

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 10, 2012

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember Bird

ROLL CALL: Councilmembers present on roll call were:

MINUTES:

- August 13, 2012
- August 27, 2012 - Pending

COURTESIES:

PROCLAMATIONS:

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 9, 10 and 11 ONLY.

Speaker sign-in required. (Comments offered here are limited to one (1) minute. Please sign up on the clipboard located at the podium or in the back of the room. 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. De-Icer, Anti-Icer Calcium Chloride Liquid.** (Opened 8/28/12) Recommend Brenntag; \$0.91 per gallon first year, with purchase option for years two and three.
- 2. Winter Traction Material.** (Opened 8/28/12) Recommend Knife River; \$16.45 per ton first year; with purchase option for years two and three.

3. **Pond C Outfall Improvements for Billings Logan International Airport.** (Opened 8/28/12) Recommend The Good Earth Works Company, Inc.; \$70,100.
 4. **Sanitary Sewer Extension and Miscellaneous Paving Projects at Billings Logan International Airport.** (Opened 8/28/12) Recommend Knife River; \$155,525.
 5. **City Hall Boiler Replacement.** (Opened 8/28/12) Recommend Midland Mechanical, Inc., dba Stevens Brothers Mechanical; \$103,160.
- B. **Change Order #2 - South Park Gazebo,** Fisher Construction, \$3,570.
 - C. **Assignment and Assumption Agreement** between the Parmly Billings Library Foundation, City of Billings, and Will Bruder + Partners for the construction of the new Parmly Billings Library.
 - D. **Approval** of Downtown Transit Transfer Center Parking Space Lease with Yellowstone County; 10/1/2012 - 9/30/2014 with option for one additional year; total revenue first two years - \$15,600.
 - E. **Approval** of Federal Aviation Administration Garage/Shop Site Ground Lease renewal for additional five years; 10/1/12 - 9/30/17; annual revenue - \$2,380.
 - F. **Approval** of two, 10-year Commercial Non-Aviation Ground Leases for Communication Sites with Gold Creek Cellular of Montana Limited Partnership, dba Verizon Wireless, on airport property (2012 - 2022); combined first-year revenue - \$20,000, subsequent years adjusted by CPI-U.
 - G. **Amendment #3, Engineering Services for Miscellaneous Airport Projects;** Morrison-Maierle, Inc.; \$91,932.
 - H. **Right-of-Way Easement** with NorthWestern Energy for installation of power lines to Edwards Jet Center hangar at Billings Logan International Airport.
 - I. **Approval** of the purchase of fusible PVC pipe from Underground Solutions, Inc. for annual pipebursting program; \$106,500.
 - J. **Recommendation** at the request of the Bicycle and Pedestrian Advisory Committee to encourage Montana Department of Transportation to continue funding bicycle and pedestrian projects through the Transportation Alternatives Program under the Moving Ahead for Progress in the 21st Century Act (MAP-21).
 - K. **Approval** of Report for Pledged Collateral for First Interstate Bank Certificates of Deposit and US Bank Certificates of Deposit.
 - L. **Approval of Semi Annual Investment Report.**
 - M. **Acceptance of Donations** to Parks Department for South Park Gazebo electrical upgrades, The Vegas Hotel, \$1,000; Phillips 66, \$2,000.

- N. **Acceptance of donation** to Billings Fire Department for purchase of fire prevention public education supplies; IAFF Local 521; \$1,000.
- O. **Resolution** fixing the form and terms of the bond sale for SID 1393, Fritz Subdivision.
- P. **Resolution** fixing the form and terms of the Department of Natural Resources bond for the construction of an additional storage reservoir in Zone 3 East in Billings Heights.
- Q. **Resolution** authorizing the terms and conditions of the Park 2 Garage financing.
- R. **Second and Final Reading Ordinance** amending Sections 22-901 and 22-902 of the Billings, Montana, Municipal Code for the sale or donation of city-owned real property.
- S. **Urban Chickens**
1. **Second/Final Reading Ordinance for Zone Change #899:** A text amendment to Sections 27-305, 27-306, and 27-607 of the Billings, Montana Municipal Code deleting and adding language to allow the keeping of chickens within residential zones.
 2. **Second and Final Reading Ordinance** amending Section 4-401 and Section 4-403 of the Billings, Montana City Code allowing and regulating the keeping of up to six female chickens in residential zones.
- T. **Second and Final Reading Ordinance for Zone Change #901:** A text amendment and map amendment to the zone classification for the East Billings Urban Renewal District (EBURD) adding a new section to the Unified Zoning Regulations specifying land uses, building types, signage allowances, landscaping requirements and location specific street improvements for new EBURD zoning districts.
- U. **Second and Final Reading Ordinance for Zone Change #902:** A zone change from Neighborhood Commercial and Residential Multi-Family-Restricted to Community Commercial on a 4.189 acre parcel described as Lots 1 through 5, Brittain Acres Subdivision located on the northeast corner of the intersection of Hilltop Road and Bench Boulevard; Big Sky Floral Supply, owner; Chuck and Mick Gainan, agents. Approval of the zone change and adoption of the determinations of the 10 criteria.
- V. **Second/Final Reading Ordinance for Zone Change #904:** A zone change from Residential Manufactured Home to Community Commercial on a 4.77-acre parcel described as Tract 1, C/S 2537, and the north two acres of the south 10.41 acres east of the lateral and fractions of Section 22, Township 1 North,, Range 26 East located at 1026, 1032 and 1040 Bench Boulevard; Lee Steffanich, owner; Sanderson Stewart, agent. Approval of the zone change and adoption of the determinations of the 10 criteria.
- W. **Final Plat** of High Sierra Subdivision, 5th Filing

X. Bills and Payroll:

1. August 7, 2012
2. August 13, 2012
3. August 20, 2012

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION** amending Resolution #12-19206, dated 8/27/212, establishing the Park District 1 assessment for tax year 2012. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
3. **PUBLIC HEARING AND RESOLUTION** assessing the annual fee for encumbrances, obstructions, or encroachments on, over, across or above the streets, avenues, sidewalks, or alleys of the City of Billings. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
4. **PUBLIC HEARING AND RESOLUTION** re-spreading SID 1369 - curb & gutter, sidewalks, water, sewer, storm drain and street improvements on Moore Lane. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
5. **PUBLIC HEARING AND RESOLUTIONS** regarding the original spread assessments on the following Special Improvement Districts. Staff recommends approval. (Action: approval or disapproval of staff recommendation).
 - A. **SID 1901:** Sidewalks along Rimrock Road from 17th Street to Forsythia.
 - B. **SID 1902:** Miscellaneous Sidewalk, Curb, and Gutter Improvements located in areas throughout the City.
6. **PUBLIC HEARING AND RESOLUTION** authorizing the sale of city-owned property described as Lot 3A, Block 13, Sunset Subdivision, 5th Filing, located at 1048 Grand Avenue. Recommendation to be made at meeting.
7. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending the boundaries of Ward IV to include recently annexed property in Annex #12-07: one parcel totaling approximately two (2) acres, with approximately 7,260 additional square feet designated as street right-of-way, in Zimmerman Acreage Tracts Subdivision, generally located on the north side of Grand Avenue just west of the intersection of Grand Avenue and 48th Street West. John Clifford Zimmerman, owner and petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
8. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending the Billings, Montana City Code by adding Sections 18-1401 through 18-1405 defining terms and establishing standards for boarded up structures. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

9. **RESOLUTION** pursuant to BMCC Chapter 12, Eminent Domain, declaring public purpose and use, describing the property to be taken and authorizing City officials to proceed with condemnation of approximately 2.56 acres of land generally located along the west side of Clearview Drive immediately west of the Chapple Reservoir for the purpose of constructing a new Zone 3 Reservoir. Delayed from 8/13/2012. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
10. **RECOMMENDATION** to the Policy Coordinating Committee (PCC) for approval of the Draft 2013 Unified Planning Work Program (UPWP). Staff recommends making recommendation of approval to the PCC. (Action: approval or disapproval of staff recommendation.)
11. **RECOMMENDATION** to the Policy Coordinating Committee (PCC) for approval of the Draft 2012-2016 Transportation Improvement Plan (TIP). Staff recommends making recommendation of approval to the PCC. (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 or in the back of the room.*)

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: 09/10/2012

TITLE: Deicer/Anti-icer, Calcium Chloride Liquid

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

The Public Works Department uses liquid calcium chloride on city streets and roads during the winter months to aid in ice and snow removal. On average, the Street/Traffic Division will use between 160,000 and 180,000 gallons of this liquid for the snow and ice season. The Public Works Department advertised for bids in the Billings Times and the City Internet for two weeks. Bids were opened for the calcium chloride liquid on August 28th, 2012.

ALTERNATIVES ANALYZED

The Council may:

Approve the award for the purchase of the calcium chloride liquid; or

Not award for the purchase of the calcium chloride liquid. If not awarded, it will make it more difficult for the Public Works Department to clear the ice and snow this winter season.

FINANCIAL IMPACT

The cost for the calcium chloride liquid will be funded through the Public Works Department, Street/Traffic Division operation and maintenance budget approved by Council. Bids were received on August 28th, 2012. One supplier responded to the request for bids and the bidding result is as follows:

Vendor	Price Per Gallon
Brenntag	Yr 1 \$0.91 per gallon
	Yr 2 \$0.91 per gallon
	Yr 3 \$0.91 per gallon

RECOMMENDATION

Staff recommends that Council approve the purchase of calcium chloride liquid for \$0.91 per gallon from Brenntag for 1 year with the option of purchasing the calcium chloride liquid for years two and three based on mutual consent of the city and the supplier.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Winter Traction Material

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

The Public Works Department uses traction material on city streets and roads during the winter months as an aid in ice and snow removal. On average, the Street/Traffic Division will use between 4000 and 6000 tons of sand per year for this purpose. The Public Works Department advertised for bids in the Billings Times and the City Internet for two weeks. Bids were opened for the winter traction material on August 28th, 2012.

ALTERNATIVES ANALYZED

The Council may:

Approve the award for the purchase of the winter traction material: or

Do not approve the award for the purchase of the winter traction material. If not awarded the Public Works Department will not be able to place sand for traction control this winter season.

FINANCIAL IMPACT

The cost for the winter traction material will be funded through the Public Works Department, Street/Traffic Division operation and maintenance accounts. Bids were received on August 28, 2012. One supplier responded to the request for bid and the bidding result is as follows:

Vendor	Price
Knife River	Yr 1 \$16.45 per Ton
	Yr 2 \$17.25 per Ton
	Yr 3 \$17.95 per Ton

RECOMMENDATION

Staff recommends that Council approve the award for the purchase of winter traction material for \$16.45 per ton from Knife River for 1 year with the option of purchasing the winter traction material for years two and three based on mutual consent of the city and the supplier.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Award of the Pond C Outfall Improvements for Billings Logan International Airport

PRESENTED BY: Tom Binford

Department: Airport

Information

PROBLEM/ISSUE STATEMENT

Included in the Airport's Capital Improvement Program is the Pond C Outfall Improvement Project. As a result of the extreme rainfall events of 2010 and 2011, the Airport has undertaken measures to improve the Airport's storm water detention ponds. This is the third project the Airport has undertaken to improve storm detention ponds A, B, and C. The first two projects increased the capacity of the ponds to hold a 100-year 24-hour rain event and upgraded the dikes around the ponds to withstand the potential impacts of higher pond levels. The heavy rainfall associated with the Fathers Day storm in 2010 and the record setting May 24, 2011 storm both produced more rain water than the detention ponds were designed to hold, and for the first time since the ponds were constructed in 1976, excess water flowed out of Pond C and into the natural drainage and down into the Moon Valley subdivision. Working with the consent of the current property owner in Moon Valley, where the majority of the water flowed, this project will construct a swale from the outfall of Pond C to the edge of the rims, a plunge pool/energy dissipater at the bottom to the rims to collect the water and reduce its velocity, and a spillway from the plunge pool to the street with three additional energy dissipating baffles to further reduce the water's velocity. Again, this is an emergency relief system that will hopefully never need to be used, but will be in place should the Airport ever incur another 100+ year storm. This project was advertised in the *Billings Times* for three weeks, and was on the City's Website. On August 28, 2012, the following bids were received for this project:

Contractor	Bid
The Good Earth Works Company, Inc.	\$70,100
Donnes, Inc.	\$85,050

ALTERNATIVES ANALYZED

The City Council may:

- Approve the low bid and award the contract for the Pond C Outfall Improvement Project; or
- Reject all bids and delay the project.

FINANCIAL IMPACT

The total cost of this project is \$70,100. Funds are available in the Airport's Passenger Facility Charge (PFC) capital account.

RECOMMENDATION

Staff recommends that the City Council approve and award the Pond C Outfall Improvements to the low bidder, The Good Earth Works Company, Inc., for the amount of \$70,100.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Award of Sanitary Sewer Extension and Miscellaneous Paving Projects at Billings Logan International Airport

PRESENTED BY: Tom Binford

Department: Airport

Information

PROBLEM/ISSUE STATEMENT

Included in the Airport's approved Capital Improvement Program is the Sanitary Sewer Extension and Miscellaneous Paving Projects at Billings Logan International Airport. This project includes two bid schedules. Schedule One includes repaving the parking lot for the Airport's West End Office Building and the neighboring South View Drive, and the extension of the existing sanitary sewer line to the west side of South View Drive, prior to the repaving. This extension will allow the office building, which is currently connected to a septic drain field, to be connected to the sanitary sewer system in the near future. Schedule Two on the east side of the Airport, will expand a taxi lane to accommodate large corporate jets that will be accessing the new Edwards Jet Center hangar and future developments on the east side of the Airport. In spite of advertising this project for three weeks in the *Billings Times* and on the City's Website, on August 28, 2012, the Airport only received one bid for this project and that bid was only for Schedule One work.

Contractor	Schedule One	Schedule Two
Knife River	\$155,525	No bid
Engineer Estimate	\$133,329	\$399,605

The Airport desires to award Schedule One at this time and rebid Schedule Two at a later date.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the award of Schedule One from the Sanitary Sewer Extension and Miscellaneous Paving Projects; or
- Reject the bid and delay the projects.

FINANCIAL IMPACT

The total cost of Schedule One is \$155,525. This schedule includes the Sanitary Sewer Extension, parking lot and South View Drive repaving on the west end, and will be funded with available local capital funds.

RECOMMENDATION

Staff recommends the City Council approve the award of Schedule One for the Sanitary Sewer Extension, and parking lot and South View Drive Repaving, to the low bidder, Knife River, for the amount of \$155,525.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: City Hall Boiler Replacement

PRESENTED BY: Tina Volek

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The City Hall steam boiler is over 70 years old and has recently developed a leak that will be costly to repair. The boiler is equipped with an Industrial Combustion burner that has a maximum capacity of 2940 MBH. The boiler has almost 3 times the capacity required to serve its current connected load. This causes frequent cycling leading to poor overall efficiency. The the fuel to steam efficiency of this boiler is probably less than 70%. There is a risk of not being able to certify and use it in the future. Staff requested bids and received two qualified bids on August 28, 2012. They were as follows:

Star Service	\$113,900
Midland Mechanical, Inc. dba Stevens Brothers Mechanical	\$103,160

ALTERNATIVES ANALYZED

The City Council may approve the low responsive bid or reject all bids and call for new bids.

FINANCIAL IMPACT

The replacement project is included in the FY 2013 budget and this bid is within the approved budget authority.

RECOMMENDATION

Staff recommends that the bid be awarded to the lowest bidder, Midland Mechanical, Inc., dba Stevens Brothers Mechanical, in the amount of \$103,160.00.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: South Park Gazebo Change Order #2

PRESENTED BY: Mike Whitaker

Department: Parks/Rec/Public Lands

Information

PROBLEM/ISSUE STATEMENT

On July 23, 2012, Council approved a contract with Fisher Construction, Inc. to construct a new gazebo at South Park. The South Side Neighborhood Task Force has been actively seeking donations to fund upgrades to the project. They have received \$1,000 from The Vegas Hotel and \$2,000 from Phillips 66 for a total of \$3,000. This amount will go toward funding Bid Alternate #3 to provide electrical upgrades to the gazebo as described in Change Order #2, see Attachment A. Bid Alternate #3 totals \$3,570, the remaining \$570 not covered by the donation will be covered by the project contingency funds.

ALTERNATIVES ANALYZED

Council may:

- Approve Change Order #2.
- Not approve Change Order #2 and provide direction to staff.

FINANCIAL IMPACT

The total cost for Change Order #2 is \$3,570. The donation from the South Side Neighborhood Task Force totaling \$3,000 will be applied toward Change Order #2. The remaining \$570 will be covered by the project contingency funds. There will be no other financial impact to the City.

RECOMMENDATION

Staff recommends Council approve Change Order #2 in the amount of \$3,570 to fund electrical upgrades to the South Park Gazebo project.

APPROVED BY CITY ADMINISTRATOR

Attachments

Change Order #2

CHANGE ORDER

No. Two (2)

PROJECT:	South Park Gazebo	DATE OF ISSUANCE: August 16, 2012
OWNER: (Name & Address)	City of Billings 390 North 23 rd Street Billings, MT 59101	OWNER'S PROJECT NO. _____
CONTRACTOR:	Fisher Construction, Inc. 235 Moore Lane Billings, MT 59101	ARCHITECT: HGFA Architects ARCHITECT'S PROJECT NO. <u>21106</u>
CONTRACT FOR:	Construction of a new gazebo at South Park	

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

Purpose of Change Order: To make improvements and upgrades as set forth in the contract documents by accepting Additive Alternate #3 as follows:

- Additive Alternate 3 – Electrical Lights & outlets \$3,570.00

Attachments: None

CHANGE IN CONTRACT PRICE:

Original Contract Price

\$ 140,775.00

Previous Change Orders No. 1

\$ 35,000.00

Contract Price prior to this Change Order

\$ 175,775.00

Net Increase of this Change Order

\$ 3,570.00

Contract Price with approved Change Order

CHANGE IN CONTRACT TIME:

Original Contract Time

90
days or date

Net Change from previous Change Orders

None
days

Contract Time prior to this Change Order

90
days or date

Net Increase (decrease) of this Change Order

None
Days

Contract Time with approved Change Order

\$ 179,345.00

90
days or date

APPROVED:

By _____
Owner

RECOMMENDED:

By _____
Architect

APPROVED:

By _____
Contractor

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Assignment and Assumption Agreement for Library Design Contract

PRESENTED BY: Bill Cochran, Library Director

Department: Library

Information

PROBLEM/ISSUE STATEMENT

City bond counsel Dorsey and Whitney recommend that the City assume the contract between the Parmly Billings Library Foundation Inc. and Will Bruder + Partners to provide a clear relationship between the City both as Owner and now as Client, given that the construction of the new building will be funded primarily by City funds realized through sale of general obligation bonds.

ALTERNATIVES ANALYZED

The City Council may:

* Approve the attached Assignment and Assumption Agreement, or

*Not approve the attached Assignment and Assumption Agreement.

FINANCIAL IMPACT

Creating the Assignment and Assumption Agreement was paid for as part of Dorsey and Whitney's services in preparing the bonds for rating and issuance. No additional financial impact is anticipated regardless of the which action the City Council takes on the Agreement.

RECOMMENDATION

Staff recommends that the City Council approve the Agreement.

APPROVED BY CITY ADMINISTRATOR

Attachments

Assignment and Assumption Agreement

ASSIGNMENT AND ASSUMPTION AGREEMENT

This ASSIGNMENT AND ASSUMPTION AGREEMENT (this "*Agreement*") is entered into this 19th day of July, 2012 (the "*Effective Date*"), by and among the Parmly Billings Library Foundation, a Montana public benefit corporation, as assignor ("*Assignor*"), the City of Billings, Montana, a municipal corporation and political subdivision of the State of Montana, as assignee ("*Assignee*"), and Will Bruder + Partners, Ltd. (the "*Architect*").

RECITALS

A. Assignor and Architect are parties to that certain Contract for Professional Design Services Parmly Billings Foundation, dated March 20, 2012 attached hereto as Exhibit A (the "*Services Contract*"), for the provision of architectural services by the Architect with respect to the design of the City's Parmly Billings Library located in the City at Sixth Avenue North from North 28th Street to North 29th Street (the "*Library*"). Capitalized terms used herein but not otherwise defined shall have the meanings given such terms in the Services Contract.

B. Subject to the terms and conditions of this Agreement, Assignor has agreed to assign all of its right, title and interest in the Services Contract to Assignee, and Assignee will assume from Assignor all of Assignor's rights and obligations under the Services Contract, in accordance with the terms and conditions set forth below. Such assignment shall be made pursuant to Montana Code Annotated, Section 7-1-4124(7), which permits Assignee to accept donations of property and services and in connection therewith comply with any condition that is not contrary to the public interest.

NOW, THEREFOR, in consideration of the premises and the mutual promises and covenants hereinafter set forth, and other good and sufficient consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor, Assignee and Architect agree as follows:

AGREEMENT

1. Assignment and Assumption. Assignor hereby assigns, transfers and conveys to Assignee all of Assignor's right, title and interest in and to the Services Contract as of the Effective Date. Assignee hereby assumes all of Assignor's liabilities under the Services Contract. Subject to the terms and conditions of this Agreement, Assignee agrees to perform all of Assignor's obligations under the Services Contract arising from and after the Effective Date. Promptly after the Effective Date, Assignor shall deliver to Assignee all documentation and materials embodying or related to the Services Contract.

Notwithstanding anything herein to the contrary, subject to Section 11, Part II (General Contract Provisions) of the Services Contract, Assignor shall pay (i) fees for Architect's Basic Services set forth in Section 2(B) of the Services Contract and (ii) fees for Additional Services described in Section 2, Paragraph V of Appendix A to the Services Contract. Architect agrees that it shall look only to the Foundation for the payment of such fees and in no event shall the Assignee be liable for such fees. As of the Effective Date, Architect has received from the

Assignor \$ 1,454,925 in respect of Architect's Basic Services and \$ 0.00 in respect of Additional Services.

This Agreement does not release Assignor, Assignee, or Architect from any claims arising from or related to the terms of the Services Contract.

2. Consent of Architect. Architect hereby consents to the assignment and assumption of the Services Contract as set forth in Section 1.

3. Notices. All notices to Assignor under the Services Contract should be sent to Assignee at the address set forth for Assignor in the Services Contract. Any notice to the City pertaining to the subject matter of the Services Contract shall be sent via facsimile or mailed by prepaid first class registered or certified mail, return receipt requested to the following address:

If to Assignee, to:

[]
City of Billings, Montana
210 North 27th Street
Billings, Montana 59101
Facsimile: (406) []

If to Assignor, to:

Leslie Modrow
Parmly Billings Library Foudnation
510 North Broadway
Billings, Montana 59101
Facsimile: (406) 657-8293

If to Architect, to:

Will Bruder + Parnters, LTD
Attn: Richard Jensen
2524 North 24th Street
Phoenix, Arizona 85008
Facsimile: (602) 324-6001

4. Miscellaneous. The following miscellaneous provisions shall apply to this Agreement:

(a) Further Acts. Each of the parties covenants and agrees that from time to time, upon request, each will take any further actions as may be proper or necessary to fully effect the assignment and assumption of the Services Contract in accordance with the terms of this Agreement.

(b) Jurisdiction; Choice of Law. This Agreement and the legal relations among the parties with respect to this Agreement shall be governed by and construed in

accordance with the laws of the State of Montana without regard to its choice of law rules. The courts of Yellowstone County, Montana, shall be the exclusive location and/or forum for any legal actions arising under this Agreement.

(c) **Binding Effect; Benefits.** This Agreement shall inure to the benefit of and be binding upon the parties to this Agreement and their respective heirs, successors and assigns; nothing in this Agreement, expressed or implied, is intended to confer on any person other than the parties or their respective heirs, successors or assigns, any rights, remedies, obligations or liabilities under or by reason of this Agreement.

(d) **Counterparts; Signatures.** This Agreement may be executed in one or more counterparts, any one of which need not contain the signatures of more than one party, but all such counterparts taken together will constitute one and the same instrument. A facsimile signature will be considered an original signature.

(e) **Effect of Headings.** The headings of the various sections and subsections in this Agreement are inserted merely as a matter of convenience and for reference and shall not be construed as in any manner defining, limiting or describing the scope or intent of the particular sections to which they refer or as affecting the meaning or construction of the language in the body of such sections.

IN WITNESS WHEREOF, the undersigned have executed this Agreement effective as of the date first above written.

CITY OF BILLINGS, MONTANA

Name: Thomas W. Hanel
Title: Mayor

Attest: _____
City Clerk

**PARMLY BILLINGS LIBRARY
FOUNDATION**



Name: Cara Schaer
Title: President



Name: Leslie Modrow
Title: Development Director

**WILL BRUDER + PARTNERS, LTD.
(ARCHITECT)**



Name: Richard Jensen
Title: Vice President

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Approval of Parking Lease with Yellowstone County

PRESENTED BY: Thomas H. Binford

Department: Transit

Information

PROBLEM/ISSUE STATEMENT

MET Transit has a number of parking spaces at the Downtown Transfer Center, and MET has not identified a specific need for their use at this time. MET Transit has been leasing these spaces to generate additional revenue to help offset the costs of operating the Downtown Transfer Center. Yellowstone County has leased thirteen spaces located on the northwest side of the Downtown Transfer Center for the past three years. Their current Lease was for two years, with an additional year on a month-to-month basis. That Lease will expire on September 30, 2012. Yellowstone County has requested another two-year lease with the option to extend it for one additional year on a month-to-month basis. The Lease identifies that the lessee is responsible for maintaining the leasehold, and includes the appropriate insurance coverage requirements and indemnification language.

ALTERNATIVES ANALYZED

The Council may:

- Approve the Lease with Yellowstone County for thirteen parking spaces; or
- Not approve the Lease with Yellowstone County for thirteen parking spaces.

FINANCIAL IMPACT

The Lease will generate \$650 per month, for a total of \$15,600 for the first two-year term of the Lease. If the Lease is extended into the third option year, then the Lease allows for a rate adjustment.

RECOMMENDATION

Staff recommends that Council authorize the Mayor to execute the Downtown Transit Transfer Center Parking Space Lease with Yellowstone County.

APPROVED BY CITY ADMINISTRATOR

Attachments

Yellowstone County Parking Lease

DOWNTOWN TRANSIT TRANSFER CENTER

PARKING SPACE LEASE

THIS LEASE made and entered into this ____ day of _____ 20____,
by and between the following:

CITY OF BILLINGS, MONTANA, hereinafter designated "Lessor"

And

Yellowstone County, hereinafter designated "Lessee"

W I T N E S S E T H

RECITALS

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

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

ARTICLE I

PREMISES AND PRIVILEGES

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

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

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

ARTICLE II

TERM, POSSESSION, AND RENEWAL

- A. **Term.** The term of this Lease shall be for two (2) years, commencing on October 1, 2012, and terminating on September 30, 2014.
- B. **Option to Extend.** Lessee shall have an option to extend the term of this Lease for one (1) additional year from September 30, 2014, provided Lessee gives Lessor written notice of its intent to exercise the option to extend, at least ninety (90) days prior to September 30, 2014. Upon receipt of said Notice by Lessor, Lessee has the option of negotiating a new rental rate, agreed upon in writing by both parties, for the extended term.

ARTICLE III

LEASE RENTAL AND FEES

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

B. **Interest Penalty.** Without waiving any other right or action available to the Lessor, in the event of default in the payment of Lease rentals herein, or any other rentals, fees, or charges owed Lessor, the amount due shall accrue interest at the rate of one and one-half percent (1.5%) per month from the date such rentals, fees, or charges were due and payable, until paid in full. Said interest shall not apply with respect to items being contested in good faith by Lessee and which are resolved in Lessee's favor.

ARTICLE IV

OBLIGATIONS OF LESSEE

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

Damages to the Premises caused by Lessee, sub lessees, Lessee's

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

B. Maintenance. Lessee shall, at their sole cost and expense, maintain the Premises, improvements, and appurtenances thereto in a presentable condition free of refuse and debris consistent with good business practice.

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

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

about the Premises, is forbidden.

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

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

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

H. **Hazardous Substances.** Lessee assumes full responsibility for the proper and legal use, handling, storage, and disposal of any hazardous substances used, consumed or stored on the Premises. "Hazardous Substance" shall be interpreted broadly to mean any substance or toxic material, hazardous or toxic or radioactive substance, or other similar term by any Federal, State, or local environmental law, regulation, or rule presently in effect or promulgated in the future, as such laws, regulations, or rules may be amended from time to time; and it shall be interpreted to include, but not be limited to, any substance which after release into the environment will or may reasonably be anticipated to cause sickness, death or disease. Lessee

shall hold Lessor harmless from and indemnify Lessor against and from any damage, loss, expenses, or liability resulting from any breach of these representations and warranty, including all attorneys' fees and litigation costs and expenses incurred as a result thereof.

ARTICLE V

INSURANCE AND INDEMNIFICATION OF LESSOR BY LESSEE

A. Indemnification. Lessee hereby agrees to indemnify, defend and hold the Lessor harmless at all times from and against all liabilities, actions, claims, demands, judgments and all costs, expenses and fees, including litigation costs and attorney's fees, incurred by the Lessor, arising from the use, occupancy or non-use of the Premises by the Lessee, or arising from Lessee's failure to comply with any Article of this Lease. Such indemnification shall include but not be limited to carelessness, negligence, improper conduct or breach of this Lease by Lessee or its agents, employees, subcontractors, customers, suppliers or licensees.

B. Insurance. During the term of this Lease, Lessee shall procure and maintain in effect a commercial general liability insurance policy (occurrence form only) providing coverage for bodily/personal injury, death and property damage, in the minimum amount of \$750,000 per claim and \$1,500,000 per occurrence. This insurance policy shall be endorsed to name the Lessor as a primary additional insured, and that any insurance maintained by the Lessor will be endorsed on Lessee's policy as excess and non-contributory. At the time of execution of the Lease, Lessee shall furnish a Certificate of Insurance showing the required insurance is in effect. The insurer(s) of the policy or policies shall provide thirty (30) days advance written notification to Lessor of any reductions in policy coverage, any cancellation or

other adverse amendments to the policy or policies affecting the covered risks. Insurance coverage shall be maintained with insurance underwriters authorized to do business in the State of Montana and that are satisfactory to the Lessor. Lessee shall cause a current Certificate of Insurance to be on file with Lessor at all times throughout the term of the Lease.

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

ARTICLE VI

TERMINATION OF LEASE, CANCELLATION, AND TRANSFER

A. Termination. This Lease shall terminate at the end of the full term, However, this lease may be terminated at the sole discretion of the Lessee by the Lessee giving the Lessor ninety (90) days written notice of the Lessee's intent to terminate the lease. A holding over by the Lessee, its assignees or sub lessees beyond the expiration of the term of the lease shall not be permitted without the written consent of the Director of Aviation and Transit and then only on a month-to-month basis.

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

In the event the Lessee, its assignees or sub lessees elect not to remove from the Premises, personal property, automotive vehicles, or any other item upon termination of the

Lease, the disposition of the personal property, automotive vehicles, or any other item will be left to the sole discretion of the Lessor. If Lessor elects to remove said personal property, automotive vehicles, or any other item because of failure of Lessee to do so, the cost of removal, and other related actions shall be solely at Lessee's expense.

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

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

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

C. Cancellation by Lessor.

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

- a) Lessee is in arrears in the payment of the whole or any part of the amounts agreed upon hereunder for a period of fifteen (15) days after payment is due.
 - b) Lessee files a voluntary petition of bankruptcy.
 - c) Lessee makes a general assignment for the benefit of creditors.
 - d) Default in the performance of any of the covenants and conditions required herein (except rental payments) to be kept and performed by Lessee, and such default continues for a period of thirty (30) days after written notice from Lessor of said default.
- 2) In the event of termination because of the happening of any of the aforesaid events, Lessor may take immediate possession of the Premises and remove Lessee's effects, without being deemed guilty of trespassing. Upon said entry, this Lease shall immediately terminate.
- 3) It is agreed that failure of Lessor to declare this Lease terminated or to reenter and take possession upon the default of Lessee for any of the reasons set out shall not operate to bar or destroy the right of Lessor to declare this Lease null and void by reason of any subsequent violation of the terms of this Lease.

D. Subleasing, Assigning and Transferring. The Lessee shall have the right to sublease, assign or transfer all or any part of Lessee's leasehold interest in the Premises for the same purpose established in Article IV, Paragraph D., provided that prior written approval of the Lessor is obtained. As a condition of said approval, Lessor reserves the right to alter this Lease in any manner deemed necessary by Lessor. Any sublease, assignment, or transfer shall be subject to

the conditions, obligations, terms set forth herein, and as may be subsequently amended. Lessee shall be responsible for the observance by its tenants and sub lessees for the terms and covenants of this Lease and any subsequent lease amendments.

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

.

ARTICLE VII

GENERAL PROVISIONS

A. Attorney Fees. Should either party employ an attorney or attorneys or utilize the services of in-house attorneys to enforce any of the provisions hereof or to protect its interest in any manner arising under this Lease, the non-prevailing party in any action pursued in a court of competent jurisdiction agrees to pay to the prevailing party all reasonable costs, damages, expenses, and attorney's fees, including fees for in-house attorneys, expended or incurred in connection therewith.

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

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

- 1) That no person, on the grounds of race, color, creed, political ideas,

sex, age, or physical or mental disability, shall be excluded from participation, denied the benefits of, or be otherwise subjected to discrimination in the use of the Premises, or the exercise of its rights and privileges under this Lease.

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

3) That Lessee shall use the Premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

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

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

F. Dispute Resolution. Prior to either party initiating litigation, disputes that cannot be resolved between the Lessee and Lessor concerning the terms of this Lease shall be

referred for determination to the Director of Aviation and Transit for the City of Billings. Venue for all litigation shall be in the District Court of the Thirteenth Judicial District, Yellowstone County, Montana, and this Lease shall be governed by the laws of the State of Montana.

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

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

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

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

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

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

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

ATTEST:

CITY OF BILLINGS

BY _____
CITY CLERK

BY _____
MAYOR

APPROVED AS TO FORM

BY _____
CITY ATTORNEY

BY _____

COMMISSIONER

COMMISSIONER

COMMISSIONER

ATTEST: _____
Clerk & Recorder

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Renewal of Federal Aviation Administration Garage/Shop Site Ground Lease

PRESENTED BY: Tom Binford

Department: Airport

Information

PROBLEM/ISSUE STATEMENT

The City leases an 85-foot by 100-foot parcel of land to the Federal Aviation Administration (FAA) for its combination garage/shop. This facility is on the east end of the Airport, on the airfield side of the fence, and is used by the FAA as a support facility in the maintenance of the numerous FAA owned navigational aids, radar, and equipment that are located in and around the runway complex. The existing Lease #DTFA11-02-L-00418 expires on September 30, 2012. The FAA is interested in extending the Lease for an additional five (5) years.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the renewal of the FAA Garage/Shop Lease for an additional 5-year term; or
- Not approve the renewal of the FAA Garage/Shop Lease.

FINANCIAL IMPACT

This Lease will generate \$2,380 per year for the City. This rate was adjusted up from the previous rate by the Consumer Price Index-Urban Wage Earners and Clerical Workers (1982-84=100), the inflation index used for leases with any Federal agency.

RECOMMENDATION

Staff recommends the City Council approve the renewal of the FAA Garage/Shop Site Ground Lease for an additional five (5) years, commencing October 1, 2012 and expiring on September 30, 2017.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Commercial Non-Aviation Ground Leases with Gold Creek Cellular of Montana Limited Partnership for Communication Sites

PRESENTED BY: Tom Binford

Department: Airport

Information

PROBLEM/ISSUE STATEMENT

Gold Creek Cellular of Montana Limited Partnership, DBA Verizon Wireless, desires to renew two existing cell tower Leases on Airport property. The first tower is located on the west end of the Airport near the City's red and white water tower. The original Lease was established in September 1997 for a ten-year term that ended on September 30, 2007. The City Council subsequently approved a five-year renewal of this Lease on July 23, 2007, extending the term to September 30, 2012. The new Lease extends the term for a ten-year term to September 30, 2022. Gold Creek Cellular has previously allowed other cell phone companies to co-locate on the west end tower, due to its strategic location overlooking the City, and the new Lease will also permits co-location.

The second tower is located on the east end of the Airport and provides coverage to the Alkali Creek residential area. The original Lease on this tower was established in May 2007 for a five-year term that ended on May 31, 2012. The new Lease will extend that term for ten years to May 31, 2022. Gold Creek Cellular will be upgrading its equipment at this site to provide for 4G capability.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the renewals of each of the Gold Creek Cellular of Montana Limited Partnership, DBA Verizon Wireless Communication Ground Leases; or
- Not approve the renewals of each of the Gold Creek Cellular of Montana Limited Partnership, DBA Verizon Wireless Communication Ground Leases.

FINANCIAL IMPACT

For the first year of each Lease, the City will receive \$10,000, for a combined first-year revenue of \$20,000. The annual amount is split between the ground rental, which will start at \$5,000 per year, and a charge of \$5,000 for each set of antennas installed. Both charges will be adjusted annually by the Consumer Price Index for All Urban Consumers (CPI-U).

RECOMMENDATION

Staff recommends that Council approve both ten year Commercial Non-Aviation Ground Leases for Communication Sites with Gold Creek Cellular of Montana Limited Partnership, DBA Verizon Wireless for terms ending in 2022.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Amendment 3 with Morrison-Maierle, Inc. for Engineering Services for
Miscellaneous Projects at Billings Logan International Airport

PRESENTED BY: Tom Binford

Department: Airport

Information

PROBLEM/ISSUE STATEMENT

Due to the specialized nature of engineering services required for airfield infrastructure design, including knowledge of the Federal Aviation Administration (FAA) design and grant funding process, the City has historically entered into a five-year term contract to provide engineering services at the Airport. On April 9, 2012, the City approved a five-year contract with Morrison-Maierle, Inc. to provide the project designs, surveys, development of project plans, specifications and bidding documents, contract administration, construction meeting coordination, pay requests, etc. The contract also includes full time on site inspection, construction surveys, and development and submittal of the final project closeout documents, as required. The base five-year contract is amended each time a new project is undertaken, and Amendment 3 for \$91,932, includes all of the services indicated above for this project.

Amendment 3 will provide the design services required to bid and award the Miscellaneous Projects, which includes the repaving of South View Drive and the Airport's west end office building parking lot, the extension of the sanitary sewer across South View Drive, and the expansion of a taxilane to accommodate large corporate aircraft that will be accessing the new Edwards Jet Center hangar and future developments on the east end. The scope of work and associated fees have been negotiated by staff and are acceptable for this engineering work.

ALTERNATIVES ANALYZED

The City Council may:

- Approve Amendment 3 with Morrison-Maierle, Inc. for the Engineering Services for the Miscellaneous Projects; or
- Decline to approve Amendment 3, delaying these projects.

FINANCIAL IMPACT

The total cost of Amendment 3 is \$91,932. Funding is available in the Airport's capital account and Passenger Facility Charge (PFC) fund.

RECOMMENDATION

Staff recommends the City Council approve Amendment 3 with Morrison-Maierle, Inc., for the Engineering Services at the Airport for the Miscellaneous Projects for the amount of \$91,932.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Approval of NorthWestern Energy's Easement to Provide Power Lines to Edwards Jet Center's New Hangar

PRESENTED BY: Tom Binford

Department: Airport

Information

PROBLEM/ISSUE STATEMENT

NorthWestern Energy is requesting an Easement to install electrical power lines to the Edwards Jet Center's new hangar being constructed on the east end of the Airport. On July 23, 2012, the City approved a ground lease with Edwards Jet Center for 73,094 square feet to be used for the construction of the new hangar. The new hangar will be built at 1691 Aviation Place, adjacent to the old Big Sky Airlines office and maintenance hangar. Since the new power lines and associated easement will be on Airport property, a Right-of-Way Easement must be approved by the City Council and signed by the Mayor before the lines may be installed.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the Easement with NorthWestern Energy; or
- Decline to approve the Easement with NorthWestern Energy.

FINANCIAL IMPACT

This Easement will not produce any financial impact for the City of Billings.

RECOMMENDATION

Staff recommends that the City Council approve the Right-of-Way Easement with NorthWestern Energy for the installation of a new electrical power feed to Edwards Jet Center's new hangar at Billing Logan International Airport.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Fusible PVC Pipe Purchase for the Public Works Pipebursting Program

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

The Public Works Distribution & Collection Division has an annual program to pipe burst certain existing water mains in need of replacement. This process bursts or breaks the existing pipe and a new main is pulled through the old pipe that has been burst. As a result, it is not required to open cut a trench for the new water main. Public Works has been pipe bursting for a number of years and the process works very well. It is now necessary to purchase 4,400 feet of 8-inch diameter and 1,400 feet of 12-inch diameter fusible PVC water main pipe for this program. This pipe is supplied by Underground Solutions Inc. that holds the patent on this fusible PVC pipe and the fusion technology utilized to join the pipe together. The City Of Billings is certified to install this pipe and has a license agreement to use this product. As such, it was necessary to obtain a price proposal from a sole source provider for the pipe rather than bidding out the material. The cost for pipe bursting is about one-third the cost for conventional construction and installation of the water mains.

ALTERNATIVES ANALYZED

The Council may:

1. Approve the pipe purchase, or
2. Do not approve the pipe purchase and require the Public Works Department to open cut the water main scheduled for replacement.

FINANCIAL IMPACT

The cost for this pipe is \$106,500, funded from the annual water replacement project approved in the Capital Improvement Plan (CIP) and is also included in the FY 2013 budget for the Public Works Department.

RECOMMENDATION

Staff recommends that Council approve the agreement and the purchase of the fusible PVC pipe from Underground Solutions Inc. for \$106,500.

APPROVED BY CITY ADMINISTRATOR

Attachments

Pipe Purchase Amount and Agreement

Firm Proposal

Fusible C-900®

Billings 2012 Water Main Pipe Burst Program

Billings, MT

Proposal Number: P12-0784

Date Prepared: 8/2/2012



Sales Contact:

Pat Laidlaw

Phone Number: (801) 699-2804

Email: PLaidlaw@undergroundsolutions.com

Proposal Created by: AC



13135 Danielson Street, Suite 201
Poway, CA 92064
Tel: (858) 679-9551
Fax: (858) 679-9555
www.undergroundolutions.com



Date Prepared: 8/2/2012

Mr. Scott Emerick
City of Billings
2251 Belknap Ave. P.O. Box 30958
Billings, MT 59111

**Ref: Billings 2012 Water Main Pipe Burst Program - Billings, MT
Proposal No. P12-0784**

Dear Mr. Emerick,

Underground Solutions, Inc. (UGSI) is pleased to provide the following Firm Proposal for Fusible PVC™ pipe for the Billings 2012 Water Main Pipe Burst Program project. Pricing for pipe (including freight) is detailed in the following section on a Unit Cost (\$/ft) and Total Cost (\$) basis.

Fusible C-900® and Fusible C-905® pipe meet all applicable industry standards: AWWA C900/C905, NSF-61 Certification for Drinking Water Components, ASTM cell classification 12454, and formulation requirements of Plastics Pipe Institute TR-2. FPVC® pressure pipe is tested in accordance with AWWA C900/C905 requirements, meets the same ASTM cell classification and PPI formulation requirements, and is NSF-61 certified when used for potable water.

In evaluating Fusible PVC™ pipe for this project, we would like to call your attention to the following total installed cost advantages associated with using Fusible PVC™ pipe:

- Maximum Flow Area:** Fusible PVC™ pipe generally offers the largest internal diameter in a pipe bursting material. This leads to a smaller OD for a given ID, which means a smaller bursting head and less expensive bursting equipment are needed.
- Material Properties:** Fusible PVC™ pipe has excellent scratch and abrasion resistance.
- Standard Fittings:** Fusible PVC™ pipe utilizes standard mechanical joint fittings. No special fittings or equipment are required for connections. As a result, Fusible PVC™ pipe is easy to connect to and maintain.
- Safe Pulling Allowance:** Fusible PVC™ pipe has a safe pulling allowance that is significantly greater than that of most other pipe systems, and does not depend on pull-in duration.

Thank you for considering UGSI. Please do not hesitate to contact us for any additional information or with any questions or clarifications.

Sincerely,

Pat Laidlaw

Underground Solutions, Inc.

Order Summary - Option 2: Full Truckload Quantities



Date Prepared: 8/2/2012
Prepared For: City of Billings
Prepared By: Pat Laidlaw

Project Reference: Billings 2012 Water Main Pipe Burst Program
Proposal No.: P12-0784
Project Site: Billings, MT

PRODUCTS AND SERVICES:

No.	Pipe Description	Pipe Size	DR	Type	Color	Qty., ft	Unit Cost, \$/ft	Total Cost, \$
1	12" DR 14 Fusible C-900®	12"	14	DIPS	Blue	1,400	\$30.50	\$42,700
2	8" DR 14 Fusible C-900®	8"	14	DIPS	Blue	4,400	\$14.50	\$63,800
Freight to Project Site								Included
Purchase Price								\$106,500

Our Scope is Limited to Pipe Supply and freight to project site.

PULL-HEAD TERMS:

A pull-head is available for rental from UGSI, subject to prior execution of a Pull-Head Rental Agreement (available on the UGSI website at: <http://www.undergroundolutions.com/PDFs/PH-Rental.pdf>). Freight costs will be added to the final pull-head rental invoice following return of the pull-head to UGSI. Refer to the Pull-Head Rental Agreement for specific terms and conditions of rental and purchase option.

	Pre-Rental Value	Initial Rental Fee	Weekly Rental Rate (After 1st Week)	Estimated Freight (each way)
8" Pull-head	\$2,163	\$259	\$43	\$200
12" Pull-head	\$3,108	\$439	\$45	\$300

PAYMENT TERMS:

100% of purchase price on pipe delivery, net 30 days.

SHIPPING TERMS:

F.O.B. Shipping Point with full freight allowed to the job site.

PROPOSAL VALIDITY:

Price quoted is valid for 10 business days from the date of this Proposal.

DELIVERY SCHEDULE:

To be negotiated. UGSI will take reasonable action to meet Buyer's installation schedule.

TAXES:

The Purchase Price does not include any sales or similar taxes, which are the Buyer's responsibility (see Section 3 of Terms and Conditions of Sale).

This Proposal is subject to the Terms and Conditions at <http://www.undergroundolutions.com/Ts&Cs/Pipe-Terms-05.18.11.pdf>, which form an integral part of this Proposal. Such Terms and Conditions will govern any transaction resulting from this Proposal. Any contract resulting from this Proposal is made subject to prior acceptance by UGSI at its offices in Poway, California. All orders are subject to prior credit approval. Buyer undertakes to provide the following notice to each subsequent purchaser of the Products: The test frequency set forth in Section 5.1.12 of AWWA/ANSI C900-07 and C905-10, respectively, has been modified pursuant to Section 5.1.14 of the respective standard.

Buyer's signature indicates acceptance of the UGSI Order Summary and Terms and Conditions.

Buyer's Authorized Signature

Date

Print Name & Title

Print Company Name

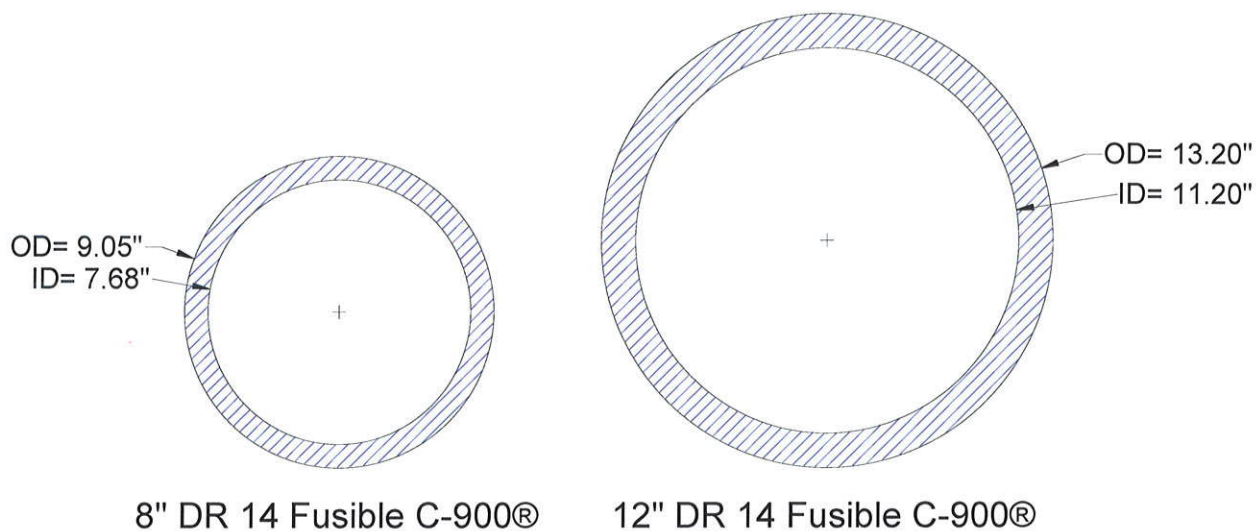
☐ Tax Exempt (must provide Tax Exempt Certificate with order)

☐ Taxable

☐ State Registered Wholesaler

Pipe Technical Data Sheet

	8" DR 14 Fusible C-900®	12" DR 14 Fusible C-900®
Pipe Material	Fusible C-900®	Fusible C-900®
Total Pipe Length (LF)	4,400	1,400
Nominal Diameter (in)	8	12
Dimension Ratio	DR 14	DR 14
Series	DIPS	DIPS
Pressure Rating (PSIG)	305	305
Safety Factor	2.0	2.0
Outside Diameter (in)	9.05	13.20
Inside Diameter (in)	7.68	11.20
Cross Sectional Flow Area (in ²)	46.3	98.5
Bend Radius (LF)	189	275
Tensile Strength (PSIG)	7,000	7,000
Safe Pulling Force (lbs)	47,700	101,600
Safe Pulling Stress (PSIG)	2,800	2,800
Relaxation Period (hrs)	0	0
Hydrostatic Design Basis (PSIG)	4,000	4,000
Critical Buckling Pressure (PSIG)	425	426
Connection to Host Pipe	Standard Mechanical Joint	Standard Mechanical Joint
Material Weight (lbs/ft)	11.0	23.6
Total Pipe Weight (lbs)	48,542	32,974
Water Disinfectant Induced Oxidation	High Resistance	High Resistance
Hydrocarbon Permeation	High Resistance	High Resistance



Fusible C-900® and Fusible C-905® pipe is now manufactured and marked to conform to the latest versions of the AWWA/ANSI C900 and C905 standards. The current version of AWWA/ANSI C900 increases the pressure classes for C900 PVC pipe to conform with pressure classes for C905 PVC pipe. During a transition period, UGSI may supply pipe manufactured and marked in accordance with either the 1997 or current versions of the appropriate standard, depending on pipe availability.

Storage, Handling, Installation, Pressure Testing, and Tapping Procedures Applicable to Fusible PVC™ Pipe

The procedures for storing, handling, installing, testing, and tapping Fusible PVC™ pipe are similar to those used when working with bell and spigot PVC products. Because of the different stresses to which Fusible PVC™ pipe is often subjected, the longer pipe lengths supplied, the monolithic nature of the installed product, and the different installation methods employed when using Fusible PVC™ pipe, there are some additional handling requirements associated with Fusible PVC™ pipe products.

UGSI has developed an Operations Procedural Documents Handbook to provide guidance covering the following topics:

- Pipe Handling and Storage
- Installation
- Pressure Testing
- Tapping

Proper handling and installation of Fusible PVC™ pipe in accordance with the guidelines provided in the Operations Procedural Documents Handbook will preserve your warranty protection.

UGSI will provide a copy of the Operations Procedural Documents Handbook upon the acceptance of your order in accordance with the terms of the Proposal. In the meantime, contact your UGSI representative if you have any questions or concerns regarding the proper handling and use of Fusible PVC™ products.

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Response to MDT request for Input on MAP-21

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

Congress passed and the President recently signed the Moving Ahead for Progress in the 21st Century Act (MAP-21). MAP-21 is a two-year transportation bill providing funding for federal highway, transit, and safety programs through September 30, 2012. The bill also consolidates programs, provides increased flexibility, and eliminates several discretionary programs. The Montana Department of Transportation (MDT) is in the process of reviewing the Act to determine program implications. MDT has requested input from the Mayor and City Council on how to manage the new funding sources.

MAP-21 created a new program; Transportation Alternatives (TA), which combines funding derived from the NHPP, STP, HSIP, CMAQ and Metropolitan Planning programs, encompassing most activities funded under the Transportation Enhancements (CTEP), Recreational Trails (RTP), and Safe Routes to School (SRTS) programs under the previous transportation bill; SAFETEA-LU. Many of the projects eligible for funding under this program includes our pedestrian and bicycle facilities and activities. The new program can also be used to fund roadway and bridge projects.

The Bicycle and Pedestrian Advisory Committee (BPAC), in its advisory capacity, is recommending the Billings City Council and the Yellowstone County Board of Commissioners encourage MDT to ensure community access to all funding opportunities for TA so that the City and County can continue to make important transportation improvements. Previous use of transportation enhancement money has helped fund many trail corridors throughout the City and Yellowstone County including the Kiwanis Trail, Jim Dutcher Trail, BBWA Canal Trail, Big Ditch Corridor, Gabel Road Corridor and the Swords Park Trail.

ALTERNATIVES ANALYZED

The Mayor and City Council may encourage MDT to continue to fund bicycle and pedestrian projects through the Transportation Alternatives program under MAP-21 or choose to remain silent on this issue and allow MDT to determine how federal dollars will be spent locally.

FINANCIAL IMPACT

If the Montana Department of Transportation allocates Transportation Alternative program funds to bicycle and pedestrian programs and projects fewer local dollars will be needed for these activities.

RECOMMENDATION

The Bicycle and Pedestrian Advisory Committee recommends that Mayor and City Council encourage MDT to continue to fund bicycle and pedestrian projects through the Transportation Alternatives program under MAP-21.

APPROVED BY CITY ADMINISTRATOR

Attachments

Response to MDT

September 10, 2012

Lynn Zanto, Administrator
Rail Transit and Planning
Montana Department of Transportation
P. O. Box 201001

Dear Ms. Zanto;

The Billings Mayor and City Council are pleased to respond to your letter dated August 3, 2012 requesting comments on MAP-21 program implications. We understand that MDT is in the process of reviewing these implications and determining how new federal programs will be allocated.

The City of Billings and Yellowstone County have made many community improvements through Transportation Enhancements including Safe Routes to School (SRTS), Community Transportation Enhancement Programs (CTEP), Recreational Trails Program (RTP) and Scenic Byways. SRTS funds have provided curb-extensions at several school locations, sidewalks, and city-wide evaluation of engineering needs for elementary school bike and walk safety, and multiple encouragement programs including the current citywide SRTS program. CTEP and RTP have funded many trail corridors throughout the City and Yellowstone County including the Kiwanis Trail, Jim Dutcher Trail, BBWA Canal Trail, Big Ditch Corridor, Gabel Road Corridor, and Swords Park/Airport Road Corridor. These projects have been invaluable additions to the community as more road users turn to walking and biking for transportation.

The City of Billings encourages MDT to ensure community access to all funding opportunities for Transportation Alternatives (TA) so that our local communities can make the key transportation improvements that are so badly needed. Montana's cities and towns recognize the importance of having safe and healthy transportation systems and are working to develop vibrant cities and towns with more transportation choices for healthy living including transit, walk and bike infrastructure.

The City urges MDT to make project funding awards in a timely manner and distribute those funds in a geographically equitable manner, with attention to population. The long-term planning of our cities and towns is dependent on a steady stream of funding to complete their long-term visions. When cities and towns develop alternative transportation, their citizens can make the safe change from motorized to non-motorized transportation, saving wear and tear on our roadways, improving health and reducing vehicular congestion while reducing costs to taxpayers for infrastructure development and improvements.

It is our understanding the STIP, HSIP and CMAQ funds are also eligible to fund the TA program. We encourage MDOT to use these sources to develop more non-motorized transportation.

With more collaboration, public-private partnerships, and communication between entities, we can save taxpayer dollars, improve services and provide transportation choices for all users, all ages and all abilities.

Sincerely,

Thomas W. Hanel, Mayor
City of Billings

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Pledged Collateral Report

PRESENTED BY: Patrick M Weber

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

Deposit-type securities (i.e., certificates of deposit) shall be collateralized according to Montana Code Annotated Section 7-6-207.

On June 30, 2012, the City had certificates of deposit at First Interstate Bank for \$2,577,609 and \$10,000,000 at US Bank, Billings.

Because First Interstate Bank and US Bank's net worth to total assets ratios are over 6%, the City is required to have a minimum of 50% of the deposits covered by pledged securities. First Interstate Bank has collateralized the City's deposits with 97% in pledged securities. US Bank has collateralized the certificates of deposit with 99.4% in pledged securities.

ALTERNATIVES ANALYZED

The Council may:

- Approve the report for pledged collateral; or
- Not approve the report for pledged collateral

FINANCIAL IMPACT

There is no financial impact to the City.

RECOMMENDATION

Staff recommends that Council approve the pledged collateral report.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Semi Annual Investment Report

PRESENTED BY: Patrick M Weber

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The City of Billings Investment Policy states the Finance Division shall submit semi-annually an investment report describing investments in terms of type and interest rate. On June 30, 2012, the City had the following amounts invested:

Montanan Short Term Investment Pool	\$ 6,280
US Government and Agency	\$ 70,700,000
Certificates of Deposit	\$ 12,577,609
Total Investments	\$ 83,283,889

ALTERNATIVES ANALYZED

There are no viable alternatives to approving the report because all earnings occurred in the past.

FINANCIAL IMPACT

The investment portfolio for the City is designed to maintain the safety of investments while obtaining a market average rate of return throughout budgetary and economic cycles. As of June 30, 2012, the average yield to maturity was .637%.

RECOMMENDATION

It is recommended that the City Council approve the investment report.

APPROVED BY CITY ADMINISTRATOR

Attachments

summary

**City of Billings, MT
Summary by Issuer
June 30, 2012**

Issuer	Number of Investments	Par Value	Market Value	% of Portfolio
Federal Farm Credit Bank	14	30,450,000.00	30,460,536.50	36.57
Federal Farm Credit System	1	2,000,000.00	1,996,340.00	2.40
Federal Home Loan Bank	7	13,250,000.00	13,246,816.50	15.90
Federal Home Loan Mtg Corp	3	5,500,000.00	5,502,095.00	6.61
Fiirst Interstate Bank	2	2,577,608.66	2,577,608.66	3.09
Federal National Mtg Assn	11	19,500,000.00	19,508,565.00	23.42
Short Term Investment Pool	1	6,280.42	6,280.42	0.01
US Bank	1	10,000,000.00	10,000,000.00	12.01
Total and Average		83,283,889.08	83,298,242.08	100.00

Average
YTM 365
0.466
0.480
0.517
0.554
0.203
0.557
0.303
1.663
0.637

Portfolio BILL

Compatibility Report for SI.xls
Run on 8/22/2012 15:55

The following features in this workbook are not supported by earlier versions of Excel. These features may be lost or degraded when opening this workbook in an earlier version of Excel or if you save this workbook in an earlier file format.

Significant loss of functionality

of occurrences

This object will no longer be editable.

1

[sheet1!A1:AW36](#)

Version

Excel 97-2003

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: South Park Gazebo Donations

PRESENTED BY: Mike Whitaker

Department: Parks/Rec/Public Lands

Information

PROBLEM/ISSUE STATEMENT

The City of Billings has received additional donations through the South Side Neighborhood Task Force to fund upgrades to the South Park Gazebo. The Vegas Hotel donated \$1,000 and Phillips 66 donated \$2,000. These donations will help fund the electrical upgrades that were an alternate to the base bid.

ALTERNATIVES ANALYZED

Council may:

- Accept the donations; or
- Not accept the donations, and do not approve the proposed gazebo upgrades.

FINANCIAL IMPACT

The donations will pay for most of the cost of upgrading the electrical system for the gazebo. The remaining \$570 cost will come from the project contingency.

RECOMMENDATION

Staff recommends accepting the \$3,000 donation to help fund upgrades for the new gazebo in South Park.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: \$1000 Donation from IAFF Local 521 for Fire Prevention Education Supplies

PRESENTED BY: Paul Dextras

Department: Fire

Information

PROBLEM/ISSUE STATEMENT

The \$1,000 donation from IAFF Local 521 will purchase fire prevention public education supplies such as pencils, stickers, etc. that contain a fire safety message and will be handed out to children during fire prevention week activities (October 9-17, 2012) and throughout the year during public education events. City policy requires that any donation exceeding \$500 must be accepted by the Council before the funds can be expended.

ALTERNATIVES ANALYZED

The City Council may accept or reject the donation.

FINANCIAL IMPACT

The Billings Fire Department budgets \$4,000 per year for fire prevention education, so the \$1,000 donation is a 25% increase in the available budget.

RECOMMENDATION

Staff recommends acceptance of the \$1,000 donation from IAFF Local 521 for the purchase of fire prevention public education supplies.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Resolution Fixing the form and detail of the Special Improvement District 1393

PRESENTED BY: Patrick M. Weber

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

On July 9th, the City Council approved issuing bonds and a private negotiated sale for Special Improvement District (SID) 1393, which is located in Fritz Subdivision in the Heights. The City has been working with Montana Municipal Cooperative regarding the purchase and sale of the bonds. The net interest rate for the bonds is 4.25% for fifteen years.

ALTERNATIVES ANALYZED

Upon approval of the resolution, the City and Montana Municipal Cooperative will proceed with the sale of the bonds. If the Council does not approve the resolution there would be a delay in the closing and receiving the bond proceeds, which could lead to the inability to timely pay the contractor and stopping or slowing project completion.

FINANCIAL IMPACT

The debt service payment will be made from the assessments on the affected properties.

RECOMMENDATION

Staff recommends that the City Council approve the attached resolution setting the form and terms for the SID 1393.

APPROVED BY CITY ADMINISTRATOR

Attachments

Bond resolution

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the "City"), hereby certify that the attached resolution is a true copy of a Resolution No. _____ entitled: "RESOLUTION RELATING TO \$185,000 SPECIAL IMPROVEMENT DISTRICT NO. 1393 BONDS, SERIES 2012; FIXING THE FORM AND DETAILS AND PROVIDING FOR THE EXECUTION AND DELIVERY THEREOF AND SECURITY THEREFOR" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a regular meeting on September 10, 2012, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

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

WITNESS my hand and seal officially this 10th day of September, 2012.

(SEAL)

City Clerk

RESOLUTION NO. _____

RESOLUTION RELATING TO \$185,000 SPECIAL
IMPROVEMENT DISTRICT NO. 1393 BONDS, SERIES 2012;
FIXING THE FORM AND DETAILS AND PROVIDING FOR
THE EXECUTION AND DELIVERY THEREOF AND
SECURITY THEREFOR

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

Section 1. Recitals. It is hereby found, determined and declared as follows:

1.01. Resolution of Intention. By Resolution No. 12-19152, duly adopted by the Council on April 23, 2012 (the "Resolution of Intention"), this Council declared its intention to create Special Improvement District No. 1393 (the "District"), for the purpose of financing costs of certain public improvements of special benefit to the properties within the District. The Resolution of Intention designated the number of the District, described the boundaries thereof, stated whether the District was an extended district and stated the general character of the improvements to be made (the "Improvements") and an approximate estimate of the costs thereof, in accordance with the provisions of Montana Code Annotated, Title 7, Chapter 12, Parts 41 and 42, as amended (the "Act"). By the Resolution of Intention, this Council also declared its intention to cause the cost and expense of making the Improvements specially benefiting the District to be assessed against the properties included within the boundaries thereof in accordance with one or more methods of assessment authorized in Sections 7-12-4161 to 7-12-4165 of the Act and as set forth in the Resolution of Intention.

In the Resolution of Intention, this Council stated its intention to issue special improvement district bonds (the "Bonds") drawn against the District to pay a portion of the costs of the Improvements and costs of issuance of the Bonds. This Council further found that it is in the public interest, and in the best interest of the City and the District, to secure payment of principal of and interest on the Bonds by the Special Improvement District Revolving Fund of the City (the "Revolving Fund"), on the basis of factors required to be considered under Section 7-12-4225 of the Act. Those findings are hereby ratified and confirmed.

1.02. Notice. Notice of the passage of the Resolution of Intention was given by two publications, with at least six days between publications, in the *Billings Times*, a weekly newspaper of general circulation published within the City. Notice of the passage of the Resolution of Intention was also mailed the same day the notice was first published to all persons, firms or corporations or the agents thereof having real property within the District, listed in their names upon the last completed assessment roll for State, county and school district taxes, at their last known addresses. The notice described the general character of the Improvements, stated the estimated cost of the Improvements and the method or methods of assessment of such costs against properties in the District, specified the time when and the place where the Council would hear and pass upon all protests made against the making of the Improvements or the creation or extension of the District, and referred to the Resolution of Intention as being on file in the office of the City Clerk for a description of the boundaries of the District, all in accordance

with the provisions of the Resolution of Intention, and included a statement that, subject to the limitations of Section 7-12-4222 of the Act, the general fund of the City may be used to provide loans to the Revolving Fund or a general tax levy may be imposed on all taxable property in the City to meet the financial requirements of the Revolving Fund. In the Resolution of Intention, the Council also declared its intention to reimburse the City for costs paid before issuance of the Bonds, as required by Section 1.150-2 of the Income Tax Regulations promulgated under the Internal Revenue Code.

1.03. Creation of District. At the time and place specified in the notice hereinabove described, this Council met to hear, consider and pass upon all protests made against the making of the Improvements and the creation of the District, and, after consideration thereof, it was determined and declared that insufficient protests against the creation or extension of the District or the proposed work had been filed in the time and manner provided by law by the owners of the property to be assessed for the Improvements in the District, and this Council did therefore by Resolution No. 12-19162, adopted on May 29, 2012, create Special Improvement District No. 1393, order the proposed Improvements in accordance with the Resolution of Intention, and confirm the findings it made with respect to the pledge of the Revolving Fund in the Resolution of Intention.

1.04. Construction Contracts. The City will cause or has caused to be constructed certain Improvements as described in the Resolution of Intention. Plans, specifications, maps, profiles and surveys for construction of the Improvements to be constructed to benefit the District were prepared by the engineers acting for the City or by City engineers, and were thereupon examined and approved by this Council. Advertisements for bids for construction of the Improvements were published in the official newspaper of the City in accordance with the provisions of Montana Code Annotated, Section 7-12-4141, after which the bids theretofore received were opened and examined. After referring the bids to the engineers for the City it was determined that the lowest regular proposal for the furnishing of all work and materials required for constructing the Improvements in accordance with the approved plans and specifications was the following:

SID No. 1393:

<u>Work</u>	<u>Bidder</u>	<u>Contract Price</u>
Construction of curb and gutter, storm drain, and necessary street improvements fronting lots along Eldora Lane, Cottonwood Boulevard, Kelly Lane, and Kenneth Street within Fritz Subdivision	Knife River, Billings Montana	\$258,810.50

Contracts for the construction of the Improvements were therefore awarded to said bidder, subject to the right of owners of property liable to be assessed for the costs thereof to elect to take the work and enter into written contracts therefor in the manner provided by Montana Code Annotated, Section 7-12-4147, whereupon the City and the successful bidder entered into written contracts for construction of the Improvements upon the bidder having executed and filed bonds satisfactory to this Council and in the form and manner provided by Montana Code Annotated, Title 18, Chapter 2, Part 2, as amended.

1.05. Costs. It is currently estimated that the costs and expenses connected with and incidental to the formation of the District to be assessed against property in the District, including costs of preparation of plans, specifications, maps, profiles, engineering superintendence and inspection, preparation of assessment rolls, expenses of making the assessments, the cost of work and materials under the construction contracts and all other costs and expenses, including the deposit of proceeds in the Revolving Fund, are \$185,000, as shown in the table below:

Construction Costs	\$285,810.50
Contingency	28,581.05
Design and Const. Admin.	58,591.15
Total Project Costs	<u>\$372,982.70</u>
Less City Contribution	(205,625.36)
Less Prepaid Assessments	<u>\$ (14,454.54)</u>
Total Project Costs to be Bonded	<u>\$152,902.80</u>
Administration/Finance Fees (2.5%)	4,625.00
Engineering Fee (3.5%)	6,475.00
SID Revolving Fund (5%)	9,250.00
Bond Discount Fee	3,250.00
Issuance Costs	8,000.00
Rounding Amount	497.20
<u>Total Project Costs</u>	<u>\$185,000.00</u>

The amount of \$185,000 will be levied and assessed upon the assessable real property within the District on the basis described in the Resolution of Intention. This Council has jurisdiction and is required by law to levy and assess such amounts, to collect such special assessments and credit the same to the special improvement district funds created for the District, which funds are to be maintained on the official books and records of the City separate from all other City funds, within the 2012 Special Improvement District No. 1393 Fund (the "District Fund") for the payment of principal and interest when due on the Bonds herein authorized.

1.06. Sale and Issuance of Bonds. For the purpose of financing a portion of the costs and expenses of making the Improvements, funding a deposit to the Revolving Fund (as hereinafter defined) and paying costs of issuance of the Bonds, which are to be assessed against the property within the District as provided in the Resolution of Intention, this Council, pursuant to Resolution No. 12-19187, adopted July 9, 2012, determined that it would be in the best interests of the City to sell the Bonds in a negotiated sale to Montana Municipal Cooperative, a Montana partnership (the "Purchaser"), subject to the following limitations and conditions: (1) the aggregate principal amount of the Bonds shall not exceed \$213,000; (2) the interest on the Bonds shall not exceed 5.0%; (3) the purchase price of the Bonds shall not be less than 100% of the principal amount thereof; (4) the term of the Bonds shall not exceed 15 years; (5) the Bonds shall be payable from special assessments to be levied against property in the District; and (6) the Bonds shall be callable from the prepayment of special assessments. Subsequent thereto, it was

determined that the principal amount of the Bonds to be issued should be \$185,000. This Council authorized the City to enter into a bond purchase agreement (the “Bond Purchase Agreement”) with the Purchaser, pursuant to which the Purchaser shall agree to purchase from the City the Bonds at a purchase price of \$185,000 (representing the stated principal amount of the Bonds), at the rates of interest set forth in Section 2.01 hereof and upon the further terms set forth in this Resolution. In the event of any discrepancy between the Bond Purchase Agreement and this Resolution, this Resolution shall control.

1.07. Recitals. All acts, conditions and things required by the Constitution and laws of the State of Montana, including the Act, and the home rule charter of the City, in order to make the Bonds valid and binding special obligations in accordance with their terms and in accordance with the terms of this Resolution have been done, do exist, have happened and have been performed in regular and due form, time and manner as so required.

Section 2. The Bonds.

2.01. Principal Amount, Maturities, Denominations, Date, Interest Rates. For the purpose of paying the costs and expenses of making the Improvements, funding a deposit to the Revolving Fund and paying costs of issuance of the Bonds, and in anticipation of the collection of special assessments to be levied therefor, and in accordance with the proposal described in Section 1.06, the City shall forthwith issue and deliver to the Purchaser the Bonds, denominated “Special Improvement District Bonds, Series 2012 (Special Improvement District No. 1393),” in the aggregate principal amount of \$185,000, payable solely from the District Fund. The Bonds shall be dated, as originally issued, and be registered as of October 1, 2012, shall be in the denomination of \$5,000 each or any integral multiple thereof of single maturities and shall mature on July 1 in the years and principal amounts set forth below, and shall bear interest from the date of original registration until paid or duly called for redemption at 4.25% per annum:

Year	Principal Amount	Year	Principal Amount
2013	\$10,000	2021	\$15,000
2014	10,000	2022	15,000
2015	10,000	2023	15,000
2016	10,000	2024	15,000
2017	10,000	2025	15,000
2018	10,000	2026	15,000
2019	10,000	2027	15,000
2020	10,000		

Interest shall be calculated on the basis of a 360-day year composed of twelve 30-day months.

2.02. Interest Payment Dates. Interest on the Bonds shall be payable on each January 1 and July 1, commencing January 1, 2013, to the owners of record thereof as such appear on the bond register at the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day. Upon the original delivery of the Bonds to the

Purchaser and upon each subsequent transfer or exchange of a Bond pursuant to Section 2.04, the Registrar shall date each Bond as of the date of its authentication.

2.03. Method of Payment. The Bonds shall be issued only in fully registered form. The interest on and, upon surrender thereof at the principal office of the Registrar (as hereinafter defined), the principal of each Bond, shall be payable by check or draft drawn on the Registrar.

2.04. Registration. The City hereby appoints the City Finance Director, to act as bond registrar, transfer agent and paying agent (the “Registrar”). The City reserves the right to appoint a bank, trust company or fiscal company as successor bond registrar, transfer agent or paying agent, as authorized by the Model Public Obligations Registration Act of Montana (the “Registration Act”), but the City agrees to pay the reasonable and customary charges of the Registrar for the services performed. This Section 2.04 shall establish a system of registration for the Bonds as defined by the Registration Act. The effect of registration and the rights and duties of the City and the Registrar with respect thereto shall be as follows:

(a) Bond Register. The Registrar shall keep at its principal office a bond register in which the Registrar shall provide for the registration of ownership of the Bonds and the registration of transfers and exchanges of the Bonds entitled to be registered, transferred or exchanged.

(b) Transfer. Upon surrender to the Registrar for transfer of any Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing and guaranteed by an “eligible guarantor institution” meeting the requirements of the Registrar, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer of any Bond or portion thereof selected or called for redemption.

(c) Exchange. Whenever any Bond is surrendered by the registered owner for exchange, the Registrar shall authenticate and deliver one or more new Bonds of a like aggregate principal amount, interest rate and maturity, as requested by the registered owner or the owner’s attorney duly authorized in writing.

(d) Cancellation. All Bonds surrendered upon any transfer or exchange shall be promptly canceled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When any Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name any Bond is at any time registered on the bond register as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on such Bond and for all other purposes, and all such payments so made to any such registered owner or upon the owner's order shall be valid and effectual to satisfy and discharge the liability of the City upon such Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer of Bonds or exchange of Bonds (except for an exchange upon the partial redemption of a Bond), the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. In case any Bond shall become mutilated or be destroyed, stolen or lost, the Registrar shall deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of any such mutilated Bond or in lieu of and in substitution for any such Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that such Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to it, in which both the City and the Registrar shall be named as obligees. All Bonds so surrendered to the Registrar shall be canceled by it and evidence of such cancellation shall be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or such Bond has been called for redemption in accordance with its terms, it shall not be necessary to issue a new Bond prior to payment.

2.05. Redemption.

(a) Mandatory Redemption. If on any interest payment date there will be a balance in the District Fund after payment of the principal and interest due on all Bonds drawn against it, either from the prepayment of special assessments levied in the District or from the transfer of surplus money from the Construction Account to the Principal Account as provided in Section 3.02 or otherwise, the City Finance Director shall call for redemption on the interest payment date outstanding Bonds, or portions thereof, in an amount which, together with the interest thereon to the interest payment date, will equal the amount of such funds on deposit in the District Fund on that date. The redemption price shall equal the amount of the principal amount of the Bonds to be redeemed plus interest accrued to the date of redemption.

(b) Optional Redemption. The Bonds are subject to redemption, in whole or in part, at the option of the City from sources of funds available therefor other than those described in Subsection (a) of this Section 2.05 on any interest payment date at a redemption price equal to the principal amount thereof to be redeemed plus interest accrued to the redemption date, without premium.

(c) Selection of Bonds for Redemption. If less than all of the Bonds are to be redeemed, Bonds shall be redeemed in order of the stated maturities thereof. If less than all Bonds of a stated maturity are to be redeemed, the Bonds of such maturity shall be selected for redemption in \$5,000 principal amounts selected by the Registrar by lot or other manner it deems fair.

(d) Notice and Effect of Redemption. The date of redemption and the principal amount of the Bonds shall be fixed by the City Finance Director, who shall give notice thereof to the Registrar 45 days prior to the date set for redemption in order for the Registrar to give notice, by first class mail, postage prepaid, or by other means required by the securities depository, to the owner or owners of such Bonds at their addresses appearing on the bond register, of the numbers of the Bonds or portions thereof to be redeemed and the date on which payment will be made, which date shall be not less than 30 days after the date of mailing notice. On the date so fixed interest on the Bonds or portions thereof so redeemed shall cease.

2.06. Form. The Bonds shall be drawn in substantially the form set forth in Exhibit A hereto, and by this reference made a part hereof, with such modifications as are permitted by the Act.

2.07. Execution, Registration and Delivery. The Bonds shall be prepared under the direction of the City Finance Director and shall be executed on behalf of the City by the signatures of the Mayor, the City Finance Director and the City Clerk and sealed with the official seal of the City; provided that the seal and all signatures may be printed, engraved or lithographed facsimiles of the originals. In case any officer whose signature or a facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of any Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. Notwithstanding such execution, no Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on such Bond has been duly executed by the manual signature of an authorized representative of the Registrar. The certificate of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on each Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution. When the Bonds have been so executed, authenticated and registered, they shall be delivered by the Registrar to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed.

2.08. Application of Proceeds. From the proceeds of the Bonds the City Finance Director shall credit forthwith \$9,250.00 for the District to the Revolving Fund, as required by Section 7-12-4169(2) of the Act, and the balance of such proceeds to the Construction Account in the District Fund, to be used solely for the purposes described in Section 3.02.

Section 3. District Fund; Assessments.

3.01. District Fund. There is hereby created and established the fund designated as the "2012 Special Improvement District No. 1393 Fund," which shall be maintained by the City Finance Director on the books and records of the City separate and apart from all other funds of the City (the "District Fund"). Within the District Fund there shall be maintained three separate

accounts, designated as the “Construction Account,” the “Principal Account” and the “Interest Account,” respectively.

3.02. Construction Account. There shall be credited to the Construction Account in the District Fund the proceeds of the sale of the Bonds remaining after the required deposit to the Revolving Fund. Any earnings on investment of money in the Construction Account shall be retained therein. All costs and expenses of constructing the Improvements in and for the benefit of the District, including costs of issuance of the Bonds, shall be paid from time to time as incurred and allowed from the Construction Account in accordance with the provisions of applicable law, and money in the Construction Account shall be used for no other purpose; provided that upon completion of the Improvements and after all claims and expenses with respect to the Improvements have been fully paid and satisfied, any money remaining in the Construction Account shall be transferred to the Principal Account and used to redeem Bonds or portions thereof as provided in Section 3.03.

3.03. Principal Account and Interest Account. Money in the Principal Account and the Interest Account shall be used only for payment of the principal of and interest on the Bonds as such payments become due or to redeem Bonds or portions thereof.

Upon collection of the installment of principal and interest due on November 30 and May 31 of each year on the special assessments to be levied with respect to the Improvements in the District, the City Finance Director shall credit to the Interest Account so much of said special assessments as is collected as interest payment and the balance thereof to the Principal Account. Any installment of any special assessment paid prior to its due date with interest accrued thereon to the next succeeding interest payment date shall be credited with respect to principal and interest payments in the same manner as other assessments are credited to the District Fund. All money in the Interest Account and the Principal Account shall be used first to pay interest due, and any remaining money shall be used to pay Bonds then due and, if money is available, to redeem Bonds or portions thereof in accordance with Section 2.05; provided that any money transferred to the Principal Account from the Construction Account pursuant to Section 3.02 shall be applied to redeem Bonds to the extent possible on the next interest payment date for which notice of redemption has been properly be given pursuant to Section 2.05. Redemption of Bonds or portions thereof shall be in the order of their stated maturities as provided in Section 2.05, and interest shall be paid from the Interest Account as accrued on such principal amounts to the date of redemption, in accordance with the provisions of Section 7-12-4206 of the Act.

3.04. Loans from Revolving Fund. The Council shall annually or more often if necessary issue an order authorizing a loan or advance from the Revolving Fund to the District Fund in an amount sufficient to make good any deficiency then existing in the Interest Account and issue an order authorizing a loan or advance from the Revolving Fund to the District Fund in an amount sufficient to make good any deficiency then existing in the Principal Account, in each case to the extent that money is available in the Revolving Fund. A deficiency shall be deemed to exist in the Principal Account or Interest Account if the money on deposit therein on any December 15 or June 15 (excluding amounts in the Principal Account representing prepaid special assessments) is less than the amount necessary to pay Bonds due (other than upon redemption), and interest on all Bonds payable, on the next succeeding interest payment date.

Pursuant to Ordinance No. 1096, the City has undertaken and agreed to provide funds for the Revolving Fund by annually levying such tax or making such loan from the general fund of the City, subject to the limitation that no such tax levy or loan may in any year cause the balance in the Revolving Fund to exceed five percent of the principal amount of the City's then outstanding special improvement and sidewalk, curb, gutter and alley approach bonds and warrants secured thereby and subject to the durational limitations specified in the Act. In the event that the balance on hand in the Revolving Fund fifteen days prior to any date when interest is due on special improvement and sidewalk, curb, gutter and alley approach bonds and warrants of the City is not sufficient to make good all deficiencies then existing in the funds for which the City covenants to make loans from the Revolving Fund, the balance on hand in the Revolving Fund shall be allocated to the funds in which such deficiencies then exist in proportion to the amounts of the deficiencies on the respective dates of receipt of such money, until all interest accrued on such special improvement and sidewalk, curb, gutter and alley approach bonds and warrants of the City has been paid and to the extent of amounts available in the Revolving Fund. On any date when all accrued interest on special improvement and sidewalk, curb, gutter and alley approach bonds and warrants of the City payable from funds for which the City has covenanted to make loans from the Revolving Fund has been paid, any balance remaining in the Revolving Fund shall be loaned or advanced to the funds for payment and redemption of bonds and warrants to the extent such funds are deficient for such purpose and, if money in the Revolving Fund is insufficient therefor, pro rata, in an amount proportionate to the amount of such deficiency.

The City hereby determines, covenants and agrees to levy the property tax described in the immediately preceding paragraph to provide funds for the Revolving Fund so long as any Bonds are outstanding to the extent required under the provisions of this Resolution and the Act, even though such property tax levy may, under applicable law or provisions of the home rule charter of the City, require that property tax levies of the City for other purposes be reduced correspondingly.

Section 4. Covenants. The City covenants and agrees with the owners from time to time of each of the Bonds that until all the Bonds and interest thereon are fully paid:

4.01. Compliance with Resolution. The City will hold the District Fund and the Revolving Fund as trust funds, separate and apart from all of its other funds, and the City, its officers and agents, will comply with all covenants and agreements contained in this Resolution. The provisions hereinabove made with respect to the District Fund and the Revolving Fund are in accordance with the undertaking and agreement of the City made in connection with the sale of the Bonds as set forth in Section 1.06.

4.02. Construction of Improvements. The City will do all acts and things necessary to enforce the provisions of the construction contracts and bonds referred to in Section 1.04 and to ensure the completion of the Improvements for the benefit of the District in accordance with the plans and specifications and within the time therein provided, and will pay all costs thereof promptly as incurred and allowed, out of the Construction Account and within the amount of the proceeds of the Bonds appropriated thereto, amounts contributed by the City therefor and prepayments by property owners in the District.

4.03. Levy of Assessments. The City will do all acts and things necessary for the final and valid levy of special assessments upon all assessable real property within the boundaries of the District benefited by the Improvements in accordance with the Constitution and laws of the State of Montana and the Constitution of the United States in an aggregate principal amount not less than \$185,000. Such special assessments shall be levied on the basis or bases prescribed in the Resolution of Intention, and shall be payable in substantially equal semiannual installments of principal and interest over a period of 15 years, at an annual rate equal to the sum of: (i) the average annual interest rate borne by the then-outstanding Bonds, plus (ii) one-half of one percent (0.50%) per annum. The assessments to be levied will be payable on the 30th day of November in each of the years 2012 through 2026, and on the 31st day of May in the years 2013 through 2027, inclusive, if not theretofore paid, and shall become delinquent on such date unless paid in full. The first partial payment of each assessment shall include interest on the entire assessment from the date of original registration of the Bonds to January 1, 2013. The assessments shall constitute a lien upon and against the property against which they are made and levied, which lien may be extinguished only by payment of the assessment with all penalties, cost and interest as provided in Section 7-12-4191 of the Act. No tax deed issued with respect to any lot or parcel of land shall operate as payment of any installment of the assessment thereon which is payable after the execution of such deed, and any tax deed so issued shall convey title subject only to the lien of said future installments, as provided in Montana Code Annotated, Section 15-18-214.

4.04. Reassessment. If at any time and for whatever reason any special assessment or tax herein agreed to be levied is held invalid, the City and this Council, its officers and employees, will take all steps necessary to correct the same and to reassess and re-levy the same, including the ordering of work, with the same force and effect as if made at the time provided by law, ordinance or resolution relating thereto, and will reassess and re-levy the same with the same force and effect as an original levy thereof, as authorized in Section 7-12-4186 of the Act. Any special assessment, or reassessment or re-levy shall, so far as is practicable, be levied and collected as it would have been if the first levy had been enforced including the levy and collection of any interest accrued on the first levy.

If proceeds of the Bonds, including investment income thereon, are applied to the redemption of such Bonds, as provided in Sections 7-12-4205 and 7-12-4206 of the Act, or if refunding bonds are issued and the principal amount of the outstanding Bonds is decreased or increased, the City will reduce or increase, respectively, the assessments levied in the District and then outstanding pro rata by the principal amount of such prepayment or the increment above or below the outstanding principal amount of bonds represented by the refunding bonds. The City and this Council, its officers and employees will reassess and re-levy such assessments, with the same effect as an original levy, in such reduced or increased amounts in accordance with the provisions of Sections 7-12-4176 through 7-12-4178 of the Act.

4.05. Absence of Litigation. There is now no litigation pending or, to the best knowledge of the City, threatened questioning the validity or regularity of the creation of the District, the contracts for construction of the Improvements or the undertaking and agreement of the City to levy special assessments therefor and to make good any deficiency in the collection thereof through the levy of taxes for and the making of advances from the Revolving Fund, or

the right and power of the City to issue the Bonds or in any manner questioning the existence of any condition precedent to the exercise of the City's powers in these matters. If any such litigation should be initiated or threatened, the City will forthwith notify in writing the Purchaser, and will furnish the Purchaser a copy of all documents, including pleadings, in connection with such litigation.

4.06. Waiver of Penalty and Interest. The City covenants not to waive the payment of penalty or interest on delinquent assessments levied on property in the District for costs of the Improvements, unless the City determines, by resolution of the Council, that such waiver is in the best interest of the owners of the outstanding Bonds.

Section 5. Tax Matters.

5.01. Use of Improvements. The Improvements will be owned and operated by the City and available for use by members of the general public on a substantially equal basis. The City shall not enter into any lease, use or other agreement with any non-governmental person relating to the use of the Improvements or security for the payment of the Bonds which might cause the Bonds to be considered "private activity bonds" or "private loan bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code").

5.02. General Covenant. The City covenants and agrees with the owners from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bonds to become includable in gross income for federal income tax purposes under the Code and applicable Treasury Regulations (the "Regulations"), and covenants to take any and all actions within its powers to ensure that the interest on the Bonds will not become includable in gross income for federal income tax purposes under the Code and the Regulations.

5.03. Arbitrage Certification. The Mayor, the City Finance Director and the City Clerk, being the officers of the City charged with the responsibility for issuing the Bonds pursuant to this Resolution, are authorized and directed to execute and deliver to the Purchaser a certificate in accordance with the provisions of Section 148 of the Code, and Section 1.148-2(b) of the Regulations, stating that on the basis of facts, estimates and circumstances in existence on the date of issue and delivery of the Bonds, it is reasonably expected that the proceeds of the Bonds will be used in a manner that would not cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

5.04. Arbitrage Rebate. The City acknowledges that the Bonds are subject to the rebate requirements of Section 148(f) of the Code. The City covenants and agrees to retain such records, make such determinations, file such reports and documents and pay such amounts at such times as are required under said Section 148(f) and applicable Treasury Regulations to preserve the exclusion of interest on the Bonds from gross income for federal income tax purposes, unless the Bonds qualify for the exception from the rebate requirement under Section 148(f)(4)(B) of the Code and no "gross proceeds" of the Bonds (other than amounts constituting a "bona fide debt service fund") arise during or after the expenditure of the original proceeds thereof. In furtherance of the foregoing, the Mayor, the City Finance Director, and the City Clerk are hereby authorized and directed to execute a Rebate Certificate, substantially in the

form to be prepared by Bond Counsel, and the City hereby covenants and agrees to observe and perform the covenants and agreements contained therein, unless amended or terminated in accordance with the provisions thereof.

5.05. Information Reporting. The City shall file with the Secretary of the Treasury, not later than February 15, 2013, a statement concerning the Bonds containing the information required by Section 149(e) of the Code.

Section 6. Authentication of Transcript. The officers of the City are hereby authorized and directed to furnish to the Purchaser and to Bond Counsel certified copies of all proceedings relating to the issuance of the Bonds and such other certificates and affidavits as may be required to show the right, power and authority of the City to issue the Bonds, and all statements contained in and shown by such instruments, including any heretofore furnished, shall constitute representations of the City as to the truth of the statements purported to be shown thereby.

Section 7. Discharge.

7.01. General. When the liability of the City on all Bonds issued under and secured by this Resolution has been discharged as provided in this Section 7, all pledges, covenants and other rights granted by this Resolution to the owners of such obligations shall cease.

7.02. Payment. The City may discharge its liability with reference to any Bond or installment of interest thereon which is due on any date by depositing with the Registrar on or before that date funds sufficient, or, if a City officer is the Registrar, mailing to the registered owner of such Bond a check or draft in a sum sufficient and providing proceeds available, for the payment thereof in full; or if any Bond or installment of interest thereon shall not be paid when due, the City may nevertheless discharge its liability with reference thereto by depositing with the Registrar funds sufficient, or, if a City officer is the Registrar, by mailing to the registered owner thereof a check or draft in a sum sufficient and providing proceeds available, for the payment thereof in full with interest accrued to the date of such deposit or mailing.

7.03. Prepayment. The City may also discharge its obligations with respect to any Bonds called for redemption on any date when they are prepayable according to their terms, by on or before that date depositing with the Registrar funds sufficient, or, if a City officer is the Registrar, mailing to the registered owner of such Bond a check or a draft in a sum sufficient and providing proceeds available, for the payment of the principal, interest and redemption premium, if any, which are then due; provided that notice of such redemption has been duly given as provided herein or irrevocably provided for.

7.04. Escrow. The City may also at any time discharge its liability in its entirety with reference to the Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a bank qualified by law as an escrow agent for this purpose, cash or securities which are authorized by law to be so deposited, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, without reinvestment, to provide funds sufficient to pay all principal and interest to become due on all Bonds on or before maturity or, if any Bond has been duly called for

redemption or notice of such redemption has been irrevocably provided for, on or before the designated redemption date.

7.05. Irrevocable Deposits. If an officer of the City is the Registrar, any deposit made under this Section 7 with the Registrar shall be irrevocable and held for the benefit of the owners of Bonds in respect of which such deposits have been made.

Section 8. Repeals and Effective Date.

8.01. Repeal. All provisions of other resolutions and other actions and proceedings of the City and this Council that are in any way inconsistent with the terms and provisions of this Resolution are repealed, amended and rescinded to the full extent necessary to give full force and effect to the provisions of this Resolution.

8.02. Effective Date. This Resolution shall take effect immediately upon its passage and adoption by this Council.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this 10th day of September, 2012.

Mayor

Attest: _____
City Clerk

(SEAL)

EXHIBIT A

UNITED STATES OF AMERICA
STATE OF MONTANA
YELLOWSTONE COUNTY

CITY OF BILLINGS

SPECIAL IMPROVEMENT DISTRICT BONDS, SERIES 2012
(Special Improvement District No. 1393)

Interest at the rate per annum specified below,
payable on the 1st day of January and the 1st day of July
in each year, commencing January 1, 2013.

No. R-__ \$_____

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>
4.25%	July 1, ____	October 1, 2012

REGISTERED OWNER: [_____]

PRINCIPAL AMOUNT: _____ DOLLARS

FOR VALUE RECEIVED, the City of Billings, Montana (the "City"), will pay to the registered owner identified above, or registered assigns, on the maturity date specified above the principal amount specified above, solely from the revenues hereinafter specified, as authorized by Resolution No. _____, adopted September 10, 2012 (the "Resolution"), all subject to the provisions hereinafter described relating to the redemption of this Bond before maturity. This Bond bears interest at the rate per annum specified above from the date of original issue specified above, or from such later date to which interest hereon has been paid or duly provided for, until the maturity date specified above or an earlier date on which this Bond shall have been duly called for redemption by the City Finance Director. Interest on this Bond is payable semiannually on the 1st day of January and the 1st day of July in each year, commencing January 1, 2013, to the owner of record of this Bond appearing as such in the bond register as of the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. Interest on and, upon presentation and surrender hereof at the principal office of the bond registrar hereinafter named, the principal of this Bond are payable by check or draft drawn by the Registrar. The principal of and interest on this Bond are payable in lawful money of the United States of America. Interest on this Bond shall be calculated on the basis of a 360-day year composed of twelve 30-day months. The City Finance Director shall initially serve as Registrar for this Bond.

This Bond is one of an issue in the aggregate principal amount of \$185,000 (the "Bonds"), all of like date of original issue and tenor, except as to serial number, denomination, date, interest rate, maturity date and redemption rights. The Bonds are issued pursuant to and in full conformity with the Constitution and laws of the State of Montana thereunto enabling, including Montana Code Annotated, Title 7, Chapter 12, Parts 41 and 42, as amended (the "Act"), and ordinances and resolutions duly adopted by the governing body of the City, including the Resolution, for the purpose of financing a portion of the costs and expenses of making certain local improvements (the "Improvements") for the special benefit of property located in Special Improvement District No. 1393 (the "District"), funding a deposit to the Special Improvement Revolving Fund (the "Revolving Fund") and paying costs of issuance of the Bonds. The Bonds are issuable only as fully registered bonds of single maturities in denominations of \$5,000 or any integral multiple thereof.

This Bond is payable from the collection of a special tax or assessment levied upon all assessable real property within the boundaries of the District benefited by the Improvements, in an aggregate principal amount not less than \$185,000, except as such amounts may be reduced or increased in accordance with provisions of Montana law. Such assessments constitute a lien against the property against which they are made and levied and are to be deposited into the 2012 Special Improvement District No. 1393 Fund of the City (the "District Fund"). The Bonds are not general obligations of the City.

The City has validly established the Revolving Fund to secure the payment of certain of its special improvement and sidewalk, curb, gutter and alley approach bonds and warrants, including the Bonds. The City has also agreed, to the extent permitted by the Act, to issue orders annually, or more often as necessary, authorizing loans or advances from the Revolving Fund to the District Fund, in amounts sufficient to make good any deficiency in the District Fund to pay principal of or interest on the Bonds, to the extent money is available in the Revolving Fund, and to provide funds for the Revolving Fund by annually levying such tax or making such loan from its general fund, subject to the limitation that no such tax levy or loan may in any year cause the balance in the Revolving Fund to exceed five percent of the principal amount of the City's then outstanding special improvement and sidewalk, curb, gutter and alley approach bonds and warrants secured thereby and subject to the durational limitations specified in the Act. While any property tax levy to be made by the City to provide funds for the Revolving Fund is subject to levy limits under current law, the City has agreed in the Resolution to levy property taxes to provide funds for the Revolving Fund to the extent described in this paragraph and, if necessary, to reduce other property tax levies correspondingly to meet applicable levy limits.

The Bonds are subject to mandatory redemption in order of stated maturities and within a stated maturity in \$5,000 principal amounts selected by lot or other manner deemed fair by the Registrar, on any interest payment date if, after paying all principal and interest then due on the Bonds, there are funds to the credit of the District Fund, from the prepayment of assessments levied in the District or from the transfer of surplus money from the Construction Account to the Principal Account or otherwise, for the redemption thereof, and in the manner provided for the redemption of the same. In addition, the Bonds are subject to redemption at the option of the City, in whole or in part. The redemption price is equal to the principal amount of the Bonds to be redeemed plus interest accrued thereon to the date of redemption. The date of redemption and

principal amount of Bonds to be redeemed shall be fixed by the City Finance Director, who shall give notice thereof to the Registrar 45 days prior to the date set for redemption in order for the Registrar to give notice, by first class mail, postage prepaid, or by other means required by the securities depository, to the owner or owners of such Bonds at their addresses appearing on the bond register, of the numbers of the Bonds or portions thereof to be redeemed and the date on which payment will be made, which date shall not be less than 30 days after the date of mailing of notice. On the date so fixed interest on the Bonds or portions thereof so redeemed shall cease to accrue. Upon partial redemption of any Bond, a new Bond or Bonds will be delivered to the registered owner without charge, representing the remaining principal amount outstanding.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Registrar, by the registered owner hereof in person or by his attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or his attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange, the City will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Registrar shall be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all things required to be done precedent to the issuance of this Bond have been properly done, happened and been performed in the manner prescribed by the laws of the State of Montana and the resolutions and ordinances of the City of Billings, Montana, relating to the issuance hereof.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon shall have been executed by the Registrar by the manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of Billings, Montana, by its City Council, has caused this Bond to be executed by the facsimile signatures of the Mayor, the City Finance Director and the City Clerk, and by a printed facsimile of the official seal of the City.

CITY OF BILLINGS, MONTANA

(Facsimile Signature)
MAYOR

(Facsimile Seal)

(Facsimile Signature)
CITY FINANCE DIRECTOR

(Facsimile Signature)
CITY CLERK

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned herein.

CITY OF BILLINGS, MONTANA,
as Registrar

By _____
City Finance Director

TEN COM — as tenants
in common

TEN ENT — as tenants
by the entireties

under Uniform Transfers to Minors
Act
(State)

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights and title thereunder, and hereby irrevocably constitutes and appoints _____ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

PLEASE INSERT SOCIAL SECURITY
OR OTHER IDENTIFYING NUMBER
OF ASSIGNEE:

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration, enlargement or any change whatsoever.

B-5

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Resolution Fixing the Form and Detail for Series 2012 DNRC Bond

PRESENTED BY: Patrick M. Weber

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

On July 9, 2012, the City Council authorized a loan application for the issuance of Department of Natural Resources and Conservation (DNRC) bonds to finance the construction of an additional storage reservoir in Zone 3 East in the Heights. This reservoir will help meet current storage deficits and support ongoing growth in that area. This resolution authorizes the issuance and fixes the terms and conditions of the bond.

ALTERNATIVES ANALYZED

After the council approves the resolution, the bond closing will take place.

FINANCIAL IMPACT

Department of Natural Resources and Conservation, through its Drinking Water State Revolving Fund Program, offers low interest loans that fund water projects with no closing costs. The project loan is \$3,100,000 at 3% for 20 years.

RECOMMENDATION

Staff recommends that the City Council approve the attached resolution setting the form and terms for the DNRC bond.

APPROVED BY CITY ADMINISTRATOR

Attachments

DNRC bond resolution

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the "City"), hereby certify that the attached resolution is a true copy of Resolution No. _____ entitled: "RESOLUTION RELATING TO \$3,100,000 WATER SYSTEM REVENUE BOND (DNRC DRINKING WATER STATE REVOLVING LOAN PROGRAM), SERIES 2012; AUTHORIZING THE ISSUANCE AND FIXING THE TERMS AND CONDITIONS THEREOF" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a regular meeting on September 10, 2012, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

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

WITNESS my hand officially this 10th day of September, 2012.

City Clerk

SUPPLEMENTAL RESOLUTION

Relating to

\$3,100,000

WATER SYSTEM REVENUE BOND
(DNRC DRINKING WATER STATE REVOLVING LOAN PROGRAM)
SERIES 2012

CITY OF BILLINGS, MONTANA

Adopted: September 10, 2012

TABLE OF CONTENTS

(For convenience only, not a part of this Supplemental Resolution)

	Page
Recitals.....	1

ARTICLE I DEFINITIONS, RULES OF CONSTRUCTION AND APPENDICES

Section 1.1.	Definitions	1
Section 1.2.	Other Rules of Construction.....	6
Section 1.3.	Appendices	6

ARTICLE II AUTHORIZATION, FINDINGS, REPRESENTATIONS AND COVENANTS

Section 2.1.	Authorization and Findings	6
Section 2.2.	Representations.....	7
Section 2.3.	Covenants	10
Section 2.4.	Covenants Relating to the Tax-Exempt Status of the State Bonds	13
Section 2.5.	Maintenance of System; Liens	14
Section 2.6.	Maintenance of Existence; Merger Consolidation, Etc.; Disposition of Assets	15

ARTICLE III USE OF PROCEEDS; THE 2012 Project

Section 3.1.	Use of Proceeds	15
Section 3.2.	The 2012 Project.....	16
Section 3.3.	2012 Project Representations and Covenants.....	17
Section 3.4.	Completion or Cancellation or Reduction of Costs of the 2012 Project.....	17

ARTICLE IV THE LOAN

Section 4.1.	The Loan; Disbursement of Loan.....	17
Section 4.2.	Commencement of Loan Term.....	19
Section 4.3.	Termination of Loan Term	19
Section 4.4.	Loan Closing Submissions	20

ARTICLE V
REPAYMENT OF LOAN

Section 5.1.	Repayment of Loan	20
Section 5.2.	Additional Payments.....	21
Section 5.3.	Prepayments.....	21
Section 5.4.	Obligations of Borrower Unconditional	22
Section 5.5.	Limited Liability	22

ARTICLE VI

INDEMNIFICATION OF DNRC AND DEQ	22

ARTICLE VII
ASSIGNMENT

Section 7.1.	Assignment by Borrower.....	23
Section 7.2.	Assignment by DNRC	23
Section 7.3.	State Refunding Bonds	23

ARTICLE VIII
THE SERIES 2012 BOND

Section 8.1.	Net Revenues Available	23
Section 8.2.	Issuance and Sale of the Series 2012 Bond	23
Section 8.3.	Terms	23
Section 8.4.	Negotiability, Transfer and Registration	24
Section 8.5.	Execution and Delivery	24
Section 8.6.	Form.....	24
Section 8.7	2012 Acquisition and Construction Account.....	24

ARTICLE IX

SECURITY FOR THE SERIES 2012 BOND.....	25

ARTICLE X
TAX MATTERS

Section 10.1.	Use of 2012 Project.....	25
Section 10.2.	General Covenant.....	26
Section 10.3.	Arbitrage Certification	26
Section 10.4.	Arbitrage Rebate	26
Section 10.5.	Information Reporting	26

ARTICLE XI

CONTINUING DISCLOSURE	26

ARTICLE XII MISCELLANEOUS

Section 12.1.	Notices	27
Section 12.2.	Binding Effect.....	27
Section 12.3.	Severability	28
Section 12.4.	Amendments	28
Section 12.5.	Applicable Law	28
Section 12.6.	Captions; References to Sections.....	28
Section 12.7.	No Liability of Individual Officers, Directors or Trustees	28
Section 12.8.	Payments Due on Holidays.....	28
Section 12.9.	Right of Others To Perform Borrower's Covenants	28
Section 12.10.	Authentication of Transcript.....	28
Section 12.11.	Effective Date	29

APPENDIX A – Description of the 2012 Project.....	A-1
APPENDIX B – Form of Series 2012 Bond.....	B-1
APPENDIX C – Additional Representations and Covenants.....	C-1

RESOLUTION NO. _____

RESOLUTION RELATING TO \$3,100,000 WATER SYSTEM
REVENUE BOND (DNRC DRINKING WATER STATE
REVOLVING LOAN PROGRAM), SERIES 2012 BOND;
AUTHORIZING THE ISSUANCE AND FIXING THE TERMS
AND CONDITIONS THEREOF

WHEREAS, pursuant to the Drinking Water State Revolving Fund Act, Montana Code Annotated, Title 75, Chapter 6, Part 2, as amended (the “State Act”), the State of Montana (the “State”) has established a revolving loan program (the “Program”) to be administered by the Department of Natural Resources and Conservation of the State of Montana, an agency of the State (the “DNRC”), and by the Department of Environmental Quality of the State of Montana, an agency of the State (the “DEQ”), and has provided that a drinking water state revolving fund (the “Revolving Fund”) be created within the state treasury and all federal, state and other funds for use in the Program be deposited into the Revolving Fund, including, but not limited to, all federal grants for capitalization of a state drinking water revolving fund under the federal Safe Drinking Water Act (the “Safe Drinking Water Act”), all repayments of assistance awarded from the Revolving Fund, interest on investments made on money in the Revolving Fund and payments of principal of and interest on loans made from the Revolving Fund; and

WHEREAS, the State Act provides that funds from the Program shall be disbursed and administered for the purposes set forth in the Safe Drinking Water Act and according to rules adopted by the DEQ and the DNRC; and

WHEREAS, the City of Billings, Yellowstone County, Montana (the “Borrower”) has applied to the DNRC for the 2012 Loan (as hereinafter defined) from the Revolving Fund to enable the Borrower to finance, refinance or reimburse itself for the costs of the 2012 Project (as hereinafter defined) which will carry out the purposes of the Safe Drinking Water Act; and

WHEREAS, the Borrower is authorized under applicable laws, ordinances and regulations to adopt this Resolution and to issue the Series 2012 Bond (as hereinafter defined) to evidence the 2012 Loan for the purposes set forth herein; and

WHEREAS, the DNRC will fund the Loan in part, directly or indirectly, with proceeds of State Bonds (as hereinafter defined) and in part, directly or indirectly, with funds provided by the United States Environmental Protection Agency.

