTEREST, LOC @ L			
A34221F	\$1,227.49	5.105	11
HAYES, THOMAS M OLIVE GROVE II TOWNHOMES (09), UNIT 6, 4.877% COMMON AREA INTEREST, LOC @ L			
A34221G	\$1,227.49	5.105	11
MILLIGAN, TERESA C OLIVE GROVE II TOWNHOMES (09), UNIT 7, 4.877% COMMON AREA INTEREST, LOC @ L			
A34221H	\$1,227.49	5.105	11
RAYMOND, SHANNON M OLIVE GROVE II TOWNHOMES (09), UNIT 8, 4.877% COMMON AREA INTEREST, LOC @ L			
A34221I	\$1,227.49	5.105	11
PARK, FRANK H OLIVE GROVE II TOWNHOMES (09), UNIT 9, 4.877% COMMON AREA INTEREST, LOC @ L			
A34221J	\$1,305.38	5.105	11
JAUSS, PAMELA S OLIVE GROVE II TOWNHOMES (09), UNIT 10, 5.195% COMMON AREA INTEREST, LOC @			
A34317	\$2,184.57	5.105	11
HOUSING AUTHORITY OF BILLINGS			

WHITETAIL SQUARE SUB (10), BLOCK 1, Lot 1			
A34318	\$1,743.16	5.105	11
WHITETAIL RUN APARTMENTS, LLP WHITETAIL SQUARE SUB (10), BLOCK 1, Lot 2			
A34320	\$1,283.27	5.105	11
HOUSING AUTHORITY OF BILLINGS WHITETAIL SQUARE SUB (10), BLOCK 2, Lot 1			
A34321	\$1,331.26	5.105	11
HOUSING AUTHORITY OF BILLINGS WHITETAIL SQUARE SUB (10), BLOCK 2, Lot 2			
A34322	\$1,346.05	5.105	11
HOUSING AUTHORITY OF BILLINGS WHITETAIL SQUARE SUB (10), BLOCK 2, Lot 3			
D05288	\$4,004.53	5.105	11
BENDER, DONALD W S22, T01 N, R26 E, 1113, PARCEL 01A, TR 1A COS 1113 AMD LESS E5' FOR LAKE E			
D05289	\$3,267.16	5.105	11
CHAN, SHELLY MA S22, T01 N, R26 E, 1113, PARCEL 01B, TR 1B COS 1113 AMD LESS E5' FOR LAKE E			
D05297	\$6,256.95	5.105	11
KHALEEL, SHAFIG AHMED & TASNEEM F S22, T01 N, R26 E, 132 X 660 FT OF THE N2N2NWSWNE4 2 AC LESS W35' FOR LAKE			
D05298	\$3,482.18	5.105	11
CHOATE, RAYANNE O & FREDERICK L S22, T01 N, R26 E, 332, PARCEL 01A, TR 1A COS 332 AMD LESS W35' FOR LAKE EL			
D05299	\$9,482.18	5.105	11
BRUSH MEADOW LLC S22, T01 N, R26 E, 2121, PARCEL 1A, TR 1A COS 2121 AMND LESS 4058' FOR LAKE			
D05299A	\$9,632.79	5.105	11
EDGEWOOD HOUSING, LLC S22, T01 N, R26 E, C.O.S. 2121, PARCEL 01B, COS 2121 AMND IN SWNE			
D05318	\$14,543.60	5.105	11
MICHAEL S EASTWOOD TRUST S22, T01 N, R26 E, C.O.S. 979, PARCEL 1, TR 1 COS 979 LESS 15897' FOR LAKE			
D05320	\$3,889.04	5.105	11
GOERTZEN, RON S22, T01 N, R26 E, 1682, PARCEL 001, TR 1 COS 1682 LESS E20' FOR LAKE ELMO			
D05322	\$6,706.51	5.105	11
EASTLICK, SCOTT D & ROBIN E S22, T01 N, R26 E, C.O.S. 2241, PARCEL 1A, TR 1A COS 2241 AMD LESS 1860' FO			
D05323	\$4,596.60	5.105	11
HURRY, LORRI ANN S22, T01 N, R26 E, 2920, PARCEL 001, TR 1 COS 2920 LESS 473' FOR LAKE ELMO			

D05327	\$4,571.77	5.105	11
FOOTTIT, PAUL			
S22, T01 N, R26 E, 280, PARCEL 00B, TR B COS 280 LESS E35' FOR LAKE ELMO(08			
D05328	\$5,129.28	5.105	11
WINDSOR MOBILE HOME PARK LLC			
S22, T01 N, R26 E, 1109, PARCEL 01A, TR 1A,2A & 4A COS 1109 AMD & TRS 1 & 2			
D05330	\$3,121.61	5.105	11
BALDRY, JOE ANN			
S22, T01 N, R26 E, 205, PARCEL 002, TR 2 COS 205 LESS E35' FOR LAKE ELMO(08			
D05331	\$5,184.04	5.105	11
HUBER, BENJAMIN J			
TR 3 COS 205 LESS E35' FOR LAKE ELMO (08)			
D05341	\$8,388.74	5.105	11
FRONTEER REAL ESTATE GROUP CO			
S22, T01 N, R26 E, 622, PARCEL 00A, TR A COS 622 LESS W20' FOR LAKE ELMO(08			
D05584	\$23,691.97	5.105	11
BWN LLC			
S27, T01 N, R26 E, 1012, PARCEL 03A, TR 3A COS 1012 AMEND IN NW 1.878 AC (9			
D05584A	\$6,549.33	5.105	11
CRN LLC			
S27, T01 N, R26 E, C.O.S. 1012, PARCEL 04A, AMEND NW4 27-1N-26E 2.002 ACRES			
D05585	\$15,597.81	5.105	11
CHUN JI LLC			
OLIVE GLEN SUBD, S27, T01 N, R26 E, BLOCK 001, Lot 002, 1012 LT 2 BLK 1 OLI			
D05586A	\$7,264.07	5.105	11
EASTWOOD, MICHAEL S & HELEN R			
S27, T01 N, R26 E, C.O.S. 606, PARCEL A2, TR A-2 COS 606 AMD IN SENW (LESS			
D05587	\$5,344.53	5.105	11
LINDE PROPERTIES LC			
OLEARY SUBD, S27, T01 N, R26 E, BLOCK 005, Lot 10A, LT 10A BLK 5 O'LEARY SU			
D05591A	\$2,268.47	5.105	11
SCHMIDT, CHARLES W &			
S27, T01 N, R26 E, 2225, PARCEL 001, TR 1 COS 2225 27 IN26			
D05592	\$1,769.82	5.105	11
WITHAM, ROBERT J & DONNA R			
S27, T01 N, R26 E, 2225, PARCEL 002, TR 2 COS 2225			
D11725	\$6,042.69	5.105	11
BALDRY, DORIS			
S27, T01 N, R26 E, C/S 2637 AMND TR 2 .595 AC IN NE4			
D11725A	\$4,462.38	5.105	11
DEROECK, ROBERT W & CARLA B			
S27, T01 N, R26 E, 2637, PARCEL 02B, T0 2 AMND COS 2637 .713 AC IN NE4			

2: DISPOSITION OF COLLECTION. All monies collected from the assessment shall be paid into a special improvement district or project Fund. Assessments become delinquent based on the semi-annual due dates of real property taxes, currently December 1 and June 1 of each year.

3: NOTICE AND HEARING. On Monday, September 26, 2011 at 6:30 p.m., or as soon thereafter as the matter was considered on the agenda of the City Council at a regular meeting held in the Council Chambers of the Police Facility, 220 N. 27th St., Billings, Montana, the City Council held a public hearing to hear comments and/or objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice with at least six (6) days separating each publication in a newspaper of general paid circulation with a periodicals mailing permit. The final publication was made at least 10 days prior to the public hearing per MCA 7-12-4177.

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

ADOPTED AND APPROVED this 26th day of September, 2011.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Public Hearing Respread Sidewalk SID 2803

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

The assessment for Sidewalk SID 2803 (Alkali Creek) has been completed by the Finance Division and is ready to spread on the tax rolls. SID 2803 was originally spread based on bond cost and is now being re-spread based on construction cost. This project is for sidewalks along Alkali Creek Road.

ALTERNATIVES ANALYZED

The Council must hold a public hearing and then may:

- Approve the resolution; or
- Not approve the resolution, the tax payers will not be assessed, and the General Fund will be responsible for paying for the improvements.

FINANCIAL IMPACT

The costs associated with SID 2803 are assessed per lot. The net effective interest rate is 4.605%. Under the State Statute 7-12-4189, the City is required to add ½ of 1% for a total rate of 5.105%. The ½ of 1% will be used as additional security on bond issues, as stated in the final bond resolution. Interest earnings and prior collections are subtracted from the final construction cost and spread to the appropriate properties. Any remaining fund balances are used to call bonds.

RECOMMENDATION

Staff recommends that a public hearing be held and Council passes the proposed resolution on September 26, 2011.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution

Attachment A

RESOLUTION 11 _____

A RESOLUTION RELEVYING AND REASSESSING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 2803, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as 2803 and;

WHEREAS, it is necessary to levy and reassess a special assessment tax upon each benefited property in the district or project area to defray the cost and expenses of said district or project. The original assessment was calculated on the bond sale cost. After construction was completed, the City adjusted the assessment by using the project cost; and

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

1: RELEVY AND REASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 2803 of the City of Billings, Montana, there is hereby levied and reassessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

Tax Code /Owner Name /Legal Description	Assessment Amount	Interest Rate	Years Assessed
A10565A AABERG, STEPHEN A & LOGAN ACRES (C/S NO 34), S28, T01 N, R26 E, TR 1B-1-2 OF COS 34	\$3,796.36	5.105	11
A10567A RICHHOLT, TIMOTHY & MELISSA I LOGAN ACRES (C/S NO 34), S28, T01 N, R26 E, Lot 3B1, TR 3B1 C/S 34 AMND TR	\$4,173.04	5.105	11
A13373 TORGERSON, MICHAEL & JENNIFER ROLLE SUBD, S28, T01 N, R26 E, BLOCK 002, Lot 009, LT 8-9 BLK 2 ROLLE SUBD	\$6,354.40	5.105	11
C12209 PICKENS, MARLENE S28, T01 N, R26 E, 2055, PARCEL 002, UNIT 1 MORNINGSIDE HOMES 1/12% INT IN	\$4,337.14	5.105	11

C12210	\$4,337.14	5.105	11
PICKENS, JAMES L S28, T01 N, R26 E, 2055, PARCEL 002, UNIT 2 MORNINGSIDE HOMES 1/12% INT IN			
C12211	\$4,337.14	5.105	11
TURLEY, JAMES E TRUSTEE S28, T01 N, R26 E, 2055, PARCEL 002, UNIT 3 MORNINGSIDE HOMES 1/12% INT IN			
C12212	\$4,337.14	5.105	11
NICHOLS, GARY E S28, T01 N, R26 E, 2055, PARCEL 002, UNIT 4 MORNINGSIDE HOMES 1/12% INT IN			
C12213	\$4,337.14	5.105	11
NICHOLS, GARY E S28, T01 N, R26 E, 2055, PARCEL 002, UNIT 5 MORNINGSIDE HOMES 1/12% INT IN			
C12220	\$4,337.14	5.105	11
LARSEN, MATT G & TERESA S28, T01 N, R26 E, 2055, PARCEL 002, UNIT 12 MORNINGSIDE HOMES 1/12% INT IN			

2: DISPOSITION OF COLLECTION. All monies collected from the assessment shall be paid into a special improvement district or project Fund. Assessments become delinquent based on the semi-annual due dates of real property taxes, currently December 1 and June 1 of each year.

3: NOTICE AND HEARING. On Monday, September 26, 2011 at 6:30 p.m., or as soon thereafter as the matter was considered on the agenda of the City Council at a regular meeting held in the Council Chambers of the Police Facility, 220 N. 27th St., Billings, Montana, the City Council held a public hearing to hear comments and/or objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice with at least six (6) days separating each publication in a newspaper of general paid circulation with a periodicals mailing permit. The final publication was made at least 10 days prior to the public hearing per MCA 7-12-4177.

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

ADOPTED AND APPROVED this 26th day of September, 2011.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Public Hearing - FY2010-2011 Draft Performance Report for CDBG and HOME Programs

PRESENTED BY: Brenda Beckett, Community Development Manager

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

Each year the City of Billings is required to report on the results of its federally funded CDBG and HOME programs and submit a report to HUD within 90 days of the end of the program year, June 30, 2011. As part of this report process, the City of Billings must make the report available for public comment for a minimum 15-day period and hold a public hearing on performance during this period. The public hearing will be undertaken in conjunction with the public review and comment period extending from September 9 through September 26, 2011. A notice of the availability of the draft report has been published and provided to community partners. No further action is required.

ALTERNATIVES ANALYZED

Alternatives to the public hearing, which is required for receipt of federal CDBG and HOME funds, have not been considered.

FINANCIAL IMPACT

The Annual Performance Report reports on the City's progress in achieving the goals of its Five Year Consolidated Plan. The period covered by this year's report represents progress under the City's one-year Action Plan for fiscal year 2010-2011. The City received \$772,435 in new federal CDBG funding and \$538,119 in new HOME funding for FY2010-2011 activities.

RECOMMENDATION

Staff recommends that Council hold a public hearing on September 26, 2011 to receive input on the City's Draft Comprehensive Annual Performance Evaluation Report. No further action is required.

APPROVED BY CITY ADMINISTRATOR

Attachments

DRAFT - Excerpt from CAPER

SF272 - CDBG Financial Report

SF272 - HOME Financial Report

SF272 - CDBG-R Financial Report

FY2010-2011 Year One

*of the FY2010-2014
Consolidated Plan*

City of Billings Comprehensive Annual Performance Evaluation Report



Community Development Division
PO Box 1178
Billings, Montana 59103

DUNS #194782780

www.ci.billings.mt.us

406.657.8281

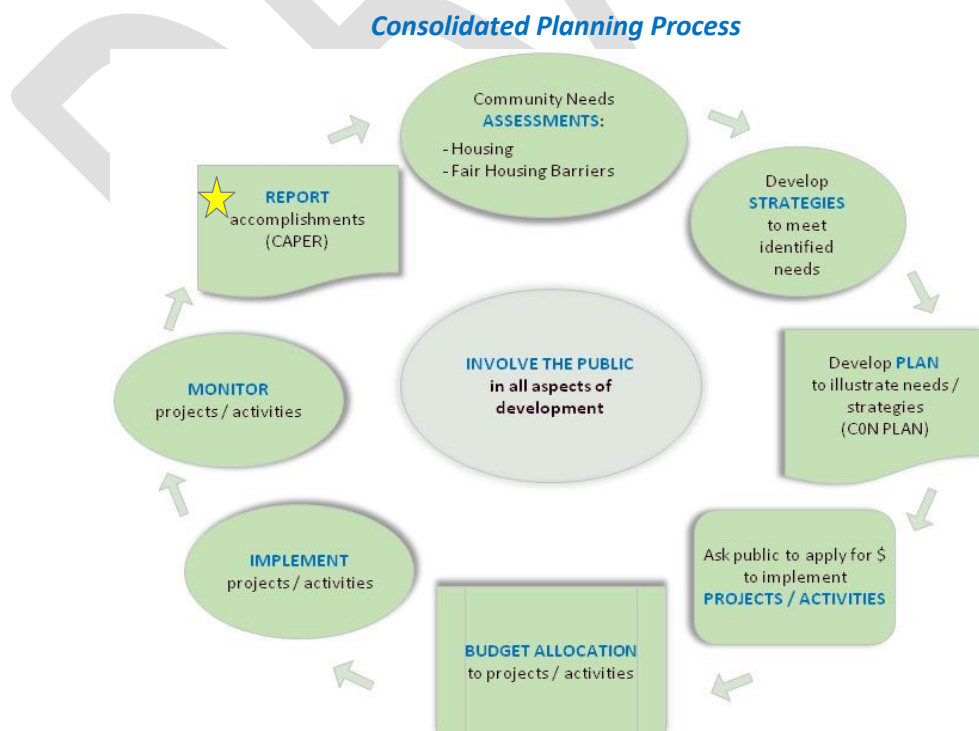
SECTION ONE - Executive Summary

Introduction

Presented herein is the City of Billings FY 2010-2011 Comprehensive Annual Performance and Evaluation Report (CAPER) for the City's federally funded Community Development Block Grant (CDBG) and HOME Investment Partnership Programs (HOME). The FY 2010-2011 CAPER covers the period from July 1 to June 30 and reports on the City of Billings' progress in meeting the goals established in the [FY 2010-2014 Consolidated Plan](#). The City's Consolidated Plan is a strategic planning document that identifies housing and community development needs and proposes strategies to address those needs with available resources. The Consolidated Plan initiative of the U.S. Department of Housing & Urban Development (HUD) combines the planning, application and reporting requirements of CDBG and HOME programs.