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

ARTICLE I

DEFINITIONS, RULES OF CONSTRUCTION AND APPENDICES

Section 1.1 Definitions. Unless a different meaning clearly appears from the context, terms used with initial capital letters but undefined in this Supplemental Resolution shall have the meanings given them in the Original Resolution, the Indenture, or as follows:

“Accountant” or “Accountants” means an independent certified public accountant or a firm of independent certified public accountants satisfactory to the DNRC.

“Acquisition and Construction Account” means the Series 2012 Acquisition and Construction Account created in the Water System Fund pursuant to Section 8.7 of this Supplemental Resolution.

“Act” means Montana Code Annotated, Title 7, Chapter 7, Parts 44 and 45, as heretofore and hereafter amended or supplemented.

“Additional Bonds” means any Bonds issued pursuant to Section 10.3 of the Original Resolution.

“Administrative Expense Surcharge” means, means a surcharge on the 2012 Loan charged by the DNRC to the Borrower equal to (seventy-five hundredths of one percent) 0.75% per annum on the outstanding principal amount of the 2012 Loan, payable by the Borrower on the same dates that payments of interest on the 2012 Loan are due.

“Authorized DNRC Officer” means the Director of the DNRC or his or her designee.

“Bond Counsel” means any Counsel nationally recognized as experienced in matters relating to the issuance by states or political subdivisions of tax-exempt obligations selected by the Borrower and acceptable to the DNRC.

“Bonds” means the Series 2005 Bond, the Series 2009B Bond, the Series 2009C Bond, the Series 2009D Bond, the Series 2010B Bond, the Series 2012 Bond, and any Additional Bonds; “Bonds” does not include the Series 2009A Bond or the 2010A Bond.

“Business Day” means any day which is not a Saturday or Sunday, a legal holiday in the State or a day on which banks in Montana are authorized or required by law to close.

“Borrower” means the City of Billings, Montana and its permitted successors or assigns hereunder.

“Closing” means the date of delivery of the Series 2012 Bond to the DNRC.

“Collateral Documents” means any security agreement, guaranty or other document or agreement delivered to the DNRC securing the obligations of the Borrower under this Supplemental Resolution and the Series 2012 Bond. If no Collateral Documents secure such obligations, any reference to Collateral Documents in this Supplemental Resolution shall be without effect.

“Committed Amount” means the amount of the 2012 Loan committed to be lent by the DNRC to the Borrower pursuant to Section 4.1 of this Supplemental Resolution, as such amount may be reduced pursuant to Sections 3.2 and 3.4 of this Supplemental Resolution.

“Consultant” means a nationally recognized consultant or firm of consultants, or an independent engineer or firm of independent engineers, or an Accountant, which in any case is

qualified and has skill and experience in the preparation of financial feasibility studies or projections for facilities similar to the System or the 2012 Project, selected by the Borrower and satisfactory to the DNRC.

“Council” means the City Council of the City of Billings, Montana.

“Counsel” means an attorney duly admitted to practice law before the highest court of any state and satisfactory to the DNRC.

“Debt” means, without duplication, (1) indebtedness of the Borrower for borrowed money or for the deferred purchase price of property or services; (2) the obligation of the Borrower as lessee under leases which should be recorded as capital leases under generally accepted accounting principles; and (3) obligations of the Borrower under direct or indirect guarantees in respect of, and obligations (contingent or otherwise) to purchase or otherwise acquire, or otherwise to assure a creditor against loss in respect of, indebtedness or obligations of others of the kinds referred to in clause (1) or (2) above.

“DEQ” means the Department of Environmental Quality of the State of Montana, an agency of the State, or any successor to its powers, duties and obligations under the State Act or the EPA Agreements.

“DNRC” means the Department of Natural Resources and Conservation of the State of Montana, an agency of the State, and any successor to its powers, duties and obligations under the State Act.

“EPA” means the Environmental Protection Agency, an agency of the United States of America, and any successor to its functions under the Safe Drinking Water Act.

“EPA Agreements” means all capitalization grant agreements and other written agreements between the DEQ, DNRC and the EPA concerning the Program.

“EPA Capitalization Grant” means a grant of funds to the State by the EPA under Section 1452 of the Safe Drinking Water Act.

“Fund” means the Water System Fund established pursuant to Section 11.1 of the Original Resolution.

“Governmental Unit” means governmental unit as such term is used in Section 145(a) of the Code.

“Indenture” means the Indenture of Trust, dated as of May 1, 1998, between the Board of Examiners of the State and the Trustee, as such may be supplemented or amended from time to time in accordance with the provisions thereof, pursuant to which, among other things, the State Bonds are to be or have been issued.

“Loan Loss Reserve Surcharge” means a fee equal to twenty-five hundredths of one percent (0.25%) per annum on the outstanding principal amount of the 2012 Loan, payable on the same dates that payments of interest on the 2012 Loan are due.

“Operating Account” means the account created in the Water System Fund pursuant to Section 11.3 of the Original Resolution.

“Original Resolution” means Resolution No. 05-18329 of the Borrower adopted on September 12, 2005, as amended and supplemented by Resolution Nos. 09-18852, 09-18869, and 18964 adopted by the City Council of the City on July 27, 2009, September 14, 2009, and July 12, 2010, respectively.

“Program” means the Drinking Water State Revolving Fund Program established by the State Act.

“Project” means an improvement, betterment, reconstruction or extension of the System, including the 2012 Project.

“Public Entity” means a State agency, city, town, municipality, irrigation district, county water and sewer district, a soil conservation district or other public body established by State law or an Indian tribe that has a federally recognized governing body carrying out substantial governmental duties and powers over any area.

“Regulations” means the Treasury Department, Income Tax Regulations, as amended or any successor regulation thereto, promulgated under the Code or otherwise applicable to the Series 2012 Bond.

“Replacement and Depreciation Account” means the Account created in the Water System Fund pursuant to Section 11.6 of the Original Resolution.

“Reserve Account” means the account created in the Water System Fund pursuant to Section 11.5 of the Original Resolution.

“Reserve Requirement” means, as of the date of calculation, an amount equal to the maximum principal of and interest payable on outstanding Bonds in the current or any future fiscal year (giving effect to mandatory sinking fund redemption, if any).

“Resolution” means the Original Resolution, as amended and supplemented by this Supplemental Resolution and other supplemental resolutions.

“Revenue Bond Account” means the account created in the Water System Fund pursuant to Section 11.4 of the Original Resolution.

“Safe Drinking Water Act” means Title XIV of the Public Health Service Act, commonly known as the Safe Drinking Water Act, 42 U.S.C. §§300f et seq., as amended, and all regulations, rules and interpretations issued by the EPA thereunder.

“Series 2005 Bond” means the Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Series 2005, issued by the Borrower, in the original principal amount of \$17,300,000 pursuant to the Resolution as then in effect.

“Series 2009A Bond” means the Subordinate Lien Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Taxable Series 2009A, issued by the Borrower, in the original principal amount of \$416,300 pursuant to the Resolution as then in effect.

“Series 2009B Bond” means the Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Series 2009B, issued by the Borrower, in the original principal amount of \$333,700 pursuant to the Resolution as then in effect.

“Series 2009C Bond” means the Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Series 2009C, issued by the Borrower, in the original principal amount of \$2,750,000 pursuant to the Resolution as then in effect.

“Series 2009D Bond” means the Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Series 2009D, issued by the Borrower, in the original principal amount of \$7,412,000 pursuant to the Resolution as then in effect.

“Series 2010A Bond” means the Subordinate Lien Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Taxable Series 2010A, issued by the Borrower, in the original principal amount of \$500,000 pursuant to the Resolution as then in effect.

“Series 2010B Bond” means the Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Series 2010B, issued by the Borrower, in the original principal amount of \$2,800,000 pursuant to the Resolution as then in effect.

“Series 2012 Bond” means the \$3,100,000 Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Series 2012, issued to the DNRC to evidence the 2012 Loan.

“State” means the State of Montana.

“State Bonds” means the State’s General Obligation Bonds (Drinking Water State Revolving Fund Program), issued or to be issued pursuant to the Indenture.

“State Act” means Montana Code Annotated, Title 75, Chapter 6, Part 2, as amended from time to time.

“Supplemental Resolution” means this Resolution No. _____ of the Borrower adopted on September 10, 2012.

“Surplus Account” means the account created in the Water System Fund pursuant to Section 11.7 of the Original Resolution.

“Surplus Net Revenues” shall mean that portion of the Net Revenues in excess of the current requirements of the Operating Account, the Revenue Bond Account and the Reserve Account.

“System” means the water system of the Borrower and all extensions, improvements and betterments thereof heretofore or hereafter constructed and acquired.

“Trustee” means U.S. Bank National Association, in Seattle, Washington, or any successor trustee under the Indenture.

“2012 Loan” means the loan made to the Borrower by the DNRC pursuant to the Program in the maximum amount of the Committed Amount to provide funds to pay all or a portion of the costs of the 2012 Project and to pay costs of issuance of the Series 2012 Bond.

“2012 Project” means the designing and engineering of the facilities, improvements and activities financed, refinanced or the cost of which is being reimbursed to the Borrower with proceeds of the 2012 Loan, described in Appendix A hereto.

“Water System Fund” means the fund created by Section 11.1 of the Original Resolution.

Section 1.2 Other Rules of Construction. For all purposes of this Supplemental Resolution, except where the context clearly indicates otherwise:

(a) All accounting terms not otherwise defined herein have the meanings assigned to them in accordance with generally accepted government accounting standards.

(b) Terms in the singular include the plural and vice versa.

(c) All references to time shall refer to Helena, Montana time, unless otherwise provided herein.

(d) All references to mail shall refer to first-class mail postage prepaid.

(e) Words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders.

(f) “Or” is not exclusive, but is intended to permit or encompass one, more or all of the alternatives conjoined.

Section 1.3 Appendices. Attached to this Supplemental Resolution and hereby made a part hereof are the following Appendices:

Appendix A: a description of the 2012 Project;

Appendix B: the form of the Series 2012 Bond; and

Appendix C: additional agreements and representations of the Borrower.

ARTICLE II

AUTHORIZATION, FINDINGS, REPRESENTATIONS AND COVENANTS

Section 2.1 Authorization and Findings.

(a) Authorization. Under the provisions of the Act, the Borrower is authorized to issue and sell its revenue bonds payable during a term not exceeding forty years from their date of issue, to provide funds for the reconstruction, improvement, betterment and extension of the System or to refund its revenue bonds issued for such purpose; provided that the bonds and the interest thereon are to be payable solely out of the net income and revenues to be derived from rates, fees and charges for the services, facilities and commodities furnished by the undertaking, and are not to create any obligation for the payment of which taxes may be levied except to pay for services provided by the undertaking to the Borrower.

(b) The System. The Borrower, pursuant to the Act and other laws of the State has established and presently owns and operates the System.

(c) The 2012 Project. After investigation of the facts and as authorized by the Act, this Council has determined it to be necessary and desirable and in the best interests of the Borrower to acquire and construct the 2012 Project.

(d) Outstanding Bonds. Pursuant to the Act and the Original Resolution, the Borrower has issued, and has outstanding, its Series 2005 Bond, Series 2009A Bond, Series 2009B Bond, Series 2009C Bond, Series 2009D Bond, Series 2010A Bond and Series 2010B Bond. The Series 2005 Bond, the Series 2009B Bond, Series 2009C Bond, Series 2009D Bond and Series 2010B Bond are payable from Net Revenues of the System, and no other bonds or indebtedness are outstanding that are payable from or secured by revenues of the System. The Series 2009A Bond and Series 2010A Bond are Subordinate Lien Obligations payable out of available Surplus Net Revenues in the Replacement and Depreciation Account or the Surplus Account in the Water System Fund of the Borrower.

(e) Additional Bonds. The Borrower reserved the right under Section 10.3 of the Original Resolution to issue Additional Bonds to finance the cost or estimated cost of providing any improvement, extension or rehabilitation of the System; provided that if the Additional Bonds are issued to complete a project, a certificate is to be signed by the Mayor and City Finance Director or either of them stating that on the date of issuance of such Additional Bonds Net Revenues of the System meet the requirements set forth in Section 10.3 of the Original Resolution. Based on a certificate executed or to be executed by the Mayor and City Finance Director or either of them, it is hereby determined that the Borrower is authorized to issue the Series 2012 Bond in the maximum principal amount of \$3,100,000 pursuant to Section 10.3 of the Original Resolution, payable from and secured by the Net Revenues on a parity with the outstanding Series 2005 Bond, Series 2009B Bond, Series 2009C Bond, Series 2009D Bond and Series 2010B Bond.

Section 2.2 Representations. The Borrower represents as follows:

(a) Organization and Authority. The Borrower:

(1) is duly organized and validly existing as a municipal corporation of the State;

(2) has all requisite power and authority and all necessary licenses and permits required as of the date hereof to own and operate the System and to carry on its current

activities with respect to the System, to adopt this Supplemental Resolution and to enter into the Collateral Documents and to issue the Series 2012 Bond and to carry out and consummate all transactions contemplated by the Supplemental Resolution, the Series 2012 Bond and the Collateral Documents;

(3) is a Governmental Unit and a Public Entity; and

(4) has taken all proper action to authorize the execution, delivery and performance of its obligations under this Supplemental Resolution, the Series 2012 Bond and the Collateral Documents and the incurrence of the Debt evidenced by the Series 2012 Bond in the maximum amount of the Committed Amount.

(b) Litigation. There is no litigation or proceeding pending, or to the knowledge of the Borrower threatened, against or affecting the Borrower in any court or before or by any governmental authority or arbitration board or tribunal that, if adversely determined, would materially and adversely affect the existence, corporate or otherwise, of the Borrower, or the ability of the Borrower to make all payments and otherwise perform its obligations under the Resolution, the Series 2012 Bond and the Collateral Documents, or the financial condition of the Borrower, or the transactions contemplated by the Resolution, the Series 2012 Bond and the Collateral Documents or the validity and enforceability of the Resolution, the Series 2012 Bond and the Collateral Documents. No referendum petition has been filed with respect to any resolution or other action of the Borrower relating to the 2012 Project, the Series 2012 Bond or any Collateral Documents and the period for filing any such petition will have expired before issuance of the Series 2012 Bond.

(c) Borrowing Legal and Authorized. The adoption of this Supplemental Resolution, the execution and delivery of the Series 2012 Bond and the Collateral Documents and the consummation of the transactions provided for in this Supplemental Resolution, the Series 2012 Bond and the Collateral Documents and compliance by the Borrower with the provisions of the Resolution, the Series 2012 Bond and the Collateral Documents:

(1) are within the powers of the Borrower and have been duly authorized by all necessary action on the part of the Borrower; and

(2) do not and will not result in any breach of any of the terms, conditions or provisions of, or constitute a default under, or result in the creation or imposition of any lien, charge or encumbrance upon any property or assets of the Borrower pursuant to any ordinance, resolution, indenture, loan agreement or other agreement or instrument (other than the Resolution and any Collateral Documents) to which the Borrower is a party or by which the Borrower or its property may be bound, nor will such action result in any violation of the provisions of any laws, ordinances, governmental rules or regulations or court or other governmental orders to which the Borrower, its properties or operations are subject.

(d) No Defaults. No event has occurred and no condition exists that, upon execution and delivery of the Series 2012 Bond and the Collateral Documents, would constitute a default under the Resolution or the Collateral Documents. The Borrower is not in violation of any term of any

agreement, bond resolution, trust indenture, charter or other instrument to which it is a party or by which it or its property may be bound which violation would materially and adversely affect the transactions contemplated hereby or the compliance by the Borrower with the terms hereof or of the Series 2012 Bond and the Collateral Documents.

(e) Governmental Consent. The Borrower has obtained or made all permits, findings and approvals required to the date of adoption of this Supplemental Resolution by any governmental body or officer for the making and performance by the Borrower of its obligations under this Supplemental Resolution, the Series 2012 Bond and the Collateral Documents (including any necessary water rate increase) or for the 2012 Project, the financing or refinancing thereof or the reimbursement of the Borrower for the costs thereof. No consent, approval or authorization of, or filing, registration or qualification with, any governmental authority (other than those, if any, already obtained) is required on the part of the Borrower as a condition to adopting this Supplemental Resolution, issuing the Series 2012 Bond or entering into the Collateral Documents and the performance of the Borrower's obligations hereunder and thereunder.

(f) Binding Obligation. The Resolution, the Series 2012 Bond and any Collateral Document to which the Borrower is a party are the valid and binding special, limited obligations and agreements of the Borrower, enforceable against the Borrower in accordance with their terms, except to the extent that the enforceability thereof may be limited by laws relating to bankruptcy, moratorium, reorganization, insolvency or similar laws affecting creditors' rights and general principles of equity.

(g) The 2012 Project. The 2012 Project consists and will consist of the facilities, improvements and activities described in Appendix A, as such Appendix A may be amended from time to time in accordance with the provision of Article III of this Supplemental Resolution. The 2012 Project comprises facilities of a type that, as determined by the EPA, will facilitate compliance with the national primary drinking water regulations applicable to the System or will otherwise significantly further the health protection objectives of the Safe Drinking Water Act.

(h) The System. The System is a "community water system" within the meaning of the State Act and the Safe Drinking Water Act in that it is a public water system, comprising collection, treatment, storage and distribution facilities for the provision to the public of water for human consumption, that serves not less than 15 service connections used by year-round residents of the area served by the System or regularly serves not less than 25 year-round residents.

(i) Full Disclosure. There is no fact that the Borrower has not specifically disclosed in writing to the DNRC that materially and adversely affects or (so far as the Borrower can now foresee), except for pending or proposed legislation or regulations that are a matter of general public information, that will materially and adversely affect the properties, operations and finances of the System, the Borrower's status as a Public Entity and Governmental Unit, its ability to own and operate the System in the manner it is currently operated or the Borrower's ability to perform its obligations under the Resolution, the Series 2012 Bond and the Collateral Documents and to pledge any revenues or other property pledged to the payment of the Series 2012 Bond.

(j) Compliance With Law. The Borrower:

(1) is in compliance with all laws, ordinances, governmental rules and regulations and court or other governmental orders, judgments and decrees to which it is subject and which are material to the properties, operations and finances of the System or its status as a Public Entity and Governmental Unit; and

(2) has obtained all licenses, permits, franchises or other governmental authorizations necessary to the ownership of the System and the operation thereof and agrees to obtain all such licenses, permits, franchises or other governmental authorizations as may be required in the future for the System and the operation thereof, which failure to obtain might materially and adversely affect the ability of the Borrower to conduct the operation of the System as presently conducted or the condition (financial or otherwise) of the System or the Borrower's ability to perform its obligations under the Resolution, the Series 2012 Bond and the Collateral Documents.

Section 2.3 Covenants.

(a) Insurance. In addition to the requirements of Section 2.2 of the Original Resolution, the Borrower at all times shall keep and maintain with respect to the System property and casualty insurance and liability insurance with financially sound and reputable insurers, or self-insurance as authorized by State law, against such risks and in such amounts, and with such deductible provisions, as are customary in the State in the case of entities of the same size and type as the Borrower and similarly situated and shall carry and maintain, or cause to be carried and maintained, and pay or cause to be paid timely the premiums for all such insurance. All such insurance policies shall name the DNRC as an additional insured. Each policy must provide that it cannot be cancelled by the insurer without giving the Borrower and the DNRC 30 days' prior written notice. The Borrower shall give the DNRC prompt notice of each insurance policy it obtains or maintains to comply with this Section 2.3(a) and of each renewal, replacement, change in coverage or deductible under or amount of or cancellation of each such insurance policy and the amount and coverage and deductibles and carrier of each new or replacement policy. Such notice shall specifically note any adverse change as being an adverse change. The Borrower shall deliver to the DNRC at Closing a certificate providing the information required by this Section 2.3(a).

(b) Right of Inspection and Notice of Change of Location. The DNRC, the DEQ and the EPA and their designated agents shall have the right at all reasonable times during normal business hours and upon reasonable notice to enter into and upon the property of the Borrower for the purpose of inspecting the System or any or all books and records of the Borrower relating to the System.

(c) Further Assurance. The Borrower shall execute and deliver to the DNRC all such documents and instruments and do all such other acts and things as may be necessary or required by the DNRC to enable the DNRC to exercise and enforce its rights under the Resolution, the Series 2012 Bond and the Collateral Documents and to realize thereon, and record and file and re-record and refile all such documents and instruments, at such time or times, in such manner and at such place or places, all as may be necessary or required by the DNRC to validate,

preserve and protect the position of the DNRC under the Resolution, the Series 2012 Bond and the Collateral Documents.

(d) Maintenance of Security, if Any; Recordation of Interest.

(1) The Borrower shall, at its expense, take all necessary action to maintain and preserve the lien and security interest of the Resolution and the Collateral Documents so long as any amount is owing under the Resolution or the Series 2012 Bond;

(2) The Borrower shall forthwith, after the execution and delivery of the Series 2012 Bond and thereafter from time to time, cause the Resolution and any Collateral Documents granting a security interest in revenues or real or personal property and any financing statements or other notices or documents relating thereto to be filed, registered and recorded in such manner and in such places as may be required by law in order to perfect and protect fully the lien and security interest hereof and thereof and the security interest in them granted by the Resolution and, from time to time, shall perform or cause to be performed any other act required by law, including executing or causing to be executed any and all required continuation statements and shall execute or cause to be executed any further instruments that may be requested by the DNRC for such perfection and protection; and

(3) Except to the extent it is exempt therefrom, the Borrower shall pay or cause to be paid all filing, registration and recording fees incident to such filing, registration and recording, and all expenses incident to the preparation, execution and acknowledgment of the documents described in subparagraph (2), and all federal or state fees and other similar fees, duties, imposts, assessments and charges arising out of or in connection with the execution and delivery of the Series 2012 Bond and the Collateral Documents and the documents described in subparagraph (2).

(e) Additional Agreements. The Borrower covenants to comply with all representations, covenants, conditions and agreements, if any, set forth in Appendix C hereto.

(f) Financial Information. This Section 2.3(f) supplements, and is not intended to limit, the requirements in Section 2.2(e) of the Original Resolution. The Borrower agrees that for each fiscal year it shall furnish to the DNRC and the DEQ, promptly when available:

(1) the preliminary budget for the System, with items for the 2012 Project shown separately; and

(2) when adopted, the final budget for the System, with items for the 2012 Project shown separately.

The Borrower will cause proper and adequate books of record and account to be kept showing complete and correct entries of all receipts, disbursements and other transactions relating to the System, the monthly gross revenues derived from its operation, and the segregation and application of the gross revenues in accordance with the Resolution, in such reasonable detail as may be determined by the Borrower in

accordance with generally accepted governmental accounting practice and principles. It will cause such books to be maintained on the basis of the same fiscal year as that utilized by the Borrower. The Borrower shall, within 180 days after the close of each fiscal year, cause to be prepared and supply to the DNRC a financial report with respect to the System for such fiscal year. The report shall be prepared at the direction of the financial officer of the Borrower in accordance with applicable generally accepted governmental accounting principles and, in addition to whatever matters may be thought proper by the financial officer to be included therein, shall include the following:

- (i) A statement in detail of the income and expenditures of the System for the fiscal year, identifying capital expenditures and separating them from operating expenditures;
- (ii) A balance sheet as of the end of the fiscal year;
- (iii) The number of premises connected to the System at the end of the fiscal year;
- (iv) The amount on hand in each account of the Fund at the end of the fiscal year;
- (v) A list of the insurance policies and fidelity bonds in force at the end of the fiscal year, setting out as to each the amount thereof, the risks covered thereby, the name of the insurer or surety and the expiration date of the policy or bond; and
- (vi) A determination that the report shows full compliance by the Borrower with the provisions of the Resolution during the fiscal year covered thereby, including proper segregation of the capital expenditures from operating expenses, maintenance of the required balance in the Reserve Account, and receipt of Net Revenues during each fiscal year at least equal to 125% of the maximum amount of principal and interest payable on outstanding Parity Bonds in any subsequent fiscal year, or, if the report should reveal that the revenues have been insufficient for compliance with the Resolution, or that the methods used in accounting for such revenues were contrary to any provision of the Resolution, the report shall include a full explanation thereof, together with recommendations for such change in rates or accounting practices or in the operation of the System as may be required.

The Borrower shall also have prepared and supplied to the DNRC and the DEQ, within 180 days of the close of every other fiscal year, an audit report prepared by an independent certified public accountant or an agency of the state in accordance with generally accepted governmental accounting principles and practice with respect to the financial statements and records of the System. The audit report shall include an analysis of the Borrower's compliance with the provisions of the Resolution.

(g) 2012 Project Accounts. The Borrower shall maintain 2012 Project accounts in accordance with generally accepted government accounting standards.

(h) Records. After reasonable notice from the EPA or the DNRC, the Borrower shall make available to the EPA or the DNRC such records as the EPA or the DNRC reasonably requires to review and determine compliance with the Safe Drinking Water Act, as provided in Section 75-6-224(1)(h) of the State Act.

(i) Compliance with Safe Drinking Water Act. The Borrower has complied and shall comply with all conditions and requirements of the Safe Drinking Water Act pertaining to the 2012 Loan and the 2012 Project.

(j) Compliance with DEQ Requirements. The Borrower shall comply with plan, specification and other requirements for public water systems established by the DEQ, as required by Section 75-6-224(1)(h) of the State Act.

Section 2.4 Covenants Relating to the Tax-Exempt Status of the State Bonds.

(a) The Borrower covenants and agrees that it will not use or permit to be used any of the proceeds of the Series 2012 Bond or any other funds of the Borrower in respect of the 2012 Project or the Series 2012 Bond, directly or indirectly, in a manner that would cause, or take any other action that would cause, any State Bond to be an “arbitrage bond” within the meaning of Section 148 of the Code or would otherwise cause the interest on the State Bonds to be included in gross income for purposes of federal income taxation.

(b) The Borrower agrees that it will not enter into, or allow any “related person” (as defined in Section 147(a)(2) of the Code) to enter into, any arrangement, formal or informal, for the purchase of the State Bonds or any other obligations of the DNRC in an amount related to the amount of the Loan or the portion of the Loan derived directly or indirectly from proceeds of the State Bonds or that would otherwise cause any State Bond to be an “arbitrage bond” within the meaning of Section 148 of the Code.

(c) The Borrower shall not use or permit the use of the 2012 Project directly or indirectly in any trade or business carried on by any Person who is not a Governmental Unit. For the purpose of this subparagraph, use as a member of the general public (within the meaning of the Regulations) shall not be taken into account and any activity carried on by a Person other than a natural person shall be treated as a trade or business.

(d) Any portion of the 2012 Project being refinanced or the cost of which is being reimbursed was acquired by and is now and shall, during the term of the Loan, be owned by the Borrower and not by any other Person. Any portion of the 2012 Project being financed shall be acquired by and shall, during the term of the Loan, be owned by the Borrower and not by any other Person. Notwithstanding the previous two sentences, the Borrower may transfer the 2012 Project or a portion thereof to another Governmental Unit which is also a Public Entity if such transfer is otherwise permitted under the Resolution and if such organization agrees with the DNRC to comply with Section 2.3(h), Section 2.3(i) and Section 2.4 of this Supplemental Resolution and if the DNRC receives an Opinion of Bond Counsel that such transfer will not

violate the State Act or the Safe Drinking Water Act or adversely affect the exclusion of interest on the State Bonds from gross income or purposes of federal income taxation. In addition, except as otherwise provided in the Resolution or in any Collateral Documents, the Borrower may sell or otherwise dispose of any portion of the 2012 Project which has become obsolete or outmoded or is being replaced or for other reasons is not needed by the Borrower or beneficial to the general public or necessary to carry out the purposes of the Safe Drinking Water Act.

(e) At the Closing of the 2012 Loan, the DNRC will, if necessary to obtain the Opinion of Bond Counsel described in Section 7.05(a) of the Indenture, deliver to the Borrower instructions concerning compliance by the Borrower with the arbitrage rebate requirements of Section 148 of the Code (the "Arbitrage Rebate Instructions"). The Borrower shall comply with the Arbitrage Rebate Instructions, if any, delivered to it by the DNRC at Closing, as such Instructions may be amended or replaced by the DNRC from time to time. The Arbitrage Rebate Instructions may be amended or replaced by new Arbitrage Rebate Instructions delivered by the DNRC and accompanied by an Opinion of Bond Counsel to the effect that the use of said amended or new Arbitrage Rebate Instructions will not adversely affect the excludability of interest on the State Bonds or any Additional State Bonds (except State Bonds the interest on which the State did not intend to be excluded from gross income for federal income tax purposes) from gross income of the recipients thereof for federal income tax purposes.

(f) The Borrower agrees that during the term of the 2012 Loan it will not contract with or permit any Private Person to manage the 2012 Project or any portion thereof except according to a written management contract and upon delivery to the DNRC of an opinion of Bond Counsel to the effect that the execution and delivery of such management contract will not violate the State Act or the Safe Drinking Water Act or adversely affect the exclusion of interest on State Bonds from gross income or purposes of federal income taxation.

(g) The Borrower may not lease the 2012 Project or any portion thereof to any Person other than a Nonexempt Person which agrees in writing with the Borrower and the State not to cause any default to occur under the Resolution; provided the Borrower may lease all or any portion of the 2012 Project to a Nonexempt Person pursuant to a lease which in the Opinion of Bond Counsel delivered to the DNRC will not cause the interest on the State Bonds to be included in gross income for purposes of federal income taxation.

(h) The Borrower shall not change the use or nature of the 2012 Project if (i) such change will violate the Safe Drinking Water Act, or (ii) so long as the State Bonds are outstanding unless, in the Opinion of Bond Counsel delivered to the DNRC, such change will not result in the inclusion in gross income of interest on the State Bonds for federal income tax purposes.

Section 2.5 Maintenance of System; Liens. The Borrower shall maintain the System, including the 2012 Project, in good condition and make all necessary renewals, replacements, additions, betterments and improvements thereto. The Borrower shall not grant or permit to exist any lien on the 2012 Project or any other property making up part of the System, other than liens securing Debt where a parity or senior lien secures the Series 2012 Bond; provided that this Section 2.5 shall not be deemed to be violated if a mechanic's or contractor's lien is filed against any such property so long as the Borrower uses its best efforts to obtain the discharge of such

lien and promptly reports to the DNRC the filing of such lien and the steps it plans to take and does take to discharge of such lien.

Section 2.6 Maintenance of Existence; Merger, Consolidation, Etc.; Disposition of Assets. The Borrower shall maintain its corporate existence, except that it may consolidate with or merge into another Governmental Unit or permit one or more Governmental Units to consolidate with or merge into it or may transfer all or substantially all of its assets to another Governmental Unit and then dissolve if the surviving, resulting or transferee entity (if other than the Borrower) (i) is a Public Entity and (ii) assumes in writing all of the obligations of the Borrower under the Resolution, the Series 2012 Bond and the Collateral Documents, and (a) such action does not result in any default in the performance or observance of any of the terms, covenants or agreements of the Borrower under the Resolution, the Series 2012 Bond and the Collateral Documents, (b) such action does not violate the State Act or the Safe Drinking Water Act and does not adversely affect the exclusion of interest on the Series 2012 Bond or the State Bonds from gross income for federal income tax purposes and (c) the Borrower delivers to the DNRC on the date of such action an Opinion of Bond Counsel that such action complies with this Section 2.6.

Other than pursuant to the preceding paragraph, the Borrower shall not transfer the System or any portion thereof to any other Person, except for property which is obsolete, outmoded, worn out, is being replaced or otherwise is not needed for the operation of the System, unless the provisions of (a) and (b) of the preceding paragraph are satisfied and the Borrower delivers to the DNRC an Opinion of Bond Counsel to that effect and, in addition, the DNRC consents to such transfer.

ARTICLE III

USE OF PROCEEDS; THE 2012 Project

Section 3.1 Use of Proceeds. The Borrower shall apply the proceeds of the 2012 Loan from the DNRC solely as follows:

(a) The Borrower shall apply the proceeds of the 2012 Loan solely to the financing, refinancing or reimbursement of the costs of the 2012 Project as set forth in Appendix A hereto and this Section 3.1. The 2012 Loan will be disbursed in accordance with ARTICLE IV hereof and Article VII of the Indenture. If the 2012 Project has not been completed prior to Closing, the Borrower shall, as quickly as reasonably possible, complete the 2012 Project and expend proceeds of the 2012 Loan to pay the costs of completing the 2012 Project.

(b) No portion of the proceeds of the 2012 Loan shall be used to reimburse the Borrower for costs paid prior to the date of adoption of this Supplemental Resolution of a Project the construction or acquisition of which occurred or began earlier than June 1, 1993. In addition, if any proceeds of the Loan are to be used to reimburse the Borrower for 2012 Project costs paid prior to the date of adoption of this Supplemental Resolution, the Borrower shall have complied with Section 1.150-2 of the Regulations in respect of such costs.

(c) Any Debt to be refinanced with proceeds of the Loan was incurred after June 1, 1993 for a Project the construction or acquisition of which began after June 1, 1993. No proceeds of the Loan shall be used for the purpose of refinancing an obligation the interest on which is exempt from federal income tax or excludable from gross income for purposes of federal income taxation unless the DNRC has received an Opinion of Bond Counsel, satisfactory to it, to the effect that such refinancing will not adversely affect the exclusion of interest on the State Bonds from gross income for purposes of federal income taxation.

Section 3.2 The 2012 Project. Set forth in Appendix A to this Supplemental Resolution is a description of the 2012 Project, which describes the property which has been or is to be acquired, installed, constructed or improved and the other activities, if any to be funded from the Loan (the 2012 Project may consist of more than one facility or activity), and an estimated budget relating to the 2012 Project. The 2012 Project may be changed and the description thereof in Appendix A may be amended from time to time by the Borrower but only after delivery to the DNRC of the following:

(a) A certificate of the Borrower setting forth the amendment to Appendix A and stating the reason therefor, including statements whether the amendment would cause an increase or decrease in the cost of the 2012 Project, an increase or decrease in the amount of Loan proceeds which will be required to complete the 2012 Project and whether the change will materially accelerate or delay the construction schedule for the 2012 Project;

(b) A written consent to such change in the 2012 Project by an Authorized DNRC Officer;

(c) An Opinion or Opinions of Bond Counsel stating that the 2012 Project, as constituted after such amendment, is, and was at the time the State Bonds were issued, eligible for financing under the State Act and is, and was at the time the Series 2012 Bond was issued, eligible for financing under the Act, such amendment will not violate the State Act or the Act and such amendment will not adversely affect the exclusion of interest on the State Bonds or the Series 2012 Bond from gross income for purposes of federal income taxation. Such an Opinion of Bond Counsel shall not be required for amendments which do not affect the type of facility to be constructed or activity to be financed; and

The Borrower acknowledges and agrees that an increase in the principal amount of the 2012 Loan may be made only upon an application to the DEQ, the DNRC and the Trustee, in such form as the DEQ shall specify, which is approved by the DEQ and the DNRC, in their sole and absolute discretion, and adoption by the governing body of the Borrower of a resolution amendatory of or supplementary to the Resolution authorizing the additional loan and delivery of written certifications by officers of the Borrower to the DEQ, the DNRC and the Trustee to the effect that all representations and covenants contained in the resolution as it may be so amended or supplemented are true as of the date of closing of the additional loan and compliance with applicable tests for the incurrence of such Debt. No assurance can be given that any additional loan funds will be available under the Program at the time of any such application or thereafter. The Borrower acknowledges and agrees that neither the DEQ, the DNRC, the Trustee nor any of their agents, employees or representatives shall have any liability to the Borrower and have made no representations to the Borrower as to the sufficiency of the 2012 Loan to pay costs of the

2012 Project or as to the availability of additional funds under the Program to increase the principal amount of the Loan.

Section 3.3 2012 Project Representations and Covenants. The Borrower hereby represents to and covenants with the DNRC that:

(a) all construction of the 2012 Project has complied and will comply with all federal and state standards, including, without limitation, EPA regulations and standards;

(b) all future construction of the 2012 Project will be done only pursuant to fixed price construction contracts. The Borrower shall obtain a performance and payment bond from the contractor for each construction contract in the amount of 100% of the construction price and ensure that such bond is maintained until construction is completed to the Borrower's, the DNRC's and the DEQ's satisfaction;

(c) all future construction of the 2012 Project will be done in accordance with plans and specifications on file with the DNRC and the DEQ, provided that changes may be made in such plans and specifications with the written consent of an Authorized DNRC Officer and the DEQ; and

(d) the 2012 Project is a project of the type permitted to be financed under the Act, the State Act and the Program and Section 1452 of the Safe Drinking Water Act;

Section 3.4 Completion or Cancellation or Reduction of Costs of the 2012 Project.

(a) Upon completion of the 2012 Project, the Borrower shall deliver to the DNRC a certificate stating that the 2012 Project is complete, stating the amount, if any, of the Reserved Amounts, and releasing the remaining amount, if any, of the Committed Amount. If any Reserved Amount is not later needed, the Borrower shall so inform the DNRC and release such amount. If Appendix A describes two or more separate projects as making up the 2012 Project, a separate completion certificate shall be delivered for each.

(b) If all or any portion of the 2012 Project is cancelled or cut back or its costs are reduced or for any other reason the Borrower will not require the full Committed Amount, the Borrower shall promptly notify the DNRC in writing of such fact and release the portion of the Committed Amount which will not be needed.

ARTICLE IV

THE LOAN

Section 4.1 The Loan; Disbursement of Loan. The DNRC has agreed to lend to the Borrower, from time to time as the requirements of this Section 4.1 are met, an amount up to \$3,100,000 (the "Committed Amount") for the purposes of financing, refinancing or reimbursing the Borrower for the costs of the 2012 Project; provided the DNRC shall not be required to loan any proceeds of the State Bonds to the Borrower after December 2013. The Committed Amount may be reduced as provided in Sections 3.2(a) and 3.4 of this Supplemental Resolution. The

2012 Loan shall be disbursed as provided in this Section 4.1. The DNRC intends to disburse the 2012 Loan through the Trustee.

(a) In consideration of the issuance of the Series 2012 Bond by the Borrower, the DNRC shall make, or cause the Trustee to make, a disbursement of all or a portion of the 2012 Loan upon receipt of the following documents:

(1) an Opinion of Bond Counsel as to the validity and enforceability of the Series 2012 Bond and the security therefor and stating in effect that interest on the Series 2012 Bond is not includable in gross income of the owner thereof for purposes of federal income taxation, in form and substance satisfactory to the DNRC;

(2) the Series 2012 Bond, fully executed and authenticated;

(3) a certified copy of the Original Resolution and this Supplemental Resolution;

(4) any other security instruments or documents required by the DNRC or DEQ as a condition to their approval of the 2012 Loan;

(5) if all or part of a Loan is being made to refinance a Project or reimburse the Borrower for the costs of a Project paid prior to the Closing, evidence, satisfactory to the DNRC and the Bond Counsel referred to in (1) above, (A) that the acquisition or construction of the Project was begun no earlier than June 1, 1993 or the debt was incurred no earlier than June 1, 1993, (B) of the Borrower's title to the Project, (C) of the costs of such Project and that such costs have been paid by the Borrower and (D) if such costs were paid before adoption of this Supplemental Resolution that the Borrower has complied with Section 1.150-2 of the Regulations;

(6) the items required by the Indenture for the portion of the 2012 Loan to be disbursed at Closing; and

(7) such other certificates, documents and other information as the DNRC, the DEQ or the Bond Counsel giving the opinion referred to in subparagraph (1) may require (including any necessary arbitrage rebate instructions).

(b) In order to obtain a disbursement of a portion of the 2012 Loan to pay costs of the 2012 Project, the Borrower shall submit to the DNRC and the Trustee a signed request for disbursement on the form prescribed by the DNRC, with all attachments required by such form. The Borrower may obtain disbursements only for costs which have been legally incurred and are due and payable. All Loan disbursements will be made to the Borrower only upon proof that cost was incurred.

(c) For refinancings, a disbursement schedule complying with the requirements of the Safe Drinking Water Act shall be established by the DNRC and the Borrower at Closing. The Trustee shall disburse 2012 Loan amounts directly to the holder of the debt being refinanced according to such schedule. If the Borrower should repay all or a portion of the debt to be refinanced from other sources or should otherwise not need any portion of the 2012 Loan which

was to have been used to refinance such debt, it shall inform the DNRC and the Trustee of such fact pursuant to Section 3.4(b) and a new disbursement schedule shall be drawn up by the DNRC. The DNRC shall obtain a receipt from the holder of the debt being refinanced for each disbursement made to pay or prepay a portion of such debt.

(d) If all or a portion of a Loan is made to reimburse a Borrower for Project costs paid by it prior to Closing, the Borrower shall present at Closing the items required by Section 4.1(b) relating to such costs. The Trustee shall disburse such amounts to the Borrower pursuant to a disbursement schedule complying with the requirements of the Safe Drinking Water Act established by the DNRC and the Borrower at the Closing.

(e) Notwithstanding anything else provided herein, the Trustee shall not be obligated to disburse the Loan any faster or to any greater extent than it has available EPA Capitalization Grants, Bond proceeds and other amounts available therefor in the Revolving Fund. The DNRC shall not be required to do “overmatching” pursuant to Section 5.04(b) of the Indenture, but may do so in its discretion. The Borrower acknowledges that if Project costs are incurred faster than the Borrower projected at Closing, there may be delays in making Loan disbursements for such costs because of the schedule under which EPA makes EPA Capitalization Grant money available to the DNRC. The DNRC will use its best efforts to obtain an acceleration of such schedule if necessary.

(f) Upon making each 2012 Loan disbursement, the Trustee shall note such disbursement on Schedule A to the Series 2012 Bond.

(g) The Borrower agrees that it will deposit in the Reserve Account from its own funds an amount equal to the Reserve Requirement allocable to the Series 2012 Bond, as described more particularly in Article IX hereof. The Borrower further acknowledges and agrees that any portion of the 2012 Loan representing capitalized interest shall be advanced only on Payment Dates and shall be transferred by the Trustee on the Payment Date directly to the Debt Service Account. The amount of any such transfer shall be a credit against the interest payments due on the Series 2012 Bond and interest thereon shall accrue only from the date of transfer.

(h) Compliance by the Borrower with its representations, covenants and agreements contained in the Original Resolution, this Supplemental Resolution and the Collateral Documents shall be a further condition precedent to the disbursement of the Loan in whole or in part. The DNRC and the Trustee, in their sole and absolute discretion, may make one or more disbursements, in whole or in part, notwithstanding such noncompliance, and without liability to make any subsequent disbursement of the Loan.

Section 4.2 Commencement of Loan Term. The Borrower’s obligations under this Supplemental Resolution and the Collateral Documents shall commence on the date hereof unless otherwise provided in this Supplemental Resolution. However, the obligation to make payments under ARTICLE V hereof shall commence only upon the first disbursement by the Trustee of the 2012 Loan proceeds.

Section 4.3 Termination of Loan Term. The Borrower’s obligations under the Resolution and the Collateral Documents in respect of the Series 2012 Bond shall terminate upon

payment in full of all amounts due under the Series 2012 Bond and the Resolution in respect thereof; provided, however, that the covenants and obligations provided in ARTICLE VI and Section 10.3 of this Supplemental Resolution shall survive the termination of the Resolution.

Section 4.4 Loan Closing Submissions. On or prior to the Closing, the Borrower will have delivered to the DNRC and the Trustee the closing submissions required by Section 7.05 of the Indenture.

ARTICLE V

REPAYMENT OF 2012 LOAN

Section 5.1 Repayment of 2012 Loan. The Borrower shall repay the amounts lent to it pursuant to Section 4.1 hereof, plus interest on the unpaid amounts lent at the rate of two percent (2.00%) per annum, in semiannual Loan Repayments. In addition, the Borrower shall pay an Administrative Expense Surcharge on the outstanding principal amount of the 2012 Loan at the rate of seventy-five hundredths of one percent (0.75%) per annum and a Loan Loss Reserve Surcharge equal to twenty-five hundredths of one percent (0.25%) per annum on the outstanding principal amount of the 2012 Loan. For purposes of this Supplemental Resolution and the Program, the term “Interest on the Loan” or “Interest on the 2012 Loan” shall include the Administrative Expense Surcharge and the Loan Loss Reserve Surcharge. The Borrower shall pay all Loan Repayments and Administrative Expense Surcharge and Loan Loss Reserve Surcharge in lawful money of the United States of America to the DNRC. Interest and Administrative Expense Surcharge and Loan Loss Reserve Surcharge shall be calculated on the basis of a year of 360 days comprising 12 months of 30 days each.

The Loan Repayments required by this Section 5.1, and the Administrative Expense Surcharge and the Loan Loss Reserve Surcharge, shall be due on each January 1 and July 1 (the “Payment Dates”), as follows:

(a) (a) interest and Administrative Expense Surcharge and Loan Loss Reserve Surcharge on the outstanding principal balance of the 2012 Loan shall be payable on each January 1 and July 1, beginning on January 1, 2013 and concluding on July 1, 2032; and

(b) the principal of the 2012 Loan shall be repayable on each Payment Date, beginning on January 1, 2013 and concluding on July 1, 2032, and the amount of each principal payment shall be calculated on the basis of an interest rate of 3.00% per annum; provided that principal of the 2012 Loan is payable only in amounts that are multiples of \$1,000.

The payments of principal of and interest and Administrative Expense Surcharge and Loan Loss Reserve Surcharge on the 2012 Loan shall be due on the dates and in the amounts shown in Schedule B to the Series 2012 Bond, as such Schedule B shall be modified from time to time as provided below. The portion of each such Loan Repayment consisting of principal and the portion consisting of interest and the amount of each Administrative Expense Surcharge and the amount of each Loan Loss Reserve Surcharge shall be set forth in Schedule B to the Series 2012 Bond. Upon each disbursement of 2012 Loan amounts to the Borrower pursuant to

Section 4.1 hereof, the Trustee shall enter or cause to be entered the amount advanced on Schedule A to the Series 2012 Bond under “Advances” and the total amount advanced under Section 4.1, including such disbursement, under “Total Amount Advanced.”

If the advance was made to pay costs of the 2012 Project pursuant to Section 4.1(b), interest and Administrative Expense Surcharge and Loan Loss Reserve Surcharge on such advance shall accrue from the date the advance is made and shall be payable on each Payment Date thereafter. Once the completion certificate for the 2012 Project has been delivered to the DNRC, the Trustee shall revise Schedule B to the Series 2012 Bond in accordance with this Section 5.1 and the Trustee shall send a copy of such Schedule B to the Borrower within one month after delivery of the completion certificate.

Past-due payments of principal and interest and Administrative Expense Surcharge and Loan Loss Reserve Surcharge shall bear interest at the rate of ten percent (10.00%) per annum, until paid.

Any payment of principal, interest or Administrative Expense Surcharge and Loan Loss Reserve Surcharge under this Section 5.1 shall also be credited against the same payment obligation under the Series 2012 Bond.

Section 5.2 Additional Payments. The Borrower shall also pay, within 30 days after receipt of a bill therefor, from any legally available funds therefor, including proceeds of the Loan, if the Borrower so chooses, all reasonable expenses of the DNRC and the Trustee in connection with the Loan, the Collateral Documents and the Series 2012 Bond, including, but not limited to:

(a) the cost of reproducing this Supplemental Resolution, the Collateral Documents and the Series 2012 Bond;

(b) the fees and disbursements of bond counsel and other Counsel utilized by the DNRC and the Trustee in connection with the Loan, the Resolution, the Collateral Documents and the Series 2012 Bond and the enforcement thereof; and

(c) all taxes and other governmental charges in connection with the execution and delivery of the Collateral Documents or the Series 2012 Bond, whether or not the Series 2012 Bond is then outstanding, including all recording and filing fees relating to the Collateral Documents and the pledge of the State’s right, title and interest in and to the Series 2012 Bond, the Collateral Documents and the Resolution under the Resolution (and with the exceptions noted therein) and all expenses, including attorneys’ fees, relating to any amendments, waivers, consents or collection or enforcement proceedings pursuant to the provisions hereof or thereof.

Section 5.3 Prepayments. The Borrower may not prepay all or any part of the outstanding principal amount of the Series 2012 Bond, unless (i) it obtains the prior written consent of the DNRC thereto, and (ii) no Loan Repayment or Administrative Expense Surcharge or Loan Loss Reserve Surcharge is then delinquent. Any prepayment permitted by the DNRC must be accompanied by payment of accrued interest and, if applicable, Administrative Expense Surcharge and Loan Loss Reserve Surcharge to the date of prepayment on the amount of

principal prepaid. If the Series 2012 Bond is prepaid in part pursuant to this Section 5.3, such prepayments shall be applied to principal payments in inverse order of maturity.

Section 5.4 Obligations of Borrower Unconditional. The obligations of the Borrower to make the payments required by the Resolution and the Series 2012 Bond and to perform its other agreements contained in the Resolution, the Series 2012 Bond and Collateral Documents shall be absolute and unconditional, except as otherwise provided herein or in such documents. The Borrower (a) shall not suspend or discontinue any payments provided for in the Resolution and the Series 2012 Bond, (b) shall perform all its other agreements in the Resolution, the Series 2012 Bond and the Collateral Documents and (c) shall not terminate the Resolution, the Series 2012 Bond or the Collateral Documents for any cause, including any acts or circumstances that may constitute failure of consideration, destruction of or damage to the 2012 Project or the System, commercial frustration of purpose, any dispute with the DNRC or the EPA, any change in the laws of the United States or of the State or any political subdivision of either or any failure of the DNRC to perform any of its agreements, whether express or implied, or any duty, liability or obligation arising from or connected with the Resolution.

Section 5.5 Limited Liability. All payments of principal of and interest on the Loan and other payment obligations of the Borrower hereunder and under the Series 2012 Bond shall be special, limited obligations of the Borrower payable solely out of the Net Revenues and shall not, except at the option of the Borrower and as permitted by law, be payable out of any other revenues of the Borrower. The obligations of the Borrower under the Resolution and the Series 2012 Bond shall never constitute an indebtedness of the Borrower within the meaning of any state constitutional provision or statutory or charter limitation and shall never constitute or give rise to a pecuniary liability of the Borrower or a charge against its general credit or taxing power. The taxing powers of the Borrower may not be used to pay principal of or interest on the Series 2012 Bond, and no funds or property of the Borrower other than the Net Revenues may be required to be used to pay principal of or interest on the Series 2012 Bond.

ARTICLE VI

INDEMNIFICATION OF DNRC AND DEQ

The Borrower shall indemnify and save harmless the DNRC and the DEQ and their officers, employees and agents (each an “Indemnified Party” or, collectively, the “Indemnified Parties”) against and from any and all claims, damages, demands, expenses, liabilities and losses of every kind asserted by or on behalf of any Person arising out of the acts or omissions of the Borrower or its employees, officers, agents, contractors, subcontractors, or consultants in connection with or with regard or in any way relating to the condition, use, possession, conduct, management, planning, design, acquisition, construction, installation or financing of the 2012 Project. The Borrower shall also indemnify and save harmless the Indemnified Parties against and from all costs, reasonable attorneys’ fees, expenses and liabilities incurred in any action or proceeding brought by reason of any such claim or demand. If any proceeding is brought against an Indemnified Party by reason of such claim or demand, the Borrower shall, upon notice from an Indemnified Party, defend such proceeding on behalf of the Indemnified Party.

ARTICLE VII

ASSIGNMENT

Section 7.1 Assignment by Borrower. The Borrower may not assign its rights and obligations under the Resolution or the Series 2012 Bond.

Section 7.2 Assignment by DNRC. The DNRC will pledge its rights under and interest in the Resolution, the Series 2012 Bond and the Collateral Documents (except to the extent otherwise provided in the Indenture) as security for the payment of the State Bonds and may further assign such interests to the extent permitted by the Indenture, without the consent of the Borrower.

Section 7.3 State Refunding Bonds. In the event the State Bonds and Additional State Bonds are refunded by bonds which are not Additional State Bonds, all references in the Resolution to State Bonds and Additional State Bonds shall be deemed to refer to the refunding bonds and any bonds of the State on a parity with such refunding bonds (together, the "Refunding Bonds") or, in the case of a crossover refunding, to the State Bonds and Additional State Bonds and the Refunding Bonds. In the event the State Bonds are refunded by an issue of Additional State Bonds, all references in the Resolution to the State Bonds shall be deemed to refer to such Additional State Bonds or, in the case of a crossover refunding, both the State Bonds and such Additional State Bonds.

ARTICLE VIII

THE SERIES 2012 BOND

Section 8.1 Net Revenues Available. The Borrower is authorized to charge just and equitable rates, charges and rentals for all services directly or indirectly furnished by the System, and to pledge and appropriate to the Series 2005 Bond, the Series 2009B Bond, the Series 2009C Bond, the Series 2009D Bond, the Series 2010B Bond and the Series 2012 Bond the Net Revenues to be derived from the operation of the System, including improvements, betterments or extensions thereof hereafter constructed or acquired. The Net Revenues to be produced by such rates, charges and rentals during the term of the Series 2012 Bond are expected to be more than sufficient to pay the principal and interest when due on the Series 2005 Bond, the Series 2009B Bond, the Series 2009C Bond, the Series 2009D Bond, the Series 2010B Bond and the Series 2012 Bond, and to create and maintain reasonable reserves therefor and to provide an adequate allowance for replacement and depreciation, as prescribed herein.

Section 8.2 Issuance and Sale of the Series 2012 Bond. The Council has investigated the facts necessary and hereby finds, determines and declares it to be necessary and desirable for the Borrower to issue the Series 2012 Bond to evidence the 2012 Loan. The Series 2012 Bond is issued to the DNRC without public sale pursuant to Montana Code Annotated, Section 7-7-4433(2)(a).

Section 8.3 Terms. The Series 2012 Bond shall be in the maximum principal amount equal to the Committed Amount, shall be issued as a single, fully registered bond numbered R-1,

shall be dated as of the date of delivery to the DNRC, and shall bear interest at the rate charged by the DNRC on the 2012 Loan. The principal of and interest on the Series 2012 Bond shall be payable on the same dates and in the same amounts on which principal and interest of the Loan Repayments are payable. Advances of principal of the Series 2012 Bond shall be deemed made when advances of the 2012 Loan are made under Section 4.1, and such advances shall be payable in accordance with Schedule B to the Series 2012 Bond, as it may be revised by the DNRC from time to time in accordance with Section 5.1.

The Borrower may prepay the Series 2012 Bond, in whole or in part, only upon the terms and conditions under which it can prepay the 2012 Loan under Section 5.3.

Section 8.4 Negotiability, Transfer and Registration. The Series 2012 Bond shall be fully registered as to both principal and interest, and shall be initially registered in the name of and payable to the DNRC. While so registered, principal of and interest on the Series 2012 Bond shall be payable to the DNRC at the Office of the Department of Natural Resources and Conservation, 1625 Eleventh Avenue, Helena, Montana 59620-1601 or such other place as may be designated by the DNRC in writing and delivered to the Borrower. The Series 2012 Bond shall be negotiable, subject to the provisions for registration and transfer contained in this Section. No transfer of the Series 2012 Bond shall be valid unless and until (1) the holder, or his duly authorized attorney or legal representative, has executed the form of assignment appearing on the Series 2012 Bond, and (2) the City Finance Director of the Borrower (or successors, the “Registrar”), as Bond Registrar, has duly noted the transfer on the Series 2012 Bond and recorded the transfer on the registration books of the Registrar. The Registrar may, prior to noting and recording the transfer, require appropriate proof of the transferor’s authority and the genuineness of the transferor’s signature. The Borrower shall be entitled to deem and treat the Person in whose name the Series 2012 Bond is registered as the absolute owner of the Series 2012 Bond for all purposes, notwithstanding any notice to the contrary, and all payments to the registered holder shall be valid and effectual to satisfy and discharge the Borrower’s liability upon such Bond to the extent of the sum or sums so paid.

Section 8.5 Execution and Delivery. The Series 2012 Bond shall be executed on behalf of the Borrower by the manual signatures of the Mayor, City Finance Director, and City Clerk. Any or all of such signatures may be affixed at or prior to the date of delivery of the Series 2012 Bond. The Series 2012 Bond shall be sealed with the corporate seal of the Borrower. In the event that any of the officers who shall have signed the Series 2012 Bond shall cease to be officers of the Borrower before the Series 2012 Bond is issued or delivered, their signatures shall remain binding upon the Borrower. Conversely, the Series 2012 Bond may be signed by an authorized official who did not hold such office on the date of adoption of this Supplemental Resolution. The Series 2012 Bond shall be delivered to the DNRC, or its attorney or legal representative.

Section 8.6 Form. The Series 2012 Bond shall be prepared in substantially the form attached as Appendix B.

Section 8.7 2012 Acquisition and Construction Account. The 2012 Acquisition and Construction Account (the “2012 Acquisition and Construction Account”) is hereby created as a separate account within the Water System Fund and shall be used only to pay as incurred and

allowed, costs which under accepted accounting practice are capital costs of the 2012 Project and of such future reconstructions, improvements, betterments or extensions of the System as may be authorized in accordance with law, including but not limited to payments due for work and materials performed and delivered under construction contracts, architectural, engineering, inspection, supervision, fiscal and legal expenses, the cost of lands and easements, reimbursement of any advances made from other Borrower funds, and all other expenses incurred in connection with the acquisition, construction and financing of any such undertaking and the issuance of the Series 2012 Bond. To the 2012 Acquisition and Construction Account shall be credited as received the portion of the proceeds of Series 2012 Bond for costs of the 2012 Project and for costs of issuance of the Series 2012 Bond and any other funds appropriated by the Borrower to the 2012 Acquisition and Construction Account for improvements to the System, and all income received from the investment of the 2012 Acquisition and Construction Account.

ARTICLE IX

SECURITY FOR THE SERIES 2012 BOND

The Series 2012 Bond is issued as an Additional Bond under Article 10 of the Original Resolution, as amended by this Supplemental Resolution, and shall, with the Series 2005 Bond, the Series 2009B Bond, the Series 2009C Bond, the Series 2009D Bond, the Series 2010B Bond and any other Additional Bonds issued under the provisions of Article 10 of the Original Resolution, as amended hereby, be equally and ratably secured by the provisions of the Resolution and payable out of the Net Revenues appropriated to the Revenue Bond Account of the Water System Fund, without preference or priority, all as provided in the Resolution, and secured by the Reserve Account, as further provided in Section 11.5 of the Original Resolution. Upon advancement of principal of the Series 2012 Bond, the City Finance Director shall transfer from available funds of the System such amount or amounts to the Reserve Account to cause the balance therein to equal the Reserve Requirement in respect of the Series 2005 Bond, Series 2009B Bond, the Series 2009C Bond, the Series 2009D Bond, the Series 2010B Bond and the Series 2012 Bond, treating all of the principal amount of the Series 2012 Bond as advanced at Closing. In the event the amount in the Reserve Account exceeds the Reserve Requirement as of the date of the final disbursement of proceeds of the Series 2012 Bond, the Borrower shall reduce the amount then in the Reserve Account to equal the Reserve Requirement, recognizing that none of the amounts in the Reserve Account shall be from proceeds of the Series 2012 Bond. Thereafter, upon each monthly apportionment, from the Net Revenues remaining after the apportionment to the Revenue Bond Account, the Borrower shall credit to the Reserve Account such additional Net Revenues as may be required to establish and thereafter maintain the balance in an amount equal, as of the date of calculation, to the Reserve Requirement. The Borrower shall keep, perform and observe each and every one of its covenants and undertakings set forth in the Resolution for the benefit of the registered owners from time to time of the Series 2012 Bond.

ARTICLE X

TAX MATTERS

Section 10.1 Use of 2012 Project. The 2012 Project will be owned and operated by the Borrower and available for use by members of the general public on a substantially equal basis. The Borrower shall not enter into any lease, use or other agreement with any non-governmental person relating to the use of the 2012 Project or the System or security for the payment of the Series 2012 Bond which might cause the Series 2012 Bond to be considered a “private activity bond” or “private loan bond” within the meaning of Section 141 of the Code.

Section 10.2 General Covenant. The Borrower covenants and agrees with the owners from time to time of the Series 2012 Bond that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Series 2012 Bond to become includable in gross income for federal income tax purposes under the Code and the Regulations, and covenants to take any and all actions within its powers to ensure that the interest on the Series 2012 Bond will not become includable in gross income for federal income tax purposes under the Code and the Regulations.

Section 10.3 Arbitrage Certification. The Mayor, City Finance Director, and City Clerk, being the officers of the Borrower charged with the responsibility for issuing the Series 2012 Bond pursuant to the Resolution, are authorized and directed to execute and deliver to the DNRC a certificate in accordance with the provisions of Section 148 of the Code, and Section 1.148-2(b) of the Regulations, stating that on the basis of facts, estimates and circumstances in existence on the date of issue and delivery of the Series 2012 Bond, it is reasonably expected that the proceeds of the Series 2012 Bond will be used in a manner that would not cause the Series 2012 Bond to be an “arbitrage bond” within the meaning of Section 148 of the Code and the Regulations.

Section 10.4 Arbitrage Rebate. The Borrower acknowledges that the Series 2012 Bond is subject to the rebate requirements of Section 148(f) of the Code. The Borrower covenants and agrees to retain such records, make such determinations, file such reports and documents and pay such amounts at such times as are required under said Section 148(f) and applicable Treasury Regulations to preserve the exclusion of interest on the Series 2012 Bond from gross income for federal income tax purposes, unless the Series 2012 Bond qualifies for the exception from the rebate requirement under Section 148(f)(4)(B) of the Code and no “gross proceeds” of the Series 2012 Bond (other than amounts constituting a “bona fide debt service fund”) arise during or after the expenditure of the original proceeds thereof. In furtherance of the foregoing, the City Finance Director is hereby authorized and directed to execute a Rebate Certificate, substantially in the form to be prepared by Bond Counsel, and the Borrower hereby covenants and agrees to observe and perform the covenants and agreements contained therein, unless amended or terminated in accordance with the provisions thereof.

Section 10.5 Information Reporting. The Borrower shall file with the Secretary of the Treasury, not later than February 15, 2013, a statement concerning the Series 2012 Bond containing the information required by Section 149(e) of the Code.

ARTICLE XI

CONTINUING DISCLOSURE

The Borrower understands and acknowledges that the DNRC is acquiring the Series 2012 Bond under the Program pursuant to which the State issues from time to time State Bonds to provide funds therefor. The Borrower covenants and agrees that, upon written request of the DNRC from time to time, the Borrower will promptly provide to the DNRC all information that the DNRC reasonably determines to be necessary or appropriate to offer and sell State Bonds or to provide continuing disclosure in respect of State Bonds, whether under Rule 15c2-12 (17 C.F.R. § 240.15c2-12) promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended, or otherwise. Such information shall include, among other things and if so requested, financial statements of the Borrower prepared in accordance with generally accepted accounting principles promulgated by the Financial Accounting Standards Board as modified in accordance with the governmental accounting standards promulgated by the Governmental Accounting Standards Board or as otherwise provided under Montana law, as in effect from time to time (such financial statements to relate to a fiscal year or any period therein for which they are customarily prepared by the Borrower, and, if for a fiscal year and so requested by the DNRC, subject to an audit report and opinion of an accountant or government auditor, as permitted or required by the laws of the State). The Borrower will also provide, with any information so furnished to the DNRC, a certificate of the City Finance Director of the Borrower to the effect that, to the best of their knowledge, such information does not include any untrue statement of a material fact or omit to state any material fact required to be stated therein to make the statements made, in light of the circumstances under which they are made, not misleading.

ARTICLE XII

MISCELLANEOUS

Section 12.1 Notices. All notices or other communications hereunder shall be sufficiently sent or given and shall be deemed sent or given when delivered or mailed by certified mail, postage prepaid, to the parties at the following addresses:

DNRC: Department of Natural Resources and Conservation
1625 Eleventh Avenue
P. O. Box 201601
Helena, Montana 59620-1601
Attn: Conservation and Resource
Development Division

Trustee: U.S. Bank National Association
c/o Corporate Trust Services
1420 Fifth Avenue, 7th Floor
Seattle, Washington 98101

Borrower: City of Billings

PO Box 1178
Billings, Montana 59103
Attn: City Finance Director

Any of the above parties may, by notice in writing given to the others, designate any further or different addresses to which subsequent notices or other communications shall be sent.

Section 12.2 Binding Effect. This Supplemental Resolution shall inure to the benefit of and shall be binding upon the DNRC, the Borrower and their respective successors and assigns.

Section 12.3 Severability. If any provision of this Supplemental Resolution shall be determined to be unenforceable at any time, it shall not affect any other provision of the Resolution or the enforceability of that provision at any other time.

Section 12.4 Amendments. This Supplemental Resolution may not be effectively amended without the written consent of the DNRC.

Section 12.5 Applicable Law. This Supplemental Resolution shall be governed by and construed in accordance with the internal laws of the State.

Section 12.6 Captions; References to Sections. The captions in this Supplemental Resolution are for convenience only and do not define or limit the scope or intent of any provisions or Sections of this Supplemental Resolution.

Section 12.7 No Liability of Individual Officers, Directors or Trustees. No recourse under or upon any obligation, covenant or agreement contained in this Supplemental Resolution shall be had against any director, officer or employee, as such, past, present or future, of the DNRC, the DEQ or the Trustee, either directly or through the DNRC, the DEQ or the Trustee, or against any officer, or member of the governing body or employee of the Borrower, past, present or future, as an individual so long as such individual was acting in good faith. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such officer or member of the governing body or employee of the DNRC, the Trustee or the Borrower is hereby expressly waived and released by the Borrower and by the DNRC as a condition of and in consideration for the adoption of this Supplemental Resolution and the making of the Loan.

Section 12.8 Payments Due on Holidays. If the date for making any payment or the last date for performance of any act or the exercise of any right, as provided in this Supplemental Resolution or the Series 2012 Bond, shall not be Business Day, such payments may be made or act performed or right exercised on the next succeeding Business Day with the same force and effect as if done on the nominal date provided in this Supplemental Resolution or the Series 2012 Bond.

Section 12.9 Right of Others To Perform Borrower's Covenants. In the event the Borrower shall fail to make any payment or perform any act required to be performed hereunder, then and in each such case the DNRC or the provider of any Collateral Document may (but shall not be obligated to) remedy such default for the account of the Borrower and make advances for

that purpose. No such performance or advance shall operate to release the Borrower from any such default and any sums so advanced by the DNRC or the provider of any Collateral Document shall be paid immediately to the party making such advance and shall bear interest at the rate of ten percent (10.00%) per annum from the date of the advance until repaid. The DNRC and the provider of any Collateral Document shall have the right to enter the 2012 Project or the facility or facilities of which the 2012 Project is a part or any other facility which is a part of the System in order to effectuate the purposes of this Section.

Section 12.10 Authentication of Transcript. The officers of the Borrower are hereby authorized and directed to furnish to the DNRC and to Bond Counsel certified copies of all proceedings relating to the issuance of the Series 2012 Bond and such other certificates and affidavits as may be required to show the right, power and authority of the Borrower to issue the Series 2012 Bond, and all statements contained in and shown by such instruments, including any heretofore furnished, shall constitute representations of the Borrower as to the truth of the statements of fact purported to be shown thereby.

Section 12.11 Effective Date. This Supplemental Resolution shall take effect immediately.

Adopted by the City Council of the City of Billings, Montana, on this 10th day of September, 2012.

Mayor

Attest: _____
City Clerk

(SEAL)

APPENDIX A

Description of the 2012 Project

The 2012 Project generally consists of designing, constructing and installing a new water storage tank and related improvements and paying associated costs of issuance.

COSTS:	SOURCE: SRF Loan	SOURCE: City	TOTAL
Audit Fees		\$5,000	\$5,000
Loan Reserves		\$207,250	\$207,250
Bond Counsel and Related Costs	\$10,000		\$10,000
Engineering/Architectural Design	\$151,900		\$151,900
Construction Engineering Services	\$157,500		\$157,500
Construction	\$2,572,200		\$2,572,200
Contingency	\$208,400		\$208,400
TOTAL PROJECT COSTS	\$3,100,000	\$212,250	\$3,312,250

APPENDIX B

[Form of the Series 2012 Bond]

UNITED STATES OF AMERICA
STATE OF MONTANA
COUNTY OF YELLOWSTONE

CITY OF BILLINGS

WATER SYSTEM REVENUE BOND
(DNRC DRINKING WATER STATE REVOLVING LOAN PROGRAM)
SERIES 2012

R-1

\$3,100,000.00

FOR VALUE RECEIVED, the City of Billings, Montana (the “Borrower”), a duly organized municipal corporation and political subdivision of the State of Montana, acknowledges itself to be specially indebted and, for value received, hereby promises to pay to the Department of Natural Resources and Conservation of the State of Montana (the “DNRC”), or its registered assigns, solely from the Revenue Bond Account of its Water System Fund, the principal sum equal to the sum of the amounts entered on Schedule A attached hereto under “Total Amount Advanced,” with interest on each such amount from the date such amount is advanced hereunder at the rate of two percent (2.00%) per annum on the unpaid balance until paid. In addition, the Borrower shall pay an Administrative Expense Surcharge and a Loan Loss Reserve Surcharge on the outstanding principal amount of this Bond at the rates of seventy-five hundredths of one percent (0.75%) and twenty-five hundredths of one percent (0.25%), respectively, per annum. Interest and Administrative Expense Surcharge and Loan Loss Reserve Surcharge shall be payable in semiannual installments payable on each January 1 and July 1 (each a “Loan Repayment Date”) commencing January 1, 2013. Principal shall be payable on the dates set forth in Schedule B hereto. Each installment shall be in the amount set forth opposite its due date in Schedule B hereto under “Total Loan Payment.” The portion of each such payment consisting of principal, the portion consisting of interest and the portion consisting of Administrative Expense Surcharge and the portion consisting of Loan Loss Reserve Surcharge shall be as set forth in Schedule B hereto. Upon each disbursement of 2012 Loan amounts to the Borrower pursuant to the Resolution described below, the DNRC shall enter (or cause to be entered) the amount advanced on Schedule A under “Advances” and the total amount advanced under the Resolution (as hereinafter defined), including such disbursement, under “Total Amount Advanced.” The DNRC shall prepare Schedule B and revised Schedules B, or cause Schedule B and revised Schedules B to be prepared, as provided in Section 5.1 of the Resolution. Schedule B shall be calculated and recalculated on a level debt service basis assuming an interest rate of three percent (3.00%) per annum. Past-due payments of principal and interest, Administrative Expense Surcharge and Loan Loss Reserve Surcharge shall bear interest at the rate of ten percent (10.00%) per annum, until paid. Interest and Administrative Expense Surcharge and Loan Loss Reserve Surcharge shall be calculated on the basis of a 360-day year comprising 12 months of 30

days each. All payments under this Bond shall be made to the registered holder of this Bond, at its address as it appears on the Bond register, in lawful money of the United States of America.

This Bond is one of an issue of Water System Revenue Bonds of the Borrower authorized to be issued in one or more series from time to time, and constitutes a series in the maximum authorized principal amount of \$3,100,000 (the "Series 2012 Bond"). The Series 2012 Bond is issued to finance a portion of the costs of the construction of certain improvements to the water system of the Borrower (the "System") and to pay costs of issuance of the Series 2012 Bond. The Series 2012 Bond is issued pursuant to and in full conformity with the Constitution and laws of the State of Montana thereunto enabling, including Montana Code Annotated, Title 7, Chapter 7, Part 44, as amended, and ordinances and resolutions duly adopted by the governing body of the Borrower, including Resolution 05-18329 (the "Original Resolution"), adopted by the City Council on September 12, 2005, as amended and supplemented by Resolution Nos. 09-18852, 09-18869, 18964, and _____, adopted July 27, 2009, September 14, 2009, July 12, 2010 and September 10, 2012, respectively (as so amended and supplemented, the "Resolution"). The Series 2012 Bond is issuable only as a single, fully registered bond. The Series 2012 Bond is issued on a parity with the Borrower's outstanding Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Series 2005 (the "Series 2005 Bond"), Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Series 2009B (the "Series 2009B Bond"), Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Series 2009C (the "Series 2009C Bond"), Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Series 2009D (the "Series 2009D Bond") and Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Series 2010B (the "Series 2010B Bond"). The Borrower has also issued a Subordinate Lien Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Taxable Series 2009A (the "Series 2009A Bond") and a Subordinate Lien Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Taxable Series 2010A (the "Series 2010A Bond"). Terms used with initial capital letters but not defined herein have the meanings given them in the Resolution.

Reference is made to the Resolution for a more complete statement of the terms and conditions upon which the Series 2012 Bond has been issued, the Net Revenues of the System pledged and appropriated for the payment and security thereof, the conditions upon which additional bonds may be issued under the Resolution and made payable from such Net Revenues on a parity with the Series 2005 Bond, the Series 2009B Bond, the Series 2009C Bond, the Series 2009D Bond, the Series 2010B Bond and the Series 2012 Bond (collectively, the "Bonds") or otherwise, the conditions upon which the Resolution may be amended, the rights, duties and obligations of the Borrower, and the rights of the owners of the Series 2012 Bond.

The Borrower may prepay the principal of the Series 2012 Bond only if (i) it obtains the prior written consent of the DNRC thereto, and (ii) no Loan Repayment or Administrative Expense Surcharge or Loan Loss Reserve Surcharge is then delinquent. Any prepayment permitted by the DNRC must be accompanied by payment of accrued interest, and Administrative Expense Surcharge and Loan Loss Reserve Surcharge to the date of prepayment.

on the amount of principal prepaid. If the Series 2012 Bond is prepaid in part, such prepayments shall be applied to principal payments in inverse order of maturity.

The Series 2012 Bond, including interest and any premium for the redemption thereof, are payable solely from the Net Revenues pledged for the payment thereof and do not constitute a debt of the Borrower within the meaning of any constitutional or statutory limitation or provision.

The Borrower may deem and treat the person in whose name this Series 2012 Bond is registered as the absolute owner hereof, whether this Series 2012 Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and the Borrower shall not be affected by any notice to the contrary. The Series 2012 Bond may be transferred as hereinafter provided.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that the Borrower will forthwith construct and complete the improvements to the System hereinabove described; that it will prescribe and collect reasonable rates and charges for all services and facilities afforded by the System, including all additions thereto and replacements and improvements thereof, and has created a special Water System Fund into which the gross revenues of the System will be paid, and a separate and special Revenue Bond Account in that Fund, into which will be paid each month, from and as a first and prior lien on the Net Revenues of the System then on hand, an amount equal to not less than the sum of one-sixth of the interest to become due within the next six months and one-twelfth of the principal to become due within the next twelve months with respect to all Bonds payable from that Account; that the Borrower has created a Reserve Account in such fund into which shall be paid additional Net Revenues, after required credits to the Revenue Bond Account sufficient to maintain a reserve therein equal to the maximum amount of principal and interest payable in any subsequent fiscal year on all such Bonds; that the Revenue Bond Account will be used only to pay the principal of, premium, if any, and interest on the Bonds and any other additional Bonds issued pursuant to the Resolution on a parity therewith; that the rates and charges for the System will from time to time be made and kept sufficient, to provide gross income and revenues adequate to pay promptly the reasonable and current expenses of operating and maintaining the System and to produce in each fiscal year Net Revenues in excess of such current expenses, equal to 125% of the maximum amount of principal and interest payable from the Revenue Bond Account in any subsequent fiscal year; that additional Bonds and refunding Bonds may be issued and made payable from the Revenue Bond Account on a parity with the Series 2005 Bond, the Series 2009B Bond, Series 2009C Bond, the Series 2009D Bond, the Series 2010B Bond, the Series 2012 Bond, and other parity Bonds, upon certain conditions set forth in the Resolution, but no obligation will be otherwise incurred and made payable from the Net Revenues of the System, unless the lien thereof shall be expressly made subordinate to the lien of the Series 2005 Bond, the Series 2009B Bond, the Series 2009C Bond, the Series 2009D Bond, the Series 2010B Bond, the Series 2012 Bond, and additional parity Bonds on such Net Revenues; that all provisions for the security of the holder of this Series 2012 Bond set forth in the Resolution will be punctually and faithfully performed as therein stipulated; that all acts, conditions and things required by the Constitution and laws of the State of Montana and the ordinances and resolutions of the Borrower to be done, to exist, to happen and to be performed in order to make this Series 2012

Bond a valid and binding special obligation of the Borrower according to its terms have been done, do exist, have happened and have been performed in regular and due form, time and manner as so required; and that this Series 2012 Bond and the interest hereon are payable solely from the Net Revenues of the System pledged and appropriated to the Revenue Bond Account and do not constitute a debt of the Borrower within the meaning of any constitutional or statutory limitation or provision and the issuance of the Series 2012 Bond does not cause either the general or the special indebtedness of the Borrower to exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City of Billings, Montana, by its governing body, has caused this Bond to be executed by the signatures of its Mayor, the City Finance Director, and City Clerk, and has caused the official seal of the Borrower to be affixed hereto, and has caused this Bond to be dated as of the ____ day of _____, 2012.

Mayor

City Finance Director

(SEAL)

City Clerk

REGISTRATION AND TRANSFER

This Bond shall be fully registered as to both principal and interest. No transfer of this Bond shall be valid unless and until (1) the registered holder of the Bond, or his duly authorized attorney or legal representative, executes the form of assignment appearing on this Bond, and (2) the City Finance Director as bond registrar (the "Registrar"), has duly noted the transfer on the Bond and recorded the transfer on the Registrar's registration books. The Borrower shall be entitled to deem and treat the person in whose name this Bond is registered as absolute owner thereof for all purposes, notwithstanding any notice to the contrary. Payments on account of the Bond shall be made only to the order of the registered holder thereof, and all such payments shall be valid and effectual to satisfy and discharge the Borrower's liability upon the Bond to the extent of the sum or sums so paid.

REGISTER

The ownership of the unpaid Principal Balance of this Bond and the interest accruing thereon is registered on the books of the City of Billings, Montana in the name of the registered holder appearing on the first page hereof or as last noted below:

<u>Date of Registration</u>	<u>Name and Address of Registered Holder</u>	<u>Signature of City Finance Director</u>
_____, 2012	<u>Department of Natural Resources and Conservation 1625 Eleventh Avenue Helena, MT 59620</u>	_____

THE FOLLOWING ENTRIES ARE TO BE MADE ONLY BY THE BOND REGISTRAR UPON REGISTRATION OF EACH TRANSFER

The City Finance Director of the City of Billings, Montana, acting as Bond Registrar, has transferred, on the books of the Borrower, on the date last noted below, ownership of the principal amount of and the accrued interest on this Bond to the new registered holder noted next to such date, except for amounts of principal and interest theretofore paid.

<u>Date of Transfer</u>	<u>Name of New Registered Holder</u>	<u>Signature of Bond Registrar</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

FORM OF ASSIGNMENT

For value received, this Bond is hereby transferred and assigned by the undersigned holder, without recourse, to _____
on this _____ day of _____, _____.

By: _____
(Authorized Signature)

For: _____
(Holder)

SCHEDULE A

SCHEDULE OF AMOUNTS ADVANCED

<u>Date</u>	<u>Advances</u>	<u>Total Amount Advanced</u>	<u>Notation Made By</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SCHEDULE B

<u>Date</u>	<u>Principal</u>	<u>Interest</u>	<u>Administrative Expense Surcharge</u>	<u>Loan Loss Reserve Surcharge</u>	<u>Total Loan Payment</u>

APPENDIX C

ADDITIONAL REPRESENTATIONS AND COVENANTS

None

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Authorizing the Terms and Conditions of Park 2 Refinancing

PRESENTED BY: Patrick M Weber

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

In 2006, the City entered into a Lease Purchase Agreement for the Park 2 garage expansion with Koch Financial. The City borrowed \$5,930,00 at 5.48% for 20 years. Since that time Capital One Public Funding, LLC has been assigned the lease with the same terms.

To help Parking reduce the financial strain of the annual debt service payment, the City will apply \$2.62 million from the sale of Park 4 to retire a portion of the debt, and Capital One has agreed to lower the interest rate to 4.45% and extend the term of the lease to 20 years.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the resolution
- Disapprove the resolution and request staff to find an alternate plan to reduce the debt service payment

FINANCIAL IMPACT

By paying down the principal amount owed, lowering the interest rate, and increasing the length of the agreement, the debt service payment will be \$201,961. This will reduce the annual payment by \$293,435.

There will be no additional cost to the City for the refinancing by Capital One as their fee is built into the interest rate.

RECOMMENDATION

Staff recommends that City Council approve the resolution for refinancing Park 2 debt.

APPROVED BY CITY ADMINISTRATOR

Attachments

Bond resolution

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the "City"), hereby certify that the attached resolution is a true copy of a Resolution entitled: "RESOLUTION RELATING TO THE REFINANCING OF A LEASE-PURCHASE OBLIGATION; APPROVING THE TERMS AND CONDITIONS OF THE REFINANCING AND AUTHORIZING THE EXECUTION OF DOCUMENTATION RELATING THERETO" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a regular meeting on September 10, 2012, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

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

WITNESS my hand and seal officially this 10th day of September, 2012.

(SEAL)

City Clerk

RESOLUTION NO. _____

RESOLUTION RELATING TO THE REFINANCING OF A
LEASE-PURCHASE OBLIGATION; APPROVING THE TERMS
AND CONDITIONS OF THE REFINANCING AND
AUTHORIZING THE EXECUTION OF DOCUMENTATION
RELATING THERETO

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

Section 1. Recitals and Authorization.

1.01 The City is authorized by Montana Code Annotated, Title 7, Chapter 14, Part 45 (the “Municipal Parking Act”) to acquire by lease, gift, purchase, or condemnation, lots or lands for use as parking areas for motor vehicles and to construct and maintain thereon suitable parking facilities for the use of the public.

1.02 The City is further authorized under the Municipal Parking Act to pledge the revenues derived from the parking facilities to the repayment of obligations issued to finance the parking facilities.

1.03 The City is a party to that certain Lease Purchase Agreement (the “Park 2 Lease Purchase Agreement”), dated August 31, 2006, between the City and Capital One, N.A., as successor to Koch Financial Corporation (the “Lesser”). The Park 2 Lease Purchase Agreement was entered into in order to finance the expansion of the City’s Park 2 parking garage (the “Project”), located in the District at the intersection of 2nd Avenue North and North 26th Street (“Park 2”). Amounts due under the Park 2 Lease Purchase Agreement are secured by and payable solely from parking revenues of the City. The original aggregate principal amount payable under the Park 2 Lease Purchase Agreement was \$5,930,000, of which \$4,979,186 remains outstanding. The Park 2 Lease Purchase Agreement provides for an annual rate of interest of 5.48%. Terms used herein but not otherwise defined shall have the meanings given such terms in the Park 2 Lease Purchase Agreement.

1.04 The City received \$2.62 million from the sale of Park 4, which will be applied to the repayment of the Park 2 Lease Purchase Agreement. The Lessor has proposed that the City refinance the remaining balance due under the Park 2 Lease Purchase Agreement over a term of twenty (20) years at an annual rate of interest of 4.45%. Upon such refinancing, the annual amount payable under the Park 2 Lease Purchase Agreement will be \$201,960.53, as set forth in the amortization schedule attached hereto as Exhibit A. Amounts due under the Park 2 Lease Purchase Agreement, as amended, shall continue to be secured by and payable solely from parking revenues of the City.

1.05 There are no bonds or other obligations outstanding that are payable in whole or in part from or secured by parking revenues, other than Property Schedule No. 2 to the Master Tax-Exempt Installment Purchase Agreement between the City and U.S. Bank National Association, dated as of October 28, 2011 (the “Installment Purchase Agreement”), entered into in order to finance the cost of construction and installation of certain energy improvement in the

City's parking garages. Such Installment Purchase Agreement is a non-appropriation lease. The City has determined that there will be adequate parking revenues generated by the City's Parking Operations to provide parking revenues in an amount sufficient to make the new annual lease payments under the Park 2 Lease Purchase Agreement, as amended, and thereafter make annual installment payments under the Installment Purchase Agreement.

1.06 All acts, conditions and things required by the Constitution and laws of the State of Montana, including the Act, and the home rule charter of the City, in order to make the Park 2 Lease Purchase Agreement, as amended, a valid and binding special obligation in accordance with its terms and in accordance with the terms of this Resolution have been done, do exist, have happened and have been performed in regular and due form, time and manner as so required.

Section 2. Findings and Approval of Documentation.

2.01 This Council has determined that it is necessary and desirable and in the best interests of the City to refinance \$2,640,383.72 outstanding under the Park 2 Lease Purchase Agreement over a term of twenty (20) years at an annual rate of interest of 4.45% as set forth in the Amortization Schedule. The City's payment obligations under the Park 2 Lease Purchase Agreement shall be payable in equal annual installments, due each September 1, commencing September 1, 2013 and ending on September 1, 2032.

2.02. There has been prepared and presented to this Council a copy of Amendment No. 1 to Lease Purchase Agreement ("Amendment No. 1 to Lease Purchase Agreement"), by and between the City and the Lessor, a copy of which upon execution thereof shall be placed on file in the office of the City Clerk. Amendment No. 1 to Lease Purchase Agreement sets forth the terms of the refinancing of the remaining amounts due under the Park 2 Lease Purchase Agreement. Amendment No. 1 to Lease Purchase Agreement is approved, with such variations, insertions and additions as are deemed appropriate by the parties and approved by the City Attorney. Each of the Mayor, the City Administrator and the City Finance Director is hereby authorized and directed to approve, execute and deliver to the Lessor Amendment No. 1 to Lease Purchase Agreement. Each of the Mayor, the City Administrator and the City Finance Director is also authorized to enter into and deliver such other documents and certificates as may be necessary or desirable in connection therewith, in the opinion of Dorsey & Whitney LLP, as special counsel to the City, or as may be reasonably required by the Lessor.

Section 3. LIMITED OBLIGATIONS. THE RENTAL PAYMENTS UNDER THE PARK 2 LEASE PURCHASE AGREEMENT, AS AMENDED, SHALL NOT CONSTITUTE A GENERAL OBLIGATION OF THE CITY, THE STATE OF MONTANA OR ANY AGENCY, DEPARTMENT OR POLITICAL SUBDIVISION THEREOF AS CONTEMPLATED WITHIN ANY CONSTITUTIONAL OR STATUTORY DEBT LIMITATION PROVISION; THE LESSEE'S OBLIGATION TO MAKE RENT PAYMENTS IS A SPECIAL OBLIGATION OF THE LESSEE, PAYABLE SOLELY FROM THE NET PARKING REVENUES OF THE CITY'S PARKING OPERATIONS.

Section 4. Tax Matters.

4.01. General Covenant. The City covenants and agrees that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the portion of the Rental Payments designated as interest to become includable in gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the “Code”), and applicable Treasury Regulations (the “Regulations”), and covenants to take any and all actions within its powers to ensure that the portion of the Rental Payments designated as interest will not become includable in gross income for federal income tax purposes under the Code and the Regulations.

4.02. The Project. The Project is and will be owned and operated by the City for the benefit of the general public. No user of the Project is granted any concession, license or special arrangement with respect thereto. Except for the Park 2 Lease Purchase Agreement, as amended, the City shall not enter into any lease, use or other agreement with any non-governmental person relating to the use of the Project or security for the payment of amounts due thereunder that might cause the Park 2 Lease Purchase Agreement, as amended, or any payments to be made in connection therewith to be considered an “arbitrage bond” or “private loan bond” within the meaning of Sections 148 and 141 of the Code.

4.03. Arbitrage Certification. The Mayor, the City Finance Director and the City Clerk, being the officers of the City charged with the responsibility for executing Amendment No. 1 to Lease Purchase Agreement, are authorized and directed to execute and deliver to the Lessor a certificate in accordance with the provisions of Section 148 of the Code, and Section 1.148-2(b) of the Regulations, stating that on the basis of facts, estimates and circumstances in existence on the date of execution and delivery of Amendment No. 1 to Lease Purchase Agreement, it is reasonably expected that the proceeds of the Park 2 Lease Purchase Agreement, as amended, will be used in a manner that would not cause the Park 2 Lease Purchase Agreement, as amended, to be “arbitrage bonds” within the meaning of Section 148 of the Code and the Regulations.

4.05. Arbitrage Rebate. The City acknowledges that the Park 2 Lease Purchase Agreement, as amended, is subject to the rebate requirements of Section 148(f) of the Code. The City covenants and agrees to retain such records, make such determinations, file such reports and documents and pay such amounts at such times as are required under said Section 148(f) and applicable Regulations to preserve the exclusion of interest on the Park 2 Lease Purchase Agreement, as amended, from gross income for federal income tax purposes, unless the Park 2 Lease Purchase Agreement, as amended, qualifies for the exception from the rebate requirement under Section 148(f)(4)(B) of the Code and no “gross proceeds” of the Park 2 Lease Purchase Agreement, as amended, arise during or after the expenditure of the original proceeds thereof. In furtherance of the foregoing, the Mayor, the City Finance Director and the City Clerk are hereby authorized and directed to execute a Rebate Certificate, substantially in the form to be prepared by bond counsel, and the City hereby covenants and agrees to observe and perform the covenants and agreements contained therein, unless amended or terminated in accordance with the provisions thereof.

4.06. Information Reporting. The City shall file with the Secretary of the Treasury, not later than November 15, 2012, a statement concerning the Park 2 Lease Purchase Agreement, as amended, containing the information required by Section 149(e) of the Code.

Section 5. Effective Date. This Resolution shall become effective upon passage and all provisions of ordinances, resolutions and other actions and proceedings of the City which are in any way inconsistent with the terms and provisions of this Resolution are repealed, amended and rescinded to the full extent necessary to give full force and effect to the provisions of this Resolution.

PASSED AND APPROVED by the City Council of the City of Billings, Montana, this
10th day of September, 2012.

Mayor

Attest: _____
City Clerk

(SEAL)

EXHIBIT A

AMORTIZATION SCHEDULE

Pmt #	Payment Date	Payment Amount	Interest	Principal	Purchase Option Price	Outstanding Balance
Closing	9/12/2012					\$2,640,383.72
1	9/1/2013	\$201,960.53	\$115,538.79	\$86,421.74	N/A	\$2,553,961.98
2	9/1/2014	201,960.53	113,651.31	88,309.22	N/A	2,465,652.76
3	9/1/2015	201,960.53	109,721.55	92,238.98	N/A	2,373,413.78
4	9/1/2016	201,960.53	105,616.91	96,343.62	N/A	2,277,070.16
5	9/1/2017	201,960.53	101,329.62	100,630.91	N/A	2,176,439.25
6	9/1/2018	201,960.53	96,851.55	105,108.98	N/A	2,071,330.27
7	9/1/2019	201,960.53	92,174.20	109,786.33	N/A	1,961,543.94
8	9/1/2020	201,960.53	87,288.71	114,671.82	N/A	1,846,872.12
9	9/1/2021	201,960.53	82,185.81	119,774.72	N/A	1,727,097.40
10	9/1/2022	201,960.53	76,855.83	125,104.70	N/A	1,601,992.70
11	9/1/2023	201,960.53	71,288.68	130,671.85	\$1,500,747.27	1,471,320.85
12	9/1/2024	201,960.53	65,473.78	136,486.75	1,361,530.78	1,334,834.10
13	9/1/2025	201,960.53	59,400.12	142,560.41	1,204,196.43	1,192,273.69
14	9/1/2026	201,960.53	53,056.18	148,904.35	1,053,803.03	1,043,369.34
15	9/1/2027	201,960.53	46,429.94	155,530.59	896,717.14	887,838.75
16	9/1/2028	201,960.53	39,508.82	162,451.71	732,640.91	725,387.04
17	9/1/2029	201,960.53	32,279.72	169,680.81	561,263.29	555,706.23
18	9/1/2030	201,960.53	24,728.93	177,231.60	382,259.38	378,474.63
19	9/1/2031	201,960.53	16,842.12	185,118.41	195,289.78	193,356.22
20	9/1/2032	<u>201,960.53</u>	<u>8,604.31</u>	<u>193,356.22</u>	0.00	0.00
	Totals	<u>\$4,039,210.60</u>	<u>\$1,398,826.88</u>	<u>\$2,640,383.72</u>	Rate 4.45%	

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Second & Final Reading Ordinance Authorizing Sale, Exchange, or Donation
 of City-Owned Property

PRESENTED BY: Brent Brooks

Department: Legal

Information

PROBLEM/ISSUE STATEMENT

Pursuant to a previous Council Initiative, the City Administrator appointed an internal staff committee consisting of Tom Binford, Aviation and Transit Director, Dave Mumford, Public Works Director, Mike Whitaker, Parks, Recreation and Public Lands Director and Brenda Beckett, Community Development Manager, to review the City's policies and methods of selling, donating or otherwise disposing of city-owned property. This committee reviewed the current version of City Code sections 22-901 and 22-902. These ordinances authorize the Council to sell, donate or otherwise dispose of property owned by the City. The internal committee made recommended revisions to the Ordinances to clarify Council's authority and to also include the sale of buildings or other structures. These proposed amendments were presented to the Mayor and Council during the August 16, 2010, Work Session. Changes requested by the Mayor and Council during that Work Session have been incorporated into the attached draft ordinance for First Reading and Public Hearing included here as Attachment A. These proposed revisions including those requested by the Council are shown by strikethroughs and underlines in Attachment A. During the Work Session, staff recommended that these revisions be postponed until a series of complex land exchanges occurred between the City, Billings Clinic and Underriner Motors which was completed in mid-2011. These land exchanges also required significant analysis and concurrence by various utility companies who had equipment and service lines within the affected properties.

During the First Reading and Public Hearing, Council approved a minor amendment to the draft Ordinance by inserting the word "exchange" in every location where the words "sale or donation" occurs. The amended phrase now reads "Sale, Exchange or Donation". This phrase recurs at several parts of the amended ordinance. Adding the word "exchange" will give Council more flexibility in managing City-owned land.

ALTERNATIVES ANALYZED

The Council may approve or disapprove of the proposed amendments, provide additional amendments or postpone a decision on the amendments.

FINANCIAL IMPACT

There is no significant financial impact if the proposed amendments to Ordinance Sections 22-901 and 22-902 are adopted.

RECOMMENDATION

Staff recommends that the City Council approve Second Reading of the proposed amendments to Sections 22-901 and 22-902, BMCC authorizing sale, exchange or donation of City-owned real property and buildings.

APPROVED BY CITY ADMINISTRATOR

Attachments

Ordinance

ORDINANCE NO. 12-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA, CITY CODE BE AMENDED BY REVISING ARTICLE 22-900; PROVIDING THE METHOD FOR THE SALE, EXCHANGE OR DONATION OF CITY-OWNED REAL PROPERTY

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

Section 1. That Article 22-900 of the Billings, Montana City Code be amended so that such Article shall read as follows:

“ARTICLE 22-900. SALE; EXCHANGE OR DONATION ~~DISPOSAL OR LEASE~~ OF CITY REAL PROPERTY

Sec. 22-901. State law superseded.

Pursuant to the city's self-government powers, Section 7-8-4201, MCA, of the state law dealing with the disposal, donation, lease or sale of city property is hereby superseded.

Sec. 22-902. Sale; Exchange or donation ~~disposal or lease~~ of city real property .

(1) Subject to the provisions of subsections (1a) and (2b) below, the eCity eCouncil may sell, exchange or donate dispose of, or lease any real property belonging to the city, including property held in trust for a specific purpose, by a resolution passed by six (6) of the eCity eCouncil members present. The City Council shall advertise for competitive bids on any real property prior to sale, exchange or donation. Other local, state or federal governmental entities expressing interest shall be exempt from competitive bidding, and the City Council may sell, exchange or donate specific real property to such governmental entities without a competitive bidding process. However, the Council shall proceed as provided in subsections (a) and (b) and approve the Resolution described above when considering the sale, exchange or donation to another governmental entity.

In its discretion, the City Council may consider and impose deed restrictions relating to the use or subsequent sale of the property as a condition of the sale, exchange or donation of land.

Prior to selling, ~~exchanging or donating~~, ~~leasing or disposing of~~ said real property, ~~the~~ the city administrator or his/her designee shall:

- (1) ~~(a)~~ (a) Publish notice in the legal newspaper of the city of the intention to sell; ~~exchange or donate such property and requesting competitive bids prior to the sale, exchange or donation~~ lease or dispose of such lands, giving the public the opportunity to be heard regarding such action. Said notice shall be published no less than fifteen (15) days in advance of the date of the public hearing.
- (2) ~~(b)~~ (b) Notify, by mail, all property owners within three hundred (300) feet of the exterior boundaries of the real property subject to sale, ~~exchange lease or disposal~~ donation fifteen (15) calendar days in advance of the time, date, place of the public hearing and the existing and proposed use.

(2) Leases of city-owned real property shall be excluded from this section and will be approved in the same manner as all other contracts submitted to the city for approval.

(3) The City Administrator is hereby authorized to establish procedures to implement this section including establishment of a minimum sale price or exchange value and the preparation of appropriate documents for signature by the Mayor."

Section 2. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

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

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

PASSED by the City Council on first reading this _____ day of _____, 2012.

PASSED, ADOPTED and APPROVED on second reading this _____ day of _____, 2012.

CITY OF BILLINGS

By _____
Mayor

ATTEST:

By _____
City Clerk

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Zone Change #899 - Livestock and Fowl - Allowing Poultry - Text
Amendment 2nd reading

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

This is a zone change that will amend Sections 27-305, 27-306 and 27-607 of the Billings, Montana, City Code (BMCC) to allow the keeping of chickens within the city limits. A separate ordinance will amend the Animal Control regulations to set limits on the number of chickens and how they may be kept on residential property. The Animal Control Division will handle permitting and enforcement of those provisions. The keeping of livestock and fowl, including poultry, is currently not an allowed use within the City of Billings. The current code requires consultation of 3 sections of the code to determine whether poultry is an allowed or prohibited use. The proposed amendment will allow the keeping of poultry but not allow the keeping of other fowl (ducks, geese, turkeys, etc.) or livestock. The City Council initiated this amendment on May 14, 2012. The Zoning Commission conducted a public hearing on July 3, 2012, and is forwarding a recommendation of denial on a 3 to 0 vote. The City Council conducted the public hearing on July 23, 2012. The City Council voted to delay action on the amendment until August 27, 2012, so the Animal Control ordinance could be drafted and scheduled for public hearing. The City Council approved the zone change on August 27, 2012.

ALTERNATIVES ANALYZED

The City Council may:

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

FINANCIAL IMPACT

There should be no direct financial impact from the proposed amendment.

RECOMMENDATION

The Zoning Commission conducted a public hearing on July 3, 2012, and is forwarding a recommendation of denial on a 3 to 0 vote.

APPROVED BY CITY ADMINISTRATOR

Attachments

Ordinance

ORDINANCE NO. 12 - _____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTION 27-305 RESIDENTIAL USES; 27-306 – COMMERCIAL AND INDUSTRIAL USES; AND 27- 607 – LIVESTOCK AND FOWL – TO DELETE LANGUAGE AND TO ADD LANGUAGE TO ALLOW THE KEEPING OF CHICKEN HENS WITHIN RESIDENTIAL ZONES AND ON PROPERTY DEVELOPED WITH RESIDENTIAL USES AND ADOPT THE REVISION AS AN AMENDMENT TO THE ZONING REGULATIONS AND SET A TIME PERIOD FOR THE REGULATION TO BE EFFECTIVE.

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

Section 1. RECITALS. Title 76, Chapter 2, Part 3, MCA, and Section 27-1502, BMCC, provide for amendment to the City Zoning Regulations from time to time. The City Council initiated the amendment to the City Zoning Regulations and the City Zoning Commission and staff have reviewed the proposed zoning regulations hereinafter described. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the proposed amendments to the City Zoning Regulations.

Section 2. DESCRIPTION. The zoning regulation shall apply to all land within the City of Billings.

Section 3. AMENDMENT. That the Billings, Montana City Code be amended by revising Section 27-305 as follows:

TITLES AND DESCRIPTION OF INDUSTRIES													
SR - SPECIAL REVIEW A - ALLOWED	Agricultural - Open Space	Agricultural - Suburban	Residential - 15,000	Residential - 9,600	Residential - 8,000	Residential - 7,000 Restricted	Residential - 7,000	Residential - 6,000 Restricted	Residential - 6,000	Residential - 5,000	Residential Multi-Family	Residential - Multi-Family Restricted	Residential Manufactured Home
Livestock ~~And Fowl~~ *	A*	A*	A*	A*			A*						A*
<u>Fowl including Chicken Hens *</u>	<u>A*</u>	<u>A*</u>	<u>A*</u>	<u>A*</u>			<u>A*</u>						<u>A*</u>
<u>Chicken Hens (Gallus gallus domesticus)</u> * (County Only) See BMCC Section 27-607 for Minimum Area Requirements in the County Zoning <u>4- ½ Mile Jurisdictional Area</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>

Section 4. That the Billings, Montana City Code is amended to revise language in Section 27-306, which shall read as follows:

TITLES AND DESCRIPTION OF INDUSTRIES SR - SPECIAL REVIEW A – ALLOWED	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Central Business District	Controlled Industrial	Heavy Industrial	Public	South 27th Street Corridor
Dwellings – Single-Family_ – Two-Family – Multiple-Family – Modular Home_ – Rowhouse/Townhouse *Chicken Hens Allowed See Section 27-607	A A	A A A A SR	A A A A SR	A A A A SR	A A A A SR	SR SR			A A SR

Section 5. That the Billings, Montana City Code is amended to revise language in Section 27-607, which shall read as follows:

SEC. 27-607. LIVESTOCK AND FOWL.

Livestock, as defined in BMCC Section 27-201, shall not be maintained in any zoning district located within the limits of the city except as provided within Section 27-305 or 27-306. ~~(see also BMCC Sections 4-501 through 4-505).~~ However, horses may be permitted in the City when located within a Planned Development, as described in Section 27-1303, that is specifically designed to accommodate horses and/or equestrian centers. Fowl, as defined in BMCC Section 27-201 except Chicken Hens, shall not be maintained in any zoning district located within the limits of city. Chicken Hens may be kept within the limits of the city in residential zoning districts or on property used for residential purposes as provided in Section 27-305 or 27-306 subject to limitations and permitting requirements in BMCC Section 4-303. Chicken Hens may be kept outside the city limits as provided in Section 27-305 and subject to the provisions below.

Areas located outside the limits of the City of Billings, but within certain Agricultural or Residential zoning districts, as shown in the Residential District Regulations (see BMCC Section 27-305), shall be permitted to have livestock and/or fowl. In addition, livestock and/or fowl may be permitted as part of a Planned Development, as described in Section 27-1303, and are also exempt from the following animal unit standards, unless specifically referenced within the Planned Development Agreement. However, the standards outlined below must be satisfied, depending upon the size of the property.

The allowance of livestock and/or fowl in commercial or industrial zoning districts, situated outside the limits of the City of Billings, may be permitted when the regulations established in below subsection (b) are met, regardless of the lot size. However, if the number of animals requested exceeds the allowed limit in below subsection (b), then the property must conform to the uses allowed by right or through Special Review, as shown in the Commercial/Industrial District Regulations matrix in BMCC Section 27-306.

Section 6. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

Section 8. EFFECTIVE DATE. This ordinance shall be effective from October 10, 2012.

PASSED by the City Council on first reading August 27, 2012.

PASSED, ADOPTED AND APPROVED on second reading September 10, 2012.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel

ATTEST:

BY: _____
Cari Martin, City Clerk
ZC #899 – Text – Urban Hens

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Second Reading Ordinance Amending the Animal Control Code Allowing
 Chicken Hens

PRESENTED BY: Police Chief Rich St. John

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The proposed ordinance establishes rules for keeping chicken hens within the city. Council approved the first reading of the ordinance on August 27 and will now consider approving it on second and final reading.

ALTERNATIVES ANALYZED

The City Council may approve or not approve the ordinance. Approval establishes standards for keeping chicken hens within the city. Assuming that the zoning code amendments pass that allow the land use, disapproval of this ordinance will allow chicken hens without the limitations on number, gender, housing, etc. and enforcement of any of those elements would be difficult or impossible.

FINANCIAL IMPACT

The financial impact will be minimal with a slight revenue increase for fees to be charged for permits allowing chickens.

RECOMMENDATION

Staff recommends that the City Council approve second reading of the Ordinance amending the Animal Control Code that regulates keeping chicken hens within the City of Billings.

APPROVED BY CITY ADMINISTRATOR

Attachments

Ordinance

ORDINANCE NO. 12-_____

AN ORDINANCE AMENDING THE BILLINGS
MONTANA CITY CODE TO ALLOW A LIMITED
NUMBER OF FEMALE CHICKENS IN RESIDENTIAL
AREAS BY AMENDING SECTIONS 4-401
DEFINITIONS AND 4-303 – CARE, KEEPING AND
SALE OF ANIMALS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY BILLINGS THAT:

Section 1. That the following definitions in section 4-401 of the Billings, Montana, City Code are amended to read as follows:

Animal means to include all livestock, fowl, and any domestic pet, both male and female.

Small animal includes any dog, cat, rabbit, chicken, or domesticated small animal, both male and female.

Section 2.

That section 4-303 of the Billings Montana City Code is amended so that such section shall read as follows:

Sec. 4-303. - Rabbitry-and Chickens (Female Gallus gallus domesticus)

Rabbitry

(a) Whenever the term "rabbitry" is used in this section it shall be deemed to mean any premises or property of any kind or description where more than one female rabbit or hare is kept for purposes of breeding, or where more than one litter of rabbits or hares is kept for purposes of sale.

(b) No person shall keep or maintain a rabbitry on premises controlled by such person.

Chickens (Female Gallus gallus domesticus)

(c) Up to six (6) chicken hens (female Gallus gallus domesticus) may be kept on a premise subject to the following requirements and subject to all other applicable provisions of this Code:

(1) The chicken hens must be kept on a single-family parcel(s). Chicken hens are prohibited on any multi-dwelling parcel(s).

(2) The owner must obtain an annual permit from the City of Billings Animal Control. The fee(s) for this permit will be determined by City Council Resolution and may be periodically adjusted;

(3) The chicken hens shall be provided with a covered, predator-proof chicken house that is thoroughly ventilated, of sufficient size to admit free movement of the chicken hens, designed to be easily accessed, cleaned and maintained by the owners, be at

least 2 square feet per chicken hen in size and the coop and enclosure cannot be more than (12) twelve feet at its peak in height.

(4) No chicken house, outdoor chicken enclosure, or chicken hen shall at any time be located closer than 10 feet to any public right-of-way, sidewalk, or neighboring property line other than the chicken owner, custodian, or keeper.

(5) The chicken hens shall be shut into the chicken house at night, from sunset to sunrise.

(6) During daylight hours the adult chicken hens shall have access to the chicken house and, weather permitting, shall have access to an outdoor enclosure on the subject property, adequately fenced to contain the chicken hens and to prevent access to the chicken hens by predators.

(7) Stored feed must be kept in a rodent- and predator-proof container

(8) It is unlawful for the owner, custodian, or keeper of any chicken hen to allow the animal(s) to be a nuisance to any neighbors, including but not limited to: noxious odors from the animals or their enclosure (see Sec. 4-306 Offensive animal waste); and noise of a loud and persistent and habitual nature (see Sec. 4-404 Noisy animals).

(9) No chicken hen(s) shall be allowed to run at large in the city. No owner or keeper shall allow or permit any chicken hen(s) to be at large off the owner's or keeper's property. Any chicken hen(s) found to be running at large in the city or on private property in violation of this section is a public nuisance and shall be impounded in the animal shelter. (see Sec. 4-406 Small animals at large)

(10) No chicken house or chicken enclosure shall be located in a front yard.

(11) No chicken hens shall be slaughtered within view of adjacent property or the public.

(12) Changes to the standards contained in this section shall require any permit holder to comply with any new standard, regulation, or condition and no notice to a permit holder is required prior to enforcement of any new standard beyond that required for adoption of a new or revised ordinance.

(d) Persons found to have committed a violation of this section shall be subject to a municipal infraction with civil penalties as specified in section 18-1304.

Section 3. Effective Date. This ordinance shall be effective _____, 2012.

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

PASSED by the City Council on first reading this _____ day of _____, 2012.

PASSED, ADOPTED and APPROVED on second reading this _____ day of _____, 2012.

CITY OF BILLINGS

By: _____
Thomas W. Hanel, Mayor

ATTEST:

By: _____
Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Second/Final Reading Ordinance for Zone Change # 901, EBURD Code

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

This zone change includes a map amendment and a text amendment for the East Billings urban Renewal District (EBURD). The amendment will add a new section to the Unified Zoning Regulations that specifies land uses, building types, signage allowances, landscaping requirements and location specific street improvements for new zoning districts in the EBURD. This zoning code is a hybrid between traditional zoning and form-based zoning. On July 3rd the City Zoning Commission voted to keep the public hearing open and delay action on Zone Change #901 for 30 days to August 7, 2012. At its August 7th meeting, the City Zoning Commission heard from property owners and other stakeholders, and voted to recommend to the City Council approval of the EBURD Code with the changes proposed by the property owners and city staff. The City Council conducted a public hearing on August 27, 2012, and approved the zone change on 1st reading.

ALTERNATIVES ANALYZED

The City Council may;

- 1) Adopt the EBURD Code as recommended by the City Zoning Commission
- 2) Not adopt the EBURD Code
- 3) Delay action on the EBURD Code for 30 days.

FINANCIAL IMPACT

The adoption of this code will have no immediate financial impact on the City of Billings. However, over time, the EBURD Code will be instrumental in increasing property values in the East Billings Urban Renewal District.

RECOMMENDATION

The Zoning Commission recommends approval of Zone Change #901 on a 3-0 vote.

APPROVED BY CITY ADMINISTRATOR

Attachments

EBURD Code Ordinance

EBURD Code & Map

ORDINANCE NO. 12-

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION FOR the East Billings Urban Renewal District (EBURD) a 400+/- acre area as described below from Controlled Industrial, Heavy Industrial, Highway Commercial, Neighborhood Commercial, Community Commercial and Residential 6,000 to **Railspur Village (EBURD RSV)** on North Park Sub Block 1 - Lots 1-4 & 79-80; Billings 1st Add Block 275 - Lots 1-4 & 18-24; Billings 1st Add Block 274 - Lots 1-12 & 23-24; Billings 1st Add Block 273 - All Lots; Billings Original Town (BOT) Block 260 - All Lots & Abandoned Alley; BOT Block 261 - Lots 2 - 12 and Vacated N 19th St & East 1/2 Vacated Alley; BOT Block 262 - Lots 11-23 and West 1/2 Vacated Alley; BOT Block 263 - All Lots & Vacated N 21st between Blocks 262 & 263; MRL Land in S33, T01 N, R26 E between N 20th and N 22nd - West 900 feet; BOT Block 14 - All Lots and Vacated Alley and East 1/2 Vacated N 22nd; BOT Block 37 Lots 17A & 18A; C/S 1513; BOT Block 38 - All Lots & Vacated Alley; BOT Block 64 - All Lots; MRL Property in S33, T01 N, R26 E Between 2nd Ave N and 3rd Ave N & N 20th & N 22nd; BOT Block 65 - Lots 13-24; BOT Block 66 - Lots 1-12; BOT Block 67 - Lots 13-24; BOT Block 83 - Lots 13-24; BOT Block 84 - Lots 1-12; BOT Block 85 Lots 13-24; BOT Block 86 - All Lots; MRL Property in S33, T01 N, R26 E Between 1st Ave N and 2nd Ave N & N 20th & N 22nd; MRL Property in S33, T01 N, R26E Between 1st Ave N and Montana Ave & N 20th & N 22nd; BOT Block 115 - Lots 13-24; BOT Block 117 - Lots 19-24; and BOT Block 118 - Lots 13-18.

Railspur Village Main Street (EBURD RSVMS) on MRL Land in S33, T01 N, R26 E South of Montana Avenue & North of the Rail Tracks Between N 17th and N 22nd; BOT Block 115 - Lots 1-12; S33, T01 N, R26 E, MRL LEASE #501,406; Abandoned Portion of N 21st Between Blocks 115 & 116 South of MRL Land; BOT Block 116 - All Lots; S33, T01 N, R26 E, MRL LEASE # 501,252; S33, T01 N, R26 E, MRL LEASE #500256; BOT Block 117 - Lots 1 – 18; BOT Block 118 - Lots 1-12;; BOT Block 84 - Lots 13-24; BOT Block 85 - Lots 1-12; BOT Block 65 - Lots 1-12; BOT Block 66 - Lots 13-24; BOT Block 36 - Lots 13-24; BOT Block 37 - Lots 1-12; BOT Block 15 - All Lots, Vacated Alley and Vacated N 21st St; BOT Block 16 - All Lots & Vacated Alley; MRL Property S33, T01 N, R26 E Between N 18th and N 20th West 150 feet; BOT Block 261 - Lots 13-23 & West 1/2 of Vacated Alley; BOT Block 262 - Lots 2-10 & East 1/2 of Vacated Alley; and MRL Land in S33, T01 N, R26 E between N 20th and N 22nd - East 150feet.

Central Works (EBURD CW) on C/S 2124 Tr 2; Billings 1st Add Block 354; C/S 141 Lots 1 & 2; North Park Sub Block 5 Lots 1-3; North Park Sub Block 4 - Lots 1-8 & 23 – 32; North Park Sub Block 3 - Lots 1-4 & 44-47; North Park Sub Block 2 - Lots 1-6 & 61-66; Billings 1st Add Block 255, Lots 13-23 & West 1/2 of Vacated Alleys; C/S 326 and vacated N 14th Street; Billings 1st Add Block 256 & Vacated Alleys; MRL Land in S33, T01 N, R26 E BETWEEN N 13TH & N 15TH ST - West 530 feet; S33, T01 N, R26 E, MRL LEASE #233364 - West 250 feet; S33, T01 N, R26 E, MRL LEASE #229442; BOT Block 17 - All Lots; MRL Property S33, T01 N, R26 E Between N 18th and N 20th except West 150 feet; S33, T01 N, R26 E, MRL LEASE #501,277; BOT Block 18 - All Lots; BOT Block 19 - All Lots; BOT Block 20 - All Lots; BOT Block 21 - All Lots; MRL Land North

of Blocks 18-20 to the City Limits; Vacated N 14th Street; BOT Block 22 - Lots 13A – 24; BOT Block 30 - Lots 13-24; BOT Block 31 - All Lots; BOT Block 32 - All Lots; BOT Block 33 - All Lots; BOT Block 34 - All Lots; BOT Block 35 - All Lots; BOT Block 36 - Lots 1-12; BOT Block 67 - Lots 1-12; BOT Block 68 - All Lots; BOT Block 69 - All Lots; BOT Block 70 - All Lots; BOT Block 71 - All Lots; BOT Block 72 - Lots 13-24; BOT Block 78 - Lots 13-24; BOT Block 79 - All Lots; BOT Block 80 - All Lots; BOT Block 81 - All Lots; BOT Block 119 - Lots 1-12; BOT Block 82 - All Lots; BOT Block 83 - Lots 1-12; BOT Block 118 - Lots 19-24; BOT Block 119 - Lots 1A-2A & 19-24; BOT Block 120 - All Lots; BOT Block 121 - All Lots; and MRL Land in S33, T01 N, R26 E South of Montana Avenue & North of the Rail Tracks Between N 15th and N 18th.

13th Street Main Street (EBURD 13th) on Billings 1st Add Block 352, Lots 13 - 23 & West 1/2 of Vacated Alleys; Billings 1st Add Block 255, Lots 2-12 & East 1/2 of Vacated Alleys; MRL Land in S33, T01 N, R26 E BETWEEN N 13TH & N 15TH ST - East 150 feet; S33, T01 N, R26 E, MRL LEASE #233364 - East 150 feet; BOT Block 22 - Lots 1-12; BOT Block 30 - Lots 1-12; BOT Block 72 - Lots 1-12A1; BOT Block 78 - Lots 1-12; BOT Block 77 - Lots 13-24; BOT Block 73 - Lots 13-24; BOT Block 29 - Lots 13-24; BOT Block 23 - Lots 14-24; S33, T01 N, R26 E, MRL LEASE #501230 West 150 feet; and West 150 feet of MRL Property between N 13th and N 12th.

Industrial Sanctuary (EBURD IS) on C/S 1680; Billings 1st Add Block 353 - All Lots & Vacated Alleys; Billings 1st Add Block 352 - Lots 2-12 & East 1/2 of Abandoned Alley; Abandoned N 12th Street; S33, T01 N, R26 E, MRL LEASE #501230 East ½; East 900 feet of MRL Property between N 13th and N 12th; Billings Original Town (BOT) Block 23, Lots 1-11; BOT Block 24 - All Lots; BOT Block 25 - All Lots; BOT Block 27 - All Lots; LOTS 1-6 & 8-12 BLK 10 INDUSTRIAL SUB 2ND FILING; LOTS 7-11 BLK 10 INDUSTRIAL SUB 4TH FIL; BOT Block 28 - All Lots and Vacated Alley; BOT Block 29 - Lots 1-12; BOT Block 73 - Lots 1-12; BOT Block 74 - All Lots; LOTS 1-9 BLK 8 INDUSTRIAL SUBD 2ND AMEND; BOT Block 77 Lots 1-12; UNPLT FRAC ADJ 1ST & 12TH BLK 77; Industrial Sub 2nd Filing, Block 7 - All Lots; Industrial Sub 1st Filing, Block 3 - All Lots; Industrial Sub 1st Filing, Block 4 - All Lots; Industrial Sub 5th Filing, Block 4- All Lots; C/S 384; BOT Block 76 - All Lots; C/S 229; C/S 1758; S34, T01 N, R26 E, 73'X 140'N OF 1ST AV IN SWSWNW4; Exchange Sub, Block 1, Lots 1,2,4, and Lot 5 (portion within City Limits); BOT, Block 122 - All Lots & Vacated Alley; BOT, Block 123 - All Lots & Vacated Alley; S33, T01 N, R26 E, MRL LEASE #500099; and Vacated N 14th Between 1st Ave N & Montana Ave.

And add a **new Section 27-1800** to the Unified Zoning Regulations titled East Billings Urban Revitalization District (EBURD) code.

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

1. RECITALS. *Title 76, Chapter 2, Part 3, MCA, and Sections 27-302 and 27-1502, BMCC*, provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10)

criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

2. DESCRIPTION That a 400+/- acre area as described below is currently zoned Heavy Industrial, Highway Commercial, Neighborhood Commercial, Community Commercial and Residential 6,000 and is shown on the official zoning maps within these zones: North Park Sub Block 1 - Lots 1-4 & 79-80; Billings 1st Add Block 275 - Lots 1-4 & 18-24; Billings 1st Add Block 274 - Lots 1-12 & 23-24; Billings 1st Add Block 273 - All Lots; Billings Original Town (BOT) Block 260 - All Lots & Abandoned Alley; BOT Block 261 - Lots 2 - 12 and Vacated N 19th St & East 1/2 Vacated Alley; BOT Block 262 - Lots 11-23 and West 1/2 Vacated Alley; BOT Block 263 - All Lots & Vacated N 21st between Blocks 262 & 263; MRL Land in S33, T01 N, R26 E between N 20th and N 22nd - West 900 feet; BOT Block 14 - All Lots and Vacated Alley and East 1/2 Vacated N 22nd; BOT Block 37 Lots 17A & 18A; C/S 1513; BOT Block 38 - All Lots & Vacated Alley; BOT Block 64 - All Lots; MRL Property in S33, T01 N, R26 E Between 2nd Ave N and 3rd Ave N & N 20th & N 22nd; BOT Block 65 - Lots 13-24; BOT Block 66 - Lots 1-12; BOT Block 67 - Lots 13-24; BOT Block 83 - Lots 13-24; BOT Block 84 - Lots 1-12; BOT Block 85 Lots 13-24; BOT Block 86 - All Lots; MRL Property in S33, T01 N, R26 E Between 1st Ave N and 2nd Ave N & N 20th & N 22nd; MRL Property in S33, T01 N, R26E Between 1st Ave N and Montana Ave & N 20th & N 22nd; BOT Block 115 - Lots 13-24; BOT Block 117 - Lots 19-24; and BOT Block 118 - Lots 13-18. C/S 2124 Tr 2; Billings 1st Add Block 354; C/S 141 Lots 1 & 2; North Park Sub Block 5 Lots 1-3; North Park Sub Block 4 - Lots 1-8 & 23 – 32; North Park Sub Block 3 - Lots 1-4 & 44-47; North Park Sub Block 2 - Lots 1-6 & 61-66; Billings 1st Add Block 255, Lots 13-23 & West 1/2 of Vacated Alleys; C/S 326 and vacated N 14th Street; Billings 1st Add Block 256 & Vacated Alleys; MRL Land in S33, T01 N, R26 E BETWEEN N 13TH & N 15TH ST - West 530 feet; S33, T01 N, R26 E, MRL LEASE #233364 - West 250 feet; S33, T01 N, R26 E, MRL LEASE #229442; BOT Block 17 - All Lots; MRL Property S33, T01 N, R26 E Between N 18th and N 20th except West 150 feet; S33, T01 N, R26 E, MRL LEASE #501,277; BOT Block 18 - All Lots; BOT Block 19 - All Lots; BOT Block 20 - All Lots; BOT Block 21 - All Lots; MRL Land North of Blocks 18-20 to the City Limits; Vacated N 14th Street; BOT Block 22 - Lots 13A – 24; BOT Block 30 - Lots 13-24; BOT Block 31 - All Lots; BOT Block 32 - All Lots; BOT Block 33 - All Lots; BOT Block 34 - All Lots; BOT Block 35 - All Lots; BOT Block 36 - Lots 1-12; BOT Block 67 - Lots 1-12; BOT Block 68 - All Lots; BOT Block 69 - All Lots; BOT Block 70 - All Lots; BOT Block 71 - All Lots; BOT Block 72 - Lots 13-24; BOT Block 78 - Lots 13-24; BOT Block 79 - All Lots; BOT Block 80 - All Lots; BOT Block 81 - All Lots; BOT Block 119 - Lots 1-12; BOT Block 82 - All Lots; BOT Block 83 - Lots 1-12; BOT Block 118 - Lots 19-24; BOT Block 119 - Lots 1A-2A & 19-24; BOT Block 120 - All Lots; BOT Block 121 - All Lots; and MRL Land in S33, T01 N, R26 E South of Montana Avenue & North of the Rail Tracks Between N 15th and N 18th; Billings 1st Add Block 352, Lots 13 - 23 & West 1/2 of Vacated Alleys; Billings 1st Add Block 255, Lots 2-12 & East 1/2 of Vacated Alleys; MRL Land in S33, T01 N, R26 E BETWEEN N 13TH & N 15TH ST - East 150 feet; S33, T01 N, R26 E, MRL LEASE #233364 - East 150 feet; BOT Block 22 - Lots 1-12; BOT Block 30 - Lots 1-12; BOT Block 72 - Lots 1-12A1; BOT Block 78 - Lots 1-12; BOT Block 77 - Lots 13-

24; BOT Block 73 - Lots 13-24; BOT Block 29 - Lots 13-24; BOT Block 23 - Lots 14-24; S33, T01 N, R26 E, MRL LEASE #501230 West 150 feet; and West 150 feet of MRL Property between N 13th and N 12th; C/S 1680; Billings 1st Add Block 353 - All Lots & Vacated Alleys; Billings 1st Add Block 352 - Lots 2-12 & East 1/2 of Abandoned Alley; Abandoned N 12th Street; S33, T01 N, R26 E, MRL LEASE #501230 East ½; East 900 feet of MRL Property between N 13th and N 12th; Billings Original Town (BOT) Block 23, Lots 1-11; BOT Block 24 - All Lots; BOT Block 25 - All Lots; BOT Block 27 - All Lots; LOTS 1-6 & 8-12 BLK 10 INDUSTRIAL SUB 2ND FILING; LOTS 7-11 BLK 10 INDUSTRIAL SUB 4TH FIL; BOT Block 28 - All Lots and Vacated Alley; BOT Block 29 - Lots 1-12; BOT Block 73 - Lots 1-12; BOT Block 74 - All Lots; LOTS 1-9 BLK 8 INDUSTRIAL SUBD 2ND AMEND; BOT Block 77 Lots 1-12; UNPLT FRAC ADJ 1ST & 12TH BLK 77; Industrial Sub 2nd Filing, Block 7 - All Lots; Industrial Sub 1st Filing, Block 3 - All Lots; Industrial Sub 1st Filing, Block 4 - All Lots; Industrial Sub 5th Filing, Block 4- All Lots; C/S 384; BOT Block 76 - All Lots; C/S 229; C/S 1758; S34, T01 N, R26 E, 73'X 140'N OF 1ST AV IN SWSWNW4; Exchange Sub, Block 1, Lots 1,2,4, and Lot 5 (portion within City Limits); BOT, Block 122 - All Lots & Vacated Alley; BOT, Block 123 - All Lots & Vacated Alley; S33, T01 N, R26 E, MRL LEASE #500099; and Vacated N 14th Between 1st Ave N & Montana Ave.

3. ZONE AMENDMENT. The official zoning map is hereby amended and the zoning for **the above described parcels** is hereby changed from Heavy Industrial, Highway Commercial, Neighborhood Commercial, Community Commercial and Residential 6,000 to **Railspur Village (EBURD RSV), Railspur Village Main Street (EBURD RSVMS), Central Works (EBURD CW), 13th Street Main Street (EBURD 13th), Industrial Sanctuary (EBURD IS)** as shown in Exhibit A attached hereto and a new section is added to Chapter 27 BMCC (**27-1800 et seq**) titled East Billings Urban Revitalization District (EBURD) code as shown in Exhibit B attached hereto and all land described shall be subject to these new regulations as set out in the Billings Montana City Code.

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

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

PASSED by the City Council on first reading August 27, 2012.

PASSED, ADOPTED AND APPROVED on second reading September 10, 2012.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: Cari Martin, City Clerk

Zone Change #901 – EBURD Code and Map

EXHIBIT “A” – EBURD MAP
EXHIBIT “B” – EBURD CODE

THE EAST BILLINGS URBAN RENEWAL DISTRICT (EBURD) CODE



EBURD STEERING COMMITTEE MEMBERS:

Project Manager:

Candi Beaudry, AICP

Director, Planning and Community Services
Department

City of Billings

Nicole Cromwell, AICP

Zoning Coordinator
City of Billings

Debi Meling, PE

City Engineer
City of Billings

Marty Connell, President

Billings Industrial Revitalization District (BIRD), Inc.

Steve Zeier

Big Sky Economic Development Authority
TIF Coordinator, City of Billings

Marshall Knick

Pacific Steel
BIRD Board Member

Greg McCall

McCall Development

Mike Tuss, AIA

CTA Architects Engineers

Additional review by:

Terry Smith

Traffic Engineer
City of Billings

Stan Jonutis

Montana Department of Transportation

CONSULTANTS:

Farr Associates

53 West Jackson Boulevard, Suite 650
Chicago, Illinois 60640
www.farrside.com

Sanderson Stewart

1300 North Transtech Way
Billings, Montana 59102
www.sandersonstewart.com

Project Manager: Leslie Oberholtzer, AICP, RLA,
LEED AP

Project Manager: Rick Leuthold, PE, CDP, LEED AP

TABLE OF CONTENTS

ADMINISTRATION/OVERVIEW

27-1802.	EBURD Zoning Districts.....	2
27-1803.	Application & Approval Process.....	2
27-1804.	Nonconformances.....	3
27-1805.	Definitions.....	4

USES

27-1806.	Uses.....	6

SUSTAINABLE DEVELOPMENT MEASURES

27-1807.	Sustainable Development Measures.....	13

FRONTAGE TYPES

27-1808.	Introduction to Frontage Type Requirements.....	15
27-1809.	Entrance Types.....	16
27-1810.	Roof Types.....	18
27-1811.	Explanation of Table Requirements.....	21
27-1812.	Street Facade Materials.....	25
27-1813.	Frontage Types.....	25

DEVELOPMENT STANDARDS

27-1814.	East Billings Parking Overlay District.....	41
27-1815.	Landscape Standards	42
27-1816.	Signage.....	50
27-1817.	Street Types.....	61

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1801. Purpose.

The purpose of the East Billings Urban Revitalization District (EBURD) zoning districts and requirements is to provide standards for development as called for in the East Billings Urban Revitalization District Master Plan, adopted by the City of Billings in July 2009. The zoning districts are intended to allow existing uses to continue while integrating new mixed use and residential development appropriately through the use of form-based regulations.

This code will be reviewed and modified as needed on an annual basis by the Billings Industrial Revitalization District, Inc and the City of Billings,

Sec. 27-1802. EBURD Zoning Districts.

The areas and boundaries of the districts listed below are hereby established to scale as shown on the map entitled Billings Urban Zoning Jurisdiction, available at the City offices.

- (a) EBURD RSV: Rail Spur Village District. The Rail Spur Village District is intended to create a walkable neighborhood focused on residential uses with associated green spaces and commercial businesses with the appropriate form.
- (b) EBURD RSVMS: Rail Spur Village Main Streets District. The Rail Spur Village Main Streets include the extension of the Montana Avenue into the EBURD as well as the North 20th Street corridor from Montana Avenue to 6th Avenue North. This district is intended to create continuous, walkable, shopping & dining corridors with upper floor residential and office uses.
- (c) EBURD CW: Central Works District. The Central Works District is intended to allow a flexible mix of uses, including commercial and light industrial uses.
- (d) EBURD 13th: North 13th Street Main Street District. The North 13th Street Main Street is intended to provide a walkable, shopping & dining corridor with upper floor office and residential adjacent to the Central Works and Industrial Sanctuary districts, while allowing

appropriate craftsman industrial and commercial businesses.

- (e) EBURD IS: Industrial Sanctuary District. The Industrial Sanctuary district is intended to allow a wide mix of industrial businesses within the area with limited form requirements.

Sec. 27-1803. Application & Approval Process.

- (a) Zoning Approval Required. This Section applies to all EBURD zoning districts defined in BMCC Sec. 27-1802. Any new development, and any remodel which meets the change in associated use test set forth in BMCC Sec. 27-1804 (c) (2) or (3) requires Planning Division approval as part of the City's Building Permit process.
- (b) Content of Application. Each application for development located in any of the EBURD districts shall include the following:
 - (1) The name and address of the property owner and applicant, if different;
 - (2) The legal and general description of the tracts or lots upon which review is sought;
 - (3) A statement of proposed use;
 - (4) A complete site development plan drawn to scale of no less than one (1) inch = forty (40) feet indicating:
 - a. Dimension and location of all existing and proposed buildings, recreation areas, utility and service areas, trash storage area, fire hydrants, access drives, full width of street and adjacent drives, parking areas, existing utility lines, and easements;
 - b. Dimension, location, and description of all other existing and proposed site improvements including fences, walls, walkways, patios, decks, and barriers;
 - c. Plans for landscape development , including irrigation, drainage, grading, and planting detail showing species, size, and spacing of trees, shrubs, and percent of living and non-living material;
 - d. A clear delineation of all area to be paved or surfaced, including a description of surfacing materials to be used;
 - e. Location and description of all off-site improvements and rights-of-way dedication;

Article 27-1800. East Billings Urban Revitalization District Code

- f. Location and type of lighting, including a scaled or dimensioned elevation of each type of lighting fixture, and the maximum illumination measured in foot-candles at the lot line;
 - g. Building elevations drawn to a scale of no less than one-sixteenth (1/16) inch = one (1) foot for all structures, including architectural plans for proposed buildings complete with exterior finishes and including floor plans and elevations.
 - h. A signage plan indicating the location of all sign bands. This is to be submitted for informational purposes and to verify that the facade will accommodate the sign area allowed in Sec. 27-1816. A separate application and approval is required for all signs;
 - i. A timetable for the proposed construction project;
 - j. Documentation illustrating compliance with sustainable development practices achieved per BMCC Sec. 27-1807.
 - k. Any other information pertinent to the particular project which, in the opinion of the Zoning Coordinator, is determined to be necessary for the review of the project.
- (c) Review Timeline for Application. Within fifteen (15) working days following the submittal of a complete application, the Zoning Coordinator or his/her designee shall approve or deny the application, unless the applicant consents in writing to an extension of the review period. In the event that review exceeds fifteen (15) days, the applicant may seek administrative relief from the Planning Director. If an application is determined to be incomplete, the applicant shall be notified within five (5) days of the submittal. Should the application need corrections, the applicant shall be notified in writing specifying all areas of noncompliance with this Article.
- Sec. 27-1804 Nonconformances.**
Refer to BMCC Sec. 27-400 for Nonconforming uses of Land and Nonconforming Structures and uses of Structures in all EBURD districts with the following additions:
- (a) Street Facade Revisions. When a renovation of the front facade occurs with no added building square footage, the Street Facade Requirements (refer to BMCC Sec. 27-1809(a) through (f)) shall be met when the existing building front or corner facade is located within the build-to zone and the renovation includes any one of the following:
 - (1) Installation of additional doors or a change in location of a door.
 - (2) Expansion or change in location of thirty (30) percent of windows by total area on any street façade.
 - (3) Replacement of thirty (30) percent or more of facade materials on any street facing facade with a different facade material.
 - (b) Roof Revisions. When the existing building front or corner facade is located within the build-to zone and a renovation of the shape or style of the roof occurs with no added building square footage, the Roof Type Requirements (refer to BMCC Sec. 27-1810) for the frontage type permitted in the district shall be met.
 - (c) Nonconforming Site Characteristics. Site characteristics, including impervious site coverage, curb cut quantity and location, parking, signage, landscaping, and other non-structural but physical characteristics of a site, may continue based on the following conditions:
 - (1) Ten (10) Percent Exception. A site characteristic is not considered nonconforming if the size of the nonconformance is ten (10) percent or less of any requirement in Article 27-1800.
 - (2) Change in Associated Use. The right to continue shall be terminated if the associated use changes or the number of dwelling units, gross floor area, or capacity increases by fifty (50) percent or more.
 - a. Single or individual business signs within a multiple business center are exempt from this standard. A new tenant is permitted to install an individual business sign even if the signage on the lot as a whole is nonconforming, provided that the new sign does not increase the lot's nonconformance.
 - (3) Change in Associated Structure. The right to continue shall be terminated if the associated structure is altered to increase its gross floor area by fifty (50) percent or more.

Article 27-1800. East Billings Urban Revitalization District Code

- (4) Abandonment. The right to continue shall be terminated if the associated use or structure, conforming or not, is abandoned for a period of twelve (12) consecutive months.

Sec. 27-1805 Definitions

Refer to BMCC Sec. 27-200 for general definitions. For the purposes of Article 27-1800, the following terms shall have the following meanings:

Build-to Zone. An area in which the front or corner side facade of a building shall be placed; it may or may not be located directly adjacent to a lot line. The zone dictates the minimum and maximum distance a structure may be placed from a lot line. Refer to Figure 27-1805-1 Build-to Zone vs. Setback Line.

Courtyard. An outdoor area enclosed by a building on at least two (2) sides and is open to the sky.

Eave. The edge of a pitched or flat roof; it typically overhangs beyond the side of a building.

Entrance Type. The permitted treatment types of the ground story facade of a Frontage Type. Refer to BMCC Sec. 27-1809 for more information and a list of permitted Entrance Types.

Expression Line. An architectural feature consisting of a decorative, three (3) dimensional, linear element, horizontal or vertical, protruding or indented at least two (2) inches from the exterior facade of a building typically utilized to delineate the top or bottom of floors or stories of a building.

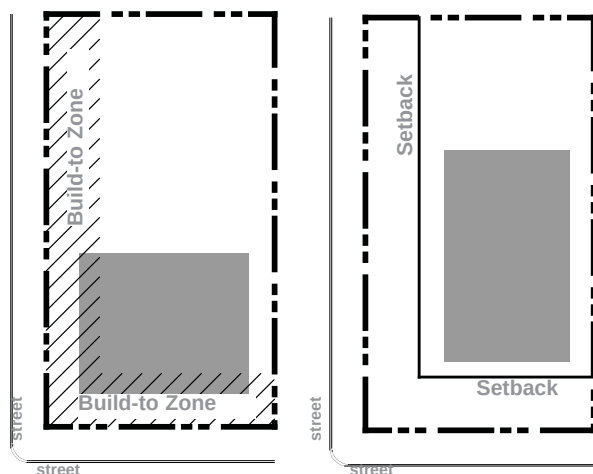


Figure 27-1805-1. Build-to-Zone vs. Setback Line

Facade. The exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and design elements such as expression lines. The front facade is any building face adjacent to the front lot line.

Frontage Type. A structure defined by the combination of configuration, form, and function. Refer to BMCC Sec. 27-1808 through 27-1810 for more information and the list of permitted Frontage Types.

Impervious Site Coverage. The percentage of a lot developed with principal or accessory structures and impervious surfaces, such as driveways, sidewalks, and patios.

Landscape Area. Area on a lot not dedicated to a structure, parking or loading facility, frontage buffer, side and rear buffer, or interior parking lot landscaping.

Lot Frontage. The horizontal distance between the side lot lines, measured at the front lot lines.

Lot Line, Corner. A boundary of a lot that is approximately perpendicular to the front lot line and is directly adjacent to a public right-of-way, other than an alley or railroad.

Lot Line, Front. The boundary abutting a right-of-way, other than an alley, from which the required setback or build-to zone is measured, with the following exceptions.

1. Corner and through lots that abut a primary street (refer to Figure 27-1817(e)-3 Primary Streets Map) shall have the front lot line on that primary street.
2. Corner and through lots that abut two primary streets or do not abut a primary street shall utilize the orientation of the two directly adjacent lots, or shall have the front lot line determined by the Zoning Coordinator.

Occupied Space. Interior building space occupied by the building users. It does not include storage areas, utility space, or parking.

Pedestrianway. A pathway designed for use by pedestrians; it can be located mid-block allowing pedestrian movement from one street to another without traveling along the block's perimeter.

Article 27-1800. East Billings Urban Revitalization District Code

Pervious Surface. Also referred to as pervious material. A material or surface that allows for the absorption of water into the ground or plant material, such as permeable pavers or a vegetated roof.

Primary Street. A street designated on the Zoning Map that receives priority over other streets in terms of setting front lot lines and locating building entrances. Refer to BMCC Sec. 27-1817(e)3.

Public Improvement. Any structure incident to servicing or furnishing public facilities for a subdivision or development, such as grading, street surfacing, curbs and gutter, driveway approaches, sidewalks, crosswalks, water mains and lines, sanitary sewers, storm sewers, culverts, bridges, and utilities.

Roof Type. The detail at the top of a building that finishes a facade, including a pitch roof with various permitted slopes and a parapet. Refer to BMCC Sec. 27-1810 for more information and a list of the permitted Roof Types.

Scale. The relative size of a building, street, sign, or other element of the built environment.

Semi-Pervious Surface. Also referred to as semi-pervious material. A material that allows for at least forty (40) percent absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, or gravel.

Setback. The horizontal distance from a lot line inward, beyond which a structure may be placed. Structures or other impervious surfaces are not permitted within a setback, unless specifically permitted in this article. Refer to Figure 27-1805-1 Build-to Zone vs. Setback Line.

Solar Reflectance Index (SRI). A measure of a constructed surface's ability to reflect solar heat, as shown by a small temperature rise. The measure utilizes a scale from 0 to 100 and is defined so that a standard black surface is 0 and a standard white surface is 100. To calculate for a given material, obtain the reflectance value and emittance value for the material; calculate the SRI according to ASTM E 1980-01 or the latest version.

Stormwater Best Management Practices/Techniques. Conservation practices or systems of practices and management measures that control soil loss; reduce water quality degradation caused by nutrients, Animal waste, toxins, and sediment; and minimize

adverse impacts to surface water and groundwater flow, circulation patterns, and to chemical, physical, and biological characteristics of wetlands by natural means, including replicating natural systems.

Story, Ground. Also referred to as ground floor. The first floor of a building that is level to or elevated above the finished grade on the front and corner facades, excluding basements or cellars.

Story, Half. A story either in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with transparency facing the street.

Story, Upper. Also referred to as upper floor. The floors located above the ground story of a building.

Street Face. The facade of a building that faces a public right-of-way.

Street Type. The permitted and regulated types of streets in this article. Refer to 27-1817 Street Type Standards for more information and a list of the permitted Street Types.

Streetwall. The vertical plane created by building facades along a street. A continuous streetwall occurs when buildings are located in a row next to the sidewalk without vacant lots or significant setbacks.

Visible Basement. A half story partially below grade and partially exposed above with required transparency on the street facade.

Yard, Corner Side. A yard extending from the corner side building facade along a corner side lot line between the front yard and rear lot line.

Yard, Side. A yard extending from the side building facade along a side lot line between the front yard and rear lot line.

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1806 Uses.

This section outlines the uses of land regulated in this article.

- (a) General Provisions. The following general provisions apply to the uses outlined in this section.
 - (1) A lot may contain more than one (1) use.
 - (2) Each of the uses may function as either a principal use or accessory use on a lot, unless otherwise specified.
 - (3) Uses are either permitted by-right in a district, permitted by-right with specific development or design parameters, or require Special Review (refer to BMCC Sec. 27-1503) in order to be developed.
 - (4) Each use shall be located within a permitted Frontage Type (Refer to BMCC Sec. 27-1808 through 1810), unless otherwise specified.
 - (5) Each use may have both indoor and outdoor facilities, unless otherwise specified.
- (b) Organization. The uses are grouped into general categories, which may contain lists of additional uses or clusters of uses.
 - (1) Unlisted Similar Use. If a use is not listed but is similar in nature and impact to a use permitted within a zoning district, the Zoning Coordinator may interpret the use as permitted.
 - a. The unlisted use will be subject to any development standards applicable to the similar permitted use.
 - b. If the unlisted use is similar in nature and impact to a use requiring Special Review per BMCC Sec. 27-1503, the Zoning Coordinator may interpret the use as also requiring Special Review.
 - (2) Unlisted Dissimilar Use. If a use is not listed and cannot be interpreted as similar in nature and impact to a use within a zoning district that is either permitted or requires Special Review, the use is not permitted and may only be approved through an amendment of this article.
- (c) Use Table. Table 27-1806-1: Uses by District outlines the permitted uses in each zoning district. Each use is given one of the following designations for each zoning district in which that use is permitted.
 - (1) Permitted ("●"). These uses are permitted by-right in the districts in which they are listed.
 - (2) Permitted in Upper Stories Only ("◐"). These uses are permitted by-right in the districts in which they are listed, provided that the uses are located in the upper stories of a structure. These uses may also be located in the ground story provided that they are located beyond a depth of at least thirty (30) feet from the front facade.
 - (3) Permitted with Development Standards ("◑"). These uses are permitted by-right in the districts in which they are listed, provided that they are developed utilizing the listed development standards. These standards are intended to alleviate any negative impacts associated with the use, making it appropriate in a district where it otherwise might not have been appropriate.
 - (4) Requires a Special Review ("○"). These uses require Special Review by the City Zoning Commission (refer to BMCC Sec. 27-1503) in order to occur in the districts in which they are listed and must follow any applicable development standards associated with the use as well as meet the requirements of the Special Review.
 - (5) Uses that are not permitted are indicated by a blank space.
- (d) Residential and Lodging Uses. A category of uses that include several residence types.
 - (1) Residential. One (1) or more dwelling units located within the principal structure of a lot, in which the units may or may not share a common wall with the adjacent (horizontally or vertically) unit or have individual entrances from the outside.
 - (4) Lodging & Residential Care. A facility offering temporary or permanent lodging to the general public consisting of sleeping rooms with or without in-room kitchen facilities. Lodging & residential care includes such uses as hotels, bed and breakfast inns, independent and assisted living facilities, nursing homes, residential care homes, and transitional treatment facilities. Assistance with daily activities may be provided for residents. Secondary service uses may also be provided, such as restaurants and meeting

Article 27-1800. East Billings Urban Renewal District Code

Uses	EBURD Districts				
	Rail Spur Village Main Street	Rail Spur Village	Central Works	13th Street Main Street	Industrial Sanctuary
KEY ● Permitted ○ Permitted in Upper Stories Only ◐ Permitted with Development Standards ○ Requires a Special Review					
Residential & Lodging					
Residential	○	●	●	○	
Lodging & Residential Care	○	●	●	○	
Civic					
Assembly	○	●	●	○	●
Hospital	○	●	●	○	●
Library/Museum	●	●	●	●	●
Police and Fire	●	●	●	●	●
Post Office	●	●	●	●	○
School	○	●	●	○	●
Retail & Wholesale					
General Retail	●	●	●	●	
Commercial Equipment &		●	●	●	●
Outdoor Sales Lot		◐	●	●	●
Service					
General Service	●	●	●	●	●
Large Scale Entertainment			●	●	●
Vehicle Service	●	◐	●	●	●
Office					
Office	●	●	●	●	○
Industrial					
Craftsman Industrial	◐	●	●	●	●
General Manufacturing			●	●	●
Warehousing & Distribution		●	●	●	●
Heavy Manufacturing					◐
Transportation Facilities			●		●
Sexually Oriented Business			○	○	○
Infrastructure					
Parking Lot	◐	◐	◐	◐	◐
Utility & Infrastructure		○	●	○	●
Wireless Transmission Facility	○	○	○	○	○
Open Space	◐	◐	◐	◐	◐

Uses	EBURD Districts				
	Rail Spur Village Main Street	Rail Spur Village	Central Works	13th Street Main Street	Industrial Sanctuary
Accessory Uses					
Outdoor Storage of Material		●	●	●	●
Employee/Caretaker Units		◐	◐	◐	◐

Table 27-1806-1. Use Table by District.

rooms. Rooms shall be accessed from the interior of the building.

(e) Civic Uses. A category of uses related to fulfilling the needs of day-to-day community life including assembly, public services, educational facilities, hospitals, and cemeteries.

- (1) Assembly. A facility that has organized services, meetings, or programs to benefit, educate, entertain, or promote discourse amongst the residents of the community in a public or private setting. Assembly includes such uses as a community center, house of worship, and private clubs and lodges. Residential uses accessory to and on the same lot as an assembly use, such as a convent, parish house, or caretaker's home, are also permitted.
- (2) Hospital. A licensed institution providing medical care and health services to the community. These services may be located in one (1) building or clustered in several buildings and may include laboratories, in- and out-patient facilities, training facilities, medical offices, staff residences, food service, pharmacies, and gift shop.
- (3) Library/Museum. A structure open to the general public housing educational, cultural, artistic, or historic information, resources, and exhibits. May also include food service and a gift shop.

Article 27-1800. East Billings Urban Revitalization District Code

- (4) Police and Fire. A facility providing public safety and emergency services; training facilities, locker rooms, and limited overnight accommodations may also be included. Police and fire facilities have the following additional allowances:
- Garage doors are permitted on the front facade.
 - Exempt from maximum driveway widths (refer to BMCC Sec. 6-1208(h)).

- (5) Post Office. A publicly accessed facility for the selling of supplies and mail related products and the small scale collection and distribution of mail and packages. Refer to Warehousing & Distribution (BMCC Sec. 27-1806(o)) for large-scale postal sorting and distribution centers.
- (6) School. An education facility with classrooms and offices, that may also include associated facilities such as ball fields, ball courts, gymnasium, theater, and food service.

General Retail	General Service
Antique & Secondhand	Animal Boarding
Appliance & Electronic Sales & Service	(interior only)
Apparel & Accessory Store	Arcade
Art & Education Supplies	Bank or other Financial Service
Automotive Supply Shop (no service)	Barber Shop, Beauty Salon, & Spa
Bakery	Billiard Hall
Bicycle Sales & Repair	Bowling Alley
Book, Magazine, & Newspaper	Catering
Camera & Photo Supply	Check Cashing
China & Glassware Shop	Day Care
Cigars, Cigarette, & Related	Dry Cleaning & Laundry
Computer Software Sales & Leasing	Eating & Drinking Establishments
Convenience Store	Emergency Care Clinic
Department Store	Fitness, Dance Studio, & Gym
Drug Store/Pharmacy	Framing
Fabric & Craft Store	Funeral Home
Florist	Home Furniture & Equipment Repair
Furniture, Home Furnishings & Accessories	Indoor domestic animal daycare
Gift, Novelty, & Souvenir Shop	Locksmith
Grocery Store	Mailing Services
Gun Shop	Pet Grooming
Hardware Store	Photocopying & Printing
Hobby	Photography Studio & Supplies (on-site processing permitted)
Jewelry Sales & Repair	Repair of Small Goods & Electronics
Luggage & Leather Goods	Shoe Repair
Motorcycle & Motor Scooter Sales	Shooting & Archery Ranges (indoor only)
Music Store	Tailor & Seamstress
Musical Instrument Repair & Sales	Tanning Salon
Office Supply	Tattoo/Piercing Parlor
Optical Goods	Theater
Paint & Wallpaper	Training Center
Party Supply	Travel Agency & Tour Operator
Pawn Shop	Video Rental
Pet & Pet Supply	
Specialty Food Market (Butcher, Candy, Fish Market, Produce, etc.)	
Sporting Goods Sales & Rental	
Stationary & Paper Store	
Toy Shop	
Video/Game Sales & Rental	
Wine & Liquor Shop	

- (f) General Retail. A use involving the sale of goods or merchandise to the general public for personal or household consumption. A use in this category occupies a space of less than 20,000 square feet. Retail includes such uses as those found in Table 27-1806-2.
- (g) Commercial Equipment and Supply. A use involving the large scale sale of goods marketed primarily to commercial or industrial businesses, but may also be available to the general public. This use may include bulk sales and frequent commercial vehicle and consumer traffic. This use is primarily located indoors. Commercial Equipment and Supply includes such uses as:
- (1) Building Materials, Hardware, and Garden Supply
 - (2) Heating, Air Conditioning and Plumbing Supplies, Sales, and Service
 - (3) Cabinet Supply (display only)
 - (4) Machine Sales and Rental
 - (5) Agriculture Equipment and Supply
 - (6) Electrical Supplies
 - (7) Merchandise Vending Machine Operators
 - (8) Medical Supply Store & Sales
 - (9) Exterminating & Disinfecting Service
- (h) Outdoor Sales Lot. A use involving the sale of goods or merchandise to businesses and/or the general public, where the majority of the goods are stored or displayed outdoors. Outdoor sales lots include such uses as the sale and rental of automobiles, trucks, trailers, boats, and recreational vehicles; and the sale of building materials, landscape materials, and garden supplies. In the districts where an outdoor sales lot is permitted with development standards ("C"), the following applies:

Table 27-1806-2. Typical General Retail & General Service Uses.

Article 27-1800. East Billings Urban Revitalization District Code

- (1) Loose material must be stored in compliance with the standards in BMCC Sec. 27-601(b). Parking and Storage Restrictions.
 - (2) Limited to lots fronting on Boulevard Street Types (1st Avenue N, 4th Avenue N, and 6th Avenue N).
- (i) General Service. A category of uses that provide patrons services and limited retail products related to those services. Visibility and accessibility are important to these uses, as most patrons do not utilize scheduled appointments. A use in this category occupies a space no greater than 20,000 square feet and includes such uses as those found in Table 27-1806-2.
- (j) Large Scale Entertainment. A service use offering entertainment within the community and the region, housed in a large scale facility greater than 20,000 square feet. Large scale entertainment includes such uses as a concert hall, movie theater, casino, or events facility (a facility regularly available for rental by an individual, group, or business for banquets, meetings, conferences, seminars, or lectures). This use may also include support facilities such as eating and drinking establishments. This use may also include outdoor entertainment and recreation opportunities such as batting cages, go-cart tracks, miniature golf, aquatic facilities, and skating rinks.
-
- Office Uses**
-
- Architecture, Engineering, Planning, & Design**
Building Contractor (office only)
Business Consulting
Charitable Institutions
Computer Programming & Support
Detective & Security Services
Educational Services (tutor & testing)
Employment Agency
Financial & Insurance
Government Offices
Professional Membership Organizations
Legal Services
Management Services
Physical Therapy/Physical Rehabilitation
Medical & Dental with Laboratory
PR & Advertising
Property Development
Radio & TV Studio
Real Estate
Recording & Sound Studio
Research & Development
Research Agency
Surveying
Veterinarian
-
- (k) Vehicle Service. A business involving the servicing of vehicles and/or the distribution of fuel to residents of the community and region. A convenience store may also be included as a secondary use, as well as the sale of propane and kerosene. Vehicle service includes such uses as automotive filling stations, vehicle repair, car wash facilities, and tire sales and mounting. In the districts where vehicle service is permitted with development standards (“D”), the following apply:
- (1) Use Limitation. Repair and wash facilities for semi-trucks, recreational vehicles, boats, and other oversized vehicles are only permitted in the Industrial Sanctuary district.
 - (2) Service Bays. Vehicular service bays, including garages and car wash bays, shall not be located on the front facade, unless otherwise permitted by the Frontage Type.
 - (3) Outdoor Storage. Disabled or inoperable vehicles and those awaiting pick-up may be stored outdoors if:
 - a. The vehicles are not stored for more than two (2) days.
 - b. The storage area is located in the rear yard screened from view of the front lot line.
 - c. The storage area is screened using the Side & Rear yard buffer outlined in BMCC Sec. 27-1815(j), regardless of the adjacent land uses.
 - (4) Outdoor Activities.
 - a. All repairs or washing activities must occur inside a structure.
 - b. Vacuuming activities may occur in open air, but must be located in the side or rear yards, screened from the front lot line.
 - c. Temporary outdoor display of seasonal items, such as windshield wiper fluid or salt, is permitted during business hours under the canopy and adjacent to the principal structure.
- (l) Office Uses. A category of uses for businesses that involve the transaction of affairs of a profession, service, industry, or government. Patrons of these businesses usually have set appointments or meeting times; the businesses do not typically rely on walk-in customers. Office uses include those listed in Table 27-1806-3.

Table 27-1806-3. Typical Office Uses.

Article 27-1800. East Billings Urban Revitalization District Code

(m) Craftsman Industrial. A use involving small scale manufacturing, production, assembly, and/or repair with little to no noxious by-products that includes a showroom or small retail outlet. Craftsman industrial includes such uses as those found in Table 27-1806-4. This use may also include associated facilities such as offices and small scale warehousing, but distribution is limited. The maximum overall gross floor area is limited to 45,000 square feet, unless otherwise noted. In the districts where a craftsman industrial use is permitted with development standards ("C"), the following apply:

- (1) 20,000 square feet is the maximum permitted overall gross floor area.
- (2) A minimum twenty (20) percent of gross floor area shall be dedicated to a showroom located at the front of the space.
- (3) Outdoor activities and storage of goods are not permitted.

(n) General Manufacturing. A manufacturing use involving the assembly, production, and distribution of goods resulting in limited negative external effects. This use may involve the production of goods from raw materials or the assembly of finished products that can

Craftsman Industrial	General Manufacturing	Warehousing & Distribution	Heavy Manufacturing
Apparel & Finished Fabric Products	Aircraft & Railroad Equipment & Parts	Air Freight	Acid
Bakery & Confections	Alcoholic Beverages	Contractor Equipment & Warehouse- Landscape & Construction	Asbestos
Beverages, including Beer, Wine, Liquor, Soft Drinks, Coffee	Apparel, Finished Products from Fabric	Exterminator & Disinfection Services	Asphalt
Botanical Products	Boat Building & Repairing	Fuel Distribution	Battery Manufacturing & Rebuilding
Brooms & Brushes	Cotton Wadding	Mail & Parcel Sorting & Distribution	Biological Product
Canning & Preserving Food	Distilled Water	Mail Order House & Warehousing	Boiler Works
Commercial Scale Copying & Printing	Electrical Machinery & Equipment	Motor Freight	Celluloid Manufacturing & Treatment
Construction Special Trade Contractors	Electronic Equipment & Component	Newspaper Distribution	Chemicals
Cut Stone & Cast Stone	Excelsior & Fiber	Packing & Crating	Cement, Concrete, Gypsum, Asbestos
Dairy Products	Fur Dressing & Dying	RV Storage Yard	Dry Cleaning & Dyeing
Electronics Assembly	Internal Combustion Motors	Recycling Center (Collection & Sort)	Foundries
Engraving	Linoleum	Tow or Impound Lot	Industrial Launderers
Electrical Fixtures	Lumber Milling	Truck Terminal or Parking Facilities	Laundry Soap, Chips & Powder
Fabricated Metal Products	Machinery & Tools	Warehousing & Storage (Refrigeration or General)	Meat & Fish Processing & Packaging
Film Making	Mobile/Manufactured Homes Manufacturing	Water Distribution	Motor Vehicle Assembly
Furniture & Fixtures	Motor Testing	Personal & Household Storage	Ordnance & Accessories
Glass	Motor Vehicle Parts & Equipment		Paints, Enamels, Lacquers, & Varnishes & Allied Products
Household Textiles	Motorcycles, Bicycles, & Parts		Paper & Allied Products
Ice	Office & Artist's Materials		Petroleum & Related Products
Jewelry, Watches, Clocks, & Silverware	Perfume, Cosmetics, Soap, & Other Toiletry Items		Pharmaceuticals
Leather Products	Plumbing & Heating Products		Rock Crushing
Meat & Fish Products, no Processing	Poultry Dressing		Rubber & Plastics
Musical Instruments & Parts	Research & Development with laboratory & testing		Seeding & Grain Milling
Pasta	Rolling, Drawing, Extruding Metal		Smelting
Pottery, Ceramics, & Related Products	Scientific Instruments, including Photographic, Medical & Dental, Surveying, Measuring, and Optical Equipment		Stone & Concrete
Printing, Publishing & Allied Industries	Structural Clay Products		Sugar
Shoes & Boots	Tobacco		Tannery
Signs & Advertising	Vehicle Staging & Storage (Ambulance, Bus, Limousine, Livery, Taxi, etc.)		Tar Distillation
Small Goods Manufacturing			Vegetable, Animal, & Marine Oils & Fats
Smithing			Wax Products Production
Taxidermy			Wool Scouring & Pulling
Textile, Fabric, Cloth			
Toys & Athletic Goods			
Upholstery			
Woodworking			

Table 27-1806-4. Typical Industrial Uses.

Article 27-1800. East Billings Urban Revitalization District Code

result in some noise and other non-noxious by-products. Associated facilities may also be included such as offices, limited warehousing, limited service bays, and maintenance facilities. Fuel pumps and outdoor storage of goods are defined by the permitted accessory uses. General manufacturing uses include all craftsman industrial uses and such uses as those found in Table 27-1806-4, without the size limitation.

(o) Warehousing and Distribution. A general industrial use involving substantial commercial vehicle access and large-scale indoor or outdoor storage and packing of goods typically between production and the market. Warehousing and Distribution includes such uses as those found in Table 27-1806-4. In the districts where warehousing and distribution is permitted with development standards ("O"), the following apply:

- (1) Truck Access. Truck access is permitted only off a Boulevard Street Type (refer to BMCC Sec. 27-1817 Street Types).
- (2) Loading Bays. Loading bays if permitted by Frontage Type, shall be located directly off a Boulevard Street Type.

(p) Heavy Manufacturing. An industrial use with the potential for significant negative external effects and involving the production of goods from raw materials, often resulting in noise, odor and/or noxious by-products, and involving frequent commercial vehicle access and outdoor storage of materials or products. Heavy industrial includes such uses as those found in Table 27-1806-4. In the districts where a heavy manufacturing use is permitted with development standards ("O"), the following apply:

- (1) Noise, odor, and other noxious by-products shall not be measurable on adjacent properties.
- (2) Waste products shall be disposed of off-site, without entering the sanitary sewer system.

(q) Transportation Facilities. A business involving the transport of passengers that may include a station with offices, food and beverage service and platforms for arrivals and departures. Short and long term parking facilities, maintenance facilities and vehicle storage are not permitted.

Transportation facilities include such uses as bus or rail terminals.

(r) Sexually Oriented Business. A business use that includes the uses defined in BMCC Sec. 27-611 of the Unified Zoning Regulations of the City of Billings. In the districts where a sexually oriented business requires Special Review (BMCC Sec. 27-1503) ("O"), the use shall comply with all requirements set forth in BMCC Sec. 27-611 of the Unified Zoning Regulations of the City of Billings.

(s) Parking Lot. A lot that does not contain a permitted building or Open Space Type and is solely used for the parking of vehicles. In the districts where a parking lot is permitted with development standards ("O"), the following apply:

- (1) Adjacent Parking Lots. Two (2) parking lots cannot be located directly adjacent to one another.
- (2) Single Family. Parking lot cannot be associated with a single family use.
- (3) Distance. Parking lot must be within 1,000 feet of the associated use unless:
 - a. At least seventy-five (75) percent of the spaces are dedicated for public use.
 - b. An approved parking agreement is in place (refer to BMCC Sec. 6-1203 (h) and (i) Joint Use).
 - c. Lot is utilized for commercial vehicles (refer to BMCC Sec. 27-1806(s)(6)) in which case an associated use is not required.
- (4) Pedestrian Access. Must be connected to associated use by a dedicated, public pedestrian pathway.
- (5) Commercial Vehicles. Parking lots for commercial vehicles are only permitted in the Central Works and Industrial Sanctuary districts and are exempt from BMCC Sec. 27-1806(s)(1) through (5).

(t) Utility and Infrastructure. A lot that is primarily utilized for the City's infrastructure needs. Utility and infrastructure includes such uses as electric or gas services, sewage treatment, water treatment and storage, and energy conversion systems. In the districts where utilities and

Article 27-1800. East Billings Urban Revitalization District Code

infrastructure require Special Review ("○"), refer to BMCC Sec. 27-1503 for requirements.

(u) Wireless Communication Facility. A use of land that includes unmanned buildings, cabinets, structures, and facilities, including generating and switching stations, repeaters, antennas, transmitters, receivers, towers, and all other buildings and structures relating to low-power mobile voice transmission, data transmission, video transmission, radio transmission, or wireless transmission. In the districts where wireless communication facilities require Special Review (BMCC Sec. 27-1503) ("○"), refer to BMCC Sec. 27-620 for requirements.

(v) Open Space. A use of land for active or passive, public or private, outdoor space, including such uses as parks, plazas, greens, playgrounds, or community gardens. Open space uses may also be utilized to host temporary private or community events, such as a farmer's market or art fair. In the districts where open space is permitted with development standards ("●"), the following apply:

- (1) Parking. Parking lots are not permitted in open space in any EBURD district.
- (2) Size. All open space in an EBURD district is limited to no greater than 90,000 square feet.
- (3) Treatment. Open space in an EBURD district may include both landscape and hardscape.
- (4) Stormwater Accommodations. Open space that incorporates stormwater management on a site or district scale is encouraged.
 - a. Stormwater facilities shall be designed to accommodate additional uses, such as an amphitheater or a sports field.
 - b. Stormwater facilities shall be designed not to be fenced and shall not impede public use of the land they occupy.
- (5) Active Facilities. Designated ball fields are not permitted. Ball courts and playgrounds are permitted in the Rail Spur Village district only.
- (6) This use may involve small scale food and beverage service, no more than 200 square feet in space, located in a kiosk, with no service access.
- (7) Buildings located directly adjacent to an open space use shall treat facades facing this use with street facade requirements.

(w) Accessory Uses. Accessory uses are regulated by BMCC Sec. 27-600 with the following exceptions:

(1) Outdoor Storage of Goods. Permanent outdoor storage of goods not typically housed or sold indoors, such as large scale materials and building and landscape supplies. In the districts where outdoor storage of goods is permitted with development standards ("●"), the following development standards apply:

a. Within the Central Works and 13th Street Main Street Districts:

- i. Outdoor storage areas shall be located in the rear or side yard of the lot.
- ii. Loose materials shall not be stacked higher than six (6) feet.
- iii. Loose materials shall at a minimum be stored in a three (3) sided shelter and shall be covered.
- iv. Materials shall be set back a minimum of five (5) feet from any lot line.
- v. All outdoor storage areas shall be screened from view of adjacent parcels and vehicular rights-of-way using the heavy side or rear buffer, refer to BMCC Section 27-1815(j) Side and Rear Buffer.

(2) Employee/Caretaker Units. In the districts where employee/caretaker units are permitted with development standards ("●"), the following development standards apply:

- a. Up to two (2) residential units per 10,000 square feet of gross building floor area.
- b. Units shall be provided to employees, security personnel, or caretakers, as a benefit to the business only.

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1807 Sustainable Development Measures.

The following sustainable development measures process shall be addressed by all developments in the EBURD districts defined by BMCC Sec. 27-1802.

- (a) Review and Approval. Documentation on which measures and total number of points the applicant will achieve shall be indicated on the building permit application submitted to the City for review and approval.
- (b) Requirements. The applicant shall achieve no less than five (5) total points from any combination of the following sustainable development measures. No partial points will be accepted.
- (c) Documentation. The applicant shall submit documentation supporting that the development will achieve the measure.
- (d) Certified Green Buildings Measure (3 points). Certify a new construction building or building undergoing major renovations through a green building rating system requiring review by an independent, third-party certifying body and approved by the Zoning Coordinator.
 - (1) Value. This measure earns the applicant 3 points.
 - (2) Documentation. Required documentation includes registration of the project with the system, payment of all applicable fees for the rating system, and a draft scorecard showing the achieved credits or points.
- (e) Building Energy Efficiency Measure (2 points).
 - (1) New Construction Buildings. Newly constructed buildings must demonstrate an average 10% improvement over the energy code currently in effect in the City.
 - (2) Major Renovation. Building must demonstrate an average 5% improvement over ANSI/ASHRAE/IESNA Standard 90.1-2007.
 - (3) Value. This measure earns the applicant 2 points.
 - (4) Documentation. Required documentation includes an energy model demonstrating that the building(s) will achieve the proposed improvements.
- (f) Building Water Efficiency Measure (2 points). Indoor water use in new buildings and major renovations must be an average 20% less than in baseline buildings. Utilize the baseline water usage for fixtures per the Energy Policy Act of 1992 and subsequent rulings by the United States Department of Energy or a similar method approved by the Zoning Coordinator.
 - (1) Value. This measure earns the applicant 2 points.
 - (2) Documentation. Required documentation includes cut sheets for all water fixtures.
- (g) Water-Efficient Landscaping Measure (2 point). Reduce potable water used for landscape by utilizing all xeriscape plant materials and providing no permanent irrigation system or using only captured rainwater with an irrigation system.
 - (1) Value. This measure earns the applicant 2 points.
 - (2) Documentation. Required documentation includes a landscape and irrigation plan, illustrating the system.
- (h) Renewable Energy Sources Measure (2 points). Incorporate renewable energy generation on-site with production capacity of at least 5% of the building's annual electric and thermal energy, established through an accepted building energy performance simulation tool.
 - (1) The following renewable energy generation sources are applicable:
 - a. Solar thermal or photovoltaics
 - b. Wind
 - c. Geothermal
 - (2) Value. This measure earns the applicant 2 points.
 - (3) Documentation. Required documentation includes specifications and construction details for the installation of the system.
- (i) Green Roof Measure (2 points). Install a vegetated roof for at least 50% of building roof area.
 - (1) Value. This measure earns the applicant 2 points.

Article 27-1800. East Billings Urban Revitalization District Code

- (2) Documentation. Required documentation includes roof construction plans with drainage and planting details.
- (j) Heat Island Reduction Measure (2 point).
 - (1) Use any combination of the following strategies for 35% of all on-site, non-roof hardscape areas, including sidewalks, plazas, courtyards, parking lots, parking structures, and driveways.
 - a. Tree Canopy Cover. Coverage of the surface at shade tree maturity in 15 years.
 - b. Solar reflective paving & roofing with a SRI (solar reflectance index) of at least 29.
 - (3) Value. This measure earns the applicant 2 point.
 - (2) Documentation. Required documentation includes plans and specifications for installation of the strategy.
- (k) Pervious Pavement Measure (2 points). Install an open grid or pervious pavement system that is at least 40% pervious on 80% of all hardscape surface areas, including sidewalks, plazas, courtyards, parking lots, and driveways.
 - (1) Value. This measure earns the applicant 2 points.
 - (2) Documentation. Required documentation includes plans and specifications for installation of the strategy.
- (l) Enhanced Bicycle Amenities Measure (1 point).
 - (1) Inclusion of two of the following:
 - a. Lockable enclosed bicycle storage. Provide one (1) secure, enclosed bicycle storage space for 10% of planned employee occupancy.
 - b. Employee shower facilities. Provide at least one (1) shower facility and one (1) per 150 employees.
 - c. Increased bicycle parking spaces. Provide bicycle racks at a rate of one (1) per 5000 square feet of gross building area, with no fewer than four (4) bicycle spaces per building.
 - (2) Value. This measure earns the applicant 1 point.
 - (3) Documentation. Required documentation includes site and/or building plans locating the measures included.

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1808 Introduction to Frontage Type Requirements

The Frontage Types detailed in BMCC Sec. 27-1813 outline the required building forms for new construction and renovated structures within the EBURD.

- (a) **Applicability.** The Frontage Type standards shall be applied to all new construction and exterior renovation of existing structures. Refer to BMCC Sec. 27-1804 Nonconformances for more information on the continuation of nonconforming structures.
- (b) **General Requirements.** All Frontage Types must meet the following requirements.
 - (1) **Zoning Districts.** Each Frontage Type shall be constructed only within its designated districts (Refer to Table 27-1808-1 Permitted Frontage Types by Districts). Permitted Frontage Types in each zoning district defines which Frontage Types are permitted in which zoning districts. Refer to BMCC Sec. 27-1802 EBURD zoning districts for more information.
 - (2) **Uses.** Each Frontage Type can house a variety of uses depending on the district in which it is located. Refer to BMCC Sec. 27-1806 EBURD uses for general uses permitted per district. Some Frontage Types have additional limitations on permitted uses.
 - (3) **No Other Frontage Types.** All buildings constructed must meet the requirements of one of the Frontage Types permitted within the zoning district of the lot.
 - (4) **Permanent Structures.** All buildings constructed shall be permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise noted.
 - (5) **Accessory Structures.**
 - a. Attached accessory structures are considered part of the principal structure.
 - b. Detached accessory structures are permitted per each Frontage Type and shall comply with all setbacks except the following:
 - i. Detached accessory structures are not permitted in the front yard.
 - ii. Detached accessory structures shall be located behind the principal structure in the corner side yard.
 - iii. Detached accessory structures shall not exceed the height of the principal structure and in no case shall be taller than two and a half (2.5) stories.

		EBURD Districts				
Frontage Types		Rail Spur Village Main Street	Rail Spur Village	Central Works	North 13th Street	Industrial Sanctuary
	Yard Frontage		●			
	General Stoop		●	●		●
	Storefront	●	●	●	●	●
	Limited Bay		●	●	●	●
	Commerce			○		●
	Open Frontage					●
	Civic Frontage	●	●	●	●	●
	Commercial Outdoor Site		○	●	●	●

● = Permitted Boulevard ○ = Permitted Only on Boulevard Street Type

Table 27-1808-1. Permitted Frontage Types by District

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1809 Entrance Types

Entrance Type standards apply to the ground story and visible basement of front facades of all Frontage Types as defined in this Section. Refer to BMCC Sec. 27-1813 Frontage Types.

(a) General Provisions. The following provisions apply to all Entrance Types.

- (1) Intent. To guide the design of the ground story of all buildings to relate appropriately to pedestrians on the street. Treatment of other portions of the building facades is detailed in each Frontage Type standard (refer to BMCC Sec. 27-1813(a) through (h)).
- (2) Applicability. The entire ground story street-facing facade(s) of all buildings shall meet the requirements of at least one (1) of the permitted Entrance Types, unless otherwise stated.
- (3) Measuring Transparency. Refer to Sec. 27-1811(d)(1) for information on measuring building transparency.
- (4) Visible Basements. Visible basements, permitted by Entrance Type, are optional. The visible basement shall be a maximum of one-half (1/2) the height of the tallest story.

(b) **Storefront Entrance Type.** (Refer to Figure 27-1809(b)-1). The Storefront Entrance Type is a highly transparent ground story treatment designed to serve primarily as the display area and primary entrance for retail or service uses.

- (1) Transparency. Minimum transparency is required per Frontage Type.

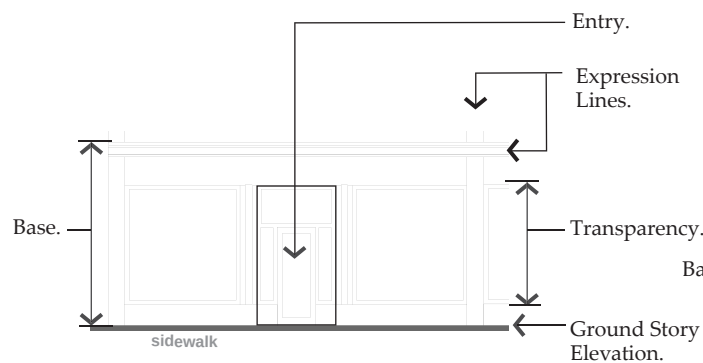


Figure 27-1809(b)-1. Storefront Entrance Type.

- (2) Elevation. Storefront elevation shall be between zero (0) and one (1) foot above sidewalk.
- (3) Visible Basement. A visible basement is not permitted.
- (4) Horizontal Facade Division. Horizontally define the ground story facade from the upper stories.
- (5) Entrance. All entries shall be recessed from the front facade closest to the street.
 - a. Recess shall be a minimum of three (3) feet and a maximum of eight (8) feet deep, measured from the portion of the front facade closest to the street.
 - b. When the recess falls behind the front build-to zone, the recess shall be no wider than eight (8) feet.

(c) **Arcade Entrance Type.** (Refer to Figure 27-1809(c)-1). An Arcade Entrance Type is a covered pedestrian walkway within the recess of a ground story.

- (1) Arcade. An open-air public walkway is required from the face of the building recessed into the building a minimum of eight (8) and a maximum of fifteen (15) feet.
- (2) Recessed or Interior Facade. Storefront Entrance Type is required on the recessed ground story facade.
- (3) Column Spacing. Columns shall be spaced between ten (10) feet and twelve (12) feet on center.
- (4) Column Width. Columns shall be a minimum of 1'-8" and a maximum 2'-4" in width.

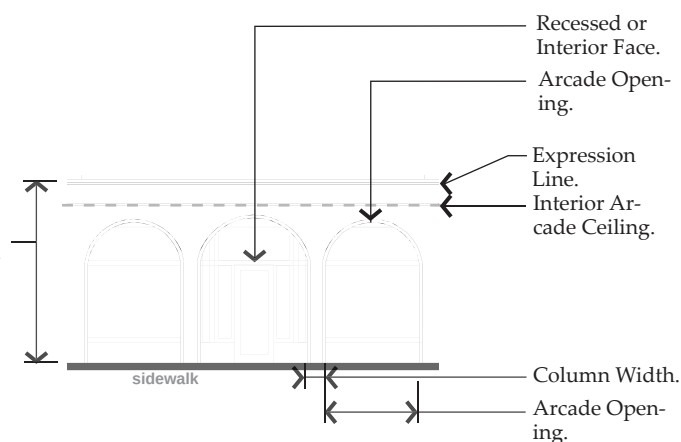


Figure 27-1809(c)-1. Arcade Entrance Type.

Article 27-1800. East Billings Urban Revitalization District Code

- (5) Arcade Opening. Opening shall not be flush with interior arcade ceiling and may be arched or straight.
 - (6) Horizontal Facade Division. Horizontally define the ground story facade from the upper stories.
 - (7) Visible Basement. A visible basement is not permitted.
- (d) **Stoop Entrance Type.** (Refer to Figure 27-1809(d)-1). A stoop is an unroofed, open platform.
- (1) Transparency. Minimum transparency is required per Frontage Type.
 - (2) Stoop Size. Stoops shall be a minimum of three (3) feet deep and six (6) feet wide.
 - (3) Elevation. Stoop elevation shall be located a maximum of 2'-6" above the sidewalk without visible basement and a maximum of 4'-6" above the sidewalk with a visible basement.
 - (4) Visible Basement. A visible basement is permitted and shall be separated from the ground story by an expression line.
 - (5) Entrance. All entries shall be located off a stoop.
- (e) **Porch Entrance Type.** (Refer to Figure 27-1809(e)-1). A porch is a raised, roofed platform that may or may not be enclosed on all sides.
- (1) Transparency.
 - a. Minimum transparency per Frontage Type is required.
 - b. If enclosed, a minimum of forty (40) percent of the enclosed porch shall be comprised of highly transparent, low reflectance windows.
 - (2) Porch Size. The porch shall be a minimum of (5) feet deep and (8) feet wide.
 - (3) Elevation. Porch elevation shall be located a maximum of 2'-6" above the sidewalk without a visible basement and a maximum of 4'-6" above the sidewalk with a visible basement.
 - (4) Visible Basement. A visible basement is permitted.
 - (5) Height. Porch may be two (2) stories to provide a balcony on the second floor.
 - (6) Entrance. All entries shall be located off a porch.

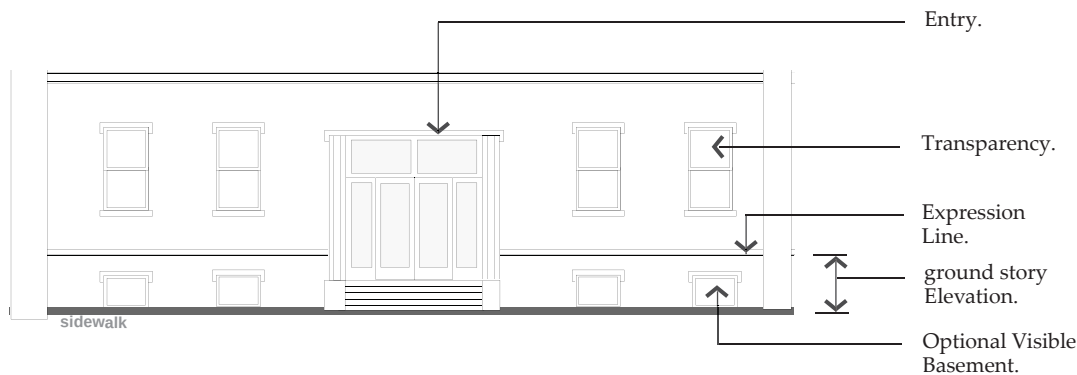


Figure 27-1809(d)-1. Stoop Entrance Type.

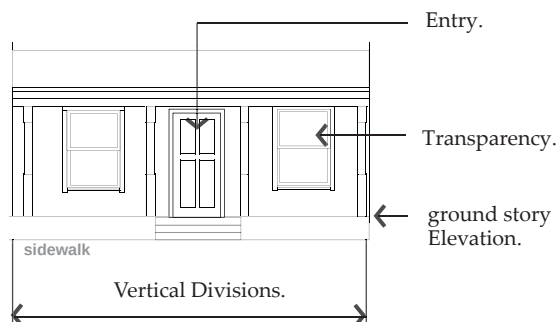


Figure 27-1809(e)-1. Porch Cap

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1810 Roof Types

Roof Type standards apply to roof and top of all Frontage Types as required in this Section.

(a) General Provisions. The following provisions apply to all Roof Types.

- (1) Intent. To guide the design of the cap of all buildings.
- (2) Applicability. All buildings shall meet the requirements of one of the Roof Types permitted for the Frontage Type.
- (3) Measuring Height. Refer to BMCC Sec. 27-1811(b) for information on measuring building height.
- (4) Other Roof Types. Other building caps not listed as a specific type may be requested with the following requirements:
 - a. The height shall not exceed any of the Roof Types permitted for the Frontage Type.
 - b. The cap would not be disruptive to the surrounding area.
 - c. The design of the cap shall be reviewed by the Zoning Coordinator.

(b) **Parapet Roof Type.** (Refer to Figure 27-1810(b)-1). A parapet is a low wall projecting above a building's roof along the perimeter of the building. It can be utilized with a flat or low pitched roof and also serves to limit the view of roof-top mechanical systems from the street.

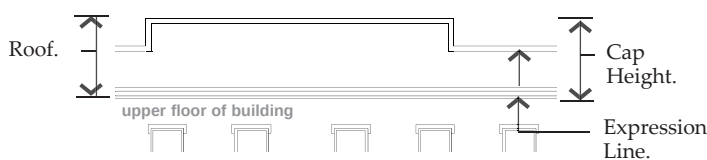


Figure 27-1810(b)-1. Parapet Roof Type.

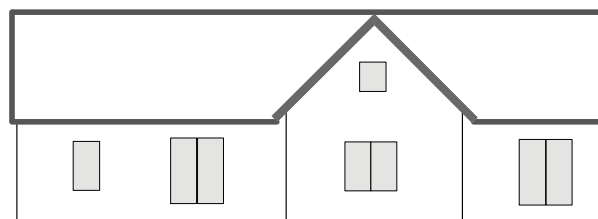
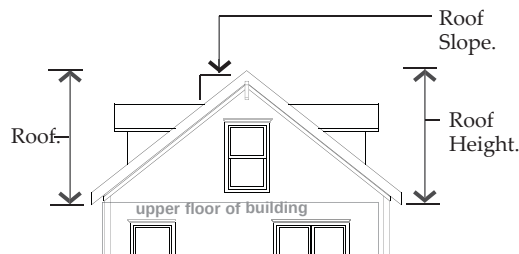
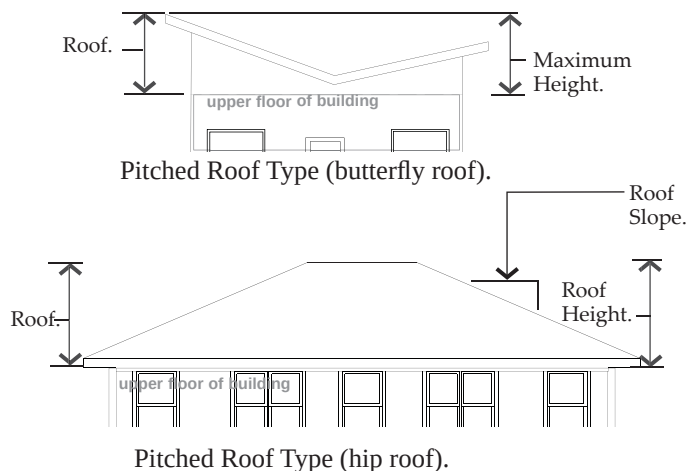


Figure 27-1810(c)-2. Parallel Ridge Line.

- (1) Parapet Height. Height is measured from the top of the upper story to the top of the parapet.
 - a. Minimum height is two (2) feet with a maximum height of six (6) feet.
 - b. Cap shall be high enough to screen the roof and any roof appurtenances from view of the street(s) .
- (2) Horizontal Expression Lines. An expression line shall define the cap from the upper stories of the building and shall also define the top of the cap.
- (3) Occupied Space. Occupied space shall not be incorporated behind this Roof Type.

(c) **Pitched Roof Type.** (Refer to Figure 27-1810(c)-1). This Roof Type has a sloped or pitched roof. Slope is measured with the vertical rise divided by the horizontal span or run.

- (1) Pitch Measure. The roof may not be sloped less than a 4:12 (rise:run) or more than 16:12.
 - a. Slopes less than 4:12 are permitted to occur on second story or higher roofs. (Refer to Figure 27-1810(c)-1).
- (2) Configurations.



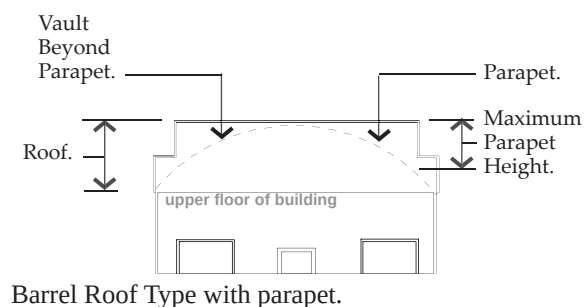
Pitched Roof Type (gable roof).

Figure 27-1810(c)-1 Pitched Roof Roof Type.

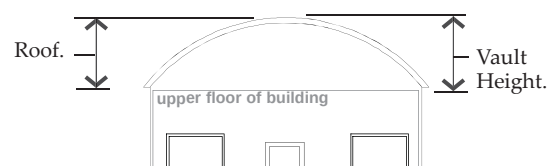
Article 27-1800. East Billings Urban Revitalization District Code

- a. Hipped, gabled, and combination of hips and gables with or without dormers are permitted.
- b. Butterfly roofs (inverted gable roof) are permitted with a maximum height of eight (8) feet, inclusive of overhang.
- c. Gambrel and mansard roofs are permitted on non-residential Frontage Types (refer to BMCC Sec.27-1813(a) through (h) for Frontage Types). When the ridge runs parallel to the street, one (1) dormer per fifteen (15) feet of street face is required.
- (3) Parallel Ridge Line. A gabled end or perpendicular ridge line shall occur at least every one hundred (100) feet of roof when the ridge line runs parallel to the front lot line. (Refer to Figure 27-1810(c)-3).
- (4) Roof Height. Roofs without occupied space and/or dormers shall have a maximum height on street-facing facades equal to the maximum floor height permitted for the Frontage Type.
- (5) Occupied Space. Occupied space may be incorporated behind this Roof Type.

(d) **Barrel Roof Type.** (Refer to Figure 27-1810(d)-1). This Roof Type has a barrel vaulted roof.



Barrel Roof Type with parapet.



Barrel Roof Type without parapet.

Figure 27-1810(d)-1. Barrel Roof Type.

- (1) Configuration. The barrel vault of the roof shall run perpendicular to the front facade. Eaves may or may not be utilized.
 - (2) Vault Height. The vault height shall not exceed half the vault width.
 - (3) Parapet. When a parapet wall screens the vault from the street, the parapet shall not extend more than six (6) feet above the barrel vault roof.
 - (5) Occupied Space. Occupied space may be incorporated behind this Roof Type.
- (e) **Flat Roof Type.** (Refer to Figure 27-1810(e)-1). This Roof Type has a flat roof with overhanging Eaves.
- (1) Configuration. Roofs with no visible slope are acceptable. Eaves are required on all street facing facades.
 - (2) Eave Depth. Eave depth is measured from the building facade to the outside edge of the eave. Eaves shall have a depth of at least fourteen (14) inches.
 - (3) Eave Thickness. Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave. Eaves shall be a minimum of eight (8) inches thick.
 - (4) Interrupting Vertical Walls. Vertical walls may interrupt the eave and extend above the top of the eave with no discernible cap.
 - a. No more than one-half (1/2) of the front facade can consist of an interrupting vertical wall.
 - b. Vertical walls shall extend no more than four (4) feet above the top of the eave.
 - (5) Occupied Space. Occupied space shall not be incorporated behind this Roof Type.

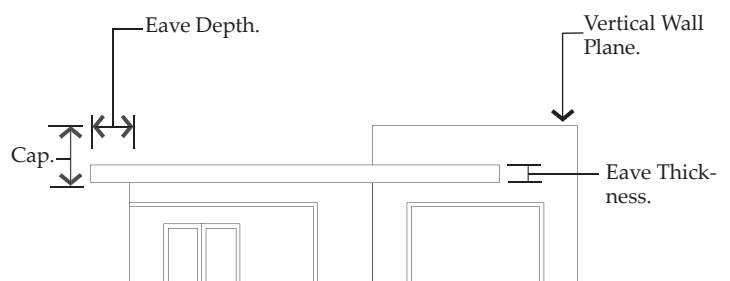


Figure 27-1810(e)-1. Flat Roof Roof Type.

Article 27-1800. East Billings Urban Revitalization District Code

- (f) **Towers.** (Refer to Figure 27-1810(f)-1). A tower is a rectilinear or cylindrical, vertical element, that must be used with other Roof Types.
- (1) Quantity. All Building Types, with the exception of the Civic Building, are limited to one (1) tower per building.
 - (2) Tower Height. Maximum height, measured from the top of the parapet or eave to the top of the tower, is the equivalent of the height of one (1) upper floor of the building to which the tower is applied.
 - (3) Tower Width. Maximum width along all facades is one-third ($1/3$) the width of the front facade or thirty (30) feet, whichever is less.
 - (4) Horizontal Expression Lines. An expression line shall define the tower from the upper stories, except on single family or attached house residential Frontage Types (refer to BMCC Sec.27-1813(a) through (h) for Frontage Types).
 - (5) Occupied Space. Towers may be occupied by the same uses allowed in upper stories of the Frontage Type to which it is applied.
 - (6) Application. May be combined with all other Roof Types.
 - (7) Tower Cap. The tower may be capped by the parapet, pitched, low pitched, or flat roof Roof Types, or the spire may cap the tower.

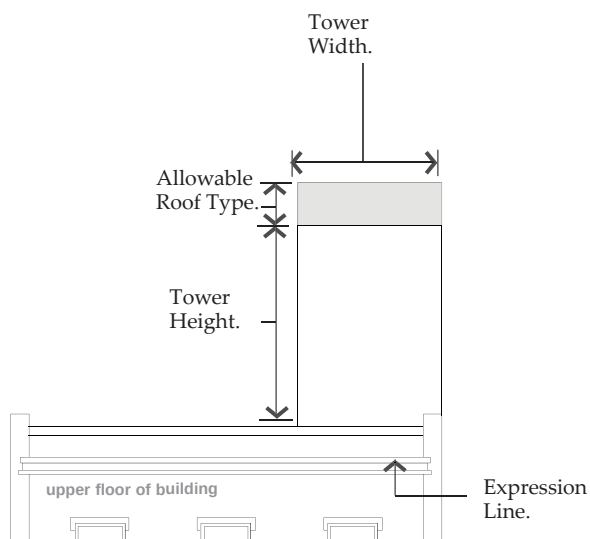


Figure 27-1810(f)-1. Tower.

- (g) **Spire.** (Refer to Figure 27-1810(g)-1). A spire is a long, tapering design element that can be attached to a tower or other Roof Type.
- (1) Permitted Location. Spires are permitted only on civic buildings.
 - (2) Spire Height. Spire height is not limited.
 - (3) Spire Width. Maximum width, measured at the spire base is one-sixth ($1/6$) the width of the front facade or fifteen (15) feet, whichever is less. A wider spire base, proportionate in height, is subject to the approval the Zoning Coordinator.
 - (4) Occupied Space. Occupied space is not permitted within the spire.
 - (5) Application. May be combined with any other roof type.

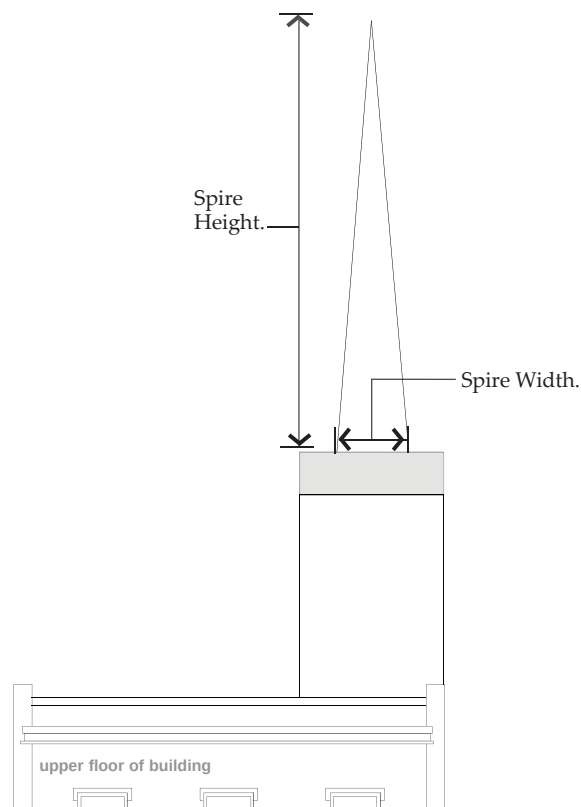


Figure 27-1810(g)-1. Spire.

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1811 Explanation of Table Requirements.

The following explains and defines the requirements included in the tables for each Frontage Type, Sections 27-1813(a) through 27-1813(h). Not all line items listed below may appear within each Frontage Type's individual requirements table.

(a) Building Siting.

(1) Street Frontage.

- a. **Multiple Principal Buildings.** The presence of more than one principal structure on a lot.
- b. **Front Lot Line Coverage.** (Refer to Figure 27-1811(a)-1). Measurement defining the minimum percentage of street wall or building facade required along the primary street. (Refer to Figure 27-1817(e)-3 for Primary Street Priority Map.) The width of the principal structure(s) (as measured within the front build-to zone) shall be divided by the maximum width of the front build-to zone (BTZ).
- i. Some Frontage Types allow side yard parking to be exempted from the front lot line coverage calculation. If such an exemption is permitted,

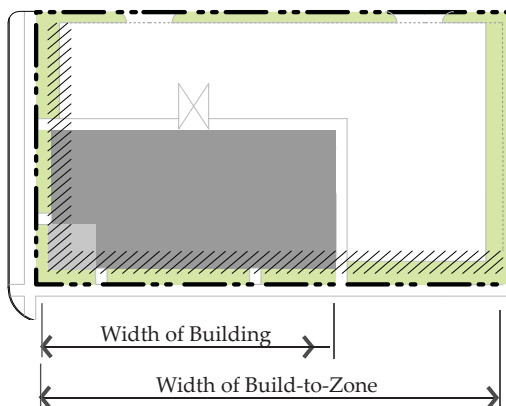


Figure 27-1811(a)-1. Measuring Front Lot Line Coverage.

the width of up to one (1) double loaded aisle of parking, located with the drive perpendicular to the street and including adjacent sidewalks and landscaping, may be exempted, to a maximum of sixty five (65) feet.

- c. **Occupation of Corner.** Occupying the intersection of the front and corner build-to zones with a principal structure.
- d. **Front Build-to Zone or Setback.** The build-to zone or setback parallel to the front lot line.
 - i. All build-to zone and setback areas not covered by building must contain either landscape, patio space, or sidewalk space.
- e. **Corner Build-to Zone or Setback.** The build-to zone or setback parallel to the corner lot line.
 - i. All build-to zone and setback areas not covered by building must contain either landscape, patio space, or sidewalk space.
- f. **Right-of-Way Encroachment.** Specified building components, such as awnings and canopies, may be permitted to extend beyond the front lot line and encroach upon the City right-of-way. If permitted, such building components are

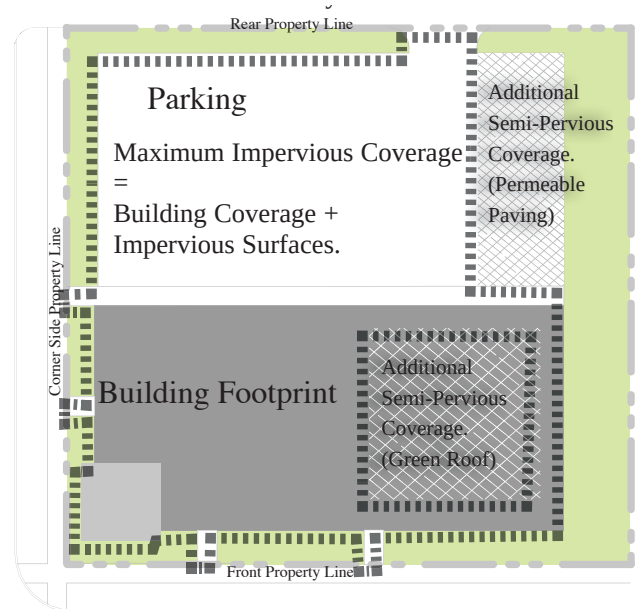


Figure 27-1811(a)-2. Maximum Impervious & Semi-Pervious Coverage.

Article 27-1800. East Billings Urban Revitalization District Code

permitted to extend to within five (5) feet of the curb, maintaining a minimum of eight (8) feet height clearance along the public sidewalk

(2) Buildable Area.

- a. **Side Yard Setback.** The minimum required setback along a side lot line.
 - i. **Impervious Surfaces Prohibited.** Impervious surfaces within a lot's side yard setback are prohibited except for connections to adjacent parking lots.
 - ii. **Parking Lot Connections.** One (1) drive, maximum 22 feet in width, connecting a lot's parking lot with an adjacent lot's parking lot is permitted.
- b. **Rear Yard Setback.** The minimum required setback along a rear lot line. The rear yard setback applies to principal buildings only.
- c. **Minimum and Maximum Lot Width.** The minimum and maximum width of a lot, measured at the front lot line.
- d. **Maximum Impervious Coverage.** The maximum percentage of a lot permitted to be covered by principal structures, accessory structures, pavement, and other impervious surfaces. Refer to Figure 27-1811(a)-2.
- f. **Additional Semi-Pervious Coverage.** The additional percentage of a lot which may be surfaced in a Semi-Pervious material. A green roof qualifies as a semi-pervious material.

(3) Parking Location, Loading & Access.

- a. **Parking Location.** The yard in which a parking lot or area and associated drive is permitted.
- b. **Service & Loading Facility Location.** The facade of the building on which access is permitted for servicing, loading, and unloading activities related to building uses. Refer to BMCC Sec. 6-1203 for off street loading requirements.
- c. **Entry for Parking within Building.** The facade of the building on which the entrance to interior parking may be located.
- d. **Vehicular Access.** The permitted means of vehicular ingress and egress to the lot.
 - i. Alleys, when present, shall always be the primary means of access. When alleys are not present, driveways may be permitted per Frontage Type and, if an alternative is available, shall not be located off a Primary Street. Refer to Figure 27-1817(e)-3 for a Primary Street Map.

(b) Height.

- (1) **Minimum and Maximum Overall Height.** (Refer to Figure 27-1811(b)-1). A required minimum and maximum overall height is provided for all Frontage Types and is measured as follows:

- a. **Minimum Overall Height.** The minimum overall height for the building shall be located within the build-to zone; stories above the required minimum height may be stepped back from the facade.

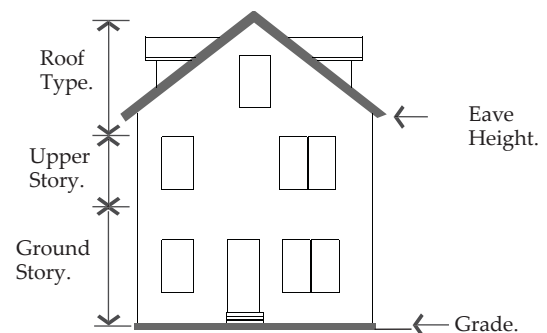
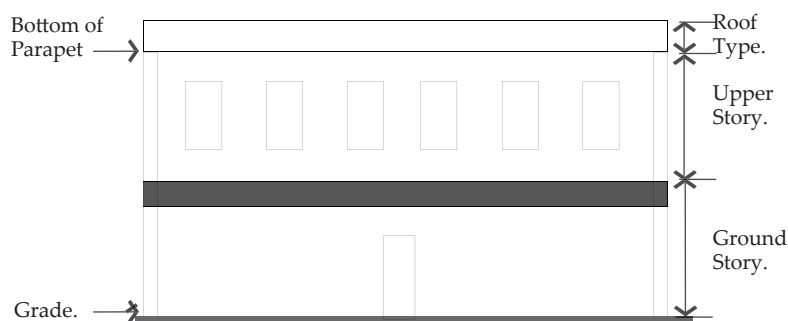


Figure 27-1811(b)-1. Measuring Height.

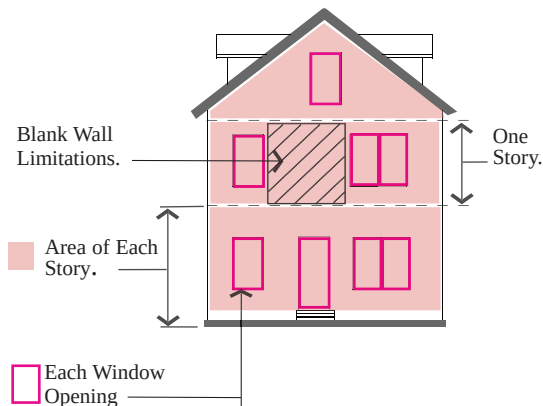
Article 27-1800. East Billings Urban Revitalization District Code

- b. **Height in Stories.** The sum of a building's stories.
- Half stories are located either completely within the roof structure with street-facing windows or in a visible basement exposed a maximum of one half (1/2) story above grade.
 - A building incorporating both a half story within the roof and a visible

Measure Percent of Ground Story Storefront Transparency between 2 and 8 feet from the sidewalk.



Measuring Ground Floor transparency on a Storefront base.



Measuring transparency on all floors.

Figure 27-1811(d)-1. Measuring Transparency per Facade.

- Some Frontage Types require a building facade to step back as its height increases. If required, the upper stories of any building facade with street frontage shall be setback a designated amount beyond the building facade of the lower stories.

- (2) **Ground Story and Upper Story Minimum and Maximum Height.** (Refer to Figure 27-1811(b)-1). Each Frontage Type includes a permitted range of height in feet for each story. Additional information is as follows:
- Floor height is measured in feet between the floor of a story to the floor of the story above it.
 - Floor height requirements apply only to street facing facades.
 - For single story buildings and the uppermost story of a multiple story building, floor to floor height shall be measured from the floor of the story to the tallest point of the ceiling.

(c) **Uses.**

- (1) **Ground and Upper Story.** The uses or category of uses which may occupy the ground and upper story of a building. Refer to BMCC Sec. 27-1806 Uses.
- (2) **Parking Within Building.** The area(s) of a building in which parking is permitted within the structure.
- (3) **Occupied Space.** The area(s) of a building that shall be designed as occupied space (refer to Definitions, BMCC Sec. 27-1805)

(d) **Street Facade Requirements.**

- (1) **Transparency.** (Refer to Figure 27-1811(d)-1). Measurement of the percentage of a facade that has clear, non-reflective windows.
 - a. **Minimum Transparency.** The minimum amount of transparency permitted on facades with street frontage, measured per story or per facade, depending on the Frontage Type.
 - b. **Blank Wall Limitations.** A restriction of the amount of windowless area permitted on a facade with street frontage. If required, the following shall be met:

Article 27-1800. East Billings Urban Revitalization District Code

- i. No rectangular area greater than thirty (30) percent of a story's facade, as measured from floor to floor, may be windowless; and
- ii. No horizontal distance greater than fifteen (15) feet of a story's facade may be windowless.

(2) Building Entrance.

- a. **Principal Entrance Location.** The facade on which the primary building entrance is to be located.
- b. **Entrance Type.** The Entrance Type(s) permitted on any street facing facade of a given Frontage Type. Refer to BMCC Sec. 27-1809 Entrance Types for specific requirements.
- b. **Street Facades: Number of Entrances.** The maximum spacing between entrances on a building facade with street frontage.
- c. **Parking Lot Facades: Number of Entrances.** The maximum spacing between entrances on a building facade that faces a parking lot.

(3) Roof Type.

- a. **Roof Type.** The Roof Type(s) permitted for a given Frontage Type. Refer to BMCC Sec. 27-1810 Roof Types for more specific requirements.
- b. **Tower.** A vertical building extension that may be permitted in conjunction with another Roof Type on certain Frontage Types. Refer to BMCC Sec. 27-1810 Roof Types.

(4) Facade Divisions.

- a. **Vertical Increments.** The use of a vertically oriented expression line or form to divide the facade into increments no greater than the dimension shown, as measured along the base of the facade. Elements may include a column, pilaster, or other continuous vertical ornamentation a minimum of one and a half inch depth.
- b. **Horizontal Facade Divisions.** The use of a horizontally oriented expression line or form to divide portions of the facade into horizontal divisions. Elements may include a cornice, belt course, molding, string courses, or other continuous horizontal ornamentation a minimum of one and a half inch depth.

(4) **Balconies.** The following requirements pertain to balconies on building facades with street frontage.