Although the Consolidated Plan initiative also covers the Emergency Shelter Grant Program (ESG) and Housing Opportunities for Persons with AIDS Program (HOPWA), the City of Billings is not an Entitlement City or Participating Jurisdiction for these programs and, as such, strategies for these programs are not included in the City's Consolidated Plan or CAPER. Consolidated Plans and CAPERs are also submitted by the cities of Great Falls and Missoula and by the State of Montana. The State's Plan covers areas of Montana, outside Billings, Great Falls, and Missoula.

CDBG and HOME programs covered by the Consolidated Plan must primarily benefit low and moderate-income persons and are intended nationally to provide decent housing, a suitable living environment, and expand economic opportunities for lower-income individuals. The needs and strategies described in the City of Billings Consolidated Plan outline a specific course of action for the community's housing and community development activities. The City's Consolidated Plan sets forth goals and objectives that are used to measure progress in achieving the strategies described in the plan. The CAPER provides a report on the City's progress in meeting these goals and objectives.



The consolidation of the submission and reporting requirements for the CDBG and HOME programs allows the City of Billings to report on its various housing and community development activities in an effective and coordinated manner. It also reduces the duplication of effort for planning and reporting for these programs and affords the opportunity for citizen participation on the CDBG and HOME programs to take place in a comprehensive context.

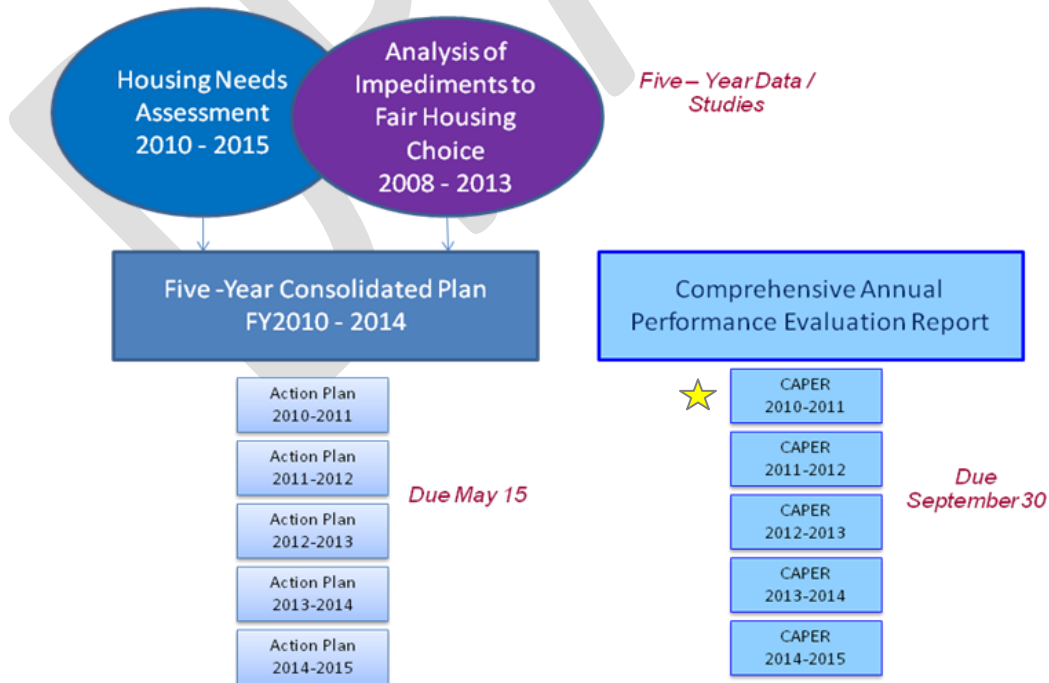
The structure and content of the Consolidated Plan and this CAPER are based on specific requirements of HUD. Many terms used in this document are specific to the CAPER process and HUD Programs, and the reader should consult the City of Billings Community Development Office for assistance.

Summary of FY 2010-2014 Consolidated Plan

The Billings City Council approved the FY 2010-2014 Consolidated Plan on April 26, 2010. The development process included the completion of the *Billings Housing Needs Assessment* completed by City-County Planning Division and an Analysis of Impediments to Fair Housing Choice completed by Montana State University - Billings.

Significant Aspects of the Process

The City utilizes significant public comment processes and coordinates input from various organizations and groups in order to maximize collaborative efforts while developing and implementing the Consolidated Plan. Both the Housing Needs Assessment and the Analysis of Impediments to Fair Housing Choice are utilized by City staff as **primary planning tools** for the development and implementation of Consolidated Plan activities.



Consolidated Plan Strategies

The following strategies are proposed by the City in its five-year Consolidated Plan to address Billings' housing and community development needs based on needs identified in the Housing Needs Assessment and Analysis of Impediments to Fair Housing Choice.

Strategy A. Promote the preservation of the existing supply of safe, affordable housing in the community:

- Provide direct, affordable financing and assistance to allow low and moderate-income homeowners to perform needed repairs to their homes.
 - Substantial housing rehabilitation for homeowner occupied, single-family units through the City's Housing Rehabilitation Program.
 - Emergency repairs and improvements to single-family and manufactured / mobile-home units through the City's Minor Home Repair program.
 - Provide lead-safe painting program for owner-occupied single-family and manufactured / mobile homes through the City's Painting Program.
- Provide affordable financing and assistance through partnerships to encourage developers and agencies to make needed repairs to existing housing stock for accessibility, safety and affordability, particularly for special needs populations.
 - Wheelchair and accessibility ramps for the disabled.
 - Rehabilitation for single and multi-family units serving special needs populations, including the homeless, the elderly and the disabled.

Strategy B. Promote new affordable housing opportunities:

- Encourage the development of new affordable single-family, multi-family, and special needs housing in the community through private developers and nonprofit organizations.
 - New construction and rehabilitation of housing units through the City's Affordable Housing Development Program.
 - Complete Kings Green Subdivision single-family development.
 - Support the efforts of the Housing Authority of Billings to increase and maintain the affordable housing stock in the community through the implementation of their five year plan.
 - Meet Community Housing Development Organization commitment and expenditure deadlines, as required by the HOME program.
- Providing affordable financing and support to increase access to homeownership and further homeownership opportunities.
 - Facilitate access to homeownership through the City's First Time Homebuyer Program.

- Facilitate affordable financing through the use of the Montana Board of Housing mortgage program.
- Encourage homeowner education throughout the community and specifically for participants of the First Time Homebuyer Program.
- Support the efforts of the Billings Partners for American Indian Homeownership to increase homeownership opportunities for American Indians in Billings.

Strategy C. Work as an active partner with nonprofits, neighborhood groups, and others to address housing and community development specific to lower income and special needs households:

- Support partnerships and regular meetings to facilitate community participation and collaboration.
 - Provide staff support and facilitation for the following focus / community needs groups:
 - Affordable Housing Task Force.
 - Adjacent Neighborhood Committee.
 - Billings Partners for American Indian Homeownership.
 - Complete the Analysis of Impediments to Fair Housing Choice by December 2013 to implement activities for 2014-2019.
- Support task force newsletters and further capacity-building for self-sustainability.
- Encourage activities that promote fair housing and increase awareness of the rights of protected classes.
 - Continue to support organizations with an interest in fair housing in applying for the Fair Housing Initiatives Program grant and facilitate the application if necessary to ensure an application is submitted to HUD annually on behalf of the citizens of Billings.
- Encourage housing, community development organizations, social service agencies and businesses to work together to build strong community structures to better address needs and to respond to opportunities.
 - Provide staff support and facilitation for the Mayor’s Committee on Homelessness.
 - Assist in the implementation of Welcome Home Billings, the City’s ten-year plan to impact homelessness.

Strategy D. Promote the preservation and revitalization of the community’s older neighborhoods:

- Preserve the housing stock in older lower income neighborhoods.

- Encourage infill development of vacant lots and redevelopment of substandard properties in lower income neighborhoods:
 - Provide financing through the Affordable Housing Development Program.
 - Promote the redevelopment of the 27th Street Corridor for remaining properties purchased through the CDBG and Tax Increment District programs.
 - Support activities that provide amenities, neighborhood stabilization and maintain infrastructure needs of older lower income neighborhoods.

Strategy E. Provide assistance to agencies serving lower income households and special needs populations, particularly the homeless, public service activity funding to assist the homeless, the elderly, and those with disabilities.

- Provide CDBG Public Service funding to nonprofit organizations to provide basic needs assistance, job training and employment opportunities.
 - Provide CDBG Public Service funding allocation for basic needs assistance and supportive services.

Specific actions for each of these strategies for Fiscal Years FY 2005 through FY 2009 are described in detail in Section II along with the City's progress in FY 2010-2011 in meeting the five-year goals and objectives that were established. The complete FY 2010-2014 Consolidated Plan can be viewed [online](#). Other reports online include the [Billings Housing Needs Assessment](#) and the [Analysis of Impediments to Fair Housing Choice](#). The City's website address is www.ci.billings.mt.us.

The Billings Housing Needs Assessment and the City's FY 2010-2014 Consolidated Plan are available by contacting the Community Development Division at the address below:

Community Development Division, City of Billings
P.O. Box 1178, Billings, MT 59103
Phone: 406-657-8281, TTY Users: 711

Major Initiatives and Highlights

The City made significant strides in meeting the needs established through the Consolidated Plan through various strategies identified below.

Strategies	FY2010-2011 Accomplishments
A: Promote the preservation of the existing supply of safe, affordable housing in the community.	<p>41 units were rehabilitated through City-supported programs.</p> <p>Of these units, 20 received energy-efficiency improvements.</p> <p>12 units resulted in accessibility improvements for the disabled.</p>
B: Promote new affordable housing opportunities.	<p>40 households achieved home ownership through the City's First Time Homebuyer program.</p> <p>The City has assisted a total of 524 households achieve homeownership since the mid-1990s.</p> <p>175 households received pre-purchase homebuyer education.</p> <p>4 new single-family units were constructed in Kings Green Phase III.</p>
C: Active partnerships with non-profits, neighborhood groups and others to address housing and community development specific to lower income and special needs households.	<p>City staff facilitated the following partnerships:</p> <ul style="list-style-type: none"> - Affordable Housing Task Force - Adjacent Neighborhood Committee - Billings Partners for American Indian Homeownership - Neighborhood Task Forces - Mayor's Committee on Homelessness <p>7 AmeriCorps*VISTA members were placed in Billings to support poverty / homelessness impact initiatives in addition to 7 Summer Associate members. A total of 24 members have been placed in Billings since 2007 and total project financial impact is valued at \$2,119,649.</p>
D: Promote the preservation and revitalization of the community's older neighborhoods.	<p>Three households were assisted with Special Assessment Grants for infrastructure improvements made to curb, gutter and sidewalks.</p>
E: Provide assistance to agencies serving lower income and special needs populations, particularly the homeless, the elderly, minorities and those with disabilities.	<p>A total of 6 organizations were funded through Public Service Activities.</p> <p>Over 3,000 individuals were served through Public Service activities this year.</p>

SECTION TWO - Funding Resources & Distribution Summary

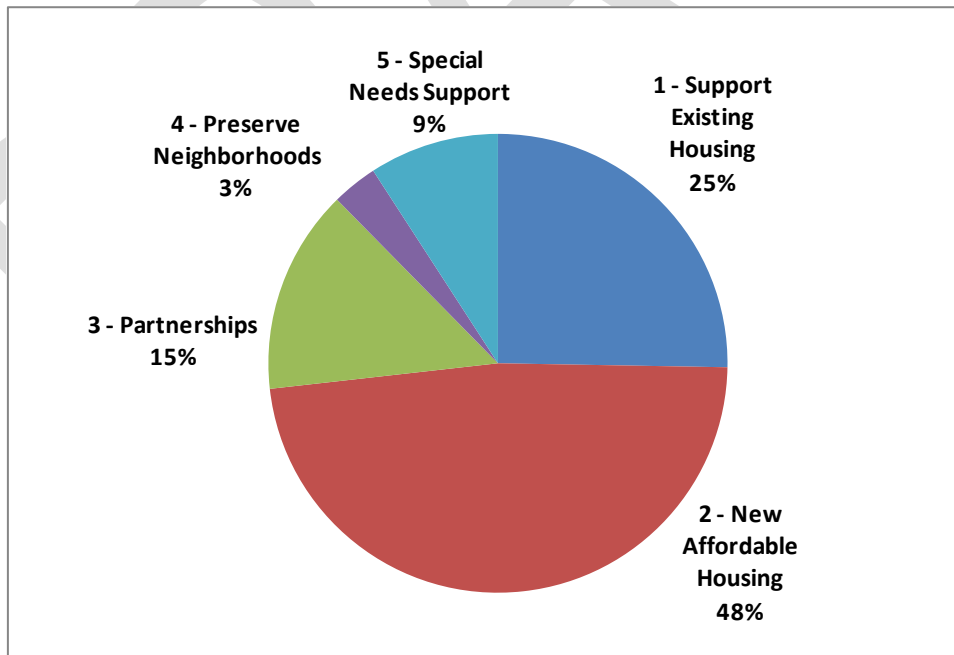
Funding Resources

The Community Development Division received funding from CDBG and HOME based on Federal formula grants as an entitlement. All funding has been committed and City staff has drawn \$1,439,362 for eligible expenditures for activities conducted within the City of Billings limits.

Source		Amount	Committed	Expended in FY2010-2011*
CDBG	New Entitlement	\$772,435	100%	\$911,431
	Program Income	\$234,129		
	TOTAL BUDGET:	\$1,006,564		
HOME	New Entitlement	\$538,119	100%	\$465,415
	Program Income	\$166,348		
	TOTAL BUDGET:	\$704,467		
CDBG-R	Formula Grant of \$190,430 in FY2008-2009		100%	\$62,516

Totals include amounts spent during the current fiscal year, including expenditures from previous years' allocations.

Funding Commitments for CDBG and HOME by Consolidated Plan Strategy



SECTION THREE - Narratives

Five-Year Consolidated Plan Goals / Objectives Assessment

The City's Consolidated Plan consists of strategies to utilize CDBG and HOME resources to address the housing and community Development needs in Billings. HUD has developed specific tables to assist in clarifying reporting for activities undertaken by jurisdictions receiving CDBG and HOME funding. Tables establishing objectives, outcomes and performance reporting include:

- 1C - Summary of Specific Annual Objectives
- 2C - Summary of Specific Housing / Community Development Objectives
- 3A - Summary of Specific Annual Objectives

These tables contain relatively the same information, including: specific objectives; sources of funds; performance indicators; expected / actual numbers achieved/ and HUD Outcomes / Objectives (see below). For reporting purposes, the City provides a combined Table 3A (following page), which provides all details in Tables 1C and 2C.

HUD Outcomes and Objectives

HUD has developed specific performance measurements for each activity undertaken utilizing CDBG and / or HOME funding. The City's application process for funding through these programs includes identification of HUD objectives and outcomes to ensure compliance with activity requirements.