- a. **Size.** The minimum dimensions of a permitted balcony.
- b. **Facade Coverage.** The percentage of a facade's total area that is permitted to be covered by balconies, including street facing railing and balcony structure.
- c. **Access to Balcony.** The number of units that are permitted to gain entry to an individual balcony.
- d. **Structure.** Requirements related to the construction of a balcony. Two types of balcony structures are permitted:
 - i. Independently secured balconies are those that are connected directly to the building and are unconnected to other balconies.
 - ii. Balconies that are integral to the facade are a part of, and built in conjunction with, the building structure.

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1812 Street Facade Materials.

The following applies to all facades visible from any street on all Frontage Types with the exception of the Open Frontage Type.

- (a) Permitted Facade Materials. Building materials that are permitted include durable, natural materials such as clay or terracotta tiles, stone, brick, stucco, concrete, and metal. Cast stone is permitted. Painted or stained wood, and burnished and/or split face colored concrete masonry units are permitted as no more than 35% of street facing facade.
- (b) Permitted Upper Story Facade Materials. In addition to the Permitted Facade Materials defined in Sec.27-1812(a), exterior insulation and finishing systems (EIFS) is permitted on upper stories.
- (c) Materials to Avoid. Building materials that are discouraged on any street facing facade include imitation materials intended to look like natural materials; sheet materials intended to look like units; and residential grade windows and doors on all Frontage Types except the Yard Frontage.
- (d) Prohibited Materials on Street Facing Facades. Building materials that are not permitted on building facades that are visible from any street include bricks more than 3-5/8" in height, and untreated wood.

Sec. 27-1813 Frontage Types.

The Frontage Types on the following pages apply to all development in the EBURD. Refer to Sec. 27-1808 for the Introduction to Frontage Types.

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1813(a). Frontage Types:Yard

(1) Building Siting		
a. Street Frontage		
Multiple Principal Buildings	Permitted	
Front Lot Line Coverage	65% minimum ¹	a
Occupation of Corner	Required	
Front Build-to Zone	5' to 15'	b
Corner Build-to Zone	5' to 10'	c
Right-of-Way Encroachment	None	
b. Buildable Area		
Side Yard Setback	0', minimum 10' between buildings or sets of attached units	d
Rear Yard Setback	5'; 0' with Alley	e
Minimum Lot Width	25'	f
Maximum Lot Width	60' for single family only; None for attached	
Maximum Building Length	8 attached units	
Maximum Impervious Coverage	80%	
Additional Semi-Pervious Coverage	15%	
c. Parking Location, Loading & Access		
Parking Location	Rear Yard	g
Loading Facility Location	None	
Entry for Parking within Building	Rear Facade	
Vehicular Access	From Alley; If no Alley exists, up to one (1) driveway per building or set of attached units ²	h
Notes:		
¹ When townhouses, each attached townhouse unit shall meet all requirements, except one of every five units may front a courtyard with a minimum width of 30'.		
² For parcels with a street frontage longer than 300' and no Alley, two (2) driveways are permitted.		
(2) Height		
Minimum Overall Height	1 Story; 2 Stories preferred	i
Maximum Overall Height	3 Stories	j
Stories: Minimum Height	9'	k
Maximum Height	14'	

(3) Uses (refer to BMCC Sec. 27-1806)		
All Stories	Residential, General Service, Office only	(l)
Parking within Building	Permitted in the rear of all floors and fully in any basement(s)	(n)
Occupied Space	30' depth space on front facade	(o)
Accessory Structures	Permitted per Sec. 27-1808(f).	
(4) Street Facade Requirements		
a. Transparency		
Minimum Transparency	15%, per floor	(p)
Blank Wall Limitations	Required	
b. Building Entrance		
Principal Entrance Location	Front or Corner of Building	(q)
Entrance Type (refer to Sec. 27-1809)	Stoop, Porch	(r)
Street Facades: Number of Entrances	Minimum 1 per building	
Parking Lot Facades: Number of Entrances	N/A	
c. Roof Type		
Roof Type (refer to Sec. 27-1810)	Parapet, Flat, or Pitched	(s)
Tower	Permitted	
d. Facade Divisions		
Vertical Increments	No greater than 50'	
Horizontal Expression Line	None required except by Roof Type	
c. Balconies		
Size	Minimum 3' deep and 5' wide	(t)
Facade Coverage	Maximum 40% of Front & Corner Side Facades, separately	
Access to Balcony	Maximum one (1) dwelling unit	
Structure	Independently secured and unconnected to other balconies; or integral to the Facade	

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1813(a). Frontage Types:Yard

Frontage Type	Permitted in these EBURD Districts				
	Rail Spur Village Main Street	Rail Spur Village	Central Works	North 13th Street	Industrial Sanctuary
Yard Frontage		●			

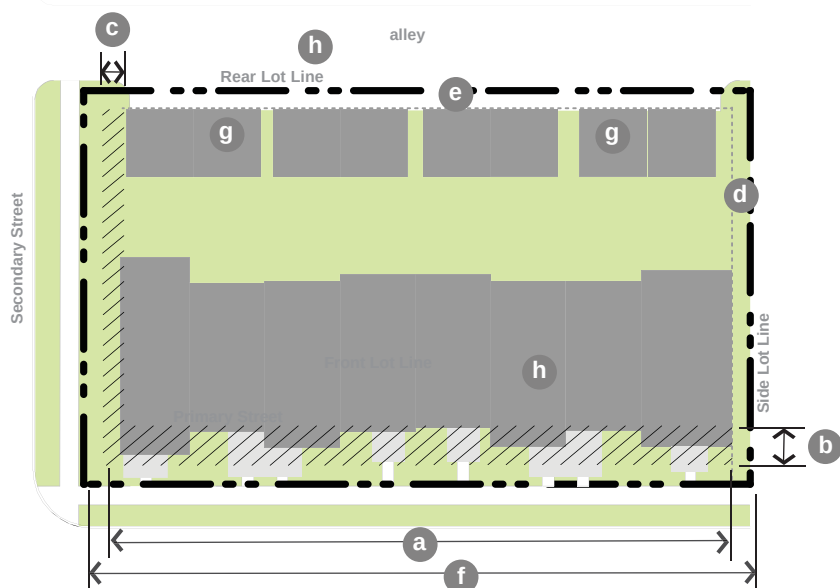


Figure 27-1813(a)-1: Building Siting.

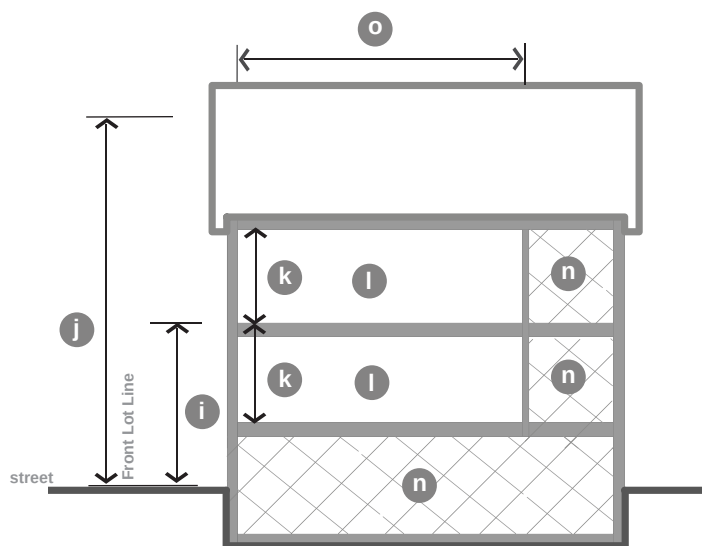


Figure 27-1813(a)-2: Height & Use Requirements.

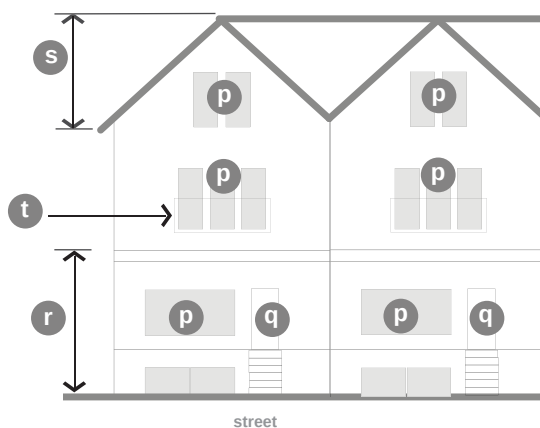


Figure 27-1813(a)-3: Street Facade Requirements.

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1813(b). Frontage Types: General Stoop

(1) Building Siting		
a. Street Frontage		
Multiple Principal Buildings	Not Permitted	
Front Lot Line Coverage	85% minimum ¹	(a)
Occupation of Corner	Required	
Front Build-to Zone	0' to 10'	(b)
Corner Build-to Zone	0' to 10'	(c)
Right-of-Way Encroachment	Eaves, Awnings, Canopies	
b. Buildable Area		
Side Yard Setback	3'	(d)
Rear Yard Setback	5'; 0' with Alley	(e)
Maximum Impervious Coverage	75%	
Additional Semi-Pervious Coverage	20%	
c. Parking Location, Loading & Access		
Parking Location	Rear Yard	(f)
Service & Loading Facility Location	Rear Facade	(g)
Entry for Parking within Building	Rear Facade or Side Facade	
Vehicular Access	From Alley; If no Alley exists, one (1) driveway off a side or corner side yard ²	(h)
Notes:		
¹ A courtyard covering up to 35 percent of the front facade is permitted and may contribute to the Front Lot Line Coverage requirement.		
² For parcels with a street frontage longer than 300' and no Alley, two (2) driveways are permitted.		
(2) Height		
Minimum Overall Height	2 Stories	(i)
Maximum Overall Height	6 Stories ³	(j)
Floor to Floor Story Height:		
Minimum Height	9'	
Maximum Height	14'	(k)
Notes:		
³ Above the fourth story, the upper stories of any building facade with street frontage shall have a step back from the lower Stories that is a minimum of 6' and a maximum of 12'.		
(3) Uses (refer to BMCC Sec. 27-1806)		
Ground and Upper Stories	All permitted uses by district	(l)
Parking within Building	Permitted in the Rear of all Floors and fully in any Basement(s)	(m)
Occupied Space	30' depth space on front facing facade	(n)
Accessory Structures	Permitted per Sec. 27-1808(f).	
(4) Street Facade Requirements		
a. Transparency		
Minimum Transparency	15%, per floor	(o)
Blank Wall Limitations	Required	
b. Building Entrance		
Principal Entrance Location	Front, Corner Side, or Corner of Building	(p)
Entrance Type (refer to Sec. 27-1809)	Stoop, minimum 6' wide and 3' deep	(q)
Street Facades: Number of Entrances	1 per 75' of Facade	
c. Roof Type		
Roof Type (refer to Sec. 27-1810)	Parapet, Flat, or Pitched	(r)
Tower	Permitted	(s)
d. Facade Divisions		
Vertical Increments	No greater than 50'	
Horizontal Expression Line	Required within 3' of top of ground story on buildings taller than 3 stories	(t)
e. Balconies		(u)
Size	Minimum 3' deep and 5' wide	
Facade Coverage	Maximum 40% of Front & Corner Side Facades, separately	
Access to Balcony	Maximum one (1) dwelling unit	
Structure	Independently secured and unconnected to other balconies; or integral to the Facade	

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1813(b). Frontage Type Standards: General Stoop

Frontage Type	Permitted in these EBURD Districts				
	Rail Spur Village Main Street	Rail Spur Village	Central Works	North 13th Street	Industrial Sanctuary
General Stoop		●	●		●

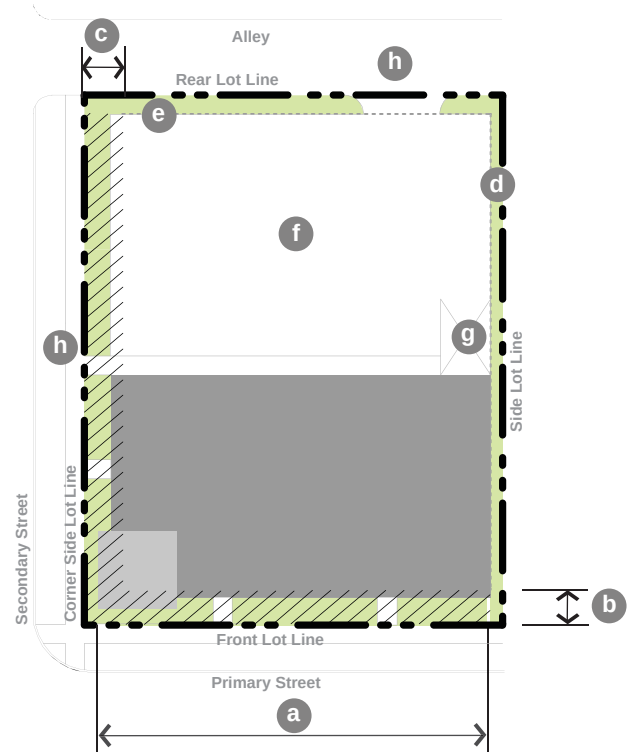


Figure 27-1813(b)-1: Building Siting.

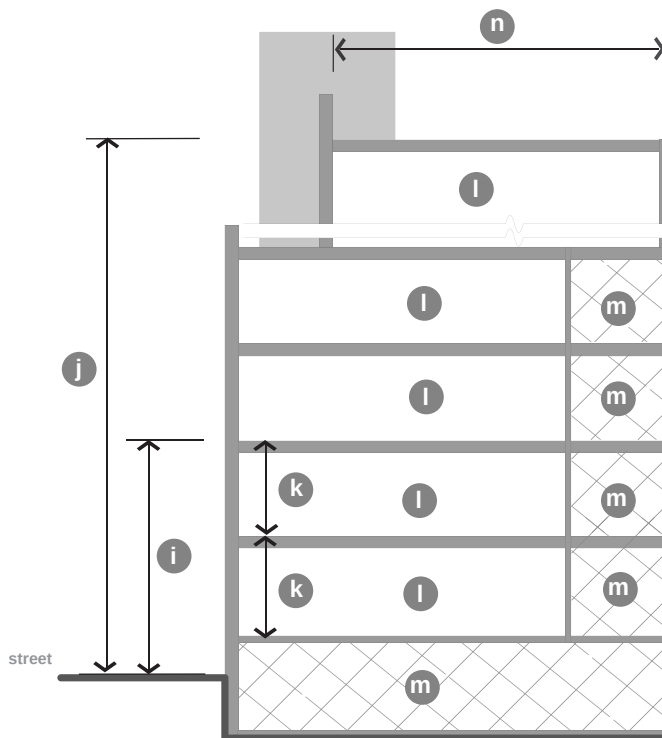


Figure 27-1813(b)-2: Height & Use Requirements.

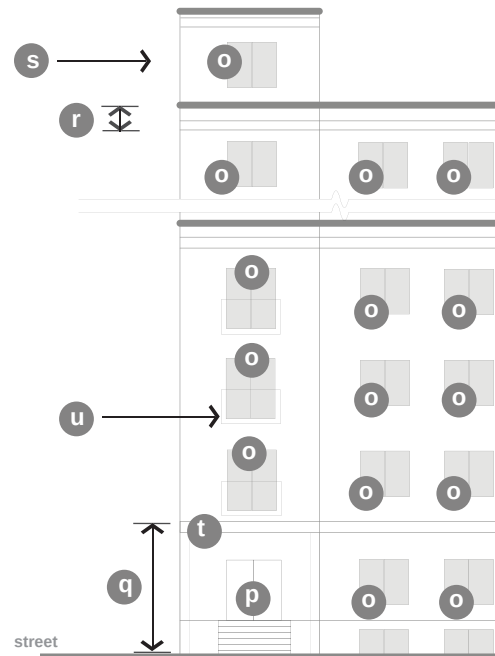


Figure 27-1813(b)-3: Street Facade Requirements.

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1813(c). Frontage Type Standards: Storefront

(1) Building Siting		
a. Street Frontage		
Multiple Principal Buildings	Not Permitted	
Front Lot Line Coverage	95% minimum	a
Occupation of Corner	Required	
Front Build-to Zone	0' to 5' ¹	b
Corner Build-to Zone	0' to 5'	c
Right-of-Way Encroachment	Eaves, Awnings, Canopies	
b. Buildable Area		
Side Yard Setback	0'	d
Rear Yard Setback	5'; 0' with Alley	e
Minimum Lot Width	25'	
Maximum Lot Width	None	f
Maximum Impervious Coverage	80%	
Additional Semi-Pervious Coverage	20%	
c. Parking Location, Loading & Access		
Parking Location	Rear Yard	g
Service & Loading Facility Location	Rear Facade	h
Entry for Parking within Building	Rear Facade	
Vehicular Access	From Alley; If no Alley exists, one (1) driveway off a side or corner side yard ²	i
Notes: ¹ Areas within the Front Build-to Zone not occupied by building shall be paved to match adjacent walk. ² For parcels with a street frontage longer than 300' and no Alley, two (2) driveways are permitted.		
(2) Height		
Minimum Overall Height	2 Stories	j
Maximum Overall Height	6 Stories ³	k
Ground Story: Minimum Height	14'	
Maximum Height	24' ⁴	l
Upper Stories: Minimum Height	9'	
Maximum Height	14'	m
Notes: ³ Above the fourth Story, the Upper Stories of any building Facade with Street Frontage shall have a step back from the lower Stories that is a minimum of 6' and a maximum of 12'. ⁴ If 18' or more in height, Ground Story shall count as 2 Stories towards maximum building height.		
(3) Uses (refer to BMCC Sec. 27-1806)		
Ground Story	Library/Museum, Post Office, General Retail, General Service, Office, Craftsman Industrial	n
Upper Story	All uses permitted by district	o
Parking within Building	Permitted in the Rear of all Floors and fully in any Basement(s)	p
Occupied Space	30' depth space facing Primary Street	q
Accessory Structures	Permitted per Sec. 27-1808(f).	
(4) Street Facade Requirements		
a. Transparency		
Ground Floor: Minimum Transparency	75%, measured between 2' and 8' from sidewalk elevation	r
Upper Floor: Minimum Transparency	20%, per floor	s
Blank Wall Limitations	Required	
b. Building Entrance		
Principal Entrance Location	Front or Corner of Building	t
Entrance Type (refer to Sec. 27-1809)	Storefront	u
Street Facades: Number of Entrances	1 per 75' of Facade	
Parking Lot Facades: Number of Entrances	N/A	
c. Roof Type		
Roof Type (refer to Sec. 27-1810)	Parapet, Flat, Pitched, or Barrel	v
Tower	Permitted	
d. Facade Divisions		
Vertical Increments	No greater than 30'	
Horizontal Expression Line	Required within 3' of top of ground story	w
e. Balconies		
Size	Minimum 3' deep and 5' wide	x
Facade Coverage	Maximum 40% of Front & Corner Side Facades, separately	
Access to Balcony	Maximum one (1) Dwelling Unit	
Structure	Independently secured and unconnected to other balconies; or integral to the Facade	

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1813(c). Frontage Type Standards: Storefront

Frontage Type	Permitted in these EBURD Districts				
	Rail Spur Village Main Street	Rail Spur Village	Central Works	North 13th Street	Industrial Sanctuary
Storefront	●	●	●	●	●

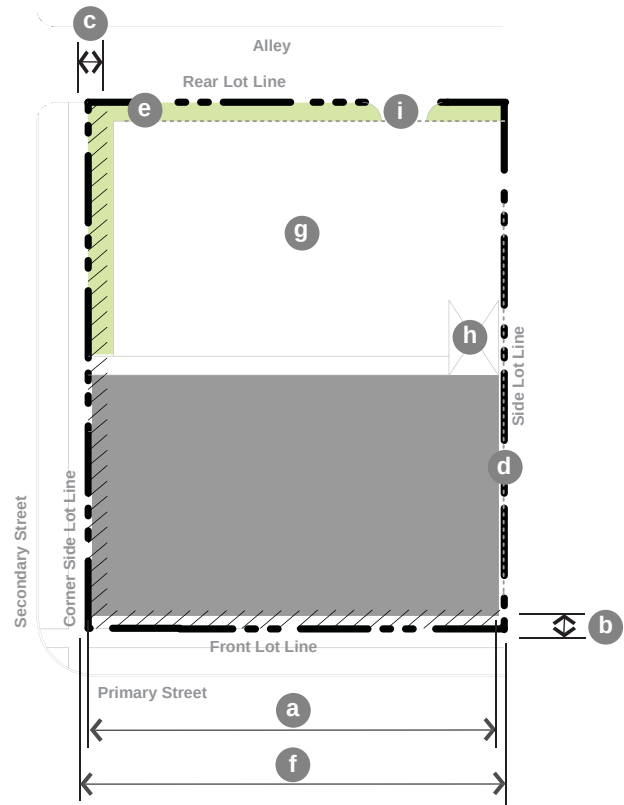


Figure 27-1813(c)-1: Building Siting.

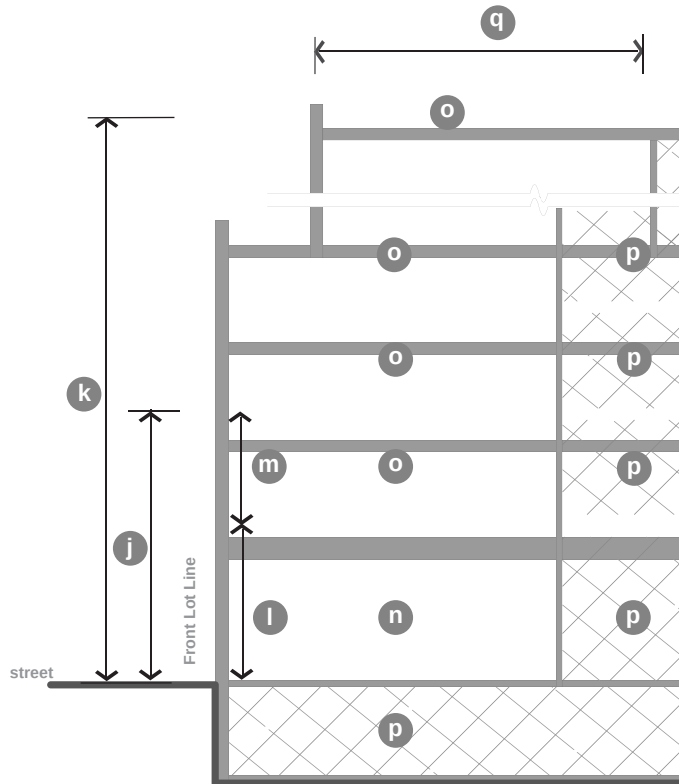


Figure 27-1813(c)-2: Height & Use Requirements.

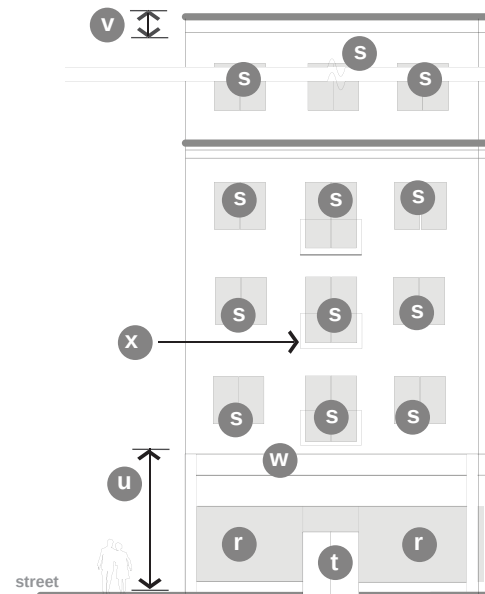


Figure 27-1813(c)-2: Street Facade Requirements.

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1813(d). Frontage Type Standards: Limited Bay

(1) Building Siting		
a. Street Frontage		
Multiple Principal Buildings	Not Permitted	
Front Lot Line Coverage	95% minimum, parking exception ¹	a
Occupation of Corner	Required	
Front Build-to Zone	0' to 10'	b
Corner Build-to Zone	0' to 10'	c
Right-of-Way Encroachment	Awnings & canopies	
b. Buildable Area		
Side Yard Setback	0'	d
Rear Yard Setback	5'; 0' with Alley	e
Minimum Lot Width	25'	f
Maximum Lot Width	None	
Maximum Impervious Coverage	90%	
Additional Semi-Pervious Coverage	10%	
c. Parking Location, Loading & Access		
Parking Location	Rear Yard; Limited Side Yard ¹	g
Service & Loading Facility Location	Rear or Side Facade; Limited Front or Corner Side Facade ²	h
Entry for Parking within Building	Rear & Side Facades; Limited Front or Corner Side Facade ²	
Vehicular Access	From Alley; or up to one (1) driveway per street frontage ³	i
Notes:		
¹ Lots wider than 140' are permitted 1 double-loaded aisle of parking (maximum width of 65'), located perpendicular to street, which is exempt from front lot line coverage calculation		n
² One bay is permitted on either the front or corner side facade, maximum width 20', for either loading or parking entry.		o
³ For parcels with a street frontage longer than 300' and no Alley, two (2) driveways are permitted.		
(2) Height		
Minimum Overall Height	1 Story; 2 Stories preferred	j
Maximum Overall Height	6 Stories ⁴	k
Ground Story: Minimum Height	15'	l
Maximum Height	24' ⁵	
Upper Stories: Minimum Height	9'	m
Maximum Height	14'	
Notes:		
⁴ Above the fourth story, the upper stories of any building facade with street frontage shall have a step back from the lower Stories that is a minimum of 6' and a maximum of 12'		
⁵ If 18' or more in height, Ground Story shall count as 2 Stories towards maximum building height.		
(3) Uses (refer to Sec. 27-1806)		
Ground and Upper Stories	All uses permitted by district	
Parking within Building	Permitted in the Rear of all Floors and fully in any Basement(s)	p
Occupied Space	30' depth space facing Primary Street	q
Accessory Structures	Permitted per Sec. 27-1808(f).	
(4) Street Facade Requirements		
a. Transparency		
Ground Floor: Minimum Transparency	50%, measured between 2' and 8' from sidewalk elevation	r
Upper Floor Minimum Transparency	20%, per floor	s
Blank Wall Limitations	Required	
b. Building Entrance		
Principal Entrance Location	Front, Corner Side, or Corner of Building	t
Entrance Type (refer to Sec. 27-1809)	Storefront	u
Street Facades: Number of Entrances	1 per 75' of Facade	
Parking Lot Facades: Number of Entrances	1 per 100' of Facade	
c. Roof Type		
Roof Type (refer to Sec. 27-1810)	Parapet, Flat, Pitched, or Barrel	v
Tower	Permitted	
d. Facade Divisions		
Vertical Increments	No greater than 50'	
Horizontal Expression Line	Required within 3' of top of ground story	w
e. Balconies		
Size	Minimum 3' deep and 5' wide	
Facade Coverage	Maximum 40% of Front & Corner Side Facades, separately	
Access to Balcony	Maximum one (1) Dwelling Unit	
Structure	Independently secured and unconnected to other balconies; or integral to the Facade	

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1813(d). Frontage Type Standards: Limited Bay

Frontage Type	Permitted in these EBURD Districts				
	Rail Spur Village Main Street	Rail Spur Village	Central Works	North 13th Street	Industrial Sanctuary
Limited Bay		●	●	●	●

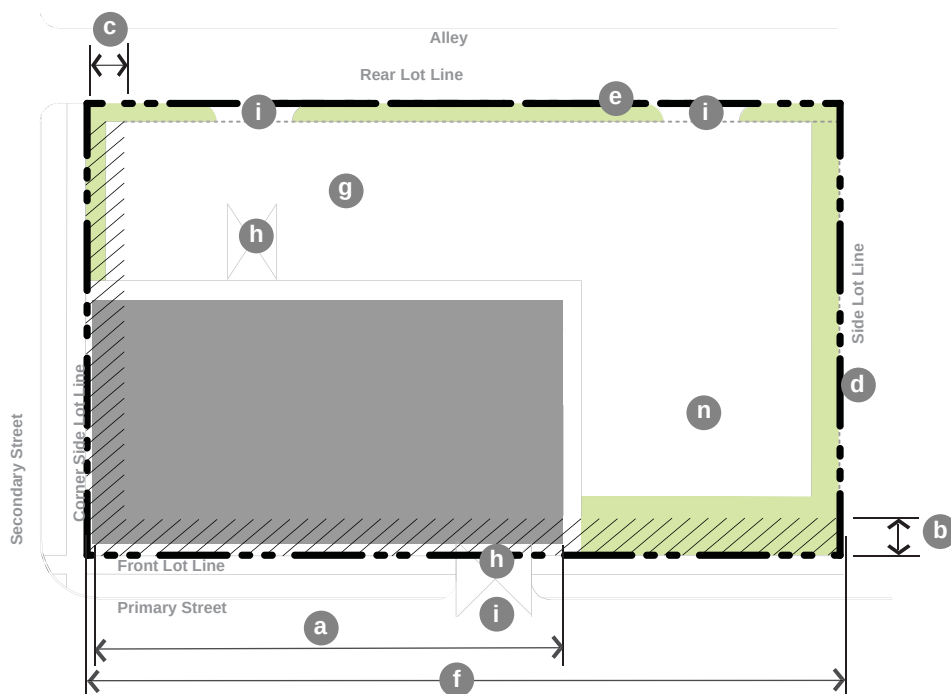


Figure 27-1813(d)-1: Building Siting.

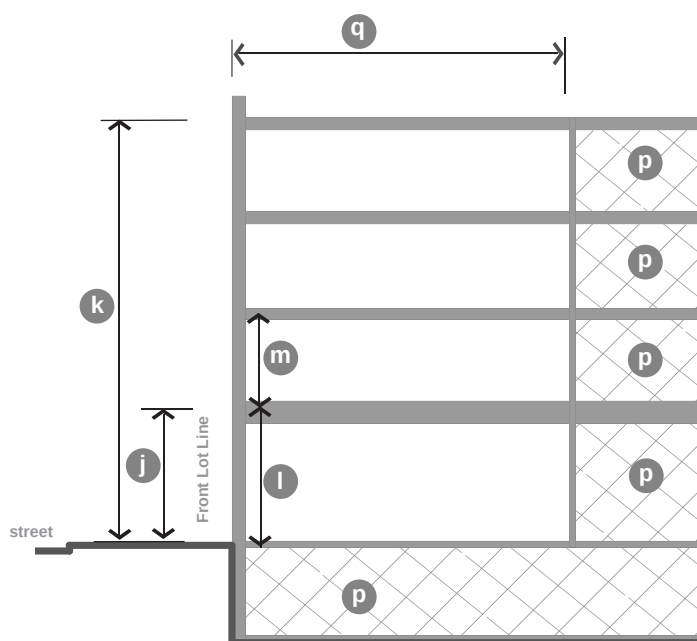


Figure 27-1813(d)-2: Height & Use Requirements.

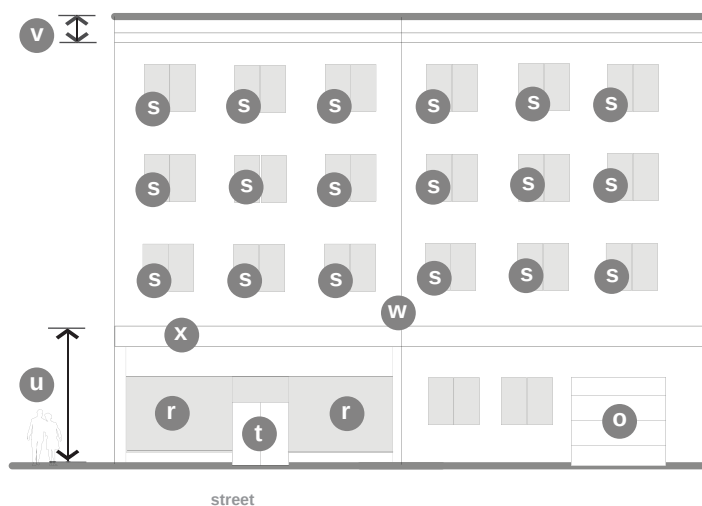


Figure 27-1813(d)-3: Street Facade Requirements.

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1813(e). Frontage Type Standards: Commerce

(1) Building Siting			(3) Uses (refer to BMCC Sec. 27-1806)		
a. Street Frontage			Ground and Upper Stories	All uses per district	n
Multiple Principal Buildings	Permitted		Parking within Building	Permitted in the Rear of all Floors and fully in any Basement(s)	p
Front Lot Line Coverage	45% minimum	a	Occupied Space	30' depth space facing Primary Street or space on front Facade	q
Occupation of Corner	Required; Fuel stations are exempt		Accessory Structures	Permitted per Sec. 27-1808(f).	
Front Build-to Zone	5' to 20'	b			
Corner Build-to Zone	5' to 20'	c			
Right-of-Way Encroachment	None				
b. Buildable Area			(4) Street Facade Requirements		
Side Yard Setback	5'	d	a. Transparency		
Rear Yard Setback	5'; 0' with Alley	e	Ground Floor: Minimum Transparency	35%, measured between 2' and 8' from sidewalk elevation	r
Minimum Lot Width	50'		Upper Floor Minimum Transparency	15%, per floor	s
Maximum Lot Width	None	f	Blank Wall Limitations	No greater than 50% of facade and no wider than 30'	
Maximum Impervious Coverage	75%		b. Building Entrance		
Additional Semi-Pervious Coverage	15%		Principal Entrance Location	Front, Corner Side, or Corner of Building	t
c. Parking Location, Loading & Access			Entrance Type (refer to Sec. 27-1809)	Storefront, or Stoop	u
Parking Location	Rear & Side Yards	g	Street Facades: Number of Entrances	1 per 75' of Facade	
Service & Loading Facility Location	Rear & Side Facades	h	Parking Lot Facades: Number of Entrances	1 per 100' of Facade	
Entry for Parking within Building	Rear & Side Facades		c. Roof Type		
Vehicular Access	From Alley; if no Alley exists, one (1) driveway per street frontage ¹	i	Roof Type (refer to Sec. 27-1810)	Parapet, Flat, Pitched, or Barrel	v
Notes:			Tower	Permitted	w
¹ For parcels with a street frontage longer than 300' and no Alley, two (2) driveways are permitted.			d. Facade Divisions		
			Vertical Increments	No greater than 50'	
			Horizontal Expression Line	Required within 3' of top of ground story	x
			e. Balconies		
			Size	Minimum 3' deep and 5' wide	y
			Facade Coverage	Maximum 40% of Front & Corner Side Facades, separately	
			Access to Balcony	Maximum one (1) dwelling unit	
			Structure	Independently secured and unconnected to other balconies; or integral to the Facade	
(2) Height					
Minimum Overall Height	1 Story; 2 Stories preferred	j			
Maximum Overall Height	6 Stories ²	k			
Ground Story: Minimum Height	15'				
Maximum Height	20' ³	l			
Upper Stories: Minimum Height	9'				
Maximum Height	14'	m			
Notes:					
² Above the fourth story, the upper stories of any building facade with street frontage shall have a step back from the lower Stories that is a minimum of 6' and a maximum of 12'					
³ If 18' or more in height, Ground Story shall count as 2 Stories towards maximum building height					

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1813(e). Frontage Type Standards: Commerce

Frontage Type	Permitted in these EBURD Districts				
	Rail Spur Village Main Street	Rail Spur Village	Central Works	North 13th Street	Industrial Sanctuary
Commerce			○		●

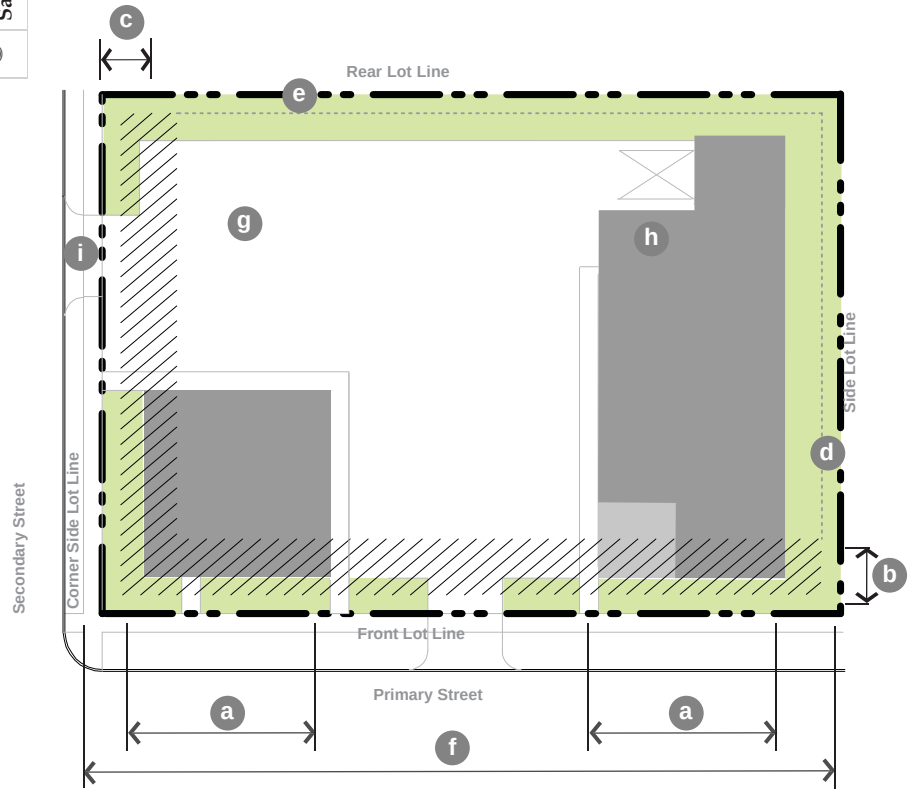


Figure 27-1813(e)-1: Building Siting.

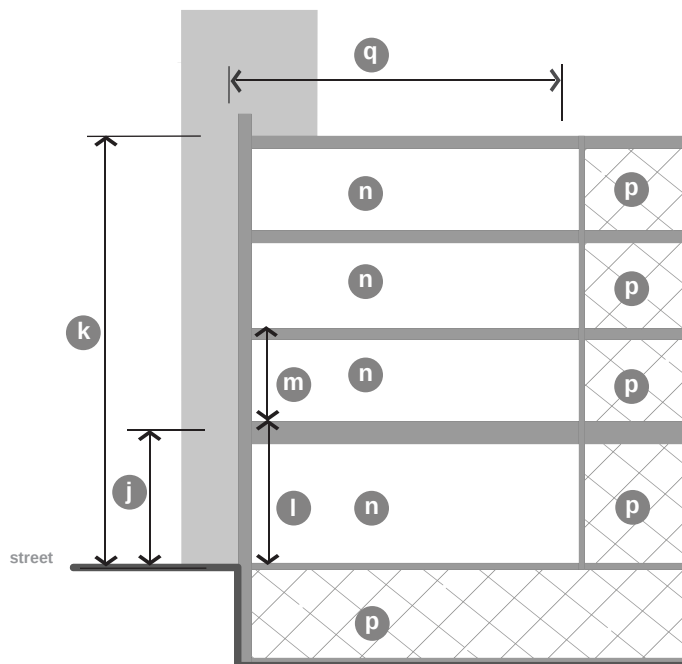


Figure 27-1813(e)-2: Height & Use Requirements.

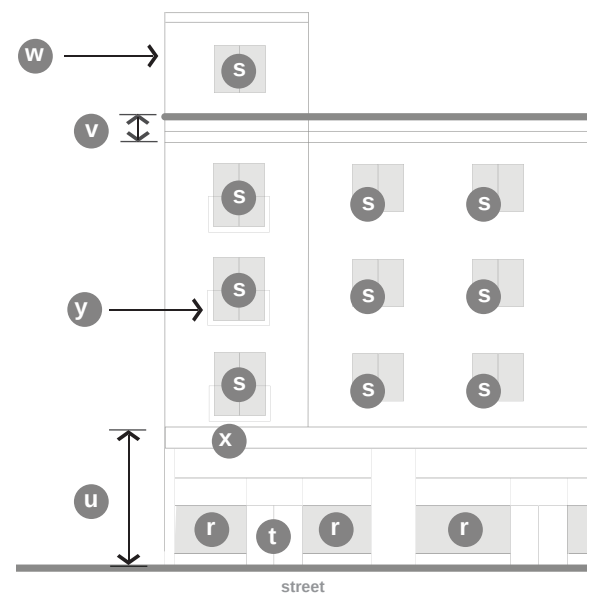


Figure 27-1813(e)-3: Street Facade Requirements.

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1813(f). Frontage Type Standards: Open

(1) Building Siting		
a. Street Frontage		
Multiple Principal Buildings	Permitted	
Front Lot Line Coverage	N/A	
Occupation of Corner	Encouraged	
Front Setback	10'	a
Corner Setback	5'	b
Right-of-Way Encroachment	None	
b. Buildable Area		
Side Yard Setback	5'	c
Rear Yard Setback	5'; 0' with Alley	d
Minimum Lot Width	50'	
Maximum Lot Width	None	e
Maximum Impervious Coverage	85%	
Additional Semi-Pervious Cover.	15%	
c. Parking Location, Loading & Access		
Parking Location	All Yards; Rear Yard; & Side Yard preferred	f
Loading Facility Location	Front, Rear & Side Facades	g
Entry for Parking within Building	Front, Rear & Side Facades	
Vehicular Access	From Alley; or up to two (2) driveway per street frontages, minimum 50' apart	h
(2) Height		
Minimum Overall Height	1 Story	i
Maximum Overall Height	6 Stories ¹	j
Ground Story: Minimum Height	9'	
Maximum Height	20' ²	k
Upper Stories: Minimum Height	9'	
Maximum Height	15'	l
Notes:		
¹ Above the fourth story, the upper stories of any building facade with street frontage shall have a step back from the lower Stories that is a minimum of 6' and a maximum of 12'		
² If 14' or more in height, Ground Story shall count as 2 to Stories towards maximum overall height.		
(3) Uses (refer to BMCC Sec. 27-1806)		
Ground and Upper Stories	Only Industrial Uses permitted	m
Parking within Building	Permitted in all floors	n
Occupied Space	30' depth space facing Primary Street	o
Accessory Structures	Permitted per Sec. 27-1808(f).	
(4) Street Facade Requirements		
a. Transparency		
Minimum Transparency	5%	p
Blank Wall Limitations	Not Required	
b. Building Entrance		
Principal Entrance Location	Not Required	
Entrance Type (refer to Sec. 27-1809)	Not Required	
Street Facades: Number of Entrances	Not Required	
Parking Lot Facades: Number of Entrances	Not Required	
c. Roof Type		
Roof Type (refer to Sec. 27-1810)	Not Required	
Tower	Not Permitted	
d. Facade Divisions		
Vertical Increments	Not Required	
Horizontal Expression Line	Not Required	

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1813(f). Frontage Type Standards: Open

Frontage Type	Permitted in these EBURD Districts				
	Rail Spur Village Main Street	Rail Spur Village	Central Works	North 13th Street	Industrial Sanctuary
Open Frontage					●

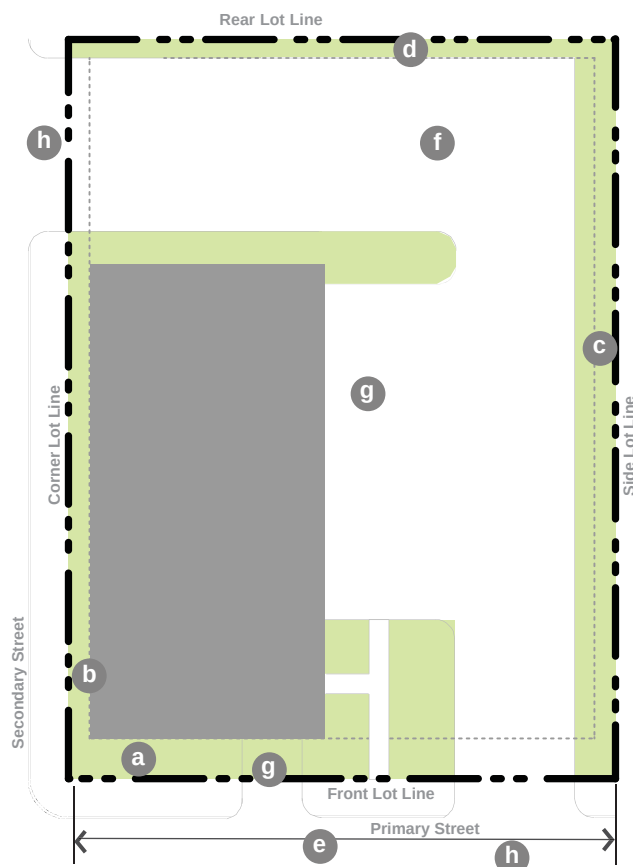


Figure 27-1813(f)-1: Building Siting.

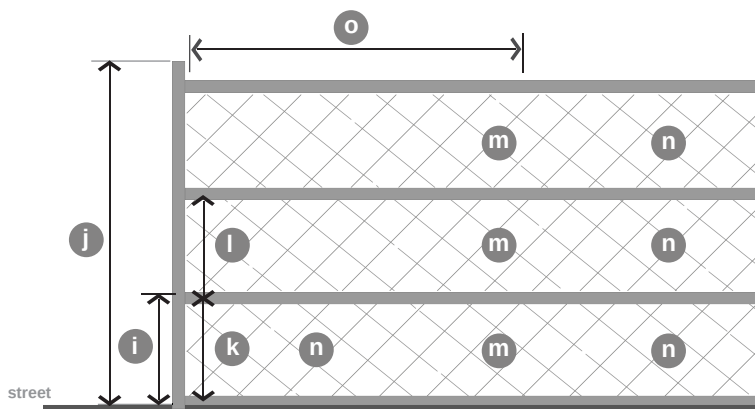


Figure 27-1813(f)-2: Height & Use Requirements.

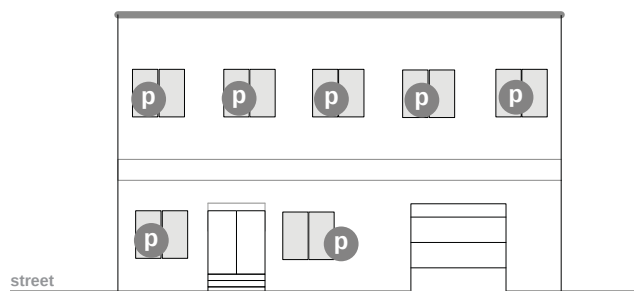


Figure 27-1813(f)-3: Street Facade Requirements.

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1813(g). Frontage Type Standards: Civic Building

(1) Building Siting			(3) Uses (refer to BMCC Sec. 27-1806)		
a. Street Frontage			Ground and Upper Stories	Only the Civic and Infrastructure uses are permitted.	m
Multiple Principal Buildings	Permitted		Parking within Building	Permitted in the Rear of all Floors and fully in any Basement(s)	n
Front Lot Line Coverage	N/A		Occupied Space	30’ depth space facing on front Facade	o
Occupation of Corner	Required		Accessory Structures	Permitted per Sec. 27-1808(f).	
Front Setback	5’	a			
Corner Setback	5’	b			
Right-of-Way Encroachment	None				
b. Buildable Area			(4) Street Facade Requirements		
Side Yard Setback	5’	c	a. Transparency		
Rear Yard Setback	5’; 0’ with Alley	d	Minimum Transparency	15%, per street facade	p
Minimum Lot Width	50’	e	Blank Wall Limitations	Not Required	
Maximum Lot Width	None		b. Building Entrance		
Maximum Impervious Coverage	75%		Principal Entrance Location	Not Required	
Additional Semi-Pervious Cover.	15%		Entrance Type (refer to Sec. 27-1809)	Stoop	q
c. Parking Location, Loading & Access			Street Facades: Number of Entrances	Not Required	
Parking Location	Rear Yard; & Side Yard ¹	f	Parking Lot Facades: Number of Entrances	Not Required	
Loading Facility Location	Rear & Side Facades	g	c. Roof Type		
Entry for Parking within Building	Rear & Side Facades		Roof Type (refer to Sec. 27-1810)	Parapet, Flat, or Pitched	s
Vehicular Access	From Alley; or up to one (1) driveway per secondary street frontage ²	h	Tower	Permitted	
			d. Facade Divisions		
Notes:			Vertical Increments	No greater than 30’	
¹ Lots wider than 140’ are permitted 1 double-loaded aisle of parking (max. width of 65’), located perpendicular to the street			Horizontal Expression Line	Not Required	
² For parcels with a street frontage longer than 300’ and no Alley, two (2) driveways are permitted.					

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1813(g). Frontage Type Standards: Civic Building

Frontage Type	Permitted in these EBURD Districts				
	Rail Spur Village Main Street	Rail Spur Village	Central Works	North 13th Street	Industrial Sanctuary
Civic Frontage	●	●	●	●	●

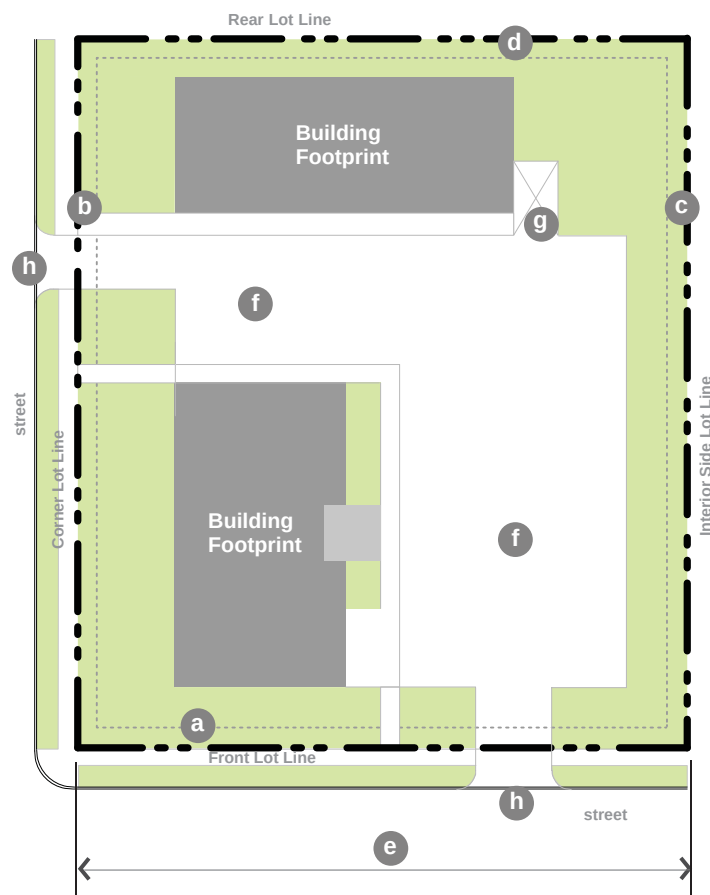


Figure 27-1813(g)-1: Building Siting.

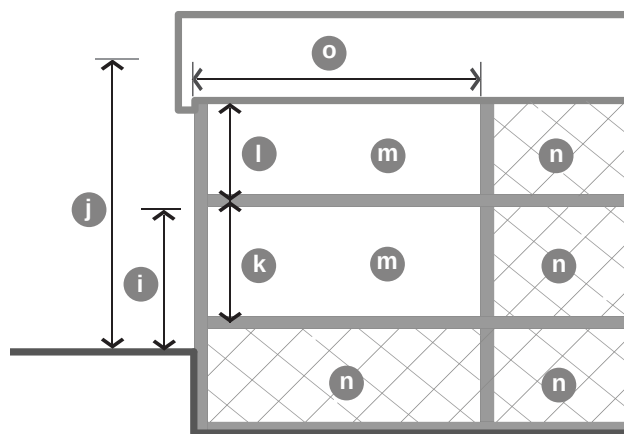


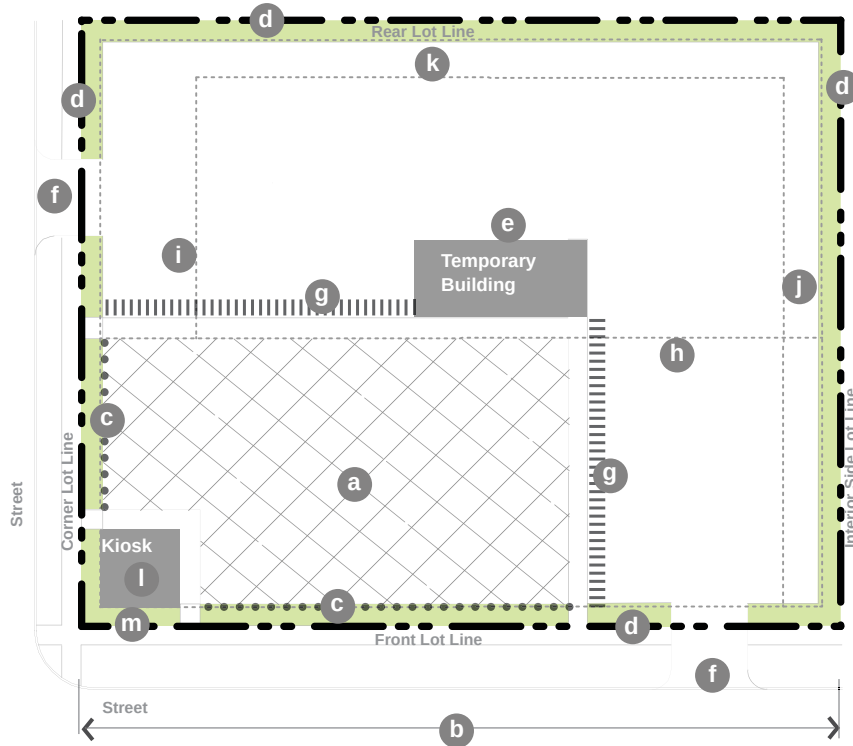
Figure 27-1813(g)-2: Height & Use Requirements.



Figure 27-1813(g)-3: Street Facade Requirements.

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1813(h). Frontage Type Standards: Commercial Outdoor Site



Frontage Type	Permitted in these EBURD Districts				
	Rail Spur Village Main Street	Rail Spur Village	Central Works	North 13th Street	Industrial Sanctuary
Commercial Outdoor Site		○	●	●	●

Figure 27-1813(h)-1: Building Siting.

(1) Site

a. Overall Site. The principal structure is a Patio/Display area.

Minimum Area of Unenclosed, Fully or Partially Paved Outdoor Activity/Display Area 45% of Parcel **a**

Minimum Lot Width none
Maximum Lot Width 200' **b**

Maximum Impervious Coverage 75% **c**

Required Front & Corner Side Buffer Type Commercial Patio Buffer (Refer to Sec. 27-1815(k) Landscape Standards)¹ **c**

b. Parking Location, Loading & Access

Parking Setbacks:
Front 75'
Corner, Side, Rear 5' **d**

Parking & Loading Facility Location Behind the Rear of the Patio/Display and the Rear Facade of any Building² **d**

Vehicular Access One driveway per street frontage **e**

Required Buffer between Parking & Activity/Display Area Frontage Buffer (Refer to Sec. 27-1815(a))¹ **f**

Notes **g**

¹ Exception: Not required for Automobile Sales Use.

² One double loaded aisle of parking (to a maximum width of 82 feet) is permitted in the Side Yard.

B. Accessory Buildings

Number of Permitted Accessory Buildings 2

Maximum Building Coverage 30%

1. Temporary Building

Front Yard Setback 75' **h**

Corner Side Setback 30' **i**

Side Setback 15' **j**

Rear Setback 15' **k**

2. Kiosk Building³ **l**

Front, Corner, Side, Rear Setback 5' **m**

Maximum Size 500 square feet

Maximum Height 15'

Street Facade Transparency Minimum 20%

Roof Type Pitched

Notes

³ Kiosk is defined as a building with limited space for the proprietor and associated goods and no space for customers to enter the structure with the exception of any bathrooms.

C. Uses

Permitted Uses Retail & Wholesale Uses, Large Scale Entertainment Use

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1814. East Billings Parking Overlay District.

- (a) Purpose. The purpose of the East Billings Parking Overlay District is to provide alternative off-street parking standards to encourage the development and re-development of property. The overlay zoning does not alter the category of permitted uses in the underlying zoning.
- (b) District Boundaries. The boundaries of the East Billings Parking Overlay District shall be as follows:

Starting at the intersection of Montana Avenue and North 22nd Street, extending north down the centerline of North 22nd to the intersection of 3rd Avenue North, extending westerly down the centerline of 3rd Avenue North to the intersection of North 23rd Street, then northerly along the centerline of North 23rd Street to the intersection of 4th Avenue North, then westerly along the centerline of 4th Avenue North to the intersection of North 25th Street, then northerly along the centerline of North 25th Street to the intersection of 6th Avenue North, then easterly along the centerline of 6th Avenue North to the intersection of North 22nd Street, then northerly along the centerline of to the intersection of 8th Avenue North, extending east down the centerline of 8th Avenue North to the intersection of 8th Avenue North and North 19th Street, extending south down the centerline of North 19th Street to the intersection of North 19th Street and 7th Avenue North, extending east along the centerline of 7th Avenue North to the intersection of North 18th Street and 7th Avenue North, extending south down the centerline of North 18th Street to be perpendicular with the northern most edge of property line of LT 23 & 24 BLK 274 BILLINGS 1ST ADD, extending east along the Northern edge of LT 23 & 24 BLK 274 BILLINGS 1ST ADD, and hence eastward including in their entirety the southern most properties most directly adjacent to 6th Avenue North to the city boundary line including Lots 4-10 of Block 5 and the vacated 20 foot adjacent alley of North Park Subdivision, extending southerly and westerly along the city boundary lines to the northern edge of the rail road tracks,

extending west along the northern edge of the railroad tracks to the centerline of North 22nd Street, extending north along the centerline of North 22nd Street to the ending point at the intersection of Montana Avenue and North 22nd Street. Excluding the non-incorporated land that envelops the Empire Steel property LTS 3 TO 23 & VAC 10FT ADJ ALLEY & E 404T ADJ N 16TH ST BLK 258 & 259.

- (c) Application of Regulations. Within this district, the regulations found within BMCC 24-480 and 24-490 as amended shall apply to all property within the East Billings Parking Overlay District. These regulations include but are not limited to the following:
- (1) No minimum off-street parking spaces are required at the time of development, redevelopment, expansion, change of use or addition to public, commercial, industrial or residential property.
 - (2) Where off-street parking spaces are developed, the design of such spaces and parking lots shall meet the standards set forth in BMCC 6-1203(o) through 6-1203(u) and other design standards for off-street parking that are adopted policies of the City Engineer.
 - (3) These regulations in no way diminish or reduce a property owner's liability or obligation to provide accessibility in compliance with the federal Americans with Disabilities Act (ADA) standards.



Figure 27-1814-1. Map of District Boundaries

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1815 Landscape Standards

The following landscape requirements apply to all EBURD districts. Refer to BMCC Sec. 27-1802.

- (a) General Compliance. Application of this section to existing Uses shall occur with the following developments.
 - (1) The expansion of more than thirty (30) percent of the surface area of an existing parking lot or loading facility, including any associated driveways.
 - (2) Alteration to an existing Principal or Accessory Structure that results in a change of fifteen (15) percent or more in the structure’s Gross Floor Area.
 - (3) When compliance is triggered for existing parking lots, landscape improvements shall take precedence over parking requirements.

- (b) General Requirements. Refer to BMCC Sec. 27-1100 for all landscape requirements, including but not limited to the approval process, materials, installation, and maintenance. However, the EBURD specific standards in this section 27-1815 supercede the requirements of subsections 27-1105 and 27-1106.

- (c) Landscape Area Vegetation. All unpaved areas shall be covered by one of the following.
 - (1) Planting Beds.
 - a. Planting beds may include shrubs, ornamental grasses, ground cover, vines, annuals, or perennials.
 - b. Nonliving materials, such as rocks, gravel, cobbles, pine straw, or mulch, are permitted for up to fifty (50) percent of a bed area.
 - c. Annual beds must be maintained seasonally, replanting as necessary.
 - (2) Grass. Seeded, plugged, or sodded grass may be planted throughout landscaped areas, established within ninety (90) days of planting or the area must be reseeded, replugged, or resodded.

- (d) Permeable Surface. For each tree preserved or planted, a minimum amount of permeable surface area is recommended, unless otherwise stated in this article.
 - (1) Preserved trees should have a permeable surface area equal to the critical root zone. The critical root zone is equal to half of the

radius of the tree’s mature canopy, measured from the trunk out to the dripline.

- (2) Planted trees have a suggested minimum permeable area and soil volume based upon tree size; refer to Table 27-1815-1 for details.
 - (3) Permeable area for one tree cannot count toward that of another tree.
 - (4) Structural Soil. When the critical root zone of an existing tree or the suggested permeable surface area requirement of a newly planted tree extends below any pavement, structural soil is required underneath the pavement.
- (e) Street Trees. All new developments or redevelopments shall include the installation of street trees per BMCC Sec. 27-1817 Street Types. The following standards apply to the installation of street trees.
 - (1) Clear Branch Height. Minimum clear branch height is eight (8) feet.
 - (2) Permitted Street Tree Type. Deciduous Shade and Ornamental Trees per the City of Billings Recommended Plant List are permitted to be installed as street trees. Refer to the current edition of The City of Billings Standard Modifications to the Montana Public Works Standard Specifications for Plant List and other installation specifications. Refer to BMCC Sec. 25-208 for tree species prohibited in the public right-of-way.
 - (3) Street Tree Spacing. Street trees shall be planted as follows.
 - a. Each Lot is required to have one (1) tree for every forty (40) feet of street frontage with a minimum of one (1) street tree per street frontage.
 - b. Spacing.
 - i. Shade trees must be spaced a minimum of thirty (30) and a maximum of sixty (60) feet on center.
 - ii. Ornamental trees must be spaced a minimum of twenty (20) and a maximum of forty (40) feet on center.

Tree Type	Soil Volume (cubic ft)	Soil Surface Area (sq ft) with 2.5' Soil Depth	Permeable Surface Area Requirement (sq ft)
	2852	1141 (approx. 34' x 34')	225 (15' x 15')
Shade	6532	2681 (approx. 50' x 50')	400 (20' x 20')

Table 27-1815-1. Minimum Recommended Soil Volumes and Permeable Area per Planted Tree.

Article 27-1800. East Billings Urban Revitalization District Code

- iii. The location of trees shall take into account the location of signs, wherever it is feasible, so as to not block the view for motorists and still meet the intent of this section.
- c. Limited Distance from Curb and Sidewalk. Where the distance from the back of the curb to the edge of the Right-of-Way or Lot line is less than nine (9) feet with a sidewalk, Applicant shall work with the City Forester to determine the appropriate tree species. The Zoning Coordinator may waive the street tree requirement in spaces less than nine (9) feet.
- (4) Tree Wells. Where the sidewalk extends from the back of curb to the Lot line, tree wells shall be utilized.
 - a. For tree wells adjacent to sidewalks five (5) feet wide or less, an open pit is not permitted.
 - i. The opening must be covered with a tree grate or pervious pavement.
 - ii. The opening in a tree grate for the trunk must be expandable.
- (f) Landscape Area Requirements. These standards apply to all development except single family residential.
 - (1) Tree Requirements. One (1) evergreen, ornamental or shade tree is required for every two thousand five hundred (2,500) square feet of Landscape Area.
 - a. Existing Tree Canopy may be utilized to meet this requirement.
 - b. If less than 2,500 square feet of Landscape Area exists, tree plantings are not required.
 - (2) Planting Bed Requirements. A minimum of forty (40) percent of the Landscape Area of Front and Corner Side Yards not already designated as a frontage or side and rear buffer (refer to BMCC Sec. 27-1815) must be planting beds (refer to BMCC Sec. 27-1815(b)).
- (f) Fences & Walls. These standards apply to all lots in all EBURD Districts. Fences and walls must adhere to the following standards.
 - (1) Height. The maximum height of any fence or wall shall be six (6) feet measured from the ground at the base of the fence or wall to the top of the fence boards or wall.
 - a. Posts, decorative columns, light fixtures, or other decorative details are permitted to exceed the height limit by up to two (2) foot.
 - b. Fences over four (4) feet in height are not permitted in the front yard.
 - c. In the Central Works, the maximum height of any fence or wall shall be eight (8) feet.
 - d. In the Industrial Sanctuary, height limits do not apply.
 - (2) Location. All fences and walls must be located within a lot's lot lines.
 - (3) Materials.
 - a. Permitted Materials. Brick; stone; cast stone; wood; painted, matte finish vinyl; wood composites; or steel are permitted fence and wall materials.
 - b. Prohibited Materials. Barbed wire, chain link, exposed cinder or concrete block, metal mesh, and razor wire and single wire fences and wall are prohibited with the following exceptions.
 - i. In the Industrial Sanctuary districts, chain link, razor wire, and barbed wire fencing are permitted. Sharp fencing must be located 8' above grade.
 - (4) Opacity. Fences along the Front Yard or Front Lot line shall have a maximum opacity of fifty (50) percent.
- (g) Buffers. Landscape buffers are required according to the provisions in this section with the following exceptions.
 - (1) Shared Driveways. Buffers shall not be required along a lot line where a curb cut or aisle is shared between two adjoining lots.
 - (2) Points of Access. Buffering is not required at driveways or other points of access to a lot.

Article 27-1800. East Billings Urban Revitalization District Code

(h) Frontage Buffer Requirements

(refer to Figure 27-1815-1)

(1) Intent & Applicability

Intent	To lessen the visual impact of vehicular areas & outdoor storage visible from the street
General Applicability	Applies to Frontage Types where a vehicular area or outdoor storage is located adjacent to a Right-of-Way
Exceptions	Vehicular areas along alleys, except when a residential district is located across the alley; Single and two family residences

(2) Buffer Depth & Location ¹

Depth	7'	1
Location on the Site	Between street facing Lot line and parking area ²	2

(3) Buffer Landscape Requirements

Uses & Materials	Uses and materials other than those indicated are prohibited in the buffer	
Shade Trees	Medium or large shade tree required at least every 40'; Locate on the street side of the fence; Spacing should alternate with street trees	3
Hedge	Required continuous hedge on street side of fence, between shade trees & in front of vehicular areas	4
Hedge Composition	Individual shrubs with a minimum width of 24", spaced no more than 36" on center	
Existing Vegetation	May be credited toward buffer area	

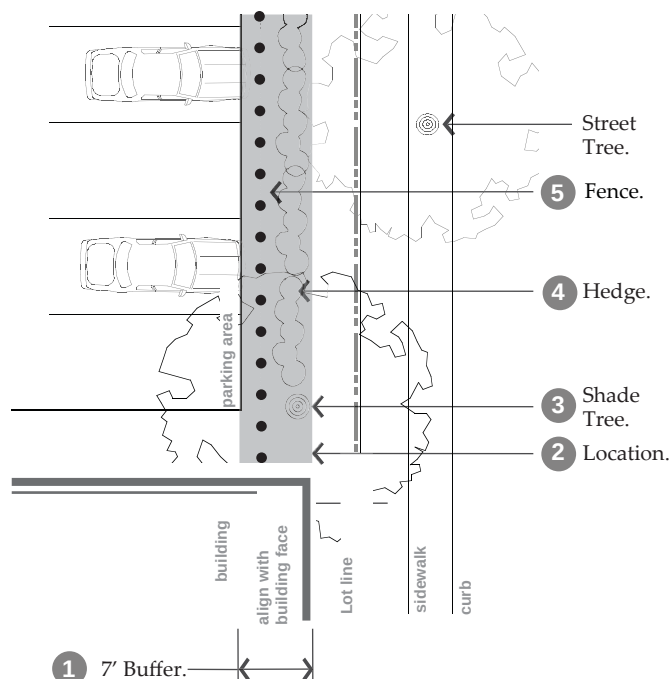
(4) Fence

Location	2' from back of curb of vehicular area	5
Materials	Steel or painted, matte finish PVC; Masonry columns (maximum width 2'6") and base (maximum 18" height) permitted	
Minimum Height	3'	
Maximum Height	4'	
Colors	Black, gray, or dark green	
Opacity	Minimum 20%; Maximum 60%	
Gate/Opening	One gate permitted per street frontage; Opening width maximum 6'	

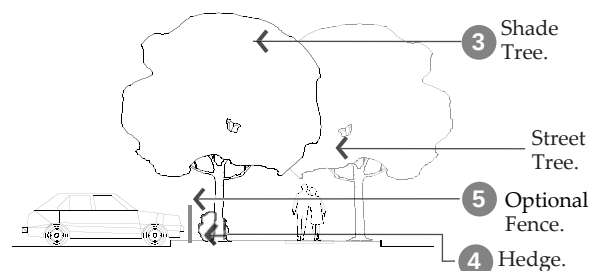
Notes:

¹ This screening requirement does not prohibit the installation of or provision for openings necessary for allowable access drives and walkways connecting to the public sidewalk.

² In front, corner, and rear yards on a through lot, when the parking area is located adjacent to any building on the lot, the buffer must be located so that it aligns with or is behind the face of the adjacent building back to the vehicular area. The area between the buffer and the lot line must be landscaped.



Front Buffer Plan.



Front Buffer Section.

Figure 27-1815-1. Frontage Buffer Plan and Section.

Article 27-1800. East Billings Urban Revitalization District Code

(i) Interior Parking Lot Landscaping Requirements (refer to Figure 27-1815-2)

(1) Intent & Applicability	
Intent	To provide shade, minimize paving & associated stormwater runoff, & improve the aesthetic look of parking lots
General Applicability	All open-air, off-street parking lots ¹
Other Internal Parking Lot Areas	Internal areas not dedicated to parking or drives shall be landscaped with a minimum of one medium or large shade tree for the first 150 square feet and one medium or large shade tree for every 650' thereafter
Existing Vegetation	Existing vegetation may be credited toward these requirements
(2) Landscape Island Requirements	
Required Island Locations	Terminal ends ² of free standing rows or bays of parking; After every ninth parking space for rows of parking greater than 10 spaces in length ⁴
Minimum Width	5'; Islands less than 15' must utilize structural soil under any paved surface within a tree's recommended permeable surface area requirement (per Table 27-1815-1); Islands under 9' must install an aeration system and utilize permeable pavement
Required Trees Within Islands	Minimum of 1 medium or large shade tree per island
(3) Tree Requirements	
Requirements per Parking Space³	Each parking space must be located within 50' of a tree planted within parking lot interior; and no more than 8 continuous parking spaces in a row are permitted without a landscape island Minimum of 1 shade tree must be planted within parking lot interior or within 4' of parking lot's edge for every 3 parking spaces
Tree Shade	Within 20 years of tree installation, 30% of the interior of the parking lot must be shaded by tree canopy

Notes:

¹ Parking lot interior is defined as the area dedicated to parking on a given parcel as measured from the farthest edge of pavement to opposing farthest edge of pavement.

² Freestanding rows or bays of parking are those not abutting the parking lot perimeter or building face, and may have a single or double row of parking.

³ Trees within a designated buffer area may not be utilized to meet these requirements. Trees and landscaping located outside of the parking lot interior, including in the side and rear buffer or frontage buffer, may not be applied to this requirement.

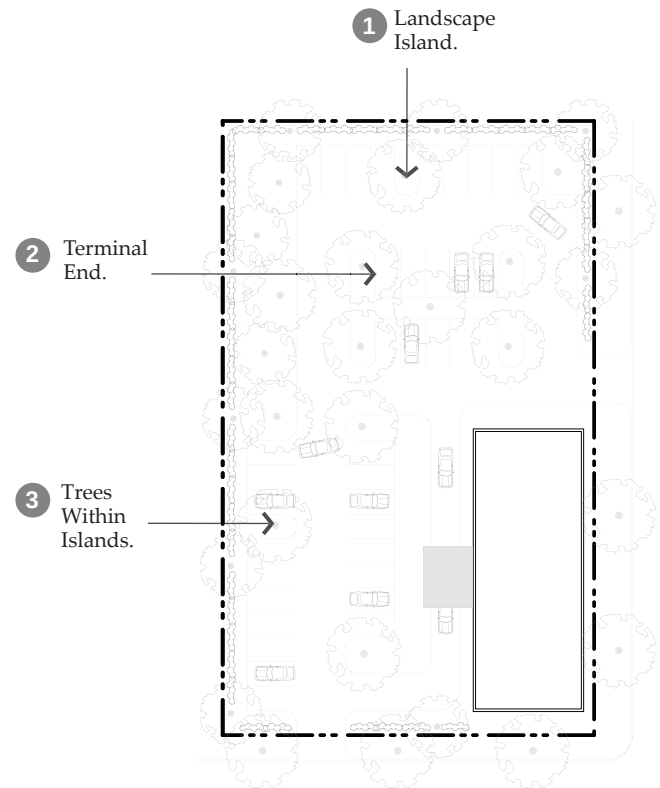


Figure 27-1815-2. Interior Parking Lot Landscaping.

Tree Size	Estimated Canopy at Maturity (sq ft)	Estimated Height at Maturity (ft)
Very Small	150	under 15'
Small	400	15'-25'
Medium	900	25'-40'
Large	1600	40'+

Table 27-1815-3. Estimated Canopy and Height at Maturity.

Article 27-1800. East Billings Urban Revitalization District Code

(j) Side & Rear Buffer Requirements

(refer to Figure 27-1815-3)

A. Intent & Applicability

Intent To minimize the impact that one building may have on a neighboring district and to provide a transition between districts

General Applies to all directly adjoining properties as outlined in Table 27-1815-4¹

B. Required Landscape Screen

Size 5' landscape screen in addition to any other buffer landscaping **1**

Location Directly adjacent to the Rear or Side Lot line per Table 27-1815-2

Hedge Continuous double row of shrubs required between shade trees **2**

Hedge Composition Double row of individual shrubs with a minimum width of 24", spaced no more than 36" on center; Mature height in one year of 24"

Hedge Frequency Minimum of 15 shrubs per 100' of Lot line is required

Shade Trees At least 1 medium or large shade tree per every 40' within the buffer **3**

Uses and Materials Uses and materials other than those indicated are prohibited within the buffer

Existing Vegetation May be credited toward buffer area **4**

C. Required Fence

Permitted Materials Steel or painted, matte finish PVC for semi-opaque; Wood or masonry for opaque. Chain link not permitted.

Minimum Height 6'

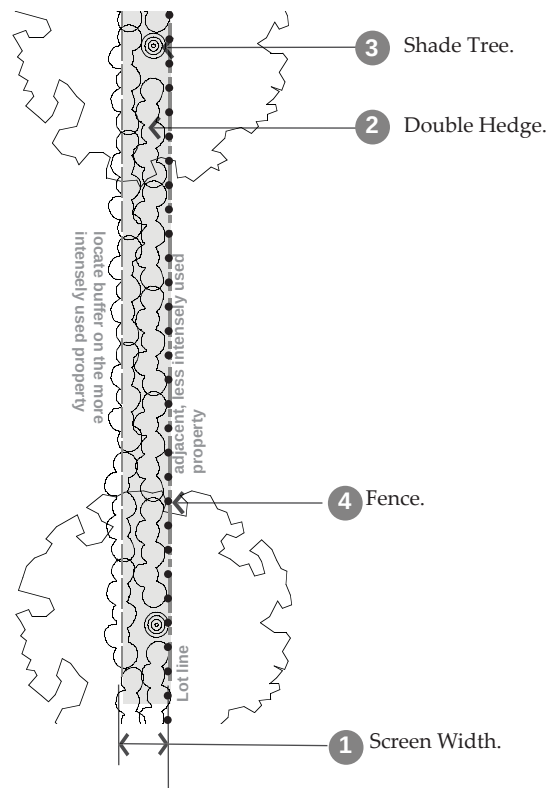
Maximum Height 8'

Colors If steel: black, gray, or dark green

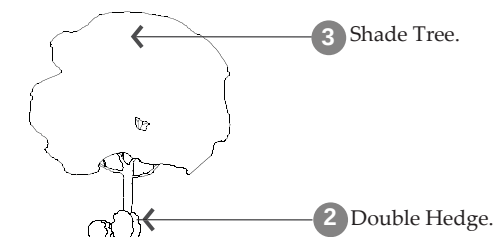
Opacity Option 1: Semi-Opaque 20%-60% opacity, hedge required; Option 2: Opaque fence, no hedge required

Notes:

¹Zoning Coordinator may reduce width of buffer, width of landscape screen, or location of landscape screen based on existing landscaping and similarity between uses.



Landscape Screen Plan.



Landscape Screen Section.

Figure 27-1815-3. Landscape Screen within Side & Rear Buffer.

Frontage Types		Buffer	
Buffer Required on Lot	When Lot Line is adjacent to:	Buffer Required	Buffer Width
Open, Commerce, Limited Bay	Yard, General Stoop, Storefront	Side & Rear	5'
General Stoop	Yard	Side Rear	5'

Table 27-1815-4. Side & Rear Buffer Requirements by District.

Article 27-1800. East Billings Urban Revitalization District Code

(k) Commercial Patio Frontage

(refer to Figure 27-1815-4)

(1) Intent & Applicability

Intent	To provide a buffer between outdoor sales uses and street activity
General Applicability	Applies to Commercial Outdoor Site Frontage Type only (refer to BMCC Sec. 27-1813(h))

(2) Frontage Location

Minimum Depth	7'	1
Location on the Site	Between 5' and 20' from Front and Corner Side Lot line adjacent to patio/display area	2

(3) Buffer Landscape Requirements¹

Shade Trees	Medium or large shade tree required at least every 40'; Spacing should alternate with street trees ²	3
Shrubs	Required continuous shrubs on street side of fence	4
Hedge Composition	Individual shrubs with a minimum width and height of 12", spaced no more than 24" on center	
Existing Vegetation	May be credited toward buffer area	5

D. Required Fence

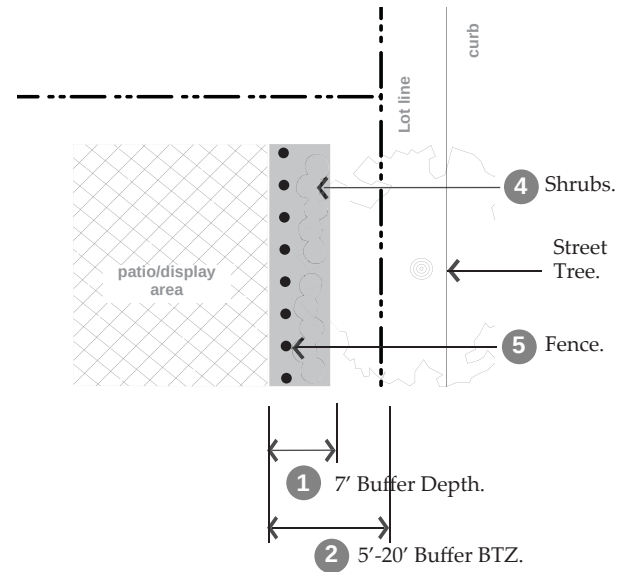
Materials	Steel or painted, matte finish PVC; Masonry base or columns permitted
Minimum Height	18"
Maximum Height	4'
Colors	Black, gray, or dark green for steel or PVC
Opacity ³	Minimum 30 percent; Maximum 60%
Gate/Opening	Two gates permitted per street frontage; Opening width maximum 6'

Notes:

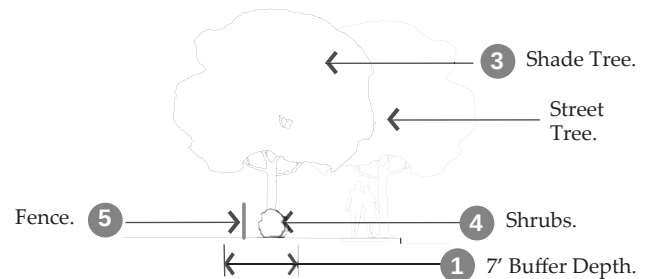
¹ This screening requirement does not prohibit the installation of or provision for openings necessary for allowable access drives and walkways connecting to the public sidewalk.

² Exception: Trees for Automobile Sales Use may be spaced 90' on center

³ Fence may be solid if 30" or less in height



Commercial Patio Frontage Plan.



Commercial Patio Frontage Section.

Figure 27-1815-4. Commercial Patio Frontage Plan and Section.

Article 27-1800. East Billings Urban Revitalization District Code

(I) Screening of Open Storage, Refuse Areas, & Utility Appurtenances

(refer to Figure 27-1815-5)

A. Intent & Applicability

Intent To reduce the visibility of open storage, refuse areas, and utility appurtenances from public areas and adjacent properties

General All dumpsters, open storage, refuse areas, and utility appurtenances

B. Open Storage & Refuse Area Screening Requirements¹

Location on the Site Not permitted in Front or Corner Side Yards

Opaque Screen Wall¹ Required around 3 sides of the dumpster and trash bin area

Screen Wall Height Height shall be the higher of the following:
 1. 6'
 2. Height of use to be screened
 3. Height as determined by the Zoning Coordinator to accomplish objective of the screen

Visible Openings Openings visible from the public way or adjacent properties must be furnished with opaque gates

Landscape Requirement If refuse area is located within larger paved area, such as a parking lot, landscape islands must be located on 3 sides of the area, with at least 1 medium or large shade tree in at least 1 of the landscape areas²

C. Utility Appurtenance Screening Requirements

Large Private Mechanical Equipment³ Shall be fenced with opaque wood or brick-faced masonry on all sides facing Right-of-Way

Small Private Mechanical Equipment⁴ Shall have landscape screening and a shrub bed containing shrubs spaced no more than 36" on center

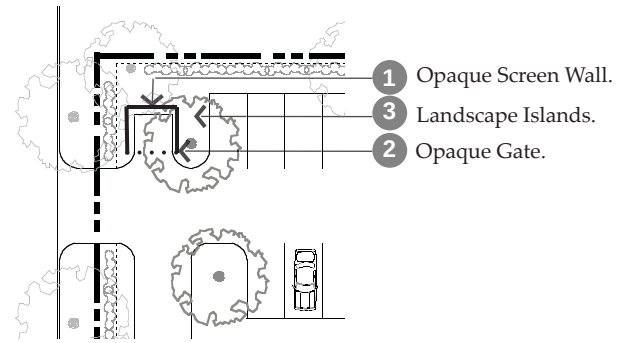


Figure 27-1815-5. Screening of Open Storage & Refuse Areas.

Article 27-1800. East Billings Urban Revitalization District Code

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1816 Signage

Refer to BMCC Sec. 27-700 for sign requirements. The following additional requirements are specific to the EBURD and replaces information in the BMCC Sec. 27-705.

(a) Intent. Commerce is the primary purpose, function and goal of the EBURD. It is the economic engine that funds the City of Billings and Yellowstone County. The functions of signs are to support and enhance that purpose. Regardless of other considerations, the ability of a business to thrive in any given location is the final measure of appropriateness. In a community of our size serving a broad market including Montana, Wyoming and parts of North Dakota, and in a time of growing online commerce, it is increasingly necessary that a business must be able to reach beyond the immediate neighborhood to survive. The ways traffic moves through districts is the most reliable indicator of sign needs and the assurance of success of this purpose. The Billings Industrial Revitalization District Inc. ("BIRD") is the organization that oversees the EBURD and makes recommendations to the City Council.

(b) The following revises BMCC Sec. 27-706 to incorporate the EBURD.

- (1) Service station and convenience store signage shall adhere to the requirements of this section, BMCC Sec. 27-1816 (b) through (o). BMCC Sec. 27-706(a) does not apply to the EBURD.
- (2) Billboards shall be permitted only on Boulevards or Avenues within the EBURD (Montana Avenue, 1st Avenue N, 4th Avenue N, 6th Avenue N, and N 13th Street) . All other requirements of BMCC Sec. 27-706(b) shall apply, including the requirements of the existing moratorium.
- (3) BMCC Sec. 27-706(c) Shopping center or mall signs does not apply to the EBURD.
- (4) BMCC Sec. 27-706(e) Church, school, and other institutional use signs does not apply to the EBURD. Churches, schools, and other institutions shall adhere to the requirements of this section, BMCC Sec. 27-1816 (b) through (o).
- (5) All signs that that predate the adoption of this code are legally non conforming until they are completely replaced. At that point, the standards contained within are applicable.

EBURD Frontage Types								
Sign Types	Yard Frontage	General Stoop	Storefront	Limited Bay	Commerce	Open	Civic	Outdoor Site
	Wall	●	●	●	●	●	●	●
	Projecting		●	●	●	●	●	●
	Awning	●	●	●	●	●	●	●
	Canopy Mounted		●	●	●	●	●	●
	Window			●	●	●		●
	Monument	●	●		●	●	●	●
	Ped. Scale Pole-Mounted	●	●		●	●	●	●
	Pole-Mounted				●	●		○
	● = Permitted ○ = Permitted Only on Boulevard Street Type							

Table 27-1816-1. Sign Types permitted by Frontage Type.

Article 27-1800. East Billings Urban Revitalization District Code

- (6) Section 27-705 will be applicable for all Boulevard Street Types.
- (c) Residential Signage. Refer to BMCC Sec. 27-705(a), except: signage for a home occupation are permitted with the following requirements:
- (1) One (1) home occupation sign per lot is permitted.
 - (2) Home occupation sign shall be a wall sign, flat mounted against the building, or a pedestrian pole mounted sign.
 - (3) Home occupation sign shall be no larger than one (1) square foot in area.
 - (4) Home occupation sign shall not be directly or indirectly illuminated other than by those lights incidental to the residential use of the premises.
- (d) Electronic Message Board Signage. Refer to BMCC Sec. 27-705(c)3 for requirements of all Electronic Message Boards within the EBURD with the following exception:
- (1) Electronic Message Boards are only permitted on sign types if allowed per BMCC Sec. 27-1816(g) through (o).
- (e) State Routes. In addition to the regulations included in BMCC Sec. 27-1816, off premise signage on parcels abutting a state maintained route are required to obtain an Outdoor Advertising Control sign permit from the

Montana Department of Transportation per the Montana Outdoor Advertising Act. Refer to Figure 27-1816(e)-1 for map of state maintained routes in the EBURD, for reference only.

- (f) Sign Types. Sign types permitted in the EBURD are defined in BMCC Sec. 17-1816(g) through (o).
- (1) Refer to Table 27-1816-1 for permitted sign types permitted by Frontage Type. Refer to BMCC Sec. 27-1808 for Frontage Type information.
 - (2) Refer to Table 27-1816-2 for the maximum permitted quantity of signage per lot. To calculate this quantity, all sign types on the lot shall be totaled, with the exception of exempt signs, temporary signs, and window signs.



Figure 27-1816(e)-1. Map of State Maintained Routes as of February 2012, for Reference Only.

Frontage Type	Maximum Permitted Quantity of Signage Per Lot
Yard	65 square feet of signage except residential signage (refer to BMCC Sec. 27-1816(c)).
General	
Storefront	3 square feet of signage per 1 linear foot of Lot width with a maximum of 150 square feet
Limited Bay	
Commerce	3 square feet of signage per 1 linear foot of Lot width with a maximum of 200 square feet. An additional 40 square feet per additional tenant over 3 tenants permitted
Open	
Civic	3 square feet of signage per 1 linear foot of lot width with a maximum of 150 square feet

Table 27-1816-2. Total Maximum Permitted Quantity of Signage per Lot by Frontage Type.

Article 27-1800. East Billings Urban Revitalization District Code

(g) Wall Sign.

- (1) Description. Wall signs, also known as flat or band signs, are mounted directly to the building face to which the sign is parallel. Refer to Figures 27-1816(g)-1 and 27-1816(g)-2.
- (2) General Requirements. Wall signs shall be developed according to the standards in Table 27-1816(g)-1.
 - a. Building Openings. Wall signs shall not cover windows or other building openings.
 - b. Architectural Features. Wall signs are strongly encouraged not to cover existing architectural building features.
 - c. Murals. Murals, a type of wall sign painted onto the building face displaying the business name or activity, are prohibited on front facades.
- (3) Sign Area is defined as the entire area within any type of perimeter or border which may enclose the outer limits of any writing, representation, emblem, figure or character. The area of the sign having no such perimeter or border shall be computed by enclosing the entire area with parallelograms, triangles or circles of the smallest size sufficient to cover the entire area of the sign and computing the area of

- these parallelograms, triangles or circles. The area computed shall be the maximum portion or portions which may be viewed from any one direction
- i. Area Credit. All areas that utilize individual alphanumeric characters or logos (including only those using wood, wood substitute, metal, or masonry) may use a total area of ninety (90) percent of the calculation as outlined above.
 - b. Mural Sign. Area is calculated by measuring the area of the smallest square or rectangle that can be drawn around all of the sign elements, including any painted background.

Wall Sign Requirements	
Sign Area	No maximum area for sign type; Refer to Table 27-1816-2 for maximum per lot
Height	No maximum letter or element height
Location on the Building or Site	Permitted on all street facades; Non-illuminated wall signs are permitted on all facades.
Placement on the Building or Site	1' maximum projection from building face
Quantity	1 per tenant per public ROW frontage; 1 per tenant per side or rear facade on a parking lot
Internal Illumination	Permitted
Materials	Solid wood, metal, masonry & neon glass; Plastic & synthetics permitted only as separate alphanumeric characters or logos

Table 27-1816(g)-1. Wall Sign Requirements.

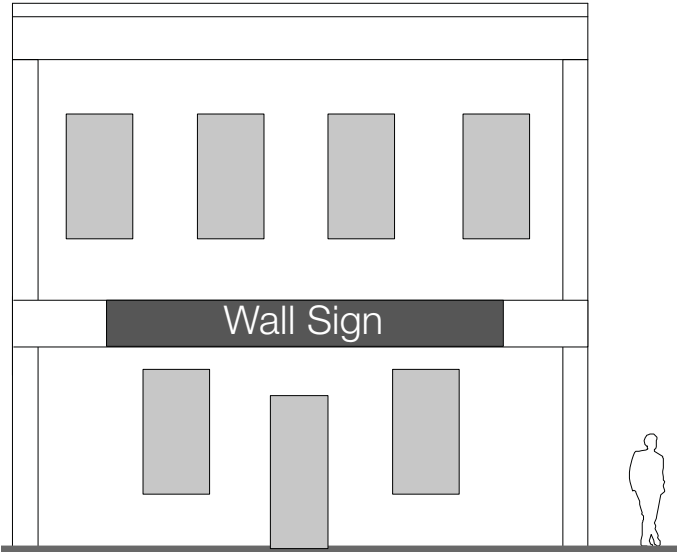


Figure 27-1816(g)-1. Wall Sign.



Figure 27-181(g)-2. Measuring Wall Signs.

Article 27-1800. East Billings Urban Revitalization District Code

(h) Projecting Sign.

- (1) Description. A projecting sign is attached to and projects from a building face or hangs from a support structure attached to the building face. Sign faces are typically perpendicular to the building face, but may be at an angle greater than forty-five (45) degrees from the facade. The sign may be vertically or horizontally oriented. Refer to Figure 27-1816(h)-1.
- (2) General Requirements. Projecting signs shall be developed according to the standards in Table 27-1816(h)-1.
- (3) Computation. The area of a projecting sign is equal to the area of one (1) of the sign's faces.
- (4) Permit Required. An encroachment permit shall be obtained from the City Engineering Department for any projecting sign encroaching into the public right-of-way.

Projecting Sign Requirements	
Sign Area	No maximum area for sign type; Refer to Table 27-1816-2 for maximum per lot
Height	8' maximum sign length, 9' minimum clearance to walk required
Location on the Building or Site	Permitted on all facades; sign and structural supports shall not extend above the eave or parapet
Placement on the Building or Site	Shall not project over more than 2/3 the width of the sidewalk. (Refer to BMCC Sec. 27-1816(h)(4) for required permit)
Quantity	1 per tenant per public ROW frontage; 1 per tenant per side or rear facade on a parking lot
Internal Illumination	Permitted
Materials	Solid wood, metal, masonry & neon glass; Plastic & synthetics permitted only as separate alphanumeric characters or logos

Table 27-1816(h)-1. Projecting Sign Requirements.

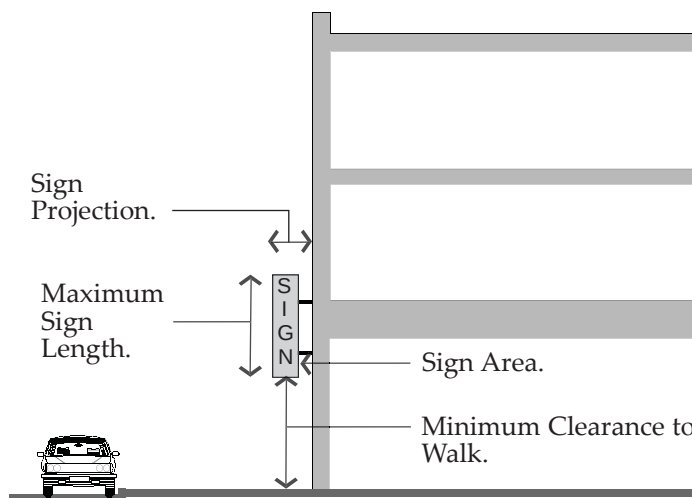


Figure 27-1816(h)-1. Projecting Sign.

Article 27-1800. East Billings Urban Revitalization District Code

(i) Awning Sign.

- (1) Description. A sign that is mounted, painted, or otherwise applied on or attached to an awning or canopy. Refer to Figures 27-1816(i)-1 and 27-1816(i)-2.
- (2) General Requirements. Awning signs shall be developed according to the standards in Table 27-1816(i)-1.
- (3) Sign Area. Defined as the entire area within any type of perimeter or border which may enclose the outer limits of any writing, representation, emblem, figure or character. The area of the sign having no such perimeter or border shall be computed by enclosing the entire area with parallelograms, triangles or circles of the smallest size sufficient to cover the entire area of the sign and computing the area of these parallelograms, triangles or circles. The area computed shall be the maximum portion or portions which may be viewed from any one direction.
- (4) Permit Required. An encroachment permit shall be obtained from the City Engineering Department for any projecting sign encroaching into the public right-of-way.

Awning Sign Requirements	
Sign Area	Up to 50% of the awning may be used for signage; Refer to Table 27-1816-2 for maximum per lot
Height	8' minimum clearance to walk required
Location on the Building or Site	Permitted on all facades
Placement on the Building or Site	Maximum projection from building is 6'; Shall not project closer than 2' from back of curb; Shall not block any window, door, or the roof design. (Refer to BMCC Sec. 27-1816(i)(4) for permit)
Quantity	1 per tenant per public ROW frontage; 1 per tenant per side or rear facade on a parking lot
Internal Illumination	Not permitted
Materials	Cloth, canvas, metal, or wood; All supports shall be made of metal or wood

Table 27-1816(i)-1. Awning Sign Requirements.

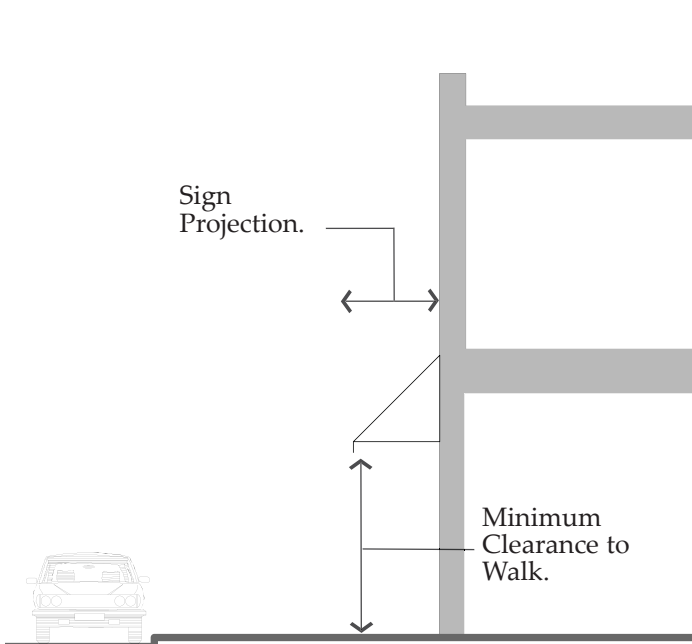


Figure 27-1816(i)-1. Awning Sign.

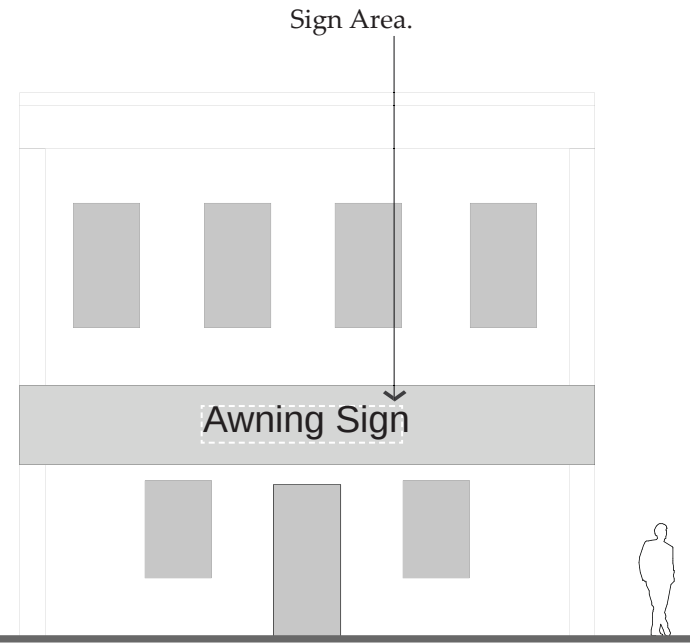


Figure 27-1816(i)-2. Measuring Awning Signs.

Article 27-1800. East Billings Urban Revitalization District Code

(j) Canopy-Mounted Sign.

- (1) Description. A sign with individual alphanumeric characters and/or logos that is mounted on top of a permanent canopy. Refer to Figures 27-1816(j)-1 and 27-1816(j)-2.
- (2) General Requirements. Canopy-mounted signs shall be developed according to the standards in Table 27-1816(j)-1.
- (3) Sign Area is defined as the entire area within any type of perimeter or border which may enclose the outer limits of any writing, representation, emblem, figure or character. The area of the sign having no such perimeter or border shall be computed by enclosing the entire area with parallelograms, triangles or circles of the smallest size sufficient to cover the entire area of the sign and computing the area of these parallelograms, triangles or circles. The area computed shall be the maximum portion or portions which may be viewed from any one direction
- (4) Permit Required. An encroachment permit shall be obtained from the City Engineering Department for any projecting sign encroaching into the public right-of-way.

Canopy-Mounted Sign Requirements	
Sign Area	No maximum area for sign type; Refer to Table 27-1816-2 for maximum per lot
Height	No maximum letter or element height; Cannot project more than 2' above roof line of canopy
Location on the Building or Site	Permitted on all facades
Placement on the Building or Site	Shall not block any window, door, or the roof design. (Refer to BMCC Sec. 27-1816(j)(4) for permit)
Quantity	1 per tenant per public ROW frontage; 1 per tenant per side or rear facade on a parking lot
Internal Illumination	Permitted
Materials	Solid wood, metal, & neon glass; Plastic & synthetics permitted only as separate alphanumeric characters or logos

Table 27-1816(j)-1. Canopy-Mounted Sign Requirements.

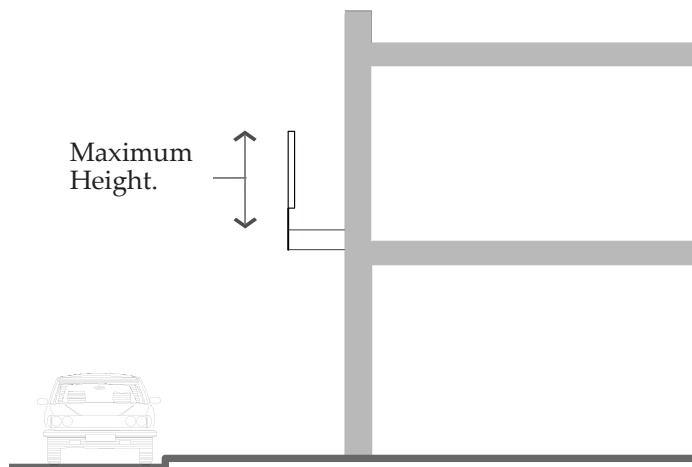


Figure 27-1816(j)-1. Canopy-Mounted Sign.

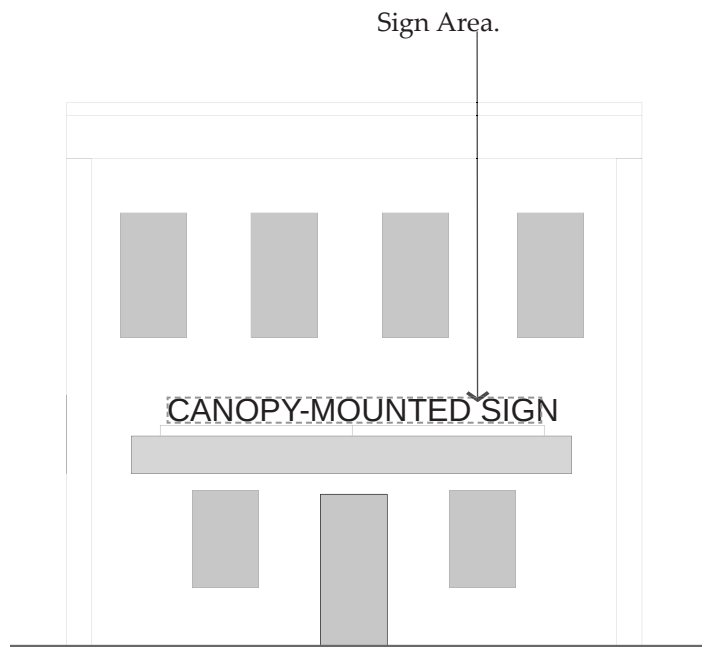


Figure 27-1816(j)-2. Measuring Canopy-Mounted Signs.

Article 27-1800. East Billings Urban Revitalization District Code

(k) Window Sign.

- (1) Description. A window sign is posted, painted, placed, or affixed in or on a window exposed for public view or is a sign hung inside the building facing the window for public view. Refer to Figure 27-1816(k)-1.
- (2) General Requirements. Window signs shall be developed according to the standards in Table 27-1816(k)-1.
- (3) Computation. A series of windows that are separated by frames or supporting material of less than six (6) inches in width shall be considered a single window for the purposes of computation.
 - a. Measurement. To measure sign area percentage, divide the total sign area by the total window area, as illustrated in Figure 27-1816(k)-1.
 - b. Maximum Allowance. Window signs are not counted toward a site’s maximum signage allowance.
 - c. Exempt signs. Address and hours of operation are considered exempt signs and are not counted in the window sign area calculation. Refer to BMCC Sec. 27-707(b) Exempt signs, with the exception of BMCC Sec. 27-707(b)(23).
 - d. Temporary Window Signs. Temporary window signs must be included in the total percentage of signage per window calculation.
 - e. Window signs may not be internally illuminated except for neon or similar illuminated window signs.

Window Sign Requirements	
Sign Area	Up to 30% of a set of continuous windows may be covered with signage; No more than 50% of any one window panel may be covered with signage
Height	No maximum
Location on the Building or Site	Permitted on all facades
Placement on the Building or Site	Ground or upper story windows; May be affixed to window or hung/mounted behind glass
Quantity	No maximum quantity, based on window sign area for ground story; 1 per tenant per floor for upper stories
Internal Illumination	Not permitted, except on neon or similarly illuminated window signs
Materials	Drawn, painted, or affixed on the glass; Wood, metal, neon glass, plastic, or other similar materials also permitted

Table 27-1816(k)-1. Window Sign Requirements.