HUD PERFORMANCE MEASUREMENTS	
<i>Objectives</i>	<i>Outcomes</i>
Suitable Living Environment	Availability or Accessibility
Decent Housing	Affordability
Economic Opportunities	Sustainability

SUMMARY OF SPECIFIC OBJECTIVES - TABLE 3A

July 1, 2010 through June 30, 2011 Goals

Strategy	Objective	Activity	HUD Objective Category	Measurement Type	FY 10-11 Goals	FY 10-11 Outcomes	
A: Promote the preservation of the existing supply of safe, affordable housing in the community.	Provide direct, affordable financing and assistance to low-income homeowners for the completion of needed repairs.	Housing Rehabilitation Loan Program	Owner Housing	Housing Units	10	13	
		Minor Home Repair Program	Owner Housing	Housing Units	20	12	
		Painting Program	Owner Housing	Housing Units	2	5	
	Provide financing and assistance through partnerships to facilitate needed repairs for special needs populations.	Wheelchair and accessibility ramps	Rental Housing, Owner Housing		Ramps - Housing Units	6	7
		Rehabilitation for special needs populations	Owner Housing		Housing Units	3	4
	Benchmark Performance Measures	# units rehabilitated through City programs:				41	41
		# units rehabilitated through partnership programs:				9	11
		% of total funding allocated to enhance existing housing:				25%	25%
		# units resulting in energy-efficiency improvements:				0	20
		# units resulting in ADA improvements:				0	12
B: Promote new affordable housing opportunities.	Encourage the development of new affordable single-family, multi-family and special needs housing in the community through private developers and non-profit organizations.	Affordable Housing Development Program	Rental Housing, Owner Housing		Housing Units	20	0
		Complete Kings Green single-family development	Owner Housing		Housing Units	3	4
		Support the efforts of the Housing Authority of Billings	Rental Housing, Owner Housing		Five-Year Plan Implemented	1	1
		Meet CHDO commitment / expenditure deadlines	Rental Housing, Owner Housing		Years in compliance	1	1
	Provide affordable financing and support to promote homeownership opportunities.	First Time Homebuyer Program	Owner Housing		Households	35	40
			Owner Housing		Cumulative Households	484	524
		First Time Homebuyers - MBOH Loan Use	Owner Housing		Households	7	pending
			Owner Housing		Leveraged Funding	\$0.8M	pending
		Homebuyer Education	Rental Housing, Owner Housing		Households	200	175
	Billings Partners American Indian Homeownership	Rental Housing, Owner Housing		Homeownership Rate (1992 benchmark: 22%)	0.08	35%	
	Benchmark Performance Measures	% of total funding allocated to promote new housing opportunity:				48%	48%

Strategy	Objective	Activity	HUD Objective Category	Measurement Type	FY 10-11 Goals	FY 10-11 Outcomes	
C: Active partnerships with non-profits, neighborhood groups and others to address housing and community development specific to lower income and special needs households.	Support partnerships and regular meetings to facilitate community participation and collaboration.	Affordable Housing Task Force	Rental Housing, Owner Housing	Monthly Meetings	10	10	
		Adjacent Neighborhood Committee	Community Development, Special Needs	Quarterly Meetings	4	4	
		Billings Partners American Indian Homeownership	Community Development, Special Needs	Monthly Meetings	10	10	
		Analysis of Impediments to Fair Housing Choice completed in December 2013 to implement activities for 2014-2019	Community Development, Special Needs	Analysis / Plan completed	0.2	1	
	Support task force newsletters and further capacity-building for self-sustainability.	Task Force newsletter support	Community Development, Special Needs	Newsletters / Post Cards	10,000	13,812	
	Encourage activities that promote fair housing and increase awareness of the rights of protected classes.	Continue to support organizations with an interest in fair housing to apply for FHIP, facilitate application if necessary	Community Development, Special Needs	Annual submission of FHIP grant representing residents of Billings	1	1	
	Encourage collaboration to better address needs and to respond to opportunities for special needs populations.	Mayor's Committee on Homelessness	Community Development, Special Needs	Monthly Meetings	10	11	
		Assist in the implementation of Welcome Home Billings, the City's ten-year plan to impact homelessness.	Community Development, Special Needs	Completed FY09-11 & FY11-13 Action Plans	1	1	
			Community Development, Special Needs	Completed FY09-11 & FY11-13 Performance Reports	1	1	
		Facilitate AmeriCorps*VISTA application and pursue project status	Community Development, Special Needs	Annual submission of VISTA grant application / VISTA member placements	1	1	
	Benchmark Performance Measures	% of total funding allocated to support partnerships:				15%	15%
		% of total funding (or \$ amount) to support fair housing initiatives:				-	\$125,000
		# fair housing complaints referred to HUD (track only if FHIP award is granted):				-	-

Strategy	Objective	Activity	HUD Objective Category	Measurement Type	FY 10-11 Goals	FY 10-11 Outcomes
D: Promote the preservation and revitalization of the community's older neighborhoods.	Preserve housing stock in older, lower-income neighborhoods.	See objectives / activities / goals outlined in Strategy A			-	-
	Infill development of vacant lots and redevelopment of substandard properties.	Affordable Housing Development Program	Rental Housing, Owner Housing	See goals for Strategy B	-	-
		Redevelopment 27th Street Corridor	Neighborhood Revitalization	Redevelopment Projects	1	0
	Support activities that provide amenities, neighborhood stabilization and maintain infrastructure needs.	Tree Program	Owner Housing	Individuals	10	0
		Neighborhood improvements through the Capital Improvement Plan (CIP)	Infrastructure, Neighborhood Revitalization, Public Facilities	CIP Years Implemented	1	1
		Special Assessment Grants	Owner Housing, Infrastructure	Housing Units	4	3
Benchmark Performance Measures	% of total funding allocated to preserving older neighborhoods:			3%	3%	
E: Provide assistance to agencies serving lower income and special needs populations, particularly the homeless, the elderly, minorities and those with disabilities.	Provide CDBG Public Service funding and HOME Tenant-Based Rental Assistance (TBRA) for deposits to non-profit organizations and provide assistance for supportive services, including job creation.	CDBG Public Service and HOME TBRA funding allocations for basic needs assistance and supportive services	Economic Development, Special Needs, Public Services	Years Funding Committed	1	1
			Economic Development, Special Needs, Public Services	Organizations	4	6
	Benchmark Performance Measures	% of total funding to support basic needs of special and lower-income populations:			9%	9%
Overall Benchmark Performance Measures	Total Budget Allocated				-	\$1,711,333
	Leveraging Ratio for Reporting Year Only				-	pending
	CDBG Timeliness Compliance				< 1.5	0.81
	# active CHDOs				-	1
	# of faith-based organizations funded				-	3
	% of previous year's HOME funding committed (for FY10-11, measure FY09-10), as of June 30				-	100%
	% of HOME CHDO funding reserved, two years ago (for FY10-11, measure FY08-09), as of June 30				-	100%
	% of completed HOME rental disbursements to all rental commitments, benchmark subject to HUD adjustment				> 85.5%	100%
	% of completed CHDO disbursements to all CHDO reservations, benchmark subject to HUD adjustment				> 60.4%	71.15%
	% of renters below 50% of the area median income				> 70%	95.28%
	<i>Note: 90% of rental and TBRA units must assist households less than 60% of the area median income</i>					
	% of occupied HOME rental units to all rental units, benchmark subject to HUD adjustment				> 92.15%	100%
	Allocation years not distributed for HOME, benchmark subject to HUD adjustment				< 2.98	1.43
# of minority, disabled, elderly and female-headed households served				-	2,655	

FEDERAL CASH TRANSACTIONS REPORT

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Give total number for this period

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TO (month, day, year)

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(See specific instructions on the back)

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\$

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g. Federal share of program income

h. Net disbursements (Line f minus line g)

i. Adjustments of prior periods

j. Cash on hand end of period

\$

12. THE AMOUNT SHOWN ON LINE 11j, ABOVE, REPRESENTS CASH REQUIREMENTS FOR THE ENSUING

Days

13. OTHER INFORMATION

a. Interest income

\$

b. Advances to subgrantees or subcontractors

\$

14. REMARKS (Attach additional sheets of plain paper, if more space is required)

15.

CERIFICATION

I certify to the best of my knowledge and belief that this report is true in all respects and that all disbursements have been made for the purpose and conditions of the grant or agreement.	AUTHORIZED	SIGNATURE	DATE REPORT SUBMITTED
	CERTIFYING OFFICIAL	TYPED OR PRINTED NAME AND TITLE	TELEPHONE (Area Code, Number, Extension)

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Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Public Hearing and Resolution Relating to Petitions for Reduction of Arterial Construction Fee Assessments

PRESENTED BY: David Mumford

Department: Public Works

PROBLEM/ISSUE STATEMENT

The City Council adopted Ordinance 05-5322 on Arterial Construction Fees on April 11, 2005, in part to provide relief to commercially-zoned properties being used solely as owner-occupied single family residences. The City Council adopted Ordinance 08-5478 on September 22, 2008, which allows a Residential Manufactured Home (RMH)-zoned property owner to also petition for a reduction of arterial fee assessments if the parcel is used solely as an owner-occupied single family residence. The relief in both of these situations is in the form of capping the parcel square footage at 9,600 square feet and calculating the assessment based on the R-9600 zoning rate instead of commercial or RMH zoning rates.

As of August 31, 2011, the Public Works Department received eight (8) completed and signed petitions involving nine (9) parcels . Seven (7) of the parcels meet the criteria specified in Ordinance 05-5322 and 08-5478. The two (2) parcels owned by Mr. Steve Muller on Garden Ave. do not meet the the criteria because they are not owner occupied.

ALTERNATIVES ANALYZED

The Council must hold a public hearing and then may:

- Approve the resolution reducing the Arterial Construction Fee assessments for the seven (7) parcels meeting the criteria of Ordinance 08-5478; or
- Not approve the resolution reducing the Arterial Construction Fee assessments for the seven (7) parcels meeting the criteria of Ordinance 08-5478.

FINANCIAL IMPACT

By reducing the Arterial Construction Fee assessments on the seven (7) parcels meeting the criteria of Ordinance 08-5478, the City will collect \$2,179.02 less for FY 2012 than if the City Council denies the petitions.

RECOMMENDATION

Staff recommends that a public hearing be held and City Council approve the proposed resolution reducing the arterial construction fee assessments for the seven (7) parcels meeting the criteria of Ordinance 08-5478.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution

Petitions

RESOLUTION NO. 11- _____

**A RESOLUTION OF THE CITY OF BILLINGS RESPONDING TO
SUBMITTED PETITIONS FOR REDUCTION OF ARTERIAL
CONSTRUCTION FEE ASSESSMENTS THAT WOULD APPEAR ON
THE OCTOBER 2011 PROPERTY TAX STATEMENTS**

WHEREAS, the City Council adopted Ordinance 05-5322 on April 11, 2005, in part to provide relief to commercially-zoned properties being used solely as owner-occupied single family residences, and

WHEREAS, Ordinance 05-5322 states, *“The City Council may provide an exemption to commercially zoned properties that are currently owner-occupied as a single-family residence. The property owner must annually request the exemption through the Public Works Department by August 31 of each year.”*, and

WHEREAS, the City Council adopted Ordinance 08-5478 on September 8, 2008, in part to provide relief to Residential Manufactured Home (RMH)-zoned properties being used solely as owner-occupied single family residences, and

WHEREAS, the City Council may provide relief to property owners meeting the criteria of Ordinance 05-5322 and Ordinance 08-5478 by capping the parcel square footage at 9,600 square feet and calculating the assessment based on the R-9600 zoning rate instead of commercial or RMH zoning rates, and

WHEREAS, the Public Works Department received eight (8) completed and signed petitions by the August 31, 2011, deadline and

WHEREAS, the Public Works Department verified that six (6) petitions involving seven (7) properties meet the criteria of Ordinance 08-5478, and

WHEREAS, reducing the assessments on these seven (7) parcels would affect the Arterial Construction Fee assessments appearing on the tax statements Yellowstone County will print and mail in October 2011, and

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

1. **REDUCTION OF ASSESSMENTS**: The Arterial Construction Fees assessments on the following seven (7) parcels shall be adjusted by Public Works Department staff and placed upon the assessment rolls and collected in the same manner as other City of Billings assessments.

<i>TAX CODE</i>	<i>ZONE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>PARCEL ADDRESS</i>	<i>Adjusted Assessment</i>
C01454A	RMH	Bauer	Dennis A. & Taya A.	437 Roxy Lane	\$41.09
D05202	HC	Hatveldt	Art	2104 Bench Blvd	\$41.09
D05200	HC	Moats	Melville E. Jr & Vivian I	2112 East Main Street	\$41.09
D05201	RMH	Moats	Melville E. Jr & Vivian I	2112 East Main Street	\$41.09
A05114	CI	Weisbeck	Peter P. & Lucile V.	107 S 8th Street West	\$41.09
C12313	HC	Himmelberger	Dennis L. & Donna	233 Swords Lane	\$41.09
A11635	MCPZD	Nilson	Terry W.	922 North 30th Street	\$29.96

3. **NOTICE OF HEARING:** On Monday, **September 26, 2011**, at 6:30 p.m., or as soon thereafter as the matter may be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council will hear objections to the final adoption of this resolution. The City Clerk is hereby directed to publish notice on September 15, 2011, and September 22, 2011, in the **Billings Times**.

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

ADOPTED and APPROVED by City Council this 26th day of September 2011.

CITY OF BILLINGS:

BY: _____
Thomas Hanel, Mayor

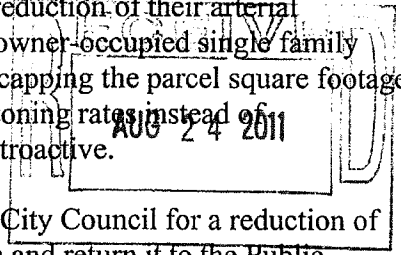
ATTEST:

BY: _____
Cari Martin, City Clerk



Petition for Reduction of Arterial Construction Fee Assessments

The City Council adopted Ordinance 05-5322 on April 11, 2005, in part to provide relief to commercially zoned properties being used as owner-occupied single family residences. The ordinance states "The City Council may provide an exemption to commercially zoned properties that are currently owner-occupied solely as a single-family residence. The property owner must annually request the exemption through the Public Works Department by August 31 of each year." The City Council adopted Ordinance 08-5478 on September 22, 2008, that also allows Residential Manufactured Home (RMH)-zoned property owners to petition for a reduction of their arterial construction fee assessments if their parcel is being used solely as an owner-occupied single family residence. The relief in both of these situations may be in the form of capping the parcel square footage at 9,600 square feet and calculating the assessment based on R-9600 zoning rates instead of commercial or RMH zoning rates. These ordinance changes are not retroactive.



If your property meets the criteria above, and you wish to petition the City Council for a reduction of your Arterial Construction Fee assessments, please complete this form and return it to the Public Works Department, 2224 Montana Avenue, Billings, MT 59101 **by August 31.**

.....

Date 8/24/11 Tax Code # A11635 Taxable Year 2012

Parcel street address 922 North 30th Street

Parcel legal description Section 32, Town 01 N, Range 26 E; Lot:010 Block: 008

North Elevation Sub 1st Filing, S32, T01 N, R26 E, Block 008, Lot 10-11

Parcel zoning classification Medical Corridor (Requesting "Residential")

By signing below, I certify that I own the parcel identified above, that it is my primary residence, that I use the parcel solely as a single-family residence, and that all information provided on this form is true and correct. I understand that if the information supplied on this form is found to be false, I agree to pay back to the City of Billings the amount of the reduction to the Arterial Construction Fees on this parcel as a result of the false information PLUS penalty and interest. I further understand that I must annually apply for a reduction to the arterial construction fee assessment by August 31 of each year. I agree to notify the Billings Public Works Department immediately should any information provided on this form change.

Property Owner Signature Terry W. Nilson Date 8/24/11

Property Owner Name (print legibly) Terry W. Nilson

Mailing address 922 N. 30th St

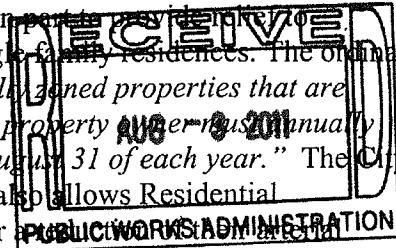
City Billings State MT ZIP 59101-0742

Phone Number (optional) (406) 252-2500



Petition for Reduction of Arterial Construction Fee Assessments

The City Council adopted Ordinance 05-5322 on April 11, 2005, in part to provide relief to commercially zoned properties being used as owner-occupied single family residences. The ordinance states "The City Council may provide an exemption to commercially zoned properties that are currently owner-occupied solely as a single-family residence. The property owner must annually request the exemption through the Public Works Department by August 31 of each year." The City Council adopted Ordinance 08-5478 on September 22, 2008, that also allows Residential Manufactured Home (RMH)-zoned property owners to petition for a reduction in arterial construction fee assessments if their parcel is being used solely as an owner-occupied single family residence. The relief in both of these situations may be in the form of capping the parcel square footage at 9,600 square feet and calculating the assessment based on R-9600 zoning rates instead of commercial or RMH zoning rates. These ordinance changes are not retroactive.



If your property meets the criteria above, and you wish to petition the City Council for a reduction of your Arterial Construction Fee assessments, please complete this form and return it to the Public Works Department, 2224 Montana Avenue, Billings, MT 59101 **by August 31.**

.....

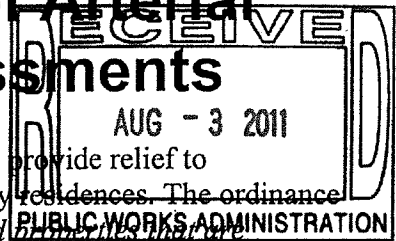
Date 8-1-11 Tax Code # D01792 Taxable Year 2011
 Parcel street address 238 Garden Ave (listed as 230 Garden on tax statement)
 Parcel legal description S11 T01S R26E Clark Sub lot 28
N2
 Parcel zoning classification C. C.