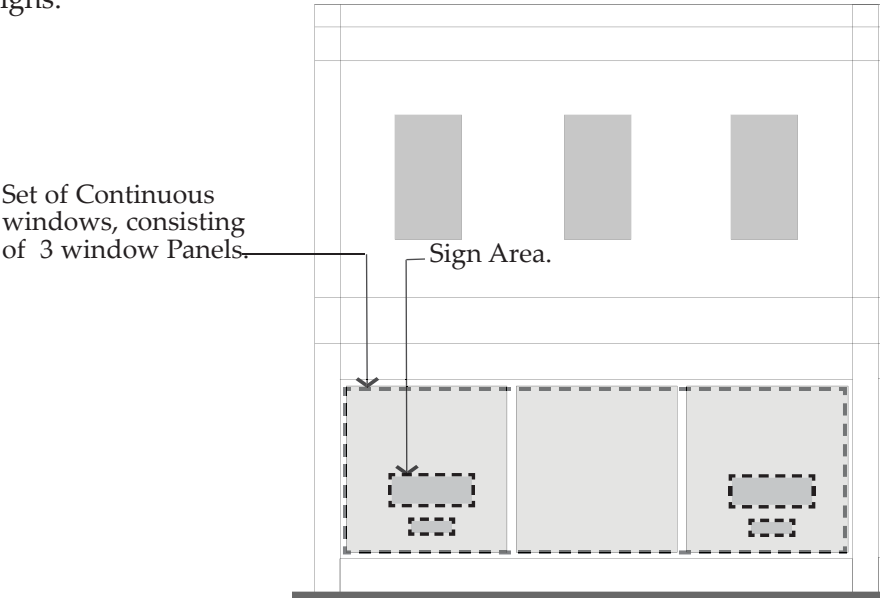


Figure 27-1816(k)-1. Measuring window signs.

Article 27-1800. East Billings Urban Revitalization District Code

(l) Monument Sign.

- (1) Description. A monument sign is freestanding; it is located in a front or side yard of a lot. Refer to Figures 27-1816(l)-1 and 27-1816(l)-2.
- (2) General Requirements. Monument signs shall be developed according to the standards in Table 27-1816(l)-1.
 - a.
 - a. Up to two (2) monument signs on one (1) frontage.
 - i. Signs shall be at least one hundred fifty (150) feet apart.
 - b. Display's structure shall be monolithic and fully enclosed.
 - c. Electronic Message Boards. Electronic message boards (EMBs), including such components as light-emitting diodes (LEDs), are permitted on monument signs in the Commerce and Open Frontage Types by-right
 - d. Manually Changeable Copy. The area of any manually changeable copy cannot equal greater than fifty (50) percent of the area of the sign face on which it is located or twenty (20) square feet, whichever is less.
- (3) Sign Area is defined as the entire area within any type of perimeter or border which may enclose the outer limits of any writing, representation, emblem, figure or character. The area of the sign having no such perimeter or border shall be computed by enclosing the entire area with parallelograms, triangles or circles of the smallest size sufficient to cover the entire area of the sign and computing the area of these parallelograms, triangles or circles. The area computed shall be the maximum portion or portions which may be viewed from any one direction
 - a. Measuring Height. Height shall include the sign face, base, cabinet, and ornamental cap.

Monument Sign Requirements

Sign Area	Maximum 140 sq ft per sign face Refer to Table 27-1816-2 for maximum per lot
Height	Maximum height ~~7'~~ 9'
Location on the Building or Site	Front or corner yards
Placement on the Building or Site	10' Setback from driveways & side lot line; 3' Setback ¹ from front & corner lot lines
Quantity	1 per public ROW frontage
Internal Illumination	Permitted
Materials	Solid wood, metal & masonry; Plastic & synthetics permitted on sign face; Electronic Message Board permitted in certain districts ²

¹If placed closer than five (5) feet from the front and corner side lot Lines, sign must not be located in a sight triangle extending ten (10) feet from either side of an intersection of a driveway and a vehicular right-of-way or two vehicular rights-of-way.

²Refer to BMCC Sec. 27-1816(d) and 27-1816(l)(2)c for details on Electronic Message Boards

Table 27-1816(l)-1. Monument Sign Requirements.

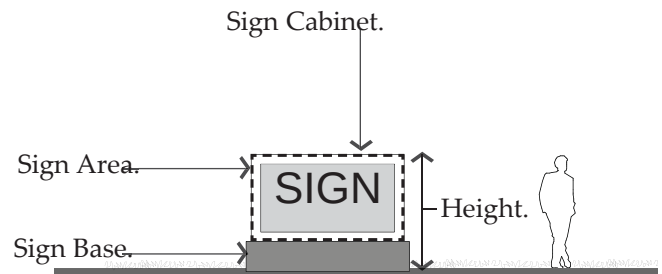


Figure 27-1816(l)-1. Monument Sign.

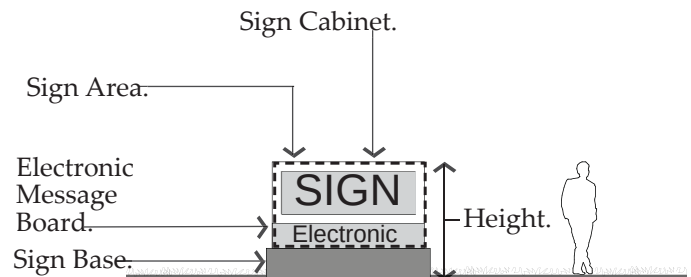


Figure 27-1816(l)-2. Monument Sign with EMB.

Article 27-1800. East Billings Urban Revitalization District Code

(m) Ped-Scale Pole-Mounted Sign.

- (1) Description. A ped-scale pole-mounted sign is freestanding and may be mounted on one or two poles. Three (3) configurations are permitted. Refer to Figure 27-1816(m)-1.
 - a. A sign mounted onto a double set of poles.
 - b. A sign mounted on a single pole.
 - c. A sign hanging from a single pole.
- (2) General Requirements. Ped-scale pole-mounted signs shall be developed according to the standards in Table 27-1816(m)-1.
- (3) Computation. The area of a pole-mounted sign is equal to the area of one (1) sign face.

Ped-Scale Pole-Mounted Sign Requirements	
Sign Area	8 sq ft maximum area per sign face; Refer to Table 27-1816-2 for maximum per lot
Height	8' maximum height for sign mounted or hanging on a single pole; 5' for sign mounted on double set of poles; Each pole shall have a maximum diameter of 3 inches
Location on the Building or Site	Front or Corner Yards
Placement on the Building or Site	2' Setback from Front & Corner lot lines; Cannot overhang lot lines
Quantity	1 per lot
Internal Illumination	Permitted
Materials	Solid wood, metal & masonry; Plastic & synthetics permitted on sign face

Table 27-1816(mk)-1. Ped-Scale Pole-Mounted Sign Requirements.

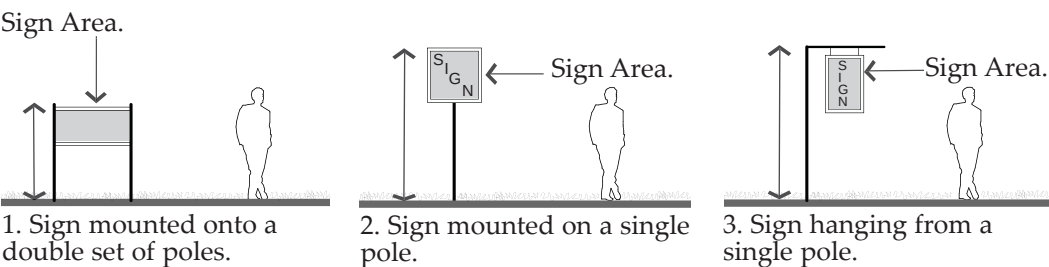


Figure 27-1816(m)-1. Three Types of Ped-Scale Pole-Mounted Signs.

Article 27-1800. East Billings Urban Revitalization District Code

(n) Pole-Mounted Sign.

- (1) Description. A pole-mounted sign is freestanding with a one or two-faced sign panel. Three (3) configurations are permitted. Refer to Figure 27-1816(n)-1.
 - a. A sign mounted onto a double set of poles.
 - b. A sign mounted on a single pole.
 - c. A sign hanging from a single pole.
- (2) General Requirements. Pole-mounted signs shall be developed according to the standards in Table 27-1816(n)-1.
 - a. Electronic Message Boards. (Refer to Figure 27-1816(n)-2) Electronic message boards (EMBs), including such components as light-emitting diodes (LEDs), are permitted on pole-mounted signs, provided the following conditions are met:
 - i. The area of the EMB cannot equal greater than forty (40) percent of the area of the sign face on which it is located.
 - ii. One (1) sign containing an EMB is permitted per lot.
 - iii. Refer to BMCC Sec. 27-1816(d) for additional requirements.
 - b. Manually Changeable Copy. The area of any manually changeable copy cannot equal greater than fifty (50) percent of the area of the sign face on which it is located.
 - c. Special Review. Additional height and sign area, per Table 27-1816(n)-1, may be approved by a Special Review under the following conditions.

- ii. Street. The sign must front on a Boulevard street

- (3) Computation. The area of a Pole-Mounted sign is equal to the area of one (1) sign face, including the Electronic Message Board.

Pole-Mounted Sign Requirements

Sign Area	Refer to Table 27-1816-2 for maximum per lot
Height	30' maximum height, not to exceed the height of the principal building
Location on the Building or Site	Front or Corner Yards
Placement on the Building or Site	2' Setback from Front & Corner lot lines; Cannot overhang lot lines
Quantity	1 per lot
Internal Illumination	Permitted
Materials	Solid wood, metal & masonry; Plastic & synthetics permitted on sign face; Electronic Message Board permitted in certain districts ²

¹Refer to BMCC Sec. 27-1816(n)(2)c for Special Review conditions.

²Refer to BMCC Sec. Sec. 27-1816(d) and 27-1816(n)(2)a for details on Electronic Message Boards

Table 27-1816(n)-1. Pole-Mounted Sign Requirements.

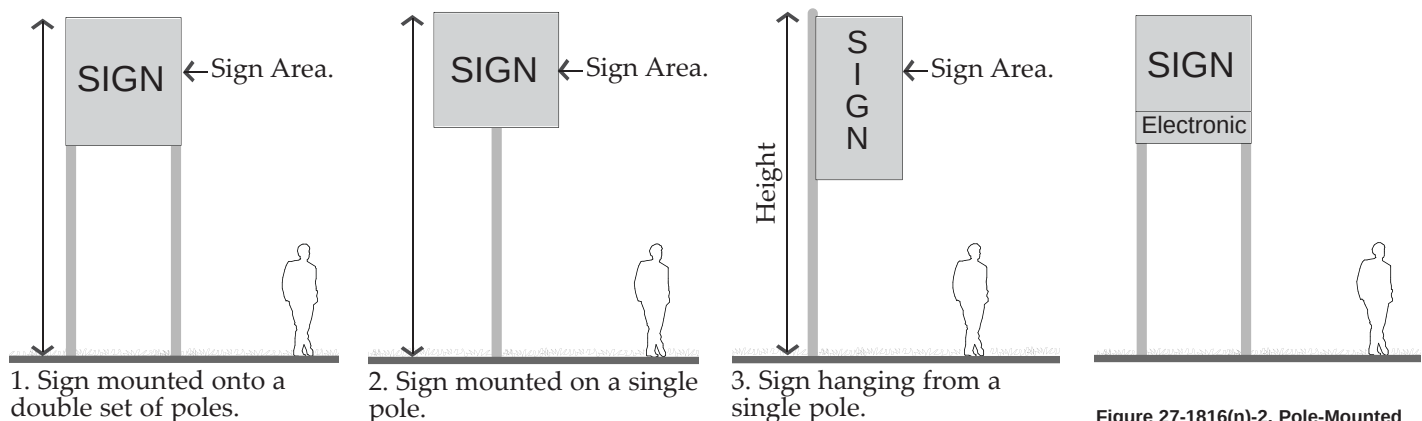


Figure 27-1816(n)-1. Three Types of Pole-Mounted Signs.

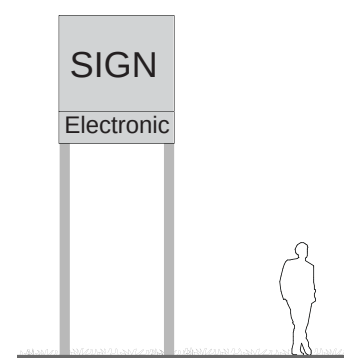


Figure 27-1816(n)-2. Pole-Mounted Sign with EMB.

Article 27-1800. East Billings Urban Revitalization District Code

(o) Roof Sign

- (1). Description. A roof sign consists of individual letters or elements erected on the roof of a building
- a. Sign projects above the highest point of the roof line or parapet of the building.
 - b. Typically situated parallel to the adjacent street and does not project beyond the front Facade of the building. Refer to Figures 27-1816(o)-1 and 27-1816(o)-2.
- B. General Requirements. Roof Signs shall be developed according to the standards in Table 27-1816(o)-1.
- C. Sign Area is defined as the entire area within any type of perimeter or border which may enclose the outer limits of any writing, representation, emblem, figure or character. The area of the sign having no such perimeter or border shall be computed by enclosing the entire area with parallelograms, triangles or circles of the smallest size sufficient to cover the entire area of the sign and computing the area of these parallelograms, triangles or circles. The area computed shall be the maximum portion or portions which may be viewed from any one direction.

Roof Sign Requirements	
Sign Area	3 sq ft per 1' building frontage. Refer to Table 27-1816-2 for maximum per lot
Height	Maximum height of letters & elements is 25% of building height.
Location on the Building or Site	Above roof line or parapet.
Placement on the Building or Site	Shall not project beyond the front Facade of the building
Quantity	1 per lot
Illumination	Internal and external illumination permitted.
Materials	Wood, wood substitute, metal, masonry; Plastic & synthetics permitted only as separate alphanumeric characters or logos; Neon glass is permitted provided the neon is not visible from the rear of the sign.

Table 2.5-11(o)-1. Roof Sign Requirements.

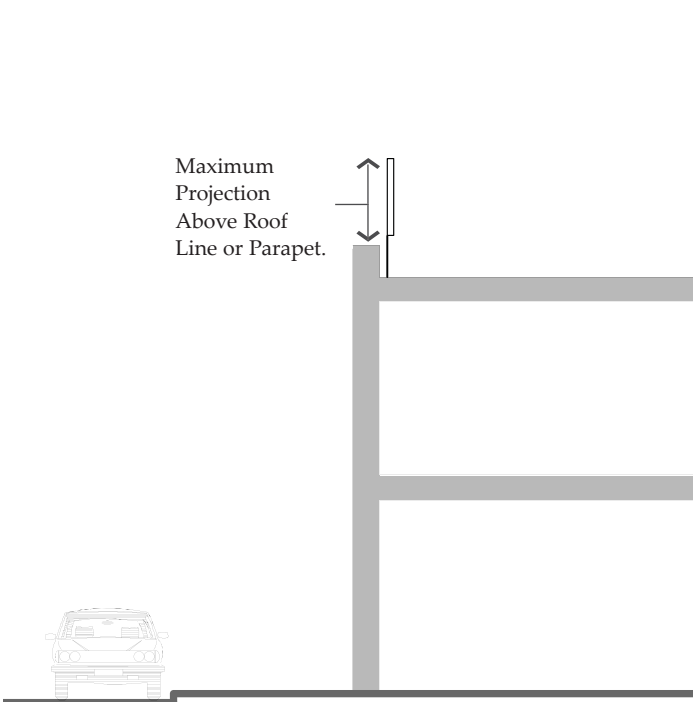


Figure 27-1816(o)-1. Roof Sign.

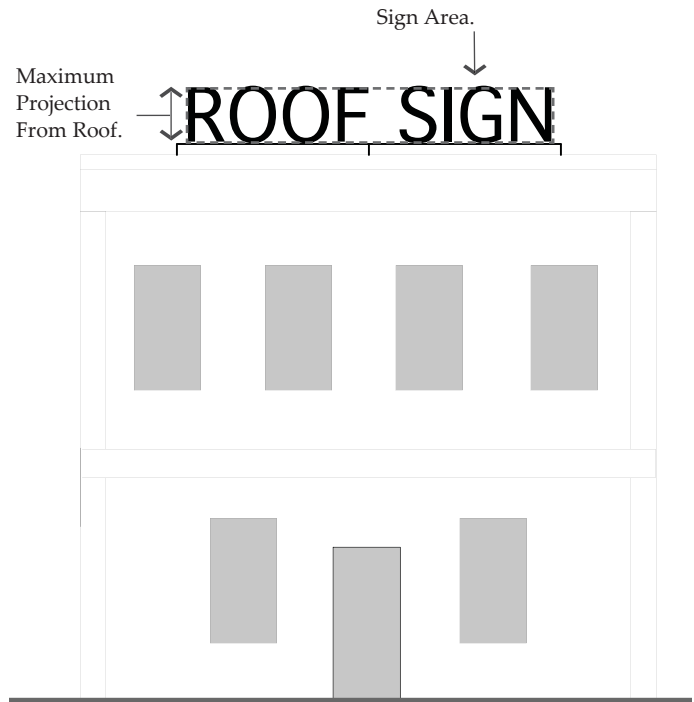


Figure 27-1816(o)-2. Measuring Roof Signs.

Article 27-1800. East Billings Urban Revitalization District Code

Sec. 27-1817. Street Type Standards.

(a) General Requirements.

(1) Intent. The standards outlined in this section are intended to:

- Create complete streets that address all modes of travel, including pedestrian traffic, bicycle traffic, transit, and vehicular traffic.
- Address all features of the street right-of-way, including sidewalks, parkways, traffic lanes, bicycle lanes, and medians.
- Continue the existing logical and comprehensible system of streets that result in a simple, consistent and understandable pattern of blocks and lots.
- Provide adequate access to all lots for vehicles and pedestrians.
- Create streets that are appropriate for their contexts in residential, commercial, or mixed use districts and are designed to encourage travel at appropriate volumes and speeds.

(2) Applicability. The standards in this section apply to all vehicular rights-of-way within the EBURD.

(3) General Requirements. All proposed streets, landscape or furnishings zones, and sidewalks shall be located in dedicated vehicular rights-of-way as required by this article.

- Street Types. All new vehicular rights-of-way shall match one of the street types, refer to BMCC Sec. 27-1817(g) through

27-1817(k), whether publicly dedicated or privately held.

- Public Use. All streets shall be available for public use at all times. Gated streets and streets posted as private are not permitted.

(4) Master Plans. Refer to any adopted City of Billings master plans for additional information, such as the current Bikeway and Trail Master Plan.

(5) Street Construction Specifications. All construction in the right-of-way shall follow specifications defined by the Department of Public Works, Engineering Division.

(b) General Street Type Standards.

(1) Street Types. Street Types defined in this section outline acceptable street configurations. New streets should be designed using the principles and characteristics defined by each Street Type. The Department of Public Works, Engineering Division, or the Montana Department of Transportation, as applicable (refer to Figure 27-1817(e)-2), may require additional right-of-way, pavement width, or additional street elements depending on specific site characteristics.

(2) Summary Street Type Tables. Table 27-1817(f)-1 summarizes the requirements of each Street Type.

(3) Graphics. The graphics provided, illustrating each Street Type, are samples of recommendations and illustrate only one possible configuration of that Street Type. By applying the guidelines outlined and working with the Department of Public Works, Engineering Division, other configurations can be determined acceptable.

(4) Typical Street Elements. Typical elements of a vehicular right-of-way are divided into the vehicular and pedestrian realm. Each Street Type detailed in this article outlines which facilities are applicable. Refer to Figure 27-1817(b)-1: Typical Right-of-Way Elements.

- Vehicular Realm. The vehicular realm is comprised of the travel lanes, bicycle lanes, and parking lanes.

- Pedestrian Realm. The pedestrian realm is comprised of pedestrian facilities, such as sidewalk, path/trail, or off-street bicycle path. A buffer area that serves to

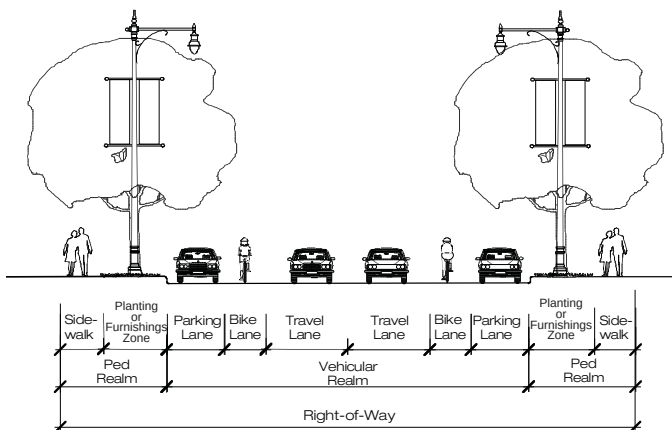


Figure 27-1817(b)-1: Typical Right-of-Way Elements.

Article 27-1800. East Billings Urban Revitalization District Code

buffer pedestrians or bicyclists from the movements of higher speed vehicles in the vehicular realm shall consist of one of the following:

- i. **Landscape Zone.** A landscape area between the back of curb to the sidewalk in which street trees, stormwater swales, lighting, and signage may be located. Typically used adjacent to residential ground floor uses.
- ii. **Furnishings Zone.** A hardscape area that extends from the sidewalk to the back of curb, in which street trees, street furniture, lighting, and signage may be located. Typically used adjacent to commercial or office ground floor uses.

(5) **Bicycle Facilities.** The following types of bicycle accommodations are permitted in the vehicular realm. Refer to Figure 27-1817(b)-2.

- a. **Dedicated Bicycle Lane.** Dedicated bicycle lanes are striped lanes on the outside of the outermost travel lanes that are designated for only bicycle use. This lane occurs on both sides of the street and shall be four (4) to five (5) feet wide.
- b. **Designated Shared Lane.** A designated shared lane is a lane that is shared between vehicles and bicycles. This lane is typically wider than a standard vehicular lane, minimum thirteen (13) feet, in order to accommodate both types of users, and includes a painted

bicycle marker combined with a double arrow (known as a “sharrow”). This improvement occurs on both directions.

- c. **Shared Lane.** A shared lane refers to a street that does not have bicycle lanes or a designated shared lane, but the speed and configuration of the street is such that bicycles could comfortably share lanes with traffic.
 - d. **Cycle Track.** A cycle track is a separate on-road bike facility that is typically adjacent to, but physically separated from, vehicular traffic and parking by a barrier.
- (6) **Vehicular On-Street Parking.** On-street parking, as permitted on designated Street Types, must meet the following requirements.
- a. Parallel and back-in diagonal parking is permitted on designated Street Types.
 - b. **Vehicular On-Street Parking Space Dimensions.**
 - i. The appropriate stall depth for back-in diagonal on-street parking spaces are defined for each Street Type (refer to BMCC Sec. 27-1817(g) through (k).
 - ii. The width of an on-street parking space shall be measured from the center of a stripe, minimum eight and a half (8.5) feet, unless otherwise noted.
 - iii. Back-in diagonal on-street parking shall be at sixty (60) degrees.

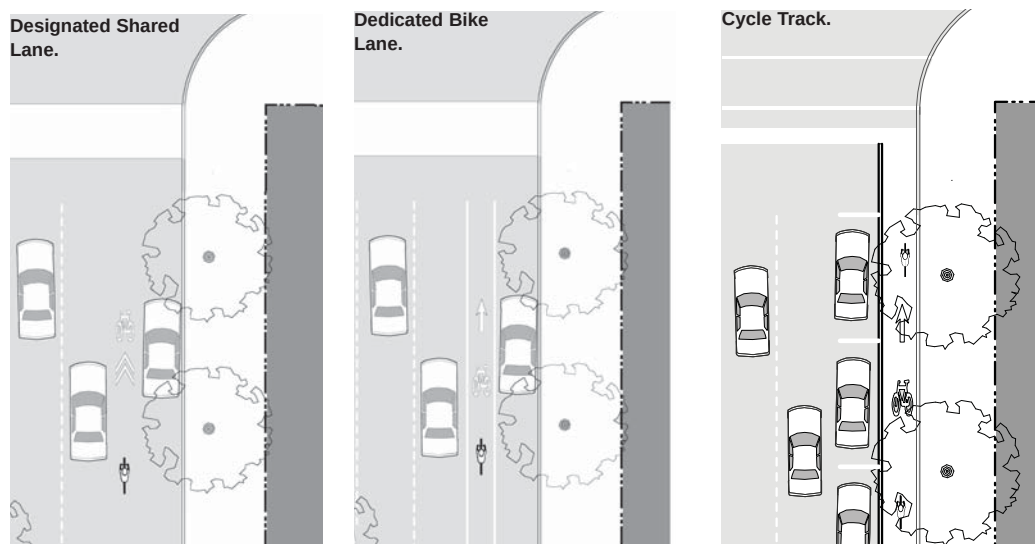


Figure 27-1817(b)-2: On-Street Bicycle Facilities.

Article 27-1800. East Billings Urban Revitalization District Code

- (7) Stormwater Management. Incorporation of stormwater management best practices into the right-of-way design is encouraged, such as incorporating drainage swales into the landscape zone or permeable paving in the parking lane. Refer to Figure 27-1817(b)-4 and the City's Stormwater Management Manual.
- (8) Street Trees. Street trees are required along all street frontages, refer to BMCC Sec. 27-1815(e). Street trees shall be located in either a Landscape Zone (within a planting bed or lawn) or a Furnishings Zone (in trees wells with grate as required), refer to BMCC Sec. 27-1817(b)(4)b.
- (c) General Street Layout Requirements. The following standards apply to new streets or newly platted vehicular rights-of-way.
- (1) Interconnected Street Pattern. The network of streets shall form an interconnected pattern with multiple intersections with the following features:
- a. Street Network. The arrangement of streets shall provide for the continuation of existing streets from adjoining areas into new subdivisions or developments.
 - b. Block Pattern. To the maximum extent possible, the existing block pattern shall be continued and reinforced, and the following encouraged:
 - i. Avoid the closure of existing streets so as to maintain the existing network.
 - ii. As railway tracks are abandoned or larger sites redevelop, new streets should be introduced to extend the existing pattern, incorporating the existing block sizes.
- c. Bulb shaped cul-de-sac streets are not permitted.
- d. New deadends should be avoided.
- (d) Intersection Design. The following section outlines the regulations for developing and reconstructing intersections.
- (1) Applicability. The regulations outlined in this section shall apply to all planned intersections and may serve as guidance for reconfiguration of existing intersections.
- (2) Curb Radii. The following curb radii shall be utilized unless otherwise authorized by the Department of Public Works, Engineering Division.
- a. Intersections should be designed for actual turning radius of the typical design vehicle as opposed to the maximum design vehicle. Small curb radii at intersections shorten pedestrian crossing distances and reduce vehicle turning speeds, thereby balancing the ease of travel of the vehicles and pedestrians. Refer to Figure 27-1817(d)-1.
 - b. Alley, Neighborhood, and Connector Streets. At the intersection of any street with an Alley, Neighborhood, or a Connector Street, the following curb radii shall be utilized.
 - i. With on-street parking on both streets and no bulb-out, a five (5) foot radius is required.

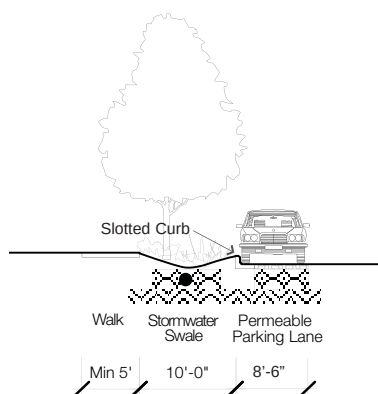


Figure 27-1817(b)-4. Stormwater Management Best Practices incorporated in the Right-of-Way.

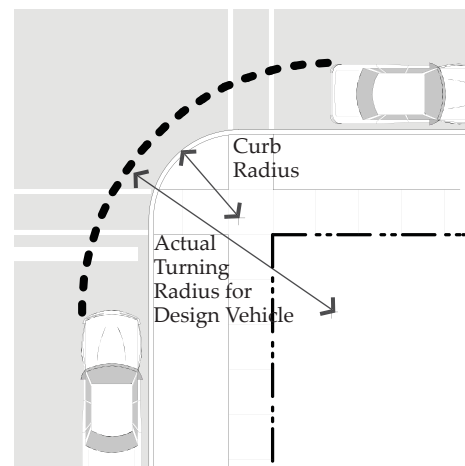


Figure 27-1817(d)-1. Actual Right Turn Radius with On-Street Parking.

Article 27-1800. East Billings Urban Revitalization District Code

- ii. Without on-street parking, a fifteen (15) foot radius is required.
 - c. Avenues and Boulevards. At the intersection of Avenues with either another Avenue or a Boulevard, the following curb radii shall be utilized.
 - i. With on-street parking on both streets and no bulb-out, a twelve (12) foot radius is required.
 - ii. Without on-street parking on either streets, a twenty five (25) foot radius is required.
 - d. Larger Radius. When the design vehicle requires a larger curb radius, a larger radius may be utilized with approval of the Public Works, Engineering Division.
- (4) Crosswalks. Crosswalks shall be required at all intersections involving Montana Avenue, N 20th Street, and N 13th Street.
 - a. Dimensions. Crosswalks shall be minimum eight (8) feet in width, measured from mid-stripe to mid-stripe, per City standards.
 - b. Markings. Crosswalks shall be appropriately indicated on the finished street surface with painted markings and/or textured or colored pavement.
 - c. Crossing Distances. To encourage pedestrian activity, typical crosswalks shall not extend over thirty-eight (38) feet without a landscape median, bulb-outs, and/or other pedestrian refuge to mitigate the effects of vehicular traffic on crossing and increase pedestrian safety and comfort.
 - d. Bulb-outs. To shorten pedestrian crossing distances, bulb-outs should be utilized at all intersections, unless otherwise required by the Department of Public Works or the Montana Department of Transportation as applicable (refer to Figure 27-1817(e)-2 for State Maintained Routes).
 - i. The depth of the bulb-out shall match the utilized on-street parking, either the width of the parallel space or the depth of the diagonal space.
 - ii. The radius of the bulb-out shall match the requirements for the intersection. Refer to BMCC Sec. 27-1817(d).
- (5) Accessible Ramps and Warning Panels. Accessible ramps and warning panels, per the American Disabilities Act or any more stringent state requirement, are required where all sidewalks or trails terminate at a crosswalk or curb.
 - a. Ramp Orientation. Ramps should be generally oriented perpendicular to traffic, requiring two (2) ramps per corner at intersecting streets.

Article 27-1800. East Billings Urban Revitalization District Code

- (e) Maps of Street Types. Refer to the maps on the following pages.
 - (1) Street Type Map. Refer to Figure 27-1817(e)-1. To provide context for any future platted rights-of-way and guidance for future improvements to existing rights-of-way, existing streets within EBURD are mapped in accordance with the Street Types outlined in BMCC Sec. 27-1817(g) through 27-1817(k).
 - (2) State Maintained Routes. For reference purposes only, a map of routes currently maintained by the State Department of Transportation is included. Refer to Figure 27-1817(e)-2.
 - (3) Primary Street Map. Refer to Figure 27-1817(e)-3.
 - a. Primary Streets are defined as the higher priority street at an intersection, designating the front property line as well as establishing the higher level of pedestrian orientation with limited sidewalk interruptions from driveways.
 - b. At the intersection of any two streets, the street with the highest level designation is considered the Primary Street. For example, at the intersection of 2nd Avenue N and N 19th Street, N 19th Street is designated as Street 1, a higher priority street, and is therefore the Primary Street. The front property line of a building on this corner would be on N 19th Street.
 - c. When a corner is located at the intersection of two streets of the same priority level, either street may be chosen as the Primary Street.

Article 27-1800. East Billings Urban Revitalization District Code



Figure 27-1817(e)-1: Map of Street Types.



Figure 27-1817(e)-2. Map of State Maintained Routes as of February 2012, for Reference Only..

Article 27-1800. East Billings Urban Revitalization District Code



Figure 27-1817(e)-3: Map of Primary Street Priority.

Article 27-1800. East Billings Urban Revitalization District Code

Vehicular Realm						
	Typical Right-of-Way Width (feet)	Travel Lanes	Lane Width (feet)	Allowable Turn Lanes	Parking Lanes	Pavement Width (feet) Back of Curb to Back of Curb
Alley	20'	1 yield lane	16' (yield)	None	Prohibited	Minimum 16', Maximum 20'
Neighborhood Street	80'	1 yield lane	20' (yield)	None	Parallel or back-in diagonal both sides	37'-48'
Connector	80'	1 lane in each direction	11'	Permitted in place of parking at intersections	Parallel or back-in diagonal both sides	39'-52'
Avenue	80'	Per the Department of Public Works, Engineering Division, or Montana Department of Transportation	12'	Permitted in place of parking at intersections	Parallel or back-in diagonal both sides	41'-54'
Boulevard	80'	Per the Department of Public Works, Engineering Division, or Montana Department of Transportation	11'	Permitted in place of parking at intersections	Both sides, parallel only	50'-60'

Table 27-1817(f)-1: Street Type Summary Table.

- (f) Street Type Summary Table.
- (1) Refer to Table 27-1817(f)-1 for a summary table of all Street Types requirements defined in 27-1817(g) through 27-1817(k).

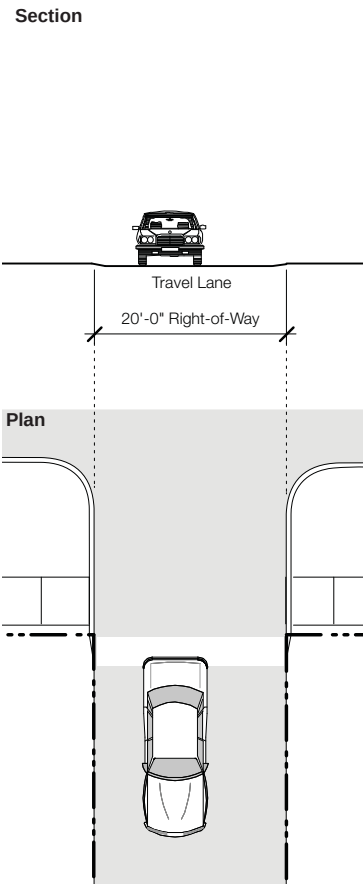
Article 27-1800. East Billings Urban Revitalization District Code

Vehicular Realm			Pedestrian Realm	
Curbs	Permitted Median	Bicycle Facilities	Pedestrian Facilities	Buffer
None, ribbon or vertical	Prohibited	Shared	Shared	None required
Vertical	Prohibited	Shared	Minimum 5' wide clear sidewalk on both sides	Minimum 11' wide planting zone or furnishings zone, both sides
Vertical	Permitted	Shared, Designated Shared, Dedicated, or Cycle Track	Minimum 5' wide clear sidewalk on both sides	Minimum 9' wide planting or furnishings zone, both sides
Vertical	Permitted	Designated Shared, Dedicated, or Cycle Track	Minimum 5' wide clear sidewalk on both sides	Minimum 8' wide planting zone or furnishings zone, both sides
Vertical	Permitted	Designated Shared, Dedicated, or Cycle Track	Minimum 5' wide clear sidewalk on both sides	Minimum 5' wide planting zone or furnishings zone, both sides

Article 27-1800. East Billings Urban Revitalization District Code

(g) **Alley.**

- (1) Intent. The Alley is a very low capacity drive located at the rear of parcels. From the Alley, access to parking facilities, loading facilities, and service areas, such as refuse and utilities is possible without a curb cut or driveway interrupting a Street Type. Refer to the typical plan and section in Figure 27-1817(g)-1.
- (2) General Requirements. Alleys shall be developed using the guidelines in Table 27-1817(g)-1.
 - a. The Department of Public Works, Engineering Division, may require additional right-of-way, pavement width, or street elements depending on specific site characteristics.



Alley Guidelines	
Location	Permitted adjacent to all Zoning Districts
Typical Right-of-Way Width	20'
a. Vehicular Realm	
Travel Lanes	1 yield lane
Lane Width	Minimum 16' (two way yield lane)
Allowable Turn Lanes	Not applicable
Parking Lanes	Not applicable
Pavement Width	Minimum 16' Maximum 20'
Curbs	None, ribbon, or vertical
Median	Prohibited
Bicycle Facilities ¹	Shared
b. Pedestrian Realm	
Pedestrian Facilities	Shared; travel lanes are shared among drivers, pedestrians and bicyclists
Buffer	None required
¹ Reference BMCC Sec. 27-1817(c)(5) for bicycle facility types and requirements	

Figure 27-1817(g)-1: Typical Sample Alley.

Table 27-1817(g)-1: Alley Guidelines.

Article 27-1800. East Billings Urban Revitalization District Code

(h) Neighborhood Street.

- (1) Intent. The Neighborhood Street is a low capacity street designed for slow speeds with a standard right-of-way. It primarily serves those residences or businesses directly adjacent to it. Refer to the typical plan and section, Figure 27-1817(h)-1.
- (2) General Requirements. The Neighborhood Street shall be developed using the guidelines in Table 27-1817(h)-1.
 - a. The Department of Public Works, Engineering Division, may require additional right-of-way, pavement width, or street elements depending on specific site characteristics.

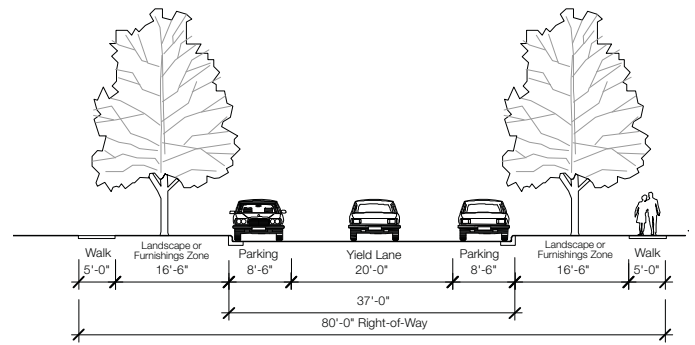


Figure 27-1817(h)-2: Alternative Sample Neighborhood Street.

Section

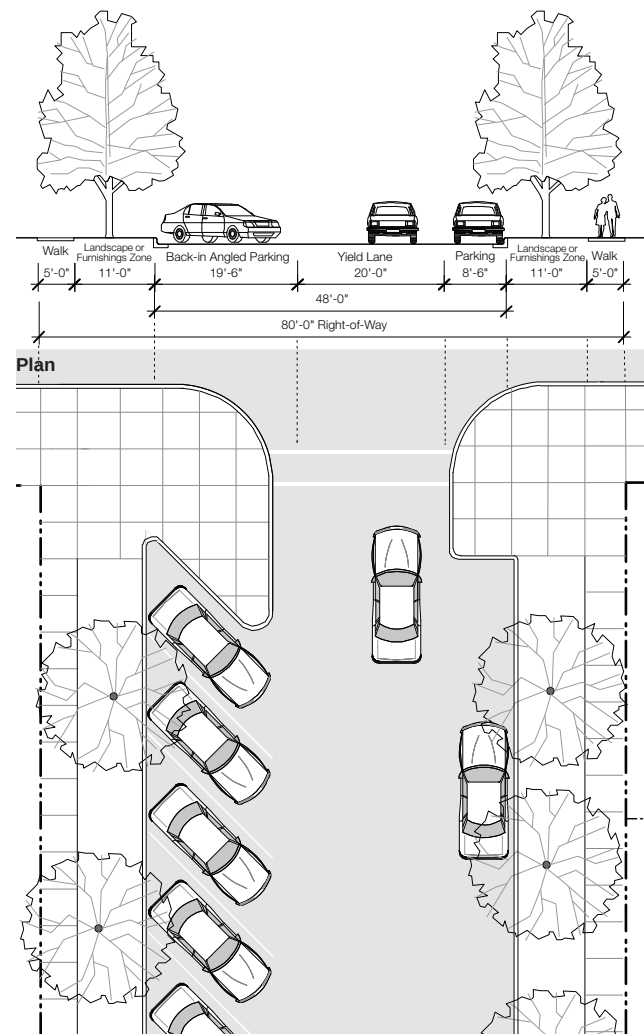


Figure 27-1817(h)-1: Typical Sample Neighborhood Street.

Neighborhood Street Guidelines

Location	Permitted adjacent to all districts
Typical Right-of-Way Width	80'
a. Vehicular Realm	
Travel Lanes	1 yield lane
Lane Width	20' (two way yield)
Allowable Turn Lanes	Permitted in place of parking and bulb out at intersections
Parking Lanes ¹	Parallel or back-in diagonal on both sides
Pavement Width	37'-48'
Curbs	Vertical
Median	Prohibited
Bicycle Facilities ²	Shared
b. Pedestrian Realm	
Pedestrian Facilities	Minimum 5 feet wide clear sidewalk on both sides with bulbouts
Buffer	Minimum 11' wide Planting Zone or Furnishings Zone both sides (refer to BMCC Sec. 27-1817((b)(4)b).

¹Reference BMCC Sec. 27-1817(c)(7) for on-street parking requirements

²Reference BMCC Sec. 27-1817(c)(5) for bicycle facility types and requirements

Table 27-1817(h)-1: Neighborhood Street Guidelines.

Article 27-1800. East Billings Urban Revitalization District Code

- (i) Connector Street.
- (1) Intent. The Connector Street is a medium capacity Street for slow speeds with a standard right-of-way. It primarily serves as a through street within the neighborhood and connects Neighborhood Streets to Avenues or Boulevards. Refer to the typical plan and section, Figure 27-1817(i)-1.
- (2) General Requirements. Connectors shall be developed using the guidelines in Table 27-1817(i)-1.
- a. The Department of Public Works, Engineering Division, may require additional right-of-way, pavement width, or street elements depending on specific site characteristics.

Section

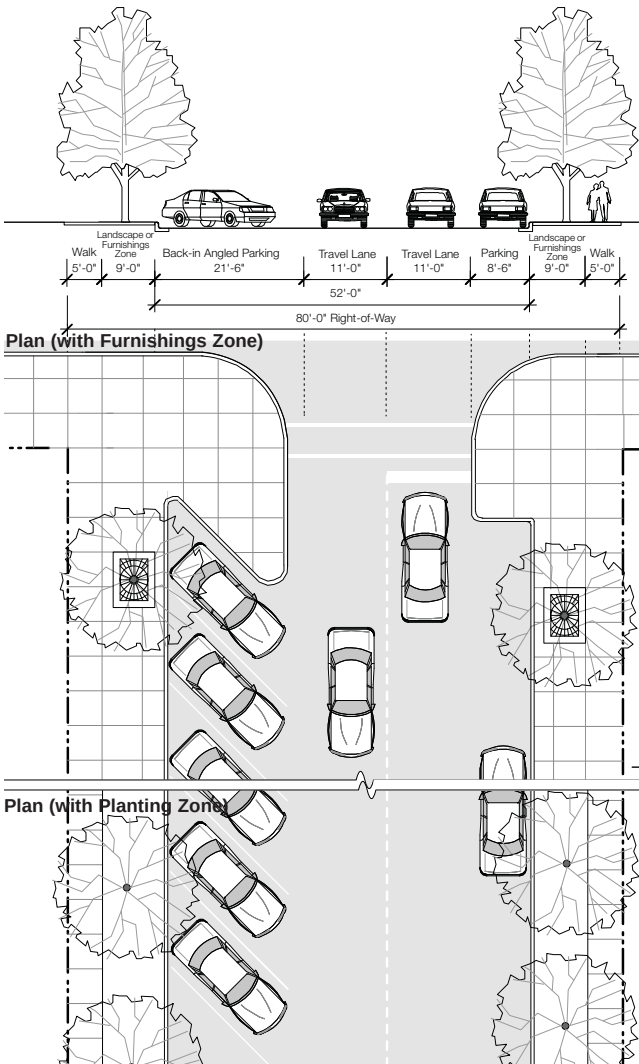


Figure 27-1817(i)-1: Typical Sample Connector.

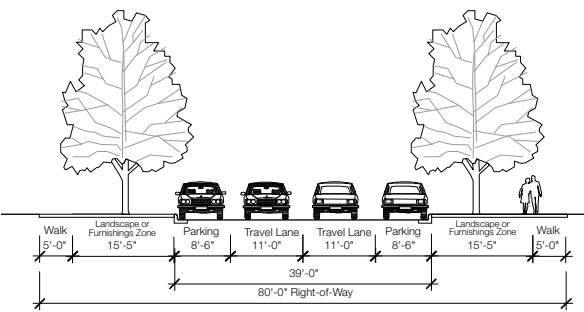


Figure 27-1817(i)-2: Alternative Sample Connector

Connector Street Guidelines	
Location	Permitted adjacent to all districts
Typical Right-of-Way Width	80'
a. Vehicular Realm	
Travel Lanes	1 lane in each direction
Lane Width	11'
Allowable Turn Lanes	Permitted in place of parking and bulb out at intersections
Parking Lanes ¹	Parallel or back-in diagonal both sides
Pavement Width	39'-52'
Curbs	Vertical
Median	Permitted
Bicycle Facilities ²	Shared, Designated Shared, Dedicated Lane, or Cycle Track
b. Pedestrian Realm	
Pedestrian Facilities	Minimum 5' wide clear sidewalk on both sides with bulbouts
Buffer	Minimum 9' wide landscape zone or furnishings zone, both sides (refer to BMCC Sec. 27-1817((b)(4)b)

¹Reference BMCC Sec. 27-1817(c)(7) for on-street parking requirements

²Reference BMCC Sec. 27-1817(c)(5) for bicycle facility types and requirements

Table 27-1817(i)-1: Connector Guidelines.

Article 27-1800. East Billings Urban Revitalization District Code

(j) Avenue.

- (1) Intent. The Avenue is a high capacity street for higher speeds with a wider right-of-way. It serves all types of development and provides crosstown connections. Refer to the typical plan and section in Figure 27-1817(j)-1.
- (2) General Requirements. Avenues shall be developed using the guidelines in Table 27-1817(j)-1.
 - a. The Department of Public Works, Engineering Division, or Montana Department of Transportation, may require additional right-of-way, pavement width, or street elements depending on specific site characteristics.

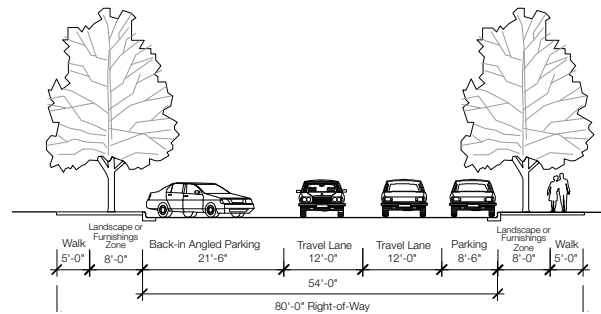


Figure 27-1817(j)-2: Alternative Sample Avenue.

Section

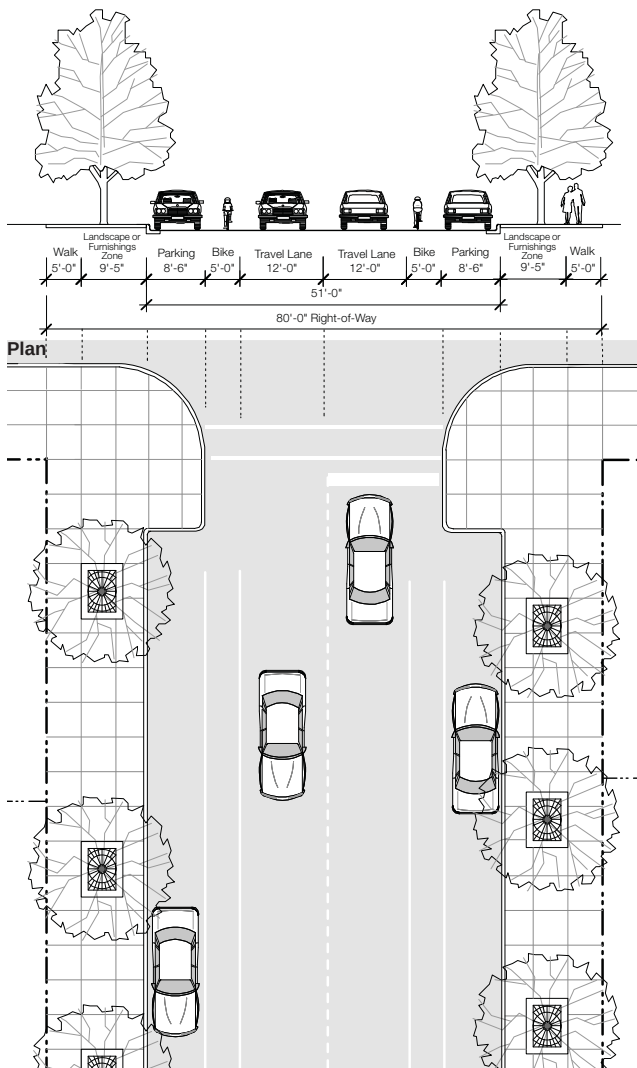


Figure 27-1817(j)-1: Typical Sample Avenue.

Avenue Guidelines

Location	Permitted adjacent to all districts
Typical Right-of-Way Width	80'
a. Vehicular Realm	
Travel Lanes	Per the Department of Public Works, Engineering Division, or Montana Department of Transportation
Lane Width	Maximum 12'
Allowable Turn Lanes	Permitted in place of parking at intersections
Parking Lanes ¹	Parallel or back-in diagonal both sides
Pavement Width	41'-54'
Curbs	Vertical
Median	Permitted
Bicycle Facilities ²	Designated Shared, Dedicated Lane, or Cycle Track
b. Pedestrian Realm	
Pedestrian Facilities	Minimum 5' wide clear sidewalk on both sides with bulbouts
Street Buffer	Minimum 8' wide landscape or furnishings zone, both sides (refer to BMCC Sec. 27-1817((b)(4)b)

¹Reference BMCC Sec. 27-1817(c)(7) for on-street parking requirements

²Reference BMCC Sec. 27-1817(c)(5) for bicycle facility types and requirements

Table 27-1817(j)-1: Avenue Guidelines.

Article 27-1800. East Billings Urban Revitalization District Code

(k) Boulevard.

- (1) Intent. The Boulevard is a high capacity street for higher speeds with a wider right-of-way, one way only in this case. It serves all types of development and provides crosstown connections. Refer to the typical plan and section, Figure 27-1817(k)-1.
- (2) General Requirements. Boulevards shall be developed using the guidelines in Table 27-1817(k)-1.
- a. The Department of Public Works, Engineering Division, or Montana Department of Transportation, may require additional right-of-way, pavement width, or street elements depending on specific site characteristics.

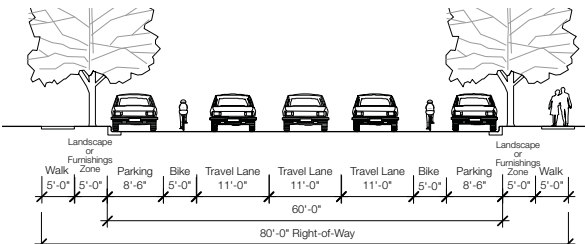


Figure 27-1817(k)-3: Sample One Way Boulevard - 4th Street

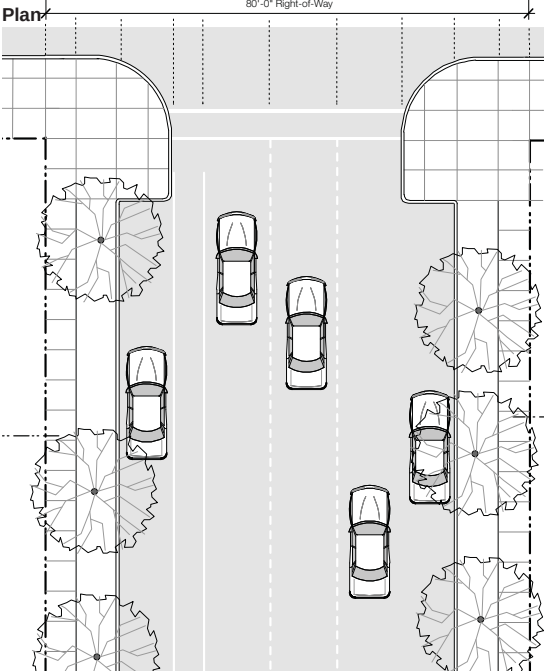
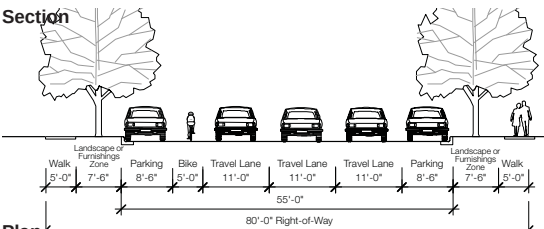


Figure 27-1817(k)-1: Typical Sample One Way Boulevard - 6th Street & Portions of 1st Street

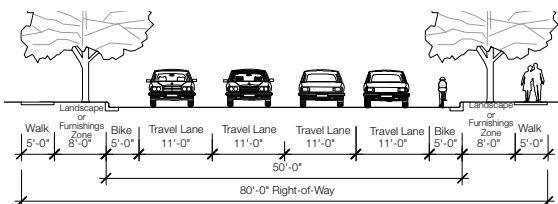


Figure 27-1817(k)-2: Sample Two Way Boulevard

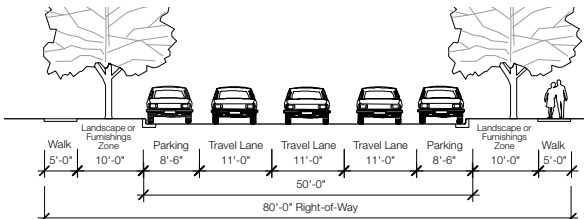


Figure 27-1817(k)-4: Sample One Way Boulevard

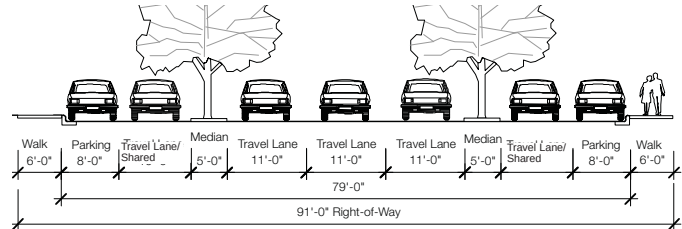


Figure 27-1817(k)-5: Sample One Way Blvd w/Access Rd

Boulevard Guidelines

Location	Permitted adjacent to all districts
Typical Right-of-Way Width	80'
a. Vehicular Realm	
Travel Lanes	Per the Department of Public Works, Engineering Division, or Montana Department of Transportation
Lane Width	11'
Allowable Turn Lanes	Permitted in place of parking and bulb out at intersections
Parking Lanes ¹	Both sides, parallel only
Pavement Width	50'-60'
Curbs	Vertical
Median	Permitted, minimum 5' wide, preferably 9' wide
Bicycle Facilities ²	Designated Shared, Dedicated Lane, or Cycle Track
b. Pedestrian Realm	
Pedestrian Facilities	Minimum 5' wide clear sidewalk on both sides with bulbouts
Buffer	Minimum 5' wide landscape zone or furnishings zone, both sides (refer to BMCC Sec. 27-1817((b)(4)b)

¹Reference BMCC Sec. 27-1817(c)(7) for on-street parking requirements

²Reference BMCC Sec. 27-1817(c)(5) for bicycle facility types and requirements

Table 27-1817(k)-1: Boulevard Guidelines.

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Zone Change #902 - 807, 821 and 823 Bench Boulevard - 2nd reading

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

This is a zone change request from Neighborhood Commercial (NC) and Residential Multi-Family-Restricted (RMF-R) to Community Commercial on a 4.189- acre parcel described as Lots 1 through 5 of Brittain Acres Subdivision, located on the northeast corner of the intersection of Hilltop Road and Bench Boulevard. The property is owned by Big Sky Floral Supply (Gainan's) and Chuck and Mick Gainan are the agents. The owners conducted a pre-application neighborhood meeting on June 20, 2012. The Zoning Commission conducted a public hearing on August 7, 2012, and is forwarding a recommendation of approval on a 3-0 vote. The Council conducted a public hearing on August 27, 2012, and approved the zone change on 1st reading.

ALTERNATIVES ANALYZED

State law at MCA 76-2-304 requires that all zone changes be reviewed in accordance with 10 criteria. Using the 10 criteria to determine the appropriateness of the zone change request, the City Council may:

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

FINANCIAL IMPACT

There should be no immediate financial impact to the city from the zone change. Service fees for the proposed zoning will increase in the next tax year. When development occurs, the taxable market value of the property will increase.

RECOMMENDATION

The Zoning Commission is forwarding a recommendation of approval on a 3-0 vote.

APPROVED BY CITY ADMINISTRATOR

Attachments

Ordinance

ORDINANCE NO. 12-_____

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION
FOR a 4.189 acre parcel described as Lots 1 through 5,
Brittain Acres Subdivision generally located at 807, 821 and
823 Bench Boulevard

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

1. RECITALS. *Title 76, Chapter 2, Part 3, MCA, and Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.
2. DESCRIPTION That 4.189 acre parcel described as Lots 1 through 5, Brittain Acres Subdivision is presently zoned **Residential Multi-family-Restricted (RMF-R) and Neighborhood Commercial (NC)** and is shown on the official zoning maps within these zones.
3. ZONE AMENDMENT. The official zoning map is hereby amended and the zoning for **the above described parcels** is hereby changed from **Residential Multi-family-Restricted (RMF-R) and Neighborhood Commercial (NC) to Community Commercial (CC)** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Community Commercial (CC)** as set out in the Billings, Montana City Code.
4. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
5. EFFECTIVE DATE. This ordinance shall be effective from and after final passage and as provided by law.

PASSED by the City Council on first reading August 27, 2012.

PASSED, ADOPTED AND APPROVED on second reading September 10, 2012.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: Cari Martin, City Clerk
Zone Change #902 – Lots 1 through 5, Brittain Acres Subdivision

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Zone Change #904 - 1026,1032 and 1040 Bench Boulevard - 2nd reading

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

This is a zone change request from Residential Manufactured Home (RMH) to Community Commercial (CC) on a 4.77- acre parcel described as Tract 1, C/S 2537 and the North 2 acres of the South 10.41 acres East of the lateral and a Fraction of the S1/2NESE1/4 (73.42 X 890 feet) in the NESE1/4 of Section 22, Township 1 North, Range 26 East. The property is owned by Lee Steffanich and Sanderson Stewart is the agent. The owners conducted a pre-application neighborhood meeting on June 25, 2012. The Zoning Commission conducted a public hearing on August 7, 2012, and is forwarding a recommendation of approval on a 3-0 vote. The City Council conducted a public hearing on August 27, 2012, and approved the zone change on 1st reading.

ALTERNATIVES ANALYZED

State law at MCA 76-2-304 requires that all zone changes be reviewed in accordance with 10 criteria. Using the 10 criteria to determine the appropriateness of the zone change request, the City Council may:

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

FINANCIAL IMPACT

There should be no immediate financial impact to the city. Service fees will increase under the proposed zoning and taxable market value will increase when the property is developed.

RECOMMENDATION

The Zoning Commission is forwarding a recommendation of approval on a 3-0 vote.

APPROVED BY CITY ADMINISTRATOR

Attachments

Ordinance

ORDINANCE NO. 12-_____

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION FOR a 4.77 acre parcel described as Tract 1, C/S 2537 and the North 2 acres of the South 10.41 acres East of the lateral and a Fraction of the S1/2NESE1/4 (73.42 X 890 feet) in the NESE1/4 of Section 22, Township 1 North, Range 26 East generally located at 1026, 1032 and 1040 Bench Boulevard

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

1. RECITALS. *Title 76, Chapter 2, Part 3, MCA, and Sections 27-302 and 27-1502, BMCC*, provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.
2. DESCRIPTION That a 4.77 acre parcel described as Tract 1, C/S 2537 and the North 2 acres of the South 10.41 acres East of the lateral and a Fraction of the S1/2NESE1/4 (73.42 X 890 feet) in the NESE1/4 of Section 22, Township 1 North, Range 26 East is presently zoned **Residential Manufactured Home (RMH)** and is shown on the official zoning maps within these zones.
3. ZONE AMENDMENT. The official zoning map is hereby amended and the zoning for **the above described parcels** is hereby changed from **Residential Manufactured Home (RMH) to Community Commercial (CC)** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Community Commercial (CC)** as set out in the Billings, Montana City Code.
4. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
5. EFFECTIVE DATE. This ordinance shall be effective from and after final passage and as provided by law.

PASSED by the City Council on first reading August 27, 2012.

PASSED, ADOPTED AND APPROVED on second reading September 10, 2012.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: Cari Martin, City Clerk
Zone Change #904 – 1026, 1032 and 1040 Bench Boulevard

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Final Plat of High Sierra Subdivision, 5th Filing

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

The final plat for High Sierra Subdivision, 5th Filing is being presented to Council for approval. On October 27, 2008, the City Council conditionally approved the platting of this major subdivision until October 27, 2011. Last year at the request of the subdivider, Council granted an extension to the three-year time limit for preliminary plat approval, keeping the preliminary approval active until October 27, 2012.

The subject property is located on the north side of Matador Avenue near High Sierra Boulevard in the Heights. This phased subdivision creates 22 new lots for single family residences and 6 large lots that will be redeveloped as future filings into up to 51 single-family lots, for a total of 73 new single family residential lots. The property is zoned Residential-7000-Restricted (R-70-R). The owner is High Sierra II, LLC, and the representing agent is Sanderson Stewart. Upon City Council approval, these documents are appropriate as to form for filing with the Clerk and Recorder.

ALTERNATIVES ANALYZED

The City Council may approve or deny the final plat of High Sierra Subdivision, 5th Filing. If the City Council chooses to deny the final plat, it must base the denial on the criteria outlined in MCA 76-3-611 and BMCC, Section 23-307.

FINANCIAL IMPACT

If the City Council approves the final plat, the newly created lots will be developed with residential uses which will increase tax revenues for the City.

RECOMMENDATION

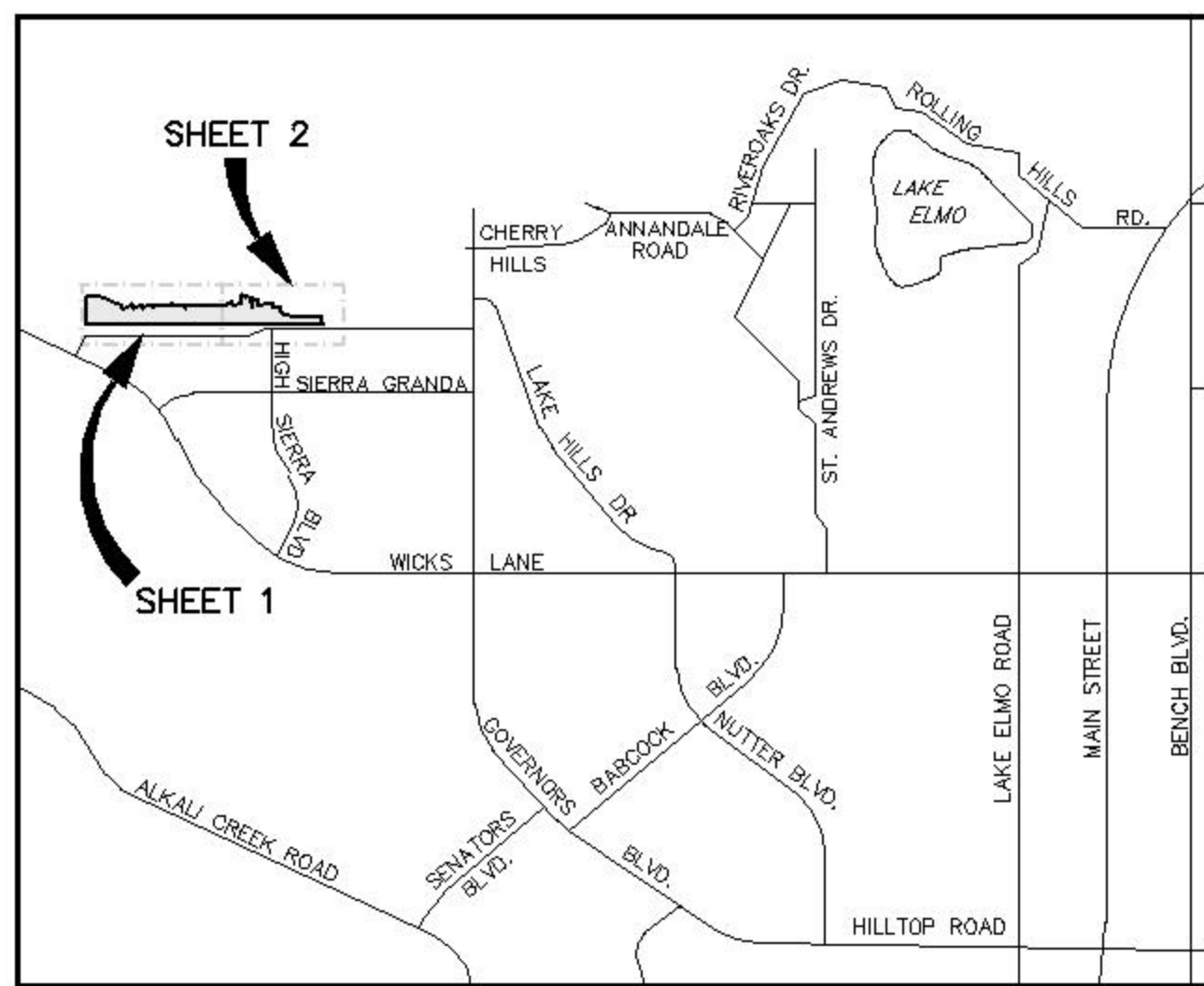
Staff recommends that the City Council approve the final plat of High Sierra Subdivision, 5th Filing.

APPROVED BY CITY ADMINISTRATOR

Attachments

Final Plat sheet 1

Final Plat sheet 2



VICINITY MAP
NOT TO SCALE

PLAT OF HIGH SIERRA SUBDIVISION, 5th FILING

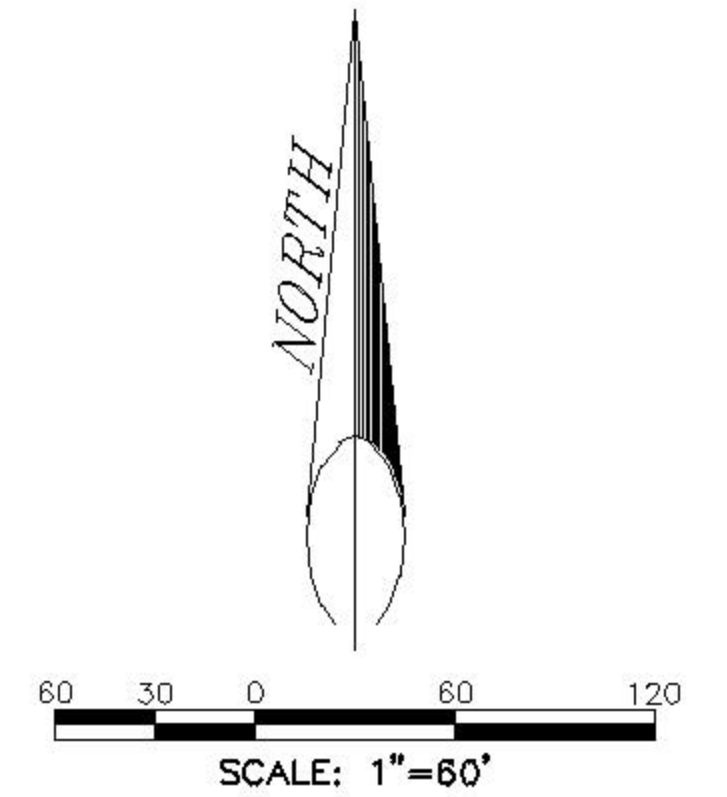
BEING LOT 1, BLOCK 1 OF MARISELA SUBDIVISION
SITUATED IN THE NE1/4 & NW1/4 OF SECTION 17, T. 1 N., R. 26 E., P.M.M.,
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : HIGH SIERRA II INC.

JUNE, 2012

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA



BASIS OF BEARING: PLAT OF MARISELA SUBDIVISION

- FOUND SURVEY MONUMENT, AS NOTED
- SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART"
- SET INTERSECTION MONUMENT, 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART BILLINGS MT". WILL BE REPLACED WITH BRASS CAP MONUMENT BOX UPON COMPLETION OF STREET IMPROVEMENTS.

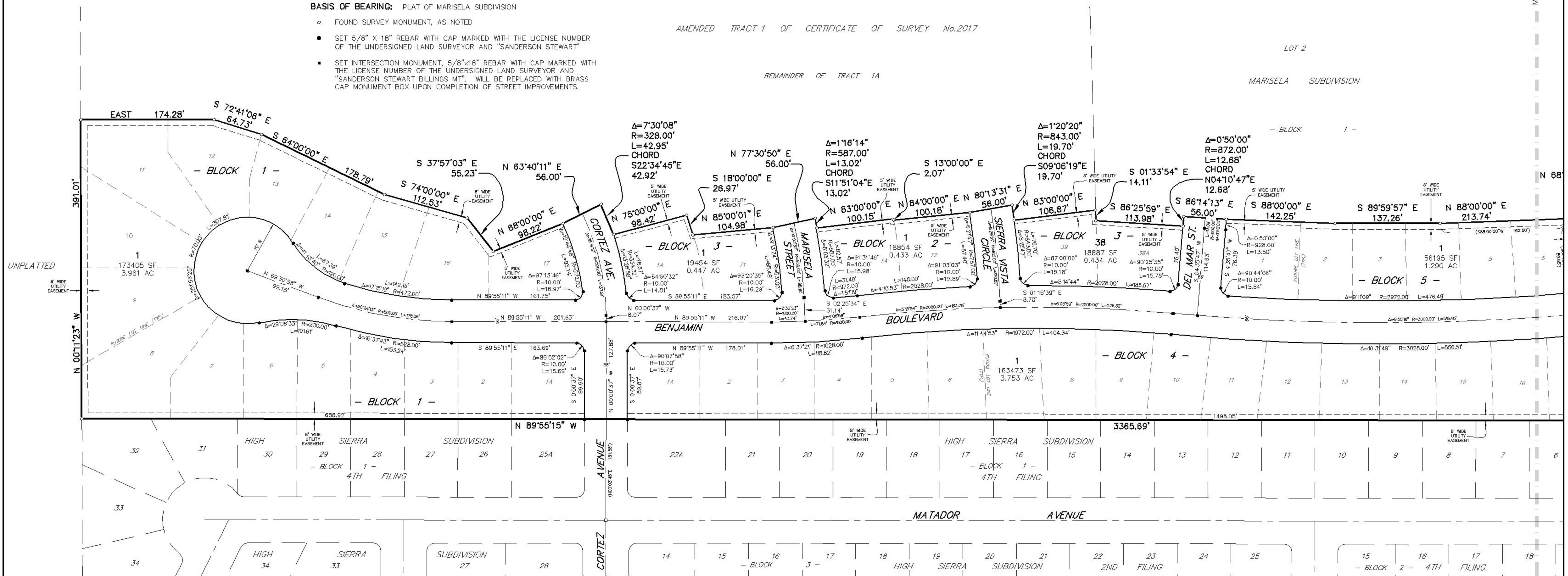
AMENDED TRACT 1 OF CERTIFICATE OF SURVEY No.2017

REMAINDER OF TRACT 1A

LOT 2

MARISELA SUBDIVISION

- BLOCK 1 -



PLAT OF
HIGH SIERRA SUBDIVISION, 5th FILING

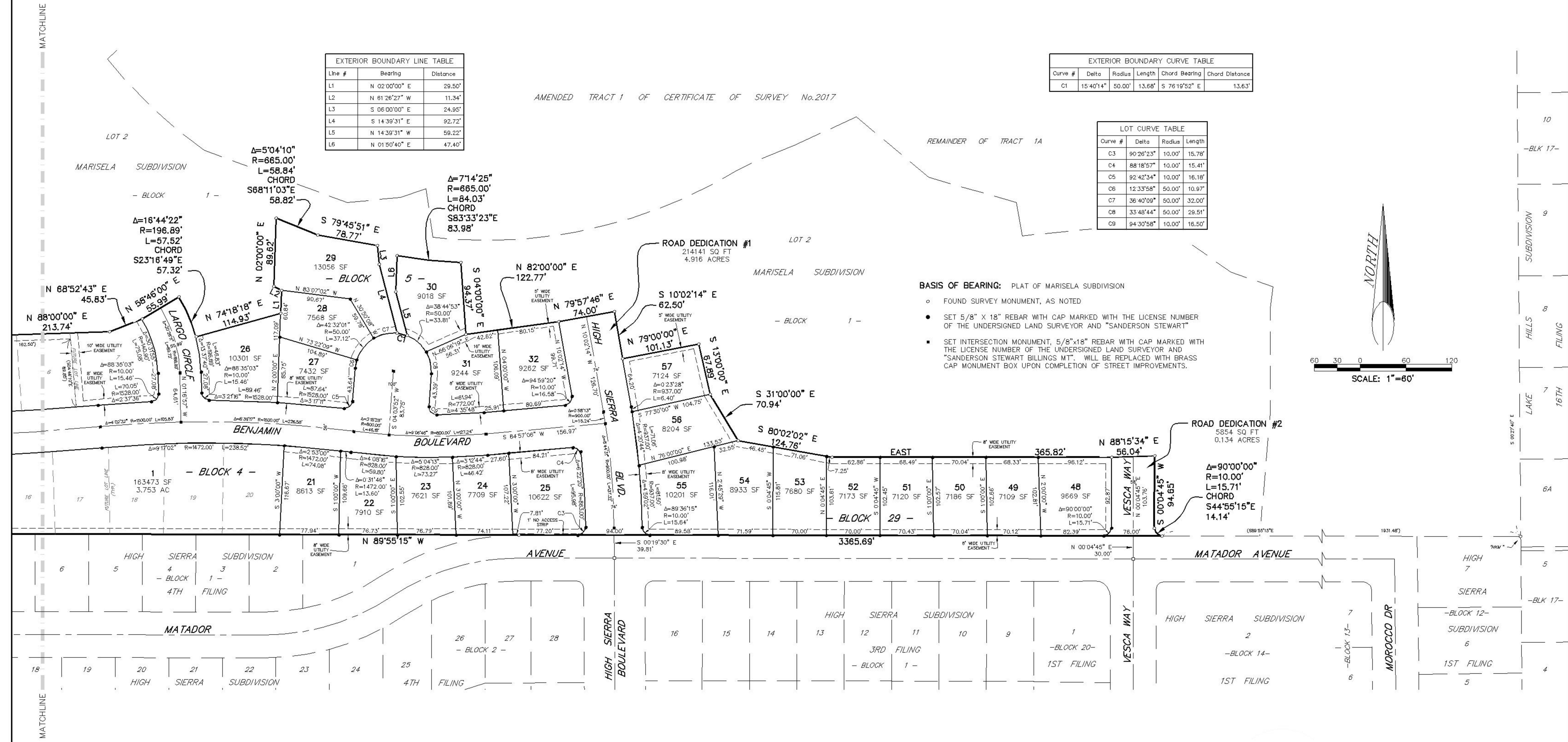
BEING LOT 1, BLOCK 1 OF MARISELA SUBDIVISION
SITUATED IN THE NE1/4 & NW1/4 OF SECTION 17, T. 1 N., R. 26 E., P.M.M.,
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : HIGH SIERRA II INC.

JUNE, 2012

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA

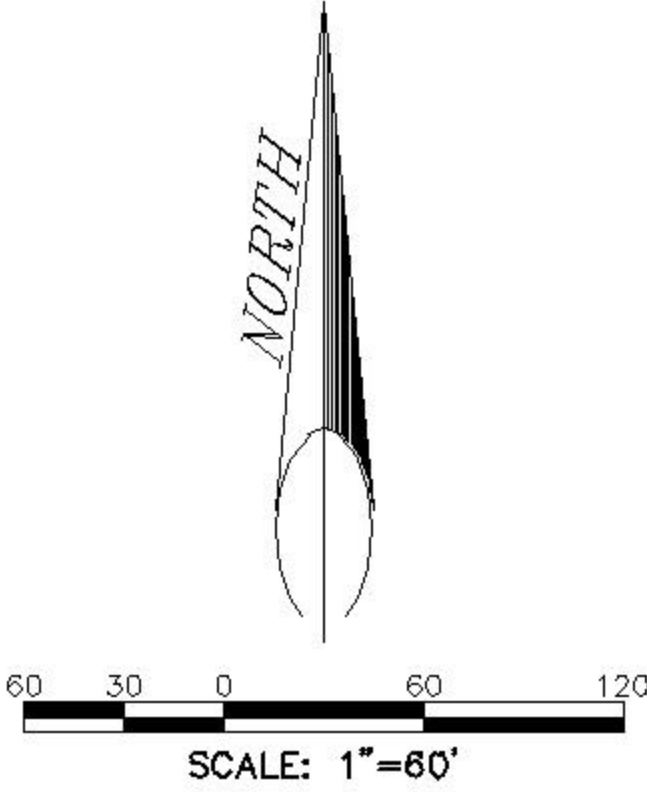


EXTERIOR BOUNDARY LINE TABLE		
Line #	Bearing	Distance
L1	N 02°00'00" E	29.50'
L2	N 61°26'27" W	11.34'
L3	S 06°00'00" E	24.95'
L4	S 14°39'31" E	92.72'
L5	N 14°39'31" W	59.22'
L6	N 01°50'40" E	47.40'

EXTERIOR BOUNDARY CURVE TABLE					
Curve #	Delta	Radius	Length	Chord Bearing	Chord Distance
C1	15°40'14"	50.00'	13.68'	S 76°19'52" E	13.63'

LOT CURVE TABLE			
Curve #	Delta	Radius	Length
C3	90°26'23"	10.00'	15.78'
C4	88°18'57"	10.00'	15.41'
C5	92°42'34"	10.00'	16.18'
C6	12°33'58"	50.00'	10.97'
C7	36°40'09"	50.00'	32.00'
C8	33°48'44"	50.00'	29.51'
C9	94°30'58"	10.00'	16.50'

- BASIS OF BEARING:** PLAT OF MARISELA SUBDIVISION
- FOUND SURVEY MONUMENT, AS NOTED
 - SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART"
 - SET INTERSECTION MONUMENT, 5/8"x18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART BILLINGS MT". WILL BE REPLACED WITH BRASS CAP MONUMENT BOX UPON COMPLETION OF STREET IMPROVEMENTS.



Consent **1. X. 1.**

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Payment of Claims August 07, 2012.

PRESENTED BY: Pat M. Weber, Finance Director

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$1,055,984.88 have been audited and are presented for your approval for payment. A complete listing of the claims dated August 07, 2012 is available in the Finance Department.

ALTERNATIVES ANALYZED

No other alternatives were analyzed.

FINANCIAL IMPACT

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

RECOMMENDATION

Staff recommends that Council approve the Payment of Claims.

APPROVED BY CITY ADMINISTRATOR

Attachments

List of claims greater than \$2500.

AP Report > \$2,500 for 8/07/2012

Check Date	Check	Name	Amount	Account	Item Desc
08/07/2012	757939	A-1 Landscaping & Nursery	4,904.82	2050-31310-409310	WO0911 Rimrock Rd 17th to Rehberg
08/07/2012	757943	Action Electric	34,105.48	5130-84910-409390	WO 10-29 WWTP WEST MECHAN ICAL MCC
08/07/2012	757944	Active Transportation Alternatives	5,667.00	2400-43010-403560	AltModes July 2012
08/07/2012	757952	Archie Cochrane	644.97	1500-21120-402320	5082304
08/07/2012	757952	Archie Cochrane	4,841.80	6300-17530-407310	Inv. #816080-1 BPD #1562 #2012-068
08/07/2012	757952	Archie Cochrane	-100.00	1500-21120-402320	5082311
08/07/2012	757952	Archie Cochrane	4,227.19	6300-17530-407310	Inv. #814808-1 & 814853-1 BPD #1455 #2012-036
08/07/2012	757952	Archie Cochrane	12.77	5410-31230-402320	5082780
08/07/2012	757960	Billings Depot Inc	5,166.66	6600-31100-405311	depot rent
08/07/2012	757960	Billings Depot Inc	7,750.01	6700-31410-405311	depot rent
08/07/2012	757968	Cmg Construction, Inc.	9,832.60	8450-31860-409310	WO 04-12 PHASE 3 ALKALI CREEK ROAD
08/07/2012	757972	CWA Consulting Services LLC	5,525.00	5120-82110-403590	Rewrite Chapter 26 Article 26-600 "Industrial Waste Discharge"
08/07/2012	757974	Datacomm, Inc	1,824.00	5610-71130-403655	Invoice #12089. Service work to install fiber to gate 29 in order to replace the phone modem for improved communications with the security access control system
08/07/2012	757974	Datacomm, Inc	1,022.00	5610-71130-403660	Invoice #12090. Repairs to gate 14 caused by EJC employee backing into control box
08/07/2012	757978	Dixie Petro-Chem	2,752.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290135
08/07/2012	757978	Dixie Petro-Chem	2,752.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290171
08/07/2012	757979	Dowl Hkm	16,007.21	8450-31860-409310	WO 09-20 Rimrck Rd Forsythia Blvd to Shiloh Rd; Amend#1 apprvd 03-23-12
08/07/2012	757984	Energy Repair Service Inc	2,951.28	5120-84000-402450	Blower inspection
08/07/2012	757991	General Contractors Construction Company Inc	30,136.59	4070-71280-409290	Invoice #2. Renovation of the Screening Lobby for Billings Logan International Airport.
08/07/2012	757993	Gillig Corporation	241.44	6010-00000-141714	4829342 PO NUM 290202
08/07/2012	757993	Gillig Corporation	1,010.48	6010-00000-141714	4830553 PO NUM 290195
08/07/2012	757993	Gillig Corporation	19.92	5710-71440-402320	4831173
08/07/2012	757993	Gillig Corporation	676.00	6010-00000-141714	4829858 PO NUM 290202

08/07/2012	757993	Gillig Corporation	104.85	6010-00000-141714	4831173 PO NUM 290196
08/07/2012	757993	Gillig Corporation	990.00	6010-00000-141714	4830163 PO NUM 290202
08/07/2012	757997	Great West Engineering	3,180.65	5440-31230-409390	WO 11-19 Landfill Phase 5 Expansion
08/07/2012	757998	Hanson Chemical	62.26	1500-22260-402240	267132-1: DISH SOAP (BACKORDERED FROM ORIGINAL DELIVERY)
08/07/2012	757998	Hanson Chemical	12.00	5120-85000-402410	supplies
08/07/2012	757998	Hanson Chemical	1,489.32	1500-22260-402240	267132: FIRE STATION SUPPLIES - PAPER TOWELS, TOILET TISSUE, CLEANER, DISH SOAP, ETC.
08/07/2012	757998	Hanson Chemical	1,795.00	2110-31320-404710	orange tough degreaser for cleaning asphalt out of trucks
08/07/2012	757998	Hanson Chemical	165.63	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290160
08/07/2012	757998	Hanson Chemical	18.00	5020-75000-402410	supplies
08/07/2012	757998	Hanson Chemical	18.22	6600-31100-402450	supplies
08/07/2012	757998	Hanson Chemical	27.35	6700-31410-402450	supplies
08/07/2012	758001	Hawkins Water Treatment Group Inc	3,182.00	0100-51260-402290	Pool chemicals for Rose Park. Subtracted off \$175.00 for the return of several drums. I subtracted the credit off this invoice.
08/07/2012	758002	Hdr Inc	4,021.20	4160-74930-409340	WO 09-28 Wtr Treatment Plant Backup Power Phs II Amend#2 \$82,400 approved by CC 10/24/11
08/07/2012	758002	Hdr Inc	14,685.70	5030-75910-409340	WO 10-12 WTP LOW SRVC PUM P STATION #1
08/07/2012	758002	Hdr Inc	2,240.59	5130-84910-409390	WO 10-29 WWTP WEST MECHANICAL MCC; CO#1 Apprvd by 04/23/12
08/07/2012	758002	Hdr Inc	4,326.50	5030-74910-409390	WO 11-08 WTP 2011 TRANSFER PUMP
08/07/2012	758002	Hdr Inc	8,135.78	5030-74910-409390	WO 11-11 WTF Rapid Mixer
08/07/2012	758002	Hdr Inc	25,755.80	4160-74930-409340	WO 09-19 Zone 3 East Fox Reservoir
08/07/2012	758006	IBM Corporation	2,819.08	6200-19110-405370	VMware vSphere 5 Enterprise for 1 processor License and 1 year sub
08/07/2012	758010	Interstate Powersystems	14,201.40	5410-31230-402320	R007019642.01
08/07/2012	758010	Interstate Powersystems	267.77	5410-31220-402320	22774.01
08/07/2012	758010	Interstate Powersystems	72.87	5710-71440-402320	22867.01
08/07/2012	758012	J & J Concrete	20,669.62	8400-31840-409310	WO1202 Misc Developer
08/07/2012	758012	J & J Concrete	49,220.49	2050-31310-409310	WO1202 Misc Developer; Fund Correction 6/29/12

08/07/2012	758012	J & J Concrete	24,813.38	4420-31650-409311	WO1202 Misc Developer
08/07/2012	758014	Knife River	1,816.65	2110-31320-404710	asphalt
08/07/2012	758014	Knife River	3,516.70	2110-31320-404710	asphalt
08/07/2012	758014	Knife River	100.00	5030-75910-409340	Dump Fee
08/07/2012	758038	Normont Equipment Company	1,436.85	2110-31320-402320	wire and brooms for sweepers
08/07/2012	758038	Normont Equipment Company	910.00	2110-31320-402320	gutter wire
08/07/2012	758038	Normont Equipment Company	572.00	2110-31320-402420	star mate anchors for telspar signs
08/07/2012	758040	Northwestern Energy	22.75	5710-71480-403410	07127640
08/07/2012	758040	Northwestern Energy	35.23	5610-71170-403410	1341288-7. July 12 Old National/Alamo Car Wash
08/07/2012	758040	Northwestern Energy	1,831.16	5120-83140-403410	2251 Belknap
08/07/2012	758040	Northwestern Energy	1,677.56	5610-71130-403410	0100483-7. July 12 Airport Runway Lights
08/07/2012	758040	Northwestern Energy	296.50	1500-22210-403410	07208408
08/07/2012	758040	Northwestern Energy	2,024.76	5610-71130-403410	0100484-8. July 12 Airport ARFF Facility
08/07/2012	758040	Northwestern Energy	2,581.44	5020-74000-403410	07222524
08/07/2012	758040	Northwestern Energy	6,317.46	5020-74000-403410	07230436
08/07/2012	758040	Northwestern Energy	1,475.08	5610-71190-403410	1993430-6. July 12 QTA Car Wash
08/07/2012	758040	Northwestern Energy	355.06	5610-71190-403410	2001846-1. July 12 QTA Mud Wash
08/07/2012	758040	Northwestern Energy	91.23	0100-51220-403410	07126832
08/07/2012	758040	Northwestern Energy	7.26	5610-71170-403410	1341289-5. July 12 Old Thrifty Car Wash
08/07/2012	758040	Northwestern Energy	13.95	0100-51410-403410	16352890
08/07/2012	758040	Northwestern Energy	5,493.47	5020-73140-403410	2251 Belknap
08/07/2012	758040	Northwestern Energy	105.46	0100-51410-403410	07125396
08/07/2012	758040	Northwestern Energy	73.44	0100-51120-403410	09208018
08/07/2012	758040	Northwestern Energy	1,081.94	0100-51120-403410	11607801
08/07/2012	758040	Northwestern Energy	7.15	5610-71170-403410	1341291-1. July 12 Old Enterprise Car Wash
08/07/2012	758040	Northwestern Energy	432.63	1500-21150-403410	19841550
08/07/2012	758040	Northwestern Energy	109,869.40	5020-74000-403410	2251 Belknap
08/07/2012	758040	Northwestern Energy	6,167.43	5020-74000-403410	3116 17th St West
08/07/2012	758040	Northwestern Energy	1,598.02	0100-51270-403410	Monthly electrical charges for the Community Center and PRPL offices.
08/07/2012	758040	Northwestern Energy	411.50	1500-22210-403410	FIRE 6: ELECTRICAL SERVICE - 1601 SAINT ANDREWS - ACCOUNT #0100477-9
08/07/2012	758040	Northwestern Energy	6,167.44	5020-74000-403410	3116 17th St West
08/07/2012	758040	Northwestern Energy	516.76	1500-22210-403410	07125370
08/07/2012	758040	Northwestern Energy	7.15	0100-51120-403410	08317026
08/07/2012	758040	Northwestern Energy	293.51	0100-51120-403410	11412848

08/07/2012	758040	Northwestern Energy	64.50	5610-71170-403410	1264299-7	July 12 utilities Old Hertz car wash
08/07/2012	758040	Northwestern Energy	178.85	5610-71170-403410	1341295-2.	July 12 Big Sky Ground
08/07/2012	758040	Northwestern Energy	200.90	1500-21150-403410	19841501	
08/07/2012	758040	Northwestern Energy	29,298.50	5020-74000-403410	2251	Belknap
08/07/2012	758040	Northwestern Energy	185.15	5610-71190-403410	2001848-7.	July 12 QTA Detail Bay 1 Hertz
08/07/2012	758040	Northwestern Energy	209.55	5610-71190-403410	2001855-2.	July 12 QTA Detail Bay 2 National/Alamo
08/07/2012	758040	Northwestern Energy	114.22	5610-71190-403410	2001862-8.	July 12 QTA Detail Bay 2 Enterprise
08/07/2012	758040	Northwestern Energy	179.35	5610-71190-403410	2001865-1.	July 12 QTA Detail Bay 4 Avis/Budget
08/07/2012	758040	Northwestern Energy	104.04	5610-71190-403410	2001867-7.	July 12 QTA Detail Bay 5 Thrifty/Dollar
08/07/2012	758041	OAC Services Inc	35,709.60	2030-15130-403547		Empire Parking Garage Project Management Services
08/07/2012	758047	Public Utilities	181.98	8720-51980-403420	675778356	
08/07/2012	758047	Public Utilities	126.48	8720-51980-403420	676233865	
08/07/2012	758047	Public Utilities	6,113.95	8720-51980-403420	676497694	
08/07/2012	758047	Public Utilities	12,314.85	8720-51980-403420	676473935	
08/07/2012	758047	Public Utilities	722.21	8720-51980-403420	676454062	
08/07/2012	758047	Public Utilities	12,700.90	8720-51980-403420	676433910	
08/07/2012	758047	Public Utilities	12.17	8720-51980-403420	676413853	
08/07/2012	758047	Public Utilities	2,207.82	8720-51980-403420	676393901	
08/07/2012	758047	Public Utilities	792.42	8720-51980-403420	676594010	
08/07/2012	758047	Public Utilities	12.17	8720-51980-403420	676574011	
08/07/2012	758047	Public Utilities	907.10	8720-51980-403420	676614077	
08/07/2012	758047	Public Utilities	5,234.14	8720-51980-403420	676654097	
08/07/2012	758047	Public Utilities	1,942.41	8720-51980-403420	676754063	
08/07/2012	758047	Public Utilities	12,825.87	5610-71100-403420	68407759	
08/07/2012	758047	Public Utilities	135.00	8720-51980-403420	676554066	
08/07/2012	758047	Public Utilities	295.38	8720-51980-403420	676533868	
08/07/2012	758047	Public Utilities	3,611.36	8720-51980-403420	676513943	
08/07/2012	758047	Public Utilities	2,959.90	8720-51980-403420	8992912649100	
08/07/2012	758047	Public Utilities	271.25	8720-51980-403420	899739343	
08/07/2012	758047	Public Utilities	2,063.05	8720-51980-403420	904059154	
08/07/2012	758047	Public Utilities	1,335.30	8720-51980-403420	10697714654	
08/07/2012	758047	Public Utilities	5,662.24	8720-51980-403420	1142018810	

08/07/2012	758047	Public Utilities	62.62	8720-51980-403420	11460717358
08/07/2012	758047	Public Utilities	1,170.31	8720-51980-403420	12051919090
08/07/2012	758047	Public Utilities	440.15	8720-51980-403420	13264320441
08/07/2012	758047	Public Utilities	11.49	5120-85000-403420	13670319854
08/07/2012	758050	Qwest Communications	63.44	6060-19310-403450	Qwest 406-248-3329 Airport Measured Lines 406-248-3329 406-248-9989
08/07/2012	758050	Qwest Communications	46.54	5710-71410-403450	Qwest 406-254-7038 MET Transit
08/07/2012	758050	Qwest Communications	7,301.22	2250-22320-403450	Qwest 406-255-9700 E911
08/07/2012	758050	Qwest Communications	45.25	1500-22250-403450	Qwest 406-655-0728 Fire Maintenance Shop
08/07/2012	758050	Qwest Communications	66.33	6060-19310-403450	Qwest 406-248-9124 Met Measured Lines 406-248-9124 406-248-9179
08/07/2012	758050	Qwest Communications	56.15	5410-31230-403450	Qwest 406-245-7193 Solid Waste Landfill
08/07/2012	758050	Qwest Communications	96.41	5410-31230-403450	Qwest 406-245-9820 Solid Waste Landfill
08/07/2012	758050	Qwest Communications	30.75	2110-31320-403450	Qwest 406-245-9906 PW Traffic Signal 4th 27
08/07/2012	758050	Qwest Communications	45.37	5610-71100-403450	Qwest 406-248-3068 Airport Ind Park Gate 9
08/07/2012	758050	Qwest Communications	46.66	5710-71470-403450	Qwest 406-245-1789 Transit STS
08/07/2012	758050	Qwest Communications	30.75	5610-71100-403450	Qwest 406-245-1044 Airport Terminal Power M
08/07/2012	758055	Riverstone Health	11,250.00	0100-14110-403931	Air Pollution Control Program July - September 2012
08/07/2012	758066	Star Service Inc	10,230.64	4160-74930-409220	WO 04-26 ZONE 4 RESERVOIR
08/07/2012	758066	Star Service Inc	41,494.88	4160-74930-409220	WO 04-26 ZONE 4 RESERVOIR PHASE 2;CO# 9 APPRVD 09/23/11; CO#10 APPRVD 01/20/12
08/07/2012	758073	Terracon	6.71	2360-43700-409370	Broadwater Trail Connection
08/07/2012	758073	Terracon	6.71	2360-43700-409370	WO1210 Broadwater Trail Connection
08/07/2012	758073	Terracon	21.47	2360-43700-409370	WO1210 Broadwater Trail Connection
08/07/2012	758073	Terracon	5.03	2360-43700-409370	WO1210 Broadwater Trl Connection
08/07/2012	758073	Terracon	43.29	2100-51510-409390	WO1210 Broadwater Trail Connection
08/07/2012	758073	Terracon	43.29	2100-51510-409390	WO1210 Broadwater Trail Connection
08/07/2012	758073	Terracon	32.47	2100-51510-409390	WO1210 Broadwater Trl Connection
08/07/2012	758073	Terracon	138.53	2100-51510-409390	WO1210 Broadwater Trl Connection
08/07/2012	758073	Terracon	420.00	2050-31310-409310	WO1027 Central Ave Widening
08/07/2012	758073	Terracon	915.00	2050-31310-409310	WO1027 Central Avenue Widening
08/07/2012	758073	Terracon	112.50	4420-31650-409311	WO1202 Misc Developer
08/07/2012	758073	Terracon	190.00	8400-31840-409310	WO1202 Misc Developer
08/07/2012	758073	Terracon	330.00	4420-31650-409311	WO1202 Misc Developer
08/07/2012	758073	Terracon	330.00	2050-31310-409310	WO1202 Misc Developer

08/07/2012	758073	Terracon	490.00	2050-31310-409310	WO1202 Misc Developer
08/07/2012	758075	Tetra Tech, Inc.	9,431.35	5410-31230-403590	year 2 of contract for landfill monitoring
08/07/2012	758078	Town & Country Supply Association	20,880.30	6010-00000-141000	95094 PO NUM 290213
08/07/2012	758078	Town & Country Supply Association	907.98	1500-22310-402310	97119: FIRE5 DIESEL FUEL (313 GALLONS) DELIVERED ON 7/19/2012
08/07/2012	758078	Town & Country Supply Association	6,436.80	6010-00000-141714	98151 PO NUM 290185
08/07/2012	758078	Town & Country Supply Association	403.68	1500-22260-402310	97120: FIRE 1 UNLEADED FUEL (130 GALLONS) DELIVERED ON 7/19/2012
08/07/2012	758078	Town & Country Supply Association	11,280.49	6010-00000-141000	97499 PO NUM 290213
08/07/2012	758078	Town & Country Supply Association	529.71	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290173
08/07/2012	758078	Town & Country Supply Association	501.48	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290175
08/07/2012	758078	Town & Country Supply Association	900.42	0100-51420-402310	T&C 97316 72512 300diesel 900.42
08/07/2012	758078	Town & Country Supply Association	26,349.26	5610-71180-402313	Invoice #95102, QTA Car Rental Fuel
08/07/2012	758078	Town & Country Supply Association	21,026.31	6010-00000-141714	96646 PO NUM 290185
08/07/2012	758078	Town & Country Supply Association	841.26	1500-22310-402310	97117: FIRE 6 - DIESEL FUEL (290 GALLONS) DELIVERED ON 7/19/2012
08/07/2012	758078	Town & Country Supply Association	12,008.60	6010-00000-141000	98163 PO NUM 290212
08/07/2012	758079	Tractor & Equipment	245.01	5410-31230-403620	misc parts for landfill
08/07/2012	758079	Tractor & Equipment	1,588.62	5410-31230-402320	parts for landfill
08/07/2012	758079	Tractor & Equipment	797.63	5410-31220-402320	BLW00132253
08/07/2012	758079	Tractor & Equipment	363.58	5410-31220-402320	BLW00132260
08/07/2012	758079	Tractor & Equipment	373.12	5410-31220-402320	BLW00132254
08/07/2012	758080	U.S. Bank	237.80	1500-21120-402442	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	5.90	5710-71430-402450	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	30.18	5020-74000-402450	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	164.85	2110-31320-402630	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	99.30	0100-12200-401170	PCard Transaction Description: EATING/DRINKING
08/07/2012	758080	U.S. Bank	59.00	1500-21120-402440	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	19.56	8720-51980-403650	PCard Transaction Description: BUSINESS EXPENS

08/07/2012	758080	U.S. Bank	18.00	2510-21870-403822	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	31.24	2110-31320-403410	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	162.16	1500-21120-402120	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	1,288.50	5610-71130-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	22.11	8720-51980-403650	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	61.60	1500-21400-403822	PCard Transaction Description: HOTELS
08/07/2012	758080	U.S. Bank	244.98	5710-71470-402190	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	-19.76	5610-71100-408199	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	52.84	6600-31100-403824	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	39.78	2970-65010-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	191.58	1500-21500-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	371.91	1500-21150-402279	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	141.98	5710-71410-402190	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	543.30	0100-51270-402450	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	1,790.00	5610-71100-403824	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	10.97	2600-55190-403225	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	219.80	6500-15660-402210	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	78.97	5610-71130-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	864.19	2490-21960-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	52.18	5610-71130-403653	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	171.07	1500-21500-402190	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	16.53	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	31.07	1500-21500-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	14.98	2090-44510-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	304.38	1500-21500-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	79.02	1500-21500-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	297.68	1500-21700-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	12.94	2600-55190-403226	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	83.68	5610-71130-402320	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	9.94	2600-55190-403226	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	21.00	0100-51270-402190	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	44.97	2600-55190-403336	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	15.00	5610-71130-402390	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	1,544.68	6500-15660-403660	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	48.55	2600-55190-403227	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	252.00	0100-51270-402450	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	59.49	2600-55190-403226	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	97.43	6500-15670-403690	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	70.12	2600-55190-403225	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	210.00	1500-21700-403210	PCard Transaction Description: OFFICE SERVICES

08/07/2012	758080	U.S. Bank	64.87	2600-55190-403222	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	19.86	2600-55190-403226	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	10.00	0100-51120-402390	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	299.90	0100-51270-402450	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	16.63	2600-55190-403227	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	-42.93	2600-55190-403225	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	78.00	2600-55120-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	42.93	2600-55190-403225	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	40.61	0100-51270-402450	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	6.65	2600-55190-403225	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	1,500.00	1500-21120-402440	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	47.30	2600-55190-403227	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	134.85	5210-15210-408199	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	7.99	2600-55190-403227	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	129.00	0100-51120-402330	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	7.99	2600-55190-403222	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	56.70	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	158.13	2600-55190-403225	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	44.85	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	56.88	2600-55190-403336	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	536.00	6500-15660-402450	PCard Transaction Description: OTHER

08/07/2012	758080	U.S. Bank	57.00	1500-21700-403210	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	6.47	2600-55190-403227	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	524.00	1500-21700-403210	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	18.23	2600-55190-403225	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	21.47	2600-55190-403225	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	39.21	2110-31320-402380	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	6.11	2600-55190-403227	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	617.58	6500-15660-402240	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	19.76	2600-55190-403225	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	325.36	6500-15670-402240	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	567.00	1500-21720-402260	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	6.93	2600-55190-403227	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	260.00	1500-21150-402290	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	18.55	2600-55190-403225	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	106.00	1500-21120-402261	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	6.99	2600-55190-403226	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	6.95	2600-55190-403336	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	328.86	5610-71130-403653	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	6.48	2600-55190-403225	PCard Transaction Description: OFFICE SUPPLIES

08/07/2012	758080	U.S. Bank	721.54	2600-55160-402190	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	12.95	2600-55190-403227	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	9.00	6500-15650-402310	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	-294.94	1500-21700-403210	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	57.38	2600-55190-403225	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	294.94	1500-21700-403210	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	22.08	2600-55190-403225	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	207.42	1500-21700-403210	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	14.00	2600-55190-403227	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	18.39	2600-55190-403243	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	50.75	5610-71120-402450	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	33.52	2600-55190-403222	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	223.91	5020-73140-403650	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	887.84	2760-67500-407230	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	74.64	5120-83140-403650	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	33.44	2600-55190-403225	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	41.98	6500-15660-402210	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	159.00	5610-71100-403390	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	11.90	2600-55190-403241	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	189.00	5410-31210-403350	PCard Transaction Description: BUSINESS EXPENS

08/07/2012	758080	U.S. Bank	6.71	2600-55190-403222	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	25.00	5410-31220-402320	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	33.97	2600-55190-403225	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	9.99	2600-55190-403333	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	95.00	1500-21110-403170	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	39.05	1500-22260-402450	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	201.55	6500-15660-402240	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	65.00	0100-51120-402260	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	44.17	6500-15660-402240	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	16.99	2600-55190-403226	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	100.19	0100-51220-402250	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	15.00	2600-55190-403227	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	395.00	2600-55120-402240	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	47.82	2760-67500-407230	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	102.92	0100-51270-402450	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	47.82	2760-67500-407230	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	699.04	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	263.01	2760-67500-407230	PCard Transaction Description: OFFICE SUPPLIES