By signing below, I certify that I own the parcel identified above, that it is my primary residence, that I use the parcel solely as a single-family residence, and that all information provided on this form is true and correct. I understand that if the information supplied on this form is found to be false, I agree to pay back to the City of Billings the amount of the reduction to the Arterial Construction Fees on this parcel as a result of the false information PLUS penalty and interest. I further understand that I must annually apply for a reduction to the arterial construction fee assessment by August 31 of each year. I agree to notify the Billings Public Works Department immediately should any information provided on this form change.

Property Owner Signature Steve Muller Date 8-1-11
 Property Owner Name (print legibly) STEVE MULLER
 Mailing address Box 30353
 City BILLINGS State MT ZIP 59107
 Phone Number (optional) 248-2249



Petition for Reduction of Arterial Construction Fee Assessments



The City Council adopted Ordinance 05-5322 on April 11, 2005, in part to provide relief to commercially zoned properties being used as owner-occupied single family residences. The ordinance states "The City Council may provide an exemption to commercially zoned properties that are currently owner-occupied solely as a single-family residence. The property owner must annually request the exemption through the Public Works Department by August 31 of each year." The City Council adopted Ordinance 08-5478 on September 22, 2008, that also allows Residential Manufactured Home (RMH)-zoned property owners to petition for a reduction of their arterial construction fee assessments if their parcel is being used solely as an owner-occupied single family residence. The relief in both of these situations may be in the form of capping the parcel square footage at 9,600 square feet and calculating the assessment based on R-9600 zoning rates instead of commercial or RMH zoning rates. These ordinance changes are not retroactive.

If your property meets the criteria above, and you wish to petition the City Council for a reduction of your Arterial Construction Fee assessments, please complete this form and return it to the Public Works Department, 2224 Montana Avenue, Billings, MT 59101 *by August 31.*

Date 8-1-11 Tax Code # D01803 Taxable Year 2011

Parcel street address 336 Garden Ave

Parcel legal description S11 T01S R26E Parcel 38B C/S 1763

Parcel zoning classification C.C.

By signing below, I certify that I own the parcel identified above, that it is my primary residence, that I use the parcel solely as a single-family residence, and that all information provided on this form is true and correct. I understand that if the information supplied on this form is found to be false, I agree to pay back to the City of Billings the amount of the reduction to the Arterial Construction Fees on this parcel as a result of the false information PLUS penalty and interest. I further understand that I must annually apply for a reduction to the arterial construction fee assessment by August 31 of each year. I agree to notify the Billings Public Works Department immediately should any information provided on this form change.

Property Owner Signature Steve Muller Date 8-1-11

Property Owner Name (print legibly) STEVE MULLER

Mailing address Box 30353

City Billings State mt ZIP 59107

Phone Number (optional) 248-2249



Petition for Reduction of Arterial Construction Fee Assessments

The City Council adopted Ordinance 05-5322 on April 11, 2005, in part to provide relief to commercially zoned properties being used as owner-occupied single family residences. The ordinance states "The City Council may provide an exemption to commercially zoned properties that are currently owner-occupied solely as a single-family residence. The property owner must annually request the exemption through the Public Works Department by August 31 of each year." The City Council adopted Ordinance 08-5478 on September 22, 2008, that also allows Residential Manufactured Home (RMH)-zoned property owners to petition for a reduction of their arterial construction fee assessments if their parcel is being used solely as an owner-occupied single family residence. The relief in both of these situations may be in the form of capping the parcel square footage at 9,600 square feet and calculating the assessment based on R-9600 zoning rates instead of commercial or RMH zoning rates. These ordinance changes are not retroactive.

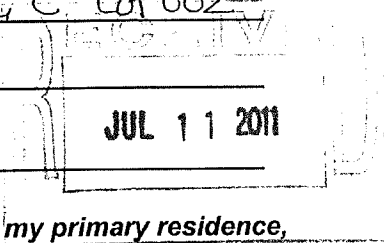
If your property meets the criteria above, and you wish to petition the City Council for a reduction of your Arterial Construction Fee assessments, please complete this form and return it to the Public Works Department, 2224 Montana Avenue, Billings, MT 59101 *by August 31.*

Date 7/11/11 Tax Code # C01454A Taxable Year 2011

Parcel street address 437 Roxy Lane Bldg, MT 59105

Parcel legal description Sec 15, Town 01, N, Range 24 E, Lot 002

Parcel zoning classification ~~RMH~~ RMH



By signing below, I certify that I own the parcel identified above, that it is my primary residence, that I use the parcel solely as a single-family residence, and that all information provided on this form is true and correct. I understand that if the information supplied on this form is found to be false, I agree to pay back to the City of Billings the amount of the reduction to the Arterial Construction Fees on this parcel as a result of the false information PLUS penalty and interest. I further understand that I must annually apply for a reduction to the arterial construction fee assessment by August 31 of each year. I agree to notify the Billings Public Works Department immediately should any information provided on this form change.

Property Owner Signature Dennis Bauer Date 7-11-11

Property Owner Name (print legibly) Dennis A. Bauer

Mailing address 437 Roxy Lane

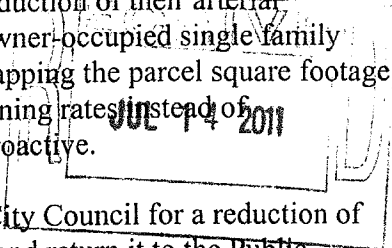
City Billings State MT ZIP 59105

Phone Number (optional) (406) 245-7119



Petition for Reduction of Arterial Construction Fee Assessments

The City Council adopted Ordinance 05-5322 on April 11, 2005, in part to provide relief to commercially zoned properties being used as owner-occupied single family residences. The ordinance states "The City Council may provide an exemption to commercially zoned properties that are currently owner-occupied solely as a single-family residence. The property owner must annually request the exemption through the Public Works Department by August 31 of each year." The City Council adopted Ordinance 08-5478 on September 22, 2008, that also allows Residential Manufactured Home (RMH)-zoned property owners to petition for a reduction of their arterial construction fee assessments if their parcel is being used solely as an owner-occupied single family residence. The relief in both of these situations may be in the form of capping the parcel square footage at 9,600 square feet and calculating the assessment based on R-9600 zoning rates instead of commercial or RMH zoning rates. These ordinance changes are not retroactive.



If your property meets the criteria above, and you wish to petition the City Council for a reduction of your Arterial Construction Fee assessments, please complete this form and return it to the Public Works Department, 2224 Montana Avenue, Billings, MT 59101 **by August 31.**

.....
Date 7/14/11 Tax Code # P05202 Taxable Year 2011

Parcel street address 2104 Bench Blvd

Parcel legal description Holling Ranch Subd, S15, T01, N, R226E, Lot 010
E 519ft of S2 of S2 of L 10 Holling Ranch

Parcel zoning classification NC

By signing below, I certify that I own the parcel identified above, that it is my primary residence, that I use the parcel solely as a single-family residence, and that all information provided on this form is true and correct. I understand that if the information supplied on this form is found to be false, I agree to pay back to the City of Billings the amount of the reduction to the Arterial Construction Fees on this parcel as a result of the false information PLUS penalty and interest. I further understand that I must annually apply for a reduction to the arterial construction fee assessment by August 31 of each year. I agree to notify the Billings Public Works Department immediately should any information provided on this form change.

Property Owner Signature Aat Hatvelde Date July 14, 11

Property Owner Name (print legibly) Aat Hatvelde

Mailing address 2104 Bench Blvd

City Blgs State MT ZIP 59105

Phone Number (optional) 254-7090



Petition for Reduction of Arterial Construction Fee Assessments

The City Council adopted Ordinance 05-5322 on April 11, 2005, in part to provide relief to commercially zoned properties being used as owner-occupied single family residences. The ordinance states "The City Council may provide an exemption to commercially zoned properties that are currently owner-occupied solely as a single-family residence. The property owner must annually request the exemption through the Public Works Department by August 31 of each year." The City Council adopted Ordinance 08-5478 on September 22, 2008, that also allows Residential Manufactured Home (RMH)-zoned property owners to petition for a reduction of their arterial construction fee assessments if their parcel is being used solely as an owner-occupied single family residence. The relief in both of these situations may be in the form of capping the parcel square footage at 9,600 square feet and calculating the assessment based on R-9600 zoning rates instead of commercial or RMH zoning rates. These ordinance changes are not retroactive.

If your property meets the criteria above, and you wish to petition the City Council for a reduction of your Arterial Construction Fee assessments, please complete this form and return it to the Public Works Department, 2224 Montana Avenue, Billings, MT 59101 by **August 31**.

.....
Date 6/15/11 Tax Code # DO-5200-H.C. Taxable Year 2011
DO-5201-RMH

Parcel street address 2112 MAIN STREET

Parcel legal description DO 5200 - Holling Ranch Subd T/C COS 457 - 1.2 Acres
DO-5201 - Holling Ranch Subd T/D COS 457 HT 10 1.2 Acres

Parcel zoning classification Highway Commercial + Residential Manufactured Home

By signing below, I certify that I own the parcel identified above, that it is my primary residence, that I use the parcel solely as a single-family residence, and that all information provided on this form is true and correct. I understand that if the information supplied on this form is found to be false, I agree to pay back to the City of Billings the amount of the reduction to the Arterial Construction Fees on this parcel as a result of the false information PLUS penalty and interest. I further understand that I must annually apply for a reduction to the arterial construction fee assessment by August 31 of each year. I agree to notify the Billings Public Works Department immediately should any information provided on this form change.

Property Owner Signature [Signature] Date 6/15/11

Property Owner Name (print legibly) MOATS, Vivian E. / Melville E. Jr

Mailing address 2112 E. MAIN STREET

City Billings State MONTANA ZIP 59105

Phone Number (optional) (406) 252-5049



Petition for Reduction of Arterial Construction Fee Assessments

The City Council adopted Ordinance 05-5322 on April 11, 2005, in part to provide relief to commercially zoned properties being used as owner-occupied single family residences. The ordinance states "The City Council may provide an exemption to commercially zoned properties that are currently owner-occupied solely as a single-family residence. The property owner must annually request the exemption through the Public Works Department by August 31 of each year." The City Council adopted Ordinance 08-5478 on September 22, 2008, that also allows Residential Manufactured Home (RMH)-zoned property owners to petition for a reduction of their arterial construction fee assessments if their parcel is being used solely as an owner-occupied single family residence. The relief in both of these situations may be in the form of capping the parcel square footage at 9,600 square feet and calculating the assessment based on R-9600 zoning rates instead of commercial or RMH zoning rates. These ordinance changes are not retroactive.

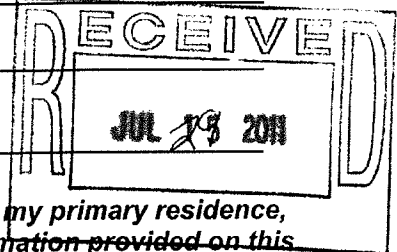
If your property meets the criteria above, and you wish to petition the City Council for a reduction of your Arterial Construction Fee assessments, please complete this form and return it to the Public Works Department, 2224 Montana Avenue, Billings, MT 59101 **by August 31.**

.....
Date July 28 2011 Tax Code # A-05114 Taxable Year 2011

Parcel street address 107 South 8th Street West

Parcel legal description lot 6, Block 4 Cloverdale Subdivision

Parcel zoning classification Commercial



By signing below, I certify that I own the parcel identified above, that it is my primary residence, that I use the parcel solely as a single-family residence, and that all information provided on this form is true and correct. I understand that if the information supplied on this form is found to be false, I agree to pay back to the City of Billings the amount of the reduction to the Arterial Construction Fees on this parcel as a result of the false information PLUS penalty and interest. I further understand that I must annually apply for a reduction to the arterial construction fee assessment by August 31 of each year. I agree to notify the Billings Public Works Department immediately should any information provided on this form change.

Property Owner Signature Lucile V. Weisbeck Date 7/28/11

Property Owner Name (print legibly) Lucile V Weisbeck

Mailing address 107 South 8th Street West

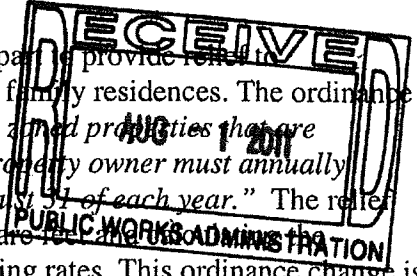
City Billings State MT ZIP 59102

Phone Number (optional) 406-259-2128



Petition for Reduction of Arterial Construction Fee Assessments

The City Council adopted Ordinance 05-5322 on April 11, 2005, in part to provide relief to commercially zoned properties being used as owner-occupied single family residences. The ordinance states "The City Council may provide an exemption to commercially zoned properties that are currently owner-occupied solely as a single-family residence. The property owner must annually request the exemption through the Public Works Department by August 31 of each year." The relief will be in the form of capping the parcel square footage at 9,600 square feet for the Arterial Construction Fee assessment based on R-9600 zoning rates instead of commercial zoning rates. This ordinance change is not retroactive.



If your property meets the criteria above, and you wish to petition the City Council for a reduction of your Arterial Construction Fee assessments, please complete this form and return it to the Public Works Department, 510 N Broadway-4th Floor, Billings, MT 59101 by August 31.

.....
Date 7-5-11 Tax Code # 5 12313 Taxable Year 2011-12

Parcel street address 233 SWABOS LN - BILLINGS 59105

Parcel legal description FELIX SUB (OLD 05601)

Parcel zoning classification HWY COMMERCIAL

By signing below, I certify that I own the parcel identified above, that it is my primary residence, that I use the parcel solely as a single-family residence, and that all information provided on this form is true and correct. I understand that if the information supplied on this form is found to be false, I agree to pay back to the City of Billings the amount of the reduction to the Arterial Construction Fees on this parcel as a result of the false information PLUS penalty and interest. I further understand that I must apply annually for a reduction to the Arterial Construction Fee assessment by August 31. I agree to notify the Billings Public Works Department immediately should any information provided on this form change.

Property Owner Signature Dennis Himmelberger Date 7-5-11

Property Owner Name (print legibly) DENNIS HIMMELBERGER

Mailing address PO Box 22272

City BILLINGS State MT ZIP 59104

Phone Number (optional) _____

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Special Review #893 - Public Hearing - 407 N 24th Street

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

This is a request for a special review to allow the conversion of an existing commercial building to accommodate a residence and commercial space located at 407 N 24th Street in a Controlled Industrial (CI) zone on a 10,500 square foot parcel of land. The subject property is legally described as Lots 19, 20 and 21, Block 12, Billings Original Town. The owner is NA Thompson, LLC and Sparx, LLC - Jane Deschner and Jon Lodge - are the agent and prospective purchaser's of the property. The Zoning Commission conducted a public hearing on September 7, 2011, and is forwarding a recommendation of conditional approval on a 4 to 0 vote.

ALTERNATIVES ANALYZED

The Planning Division reviewed the application and recommended conditional approval to the Zoning Commission. The Zoning Commission concurred with this recommendation. Before a recommendation of approval or conditional approval may be made, each special review request must demonstrate conformance with three primary criteria: 1) the application complies with all parts of the Unified Zoning Regulations, 2) the application is consistent with the objectives and purposes of the Unified Zoning Regulations and the 2008 Growth Policy, and 3) is compatible with surrounding land uses and is otherwise screened and separated from adjacent land to minimize adverse impacts. This application conforms to the first criteria, in so far, that it is in a district that allows residential use by special review. The proposed entryway expansions are on the north side of the building. The building does not meet the required front setback of 20 feet but this is an existing condition that will not be altered by the proposed structure conversion.

The application conforms to the purposes of the regulations, the 2008 Growth Policy, the EBURD Master Plan, and 2008 North Park Neighborhood Plan. The development will add one dwelling to an area that is the natural extension of the mix of uses in the CBD zone. As the form-based zoning process moves forward this small area between the existing CBD and the EBURD district may prove critical to a cohesive development pattern. The applicant included several letters of support including Farm Bureau Financial Services (owns 401 N 24th Street), TKC Photography, Downtown Billings Partnership, Marty Connell, and Jack Nickels.