08/07/2012	758080	U.S. Bank	58.85	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	454.31	2920-65010-408199	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	8.95	5610-71120-402450	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	102.00	2090-44510-403350	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	113.50	5020-77000-402280	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	2,216.00	5610-71100-403210	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	88.53	2110-31320-402420	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	495.00	0100-51140-403823	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	14.34	0100-51120-403690	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	218.60	0100-15120-403824	PCard Transaction Description: HOTELS
08/07/2012	758080	U.S. Bank	15.00	0100-51120-402390	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	218.60	0100-15120-403822	PCard Transaction Description: HOTELS
08/07/2012	758080	U.S. Bank	74.47	0100-51420-402390	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	264.00	5410-31230-402630	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	1,277.00	2400-43010-403240	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	7.98	0100-51120-402330	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	31.63	5210-15920-403650	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	5.99	0100-51120-402290	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	31.63	5210-15930-403650	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	40.00	1500-21150-402285	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	31.64	5210-15940-403650	PCard Transaction Description: WHOLESALE TRADE

08/07/2012	758080	U.S. Bank	144.00	0100-51290-403990	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	31.98	2400-43010-408199	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	66.12	0100-51120-402330	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	86.75	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	16.99	1500-22230-402610	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	870.00	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	83.39	2510-21870-403822	PCard Transaction Description: HOTELS
08/07/2012	758080	U.S. Bank	173.71	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	96.80	2600-55190-403225	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	862.00	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	45.00	0100-12530-403575	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	50.39	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	32.40	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	119.79	1500-21120-402220	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	138.38	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	239.60	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	1,101.76	2110-31320-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	1,378.00	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	471.75	6500-15660-403660	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	689.00	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	21.50	1500-21120-402450	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	201.00	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	750.75	6500-15670-403690	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	103.60	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	389.76	6010-15530-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	78.07	8720-51980-403650	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	194.00	1500-21120-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	78.07	8720-51980-403650	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	17.00	5610-71150-402220	PCard Transaction Description: MEDICAL
08/07/2012	758080	U.S. Bank	108.38	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	95.00	2110-31320-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	137.80	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	-2.00	5610-71130-403650	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	28.82	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	132.50	0100-51270-402450	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	236.00	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	25.00	0100-15120-403824	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	35.40	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	16.84	0100-51120-402330	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	5.74	5610-71100-403390	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	29.99	2110-31320-403650	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	249.18	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	57.99	2110-31320-402320	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	438.20	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	8.98	0100-51260-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	47.01	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	140.00	6500-15660-403660	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	33.45	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	62.06	5610-71170-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	204.37	5610-71130-403650	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	55.00	1500-21110-403330	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	27.82	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	16.86	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	26.90	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	99.95	1500-21120-402261	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	7.36	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	16.00	2600-55190-403380	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	122.18	0100-51120-402330	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	21.14	1500-21400-402280	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	31.00	5610-71120-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	80.00	5210-15910-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	780.72	5610-71120-402240	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	10.00	1500-22260-402450	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	28.22	6500-15670-402240	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	243.95	0100-51260-402290	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	94.28	6500-15660-402240	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	84.37	0100-15120-402190	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	206.39	6500-15670-402240	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	56.89	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	97.59	6500-15660-402240	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	45.00	0100-51140-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	60.29	0100-51420-402290	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	183.87	2470-12670-402190	PCard Transaction Description: EATING/DRINKING
08/07/2012	758080	U.S. Bank	49.96	5210-15230-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	77.98	0100-51120-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	166.48	5020-73140-402190	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	55.49	5120-83140-402190	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	59.98	0100-51420-402290	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	119.60	2110-31320-403650	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	9.68	5610-71130-402240	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	89.99	2110-31320-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	14.08	5610-71130-402320	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	56.50	0100-51270-402450	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	7.85	0100-51120-402290	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	10.18	0100-51120-402290	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	600.00	8720-51980-403650	PCard Transaction Description: WHOLESALE TRADE

08/07/2012	758080	U.S. Bank	22.90	6500-15660-402450	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	200.00	8720-51980-403650	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	65.65	0100-11000-402925	PCard Transaction Description: MAIL/TELEPHONE
08/07/2012	758080	U.S. Bank	294.50	1500-21500-403210	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	416.76	6200-19110-405370	PCard Transaction Description: MAIL/TELEPHONE
08/07/2012	758080	U.S. Bank	167.65	1500-21700-403210	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	134.00	5410-31220-403822	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	99.00	6200-19110-405370	PCard Transaction Description: MAIL/TELEPHONE
08/07/2012	758080	U.S. Bank	134.00	5410-31220-403822	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	84.62	1500-21400-403822	PCard Transaction Description: EATING/DRINKING
08/07/2012	758080	U.S. Bank	31.90	5410-31220-403822	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	229.28	1500-21120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	16.05	2950-66980-407275	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	940.53	6500-15670-402240	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	321.18	6200-19110-402290	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	12.49	2920-65010-408199	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	495.60	6200-19110-402290	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	128.79	5610-71130-402320	PCard Transaction Description: WHOLESALE TRADE

08/07/2012	758080	U.S. Bank	165.39	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	386.37	5610-71130-402320	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	239.97	5610-71130-403655	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	117.30	5610-71120-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	9.20	0100-51120-403650	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	202.59	5610-71120-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	950.00	1500-21200-403822	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	117.53	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	279.00	5710-71420-403823	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	10.93	0100-51120-402330	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	679.34	1500-21150-402279	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	10.36	5610-71190-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	251.00	2600-55190-403380	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	33.70	5020-77000-402280	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	400.00	5610-71120-402450	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	33.70	8400-31840-402290	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	318.00	6500-15670-403690	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	166.12	5610-71130-402320	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	27.00	5610-71100-403390	PCard Transaction Description: OFFICE SERVICES

08/07/2012	758080	U.S. Bank	8.64	0100-51420-402330	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	543.40	5610-71130-402320	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	803.94	1500-21500-405333	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	469.70	2510-21870-403822	PCard Transaction Description: AIRLINE
08/07/2012	758080	U.S. Bank	240.20	0100-51120-402330	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	469.70	2510-21870-403822	PCard Transaction Description: AIRLINE
08/07/2012	758080	U.S. Bank	11.55	0100-51120-402320	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	375.70	5610-71100-403824	PCard Transaction Description: AIRLINE
08/07/2012	758080	U.S. Bank	227.06	8720-51980-403410	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	375.70	5610-71100-403824	PCard Transaction Description: AIRLINE
08/07/2012	758080	U.S. Bank	173.64	8720-51980-403410	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	25.00	0100-12120-403824	PCard Transaction Description: AIRLINE
08/07/2012	758080	U.S. Bank	91.90	8720-51980-403410	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	25.00	0100-12120-403824	PCard Transaction Description: AIRLINE
08/07/2012	758080	U.S. Bank	28.10	1500-21700-403110	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	171.79	6700-31410-407212	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	1,231.12	1500-21720-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	118.70	0100-16110-403821	PCard Transaction Description: HOTELS
08/07/2012	758080	U.S. Bank	9.98	0100-12530-403575	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	115.00	5610-71150-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	41.00	0100-51410-408199	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	115.00	5610-71150-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	58.95	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	115.00	5610-71150-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	111.30	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	9.20	5710-71430-403660	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	38.80	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	39.72	1500-22290-402640	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	79.15	1500-21120-402290	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	150.75	6500-15670-403690	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	17.98	5410-31220-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	126.57	6500-15660-403660	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	429.98	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	135.31	6500-15660-403660	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	87.84	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	24.50	2600-55110-403290	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	238.94	5610-71130-403653	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	1,177.96	2600-55110-403290	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	255.00	5610-71190-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	57.89	0100-51260-402290	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	192.81	0100-15120-403210	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	87.31	5710-71460-403210	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	39.81	0100-51120-402260	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	42.39	2510-21870-403822	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	100.44	5610-71120-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	47.91	0100-51120-402260	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	260.00	8720-51980-403650	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	21.91	6700-31410-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	638.20	5610-71150-402220	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	260.00	2400-43010-403824	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	55.69	0100-51260-402230	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	260.00	2400-43010-403824	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	14.62	0100-51260-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	260.00	2400-43010-403824	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	23.98	5210-15220-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	454.42	6200-19110-405370	PCard Transaction Description: MAIL/TELEPHONE
08/07/2012	758080	U.S. Bank	260.00	2400-43010-403824	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	473.13	6200-19110-405370	PCard Transaction Description: MAIL/TELEPHONE
08/07/2012	758080	U.S. Bank	260.00	2400-43010-403824	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	260.00	2400-43010-403824	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	1,505.00	2110-31320-402430	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	24.98	7090-21910-402631	PCard Transaction Description: EATING/DRINKING
08/07/2012	758080	U.S. Bank	260.00	2400-43010-403824	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	62.00	7090-21910-402631	PCard Transaction Description: EATING/DRINKING
08/07/2012	758080	U.S. Bank	46.59	2510-21870-403822	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	1,330.00	5610-71150-402440	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	48.40	5410-31230-403822	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	160.00	5610-71120-403660	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	4.79	5120-83140-402450	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	10.92	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	30.43	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	20.98	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	93.22	0100-51260-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	393.50	1500-21400-403822	PCard Transaction Description: AIRLINE
08/07/2012	758080	U.S. Bank	38.41	0100-51120-403110	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	49.40	5020-75000-402190	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	8.45	5210-15210-403210	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	32.94	5120-85000-402190	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	14.73	0100-51140-402290	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	79.78	5020-75000-402190	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	40.49	0100-12530-403575	PCard Transaction Description: OFFICE SERVICES

08/07/2012	758080	U.S. Bank	53.18	5120-85000-402190	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	241.84	5610-71170-402450	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	84.46	5210-15920-402260	PCard Transaction Description: MAIL/TELEPHONE
08/07/2012	758080	U.S. Bank	31.90	2920-65010-408199	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	87.60	0100-51120-402290	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	56.96	0100-12530-403575	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	60.56	1500-21150-402975	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	95.74	5610-71120-402450	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	143.75	2600-55180-403690	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	755.56	5610-71130-403653	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	22.50	2600-55180-403690	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	12.99	2510-21870-402190	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	309.30	0100-51120-402120	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	526.37	0100-51120-403650	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	6.80	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	39.66	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	28.00	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	134.88	6500-15660-402360	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	9.61	6060-19310-402122	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	16.99	0100-51120-403690	PCard Transaction Description: WHOLESALE TRADE

08/07/2012	758080	U.S. Bank	10.79	5210-15220-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	153.28	6500-15660-402240	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	10.79	5210-15230-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	615.33	2600-55120-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	16.98	0100-51120-402410	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	418.79	2600-55120-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	17.37	5410-31220-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	81.95	0100-51260-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	26.98	0100-51120-402410	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	276.82	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	175.00	0100-51120-403990	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	44.64	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	227.40	5610-71100-403110	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	19.46	5610-71120-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	580.23	0100-51120-402330	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	2,454.25	5610-71130-403650	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	12.95	0100-12530-403575	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	39.00	0100-51260-402230	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	149.99	2400-43010-402190	PCard Transaction Description: MAIL/TELEPHONE

08/07/2012	758080	U.S. Bank	65.00	0100-51290-402230	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	474.70	1500-21200-403822	PCard Transaction Description: AIRLINE
08/07/2012	758080	U.S. Bank	139.03	2510-21870-403822	PCard Transaction Description: HOTELS
08/07/2012	758080	U.S. Bank	1,069.15	1500-21400-403822	PCard Transaction Description: HOTELS
08/07/2012	758080	U.S. Bank	121.64	1500-21120-402220	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	240.00	1500-22290-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	1,087.97	0100-51140-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	44.94	5610-71190-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	245.93	0100-51120-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	118.94	1500-21120-402441	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	253.37	0100-51210-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	104.94	1500-21120-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	245.92	0100-51100-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	85.00	5610-71120-402450	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	379.98	1500-21500-402120	PCard Transaction Description: MAIL/TELEPHONE
08/07/2012	758080	U.S. Bank	399.96	1500-21500-402120	PCard Transaction Description: MAIL/TELEPHONE
08/07/2012	758080	U.S. Bank	79.00	6010-15500-402120	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	-89.99	2400-43010-402925	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	1,926.60	6200-19110-405370	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	89.99	2400-43010-402925	PCard Transaction Description: OFFICE SUPPLIES

08/07/2012	758080	U.S. Bank	392.12	5410-31220-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	17.99	5410-31210-402190	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	34.20	2600-55190-403380	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	2,357.40	5610-71150-402481	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	79.96	1500-21500-402120	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	464.98	1500-21500-402120	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	164.82	5610-71130-402320	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	70.00	2090-44510-403821	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	146.25	1500-21500-402120	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	225.00	1500-22230-403350	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	277.48	1500-21120-402120	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	186.00	5120-84000-403820	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	19.18	1500-21500-402120	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	208.43	1500-21500-402120	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	597.00	5610-71130-403660	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	88.35	0100-51100-403360	PCard Transaction Description: EATING/DRINKING
08/07/2012	758080	U.S. Bank	81.03	0100-51270-402190	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	21.19	6700-31410-402190	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	95.04	5610-71120-402450	PCard Transaction Description: WHOLESALE TRADE

08/07/2012	758080	U.S. Bank	44.99	0100-51140-402290	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	124.76	0100-51210-408199	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	122.01	1500-22260-402320	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	91.12	0100-51210-408199	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	6.20	2110-31320-403110	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	66.50	0100-51260-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	5.65	0100-51140-402290	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	45.70	0100-51260-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	1,387.50	5020-73140-402450	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	66.50	0100-51260-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	462.50	5120-83140-402450	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	533.08	5610-71120-402240	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	173.50	2600-55120-403660	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	42.96	7090-21910-402631	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	133.00	6500-15660-403660	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	78.02	5020-74100-408199	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	44.00	6500-15670-403690	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	115.78	5020-73110-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	70.00	0100-51290-403990	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	77.19	5120-83110-402120	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	79.43	1500-21720-402260	PCard Transaction Description: MAIL/TELEPHONE
08/07/2012	758080	U.S. Bank	26.40	6700-31410-403660	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	167.44	1500-21120-402261	PCard Transaction Description: MAIL/TELEPHONE
08/07/2012	758080	U.S. Bank	17.60	6600-31100-403660	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	86.87	1500-21120-402261	PCard Transaction Description: MAIL/TELEPHONE
08/07/2012	758080	U.S. Bank	87.00	1500-21110-403574	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	654.00	5610-71120-403660	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	14.85	0100-51260-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	294.00	5610-71170-403660	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	7.44	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	17.70	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	35.98	5020-74000-402450	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	21.99	8720-51980-403650	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	151.78	1500-21120-402120	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	14.36	8720-51980-403650	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	65.16	6500-15660-402360	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	15.55	1500-21120-402443	PCard Transaction Description: AUTO/RV DEALERS
08/07/2012	758080	U.S. Bank	19.58	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE

08/07/2012	758080	U.S. Bank	59.95	1500-21120-402443	PCard Transaction Description: AUTO/RV DEALERS
08/07/2012	758080	U.S. Bank	23.12	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	118.70	1500-21400-403822	PCard Transaction Description: HOTELS
08/07/2012	758080	U.S. Bank	32.05	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	75.25	6600-31100-402230	PCard Transaction Description: EATING/DRINKING
08/07/2012	758080	U.S. Bank	11.99	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	500.00	7750-51830-407249	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	19.19	0100-51410-408199	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	422.00	5610-71120-402450	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	24.99	0100-51410-408199	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	66.63	5610-71120-402450	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	5.18	0100-51410-408199	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	49.99	2400-43010-402925	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	119.98	0100-51410-408199	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	6.99	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	164.69	5610-71130-402410	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	12.00	1500-21120-402120	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	35.97	2110-31320-403650	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	688.04	0100-51120-402330	PCard Transaction Description: BUILDING SERVIC

08/07/2012	758080	U.S. Bank	125.02	2110-31320-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	15.02	5610-71130-402320	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	68.81	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	22.97	0100-51290-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	212.33	0100-51420-402330	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	17.47	0100-51290-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	121.68	6500-15660-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	47.29	6500-15670-402190	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	71.44	0100-51290-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	14.97	0100-51290-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	42.65	0100-12530-403575	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	38.01	5410-31230-403822	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	17.96	0100-51290-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	3.00	1500-21120-402443	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	9.46	0100-51290-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	562.50	6200-19130-405315	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	34.99	6500-15660-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	717.60	2090-44510-402520	PCard Transaction Description: BUSINESS EXPENS

08/07/2012	758080	U.S. Bank	39.98	6500-15660-402210	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	28.34	1500-22260-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	66.93	5210-15950-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	28.38	1500-22260-402450	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	17.49	5210-15920-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	217.00	5610-71140-402290	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	27.91	5210-15920-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	41.67	5120-84000-403820	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	6.99	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	125.00	5120-84000-403820	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	6.27	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	575.00	5020-74000-403820	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	16.19	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	20.00	0100-12530-403575	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	21.99	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	17.96	5410-31220-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	1,039.14	5610-71130-402320	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	54.93	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	2,001.50	5610-71130-402320	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	13.98	0100-51290-402290	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	8.98	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	23.97	0100-51120-402290	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	35.99	2600-55130-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	400.00	6500-15670-403690	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	19.95	6600-31100-403390	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	360.00	6500-15660-403660	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	228.50	1500-21200-407910	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	190.00	0100-51250-403990	PCard Transaction Description: OTHER TRAVEL
08/07/2012	758080	U.S. Bank	92.52	5610-71120-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	327.97	2400-43010-402925	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	152.62	6500-15670-402240	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	6.42	5120-84000-402360	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	40.81	6500-15660-402210	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	129.94	6500-15660-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	345.28	5610-71150-402440	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	54.00	5020-75000-403350	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	102.47	2110-31320-404310	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	36.00	5120-85000-403350	PCard Transaction Description: BUSINESS EXPENS

08/07/2012	758080	U.S. Bank	150.00	2190-22500-402280	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	430.23	2510-21870-402190	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	14.63	5410-31230-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	143.96	7100-21330-409450	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	29.80	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	234.77	1500-21200-402610	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	13.35	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	131.30	1500-21700-402190	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	327.28	5210-15920-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	350.00	1500-21710-402120	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	2.74	1500-21120-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	23.12	2110-31320-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	96.46	7090-21910-402631	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	179.62	5120-84000-403820	PCard Transaction Description: HOTELS
08/07/2012	758080	U.S. Bank	35.00	2110-31320-402380	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	179.62	5120-84000-403820	PCard Transaction Description: HOTELS
08/07/2012	758080	U.S. Bank	69.60	5610-71130-403650	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	9.00	6600-31100-402230	PCard Transaction Description: MEDICAL
08/07/2012	758080	U.S. Bank	502.84	0100-51420-402330	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	47.80	5410-31230-403822	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	2,314.80	0100-51120-403650	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	25.01	1500-22210-403824	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	1,042.22	0100-51120-403650	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	35.00	2400-43010-408199	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	46.38	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	-9.75	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	69.50	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	135.00	5610-71150-403660	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	379.27	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	30.00	1500-21150-402272	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	285.65	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	893.50	7100-21330-409450	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	16.41	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	597.12	1500-21110-403824	PCard Transaction Description: HOTELS
08/07/2012	758080	U.S. Bank	197.02	0100-51410-408199	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	798.00	2600-55180-403690	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	128.00	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	250.17	5410-31230-403822	PCard Transaction Description: HOTELS
08/07/2012	758080	U.S. Bank	52.50	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	43.04	1500-21710-402220	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	256.00	8720-51980-403650	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	4.13	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	72.00	0100-51260-402230	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	13.41	5610-71130-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	17.60	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	33.60	1500-21200-402631	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	689.00	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	44.48	1500-21120-402441	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	92.11	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	422.99	5610-71190-402450	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	689.00	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	539.78	5610-71190-402450	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	97.74	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	42.25	1500-22210-403824	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	689.00	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	966.00	0100-51140-402410	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	83.41	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	17.25	0100-51210-402290	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	700.28	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	17.25	0100-51120-402290	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	46.21	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	90.00	5610-71150-402440	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	1,378.00	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	300.00	1500-21400-403822	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	20.06	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	32.57	2510-21870-403822	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	8.91	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	19.68	1500-21400-403822	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	567.10	8720-51980-403650	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	109.98	0100-51120-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	95.60	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	97.64	5610-71120-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	283.35	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	113.99	5610-71140-402260	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	155.64	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	540.00	0100-51120-402290	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	65.78	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	101.88	0100-51120-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	65.78	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	96.00	0100-51120-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	689.00	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	32.94	0100-51120-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	689.00	0100-51120-403650	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	55.50	0100-51120-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	61.74	0100-51120-402330	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	138.96	0100-51260-402230	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	854.39	0100-51120-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	256.25	5210-15910-403660	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	407.50	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	320.00	5210-15940-403660	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	17.98	0100-51250-402250	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	170.00	6700-31410-403350	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	300.00	2110-31320-402630	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	1,352.55	5610-71120-402240	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	424.00	5610-71130-403655	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	48.25	5610-71130-402240	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	956.22	1500-21120-402440	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	10.95	1500-21200-403822	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	295.79	5610-71130-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	25.00	5610-71100-403390	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	36.97	5410-31220-402290	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	125.00	0100-17500-403820	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	63.00	0100-12200-402190	PCard Transaction Description: OTHER

08/07/2012	758080	U.S. Bank	532.55	1500-21500-402120	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	9.94	5410-31230-402290	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	13.57	0100-51120-402290	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	246.06	6500-15660-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	220.52	2110-31320-402630	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	30.42	0100-51120-402290	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	-64.61	5610-71100-408199	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	384.00	2650-67720-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	60.00	0100-51260-402290	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	97.00	6500-15650-403450	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	23.55	5710-71480-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	112.22	5610-71130-402370	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	16.25	0100-51210-402320	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	56.68	5710-71430-402260	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	335.53	5610-71190-402450	PCard Transaction Description: MAIL/TELEPHONE
08/07/2012	758080	U.S. Bank	317.96	5710-71430-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	63.60	5710-71430-403660	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	100.52	6500-15660-402350	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	206.16	5710-71440-402260	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	223.68	5610-71130-403650	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	72.03	5610-71170-403660	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	77.63	5610-71170-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	87.47	5610-71190-403660	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	36.37	5610-71170-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	132.74	5610-71120-403660	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	56.55	5610-71190-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	83.35	5610-71170-403660	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	45.00	5610-71120-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	269.36	1500-21120-402441	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	14.88	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	14.80	5610-71130-402320	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	17.32	8720-51980-403650	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	2.49	5610-71130-402320	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	157.64	5610-71150-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	21.99	2400-43010-402190	PCard Transaction Description: MAIL/TELEPHONE
08/07/2012	758080	U.S. Bank	-32.34	1500-21700-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	24.26	2400-43010-408199	PCard Transaction Description: MAIL/TELEPHONE

08/07/2012	758080	U.S. Bank	59.66	5410-31210-402190	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	1,699.94	1500-21500-402120	PCard Transaction Description: MAIL/TELEPHONE
08/07/2012	758080	U.S. Bank	110.00	5410-31210-402190	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	26.99	5120-84000-402190	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	153.88	6010-15500-402190	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	16.97	2600-55160-402190	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	296.13	0100-16110-402190	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	27.78	2600-55160-402290	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	144.83	6500-15650-402190	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	44.95	2600-55110-402190	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	453.62	2400-43010-402190	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	26.98	0100-51210-402190	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	29.49	2400-43010-402190	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	44.01	6010-15530-402650	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	164.50	6050-15160-402160	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	244.53	2110-31320-402190	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	252.97	0100-15120-402190	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	22.98	0100-51290-402290	PCard Transaction Description: OFFICE SUPPLIES

08/07/2012	758080	U.S. Bank	66.17	0100-15120-402190	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	254.97	1500-21500-402190	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	104.70	6050-15160-402160	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	16.58	2400-43010-402190	PCard Transaction Description: MAIL/TELEPHONE
08/07/2012	758080	U.S. Bank	154.27	6600-31100-402190	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	99.99	6010-15500-402120	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	1,946.15	1500-21200-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	32.94	5610-71150-402290	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	358.28	2490-21960-402190	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	364.51	5610-71130-402320	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	90.81	1500-21200-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	273.00	8400-31840-402290	PCard Transaction Description: MAIL/TELEPHONE
08/07/2012	758080	U.S. Bank	31.17	1500-21500-402190	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	91.29	2510-21270-402190	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	113.00	5410-31220-404270	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	50.00	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	114.00	5610-71140-403660	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	22.90	2600-55190-403333	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	46.86	1500-22230-402610	PCard Transaction Description: OTHER

08/07/2012	758080	U.S. Bank	300.00	1500-21400-403822	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	300.00	1500-21400-403822	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	300.00	1500-21400-403822	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	60.00	0100-51290-402230	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	235.00	0100-51260-402230	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	380.00	0100-51260-402230	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	353.00	0100-51210-408199	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	60.00	0100-51120-403690	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	482.77	5710-71460-403210	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	369.19	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	25.50	0100-51210-403665	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	26.00	5610-71130-403650	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	495.00	6200-19110-405315	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	30.00	2600-55190-403380	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	34.99	5610-71130-402450	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	34.00	5610-71130-402320	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	175.92	0100-51120-402290	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	1,871.60	0100-51210-408199	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	95.00	1500-21110-403170	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	666.00	5610-71130-403650	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	38.79	2600-55110-403360	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	22.49	0100-51120-402330	PCard Transaction Description: VEHICLE EXPENSE

08/07/2012	758080	U.S. Bank	103.29	0100-51120-402330	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	42.20	5410-31230-403822	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	156.98	0100-51120-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	195.00	6050-15160-403690	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	279.31	5610-71120-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	45.89	1500-21500-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	91.62	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	71.20	0100-51260-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	39.99	0100-51120-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	39.99	0100-51410-408199	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	4.87	0100-51270-402450	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	159.96	0100-51120-403650	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	37.99	2110-31320-402920	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	22.99	0100-51120-402290	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	64.98	0100-51120-403650	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	79.98	0100-51120-403650	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	23.98	6500-15660-402450	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	38.99	0100-51120-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	187.95	0100-51120-403650	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	54.36	0100-51120-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	112.38	5610-71120-402260	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	484.00	6500-15670-403690	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	42.00	0100-51210-403822	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	1,291.49	1500-21710-402220	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	924.48	5610-71120-402450	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	604.55	2600-55120-403670	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	243.96	5610-71120-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	681.59	5610-71120-402240	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	90.90	1500-21500-403210	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	181.85	1500-21500-402271	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	260.00	5210-15930-402450	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	75.50	0100-51120-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	219.02	0100-51120-402260	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	61.60	1500-21400-403822	PCard Transaction Description: HOTELS
08/07/2012	758080	U.S. Bank	61.60	1500-21400-403822	PCard Transaction Description: HOTELS
08/07/2012	758080	U.S. Bank	61.60	1500-21400-403822	PCard Transaction Description: HOTELS
08/07/2012	758080	U.S. Bank	18.40	5610-71130-402320	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	30.00	0100-51100-403360	PCard Transaction Description: EATING/DRINKING
08/07/2012	758080	U.S. Bank	328.56	1500-21120-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	85.50	1500-21400-403822	PCard Transaction Description: EATING/DRINKING
08/07/2012	758080	U.S. Bank	24.68	1500-22290-402410	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	18.00	0100-12530-403575	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	35.90	0100-51270-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	89.47	2600-55190-403225	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	5.34	2600-55180-403690	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	78.91	2600-55190-403225	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	129.88	2600-55190-403225	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	144.87	2600-55190-403225	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	29.98	2600-55190-403243	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	101.34	2600-55190-403227	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	386.86	2600-55190-403382	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	112.50	0100-13130-403360	PCard Transaction Description: EATING/DRINKING
08/07/2012	758080	U.S. Bank	21.50	2400-43180-403824	PCard Transaction Description: EATING/DRINKING
08/07/2012	758080	U.S. Bank	115.00	0100-12130-402290	PCard Transaction Description: EATING/DRINKING
08/07/2012	758080	U.S. Bank	600.25	5410-31230-403822	PCard Transaction Description: HOTELS
08/07/2012	758080	U.S. Bank	2.94	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	25.96	1500-22290-402410	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	27.07	0100-51120-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	312.74	0100-51120-402410	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	13.46	1500-22210-403110	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	47.10	1500-21400-403822	PCard Transaction Description: EATING/DRINKING
08/07/2012	758080	U.S. Bank	35.00	2600-55130-402190	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	30.89	2980-65010-403110	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	105.60	2600-55110-407930	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	27.00	0100-51210-408199	PCard Transaction Description: BUILDING SERVIC

08/07/2012	758080	U.S. Bank	452.50	0100-12120-403390	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	572.15	6500-15670-403690	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	572.15	6500-15670-403690	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	273.89	5210-15920-403660	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	129.73	5210-15910-403660	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	402.78	5210-15930-403660	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	277.92	5210-15920-403660	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	72.50	0100-51120-402390	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	20.95	0100-51120-402330	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	26.00	0100-51120-402390	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	140.00	0100-51120-402330	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	961.20	2110-31320-402320	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	40.90	2600-55200-403360	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	75.00	6600-31100-402190	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	160.00	0100-51120-403360	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	540.00	5610-71120-403660	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	1,500.00	5610-71140-403990	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	30.34	1500-21140-403822	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	56.98	1500-21400-403822	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	13.50	5020-77000-402280	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	13.50	8400-31840-403824	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	28.35	1500-21400-403822	PCard Transaction Description: EATING/DRINKING
08/07/2012	758080	U.S. Bank	606.70	1500-21400-403822	PCard Transaction Description: AIRLINE
08/07/2012	758080	U.S. Bank	569.70	1500-21400-403822	PCard Transaction Description: AIRLINE

08/07/2012	758080	U.S. Bank	569.70	1500-21400-403822	PCard Transaction Description: AIRLINE
08/07/2012	758080	U.S. Bank	18.76	5710-71410-403110	PCard Transaction Description: OTHER
08/07/2012	758080	U.S. Bank	87.46	5610-71120-403660	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	37.95	5610-71130-403660	PCard Transaction Description: BUSINESS EXPENS
08/07/2012	758080	U.S. Bank	5.65	0100-51140-403360	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	5.25	0100-51140-403360	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	13.66	2110-31320-402290	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	7.80	0100-51290-402290	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	22.99	0100-51240-402250	PCard Transaction Description: MEDICAL
08/07/2012	758080	U.S. Bank	93.70	0100-51120-402260	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	292.00	2920-65010-408199	PCard Transaction Description: MRO SUPPLIES
08/07/2012	758080	U.S. Bank	21.50	0100-51120-402290	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	26.55	5410-31230-403822	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	35.32	6600-31100-403824	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	37.82	2920-65010-408199	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	145.00	0100-51420-403650	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	37.25	0100-51120-403650	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	218.10	0100-51120-403650	PCard Transaction Description: WHOLESALE TRADE
08/07/2012	758080	U.S. Bank	67.20	0100-51120-402390	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	279.38	0100-51250-402250	PCard Transaction Description: WHOLESALE TRADE

08/07/2012	758080	U.S. Bank	25.78	0100-51250-402250	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	18.97	5210-15230-402260	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	287.36	2600-55190-403225	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	44.88	2600-55190-403336	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	54.88	2600-55190-403225	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	9.96	2600-55190-403336	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	11.67	1500-21120-402320	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	15.71	6500-15660-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	6.34	2600-55190-403222	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	6.55	2600-55190-403255	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	18.82	2600-55190-403226	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	6.42	2600-55190-403226	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	22.43	2600-55190-403225	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	6.34	2600-55190-403227	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	65.43	1500-22260-402450	PCard Transaction Description: OFFICE SUPPLIES
08/07/2012	758080	U.S. Bank	135.00	5210-15950-402450	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	227.50	5610-71120-402450	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	154.60	0100-14110-403325	PCard Transaction Description: OFFICE SERVICES

08/07/2012	758080	U.S. Bank	47.47	1500-21110-403740	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	7.98	1500-21110-403740	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	5.98	0100-51100-403360	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	54.95	5610-71130-401170	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	6.99	5610-71100-403390	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	214.81	0100-51250-402250	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	-105.98	0100-16110-408199	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	-14.98	2090-44510-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	387.86	5710-71410-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	79.73	5710-71470-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	96.60	5710-71410-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	25.38	5710-71410-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	123.15	0100-13140-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	36.90	5410-31210-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	14.70	5410-31210-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	149.16	6010-15500-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	-71.91	6010-15500-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	25.83	6010-15500-402190	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	64.93	6010-15500-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	269.76	0100-16110-408199	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	-235.77	0100-16110-408199	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	148.30	2600-55130-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	148.30	2600-55140-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	148.30	2600-55150-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	13.57	0100-17500-402110	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	117.81	5210-15930-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	111.44	5210-15920-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	111.44	5210-15930-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	111.55	5210-15210-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	131.60	6050-15160-402160	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	98.70	6050-15160-402160	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	101.70	6050-15160-402160	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	209.40	6050-15160-402160	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	101.70	6050-15160-402160	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	79.92	0100-15120-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	34.96	2600-55160-402190	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	76.92	2600-55160-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	224.18	6600-31100-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	63.14	6600-31100-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	826.20	0100-12200-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	142.22	1500-21500-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	307.79	1500-21500-405333	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	81.70	1500-21200-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	111.44	2090-44510-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	34.96	2090-44510-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	44.76	0100-51120-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	46.12	0100-51210-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	44.76	0100-51100-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	13.32	0100-51100-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	12.92	0100-51210-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	12.92	0100-51120-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	127.56	2980-65010-402190	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	12.00	0100-51250-402250	PCard Transaction Description: VEHICLE EXPENSE
08/07/2012	758080	U.S. Bank	696.00	0100-51120-402390	PCard Transaction Description: VEHICLE EXPENSE

08/07/2012	758080	U.S. Bank	259.85	0100-51120-402310	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	248.97	6500-15670-403690	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	569.73	6500-15660-403990	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	353.42	5210-15910-402450	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	66.93	5610-71120-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	21.96	5210-15910-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	15.98	5210-15230-402120	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	55.93	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	49.85	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	18.54	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	79.74	2400-43010-408199	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	41.98	0100-51270-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	11.98	5610-71130-403655	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	12.98	5610-71130-403655	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	75.91	5610-71120-402450	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	7.74	0100-51120-402290	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	19.95	5210-15220-402951	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	500.00	5210-15220-402951	PCard Transaction Description: WHOLESale TRADE

08/07/2012	758080	U.S. Bank	420.40	5610-71160-403370	PCard Transaction Description: OFFICE SERVICES
08/07/2012	758080	U.S. Bank	86.00	5610-71100-403824	PCard Transaction Description: AIRLINE
08/07/2012	758080	U.S. Bank	127.50	6500-15670-403690	PCard Transaction Description: BUILDING SERVIC
08/07/2012	758080	U.S. Bank	166.67	1500-22290-402490	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	9.49	0100-51100-403360	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758080	U.S. Bank	13.87	0100-12530-403575	PCard Transaction Description: WHOLESale TRADE
08/07/2012	758088	White Heating & Air Conditioning	15,556.86	5610-71130-402450	Purchase & Install 6 ea. Modine 400 MBH unit heaters for Ops Center
08/07/2012	758092	Yellowstone County Gis	7,000.00	6200-19130-403590	Yellowstone County GIS MOU 1st installment

Consent **1. X. 2.**

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Payment of Claims August 13, 2012.

PRESENTED BY: Pat M. Weber, Finance Director

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$3,344,665.81 have been audited and are presented for your approval for payment. A complete listing of the claims dated August 13, 2012, is available in the Finance Department.

ALTERNATIVES ANALYZED

No other alternatives were analyzed.

FINANCIAL IMPACT

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

RECOMMENDATION

Staff recommends that Council approve the Payment of Claims.

APPROVED BY CITY ADMINISTRATOR

Attachments

List of claims greater than \$2500.

AP Report > \$2,500 for 08/13/2012

Check Date	Check	Name	Amount	Account	Item Desc
08/13/2012	758097	A & E Architects	7,643.46	4980-55360-409390	New Library Building - Construction Management Services
08/13/2012	758101	Accent Print Shop	475.00	5710-71410-403210	Print Transfer slips.
08/13/2012	758101	Accent Print Shop	151.00	5710-71410-403210	2500 regular envelopes.
08/13/2012	758101	Accent Print Shop	3,156.02	5710-71460-403210	Schedules/maps for new students at the Middle Schools.
08/13/2012	758112	Applied Concepts Inc	2,000.00	7100-21330-402120	Stalker Radar Equipment
08/13/2012	758112	Applied Concepts Inc	200.00	1500-21120-402441	Universal Dash Lip Mount
08/13/2012	758112	Applied Concepts Inc	16,765.00	1500-21120-402441	DSR Counting Unit
08/13/2012	758112	Applied Concepts Inc	122.50	1500-21120-402441	Shipping & Handling
08/13/2012	758114	AristaTek Inc	2,845.00	2200-22330-402410	PEAC-WMD WIN: V6 SOFTWARE APPLICATION & DATABASE FOR WINDOWS W/THREE (3) YEARS OF SOFTWARE UPGRADE & TECHNICAL SUPPORT - EXPIRES 7/31/2015
08/13/2012	758114	AristaTek Inc	1,699.00	2200-22330-402410	ADDITIONAL THREE (3) YEARS TECHNICAL SUPPORT & SOFTWARE UPGRADES, JULY 31 2016-JULY 31 2018
08/13/2012	758131	Black Box Network Services	1,006.50	6060-19310-403450	Secure Router 2300 Series Project
08/13/2012	758131	Black Box Network Services	12,902.48	6060-19310-409480	Upgrade BOC Telephone System
08/13/2012	758138	Business Tax Section	394.04	6500-15660-409490	State 1% on Ostermiller BOC Aprons Phase II
08/13/2012	758138	Business Tax Section	44.50	5620-71200-409310	Terminal Circle Rehabilitation Project
08/13/2012	758138	Business Tax Section	99.99	4160-00000-201100	WO 04-26 Zone 4 Reservoir
08/13/2012	758138	Business Tax Section	375.68	4160-00000-201100	WO 04-26 Zone 4 Reservoir
08/13/2012	758138	Business Tax Section	88.45	5050-75150-403671	Water Service Repair List 05.18.12
08/13/2012	758138	Business Tax Section	51.13	4210-00000-201100	WO 08-22 WWTP UV Disinfection System
08/13/2012	758138	Business Tax Section	2,368.72	5030-75910-409340	WO 12-01 Water & Sewer Replacement Schedule 1
08/13/2012	758138	Business Tax Section	3,264.31	5030-75910-409340	WO 12-01 Water & Sewer Replacement Schedule 1
08/13/2012	758138	Business Tax Section	15.60	5030-75910-409340	WO 11-05 Chapple Area Water Main
08/13/2012	758138	Business Tax Section	2,854.64	2050-31310-409390	WO 12-03 2012 City Chip Seal (2050)
08/13/2012	758138	Business Tax Section	599.23	7020-51710-409390	WO 12-03 2012 City Chip Seal (7020)
08/13/2012	758138	Business Tax Section	96.63	5620-00000-201100	Invoice #4-FINAL Retainage Release

08/13/2012	758139	Bvac Inc	175.00	1500-21200-402260	BV10-3NVP500, 10mm, 180 gr. JHP New Brass
08/13/2012	758139	Bvac Inc	1,500.00	1500-21400-402270	BV40-2VP500, .40, 180 gr, FMJ
08/13/2012	758139	Bvac Inc	270.00	1500-21120-402261	BV223-1VP500, .223, 55 gr, FMJ
08/13/2012	758139	Bvac Inc	140.00	1500-21200-402260	BV223-2VP500, .223, 55 gr, PSP
08/13/2012	758139	Bvac Inc	400.00	1500-21120-402261	BV40-2VP500, .40, 180 gr, FMJ
08/13/2012	758139	Bvac Inc	135.00	1500-21200-402260	BV45A-12VP500, .45, 230 gr, FMJ
08/13/2012	758139	Bvac Inc	150.00	1500-21200-402260	BV45A-10VP500, .45, 230 gr, JHP
08/13/2012	758139	Bvac Inc	135.00	1500-21120-402261	BV45A-12VP500, .45, 230 gr, FMJ
08/13/2012	758139	Bvac Inc	135.00	1500-21200-402260	BV223-1VP500, .223, 55 gr, FMJ
08/13/2012	758139	Bvac Inc	270.00	1500-21200-402260	BV30C-1N500, .30 Carbine, 110 gr, FMJ
08/13/2012	758139	Bvac Inc	160.00	1500-21200-402260	BV9-2VP1000, 9mm, 115gr, FMJ
08/13/2012	758141	Cb & I Inc	9,900.01	4160-00000-201100	WO 04-26 Zone 4 Reservoir
08/13/2012	758147	Cop Construction Co	234,503.35	5030-75910-409340	WO 12-01 Water & Sewer Replacement Schedule 1
08/13/2012	758147	Cop Construction Co	323,166.34	5030-75910-409340	WO 12-01 Water & Sewer Replacement Schedule 1
08/13/2012	758148	County Water District Of Billings Heights	266.99	5120-84000-403420	1840 St Andrews
08/13/2012	758148	County Water District Of Billings Heights	19,719.36	8050-15700-405350	1577 - fire hydrant rentals July 2012
08/13/2012	758152	Dept Of Justice Dci	15,356.04	2510-21870-403560	ICAC 6/30/12 reimbursment for expenses. OT & Supplies.
08/13/2012	758152	Dept Of Justice Dci	10,932.07	2510-21870-403822	ICAC 6/30/12 reimbursment for expenses. Travel & Training.
08/13/2012	758154	Dixie Petro-Chem	326.75	0100-51260-402290	Chlorine for pools.
08/13/2012	758154	Dixie Petro-Chem	2,752.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290219
08/13/2012	758154	Dixie Petro-Chem	2,752.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290220
08/13/2012	758154	Dixie Petro-Chem	980.25	0100-51260-402290	Chlorine for pools.
08/13/2012	758157	Dowl Hkm	320.00	6700-31410-403590	Materials Testing permit #BP-12-1101-1
08/13/2012	758157	Dowl Hkm	5,543.75	8400-31840-409310	WO 10-19 Shiloh Conservation Area Design
08/13/2012	758157	Dowl Hkm	60,532.00	5130-85910-409340	WO 12-01 2012 Water & Sewer Replacement Project(513)
08/13/2012	758157	Dowl Hkm	2,072.00	5030-75910-409340	WO 12-01 2012 Water & Sewer Replacement Project(503)

08/13/2012	758158	Downtown Billings BID, Inc.	6,023.11	7800-15750-407680	Paid June, distributed July 2012
08/13/2012	758160	Ennis Paint Inc.	19,512.00	2110-31320-402340	yellow paint totes
08/13/2012	758160	Ennis Paint Inc.	4,898.50	2110-31320-402340	white paint totes
08/13/2012	758160	Ennis Paint Inc.	2,592.24	2110-31320-402340	white 5 gal buckets
08/13/2012	758164	First Montana Title Co	8,199.00	2970-66800-407275	FTHB for Nikolaus Hinebauch, 272 Aristocrat
08/13/2012	758164	First Montana Title Co	1,801.00	2980-66800-407275	FTHB for Nikolaus Hinebauch, 272 Aristocrat
08/13/2012	758179	Guardian Security Inc	5,763.80	2600-55120-403574	Invoice 995770 July Guard Service
08/13/2012	758186	Hardrives Construction Inc	59,323.46	7020-51710-409390	WO 12-03 2012 City Chip Seal (7020)
08/13/2012	758186	Hardrives Construction Inc	282,609.21	2050-31310-409390	WO 12-03 2012 City Chip Seal (2050)
08/13/2012	758189	Hdr Inc	885.60	4210-84930-409340	WO0822 WWTP UV Disinfection System
08/13/2012	758189	Hdr Inc	2,033.93	4210-00000-201100	WO 08-22 WWTP UV Disinfection System
08/13/2012	758189	Hdr Inc	63,927.04	4160-00000-201100	WO 04-26 Zone 4 Reservoir
08/13/2012	758189	Hdr Inc	5,080.57	4160-74930-409220	WO 04-26 Zone 4 Reservoir
08/13/2012	758190	Helena Police Department	102.02	2510-21870-403450	ICAC Reimb. Qtr end 6/30/12. Aircards.
08/13/2012	758190	Helena Police Department	1,018.70	2510-21870-403822	ICAC Reimb. Qtr end 6/30/12. Travel/Training.
08/13/2012	758190	Helena Police Department	1,822.08	2510-21870-403560	ICAC Reimb. Qtr end 6/30/12. OT & Cell phone charges.
08/13/2012	758192	Iaff	4,175.60	9000-00000-209920	PAYROLL SUMMARY
08/13/2012	758197	Inland Western Retail Real Estate	92,529.00	1980-15060-407840	SID 1385 FY12 second payment
08/13/2012	758204	Kemira Water Solutions, Inc	79,286.13	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290172
08/13/2012	758208	Knife River	32.00	5120-85000-403680	Dump fee
08/13/2012	758208	Knife River	48.00	5120-85000-403680	Dump fee
08/13/2012	758208	Knife River	1,606.00	2110-31320-404710	asphalt
08/13/2012	758208	Knife River	1,879.35	2110-31320-404710	asphalt
08/13/2012	758208	Knife River	2,609.75	2110-31320-404710	asphalt
08/13/2012	758208	Knife River	52.29	2110-31320-404520	1 1/2" crushed base
08/13/2012	758208	Knife River	4,405.50	5620-71200-409310	Invoice #4-Final. Terminal Circle Road Rehabilitation Project.
08/13/2012	758208	Knife River	9,566.29	5620-00000-201100	Retainage Release
08/13/2012	758208	Knife River	48.00	5020-75000-403680	Dump fee
08/13/2012	758208	Knife River	72.00	5020-75000-403680	Dump fee
08/13/2012	758208	Knife River	1,740.20	2110-31320-404710	asphalt
08/13/2012	758208	Knife River	1,947.00	2110-31320-404710	asphalt
08/13/2012	758208	Knife River	3,574.45	2110-31320-404710	asphalt
08/13/2012	758208	Knife River	37.63	2110-31320-404520	1 1/2" crushed base
08/13/2012	758208	Knife River	395.72	2110-31320-404520	1 1/2" crushed base/sand/3/8" chips

08/13/2012	758220	Missoula County Sheriff Office	687.96	2510-21870-403560	ICAC Qtr End 6/30/12 Reimbursement for overtime for Det. King.
08/13/2012	758220	Missoula County Sheriff Office	1,814.99	2510-21870-403822	ICAC Qtr End 6/30/12 Reimbursement for training.
08/13/2012	758227	Montana Municipal Interlocal	66,874.88	6300-17530-407311	Invoice #712002 August 2012 Deductible Recovery Invoice
08/13/2012	758228	Montana Municipal Interlocal	1,346,110.00	6300-17530-405130	Billings Liability Risk Retention Program
08/13/2012	758230	Montana Peterbilt	3,912.19	5710-71440-403690	AUTO & TRUCK MAINT.ITEMS
08/13/2012	758230	Montana Peterbilt	145.98	5410-31220-402320	H-222020087
08/13/2012	758233	Montana State Fireman's Assoc	2,828.50	9000-00000-209924	PAYROLL SUMMARY
08/13/2012	758235	Morrison Maierle Inc	15,907.37	4070-71280-409397	Pond A,B,C Expansion - design 2447.088
08/13/2012	758235	Morrison Maierle Inc	19,050.11	4070-71280-409397	Pond C Plunge Pool - design 2447.091
08/13/2012	758240	Mppa	2,505.73	9000-00000-209923	PAYROLL SUMMARY
08/13/2012	758241	MT Waterworks	33,531.78	5130-85910-409440	EQRLC - Equipment Replacement Program Skid mounted valve actuator vacuum system. Replaces Unit 7419
08/13/2012	758241	MT Waterworks	70.29	5020-00000-141000	SYSTEMS PO NUM 290248
08/13/2012	758246	Northwest Scientific Inc	4,999.99	5120-84000-402223	TP0053 - GenPure Water system w/wall mount remote
08/13/2012	758246	Northwest Scientific Inc	386.01	5020-74000-402220	Lab supplies
08/13/2012	758247	Northwestern Energy	53.63	8720-51980-403410	20413621
08/13/2012	758247	Northwestern Energy	12,143.14	2600-55120-403410	Electric Account 0100467-0
08/13/2012	758247	Northwestern Energy	5.15	2950-66980-407275	Electric Bill for July for NSP 1128 Lynn
08/13/2012	758247	Northwestern Energy	2,734.97	5710-71430-403410	Electricity at Metroplex 06/26/12 to 07/27/12
08/13/2012	758247	Northwestern Energy	511.59	5210-15910-403410	1569636-2
08/13/2012	758247	Northwestern Energy	9.89	5120-85000-403410	17040254
08/13/2012	758247	Northwestern Energy	26,054.49	5610-71120-403410	0100482-9. July 12 utilities Airport Vault
08/13/2012	758247	Northwestern Energy	14.29	1500-22210-403410	07125321
08/13/2012	758247	Northwestern Energy	84.53	5120-85000-403410	07233836
08/13/2012	758247	Northwestern Energy	109.08	0100-51290-403410	09998071
08/13/2012	758247	Northwestern Energy	441.63	5020-74000-403410	805 Constitution
08/13/2012	758247	Northwestern Energy	966.37	5020-74000-403410	Skyview High School
08/13/2012	758247	Northwestern Energy	15.09	5610-71130-403410	07125347
08/13/2012	758247	Northwestern Energy	8.76	8720-51980-403410	07233851
08/13/2012	758247	Northwestern Energy	0.28	8720-51980-403410	10291920
08/13/2012	758247	Northwestern Energy	12.19	2110-31320-403410	17389891
08/13/2012	758247	Northwestern Energy	162.98	6070-22350-403410	10069151

08/13/2012	758247	Northwestern Energy	1,372.73	5210-15940-403410	1569619-8
08/13/2012	758247	Northwestern Energy	29.72	5120-85000-403410	17040304
08/13/2012	758247	Northwestern Energy	102.37	5610-71130-403410	07125339
08/13/2012	758247	Northwestern Energy	7.15	8720-51980-403410	07233844
08/13/2012	758247	Northwestern Energy	218.33	5610-71130-403410	07125354
08/13/2012	758247	Northwestern Energy	8.76	8720-51980-403410	07233869
08/13/2012	758247	Northwestern Energy	7.75	2110-31320-403410	10458206
08/13/2012	758247	Northwestern Energy	59.60	0100-51120-403410	18494088
08/13/2012	758247	Northwestern Energy	1,007.86	0100-51410-403410	07125388
08/13/2012	758247	Northwestern Energy	8.76	8720-51980-403410	07233877
08/13/2012	758247	Northwestern Energy	44.72	0100-51120-403410	11565272
08/13/2012	758247	Northwestern Energy	13.97	5020-74000-403410	18672659
08/13/2012	758247	Northwestern Energy	14.49	5610-71130-403410	07127954
08/13/2012	758247	Northwestern Energy	5.17	0100-51120-403410	07233919
08/13/2012	758247	Northwestern Energy	3.46	8720-51980-403410	07233919
08/13/2012	758247	Northwestern Energy	1,705.15	1500-21710-403410	11834835
08/13/2012	758247	Northwestern Energy	15.45	0100-51120-403410	19412436
08/13/2012	758247	Northwestern Energy	6.62	5610-71130-403410	07127913
08/13/2012	758247	Northwestern Energy	8.76	8720-51980-403410	07233885
08/13/2012	758247	Northwestern Energy	64.20	5020-74000-403410	11608072
08/13/2012	758247	Northwestern Energy	49.97	0100-51120-403410	19049444
08/13/2012	758247	Northwestern Energy	12.08	5610-71130-403410	07127970
08/13/2012	758247	Northwestern Energy	8.76	8720-51980-403410	07233927
08/13/2012	758247	Northwestern Energy	7.79	0100-51120-403410	12300661
08/13/2012	758247	Northwestern Energy	0.94	8720-51980-403410	19486679
08/13/2012	758247	Northwestern Energy	99.23	5610-71170-403410	07128051
08/13/2012	758247	Northwestern Energy	7.99	8720-51980-403410	07233935
08/13/2012	758247	Northwestern Energy	7.56	0100-51120-403410	12422226
08/13/2012	758247	Northwestern Energy	8.63	0100-51120-403410	19022573
08/13/2012	758247	Northwestern Energy	7.15	5610-71130-403410	07128135
08/13/2012	758247	Northwestern Energy	7.15	8720-51980-403410	07233943
08/13/2012	758247	Northwestern Energy	65.46	0100-51120-403410	12488631
08/13/2012	758247	Northwestern Energy	8.21	2110-31320-403410	20470001
08/13/2012	758247	Northwestern Energy	304.73	5710-71430-403410	07192255
08/13/2012	758247	Northwestern Energy	7.15	8720-51980-403410	07233950
08/13/2012	758247	Northwestern Energy	0.67	8720-51980-403410	13127071
08/13/2012	758247	Northwestern Energy	8.51	2110-31320-403410	20470118

08/13/2012	758247	Northwestern Energy	2,150.04	5610-71130-403410	07195431
08/13/2012	758247	Northwestern Energy	7.15	8720-51980-403410	07233968
08/13/2012	758247	Northwestern Energy	70.82	5020-74000-403410	13466735
08/13/2012	758247	Northwestern Energy	8.51	2110-31320-403410	20470076
08/13/2012	758247	Northwestern Energy	14.07	5610-71130-403410	07197593
08/13/2012	758247	Northwestern Energy	7.15	8720-51980-403410	07233976
08/13/2012	758247	Northwestern Energy	1.04	0100-51120-403410	14093942
08/13/2012	758247	Northwestern Energy	8.40	2110-31320-403410	20470100
08/13/2012	758247	Northwestern Energy	20.06	5610-71130-403410	07197601
08/13/2012	758247	Northwestern Energy	7.15	8720-51980-403410	07233984
08/13/2012	758247	Northwestern Energy	276.50	8720-51980-403410	15137961
08/13/2012	758247	Northwestern Energy	8.21	2110-31320-403410	20470134
08/13/2012	758247	Northwestern Energy	20.06	5610-71130-403410	07197619
08/13/2012	758247	Northwestern Energy	1,328.87	5120-85000-403410	07234040
08/13/2012	758247	Northwestern Energy	98.31	8720-51980-403410	15138001
08/13/2012	758247	Northwestern Energy	8.63	2110-31320-403410	20470175
08/13/2012	758247	Northwestern Energy	13.14	5610-71130-403410	07197627
08/13/2012	758247	Northwestern Energy	7.15	8720-51980-403410	07238355
08/13/2012	758247	Northwestern Energy	19.42	8720-51980-403410	15138027
08/13/2012	758247	Northwestern Energy	8.51	2110-31320-403410	20470183
08/13/2012	758247	Northwestern Energy	15.86	5610-71130-403410	07202963
08/13/2012	758247	Northwestern Energy	9.07	8720-51980-403410	07238363
08/13/2012	758247	Northwestern Energy	12.41	8720-51980-403410	15138043
08/13/2012	758247	Northwestern Energy	6.27	8720-51980-403410	20558177
08/13/2012	758247	Northwestern Energy	501.16	1500-22210-403410	07208176
08/13/2012	758247	Northwestern Energy	7.15	8720-51980-403410	07238405
08/13/2012	758247	Northwestern Energy	8.29	8720-51980-403410	15143886
08/13/2012	758247	Northwestern Energy	1,119.05	0100-51260-403410	07208416
08/13/2012	758247	Northwestern Energy	292.47	5120-85000-403410	07238785
08/13/2012	758247	Northwestern Energy	7.88	8720-51980-403410	15642093
08/13/2012	758247	Northwestern Energy	10.25	5020-74000-403410	07222490
08/13/2012	758247	Northwestern Energy	330.38	8720-51980-403410	07238793
08/13/2012	758247	Northwestern Energy	32.58	5210-15240-403410	15696313
08/13/2012	758247	Northwestern Energy	7.15	0100-51120-403410	07222532
08/13/2012	758247	Northwestern Energy	7.99	8720-51980-403410	07238835
08/13/2012	758247	Northwestern Energy	7.15	0100-51120-403410	15882624
08/13/2012	758247	Northwestern Energy	199.08	0100-51120-403410	07222565

08/13/2012	758247	Northwestern Energy	119.90	0100-51120-403410	07238843
08/13/2012	758247	Northwestern Energy	67.05	0100-51120-403410	16926669
08/13/2012	758247	Northwestern Energy	9.07	0100-51120-403410	07222581
08/13/2012	758247	Northwestern Energy	7.99	8720-51980-403410	07238850
08/13/2012	758247	Northwestern Energy	20.73	0100-51120-403410	07222599
08/13/2012	758247	Northwestern Energy	17.44	0100-51120-403410	07238876
08/13/2012	758247	Northwestern Energy	6,807.94	5020-74000-403410	07222706
08/13/2012	758247	Northwestern Energy	260.18	0100-51120-403410	07931348
08/13/2012	758247	Northwestern Energy	8.88	0100-51120-403410	07222722
08/13/2012	758247	Northwestern Energy	5.93	8720-51980-403410	07222722
08/13/2012	758247	Northwestern Energy	87.34	0100-51120-403410	08134892
08/13/2012	758247	Northwestern Energy	26.40	0100-51120-403410	07222730
08/13/2012	758247	Northwestern Energy	8.30	8720-51980-403410	08814550
08/13/2012	758247	Northwestern Energy	11.78	0100-51120-403410	07222748
08/13/2012	758247	Northwestern Energy	0.86	8720-51980-403410	09718248
08/13/2012	758247	Northwestern Energy	98.57	0100-51120-403410	07222755
08/13/2012	758247	Northwestern Energy	7.46	0100-51120-403410	09789173
08/13/2012	758247	Northwestern Energy	35.56	0100-51120-403410	07222771
08/13/2012	758247	Northwestern Energy	59.01	0100-51120-403410	07222789
08/13/2012	758247	Northwestern Energy	15.09	0100-51120-403410	07222797
08/13/2012	758247	Northwestern Energy	7.15	0100-51120-403410	07222805
08/13/2012	758247	Northwestern Energy	7.15	0100-51120-403410	07222813
08/13/2012	758247	Northwestern Energy	7.15	0100-51120-403410	07222839
08/13/2012	758247	Northwestern Energy	7.15	0100-51120-403410	07222847
08/13/2012	758247	Northwestern Energy	15.09	0100-51120-403410	07228083
08/13/2012	758247	Northwestern Energy	9.67	0100-51120-403410	07228521
08/13/2012	758247	Northwestern Energy	9.07	0100-51120-403410	07228620
08/13/2012	758247	Northwestern Energy	45.76	0100-51120-403410	07229016
08/13/2012	758247	Northwestern Energy	8.51	0100-51120-403410	07229768
08/13/2012	758247	Northwestern Energy	129.22	0100-51120-403410	07229958
08/13/2012	758247	Northwestern Energy	76.42	0100-51120-403410	07230055
08/13/2012	758247	Northwestern Energy	7.15	0100-51120-403410	07230253
08/13/2012	758247	Northwestern Energy	36.90	0100-51120-403410	07230394
08/13/2012	758247	Northwestern Energy	7.15	0100-51120-403410	07230469
08/13/2012	758247	Northwestern Energy	14.27	0100-51120-403410	07230493
08/13/2012	758247	Northwestern Energy	31.16	0100-51120-403410	07230535
08/13/2012	758247	Northwestern Energy	17.41	0100-51120-403410	07230642

08/13/2012	758247	Northwestern Energy	17.41	0100-51120-403410	07230659
08/13/2012	758249	OAC Services Inc	32,086.38	2030-15130-403547	Empire Parking Garage Project Management Services
08/13/2012	758252	Ostermiller Const	1,200.00	6500-15660-403990	Concrete Aprons, Phase II
08/13/2012	758252	Ostermiller Const	37,809.96	6500-15660-409490	Concrete Aprons, Phase II
08/13/2012	758258	Protech Mechanical Inc	148.25	2600-55120-403670	Invoice 63248 & 63282
08/13/2012	758258	Protech Mechanical Inc	5,000.00	2600-55120-403670	Invoice 63248 & 63282
08/13/2012	758267	Sam's Club	76,929.00	1980-15060-407840	SID 1385 refund - 2nd FY12 payment
08/13/2012	758273	St Vincent Occupational Health	735.57	1500-22240-403510	STAMPER, NICHOLAS PRE-EMPLOYMENT FIRE DEPT PHYSICAL - 5/29/2012 - START DATE: 6/4/2012
08/13/2012	758273	St Vincent Occupational Health	1,015.00	0100-17500-403572	Inv. #33904 & 34004
08/13/2012	758273	St Vincent Occupational Health	70.00	0100-51400-403510	Inv. #33904 & 34004
08/13/2012	758273	St Vincent Occupational Health	284.26	1500-21710-403510	Inv. #33904 & 34004
08/13/2012	758273	St Vincent Occupational Health	267.50	2110-31320-403510	Inv. #33904 & 34004
08/13/2012	758273	St Vincent Occupational Health	70.00	5020-74000-403510	Inv. #33904 & 34004
08/13/2012	758273	St Vincent Occupational Health	66.00	5020-75000-403510	Inv. #33904 & 34004
08/13/2012	758273	St Vincent Occupational Health	44.00	5120-85000-403510	Inv. #33904 & 34004
08/13/2012	758273	St Vincent Occupational Health	120.00	5610-71130-403510	Inv. #33904 & 34004
08/13/2012	758273	St Vincent Occupational Health	753.75	5710-71420-403510	Inv. #33904 & 34004
08/13/2012	758273	St Vincent Occupational Health	160.00	5710-71470-403510	Inv. #33904 & 34004
08/13/2012	758273	St Vincent Occupational Health	540.00	6270-17520-405160	Inv. #33904 & 34004
08/13/2012	758274	Star Service Inc	37,192.41	4160-00000-201100	WO 04-26 Zone 4 Reservoir
08/13/2012	758276	Sundown Security	1,379.50	5610-71100-403581	Invoice #39208. Skycap services 7/20-7/26/12
08/13/2012	758276	Sundown Security	650.00	5210-15910-403970	39135 - July 2012 parking garage patrol
08/13/2012	758276	Sundown Security	650.00	5210-15920-403970	39135 - July 2012 parking garage patrol
08/13/2012	758276	Sundown Security	700.00	5210-15930-403970	39135 - July 2012 parking garage patrol
08/13/2012	758277	Sunset Excavation	2,600.00	5050-75150-403671	204 North 19th
08/13/2012	758277	Sunset Excavation	8,756.55	5050-75150-403671	Water Service Repair List 05.18.12
08/13/2012	758281	The Omega Group, Inc.	3,395.00	1500-21500-403553	CrimeView Desktop Support & Maint. 9/1/12 - 8/30/13 and Additional License Support
08/13/2012	758283	Town & Country Supply Association	36,215.90	6010-00000-141000	96659 PO NUM 290281
08/13/2012	758283	Town & Country Supply Association	26,912.97	5610-71180-402313	Invoice #99385. QTA Car Rental Fuel
08/13/2012	758283	Town & Country Supply Association	521.78	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290250
08/13/2012	758283	Town & Country Supply Association	12,569.60	6010-00000-141000	97563 PO NUM 290282
08/13/2012	758284	Tractor & Equipment	62.70	6010-15530-402650	BLCS0518093

08/13/2012	758284	Tractor & Equipment	41.51	2110-31320-402320	BLCS0519736
08/13/2012	758284	Tractor & Equipment	51.96	5410-31230-402320	BLC50517411
08/13/2012	758284	Tractor & Equipment	79.24	5410-31230-402320	BLCS0519828
08/13/2012	758284	Tractor & Equipment	239.19	2110-31320-402320	BLCS0519829
08/13/2012	758284	Tractor & Equipment	278.71	2110-31320-402320	BBC795804
08/13/2012	758284	Tractor & Equipment	4,715.00	6010-00000-141000	81914401 PO NUM 290278
08/13/2012	758288	Tvetene Turf	2,739.00	5610-71130-403650	Invoice #804903/CM804904. New grass for area west of Ops, South of St. V's hangar
08/13/2012	758291	Underriner Motors	30,600.00	7170-21660-402290	Vehicle lease agreement for July 1, 2012 to June 30, 2013.
08/13/2012	758302	Williams Brother Construction Llc	5,059.91	4210-00000-201100	WO 08-22 WWTP UV Disinfection System
08/14/2012	758310	MONTANA CS&D	4,090.80	9000-00000-209926	Child Support

Consent **1. X. 3.**

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Payment of Claims August 20, 2012.

PRESENTED BY: Pat M. Weber, Finance Director

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$1,270,551.51 have been audited and are presented for your approval for payment. A complete listing of the claims dated August 20, 2012, is available in the Finance Department.

ALTERNATIVES ANALYZED

No other alternatives were analyzed.

FINANCIAL IMPACT

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

RECOMMENDATION

Staff recommends that Council approve the Payment of Claims.

APPROVED BY CITY ADMINISTRATOR

Attachments

List of claims greater than \$2500.

AP Report > \$2,500 for 08/20/2012

Check Date	Check	Name	Amount	Account	Item Desc
08/20/2012	758326	American Title & Escrow	15,000.00	2800-65810-407277	Check Request for FTHB Program for Suzie Scott, 1403 Concord
08/20/2012	758327	American Title & Escrow	92,786.44	2660-67730-409200	NSP Acquisition of 648 Conway
08/20/2012	758333	Arrow Striping & Manufacturing Inc	5,400.00	2110-31320-402340	glass beads for painting
08/20/2012	758348	Billings Gazette	615.71	0100-14110-403110	On Line Banner
08/20/2012	758348	Billings Gazette	585.64	5210-15210-403210	Parking
08/20/2012	758348	Billings Gazette	1,641.15	5410-31220-403370	Solid Waste
08/20/2012	758348	Billings Gazette	860.00	2600-55110-403360	Library
08/20/2012	758348	Billings Gazette	115.08	4680-31610-409310	Finance
08/20/2012	758348	Billings Gazette	857.30	5210-15210-403370	HR/Parking
08/20/2012	758348	Billings Gazette	475.28	0100-17500-403370	HR/Legal
08/20/2012	758348	Billings Gazette	495.96	2110-31320-403370	HR/Streets
08/20/2012	758350	Billings Junior Woman's Club	4,000.00	2600-55110-407930	Books for Babies Program
08/20/2012	758358	Brenntag Pacific Inc	3,172.00	5120-84000-402220	Calcium Hypochlorite
08/20/2012	758361	Bruco Inc	1,947.20	5120-84000-402220	Industrial degreaser
08/20/2012	758361	Bruco Inc	975.10	5120-84000-402220	Inudtrial Degreaser
08/20/2012	758361	Bruco Inc	304.94	5120-84000-402240	Janitorial supplies
08/20/2012	758363	Business Tax Section	116.13	2360-43700-409370	WO 12-10 Broadwater Trail Connection
08/20/2012	758363	Business Tax Section	330.39	5030-74910-409390	WO 10-08 WTP Clearwell No.1 Roof Replc
08/20/2012	758363	Business Tax Section	749.18	2100-51510-409390	WO 12-10 Broadwater Trail Connection
08/20/2012	758363	Business Tax Section	141.87	4980-55110-409220	WO 12-27 Over excavation of Library site. 1% Business Tax
08/20/2012	758363	Business Tax Section	281.69	4980-00000-201100	WO 12-27 Over excavation of Library site. 1% Business Tax
08/20/2012	758363	Business Tax Section	2,494.37	5130-85910-409340	WO1201 Water & Sewer Replacement
08/20/2012	758375	Compton Kelly J	109.99	1500-21120-402261	Equipment Allowance Reimbursement - Scheels 8/9/12
08/20/2012	758375	Compton Kelly J	2,808.29	7090-21910-403822	Travel Reimb 4776 - NASRO Conference, Reno, NV - Kelly Compton, Karl Rude, Chris Simpson, & George Zorzakis
08/20/2012	758376	Cop Construction Co	246,942.06	5130-85910-409340	WO1201 Water & Sewer Replacement
08/20/2012	758377	County Water District Of Billings Heights	2,137.92	8720-51980-403420	Water charges for Walden Grove.
08/20/2012	758377	County Water District Of Billings Heights	1,283.26	8720-51980-403420	Water charges for France's Park.
08/20/2012	758377	County Water District Of Billings Heights	2,154.81	0100-51120-403420	Water charges for Hawthorne Park.

08/20/2012	758377	County Water District Of Billings Heights	17.31	0100-51120-403420	Water charges for Arrowhead Park.
08/20/2012	758377	County Water District Of Billings Heights	1,524.52	8720-51980-403420	Water charges for Uinta Park.
08/20/2012	758377	County Water District Of Billings Heights	1,352.72	0100-51120-403420	Water charges for Primrose Park.
08/20/2012	758377	County Water District Of Billings Heights	883.53	8720-51980-403420	Water charges for Luthern Park.
08/20/2012	758377	County Water District Of Billings Heights	3,446.40	8720-51980-403420	Water charges for Twin Oaks.
08/20/2012	758377	County Water District Of Billings Heights	1,075.66	0100-51120-403420	Water charges for Arrowhead Park.
08/20/2012	758377	County Water District Of Billings Heights	639.72	8720-51980-403420	Water charges for Rolling Hills Park.
08/20/2012	758377	County Water District Of Billings Heights	487.50	0100-51120-403420	Water charges for Sherry Cleavenger Field.
08/20/2012	758379	CTA Architects	2,990.70	4070-71280-409290	Invoice #97006 - Architectural Services for Expansion of Screening Lobby
08/20/2012	758385	Digital Video Systems	4,995.00	5410-31230-402920	heater and blower for the landfill
08/20/2012	758385	Digital Video Systems	1,137.50	5410-31230-403660	back up data at landfill per vern
08/20/2012	758386	Dixie Petro-Chem	2,752.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290270
08/20/2012	758386	Dixie Petro-Chem	2,752.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290288
08/20/2012	758387	Dowl Hkm	27,372.02	8450-31860-409310	WO 09-20 Rimrck Rd Forsythia Blvd to Shiloh Rd
08/20/2012	758387	Dowl Hkm	20,668.82	5120-82110-403540	WO1214 IWP WW Collections System
08/20/2012	758391	Ebms	1,950.00	6270-17520-403511	September 2012
08/20/2012	758391	Ebms	17,150.70	6270-17520-403512	September 2012
08/20/2012	758391	Ebms	38,030.73	6270-17520-403515	September 2012
08/20/2012	758391	Ebms	3,346.00	6270-17520-403515	September 2012
08/20/2012	758391	Ebms	7,504.30	6270-17520-405161	September 2012
08/20/2012	758397	First Montana Title Co	9,572.00	2800-65810-407277	Check Request, First MT Title, FTHB for Sandra Williams, 223 Prospectors Ln.
08/20/2012	758397	First Montana Title Co	5,428.00	2890-65810-407277	Check Request, First MT Title, FTHB for Sandra Williams, 223 Prospectors Ln.
08/20/2012	758398	Flathead County Sheriff's Office	3,884.97	2510-21870-403822	ICAC quarterly reimbursement for qtr end 6/30/12. Travel.
08/20/2012	758402	Galles Filter Service	130.36	5410-31220-402320	257598
08/20/2012	758402	Galles Filter Service	316.64	6010-00000-141000	257705 PO NUM 289967
08/20/2012	758402	Galles Filter Service	6.04	0100-51120-402320	257813
08/20/2012	758402	Galles Filter Service	141.13	6010-00000-141000	257813 PO NUM 289967
08/20/2012	758402	Galles Filter Service	157.14	6010-00000-141714	258551 PO NUM 289967
08/20/2012	758402	Galles Filter Service	181.17	6010-15530-402650	258684
08/20/2012	758402	Galles Filter Service	8.54	0100-51120-402320	258715

08/20/2012	758402	Galles Filter Service	261.58	6010-00000-141000	258941 PO NUM 289967
08/20/2012	758402	Galles Filter Service	77.31	5710-71440-402320	259493
08/20/2012	758402	Galles Filter Service	10.21	6010-00000-141714	259493 PO NUM 289967
08/20/2012	758402	Galles Filter Service	8.20	1500-21120-402320	257615
08/20/2012	758402	Galles Filter Service	52.95	6010-00000-141714	257821 PO NUM 289967
08/20/2012	758402	Galles Filter Service	37.26	6010-15530-402320	257898
08/20/2012	758402	Galles Filter Service	161.94	6010-00000-141000	257898 PO NUM 289967
08/20/2012	758402	Galles Filter Service	5.52	2110-31320-402320	258715
08/20/2012	758402	Galles Filter Service	140.64	6010-00000-141000	258715 PO NUM 289967
08/20/2012	758402	Galles Filter Service	19.84	6500-15650-402320	258943
08/20/2012	758402	Galles Filter Service	69.96	6010-00000-141000	259004 PO NUM 289967
08/20/2012	758402	Galles Filter Service	19.62	6010-00000-141000	257902 PO NUM 289967
08/20/2012	758402	Galles Filter Service	224.41	6010-00000-141000	258145 PO NUM 289967
08/20/2012	758402	Galles Filter Service	16.37	2110-31320-402320	258277
08/20/2012	758402	Galles Filter Service	16.65	2110-31320-402320	258825
08/20/2012	758402	Galles Filter Service	106.44	6010-00000-141714	258937 PO NUM 289967
08/20/2012	758402	Galles Filter Service	16.47	6010-15530-402650	259079
08/20/2012	758402	Galles Filter Service	190.92	6010-00000-141000	259293 PO NUM 289967
08/20/2012	758402	Galles Filter Service	22.62	2110-31320-402320	259411
08/20/2012	758402	Galles Filter Service	4.40	6010-00000-141000	258358 PO NUM 289967
08/20/2012	758402	Galles Filter Service	16.28	2110-31320-402320	258972
08/20/2012	758402	Galles Filter Service	3.02	0100-51120-402320	259100
08/20/2012	758402	Galles Filter Service	87.97	6010-00000-141000	259492 PO NUM 289967
08/20/2012	758402	Galles Filter Service	181.17	6010-15530-403990	259711
08/20/2012	758411	Great West Engineering	5,044.20	5440-00000-201100	WO 11-19 Landfill Phase 5 Expansion; Retainage Release
08/20/2012	758414	Hardy Construction	32,709.07	5030-74910-409390	WO 10-08 WTP Clearwell No.1 Roof Replc
08/20/2012	758416	IBM Corporation	2,819.08	6200-19110-405370	VMware vSphere 5 Enterprise for 1 processor Lic and 1 year Subs
08/20/2012	758423	Interstate Powersystems	2,997.59	1500-22260-402320	19129.01
08/20/2012	758423	Interstate Powersystems	350.94	5710-71470-402320	7020056.01
08/20/2012	758423	Interstate Powersystems	18,080.19	5710-71440-402320	23018.01
08/20/2012	758423	Interstate Powersystems	63.95	5710-71470-402320	7019977.01
08/20/2012	758423	Interstate Powersystems	-9,058.19	5710-71440-402320	23162.01
08/20/2012	758423	Interstate Powersystems	13.09	5410-31220-402320	23123.01
08/20/2012	758423	Interstate Powersystems	18.60	5410-31220-402320	23123.01
08/20/2012	758423	Interstate Powersystems	4.93	5710-71440-402320	23039.01

08/20/2012	758423	Interstate Powersystems	267.77	5410-31220-402320	22716
08/20/2012	758424	ISI Tellemangement Solutions, Inc.	1,215.00	6060-19310-403582	ISI Hardware Maintenance 9/15/12-9/15/15
08/20/2012	758424	ISI Tellemangement Solutions, Inc.	4,599.00	6060-19310-403582	ISI Software Maintenance Agreement 9/15/12-9/15/15
08/20/2012	758438	Kirst Engineering	1,100.00	5130-84910-409390	Shipping and Handling as Per contract
08/20/2012	758438	Kirst Engineering	58,852.00	5130-84910-409390	TP0052 Tuthill PD Plus Blowers Model 9020-69R2
08/20/2012	758439	Knife River	74,169.23	2100-51510-409390	WO 12-10 Broadwater Trail Connection
08/20/2012	758439	Knife River	1,368.40	2110-31320-404710	asphalt
08/20/2012	758439	Knife River	8.00	5120-85000-403680	Dump Fee
08/20/2012	758439	Knife River	36.00	5120-85000-403680	Dump Fee
08/20/2012	758439	Knife River	11,496.31	2360-43700-409370	WO 12-10 Broadwater Trail Connection
08/20/2012	758439	Knife River	12.00	5020-75000-403680	Dump Fee
08/20/2012	758439	Knife River	54.00	5020-75000-403680	Dump Fee
08/20/2012	758439	Knife River	936.65	2110-31320-404710	asphalt
08/20/2012	758439	Knife River	2,251.15	2110-31320-404710	asphalt
08/20/2012	758439	Knife River	2,760.45	2110-31320-404710	asphalt
08/20/2012	758439	Knife River	114.62	2110-31320-404520	1 1/2" crushed base
08/20/2012	758444	LIEN, BIRDELL	3,498.64	5020-00000-115731	MANUAL CHECK 012073100
08/20/2012	758454	Mcneilus Truck & Manufacturing	13.64	5410-31220-402320	1940588
08/20/2012	758454	Mcneilus Truck & Manufacturing	9.70	5410-31220-402320	1940588
08/20/2012	758454	Mcneilus Truck & Manufacturing	6,696.96	5410-31220-402320	1941745
08/20/2012	758454	Mcneilus Truck & Manufacturing	357.73	5410-31220-402320	1941745
08/20/2012	758455	Meadow Green Sales	14,572.00	6400-51420-409440	Walker Mower #1918 invdate07312012 inv#2394
08/20/2012	758462	Moodys Investors Service	15,500.00	4980-55110-405510	M0039472 - GO Bonds, Series 2012
08/20/2012	758467	Mt Dept Of Labor & Industry	3,909.70	2090-44510-407637	I13-002787 Second payment to State of Mt. July 2012
08/20/2012	758474	Northwestern Energy	10,657.68	2110-31320-403410	Signal Bills
08/20/2012	758474	Northwestern Energy	460.38	8100-31830-403410	SILMD 008 ACCT# 0712544-6
08/20/2012	758474	Northwestern Energy	501.97	8100-31830-403410	SILMD 172 ACCT# 0712611-3
08/20/2012	758474	Northwestern Energy	13.79	8100-31830-403410	SILMD 238 ACCT# 0712672-5
08/20/2012	758474	Northwestern Energy	472.53	8100-31830-403410	SILMD 009 ACCT# 0712545-3
08/20/2012	758474	Northwestern Energy	1,103.11	8100-31830-403410	SILMD 173 ACCT# 0712612-1
08/20/2012	758474	Northwestern Energy	88.26	8100-31830-403410	SILMD 239 ACCT# 0712673-3
08/20/2012	758474	Northwestern Energy	2,991.61	8100-31830-403410	SILMD 117 ACCT# 0712566-9

08/20/2012	758474	Northwestern Energy	1,147.24	8100-31830-403410	SILMD 190 ACCT# 0712628-7
08/20/2012	758474	Northwestern Energy	123.54	8100-31830-403410	SILMD 255 ACCT# 0720813-5
08/20/2012	758474	Northwestern Energy	215.68	8100-31830-403410	SILMD 118 ACCT# 0712567-7
08/20/2012	758474	Northwestern Energy	394.17	8100-31830-403410	SILMD 191 ACCT# 0712629-5
08/20/2012	758474	Northwestern Energy	768.74	8100-31830-403410	SILMD 257 ACCT# 0720360-7
08/20/2012	758474	Northwestern Energy	141.92	8100-31830-403410	SILMD 119 ACCT# 0712568-5
08/20/2012	758474	Northwestern Energy	286.81	8100-31830-403410	SILMD 192 ACCT# 0712630-3
08/20/2012	758474	Northwestern Energy	2,433.39	8100-31830-403410	SILMD 258 ACCT# 0720606-3
08/20/2012	758474	Northwestern Energy	2,323.10	8100-31830-403410	SILMD 121 ACCT# 0712570-1
08/20/2012	758474	Northwestern Energy	705.99	8100-31830-403410	SILMD 193 ACCT# 0712631-1
08/20/2012	758474	Northwestern Energy	6.64	8100-31830-403410	SILMD 259 ACCT# 1301786-8
08/20/2012	758474	Northwestern Energy	176.49	8100-31830-403410	SILMD 122 ACCT# 0712571-9
08/20/2012	758474	Northwestern Energy	233.64	8100-31830-403410	SILMD 194 ACCT# 0712632-9
08/20/2012	758474	Northwestern Energy	1,112.77	8100-31830-403410	SILMD 259 ACCT# 0720810-1
08/20/2012	758474	Northwestern Energy	309.74	8100-31830-403410	SILMD 123 ACCT# 0712572-7
08/20/2012	758474	Northwestern Energy	194.70	8100-31830-403410	SILMD 195 ACCT# 0712633-7
08/20/2012	758474	Northwestern Energy	464.61	8100-31830-403410	SILMD 261 ACCT# 0720705-3
08/20/2012	758474	Northwestern Energy	903.43	8100-31830-403410	SILMD 124 ACCT# 0712573-5
08/20/2012	758474	Northwestern Energy	62.59	8100-31830-403410	SILMD 196 ACCT# 0712634-5
08/20/2012	758474	Northwestern Energy	2,929.14	8100-31830-403410	SILMD 262 ACCT# 0720937-2
08/20/2012	758474	Northwestern Energy	361.36	8100-31830-403410	SILMD 125 ACCT# 0712574-3
08/20/2012	758474	Northwestern Energy	62.59	8100-31830-403410	SILMD 197 ACCT# 0712635-2
08/20/2012	758474	Northwestern Energy	810.15	8100-31830-403410	SILMD 263 ACCT# 0720716-0
08/20/2012	758474	Northwestern Energy	180.69	8100-31830-403410	SILMD 126 ACCT# 0712575-0
08/20/2012	758474	Northwestern Energy	110.30	8100-31830-403410	SILMD 198 ACCT# 0712636-0
08/20/2012	758474	Northwestern Energy	143.87	8100-31830-403410	SILMD 264 ACCT# 0721427-3
08/20/2012	758474	Northwestern Energy	661.87	8100-31830-403410	SILMD 127 ACCT# 0712576-8
08/20/2012	758474	Northwestern Energy	66.75	8100-31830-403410	SILMD 200 ACCT# 0712637-8
08/20/2012	758474	Northwestern Energy	327.01	8100-31830-403410	SILMD 265 ACCT# 0721556-9
08/20/2012	758474	Northwestern Energy	463.31	8100-31830-403410	SILMD 128 ACCT# 0712577-6
08/20/2012	758474	Northwestern Energy	463.31	8100-31830-403410	SILMD 201 ACCT# 0712638-6
08/20/2012	758474	Northwestern Energy	32.18	8100-31830-403410	SILMD 266 ACCT# 0721684-9
08/20/2012	758474	Northwestern Energy	309.74	8100-31830-403410	SILMD 129 ACCT# 0712578-4
08/20/2012	758474	Northwestern Energy	718.70	8100-31830-403410	SILMD 202 INV# 0712639-4
08/20/2012	758474	Northwestern Energy	68.14	8100-31830-403410	SILMD 269 ACCT# 0833098-7
08/20/2012	758474	Northwestern Energy	117.13	8100-31830-403410	SILMD 130 ACCT# 0712579-2
08/20/2012	758474	Northwestern Energy	16.70	8100-31830-403410	SILMD 203 ACCT# 0712640-2

08/20/2012	758474	Northwestern Energy	383.62	8100-31830-403410	SILMD 270 ACCT# 0906944-4
08/20/2012	758474	Northwestern Energy	800.17	8100-31830-403410	SILMD 131 ACCT# 0712580-0
08/20/2012	758474	Northwestern Energy	319.68	8100-31830-403410	SILMD 204 ACCT# 0712641-0
08/20/2012	758474	Northwestern Energy	930.60	8100-31830-403410	SILMD 271 ACCT# 0995095-7
08/20/2012	758474	Northwestern Energy	217.52	8100-31830-403410	SILMD 133 ACCT# 0712581-8
08/20/2012	758474	Northwestern Energy	32.18	8100-31830-403410	SILMD 205 ACCT# 0712642-8
08/20/2012	758474	Northwestern Energy	2,623.78	8100-31830-403410	SILMD 272 ACCT# 0905005-5
08/20/2012	758474	Northwestern Energy	501.97	8100-31830-403410	SILMD 134 ACCT# 0712582-6
08/20/2012	758474	Northwestern Energy	308.86	8100-31830-403410	SILMD 206 ACCT# 0712643-6
08/20/2012	758474	Northwestern Energy	188.22	8100-31830-403410	SILMD 273 ACCT# 0926386-4
08/20/2012	758474	Northwestern Energy	485.37	8100-31830-403410	SILMD 135 ACCT# 0712583-4
08/20/2012	758474	Northwestern Energy	352.99	8100-31830-403410	SILMD 207 ACCT# 0712644-4
08/20/2012	758474	Northwestern Energy	58.40	8100-31830-403410	SILMD 274 ACCT# 0907926-0
08/20/2012	758474	Northwestern Energy	429.72	8100-31830-403410	SILMD 136 ACCT# 0712584-2
08/20/2012	758474	Northwestern Energy	219.75	8100-31830-403410	SILMD 208 ACCT# 0712645-1
08/20/2012	758474	Northwestern Energy	416.59	8100-31830-403410	SILMD 276 ACCT# 0961926-3
08/20/2012	758474	Northwestern Energy	346.61	8100-31830-403410	SILMD 137 ACCT# 0712585-9
08/20/2012	758474	Northwestern Energy	507.43	8100-31830-403410	SILMD 209 ACCT# 0712646-9
08/20/2012	758474	Northwestern Energy	771.05	8100-31830-403410	SILMD 277 ACCT# 1058710-3
08/20/2012	758474	Northwestern Energy	696.93	8100-31830-403410	SILMD 138 ACCT# 0712586-7
08/20/2012	758474	Northwestern Energy	75.09	8100-31830-403410	SILMD 210 ACCT# 0712647-7
08/20/2012	758474	Northwestern Energy	204.44	8100-31830-403410	SILMD 278 ACCT# 1087619-1
08/20/2012	758474	Northwestern Energy	232.30	8100-31830-403410	SILMD 139 ACCT# 0712587-5
08/20/2012	758474	Northwestern Energy	41.73	8100-31830-403410	SILMD 211 ACCT# 0712648-5
08/20/2012	758474	Northwestern Energy	57.30	8100-31830-403410	SILMD 279 ACCT# 1124127-0
08/20/2012	758474	Northwestern Energy	541.53	8100-31830-403410	SILMD 143 ACCT# 0712588-3
08/20/2012	758474	Northwestern Energy	41.73	8100-31830-403410	SILMD 212 ACCT# 0712649-3
08/20/2012	758474	Northwestern Energy	632.76	8100-31830-403410	SILMD 280 ACCT# 1045653-1
08/20/2012	758474	Northwestern Energy	25.79	8100-31830-403410	SILMD 144 ACCT# 0712589-1
08/20/2012	758474	Northwestern Energy	25.04	8100-31830-403410	SILMD 213 ACCT# 0712650-1
08/20/2012	758474	Northwestern Energy	58.40	8100-31830-403410	SILMD 281 ACCT# 1079722-3
08/20/2012	758474	Northwestern Energy	441.25	8100-31830-403410	SILMD 145 ACCT# 0712590-9
08/20/2012	758474	Northwestern Energy	441.54	8100-31830-403410	SILMD 214 ACCT# 0712651-9
08/20/2012	758474	Northwestern Energy	332.88	8100-31830-403410	SILMD 283 ACCT# 1172743-5
08/20/2012	758474	Northwestern Energy	335.56	8100-31830-403410	SILMD 146 ACCT# 0712591-7
08/20/2012	758474	Northwestern Energy	132.38	8100-31830-403410	SILMD 216 ACCT# 0712652-7
08/20/2012	758474	Northwestern Energy	315.74	8100-31830-403410	SILMD 285 ACCT# 1206985-2

08/20/2012	758474	Northwestern Energy	434.20	8100-31830-403410	SILMD 147 ACCT# 0712592-5
08/20/2012	758474	Northwestern Energy	347.09	8100-31830-403410	SILMD 217 ACCT# 0712653-5
08/20/2012	758474	Northwestern Energy	221.97	8100-31830-403410	SILMD 286 ACCT# 1296582-8
08/20/2012	758474	Northwestern Energy	1,321.47	8100-31830-403410	SILMD 149 ACCT# 0712593-3
08/20/2012	758474	Northwestern Energy	184.62	8100-31830-403410	SILMD 220 ACCT# 0712654-3
08/20/2012	758474	Northwestern Energy	74.32	8100-31830-403410	SILMD 287 ACCT# 1246537-3
08/20/2012	758474	Northwestern Energy	705.99	8100-31830-403410	SILMD 150 ACCT# 0712594-1
08/20/2012	758474	Northwestern Energy	8.04	8100-31830-403410	SILMD 221 ACCT# 0712655-0
08/20/2012	758474	Northwestern Energy	1,667.54	8100-31830-403410	SILMD 288 ACCT# 1303978-9
08/20/2012	758474	Northwestern Energy	593.68	8100-31830-403410	SILMD 151 ACCT# 0712595-8
08/20/2012	758474	Northwestern Energy	65.93	8100-31830-403410	SILMD 222 ACCT# 0712656-8
08/20/2012	758474	Northwestern Energy	307.15	8100-31830-403410	SILMD 289 ACCT# 1685375-6
08/20/2012	758474	Northwestern Energy	4,041.10	8100-31830-403410	SILMD 152 ACCT# 0712596-6
08/20/2012	758474	Northwestern Energy	100.15	8100-31830-403410	SILMD 223 ACCT# 0712657-6
08/20/2012	758474	Northwestern Energy	76.91	8100-31830-403410	SILMD 290 ACCT# 1433921-2
08/20/2012	758474	Northwestern Energy	507.43	8100-31830-403410	SILMD 153 ACCT# 0712597-4
08/20/2012	758474	Northwestern Energy	1,688.91	8100-31830-403410	SILMD 224 ACCT# 0712658-4
08/20/2012	758474	Northwestern Energy	567.87	8100-31830-403410	SILMD 292 ACCT# 1481532-8
08/20/2012	758474	Northwestern Energy	1,147.24	8100-31830-403410	SILMD 154 ACCT# 0712598-2
08/20/2012	758474	Northwestern Energy	310.11	8100-31830-403410	SILMD 225 ACCT# 0712659-2
08/20/2012	758474	Northwestern Energy	220.63	8100-31830-403410	SILMD 293 ACCT# 1481534-4
08/20/2012	758474	Northwestern Energy	258.39	8100-31830-403410	SILMD 155 ACCT# 0712599-0
08/20/2012	758474	Northwestern Energy	268.20	8100-31830-403410	SILMD 226 ACCT# 0712660-0
08/20/2012	758474	Northwestern Energy	441.25	8100-31830-403410	SILMD 294 ACCT# 1481535-1
08/20/2012	758474	Northwestern Energy	860.43	8100-31830-403410	SILMD 157 ACCT# 0712600-6
08/20/2012	758474	Northwestern Energy	542.64	8100-31830-403410	SILMD 227 ACCT# 0712661-8
08/20/2012	758474	Northwestern Energy	103.26	8100-31830-403410	SILMD 295 ACCT# 1481536-9
08/20/2012	758474	Northwestern Energy	748.56	8100-31830-403410	SILMD 158 ACCT# 0712601-4
08/20/2012	758474	Northwestern Energy	748.56	8100-31830-403410	SILMD 228 ACCT# 0712662-6
08/20/2012	758474	Northwestern Energy	1,186.20	8100-31830-403410	SILMD 296 ACCT# 1481537-7
08/20/2012	758474	Northwestern Energy	1,016.03	8100-31830-403410	SILMD 159 ACCT# 0712602-2
08/20/2012	758474	Northwestern Energy	387.19	8100-31830-403410	SILMD 229 ACCT# 0712663-4
08/20/2012	758474	Northwestern Energy	198.55	8100-31830-403410	SILMD 297 ACCT# 1481539-3
08/20/2012	758474	Northwestern Energy	671.12	8100-31830-403410	SILMD 160 ACCT# 0712603-0
08/20/2012	758474	Northwestern Energy	903.43	8100-31830-403410	SILMD 230 ACCT# 0712664-2
08/20/2012	758474	Northwestern Energy	176.49	8100-31830-403410	SILMD 298 ACCT# 1481540-1
08/20/2012	758474	Northwestern Energy	992.80	8100-31830-403410	SILMD 161 ACCT# 0712604-8

08/20/2012	758474	Northwestern Energy	542.06	8100-31830-403410	SILMD 231 ACCT# 0712665-9
08/20/2012	758474	Northwestern Energy	376.10	8100-31830-403410	SILMD 300 ACCT# 1662840-6
08/20/2012	758474	Northwestern Energy	56.30	8100-31830-403410	SILMD 162 ACCT# 0712605-5
08/20/2012	758474	Northwestern Energy	2,348.92	8100-31830-403410	SILMD 232 ACCT# 0712666-7
08/20/2012	758474	Northwestern Energy	1,665.58	8100-31830-403410	SILMD 301 ACCT# 1687005-7
08/20/2012	758474	Northwestern Energy	603.59	8100-31830-403410	SILMD 163 ACCT# 0712606-3
08/20/2012	758474	Northwestern Energy	729.18	8100-31830-403410	SILMD 233 ACCT# 0712667-5
08/20/2012	758474	Northwestern Energy	158.23	8100-31830-403410	SILMD 302 ACCT# 1607534-3
08/20/2012	758474	Northwestern Energy	352.99	8100-31830-403410	SILMD 164 ACCT# 0712607-1
08/20/2012	758474	Northwestern Energy	429.68	8100-31830-403410	SILMD 234 ACCT# 0712668-3
08/20/2012	758474	Northwestern Energy	643.91	8100-31830-403410	SILMD 305 ACCT# 1695873-8
08/20/2012	758474	Northwestern Energy	825.99	8100-31830-403410	SILMD 165 ACCT# 0712608-9
08/20/2012	758474	Northwestern Energy	458.84	8100-31830-403410	SILMD 235 ACCT# 0712669-1
08/20/2012	758474	Northwestern Energy	139.70	8100-31830-403410	SILMD 306 ACCT# 1740353-6
08/20/2012	758474	Northwestern Energy	220.63	8100-31830-403410	SILMD 167 ACCT# 0712609-7
08/20/2012	758474	Northwestern Energy	146.01	8100-31830-403410	SILMD 236 ACCT# 0712670-9
08/20/2012	758474	Northwestern Energy	1,730.42	8100-31830-403410	SILMD 307 ACCT# 2049005-8
08/20/2012	758474	Northwestern Energy	529.51	8100-31830-403410	SILMD 171 ACCT# 0712610-5
08/20/2012	758474	Northwestern Energy	375.07	8100-31830-403410	SILMD 237 ACCT# 0712671-7
08/20/2012	758474	Northwestern Energy	164.48	8100-31830-403410	SILMD 308 ACCT# 2072459-7
08/20/2012	758474	Northwestern Energy	227.78	8100-31830-403410	SILMD 309 ACCT# 2001311-6
08/20/2012	758474	Northwestern Energy	132.44	8100-31830-403410	SILMD 310 ACCT# 2060519-2
08/20/2012	758474	Northwestern Energy	48.33	8100-31830-403410	SILMD 320 ACCT# 0712569-3
08/20/2012	758474	Northwestern Energy	1,238.33	8100-31830-403410	SILMD 010 ACCT# 0712546-1
08/20/2012	758474	Northwestern Energy	926.62	8100-31830-403410	SILMD 174 ACCT# 0712613-9
08/20/2012	758474	Northwestern Energy	350.45	8100-31830-403410	SILMD 240 ACCT# 0712674-1
08/20/2012	758474	Northwestern Energy	3,789.27	8100-31830-403410	SILMD 013 ACCT# 0721276-4
08/20/2012	758474	Northwestern Energy	308.86	8100-31830-403410	SILMD 175 ACCT# 0712614-7
08/20/2012	758474	Northwestern Energy	577.41	8100-31830-403410	SILMD 241 ACCT# 0712675-8
08/20/2012	758474	Northwestern Energy	1,140.62	8100-31830-403410	SILMD 017 ACCT# 0712553-7
08/20/2012	758474	Northwestern Energy	242.69	8100-31830-403410	SILMD 178 ACCT# 0712616-2
08/20/2012	758474	Northwestern Energy	103.26	8100-31830-403410	SILMD 244 ACCT# 0712677-4
08/20/2012	758474	Northwestern Energy	1,864.19	8100-31830-403410	SILMD 014 ACCT# 0721277-2
08/20/2012	758474	Northwestern Energy	40.20	8100-31830-403410	SILMD 176 ACCT# 0712615-4
08/20/2012	758474	Northwestern Energy	77.43	8100-31830-403410	SILMD 242 ACCT# 0712676-6
08/20/2012	758474	Northwestern Energy	87.61	8100-31830-403410	SILMD 018 ACCT# 0712554-5
08/20/2012	758474	Northwestern Energy	485.37	8100-31830-403410	SILMD 179 ACCT# 0712617-0

08/20/2012	758474	Northwestern Energy	79.99	8100-31830-403410	SILMD 245 ACCT# 0712678-2
08/20/2012	758474	Northwestern Energy	2,445.53	8100-31830-403410	SILMD 100 ACCT# 0712559-4
08/20/2012	758474	Northwestern Energy	1,103.14	8100-31830-403410	SILMD 183 ACCT# 0712621-2
08/20/2012	758474	Northwestern Energy	2,555.42	8100-31830-403410	SILMD 249 ACCT# 0718734-7
08/20/2012	758474	Northwestern Energy	1,626.17	8100-31830-403410	SILMD 107 ACCT# 0712560-2
08/20/2012	758474	Northwestern Energy	352.99	8100-31830-403410	SILMD 184 ACCT# 0712622-0
08/20/2012	758474	Northwestern Energy	7.20	8100-31830-403410	SILMD 250 ACCT# 1301786-8
08/20/2012	758474	Northwestern Energy	4,078.34	8100-31830-403410	SILMD 109 ACCT# 0712561-0
08/20/2012	758474	Northwestern Energy	132.38	8100-31830-403410	SILMD 185 ACCT# 0712623-8
08/20/2012	758474	Northwestern Energy	177.54	8100-31830-403410	SILMD 250 ACCT# 0719001-00
08/20/2012	758474	Northwestern Energy	165.54	8100-31830-403410	SILMD 113 ACCT# 0712562-8
08/20/2012	758474	Northwestern Energy	564.61	8100-31830-403410	SILMD 186 ACCT# 0712624-6
08/20/2012	758474	Northwestern Energy	3,666.80	8100-31830-403410	SILMD 251 ACCT# 0718801-4
08/20/2012	758474	Northwestern Energy	1,492.81	8100-31830-403410	SILMD 099 ACCT# 0712558-6
08/20/2012	758474	Northwestern Energy	551.56	8100-31830-403410	SILMD 182 ACCT# 0712620-4
08/20/2012	758474	Northwestern Energy	2,280.41	8100-31830-403410	SILMD 248 ACCT# 0712681-6
08/20/2012	758474	Northwestern Energy	12,170.27	8100-31830-403410	SILMD 097 ACCT# 0712557-8
08/20/2012	758474	Northwestern Energy	1,574.54	8100-31830-403410	SILMD 181 ACCT# 0712619-6
08/20/2012	758474	Northwestern Energy	1,075.43	8100-31830-403410	SILMD 247 ACCT# 0712680-8
08/20/2012	758474	Northwestern Energy	424.51	8100-31830-403410	SILMD 095 ACCT# 0712556-0
08/20/2012	758474	Northwestern Energy	330.94	8100-31830-403410	SILMD 180 ACCT# 0712618-8
08/20/2012	758474	Northwestern Energy	309.74	8100-31830-403410	SILMD 246 ACCT# 0712679-0
08/20/2012	758474	Northwestern Energy	877.62	8100-31830-403410	SILMD 114 ACCT# 0712563-6
08/20/2012	758474	Northwestern Energy	220.63	8100-31830-403410	SILMD 187 ACCT# 0712625-3
08/20/2012	758474	Northwestern Energy	516.25	8100-31830-403410	SILMD 252 ACCT# 0719162-0
08/20/2012	758474	Northwestern Energy	206.49	8100-31830-403410	SILMD 115 ACCT# 0712564-4
08/20/2012	758474	Northwestern Energy	264.74	8100-31830-403410	SILMD 188 ACCT# 0712626-1
08/20/2012	758474	Northwestern Energy	1,802.72	8100-31830-403410	SILMD 253 ACCT# 0719644-7
08/20/2012	758474	Northwestern Energy	542.06	8100-31830-403410	SILMD 116 ACCT# 0712565-1
08/20/2012	758474	Northwestern Energy	220.63	8100-31830-403410	SILMD 189 ACCT# 0712627-9
08/20/2012	758474	Northwestern Energy	131.88	8100-31830-403410	SILMD 254 ACCT# 0719763-5
08/20/2012	758475	Northwestern Energy	7.15	5020-74000-403410	07230592
08/20/2012	758475	Northwestern Energy	3,942.89	6500-15660-403410	12693917
08/20/2012	758475	Northwestern Energy	1,432.09	0100-51120-403410	07230451
08/20/2012	758475	Northwestern Energy	8,819.27	5020-74000-403410	07230402
08/20/2012	758475	Northwestern Energy	1,081.65	0100-51120-403410	11914041
08/20/2012	758475	Northwestern Energy	2,674.71	0100-51120-403410	07222870

08/20/2012	758475	Northwestern Energy	2,223.67	6500-15660-403410	11608049
08/20/2012	758475	Northwestern Energy	14,326.17	5020-74000-403410	07222649
08/20/2012	758475	Northwestern Energy	1,873.26	6500-15660-403410	11608023
08/20/2012	758475	Northwestern Energy	34.15	0100-51120-403410	18366666
08/20/2012	758475	Northwestern Energy	7.79	2110-31320-403410	20470191
08/20/2012	758475	Northwestern Energy	2,316.23	0100-51260-403410	07208218
08/20/2012	758475	Northwestern Energy	170.75	5020-74000-403410	11422532
08/20/2012	758475	Northwestern Energy	0.58	2110-31320-403410	17488966
08/20/2012	758475	Northwestern Energy	40.25	0100-51220-403410	07208184
08/20/2012	758475	Northwestern Energy	605.85	6500-15660-403410	09758087
08/20/2012	758475	Northwestern Energy	21.70	5610-71170-403410	11389269
08/20/2012	758475	Northwestern Energy	120.28	0100-51220-403410	07125362
08/20/2012	758475	Northwestern Energy	332.80	0100-51120-403410	09254962
08/20/2012	758475	Northwestern Energy	1,564.49	5020-74000-403410	11164522
08/20/2012	758475	Northwestern Energy	186.06	8720-51980-403410	10458131
08/20/2012	758475	Northwestern Energy	0.19	2110-31320-403410	17403577
08/20/2012	758475	Northwestern Energy	41.01	0100-51270-403410	07123870
08/20/2012	758475	Northwestern Energy	546.65	1500-22210-403410	08715468
08/20/2012	758475	Northwestern Energy	168.11	5120-85000-403410	62 St West at Ironwood
08/20/2012	758475	Northwestern Energy	5.26	2950-66980-407275	August electric bill for NSP property, 1128 Lynn Ave.
08/20/2012	758478	OCLC	12,274.17	2600-55160-403590	Invoice 184918
08/20/2012	758479	One Eighty Communications	40.60	5610-71100-403450	Airport 2948370 Airport Alarm
08/20/2012	758479	One Eighty Communications	3,527.92	6060-19310-403450	Main Bill Acct 00001906
08/20/2012	758479	One Eighty Communications	195.67	6060-19310-403450	Main Bill T-1 Account 00018768
08/20/2012	758479	One Eighty Communications	39.00	1500-21110-403450	CPC line 247-8592 Account 00018768
08/20/2012	758479	One Eighty Communications	46.00	0100-51120-403450	Dehler Park line 867-7275
08/20/2012	758479	One Eighty Communications	259.00	2600-55180-403590	Library Internet Connection
08/20/2012	758479	One Eighty Communications	326.56	6600-31100-403450	Depot 60% 6700 31410 403450
					Depot 40% 6600 31100 403450
08/20/2012	758479	One Eighty Communications	489.86	6700-31410-403450	Depot 60% 6700 31410 403450
					Depot 40% 6600 31100 403450
08/20/2012	758479	One Eighty Communications	79.95	6200-19110-403452	IT Internet Connection
08/20/2012	758479	One Eighty Communications	2.50	1500-22250-403450	Comm Center Long Distance Charges
08/20/2012	758493	Public Works-Administration	1,750.40	5050-75150-403671	Engineering Permits
08/20/2012	758493	Public Works-Administration	5,490.00	5020-75000-403680	Engineering Permits
08/20/2012	758493	Public Works-Administration	707.50	5130-85910-409340	Engineering Permits

08/20/2012	758500	Rimrock Engineering Inc	1,462.50	4680-31610-409310	SID 1393 Fritz Subdivision
08/20/2012	758500	Rimrock Engineering Inc	1,787.50	2050-31310-409310	SID 1393 Fritz Subdivision
08/20/2012	758501	Rimrock Foundation	2,908.74	7380-12640-403560	SAMHSA July 2012
08/20/2012	758501	Rimrock Foundation	2,488.93	7380-12640-403590	SAMHSA July 2012
08/20/2012	758501	Rimrock Foundation	3,252.91	7380-12640-403990	SAMHSA July 2012
08/20/2012	758501	Rimrock Foundation	2,291.09	0100-12530-403575	Drug Court.July 2012
08/20/2012	758522	Springsted	27,926.12	4980-55110-405510	1-001061.114 - for services preliminary to the issuance of COB, MT GO Library Bonds, Series 2012
08/20/2012	758522	Springsted	238.00	3130-15300-403590	12-064 - 2011 continuing disclosure services
08/20/2012	758522	Springsted	238.00	3110-15300-403590	12-064 - 2011 continuing disclosure services
08/20/2012	758522	Springsted	238.00	3140-15300-403590	12-064 - 2011 continuing disclosure services
08/20/2012	758522	Springsted	238.00	3150-15300-403590	12-064 - 2011 continuing disclosure services
08/20/2012	758522	Springsted	238.00	4060-71190-403590	12-064 - 2011 continuing disclosure services
08/20/2012	758522	Springsted	238.00	5610-71100-403590	12-064 - 2011 continuing disclosure
08/20/2012	758522	Springsted	238.00	3360-15330-403590	12-064 - 2011 continuing disclosure services
08/20/2012	758522	Springsted	1,634.00	2300-15820-403590	12-064 - 2011 continuing disclosure services
08/20/2012	758524	Stewart Title Of Billings	15,000.00	2800-65810-407277	FTHB Trudy Salfer, 811 Lake Elmo
08/20/2012	758525	Stewart Title Of Billings	10,000.00	2980-66800-407275	Check Request, Stewart Title, FTHB Bridget George, 719 N. Wagner Ln.
08/20/2012	758531	Terracon	64.94	2100-51510-409390	WO 12-10 Broadwater Trail Connection T331546
08/20/2012	758531	Terracon	10.06	2360-43700-409370	WO 12-10 Broadwater Trail Connection T331546
08/20/2012	758531	Terracon	32.47	2100-51510-409390	WO 12-10 Broadwater Trl Connection
08/20/2012	758531	Terracon	43.29	2100-51510-409390	WO 12-10 Broadwater Trl Connection
08/20/2012	758531	Terracon	164.50	2100-51510-409390	WO 12-10 Broadwater Trl Connection
08/20/2012	758531	Terracon	87.50	2050-31310-409310	WO 12-02 Misc. Developer
08/20/2012	758531	Terracon	190.00	4420-31650-409311	WO 12-02 Misc. Developer
08/20/2012	758531	Terracon	565.00	2050-31310-409390	WO 12-03 2012 City Chip Seal T330092
08/20/2012	758531	Terracon	5.03	2360-43700-409370	WO 12-10 Broadwater Trl Connection
08/20/2012	758531	Terracon	6.71	2360-43700-409370	WO 12-10 Broadwater Trl Connection
08/20/2012	758531	Terracon	25.50	2360-43700-409370	WO 12-10 Broadwater Trl Connection
08/20/2012	758531	Terracon	385.00	2050-31310-409390	WO 12-03 2012 City Chip Seal T330094
08/20/2012	758531	Terracon	565.00	2050-31310-409390	WO 12-03 2012 City Chip Seal T330177
08/20/2012	758531	Terracon	240.00	2050-31310-409390	WO 12-03 2012 City Chip Seal T330106
08/20/2012	758531	Terracon	50.00	2050-31310-409390	WO 12-03 2012 City Chip Seal T330531

08/20/2012	758531	Terracon	50.00	2050-31310-409390	WO 12-03 2012 City Chip Seal T330547
08/20/2012	758531	Terracon	565.00	2050-31310-409390	WO 12-03 2012 City Chip Seal T330505
08/20/2012	758531	Terracon	570.00	2050-31310-409390	WO 12-03 2012 City Chip Seal T330700
08/20/2012	758531	Terracon	50.00	2050-31310-409390	WO 12-03 2012 City Chip Seal T330520
08/20/2012	758531	Terracon	570.00	2050-31310-409390	WO 12-03 2012 City Chip Seal T330503
08/20/2012	758531	Terracon	50.00	2050-31310-409390	WO 12-03 2012 City Chip Seal T330542
08/20/2012	758531	Terracon	565.00	2050-31310-409390	WO 12-03 2012 City Chip Seal T330710
08/20/2012	758531	Terracon	37.50	2050-31310-409390	WO 12-03 2012 City Chip Seal T330147
08/20/2012	758531	Terracon	570.00	2050-31310-409390	WO 12-03 2012 City Chip Seal T330502
08/20/2012	758531	Terracon	37.50	2050-31310-409390	WO 12-03 2012 City Chip Seal T330506
08/20/2012	758531	Terracon	50.00	2050-31310-409390	WO 12-03 2012 City Chip Seal T330146
08/20/2012	758531	Terracon	565.00	2050-31310-409390	WO 12-03 2012 City Chip Seal T330093
08/20/2012	758534	The Omega Group, Inc.	4,495.00	1500-21500-403553	Crime Mapping.com & CrimeView Desktop Support for 9/1/11 - 8/30/12. Support for 3 additional licenses.
08/20/2012	758541	Town & Country Supply Association	22,777.30	6010-00000-141714	96676 PO NUM 290330
08/20/2012	758541	Town & Country Supply Association	1,126.16	1500-22260-402310	979342 FIRE 1 UNLEADED (350 GALLONS) DELIVERED ON 8/7/2012
08/20/2012	758541	Town & Country Supply Association	1,858.55	1500-22260-402310	97342 FIRE 1: DIESEL #2 DYED (580 GALLONS)
08/20/2012	758541	Town & Country Supply Association	615.47	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290292
08/20/2012	758541	Town & Country Supply Association	637.65	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290286
08/20/2012	758541	Town & Country Supply Association	791.53	1500-22310-402310	97342 FIRE 5 UNLEADED (246 GALLONS) DELIVERED ON 8/7/2012
08/20/2012	758541	Town & Country Supply Association	6,576.80	6010-00000-141714	97361 PO NUM 290330
08/20/2012	758541	Town & Country Supply Association	887.62	1500-22310-402310	97342 FIRE3 DIESEL #2 DYED (277 GALLONS) DELIVERED ON 8/7/2012
08/20/2012	758541	Town & Country Supply Association	1,121.54	1500-22260-402310	97342 FIRE 2: DIESEL #2 DYED (350 GALLONS) DELIVERED ON 8/7/2012
08/20/2012	758541	Town & Country Supply Association	1,028.61	1500-22260-402310	97342 FIRE 5: DIESEL #2 DYED (321 GALLONS) DELIVERED ON 8/7/2012
08/20/2012	758543	Trebron Company Inc	1,438.00	5120-83110-403630	Line Printer Maintenance
08/20/2012	758543	Trebron Company Inc	2,157.00	5020-73110-403630	Line Printer Maintenance
08/20/2012	758543	Trebron Company Inc	3,380.80	5130-83910-409480	Line Printer Per FY13 TRP
08/20/2012	758543	Trebron Company Inc	5,071.20	5030-73910-409480	Line Printer Per FY13 TRP

08/20/2012	758562	Yellowstone County Finance Dpt	1,875.98	1500-21110-403590	July 2012 Inmate Medical Billing
08/20/2012	758562	Yellowstone County Finance Dpt	14,840.00	1500-21110-403590	Prisoner Billing for Month Ending July 2012
08/20/2012	758563	Yellowstone County Montana	8,119.24	2250-22320-407990	COMPUTER & SOFTWARE UPGRADE FOR YELLOWSTONE COUNTY SIREN SYSTEM. WORK PERFORMED BY INDUSTRIAL COMMUNICATIONS AND FUNDED WITH 911 GRANT FUNDS PER EMAIL VOTE BY 911 ADVISORY BOARD ON 6/13/2012.
08/20/2012	758564	Yellowstone Electric Co	2,723.00	5610-71120-402450	Invoice #20225 - Hook up door switches provided by z & G Glass for security doors.
08/20/2012	758564	Yellowstone Electric Co	1,780.00	5610-71120-402450	Invoice #20227 - Replace ballasts and lamps in the 8 elevators.
08/20/2012	758564	Yellowstone Electric Co	928.84	5610-71120-402450	Invoice #9349 - Relocated and replaced motor starter & control wiring on AHU-6 HVAC unit. Coordinated with ATS to ensure controls are working

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Public Hearing and Resolution Amending Resolution 12-19206 Park District 1 Assessment

PRESENTED BY: Patrcik M. Weber, Finance Director

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

This resolution amends Resolution 12-19206, passed on 08/27/12, establishing Park District 1 assessments. City Council adopted an FY 13 budget of \$1,855,000 for Park District 1. Therefore, assessments in the same amount will be needed to pay for the improvements and maintenance in the FY 13 budget.