The application also conforms to the third criteria. The current building is vacant and in need of renovation. The building does not exceed lot coverage or building height, but does encroach on the required front setback. The exterior of the building will be renovated to include two new entryways on the north side and the interior will be extensively upgraded. The existing off-street parking spaces are adequate to accommodate the small commercial space and the residential use. There are several residential dwellings in the immediate neighborhood and the proposed use will not be out of character. The proposal is compatible and conditions are recommended to mitigate any potential adverse effects on the surrounding area.

The Zoning Commission recommends to following conditions of approval:

1. The special review approval shall be limited to Lots 19, 20, and 21, Block 12, Billings Original Town, generally located at 407 N 24th Street.
2. The special review approval is for one residential dwelling unit in an existing structure and no other use is intended or implied by this approval. The commercial space shown on the plan is an allowed use within this zone.
3. Any expansion of the proposed building, greater than 10 percent of what is shown on the submitted site plan will require an additional special review approval.
4. These conditions of special review approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, lease holders, heirs and assigns.
5. The proposed development shall comply with all other limitations of Section 27-613 of the Unified Zoning Regulations concerning special review uses, and all other City of Billings regulations and ordinances that apply.

FINANCIAL IMPACT

There should be no significant impact on city finances. When the building is remodeled, additional property taxes may be collected when the value increases. The property is within the expanded North 27th Street Tax Increment Finance (TIF) District.

BACKGROUND

This is a request for a special review to allow the conversion of an existing vacant commercial structure to a residence with a studio work space and a small gallery. The CI zone requires a special review approval to allow a residence or to allow a residence in a building with a commercial or industrial use. The existing structure was built in 1949 and has not had any major renovations since that time. The proposed conversion will add two small entry additions on the north side of the building and a complete conversion of the interior space to create the living space and the working spaces for the new owners. Prior to 1997, the zoning regulations allowed all types of residential uses within the CI zone. In 1997, the City and County zoning regulations were unified into a single code. The County zoning regulations required special review approval for single-family dwellings in the CI zone. In order to reconcile the differences in the zoning codes, the City adopted the special review requirement for residences in the CI zone. The City has not considered a special review request for this use since the codes were unified in 1997. There are many existing residential uses in the CI zoning districts throughout the city. Re-construction of these dwellings does not require a special review.

The immediate neighborhood surrounding the parcel is zoned CI to the north, south and east. To the west is the Central Business District (CBD) and residential uses are allowed. There are 7 single family dwellings and one 26-unit apartment building in the CI zone in the immediate area. Two blocks east of this location is the East Billings Urban Renewal District (EBURD) where a master plan has been approved and a new zoning code – a form-based code – that will allow residential uses in certain configurations is being developed this fall. The CBD zone directly across N 24th Street allows all types of residential uses at any density. The East Billings Parking Overlay District applies to the property. The overlay district does not require any minimum off-street parking at this time.

STAKEHOLDERS

The Zoning Commission conducted a public hearing on September 7, 2011, and received testimony from the agents, Jane Deschner and Jon Lodge. The Planning Division received several letters of support for the project. There was no other testimony. The Zoning Commission voted 4 to 0 to forward a recommendation of conditional approval.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

The consistency with adopted plans and policies is discussed in the Alternatives Analyzed section above.

RECOMMENDATION

The Zoning Commission recommends conditional approval of Special Review #893 on a 4 to 0 vote.

APPROVED BY CITY ADMINISTRATOR

Attachments

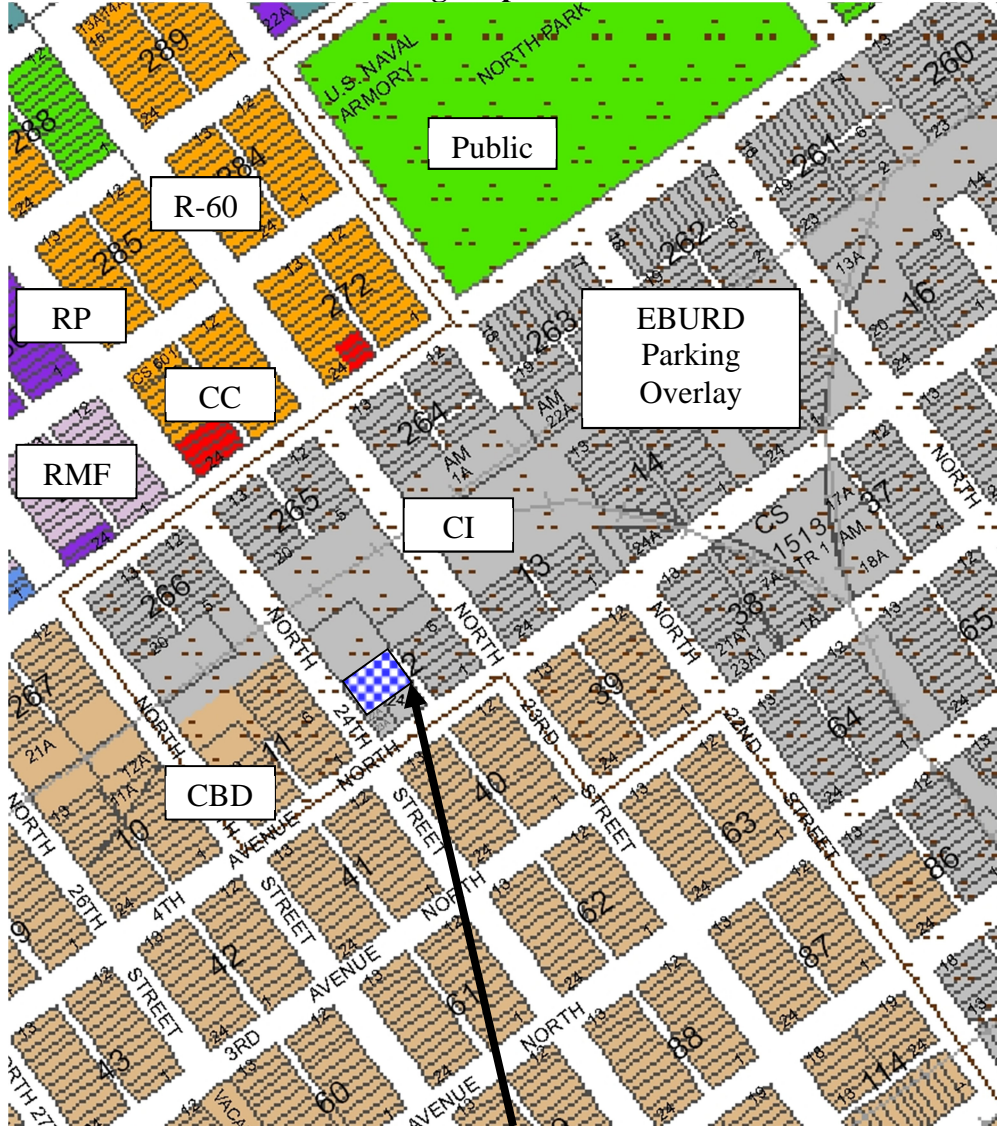
[Zoning Map](#)

[Site Photos](#)

[Site Plan](#)

[Applicant letter and Support letters](#)

Attachment A
Zoning Map – SR #893



Subject Property – 407 N 24th Street

Attachment B
Site photos – SR #893



Subject Property



Subject Property

Attachment B, continued
Site photos – SR #893



View south to 4th Avenue North



Tire Rama across N 24th St in CBD zone

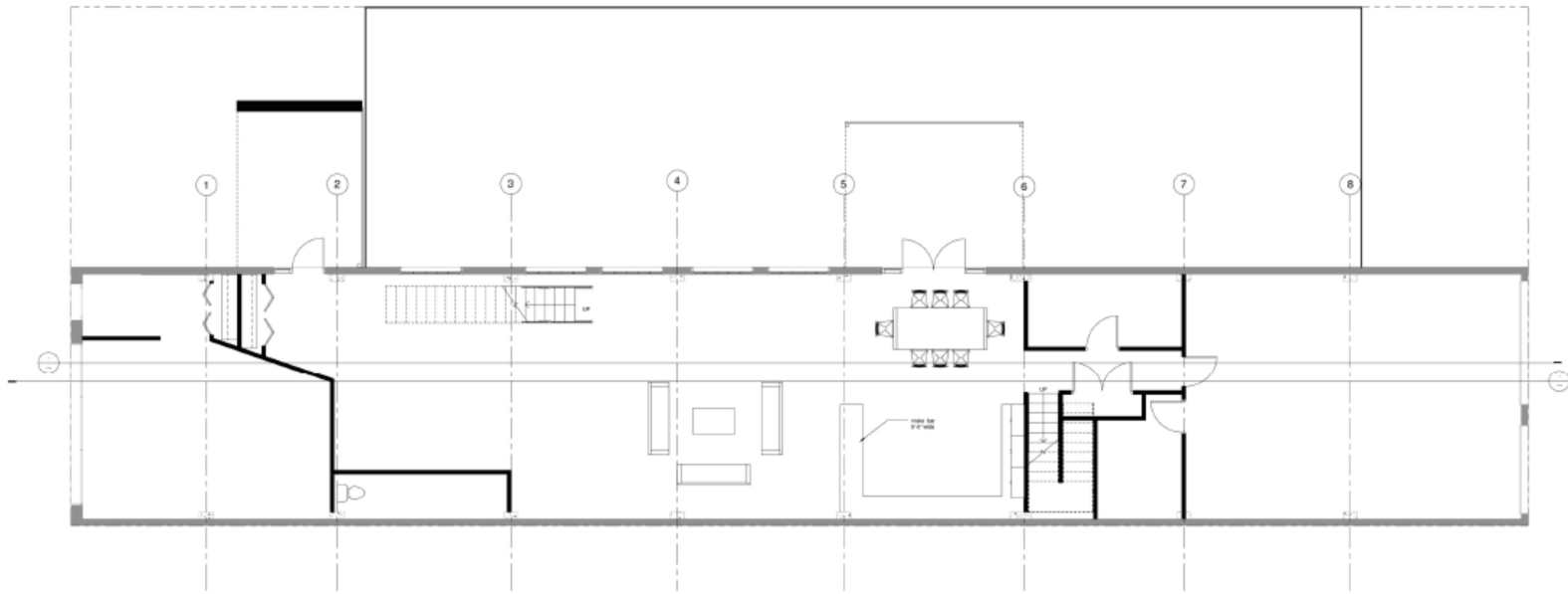
Attachment B, continued
Site photos – SR #893



View north and west



View of north side of existing building



1 FLOOR ONE
 X101 NTS

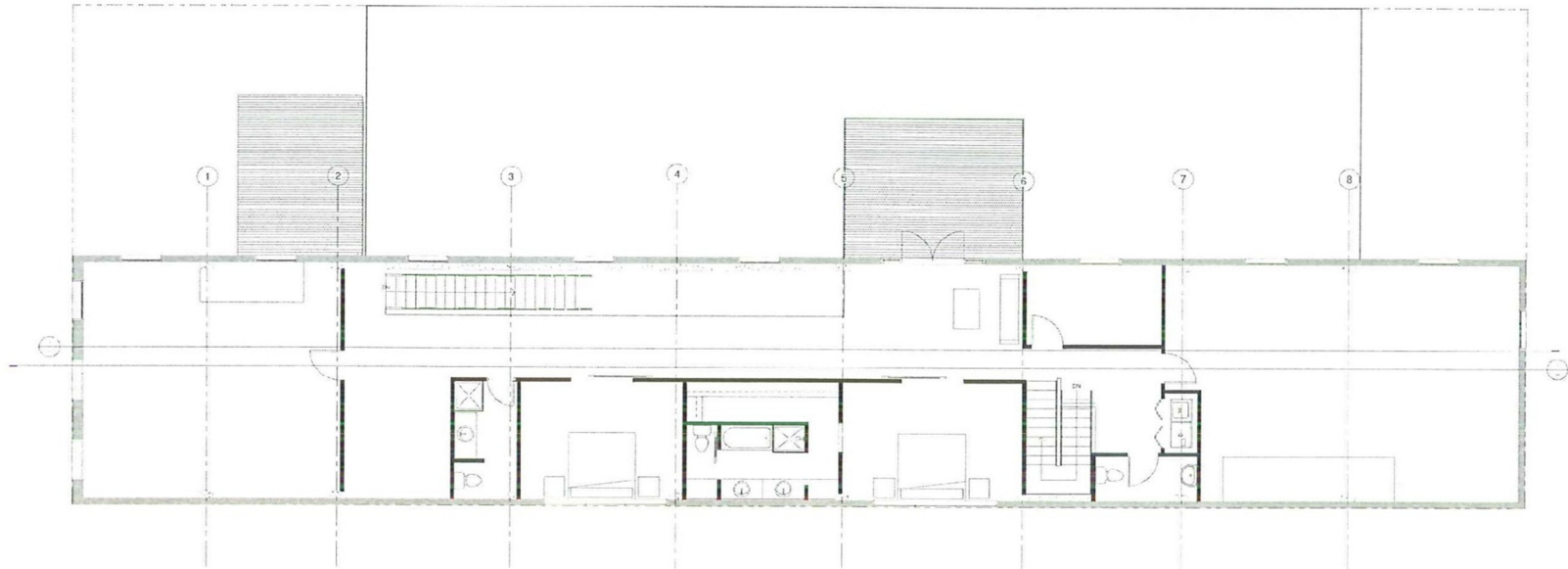
4ZER07 LOFT

Billings, Montana

CTA DESIGN WORKS

411 East Main Street, Bozeman, Montana 59715
 Phone: (406) 555-7100 Fax: (406) 528-3011 www.ctadgn.com

Schematic Design Phase
PLANS
 Scale: NTS



2 FLOOR TWO
X101

NTS

4ZER07 LOFT

Billings, Montana

CIA DESIGN WORKS

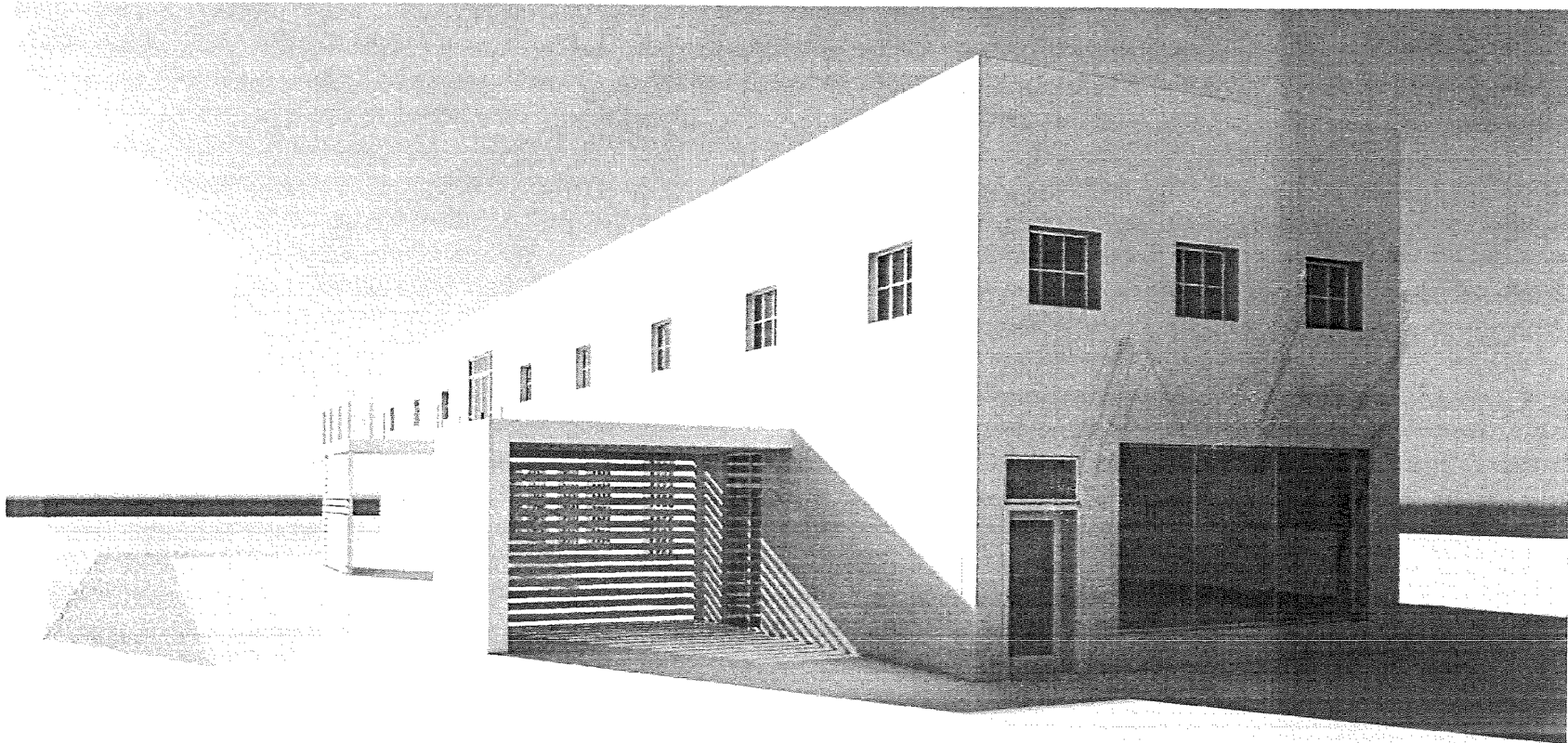
411 East Main Street, Bozeman, Montana 59715
Phone: (406) 556-7100 Fax: (406) 525-5311 www.ciadgroup.com

Schematic Design Phase
PLANS
Scale: NTS



4ZERO7 Loft Project

Photos of building on 07.22.11: OUTSIDE

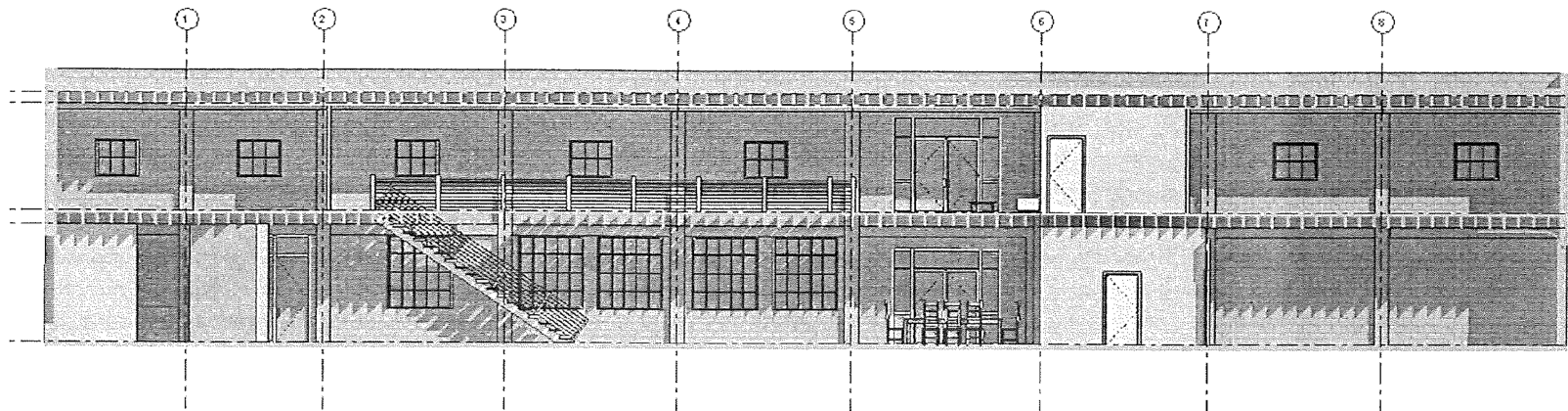


4ZERO7 Loft Project

Computer-Generated 3-D "Sketch" of Building after improvements: OUTSIDE

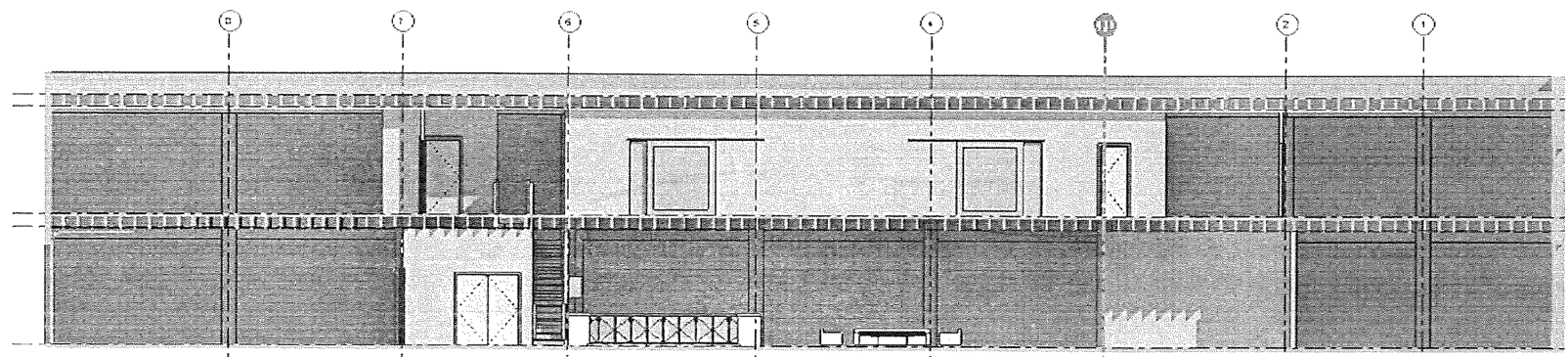
4ZERO7 Loft Project

Cross Section of Building



above: looking at north wall

below: looking at south wall



Attachment D
Applicant Letter and Support Letters– SR #893

Prepare a written statement addressing what is intended to be done with the property, including new construction or change in the use of the property, and why the special review is being sought.

Intended Use: 4ZERO7 Loft Project

Jane W. Deschner and Jon D. Lodge propose to develop the property at 407 N. 24th Street in downtown Billings as a live/work space. The building is the former Central Sheet Metal Showroom and Shop built in 1949; it has been owned for several years by NA Thompson LLC and used as an office/storage/apartment space by Bob Honcker.

Jane and Jon are both well-established artists who are active in the community. Jane is a visual artist who works with found photographs and organizes projects, groups, etc.; Jon is an painter/drawer/collagist, jazz musician and general manager of Artcraft Printers. They initiated DIALOG, a group of artists of varying ages and stages in their careers who met monthly to talk about their work. When the member in whose studio they were meeting moved to Missoula, the group dissolved. They organized MIXX, a group of seven regional artists who have held short public art exhibits in unconventional spaces around Billings on an irregular basis for several years. They used their home to entertain visiting artists and for other art/music gatherings on a regular basis. For instance, after the memorial service for the artist Freeman Butts was held at the Yellowstone Art Museum, they invited everyone to their home for supper and reminiscing. When New York City artists Jeff Weiss and Zoë Sheehan Saldaña were visiting artists at Rocky Mountain College on their way to Ucross Foundation in Wyoming, Jon and Jane hosted a large gathering of artists and other art-interested people to meet and talk with them. The same thing occurred when NYC photographer Serge J.F. Levy was here giving talks at Rocky and MSU-B. These are the kinds of uses they wish to continue at 4ZERO7. Jon also plans to have small concerts and jam sessions.

Currently the building is a shell. Please see Illustrations A, B, C, D. Jon and Jane intend to remodel it for living space, a gallery where the store front was, and studio spaces for their art and music. Please see Illustrations W, X, Y, Z. They see it as a beautiful place for occasional exhibitions of their work, the MIXX group, others who want to have a small shows, etc. Art will be shown and it will be open to the public on an irregular, but ongoing, timetable. Exposure, dialogue, interaction, inspiration and camaraderie around art and music are their goals.

This Special Review is sought because a variance is needed to the current controlled industrial zoning to allow single family residential. Their project/idea for this building is not financially feasible for them unless it encompasses both their studio spaces and their home.

A. In what ways is your proposal consistent with the goals and policies of the adopted Growth Policy?

Land Use Element

1. ISSUE, GOAL: "...consistent with...preferred land use patterns identified in neighborhood plans."

4ZERO7 Loft Project: The Downtown Billings Framework Plan, North Park Neighborhood Plan and EBURD Plan all encourage mixed-use, infill, residential development at and around this location.

2. ISSUE, OBJECTIVE: "Maintain a high quality of life for new and existing residents."

4. ISSUE, OBJECTIVE: "Create attractive communities."

4ZERO7 Loft Project: Remodeling the building will greatly improve the value and appearance of the property. An adjacent property owner Nick Purchio, Farm Bureau Financial Services, writes, "Of all the options that could go into that location this is certainly one that would offer a WOW factor and encourage others to invest in the area and perhaps revitalize other older buildings." (See Letter of Support # 1)

6. ISSUE: "There is a desire for more mixed use neighborhoods."

OBJECTIVE: "Encourage more live-work environments."

4ZERO7 Loft Project: The property will be both home and studios for two artists.

Economic Development Element

5. ISSUE, GOAL: "An economically and culturally vibrant Downtown Billings."

4ZERO7 Loft Project: Developed as an artists' space, the building will enhance the neighborhood and downtown. For years in and around New York City, artists changed neighborhoods for the better when they move in to live and work (Soho, Chelsea, Williamsburg, Dumbo, etc.). They have been catalysts for remarkable and long lasting improvements.

6. ISSUE: "Safety in Downtown Billings is an important element."

4ZERO7 Loft Project: Having 24-hour residents in what is now a primarily daytime commercial area will add to the oversight and safety of neighbors. An adjacent property owner, Trisha Casey, TKC Photography, emailed, "Having people present during the evening, night and weekend should have a positive effect in crime prevention." (See Letter of Support #2)

Aesthetics Element

1. ISSUE, GOAL: Visually appealing communities."

4ZERO7 Loft Project: The appearance of the building and adjacent property will improve greatly with the significant financial input the new owners hope to make.

Transportation Element

12. ISSUE, GOAL: "Reduce carbon emissions from vehicles."

4ZERO7 Loft Project: A quote from the latest Good Earth Market newsletter read, "Everything is one thing, and as part of this wholeness, I always make a difference." Living downtown, one

walks to the Farmers' Market, restaurants, the Yellowstone Art Museum, etc. Even one or two people walking, not driving, helps.

Cultural and Historic Resources Element

2. ISSUE, GOAL: "Actively maintain existing cultural institutions in Billings and support additional venues and interest."

4ZERO7 Loft Project: Much of the use of the property will be cultural—art and music. Occasional art exhibitions and jam sessions will be open to the public.

B. Why is there a need for the intended use of the property at this location?

Greg A. Krueger, Executive Director of Downtown Billings Partnership, states, "The Downtown Billings Framework plan calls for mixed use development such as proposed by Ms. Deschner. This has been accepted by the Billings City Council and the Yellowstone County Commissioners. Further, the plan is a key part of urban renewal plan for this area." (Letter of Support #3)

The property lies within the boundaries of the North Park Neighborhood Task Force. The North Park Neighborhood Plan (2008) states, "Maintain a residential character; through the zoning process, develop transitional areas between surrounding commercial/industrial uses and residential areas." This property is in Study Area 2, though it falls two blocks to the west of the East Billings Urban Renewal District. The goal for the EBURD is "A vibrant and cohesive extension of the core downtown Billings area." The objective, "To create a destination place where people will want to repeatedly visit, maintain and enhance housing in the district, and updated utilities and infrastructure." Across the street from 407 N. 24th Street begins the Central Business District. The CBD plan encourages mixed-use development which includes more housing choices. A small, 4-square-block area containing 407 N. 24th Street falls in a "no-plans land" between the EBURD and CBD. Looking at the goals and objectives for the surrounding areas, it seems safe to assume that the same would be encouraged here. This project would definitely be a good transition between commercial and residential.

On the East Billings Urban Renewal Master Plan (07.02.09), 407 N. 24th Street falls into "East Downtown," an area which continues "the pattern of mixed use infill..." One goal is to increase residential development.

Artspace, a group whose mission is "To create, foster and preserve affordable space for artists and art organizations," and which hopes to bring artist live/work spaces to Billings, sees the value of and need for in this kind of development. A March 3, 2009, letter from Wendy Holmes, Vice President, Artspace, states, "We...feel confident that Billings can support a mixed-use live/work housing project in the 40-45 unit range."

On a personal level, Jane Deschner and Jon Lodge need to find a home and studios. Though this idea had not occurred to them before because a new home was not needed, it now seems the ideal place and way to live. They plan to stay at 4ZERO7 for many years.

C. How will the public interest be served if this application is approved?

There is great consensus in Billings (and beyond) that downtown should be preserved and revitalized. Taking into account all the elements, issues, goals and objectives explained in the Growth Policy, it makes sense to remodel an existing structure to initiate change in a neighborhood in the way the policy wants it to happen—infill, mixed-use. *When responsible individuals undertake a project that conforms with the hopes, laws and plans of the greater community, the public interest is served.*



FARM BUREAU FINANCIAL SERVICES

Insurance • Investments

401 N. 24th Street,
Billings, MT 59101
406.294.2800 | 406.294.2803 fax
npurchio@mwfbfi.com

Nick Purchio, LUTCF, FSS
Agent
Financial Advisor
Registered Representative

July 19, 2011

To whom it may concern;

I own the building at 401 N 24th Street and have located my Insurance/Financial Services practice to this site. I purchased the building February 11, 2011 and have made extensive improvements to the inside. My plan is to stay at this location for years to come.

I chose to buy property and relocate my business to this area as I truly believe in the downtown concept and would love to see it continue to be revitalized. I have worked very hard to maintain the classic look of the old red brick building and plan to add traditional awnings that the building had in the past.

The character of the neighborhood and how it changes is very important to me. I have looked at the building at 407 N 24th Street as it is two doors down from me and is quite visible. Having heard what Jon Lodge & Jane Deschner have planned for it would seem to be a perfect fit for the block. Of all the options that could go into that location this is certainly one that would offer a WOW factor and encourage others to invest in the area and perhaps revitalize other older buildings. By living in the building it would also add a presence during non business hours that would be welcomed by me as a neighbor.

As a neighbor I have no problems with and support the zoning change they are requesting. Please feel free to call me with any questions.

Sincerely,

Nick Purchio LUTCF, FSS

Financial Advisor

From: **trisha casey** <tkcphoto@msn.com>
Date: Sun, Jul 31, 2011 at 8:32 PM
Subject: zoning
To: jwdjwd@gmail.com

I would like to voice my support for allowing 407 N 24th St to become zoned for a single family residence. It would be great to have the remodeling of buildings in the area improve the neighborhood, and help continue the growth nearby. Having people present during the evening, night, and weekend should have a positive effect in crime prevention.

Trisha Casey
TKC Photography
(406)208-7412
2319 4th Ave N
Billings, MT 59102



July 19, 2011

Jane Deschner
635 N. 26th St.
Billings, MT 59101

To Whom It May Concern:

I am writing this letter of support on behalf of the Urban Renewal Plan for the Expanded N. 27th Street Tax Increment Financing District and the Board of Directors of the Downtown Billings Partnership, Inc. We wish to make it know that we strongly support any and all zone changes and exceptions that would allow mixed use development in our district.

The project proposed for 407 N. 24th would fit nicely within our plan of redevelopment of our urban renewal district and should be approved. We intend to explore the possibility of expanding the Central Business District zoning to this area in the future and the proposed use would fit perfectly.

The Downtown Billings Framework plan calls for mixed use development such as proposed by Ms. Deschner. This has been accepted by the Billings City Council as well as the Yellowstone County Commissioners. Further, the plan is a key part of the urban renewal plan for this area. With that in mind, we urge you to approve this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg A. Krueger".

Greg A. Krueger
Executive Director
Downtown Billings Partnership, Inc.

July 29, 2011

The Billings City/County Planning Board
510 North Broadway
Billings, Montana 59101

Dear Members of the City/County Planning Board:

I am writing in support of the request by Jane Deschner and Jon D. Lodge to rezone the property at **407 N. 24th Street** into zoning that will allow for mixed use. Jane & Jon happen to be interested in a property that sits in sort of a "no-man's/no-plan land" and, from what I have learned, plan to remodel the building into a mixed use that will not only act as their place of business and home, but will go a long way in helping spur the re-development so many in the EBURD are working to promote. Both Jane & Jon have been serious community leaders and volunteers over the years, helping to promote cultural and community development in Billings. Billings and Montana as a whole has been very fortunate to have Jane serving over the last few years as a Governor appointee to the Montana Arts Council, and for them to step up to the plate in east downtown Billings and commit to this type of development after losing their home in a freak rock fall, is truly amazing.

Having served as Volunteer Project Facilitator for Billings Artspace Project over the last few years as well as being a real estate agent, I have found that one of the road blocks to increased development in the core downtown area (which this property is on the edge of) is the lack of not only affordable housing for those working in the downtown area, but also mixed use and business development like proposed by Jane & Jon. We all know that development of any kind does not happen overnight, but the willingness for communities to think outside the box when it comes to promoting infill and re-development like this in their community goes a long way in making things happen.