The amended resolution process includes one step left out of Resolution 12-19206. Montana Code Annotated 7-11-1025(3) requires an official list of all properties in the district including tax code, owner/owners name, and assessment amount by property be provided for viewing in the City Clerk's office. Staff submitted a new legal ad that stated the official list would be available in the City Clerk's office for viewing.

ALTERNATIVES ANALYZED

The Council must hold a public hearing and then may:

- Approve the resolution amending resolution 12-19206; or
- Not approve the resolution amending resolution 12-19206.

FINANCIAL IMPACT

The assessment amounts for each property on the official list will be forwarded to the County Treasure ensuring the amounts do not change.

Based on the change made using each individual properties taxable value and aggregating those, a home with a \$200,000 market value would have an assessment of approximately \$31 or 1.184% of taxable value. This is an increase of 2.8 thousandths of a percent from resolution 12-19206 passed on 08/27/12.

This assessment will generate \$1,854,434 in revenue barring any protests or delinquencies. This is \$566 less than the expenditure budget of \$1,855,000 due to a limit of four decimal places in the assessment calculation.

RECOMMENDATION

Staff recommends that the City Council hold the public hearing and approves the resolution amending resolution 12-19206 setting the assessments for Park District 1 for tax year 2012

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution

RESOLUTION 12- _____

A RESOLUTION AMENDING RESOLUTION 12-19206 PASSED ON 08/27/12 ASSESSING PROPERTIES WITHIN THE CITY OF BILLINGS FOR THE PARK DISTRICT 1 ASSESSMENT, PROVIDING FOR NOTICE, HEARING AND ADOPTION.

WHEREAS, Billings, Montana (the “City”) is a municipality duly organized and existing under and by virtue of the Constitution and laws of the State of Montana.

WHEREAS: the City Council (the “Council”) is authorized by Montana Code Annotated (“MCA”), 7-11-1024 to make assessments or impose fees for the costs and expenses of the special district based upon a budget proposed by the governing body.

WHEREAS: Council adopted the FY 13 capital budget on 06/11/12, resolution 12-191278 and the operations and maintenance budget on 07/25/12, resolution 12-12-19193 for Park District 1 in the amount of \$1,855,000 per MCA 7-11-1024 and 7-11-1025(2).

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

1. ASSESSMENT FOR FISCAL YEAR 2013. MCA 7-11-1024(3)(a)(iii) authorizes the Council to assess the percentage of cost for Park District 1 to each parcel of land, including improvements on the lot or parcel for the fiscal year. Each parcel shall pay to the City that portion of the total Park District 1 assessment of \$1,855,000 imposed annually as hereinafter provided, as the total taxable value of each parcel bears to the total taxable value, within the City.

2. LIST OF PROPERTIES ASSESSED. The official list of those properties subject to the assessment within the District, including the tax code, name/names of the owners of such properties and estimated amount of assessment on each property, is on file for public inspection in the Billings City Clerk’s office per MCA 7-11-1025 (3).

3. NOTICE OF HEARING. On Monday, September 10, 2012, at 6:30 p.m. the Billings City Council will conduct a public hearing on the proposed resolution AMENMDING Resolution 12-19206 passed on 08/27/12 establishing an assessment for Park District 1 for the fiscal year July 1, 2012-June 30, 2013. There is a list for viewing in the City Clerk's office with tax code, owners name and estimated amount of assessment by parcel. The City Clerk is hereby directed to publish notice thereof twice, at least five (5) days prior to the hearing, in the Billings Gazette.

4. EFFECTIVE DATE. This resolution shall be effective upon adoption.
ADOPTED and APPROVED by the City Council on the 10th day of September, 2012.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, MAYOR

ATTEST:

BY: _____
Cari Martin, CITY CLERK

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Public Hearing & Resolution on Encroachments

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The annual encroachment assessments have been completed by the Finance Department and are ready to be spread on the tax rolls by resolution, following a public hearing.

Encroachment - Pursuant to BMCC Section 13-301, every person maintaining or owning any structure, encumbrance, obstruction or encroachment, in or upon or extending or projecting on, over, across or above and within seven (7) feet of the grade of any public property, public street, avenue, sidewalk or alley in the city, shall obtain an encroachment permit and shall pay to the city an annual encroachment rental fee of \$1.00 per square foot of encroachment area.

ALTERNATIVES ANALYZED

The Council may:

- Approve the resolution; or
- Not approve the resolution, and the Public Works Engineering Fund would be responsible to pay for the assessments.

FINANCIAL IMPACT

A list of the assessments is attached as part of the resolution.

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and adopt the encroachment assessment resolution.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution Encroachments

RESOLUTION 12 _____

A RESOLUTION FIXING THE AMOUNT OF THE ANNUAL SPECIAL ASSESSMENT TAX FOR THE FISCAL YEAR 2013 TO BE PAID BY PERSONS, FIRMS, AND CORPORATIONS, MAINTAINING ENCUMBRANCES, OBSTRUCTIONS, OR ENCROACHMENTS ON, OVER, ACROSS, OR ABOVE THE STREETS, AVENUES, SIDEWALKS, OR ALLEYS OF THE CITY OF BILLINGS AND LEVYING AND ASSESSING SAID SPECIAL ASSESSMENT TAX.

WHEREAS, Chapter 13 of the Billings, Montana City Code provides that every person, firm, or corporation that has or maintains any encumbrances, obstructions, or encroachments on, over, across, or above any street, avenue, sidewalk, or alley shall pay an annual rental fee, and

WHEREAS, Billings, Montana City Code, Section 13-303 provides that the City Council shall annually, by resolution, make a special assessment for such rental upon certain lots abutting on that part of the street, avenue, sidewalk, or alley upon which encumbrance, obstruction, or encroachment on the owner of such abutting lot or lots.

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

1. ANNUAL ASSESSMENT FOR RENTAL: That for the purposes of collecting said rents for the fiscal year 2013 for said encumbrances, obstructions, and encroachments on, over, across, or above the streets, avenues, alleys, and sidewalks of the City of Billings, there is hereby fixed, levied and assessed a special assessment tax upon the lots or parcels of land provided in the schedule attached, described as EXHIBIT "A" and by this reference made a part hereof.

2. DISPOSITION OF COLLECTIONS. All monies collected from said taxes shall be paid to the General Fund of the City of Billings, Montana.

3. NOTICE OF HEARING. That on Monday the 10th day of September, 2012 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 council will hear objections to the final adoption of this resolution. The City Clerk published notice hereof twice, on August 23rd and August 30th, 2012 in the Billings Times.

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

ADOPTED and APPROVED by the City Council on the 10th day of **September, 2012**

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, MAYOR

ATTEST:

BY: _____
Cari Martin, CITY CLERK

Exhibit A

11 ANTELOPE TRL	HLO 014 001,2	A09148	ENCH	220.00
FRIED, WILLIAM JR & SALLY AN	8701 10914800	RE		
1443 AVE D	EVE 007 023 W15F &	A06751	ENCH	6.50
DYE, CINDY D	6389 10675100	RE		
2720 BEARTOOTH DR	BEA 002 013	A02920	ENCH	5.00
COFFMAN, STEPHEN L & VICTOR	2604 10292000	RE		
2840 BETH DR	SFF 000 001	A13885	ENCH	1.00
THOMAS FAMILY LIVING TRUST,	13416 11388500	RE		
430 S BILLINGS BLVD	SRS 000 008 S326F	D01389	ENCH	675.00
HANSER AUTOMOTIVE CO INC	35929 40138900	RE		
928 BROADWATER AVE	BDW 002 028-37	A03302	ENCH	12.00
ZIMMERER, STEPHEN L & BRENDA	2998 10330200	RE		
1127 CALICO AVE	TE2 009 024	A24843	ENCH	50.00
KOHN, JAY A & JUDY K	24218 12484300	RE		
322 CAMEL PL	SS2 001 061	A23703	ENCH	58.50
VALKENBURG, CORNELIUS A & LI	23120 12370300	RE		
CENTRAL AVE	Y55 026 001-11 &	A19326	ENCH	10.00
JEWEL FOOD STORES INC	18816 11932600	RE		
1625 CENTRAL AVE	WWH 001 004-8 &	A17571	ENCH	48.00
GRAND LANES INC	17099 11757100	RE		
3040 CENTRAL AVE	SRD 000 002	A31495	ENCH	30.00
HUNTERS POINTE APARTMENTS LL	39020 14610	RE		
1301 DIVISION ST	BLG 003 017-20 &	A00028	ENCH	10.00
ATWOOD, SCOTT	17 10002800	RE		
2300 ELIZABETH ST	STH 003 001	A13999	ENCH	25.00
SCHAEFER, JOSHUA T & COREY R	13542 639	RE		
138 FLORINE LN	FLA 000 007 14&15A	A07017	ENCH	15.00
JACOBSON, RICHARD LEE &	6655 14651	RE		
4148 FRANCES AVE	HRM 000 001	A08646	ENCH	25.00
BRYSON, JEFFERY A	8092 10864600	RE		
828 GOVERNORS PL	KH3 021 011	A20220	ENCH	34.00
POWELL, ROSS D & JILL C	19673 12022000	RE		
2500 GRAND AVE 001	LP2 002 002 001	A20713	ENCH	1.00
BOGGS, JUSTIN DALE	20144 13300	RE		
2700 GRAND AVE B	SVM 001 001 00B	A28233B	ENCH	91.70
GRAND AVE INVESTOR LLC	42305 3296	RE		
2700 GRAND AVE C	SVM 001 001 00C	A28233C	ENCH	11.58
GRAND AVE INVESTOR LLC	42306 3297	RE		
2700 GRAND AVE D	SVM 001 001 00D	A28233D	ENCH	11.28
GRAND AVE INVESTOR LLC	42307 4550	RE		
2700 GRAND AVE E	SVM 001 001 00E	A28233E	ENCH	13.10
GRAND AVE INVESTOR LLC	42308 26245	RE		
2700 GRAND AVE F	SVM 001 001 00A	A28233A	ENCH	19.34
GRAND AVE INVESTOR LLC	42304 12823300	RE		
1323 GRANITE AVE	LER 000 013	A10613	ENCH	102.00

STOUGHTON, ALICE CASADY	10105 11061300	RE	
3221 GREEN TERRACE DR	CDF 007 024	A05687	ENCH 41.00
ROSE, BERNARD J III	5385 10568700	RE	
2760 GREGORY DR S	GR3 002 010	A19680	ENCH 50.00
COZZENS, LAWRENCE B & JEANNI	19127 11968000	RE	
4103 JANSMA AVE	SW4 012 011	A22975	ENCH 50.00
MOFFETT, DAVE	22382 12297500	RE	
4780 KING AVE E	MLC 001 001	A28994	ENCH 25.00
BK RE 11036 LLC	28086 1874	RE	
2883 KING AVE W	0662 000 000	D00527	ENCH 1000.00
RMR I LLC	35758 11622	RE	
4009 LAREDO PL	MYP 004 002	C06176	ENCH 112.50
ZIMNY, GERARD P & MICHELLE A	32925 30617600	RE	
3218 LEEANN BLVD	W5A 003 014A1	A20842	ENCH 10.00
TEICHERT, LYLE W & VALERIE R	20240 12084200	RE	
595 MAIN ST	HLR 000 001 W10F &	A09171	ENCH 50.00
MAIN STREET PARTNERS	8745 10917100	RE	
5435 MIDLAND RD	VAQ 001 001	C07319	ENCH 706.00
MANNY 422 LLC	33243 30731900	RE	
1117 MILES AVE	BDW 012 009-10	A03492	ENCH 10.00
MILLER, JANEL R	3187 10349200	RE	
2622 MINNESOTA AVE	BLG 189 017	A01272	ENCH 88.00
CITY OF BILLINGS	1060 10127200	RE	
2624 MINNESOTA AVE	BLG 189 018	A01273	ENCH 207.00
L & L DEVELOPMENT VENTURE LP	1061 10127300	RE	
2702 MINNESOTA AVE	BLG 190 007-8	A01281	ENCH 27.00
MORLEDGE, KARL	1069 10128100	RE	
2712 MINNESOTA AVE	BLG 190 012A	A01285	ENCH 46.00
MCKAY, TERRY & BARBARA J	1072 10128500	RE	
2804 MINNESOTA AVE	BLG 191 007-16	A01294	ENCH 421.00
LJR, LLC	1080 10129700	RE	
2303 MONTANA AVE	BLG 113 001-2	A00832	ENCH 122.50
D. B. SQUARED LLC	683 10083200	RE	
2319 MONTANA AVE	BLG 113 005A &	A00833	ENCH 442.00
COMPUTERS UNLIMITED	685 10083300	RE	
2401 MONTANA AVE	BLG 112 001	A00817	ENCH 50.00
REX HOTEL PARTNERSHIP	668 10081700	RE	
2413 MONTANA AVE	BLG 112 007	A00822	ENCH 114.00
NELSON, ANDY & BERT	674 10082200	RE	
2415 MONTANA AVE	BLG 112 008	A00823	ENCH 25.00
COMPUTERS UNLIMITED	675 10082300	RE	
2501 MONTANA AVE	BLG 111 001-2	A00806	ENCH 1261.00
COMPUTER UNLIMITED	657 10080600	RE	
2505 MONTANA AVE	BLG 111 003	A00807	ENCH 53.00
RPS, LLC	658 10080700	RE	
2705 MONTANA AVE	BLG 109 001-4	A00789	ENCH 66.00

CITY OF BILLINGS	646	10078900	RE		
2817 MONTANA AVE	BLG	108 008 W2/3 &	A00781	ENCH	126.00
NELSON, BERT A & ANDREW	640	10078100	RE		
2911 MONTANA AVE	BLG	107 006A	A00765	ENCH	224.34
MIGNONE, FRANCIS J	627	10076500	RE		
3217 MONTANA AVE	BLG	104 009-12 101	A00735A	ENCH	25.00
MONTANA AVE LOFTS LLC	41297	12144	RE		
3517 MONTANA AVE	BLG	101 008-12	A00708	ENCH	5.00
MARKS, STEVE	578	10070800	RE		
1159 MOON VALLEY RD	MVA	000 034	A11091	ENCH	50.00
BERRY, GALE & AMY	10570	11109100	RE		
NORTHWESTERN CORPORATION TAX	CEN	000 000 E004	E00004	ENCH	168.00
NORTHWESTERN CORP TRANSMISSI	37108	13584	RE		
533 PARK LN	MV2	001 001	A11193	ENCH	5.00
EREKSON, MATTHEW L	10660	11119300	RE		
1918 PARKHILL DR	HLI	005 001	A09085	ENCH	3.00
DEAVER, FRANKLIN KENNEDY JR	8540	10908500	RE		
4015 POLY DR	3209	000 002	D04718	ENCH	20.00
ELLIS, SHELLEY M	36278	40471800	RE		
127 REGAL ST	KNG	000 003	A20357	ENCH	30.00
JONES, JAMES W & JOHN T TRUS	19803	12035700	RE		
801 RIMROCK RD	T1N	R26E SEC 30 E 75F	D05641	ENCH	5.00
LE BAR, JAMES H & ELINOR J	36662	40564100	RE		
1625 RIVER STONE ST	CWG2	012 015	A33004	ENCH	3.00
SERMON, EDWARD J & REGINA L	40529	16651	RE		
2953 ROCKRIM LN	VLV	000 007C	A17196	ENCH	25.00
RUDE, KARL J	16717	11719600	RE		
2901 SHADOW OAKS PL	OKS	004 001	A24268	ENCH	25.00
COLLETT, GORDON C & SIV D	23671	1207	RE		
2902 SILVERWOOD ST	SLW	001 022	A21196	ENCH	10.00
KOCH, BRENT D	20570	12119600	RE		
1490 SOURDOUGH LN	GOL	003 021	A20913	ENCH	5.00
DIAMOND X LAND, LLC	20307	12091300	RE		
2706 TREASURE DR	PVT	004 029	A12971A	ENCH	25.00
POPP, GREGORY A & SHELLEY	12401	11297101	RE		
UNASSIGNED	FOA	042 016-18	A07279	ENCH	20.00
DEACONESS BILLINGS CLINIC	6838	10727900	RE		
UNASSIGNED	SHI	008 000 PARK#2	C08660	ENCH	1.00
EGGEBRECHT FAMILY LIMITED PT	33842	30866000	RE		
2010 VIRGINIA LN	CCA	004 039-43	A04983A	ENCH	25.00
WILGUS, MARK A & JOSI D	4688	2207	RE		
3815 WAR BONNET TRL	WBS	003 011A	C03210	ENCH	25.00
DAVIES, WILLIAM L & NANCY A	32172	30321000	RE		
230 WYOMING AVE	WSI	015 031-32	A17942	ENCH	9.00
HUSCHKA, MICHAEL J & LISA J	17470	11794200	RE		
1105 1 AVE N	1758	000 001	D05903	ENCH	100.00

ROOKHUIZEN, EDWARD J & DIANN	36904	40590300	RE		
1123 1 AVE N	0384	000 000 FRAC	D05900	ENCH	1440.00
B WHO U R, LLC	36901	40590000	RE		
1617 1 AVE N	BLG	081 013-24	A00537	ENCH	220.00
J & S PROPERTIES INC	432	10053700	RE		
2442 1 AVE N	BLG	112 018	A00827	ENCH	17.00
FOXLEY, SANDRA M TRUSTEE	679	10082700	RE		
2511 1 AVE N	BLG	090 015-24	A00618	ENCH	362.00
CLOCK TOWER INN, LLC	499	90015300	RE		
2651 1 AVE N	BLG	091 001-4 &	A00620	ENCH	5.00
CITY OF BILLINGS	500	966	RE		
2708 1 AVE N BSMT	BLG	109 019-20 BSMT	A00796A	ENCH	4.50
SECURITIES BUILDING LLC	41306	20420	RE		
2708 1 AVE N 004A	BLG	109 019-20 004A	A00796H	ENCH	0.69
SECURITIES BUILDING LLC	41313	20427	RE		
2708 1 AVE N 004B	BLG	109 019-20 004B	A00796I	ENCH	0.67
SECURITIES BUILDING LLC	41314	20428	RE		
2708 1 AVE N 004C	BLG	109 019-20 004C	A00796J	ENCH	0.70
SECURITIES BUILDING LLC	41315	20429	RE		
2708 1 AVE N 004D	BLG	109 019-20 004D	A00796K	ENCH	0.45
SECURITIES BUILDING LLC	41316	20430	RE		
2708 1 AVE N 004E	BLG	109 019-20 004E	A00796L	ENCH	0.63
SECURITIES BUILDING LLC	41317	20431	RE		
2708 1 AVE N 004F	BLG	109 019-20 004F	A00796N	ENCH	0.61
SECURITIES BUILDING LLC	41318	20432	RE		
2708 1 AVE N 005A	BLG	109 019-20 005A	A00796O	ENCH	0.69
SECURITIES BUILDING LLC	41319	20433	RE		
2708 1 AVE N 005B	BLG	109 019-20 005B	A00796P	ENCH	0.67
SECURITIES BUILDING LLC	41320	20434	RE		
2708 1 AVE N 005C	BLG	109 019-20 005C	A00796Q	ENCH	0.70
SECURITIES BUILDING LLC	41321	20435	RE		
2708 1 AVE N 005D	BLG	109 019-20 005D	A00796R	ENCH	0.45
SECURITIES BUILDING LLC	41322	20436	RE		
2708 1 AVE N 005E	BLG	109 019-20 005E	A00796S	ENCH	0.63
SECURITIES BUILDING LLC	41323	20437	RE		
2708 1 AVE N 005F	BLG	109 019-20 005F	A00796T	ENCH	0.61
SECURITIES BUILDING LLC	41324	20438	RE		
2708 1 AVE N 101	BLG	109 019-20 101	A00796B	ENCH	3.17
SECURITIES BUILDING LLC	41307	20421	RE		
2708 1 AVE N 102	BLG	109 019-20 102	A00796C	ENCH	1.33
SECURITIES BUILDING LLC	41308	20422	RE		
2708 1 AVE N 200	BLG	109 019-20 200	A00796D	ENCH	2.39
SECURITIES BUILDING LLC	41309	20423	RE		
2708 1 AVE N 201	BLG	109 019-20 201	A00796E	ENCH	1.35
SECURITIES BUILDING LLC	41310	20424	RE		
2708 1 AVE N 300	BLG	109 019-20 300	A00796F	ENCH	2.56

WEBHEN LLC	41311	20425	RE		
2708 1 AVE N 301	BLG	109 019-20 301	A00796G	ENCH	1.20
SECURITIES BUILDING LLC	41312	20426	RE		
2902 1 AVE N	BLG	107 019-20	A00774	ENCH	1720.00
NEAL C LA FEVER TRUST &	634	10077400	RE		
2925 1 AVE N	BLG	094 021-24	A00656	ENCH	59.58
TEAL, LLC	534	10065600	RE		
3220 1 AVE N	BLG	104 014 N6I &	A00737	ENCH	10.00
RIDER, THEODORE J & (ETAL)	605	10073700	RE		
3303 1 AVE N	BLG	098 001-9	A00687	ENCH	3.00
HOLIDAY FURNITURE CO INC	556	10068700	RE		
3520 1 AVE N	BLG	101 013-18	A00710	ENCH	5.00
MARKS, STEVE	579	10071000	RE		
2921 1 AVE S	BLG	00A 019-24	A00010	ENCH	16.00
SEAL, LAVERN AKA LEVERN	8	10001000	RE		
2800 10 AVE N	DMC	001 001-3 &	A05968	ENCH	304.00
DEACONESS MEDICAL CNTR OF BL	5664	457	RE		
320 N 11 ST	BLG	028 006	A00123	ENCH	50.00
TRAIL CREEK PROPERTIES LLC	91	10012300	RE		
1340 15 ST W	LIQ	000 001	A19570	ENCH	56.00
SIEMENS FAMILY LP	19032	11957000	RE		
315 N 15 ST	BLG	031 017-18 W 70F	A00146	ENCH	80.00
MCDONNELL FAMILY IRREVOCABLE	110	10014600	RE		
1201 2 AVE N	BLG	073 001-12	A00510	ENCH	960.00
FRANK FAMILY LIMITED PARTNER	409	10051000	RE		
2520 2 AVE N	BLG	090 013	A00616	ENCH	24.00
BAD OSPREY INC	497	10061600	RE		
2808 2 AVE N	BLG	093 007-12 001B	A00642B	ENCH	97.20
THE BABCOCK LLC	43472	20037	RE		
2810 2 AVE N	BLG	093 007-12 001C	A00642C	ENCH	3.24
THE BABCOCK LLC	43473	21948	RE		
2812 2 AVE N 1A	BLG	093 007-12 001A	A00642A	ENCH	61.56
THE BABCOCK LLC	43471	4332	RE		
2814 2 AVE N	BLG	093 013-17 E50F &	A00644	ENCH	154.00
ROYER PROPERTY LLC	522	5968	RE		
810 2 ST W	WSI	016 001-4 N54F	A17949	ENCH	12.00
BALLOU, CAROLYN J	17478	11794900	RE		
302 S 23 ST	BLG	173 011-12	A01174	ENCH	320.00
CONOCOPHILLIPS COMPANY	969	10117400	RE		
1108 24 ST W	LS2	001 001	A10202	ENCH	2813.00
LUTHERAN CHURCH OF THE GOOD	9688	11020200	RE		
1211 24 ST W	A2S	000 006,7 N277.3	A02434A	ENCH	15.00
BIG SKY FLORAL SUPPLY LLC	2116	10243401	RE		
124 N 24 ST	BLG	089 011-12	A00604	ENCH	7.00
MOUNTRAIL PROPERTIES LLC	486	10060400	RE		
420 N 24 ST	BLG	011 007-12	A00068A	ENCH	10.00

B L M TIRE CO	39	10006801	RE		
124 S 24 ST	BLG	143 001-3 &	A00964	ENCH	40.00
HATZELL PROPERTIES LLP	782	10096400	RE		
322 N 25 ST	BLG	042 011-12	A00243	ENCH	120.00
BLGS U S EMPLOYEES FED CR UN	196	10024300	RE		
N 26 ST	BLG	090 014	A00617	ENCH	24.00
BAD OSPREY INC	498	10061700	RE		
505 N 26 ST	BLG	267 021A	A01963A	ENCH	220.00
YELLOWSTONE ART MUSEUM	1672	5839	RE		
10 S 26 ST	BLG	189 007	A01264	ENCH	42.00
CITY OF BILLINGS	1052	10126400	RE		
24 S 26 ST	BLG	189 001-6	A01259	ENCH	6.00
CITY OF BILLINGS	1047	10125900	RE		
724 S 26 ST	BLG	227 001-24 &	A01699	ENCH	25.00
STATE OF MT DEPARTMENT OF AD	1454	10169900	RE		
27 N 27 ST	BLG	110 007-18	A00804	ENCH	130.00
MAKENNA HOTEL INVESTMENTS LL	656	4323	RE		
210 N 27 ST	BLG	058 001-12	A00368	ENCH	28.00
CITY OF BILLINGS	289	1602	RE		
515 N 27 ST	FOA	051 018 &	A07362	ENCH	47.26
SOUTH CENTRAL MONTANA REGION	6904	10736200	RE		
802 N 27 ST	FOA	025 001-6	A07120	ENCH	100.00
BILLINGS CLINIC	6743	10712000	RE		
1315 N 27 ST	SDS	021 002 N100F	A16557	ENCH	15.00
KHAN PROPERTIES, LLC	16204	11655700	RE		
13 S 27 ST	BLG	189 019-24	A01274	ENCH	134.00
CITY OF BILLINGS	1062	10127400	RE		
101 S 27 ST	BLG	141 001-12 &	A00949	ENCH	10.00
YELLOWSTONE HEALTH PARTNERSH	772	10094900	RE		
24 N 28 ST	BLG	108 001-6	A00778	ENCH	602.00
WESTERN SECURITY BANK	638	10077800	RE		
101 N 28 ST	BLG	092 023-24	A00639	ENCH	48.00
DAVIDSON, LARRY	517	4330	RE		
111 N 28 ST	BLG	092 020 &	A00637	ENCH	388.00
ACME LIMITED PARTNERSHIP	515	3181	RE		
117 N 28 ST	BLG	092 015-16	A00636	ENCH	351.00
ROBERTSON, JEFF & DONNA	513	10063600	RE		
213 N 28 ST	BLG	058 017-18	A00374	ENCH	48.00
LO, CHIA WEI & LIN LIN	292	10037400	RE		
222 N 28 ST	BLG	057 009-10	A00363	ENCH	500.00
CORMIER, PATRICK C-TRSTE	281	2487	RE		
313 N 28 ST	FOA	056 019,20			
BOBKATZ HOLDINGS, LLC	W62.72		A00260	ENCH	273.00
1138 N 28 ST	210	10026000	RE		
SISTERS OF CHARITY OF LEAVEN	NS3	008 014-22 &	A12226	ENCH	720.00
20 S 28 ST	11549	11222600	RE		
	BLG	191 001-6	A01293	ENCH	30.00

YELLOWSTONE PAPER COMPANY	1079	4402	RE		
101 S 28 ST	BLG	140 001-24	A00939	ENCH	126.00
SOUTHERN FOODS GROUP LP	770	6306	RE		
14 N 29 ST	BLG	107 023-24	A00776	ENCH	105.00
BARBAZON APARTMENTS LP	636	10077600	RE		
15 N 29 ST	BLG	108 014A	A00783	ENCH	108.00
NEAL C LA FEVER TRUST &	642	10078300	RE		
223 N 29 ST	BLG	057 013-15	A00365	ENCH	20.00
TWO VALLEYS REALTY INC	283	10036500	RE		
415 N 29 ST	FOA	053 013-20	A07370	ENCH	17.00
KARLSEN, VIRGINIA G	6911	10737000	RE		
716 N 29 ST	FOA	035 007-9	A07194	ENCH	20.00
BILLINGS CLINIC	6792	13240	RE		
801 N 29 ST	BCS	001 001	A07131	ENCH	223.00
BILLINGS CLINIC	6748	28971	RE		
904 N 29 ST	NS1	001 001-24 &	A12102	ENCH	223.00
DEACONESS MEDICAL CNTR OF BL	11517	11210200	RE		
1002 N 29 ST	NS3	006 001-2 &	A12194	ENCH	57.14
DEACONESS MEDICAL CNTR OF BL	11532	11219400	RE		
1006 N 29 ST	NS3	006 003-4 &	A12195	ENCH	57.14
BILLINGS DEACONESS HOSPITAL	11533	13256	RE		
1010 N 29 ST	NS3	006 005-6 &	A12196	ENCH	57.14
DEACONESS MEDICAL CENTER OF	11534	11219600	RE		
1014 N 29 ST	NS3	006 007-8 &	A12197	ENCH	57.14
DEACONESS MEDICAL CNTR OF BL	11535	11219700	RE		
1020 N 29 ST	NS3	006 009-10 &	A12198	ENCH	57.14
DEACONESS MEDICAL CENTER	11536	11219800	RE		
1024 N 29 ST	NS3	006 011-12 &	A12199	ENCH	57.14
BILLINGS DEACONESS HOSPITAL	11537	11219900	RE		
1028 N 29 ST	NS3	006 013-14 &	A12200	ENCH	57.14
BILLINGS DEACONESS HOSPITAL	11538	11220000	RE		
1245 N 29 ST	NML	002 032	A11354	ENCH	9.00
STATE OF MT - DEPT OF INSTIT	10801	11135400	RE		
24 S 29 ST	BLG	00A 001-6	A00001	ENCH	11.00
SEAL, LEVERN D	1	10000100	RE		
1190 S 29 ST W	PIS	001 005B	C10469A	ENCH	10.00
WEBER PROPERTIES LLC	34980	31046901	RE		
2812 3 AVE N	BLG	057 011-12	A00364	ENCH	334.00
GRAY, MICHAEL J	282	10036400	RE		
2825 3 AVE N	BLG	045 013-24 &	A00264	ENCH	125.00
MILLER TROIS LLC	214	2852	RE		
2922 3 AVE N	BLG	056 007-17 &	A00352	ENCH	18.00
BILLINGS MONTANA PARKING COM	276	4454	RE		
804 N 30 ST	FOA	028 001-3	A07152	ENCH	120.00
DEACONESS MEDICAL CENTER OF	6752	10715200	RE		
810 N 30 ST	FOA	028 004-5	A07153	ENCH	80.00

BILLINGS CLINIC	6753 10715300	RE	
814 N 30 ST	FOA 028 006-8	A07154 ENCH	120.00
DEACONESS BILLINGS CLINIC	6754 10715400	RE	
1144 N 30 ST	NEL 006 018-24	A11592 ENCH	15.00
SISTERS OF CHARITY OF LVNWRT	11003 3201	RE	
1233 N 30 ST	NEL 004 025-48 &	A11565 ENCH	33.34
SISTERS OF CHARITH OF LEAVEN	10979 11156500	RE	
217 N 31 ST	BLG 055 013-18	A00349 ENCH	137.00
ROMAN CATHOLIC BISHOP OF GRT	274 10034900	RE	
924 S 31 ST	BLG 239 001-4	A01809 ENCH	50.00
COMMUNITY LEADERSHIP DEVELOP	1536 10180900	RE	
1305 4 AVE N	BLG 022 001-6	A00096 ENCH	213.32
W B Y -LLC	70 10009600	RE	
3000 7 AVE N	FOA 044 010-12	A07297 ENCH	60.00
MILLER LAND CO	6854 10729700	RE	
2323 7 ST W	CDN 006 001	A05812 ENCH	25.00
ARAGON, KATHLEEN J	5513 10581200	RE	
			22,738.82

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Public Hearing Respread SID 1369

PRESENTED BY: Patrick M. Weber, Financial Services Director

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The assessment for SID 1369 (Moore Lane) has been completed by the Finance Division and is ready to spread on the tax rolls. SID 1369 was originally spread based on estimated or bond cost and is now being re-spread based on the completed construction cost. This project is for curb & gutter, sidewalks, water, sewer, storm drain and street improvements on Moore Lane.

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 allocated to the appropriate properties. Any remaining fund balances are used to call bonds.

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and pass the proposed resolution on September 10, 2012.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution Respread 1369

Attachment A

RESOLUTION 12 _____

A RESOLUTION RELEVYING AND REASSESSING 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 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 1369 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
A07004 LAUGHLIN PROPERTIES LLC FLANAGAN SUBD, S08, T01 S, R26 E, Lot 12A, AMEND LT 12	\$16,961.41	5.836	14
A07007 TST COMMERCIAL LLC FLANAGAN SUBD, S08, T01 S, R26 E, Lot 12C - 12D, AMD LT 12	\$14,518.97	5.836	14
A07041 STEWART, DONALD B & SUSAN L FLANAGAN SUBD, S08, T01 S, R26 E, Lot 7, & 10' ADJ VAC ALLEY AMND N 3/5 L:2	\$11,194.52	5.836	14

A07042	\$10,176.84	5.836	14
STEWART, DONALD B & SUSAN L			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 8, N60' L:8 & N60' ADJ VAC ALLEY AMN			
A07042A	\$27,400.85	5.836	14
BRINK, GARY P			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 003, LTS 3-4, S5' LT 8, LTS 9-10 & AD			
A07043	\$15,527.86	5.836	14
BRINK, GARY			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 11, & 10' VAC ADJ ALLEY AMND N3/5 LT			
A07044	\$13,964.03	5.836	14
BRINK, GARY			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 12, & 10' ADJ VAC ALLEY AMND N3/5 LT			
A07066	\$11,462.47	5.836	14
MAILLOUX ENTERPRISES LLC			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 1, AMEND FRAC LT 27			
A27199	\$26,425.85	5.836	14
STEWART, DONALD B & SUSAN L			
MAVERIK SUBD 2ND FILING, S08, T01 S, R26 E, BLOCK 1, Lot 5			
A30057	\$23,379.30	5.836	14
MILTON, MARK B			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 22B, AMD N 2/3 S2/5 LT 22 16,212 SQ F			
D01447	\$50,884.21	5.836	14
iCONNECT MONTANA LLC			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 5A, AMD (10)			
D01447B	\$59,407.32	5.836	14
1020 CENTRAL AVENUE, LLC			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 5C, AMD (10)			
D01448	\$18,001.61	5.836	14
MARKEGARD, RODNEY P			
S08, T01 S, R26 E, C.O.S. 363			
D01452	\$21,529.69	5.836	14
JORDEN, EDWARD E			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 6, S145' (1 AC)			
D01476	\$24,594.02	5.836	14
MUELLER, DONALD E & JOHN M & T J			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 12, S 1 AC OF N 1/2			
D01479	\$12,302.24	5.836	14
DAVIDSON, DEVON R & KIMBERLY K			
S08, T01 S, R26 E, C.O.S. 352, PARCEL C, (S 72.53' LT 12 FLANAGAN SUB)			
D01506	\$25,852.55	5.836	14
MONTANA BANK OF BILLINGS			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 21, N 150FT			
D01507	\$29,004.84	5.836	14
W W GRAINGER, INC			

FLANAGAN SUBD, S08, T01 S, R26 E, Lot 21A

D01509	\$10,176.84	5.836	14
MONTANA BANK OF BILLINGS			
S08, T01 S, R26 E, C.O.S. 1495, PARCEL 21C, CENTR TR LOCATED IN LT 21 FLANA			
D01510	\$15,867.10	5.836	14
NEWTON, DENNIS			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 21-B-2, AMND LT 21B & S 62' OF LT 21			
D01511	\$20,546.74	5.836	14
DESIN, JOEL A			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 22, S1/3 OF S2/5 LT 22			
D01537	\$13,232.67	5.836	14
TEHLE, ROBERT M & DIANE J			
S08, T01 S, R26 E, C.O.S. 116, PARCEL 1C, AMD			
D01538	\$39,250.51	5.836	14
BARTHEL, ROBERT P & ROSALIE D			
FLANAGAN SUBD, S08, T01 S, R26 E, Lot 28			

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 10, 2012 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 10th day of September, 2012.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Public Hearing SID 1901 Spread of Assessments

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The assessment for Sidewalk, Curb & Gutter Project No. 1901 has been completed by the Finance Department and is ready to spread on the tax rolls. This project is for sidewalks along Rimrock Road from 17th Street to Forsythia. 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 3.252%. Under the State Statute 7-12-4189, the City is required to add ½ of 1% for a total rate of 3.752%. 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 10, 2012.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution SW 1901

Attachment A

RESOLUTION NO. 12_____

A RESOLUTION LEVYING A SPECIAL ASSESSMENT TAX UPON ALL
BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR
PROJECT KNOWN AS 1901, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as 1901
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 1901 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
A02900 MCCOMAS, LOUIS S & KRISTINA R BAYERS SUBD, S35, T01 N, R25 E, BLOCK 1	\$1,811.82	3.752	12
A02949 ANDERSON, PAUL L & DOROTHY BENTON SUBD, S35, T01 N, R25 E, BLOCK 1, Lot 1	\$1,263.35	3.752	12
A05545 DEMARAY, FREELAND & COUNTRY CLUB HEIGHT SUBD, S25, T01 N, R25 E, BLOCK 1, Lot 2	\$7,536.91	3.752	12
A05546A GAMBILL, CURT & KARLA K COUNTRY CLUB HEIGHT SUBD, S25, T01 N, R25 E, BLOCK 1, Lot 3, AND E 76.4' OF	\$9,712.42	3.752	12
A05604 BOUGH, JASON C & LAURA H COUNTRY CLUB HEIGHT SUBD, S26, T01 N, R25 E, BLOCK 4, Lot 8	\$1,918.65	3.752	12

A08642	\$5,734.30	3.752	12
VEZINA, ARNOLD G			
HENTON SUBD, S35, T01 N, R25 E, BLOCK 1, Lot 1 - 2			
A08643	\$2,124.76	3.752	12
MORSE, LEAH G			
HENTON SUBD, S35, T01 N, R25 E, BLOCK 1, Lot 4			
A08644	\$556.92	3.752	12
MIKES, ANDY & MARIANN			
HENTON SUBD 715, S35, T01 N, R25 E, BL			
A08645	\$1,171.32	3.752	12
BERNHART, MARGENE L			
HENTON SUBD, S35, T01 N, R25 E, BLOCK 1, Lot 6			
A10754	\$1,002.72	3.752	12
HANKS, RANDALL C & ROBERTA K			
MCCORMICK ACRES, S35, T01 N, R25 E, Lot 1A, 2ND AMND			
A10755	\$725.64	3.752	12
FOX, RICHARD A & JUDY K			
MCCORMICK ACRES, S35, T01 N, R25 E, BLOCK 1B, Lot 1B-2B, & W10' TR 10 AMD TR			
A10794	\$2,540.28	3.752	12
STAPLES, CHANCE ROBERT JAMES			
MCKAY ACRES, S36, T01 N, R25 E, Lot 17A, AMD (11)			
A10794A	\$1,864.19	3.752	12
BONINI ENTERPRISES LLC			
MCKAY ACRES, S36, T01 N, R25 E, Lot 17B, AMD (11)			
A10796	\$1,168.69	3.752	12
BLODGETT, JOHN T & LAURA S			
S36, T01 N, R25 E, C.O.S. 594, PARCEL 1, LOCATED IN W2 LT 17 MCKAY ACRES			
A10803	\$7,391.72	3.752	12
ANDERSON, GREGORY L & DEBORAH I			
MCKAY ACRES, S36, T01 N, R25 E, BLOCK 1, Lot 1B1, AMND LT 15-16			
A13353	\$4,034.56	3.752	12
HART, STEVEN R			
ROBINSON-JONES SUBD, S35, T01 N, R25 E, BLOCK 1, Lot 8, & N50' LT 7			
A13360A	\$5,005.74	3.752	12
EASTWOOD, TIMOTHY J & TRACEY R			
ROBINSON-JONES SUBD, S35, T01 N, R25 E, BLOCK 2, Lot 8			
A13728	\$744.16	3.752	12
JOHNSON, VICKI A			
SAGUARO SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 1			
A13729	\$417.00	3.752	12
SHEETZ, EDITH C			
SAGUARO SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 2			
A13730	\$591.21	3.752	12
SHUMAN, STEVE S			

SAGUARO SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 3			
A13731	\$680.37	3.752	12
WEBSTER, WARREN W & DIANNE E			
SAGUARO SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 4			
A13732	\$280.25	3.752	12
LEONE, RAYMOND J & LOIS E			
SAGUARO SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 5			
A13733	\$517.13	3.752	12
ZUCCONI, CASEY J			
SAGUARO SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 6			
A13734	\$754.45	3.752	12
CLEVELAND, LINDA S			
SAGUARO SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 7			
A13845	\$10,314.45	3.752	12
SLOAN, DEAN A & TERRI LEE			
SELVIG SUBD, S35, T01 N, R25 E, BLOCK 1, Lot 1			
A13885	\$1,145.08	3.752	12
THOMAS FAMILY LIVING TRUST, THE			
SHAFFER SUBD, S35, T01 N, R25 E, Lot 1			
A14060	\$3,421.10	3.752	12
WILSON, ROBERT DEE & SHARON E			
SNYDER SUBD 2ND FILING, S35, T01 N, R25 E, Lot 29, & W13' LT 30			
A14062	\$951.96	3.752	12
LAWS, BENJAMIN A SR TRUSTEE (ETAL)			
SNYDER SUBD 2ND FILING, S35, T01 N, R25 E, Lot 33, & E56.9' LT 32			
A20332	\$1,664.67	3.752	12
RAMHORMOZ, ABDULLAH S &			
WARE SUBD, S35, T01 N, R25 E, Lot 1A, 9600 SQUARE FEET			
A20333	\$3,308.87	3.752	12
LEE, ALICIA D			
WARE SUBD, S35, T01 N, R25 E, Lot 2			
A27141	\$337.48	3.752	12
MCBRIDE, KEVIN W & SHELLEY R			
SYLVAN CONDO, S35, T01 N, R25 E, UNIT 1, 25% COMMON AREA INTEREST, (1/4%) L			
A27142	\$337.48	3.752	12
DUKE, JEANNE F			
SYLVAN CONDO, S35, T01 N, R25 E, UNIT 2, 25% COMMON AREA INTEREST, (1/4%) L			
A27143	\$337.48	3.752	12
HELGESON, RICHARD J & MARY P			
SYLVAN CONDO, S35, T01 N, R25 E, UNIT 3, 25% COMMON AREA INTEREST, (1/4%) L			
A31779	\$1,509.28	3.752	12
RAMHORMOZ, ABDULLAH S &			
WARE SUBD, S35, T01 N, R25 E, Lot 1B, 9600 SQUARE FEET			

D04787	\$993.12	3.752	12
MUELLER, ROMELDA J			
S35, T01 N, R25 E, C.O.S. 185, PARCEL 1A, 2ND AMND (11)			
D04788	\$593.96	3.752	12
MUELLER, ROMELDA J			
S35, T01 N, R25 E, C.O.S. 185, PARCEL 2A, 2ND AMD (11)			
D04804	\$3,160.93	3.752	12
LEATHERS, TAMARA L			
S35, T01 N, R25 E, C.O.S. 9, PARCEL A, AMND			
D04805	\$5,325.97	3.752	12
SMITH, DEAN C & JESSICA D			
S35, T01 N, R25 E, C.O.S. 2114, PARCEL 1, NWNW4			

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, 9/10/2012, 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 10th day of September, 2012.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Public Hearing SID 1902 Spread of Assessments

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The final assessment for Sidewalk, Curb & Gutter Project No. 1902 has been completed by the Finance Department and is ready to spread on the 2012 tax roll. 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 \$390,000. The net effective interest rate is 3.252%. Under the State Statute 7-12-4189, the City is required to add ½ of 1% for a total rate of 3.752%. 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 10, 2012.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution SW 1902

Attachment A

RESOLUTION NO. 12_____

A RESOLUTION LEVYING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 1902, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as 1902 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 1902 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
A00264 MILLER TROIS LLC BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 45, Lot 13 - 24, & LTS	\$3,972.64	3.752	12
A00406 RGP PARTNERSHIP BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 62, Lot 3 - 8	\$2,656.78	3.752	12
A00567 ELLINGSON BROTHERS LLC BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 86, Lot 1 - 4	\$501.36	3.752	12
A00568 ELLINGSON BROTHERS LLC BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 86, Lot 5 - 12	\$1,002.71	3.752	12
A00569 MERSHON, SUSAN BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 86, Lot 13 - 14, E60'8	\$4,450.15	3.752	12

A00570	\$2,091.52	3.752	12
MERSHON, SUSAN			
BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 86, Lot 13 - 14, W79'4			
A00571	\$188.01	3.752	12
CAROL KRAFT LIVING TRUST			
BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 86, Lot 14 - 15, S2 LT			
A00572	\$250.68	3.752	12
SCHILLINGER, JOSEPH			
BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 86, Lot 16 - 17			
A00573	\$877.37	3.752	12
TELICO LLC			
BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 86, Lot 18 - 24			
A00687	\$4,192.81	3.752	12
HOLIDAY FURNITURE CO INC			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 98, Lot 1 - 9			
A00688	\$1,397.60	3.752	12
VACANT LAND LLC			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 98, Lot 10 - 12			
A00689	\$1,863.47	3.752	12
RASAP LLC			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 98, Lot 13 - 16			
A00690	\$931.73	3.752	12
FISCHER, DORIS E			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 98, Lot 17 - 18			
A00691	\$1,455.20	3.752	12
PACENTE, ALLAN J & PAULA K			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 98, Lot 19 - 20			
A00692	\$1,863.47	3.752	12
BERKLUND, RONALD D			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 98, Lot 21 - 24, (09)			
A00753	\$3,409.38	3.752	12
B & D LLC			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 106, Lot 1 - 6			
A00756	\$1,224.06	3.752	12
DISTRICT 7 HUMAN RESOURCES			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 106, Lot 10 - 12			
A01104	\$3,087.98	3.752	12
BLACK, CYNTHIA K &			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 167, Lot 11 - 12			
A01238	\$2,024.38	3.752	12
BARGAR, EDDIE W & MARGARET C			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 184, Lot 11 - 12			
A01381	\$4,189.36	3.752	12
INTERNATIONAL CHURCH THE FOURSQUARE			

BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 199, Lot 1A, 1ST AMEND			
A01382	\$8,905.77	3.752	12
MCCRACKEN, ROSEMARY			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 199, Lot 2A, 1ST AMEND			
A01383	\$3,245.51	3.752	12
MEZA, VINCENT J & RYAN E A			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 199, Lot 5 - 7, LT 6 N			
A01384	\$1,238.32	3.752	12
FEMLING, JOSEPH C			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 199, Lot 8 - 9, N7' LT			
A01385	\$10,465.70	3.752	12
STUART, GERALD V & ROSEMARY A			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 199, Lot 11 - 12, & 16			
A01386	\$3,159.95	3.752	12
THIEL, LARRY V & MARLENE A			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 199, Lot 13 - 14			
A01387	\$4,444.78	3.752	12
HAGSTROM, DAVE R			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 199, Lot 15 - 18			
A01388	\$937.92	3.752	12
DIMICH, DANIEL W JR			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 199, Lot 19 - 20			
A01388A	\$1,698.72	3.752	12
THOMPSON, PAULITA & VAN			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 199, Lot 21 - 22			
A01389	\$10,176.84	3.752	12
MARTIN, MARIA E			
BILLINGS ORIGINAL TOWNSITE		613, S03, T01 S, R26 E, BL	
A01390	\$480.59	3.752	12
STUART, KOLBY B			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 200, Lot 1 - 3, W50' L			
A01391	\$2,388.90	3.752	12
STUART, KOLBY B			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 200, Lot 1 - 2, E90' L			
A01392	\$2,466.00	3.752	12
ARMENDARIZ, CARL T			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 200, Lot 4, & N19 FT L			
A01393	\$3,274.42	3.752	12
DESTER, PAMELA			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 200, Lot 5 - 7, N19' L			
A01394	\$455.02	3.752	12
HALKO, JOAN			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 200, Lot 7 - 9, N19' L			

A01395	\$1,169.99	3.752	12
MARTINEZ, ROBERT D & PHYLLIS K			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 200, Lot 10, & N19' LT			
A01396	\$4,735.61	3.752	12
HOLUM, SUSAN			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 200, Lot 11 - 12, E98.			
A01396A	\$1,957.30	3.752	12
GREEKE, WILFRED C			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 200, Lot 11 - 12, W41.			
A01397	\$2,225.86	3.752	12
FESSENDEN, DONNA K			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 200, Lot 13 - 16, W58'			
A01398	\$5,032.14	3.752	12
ZINVEST LLC			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 200, Lot 13 - 16, E82'			
A01399	\$455.02	3.752	12
SAUTHER, ARMINE B & MICHELLE L			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 200, Lot 17 - 18			
A01401	\$455.02	3.752	12
NARANJO, JESSE J			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 200, Lot 19 - 20			
A01402	\$2,280.83	3.752	12
SGR PROPERTIES LLC			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 200, Lot 21 - 22			
A01403	\$6,147.13	3.752	12
MERSHON, RYAN			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 200, Lot 23 - 24			
A01567	\$194.21	3.752	12
PARKVIEW CONVALESCENT CARE, LLP			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 215, Lot 1 - 24, & VAC			
A01745	\$1,668.72	3.752	12
WEED, GINGER C			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 232, Lot 4, & S2 LT 5			
A01746	\$515.99	3.752	12
CHONG CHA YU			
BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 232, Lot 5, N2 LT 5 &			
A02065	\$592.48	3.752	12
HAFER, W RANDALL & JENNA S			
BILLINGS FIRST ADD, S33, T01 N, R26 E, BLOCK 285, Lot 001, L:1 & 2 B:285 BI			
A02211	\$720.92	3.752	12
MILLER MUTCHLER PROPERTIES, LLC			
ALGEO SUBD, S31, T01 N, R26 E, BLOCK 4, Lot 3, W162.5' LT 3			
A02462	\$5,690.68	3.752	12
SAUR, TOBIAS & THEODORE J			

ARNOLD SUBD 2ND FILING, S06, T01 S, R26 E, BLOCK 1, Lot 13, LT 13 BLK 1 ARN

A03068A	\$311.70	3.752	12
MURPHY, ANNE M VILLA WEST TOWNHOMES (09), S31, T01 N, R26 E, UNIT A, 25% COMMON AREA INTER			
A03068B	\$311.70	3.752	12
BASSINGTHWAIGHTE, MARK C S & VILLA WEST TOWNHOMES (09), S31, T01 N, R26 E, UNIT B, 25% COMMON AREA INTER			
A03068C	\$311.70	3.752	12
AKINTAN, FOLORUNSO O VILLA WEST TOWNHOMES (09), S31, T01 N, R26 E, UNIT C, 25% COMMON AREA INTER			
A03068D	\$311.70	3.752	12
BELTRAN, ALBERT C VILLA WEST TOWNHOMES (09), S31, T01 N, R26 E, UNIT D, 25% COMMON AREA INTER			
A03081	\$818.07	3.752	12
GLENN, MICHAEL T & JUDY L BILLINGS HEIGHTS SUBD, S31, T01 N, R26 E, BLOCK 4, Lot 3, W50' OF E100' LES			
A03490	\$2,959.18	3.752	12
ARMSTRONG, CINDY L BROADWATER SUBD, S05, T01 S, R26 E, BLOCK 12, Lot 6			
A04154	\$2,402.42	3.752	12
SINCLAIR, DIANE CAROL SUBD, S35, T01 N, R25 E, Lot 6, E3' LT 6& W63' LT 7			
A04155	\$2,172.41	3.752	12
MCISAAC, THOMAS F CAROL SUBD, S35, T01 N, R25 E, Lot 8, & E2 FT LT 7 & W8 FT LT 16 CAROL SUB			
A04472	\$3,249.94	3.752	12
CULL, CHRIS & PAULA K CENTRAL HEIGHTS SUB 1ST FILING, S07, T01 S, R26 E, BLOCK 3, Lot 4			
A04605	\$121.55	3.752	12
DERHEIM, GARY D & KAREN T CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 1			
A04606	\$121.45	3.752	12
GARCIA, CONCEPCION S CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 2			
A04607	\$121.45	3.752	12
FOLKERTS, RICHARD L & TAMI G CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 3			
A04608	\$121.45	3.752	12
CONNIS, GRACE M CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 4			
A04609	\$121.45	3.752	12
BRITZIUS RALPH S CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 5			

A04610	\$121.45	3.752	12
STASZCUK, ALAN H & LINDA F			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 6			
A04611	\$121.45	3.752	12
ANGEL, KRISTI MARIE & JONATHAN CARL			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 7			
A04612	\$121.45	3.752	12
HOUSING AUTHORITY OF BILLINGS			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 8			
A04613	\$123.82	3.752	12
LAPKE, DEAN			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 9			
A04614	\$123.82	3.752	12
HAGUE, REGINALD D & CHARINE G			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 10			
A04615	\$123.82	3.752	12
FERGUSON, SANDRA D			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 11			
A04616	\$123.82	3.752	12
BERTRAND, THEODORE E			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 12			
A04617	\$123.82	3.752	12
COCHRAN, EDWARD L & CASSANDRA R			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 13			
A04618	\$151.76	3.752	12
DEES, RICHARD M			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 14, & E15'			
A04619	\$128.87	3.752	12
DEDE, SHARON D			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 15, LT 15 L			
A04620	\$108.91	3.752	12
MARKER, RONALD W & KAY C			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 16, LT 16 L			
A04621	\$109.36	3.752	12
TAYLOR, LANCE			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 17, W 51 FE			
A04622	\$109.23	3.752	12
CASWELL, KEITH M & CATHERINE V			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 18A, AMENDE			
A04623	\$123.86	3.752	12
DOBESH, JERRY L & BARBARA A			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 19			
A04624	\$123.86	3.752	12
MUHOLLAND, MICKEY LEE			

CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 20			
A04625	\$123.86	3.752	12
SHEARD, JOHN A & MELVINA M			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 21			
A04626	\$123.86	3.752	12
BOONE, JEAN			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 22			
A04627	\$123.86	3.752	12
RED STAR, ERIN QUINN			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 23			
A04628	\$2,358.94	3.752	12
FLOHR, KIM M			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 24			
A04629	\$123.86	3.752	12
ZEIER, ROBERT P & ROSALEE K			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 25			
A04630	\$123.86	3.752	12
MILLIGAN, TERESA C			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 26			
A04631	\$123.86	3.752	12
MCGEE, BOYD J &			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 27			
A04632	\$123.86	3.752	12
STINCHFIELD, GARY			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 28			
A04633	\$123.86	3.752	12
MEYER, ROBERT L & CHERYL A			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 29			
A04634	\$123.86	3.752	12
WEAVER, SHAW E & KATHRYN J			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 30			
A04635	\$129.46	3.752	12
CARLSON, JOSEPH L & M KATHERINE			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 31			
A04636	\$129.46	3.752	12
TUCKER, ALAN D			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 32			
A04637	\$129.46	3.752	12
BLUMENSHINE, BRUCE H & KATHI L			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 33			
A04638	\$129.46	3.752	12
ANDERSON, LEVI Q & MICHELLE L			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 34			

A04639	\$129.46	3.752	12
OFFENBACHER, CYNTHIA A & JOHN			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 35			
A04640	\$129.46	3.752	12
LYONS, JOHN			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 36			
A04641	\$129.46	3.752	12
BROCKLEBANK, DANIEL G & MARIANNE M			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 37			
A04642	\$3,147.22	3.752	12
NUGENT, STEVEN M & LYNDIA M			
CENTRAL HEIGHTS SUB 4TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 38			
A04643	\$93.88	3.752	12
DANGERFIELD, ROBIN L & TRACY A			
CENTRAL HEIGHTS SUB 5TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 39, LESS W6			
A04644	\$111.77	3.752	12
WOODS, BARRY L & ANGELA L			
CENTRAL HEIGHTS SUB 5TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 39, W60'LT3			
A04645	\$160.92	3.752	12
GERBER, GARY A & NAOMI J			
CENTRAL HEIGHTS SUB 5TH FILING, S07, T01 S, R26 E, BLOCK 7, Lot 40			
A04790	\$5,822.82	3.752	12
LINDELL LARRY L			
CENTRAL HEIGHTS SUB 5TH FILING, S07, T01 S, R26 E, BLOCK 11, Lot 28			
A04972	\$2,061.81	3.752	12
SCHWENKE, SANDRA J			
CLANTON HEIGHTS SUBD, S31, T01 N, R26 E, BLOCK 4, Lot 14 - 15			
A04973	\$1,370.47	3.752	12
STRIBLEY FAMILY TRUST			
CLANTON HEIGHTS SUBD, S31, T01 N, R26 E, BLOCK 4, Lot 16 - 19			
A04975	\$1,535.57	3.752	12
DOWNEY, JEANNE B & RICHARD M			
CLANTON HEIGHTS SUBD, S31, T01 N, R26 E, BLOCK 4, Lot 20 - 21			
A04976	\$447.92	3.752	12
ADAMS, JOSEY D			
CLANTON HEIGHTS SUBD, S31, T01 N, R26 E, BLOCK 4, Lot 22 - 23			
A04996	\$2,199.56	3.752	12
HEREIM, RICHARD M			
CLANTON HEIGHTS SUBD, S31, T01 N, R26 E, BLOCK 5, Lot 24 - 27			
A04997	\$1,320.28	3.752	12
OPTIONEN, LLC			
CLANTON HEIGHTS SUBD, S31, T01 N, R26 E, BLOCK 5, Lot 28 - 29			
A04998	\$825.74	3.752	12
WINES, DEBORA R			

CLANTON HEIGHTS SUBD, S31, T01 N, R26 E, BLOCK 5, Lot 30 - 31

A05449	\$2,317.47	3.752	12
SPARHAWK, SETH F			
COMTE ADD, S05, T01 S, R26 E, BLOCK 1, Lot 6 - 7			
A05450	\$1,110.28	3.752	12
EHRESMAN, ANGIE			
COMTE ADD, S05, T01 S, R26 E, BLOCK 1, Lot 8 - 9			
A05451	\$310.44	3.752	12
POTTER, DEBORAH C			
COMTE ADD, S05, T01 S, R26 E, BLOCK 1, Lot 10 - 11			
A05453	\$2,828.65	3.752	12
RIDGWAY, DAVID G & TAMMI A			
COMTE ADD, S05, T01 S, R26 E, BLOCK 1, Lot 14 - 15			
A05454	\$1,800.68	3.752	12
ROBERTS, FRANCES E - TRUSTEE			
COMTE ADD, S05, T01 S, R26 E, BLOCK 1, Lot 16 - 17			
A05455	\$537.94	3.752	12
MEHI, JOE TRUSTEE			
COMTE ADD, S05, T01 S, R26 E, BLOCK 1, Lot 18 - 19			
A05456	\$966.97	3.752	12
OLSON, MICHELLE A			
COMTE ADD, S05, T01 S, R26 E, BLOCK 1, Lot 20 - 21			
A05480	\$555.51	3.752	12
CLOCK TOWER INN, LLC			
COMTE ADD 818, S05, T01 S, R26 E, BL			
A05481	\$181.31	3.752	12
SIS, GEREINT P			
COMTE ADD, S05, T01 S, R26 E, BLOCK 2, Lot 28 - 29			
A05482	\$1,927.42	3.752	12
EFTA, MEGHAN & ANNETTE L			
COMTE ADD, S05, T01 S, R26 E, BLOCK 2, Lot 30 - 31			
A05483	\$2,234.82	3.752	12
SEBEK, TARA			
COMTE ADD, S05, T01 S, R26 E, BLOCK 2, Lot 32 - 33			
A05484	\$1,497.46	3.752	12
HICKMAN, JAMES DEAN & APRIL K			
COMTE ADD, S05, T01 S, R26 E, BLOCK 2, Lot 34 - 35			
A05486	\$588.44	3.752	12
BOEHM, CHELSEA M			
COMTE ADD, S05, T01 S, R26 E, BLOCK 2, Lot 38 - 39			
A05487	\$531.36	3.752	12
SENDEN, DAMIAN R & BREANNE A			
COMTE ADD, S05, T01 S, R26 E, BLOCK 2, Lot 40 - 41			

A05488	\$578.31	3.752	12
PETERSOHN, CAROLYN & ROBERT L			
COMTE ADD, S05, T01 S, R26 E, BLOCK 2, Lot 42 - 43			
A08272	\$794.84	3.752	12
ZIMMER, STUART A & CYNTHIA C			
GRANDVIEW SUBD, S32, T01 N, R26 E, BLOCK 12, Lot 9			
A08273	\$790.45	3.752	12
2211 PINE LLC A MT LLC			
GRANDVIEW SUBD, S32, T01 N, R26 E, BLOCK 12, Lot 10			
A08274	\$2,355.69	3.752	12
SASSANO, NICHOLAS			
GRANDVIEW SUBD, S32, T01 N, R26 E, BLOCK 12, Lot 11			
A08275	\$1,818.11	3.752	12
WALL, MARY LOU TRUSTEE			
GRANDVIEW SUBD, S32, T01 N, R26 E, BLOCK 12, Lot 12			
A08281	\$3,980.47	3.752	12
ROE, LOUISE C			
GRANDVIEW SUBD 721, S32, T01 N, R26 E, BL			
A08331	\$2,278.91	3.752	12
LEHNHERR, DAVID R			
GRANDVIEW SUBD, S32, T01 N, R26 E, BLOCK 18, Lot 5			
A09047	\$1,982.73	3.752	12
LYONS, MARY JANE			
HI-LINE SUBD, S36, T01 N, R25 E, BLOCK 2, Lot 11			
A09817	\$5,576.25	3.752	12
MORAN, JUSTIN L & JENNIFER R			
KOBER SUBD 3RD FILING, S36, T01 N, R25 E, BLOCK 12, Lot 1 - 2, & E7'LT 3			
A10320	\$601.16	3.752	12
HALVERSON, EARL J & JEWEL M			
LILLIS SUBD 3RD FILING, S01, T01 S, R25 E, BLOCK 5, Lot 14			
A10398	\$1,780.57	3.752	12
TREAT, VICTOR & HALEY			
LILLIS SUBD 3RD FILING, S01, T01 S, R25 E, BLOCK 6, Lot 36			
A10399	\$48.12	3.752	12
HANSEN, LORRAINE E			
LILLIS SUBD 3RD FILING, S01, T01 S, R25 E, BLOCK 6, Lot 37			
A10402	\$1,781.07	3.752	12
HOLMES, GABRIEL A & ANNA M			
LILLIS SUBD 3RD FILING, S01, T01 S, R25 E, BLOCK 6, Lot 40			
A10403	\$292.76	3.752	12
ASLESON, JEFFREY P & BARBARA L			
LILLIS SUBD 3RD FILING, S01, T01 S, R25 E, BLOCK 6, Lot 41			
A10405	\$745.07	3.752	12
REINHARDT, RICHARD H			

LILLIS SUBD 3RD FILING, S01, T01 S, R25 E, BLOCK 6, Lot 43

A10788	\$4,657.93	3.752	12
ANDERSON, MICHAEL J & JOAN M			
S36, T01 N, R25 E, C.O.S. 565, PARCEL 2, LOCATED IN LTS 12-14 MCKAY ACRES			
A10789	\$451.53	3.752	12
GRIMSTAD, JOHN W & LORI L			
S36, T01 N, R25 E, C.O.S. 565, PARCEL 3, LOCATED IN LT 12-14 MCKAY ACRES			
A13510	\$765.52	3.752	12
LYDA, JOHN D & SARAH D			
ROSEDALE SUBD, S06, T01 S, R26 E, BLOCK 11, Lot 5, AMND			
A13511	\$581.91	3.752	12
OPHEIM, JERRY L & VICKI L			
ROSEDALE SUBD, S06, T01 S, R26 E, BLOCK 11, Lot 6, AMND			
A13512	\$442.07	3.752	12
HOFFERBER, ELIANE M			
ROSEDALE SUBD, S06, T01 S, R26 E, BLOCK 11, Lot 7, AMND			
A13595	\$2,768.73	3.752	12
CRITELLI, MARK A & LIBBY L			
ROSEDALE SUBD 2ND FILING, S06, T01 S, R26 E, BLOCK 6, Lot 5, & S10 FT LT 6			
A14101	\$2,107.86	3.752	12
JAGER, JUDITH A			
SOUTHWEST ADD, S03, T01 S, R26 E, BLOCK 19, Lot 23 - 24			
A14302	\$3,023.70	3.752	12
MARTIN, AARON J &			
SOUTHWEST PARK SUBD 1ST FILING, S09, T01 S, R26 E, BLOCK 2, Lot 7, LESS W50			
A14889	\$620.80	3.752	12
SAUSOMAN, JAMES E			
STREETER ADD, S31, T01 N, R26 E, BLOCK 4, Lot 21 - 22			
A15126	\$463.38	3.752	12
DAVIES, DONNA L & RICHARD A			
SUBURBAN HOMES ADD, S04, T01 S, R26 E, BLOCK 32, Lot 26 - 27			
A15735	\$820.09	3.752	12
133 CUSTER LLC			
SUBURBAN SUBD, S04, T01 S, R26 E, BLOCK 2, Lot 16 - 17			
A15751	\$1,118.56	3.752	12
TRIBELHORN, AWYN V *C21			
SUBURBAN SUBD, S04, T01 S, R26 E, BLOCK 3, Lot 1 - 2, S2 LT 1-2			
A17453	\$1,583.22	3.752	12
OTT, FREDERICK J			
WEBER SUBD SECOND FILING, S09, T01 S, R26 E, BLOCK 3, Lot 6			
A17454	\$1,528.46	3.752	12
BRUSH, KATHLEEN M			
WEBER SUBD SECOND FILING, S09, T01 S, R26 E, BLOCK 3, Lot 7			

A17455	\$1,048.55	3.752	12
BIESHEUVEL, MERIDITH R & JOHN C WEBER SUBD SECOND FILING, S09, T01 S, R26 E, BLOCK 3, Lot 8, & E2 FT LT 9			
A19210	\$2,833.06	3.752	12
MEYERS, BRYAN G YELLOWSTONE ADD, S04, T01 S, R26 E, BLOCK 19, Lot 7 - 9			
A20202A	\$9,452.11	3.752	12
FRANCHISE REALTY INTERSTATE CORP SWEET ACRES SUBD 6TH FILING, S06, T01 S, R26 E, BLOCK 12, Lot 2, & W 20' L:			
A20300	\$3,671.48	3.752	12
KRIVONEN, LAURA A GAYLEN HOLLAR SUBD, S36, T01 N, R25 E, Lot 2, & 1/3 INT 30 FT STRIP LT 3 BE			
A21565	\$2,562.22	3.752	12
CASEY, THOMAS J & PEGGY L WILSHIRE HEIGHTS SUBD 7TH, S27, T01 N, R25 E, BLOCK 1, Lot 12			
A22818	\$11,508.83	3.752	12
KESSLER, MARK L & DIANE D LAKE HILLS SUBD 24TH FILING, S16, T01 N, R26 E, BLOCK 60, Lot 5			
A22819	\$8,867.76	3.752	12
KUCK, CONSTANCE C LAKE HILLS SUBD 24TH FILING, S16, T01 N, R26 E, BLOCK 60, Lot 6			
A30919	\$311.48	3.752	12
SCHMITT, WARREN UINTA PARK SUB, S22, T01 N, R26 E, BLOCK 6, Lot 16, 8003 SQUARE FT, (04)			
A33561	\$816.62	3.752	12
CARLSON, JEREMIAH R & SARAH A RIVERFRONT POINTE SUB, S17, T01 S, R26 E, BLOCK 5, Lot 1, 9773 SQUARE FT			
C00713	\$1,992.79	3.752	12
VOGEL, MICHAEL J KEY CITY SUBD, S15, T01 N, R26 E, BLOCK 2, Lot 1, E2			
C01970	\$3,332.07	3.752	12
PRATT, FRANK MILLICE PARK SUBD, S01, T01 S, R25 E, BLOCK 4, Lot 1, LESS S67'			
C09131	\$9,554.34	3.752	12
BRUCE, STANLEY WILLIAM LILLIS HEIGHTS SUBD, S28, T01 N, R25 E, BLOCK 15, Lot 11			
D05850	\$4,068.27	3.752	12
BRASSFIELD, CHRISTOPHER BURNSTEAD SUBD, S33, T01 N, R26 E, Lot 26, E 50FT OF W 100FT OF S2 LT 26			
D12013	\$5,718.68	3.752	12
MONTANA RAIL LINK & S03, T01 S, R26 E, MRL LEASE #501,412 17760 SQ FT ON R/W 2511-2613 MINN AVE			

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, 9/10/2012, 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 10th day of September, 2012.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Public Hearing and Resolution Authorizing the Sale of 1048 Grand Ave

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

On July 9, 2012, the City Council adopted the Resolution of Intent to sell the property located at 1048 Grand Ave as known as the former Dairy Queen building. The Dairy Queen building has been demolished and the property is now vacant. The Public Works Department has no use for the property and it would better serve the public as private property. Staff has advertised a public hearing for this date, notified surrounding owners about the possibility of the sale, and requested sealed bids from interested buyers. The sealed bids are due by September 6, 2012 at 2pm.

ALTERNATIVES ANALYZED

Council may:

- Approve the sale of 1048 Grand Ave Lot 3A, Block 13, Sunset Subdivision 5th Filing; or
- Not approve the sale of 1048 Grand Ave Lot 3A, Block 13, Sunset Subdivision 5th Filing

FINANCIAL IMPACT

There are minimal costs for mailing and publishing the public hearing notice. Profit from the sale of the property will go to the Gas Tax fund.

RECOMMENDATION

Staff recommends approving the sale of 1048 Grand Ave with the legal description of Lot 3A, Block 13, Sunset Subdivision 5th filing to a bidder that will be determined from the bids received by September 6, 2012.

APPROVED BY CITY ADMINISTRATOR

Attachments

1048 Grand Ave

RESOLUTION 12- _____

A RESOLUTION PURSUANT TO BILLINGS,
MONTANA CITY CODE, ARTICLE 22-900: SALE,
DISPOSAL OR LEASE OF CITY PROPERTY,
DESCRIBING THE PROPERTY TO BE DISPOSED OF
AND AUTHORIZING CITY OFFICIALS TO PROCEED.

WHEREAS, the City of Billings owns and desires to dispose of public property located at 1048 Grand Ave; and

WHEREAS, the public property to be disposed of is more particularly described as follows:

Lot 3A, Block 13, Sunset Subdivision 5th filing in the City of Billings, Yellowstone County, Montana and shown on the attached Exhibit A

WHEREAS, the notice required by Article 22-902 BMCC has been duly published and mailed; and

WHEREAS, the public hearing required by Article 22-902 BMCC was duly held on the 13th day of August, 2012.

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

- 1) That the City staff is authorized to proceed with the sale of Lot 3A, Block 13, Sunset Subdivision 5th filing of the City of Billings under the requirements of Section 22-902 of the Billings, Montana City Code.

APPROVED AND PASSED by the City Council of the City of Billings, Montana this _____ day of _____, 2012.

THE CITY OF BILLINGS:

BY: _____
THOMAS W. HANEL, MAYOR

ATTEST:

CARI MARTIN, CITY CLERK

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Public Hearing and First Reading of Ordinance Amending Ward IV
Boundary: Annexation 12-07

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

City election ward boundaries must be adjusted to conform to city limit amendments resulting from annexation of property into the city. The City Council approved the annexation of property described as Zimmerman Acreage Tracts (Annexation #12-07) on August 27, 2012. This requires a change in the boundaries of Ward IV. Two readings are required for this action. The first reading of the ordinance is scheduled for September 10, 2012 along with a public hearing, and the second reading is scheduled for September 24, 2012.

ALTERNATIVES ANALYZED

City Council may approve or not approve the ordinance to amend the boundary of Ward IV on first reading.

- Approving the ordinance will modify the boundaries of Ward IV to include the property described as Zimmerman Acreage Tracts.
- Denying the ordinance will not modify the boundaries of Ward IV and create a problem where property inside the City Limits is not within one of the City Ward Boundaries.

FINANCIAL IMPACT

There is no budget/financial impact from this action.

RECOMMENDATION

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

APPROVED BY CITY ADMINISTRATOR

Attachments

Ward Ordinance

ORDINANCE NO. 12-_____

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 IV 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 IV the following described real property:

A tract of land situated in the SE1/4 of Section 32, T.1N., R.25E., P.M.M., Yellowstone County, Montana, more particularly described as:

Zimmerman Acreage Tracts, Recorded May 27, 1958, under Document No. 601982, Records of Yellowstone County. Including all adjacent right-of-way of Grand Avenue. Containing 2.000 gross acres and 1.833 net acres more or less. (# 12-07) 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 10th day of September 2012.

PASSED by the City Council on the second reading this 24th day of September, 2012.

THE CITY OF BILLINGS:

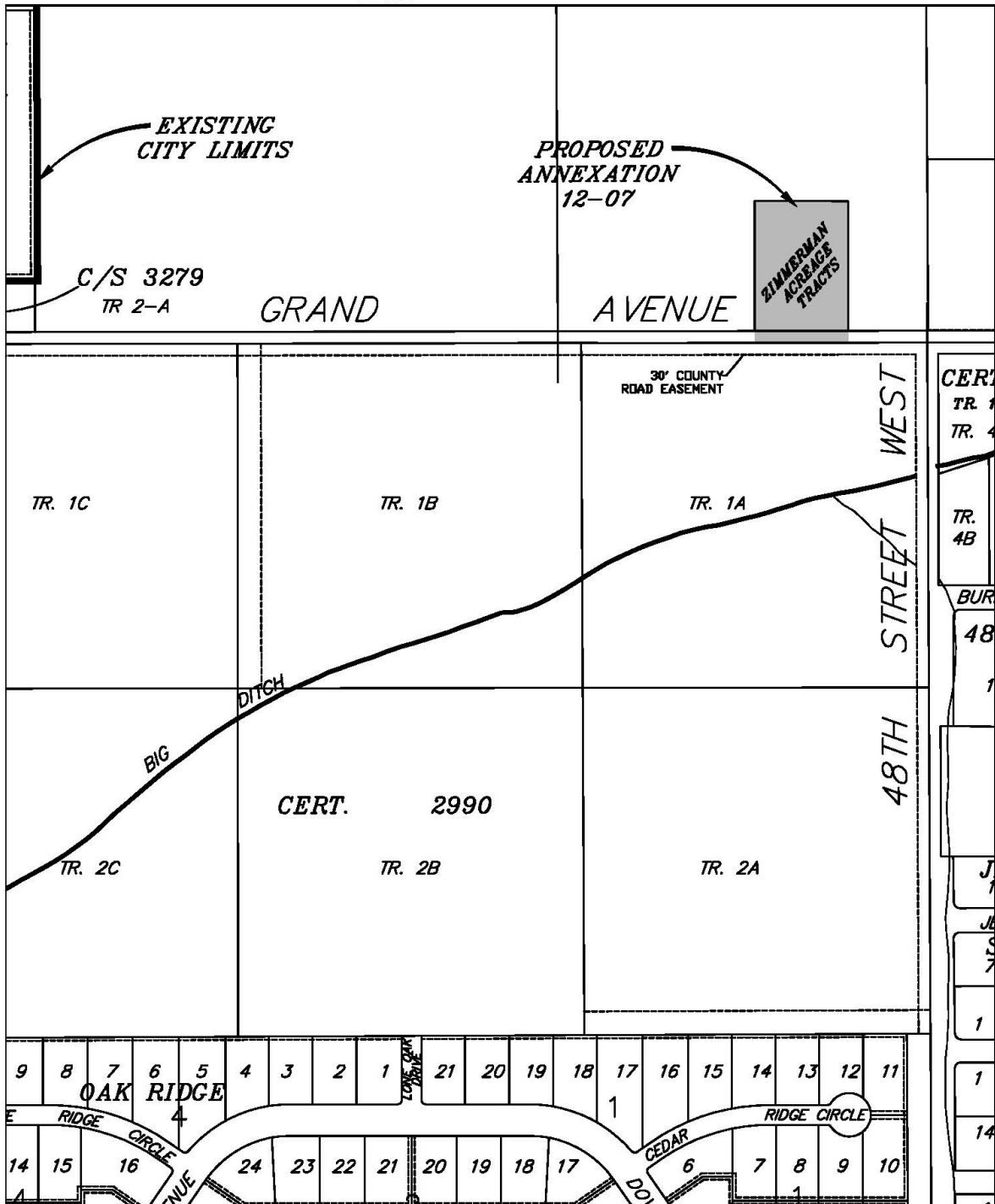
Thomas W. Hanel, MAYOR

ATTEST:

BY: _____
Cari Martin, CITY CLERK

(AN 12-07)

EXHIBIT "A"



Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Public Hearing and First Reading - Boarded Up Structures Ordinance

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

There are a number of structures within the City of Billings that have been boarded up for long periods. These boarded up structures are eyesores, devalue adjoining properties, pose a health and safety hazard and contribute to the destabilization of a neighborhood. In most cases, the structures are abandoned but the taxes continue to be paid on the property. The structures themselves are usually not maintained although the surrounding property may be maintained to the minimum standards established by city code. This condition results from a lack of regulations requiring boarded up structures to meet minimum standards. Existing code, such as the nuisance vegetation, junk vehicle and open storage ordinances address the appearance of the property. The City's nuisance ordinance (18-300, BMCC) requires dangerous structures to be secured or boarded up, but there is nothing that specifies when the boards must be removed. Consequently, many of the dangerous structures that have been abandoned and boarded up, remain so indefinitely.

Marion Dozier, past president of the South Side Neighborhood Task Force, recognized this problem which exists in most City neighborhoods. Ms. Dozier, with the assistance from the other Neighborhood Task Forces, mapped and photographed existing boarded up structures. Based on this evidence, the Planning Division staff prepare a draft ordinance that: 1) defines the terms "abandoned structure" and "boarded up"; 2) establishes standards and a time limit for boarding up a structure; and 3) establishes penalties and a method for enforcement.

ALTERNATIVES ANALYZED

Planning Division staff initially considered drafting a "minimum standards" ordinance which addresses the functionality and appearance of both the inside and outside of the structure. We discovered that the state of Montana has not adopted the International Property Maintenance Code which precludes the City from doing so. Staff did draft a "Neighborhood Preservation" ordinance that address the condition of outside building features such as porches, stoops and railings, in addition to fences, yards and outbuildings. This ordinance was not acceptable to the Neighborhood Task Forces because it was too comprehensive. The Task Forces wanted an ordinance that dealt with chronically boarded up structures only. The City Council may approve, deny or modify the proposed Boarded Up Structures Ordinance on first reading. If the ordinance is approved or modified, a second reading will be held on September 24.

FINANCIAL IMPACT

If approved, the Boarded Up Structures Ordinance may help preserve or increase property values in neighborhoods that contain structures that have been boarded up for long periods of time.

BACKGROUND

An article in the Billings Gazette dated July 31, 2011, chronicled the negative impacts to a neighborhood resulting from the presence of a boarded up structure. The story described the ordeal adjacent land owners experience when living next to an abandoned and vacant structure. The negative effects range from mere eyesores to significant loss of property value. Some residents described transients living in the houses and kids vandalizing the property. Other stories describe the inability to sell their house. Many of these structures have been abandoned and boarded up for years. The house at 423 Miles Avenue, partially destroyed by a fire, has a hand painted sign documenting the date the event; Nov. 28, 1977.

The City has existing ordinances that regulate other nuisance or decayed property conditions including restrictions on parking and open storage, nuisance weeds, street, alley and sidewalk maintenance, dumping, and junk vehicles. The Nuisance ordinance, 18-300, BMCC, prohibits unsecured dangerous structures. The remedy for an unsecured dangerous structure is to board it up. This is how many of our boarded up structures started. Unfortunately, there is no time limit set on how long these structures can remain boarded. The proposed ordinance sets both a time limit, 180 days, and standards for boarding. Before 180 days have passed, the boards must be replaced with tight-fitting windows and/or doors.

The proposed ordinance requires the house to be vacant, abandoned and boarded up. An abandoned structure is defined as one that has remained unoccupied and at least one utility - gas, electricity or water, having been discontinued for at least 180 days. This definition will eliminate situations where a window or door may be temporarily boarded up in an occupied structure. The ordinance also describes the type of material used in the boarding and how to affix the boards to the structure. Property owners in violation of this ordinance can be cited with a municipal infraction and be required to remedy the violation.

STAKEHOLDERS

No public input has been received prior to the Council holding its public hearing. The Neighborhood Task Force chairs have been notified of this hearing and action before the Council.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

The 2008 City-County Growth Policy recognizes that stable neighborhoods contribute to the economic prosperity of the City. This ordinance addresses the economic development goal of preserving neighborhood character and quality of life listed in the Growth Policy.

RECOMMENDATION

Staff recommends that City Council hold a public hearing and approve the Boarded Up Structures Ordinance on first reading.

APPROVED BY CITY ADMINISTRATOR

Attachments

Boarded Up Structure Ordinance

ORDINANCE NO. 12 - _____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY ADDING SECTIONS TO BE NUMBERED 18-1401 THROUGH 18-1405, DEFINING TERMS, ESTABLISHING STANDARDS FOR BOARDED UP STRUCTURES, PROVIDING FOR A PROCEDURE WHEREBY BOARDED UP STRUCTURES CAN BE REMEDIATED, ESTABLISHING AN EFFECTIVE DATE, AND PROVIDING A SEVERABILITY CLAUSE.

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

SECTION 1. That the Billings, Montana City Code be amended by adding Article 18-1400, Boarded Up Structures, with new sections to be numbered 18-1401 through 18-1405, to read as follows:

ARTICLE 18-1401, BOARDED UP STRUCTURES

Section 18-1401. Purpose and Intent.

Abandoned structures left boarded up over a significant period present a threat to the health, safety and welfare of the community and reduce the value of adjoining properties. Standards for long term security of abandoned, boarded up structures established in this section will help improve the appearance of these structures and preserve neighborhood property values.

Section 18-1402. Definitions.

For the purposes of this article the following definitions shall apply:

- (a) *Abandoned structure*: A structure that has remained unoccupied and one or more utilities, including but not limited to gas, electricity, and water, have been disconnected for a period of at least one hundred eighty (180) days.
- (b) *Abate*: To repair, replace, remove, destroy or otherwise remedy the condition in question by such means, in such a manner and to such an extent that is determined necessary in the interest of the health, safety and general welfare of the affected community.
- (c) *Boarded up*: The use of materials unrelated to the structure's exterior finish, such as plywood, oriented-strand board, plastic, metal, or canvas, to secure openings in an abandoned structure.
- (d) *Owner*: The title owner(s), contract purchaser, or any other person or representative of any entity which holds a legal or equitable interest in any parcel.
- (e) *Owner's agent*: A statutory agent such as, but not limited to a legal guardian, conservator, person with durable power of attorney, or property manager.

Section 18-1403. Abandoned Structure – Temporary Boarding

- (a) *Temporary boarding of window, doors openings.* Window or door openings on an abandoned structure may be boarded up for no more than one hundred eighty (180) days. Boards shall consist of a single sheet of oriented strand board (OSB) or plywood large enough to completely cover the window or door opening. The boards shall be attached with wood screws that are not common Phillips-head or slotted-head screws, such as hex or beveled-head screws.
- (b) *Boarded window and door openings – board replacement.* The boards on window and door openings shall be replaced within one hundred eighty (180) days of installation with properly installed, tight-fitting, and secure windows and doors.

Section 18-1404. Enforcement.

Upon written or oral complaint of any citizen so affected by an alleged violation of the provisions in this Article, or if a code enforcement officer becomes aware of a condition or situation that may constitute a violation of the provisions in this Article, the officer shall investigate the condition or situation within a reasonable period of time. The officer shall determine whether such condition or situation violates the provisions of this Article. If the officer finds that there exists a violation, such officer shall give written notice to the owner of the premises and the owner's agent of the specific nature of the violation. Unless a violation is determined to exist such that the abatement procedure is described elsewhere in the Billings Municipal City Code, the code enforcement officer shall afford the owner of the premises or the owner's agent thirty (30) days to voluntarily abate the violation. The officer must give written notice in person or by certified mail of the specific condition to be abated and the specific abatement required to the owner of the premises and the owner's agent.

Section 18-1405. Violations

When an abandoned, boarded up structure has not been voluntarily abated within the time specified in the notice to abate it is a violation of this Article, a municipal infraction, and is punishable by civil penalties as specified in section 18-1304. Each day that the violation continues is a separate offense and shall be punished accordingly.

SECTION 2. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

SECTION 3. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading September 10, 2012.

PASSED, ADOPTED AND APPROVED on second reading September 24, 2012.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel

ATTEST:

BY: _____
Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: W.O. 08-25--Zone 3 Reservoir, Land Acquisition, Eminent Domain Resolution

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

Per the 2006 Water Master Plan, Zone 3 of the City's water distribution system has a deficient amount of water storage. The only feasible option to resolve the immediate deficiency problem in Zone 3 is to construct a new west-end reservoir. After extensive investigation into multiple potential locations, it has been determined that a parcel adjacent to the existing Chapple Reservoir is the best location for the new tank. The parcel for the new tank is part of a larger tract owned by Sheldon Eaton, Eaton Land Development.

An appraisal was obtained and an informal offer was made in March, 2011. Negotiations took place over the next 6-9 months in which various alternatives were pursued. No mutual agreement could be reached, so the original appraisal was updated and revised to reflect the current values of two options: 1) purchase of the originally requested 3.55 acres; or 2) purchase of 2.56 acres and an additional 1.5 acres of temporary construction easement. The revised appraisal was received July 2, 2012, and a letter with a formal offer was sent to Mr. Eaton on July 9. The letter gave an acceptance deadline of July 31 and notice that if declination or no response was received by that date, City Staff would pursue right of entry via Eminent Domain. No response has been received, so Council is now being asked to pass a resolution allowing Staff to begin Eminent Domain proceedings and obtain right of entry to the land depicted in option 2 of the offer made to Mr. Eaton.

Council voted on August 13 to delay action on this item until the September 10 meeting. This would provide Mr. Eaton additional time to gather information and potentially reach an agreement with Staff.

ALTERNATIVES ANALYZED

The Council may:

- Approve the passage of a resolution allowing City Staff to begin Eminent Domain proceedings to obtain right of entry to the land needed to construct a new Zone 3 Reservoir; or
- Do not approve such a resolution, which will further delay the project and the ability to supply Zone 3 with additional water storage needed to meet current and future needs.

FINANCIAL IMPACT

There is no financial impact to passing a resolution allowing City Staff to begin Eminent Domain proceedings. Ultimately, if Eminent Domain is followed to its full extent, the value paid for the land will be determined by mediation, arbitration or the court and authorization to spend funds for the land purchase will be requested in a separate Council meeting agenda item.

BACKGROUND

Multiple locations in west and northwest Billings were investigated as potential sites for a new Zone 3 Reservoir. A 3.55 acre piece of land, immediately west of the existing Chapple Reservoir located on City-owned land, was determined to be the best option. The desired land is owned by Sheldon Eaton, Eaton Land Development.

An appraisal for this land was obtained in February, 2011, and an informal offer was made to Mr. Eaton in March. Mr. Eaton did not agree with the appraised value or with the size of the parcel being requested, so negotiations began in an attempt to reach a mutual agreement for acquisition of the needed land. After looking into many alternatives of reducing the size of the parcel, repositioning the proposed tank location, determining what Mr. Eaton's park donation may be if/when his remaining land is developed, etc, still no agreement could be reached.

Staff determined the smallest parcel feasible to achieve the needs of this project would be 2.56 acres, with an additional 1.5 acres used as a temporary construction easement. A revised appraisal was obtained to reflect the values of the two options: 1) purchase of originally requested 3.55 acres; or 2) purchase of 2.56 acres and additional 1.5 acres of temporary construction easement.

A formal offer was made to Mr. Eaton with these two options, but the offer has not been accepted. Given the necessity the City is faced with to construct a new reservoir in a timely manner to meet Zone 3's current and immediate future storage needs, Staff would like to obtain right of entry via Eminent Domain. Council is requested to pass a resolution allowing Staff to begin such Eminent Domain proceedings.

SUMMARY

There is insufficient water storage capacity in the City's Zone 3 water pressure zone. To alleviate this deficiency, a new reservoir must be constructed, and additional land must be acquired to build the tank on. An appraisal has been obtained and a formal offer made to purchase the necessary land, but the offer has not been accepted. Council is therefore requested to pass a resolution allowing Staff to begin Eminent Domain proceedings to gain right of entry, allowing the project to continue.

RECOMMENDATION

Staff recommends that Council pass a resolution allowing City Staff to begin Eminent Domain proceedings to obtain right of entry to land needed from Eaton Land Development for the purpose of constructing a new Zone 3 Reservoir.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Draft 2013 Unified Planning Work Program (UPWP)

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

The Planning Division is presenting the Draft 2013 Unified Planning Work Program (UPWP) for the Billings Metropolitan Planning Organization for City Council review and recommendation to the Billings Policy Coordinating Committee (PCC). The UPWP is primarily for the purpose of programming the federal dollars Billings receives from the Federal Highway Administration (FHWA) for transportation planning. These funds are passed through the Montana Department of Transportation (MDT). All planning activities are included in the UPWP so that it represents a comprehensive document of the urban transportation planning program. This UPWP proposes planning activities for Federal Fiscal Year 2013, which runs from October 1, 2012, through September 30, 2013.

This UPWP corresponds directly with the Planning Division's annual work plan. The significant changes in this year's program include an update of the Billings Urban Area Transportation Plan, completing the Hospitality Corridor Study and Exposition Gateway Master Plan, implementing a Downtown (transit) Circulator, and completing a Bike-Pedestrian Corridor Study linking Shiloh Road and Riverfront Park. The Transit section is Chapter II of the UPWP. The document is consistent with past programs.

ALTERNATIVES ANALYZED

The Council may:

- Accept the program (recommended) and instruct Mayor Hanel, or a designee, to give a positive recommendation to PCC; or
- Reject the plan and instruct Mayor Hanel, or a designee, to give a negative recommendation to PCC. Rejection of the UPWP would mean a significant reduction in funding to complete planning activities in Billings and Yellowstone County; or
- Make amendments to the program document and instruct Mayor Hanel, or a designee, to give a positive recommendation to PCC

The PCC meeting is scheduled for September 18th.

FINANCIAL IMPACT

Approval of the 2013 UPWP allows the City to access Federal funds for transportation planning in the community. Federal and local funds are combined to provide most of the planning work done by the Planning Division for the City and the County. If the UPWP is not approved, there would be a significant loss of resources for community planning. The breakdown of funding sources is provided below:

- \$142,800 Planning Dept. Fee Revenue (City of Billings)
- \$31,400 Planning Dept. Fee Revenue (Yellowstone County)
- \$375,000 Yellowstone County Levy

- \$977,378 Federal Planning (PL) Allocation

\$1,516,659 Total Program (UPWP)

RECOMMENDATION

Staff recommends that the City Council approve the Draft 2013 UPWP and instruct the Council's representative to carry that recommendation to the PCC meeting on September 18th.

APPROVED BY CITY ADMINISTRATOR

Attachments

2013 UPWP Draft

Billings Urban Area

Unified Planning Work Program

(UPWP)

Federal Fiscal Year

2013

DRAFT

Prepared By:

Billings/Yellowstone County Planning Department
4th Floor, Parmly Billings Library
510 North Broadway
Billings, Montana 59101

In Cooperation With:

Montana Department of Transportation
Federal Highway Administration
Federal Transit Administration

UNIFIED PLANNING WORK PROGRAM

TABLE OF CONTENTS

Introduction.....	3
UPWP Approval Dates	3

CHAPTER I – Highway

SECTION I – Work Elements

100 - Program Administration	4
101 - Service	8
102 – Citizen Involvement.....	10
200 – Community Planning	12
204 – Zoning Administration.....	15
205 – Subdivision Administration	17
300 – Transportation System Data.....	19
301 – Transportation Plan	21
302 – Planning Studies.....	23
500 – Transportation Improvement Program	25
600 – Environmental Considerations	27
700 – Contingency	29

SECTION II – Funding

Funding Summary.....	31
Funding Comparisons	31
Funding Percentages	32
Staff Months Worked.....	32

SECTION III – Indirect Cost Plan

Identification of Costs.....	33
Funding Sources	34
Acronyms.....	35

CHAPTER II – Transit

Administration	36
Short Range Transportation Planning.....	38
Current Service Enhancement.....	40
Transportation Improvement Program	42
ADA.....	44
Funding	46

INTRODUCTION

The Billings Urban Area planning process is organized and conducted in a cooperative, coordinated, and comprehensive manner. The Yellowstone County Board of Planning, as the designated Metropolitan Planning Organization (MPO), is charged with the responsibility of administering the planning process. Under federal regulation, an MPO must be established for urban areas with populations greater than 50,000 in order to receive federal funds for construction projects and transportation planning. This document, the Billings Urban Area Unified Planning Work Program (UPWP), and a companion document, the Prospectus, is the foundation upon which the planning process is based.