From a real estate and financial stand point, the subject property under its current zoning is not only hard to find comparables for in the real estate market, but also hard for financial institutions to make loans on without benefit of like properties to compare to. Jane & Jon have always been on the cutting edge when it comes to community involvement and their willingness to become "Stake Holders" in the re-development of the east downtown Billings area is just one more example of their commitment to this city. As someone who lives in the North Park area of Billings, I ask that you vote to change the zoning on this property to allow them to move forward with the purchase and remodeling of the building. It can only be a WIN – WIN for all involved and of course we all hope that it might spur other such development in the EBURD.

Thank you for your time and if you have any questions, please feel free to write or call me.

Respectfully,

Jack W. Nickels
943 North 19th Street
Billings, Mt. 59101
406-672-6936
E-Mail: jacknickels55@gmail.com



marty connell

Agricultural & Financial
Management, Inc.

July 26, 2011

City of Billings
Nicole Cromwell, Zoning Coordinator
510 N. Broadway 4th Floor
Billings, MT 59101

RE: Special Review for 407 N. 24th Street

VIA: 1st class and e-mailed

Dear Nicole,

I fully support the approval of the requested variance for 407 N. 24th Street.

This important area of downtown has been left out of both TIFD Districts.

The proposal by Jon Lodge and Jane Deschner makes logical and economic sense when viewed from the "work force housing" point of view. This will re-establish the needed density of people living in the area to make a more viable downtown.

Thank you for the opportunity to present my views.

Cordially Yours,



Martin R. Connell
President

Cc: Jon Lodge
Jane Deschner

August 30, 2011

Re: Special Review #893

Address: 407 N. 24th Street

To Whom it May Concern,

I am the current owner of the property at 407 N. 24th Street. A request has been made by the prospective buyers (Jon Lodge and Jane Deschner) for a variance on this single property to allow Single Family Residential. It is my wish to affirm, recommend and extend my full support to their effort. I believe their project once completed will provide a standard to which all other similar projects will aspire.

This property was on the open market for 6 months prior to the current agreement to purchase. In that time, many offers and much interest were shown. There was one recurring theme of the vast majority of those potential buyers. That theme was simply that minimal investment was needed in the infrastructure and appearance of the property to be “up and running”. They believed they could utilize the existing structure, appearance and zoning without a significant investment and still achieve their goal.

The facts are: The building was built in 1949 and has had no significant renovations since that time. This property needs a substantial infusion of funds and vision expended in order to be of any positive value to the surrounding community. Jon and Jane are willing to commit the financial resources, time and effort essential to achieve the property’s potential. The reason they are receiving so much support from the surrounding property owners is that the mutual benefit is obvious.

This is the last of 4 buildings I originally owned on this block and in my opinion it is the most important. The proposed project is definitely the most ambitious yet ventured in terms of renovation and will complete the transformation of the corner from what was once a group of run-down partially abandoned brick buildings (with a dilapidated dry cleaning business as an anchor) to a vibrant and beautiful piece of downtown Billings.

In my opinion, although breweries, storage facilities, auto repair shops, construction operations, pawn shops, etc. all fall within the current zoning parameters, NONE of these uses would be of much benefit to the area or downtown community.

I hope that you not only approve their request for a variance, but lend your support to that effort.

Respectfully,
Robert Honaker (NA Thompson LLC)

Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Public Hearing and Resolution for Annexation #11-03

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

Wayne Laufer has submitted a petition to annex land to the City of Billings under 7-2-4600 MCA. The subject property is 14.87 acres in size and is located west of Highway 87 and north of the existing commercial development that includes American Pharmaceuticals in the Billings Heights. The property is legally described as Tract 2D of C/S 2776, Amended. The parcel is currently undeveloped and is bordered by Five Mile Creek on its north side. The property owner is requesting annexation in order to obtain City services for future development of the property. The property was included in the five year annexation area of the City's Limits of Annexation Map when it was updated by the City Council on May 23, 2011. The Council acknowledged receipt of the petition at its September 12, 2011, meeting. The Council will hold a public hearing and take action on the annexation request at this meeting.

ALTERNATIVES ANALYZED

The City Council may approve or deny a petition submitted by owners of 50% of the real property in the area to be annexed (7-2-4601 (3)(b), MCA).

FINANCIAL IMPACT

The City can provide municipal services to the subject property. It will be the responsibility of the owner to extend City water and sewer services to the property. Staff is recommending a condition of approval for this annexation be that a development agreement between the City and the property owner be executed before water and sewer infrastructure is extended to the site to clarify how services will be provided. If the proposed annexation is approved, the property may be developed in the future and will contribute additional tax revenue to the City.

BACKGROUND

The subject property is 14.87 acres in size and is located west of Highway 87 and north of the existing commercial development that includes American Pharmaceuticals in the Billings Heights. The City Limits are on the south side of the subject property and it is within the red boundary of the limits of annexation as specified by the Annexation Map last adopted by the City Council on May 23, 2011.

PROCEDURAL HISTORY

- On August 5, 2011, the annexation petition was submitted to the Planning Division.
- On September 12, 2011, the City Council acknowledged receipt of the annexation petition and set a public hearing for September 26.
- On September 26, 2011, the City Council will conduct the public hearing for the annexation and may take action on the request.
- On October 11, 2011, if the resolution to annex is approved by the City Council, a public hearing and first reading of an ordinance to expand the Ward II City Council boundary will be conducted.

- On October 24, the City Council will conduct the second and final reading for the ordinance expanding the ward boundary.

STAKEHOLDERS

Annexation by petition does not require notification of adjoining landowners; however, it does require that the City Council conduct a public hearing. Notice of the public hearing was posted on the property on September 9, 2011, and published in the Billings Times on September 8, 2011. The Planning Division had received no public comments regarding the proposed annexation at the time this memo was prepared.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

The City Council has expressed concerns regarding how annexing additional properties may affect the City's ability to provide services to new developments without diminishing the services provided to existing City residents. To address these concerns, the City Council adopted an annexation policy that lists criteria for suitable annexations. The proposed annexation complies with the adopted Annexation Policy criteria as follows:

1. The area is located within the Limits of Annexation.
2. The City is able to adequately provide municipal services. The property will be served by the County Water District of Billings Heights for water. Sewer services will require extension of lines by the property owner at the time of development.
3. Any proposed improvements will be required to meet City standards.
4. As part of a Development Agreement or Subdivision Improvement Agreement, the owners will sign a Waiver of Right to Protest the creation of any Special Improvement Districts.
5. The property is zoned Community Commercial. Any proposed land use will comply with the zoning. Future development also may conform to the goals of the City of Billings and Yellowstone County Growth Policy.

Although MCA 7-2-4600 allows the municipality to waive the requirement of an annexation public services plan, it is the City's custom to have staff prepare a brief analysis of predicted impacts to services and facilities. State law lists the required contents of a public services plan including a 5-year (minimum) plan that outlines how and when services and infrastructure will be extended to the annexed area and how they will be financed. This report follows that general format.

Departmental Response: City and County Departments were given the opportunity to comment on this annexation. All City departments responded favorably and detailed responses are provided below. None of the County Departments that were informed responded, indicating that there are no issues with this annexation request.

City Facilities: The following improvements and facilities are necessary to provide adequate services to the subject property.

- **Water:** Water service is available from the County Water District of Billings Heights (CWDBH). A portion of the subject property is already in the CWDBH service boundary. For water service to be provided to the entire property, a portion of the property will need to be annexed into the County Water District of Billings Heights service area through a separate process with CWDBH.
- **Sewer:** The property may be served by the developer connecting to the existing sanitary sewer in Pemberton Lane. The existing 5-mile lift station will be reconstructed in fiscal year 2012 to

facilitate service to this property and other properties in this area of the City. The cost to extend sewer service for the property will be at the developer's expense.

- **Stormwater:** There are no stormwater facilities in the area of this property and on-site retention and/or detention may be required. Storm water impacts will be identified during the subdivision and/or site development process and mitigating measures developed at that time meeting the requirements of the city and the public works department at the time of development.
- **Transportation:** The subject property has frontage on Highway 87, which is a principal arterial street. No issues have been identified by City Engineering or Street and Traffic staffs. Traffic impacts will be identified during the subdivision and/or site development process and mitigating measures developed at that time.
- **Fire Stations:** The subject property is currently served by the Billings Fire Department through the Billings Urban Fire Service Area and the Billings Fire Department will continue to service the property upon annexation. The nearest fire station is Station #6 located at 1601 St. Andrews Drive about 2 miles by road southwest of the subject property.
- **Parks:** The subject property is zoned Community Commercial and so no park land dedication will be provided if this property is subdivided. However, as part of a Development Agreement at the time of property development, the owners will sign a Waiver of Right to Protest the creation of any Special Improvement Districts that might include maintenance of parks in the area, or City-wide.
- **Bicycle and pedestrian facilities:** The property lies within the jurisdiction of the Billings Area Bikeway and Trail Master Plan. A bike lane is proposed in the future along Highway 87 and a future trail corridor is identified along Five Mile Creek at the north edge of the subject property. The creek trail corridor could be identified during future subdivision or site development development of the property.

General City Services: These are the City services that are provided to all residents and businesses in the City, such as police and fire protection, street and storm drain maintenance, and garbage collection and disposal. The service providers that responded did not object to the annexation of this property.

- **Transit:** MET transit system operators have no objections to the annexation request. MET currently operates a route along Pemberton Lane that could serve the property.
- **Police:** The Police Department states that the subject property currently exceeds the northern boundary of an established patrol area. The entire Heights is currently served by 2-4 officers. While there should be no significant impact to including the property in a patrol area, continued expansion of the City limits will require more officers in the future.
- **Public Utilities:** The Public Works-- Distribution and Collection Division had no objection with the annexation request as long as the owner agrees to fund the necessary sewer connection costs, and signs a waiver of protest for future SIDs.
- **Public Works -Street and Traffic Division:** The Street and Traffic Division stated that it has no problems serving the property.
- **Public Works-Solid Waste:** The Solid Waste Division notes that it can serve the property when

developed, but noted that Senate Bill 234 passed the 2011 State Legislature and dictates that it is up to the property owner as to whether the City or a private carrier collects solid waste from the property.

- **Ambulance Service:** The City does not provide ambulance service, however it does dictate the level of service provided by American Medical Response (AMR). By City ordinance, 90% of ambulance calls must be answered within 8 minutes; this annexation is within the area of acceptable response time.
- **Legal and Finance:** General Fund services, such as the Legal and Finance Departments should not be negatively impacted by this annexation. No comments were received from the Finance Department or Legal Department at the time this report was prepared.
- **Other Departments:** City/County services including Library, Planning, and Environmental Health are only slightly affected by the annexation since they will continue to serve new development whether in the City or the County.

Annexation of this property would adhere to the following goals, objectives and policies of the Yellowstone County and City of Billings 2008 Growth Policy:

- Business Development and Rejuvenation in the Heights (Economic Development Element Goal, page 8).
- More housing and business choices within each neighborhood (Land Use Goal, page 6).
- Protection of groundwater, surface water, riparian areas, air quality and productive agricultural land (Natural Resources Goal, page 13).

Annexation of this property would adhere to the following goals, objectives and policies of the Billings Heights Neighborhood Plan:

- Attract small and medium businesses to the Heights (Economic Development Goal, Page 32).
- To provide housing and commercial development compatible with existing development (Housing Goal, Page 23).

RECOMMENDATION

Staff recommends that the City Council approve the Resolution annexing the subject property, subject to the following conditions of approval:

- Prior to site development, a Development Agreement shall be executed between the owner(s) and the City that shall stipulate specific infrastructure improvements and provide guarantees for said improvements, and a Waiver of Right to Protest the Creation of Special Improvement Districts will be recorded; and/or
- A Subdivision Improvements Agreement (SIA) and Waiver of Right to Protest the Creation of Special Improvement Districts shall be approved and recorded that will stipulate specific infrastructure improvements and provide guarantees for such infrastructure improvements.

APPROVED BY CITY ADMINISTRATOR

Attachments

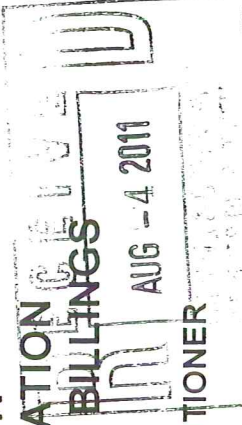
Crossroads North Annexation Petition

Crossroads North Annexation Exhibit

Crossroads North Annexation Resolution

AM11-03
(11-48)

PETITION FOR ANNEXATION TO THE CITY OF BILLINGS



NOTICE TO PETITIONER

This is a Petition to the City of Billings requesting the annexation of property to the City, pursuant to MCA Title 7, Chapter 2, Part 46. Procedures for annexation are governed by the Statutes of the State of Montana. This Petition requires the signatures of more than 50% of the Resident Freeholder Electors to be considered for annexation.

INSTRUCTIONS

1. All items must be completed or provided. Please type or print. You may attach additional pages if more space is needed.
2. Prepare a map drawn to a scale adequate and legible to show the property requesting annexation and all other property within one-quarter (1/4) mile.

The map must show:

- a. The present and proposed boundaries of the municipality;
 - b. The present streets, major trunk water mains and sewer mains;
 - c. The zoning of the property requesting annexation and the property immediately adjacent to it.
3. The Petition may be submitted to the Planning Department, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m., located on the 4th Floor of Pamyly Billings Library at 510 North Broadway, Billings, Montana. Upon presentation, the Petition will be checked for completeness. Once accepted, the Petition will be routed to the following City Departments: Public Works, City-County Planning, Public Utilities, Fire Department, City Attorney, Police Department, and Finance Department. If no problems with the Petition have been noted by the departments, the City Clerk will schedule the Petition for City Council action.
 4. By filing the petition for annexation, the Petitioner(s) agree that only those City services which are available to the general area shall be provided to Petitioner, and that additional services as may become available to the general area shall be made available to Petitioner(s) in the same manner as said services are made available to other residents of the City. Petitioner(s) specifically waive the right to the report and plans for extension of services as provided in MCA Title 7, Chapter 2, Part 47.
 5. A description of the territory to be annexed to the City is legally described on a document attached hereto.

RESIDENT FREEHOLDER ELECTORS

Date	Print Name	Name Signature	Address
6/29/11	Wayne L. Laufer	<i>Wayne L. Laufer</i>	1907B Yacht Haven Rd.
			Friday Harbor, WA 98250

(continued on separate page)

(Should be completed prior to obtaining signatures of resident freeholder electors)

DESCRIPTION OF THE TERRITORY TO BE ANNEXED TO THE CITY OF BILLINGS

Legal Description	Tax Code	Address of General Location	Use of Property	Legal Property Owners	Address	Phone
COS 2776 Amended, Tract 2D	D05006A	US Hwy 87, ¼ mile north of Main Street	Irrigated farm	5 Mile Creek Investments, LLC. (Wayne L. Laufer)	1907B Yacht Haven Rd. Friday Harbor, WA 98250	(360) 378-4839

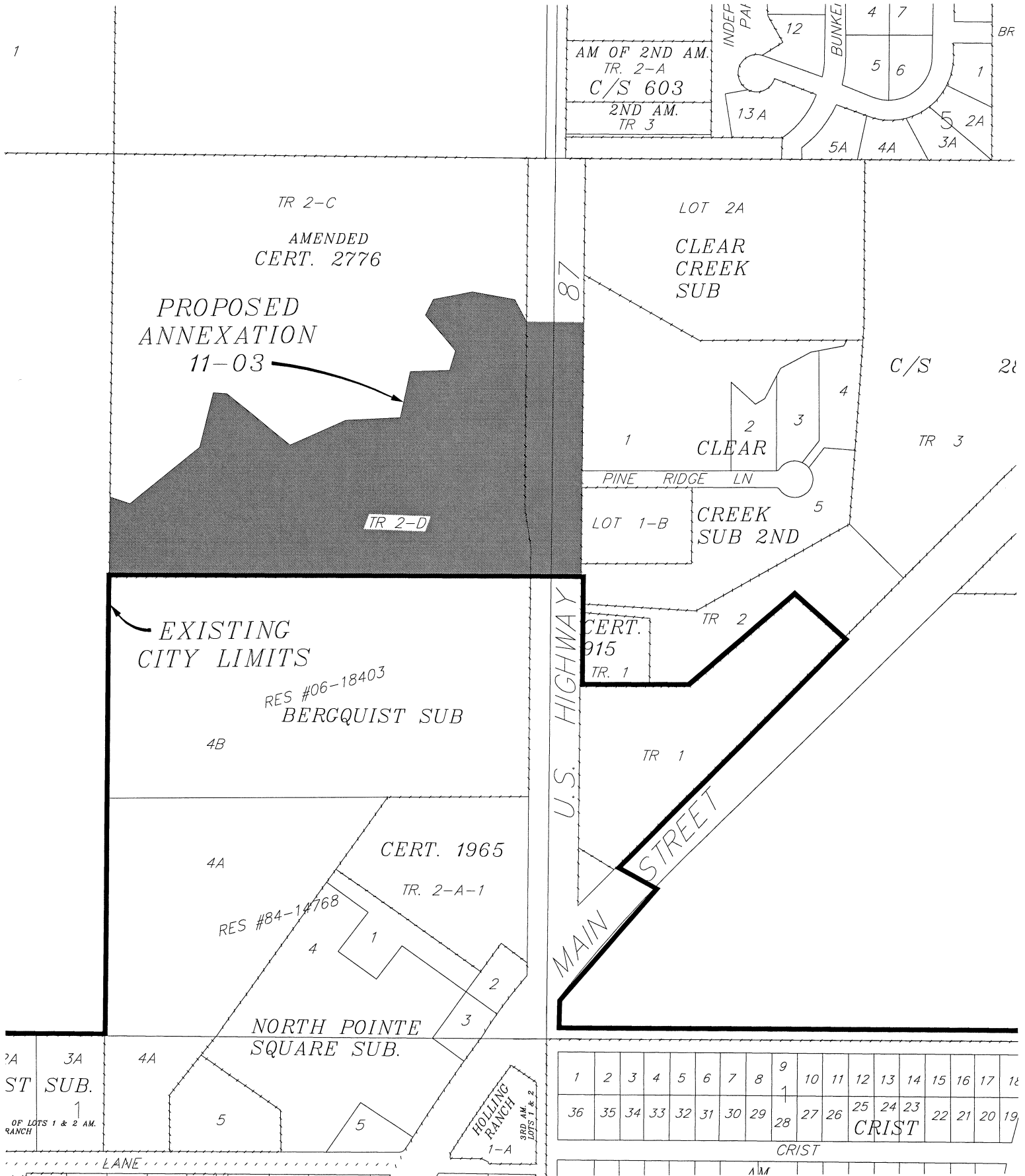
ALL ITEMS BELOW SHALL BE COMPLETED BY STAFF

Date Submitted: 8/4/11 Received By: *[Signature]* Petition Number: AN11-03
 Fee Paid: Proj # 11-401
✓ 67940

CC - Com Council Revised 6/99
Com Dist 2 D05006A

EXHIBIT A

1



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
36	35	34	33	32	31	30	29	28	27	26	25	24	23	22	21	20	19

CRIST

RESOLUTION NO. 11-

A RESOLUTION OF THE CITY OF BILLINGS APPROVING PETITIONS FOR ANNEXATION AND ANNEXING TERRITORY TO THE CITY.

WHEREAS, one hundred percent (100%) of the freeholders who constitute more than fifty percent (50%) of the resident freeholder electors have petitioned the City for annexation of the territory hereinafter described; and

WHEREAS, the territory was described in the Petition as required by law, and

WHEREAS, annexation of said territory would be in the best interest of the City.

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

1. TERRITORY ANNEXED. Pursuant to Petition filed as provided M.C.A., Title 7, Chapter 2, Part 46, the following territory is hereby annexed to the City of Billings:

Tract of land situated in the SE1/4 of Section 10, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Being Tract 2-D of Certificate of Survey Number 2776, Recorded September 28, 2009, under Document No. 3525526, Records of Yellowstone County; including all adjacent right-of-way of U.S. Highway No. 87. Containing 20.158 gross acres and 14.875 net acres, more or less.

(# 11-03) See Exhibit "A" Attached

2. CONDITIONS. The annexation is approved, subject to the following conditions:
 - Prior to site development, a Development Agreement shall be executed between the owner(s) and the City that shall stipulate specific infrastructure improvements and provide guarantees for said improvements and a Waiver of Right to Protest the Creation of Special Improvement Districts will be recorded; and/or
 - A Subdivision Improvements Agreement (SIA) and Waiver of Right to Protest the Creation of Special Improvement Districts shall be approved and recorded that will stipulate specific infrastructure improvements and provide guarantees for such infrastructure improvements.
3. PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 46, have been duly and properly followed and taken.

PASSED by the City Council and APPROVED this 26th day of September, 2011.

THE CITY OF BILLINGS:

BY: _____

Thomas R. Hanel, MAYOR

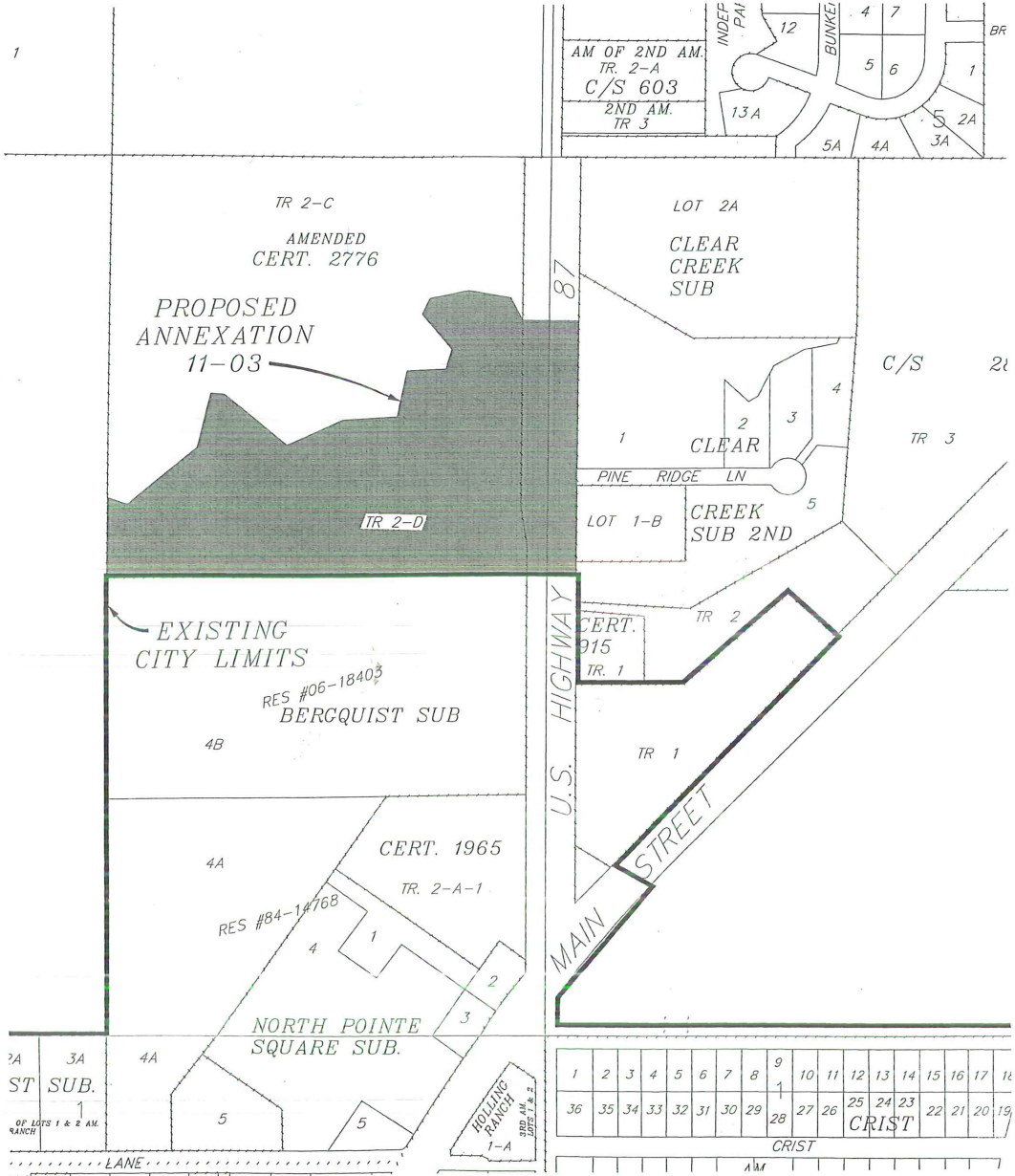
ATTEST:

BY: _____

CITY CLERK

(AN# 11-03)

EXHIBIT A



Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Public Hearing and First Reading of Ordinance to Add Recently Annexed Property to Ward I

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

City election ward boundaries must be adjusted to conform to city limit amendments resulting from the annexation of property into the city. The City Council approved the annexation of Tract 1 of Certificate of Survey Number 1591 and Tract 1 of Certificate of Survey Number 1596, located at 3128 South Frontage Road (Annexation #11-02) on September 12, 2011. This annexation requires a change in the boundaries of Ward I to include the subject property. Two readings are required for this action. The first reading of the ordinance is scheduled for September 26, 2011, and the second reading is scheduled for October 11, 2011.

ALTERNATIVES ANALYZED

The subject property has already been annexed into the City. The process to complete the annexation of the property is for the City Council to include the subject property in the corresponding City Ward. Ward 1 is the appropriate Ward for this property. The City Council should conduct the public hearing and approve first reading of the ordinance that adjusts the Ward 1 boundary.

FINANCIAL IMPACT

There should be no direct financial impact to the City by adding the subject property to Ward 1.

RECOMMENDATION

Staff recommends that Council hold a public hearing and approve this ordinance on first reading adding recently annexed property to Ward 1.

APPROVED BY CITY ADMINISTRATOR

Attachments

Ward I Ordinance

ORDINANCE NO. 11-_____

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

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

1. AMENDMENT. Pursuant to Billings Municipal Code, Section 11-102(c) and the State Law, Billings Municipal Code, Section 11-102(c) Ward Boundaries is hereby amended by adding to Ward I the following described real property:

Tracts of land situated in the N1/2 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Being Tract 1 of Certificate of Survey Number 1591, Recorded August 20, 1976, under Document No. 1026729, Records of Yellowstone County;
Tract 1 of Certificate of Survey Number 1596, Recorded September 16, 1976, under Document No. 1029099, Records of Yellowstone County;

Containing 16.937 gross and net acres.
(# 11-02) See Exhibit "A" Attached

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

PASSED by the City Council on the first reading this 26th day of September, 2011.

PASSED by the City Council on the second reading this 11th day of October, 2011.

THE CITY OF BILLINGS:

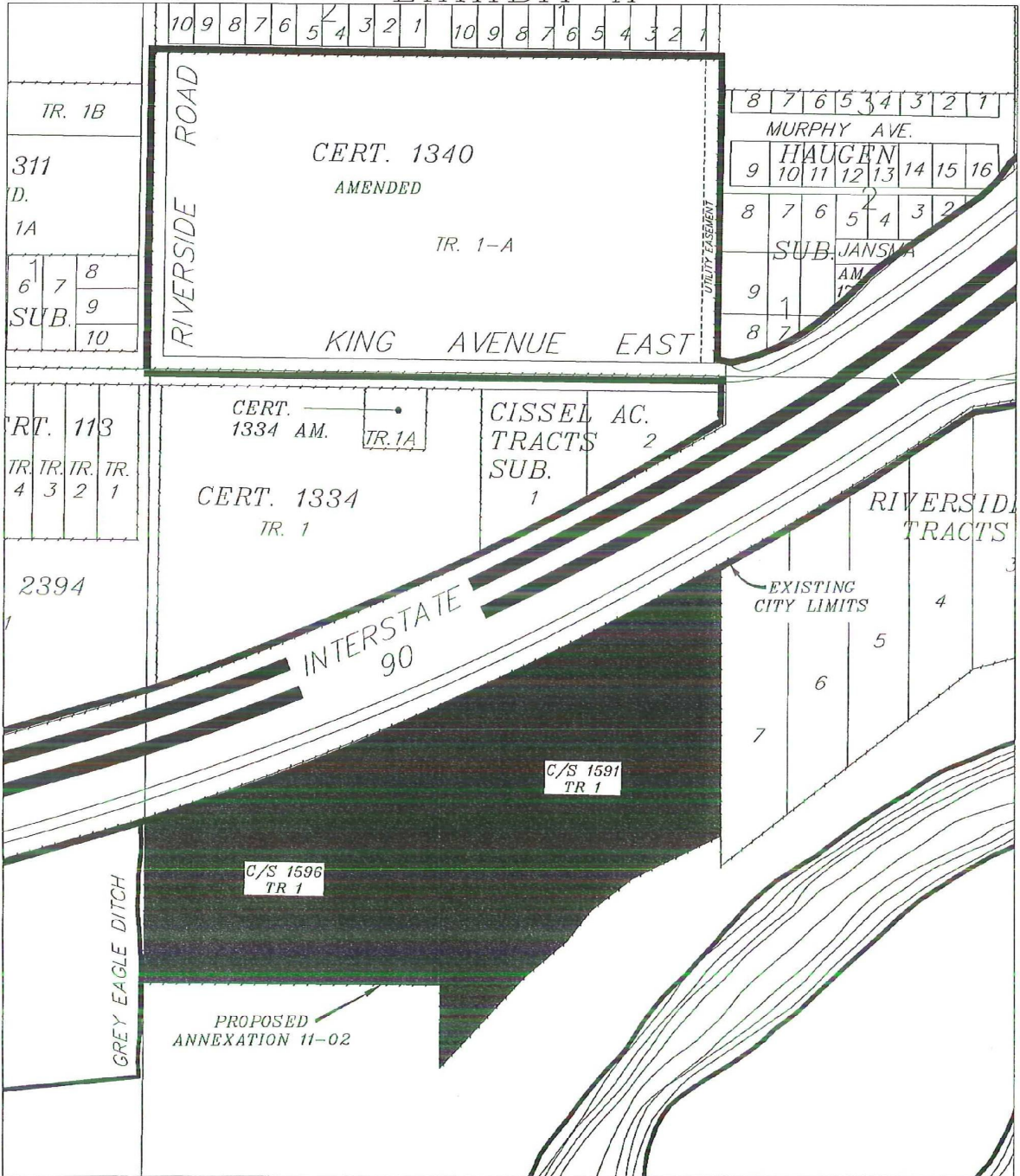
Thomas W. Hanel, MAYOR

ATTEST:

BY: _____
Cari Martin, CITY CLERK

(AN 11-02)

EXHIBIT A



Regular City Council Meeting

Meeting Date: 09/26/2011

TITLE: Approve Trial Downtown Meter Reduction

PRESENTED BY: Tina Volek

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

The Parking Advisory Board (PAB) recommended at a Sept. 6, 2011, Council work session that the City consider a 6-month trial to remove downtown parking meters outside the central core by bagging 447 meters west of North 30th Street (not including North 30th Street), north of 6th Avenue North, east of North 26th Street (not including North 26th Street) and south of Montana Avenue. These meters represent almost 40% of the total meters downtown. The PAB thought that meters in the four areas might be under-utilized and their removal could benefit downtown by encouraging long-term parkers, such as downtown employees, to use the free spaces and open central parking to shoppers and visitors.

If the 6-month trial is successful, it could result in the permanent removal of all or some of the meters, and eliminate the need for at least one parking enforcement officer.

Staff originally recommended that a 500-foot buffer be established around each of the four city-owned parking garages, to discourage garage patrons from using unregulated streets for free parking. However, the PAB thought that the originally suggested boundaries resulted in too-few meters being bagged, and the revised boundaries were sufficient to protect the garages and still encourage outer-ring parking space use by the desired parkers.

The Parking Division staff would monitor monthly garage and parking space information throughout the 6-month period, which is scheduled to begin Oct. 3, and report back to the PAB in spring 2012. The PAB then would report to the Council and make a recommendation whether permanent removal should occur.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the PAB recommendation, resulting in short-term revenue loss, but evaluating the effectiveness of encouraging longer-term parkers to use unregulated slots outside the central business district and free up spaces for short-term visitors and shoppers;
- Modify the PAB recommendation, with modified results similar to those listed above; or
- Deny the PAB recommendation, leaving parking and staffing as is.

FINANCIAL IMPACT

The anticipated revenue loss is \$35,000. If the trial is successful and an enforcement position is eliminated, the estimated savings to the City would be \$45,000 per year for each position eliminated.

RECOMMENDATION

Staff recommends that the Council approve the PAB recommendation to remove meters by bagging them for six months in the four areas suggested by the PAB.

APPROVED BY CITY ADMINISTRATOR