The UPWP is developed each year, and once adopted and approved by FHWA and FTA, is in effect from October 1 to September 30. The UPWP contains a task by task discussion of projects, which are to be undertaken during the program year. It also contains appropriate funding information, staffing information, and a schedule for each project. The UPWP undergoes a comprehensive review at the local, state, and federal levels each year.

This year, Federal Fiscal Year 2013, the format for work program activities conforms to Federal Transit Administration (FTA) Circular 8100.1B, specifically Chapter IV. The Montana Department of Transportation and the Yellowstone County Board of Planning have mutually agreed upon use of this format.

The Prospectus is a detailed description of projects, which occur on a routine basis. Once adopted, the Prospectus is only amended if there is a change in the planning process. The Prospectus also contains information pertaining to the organization of the planning process, agencies involved, and agreements between agencies involved in the process.

Cost overrun guidelines have been established by the Montana Department of Transportation, and agreed to by the Yellowstone County Board of Planning. Those guidelines will determine the allowable overruns for any work program element. Overruns that surpass those outlined in the guidelines will require a UPWP amendment.

This document includes two chapters, Highway and Transit. Each chapter contains individual work elements. These work elements describe work the planning staff will undertake in the program year as well as work accomplished in the past year. Also included is a breakdown of funding sources which include, Planning (PL) funds and Local (City & County) funds which are used to provide funding for non PL eligible activities.

DATES OF LOCAL APPROVAL

TAC --/12

PLANNING BOARD --0//12

COUNTY COMMISSION --//12

CITY COUNCIL --//12

PCC --9/18/12

CHAPTER I

YELLOWSTONE COUNTY BOARD OF PLANNING

SECTION I UNIFIED PLANNING WORK PROGRAM

41.11.100 PROGRAM SUPPORT & ADMINISTRATION

100 PROGRAM ADMINISTRATION (4301)

OBJECTIVE

- To administer the area-wide planning process.
- To support the Board of Planning and other Boards, Commissions, and the City Council and County Commissioners in their decision-making activities in the planning process.
- To engage in administrative and financial actions related to identified planning activities and to prioritize those activities.
- To enhance staff skills and maintain staff exposure to the "state-of-the-art" in planning methodology and computer software.
- To maintain contact with, provide input to, and receive feedback from various local, state and federal agencies, committees and groups during the planning process.

ACCOMPLISHMENTS - FISCAL YEAR 2012

Ensured conformance with federal, state and local administrative and regulatory requirements, as well as maintenance of planning operations.

Members of the planning staff attended various professional meetings, workshops, and conferences at which planning, transportation, transit, bicycle/pedestrian and related topics were presented and discussed.

Specifically, the City/County Planning Department (Planning Department) and members of other local, state and federal departments and agencies actively participated in a diverse set of local meetings, including the Billings Technical Advisory Committee (TAC), Policy Coordinating Committee (PCC), Billings & Yellowstone County Zoning Commissions and Boards of Adjustment, Board of Planning, City Annexation Committee, City Development Process Review Committee, Community Development Board, Traffic Control Board, Bicycle and Pedestrian Advisory Committee, Historic Preservation Board, and others. The Alternative Modes Coordinator Contract Position now administers grant writing services for the Department. The CTEP program was administered from this work element by Planning Department staff.

Members of the planning staff received updates in computer software programs for the geographic information system and its application to mapping data layers such as streets, land use, address, ownerships and environmental data. Staff regularly utilizes an application tracking and project management software system that integrates the existing City building permit, finance and land

management software, as well as coordinated subdivision and development project reviews across City and County departments. Staff also administered updating the City Annexation Policy and Limits of Annexation Map, and assisted in updates to the City's Capital Improvement Program. Implementation of the City's Complete Streets Policy has begun with the development of an annual Complete Streets scorecard.

PROPOSED ACTIVITIES - FISCAL YEAR 2013

All administrative functions of the Planning Department will be performed under this work element. Program management activities will include, but not be limited to the following:

1. Correspondence
2. Public Relations
3. Employee Guidance & Supervision
4. Program Organization
5. Consultant Liaison Activities
6. Staff Meetings
7. Negotiations
8. Preparation of Contracts
9. Staff Training
10. Performance Monitoring
11. Office equipment acquisition
12. Budget Management and Administration

PL Eligible Activities

- As per the MPO's public participation plan and ongoing public outreach efforts, the planning staff will make available the documents and guidelines for transportation planning activities to the community, as well as keep abreast of federal and state requirements as they relate to the overall planning processes. These activities may include distribution of the Billings Area Bikeway and Trail Master Plan to community organizations or individuals, distribution of the current Billings Area Tour Map for bicycle and pedestrian users and visitors, distribution and explanation of the latest Billings Urbanized Area Traffic County Map, explanation and distribution of the MPO's public participation plan to groups involved or interested in transportation planning processes in the community, and explanation and information dissemination of the CTEP program to possible project applicants in the community.
- Staff will update the PL & Memorandum of Agreement as necessary.
- Quarterly progress and expenditure reports will be prepared and transmitted to the Montana Department of Transportation (MDT) in order to maintain federal funding support.
- The FY 2013 UPWP will be continually appraised and monitored in terms of content and budget allocations and will be revised when deemed necessary.
- The Fiscal Year 2014 UPWP will be developed under this work element.
- The Board of Planning, Board of County Commissioners and City Council will be kept informed of the activities of the staff and its progress in completing the approved UPWP.
- All planning staff will participate in recognized and approved training programs in order to improve staff skills and capabilities. Planning expertise will be maintained through enrollment in appropriate planning and transportation-related courses at area colleges, workshops, seminars, webinars and conferences.
- Staff will adapt software programs to effectively utilize traffic data and continue computer-training programs.
- The use of PL funds for out-of-state travel and/or registration fees for the above or other purposes will continue to be subject to prior approval of MDT.

- The Community Transportation Enhancement Program (CTEP) administration will be funded through this work element.
- Moving Ahead for Progress in the 21st Century (MAP-21) legislation will be reviewed to become familiar with changes affecting the metropolitan planning process.
- The Alternative Modes Coordinator position will continue to be funded through a consultant contract, totaling \$68,000. The contract will be funded out of several work elements (100, 200 and 300).
- Grant writing services have been incorporated within the Alternative Modes Coordinator contract. Alternative mode activities in this work element will include:
 - Work field inspections, handle complaints and investigate problem areas of the trail system.
 - Presentations as needed.

Locally Funded Activities

- General administrative activities will include maintenance of files, library documents, daily correspondence and preparation of necessary periodic reports.
- Interagency committee participation is included in this work element.
- All staff members will continue to participate in and encourage increased cooperation between state and local agencies, departments and governing bodies.
- The Planning Department will serve both as a coordinator of and a participant in meetings and committees.
- Planning Department involvement will include participation with such agencies as the Housing Authority, Big Sky Economic Development Authority (BSEDA), Air Pollution Control Board, Riverstone Health (formerly the City-County Health Department), legislative study committees, and other agencies.
- Staff will also continue a summer intern program as interest and needs arise; oversight of these individual(s) will take place in this work element.

STAFFING

20.5 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

The Planning Department will be responsible for administering the area-wide planning process for the City and County.

PRODUCT

- An ongoing administrative program focused primarily at effective and expeditious implementation of this UPWP.
- The continual enhancement of the Planning Department staff skills and knowledge.
- Maintenance of a coordinated, comprehensive, and cooperative planning process that is endorsed and supported by the local community.

FUNDING SCHEDULE - ADMINISTRATION

FUNDS PROGRAMMED - FISCAL YEAR 2012

FUNDING SOURCE			
AGENCY	PL	LOCAL	TOTAL
MPO	\$145,750	\$119,250	\$265,000
TOTAL	\$145,750	\$119,250	\$265,000

DISBURSEMENT PERCENTAGE			
AGENCY	PL	LOCAL	TOTAL
MPO	55	45	100

FUNDS PROGRAMMED - FISCAL YEAR 2013

FUNDING SOURCE			
AGENCY	PL*	LOCAL	TOTAL
MPO	\$148,500	\$121,500	\$270,000
TOTAL	\$148,500	\$121,500	\$270,000**

*The matching ratio is Federal PL--86.58% and State match-13.42%.

**This work element will fund approximately 58% of the Alternative Modes Coordinator contract (\$39,440).

101 SERVICE (4302)

OBJECTIVE

- To coordinate the dissemination of information and exchange of ideas between planning agencies and the interested public, decision-makers, and other departments, agencies, and organizations as related to the Billings MPO.

ACCOMPLISHMENTS - FISCAL YEAR 2012

Members of the planning staff were involved in a wide range of service tasks. Planning services included presentations related to roadways and alternative transportation, responding to citizen inquiry and complaints regarding streets, subdivision layout, site distance, zoning request, conformance with the 2009 Transportation Plan Update and the Billings Area Bikeway and Trail Master Plan, Yellowstone County and City of Billings 2008 Growth Policy, West Billings Plan, Northwest Shiloh Area Plan, and various neighborhood and community plans.

Staff presented transportation planning information at all of the Neighborhood Task Forces in Billings and provided input on the South Billings Urban Renewal District (SBURD) Master Plan. Planning staff also shared information with the community and stakeholders through management of a Federal Energy Efficiency and Conservation Block Grant program that included funding for the Swords Park Trail Phase II and a hybrid diesel-electric bus for the Library. The Billings MPO hosted more than 40 webinars covering a variety of topics including transportation and mobility related topics.

PROPOSED ACTIVITIES - FISCAL YEAR 2013**PL Eligible Activities**

- Staff will continue to organize a very successful series of webinars and “brown bag lunch” seminars on a wide range of planning topics, including multi-modal transportation planning and funding, collaborative community planning techniques and planning for sustainability as well as various Institute of Transportation Engineers, Pro Bike/Pro Walk and Federal Highway Administration webinars.
- Staff is also targeting webinars which educate the public on the transportation planning process and funding as related to the operation of the MPO.

Locally Funded Activities

- Staff will continue to develop and use website tools to enable citizens to access information on upcoming planning activities, board and commission meetings, and recent land use applications, as well as interact with various planning processes through email notification and online comment programs
- Continue increasing community awareness of the interrelationships between land use development and transportation needs through dissemination of information and drafting of planning documents that incorporate both elements together.

STAFFING

3.5 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

As Assigned.

PRODUCT

- A responsive and flexible planning process utilizing staff capable of providing short-term findings and recommendations, as well as ongoing customer service to the public on all levels of planning projects and regulations.

FUNDING SCHEDULE - SERVICE

FUNDS PROGRAMMED - FISCAL YEAR 2012

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	\$14,000	\$14,000	\$28,000
TOTAL	\$14,000	\$14,000	\$28,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	50	50	100

FUNDS PROGRAMMED - FISCAL YEAR 2013

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$14,500	\$14,500	\$29,000
TOTAL	\$14,500	\$14,500	\$29,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

102 CITIZEN INVOLVEMENT (4303)

OBJECTIVE

- To solicit information concerning community values and goals and to receive community input into the development of plans and projects.

ACCOMPLISHMENTS - FISCAL YEAR 2012

Numerous meetings with service clubs, civic groups, and professional organizations were attended by staff members to discuss all facets of local planning. The Planning Board used extensive public input to review and receive comments on a wide range of planning issues throughout the City and County. Meetings of neighborhood task force organizations and neighborhood groups were also attended as requested to answer questions and review long-range planning issues, particularly related to transportation planning and projects, as well as code enforcement complaints. Staff, in coordination with other agencies participated in the implementation of the EBURD Master Plan which included converting 1-way streets to 2-ways with multi-modal amenities, and completing a form-based code for the EBURD. The South Billings Master Plan was completed and adopted by City Council in June, 2012. This plan includes recommended street network and bicycle and pedestrian facilities to enhance the multimodal circulation in the South Billings Urban Renewal District.

PROPOSED ACTIVITIES - FISCAL YEAR 2013

PL Eligible Activities

- Outreach to the public and all affected jurisdictions for ongoing transportation projects, including but not limited to Bench Boulevard North, Phase I and II reconstruction projects, North Billings Bypass, Zimmerman Trail reconstruction, short-term rail traffic mitigation projects in downtown Billings, and the Hospitality Corridor Study.
- The staff will continue to support the Bicycle/Pedestrian Advisory Committee. The Committee is responsible for forwarding recommendations to the Planning Board and governing bodies on bicycle safety, trails, bike lanes, pedestrian safety and access and other matters. The group will be involved in CTEP review, bicycle and pedestrian signing and safety projects, grant applications for non-motorized transportation projects, and community education and outreach on bicycle and pedestrian safety within the MPO.
- TAC and PCC meetings and related notices will be held/disseminated as necessary.
- Staff will continue to update and maintain the MPO's website to provide the most current up to date information to the community.

Locally Funded Activities

- Meetings with various citizen groups will be coordinated and attended for the purpose of soliciting information and ideas on a broad range of planning issues within the Billings Urban Area and throughout Yellowstone County.
- Some of the specific projects that will include community participation include the Exposition Gateway Master Plan, the Hospitality Corridor Study, the Highway 3 Corridor Study, the North Billings By-Pass Environmental Assessment, and the 2014 Long Range Transportation Plan.

STAFFING

4.0 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- A comprehensive and coordinated solicitation and collection of public opinions in order to accurately reflect the preferences and priorities of the citizens within the Billings Urban Area.

FUNDING SCHEDULE - CITIZEN INVOLVEMENT**FUNDS PROGRAMMED - FISCAL YEAR 2012****FUNDING SOURCE**

AGENCY	PL	LOCAL	TOTAL
MPO	\$19,500	\$19,500	\$39,000
TOTAL	\$19,500	\$19,500	\$39,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	50	50	100

FUNDS PROGRAMMED - FISCAL YEAR 2013**FUNDING SOURCE**

AGENCY	PL*	LOCAL	TOTAL
MPO	\$20,500	\$20,500	\$41,000
TOTAL	\$20,500	\$20,500	\$41,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

41.12.200 GENERAL DEVELOPMENT & COMPREHENSIVE PLANNING

200 Community Planning (4304)

OBJECTIVE

- To maintain records and make projections of population and dwelling unit data, land use information, employment data, and to maintain adequate financial records, files and reports.
- To provide current, accurate information pertaining to the quantity of residential, commercial, industrial, and public land in the MPO and across the County.
- To summarize and analyze development trends and to provide visual information to the City Council, County Commission, Planning Board and the public during the public input process for transportation and land-use decision making.
- To recommend implementation of the goals, policies, and strategies of the adopted 2008 Yellowstone County/City of Billings Growth Policy.
- Implementation of the 2009 Billings Urban Area Transportation Plan.

ACCOMPLISHMENTS - FISCAL YEAR 2012

2010 Census information has been updated and placed in various databases as it has become available. Data gathered and updated included annual information related to population estimates for city and counties within the State of Montana. This annual information is used by the public and public agencies for planning purposes. The American Community Survey is accessed for review and dissemination, and updated information released by the US Census Bureau in regards to commuting patterns. Other data gathered includes:

- Building Permits, Demolition Permits, Electrical Permits, Subdivision Applications, Zoning Applications, Special Reviews, Variances, temporary use permits, sign permits, zoning compliance permits and zoning clarification documents, annexation data, population trends, land use trends, school enrollment, employment data and general economic indicators.

The planning staff continued to review the 2010 Census data and the 2008 American Community Survey (ACS) figures and estimates for population and demographic data. The Census information was made available to various local agencies and organizations and to the general public. This data was used for developing reports, grant applications and planning documents such as the Billings Area Bikeway and Trail Master Plan and the South Billings Urban Renewal District Master Plan.

Several datasets, including the general land use map of the County were updated so as to maintain an inventory of existing conditions. This information was utilized in various planning studies and provided to other departments and the general public. Zoning data developed in element 204 for the entire City and County zoning jurisdictions was provided to neighborhood task force groups and others as requested. Numerous other special purpose maps were prepared for meeting purposes including bicycle trail maps, annexation maps, estimated development density maps and tables for the Limits of Annexation Map area, and other project influence areas. Natural resource, 2010 Census, and jurisdictional boundary information was updated or developed. Traffic count station locations were geo-positioned and linked with the City-County traffic count matrix.

Ongoing review and implementation of sub-area neighborhood and transportation plans, and other planning documents was carried out by staff.

PROPOSED ACTIVITIES - FISCAL YEAR 2013

PL Eligible Activities

- The web-based GIS software will be upgraded and expanded to ensure compatibility with available datasets and utilize the existing data sets more effectively. Since the City is in the process of converting to a new electronic project tracking and management system, staff is researching the future connection between this system and GIS. The GIS will be utilized to develop a series of maps, including existing and proposed pedestrian trail routes and projects in the community, maps to complete the Hospitality Corridor Study and an Exposition Gateway Master Plan, updates to a preferred growth area map in conjunction with the City's Limits of Annexation Map, and others.
- The planning staff, under the direction of the Board of Planning, will continue to work on long-range planning projects according to the priorities established by both the City of Billings and Yellowstone County. In particular, the implementation of the South Billings Master Plan, and completion of the Hospitality Corridor Study, Exposition Gateway Master Plan and the Highway 3 Corridor Study.
- Alternative mode activities in this work element will include:
 - Work with staff to insure a bike/pedestrian friendly community.
 - Review of proposed subdivision trail easements.

Locally Funded Activities

- Staff also will continue to work with the Big Sky Economic Development Authority (BSEDA) to implement the Master Plan for the East Billings Urban Renewal District (EBURD) that includes detailed analysis of the transportation and land use connections in the area and promoting sustainable development projects.
- Staff plans to work with the City, County, BSEDA, EBURD property owners, and others to prepare the Hospitality Corridor Study and the Exposition Gateway Master Plan. The study areas for both of these projects will include the transportation corridor from the Lockwood Interchange to the Airport Road/Main Street intersection and the land along this corridor.
- Continued maintenance and update of socio-economic and land use data for both transportation and comprehensive planning activities will continue in 2013, with new 2010 Census information.
- Various GIS databases and layers will continue to be developed and centrally maintained, including information on neighborhoods, community assets, route planning, trail systems and transportation plans.

STAFFING

18.5 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- Various reports, files, and projections of socio-economic data necessary for current transportation and comprehensive planning activities, as well as support of City/County economic development activities.
- An ongoing GIS database/mapping system for the City of Billings and Yellowstone County.

- Ongoing updates to the preferred growth areas mapping and analysis for the City, implementation of the City Infill Development Policy, South Billings Master Plan, the Hospitality Corridor Study, Exposition Gateway Master Plan and the Highway 3 Corridor Study.

FUNDING SCHEDULE - COMMUNITY PLANNING

FUNDS PROGRAMMED - FISCAL YEAR 2012

FUNDING SOURCE			
AGENCY	PL	LOCAL	TOTAL
MPO	\$54,000	\$126,000	\$180,000
TOTAL	\$54,000	\$126,000	\$180,000

DISBURSEMENT PERCENTAGE			
AGENCY	PL	LOCAL	TOTAL
MPO	30	70	100

FUNDS PROGRAMMED - FISCAL YEAR 2013

FUNDING SOURCE			
AGENCY	PL*	LOCAL	TOTAL
MPO	\$55,800	\$130,200	\$186,000
TOTAL	\$55,800	\$130,200	\$186,000**

*The matching ratio is Federal PL--86.58% and State match-13.42%.

** This work element will fund approximately 19% of the Alternative Modes Coordinator contract (\$12,920).

204 ZONING ADMINISTRATION (4308)

OBJECTIVE

- To oversee, interpret and enforce current City and County zoning regulations.
- To effectively administer the regulations and provide efficient service to the elected officials and the public.
- To maintain current zoning and land use information for all zoned property within the jurisdiction of the Billings Metropolitan Planning Organization to use in long-range transportation planning studies, traffic analysis, and transportation projects.

ACCOMPLISHMENTS - FISCAL YEAR 2012

During the past year, all applications for zone changes, special reviews, variances, and planned developments were reviewed and processed by the planning staff. Reports and recommendations were prepared on each case to the various boards, commissions, and governing bodies. Digital photos are now incorporated into all zoning reports and Microsoft Power Point presentations are given to all board and commissions. All applications for building permits were also reviewed for compliance with City and County zoning regulations. Special zoning studies and ordinance updates were prepared as requested by the governing bodies. These included drafting of several options for regulation of backyard hens in the City and completing the drafting of a form-based land use code for the EBURD.

Zoning information also was provided to the consultant team working on the North Bypass project as the EIS process was amended and road alignments through the zoning jurisdiction were reviewed. Staff also coordinated with the County GIS Department to ensure that all zone changes within the Billings MPO area were reflected on GIS online and printed maps to ensure land use information was current.

A significant amount of time was also spent assisting the public with general zoning questions. The status of all active zoning applications is now posted on the City/County Planning websites.

PROPOSED ACTIVITIES - FISCAL YEAR 2013

PL Eligible Activities

- Special review applications will be reviewed for land use compatibility, traffic, access, and overall site design. Traffic accessibility studies will be reviewed when required as part of certain zoning applications that include drive-thru services, high-traffic volume developments, projects that may be adjacent to arterial streets with limited access like Shiloh Road, Grand Avenue or King Avenue West, or may otherwise cause significant impacts to the local transportation system.
- Staff will continue to maintain its zoning maps and land use information so that it is applicable to long-range transportation planning efforts in the Billings MPO. This information is regularly applied to a variety of MPO functions, including corridor analysis efforts like those involved in the Billings Bypass project, specific road projects, CTEP applications, non-motorized grant applications, and periodic updates to the Billings Urban Area Long Range Transportation Plan.

Locally Funded Activities

- Carrying out the day to day activities required to effectively administer the zoning regulations as well as ensure that land use information is current and available for all long-range transportation

planning efforts, including Transportation Plan updates, specific road projects, corridor studies like the proposed Highway 3 corridor study, and the North Bypass EIS project.

- Activity in 2013 will include ordinance updates as requested by the public or governing bodies.
- All zone change applications will be reviewed for compliance with local plans.

STAFFING

10 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

Effective zoning regulations and administration for the City of Billings and Yellowstone County.
Effective enforcement of the zoning regulations for Yellowstone County.

FUNDING SCHEDULE - ZONING ADMINISTRATION

FUNDS PROGRAMMED - FISCAL YEAR 2012

FUNDING SOURCE			
AGENCY	PL	LOCAL	TOTAL
MPO	\$20,000	\$80,000	\$100,000
TOTAL	\$20,000	\$80,000	\$100,000

DISBURSEMENT PERCENTAGE			
AGENCY	PL	LOCAL	TOTAL
MPO	20	80	100

FUNDS PROGRAMMED - FISCAL YEAR 2013

FUNDING SOURCE			
AGENCY	PL*	LOCAL	TOTAL
MPO	\$21,000	\$84,000	\$105,000
TOTAL	\$21,000	\$84,000	\$105,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

205 SUBDIVISION ADMINISTRATION (4309)

OBJECTIVE

- To maintain the current city and county subdivision regulations and ensure that they are updated when changes in State law occur.
- To effectively administer the regulations and provide efficient service to developers, engineers and surveyors, elected officials, and the community.
- To ensure that development is occurring with minimal negative impacts to the community and that subdivisions are designed to be safe and long lasting in the community.
- To evaluate traffic accessibility studies and general circulation data when a subdivision application is submitted.
- To collect, manage, and apply subdivision development information for long-range transportation planning activities for the MPO – including but not limited to updates to the transportation plan and maintenance of inputs for traffic modeling.

ACCOMPLISHMENTS - FISCAL YEAR 2012

The Board of Planning and the planning staff reviewed all preliminary major and minor plat applications. Numerous conceptual and pre-application meetings were coordinated and attended by staff. All final plats were reviewed and processed. Also, a significant amount of time was spent assisting the public with general subdivision questions. Plans for updates to the City and County Subdivision Regulations due to Legislative changes were discussed and a process to get the changes approved was drafted (This item is continued into 2013 as stated below).

Staff collected and compiled information on the details of each new subdivision in terms of numbers of lots and land area slated for development. This information is integral to any transportation plan updates or long-range transportation planning efforts undertaken by the MPO in the community to determine population growth and location of residents and commercial services that affect the transportation system. This involves monthly subdivision activity reporting, periodic reviews of new development locations (was recently needed for the revised EIS process for the North Bypass project here in Billings), and is also considered in relation to the CTEP program and when the MPO pursues grants for non-motorized transportation projects in the community.

PROPOSED ACTIVITIES - FISCAL YEAR 2013

PL Eligible Activities

- Staff will review all subdivisions for compliance with the Billings Area Transportation Plan, and for conformity with the Billings Area Bikeway and Trail Master Plan, Lockwood Transportation Plan, Blue Creek Transportation Plan, and other neighborhood and community transportation plans as applicable.
- Staff also will continue to collect information on the details of each new subdivision as an integral data source for long-range transportation planning efforts undertaken by the MPO. The MPO expects to use this data in 2013 for a variety of projects, including a Highway 3 Corridor Study, continued alignment analysis for the Inner Belt Loop, and continued analysis for the North Bypass.

Locally Funded Activities

- All subdivision applications will be reviewed for compliance with local and state subdivision law.
- To carry out the day to day activities required to effectively administer the subdivision regulations, and to keep the regulations current.
- Revisions to the City and County Subdivision Regulations as a result of legislative changes from the 2013 Montana Legislature may be required.

STAFFING

11.5 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

An effective subdivision review process with regard to local and state law, the Growth Policy, and the Billings Area Transportation Plan.

FUNDING SCHEDULE - SUBDIVISION ADMINISTRATION

FUNDS PROGRAMMED - FISCAL YEAR 2012

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	\$27,000	\$63,000	\$90,000
TOTAL	\$27,000	\$63,000	\$90,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	30	70	100

FUNDS PROGRAMMED - FISCAL YEAR 2013

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$28,800	\$67,200	\$96,000
TOTAL	\$28,800	\$67,200	\$96,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

41.13.300 LONG RANGE TRANSPORTATION PLANNING

300 TRANSPORTATION SYSTEM DATA (4310)

OBJECTIVE

- To develop and maintain current transportation system data files and records.
- To provide transportation planning and data information to City and County staff, elected officials, developers, engineering firms, and the general public.

ACCOMPLISHMENTS - FISCAL YEAR 2012

The traffic count program for FY 2012 was completed. Travel times/delay/speed studies were completed, calculations computed, and level-of-service values determined. Staff participated in the update of the City of Billings Capital Improvement Program (CIP). Accident information was compiled and analyzed. Some the accident data was used in the drafting of the Billings Area Bikeway and Trail Master Plan. The staff also continued to utilize the trail scanner that was purchased and found new and better ways to both use the scanner in more trail locations in the community and display the data for various applications. Seasonal Traffic Intern was funded to complete these functions for the Planning Department and to share with other departments and the community. A silo based data retention system was put into place. This system allows for digital data storage of all the traffic count information.

PROPOSED ACTIVITIES - FISCAL YEAR 2013

PL Eligible Activities

- The traffic count program for the Billings Urban Area as well as the Yellowstone County influence area will be conducted and the appropriate data recorded during FY 2013. All traffic count data will be submitted to the MDT by February 1, 2013.
- Accident data will be compiled and analyzed to determine high hazard locations.
- Staff will update, where appropriate, the City's Capital Improvement Program.
- Staff will collect and maintain bike/pedestrian information through the trail census and use of the trail-bike/pedestrian scanner.
- Additional integration of the junior Transportation Planner position into the Department's transportation project work and familiarity with transportation planning issues will continue. This individual continues to be responsible for managing traffic data for studies and reference, administering the CTEP program, training for future modeling traffic conditions related to new developments and transportation system changes.
- The traffic count data silo will be maintained.
- The Seasonal Traffic Intern position will continue to be funded through this program and located in the Planning Department under the supervision of the senior Transportation Planner.
- The Alternative Modes Coordinator contract will be funded through this element as well as others in the UPWP. Duties will include but not limited to:
 - Maintain Bike/pedestrian data bases.
 - Maintain data base for easement acquisition.

STAFFING

10.5 Staff Months – City/County Planning

4.0 Staff Months – City/County Planning (Seasonal)

11.0 Staff Months - City Engineering (Contract Position)

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning/MDT

PRODUCT

Documentation as necessary, support of transportation grant programs, transportation system modeling, updated Traffic Count Program, and research and integration of traffic information into planning projects and development review activities.

FUNDING SCHEDULE - TRANSPORTATION SYSTEM DATA

FUNDS PROGRAMMED - FISCAL YEAR 2012

FUNDING SOURCE			
AGENCY	PL	LOCAL	TOTAL
MPO	\$160,000	0	\$160,000
TOTAL	\$160,000	0	\$160,000

DISBURSEMENT PERCENTAGE			
AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

FUNDS PROGRAMMED - FISCAL YEAR 2013

FUNDING SOURCE			
AGENCY	PL*	LOCAL	TOTAL
MPO	\$140,000	0	\$140,000
TOTAL	\$140,000	0	\$140,000**

*The matching ratio is Federal PL--86.58% and State match-13.42%.

**This work element will fund approximately 23% of the Alternative Modes Coordinator contract (\$15,640).

301 TRANSPORTATION PLAN (4311)

OBJECTIVE

- Implement the Goals and Objectives in the 2009 Billings Urban Area Transportation Plan.
- Develop (where necessary) and maintain data for the urban area in order to effectively monitor and evaluate the validity of the Transportation Plan.
- Update the 2009 Billings Urban Area Transportation Plan.

ACCOMPLISHMENTS - FISCAL YEAR 2012

Development projects were reviewed for compliance and implementation of the Transportation Plan as well as the Billings Area Bikeway and Trail Master Plan. Staff worked with TAC and PCC to develop new projects and establish timelines for existing projects identified in the Transportation and the Bikeway and Trail Master Plan.

PROPOSED ACTIVITIES - FISCAL YEAR 2013

PL Eligible Activities

- Staff will continue implementation of the goals and objectives in the Billings Area Bikeway and Trail Master Plan.
- Staff will begin to lay the groundwork to update the 2009 Transportation Plan. This will be a major update to the Plan. Staff will complete a Request for Proposals to hire a consultant to assist with this Plan. Elements of review in the Plan will include Goals and Objectives, an expanded Transit section, a look at the Railroad interface with the community and a review of current projects listed in the 2009 Study.
- Staff will continue to work toward a comprehensive, fiscally constrained project list to recommend to PCC in the coming year.
- Staff will also integrate the Transportation Plan with the City's Capital Improvement Program to ensure consistency.
- Projects will continue to be reviewed for future implementation in the City's CIP and the MPO's TIP.

STAFFING

9.0 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- Implementation of transportation projects identified in the Billings Area Bikeway and Trail Master Plan, the Transportation Improvements Program, Transportation Plan and the Capital Improvements Program. Work will begin on a 2014 Transportation Plan.

FUNDING SCHEDULE - TRANSPORTATION PLAN

FUNDS PROGRAMMED - FISCAL YEAR 2012

FUNDING SOURCE			
AGENCY	PL	LOCAL	TOTAL
MPO	\$120,000	0	\$120,000
TOTAL	\$120,000	0	\$120,000

DISBURSEMENT PERCENTAGE			
AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

FUNDS PROGRAMMED - FISCAL YEAR 2013

FUNDING SOURCE			
AGENCY	PL*	LOCAL	TOTAL
MPO	\$283,500	0	\$283,500
TOTAL	\$283,500	0	\$283,500**

*The matching ratio is Federal PL--86.58% and State match-13.42%.

** \$175,000 of the total amount listed will be used to update the Transportation Plan.

302 PLANNING STUDIES (4312)

OBJECTIVE

- To update and develop site-specific plans and transportation studies where appropriate.

ACCOMPLISHMENTS - FISCAL YEAR 2012

- Staff assisted the East Billings Urban Renewal District (EBURD) management team in reviewing traffic data, road functional classification, and other transportation information to implement the Master Plan. Staff began participating in discussions with the City, County, BSEDA, EBURD property owners, and others to formulate the process to develop a Hospitality Corridor Study and an Exposition Gateway Master Plan. The study areas for both of these projects include the transportation corridor from the I-90 Lockwood Interchange to the Airport Road/Main Street Intersection and the land along this corridor. A Downtown Circulation Study was completed. This study reviewed transit and pedestrian movement between the downtown area and neighboring University District and Medical Corridor and made recommendations on a possible circulator bus system.

PROPOSED ACTIVITIES - FISCAL YEAR 2013

PL Eligible Activities

- The Hospitality Corridor Study and an Exposition Gateway Master Plan are two studies expected to be completed in Fiscal Year 2013 through coordination of funding from this program and other local partners. The study areas for both of these projects are proposed to include the transportation corridor from the I-90 Lockwood Interchange to the Airport Road/Main Street Intersection and the land along this corridor. These studies would be completed through a consultant contract in coordination with staff support.
- Another new study that may begin in 2013 is a Highway 3/Airport Road Corridor study that would stretch from west of the Zimmerman Trail/Airport Road intersection to the Airport Road/27th Street intersection. It would address ingress and egress to Airport Road, future access options as development occurs along the roadway, future intersection improvements, storm water management along Airport Road at the top of the rimrocks and bicycle and pedestrian access and safety along the corridor. The study would be completed through a consultant contract.
- A corridor study will be undertaken looking at connecting Shiloh Road area to Riverfront Park.

Locally Funded Activities

- Staff will be involved in the coordination through completion of all planning studies undertaken. This includes contract negotiations, coordination of citizen advisory groups, public meetings, overseeing contract deliverables and project wrap-up.

STAFFING

6.5 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- Completed Urban Area-wide transportation studies

FUNDING SCHEDULE – PLANNING STUDIES

FUNDS PROGRAMMED - FISCAL YEAR 2012

FUNDING SOURCE			
AGENCY	PL	LOCAL	TOTAL
MPO	\$78,000	\$52,000	\$130,000
TOTAL	\$78,000	\$52,000	\$130,000

DISBURSEMENT PERCENTAGE			
AGENCY	PL	LOCAL	TOTAL
MPO	60	40	100

FUNDS PROGRAMMED - FISCAL YEAR 2013

FUNDING SOURCE			
AGENCY	PL*	LOCAL	TOTAL
MPO	\$84,000	\$56,000	\$140,000**
TOTAL	\$84,000	\$56,000	\$140,000**

*The matching ratio is Federal PL--86.58% and State match-13.42%.

**Estimates for the planning studies are \$65,000 for completion of The Hospitality Corridor Study and Exposition Gateway Master Plan and \$45,000 of a projected \$65,000 for the Highway 3 Corridor and Trail Study in FY 13. Completion of this study will conclude in FY 13-14. Also, \$30,000 is budgeted for a Riverfront to Shiloh Road Connection Study (Consultant Contract).

41.15.500 TRANSPORTATION IMPROVEMENT PROGRAM

500 TRANSPORTATION IMPROVEMENT PROGRAM (4313)

OBJECTIVE

- To maintain a viable five-year program of transportation improvements for the Billings Urban Area.

ACCOMPLISHMENTS - FISCAL YEAR 2012

A Transportation Improvement Program (TIP) update was produced to reflect current project status. Also a TIP Amendment was completed. Determinations were prepared for conformity to the Clean Air Act. Compliance with the new requirements of the SAFETEA-LU reauthorization was completed.

PROPOSED ACTIVITIES - FISCAL YEAR 2013

PL Eligible Activities

- The Transportation Improvement Program (TIP) will be updated as needed to reflect current project status. A certification statement will be included, as appropriate, to conform to the planning regulations. Based on the Transportation Plan, projects will be evaluated and ranked in accordance with the Priority Ranking Procedures, and in accordance with consistency/conformity procedures. Necessary data will be gathered from primary and secondary sources by the planning staff based upon the Memorandum of Understanding with the City of Billings Public Works Department, establishing areas of data responsibility. Conformity determinations will be prepared as necessary to ensure conformity with the Clean Air Act.

STAFFING

2.5 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- A current transportation improvement program which reflects conformity with FHWA, the Clean Air Act, and local priorities.

FUNDING SCHEDULE - TRANSPORTATION IMPROVEMENT PROGRAM

FUNDS PROGRAMMED - FISCAL YEAR 2012

FUNDING SOURCE			
AGENCY	PL	LOCAL	TOTAL
MPO	\$26,000	0	\$26,000
TOTAL	\$26,000	0	\$26,000

DISBURSEMENT PERCENTAGE			
AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

FUNDS PROGRAMMED - FISCAL YEAR 2013

FUNDING SOURCE			
AGENCY	PL*	LOCAL	TOTAL
MPO	\$27,000	0	\$27,000
TOTAL	\$27,000	0	\$27,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

41.16.600 SPECIAL PROJECTS

600 ENVIRONMENTAL CONSIDERATIONS (4314)

OBJECTIVE

- Maintain current records of monitored air pollution levels and obtain other environmental data as necessary within the Metropolitan Planning Area.
- Review proposed development and transportation system improvements with respect to environmental considerations within the MPO influence area.

ACCOMPLISHMENTS - FISCAL YEAR 2012

Air quality monitoring information was obtained from the County Air Pollution Control Board. Air quality mapping for the State Air Quality Bureau was revised. The Congestion Mitigation Air Quality (CMAQ) program was implemented. Staff continues to monitor carbon monoxide (CO) information in the Urbanized Area.

The Socio-Economic and Environmental (SEE) effects guidelines were used to review proposed developments and transportation system improvements.

PROPOSED ACTIVITIES - FISCAL YEAR 2013

PL Eligible Activities

- The planning staff will continue to utilize the SEE effects guidelines to evaluate all major development proposals in terms of transportation systems. This would include the CMAQ program.
- Work will continue to maintain the Billings air quality designation.
- Staff will continue to review the MOVES Program and others like it and their relationship to the MPO.

STAFFING

2.5 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

Current environmental data as necessary, as well as a comprehensive planning and transportation planning process which substantially addresses the socio-economic and environmental consequences associated with growth and development.

FUNDING SCHEDULE - ENVIRONMENTAL CONSIDERATIONS

FUNDS PROGRAMMED - FISCAL YEAR 2012

FUNDING SOURCE			
AGENCY	PL	LOCAL	TOTAL
MPO	\$24,000	0	\$24,000
TOTAL	\$24,000	0	\$24,000

DISBURSEMENT PERCENTAGE			
AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

FUNDS PROGRAMMED - FISCAL YEAR 2013

FUNDING SOURCE			
AGENCY	PL*	LOCAL	TOTAL
MPO	\$25,000	0	\$25,000
TOTAL	\$25,000	0	\$25,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

41.17.700 OTHER ACTIVITIES**700 CONTINGENCY (4315)****OBJECTIVE**

- To provide for the accounting of available un-programmed funds in the current UPWP.

ACCOMPLISHMENTS - FISCAL YEAR 2012

N/A

PROPOSED ACTIVITIES - FISCAL YEAR 2013**PL Eligible Activities**

- This work element will be utilized for accounting purposes only. No specific work activity will be charged to this work element.

STAFFING

N/A

FUNCTIONAL AGENCY RESPONSIBILITY

N/A

PRODUCT

N/A

FUNDING SCHEDULE - CONTINGENCY**FUNDS PROGRAMMED - FISCAL YEAR 2012****FUNDING SOURCE**

AGENCY	PL	LOCAL	TOTAL
MPO	\$256,082	0	\$256,082
TOTAL	\$256,082	0	\$256,082

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

FUNDS PROGRAMMED - FISCAL YEAR 2013

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$118,859	0	\$118,859
TOTAL	\$118,859	0	\$118,859

*The matching ratio is Federal PL--86.58% and State match-13.42%.

SECTION II -- FUNDING

TABLE I FUNDING SUMMARY FEDERAL FISCAL YEAR 2013

WORK ELEMENT	FUNDING SOURCES FY 2013		
	PL*	LOCAL	EST. COST
100 Administration	\$148,500	\$121,500	\$270,000
101 Service	14,500	14,500	29,000
102 Citizen Involvement	20,500	20,500	41,000
200 Community Planning	55,800	130,200	186,000
204 Zoning	21,000	84,000	105,000
205 Subdivision	28,800	67,200	96,000
300 Transportation System	140,000	0	140,000
301 Transportation Plan	283,500	0	283,500
302 Planning Studies	84,000	56,000	140,000
500 T.I.P.	27,000	0	27,000
600 Environmental	25,000	0	25,000
700 Contingency	118,859	0	118,859
TOTAL	\$967,459.00	\$493,900.00**	\$1,461,359.00

*The matching ratio is Federal PL--86.58% and State match-13.42%.

**\$55,300 in local funds unobligated.

TABLE II FUNDING COMPARISONS

WORK ELEMENT	FY 2013 ESTIMATED COST	FY 2012 ESTIMATED COST
100 Administration	\$270,000	\$265,000
101 Service	29,000	28,000
102 Citizen Involvement	41,000	39,000
200 Community Planning	186,000	180,000
204 Zoning Administration	105,000	100,000
205 Subdivision Administration	96,000	90,000
300 Transportation System Data	140,000	160,000
301 Transportation Plan	283,500	120,000
302 Planning Studies	140,000	130,000
500 T.I.P.	27,000	26,000
600 Environmental Considerations	25,000	24,000
700 Contingency	118,859	256,082
TOTAL	\$1,461,359.00	\$1,418,082.00

TABLE III
FUNDING PERCENTAGES FEDERAL FISCAL YEAR 2013

WORK ELEMENT	RECIPIENT	PL	LOCAL	TOTAL
100 Administration	MPO	55	45	100
101 Service	MPO	50	50	100
102 Citizen Inv.	MPO	50	50	100
200 Community Planning	MPO	30	70	100
204 Zoning Administration	MPO	20	80	100
205 Subdivision Admin.	MPO	30	70	100
300 Trans. System Data	MPO	100		100
301 Transportation Plan	MPO	100		100
302 Planning Studies	MPO	60	40	100
500 T.I.P.	MPO	100		100
600 Environmental	MPO	100		100
700 Contingency	MPO	100		100

TABLE IV
STAFF MONTHS BY WORK ELEMENT FISCAL YEAR 2013

WORK ELEMENT	DIRECTOR (Beaudry)	PLANNER II (Walker)	SENIOR PLANNER (Vacant)	PLANNING MANAGER (Friday)	PLANNER II (Mattox)	CLERK (Deines)	PLANNER II (Spalding)	PLANNER II (Vacant)	PLANNER II (Cromwell)	TOTAL M.M.
100	7	1.5	2.5	5.5	.5	1.5	.5	.5	1	20.5
101	.5		1				.5	.5	1	3.5
102	.5		.5	.5	.5	.5	1	.5		4
200	1.5		5	2	1	2	1	5	1	18.5
204			.5	.5		.5	.5	2	6	10
205			.5	1		.5	7.5		2	11.5
300		2.5	.5	.5	5	2				10.5
301	.5	4		.5	2	2				9
302	.5	1		.5	1	1		2.5		6.5
500	.5	1			.5	.5				2.5
600		1	.5		.5	.5				2.5
TOTAL	11	11	11	11	11	11	11	11	11	99

*This table indicates approximately how many man months individual staff members work in each work element.

OTHER STAFF		
WORK ELEMENT	CITY TRAF. TECHNICIAN	SEASONAL TRAF. COUNTER
300	11	4
TOTAL	11	4

SECTION III

INDIRECT COST PLAN

INTRODUCTION

The Office of Management and Budget Circular A-87 "Cost Principles for States and Local Governments" is used as governing criteria for establishing the allowed costs.

IDENTIFICATION OF COSTS

The costs are delineated below by type:

DIRECT	INDIRECT	BENEFITS
Salaries & Wages	Maintenance	FICA
Legal Notices	Reproduction	PERS
Travel	Supplies	Workmen's Compensation
Printing	Postage	Accident Insurance
Training	Subscriptions	Health Insurance
Consultants	Telephone	Sick Leave
Equipment	Utilities	Vacation
Mileage	Rent	Holidays
Moving/Interview	Audit	Maternity
	Messenger	Military
		Life Insurance
		Dental Insurance

ALLOCATION OF COSTS

Direct costs will be charged to the work program line item to which they apply.

An indirect cost rate of **13%** of the City and County's direct salaries and wages is proposed. The **13%** rate will be applied to the direct wages and salaries of each line item within the work program to cover all indirect expenses.

Benefits will be calculated at a rate of **44%** of the City and County's direct salaries and wages charged to each line item.

FUNDING SOURCES

The degree of participation by each funding agency is based on the pro-rations which have been determined for each line item. Each agency will be billed their share of the total charges made against each line item according to the approved pro-rations.

Funding sources and amounts contained in the UPWP are as follows:

Planning Dept. Fees (City of Billings)	\$142,800
Planning Dept. Fees (Yellowstone Co.)	\$31,400
Yellowstone County (Mill)	\$375,000
PL*	\$967,459
TOTAL	\$1,516,659

*The matching ratio is Federal PL--86.58% and State match-13.42%.

SUMMARY

The indirect cost rate is a predetermined fixed rate which is not subject to adjustment. The base period used in determining the rate is the period from July 1, 2011 through June 30, 2012. The calculated rate is applicable to the grant period, which is October 1, 2012 through September 30, 2013.

LIST OF ACRONYMS

ADA	American Disability Act
BSEDA	Big Sky Economic Development Authority
CAC	Citizen Advisory Committee
CMAQ	Congestion Mitigation Air Quality
CTEP	Community Transportation Enhancement Program
EBURD	East Billings Urban Renewal District
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GIS	Geographic Information System
HPMS	Highway Performance Monitoring System
ISTEA	Intermodal Surface Transportation Efficiency Act
MAP-21	Moving Ahead for Progress in the 21 st Century
MDT	Montana Department of Transportation
MPO	Metropolitan Planning Organization
PCC	Policy Coordinating Committee
PEP	Private Enterprise Participation
PL	Planning Funds
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act for the 21 st Century
TAC	Technical Advisory Committee
TDP	Transit Development Plan
TIP	Transportation Improvement Program
UPWP	Unified Planning Work Program
VMT	Vehicle Miles Traveled
YCBP	Yellowstone County Board of Planning

CHAPTER II

CITY OF BILLINGS TRANSIT DIVISION

SECTION I UNIFIED PLANNING WORK PROGRAM

44.21.00 Program Support and Administration

44.21.01	Program Administration

OBJECTIVE

To provide program support, general administration, grant administration, and training in support of transit planning activities.

ACCOMPLISHMENTS FISCAL YEAR 2012

Conformance with federal, state, and local administrative requirements for maintenance of transit planning function, including continuing to maintain and update the Transportation Coordination Plan. Attended training opportunities & enhanced knowledge and skills. Managed FTA Section 5303 grant activities, and prepared transit aspect of UPWP. Participated in TAC and other meetings.

PROPOSED ACTIVITIES FISCAL YEAR 2013

All administrative functions necessary in support of transit planning activities will be performed. Quarterly progress and expenditure reports will be prepared and transmitted to the Montana Department of Transportation, Urban Planning Division to maintain federal funding support. Furthermore, this UPWP will be revised when deemed necessary. The FY 2014 UPWP for transit planning activities will also be developed under this line item.

Staff participates in recognized and approved training programs in order to improve skills and capabilities. Planner will assimilate documents, regulations, and codes to keep abreast of federal, state, and local requirements as they relate to the transit planning process. To maintain interaction and feedback with appropriate citizen and professional groups, staff will participate with the TAC, Coordination Plan Committee, citizen advisory boards and others as needed. Grant administrative functions will also be performed.

STAFFING

250 Transit Planner Staff Hours
50 Administrative Support Staff Hours
50 Transit Manager Staff Hours

350 Total Staff Hours

FUNCTIONAL AGENCY RESPONSIBILITY

City Transit Division

PRODUCT

An ongoing administrative program to carry out the transit planning function.

FEDERAL PROGRAM PARTICIPATION

Federal Transit Act Section 5303 Metropolitan Planning Grant

FUNDING SCHEDULE - 44.21.01

Expenditures	Local	FTA	Total
Programmed FY 12	\$4,291	\$17,165	\$21,456
Estimated FY 2013	\$4,388	\$17,552	\$21,940

OBJECTIVE

To facilitate considerations of means to ensure that citizens will have acceptable public transportation alternatives in the future, including during times of constrained financial resources.

ACCOMPLISHMENTS FISCAL YEAR 2012

Updated projections of future revenues and expenses. Assisted with annual and out-year budget and financial resources analysis, including multi-year spreadsheets. Arranged for a variety of on-going data gathering and analysis efforts to monitor system. Identified the operating and capital needs required to ensure reliable fleet and effective system functioning and assisted with preparation of related grant applications, grant revisions, and budget documents. Considered farebox and other revenue changes.

PROPOSED ACTIVITIES FISCAL YEAR 2013

Continuation of activities undertaken in FY 2012 including arranging and assisting with financial analysis and planning and assessing future capital and operating requirements. Consider any possibly needed service modifications, with assistance of consultant as appropriate, including means to continue addressing needs with fewer resources. Continue planning efforts regarding public and stakeholder involvement and input opportunities.

STAFFING

620 Transit Planner Staff Hours
124 Administrative Support Staff Hours
155 Transit Manager Staff Hours

899 Total Staff Hours

PRODUCT

Identification of and plans for efficient and effective transit service for the future, such as financial and capital analyses and possible system modifications.

FUNCTIONAL AGENCY RESPONSIBILITY

City Transit Division

FEDERAL PROGRAM PARTICIPATION

Federal Transit Act Section 5303 Metropolitan Planning Grant

FUNDING SCHEDULE - 44.24.01

Expenditures	Local	FTA	Total
Programmed FY 12	\$11,217	\$44,869	\$56,086
Estimated FY 2013	\$10,620	\$42,482	\$53,102

OBJECTIVE

To improve service and ridership in existing transit system.

ACCOMPLISHMENTS FISCAL YEAR 2012

Worked with operational staff in reviewing and implementing system improvements to existing routes and services and to assess system functioning. Assisted in assessing upcoming operational needs. Continued to develop Marketing Enhancement Programs. Attended to regulatory documents as required for continued funding. Provided monthly ridership (including wheelchair and bike rack use) analysis, assessed ridership trends, and prepared other information on system functioning as requested. Analyzed internal administrative functioning including further implementation of computerization and/or technology improvements. Monitored GPS and CCTV data to analyze possible improvements to routes and schedules.

PROPOSED ACTIVITIES FISCAL YEAR 2013

Continuation of activities undertaken in FY 2012. Assist in identification and implementation of means to improve current service, including analyzing the routes and schedules with the use of GPS and CCTV data. In addition, new ITS software will be installed to provide real-time information on vehicle locations allowing for better management of the transit service and provide riders with real-time arrival and departure times. This element may also include activities such as assisting with marketing to attract and educate "choice riders" and senior riders on how to read the schedules and use transit; and to enhance public image of existing system and services as well as analyses of internal functions and operations. Other tasks may include monitoring public reaction to modified routes, schedules and marketing efforts, and assist in assessing budgetary needs.

STAFFING

628.39 Transit Planner Staff Hours
125.68 Administrative Support Staff Hours
125.68 Transit Manager Staff Hours

879.75 Total Staff Hours

FUNCTIONAL AGENCY RESPONSIBILITY

City Transit Division

PRODUCT

Information relating to existing service/system enhancement, such as analyses of system functions and budget alternatives.

FEDERAL PROGRAM PARTICIPATION

Federal Transit Act Section 5303 Metropolitan Planning Grant.

FUNDING SCHEDULE - 44.24.02

Expenditures	Local	FTA	Total
Programmed FY 12	\$10,522	\$42,087	\$52,609
Estimated FY 2013	\$10,275	\$41,102	\$51,377

44.25.00**Transportation Improvement Program**

44.25.01

T.I.P.

OBJECTIVE

To maintain a viable five year program of transit improvements for the Billings Urban Area.

ACCOMPLISHMENTS FISCAL YEAR 2012

The TIP was updated to reflect current project status and include upcoming projects, information was provided to MPO to assist in community-wide Section 5310 project prioritization for inclusion in TIP. STIP process was monitored especially with regard to the discretionary grant.

PROPOSED ACTIVITIES FISCAL YEAR 2013

City Transit Division will develop information on the operating and capital projects for which MET Transit and MET Special Transit plan to pursue federal grant assistance for inclusion in the TIP to be prepared by the MPO. Monitor inclusion of TIP in STIP to ensure ability to obtain federal Sections 5307, 5309, 5316 & 5317 grant assistance.

STAFFING

82.29 Transit Planner Staff Hours
16.46 Administrative Support Staff Hours
16.46 Transit Manager Staff Hours

115.21 Total Staff Hours

FUNCTIONAL AGENCY RESPONSIBILITY

City Transit Division will provide transit-related information to the County Planning Department for the MPO's inclusion in the TIP document.

PRODUCT

A current TIP as necessary for FTA grant approvals.

FEDERAL PROGRAM PARTICIPATION

Federal Transit Act Section 5303 Metropolitan Planning Grant.

FUNDING SCHEDULE - 44.25.01

Expenditures	Local	FTA	Total
Programmed FY 12	\$1,269	\$5,077	\$6,346
Estimated FY 2013	\$1,346	\$5,382	\$6,728

44.26.00 Implementation of Americans with Disabilities Act (ADA)

44.26.15	Implementation of Americans with Disabilities Act (ADA)

OBJECTIVE

To ensure optimal use of City of Billings funds in meeting elderly and disabled transportation needs for both specialized and fixed route transportation in accordance with Federal Americans with Disabilities Act (ADA) regulations.

ACCOMPLISHMENTS FISCAL YEAR 2012

Continued implementation of the paratransit Eligibility Certification process and familiarizing elderly and disabled citizens with use of fixed route system as appropriate. Continued monitoring of transit system's compliance with the ADA regulations and assisted with related community relations. Assessed financial functioning of paratransit service. Monitored procedures and policies involving lift-equipped fixed-route service and other accessibility features and requirements. Assisted in assessment of future vehicle needs and relevant procurement of vehicles as related to best serving elderly and disabled citizens. Assisted with continued integration of the paratransit function within the City's MET Transit System. Assisted in efforts to develop and resolve operational policy issues and to improve MET Special Transit's efficiency & cost-effectiveness, including monitoring implementation of new Paratransit Scheduling software.

PROPOSED ACTIVITIES FISCAL YEAR 2013

Continuation of activities undertaken in FY 2012. Maintain positive relationship with disabled and elderly community and continued identification of means to address transit and special transportation needs, including assisting in efforts to assess both short and long term paratransit needs of the community and organizational and fiscal means to address those needs. Work with Consultant on analyzing the paratransit system. Monitor and assess means to improve efficiency and effectiveness of paratransit service, including the implementation of a new paratransit software system. Continue to facilitate effective service provision and usage of lift-equipped fixed-route service. Participate on resource advisory group.

STAFFING

299.00 Transit Planner Staff Hours
59.80 Administrative Support Staff Hours in support of Planner
624.19 Paratransit Coordinator Staff Hours
218.47 Clerical Staff Hours in support of Paratransit Coordinator
59.80 Transit Manager Staff Hours

1,261.26 Total Staff Hours

FUNCTIONAL AGENCY RESPONSIBILITY

City Transit Division

PRODUCT

Continued community consensus on how ADA regulations related to transit is to be complied with by the City of Billings. Continued community consensus on how to address specialized and lift-equipped and other transit needs of the community's disabled citizens through City funding.

FEDERAL PROGRAM PARTICIPATION

Federal Transit Act Section 5303 Metropolitan Planning Grant.

FUNDING SCHEDULE - 44.26.15

Expenditures	Local	FTA	Total
Programmed FY 12	\$13,825	\$55,300	\$69,125
Estimated FY 2013	\$13,484	\$53,934	\$67,418

SECTION II FUNDING

Table 4
Funding Summary and Staff Months by Element - City Transit Division
Federal Fiscal Year 2013

Work Element	Funding Source			Disbursement Percentage		Staff Hours
	City	FTA	Total Amount	City	FTA	
44.21.01	\$4,388	\$17,552	\$21,940	20	80	350.00
44.24.01	\$10,620	\$42,482	\$53,102	20	80	899.00
44.24.02	\$10,275	\$41,102	\$51,377	20	80	879.75
44.25.01	\$1,346	\$5,382	\$6,728	20	80	115.21
44.26.15	\$13,484	\$53,934	\$67,418	20	80	1,261.26
SUB TOTAL	\$40,113	\$160,452	\$200,565	20	80	3,505.22
TOTAL	\$40,113	\$160,452	\$200,565	20	80	3,505.22

ALLOCATION OF COSTS

Expenditures identified include direct costs, benefits at the rate of 44% of direct salary or wages, and indirect costs at the rate of 13% of direct salary or wages. These rates for benefits and indirect costs were approved in a February 27, 2012 letter from the MDT Urban Planning Section.

Regular City Council Meeting

Meeting Date: 09/10/2012

TITLE: Draft 2012-2016 Transportation Improvement Program (TIP)

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

Federal regulations require that Metropolitan Planning Organizations (MPOs) review and update their Transportation Improvement Program (TIP) periodically. The current 2012-16 TIP falls into this category and must be updated to maintain compliance with State and Federal requirements.

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

This TIP is being presented to the Council for review due to cost updates to several projects. The projects listed in the TIP include, The North By-Pass, Bench Boulevard, Equipment Purchase, MET Bus Operating, Safe Routes to School and CTEP. Staff has attached the document for your convenience.

ALTERNATIVES ANALYZED

The current TIP includes updates of federal funding for several projects in the Billings area. The Council may:

- Recommend approval of the 2012-2016 TIP as drafted in order to continue the implementation of federally funded transportation projects as presented.
- Recommend modifications to the proposed 2012-2016 TIP and present these recommendations to the Policy Coordinating Committee (PCC) for further consideration.

FINANCIAL IMPACT

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

RECOMMENDATION

Staff recommends that the City Council approve the 2012-2016 TIP and forward that recommendation to PCC through its designee.

APPROVED BY CITY ADMINISTRATOR

Attachments

Draft 2012-16 TIP

BILLINGS URBAN AREA
TRANSPORTATION IMPROVEMENT
PROGRAM (TIP)



FY 2012-2016

DRAFT

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

Prepared by:

Yellowstone County Board of Planning
Billings Metropolitan Planning Organization

In Cooperation With:

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

Reviewed By:

Technical Advisory Committee
Yellowstone County Board of Planning

Billings City Council
Yellowstone County Commissioners

Approved By:

Billings Policy Coordinating Committee
Montana Department of Transportation

Federal Highway Administration
Federal Transit Administration

TABLE OF CONTENTS

INTRODUCTION	1
FEDERAL REGULATIONS	2
FINANCIAL RESOURCES	2
AIR QUALITY CONSISTENCY	3
CONFORMITY OF THE BILLINGS AREA TRANSPORTATION IMPROVEMENT PROGRAM WITH THE 1990 CLEAN AIR ACT	4
TIP CONFORMITY	4
ENERGY CONSERVATION CONSIDERATIONS	5
PROGRAMMING OF NON-URBAN SYSTEM, FEDERAL AID AND STATE FUNDING ..	6
PRIVATE ENTERPRISE PARTICIPATION	10

LIST OF TABLES

TABLE 1: EXEMPT PROJECTS	5
TABLE 2: REGIONALLY SIGNIFICANT PROJECTS.....	5
TABLE 3: TRANSPORTATION REVENUE ESTIMATES (2012-2016)	7
TABLES 4A-4B: TRANSPORTATION PRIORITY LIST	8-9
TABLE 5: TRANSPORTATION PROJECT PRIORITY LIST FTA SECTIONS 5307, 5309, 5310, 5316, 5317	12
TABLE 6: MULTI-YEAR STAGING PROGRAM CALENDAR YEARS 2012-2016	13
TABLE 7: HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FY 2012.....	14
TABLE 8: HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FY 2013.....	15
TABLE 9: HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FY 2014.....	16
TABLE 10: HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FY 2015	17
TABLE 11: HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FY 2016.....	18
TABLE 12: BIENNIAL ELEMENT OCTOBER 1, 2011- SEPTEMBER 30, 2013 (HIGHWAY).....	19
TABLE 13: BIENNIAL ELEMENT JULY 1, 2011-JUNE 30, 2013 (TRANSIT)	20

METROPOLITAN TRANSPORTATION PLANNING PROCESS SELF-CERTIFICATION

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

- I. 49 U.S.C. Section 5303 and 23 U.S.C. 134 and CFR 450.334;
- II. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C 2000d-1) and 49 CFR, Part 21;
- III. Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) regarding the involvement of disadvantaged business enterprises in the FHWA and the FTA funded projects (49 CFR part 26);
- IV. The provision of the Americans With Disabilities Act of 1990 (42U.S.C. 12101 *et seq.*) and the U. S. DOT implementing regulation (49 CFR Parts 27, 37 and 38);
- V. The provisions of 49 CFR part 20 regarding restrictions on influencing certain activities; and
- VI. Sections 174 and 176(c) and (d) of the Clean Air Act as amended (42 U.S.C. 7504, 7506(c) and (d)), 40 CFR, part 93.
- VII. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex or age in employment or business opportunity.
- VIII. 23 CFR, part 230, regarding the implementation of an equal employment opportunity on Federal & Federal-aid highway construction contracts.
- IX. The Older Americans Act as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in program or projects receiving Federal financial assistance.
- X. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender.
- XI. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR, part 27 regarding discrimination against individuals with disabilities.

Billings, Montana

Metropolitan Planning Organization

Signature, Paul Gatzemeier

President-Yellowstone County Board of Planning

Printed Name

Date

INTRODUCTION

PREFACE

The Yellowstone County Board of Planning (YCBP) is the metropolitan planning organization (MPO) for the Billings metropolitan planning area. The Transportation Improvement Program (TIP) is the funding mechanism for transportation projects requesting federal dollars in the Billings urbanized area. All MPO's are required by the current Federal Highway Bill SAFETEA LU to produce a TIP and update it at least every four years. SAFETEA LU was signed into law by President Bush in 2005, and extended by President Obama through June 2012. The act and extensions authorized highway, highway safety, transit, and other surface transportation programs.

On July 6, 2012 Moving Ahead for Progress in the 21st Century (MAP-21) was signed into law. The law provides federal program funding through the end of Federal Fiscal Year 2014 and brings program structure changes that will be fully addressed in future long range transportation plans and TIPs. This document contains a list of all surface transportation projects requesting the use of federal funds. Local jurisdictions working through the Billings MPO's Policy Coordinating Committee (PCC) determine how the area's transportation system is developed and expanded.

PURPOSE OF THE TIP

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

THE TIP PROCESS

The development of the TIP document is the responsibility of the Billings MPO and provides an opportunity for local officials to determine priorities and spending for federal highway and transit funds. Any transportation project located in the Billings metropolitan planning area must be included in the TIP prior to receiving federal funds. TIP projects must be included in the area's 20 year Transportation Plan, and are proposed for the TIP by local elected officials, transit operating officials, or state highway agencies. The TIP is reviewed and endorsed annually by the Billings MPO's PCC and may be modified through the TIP amendment process. The PCC

includes a Billings City Council representative, the Chair of the Yellowstone County Commission, the President of the Yellowstone County Board of Planning and the District Administrator of the Montana Department of Transportation. After PCC endorsement, the TIP is submitted to the Montana Department of Transportation (MDT) and to the Federal Highway Administration and Federal Transit Administration for federal review of the document and approval of conformity and fiscal constraint determination.

FEDERAL REGULATIONS

The Transportation Improvement Program (TIP) is a required planning program for federally assisted highway and transit improvements for the Billings metropolitan planning area and the Montana Department of Transportation (MDT) over a five-year period. The principal focus is given to the first two years of the program, the Biennial Element, which contains projects that could be implemented between July 1, 2012 and June 30, 2014.

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

FINANCIAL RESOURCES

A range of federal funding sources is available to the Billings planning area for the purposes of funding transportation system improvements. Following is a list of those sources which, when available to the Billings area, are shown in the Transportation Improvement Program. Project implementation is indicated as expected to occur during the pertinent program year. Billings has had a favorable history of receiving federal earmarks as reflected in the table below.

BILLINGS FEDERAL EARMARK HISTORY – 2000 through 2009

YEAR	EARMARKS
2003	\$ 3,000,000
2004	\$ 2,000,000
2005	\$ 4,960,000
2006	\$ 35,173,900
2007	\$ 0.0
2008	\$ 4,596,200
2009	\$ 4,750,000
2010	\$0.00
2011	\$0.0
2012	\$54,457
TOTAL	\$54,534,557
10 YEAR AVERAGE	\$5,453,455

FUNDING SOURCES

- Surface Transportation Program Urban (STPU)
- Surface Transportation Program Primary (STPP)
- National Highway System (NHS)

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

AIR QUALITY CONSISTENCY

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

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

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

A portion of the Billings Urbanized Area, (Billings), was designated non-attainment for carbon monoxide (CO) on 3/3/78 (43 FR 8962) with a secondary classification of "unclassified". EPA approved the Billings CO Control Plan on 1/16/86 (51 FR 2397). Billings was then redesignated as "Not Classified" on 11/6/91 (56 FR 56697). The area meets the qualifications of the Clean Air Act (CAA) for classification as an attainment area for ozone.

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

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

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

TRANSPORTATION CONTROL MEASURES

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

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

TIP CONFORMITY

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

There are no new regionally significant projects in this 2012-2016 Billings Urban Area TIP.

NEW PROJECTS EXEMPT FROM REGIONAL ANALYSIS

Project	Scope	Comments
Exposition Dr & 1 st Ave N-concrete pavement rehab 27 th St-1 st Ave S to Airport-mill/overlay (pavement preservation) 2012 Scour Mitigation-Bridge Scour Mitigation (Dick Johnson Bridge) I-90 Yellowstone River Bridge-Bridge Replacement		

(Table 1): EXEMPT PROJECTS

REGIONALLY SIGNIFICANT PROJECTS

Project	Scope	Comments
6 th Avenue/Bench Connection	Reconstruction	In design
Billings Bypass (aka North Bypass)	Location/Environmental	Ongoing
Bench Boulevard-Billings Phases I and II	Reconstruction	Phase I letting in 2013 Phase II letting anticipated in 2015

(Table 2): REGIONALLY SIGNIFICANT PROJECTS

ENERGY CONSERVATION CONSIDERATIONS

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

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

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

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

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

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

When there is knowledge of such projects prior to the annual adoption of the TIP, each project will be included in the program. Generally, projects falling within this category are those which serve to preserve and maintain the integrity of the existing plant or facility such as: overlays to improve or maintain surface conditions; bridge expansion joints and deck repairs necessary to maintain structural and surface sufficiency; slope repair necessary to maintain drainage adequacy; etc. Projects of this nature will be identified by MDT with appropriate justification when requesting program approval of federal highway funds.

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

(Table 3) -TRANSPORTATION REVENUE ESTIMATES (2012-2016)																			
BILLINGS, MONTANA																			
YEAR	SURFACE TRANS PROGRAM (STP) (URBAN)*	MONTANA AIR CONGESTION INITIATIVE (MACI)*	EARMARKS (MT/NCPD/ DEMO)	SURFACE TRANSPORTATION ENHANCEMENT (CTEP)		NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE (IM)	STATE HSIP UPP RRP SRTS MDT- MACI BH BR	GAS TAX		TRANSIT SEC 5307		TRANSIT SEC 5309**	TRANSIT SEC 5310	TRANSIT SEC 5316 JARC**	TRANSIT SEC 5317 NEW FREEDOM**	TRANSADA	OTHER FUNDS (LOCAL)		TOTAL
2012				CITY	\$ 493,249			CITY	\$ 1,764,579					\$ 150,000	\$ 85,000	**	OPER.	\$ 2,352,921	
	\$ 5,389,044	\$ 5,305,565	\$ 31,458,127	COUNTY	\$ 195,006	\$ 252,888	\$ 368,562	COUNTY	\$ 288,905	OPER.	\$ 1,428,517	\$ 47,640	\$ 125,000			\$ 50,000	SEC.5310	\$ 25,000	\$ 49,780,003
2013				CITY	\$ 493,249			CITY	\$ 1,764,579					\$ 153,000	\$ 68,000	**	OPER.	\$ 2,399,979	
	\$ 2,587,036	\$ 1,043,888		COUNTY	\$ 195,006	\$ 100,000	\$ 5,890,104	COUNTY	\$ 288,905	OPER.	\$ 1,485,657		\$ 125,000			\$ 110,000	SEC.5310	\$ 25,000	\$ 16,729,403
2014				CITY	\$ 493,249			CITY	\$ 1,764,579					***	***	**	OPER.	\$ 2,447,979	
	\$ 2,587,036	\$ 1,043,888		COUNTY	\$ 195,006	\$ 2,263,033	\$ 1,937,390	COUNTY	\$ 288,905	OPER	\$ 1,543,083		\$ 125,000			\$ 70,000	SEC.5310	\$ 25,000	\$ 14,784,148
2015				CITY	\$ 493,249			CITY	\$ 1,764,579					***	***	**	OPER.	\$ 2,496,939	
	\$ 2,587,036	\$ 1,043,888		COUNTY	\$ 195,006	\$ 1,600,000	\$ 50,000	COUNTY	\$ 288,905	OPER	\$ 1,606,886		\$ 125,000			\$ 70,000	SEC.5310	\$ 25,000	\$ 12,346,488
2016				CITY	\$ 493,249			CITY	\$ 1,764,579					***	***	**	OPER.	\$ 2,546,878	
	\$ 2,587,036	\$ 1,043,888		COUNTY	\$ 195,006	\$ 1,000,000	\$ 1,050,000	COUNTY	\$ 288,905	OPER	\$ 1,671,162		\$ 125,000			\$ 70,000	SEC.5310	\$ 25,000	\$ 12,860,703
TOTAL	\$ 15,737,188	\$ 9,481,117	\$ 31,458,127	CITY	\$ 2,466,245	\$ 5,215,921	\$ 9,296,056	CITY	\$ 8,822,895	OPER.	\$ 7,735,305	\$ 47,640	\$ 625,000	\$ 303,000	\$ 153,000	\$ 370,000	OPER.	\$ 12,244,696	\$ 106,500,745
				COUNTY	\$ 975,030			COUNTY	\$ 1,444,525								SEC.5310	\$ 125,000	
FUNDING PROJECTIONS ARE BASED ON BEST AVAILABLE INFORMATION AND ARE SUBJECT TO CHANGE GIVEN CURRENT FUNDING UNCERTAINTIES AND UNKNOWN IMPACTS OF FUTURE CONGRESSIONAL OR OTHER FEDERAL ACTIONS.																			
FEDERAL PROGRAM FUNDING AVAILABILITY MAY IMPACT THE SCHEDULING OF PROJECTS.																			
* Includes carryover																			
** Includes Non-Federal Match																			
*** 5316 & 5317 funding no longer available (2014-2016)																			

(TABLE 4-a) - TRANSPORTATION PRIORITY LIST BILLINGS, MONTANA						
RANK	PROJECT	TYPE OF WORK	PROJECT LENGTH	PHASE	ESTIMATED COST	FUNDING SOURCE
SURFACE TRANSPORTATION PROGRAM-URBAN (STPU)						
	BENCH BLVD. NORTH - PHASE I (See also EARMARKS/DISCRETIONARY GRANTS)	Reconstruction		CONST.	\$300,720	STPU
	BENCH BLVD NORTH - PHASE II	Reconstruction		PE RW IC CONST.	See Earmarks \$1,567,915 \$1,896,672 \$12,462,601	CMAQ CMAQ STPU
					<u>15,927,188</u>	
	GRAND AVENUE	Reconstruction	1	PE RW IC CONST.	UNKNOWN UNKNOWN UNKNOWN UNKNOWN	
				TOTAL	<u>\$0</u>	
	32ND STREET WEST	Construction	1.5	PE RW IC CONST.	UNKNOWN UNKNOWN UNKNOWN UNKNOWN	
				TOTAL	<u>\$0</u>	
MONTANA AIR CONGESTION INITIATIVE (MACI)						
	SEE BENCH BLVD NORTH-PHASE II UNDER STPU					
EARMARKS/DISCRETIONARY GRANTS						
1	6TH AVE NORTH TO BENCH BLVD. (CONNECTION) Phase II Beyond the timeframe of this TIP.			PE RW IC CONST. LOCAL TOTAL		CMAQ/LOCAL LOCAL
2	BENCH BLVD. NORTH Phase I	Reconstruction	3	PE RW IC CONST. CONST. TOTAL	\$2,707,324 \$620,000 \$590,157 \$4,561,070 \$300,720 \$8,779,271	MT MT MT MT STPU
	BENCH BLVD-NORTH - Phase II (See above)			PE	See above	
3	ZIMMERMAN TRAIL	Add climbing lane for portion of roadway Straighten Curve	1	PE RW/IC CONST. LOCAL TOTAL	\$424,242 \$103,896 \$4,665,320 \$806,542 \$6,000,000	MT MT MT LOCAL
4	BILLINGS BYPASS (aka North Bypass)	Environmental Review & Location Study	14	ENV TOTAL	\$14,341,661 \$8,004,158 \$22,345,819	NCPD/DEMO MT
5	25TH STREET PEDESTRIAN BRIDGE	Purchase & replace historic bridge	N/A	 TOTAL	\$54,457 \$8,441 \$62,898	TCSP LOCAL
INTERSTATE MAINTENANCE (IM)						
	VARIOUS PROJECTS	Pavement Preservation		PE/CONST	Per Project	IM
NATIONAL HIGHWAY SYSTEM- (NH)						
	MDT PREVENTIVE MAINTENANCE (2012/2014)	Pavement preservation		PE CONST	\$252,888 \$2,163,934	NH NH
	27th St-1st Ave S to Airport & Exposition Dr & 1st Ave N-Blgs				<u>\$2,416,822</u>	
	VARIOUS PROJECTS	Pavement preservation		PE/CONST	Per project	NH
BRIDGE (BH, BR)						
	2012 Scour Mitigation (Yellowstone River (Dick Johnson Bridge)			PE CONST	\$79,000 \$520,000	
					<u>\$599,000</u>	
	I-90 Yellowstone River-Billings (Construction beyond timeframe of this TIP)	Replace Bridges		PE CONST CONST	\$3,766,636 \$35,657,483 \$6,026,616	BR BR IM
					<u>\$45,450,735</u>	

TABLE 4(B)-TRANSPORTATION PRIORITY LIST BILLINGS, MONTANA					
SURFACE TRANSPORTATION PROGRAM-URBAN PAVEMENT PRESERVATION(UPP)					
VARIOUS PROJECTS 2012/2013	Pavement Preservation	PE/CONST.	\$	1,490,989	UPP(BIENNIAL)
Montana Ave-Billings & Laurel Road-Billings					
VARIOUS PROJECTS 2014-2016	Pavement Preservation	PE/CONST.	Per Project	UPP(BIENNIAL)	
SURFACE TRANSPORTATION PROGRAM-HIGHWAY SAFETY (HSIP)					
SF099 BILLINGS GRAND 17TH SIG	Int/Upgrade Signals	PE	\$29,000		HSIP
		CONST	\$74,890		HSIP
		TOTAL	\$103,890		
SURFACE TRANSPORTATION PROGRAM-RAIL PROGRAM (RRP)					
1ST AVENUE SOUTH	Circuitry Upgrade	N/A	PE	\$3,000	STPRP/STPRR
			CONST.	\$92,055	STPRP/STPRR
			TOTAL	\$95,055	
OTHER FUNDING					
STP ENHANCEMENTS	Various Projects	OTHER	688,255		CTEP
SAFE ROUTES TO SCHOOL	Various Projects	OTHER	Per Project		SRTS
ANNUAL OPERATION AND MAINTENANCE	Various Projects	OTHER	225,000		LOCAL
ANNUAL OPERATION AND MAINTENANCE	Various Projects	OTHER	446,000		STATE
MDT-MACI	Equipment Purchase	OTHER	220,562		CMAQ/LOCAL
MDT-MACI	Signal Optimization	PE/OTHER	217,500		CMAQ/STATE
STATE FUNDED MAINTENANCE	Various Projects	OTHER	1,550,000		
		TOTAL	\$3,347,317		
** CONST. Estimates Include CE Costs					

ADVANCEMENT OF PROJECTS

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

- The priorities with regard to the FTA Section 5310 projects in the Biennial Element are: 1) Replacement vehicles for MET Special Transit, 2) Replacement vehicles for MET Special Transit.
- The priorities with regard to the FTA Section 5309 projects are: 1) Livability Grant for ITS. .

PRIVATE ENTERPRISE PARTICIPATION

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

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

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

- a) The City of Billings MET Transit System solicited the possible interest or involvement of the private sector in providing leased tires for the MET Transit fleet of coaches. In the spring of 1993, 1996, 2001, 2006 and 2011, a Request for Bids was sent to potentially interested private vendors and was also advertised in a local newspaper and a national transit journal. Bids are evaluated based on cost and ability to perform. Three firms requested bid packages. The current contract for the tire lease is in effect through August 31, 2012 with four additional one-year renewal options.
- b) No other proposals were received from the private sector.
- c) There are no known impediments to holding service out for competition.
- d) There are no known private sector complaints.

The Yellowstone County-City of Billings Planning Division has and will continue to follow its adopted policy and procedures regarding private sector participation. The mailing list of private providers has been updated and used

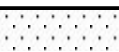
to provide notice about TAC and PCC meetings, including those that deal with the Unified Planning Work Program, (UPWP), projects and process as well as the TIP process. Through these mailings the private providers are aware of the development of the proposed transit capital and operating projects as well as the proposed paratransit capital projects for the five years covered in the TIP.

FEDERAL TRANSIT ADMINISTRATION PROJECTS

The Federal Transit Act funded projects, including FTA Section 5309 grant projects, (Biennial Element) are intended to insure the continued efficient operation, maintenance and administration of the MET Transit system fleet and facilities, including meeting federal regulations such as the Americans with Disabilities Act (ADA). The operating grants are for the fiscal years of July 2011 to June 2012 and July 2012 to June 2013 and the Section 5309 grant projects will permit Bus and Bus Facilities projects in Fiscal Years 2011-2012 through 2012-2013.

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

(Table 5) -TRANSPORTATION PROJECT PRIORITY LIST BILLINGS, MONTANA		
SECTION/PROJECT		PROJECT ESTIMATE
FTA SECTION 5307 (INCLUDES LOCAL FUNDS)		
	OPERATING PROJECT (7-1-2011 TO 6-30-2012)	3,781,438
	OPERATING PROJECT (7-1-2012 TO 6-30-2013)	3,885,636
	OPERATING PROJECT (7-1-2013 TO 6-30-2014)	3,993,062
	OPERATING PROJECT (7-1-2014 TO 6-30-2015)	4,103,825
	OPERATING PROJECT (7-1-2015 TO 6-30-2016)	4,218,040
	TOTAL	\$19,982,001
TRANSAD E(INCLUDES LOCAL FUNDS)		
	MET SPECIALIZED TRANSPORTATION-OPERATING (2012)	88,514
	MET SPECIALIZED TRANSPORTATION-OPERATING (2013)	195,607
	MET SPECIALIZED TRANSPORTATION-OPERATING (2014)	140,000
	MET SPECIALIZED TRANSPORTATION-OPERATING (2015)	140,000
	MET SPECIALIZED TRANSPORTATION-OPERATING (2016)	140,000
	TOTAL	\$704,121
FTA SECTION 5310(INCLUDES LOCAL FUNDS)		
	REPLACEMENT VEHICLES-TRANSIT (FY2012)	125,000
	REPLACEMENT VEHICLES-TRANSIT (FY2013)	125,000
	REPLACEMENT VEHICLES-TRANSIT (FY2014)	125,000
	REPLACEMENT VEHICLES-TRANSIT (FY2015)	125,000
	REPLACEMENT VEHICLES-TRANSIT (FY2016)	125,000
	* DEPENDENT ON FUNDING AND APPLICATION APPROVALS BY MDT	125,000
	*TOTAL	\$750,000
FTA SECTION 5309(INCLUDES LOCAL FUNDS)		
	MET TRANSIT ITS(BUS LIVABILITY GRANT)	47,640
	*TOTAL	\$47,640
FTA SECTION 5316 (INCLUDES LOCAL FUNDS)		
	JARC (OPERATING) 2012	\$ 300,000
	JARC (OPERATING) 2013	\$ 306,000
	JARC (OPERATING) 2014*	\$ -
	JARC (OPERATING) 2015*	\$ -
	JARC (OPERATING) 2016*	\$ -
	TOTAL	\$606,000
FTA SECTION 5317 (INCLUDES LOCAL FUNDS)		
	NEW FREEDOM (OPERATING) 2012	\$ 170,000
	NEW FREEDOM (OPERATING) 2013	\$ 136,000
	NEW FREEDOM (OPERATING) 2014*	\$ -
	NEW FREEDOM (OPERATING) 2015*	\$ -
	NEW FREEDOM (OPERATING) 2016*	\$ -
	TOTAL	\$306,000
*JARC & NEW FREEDOM FUNDING NO LONGER AVAILABLE 201		
	TOTAL	\$22,395,762

(Table 6) - MULTI-YEAR STAGING PROGRAM CALENDAR YEARS 2012-2016 BILLINGS, MONTANA						
SURFACE TRANSPORTATION PROGRAM	2012	2013	2014	2015	2016	>2016
BENCH BLVD-NORTH - PHASE I						
BENCH BLVD-NORTH - PHASE II						
GRAND AVENUE						
32ND STREET WEST						
MACI MT FUNDED						
BENCH BLVD-NORTH-PHASE I						
BENCH BLVD-NORTH-PHASE II						
VARIOUS FUNDED						
NORTH BY PASS (ENVIRONMENTAL & LOCATION/DESIGN)						
CTEP PROJECTS (VARIOUS)						
BENCH BLVD. NORTH-PHASE I						
ZIMMERMAN TRAIL						
MDT PREVENTIVE MAINTENANCE (NH)				Per Project-----		
MDT PREVENTIVE MAINTENANCE (IM)				Per Project-----		
STP URBAN PAVEMENT PRESERVATION(UPP)				Per Project-----		
2012 SCOUR REMEDIATION						
I-90 YELLOWSTONE RIVER-BILLINGS						
1ST AVENUE SOUTH (RR CIRCUITRY UPGRADE)						
INTERSECTION-MAIN ST/AIRPORT RD						
D5 INTERSTATE FENCING						
***ALL TIME FRAMES ARE APPROXIMATE						
	PRELIMINARY ENGINEERING					
	RIGHT OF WAY/UTILITIES					
	CONSTRUCTION					

(Table 7) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FY 2012																
BILLINGS, MONTANA																
PROJECT DESCRIPTION	PHASING	STP URBAN (STPU)	MT AIR CONGESTION INITIATIVE (MACI)	EARMARKS (NCPD,DEMO, MT,TCSP)	SURFACE TRANSPORTATION ENHANCEMENT (STPE)		NATIONAL HWY SYSTEM (NHS) INT MAINTENANCE	HSIP UPP RRP SRTS** MDT MACI BRIDGE	TRANSIT SEC 5307	TRANSIT SEC 5309	TRANSIT SEC 5310**	TRANSIT SEC 5316 (JARC)**	TRANSIT 5317 (NEW FREEDOM)**	TRANSADA (STATE)	OTHER*	TOTAL
					CITY	COUNTY										
Estimated carryover balance		\$ 2,802,008	\$ 3,076,539	\$31,395,229												
Estimated allocation		\$ 2,587,036	\$ 2,229,026	\$62,898	\$493,249	195,006	252,888	368,562	\$1,428,517	\$ -	\$125,000	\$150,000	\$85,000	\$50,000	\$2,507,921	
Estimated beginning balance		\$ 5,389,044	\$ 5,305,565	\$31,458,127												
SF099 GRAND-DIVISION 17TH -SIGNAL	PE							\$ 29,000								\$ 29,000
BENCH BLVD-BILLINGS PHASE II	RW		1,567,915													\$ 1,567,915
ZIMMERMAN TRAIL	PE			\$ 490,000												\$ 490,000
MDT-PREVENTATIVE MAINTENANCE - NH***	PE						\$ 252,888									\$ 252,888
MDT-URBAN PVMT PRESERVATION (UPP)	PE							\$ 40,000								\$ 40,000
2012-SCOUR MITIGATION****	PE							\$ 79,000								\$ 79,000
ENHANCEMENT PROJECTS-VARIOUS LOCATIONS	ALL				\$493,249	\$195,006										\$ 688,255
(25th STREET PEDESTRIAN BRIDGE)	CONST			\$ 62,898												\$ 62,898
SAFE ROUTES TO SCHOOL (SRTS)**	ALL															\$ -
MDT-MACI EQUIPMENT PURCHASE	OTHER							\$ 220,562								\$ 220,562
Adjustment-Airport Road	RW/IC	\$ 35,252														\$ 35,252
Adjustment-Shiloh Road	PE	\$ 16,094														\$ 16,094
TRANSIT OPERATING(7/2011-6/2012)	OPERATING								1,428,517						\$2,352,921	\$ 3,781,438
VEHICLE PURCHASES	PURCHASE										\$125,000					\$ 125,000
MET SPECIALIZED TRANS-OPERATING	OPERATING											\$150,000	\$85,000	\$50,000	\$155,000	\$ 440,000
MET TRANSIT ITS (LIVABILITY GRANT)	SOFTWARE PURCH									47,640						\$ 47,640
TOTAL		\$ 51,346	\$1,567,915	\$552,898	\$493,249	195,006	\$ 252,888	\$ 368,562	\$1,428,517	\$ -	\$125,000	\$150,000	\$85,000	\$50,000	\$2,507,921	\$ 7,875,942
*Local Match For Transit **Dependent on funding & application approvals by MDT ***27th St-1st Ave S to Airport and Exposition Dr & 1st Ave N-Blgs ****Estimate for one location within the MPO planning area																

(Table 8) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FY2013

(Table 8) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FY2013																
BILLINGS, MONTANA																
PROJECT DESCRIPTION	PHASING	STP URBAN (STPU)	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (NCPD, DEMO, MT)	SURFACE TRANSPORTATION ENHANCEMENT (STPE)		NATIONAL HWY	HSIP/UPP	TRANSIT SEC 5307	TRANSIT SEC 5309	TRANSIT SEC 5310 **	TRANSIT	TRANSIT	TRANSADA	OTHER FUNDS*	TOTAL
							SYSTEM (NHS)	RRP SRTS				SEC 5316**	5317**			
							INTERSTATE	BRIDGE								
							MAINTENANCE									
						(IM)										
				***	CITY	COUNTY										
Estimated carryover balance		\$ 5,337,698	\$ 3,737,650	\$ 30,905,229												
Estimated allocation		\$ 2,587,036	\$ 1,043,888		\$ 493,249	\$ 195,006	\$ 100,000	\$ 5,890,104	\$ 1,485,657	\$ -	\$ 125,000	\$ 153,000	\$ 68,000	\$ 110,000	\$ 2,609,979	
Estimated beginning balance		\$ 7,924,734	\$ 4,781,538	\$ 30,905,229												
BENCH BLVD-BILLINGS PHASE I	CONST	\$ 300,720		\$ 4,561,070												\$ 4,861,790
BENCH BLVD-BILLINGS PHASE II	IC		\$ 1,896,672													\$ 1,896,672
BILLINGS BYPASS	PE/DESIGN			\$ 5,000,000												\$ 5,000,000
I-90 YELLOWSTONE RIVER-BILLINGS	PE							\$ 3,766,636								\$ 3,766,636
MDT-PREVENTATIVE MAINTENANCE - IM	PE						\$ -									\$ -
MDT-PREVENTATIVE MAINTENANCE - NH	PE						\$ 100,000									\$ 100,000
MDT-URBAN PVMT PRES (UPP)***	CONST							\$ 1,466,413								\$ 1,466,413
2012-SCOUR MITIGATION****	CONST							\$ 520,000								\$ 520,000
1ST AVENUE SOUTH(RR Circuitry Upgrade)	CONST							\$ 92,055								\$ 92,055
ENHANCEMENT PROJECTS-VARIOUS LOCATIONS	ALL				\$ 493,249	\$ 195,006										\$ 688,255
SAFE ROUTES TO SCHOOL (SRTS)**	ALL							\$ 45,000							\$ 45,000	\$ 90,000
TRANSIT OPERATING (7/2012-6/2013)	OPERATING								\$ 1,485,657						\$ 2,399,979	\$ 3,885,636
VEHICLE PURCHASES	PURCHASE										\$ 125,000					\$ 125,000
MET SPECIALIZED TRANS	OPERATING											\$ 153,000	\$ 68,000	\$ 110,000	\$ 165,000	\$ 496,000
TOTAL		\$ 300,720	\$ 1,896,672	\$ 9,561,070	\$ 493,249	\$ 195,006	\$ 100,000	\$ 5,890,104	\$ 1,485,657	\$ -	\$ 125,000	\$ 153,000	\$ 68,000	\$ 110,000	\$ 2,609,979	\$ 22,988,457
* LOCAL MATCH ** DEPENDENT ON FUNDING & APPLICATION APPROVAL BY MDT *** Montana Ave-Billings and Laurel Road-Billings ****One location in MPO planning area																

(Table 9) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FISCAL YEAR 2014

BILLINGS, MONTANA

PROJECT DESCRIPTION	PHASING	STP URBAN (STPU)	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (NCPD, DEMO, MT)	SURFACE TRANSPORTATION ENHANCEMENT (STPE)		NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE	STATE HSIP/UPP RRP SRTS BRIDGE MDT- MACI	TRANSIT SEC 5307	TRANSIT SEC 5309	TRANSIT SEC 5310 **	TRANSIT SEC 5316**	TRANSIT 5317**	TRANSADA	OTHER FUNDS*	TOTAL
					CITY	COUNTY										
Estimated carryover balance		\$ 7,604,014	\$ 2,884,866	\$ 21,344,159	\$ -	\$ -										
Estimated allocation		\$ 2,587,036	\$ 1,043,888	\$ -	\$ 493,249	\$ 195,006	\$ 2,263,033	\$ 1,937,390	\$ 1,478,277	\$ -	\$ 125,000	\$ -	\$ -	\$ 70,000	\$ 2,517,979	
Estimated beginning balance		\$ 10,191,050	\$ 3,928,754	\$ 21,344,159												
SF099-BILLINGS-GRAND 17TH SIG	CONST							\$ 74,890								\$ 74,890
ZIMMERMAN TRAIL	RW/IC			\$ 120,000												\$ 120,000
MDT-PREVENTATIVE MAINTENANCE - IM	PE						\$ 100,000									\$ 100,000
MDT-PREVENTATIVE MAINTENANCE - NH***\	CONST						\$ 2,163,033									\$ 2,163,033
MDT URBAN PAVEMENT PRESERVATION (UPP)	PE							\$ 50,000								\$ 50,000
ENHANCEMENT PROJECTS-VARIOUS LOCATIONS	ALL				\$ 493,249	\$ 195,006										\$ 688,255
SAFE ROUTES TO SCHOOL (SRTS)**	ALL							\$ 45,000								\$ 45,000
SIGNAL OPTIMIZATION	OTHER							\$ 217,500								\$ 217,500
TRANSIT OPERATING (7/2013-6/2014)	OPERATING								\$ 1,545,083						\$ 2,447,979	\$ 3,993,062
VEHICLE PURCHASES	PURCHASE										\$ 125,000					\$ 125,000
MET SPECIALIZED TRANS	OPERATING											****	****	\$ 70,000	\$ 70,000	\$ 140,000
INTERSECTION-MAIN ST/AIRPORT RD	PE/CONST							\$ 900,000								\$ 900,000
D5 INTERSTATE FENCING	PE/CONST							\$ 650,000								\$ 650,000
TOTAL		\$ -	\$ -	\$ 120,000	\$ 493,249	\$ 195,006	\$ 2,263,033	\$ 1,937,390	\$ 1,545,083	\$ -	\$ 125,000	\$ -	\$ -	\$ 70,000	\$ 2,517,979	\$ 9,266,740
*LOCAL MATCH FOR TRANSIT **DEPENDENT ON FUNDING AND APPLICATION APPROVALS BY MDT *** 27th St-1st Ave S to Airport and Exposition Dr & 1st Ave N-Blgs ****5316 &5317 funding no longer available (2014)																

(Table 10) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FISCAL YEAR 2015 BILLINGS, MONTANA																
PROJECT DESCRIPTION	PHASING	STP URBAN (STPU)	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (MT, NCPD DEMO)	SURFACE TRANSPORTATION ENHANCEMENT (STPE)		NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE (IM)	HSIP UPP RRP SRTS BRIDGE	TRANSIT SEC 5307	TRANSIT	TRANSIT SEC 5310**	TRANSIT SEC 5316**	TRANSIT SEC 5317**	TRANSADA	OTHER FUNDS*	TOTAL
										SECTION						
										5309						
					CITY	COUNTY										
Estimated carryover balance		\$ 10,191,050	\$ 3,928,754	\$ 21,224,129												
Estimated allocation		\$ 2,587,036	\$ 1,043,888		\$ 493,249	\$ 195,006	\$ 1,600,000		\$ 1,537,408		\$ 125,000	\$ -	\$ -	\$ 70,000	\$ 2,611,939	
Estimated beginning balance		\$ 12,778,086	\$ 4,972,642	\$ 21,224,129												
ZIMMERMAN TRAIL	CONST			\$ 5,390,000												\$ 5,390,000
BENCH BLVD-BILLINGS PHASE II	CONST	\$ 12,462,601														\$ 12,462,601
MDT-PREVENTATIVE MAINTENANCE - IM	PE/CONST						\$ 1,500,000									\$ 1,500,000
MDT-PREVENTATIVE MAINTENANCE - NH	PE						\$ 100,000									\$ 100,000
MDT-URBAN PAVEMENT PRESERVATION (UPP)	CONST							\$ -								\$ -
ENHANCEMENT PROJECTS-VARIOUS LOCATIONS	ALL				\$ 493,249	\$ 195,006										\$ 688,255
SAFE ROUTES TO SCHOOL (SRTS)**	ALL							\$ 50,000							\$ 45,000	\$ 95,000
TRANSIT OPERATING (7/2014-6/2015)									\$ 1,606,886						\$ 2,496,939	\$ 4,103,825
REPLACEMENT VEHICLES											\$ 125,000					\$ 125,000
MET SPECIALIZED TRANS.-OPERATING												****	****	\$ 70,000	\$ 70,000	\$ 140,000
TOTAL		\$ 12,462,601	\$ -	\$ 5,390,000	\$ 493,249	\$ 195,006	\$ 1,600,000	\$ 50,000	\$ 1,606,886	\$ -	\$ 125,000	\$ -	\$ -	\$ 70,000	\$ 2,611,939	\$ 24,604,681

(Table 11) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FISCAL YEAR 2016																
BILLINGS, MONTANA																
PROJECT DESCRIPTION	PHASING	STP URBAN (STPU)	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (MT, NCPD,DEMO)	SURFACE TRANSPORTATION ENHANCEMENT (STE)		NATIONAL HWY SYSTEM (NHS) INT MAINTENANCE (IM)	HSIP UPP RRP SRTS** BRIDGE	TRANSIT SEC 5307	TRANSIT SEC 5309	TRANSIT SEC 5310**	TRANSIT SEC 5316**	TRANSIT SEC 5317**	TRANSADADE	OTHER FUNDS*	TOTAL
					CITY	COUNTY										
Estimated carryover balance		\$ 315,485	\$ 4,972,642	\$ 15,834,159												
Estimated allocation		\$ 2,587,036	\$ 1,043,888	\$ -	\$ 493,249	\$ 195,006	\$ 1,000,000	\$ 1,050,000	\$ 1,671,162	\$ -	\$ 125,000	0	0	\$ 70,000	\$ 2,616,878	
Estimated beginning balance		\$ 2,902,521	\$ 6,016,530	\$ 15,834,159												
MDT-PREVENTATIVE MAINTENANCE - IM	PE/CONST						\$ -									\$ -
MDT-PREVENTATIVE MAINTENANCE - NH	PE/CONST						\$ 1,000,000									\$ 1,000,000
MDT-URBAN PVMT PRES (UPP)	CONST							\$ 1,000,000								\$ 1,000,000
ENHANCEMENT PROJECTS-VARIOUS LOCATIONS	ALL				\$ 493,249	\$ 195,006										\$ 688,255
SAFE ROUTES TO SCHOOL (SRTS)	ALL							\$ 50,000								\$ 50,000
TRANSIT OPERATING (7/16-6/17)	Operating								\$ 1,671,162						\$ 2,546,878	\$ 4,218,040
VEHICLE REPLACEMENTS**	Purchase										\$ 125,000					\$ 125,000
MET SPECIALIZED TRANS.-OPERATING**	Operating											****	****	\$ 70,000	\$ 70,000	\$ 140,000
TOTAL		\$ -	\$ -	\$ -	\$ 493,249	\$ 195,006	\$ 1,000,000	\$ 1,050,000	\$ 1,671,162	\$ -	\$ 125,000	\$ -	\$ -	\$ 70,000	\$ 2,616,878	\$ 7,221,295
*Local Match for Transit **Dependent on Funding & Application Approvals by MDT **** 5316 & 5317 funding no longer available (2016)																

(Table 12) - BIENNIAL ELEMENT OCTOBER 1, 2011 - SEPTEMBER 30, 2013 (HIGHWAY) BILLINGS, MONTANA							
PROJECT/PHASE	PROJECT NUMBER	PROJECT DESCRIPTION	TOTAL ESTIMATED	FEDERAL FUNDS	NON-FEDERAL FUNDS AND SOURCES	RECIPIENT OF FUNDS	RESPONSIBLE IMPLEMENTING
SF099 GRAND-DIVISION 17TH-SIGNAL (PE)	HSIP 1004	UPGRADE/SIGNAL	29,000	25,108	3,892	MDT	MDT
BENCH BLVD-BILLINGS PHASE II (RW)	CM 1036()	UPGRADE/SIGNAL RECONSTRUCTION	1,567,915	FHWA	STATE MATCH	MDT	MDT
ZIMMERMAN TRAIL (PE)	MT 1001	ADD CLIMBING LN STRAIGHTEN CRVE	490,000	424,242	65,758	MDT	MDT
MDT-PREVENTIVE MAINTENANCE (NH) (PE)	NH	MAINTENANCE	252,888	FHWA	LOCAL MATCH	MDT	MDT
MDT-URBAN PVMT PRESERVATION(UPP) (PE)	UPP 1020(20) & 1020(18)	MAINTENANCE	40,000	FHWA	STATE MATCH	MDT	MDT
2012 SCOUR MITIGATION (PE)	BH	PAVEMENT PRESERVATION	79,000	FHWA	STATE MATCH	MDT	MDT
CTEP PROJECTS (PE, RW, IC, CONST)	STPE VARIOUS	REMEDATION		FHWA	STATE MATCH	MDT	MDT
MDT-MACI EQUIPMENT PURCHASE (PURCHASE)	CM STWD(110)		220,562	FHWA	LOCAL MATCH	MDT	MDT
BENCH BLVD-BILLINGS PHASE I (CONST)	MT 1036()	SWEeper PURCHASE	4,561,070	FHWA	LOCAL MATCH	MDT	MDT
BENCH BLVD-BILLINGS PHASE I (CONST)	MT-STPU 1036()	RECONSTRUCTION	300,720	FHWA	STATE MATCH	MDT	MDT
BENCH BLVD-BILLINGS PHASE II (IC)	CM 1036()	RECONSTRUCTION	1,896,672	FHWA	STATE MATCH	MDT	MDT
BILLINGS BYPASS (PE-DESIGN)	MT	NEW CONST.	5,000,000	FHWA	STATE MATCH	MDT	MDT
I-90 YELLOWSTONE RIVER-BILLINGS (PE)	BR 90-	STRUCTURES	3,766,636	FHWA	STATE MATCH	MDT	MDT
MDT-PREVENTIVE MAINTENANCE (NH) (PE/CONST.)	NH VARIOUS	STRUCTURES	100,000	FHWA	STATE MATCH	MDT	MDT
MDT-URBAN PVMT PRESERVATION(UPP) (CONST)	UPP 1020(20)&1020(18)	MAINTENANCE	1,466,413	FHWA	STATE MATCH	MDT	MDT
2012-SCOUR MITIGATION (CONST)	BH	PAVEMENT PRESERVATION	520,000	FHWA	STATE MATCH		
1ST AVENUE SOUTH (CONST)	STPRP 1022(7)	REMEDATION	92,055	FHWA	STATE MATCH		
OPERATION AND MAINTENANCE - STATE (PE/CONST.)	N/A	RR CIRCUITRY UPGRADE	446,000	0	446,000	MDT	MDT
OPERATION AND MAINTENANCE - LOCAL (PE/CONST.)	N/A	OP./MAINT.	225,000	FHWA	STATE	MDT	MDT
					LOCAL		

(Table 13) - BIENNIAL ELEMENT JULY 1, 2012-JUNE 30, 2014 (TRANSIT)					
BILLINGS MONTANA					
PROJECT/FUNDING SOURCE	TOTAL EST COST	FEDERAL FUNDS AND SOURCES	NON-FEDERAL FUNDS AND SOURCES	RECIPIENT OF FUNDS	RESPONSIBLE IMPLEMENTING AGENCY
FTA SECTION 5307					
OPERATING PROJECT (7-1-11 TO 6-30-12)	3,781,438	1,428,517	2,352,921	CITY	CITY
OPERATING PROJECT (7-1-12 TO 6-30-13)	3,885,636	1,485,657	2,399,979	CITY	CITY
FTA SECTION 5309					
MET TRANSIT ITS (LIVABILITY GRANT	47,640	38,112	9,528	MDT	CITY
FTA SECTION 5310*					
REPLACEMENT VEHICLES(2012)	125,000	100,000	25,000	STATE	VARIOUS LOCAL
REPLACEMENT VEHICLES (2013)	125,000	100,000	25,000	STATE	VARIOUS LOCAL
TRANSADE*					
MET SPECIALIZED TRANSIT OPERATING-2012	200,000	100,000	100,000	CITY	CITY
MET SPECIALIZED TRANSIT OPERATING-2013	220,000	110,000	110,000	CITY	CITY
FTA SECTION 5316*					
JARC OPERATING-2012	150,000	75,000	75,000	CITY	CITY
JARC OPERATING-2013	153,000	76,500	76,500	CITY	CITY
FTA SECTION 5317*					
OPERATING-2012	170,000	85,000	85,000	CITY	CITY
OPERATING-2013	136,000	68,000	68,000	CITY	CITY
*Dependent on Funding & Application Approvals by MDT					